



**DEVELOPMENT  
SERVICES  
DEPARTMENT**

# The City of Morgantown

389 SPRUCE STREET  
MORGANTOWN, WEST VIRGINIA 26505  
(304) 284-7431 TDD (304) 284-7512  
[www.morgantownwv.gov](http://www.morgantownwv.gov)

September 22, 2016

Quantum Bean Coffee, LLC  
c/o Samuel Bonasso  
23 Tresara Drive  
Fairmont, WV 26554

**RE: CU16-06 / Quantum Bean Coffee, LLC / 258 Kingwood Street  
Tax Map 29, Parcel 447**

Dear Mr. Bonasso:

This letter is to notify you of the decision made by the Board of Zoning Appeals concerning the above referenced conditional use petition for "Convenience Store, Neighborhood" use at 258 Kingwood Street. The decision is as follows:

**Board of Zoning Appeals, September 21, 2016:**

1. Each of the Findings of Fact was found in the positive as stated in Addendum A of this letter.
2. The Board approved Case No. CU16-06 as requested with the following conditions:
  - A. That to ensure the approved conditional "Neighborhood Convenience Store" use does not detract from the residential character of the neighborhood:
    - 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,
    - The subject establishment may not be open later than 9:00 PM; and,
    - 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.
  - B. That the entire window frame on the ground floor facing Kingwood Street, which is further highlighted in the image below, must be filled with window glazing to reestablish the building's commercial storefront; provided, such glazing may not be comprised of a glass block window unit(s).



- C. That all regulated signage for the subject establishment must comply with related standards set forth in Article 1369 “Signs”.
- D. That the beneficiary of the conditional use approval granted herein shall be specific to the Quantum Bean Coffee, LLC and may not be transferred without the prior approval of the Board of Zoning Appeals.

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.

Please note that requisite building permits and sign permits must be obtained prior to the commencement of any work.

Should you have any questions or require further clarification, please contact the undersigned. We look forward to serving your plans review and approval needs.

Respectfully,

Stacy Hollar  
Executive Secretary  
Development Services Department  
shollar@cityofmorgantown.org

**ADDENDUM A – Approved Findings of Fact**  
**CU16-06 / Quantum Bean Coffee, LLC / 258 Kingwood Street**

---

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

The majority of traffic will be foot traffic. In order to assist with vehicular traffic there are four existing off street parking spaces.

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

There are front and back entrances from the proposed store in case of accidents. The provided parking allows for clear access on the street and access for emergency vehicles.

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

The business is not changing any buildings to affect surrounding properties. The business generally is very similar to South Perk Market. (The prior business)

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

The business is not making any structural changes to the building or land, therefore no change to existing land use.

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

There is sufficient parking and walking space away from the street so as not to affect pedestrian or traffic flow.

**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:

There is currently existing parking to sufficiently handle anticipated traffic. The business use of the property will not affect any existing city infrastructure.

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

The business is improving the interior of the existing commercial space and the facility will be returned to its historic use.

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

The national registry of historic places lists the original use of this space as a grocery store. The use as a local convenience store, is the most appropriate use of the property to fit into the South Park Historic District.