



MORGANTOWN BOARD OF ZONING APPEALS

January 16, 2013
6:30 PM
City Council Chambers

Board Members:

Bernie Bossio
Leanne Cardoso
George Papandreas
Tom Shamberger
Jim Shaffer

STAFF REPORT

CASE NO: CU13-01 / Adelheid Schaupp / 502 White Avenue

REQUEST and LOCATION:

Request by Adelheid Schaupp for a conditional use approval for the re-use of a closed or vacant school on White Avenue.

TAX MAP NUMBER(s) and ZONING DESCRIPTION:

Tax Map 36 Parcels 712.1 and 712.2; R-1A, Single-Family Residential District

SURROUNDING ZONING:

R-1A, Single-Family Residential District

BACKGROUND and ANALYSIS:

On December 15, 2010 the Board approved the petitioner's conditional use petition Case No. CU10-18 to convert the former Second Ward Elementary School Annex located at 502 White Avenue into seven (7) one-bedroom multi-family dwelling units.

Article 1379.05 of the Planning and Zoning Code provides the:

"In the case where a Conditional Use Permit has not been used within twelve (12) months after the granting thereof, then without further action it shall be null and void. This may be extended to eighteen (18) months upon prior written request of the Board. The word 'used' shall mean that the approved Conditional Use Permit has been activated as evidenced by permits, construction, or required licenses."

The petitioner has not activated the December 15, 2010 conditional use approval nor did the petitioner submit a written extension request. To pursue the development and reuse project now as proposed then, the petitioner must reapply for a new conditional use approval.

The following exhibits are attached hereto to confirm the petitioner's CU10-18 request and aid the Board's recollection of the subject conditional use petition:

1. The Board's approval notification letter dated December 28, 2010.
2. The Staff Report presented to the Board during its December 15, 2010 hearing.

Again, the petitioner's development program for which she currently seeks building permits for has not changed from that considered and approved by the Board on December 15, 2010.

Development Services
Christopher Fletcher, AICP
Director

Planning Division
389 Spruce Street
Morgantown, WV 26505
304.284.7431



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STAFF RECOMMENDATION:

The Board must determine whether the proposed request meets the standard criteria for a conditional use by reaching a positive determination for *each* of the "Findings of Fact" submitted by the petitioner.

Because the petitioner's proposed development program and merits of the conditional use petition have not changed from the CU10-18 petition, Staff recommends that the Board find in the affirmative and approve CU13-02 utilizing the same findings of fact and conditions set forth in the Board's related December 15, 2010 decision respectively, both of which are stated in the December 28, 2010 approval notification letter.

Attachments: Application and exhibits noted above.



Development Services
Christopher Fletcher, AICP
Director

Planning Division
389 Spruce Street
Morgantown, WV 26505
304.284.7431



City of Morgantown, West Virginia

APPLICATION FOR TYPE IV SITE PLAN - CONDITIONAL USE

OFFICE USE	
CASE NO.	CU13-02
RECEIVED:	12/17/2012
COMPLETE:	

(PLEASE TYPE OR PRINT IN BLACK INK)

I. APPLICANT			
Name:	ADELHEID SHAUER	Phone:	304 266 4304
Mailing Address:	Street	Mobile:	
	200 DEWEY ST	Email:	
	MORGANTOWN WV 26501		
City	State	Zip	
II. AGENT / CONTACT INFORMATION			
Name:	SAME AS ABOVE	Phone:	
Mailing Address:	Street	Mobile:	
		Email:	
	City	State	Zip
Mailings -	Send all correspondence to (check one): <input type="checkbox"/> Applicant OR <input type="checkbox"/> Agent/Contact		
III. PROPERTY			
Owner:	SAME AS ABOVE	Phone:	
Mailing Address:	Street	Mobile:	
		Email:	
	City	State	Zip
IV. SITE			
Street Address (if assigned):	502 WHITE AVE	Tax Map #:	3le
		Parcel #:	712.14 712.2
Zoning:	R1-A Single-family Residential		
Lot Dimensions:	Width: Ft.	Depth: Ft.	Square Footage: ft. ²
Shape of Lot:	<input checked="" type="checkbox"/> Corner <input type="checkbox"/> Interior <input type="checkbox"/> Through <input type="checkbox"/> Flag <input type="checkbox"/> Irregular <input type="checkbox"/> Non-conforming		
Existing Use of Structure or Land:	VACANT WAS USED FOR REGULAR AA MEETINGS; BEFORE THAT USED AS A SCHOOL		
Proposed Use of Structure of Land:	7 APARTMENTS		

RS2
12/14/2012
201306252

CRYSTAL
8:36:42
SITE PLAN

P A I D

75.00

Finance Office
Morgantown, WV 26505
(304) 284-7408



**APPLICATION FOR
TYPE IV SITE PLAN – CONDITIONAL USE**

OFFICE USE	
CASE NO.	CU13-02
RECEIVED:	12/17/12
COMPLETE:	_____

V. STRUCTURE

Proposed Setbacks: Front: _____ ft. Rear: _____ ft. Side A: _____ ft. Side B: _____ ft.

Proposed Height of Structure: _____ No. of Proposed Off-Street Parking Spaces: _____

No. of Dwelling Units (if applicable): _____ No. of Bedrooms: _____ No. of Employees: _____

Square Footage of all Proposed Structures (please explain): _____

VI. SITE PLAN

A Site Plan (8 copies), drawn to scale, that includes the following elements must accompany the application if not provided above in Sections IV and V:

- (a) The actual dimensions, size, square footage, and shape of the lot to be built upon as shown on an actual survey by a registered design professional licensed by the State of West Virginia.
- (b) The exact sizes and locations on the lot of existing structures, if any;
- (c) The location, square footage, and dimensions of the proposed structure or alteration;
- (d) The location of the lot with respect to adjacent rights-of-way;
- (e) The existing and proposed uses of the structure and land;
- (f) The number of employees, families, housekeeping units, bedrooms, or rental units the structure is designed to accommodate;
- (g) The location and dimensions of off-street parking and means of ingress and egress for such space;
- (h) Height of structure;
- (i) Setbacks;
- (j) Buffer yard and screening, if applicable;
- (k) Location of garbage collection area and screening;
- (l) Location of existing and/or proposed signs, if applicable;
- (m) Roadway typical detail for internal roadways, if applicable;
- (n) Location and size of stormwater management facilities; and,
- (o) Utility lines and easements, if applicable.



**APPLICATION FOR
TYPE IV SITE PLAN – CONDITIONAL USE**

OFFICE USE	
CASE NO.	CU13-02
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COMPLETE:	

VII. SUPPLEMENTAL PLANS AND EXHIBITS

Applicants **MUST** also submit the following plans and exhibits, unless waived by the Planning Director:

- (a) Drainage plan and drainage calculations that bear the name, address, signature and seal of a registered professional engineer licensed by the State of West Virginia, with floodplain zones clearly denoted, a typical of all swales, and a design of the drop inlets.
- (b) If applicable, design of stormwater management facilities and drainage calculations that bear the name, address, and seal of a registered professional engineer licensed by the State of West Virginia that meet the requirements of the City Zoning Ordinance, the City Stormwater Management Ordinance, and all other applicable local, state and federal regulations.
- (c) Parking and Landscaping Plan
- (d) Sign Plan
- (e) Approved WV Division of Highways Access Permit, if applicable
- (f) Sediment and erosion control plan as approved by the West Virginia Department of Environment Protection and the City of Morgantown
- (g) Approved State of West Virginia NPDES General Permit for Storm Water Associated with Industrial (Construction) Activity, if applicable
- (h) A traffic impact study, if required by the City Engineer
- (i) The Planning Director may require the applicant to submit additional information concerning the lot or neighboring lots to determine conformance with, and provide for the enforcement of, the City Zoning Ordinance.
- (j) The Planning Director may require the applicant to submit, in the case of accessory structures or minor additions, dimensions shown on plans relating to the size of the lot and the location of the structure(s) thereon be based on an actual survey prepared a registered design professional licensed by the State of West Virginia.

Applicants submitting a conditional use application in accordance with Article 313.05 "Building Height and Use" within the B-4 General Business District **MUST** also submit the following analyses:

- (a) An air flow analysis conducted by a licensed architect or profession engineer, describing the estimated impact of the proposed building on existing patterns of air flow in the general vicinity; and how those impacts may affect existing properties with a 300 foot radius of the site.
- (b) An analysis of the impacts of the proposed building on sunlight distribution in the general vicinity, with special emphasis on predicting light blockage and shadow casting onto all properties with a 300 foot radius of the site. Such analysis shall be conducted by a licensed architect or professional engineer.
- (c) An analysis of the potential of "stepping back" upper floors as a technique to avoid negative impacts with respect to light and airflow, and to minimize the canyon effect of non-recess tall buildings. Such analysis shall be conducted by a licensed architect or professional engineer.
- (d) An infrastructure and traffic analysis predicting the impacts of the building on water, sewer, drainage, electrical and gas infrastructure, on transportation levels of service (including transit) for impacted streets, and on fire suppression capabilities of the city. Such analysis shall be conducted by a licensed architect or professional engineer.



**APPLICATION FOR
TYPE IV SITE PLAN – CONDITIONAL USE**

OFFICE USE	
CASE NO.	_____
RECEIVED:	_____
COMPLETE:	_____

VIII. FINDINGS OF FACT

The Board of Zoning Appeals may grant the request only if each of the Conditional Use Findings of Fact Criteria is determined to be in the positive. Applicants must give their own responses to the criteria statements provided below.

This Conditional Use is within the fitting character of the surrounding area and is consistent with the spirit, purpose, and intent of the Zoning Ordinance, because,

1. Congestion in the streets is not increased, in that:

FEWER CARS THAN PREVIOUSLY PRESENT

2. Safety from fire, panic, and other danger is not jeopardized, in that:

SPRINKLER SYSTEM TO BE INSTALLED

3. Provision of adequate light and air is not disturbed, in that:

BUILDING NOT BEING ADDED ON TO, USING EXISTING STRUCTURE

4. Overcrowding of land does not result, in that:

LAND NOT TO BE DISTURBED, PARKING IS EXISTING

5. Undue congestion of population is not created, in that:

BEING CONVERTED FROM TWO ROOM SCHOOL HOUSE TO 7 APARTMENTS WHICH RESULTS IN FEWER PEOPLE



APPLICATION FOR TYPE IV SITE PLAN – CONDITIONAL USE

OFFICE USE	
CASE NO.	CU/3-02
RECEIVED:	12/17/2012
COMPLETE:	

VIII. FINDINGS OF FACT (cont.)

6. Granting this request will not create inadequate provision of transportation, water, sewage, schools, parks, or other public requirements, in that:

7. Value of buildings will be conserved, in that:

8. The most appropriate use of land is encouraged, in that:

IX. ATTEST

I hereby certify that I am the owner of record of the named property, or that this application is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent and I agree to conform to all applicable laws of this jurisdiction. I certify that the information submitted herein and attached hereto is true and accurate and understand that if found otherwise may result in the denial of this request or subsequent revocation of any and all related approvals. The undersigned has the power to authorize and does hereby authorize City of Morgantown representatives on official business to enter the subject property as necessary to process the application and enforce related approvals and conditions.

ADALHEID SCHAUER
Type/Print Name of Applicant/Agent

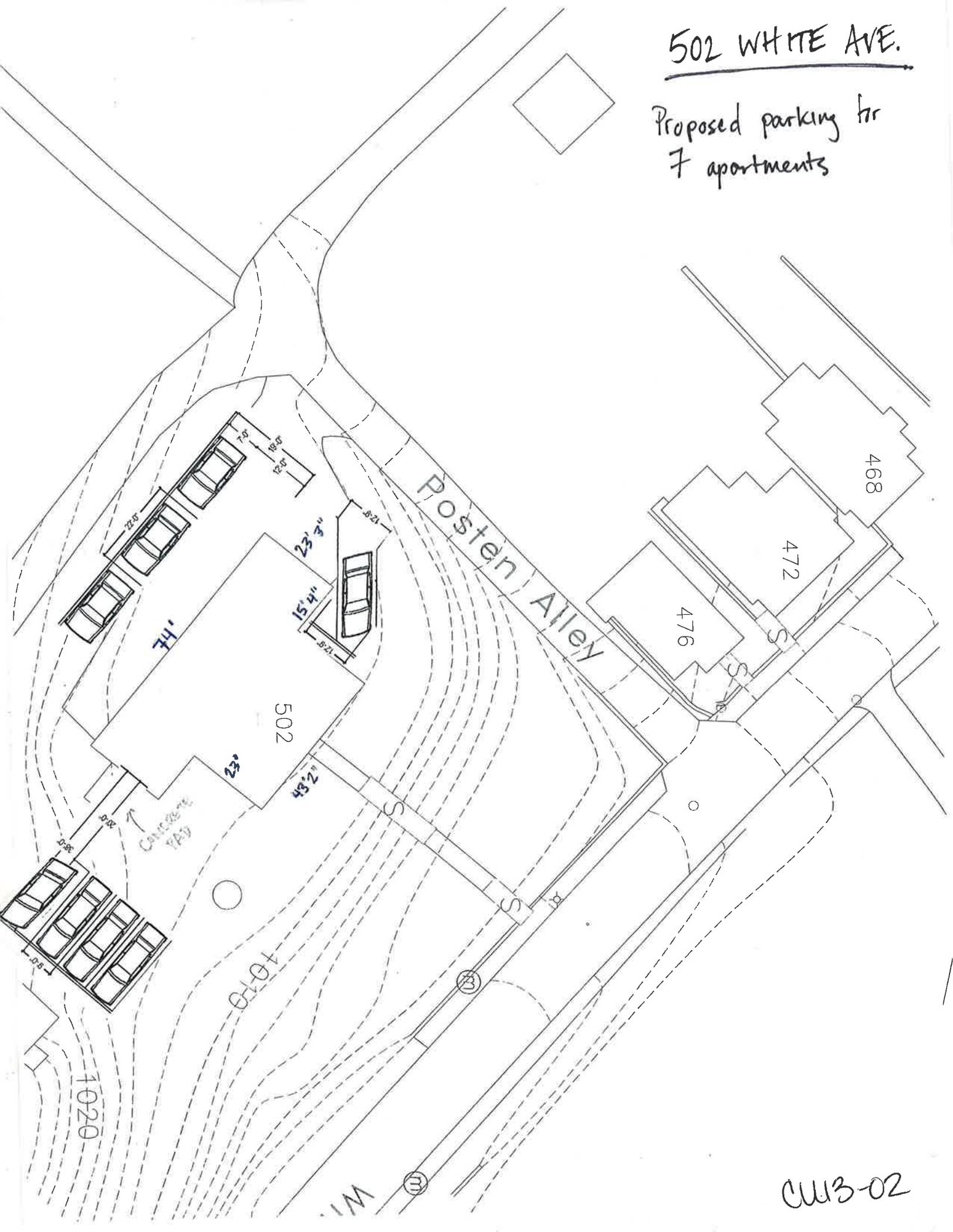
[Signature]
Signature of Applicant/Agent

12/14/12
Date

- Conditional Use Petition Fee of \$75 must accompany application

502 WHITE AVE.

Proposed parking for
7 apartments



CU13-02



The City of Morgantown **FILE COPY**

389 SPRUCE STREET
MORGANTOWN, WEST VIRGINIA 26505
(304) 284-7431 TDD (304) 284-7512
FAX (304) 284-7534 www.morgantown.com

December 28, 2010

Adelheid Schaupp
208 Dewey Street
Morgantown, WV 26505

**RE: CU10-18 / Schaupp / 502 White Avenue
Tax Map #36, Parcels #712.1 & 712.2**

Dear Ms. Schaupp:

This letter is to notify you of the decision made by the Board of Zoning Appeals concerning your Conditional Use petition for the "Re-Use of a Closed/Vacant School or Church" at 502 White Avenue. The decision is as follows:

Board of Zoning Appeals, December 15, 2010:

1. Each of the Findings of Fact was found in the positive as stated in Addendum A of this letter.
2. The Board approved your conditional use petition with the following conditions:
 1. That a scaled site plan, to the satisfaction of the Planning Director, be submitted with the building permit application that, among other elements, illustrates the location, design, and grade of parking areas and all existing and proposed facilities and amenities serving the site.
 2. That no less than eight (8) onsite parking spaces be designed and developed to the satisfaction of the Planning Director and the City Engineer and that each dwelling unit have a signed and designed parking space.
 3. That the Board reserves the right to require the development of additional onsite and/or offsite parking if it later finds that the development contributes to traffic and/or parking congestion and/or adversely impacts the preservation and enjoyment of property within the immediate area.
 4. That the number of dwelling units, bedroom configuration, and the gross floor area for each of the dwelling units may not be increased beyond that illustrated on the plans submitted to and approved by the Board of Zoning Appeals without prior approval of the Board.
 5. That the development meets all applicable federal Fair Housing and Americans with Disabilities Act standards as determined by the City's Chief Building Code Official.
 6. That the applicant must submit, to the satisfaction of the Planning Director and City Engineer, a solid waste storage and removal plan prior to building permit issuance.

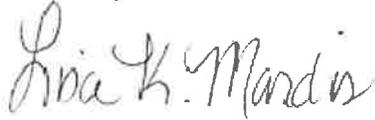
- a. That the petitioner must obtain subdivision approval from the Planning Commission to combine the two (2) existing parcels onto one parcel prior to the issuance of any occupancy permit, proposed massage therapy home occupation must not produce detectable fumes, odors, dust, heat, noise, vibration, glare, electro-magnetic field, electrical interference, or other effects outside the dwelling, including transmittal through vertical or horizontal party walls.

The approval of this conditional use is set to expire in twelve (12) months unless you can demonstrate that it has been acted upon as evidenced by permits, construction, or required licenses. This expiration deadline may be extended to eighteen (18) months upon prior written request of the Board.

This decision may be appealed to the Circuit Court of Monongalia County within thirty (30) days. Any work done relating to decisions rendered by the Board of Zoning Appeals during this thirty-day period is at the sole financial risk of the applicant.

Should you have any questions or require further clarification, please contact the undersigned.

Sincerely,



Lisa K. Mardis
Deputy Planning Director
lmardis@cityofmorgantown.org

**ADDENDUM A – Approved Findings of Fact
CU10-18 / Schaupp / 502 White Avenue**

Finding of Fact #1 The building is already currently being utilized as a public meeting place. The conversion of building into seven (7) units should decrease the daily traffic in and around the building.

Finding of Fact #2 The building is easily accessible to emergency vehicles and all dwelling units will be sprinkled and built to current safety and fire codes.

Finding of Fact #3 The building is located on half an acre on the corner lot with few surrounding buildings. The structure is also located on the top of a hill which allows for both light and air without disturbing neighboring houses. The proposed redevelopment of building will be contained within the structure's existing footprint and building height thereby not disturbing current light and air characteristics.

Finding of Fact #4 The petitioner will be using the existing footprint of the building and existing parking spaces when feasible. Additional parking will be provided on a now vacant lot. The former school's existing scale and scope will be preserved and not increased.

Finding of Fact #5 Seven (7) one-bedroom units will only allow for seven (7) occupants. This should be less people than who currently use the building for meetings daily. The building was originally a school and was built to accommodate larger groups. The gross floor area of the structure will not be increased.

Finding of Fact #6 The petitioner will be able to use existing water and sewage hook-ups with the addition of sprinkler requirements. Other public requirements should not be adversely impacted. The surrounding neighborhood appears to enjoy an eclectic mix of residential units including the conversion of the former Second Ward School on Wilson Avenue into multi-family apartments. The proposed project will convert an underutilized and blighting structure into a neighborhood contributing property while respecting the architectural significance of the structure as well as the quality and character of the community. It is not anticipated that the proposed reuse to seven one-bedroom loft apartments will result in increased in vehicular and pedestrian traffic within the neighborhood.

Finding of Fact #7The building is currently in a state of disrepair. Renovation of the building and proposed park should considerably add value to the property and surrounding area.

Finding of Fact #8The upper half of the lot will be most efficiently used as apartments and parking as adequate space appears to be available. The bottom half of the lot does not need to be incorporated into the apartment building but rather could be used more effectively as a neighborhood park.



MORGANTOWN BOARD OF ZONING APPEALS

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City Council Chambers

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Leanne Cardoso, Vice-chair
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Tom Shamberger
Jim Shaffer

STAFF REPORT

CASE NO: CU10-18 / Adelheid Schaupp / 502 White Avenue

REQUEST and LOCATION:

Request by Adelheid Schaupp for conditional use approval for the re-use of a closed or vacant school on White Avenue.

TAX MAP NUMBER(s) and ZONING DESCRIPTION:

Tax Map #36 Parcels #712.1 and 712.2; R-1A, Single-Family Residential District

SURROUNDING ZONING:

R-1A, Single Family Residential District

BACKGROUND and ANALYSIS:

The petitioner seeks to convert the former Second Ward Elementary School Annex located at 502 White Avenue into seven (7) multi-family residential apartments.

Table 1131.05.01 "Permitted Land Use Table" of the Planning and Zoning Code provides that the "Re-use of a Closed/Vacant School or Church" requires conditional use approval in the R-1A District. It is the opinion of the Planning Department that the subject structure is a "closed/vacant school" because its use has remained educational and public service in nature under the Monongalia County Board of Education and private, non-profit ownership.

The petitioner originally proposed an eight (8) unit development program that included the addition of a second story. The Planning Department encouraged the petitioner to seek technical design assistance from local historical preservationists and state historical architects to study the most practical means of preserving the integrity of the building.

The petitioner agreed and has since modified the original development program and is now pursuing a renovation project within the scale and scope of the existing building. The existing high ceilings would permit the petitioner to create a unique loft sleeping area for each unit. The proposed reuse will not include a non-residential or commercial component and the units will be leased or sold as the market permits.

The petitioner will utilize the existing water and sewage hookups. The building will be accessible to emergency vehicles. Each dwelling unit will include sprinkler systems to meet current life safety and fire codes. The petitioner proposes eight (8) onsite parking spaces.

Addendum A of this report illustrates the location of the subject site and photos.

Planning Department

Christopher Fletcher, AICP
Planning Director
389 Spruce Street
Morgantown, WV 26505
304.284.7431



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History of the Structure

According to the Greenmont Historic District Registry, the former Second Ward Elementary School Annex was built in 1939 and characterized as a:

“one (1) story, Art Deco style, rear facing ‘T,’ school building with a flat roof, central brick chimney, red brick facade, central double entrance doors with a divided light transom above flanked by narrow casement windows with stone sills on a sandstone foundation.”

It states that the structure is a contributing building on the National Register of Historic Places with a “period of significance” from 1925-1974.

According to the Monongalia County Assessor’s website, the Monongalia County Board of Education acquired the property in September 1909. The property was transferred in November 1998 to John and Karlyn Turak and then transferred to “The ‘17’ Club, Inc.” in December of that year. The City Finance Department records show that “The ‘17’ Club, Inc.” has paid Fire Service fees since 2002.

Parking

The Planning and Zoning Code does not provide clear guidance for determining the minimum number of parking spaces for the reuse of closed schools and places of worship. As such, determining sufficient parking appears to be left to the discretion of the Board.

In April 2007, the Board approved the reuse of the old Jerome School using the parking standard for multi-family dwellings. Using this same standard, the parking requirement should be at least seven (7) parking spaces. The applicant is proposing eight (8) spaces.

Open / Park Space

The petitioner is currently discussing opportunities of providing public park space on the site with BOPARC. Staff has confirmed that BOPARC is interested in developing pocket park opportunities within the currently underserved Greenmont neighborhood and is studying the feasibility of the petitioner’s proposal. To date, no final decisions have been made. The currently contemplated area for the park would be the lower portion of the property along White Avenue.

Staff Observations

Planning and reviewing the reuse of a closed school or place of worship often presents conflicting opportunities and challenges. Often, neighborhoods closely identify themselves with these landmarks and share the same community name.

Opportunities can generally include:

- Breathing new life into a structure that has contributed to neighborhood blight.
- Preserving an often architecturally unique or significant building.
- Providing affordable housing, lower market rate commercial lease space, or facilities for community, social, and/or recreational services.

Planning Department

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Challenges can generally include:

- The significant amount of initial capital required to reprogram a closed school or place of worship often results in low cash-flowing and/or low return on investment reuses that are often preferred within the neighborhood, i.e. lower density residential, community centers, social services, etc. Increased development costs often relate to environmental mitigation (e.g., lead, asbestos, etc.); retrofitting an older or historical structure with modern electrical, plumbing, mechanical, and fire suppression systems; and, weatherization needed to increase energy efficiency of larger-scaled structures.
- Sometimes the economic viability of a reuse strategy requires higher density and/or higher intensity uses that will shift traffic volumes and patterns within a neighborhood.
- Neighborhood residents can become impassioned to save the structure and/or protect the neighborhood from reuse strategies that will or may be perceived to change the character of the community.

The policy intent of requiring conditional use approval for the reuse of a school or place of worship is to ensure careful and deliberate public consideration by decision makers and provide meaningful opportunities of citizen input from affected neighborhood residents and stakeholders.

It is the opinion of the Planning Department that the petitioner has carefully weighed these opportunities and challenges as evidenced by eliminating the originally planned second story addition, the reduction in the number of dwelling units, and a commitment to work with BOPARC.

STAFF RECOMMENDATION:

The Board of Zoning Appeals must determine whether the proposed request meets the standard criteria for a conditional use by reaching a positive determination for *each* of the "Findings of Fact".

Staff recommends the following revisions to the petitioner's Findings of Fact (deleted matter struck through; new matter underlined).

Finding of Fact #1 – Congestion in the streets is not increased, in that:

The building is ~~already~~ currently being utilized as a public meeting place. The conversion of building into seven (7) units ~~will actually~~ should decrease the daily traffic in and around the building.

Finding of Fact #2 – Safety from fire, panic, and other danger is not jeopardized, in that:

The building is easily accessible to emergency vehicles and all dwelling units will be sprinkled and built to current safety and fire codes.

Finding of Fact #3 – Provision of adequate light and air is not disturbed, in that:

Planning Department

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Planning Director
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The building is located on half an acre on the corner lot with few surrounding buildings. The structure is also located on the top of a hill which allows for both light and air without disturbing neighboring houses. The proposed redevelopment of building will be contained within the structure's existing footprint and building height thereby not disturbing current light and air characteristics.

Finding of Fact #4 – Overcrowding of land does not result, in that:

The petitioner will be using the existing footprint of the building and existing parking spaces when feasible. Additional parking will be provided on a now vacant lot. The former school's existing scale and scope will be preserved and not increased.

Finding of Fact #5 – Undue congestion of population is not created, in that:

Seven (7) one-bedroom units will only allow for ~~eight (8)~~ seven (7) tenants occupants. This is significantly should be less people than who currently use the building for meetings daily. The building was originally a school and was built to accommodate larger groups. The gross floor area of the structure will not be increased.

Finding of Fact #6 – Granting this request will not create inadequate provision of transportation, water, sewage, schools, parks, or other public requirements, in that:

~~We~~ The petitioner will be able to use existing water and sewage hook-ups with the addition of sprinkler requirements. Other public requirements will not should not be adversely impacted. The surrounding neighborhood appears to enjoy an eclectic mix of residential units including the conversion of the former Second Ward School on Wilson Avenue into multi-family apartments. The proposed project will convert an underutilized and blighting structure into a neighborhood contributing property while respecting the architectural significance of the structure as well as the quality and character of the community. It is not anticipated that the proposed reuse to seven one-bedroom loft apartments will result in increased in vehicular and pedestrian traffic within the neighborhood.

Finding of Fact #7 – Value of buildings will be conserved, in that:

The building is currently in a state of disrepair. Renovation of the building and proposed park will should considerably add value to the property on and around the lot and surrounding area.

Finding of Fact #8 – The most appropriate use of land is encouraged, in that:

The upper half of the lot will be most efficiently used as apartments and parking in that the building and lot allow for as adequate space appears to be available. The bottom half of the lot does not need to be incorporated into the apartment building but rather could be used more effectively as a neighborhood park.

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It is the opinion of the Planning Department that the petitioner's planned reuse of the historically and culturally significant school respects the architectural character and quality of the building. The proposed interior plan demonstrates an innovative approach to provide unique quality living space without adversely impacting the significance of the structure. The opportunity of working with BOPARC to develop much needed public active open space in the Greenmont Neighborhood should be celebrated. The renovations and reprogramming of the site and building as proposed should significantly enrich the livability and desirability of the area and mitigate an otherwise blighting condition.

As such, Staff recommends approval with the following conditions:

1. That a scaled site plan, to the satisfaction of the Planning Director, be submitted with the building permit application that, among other elements, illustrates the location, design, and grade of parking areas and all existing and proposed facilities and amenities serving the site.
2. That no less than eight (8) onsite parking spaces be designed and developed to the satisfaction of the Planning Director and the City Engineer and that each dwelling unit have a signed and designed parking space.
3. That the Board reserves the right to require the development of additional onsite and/or offsite parking if it later finds that the development contributes to traffic and/or parking congestion and/or adversely impacts the preservation and enjoyment of property within the immediate area.
4. That the number of dwelling units, bedroom configuration, and the gross floor area for each of the dwelling units may not be increased beyond that illustrated on the plans submitted to and approved by the Board of Zoning Appeals without prior approval of the Board.
5. That the development meets all applicable federal Fair Housing and Americans with Disabilities Act standards as determined by the City's Chief Building Code Official.
6. That the applicant must submit, to the satisfaction of the Planning Director and City Engineer, a solid waste storage and removal plan prior to building permit issuance.
7. That the petitioner must obtain subdivision approval from the Planning Commission to combine the two (2) existing parcels onto one parcel prior to the issuance of any occupancy permit.

Attachments: Application

Planning Department

Christopher Fletcher, AICP
Planning Director
389 Spruce Street
Morgantown, WV 26505
304.284.7431

STAFF REPORT ADDENDUM A
CU10-18 / Adelheid Schaupp / 502 White Avenue







City of Morgantown, West Virginia

APPLICATION FOR TYPE IV SITE PLAN – CONDITIONAL USE

OFFICE USE	
CASE NO.	CU10-18
RECEIVED:	11/12/10
COMPLETE:	

(PLEASE TYPE OR PRINT IN BLACK INK)

I. APPLICANT			
Name:	ADELHEID SCHAUPP	Phone:	
Mailing Address:	208 DEWEY ST.	Mobile:	304 266 4304
	MORGANTOWN WV 26501	Email:	
	City State Zip		
II. AGENT / CONTACT INFORMATION			
Name:	SAME AS ABOVE	Phone:	
Mailing Address:		Mobile:	
		Email:	
	City State Zip		
Mailings –	Send all correspondence to (check one): <input checked="" type="checkbox"/> Applicant OR <input type="checkbox"/> Agent/Contact		
III. PROPERTY			
Owner:	SAME AS ABOVE	Phone:	
Mailing Address:		Mobile:	
		Email:	
	City State Zip		
IV. SITE			
Street Address (if assigned):	502 WHITE AVE.	Tax Map #:	36 Parcel #: 712.1
Zoning:	R1-A		\$712.2
Lot Dimensions:	Width: 162 Ft.	Depth: 150 Ft.	Square Footage: 24300 ft. ²
Shape of Lot:	<input checked="" type="checkbox"/> Corner <input type="checkbox"/> Interior <input type="checkbox"/> Through <input type="checkbox"/> Flag <input type="checkbox"/> Irregular <input type="checkbox"/> Non-conforming		
Existing Use of Structure or Land:	MEETING HALL FOR NON-PROFIT ORG.		
Proposed Use of Structure of Land:	MULT-FAMILY HOUSING, APARTMENTS		

Finance Office Morgantown, WV 26505 1-800-284-7480

1085



City of Morgantown, West Virginia

APPLICATION FOR TYPE IV SITE PLAN – CONDITIONAL USE

OFFICE USE	
CASE NO.	C410-18
RECEIVED:	11/12/10
COMPLETE:	

V. STRUCTURE

USING EXISTING STRUCTURE

Proposed Setbacks: Front: _____ ft. Rear: _____ ft. Side A: _____ ft. Side B: _____ ft.

Proposed Height of Structure: 35ft. No. of Proposed Off-Street Parking Spaces: 7

No. of Dwelling Units (if applicable): 7 No. of Bedrooms: 7 No. of Employees: 0

Square Footage of all Proposed Structures (please explain):

VI. SITE PLAN

A Site Plan (8 copies), drawn to scale, that includes the following elements must accompany the application if not provided above in Sections IV and V:

- (a) The actual dimensions, size, square footage, and shape of the lot to be built upon as shown on an actual survey by a registered design professional licensed by the State of West Virginia.
- (b) The exact sizes and locations on the lot of existing structures, if any;
- (c) The location, square footage, and dimensions of the proposed structure or alteration;
- (d) The location of the lot with respect to adjacent rights-of-way;
- (e) The existing and proposed uses of the structure and land;
- (f) The number of employees, families, housekeeping units, bedrooms, or rental units the structure is designed to accommodate;
- (g) The location and dimensions of off-street parking and means of ingress and egress for such space;
- (h) Height of structure;
- (i) Setbacks;
- (j) Buffer yard and screening, if applicable;
- (k) Location of garbage collection area and screening;
- (l) Location of existing and/or proposed signs, if applicable;
- (m) Roadway typical detail for internal roadways, if applicable;
- (n) Location and size of stormwater management facilities; and,
- (o) Utility lines and easements, if applicable.



City of Morgantown, West Virginia

APPLICATION FOR
TYPE IV SITE PLAN – CONDITIONAL USE

OFFICE USE	
CASE NO.	CU10-18
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VII. SUPPLEMENTAL PLANS AND EXHIBITS

Applicants **MUST** also submit the following plans and exhibits, unless waived by the Planning Director:

- (a) Drainage plan and drainage calculations that bear the name, address, signature and seal of a registered professional engineer licensed by the State of West Virginia, with floodplain zones clearly denoted, a typical of all swales, and a design of the drop inlets.
- (b) If applicable, design of stormwater management facilities and drainage calculations that bear the name, address, and seal of a registered professional engineer licensed by the State of West Virginia that meet the requirements of the City Zoning Ordinance, the City Stormwater Management Ordinance, and all other applicable local, state and federal regulations.
- (c) Parking and Landscaping Plan
- (d) Sign Plan
- (e) Approved WV Division of Highways Access Permit, if applicable
- (f) Sediment and erosion control plan as approved by the West Virginia Department of Environment Protection and the City of Morgantown
- (g) Approved State of West Virginia NPDES General Permit for Storm Water Associated with Industrial (Construction) Activity, if applicable
- (h) A traffic impact study, if required by the City Engineer
- (i) The Planning Director may require the applicant to submit additional information concerning the lot or neighboring lots to determine conformance with, and provide for the enforcement of, the City Zoning Ordinance.
- (j) The Planning Director may require the applicant to submit, in the case of accessory structures or minor additions, dimensions shown on plans relating to the size of the lot and the location of the structure(s) thereon be based on an actual survey prepared a registered design professional licensed by the State of West Virginia.

Applicants submitting a conditional use application in accordance with Article 313.05 "Building Height and Use" within the B-4 General Business District **MUST** also submit the following analyses:

- (a) An air flow analysis conducted by a licensed architect or profession engineer, describing the estimated impact of the proposed building on existing patterns of air flow in the general vicinity; and how those impacts may affect existing properties with a 300 foot radius of the site.
- (b) An analysis of the impacts of the proposed building on sunlight distribution in the general vicinity, with special emphasis on predicting light blockage and shadow casting onto all properties with a 300 foot radius of the site. Such analysis shall be conducted by a licensed architect or professional engineer.
- (c) An analysis of the potential of "stepping back" upper floors as a technique to avoid negative impacts with respect to light and airflow, and to minimize the canyon effect of non-recess tall buildings. Such analysis shall be conducted by a licensed architect or professional engineer.
- (d) An infrastructure and traffic analysis predicting the impacts of the building on water, sewer, drainage, electrical and gas infrastructure, on transportation levels of service (including transit) for impacted streets, and on fire suppression capabilities of the city. Such analysis shall be conducted by a licensed architect or professional engineer.



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VIII. FINDINGS OF FACT

The Board of Zoning Appeals may grant the request only if each of the Conditional Use Findings of Fact Criteria is determined to be in the positive. Applicants must give their own responses to the criteria statements provided below.

This Conditional Use is within the fitting character of the surrounding area and is consistent with the spirit, purpose, and intent of the Zoning Ordinance, because,

1. Congestion in the streets is not increased, in that:

BUILDING IS ALREADY BEING UTILIZED AS A PUBLIC MEETING PLACE, THE CONVERSION OF BUILDING INTO 7 UNITS WILL ACTUALLY DECREASE THE DAILY TRAFFIC IN AND AROUND THE BUILDING

2. Safety from fire, panic, and other danger is not jeopardized, in that:

BUILDING IS EASILY ACCESSIBLE TO EMERGENCY VEHICLES AND ALL DWELLING UNITS WILL BE SPRINKLED AND BUILT TO CURRENT SAFETY AND FIRE CODES.

3. Provision of adequate light and air is not disturbed, in that:

BUILDING IS LOCATED ON HALF AN ACRE ON A CORNER LOT WITH FEW SURROUNDING BUILDINGS. STRUCTURE IS ALSO LOCATED ON THE TOP OF A HILL WHICH ALLOWS FOR BOTH LIGHT AND AIR WITHOUT DISTURBING NEIGHBORING HOUSES

4. Overcrowding of land does not result, in that:

USING EXISTING FOOTPRINT OF THE BUILDING AND EXISTING PARKING SPACES WHEN FEASIBLE. ADDITIONAL PARKING WILL BE PROVIDED ON A NOW VACANT LOT.

5. Undue congestion of population is not created, in that:

7 ONE BEDROOM UNITS WILL ONLY ALLOW FOR 8 TENANTS. THIS IS SIGNIFICANTLY LESS PEOPLE THAN WHO CURRENTLY USE THE BUILDING FOR MEETINGS DAILY. BUILDING WAS ORIGINALLY A SCHOOL AND WAS BUILT TO ACCOMMODATE LARGER GROUPS.



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VIII. FINDINGS OF FACT (cont.)

6. Granting this request will not create inadequate provision of transportation, water, sewage, schools, parks, or other public requirements, in that:

WE WILL BE ABLE TO USE EXISTING WATER AND SEWAGE HOOK-UPS WITH THE ADDITION OF SPRINKLER REQUIREMENTS, OTHER PUBLIC REQUIREMENTS WILL NOT BE IMPACTED.

7. Value of buildings will be conserved, in that:

BUILDING IS CURRENTLY IN A STATE OF DISREPAIR. RENOVATION OF BUILDING AND PROPOSED PARK WILL CONSIDERABLE ADD VALUE TO THE PROPERTY ON AND AROUND THE LOT

8. The most appropriate use of land is encouraged, in that:

THE UPPER HALF OF THE LOT WILL BE MOST EFFICIENTLY USED AS APARTMENTS AND PARKING IN THAT THE BUILDING AND LOT ALLOW FOR ADEQUATE SPAC. THE BOTTOM HALF OF THE LOT DOES NOT NEED TO BE INCORPORATED INTO THE APARTMENT BUILDING BUT RATHER COULD BE USED MORE EFFECTIVELY AS A NEIGHBORHOOD PARK.

IX. ATTEST

I hereby certify that I am the owner of record of the named property, or that this application is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent and I agree to conform to all applicable laws of this jurisdiction. I certify that the information submitted herein and attached hereto is true and accurate and understand that if found otherwise may result in the denial of this request or subsequent revocation of any and all related approvals. The undersigned has the power to authorize and does hereby authorize City of Morgantown representatives on official business to enter the subject property as necessary to process the application and enforce related approvals and conditions.

ADELHEID SCHAUPP

[Handwritten Signature]

NOV. 12, 2010

Type/Print Name of Applicant/Agent

Signature of Applicant/Agent

Date

- Conditional Use Petition Fee of \$75 must accompany application

CW10-18

Rehabilitation and Construction Plan for 502 White Avenue

Historically Greenmont houses the oldest neighborhood in Morgantown and is known for its variety of business establishments and ethnic backgrounds. Today the face of Greenmont remains one of diversity and uniqueness. As a resident of Greenmont and co-founder of the Greenmont Neighborhood Association I am very pleased to have the opportunity to purchase and renovate the old Second Ward Elementary School Annex located at 502 White Avenue. Over the past few years Greenmont residents and property owners, along with the help of the Fairmont Morgantown Housing Authority have worked to steadily improve the overall look and feel of the Greenmont neighborhood. Preserving the old school would add significant cultural value not only to White Avenue, but the neighborhood as a whole.

The school is located on a half-acre parcel at the corner of Posten Avenue and White Avenue. Because the lot is significantly larger than the proposed renovations would require I would like to sell or lease the lower half of the lot to Boparc for use as a neighborhood pocket park. In doing so I would like to draw attention to the historical significance of the building as an African American school while providing a desperately needed play area for the local children.

With city approval I would like to take the remaining parcel of the lot, which contains the old school building and construct seven one bedroom lofts. Each unit would be built within the existing footprint of the school with minimal alterations to the exterior of the building. Due to the existing high ceilings, each unit would be two stories with the living, kitchen and bathroom area on the first level and the bedroom or loft area on the second level (please see attached layout). This allows for maximum use of the existing space without adding additional stories onto the building. The roof, which is currently in major disrepair, would have to be replaced but the height of the building would not be changed. All seven required parking spaces and one visitor's parking space would be located behind and beside the building. Parking areas will only be constructed on the neighboring lot to the left of the building for five cars, and the remaining three spaces will be located behind the building, which has already been established and utilized by the former owners as suitable parking.

I have already contacted local historical preservationists and state historical architects in an attempt to ensure proper preservation of the integrity of the existing building. All of the windows would have to be replaced to meet current energy codes and the larger windows in the back of the building would be extended to ground level in order to provide entrances to the back apartments. On the front of the building only the main entrance doors would be replaced. Using the main Second Ward School building on Wilson Avenue as an example of tasteful historical renovation I am confident I can improve the annex as well. With proper planning and city approval, the old Second Ward Elementary School Annex could house future Greenmont residents within a part of Greenmont's history.

Submitted
by Petitioner
CWF

T.M. 1-36-711

(3)

T.M. 1-36-710

(1)

(28)

POSTEN AVENUE 20'

N 47°03' W

PARKING 3 CARS
66'0"

120.00

0.41 ACRES

N TURAK
1-36-712

143.82

PARKING
5 CARS

140.24

S 51°24'02" W
42.35
0.14 ACRES
S 41°05' E

N 47°03' W
45.00

EMBANKMENT

122'

SCHOOL HOUSE

25'-0"

17'-8"

POLE (TELEPHONE)

11'-4"

17'-8"

11'-4"

25'-0"

17'-8"

11'-4"

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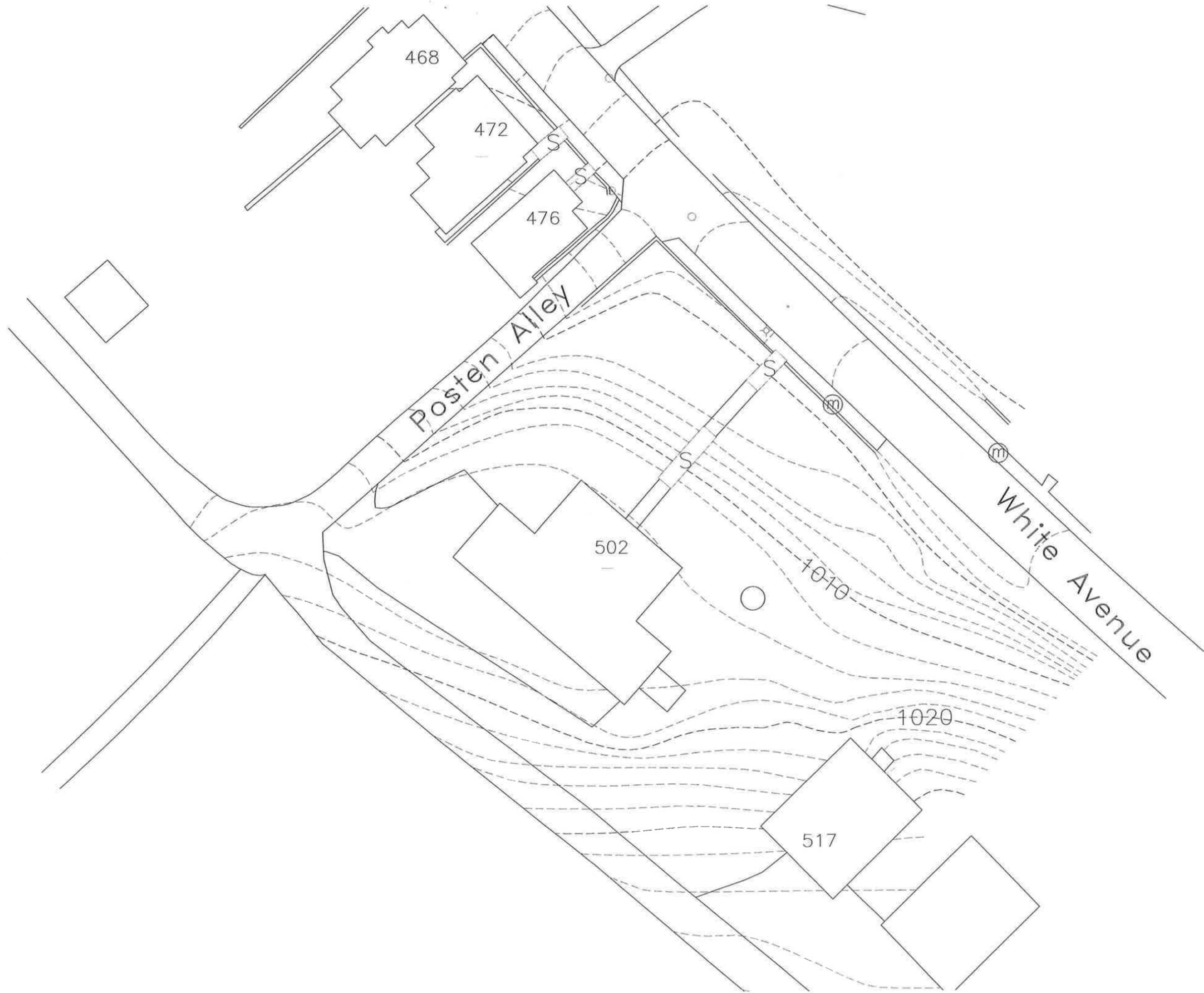
17'-8"

11'-4"

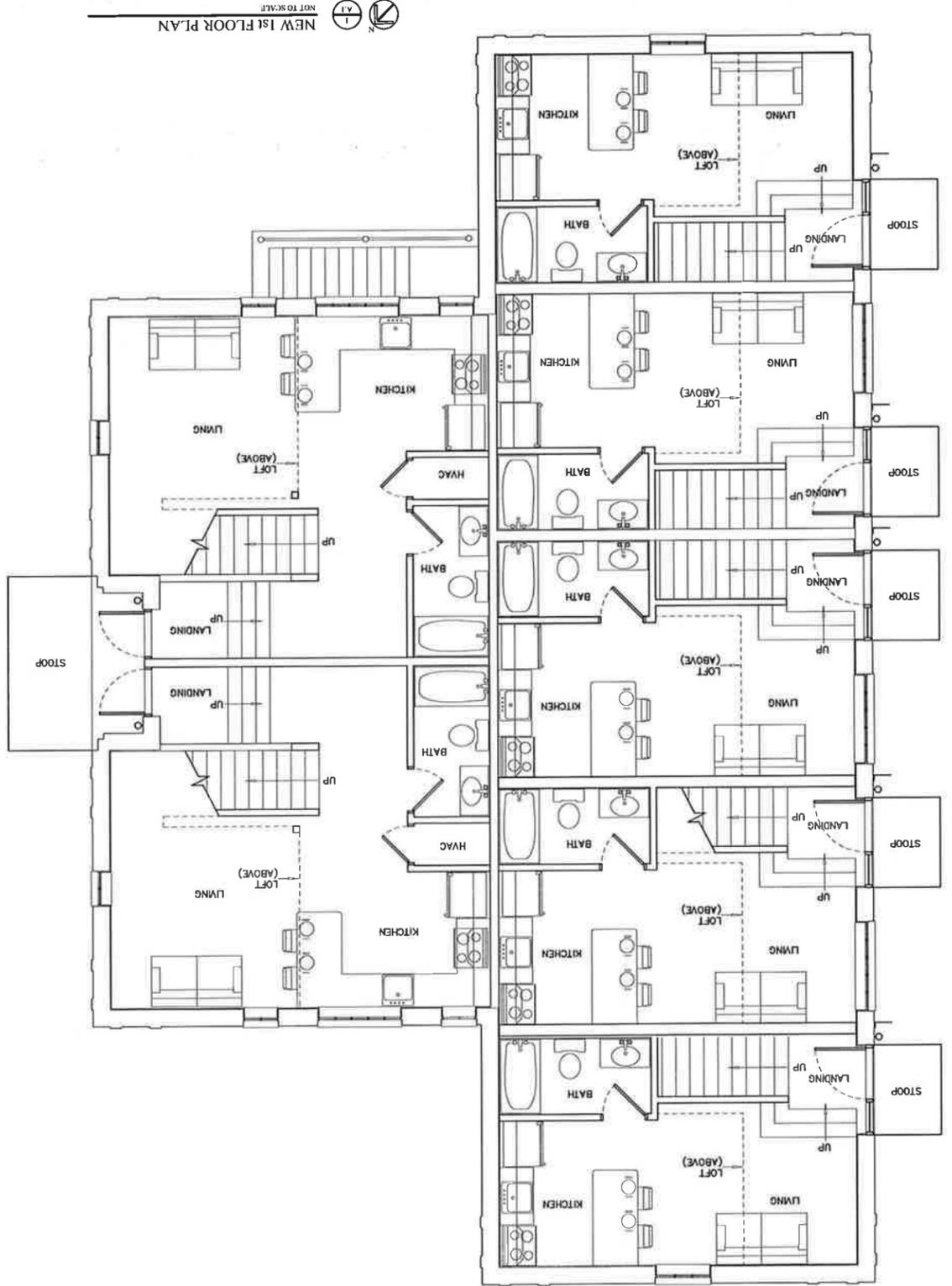
25'-0"

17'-8"

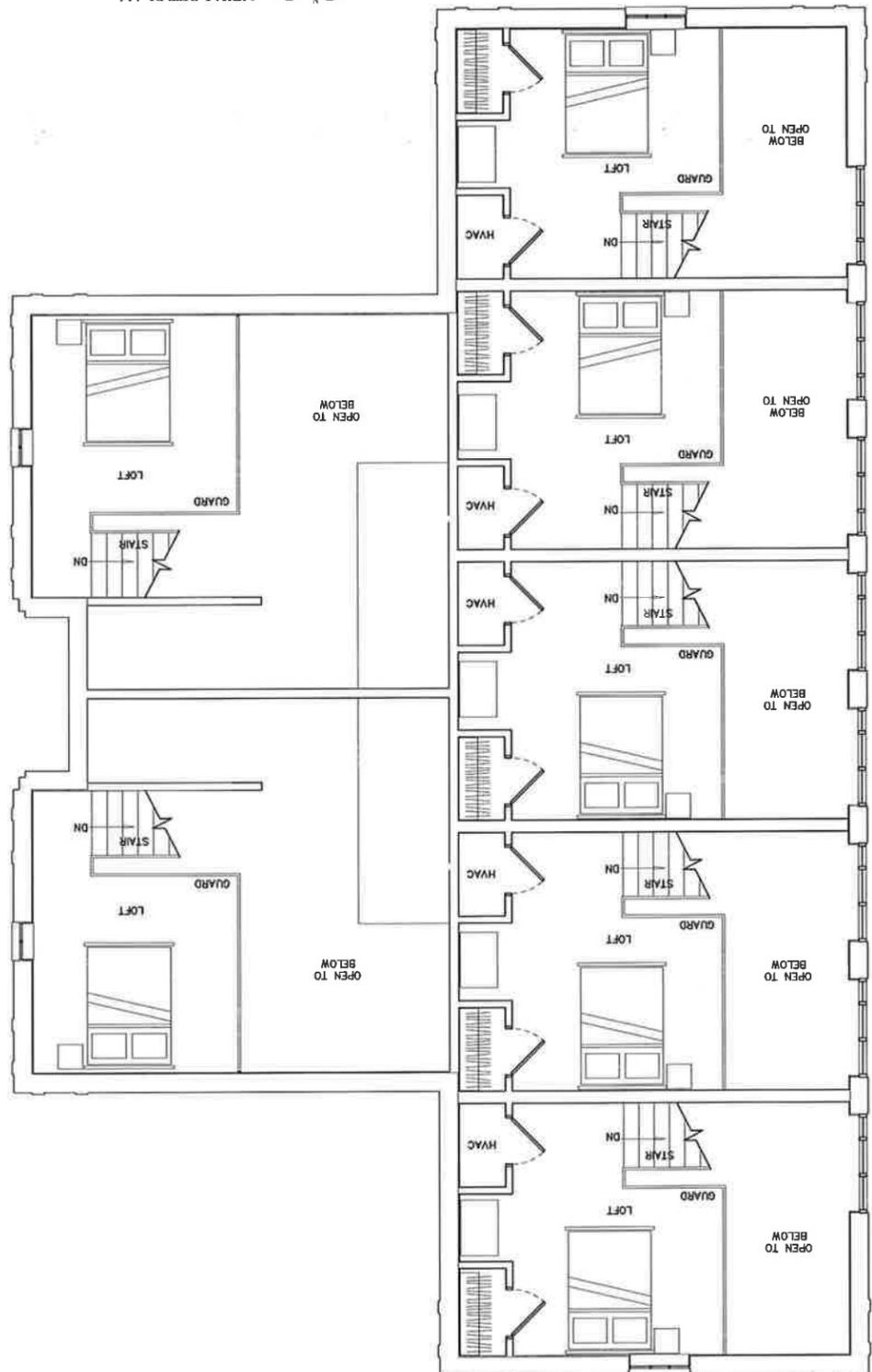
11'-4"



1" = 20'



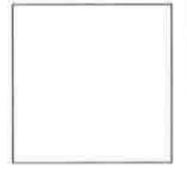
NEW 1st FLOOR PLAN
A.1 NOT TO SCALE



NEW LOFT PLAN
A.1 NOT TO SCALE

SHEET
A.1

10110345
RCS
BVS
12/9/10
AS SIMON



NO.	DATE	DESCRIPTION

BUILDING RENOVATION
SECOND WARD GRADE SCHOOL
502 WHITE AVE.
MORGANTOWN, WEST VIRGINIA
26501



204-234555
204-473-0281
2628
BERKSHIRE, WV
29 E MAIN STREET, STE. 4
FBI BLDG. 312
VANNOSTRAND ARCHITECTS



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with pyramidal caps on either side of the steps of stacked river stones/gravel.

1 contributing building

0457. 472 White Avenue, residential

date: ca. 1899

description: Two-story, rear facing "L" house with asphalt shingle roof and a central brick ridge chimney. The house has asbestos shingle siding and vinyl siding, 6/1 and 6/6 double-hung sash windows, and a cut stone foundation. Most of the original porch has been removed. The remainder of the shed roof porch has been enclosed with tripartite 6/6 windows on the front elevation and 1/1 windows on the side elevation on a wood shingle balustrade with a concrete block foundation. 3 X 2 bays. "T" house.

1 contributing building

0458. 473 White Avenue, residential

date: ca. 1922

description: Two-story, Gable-Front house with asphalt shingle roof, two interior slope brick chimneys, paired 1/1 windows in the gable end and a central, shed roof dormer on the south elevation with a single 1/1 window. The house has aluminum siding, 6/1 and 6/6 double-hung sash windows; a three sided projecting bay on the first floor, front elevation with a large 1/1 window in the central bay flanked by narrower 1/1 windows in each bay and a molded concrete block and brick foundation. Two-story, hip roof, full length, shed roof front porch with asphalt shingle roof. The second floor porch has been fully enclosed and the first floor porch is open with square wood posts on an enclosed wood balustrade on a brick foundation. Two-story, hip roof, rear porch with an asphalt shingle roof. Both porches have slightly battered posts balustrades enclosed with aluminum siding wood decks. 3 X 4 bays. Built by J.A.G. Edwards, well-to-do Edward's Sanitation Company entrepreneur. School for African-American children was held for ten years in this house until school was constructed across street.

1 contributing building

0459. 476 White Avenue, residential

date: ca. 1928

description: One-story, end gable cottage with asphalt shingle roof, molded concrete block façade, 6/1 windows, and a cut stone foundation. One-story, hip roof rear addition wider than the house with an asphalt shingle roof, cut stone façade, fixed pane windows on a molded concrete block and cut stone foundation. One-story, end gable, entrance porch with square wood posts on a concrete pad with a metal awning. Bungalow style.

1 contributing building

0460. 480 White Avenue - Second Ward Negro Elementary School/Second Ward Annex -
National Register of Historic Places, school building

date: 1939

description: One story, Art Deco style, rear facing "T", school building with flat roof, central brick



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chimney, red brick façade, central double entrance doors with a divided light transom above flanked by narrow casement windows with stone sills on a sandstone foundation. Metal letters on front elevation that read, "Second Ward Grade School". Bronze plaque inside front door that reads, "Federal Emergency Administration of Public Works 1939". 3 X 4 bays.

1 contributing building

Wilson Avenue

0461. 401 Wilson Avenue, residential

date: ca. 1913

description: Two-story, hip roof, Four Square style house with asphalt shingle roof, three corbelled brick, slope chimneys, partial return cornice, Palladian windows in the gable ends, hip roof dormer on the front elevation with two 1/1 windows and aluminum siding. The house has a red brick facade, 1/1 double hung sash windows with stone sills, large, arched, original window opening on the front elevation that has been infilled with plywood, original arched door opening infilled with plywood and a cut stone foundation. Two-story, shed roof, front porch with asphalt shingle roof. The second floor porch has wrought iron support posts and a wrought iron balustrade on a wood deck. The first floor porch has wrought iron support posts on a concrete pad with a concrete block foundation. There are entrances are on the west end of the front elevation, the west elevation, and the east side, first floor porch area. Wood fire steps to second floor on east side. 4 X 2 bays. This building housed one of earliest grocery stores in Greenmont. 1914 - Charles Walls, Grocery. 1919 - William Ramsey, Grocery. 1922 - Arthur Evick, Grocery.

1 contributing building

0462. 413/415 Wilson Avenue, commercial office/residential

date: ca. 1919

description: Two-story, Gable-Front building with asphalt shingle roof, aluminum siding, modern 1/1 windows on a brick foundation. Original front porch has been removed and a two-story, end gable addition has been added to the front elevation with asphalt shingle roof, aluminum siding and awning windows on the second floor. The first floor of the addition has a mansard roof over a full length addition with stone veneer, three man doors and three fixed pane windows. 3 X 3 bays.

1 non-contributing building

0463. 417 Wilson Avenue, residential

date: ca. 1917

description: Two and one-half story, Gable-Front house with asphalt shingle roof, interior brick slope chimney and a central end-gable dormer on the east elevation. The house has vinyl siding, 1/1 modern window replacements and a parged, molded concrete block foundation. One-story, end gable, three quarter length, front porch with asphalt shingle roof, vinyl siding in the gable end, square paneled support posts with caps on a parged balustrade on a concrete deck. Wood fire steps lead to metal door under front gable flanked by fixed pane sidelights. Rear has three floor flight of wood fire steps. 2 X 2