



# MORGANTOWN PLANNING COMMISSION

December 12, 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.

Bill Kaweckı, City Council

## **STAFF REPORT**

**CASE NO:** MNS13-23 / Tatham / 344 Jackson Avenue

**REQUEST and LOCATION:**

Request by Lucas Tatham for minor subdivision approval of property located at 344 Jackson Avenue.

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

Tax Map 36, Parcel 546; R-1A, Single-Family Residential District

**SURROUNDING ZONING:**

R-1A, Single-Family Residential District

**BACKGROUND and ANALYSIS:**

The petitioner seeks to subdivide Parcel 546 of Tax Map 36 into two (2) new parcels for the purpose of created a buildable lot fronting Woodland Drive. Addendum A of this report illustrates the location of the subject site.

Parcel 546 is approximately 20,244 square feet in area and has approximately 130 feet of frontage along Jackson Avenue. Parcel A, as shown on the preliminary plat, currently contains a single-family dwelling and will have an approximate area of 9,763 square feet and approximately 130 feet of frontage along Jackson Avenue. Parcel B will have an approximate area of 10,481 square feet and have approximately 131.1 feet of frontage along Woodland Drive.

Each of the proposed parcels will exceed the minimum lot area standard of 3,500 square feet and the minimum lot frontage standard of 30 feet in the R-1A District. It should be noted that consultation with the Morgantown Utility Board is necessary to determine the final location and geometry of the sewer right-of-way and drainage easement that may be necessary for the development of related underground utility service lines to Parcel B from Jackson Avenue.

**STAFF RECOMMENDATION:**

Staff recommends approval with the following conditions:

1. That the parcel boundary separating proposed Parcel A and Parcel B must be at least 20 feet from the principal structure situated on Parcel A;
2. That a service availability letter must be obtained by the petitioner from the Morgantown Utility Board and submitted to the Planning Division;
3. That the final plat must include, if necessary, a sewer right-of-way and drainage easement to the satisfaction of the Morgantown Utility Board;
4. That the final plat must illustrate the R-1A District minimum building envelope setbacks for proposed Parcel B;

**Development Services**

Christopher Fletcher, AICP  
Director

**Planning Division**

389 Spruce Street  
Morgantown, WV 26505  
304.284.7431



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5. 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;
6. That the final plat is filed at the Monongalia County Courthouse within thirty (30) days of meeting the conditions set forth above.

Enclosures: Application and accompanying exhibits

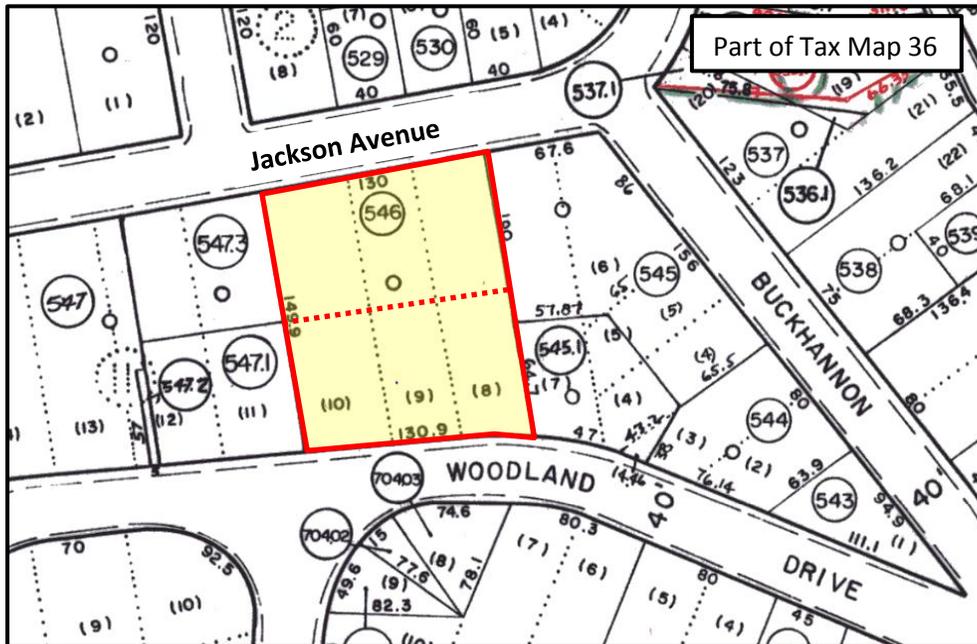
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**STAFF REPORT ADDENDUM A**  
**MNS13-23 / Tatham / 344 Jackson Avenue**





City of Morgantown, West Virginia

APPLICATION FOR MINOR SUBDIVISION

OFFICE USE	
CASE NO.	MNS13-23
RECEIVED:	
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:	LUCAS F. TATHAM	Phone:	
Mailing Address:	P.O. Box 763	Mobile:	304 216 7396
	Street REEDSVILLE, WV 26547	Email:	
	City State Zip		
<b>II. AGENT / CONTACT INFORMATION</b>			
Name:	DAVID SATTERFIELD, SURVEYOR	Phone:	304 246 8034
Mailing Address:	153 MINGO STREET	Mobile:	
	Street MORGANTOWN WV 26501	Email:	
	City State Zip		
Mailings –	Send all correspondence to (check one): <input checked="" type="checkbox"/> Applicant OR <input type="checkbox"/> Agent/Contact		
<b>III. PROPERTY</b>			
Owner:	LUCAS F. TATHAM	Phone:	
Mailing Address:	P.O. Box 763	Mobile:	304 216 7396
	Street REEDSVILLE, WV 26547	Email:	
	City State Zip		
<b>IV. SITE</b>			
Street Address (if assigned):	344 JACKSON AVE	Tax Map #(s):	36
Zoning:	RIA	Parcel #(s):	546
Square Footage of Parcel(s):	PAR "A" 9763 ft. <sup>2</sup>	PAR "B" 10481 ft. <sup>2</sup>	ft. <sup>2</sup>
Subdivision Description:	LOTS 8, 9, +10, BLOCK 11 SOUTH PARK ADDITION SECOND WARD		
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?	<div style="text-align: right;">           RS1 11/21/2013 201402805            PATTY 11:12:51            SITE PLAN            35.00            Finance Office            Morgantown, WV 26505            (304) 284-7431         </div>		



City of Morgantown, West Virginia

APPLICATION FOR MINOR SUBDIVISION

OFFICE USE
CASE NO. MNS13-23
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.

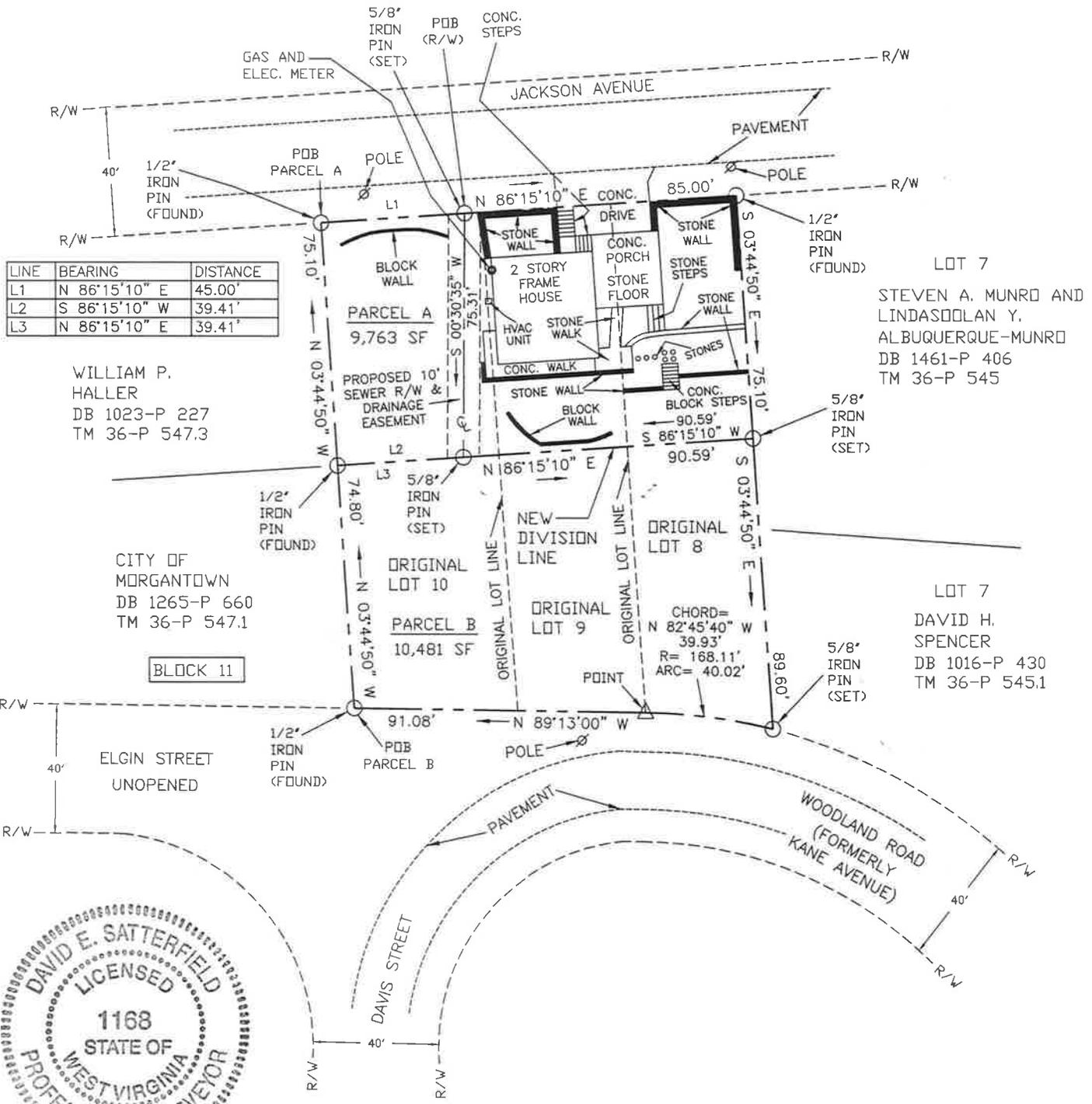
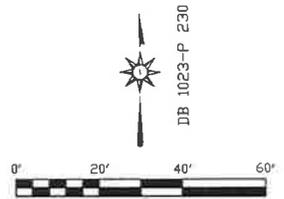
VIII. ATTEST

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.

LUCAS F. TATHAM
Signature of Applicant/Agent
11/21/13
Date

Minor Subdivision Application Fee - \$35

NOTE:  
ORIGINAL LOTS 7,8,9,10  
RUN FROM JACKSON AVE.  
TO WOODLAND ROAD



LINE	BEARING	DISTANCE
L1	N 86°15'10" E	45.00'
L2	S 86°15'10" W	39.41'
L3	N 86°15'10" E	39.41'

WILLIAM P. HALLER  
DB 1023-P 227  
TM 36-P 547.3

CITY OF MORGANTOWN  
DB 1265-P 660  
TM 36-P 547.1

LOT 7  
STEVEN A. MUNRO AND  
LINDASOOLAN Y.  
ALBUQUERQUE-MUNRO  
DB 1461-P 406  
TM 36-P 545

LOT 7  
DAVID H. SPENCER  
DB 1016-P 430  
TM 36-P 545.1



**PLAT OF SURVEY FOR  
LUCAS F. TATHAM**

SCALE: AS SHOWN	SURVEYED BY: CEBRAM LLC 1208 MACOMB ST. MORGANTOWN, WV 26501	DWG. NO. 13-12
DATE: 11/18/2013		DWG. BY: EOD

DIVISION OF LOTS 8,9,10, BLOCK 11  
SOUTH PARK ADDITION INTO  
PARCEL A AND PARCEL B  
SECOND WARD CITY OF MORGANTOWN

MONONGALIA COUNTY WEST VIRGINIA

NOTE:  
THIS SURVEY WAS CONDUCTED  
WITHOUT THE BENEFIT OF  
A LAWYERS TITLE REPORT  
AND MAY NOT REFLECT ALL  
EXCEPTIONS, RIGHTS-OF-WAY,  
EASEMENTS, OR RESTRICTIONS

TITLE:  
LUCAS F. TATHAM  
DEED REFERENCE-DB 1417-P 320  
MAP REFERENCE-TM 36-P 546  
THIS PROPERTY IS NOT LOCATED  
IN THE 100 YEAR FLOOD PLAIN  
PANEL 540141 0003D ZONE X



1208 Macomb Street  
Morgantown, W.V. 26505

Lucas F. Tatham

Survey Report\

This survey was performed to subdivide lots 8, 9 and 10, Block 11, South Park Subdivision, Second Ward, City of Morgantown, Monongalia County, West Virginia into two parcels designated as parcel A and parcel B more particularly bounded and described as follows:

Parcel A

Beginning at a one-half inch iron pin(found) in the southern right-of-way line of Jackson Avenue, said iron pin being the common corner of lots 10 and 11, said lot 11 being owned by William P. Haller(DB1023-P227), thence with two lines along the southern right-of-way line of Jackson Avenue N  $86^{\circ} 15' 10''$  E 45.00 feet to a five-eighths inch iron pin(set), thence N  $86^{\circ} 15' 10''$  E 85.00 feet to a one-half inch iron pin(found), said iron pin being the common corner of lots 7 and 8, portion of said lot 7 being owned by Steven A. Munro and Lindasoolan Y. Albuquerque-Munro(DB1461-P406), thence with the common line between lots 7 and 8 along Munro S  $3^{\circ} 44' 50''$  E 75.10 feet to a five-eighths inch iron pin(set), thence with two lines across lots 8, 9 and 10 S  $86^{\circ} 15' 10''$  W 90.59 feet to a five-eighths inch iron pin(set), thence S  $86^{\circ} 15' 10''$  W 39.41 feet to a one-half inch iron pin(found) on a line of lot 11, said iron being a common corner with William P. Haller(DB1023-P227) and City of Morgantown(DB1265-P660), thence with the common line between lots 10 and 11 along Haller N  $3^{\circ} 44' 50''$  W 75.10 feet to a one-half inch iron pin in the southern right-of-way line of Jackson Avenue, the place of beginning containing Parcel A with an area of 9763 square feet more or less.

## Parcel B

Beginning at a one-half inch iron pin(found) in the northern right-of-way line of Woodland Road, said iron pin being a common corner of lots 10 and 11, said part of lot 11 being owned by the City of Morgantown(DB1265-P660), thence with the common line between lots 10 and 11 along the City of Morgantown N 3° 44' 50" W 74.80 feet to a one-half inch iron pin(found), said iron pin being a common corner with William P. Haller(DB1023-P227), thence with two lines across lots 8, 9 and 10 N 86° 15' 10" E 39.41 feet to a five-eighths inch iron pin(set), thence N 86° 15' 10" E 90.59 feet to a five-eighths inch iron pin(set) in the line of lot 7, said portion of lot 7 being owned by Steven A. Munro and Lindasoolan Y. Albuquerque-Munro(DB1461-P406), thence with the common line between lots 7 and 8 along Munro and along the balance of lot 7 owned by David H. Spencer(DB1016-P430), thence S 3° 44' 50" E 89.60 feet to a five-eighths inch iron pin(set) in the northern right-of-way line of Woodland Road, thence along the northern right-of-way line of Woodland Road following an arc length of 40.02 feet, said arc having a radius of 168.11 feet to a point(chord is N 82° 45' 40" W 39.93 feet), thence with the northern right-of-way line of Woodland Road N 89° 13' 00" W 91.08 feet to a one-half inch iron pin, the place of beginning, containing Parcel B with an area of 10,481 square feet more or less.

Center line of a ten foot right-of-way and drainage easement across Parcel A to allow sanitary sewer, storm sewer and miscellaneous overland flow.

Beginning at a five-eighths inch iron pin(set) in the southern right-of-way line of Jackson Avenue, said iron pin being N 86° 15' 10" E 45.00 feet from a one-half inch iron pin(found) at the common corner of lots 10 and 11, thence across Parcel A S 0° 30' 35" W 75.31 feet to a five-eighths inch iron pin(set), said iron pin being on the new division line between Parcel A and Parcel B.