



MORGANTOWN BOARD OF ZONING APPEALS

June 19, 2013
6:30 PM
City Council Chambers

Board Members:

Bernie Bossio, Chair
Leanne Cardoso, Vice-Chair
George Papandreas
Jim Shaffer
Tom Shamberger

STAFF REPORT

CASE NO: CU13-10 / Matthew Smailes / 260 Green Street

REQUEST and LOCATION:

Request by Matthew Smailes for conditional use approval of a "Convenience Store, Neighborhood" use in the R-1A District at 260 Green Street.

TAX MAP NUMBER(s) and ZONING DESCRIPTION:

Tax Map 29, Parcel 543; R-1A, Single-Family Residential District

SURROUNDING ZONING:

R-1A, Single-Family Residential District

BACKGROUND and ANALYSIS:

The petitioner seeks to establish a "Neighborhood Convenience Store" at 260 Green Street. Addendum A of this report illustrates the location of the subject site.

Article 1329.02 provides the following definition for a "Neighborhood Convenience Store":

"Any retail establishment with a floor area of less than 3,000 square feet offering for sale a limited line of groceries and household items intended for the convenience of the neighborhood. The term is to be distinguished from 'gas station mini-mart.' No fuel sales are permitted on site."

Table 1331.05.01 provides that "Neighborhood Convenience Store" uses are permitted in the R-1A District with conditional use approval by the Board.

The following narrative summarizes the petitioner's proposed development program:

- Parcel 543 of Tax Map 29 is considered nonconforming as it contains two principal structures.
- The 260 Green Street structure includes the subject storefront on the first story as well as two mixed-use dwelling units on the upper floor addressed as 425 Arch Street, which are registered with the City's Rental Registration Program.
- The 250 Green Street structure is a single-family dwelling unit, which is registered with the City's Rental Registration Program.
- There are three (3) on-site parking spaces located in front of the 250 Green Street structure.
- There is one delivery space within the public right-of-way along the Green Street sidewalk fronting the subject storefront.

Development Services

Christopher Fletcher, AICP
Director

Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431



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- There are three on-street parking spaces on the opposite side of Green Street from the petitioner's proposed storefront that are signed for business use between 8:00 AM and 7:00 PM.
- The petitioner has signed a purchase agreement with realty's present owner Robert A. Bailey. Staff understands that the purchase agreement is contingent upon, at least, the Board's approval of subject conditional use petition.
- The subject storefront is approximately 1,088 square feet and was most recently occupied by *Spiker's Upholstry* and once occupied for a number of years by *Bailey's Grocery*.
- The contemplated name of the petitioner's proposed establishment is "Green Arch Market" with proposed store hours of 9:00 AM to 9:00 PM seven days a week.
- According to the petitioner, the store will offer candy, snacks, soft drinks, tobacco, and retail sale of packaged alcoholic drinks.
- The petitioner also described to Staff the sale of prepared sandwiches and similar food offerings using an oven, stove, and deep fryer, which will be dependent upon neighborhood interest and economic viability. The petitioner illustrates in his application exhibits five two-top or one ten-top table to support this purpose.
- Staff has advised the petitioner that the sale of alcoholic beverages for on-site consumption is not permitted.
- Two employees will be present during the establishment's busiest shift.
- The petitioner currently resides approximately three blocks from the subject storefront.

It is the opinion of the Planning Division that the proposed change in use from an "Upholstery/Interior Decorating Service" to a "Neighborhood Convenience Store" does not result in an increase in the intensity of use. Specifically, the minimum parking standard for the most recent and proposed uses are nearly identical. Therefore, consideration for the provision of on-site parking above that which is currently available is not required as provided in Article 1365.02(B).

Given the public comments Staff has received via email in support of the petitioner's conditional use and the fact that no opposing comments have been received prior to the preparation of this report, the neighborhood convenience store appears to be, at this point, a welcome return to the Greenmont Neighborhood.

It should be noted that "Liquor Store" and "Restaurant" uses of any type are not permitted in the R-1A District. Staff recommends that the Board stress to the petitioner that the proposed conditional use, if approved, is for a "Neighborhood Convenience

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Store” and that a limited line of groceries and household items must be offered as the establishment’s foremost enterprise.

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” submitted by the petitioner.

Addendum B of this report provides Staff recommended revisions to the petitioner’s findings of fact (deleted matter struck through; new matter underlined).

Staff recommends approval of Case No. CU13-10 as requested with the following conditions:

1. That to ensure the approved conditional “Neighborhood Convenience Store” use does not detract from the residential character of the neighborhood:
 - a. A limited line of groceries and household items intended for the convenience of the neighborhood must be offered as the establishment’s foremost enterprise; and,
 - b. The subject establishment may not be open later than 9:00 PM; and,
 - c. The petitioner must provide, to the satisfaction of the City Engineer, and properly maintain an appropriate public trash receptacle, the area around which the petitioner shall be responsible for keeping free from litter.
2. That all regulated signage for the subject establishment must comply with related standards set forth in Article 1369 “Signs”.
3. That the conditional use approval granted herein is specific to the petitioner and may not be transferred without the prior approval of the Board of Zoning Appeals.

Enclosures: Application and accompanying exhibits

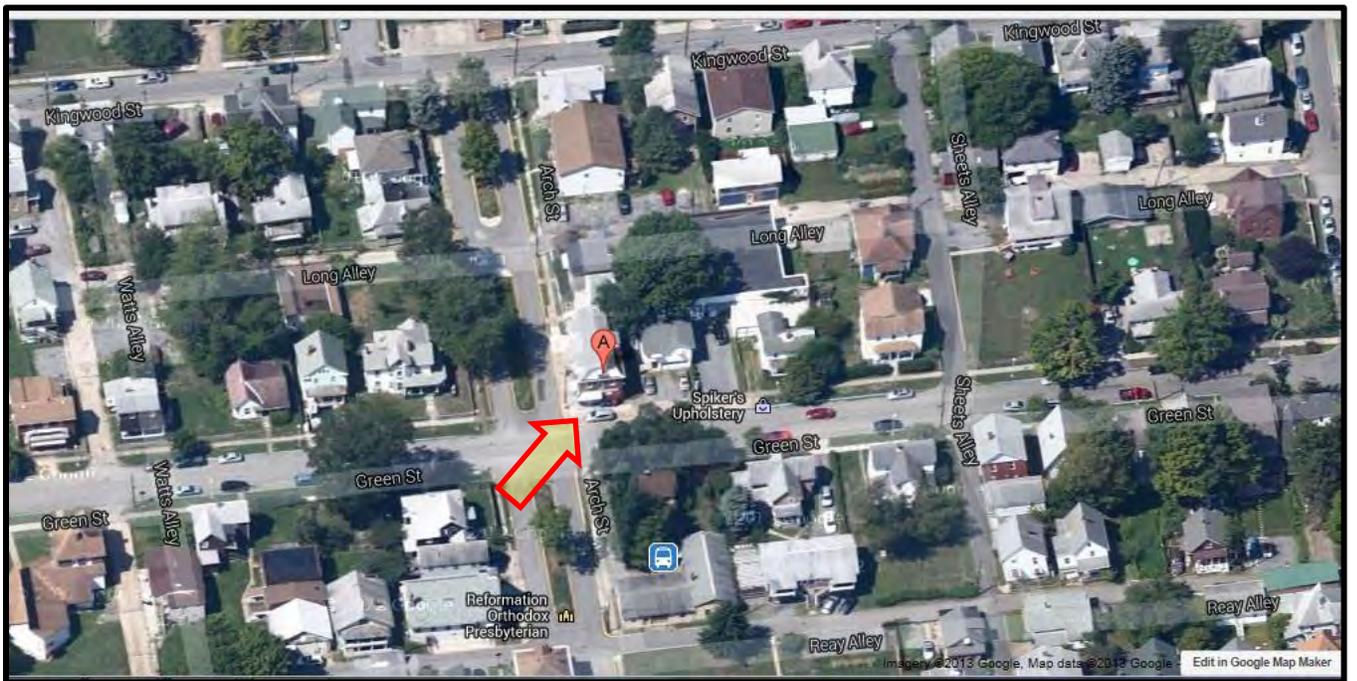
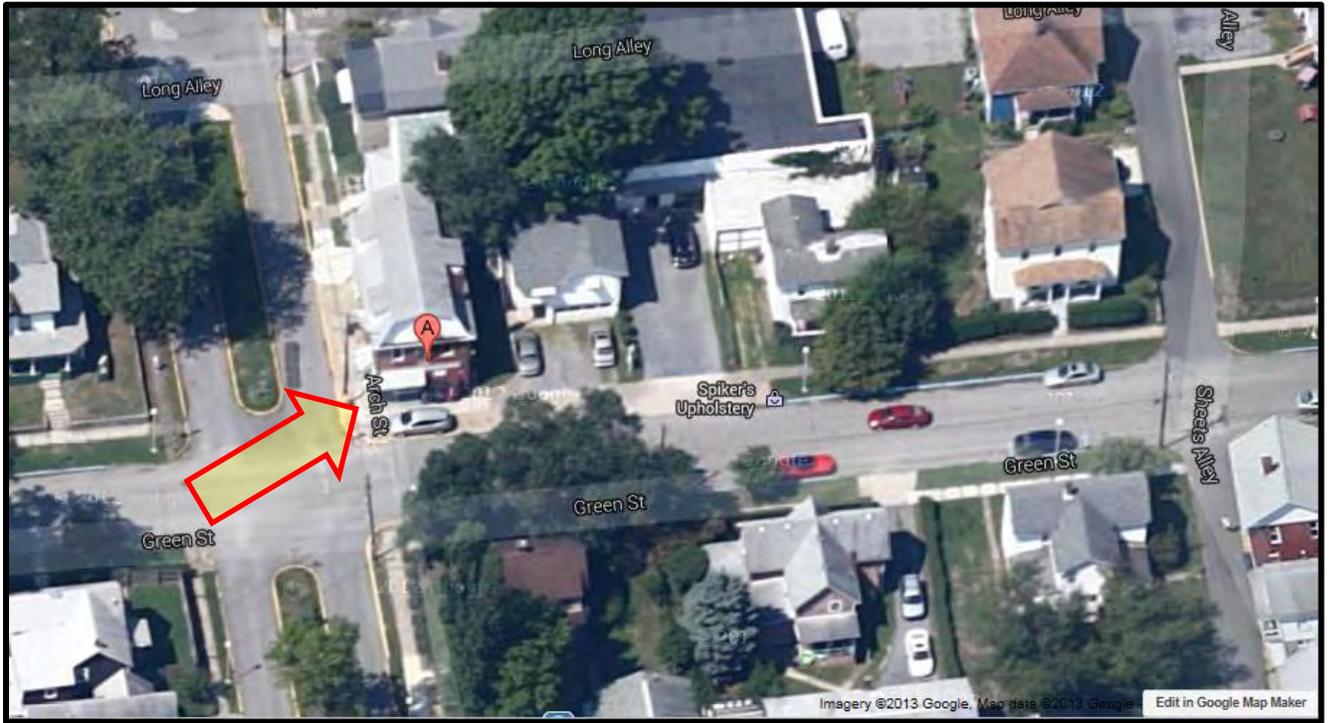
Development Services

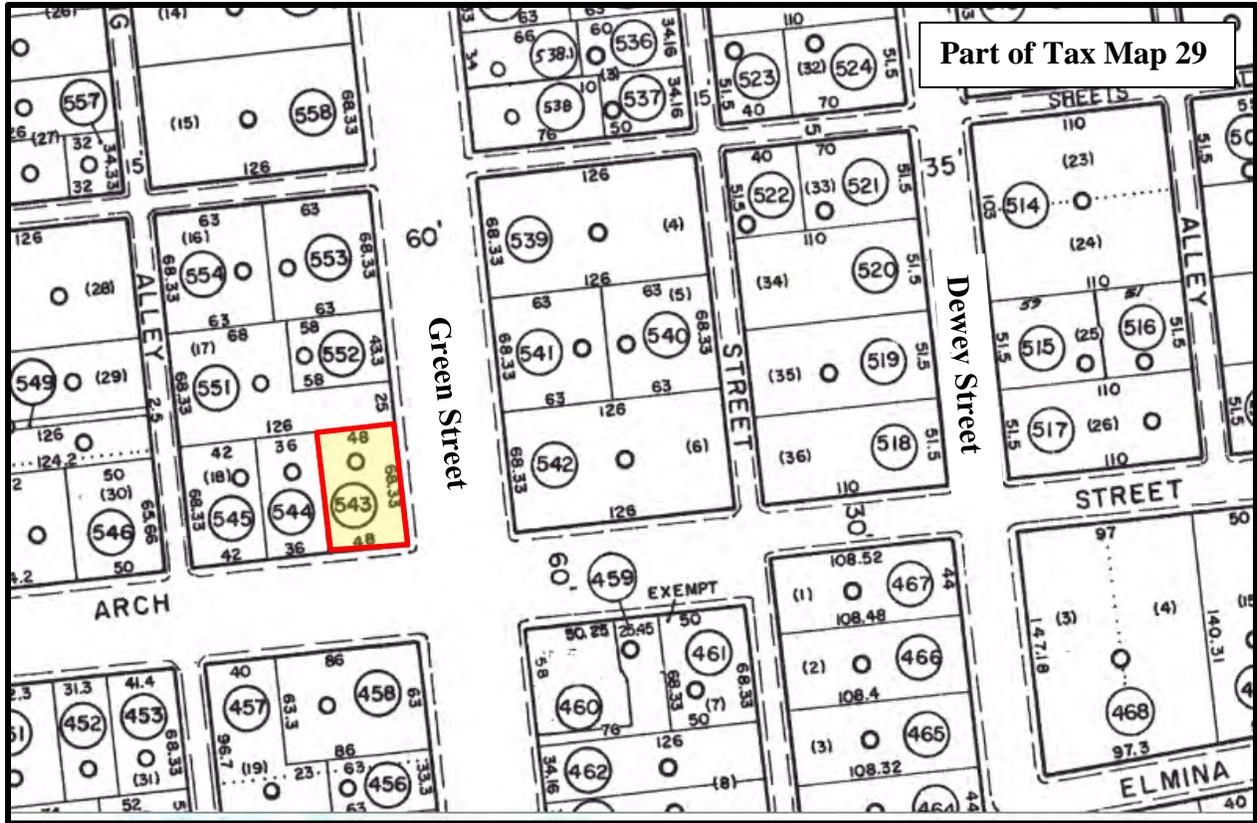
Christopher Fletcher, AICP
Director

Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431

STAFF REPORT ADDENDUM A
CU13-10 / Matthew Smiles / 260 Green Street





STAFF REPORT ADDENDUM B
CU 13-10 / Matthew Smailes / 260 Green Street

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

Finding of Fact No. 1 – Congestion in the streets is not increased, in that:

~~Off street parking, parking on street, limited seating, foot traffic.~~ The proposed change in use from an "Upholstery/Interior Decorating Service" to a "Neighborhood Convenience Store" does not result in an increase in the intensity of use that requires consideration for the provision of on-site parking above that which is currently available as provided in Article 1365.02(B). The subject storefront has been previously occupied by commercial uses including, for several years, Bailey's Grocery. The existing on-site and signed on-street parking appear to have sufficiently satisfied parking demand for the previous commercial uses.

Finding of Fact No. 2 – Safety from fire, panic, and other danger is not jeopardized, in that:

~~It will be inspected for fire code compliance, fire extinguishers and smoke alarms.~~ All related Building Code and Fire Code provisions will be addressed as required by the Code Enforcement Division and the City Fire Marshal.

Finding of Fact No. 3 – Provision of adequate light and air is not disturbed, in that:

~~No added lights to outside. No releasing of chemicals into the air.~~ No addition to the existing structure is proposed that would alter existing light distribution and air flow patterns within the general vicinity.

Finding of Fact No. 4 – Overcrowding of land does not result, in that:

~~No outdoor seating or storage.~~ No addition to the structure is proposed that would result in increasing the mass, density, or intensity of the existing structure.

Finding of Fact No. 5 – Undue congestion of population is not created, in that:

~~On a corner lot of Southpark with adequate streets and sidewalks.~~ The historical trend of mixed-uses within the subject structure will continue and therefore not increase existing residential density.

Finding of Fact No. 6 – Granting this request will not create inadequate provision of transportation, water, sewage, schools, parks, or other public requirements, in that:

~~Self contained.~~ The proposed "Neighborhood Convenience Store" does not appear to require public services or public facilities that are not already available to and serving the site and general vicinity.

Finding of Fact No. 7 – Value of buildings will be conserved, in that:

~~Regular maintenance and cleaning.~~ Occupying the vacant storefront with the proposed "Neighborhood Convenience Store" should serve to reestablish the historical mixed-use activity and vitality that has been enjoyed within the immediate area and Greenmont Neighborhood.

Finding of Fact No. 8 – The most appropriate use of land is encouraged, in that:

~~Offerings to the community.~~ The subject storefront was occupied for several years by Bailey's Grocery, which is considered under the Planning and Zoning Code to be an identical land use.



City of Morgantown, West Virginia

APPLICATION FOR TYPE IV SITE PLAN - CONDITIONAL USE

OFFICE USE	
CASE NO.	CU13-10
RECEIVED:	
COMPLETE:	5/10/2013

(PLEASE TYPE OR PRINT IN BLACK INK)

I. APPLICANT

Name:	Matthew H. Smailes	Phone:	304 276 3431
Mailing Address:	500 Elmira St.	Mobile:	
	Morgantown WV 26501	Email:	Matt@dinesargasso.com
	City State Zip		

II. AGENT / CONTACT INFORMATION

Name:	Matthew H. Smailes	Phone:	304-276-3431
Mailing Address:	500 Elmira St	Mobile:	
	Morgantown WV 26501	Email:	matt@dinesargasso.com
	City State Zip		

Mailings - Send all correspondence to (check one): Applicant OR Agent/Contact

III. PROPERTY

Owner:	Robert Bailey	Phone:	
Mailing Address:	250/260 Green St	Mobile:	
	Morgantown WV 26501	Email:	
	City State Zip		

IV. SITE

Street Address (if assigned): 260 Green St, Tax Map #: 29 Parcel #: 543

Zoning: R1A

Lot Dimensions: Width: Ft. Depth: Ft. Square Footage: ft.²

Shape of Lot: Corner Interior Through Flag Irregular Non-conforming

Existing Use of Structure or Land: Former upholstery shop/retail

Proposed Use of Structure of Land: Market, Deli, convenience store

PAID 75.00 2599

Finance Office Morgantown, WV 26505 (304) 284-7400



City of Morgantown, West Virginia

APPLICATION FOR TYPE IV SITE PLAN – CONDITIONAL USE

OFFICE USE
CASE NO. CU13-10
RECEIVED:
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.



City of Morgantown, West Virginia

APPLICATION FOR
TYPE IV SITE PLAN – CONDITIONAL USE

OFFICE USE

CASE NO.

CUB-10

RECEIVED:

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.	CU13-10
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:

off street parking, parking on street, limited seating, foot traffic.

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

It will be inspected for fire code compliance, fire extinguishers and smoke alarms

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

no added lights to outside
no releasing of chemicals into air

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

no outdoor seating or storage

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

on a corner lot of Southpark with adequate streets and sidewalks



APPLICATION FOR
TYPE IV SITE PLAN – CONDITIONAL USE

OFFICE USE	
CASE NO.	CU13-11
RECEIVED:	
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:

self contained

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

regular maintenance and cleaning

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

offerings to community

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.

<u>Matthew Smiles</u>	<u>[Signature]</u>	<u>5-10-13</u>
Type/Print Name of Applicant/Agent	Signature of Applicant/Agent	Date

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

Zimbra

Permission

From : Matt Smailes <smattback@yahoo.com>

Mon, Jun 10, 2013 09:49 PM

Subject : Permission

To : Christopher Fletcher <cfletcher@cityofmorgantown.org>

From: Bob Bailey <beetle1wv@comcast.net>

Date: June 10, 2013, 8:16:52 PM EDT

To: smattback@yahoo.com

Subject: Re: zoning

On Jun 10, 2013, at 8:12 PM, Bob Bailey <beetle1wv@comcast.net> wrote:

Attn. Chris Fletcher

I have given Matt Smailes the right to pursue a Zoning Permit for 260 Green Street, Morgantown, Wv.

Robert A. Bailey

beetle1wv@comcast.net

304-319-1198

Sargasso

CITY OF MORGANTOWN
PLANNING DEPARTMENT

JUN - 6 2013

SMH

RECEIVED

Tue, Jun 4, 2013 at 4:43 PM

Conditional Use Request for 260 Green Street

Stacy Hollar <shollar@cityofmorgantown.org>
To: matt@dinesargasso.com

Mr. Smailes,

The following items are needed to complete the Staff Report for 260 Green Street:

- Floor plans to include gross square footage of establishment *1088*
- Number of seats with arrangements (tables? bar? high tops?) *5x 2 tops (can make 10 top) spread out*
- Site Plans to include parking spaces available
- Number of employees on the busiest shift *2 employees*
- Description of the Convenience Store including days and hours of operation
- Provide a brief history of the property and the previous name of the establishment with dates
- What types of foods will be offered. Will the foods require an oven, stove or deep fryer?
- Will beer, wine or liquor be included in retail items for off premises consumption. (As a reminder, liquor stores are not permitted in the R1-A district.)

Please provide us with the requested information as soon as possible as we are currently in the process of working on the June BZA Staff Reports.

Let me know if you have any questions or if I can help in any way.

Respectfully,

Stacy Hollar
Executive Secretary
Development Services Department
389 Spruce Street
Morgantown, WV 26505
304-284-7431
shollar@cityofmorgantown.org

*Ask
history - spikers upholstery
Baileys current*

Arch St



Property

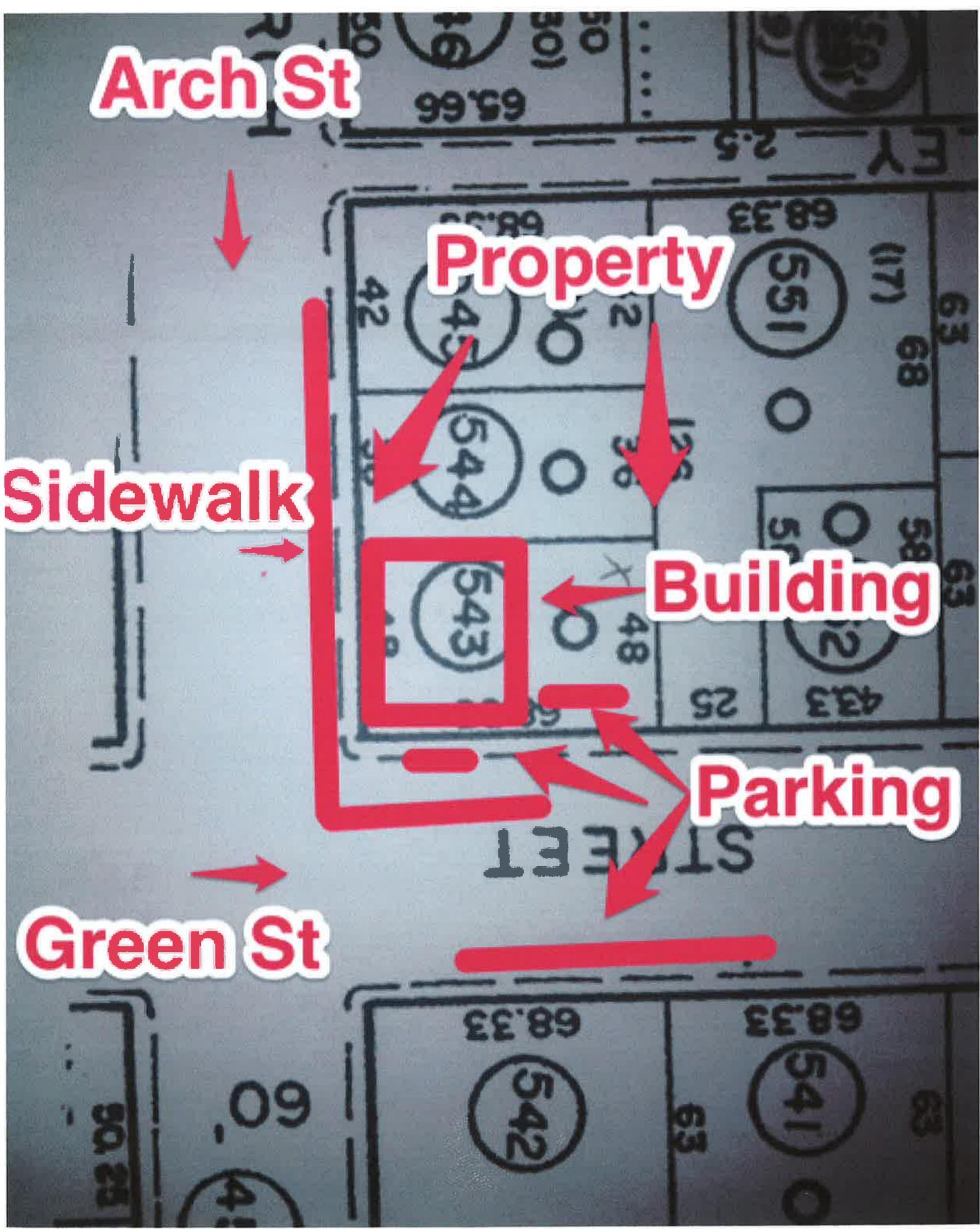
Sidewalk



Building

Parking

Green St



Green Arch Market

Refrigeration

42.0'

Tables

Open Sales Area

Deli

46.0'

Office

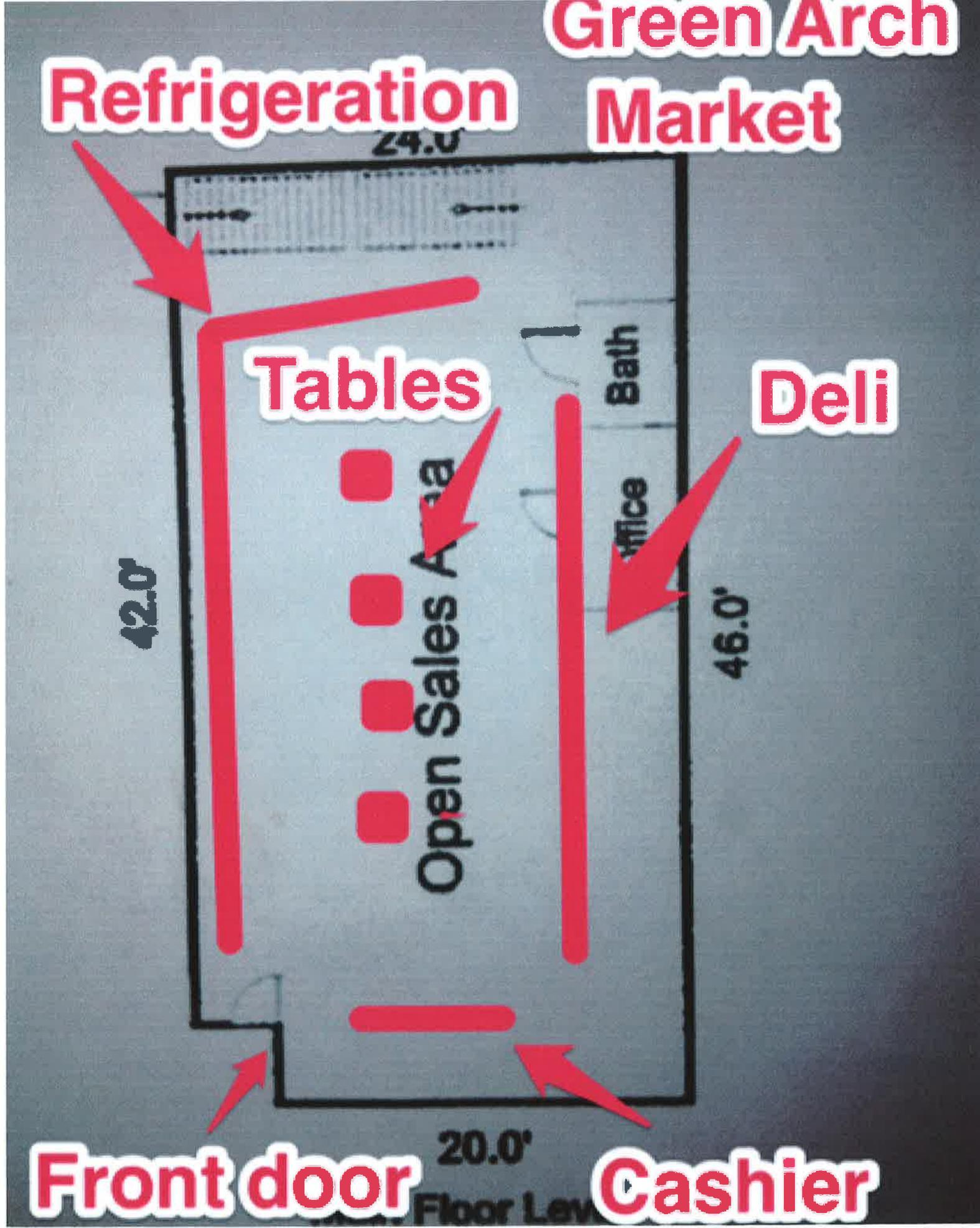
Bath

20.0'

Front door

Cashier

Floor Level



Convenience Store.

bottled Alcoholic & non Alcoholic drinks
excluding liquor

Candy, snacks, tobacco,

open 7 days a week 9-9 approximately

Food - we will utilize an oven, stove, and deep fryer
for sandwiches to five dietary meals

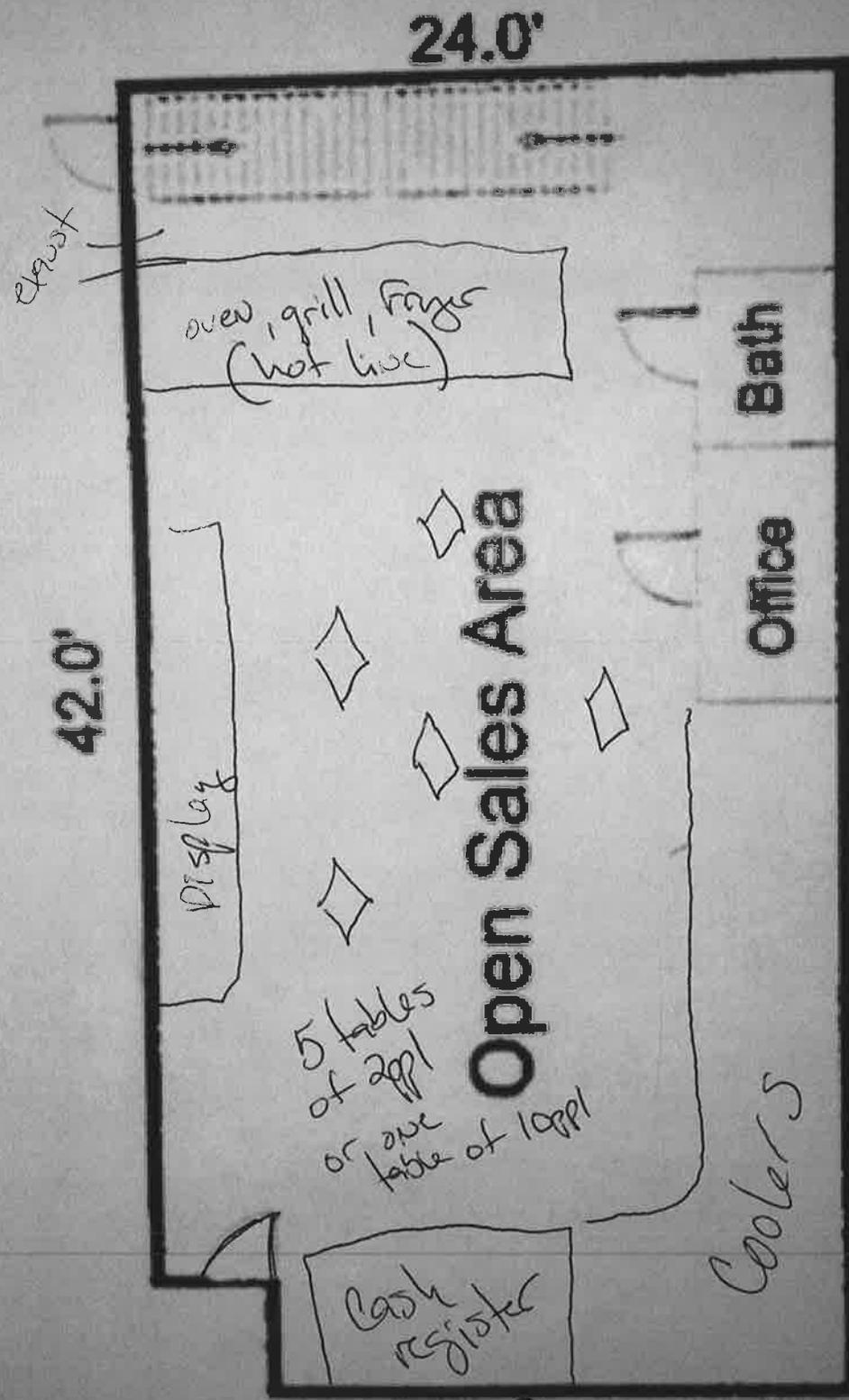
we will offer everything

CITY OF MORGANTOWN
PLANNING DEPARTMENT

JUN - 6 2013

RECEIVED

SMH



24.0'

42.0'

46.0'

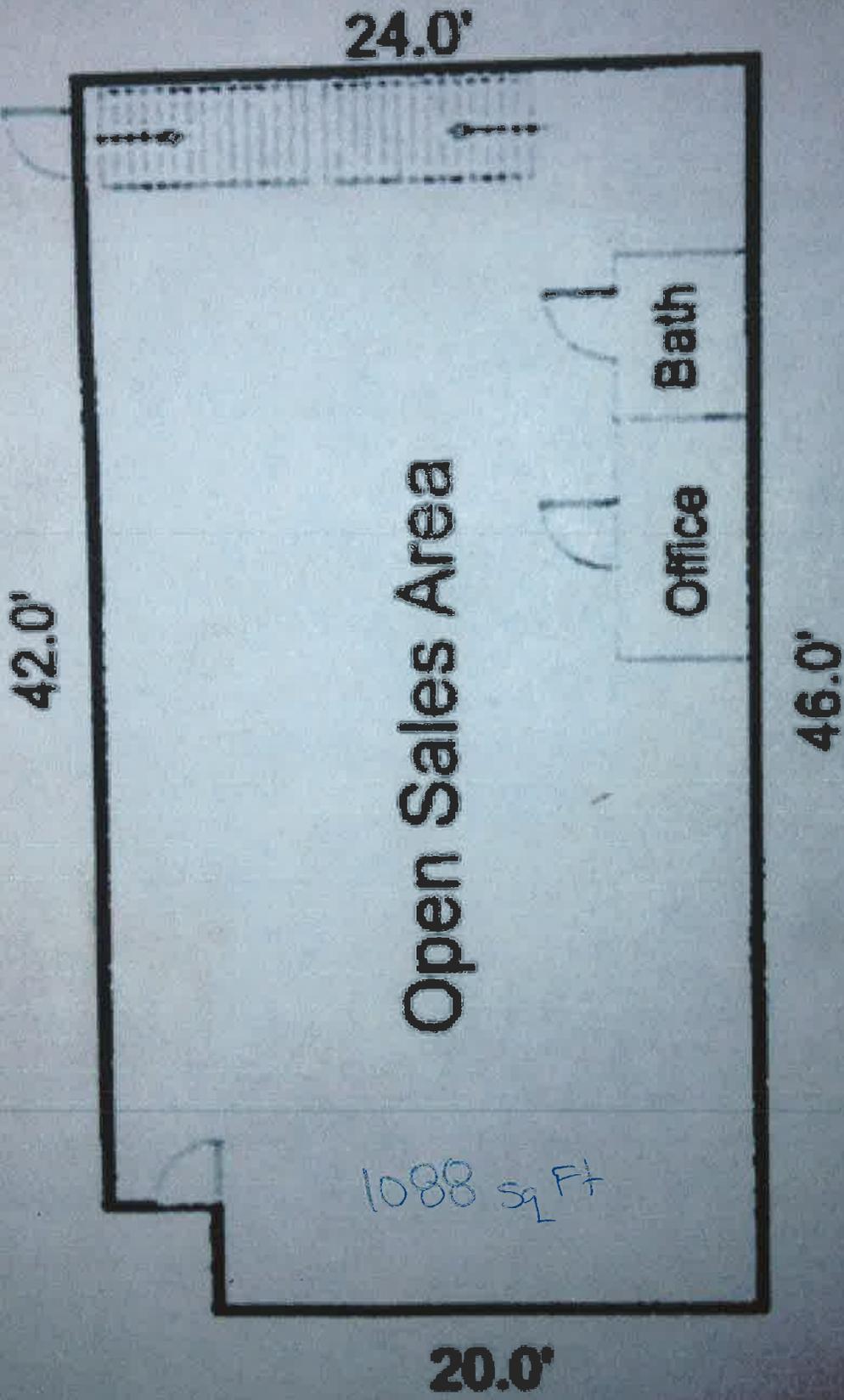
20.0'

Main Floor Level

STREET

1 | 2 | 3

← 3 parking spaces



Main Floor Level



Parking



**Business
Parking
Sign**

3 spaces



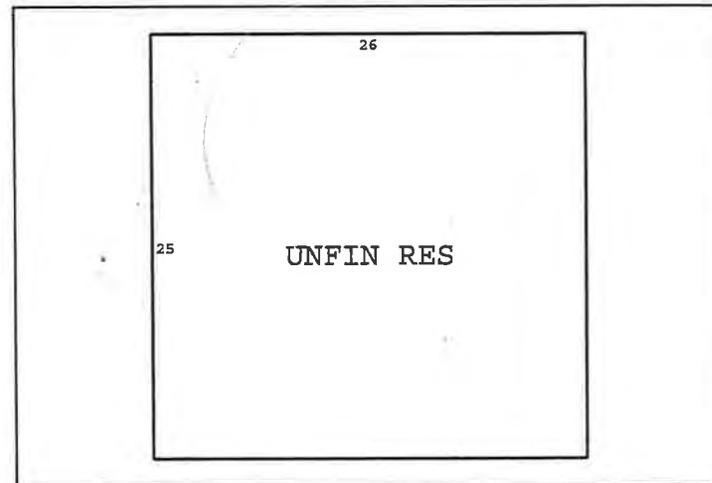
4 spaces

PARCEL ID 10- 29-0543-0000-0000 DEED BOOK/PAGE / CARD NO. 2 OF 2 TAX YEAR 2013 ALT ID MAP/ROUTE /543 00
 ADDRESS 250 GREEN ST TIEBACK 0000 REVIEW FLAG
 NBHD 204C RESTRICTION / / (CA31)----- BUILDING DESCRIPTION / CALCULATIONS -----
 LUSE 319 (AA11)-OWNER INFORMATION BLDG NO 1 STRUCTURE MIXED RES/COMM
 LIV UNIT 4 BAILEY ROBERT A & GLADYS (CA13)-- SALES INFORMATION --- #UNITS 1 #IDENTICAL BLDGS 1 YEAR BUILT 1931 GRADE C 1
 TX CLASS 4 DATE TYP PRICE SR VAL
 ZONING 153 E SECOND ST (CA34)----- INTERIOR / EXTERIOR INFORMATION -----
 PROP.CL C MORGANTOWN WV 26508

(CA12)----- PROPERTY FACTORS -----	(CA16)---ENTRANCE INFO.---	SEC FROM TO SIZE	AREA USETYPE	COND	PHY FUN	PCT RCN	PCT GOOD	PCT COMP	ADJ VALUE
TOPO 1 LEVEL / /	DATE CODE INFO.C ID	1 B1 B1 X	650 UNFIN RES BS	3 3		10370 50			5190
UTILITY 1 ALL PUBL / /	01/07/11 1 3 DAD	1 01 01 X	650 DWG	3 3		23490 50			11750
RDS/TRF 1 PAVED / /	08/07/08 1 3 DAD								
FRT/LOC 9 RESIDENTIAL / 6 NEIGHBOR									
PARKING TYPE 3 QNTY 1 PROX 1	(CA12)---- NOTES -----								
(AA12)----- LEGAL -----	NOTE C								
LOT PT 18 250 GREEN ST	NOTE C								
(GARAGE APT)	NOTES:SPIKERS UPHOLSTERY - APTS								
T1: T2: T3:	NOTES:								
(CA14)---- LAND DATA -----	C A L P T A B L E -----	SUBTOTAL	33860			OBY			
QTY ACRE/SFT/UNITS	BASE BASE INCR	PERCENT GOOD	50.03			BUILDING			31,200
PE LN CD FRONT DEPTH	PRICE INFL-FAC SIZE	PERCENT COMPLETE				TOT CARD VALUE			31,200
S 1 1 3,280 18.24	43560.00 2.58 2.58 59,820	TOTAL OTHER IMP.VALUE				----- PARCEL SUMMARY VALUE -----			
PRIMARY SITE		COUNTY MODIFIER	1.8400						
		X IDENT UNITS (1)	31200						

(CA11)----- CURRENT APPRAISED VALUES -----

TOTAL ACRES	TOTAL LAND-VALUE	59,800	
(CA24)--OTHER BUILDING & YARD IMPROVEMENTS---	MISC. IMPROV		0
TYP QN YEAR SIZE GRD MODS C FMD%	VALUE TOT OBY		0
	GROSS BUILDING SUMMARY		
	DESC VALUE		0
	(CA32)---OTHER FEATURES/ATTACHED IMPROV---		
	LN CODE MEAS1 MEAS2 STOPS IU		VALUE
	1 PR1 56 1 1		520



PARCEL ID 10- 29-0543-0000-0000 DEED BOOK/PAGE / CARD NO. 1 OF 2 TAX YEAR 2013 ALT ID MAP/ROUTE /543 00
 ADDRESS 250 GREEN ST TIEBACK 0000 REVIEW FLAG
 NBHD 204C RESTRICTION / / (CA31)----- BUILDING DESCRIPTION / CALCULATIONS -----
 LUSE 319 (AA11)-OWNER INFORMATION BLDG NO 1 STRUCTURE MIXED RES/COMM
 LIV UNIT 4 BAILEY ROBERT A & GLADYS (CA13)-- SALES INFORMATION --- #UNITS 3 #IDENTICAL BLDGS 1 YEAR BUILT 1910 GRADE C 1
 TX CLASS 4 DATE TYP PRICE SR VAL
 ZONING 153 E SECOND ST (CA34)----- INTERIOR / EXTERIOR INFORMATION -----
 PROP.CL C MORGANTOWN WV 26508

(CA12)----- PROPERTY FACTORS -----				(CA16)--ENTRANCE INFO.--				SEC	FROM	TO	SIZE	AREA	USETYPE	COND	PHY	FUN	PCT	PCT	ADJ	
TOPO	LEVEL	/	/	DATE	CODE	INFO.C	ID										RCN	GOOD	COMP	VALUE
1		/	/	01/07/11	1	3	DAD	1	B1	B1	X	1104	SUPPORT	3	3	17660	50			10600
UTILITY	ALL PUBL	/	/	08/07/08	1	3	DAD	1	01	01	X	1104	MULTI SALE	3	3	32630	50			19580
RDS/TRF	PAVED	/	/					1	02	02	X	1104	MULTI APTS	3	3	34070	50			20440
FRT/LOC	RESIDENTIAL	/	6	NEIGHBOR				1	03	03	X	1104	MULTI APTS	3	3	31740	50			19040

PARKING TYPE 3 QNTY 1 PROX 1 (CA12)--- NOTES -----
 (AA12)----- LEGAL ----- NOTE C
 LOT PT 18 250 GREEN ST NOTE C
 (GARAGE APT) NOTES:SPIKERS UPHOLSTERY - APTS
 T1: T2: T3: NOTES:

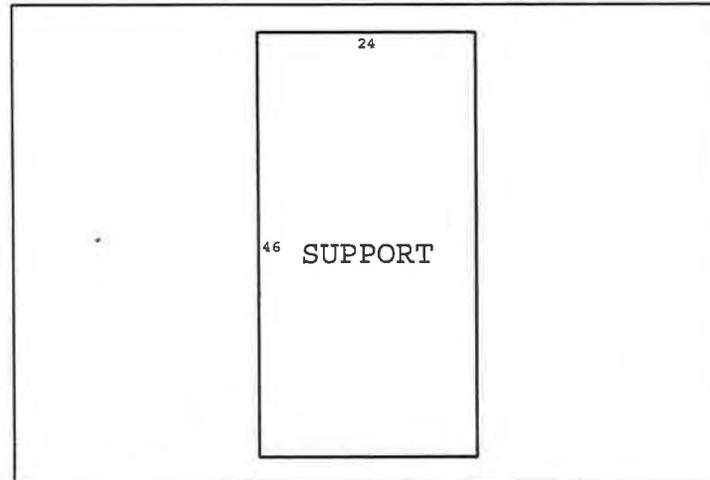
(CA14)---- L A N D D A T A ----- C A L P T A B L E -----									
QTY	ACRE/SFT/UNITS	BASE	BASE	INCR	PERCENT GOOD	PERCENT COMPLETE	TOTAL OTHER IMP.VALUE	COUNTY MODIFIER	X IDENT UNITS (1)
PE LN	CD	FRONT	DEPTH	PRICE	INFL-FAC	SIZE	RATE	/DECR	LAND-VAL
S	1	1	3,280	18.24	43560.00	2.58	2.58		59,820

PRIMARY SITE

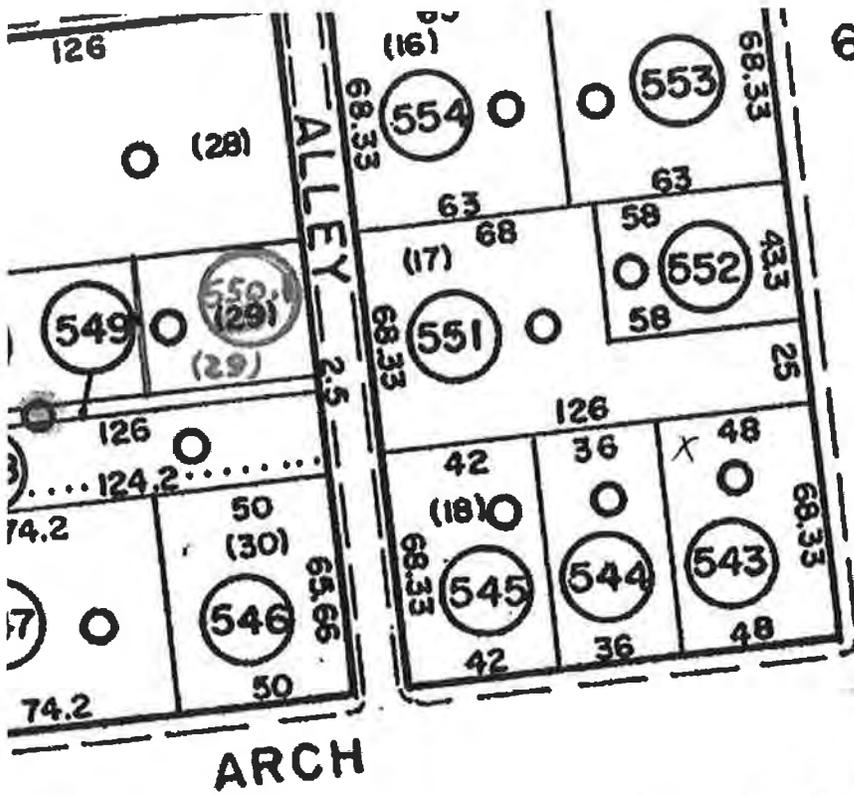
OBY	BUILDING	TOT CARD VALUE	PARCEL SUMMARY VALUE	COST LAND VALUE	COST BLDG VALUE	TOTAL COST VALUE
		128,200	128,200	59,800	159,400	219,200

(CA11)----- C U R R E N T A P P R A I S E D V A L U E S -----
 CURRENT LAND 59,800 BUILDING 159,400 TOTAL 219,200
 RVW CD 1 COST APPROAC RSN 02 Final Value DATE ID
 STATUS 7
 ESTIMATE LAND BUILDING TOTAL DATA IS INCO
 REVIEW CODE RSN DATE ID
 PREV ASMT LAND: 35,880 BUILDING 95,640 TOTAL: 131,520

TOTAL ACRES	TOTAL LAND-VALUE	59,800
(CA24)--OTHER BUILDING & YARD IMPROVEMENTS---	MISC. IMPROV	0
TYP QN YEAR SIZE GRD MODS C FMD%	VALUE TOT OBY	0
	GROSS BUILDING SUMMARY	
	DESC VALUE	0
(CA32)---OTHER FEATURES/ATTACHED IMPROV---		
LN CODE MEAS1 MEAS2 STOPS IU	VALUE	

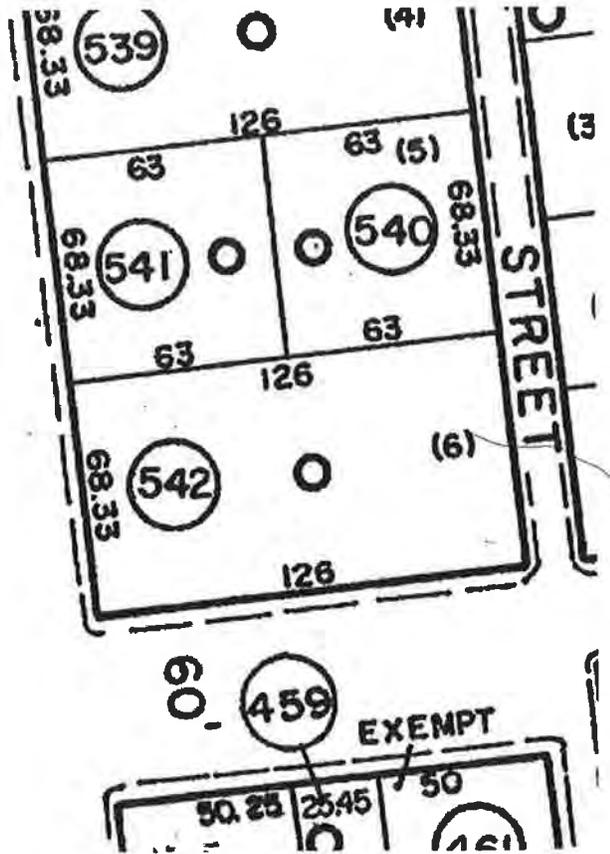


*Map of town
Tax map 29*



60'

STREET



60'

EXEMPT

Zimbra

shollar@cityofmorgantown.org

Re: CU13-10 Matthew Smailes/260 Green Street

From : Lynn Stasick <lstasick@gmail.com>

Fri, May 24, 2013 12:44 PM

Subject : Re: CU13-10 Matthew Smailes/260 Green Street**To** : shollar@cityofmorgantown.org

----- Forwarded message -----

From: **Lynn Stasick** <lstasick@gmail.com>

Date: Fri, May 24, 2013 at 12:38 PM

Subject: RE: CU13-10 Matthew Smailes/260 Green Street

To: shollar@cityofmorgantown.org

To Whom it May Concern,

I am the owner of the three properties situated diagonally to the 260 Green Street property in question and have lived in one of those properties for twenty-eight years.

During that time, Bailey's Grocery as you may know, occupied the building for many years prior to the upholstery shop's existence and subsequent demise.

It was not only a convenient local store that people could rely upon for a loaf of bread or a gallon of milk, but its location was a wonderful selling point when renting apartments.

Indeed, many of us in the area have missed Bailey's ever since its closing.

Therefore, I would like to go on record as favoring a new neighborhood store wholeheartedly and offer no objections whatever to the granting of a conditional use permit to Mr. Smailes.

Thank you for your time.

Sincerely,

Lynn Stasick

Zimbra

shollar@cityofmorgantown.org

CU13-10 / Matthew Smailes / 260 Green Street

From : Bill Burton <bill@whburton.com>

Fri, May 24, 2013 01:24 PM

Subject : CU13-10 / Matthew Smailes / 260 Green Street**To** : shollar@cityofmorgantown.org

I support the conditional use that Matthew Smailes has applied for as the building in which the proposed convenient store is to be located was once Bailey's Grocery.

Bill Burton

--

William H. Burton, Jr., Broker
ABRM®, ABR®, AHWD, ARM®, CRB, CRS, GREEN, GRI, SFR
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fax: (304) 296-9625
mobile: (304) 290-7734

Zimbra

shollar@cityofmorgantown.org

cu13-10 Matt Smailes - 260 Green Street.

From : Andrew Smith <Andrew@smithcpapllc.com>

Thu, Jun 06, 2013 02:33 PM

Subject : cu13-10 Matt Smailes - 260 Green Street.**To :** Christopher Fletcher <cfletcher@cityofmorgantown.org>, Stacy Hollar <shollar@cityofmorgantown.org>, Iltasick@gmail.com, bill@whburton.com**Cc :** matt@dinesargasso.com

I am in favor of the project and conditional use be granted to Matt at this time, I am proponent of expanding small business in Morgantown. I think the store will be very nice and helpful to the area.

With that said, I want to see the site plan and supplemental plans , that are required to be submitted with that application for which it appears those documents have not been prepared to this date. I do also want to see the planning staff report. Please email these documents to me , I have already paid money to the city to see the documents that relate to this project. I am a 200ft owner and I would hope in good faith you would charge me more money to see those future documents I request. In fact, my request if you email scan them to me.

Matt can you confirm you and or your assigns, are owner of the property at this time?

I need to see those requested documents – not on June 18, 2013 an hour before the BZA meeting – when I have no time to digest the work and comment. Like to see them middle next week please.

Thanks in advance ,

Andrew Smith
