



MORGANTOWN PLANNING COMMISSION

February 14, 2013
6:30 PM
City Council Chambers

President:

Peter DeMasters, 6th Ward

Vice-President:

Carol Pyles, 7th Ward

Planning Commissioners:

Sam Loretta, 1st Ward

Tim Stranko, 2nd Ward

William Wyant, 3rd Ward

Bill Petros, 4th Ward

Mike Shuman, 5th Ward

Ken Martis, Admin.

Jennifer Selin, City Council

STAFF REPORT

CASE NO: MNS13-05 / Cheat Road, LLC / 1954 Hunters Way

REQUEST and LOCATION:

Request by Lisa Mardis of Project Management Services, on behalf of Cheat Road, LLC, for minor subdivision approval of property located at 1954 Hunters Way.

TAX MAP NUMBER (s) and ZONING DESCRIPTION:

Tax Map 44, part of former Parcel 34; B-2, Service Business District

SURROUNDING ZONING:

B-2, Service Business District

BACKGROUND and ANALYSIS:

The petitioner seeks to subdivide approximately 620.69 square feet from the fifty-foot private right-of-way and add same to former Parcel 34 of Tax Map 44. Addendum A of this report illustrates the location of the subject site.

The purpose of the proposed subdivision is to accommodate a ground sign denied by the Board of Zoning Appeals on July 25, 2012 under Case No. V12-22 because it would have resulted in a nonconforming off-premise sign. The Board stated in its related findings of fact that:

“...it appears that alternative solutions may be available to locate the proposed ground sign on the site or modify the parcel boundary accordingly.”

Staff encourages the Planning Commission to discuss the merits and practicability of removing a portion of the private right-of-way as requested rather than continuing the reduction in the width of said private right-of-way to its terminus at or near Deckers Creek.

STAFF RECOMMENDATION:

Staff recommends that the following conditions be included in the Planning Commission's approval:

1. 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,
2. 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

Development Services

Christopher Fletcher, AICP
Director

Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431

STAFF REPORT ADDENDUM A
MNS13-05 / Cheat Road, LLC / 1954 Hunters Way





City of Morgantown, West Virginia

APPLICATION FOR MINOR SUBDIVISION

OFFICE USE
CASE NO: <u>MMS 13-05</u>
RECEIVED: <u>1/16/13</u>
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)

I. APPLICANT			
Name:	Cheat Road, LLC	Phone:	304-291-6765
Mailing Address:	6200 Mid Atlantic Drive	Mobile:	304-288-5347
	Street Morgantown WV 26508	Email:	orangecontr@aol.com
	City State Zip		
II. AGENT / CONTACT INFORMATION			
Name:	Project Management Services / Lisa Mardis	Phone:	304-212-5256
Mailing Address:	160 Fayette Street Suite 101	Mobile:	304-692-7116
	Street Morgantown WV 26505	Email:	pms160@comcast.net
	City State Zip		
Mailings –	Send all correspondence to (check one): <input type="checkbox"/> Applicant OR <input checked="" type="checkbox"/> Agent/Contact		
III. PROPERTY			
Owner:	Same as applicant	Phone:	
Mailing Address:		Mobile:	
	Street	Email:	
	City State Zip		
IV. SITE			
Street Address (if assigned):	<u>1954 Hunters Way</u>	Tax Map #(s):	<u>44</u>
Zoning:		Parcel #(s):	<u>part of Parcel 34</u>
Square Footage of Parcel(s):	ft. ²	ft. ²	ft. ²
Subdivision Description:	<u>1 lot into 4 REMOVE A 17.44' BY 35.59' (620.69 sq ft) PORTION FROM THE PRIVATE RIGHT-OF-WAY AND ADD SAME TO PART OF FORMAL PARCEL 34 OF TAX MAP 44.</u>		
Are there any Variances from the Subdivision Regulations anticipated:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If yes, to what extent is a variance necessary?			



APPLICATION FOR MINOR SUBDIVISION

OFFICE USE
CASE NO. mns13-05
RECEIVED:
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.

Lisa Mardis

Lisa Mardis

1/16/12

Type/Print Name of Applicant/Agent

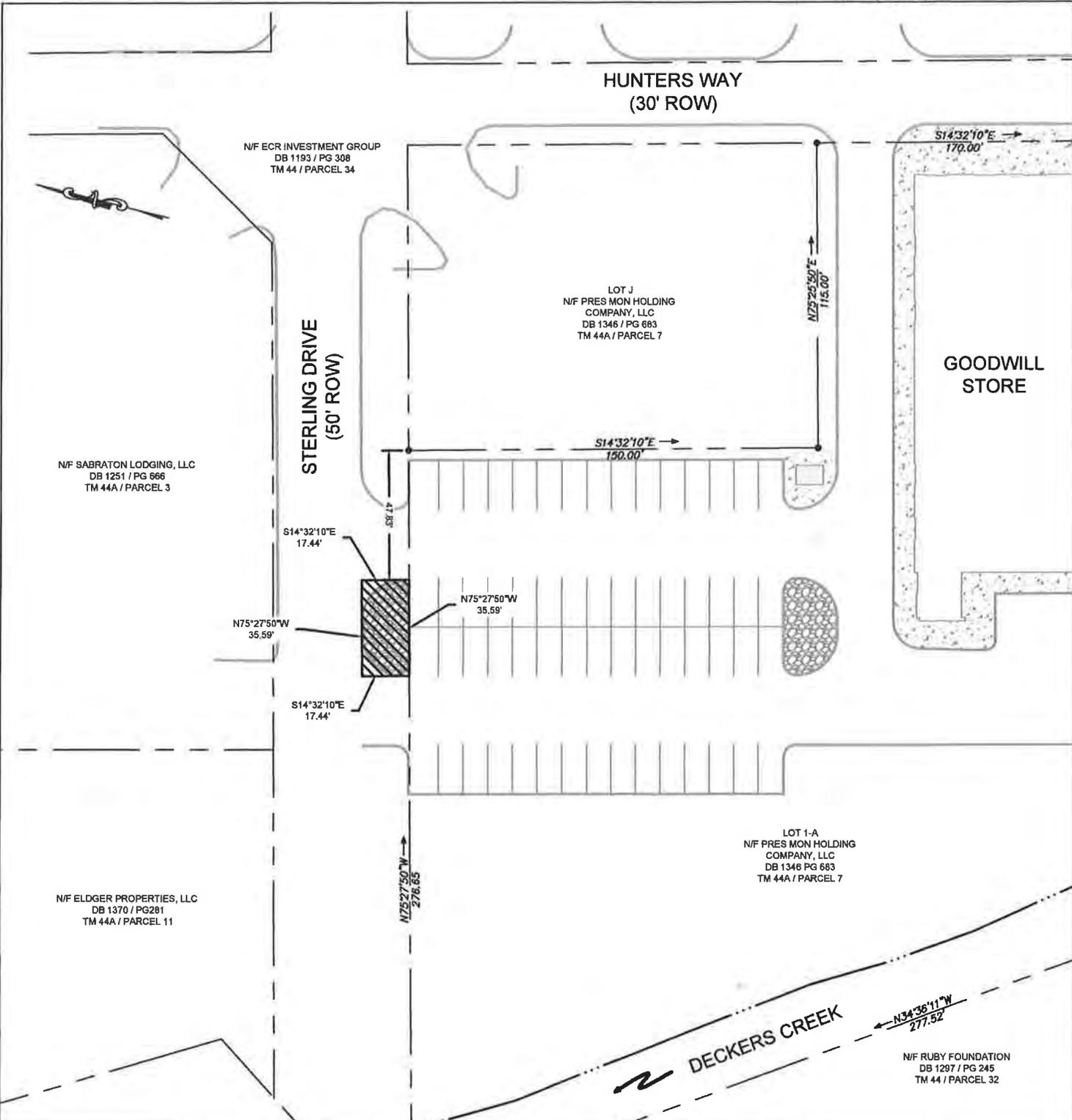
Signature of Applicant/Agent

Date

- Minor Subdivision Application Fee - \$35

620.7

MNS13-05



Cheat Road Engineering
 170 Old Cheat Road
 Morgantown, WV 26508

OWNER / CLIENT
 Cheat Road, LLC
 6200 Mid Atlantic Drive
 Morgantown, WV 26508



DRAWN BY:	DATE:	3			DRAWING TITLE	PROJECT NO.	DRAWING NO.	DATE	PROJECT NAME
DESIGN BY:	DATE:	2			PLAN	12-004	12-004_DESIGN	1-11-13	Sabraton Goodwill Store
CHECKED BY:	DATE:	1							Minor Subdivision Revision
APPROVED BY:	DATE:								Morgantown, WV
SCALE: AS SHOWN		REV.	DATE	BY	DESCRIPTION				
							SHT. 1 OF 1		

