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PAID
 OCT 23 2015
 City of Morgantown, West Virginia
**APPLICATION FOR
 VARIANCE PETITION**

OFFICE USE	
CASE NO.	V15-125
RECEIVED:	10/23/15

(PLEASE TYPE OR PRINT IN BLACK INK)

Fee: \$75

CIC
2911

I. APPLICANT		Name:	Standard at Morgantown, LLC, J Wesley Rogers, President	
Mailing Address:	455 Epps Bridge Parkway, Suite 201		Phone:	706-543-1910
	Street Athens, GA 30606		Mobile:	
	City State Zip		Email:	wes@landmarkproperties.com
II. PROPERTY		Street Address:	1303 University Avenue	
Owner:	Standard at Morgantown, LLC (under contract)		Zoning:	B-4
Mailing Address:	455 Epps Bridge Parkway, Building 100, Suite 201		Tax Map No:	26-A
	Street Athens, GA 30606		Parcel No:	6,7,8,9,10,11,12,13,14,&15
	City State Zip		Phone:	706-543-1910
III. NARRATIVE		Please describe the nature and extent of your variance request(s).		
<p>The developer is requesting the increase in the front set backs ranging from 4.62 feet to 8.87 feet. The current requirement states the maximum front set back shall be the average depth of the nearest two lots on either side or 10 feet, whichever is less. The connecting property identified as Tax Map 26A, Parcels 1 through 5 known as Mode Roman property indicates the south corner being 1.80 feet off the property line and north corner being 0.26 feet off the property line with an average of 1.03 feet. Allowing the proposed building an increased set back will provide for a safer pedestrian walkway with increased width and maneuvers around obstructions. Likewise the added sidewalk width will allow pedestrians greater separation from passing vehicles.</p>				
V. 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. I agree to conform to all applicable laws of this jurisdiction. The granting of a variance does not presume to give authority to violate or cancel the provisions of any other federal, state, or local law regulating construction or the performance of construction. 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. I hereby authorize the Development Services Department to erect a notification sign on the subject property approximately 15 days prior to the BZA hearing. I further agree to maintain said signage and hereby accept responsibility in case of destruction or removal.		
J Wesley Rogers				10.1.15
Type/Print Name of Applicant/Agent		Signature of Applicant/Agent		Date

You or a representative MUST be present at the scheduled hearing to present the request and answer questions. Failure to appear at the hearing will result in your request being tabled.



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V13-65
RECEIVED:	23 OCT 15

VI. SUPPLEMENTAL INFORMATION

Depending on the type of variance request and the scale and scope of the development proposal, supplemental information may be needed to assist the Board of Zoning Appeals in rendering a variance decision. Staff will check the appropriate boxes below that must be addressed.

Land Use Characteristics (complete only those that apply)

- Residential Single-Family Dwelling Townhouse Dwelling
 Two-Family Dwelling Multi-Family Dwelling

Non-Residential or Mixed (please explain)

The developer desires to construct a Mixed Use Complex consisting of 276 dwelling units consisting of 866 occupants and 21,837 square feet of commercial space.

Structure Characteristics (complete only those that apply)

Total number of buildings: 1 Gross floor area of each building: 441,784 sf

Estimated number of employees: 15 No. of dwelling units: 276 No. of bedrooms: 866

Additional structure-related details:

Additional Information (as required by Staff):

Site Plan. A scaled site plan may be required to assist the Board in rendering a variance decision. The following features must be represented, as required by Staff.

- Location, shape, exterior dimensions, and number of stories of each building on the site.
- Standard yard setbacks for the applicable zoning district
- Location, grade, and dimensions of paved surfaces, and all abutting streets
- Existing and proposed contours, at an interval of at least two (2) feet
- Complete traffic circulation plan showing dimensions, entrance/exit drives, planters, and similar improvements
- Location of landscaped areas (to be detailed on landscape plan), fences, walls, and other screen required



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V15-65
RECEIVED:	23 OCT 15

VII. FINDINGS OF FACT	COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.
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The Board of Zoning Appeals may grant a variance request only if each of the following "Findings of Fact" criteria is determined to be in the positive. Applicants must give their own responses to the following criteria statements.

1. The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:

Granting the increased set backs along the front of the building will not affect public health, safety or welfare, or rights of adjacent property owners or residents. In fact, it will provide for greater safety because it will allow the increase in width of the sidewalk allowing greater separation between pedestrians and vehicles. Currently at the location of proposed improvements and existing features (Mode Roman Property) is a parking lot. Without a physical structure located adjacent to the beginning of the project allows the sidewalk to be increased in width without creating an immediate bottle neck for the pedestrians.

2. The variance arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance, because:

The proposed project is located within the B-4 Zoning District which allows for buildings to be constructed at the front property line with 0' minimum and 10' maximum setback. Allowing the building to be set back from the property line will allow greater width for the pedestrian sidewalk and provide for a safer walking environment by greater separation between the public and vehicles.

Additionally, the existing overhead utilities will be buried along the frontage of the project. The additional setback will allow the utility owners to have additional space for the maintenance of their facilities.

Per conversations with the Fire Marshal, the southern end of the building has been designed to allow for additional building setback so that the fire apparatus may be parked between the building and the curb in an emergency.



City of Morgantown, West Virginia

**APPLICATION FOR
VARIANCE PETITION**

OFFICE USE	
CASE NO.	115-65
RECEIVED:	23 OCT 15

VII. FINDINGS OF FACT	COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.
<p>3. The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:</p> <p>The variance to allow an increased set back distance allows the plan to conform to the DOH driveway requirements and the Fire Marshal's staging location between the building and the curb.</p>	
<p>4. The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:</p> <p>The request for the increase of front set back will be applied within the B-4 Business District. The City of Morgantown is concerned with "Canyon Effect" in and around the downtown area. Allowing the increased set back will reduce the "Canyon Effect" along the proposed development site.</p> <p>Additionally, the variance will allow the building to be designed within the allowable 0' to 10' setback.</p>	



City of Morgantown, West Virginia

PAID

OCT 23 2015

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V15-664
RECEIVED:	10/21/15

(PLEASE TYPE OR PRINT IN BLACK INK)

Fee: \$75

OK 2911

I. APPLICANT		Name:	Standard at Morgantown, LLC, J Wesley Rogers, President		
Mailing Address:	455 Epps Bridge Parkway, Suite 201		Phone:	706-543-1910	
	Street	Athens, GA 30606		Mobile:	
	City	State	Zip	Email: wes@landmarkproperties.com	
II. PROPERTY		Street Address:	1303 University Avenue		
Owner:	Standard at Morgantown, LLC (under contract)		Zoning:	B-4	
Mailing Address:	455 Epps Bridge Parkway, Building 100, Suite 201		Tax Map No:	26-A	
	Street	Athens, GA 30606		Parcel No:	6,7,8,9,10,11,12,13,14,&15
	City	State	Zip	Phone: 706-543-1910	
III. NARRATIVE		Please describe the nature and extent of your variance request(s).			
<p>The developer is requesting a reduction in the 10% lot depth set back. Due to the irregular shape of the parcels along the rear, the construction of the building cannot be economically constructed. The set back abuts up to the existing City / CSX right of way and will not cause any adverse effects to inhabitable properties. The back of the building will be overlooking the Rails to Trails, PRT and the Monongahela River.</p>					
V. 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. I agree to conform to all applicable laws of this jurisdiction. The granting of a variance does not presume to give authority to violate or cancel the provisions of any other federal, state, or local law regulating construction or the performance of construction. 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. I hereby authorize the Development Services Department to erect a notification sign on the subject property approximately 15 days prior to the BZA hearing. I further agree to maintain said signage and hereby accept responsibility in case of destruction or removal.			
J Wesley Rogers				10.1.15	
Type/Print Name of Applicant/Agent		Signature of Applicant/Agent		Date	

You or a representative **MUST** be present at the scheduled hearing to present the request and answer questions. Failure to appear at the hearing will result in your request being tabled.



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE table with CASE NO. V15-100 and RECEIVED: 23 OCT 15

VI. SUPPLEMENTAL INFORMATION

Depending on the type of variance request and the scale and scope of the development proposal, supplemental information may be needed to assist the Board of Zoning Appeals in rendering a variance decision. Staff will check the appropriate boxes below that must be addressed.

Land Use Characteristics (complete only those that apply)

- Residential, Single-Family Dwelling, Townhouse Dwelling, Two-Family Dwelling, Multi-Family Dwelling

Non-Residential or Mixed (please explain)

The developer desires to construct a Mixed Use Complex consisting of 276 dwelling units consisting of 866 occupants and 21,837 square feet of commercial space

Structure Characteristics (complete only those that apply)

Total number of buildings: 1 Gross floor area of each building: 441,784
Estimated number of employees: 15 No. of dwelling units: 276 No. of bedrooms: 866
Additional structure-related details:

Additional Information (as required by Staff):

Site Plan. A scaled site plan may be required to assist the Board in rendering a variance decision. The following features must be represented, as required by Staff.

- Location, shape, exterior dimensions, and number of stories of each building on the site.
Standard yard setbacks for the applicable zoning district
Location, grade, and dimensions of paved surfaces, and all abutting streets
Existing and proposed contours, at an interval of at least two (2) feet
Complete traffic circulation plan showing dimensions, entrance/exit drives, planters, and similar improvements
Location of landscaped areas (to be detailed on landscape plan), fences, walls, and other screen required



City of Morgantown, West Virginia

**APPLICATION FOR
VARIANCE PETITION**

OFFICE USE	
CASE NO.	V15-166
RECEIVED:	23 OCT 15

VII. FINDINGS OF FACT | COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.

The Board of Zoning Appeals may grant a variance request only if each of the following "Findings of Fact" criteria is determined to be in the positive. Applicants must give their own responses to the following criteria statements.

1. The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:

This variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents because the building will be constructed entirely within the extents of the property lines. This variance is for the setback located in the back of the building. The back property line abuts against the Rails to Trails / CSX / City Right of Way. The approval of this variance will not encroach towards inhabited parcels or available real estate that can be developed in the future.

2. The variance arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance, because:

Due to the irregular shape of the property along the back, the building would not be feasible to construct and maintain the 10% setback requirements.



City of Morgantown, West Virginia

**APPLICATION FOR
VARIANCE PETITION**

OFFICE USE	
CASE NO.	V15-606
RECEIVED:	23 OCT 15

VII. FINDINGS OF FACT COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.

3. The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:

Trying to hold with the 10% setback would create several offsets and interior building corners costing more to construct and reducing available income by reducing the available square footage of the building. This request is for only a small area (approximately 140 feet long) located at the Northwestern Corner of the building and abutting against the City / CSX / Rails to Trails Right of Way.

4. The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:

The relaxation in the 10% setback ordinance will allow the developer to construct a building that is in accordance with the vision for the long term image of the City of Morgantown. The building is being constructed in a B-4 Business District and looking at redevelopment of a blighted area. This building will not have any adverse effects to surrounding properties and will create a landmark for future developments to strive for.



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

PAID OCT 23 2015

OFFICE USE
CASE NO. 115-67
RECEIVED: 10/23/15

(PLEASE TYPE OR PRINT IN BLACK INK)

Fee: \$75 OK 2911

I. APPLICANT Name: The Standard at Morgantown, LLC
Mailing Address: 455 Epps Bridge Parkway, Suite 201 Athens, GA 30606
Phone: 706-543-1910
Email: wes@landmarkproperties.com
II. PROPERTY Street Address: 1303 University Avenue
Owner: The Standard at Morgantown, LLC (under contract)
Zoning: B-4
Mailing Address: 455 Epps Bridge Parkway, Building 100, Suite 201 Athens, GA 30606
Tax Map No: 26-A
Parcel No: 6,7,8,9,10,11,12,13,14,&15
Phone: 706-543-1910
III. NARRATIVE Please describe the nature and extent of your variance request(s).
The developer is requesting approval from the conditions stated in the provision to "Minimize Canyon Effects for Taller than Three (3) Stories" incorporated in the zoning code for all buildings taller than three stories as the proposed project is scheduled to be twelve stories. . An Air Flow and a Sunlight Distribution Analysis has been prepared for this project and is included in the submission. The results of both analyses maintain that the conditions resulting from this project should not mandate any additional mitigating design elements.
V. 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. I agree to conform to all applicable laws of this jurisdiction. The granting of a variance does not presume to give authority to violate or cancel the provisions of any other federal, state, or local law regulating construction or the performance of construction. 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. I hereby authorize the Development Services Department to erect a notification sign on the subject property approximately 15 days prior to the BZA hearing. I further agree to maintain said signage and hereby accept responsibility in case of destruction or removal.
J Wesley Rogers
Type/Print Name of Applicant/Agent Signature of Applicant/Agent Date 10/2/15

You or a representative MUST be present at the scheduled hearing to present the request and answer questions. Failure to appear at the hearing will result in your request being tabled.



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V15-67
RECEIVED:	23 OCT 15

VI. SUPPLEMENTAL INFORMATION

Depending on the type of variance request and the scale and scope of the development proposal, supplemental information may be needed to assist the Board of Zoning Appeals in rendering a variance decision. Staff will check the appropriate boxes below that must be addressed.

- Land Use Characteristics (complete only those that apply)
 - Residential Single-Family Dwelling Townhouse Dwelling
 - Two-Family Dwelling Multi-Family Dwelling
 - Non-Residential or Mixed (please explain)

The developer desires to construct a Mixed Use Complex consisting of 276 dwelling units consisting of 866 occupants and 21,837 square feet of commercial space

- Structure Characteristics (complete only those that apply)

Total number of buildings: 1 Gross floor area of each building: 441,784

Estimated number of employees: 15 No. of dwelling units: 276 No. of bedrooms: 866

Additional structure-related details:

- Additional Information (as required by Staff):

- Site Plan. A scaled site plan may be required to assist the Board in rendering a variance decision. The following features must be represented, as required by Staff.
 - Location, shape, exterior dimensions, and number of stories of each building on the site.
 - Standard yard setbacks for the applicable zoning district
 - Location, grade, and dimensions of paved surfaces, and all abutting streets
 - Existing and proposed contours, at an interval of at least two (2) feet
 - Complete traffic circulation plan showing dimensions, entrance/exit drives, planters, and similar improvements
 - Location of landscaped areas (to be detailed on landscape plan), fences, walls, and other screen required



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V15-67
RECEIVED:	23 OCT 15

VII. FINDINGS OF FACT	COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.
<p>The Board of Zoning Appeals may grant a variance request only if each of the following "Findings of Fact" criteria is determined to be in the positive. Applicants must give their own responses to the following criteria statements.</p>	
<p>1. The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:</p> <p>Granting the proposed variance waiver will not affect the public health, safety or welfare, or rights of adjacent property owners or residents, because the Developer proposes to create a project that will work in harmony with the surrounding city fabric while also providing a stimulus to the surrounding areas vibrancy. The proposed project is set back approximately 12' off of University Avenue as well as over 20' from Walnut Street to allow for greater street activity and sun paths. It is also set back 15' from the adjacent interior property line to provide an added separation buffer between the lots. Additionally, the project will be sited away from the rear of the site to allow for an increase in the site open area adjacent to the PRT line and Monongalia River with the Developer proposing an upgraded access connection to the nearby Caperton Trail path. The building design itself steps back at the upper levels and corner as well as insets along University Avenue to provide massing relief. The project will be an noticeable upgrade to the current sites condition and will provide a state a modern facility that will be utilized by the neighboring universities students as a residential and commercial facility.</p>	
<p>2. The variance arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance, because:</p> <p>The Developer proposes variance relief for a new building that will add a dynamic presence to an otherwise under utilized portion of the city. The scale and configuration of the project works with the Developers goal of providing an economically viable product that will enhance the neighborhood while also providing a platform for an increased revenue base to the city.</p>	



City of Morgantown, West Virginia

**APPLICATION FOR
VARIANCE PETITION**

OFFICE USE	
CASE NO.	V15-67
RECEIVED:	23 OCT 15

VII. FINDINGS OF FACT	COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.
<p>3. The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:</p> <p>The project will allow the construction of a proposal that exceeds the existing criteria that limits building to three stories by proposing the design for a twelve story structure. This will enable the construction of a project that will provide a needed boost to the site and it's adjacent surroundings. The developer believes that the approval of this development will help to alleviate an existing blight that categorizes the site as it currently exists.</p>	
<p>4. The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:</p> <p>The acceptance of this application for variance relief would allow the project to move forward and provide a new mixed use development that would aid in fostering an essential link to the revitalization of this area of the city and would be an economic stimulus to future growth.</p>	



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V15-108
RECEIVED:	23 OCT 15

VI. SUPPLEMENTAL INFORMATION

Depending on the type of variance request and the scale and scope of the development proposal, supplemental information may be needed to assist the Board of Zoning Appeals in rendering a variance decision. Staff will check the appropriate boxes below that must be addressed.

Land Use Characteristics (complete only those that apply)

- Residential Single-Family Dwelling Townhouse Dwelling
- Two-Family Dwelling Multi-Family Dwelling

Non-Residential or Mixed (please explain)

The developer desires to construct a Mixed Use Complex consisting of 276 dwelling units consisting of 866 occupants and 21,837 square feet of commercial space.

Structure Characteristics (complete only those that apply)

Total number of buildings: 1 Gross floor area of each building: 441,784 sf

Estimated number of employees: _____ No. of dwelling units: 276 No. of bedrooms: 866

Additional structure-related details:

Additional Information (as required by Staff):

Site Plan. A scaled site plan may be required to assist the Board in rendering a variance decision. The following features must be represented, as required by Staff.

- Location, shape, exterior dimensions, and number of stories of each building on the site.
- Standard yard setbacks for the applicable zoning district
- Location, grade, and dimensions of paved surfaces, and all abutting streets
- Existing and proposed contours, at an interval of at least two (2) feet
- Complete traffic circulation plan showing dimensions, entrance/exit drives, planters, and similar improvements
- Location of landscaped areas (to be detailed on landscape plan), fences, walls, and other screen required



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V15-68
RECEIVED:	23 OCT 15

VII. FINDINGS OF FACT COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.

The Board of Zoning Appeals may grant a variance request only if each of the following "Findings of Fact" criteria is determined to be in the positive. Applicants must give their own responses to the following criteria statements.

1. The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:

Granting the increased curb cuts will not affect public health, safety or welfare, or rights of adjacent property owners or residents because the garage entrance off of University Avenue will be located approximately midway of the proposed building. The increased curb cut will allow easier maneuvers of vehicles without running over top of the curb. The extended curb width will be a benefit to vehicles wishing to travel along University Avenue by allowing vehicles to make quicker maneuvers out of the way off of University Avenue.

2. The variance arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance, because:

With the right in and right out vehicle maneuvers, lane dividers will need to be incorporated into the center of University Avenue per WV DOH Recommendations. The lane dividers consist of flexible posts located along the centerline divider paint marking limiting the vehicular maneuvers to right in and right out.



City of Morgantown, West Virginia

**APPLICATION FOR
VARIANCE PETITION**

OFFICE USE	
CASE NO.	V15-68
RECEIVED:	23 OCT 15

VII. FINDINGS OF FACT	COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.
<p>3. The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:</p>	<p>In order to provide ease of entry for vehicles, the curb radius must be increased to 18 feet off University Avenue. With the increased curb cuts Vehicles can maneuver off University Avenue a little quicker in turn reducing vehicle congestion on University Avenue. With a wider exist radius, vehicles can merge onto University Avenue without running into the left lane.</p>
<p>4. The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:</p>	<p>The request for extended curb cuts will be applied within the B-4 Business District. With the increased curb cut, vehicles can make quicker maneuvers reducing impacts to traffic flow along University Avenue.</p>



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V15-68
RECEIVED:	23 OCT 15

(PLEASE TYPE OR PRINT IN BLACK INK)

Fee: \$75

I. APPLICANT		Name:	Standard at Morgantown, LLC, J Wesley Rogers, President		
Mailing Address:	455 Epps Bridge Parkway, Suite 201		Phone:	706-543-1910	
	Street	Athens, GA 30606		Mobile:	
	City	State	Zip	Email: wes@landmarkproperties.com	
II. PROPERTY		Street Address:	1303 University Avenue		
Owner:	Standard at Morgantown, LLC (under contract		Zoning:	B-4	
Mailing Address:	455 Epps Bridge Parkway, Building 100, Suite 201		Tax Map No.:	26-A	
	Street	Athens, GA 30606		Parcel No.:	6,7,8,9,10,11,12,13,14,&15
	City	State	Zip	Phone:	
III. NARRATIVE		Please describe the nature and extent of your variance request(s).			
<p>The developer is requesting a variance in the maximum width of driveway at street right of way along University Avenue be increased to 27.49 feet to allow appropriate egress of vehicles. With the increased width of driveway at the street right of way line, vehicles making right in and right out only will be able to make maneuvers without running over top of the curb line reducing the effects of breaking down the curb. The increased right of way line will not be a nuisance to vehicle movements along <u>University Avenue</u> because it will provide smoother entrance for vehicles turning off of University Avenue and entering the garage. With right out only, directional features can be positioned in order to direct vehicles leaving the garage to make a right out only maneuver.</p> <p style="text-align: center;"><i>AT RIGHT-OF-WAY LINE</i></p>					
V. 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. I agree to conform to all applicable laws of this jurisdiction. The granting of a variance does not presume to give authority to violate or cancel the provisions of any other federal, state, or local law regulating construction or the performance of construction. 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. I hereby authorize the Development Services Department to erect a notification sign on the subject property approximately 15 days prior to the BZA hearing. I further agree to maintain said signage and hereby accept responsibility in case of destruction or removal.			
J Wesley Rogers				10.1.15	
Type/Print Name of Applicant/Agent		Signature of Applicant/Agent		Date	

You or a representative **MUST** be present at the scheduled hearing to present the request and answer questions. Failure to appear at the hearing will result in your request being tabled.



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V15-108
RECEIVED:	23 OCT 15

VI. SUPPLEMENTAL INFORMATION

Depending on the type of variance request and the scale and scope of the development proposal, supplemental information may be needed to assist the Board of Zoning Appeals in rendering a variance decision. Staff will check the appropriate boxes below that must be addressed.

Land Use Characteristics (complete only those that apply)

- Residential Single-Family Dwelling Townhouse Dwelling
- Two-Family Dwelling Multi-Family Dwelling

Non-Residential or Mixed (please explain)

The developer desires to construct a Mixed Use Complex consisting of 276 dwelling units consisting of 866 occupants and 21,837 square feet of commercial space.

Structure Characteristics (complete only those that apply)

Total number of buildings: 1 Gross floor area of each building: 441,784 sf

Estimated number of employees: 15 No. of dwelling units: 276 No. of bedrooms: 866

Additional structure-related details:

Additional Information (as required by Staff):

Site Plan. A scaled site plan may be required to assist the Board in rendering a variance decision. The following features must be represented, as required by Staff.

- Location, shape, exterior dimensions, and number of stories of each building on the site.
- Standard yard setbacks for the applicable zoning district
- Location, grade, and dimensions of paved surfaces, and all abutting streets
- Existing and proposed contours, at an interval of at least two (2) feet
- Complete traffic circulation plan showing dimensions, entrance/exit drives, planters, and similar improvements
- Location of landscaped areas (to be detailed on landscape plan), fences, walls, and other screen required