



# MORGANTOWN PLANNING COMMISSION

June 13, 2013  
6:30 PM  
City Council Chambers

**President:**

Peter DeMasters, 6<sup>th</sup> Ward

**Vice-President:**

Carol Pyles, 7<sup>th</sup> Ward

**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

Mike Shuman, 5<sup>th</sup> Ward

Ken Martis, Admin.

Jennifer Selin, City Council

## **STAFF REPORT**

**CASE NO:** MNS13-12 / Benton Financiers / 508 Beechurst Avenue

**REQUEST and LOCATION:**

Request by Scott Batt, on behalf of Benton Financiers, Inc., for minor subdivision approval of property located at 508 Beechurst Avenue.

**PARCEL(s) and ZONING DESCRIPTION:**

Tax Map 19, Parcels 60 and 62; B-2, Service Business District

**SURROUNDING ZONING:**

B-2, Service Business District

**BACKGROUND and ANALYSIS:**

The petitioner seeks to take the northeast portion of Parcel 60 and add same to Parcel 62 so that the accessory garage structure on Parcel 60 is situated on the same tract as its principal residence structure on Parcel 62. Addendum A of this report illustrates the location of the subject site.

The minimum lot size standard in the B-2 District is 6,000 square feet. Parcel 60 is approximately 5,000 square feet and Parcel 62 is approximately 625 square feet. The proposed subdivision will increase the extent of the nonconforming area for Parcel 60. However, the extent of the nonconforming area for Parcel 62 will be decreased and the principal and accessory structures will be located on the same parcel as a result of the proposed subdivision.

**STAFF RECOMMENDATION:**

Staff recommends approval with the following conditions:

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.

**Development Services**

Christopher Fletcher, AICP  
Director

**Planning Division**

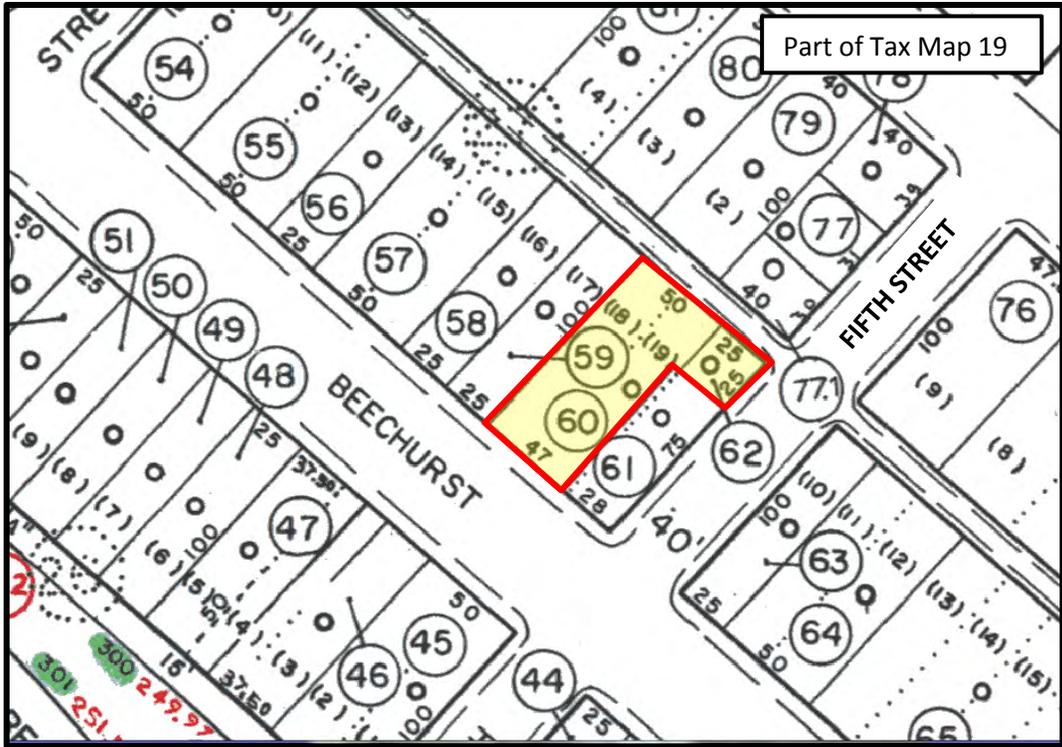
389 Spruce Street  
Morgantown, WV 26505  
304.284.7431

Enclosure: Application and accompanying exhibits

# STAFF REPORT ADDENDUM A

MNS13-12 / Benton Financiers, Inc. / 500 Block Beechurst Avenue







City of Morgantown, West Virginia

APPLICATION FOR MINOR SUBDIVISION

OFFICE USE	
CASE NO.	MNS13-12
RECEIVED:	5/10/13
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:	Benton Financiers, Inc	Phone:	304 6853537
Mailing Address:	221 Willey St	Mobile:	benton financiers
	Morgantown WV 26505	Email:	efinancier.com
<b>II. AGENT / CONTACT INFORMATION</b>			
Name:	Scott Batt	Phone:	304 6853537
Mailing Address:	221 Willey St	Mobile:	benton financiers e
	Morgantown WV 26505	Email:	financier.com
Mailings –	Send all correspondence to (check one): <input type="checkbox"/> Applicant OR <input type="checkbox"/> Agent/Contact		
<b>III. PROPERTY</b>			
Owner:	Benton Financiers	Phone:	
Mailing Address:		Mobile:	
		Email:	
<b>IV. SITE</b>			
Street Address (if assigned):	508 Beechurst	Tax Map #(s):	19
Zoning:	B2	Parcel #(s):	60 and 62
Square Footage of Parcel(s):	ft. <sup>2</sup>	ft. <sup>2</sup>	ft. <sup>2</sup>
Subdivision Description:	taking portion of NE corner of parcel 60 with the garage and adding it to parcel 62		
Are there any Variances from the Subdivision Regulations anticipated:	<input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, to what extent is a variance necessary?	PAID 35.00 Finance Office Morgantown, WV 26505 (304) 284-7408		



City of Morgantown, West Virginia

APPLICATION FOR MINOR SUBDIVISION

OFFICE USE
CASE NO. MMS13-12
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.

Beatriz Anoncio

[Signature]

5/10/13

Type/Print Name of Applicant/Agent

Signature of Applicant/Agent

Date

- Minor Subdivision Application Fee - \$35

MNS13-12

May 10, 2013

**DESCRIPTION OF SURVEY  
FOR  
BENTON FINANCIERS, INC.**

All those certain lots or parcels of real estate, known as lot 18 and a part of lot 19, Block 27, of Morgantown Building Investment Company Addition (commonly known as Beechurst Addition), a map or plat of said Addition being of record in the Office of the Clerk of the County Commission of Monongalia County, West Virginia in Deed Book 38 at Page 187, lying and being in Fourth Ward, City of Morgantown, Monongalia County, West Virginia, and more particularly described as follows:

**Beginning** at a point in the southern line of Alley B (15-feet), standing as a corner to Lots 19 and 20, Block of said Beechurst Addition, Lot 20 now or formerly owned by Ella Crynock Dean (Will Book 119 /Page 476); thence leaving said Alley B and with Lots 19 and 20

**S 41° 28' 00" W 25.00** feet to a point, standing in the line of now or formerly Phyllis E. Statler (Deed Book 1164 /Page 254) and as a corner to said Dean; thence leaving said Dean and original line of Lot 19 and 20 and with said Statler

**N 48° 32' 00" W 3.43** feet to a point; thence

**S 41° 08' 17" W 75.00** feet to a point in the northern line of Beechurst Avenue (60-feet), standing as a corner to said Statler; thence leaving said Statler and with said Beechurst Avenue

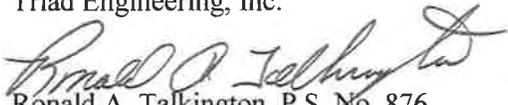
**N 48° 32' 00" W 47.00** feet to a point, standing as a corner to Lots 17 and 18, Block 27, of said Beechurst Addition, Lots 17 now or formerly owned by Victory Holdings, LLC (Deed Book 1369 /Page 403); thence leaving said Beechurst Avenue and with said Lots 17 and 18

**N 41° 28' 00" E 100.00** feet to a point in the southern line of said Alley B, standing as a corner to said Lots 17 and 18; thence leaving said Lot 17 and with said Alley B

**S 48° 32' 00" E 50.00** feet to the place of beginning, **containing 4,775 square feet or 0.11 acres**, more or less, as surveyed in May, 2013, by Triad Engineering, Inc., of Morgantown, West Virginia, and shown plat of survey for Benton Financiers, Inc., dated May 10, 2013 attached hereto and made a part of this description. The meridian for all bearings in this description is based on "Grid North" of the West Virginia State Plane coordinate system.

Being the first parcel in the conveyance from Pascual Santalucia and Yema Santalucia, husband and wife, unto Benton Financiers, Inc., a West Virginia corporation, by deed dated the 16<sup>th</sup> day of August, 2006 and of record in the Office of the Clerk of the County Commission of Monongalia County, West Virginia in Deed Book 1324, at Page 338. Said tract or parcel of real estate is assessed on the land books for the Fourth Ward, City of Morgantown, Monongalia County, West Virginia, and are more specifically shown on Tax Map No. 19 as Parcel 60.

Triad Engineering, Inc.

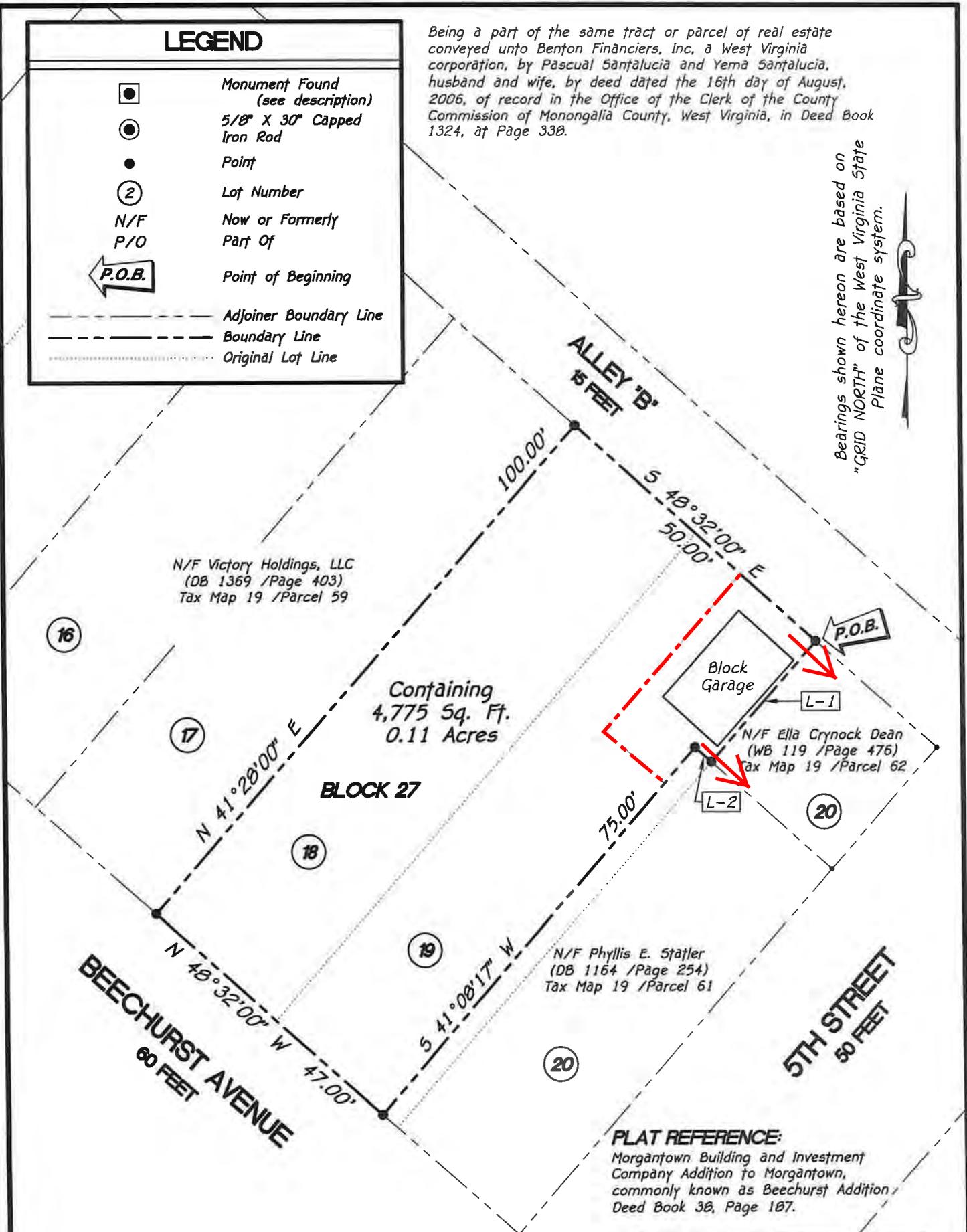
  
Ronald A. Talkington, P.S. No. 876

**LEGEND**

- Monument Found  
(see description)
- 5/8" X 30" Capped  
Iron Rod
- Point
- ② Lot Number
- N/F  
P/O Now or Formerly  
Part Of
- ↖ P.O.B. Point of Beginning
- - - Adjoiner Boundary Line
- - - Boundary Line
- ..... Original Lot Line

Being a part of the same tract or parcel of real estate conveyed unto Benton Financiers, Inc, a West Virginia corporation, by Pascual Santalucia and Yema Santalucia, husband and wife, by deed dated the 16th day of August, 2006, of record in the Office of the Clerk of the County Commission of Monongalia County, West Virginia, in Deed Book 1324, at Page 338.

Bearings shown hereon are based on "GRID NORTH" of the West Virginia State Plane coordinate system.



N/F Victory Holdings, LLC  
(DB 1369 /Page 403)  
Tax Map 19 /Parcel 59

Containing  
4,775 Sq. Ft.  
0.11 Acres

**BLOCK 27**

N/F Ella Crynock Dean  
(WB 119 /Page 476)  
Tax Map 19 /Parcel 62

N/F Phyllis E. Statler  
(DB 1164 /Page 254)  
Tax Map 19 /Parcel 61

**PLAT REFERENCE:**

Morgantown Building and Investment Company Addition to Morgantown, commonly known as Beechurst Addition Deed Book 38, Page 107.

Line Chart		
LINE	BEARING	DISTANCE
L-1	S 41°28'00" W	25.00'
L-2	N 48°32'00" W	3.43'

Plat of Survey For  
Benton Financiers, Inc.  
Lot 18 & Part of Lot 19, Block 27  
Beechurst Addition  
Fourth Ward, City of Morgantown  
Tax Map 19, Parcel 60  
Monongalia County, West Virginia  
Surveyed: May, 2013  
**Triad Engineering, Inc.**  
(304)-296-2562  
Morgantown, West Virginia  
Scale: 1" = 20'



*Ronald A. Talkington*  
**RONALD A. TALKINGTON, PS No. 876**  
Dated: 05/09/2013