



MORGANTOWN PLANNING COMMISSION

July 10, 2014
6:30 PM
City Council Chambers

Planning Commissioners:

Sam Loretta, 1st Ward
Tim Stranko, 2nd Ward
William Blosser, 3rd Ward
Bill Petros, 4th Ward
Michael Shuman, 5th Ward
Peter DeMasters, 6th Ward
Carol Pyles, 7th Ward
Ken Martis, Admin.
Bill Kawecky, City Councilor

STAFF REPORT

CASE NO: MNS14-07 / ALP, Inc. / Haymaker Village

REQUEST and LOCATION:

Request by Robert L. Shuman, on behalf of ALP Inc., for minor subdivision approval of property located at 274 Spruce Street.

TAX MAP NUMBER (s) and ZONING DESCRIPTION:

Tax Map 41, Parcels 409-414, 415-417, and 435-437; R-1A, Single-Family Residential District

SURROUNDING ZONING:

R-1A, Single-Family Residential District

BACKGROUND and ANALYSIS:

The petitioner seeks to combine a number of parcels in preparation of a request that will be submitted to City Council to vacate, abandon, and annul portions of Doris Road and Suzanne Road. Addendum A of this report illustrates the location of the subject site.

The following describes the proposed subdivisions.

- The "Block C" subdivision, as illustrated on the preliminary plat, will combine Parcels 409 through and including 415 of Tax Map 41 into one parcel. The combined area of the subdivision will be approximate 60,000 square feet (\pm 1.38 acres).
- The "Block D" subdivision, illustrated on the preliminary plat, will combine Parcels 415 through and including 417 of Tax Map 41 and Parcels 435 through and including 437 of Tax Map 41 into one parcel. The combined area of the subdivision will be approximately 59,501 square feet (\pm 1.37 acres).

Staff understands that the present subdivision and future right-of-way annulment will result in a future subdivision for residential housing development. Staff understands that preliminary planning of the residential housing development will be initiated once City Council has approved the related right-of-way annulments. The newly created parcels will exceed the minimum lot area standard of 3,500 square feet and minimum lot frontage standard of 30 feet in the R-1A District.

STAFF RECOMMENDATION:

Staff recommends approval with the following conditions:

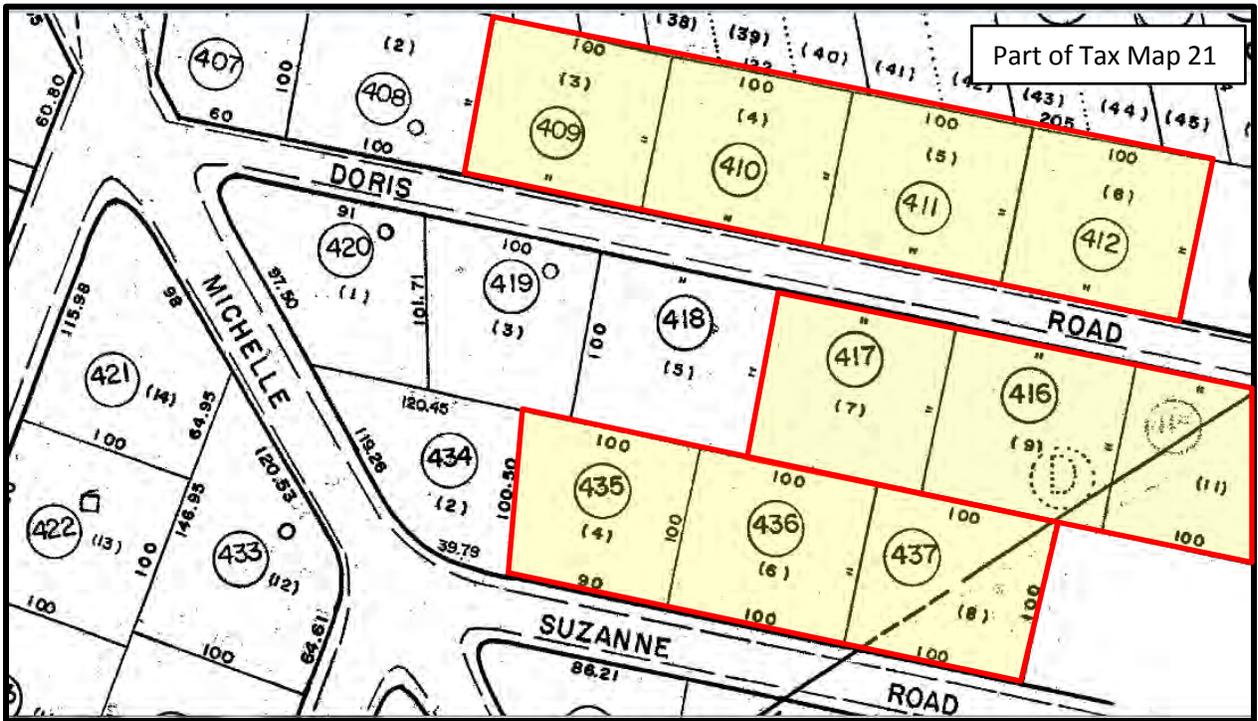
1. That the petitioner submit three (3) original final plat documents, including all access/utility easements if applicable, signed and sealed by a surveyor licensed in the State of West Virginia for the Planning Commission President's signature; and,
2. That the final plat is filed at the Monongalia County Courthouse within thirty (30) days of meeting the condition set forth above.

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
MNS14-07 / ALP, Inc. / Haymaker Village





City of Morgantown, West Virginia

APPLICATION FOR
MINOR SUBDIVISION

OFFICE USE	
CASE NO.	MNS14-07
RECEIVED:	6/23/14
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:	ALP, Inc.	Phone:	304.292.4381
Mailing Address:	274 Spruce Street	Mobile:	
	Street Morgantown, WV 26505	Email:	
	City State Zip		
II. AGENT / CONTACT INFORMATION			
Name:	Robert Louis Shuman	Phone:	304.292.8488
Mailing Address:	256 High Street P.O. Box 842	Mobile:	
	Street Morgantown, WV 26507	Email:	rishuman@reedershuman.com
	City State Zip		
Mailings –	Send all correspondence to (check one): <input type="checkbox"/> Applicant OR <input checked="" type="checkbox"/> Agent/Contact		
III. PROPERTY			
Owner:	ALP, Inc.	Phone:	304.292.4381
Mailing Address:	274 Spruce Street	Mobile:	
	Street Morgantown, WV 26505	Email:	
	City State Zip		
IV. SITE			
Street Address (if assigned):	Doris Road and Suzanne Road	Tax Map #(s):	41
Zoning:	R1A	Parcel #(s):	409-413, 415-417, & 435-437
Square Footage of Parcel(s):	60,000 ft. ²	59,501 ft. ²	
Subdivision Description:	Consolidation of Lots 3-8, inclusive, of Block C of Haymaker Village and consolidation of Lots 4, 6, 7, 8, 9, and 11 of Block D of Haymaker Village. Application is being made in conjunction with an application to vacate, abandon, and annul parts of Doris Road and Suzanne Road.		
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?	Non-applicable		



City of Morgantown, West Virginia

APPLICATION FOR MINOR SUBDIVISION

OFFICE USE
CASE NO. MMS14-07
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.

Robert Louis Shuman, Legal Counsel

Handwritten signature of Robert Louis Shuman

06/23/2014

Type/Print Name of Applicant/Agent

Signature of Applicant/Agent

Date

Minor Subdivision Application Fee - \$35

June 20, 2014

**DESCRIPTION OF SURVEY
FOR
ALP INC.
LOTS 3, 4, 5, 6, 7 AND 8, BLOCK C, HAYMAKER VILLAGE**

All those certain tract or lots of real estate, known as lots 3, 4, 5, 6, 7 and 8, Block C, Haymaker Village, being of record in the Office of the Clerk of the County Commission of Monongalia County in Map Cabinet 2, Envelope 23-A, lying and being partially in the Second Ward, City of Morgantown and in Morgan District, Monongalia County, West Virginia, and more particularly described as follows:

Beginning at a 3/8-inch iron rod (found) in the northern line of Doris Road, a 30-foot street, standing as a corner to Lots 2 and 3 of said Haymaker Village, Lot 2 now or formerly owned by Frank M. Billingham (Deed Book 904 /Page 8), thence leaving said Doris Road and with Lots 2 and 3

N 14° 06' 50" E 100.00 feet to a wooden fence post (found) in the outline of Haymaker Village, standing as a corner to said Lots 2 and 3; thence leaving said Lot 2 and with the outline of said Haymaker Village

S 75° 53' 10" E 600.00 feet to a 5/8-inch by 30-inch capped iron rod (set), standing as a corner to Lots 8 and 9 of said Haymaker Village, Lot 9 owned by Alp Inc. (Deed Book 678 /Page 73); thence leaving the outline of said Haymaker Village and with Lots 8 and 9

S 14° 06' 50" W 100.00 feet to a 5/8-inch by 30-inch capped iron rod (set) in the northern line of said Doris Road, standing as a corner to said Lots 8 and 9; thence leaving said Lot 9 and with Doris Road

N 75° 53' 10" W 600.00 feet to the place of beginning, **containing 60,000 square feet or 1.38 acres**, more or less, as surveyed in June, 2014, by Consolidated Survey, PLLC, of Worthington, West Virginia, and shown on a plat of survey for ALP Inc., dated June 20, 2014 attached hereto and made a part of this description. The meridian for all bearings in this description is based on Haymaker Village "ADDITION NORTH".

Being part of the same tract or parcel of real estate conveyed unto ALP Inc., a West Virginia corporation, by the following deeds: (1) from Paul W. Jeffers, single, Ernest Flannigan, widower and Ernest R. Flannigan and Isabel Flannigan, his wife, by deed dated the 2nd day of May, 1968, of record in the Office of the Clerk of the County Commission of Monongalia County, West Virginia, in Deed Book 678, at Page 73; (2) from Big Bee Construction, Inc., a West Virginia corporation, by deed dated the 8th day of May, 1978 and of record in said Clerks office in Deed Book 811, at Page 654. Said tracts or lots of real estate are assessed on the land books for Second Ward, City of Morgantown, Monongalia County, West Virginia and are more specifically shown on Tax Map 41, as Parcels 409, 410, 411, 412 and 413 and in Morgan District, Monongalia County, West Virginia and are more specifically shown on Tax Map 10D, as Parcel 1.1.

Consolidated Survey, PLLC

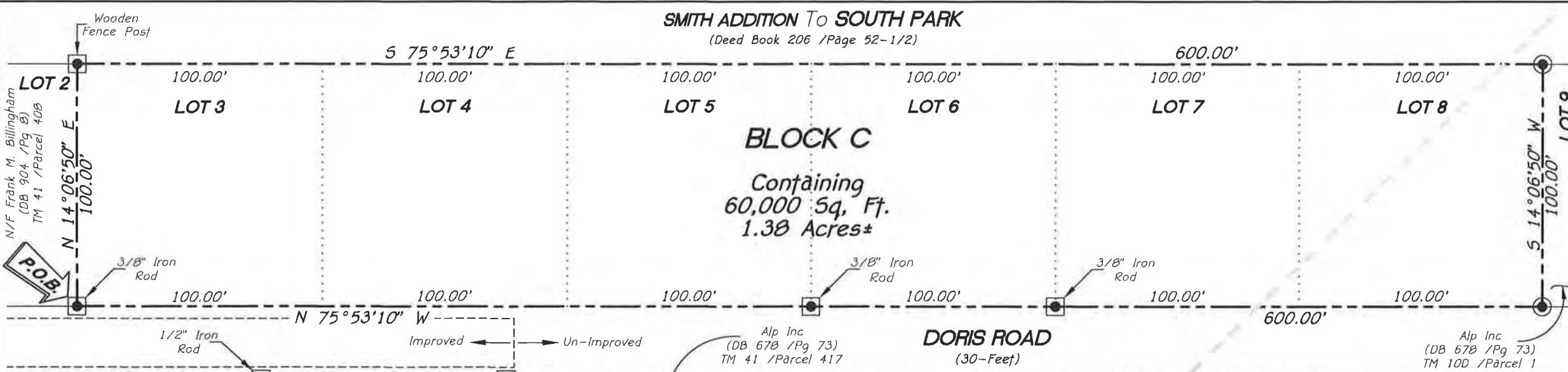


Ronald A. Talkington, P.S. No. 876

14-015-001

SMITH ADDITION To SOUTH PARK

(Deed Book 206 /Page 52-1/2)



Plat of Survey for ALP Inc.
 274 Spruce Street
 Morgantown, WV 26505
 Lots 3, 4, 5, 6, 7 and 8
 Block C, Haymaker Village
 Second Ward, City of Morgantown
 Tax Map 41, Parcels 409 thru 413
 Morgan District
 Tax Map 100, Parcel 1.1
 Monongalia County, West Virginia
 Surveyed: June, 2014
 Scale: 1" = 50'

N/F Cheryl Lynn Perone
 (DB 1283 /Pg 527)
 TM 41 /Parcel 418

Bearings shown hereon are based on
 Haymaker Village ADDITION NORTH.

NOTES:

1. This survey is not valid without original raised seal and blue signature.
2. Declarations made hereon on the date indicated are to the owner(s) or buyers(s) listed hereon and are not transferable to additional institutions or subsequent interested parties.
3. This survey was conducted without the benefit of an attorney's title report and may not reflect all exceptions, rights of way, easements or restrictions.
4. Subject land is not located in a 100-year Flood Plain or in an identified "flood prone area," as defined pursuant to the Flood Disaster Protection Act of 1973, as amended, as reflected by Flood Insurance Rate Map, Community Panel Number 54061C 0227 E, dated January 20, 2010, which such map panel covers the area in which the subject land is situated.
5. Subject land is located in Zone R-1A.

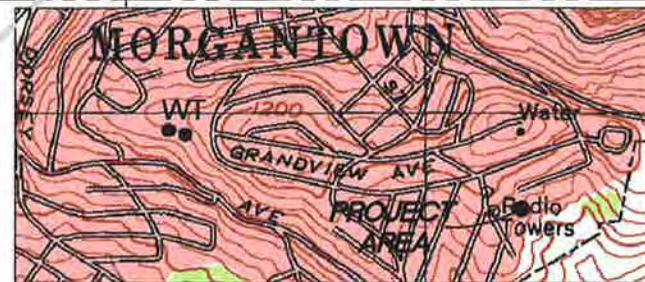
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Ronald A. Talkington
Ronald A. Talkington, P5 No. 076
 Date: 06-20-2014

President of Morgantown Planning Commission

PLAT REFERENCE:

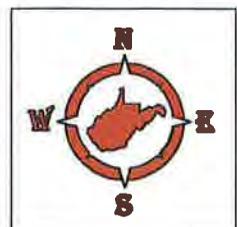
Haymaker Village
 Plat Cabinet 2, Envelope 23-A
 Smith Addition to South Point
 Deed Book 206 /Page 52-1/2



Vicinity Map
 Morgantown South Quadrangle (NTS)

LEGEND

- ◻ Monument Found (see description)
- ◉ Monument Set, 3/8" by 30" Capped Iron Rod Point
- Boundary Line
- - - Edge of Roadway
- ⋯ Interior Lot Lines
- - - Corporation Line (approximate) Now or Former
- N/F
- ◁ P.O.B. Point of Beginning



Consolidated Survey, PLLC

Worthington, West Virginia
 (304) 287-2870
 Job No. 14-0061

June 20, 2014

**DESCRIPTION OF SURVEY
FOR
ALP INC.
LOTS 4, 6 7, 8, 9, AND 11, BLOCK D, HAYMAKER VILLAGE**

All those certain tract or lots of real estate, known as lots 4, 6, 7, 8, 9 and 11, Block D, Haymaker Village, being of record in the Office of the Clerk of the County Commission of Monongalia County in Map Cabinet 2, Envelope 23-A, lying and being in the Second Ward, City of Morgantown, Monongalia County, West Virginia, and more particularly described as follows:

Beginning at a 1/2-inch iron rod (found) in the northern line of Suzanne Road, a 40-foot street, standing as a corner to Lots 2 and 4 of said Haymaker Village, Lot 2 now or formerly owned by Tomi J. and William D. Davis, II (Deed Book 1192 /Page 492), thence leaving said Suzanne Road and with Lots 2 and 4

N 08° 24' 40" E 100.50 feet to a point, standing in the line of Lot 3 of said Haymaker Village and as a corner to said Lots 2 and 4, Lot 3 now or formerly owned by Christi L. McClure (Deed Book 1171 /Page 281); thence leaving said Lot 2 and with Lot 3 for a partial line and then continuing with Lot 5, of said Haymaker Village, now or formerly owned by Cheryl Lynn Perone (Deed Book 1283 /Page 527)

S 75° 53' 10" E 121.03 feet to a 3/8-inch iron rod (found), standing as a corner to Lots 5 and 7 and in the line of Lot 6 of said Haymaker Village; thence leaving the said Lot 6 and with Lots 5 and 7

N 14° 06' 50" E 100.00 feet to a 3/8-inch iron rod (found) in the southern line of Doris Road, a 30-foot street, standing as a corner to said Lots 5 and 7; thence leaving said Lot 5 and with said Doris Street

S 75° 53' 10" E 300.00 feet to a 5/8-inch by 30-inch capped iron rod (set), standing as a corner to Lots 11 and 13 of said Haymaker Village, Lot 13 owned by Alp Inc. (Deed Book 678 /Page 73); thence leaving said Doris Road and with Lots 11 and 13

S 14° 06' 50" W 100.00 feet to a 5/8-inch by 30-inch capped iron rod (set), standing in line of Lot 12 of said Haymaker Village and as a corner to said Lots 11 and 13, Lot 12 owned by Alp Inc. (Deed Book 678 /Page 73); thence leaving said Lot 13 and with said Lot 12 for a partial line and then continuing with Lot 10, owned by Alp Inc. (Deed Book 678 /Page 73)

N 75° 53' 10" W 121.03 feet to a 3/8-inch iron rod (found), standing in the line of Lot 9 and as a corner to Lots 8 and 10; thence leaving said Lot 9 and with Lots 8 and 10

S 14° 06' 50" W 100.00 feet to a 3/8-inch iron rod (found) in the northern line of said Suzanne Road, standing as a corner to said Lots 8 and 10; thence leaving said Lot 10 and with Suzanne Road

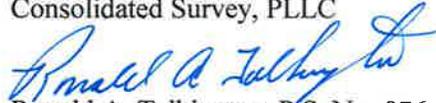
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MNS14-07

Alp Inc.
June 20, 2014
Page 2

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Consolidated Survey, PLLC



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

LEGEND

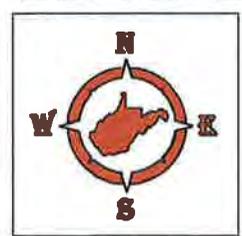
-  Monument Found (see description)
-  Monument Set, 3/8" by 30" Capped Iron Rod Point
-  Boundary Line
-  Edge of Roadway
-  Interior Lot Lines
-  Corporation Line (approximate)
-  Point of Beginning

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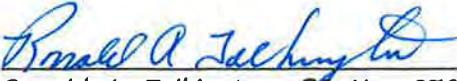
PLAT REFERENCE:
 Haymaker Village
 Plat Cabinet 2, Envelope 23-A
 Smith Addition to South Point
 Deed Book 206 /Page 52-172

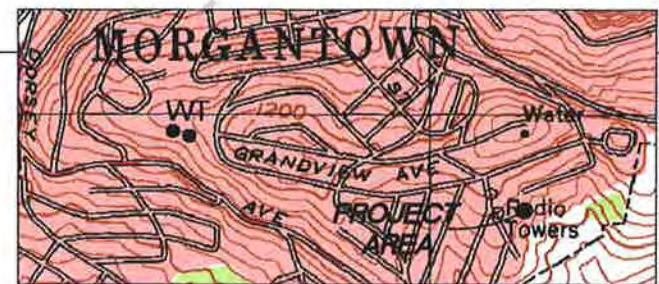
Plat of Survey for ALP Inc.

274 Spruce Street
 Morgantown, WV 26505
 Lots 4, 6, 7, 8, 9, and 11
 Block D, Haymaker Village
 Second Ward, City of Morgantown
 Tax Map 41, Parcels 435, 436, 437, 416 and 417
 Morgan District,
 Tax Map 100, Parcel 7
 Monongalia County, West Virginia
 Surveyed: June, 2014
 Scale: 1" = 50'

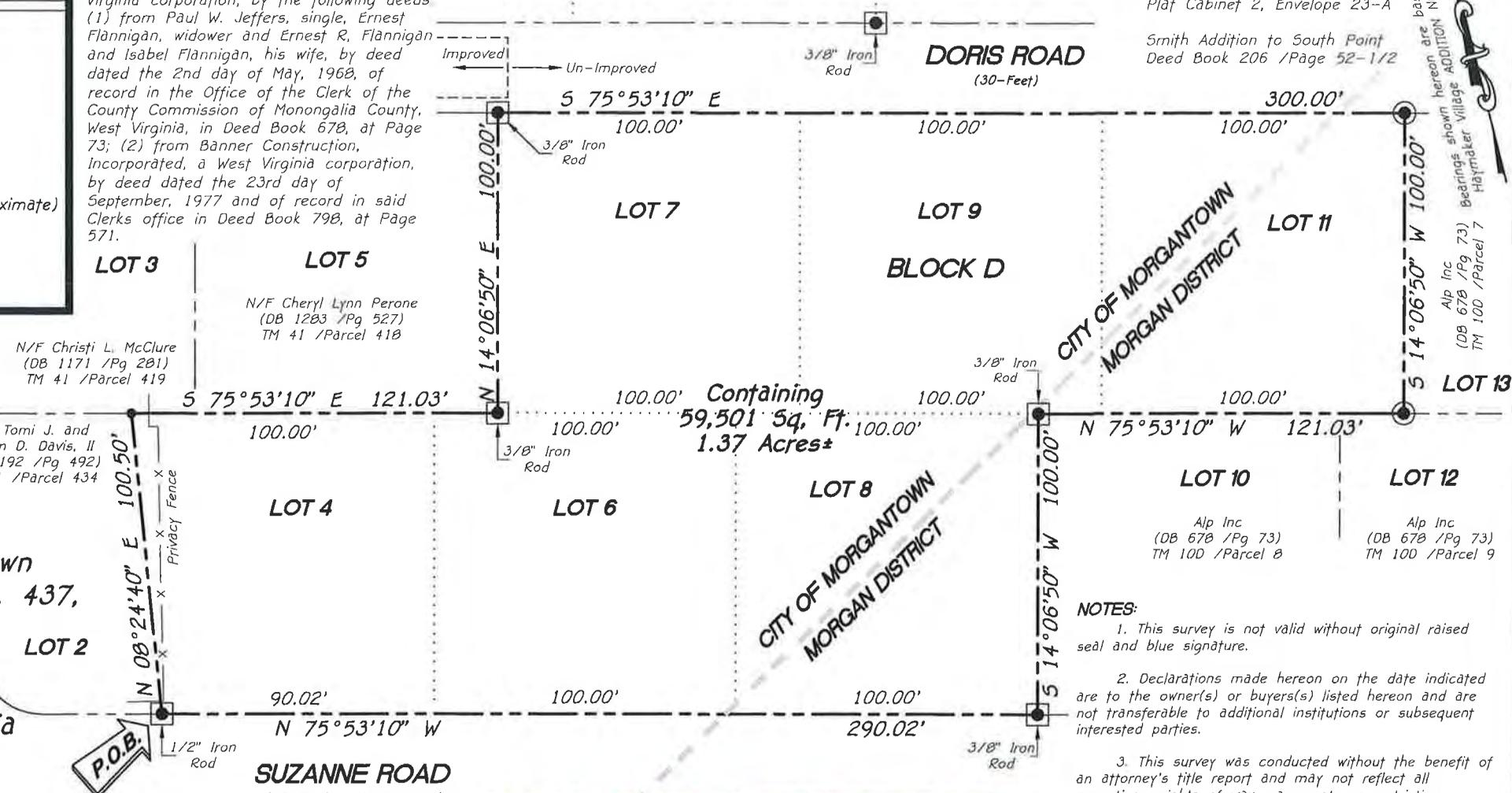


Consolidated Survey, PLLC
 Worthington, West Virginia
 (304) 287-2870
 Job No. 14-0061

BLOCK F LOT 1
 N/F Gary A. and Judy B. Hatch
 (DB 1077 /Pg 558)
 TM 41 /Parcel 438

 Ronald A. Talkington, P.S. No. 876
 Date: 06-20-2014



Vicinity Map
 Morgantown South Quadrangle (NTS)



- NOTES:**
1. This survey is not valid without original raised seal and blue signature.
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 5. Subject land is located in Zone R-1A.

President of Morgantown Planning Commission

20-11-10