



# MORGANTOWN PLANNING COMMISSION

January 10, 2013  
6:30 PM  
City Council Chambers

## STAFF REPORT REVISED

### Planning Commissioners:

Sam Loretta, 1<sup>st</sup> Ward  
Tim Stranko, 2<sup>nd</sup> Ward  
William Wyant, 3<sup>rd</sup> Ward  
Bill Petros, 4<sup>th</sup> Ward  
Michael Shuman, 5<sup>th</sup> Ward  
Peter DeMasters, 6<sup>th</sup> Ward  
Carol Pyles, 7<sup>th</sup> Ward  
Ken Martis, Admin.  
Jennifer Selin, City Councilor

**CASE NO:** MNS13-01 / Veltri / 409 Arch Street and 249 Kingwood Street

### **REQUEST and LOCATION:**

Request by Patrick Nabors, on behalf of Joseph Veltri, for a minor subdivision approval of property located between 249 Kingwood Street and 409 Arch Street.

### **TAX MAP NUMBER (s) and ZONING DESCRIPTION:**

Tax Map 29, Parcels 546, and 548; R-1A, Single-Family Residential District

### **SURROUNDING ZONING:**

R-1A, Single-Family Residential District

### **BACKGROUND and ANALYSIS:**

The petitioner seeks to adjust the location of a portion of the side parcel boundary separating Parcels 546 and 548 of Tax Map 29 for the purpose of dedicating a parking space area currently contained within Parcel 548 to Parcel 546. Addendum A of this report illustrates the location of the subject site.

Parcel 546, addressed as 409 Arch Street, contains four (4) registered rental units spanning across Parcels 546 and 547. The area of Parcel 546 is approximately 3,283 square feet and the area of Parcel 547 is approximately 4,872 square feet.

Parcel 548, addressed as 249 Kingwood Street, contains what appears to be a single-family dwelling that does not appear to be registered as a rental unit with the City. The area of Parcel 548 is approximately 3,478 square feet.

Article 1335.03(A) provides that the minimum lot area within the R-1A District is 3,500 square feet. The following table illustrates the proposed subdivision.

Parcel	Existing Area	Proposed Change	Proposed Area
548	3,478 sq. ft.	- 133 sq. ft.	3,345 sq. ft.
546	3,283 sq. ft.	+ 133 sq. ft.	3,416 sq. ft.

Article 1321.06(b) provides:

“All side lines of lots shall be at right angles to street lines and radial to curved street lines except where a variation of this rule will provide a better street and lot layout. Lots with double frontage except when paralleling major highways will be avoided.”

### **Development Services**

Christopher Fletcher, AICP  
Director

### **Planning Division**

389 Spruce Street  
Morgantown, WV 26505  
304.284.7431



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The proposed subdivision does not appear to meet right angle provisions provided in Article 1321.06(b). Additionally, the proposed subdivision increases the extent of nonconformity in minimum area for Parcel 548. However, the proposed subdivision reduces the extent of nonconformity in minimum area for Parcel 546.

If the Planning Commission finds that the proposed subdivision meets the exception in Article 1321.06(b) that, "...a variation of this rule will provide a better street and lot layout," than Staff recommends that approval include a condition that the petitioner must also combine Parcels 546 and 547, which will mitigate the minimum area nonconformity of Parcel 546, the combined area for which would be 8,155 square feet, as well as mitigate the nonconformity of the structure crossing parcel boundaries.

### **STAFF RECOMMENDATION:**

Staff recommends approval of MNS13-01 with following revisions and conditions:

1. That no more than 133 square feet, as requested by the petitioner, be subdivided from Parcel 548 and same added to Parcel 546;
2. That the approved minor subdivision shall also combine Parcels 546 and 547 thereby mitigating existing nonconformities in terms of minimum area for same and that the multi-family structure crosses parcel boundaries;
3. That the petitioner submit three (3) original final plat documents, including all access/utility easements if applicable, signed and sealed by a surveyor licensed in the State of West Virginia for the Planning Commission President's signature; and,
4. That the final plat is filed at the Monongalia County Courthouse within thirty (30) days of meeting the condition set forth above.

Enclosure: Application and accompanying exhibits

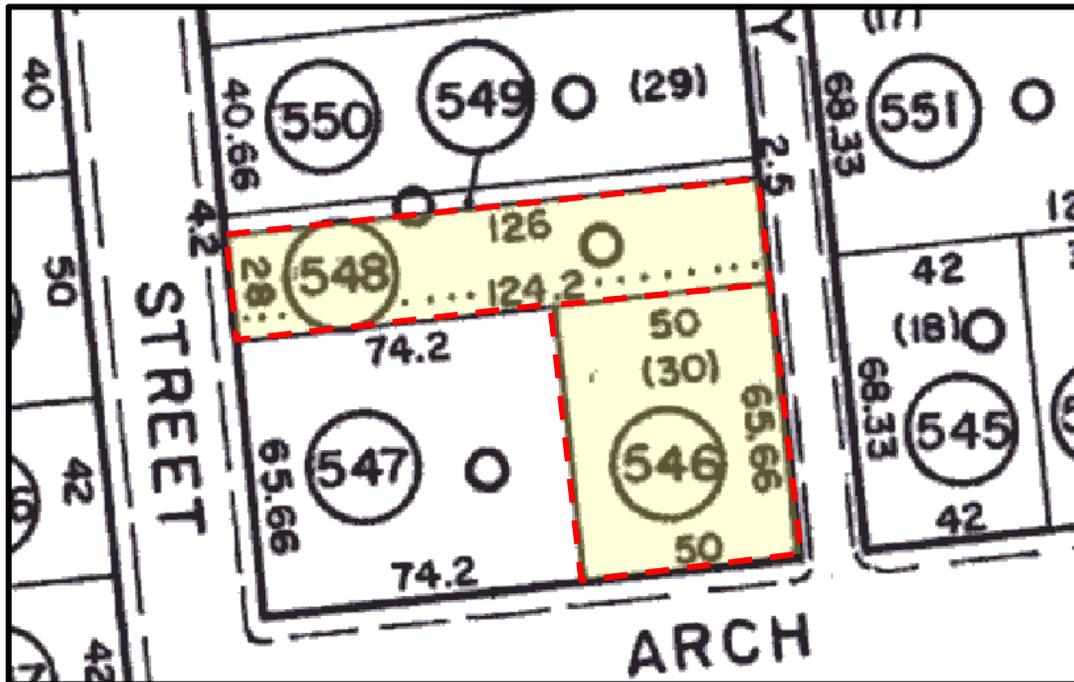
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Christopher Fletcher, AICP  
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**STAFF REPORT ADDENDUM A**  
**MNS13-01 / Veltri / Arch Street and Kingwood Street**





City of Morgantown, West Virginia

APPLICATION FOR MINOR SUBDIVISION

OFFICE USE	
CASE NO.	MNS13-01
RECEIVED:	12/7/07
COMPLETE:	

A Minor Subdivision of property includes the creation of up to three (3) parcels or the combination of existing parcels, but does not involve the extension of off-site facilities (streets, etc.) or the dedication of a portion of the site for public use.

(PLEASE TYPE OR PRINT IN BLACK INK)

<b>I. APPLICANT</b>			
Name:	Joseph Veltri	Phone:	304-599-4959
Mailing Address:	500 Fountain View	Mobile:	
	Street Morgantown WV 26505	Email:	
	City State Zip		
<b>II. AGENT / CONTACT INFORMATION</b>			
Name:	Patrick Nabors	Phone:	304-288-1408
Mailing Address:	500 Fountain View	Mobile:	
	Street Morgantown WV 26505	Email:	PANabors@gmail
	City State Zip		
Mailings –	Send all correspondence to (check one): <input type="checkbox"/> Applicant OR <input checked="" type="checkbox"/> Agent/Contact		
<b>III. PROPERTY</b>			
Owner:	Joseph Veltri	Phone:	304-599-4959
Mailing Address:	500 Fountain View	Mobile:	
	Street Morgantown WV 26505	Email:	
	City State Zip		
<b>IV. SITE</b>			
Street Address (if assigned):	249 Kingwood/409 Arch	Tax Map #(s):	29
Zoning:		Parcel #(s):	546, 548
Square Footage of Parcel(s):	3,477.6 ft. <sup>2</sup>	3,283 ft. <sup>2</sup>	
Subdivision Description:	See Attached		
Are there any Variances from the Subdivision Regulations anticipated:	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, to what extent is a variance necessary?	ft <sup>2</sup> Requirement Uniform Parcel shape.		



APPLICATION FOR MINOR SUBDIVISION

OFFICE USE	
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COMPLETE:	

V. PLAT

Preliminary Plat submission – A Minor Subdivision Application must also include one (1) preliminary plat illustrating:

- (a) Existing and proposed property boundaries, property boundary dimensions, and square footage.
- (b) A letter of service availability and approval from the Morgantown Utility Board.

Final Plat submission – Upon approval by the Planning Commission, three (3) sealed Final Plat surveys must be submitted to the Planning Office and meet the following standards:

- (a) Drawn to a scale of one inch (1") equals fifty feet (50') or larger;
- (b) Date of preparation, north arrow, and scale;
- (c) Legal description;
- (d) Applicant/owner name and address;
- (e) Existing zoning;
- (f) Legend;
- (g) Vicinity map;
- (h) Existing and proposed utility lines and easements;
- (i) Certification by a registered land surveyor, licensed in the State of West Virginia, that the dimension and bearings are accurately delineated with a seal and signature;
- (j) Location, shape, exterior dimensions of each existing building on the site(s);
- (k) Location and dimensions of paved surfaces including sidewalks and curb cuts, and of all abutting streets;
- (l) Location of springs, streams, other water bodies, and areas subject to flooding;
- (m) Floodplain designation making reference to pertinent FEMA Firm Community Panel Number;
- (n) Approval signature block allowing space for President of Morgantown Planning Commission;
- (o) Other items as deemed necessary by Planner Director or City Engineer.

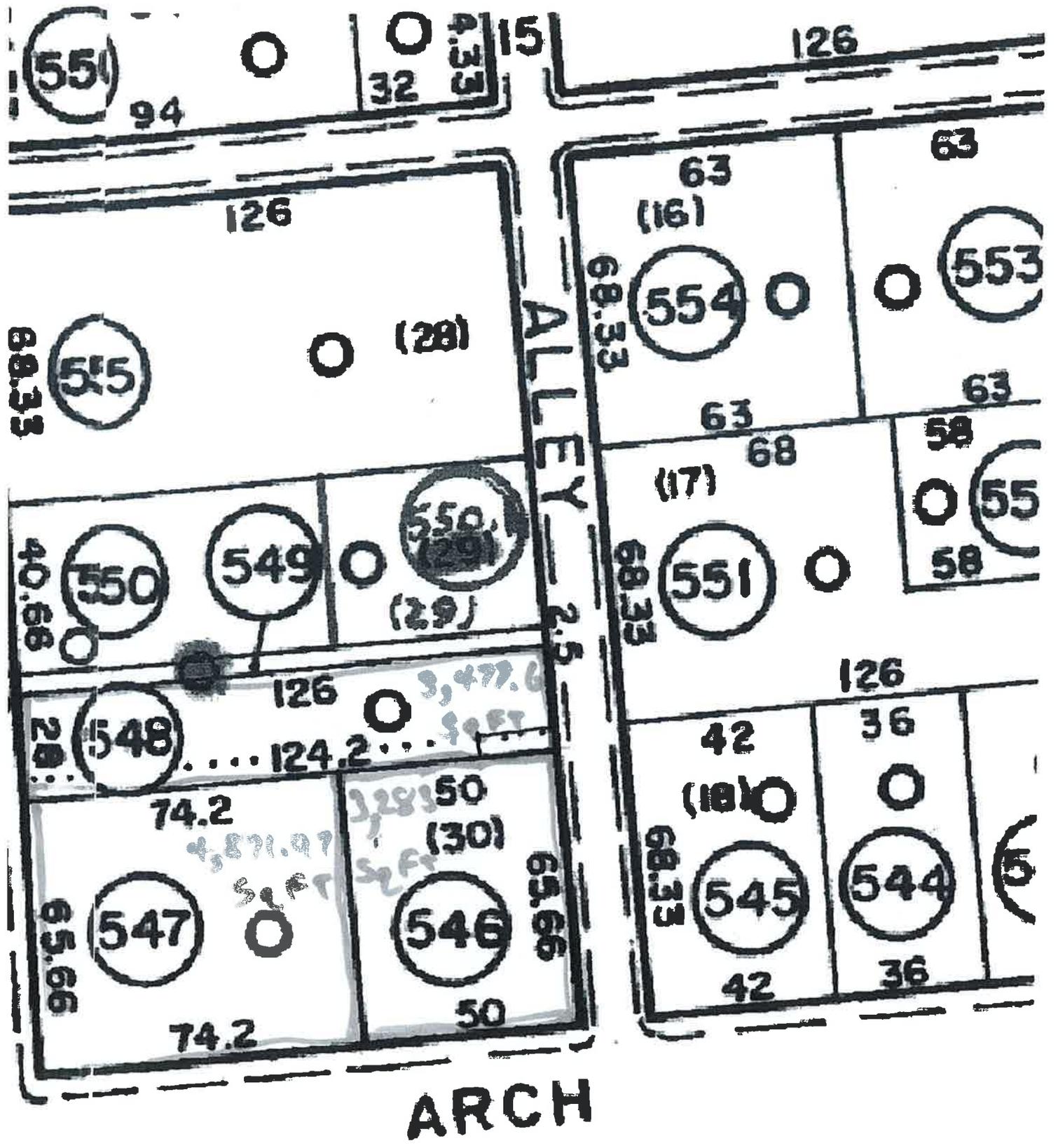
Please note that all approved minor subdivision plats must be filed with the Monongalia County Tax Office within thirty (30) days of approval. Plats not filed within thirty (30) days will be considered invalid by the City of Morgantown and will require reapproval.

VIII. ATTEST

I hereby certify that I have read and examined this document and know the same to be true and correct. All provisions of laws and ordinance governing this type of work will be complied with whether specified herein or not. Granting of a permit 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.

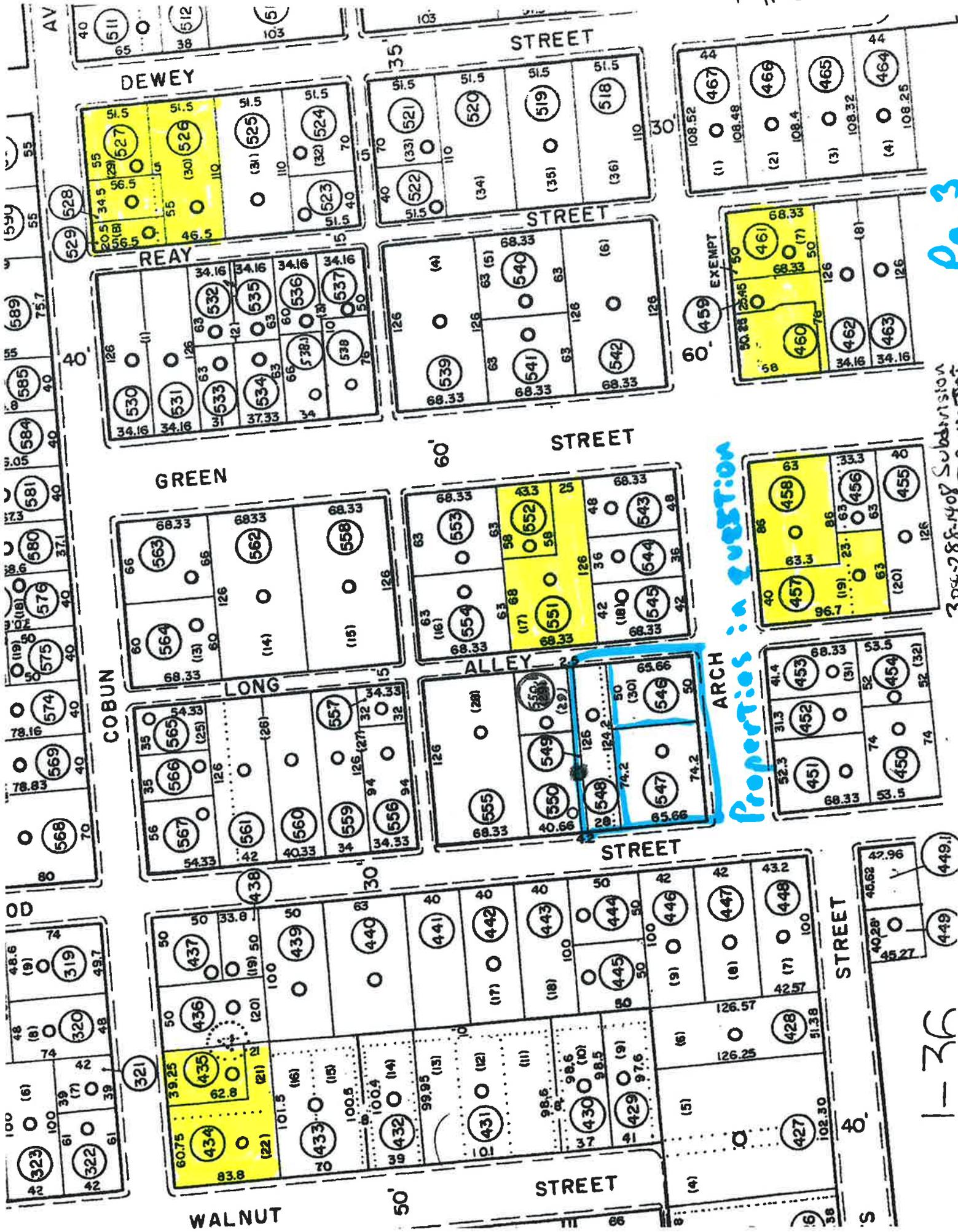
<u>Patrick Nabors</u>		<u>12-6-12</u>
Type/Print Name of Applicant/Agent	Signature of Applicant/Agent	Date

• Minor Subdivision Application Fee – \$35



Subdivision  
 J.R. Veltin  
 304-288-1408

Area To be taken  
 From 548 and given  
 To 546 is 133.94 FT.  
 7x19 Feet



MNS13-01



December 5, 2012

JR Veltri Company  
500 Fountain View  
Morgantown, WV 26505

**Re: Water/Sewer Service Availability  
409 Arch Street / 249 Kingwood Street  
Morgantown District, Tax Map 29, Parcel 546**

Dear Mr. Nabors,

This will confirm that water and sewer services are available to the above referenced property. Note that we are unable to certify whether the depth/elevation and/or size of the existing MUB facilities are adequate to serve the proposed structure. We will evaluate such adequacy upon receipt of additional details describing the design of the proposed structure along with a property plat showing the proposed structure to be served.

In addition to the above costs and in accordance with our PSC-approved rate schedule, tap fees will be charged for each domestic service connection requested. The tap fee for water service (all services 1 1/2" and smaller) is \$700.00 per meter setting and the tap fee for sanitary sewer service shall equal the combined total of the water fee. All water services larger than 1 1/2" are installed on an as-cost basis. The PSC requires that we install the utility service line to the property line of the premises being served for the cost of these tap fees and further requires that a single and separate customer service line be provided for each structure being served.

In order to help us serve you better, please bring this letter with you when applying for new service, along with any additional property information available.

If you have any questions regarding this matter, please call me at (304) 292-8443. Thank you in advance for your kind cooperation.

Sincerely,  
MORGANTOWN UTILITY BOARD

Joseph E. Teets  
Staff Engineer

J.R.Veltri Co.

500 Fountainview

Morgantown,WV 26505

Information in support of minor subdivision at 249Kingwood/409Arch st.

Photo on pg.#1 shows location of proposed subdivision. This is a parking lot, it will remain a parking lot. The purpose of the subdivision is to support off street parking for the building on parcels 546 and 547. Both properties in question are owned by the same person. The change would still allow the required off street parking for parcel 548

The diagram on pg.#2 shows property boundaries and sqft in blue and dimensions in black. The proposed area of subdivision is highlighted in yellow. This area is 7x19 feet containing 133 sqft. And has been used for parking for the building on parcel 546 for 28 years.

I understand the desire to maintain uniform parcels .However I believe that this subdivision will be more beneficial to the property owner and the community in general by allowing both properties to be conveyed separately. Page #3 shows several properties in the area with far greater irregularities. Highlighted in yellow.

Patrick Nabors

Operational Supervisor

J.R.Veltri Co. 304-288-1408

MNS13-01

To see all the details that are visible on the screen, use the "Print" link next to the map.



Application For  
Minor Subdivision

J.R. Veltri Co.

12-6-12

Pg. 1

Highlighted Area  
To be Taken from  
Parcel 548  
Added To 546

