



MORGANTOWN PLANNING COMMISSION

December 11, 2014
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 Blosser, 3rd Ward

Bill Petros, 4th Ward

Mike Shuman, 5th Ward

Ken Martis, Admin.

William Kawecki, City Council

STAFF REPORT

CASE NO: MNS14-09 / Bossio / 1081 Windsor Avenue

REQUEST and LOCATION:

Request by Bernard Bossio for minor subdivision approval of property located at 1081 Windsor Avenue.

TAX MAP NUMBER (s) and ZONING DESCRIPTION:

Tax Map 6, Parcel 28; R-1, Single-Family Residential District

SURROUNDING ZONING:

R-1, Single-Family Residential

BACKGROUND and ANALYSIS:

The petitioner seeks to subdivide Parcel 28 of Tax Map 6 by creating two (2) new parcels to construct two (2) single-family dwelling units. Addendum A of this report illustrates the location of the subject site.

Parcel 28 is approximately 17,224 square feet in area and is considered a corner lot having frontage on Windsor Avenue, Munsey Street, and Douglas Street. The proposed subdivision will result in each parcel having an approximate area of 8,612 square feet. The proposed parcels exceed the minimum lot area standard of 7,200 square feet. Parcel 1, as labeled on the plat, will have approximately 88.82 feet of frontage on Douglas Street and Parcel 2 will have approximately 97.38 feet of frontage on Windsor Avenue, which exceeds the minimum lot frontage standard of 70 feet in the R-1 District.

The applicant requested that Staff represent the petition (see attached email).

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;
2. That the final plat may not be recorded until after the existing principal and accessory structure(s) are razed and removed.
3. That the final plat is filed at the Monongalia County Courthouse within thirty (30) days of meeting the conditions set forth above.

Enclosure: Application and accompanying exhibits

Development Services

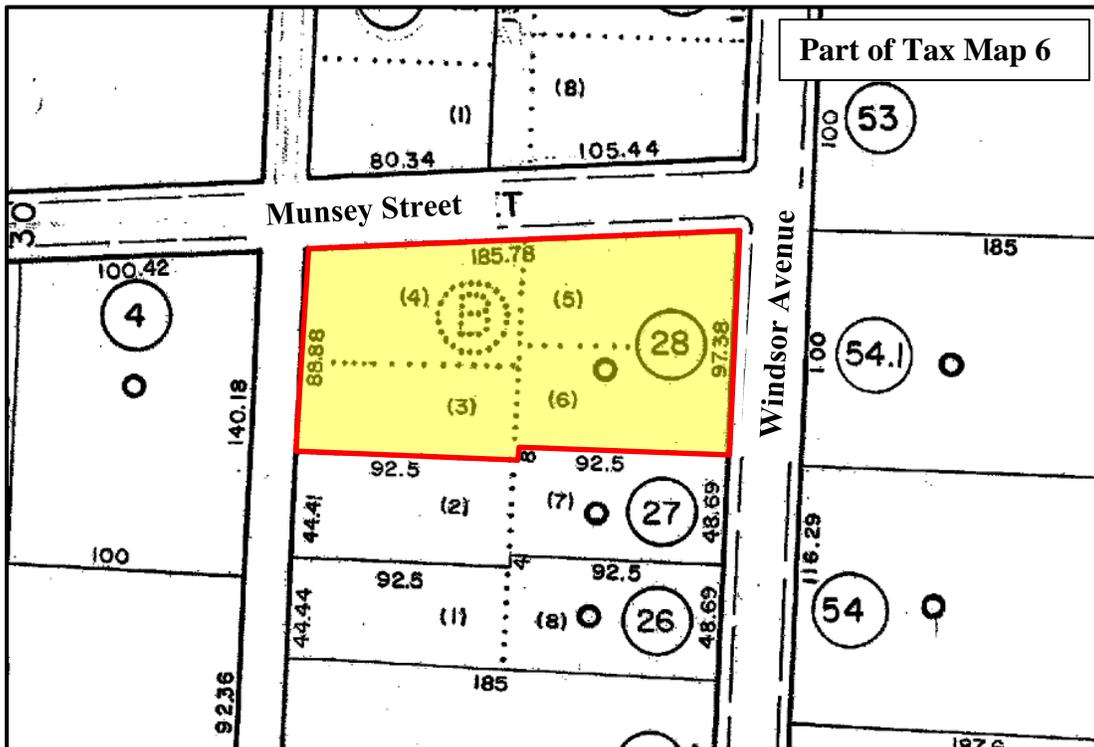
Christopher Fletcher, AICP
Director

Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431

STAFF REPORT ADDENDUM A
MNS14-09 / Bossio / 1081 Windsor Avenue







City of Morgantown, West Virginia

APPLICATION FOR MINOR SUBDIVISION

OFFICE USE
CASE NO. MNS 14-29
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)

I. APPLICANT
Name: Bernard V. Bossio
Phone:
Mailing Address: 449 Kiwanis Ave, Morgantown WV 26505
Email: bernie@bossioent.com

II. AGENT / CONTACT INFORMATION
Name: Bernard V. Bossio
Phone:
Mailing Address: 449 Kiwanis Ave, Morgantown WV 26505
Email: bernie@bossioent.com
Mailings - Send all correspondence to (check one): [X] Applicant OR [] Agent/Contact

III. PROPERTY
Owner: Bernard V Bossio
Phone:
Mailing Address: 449 Kiwanis Ave, Morgantown WV 26505
Email: bernie@bossioent.com

IV. SITE
Street Address (if assigned): 1081 Windsor Ave
Tax Map #(s): Six (6)
Zoning: R1
Parcel #(s): 28
Square Footage of Parcel(s): 92X97X92X89 ft.2, 92X89X92X89 ft.2
Subdivision Description: Dividing a parcel of property currently existing with 0.3954 acres into two (2) lots each containing approximately 0.1977 Acres or 8,611.812 Square Feet, as further illustrated by the plat attached by Frank Williams, Williams Engineering Company.
Are there any Variances from the Subdivision Regulations anticipated: [] Yes [X] No
If yes, to what extent is a variance necessary? N/A

PAID PAID
NOV 07 2014
BY:



APPLICATION FOR MINOR SUBDIVISION

OFFICE USE	
CASE NO.	MNS14-09
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.

BERNARD BOSSIO

[Handwritten Signature]

11/16/14

Type/Print Name of Applicant/Agent

Signature of Applicant/Agent

Date

• Minor Subdivision Application Fee - \$35 MC



WILLIAMS ENGINEERING COMPANY

ENGINEERS & SURVEYORS

204 HIGH STREET, SUITE 301
MORGANTOWN, WV 26505
TELEPHONE 304-292-8794

Re: **BERNARD V. BOSSIO**
Parcel Description
0.3954 Acres, Seventh Ward Morgantown
Monongalia County, West Virginia

Beginning at an iron pin (fnd.), corner common to Lot 6 and Lot 7 of Section B as shown on a plat by B.W. Reynolds, dated November 15, 1946 (Deed Book 396 Page 354) on the western right-of-way line of Windsor Avenue (formerly Jackson Avenue), a thirty (30') foot street; thence with said Lot 7, lands of Roger A. Simar and Sue A. Simar (Deed Book 1171 Page 34), N83°47'W, 92.5' to an iron pin (set) on line of Lot 3 of said Section B; thence with the lands of said Simar, with a line common to said Lot 3 and Lot 7, S6°13'W, 8.56' to an iron pin (set), corner common to Lot 2 and Lot 3 and on line of Lot 7 of said Section B; thence with the lands of said Simar, with a line common to said Lot 2 and Lot 3, N83°47'W, 88.2' to an iron pin (fnd.); thence by same, N83°47'W, 4.3' (92.5' in all) to an iron pin (fnd.) on the eastern right-of-way line of Douglas Street, a twenty (20') foot street; thence with the eastern right-of-way line of said Douglas Street, with Lot 3 and Lot 4 of said Section B, N6°13'E, 88.82' to an iron pin (set) at the intersection of the eastern right-of-way of said Douglas Street with the southern right-of-way line of Munsey Street (formerly Orchard Street), a thirty (30') foot street; thence with said southern right-of-way line, with said Lot 4, S89°04'14"E, 92.895' to an iron pin (set), corner common to Lot 4 and Lot 5 of said section B; thence with said southern right-of-way line, with said Lot 5, S89°04'14"E, 92.895' (185.79' in all) to a lead plug in concrete pavement (set) at the intersection of the southern right-of-way of Munsey Street with the western right-of-way of Windsor Avenue; thence with said Windsor Avenue right-of-way line, with Lot 5 and Lot 6, S6°13'W, 97.38 to the point of beginning. Containing 0.3954 acres.



WILLIAMS ENGINEERING COMPANY

ENGINEERS & SURVEYORS

204 HIGH STREET, SUITE 301
MORGANTOWN, WV 26505
TELEPHONE 304-292-8794

Re: BERNARD V. BOSSIO
Parcel No. 1 Description
0.1977 Acres, Seventh Ward Morgantown
Monongalia County, West Virginia

Beginning at an iron pin (fnd.), corner common to Lot 6 and Lot 7 of Section B as shown on a plat by B.W. Reynolds, dated November 15, 1946 (Deed Book 396 Page 354) on the western right-of-way line of Windsor Avenue (formerly Jackson Avenue), a thirty (30') foot street; thence with said Lot 7, lands of Roger A. Simar and Sue A. Simar (Deed Book 1171 Page 34), N83°47'W, 92.5' to an iron pin (set) on line of Lot 3 of said Section B, the POINT OF BEGINNING of the parcel herein described; thence with the lands of said Simar, with a line common to said Lot 3 and Lot 7, S6°13'W, 8.56' to an iron pin (set), corner common to Lot 2 and Lot 3 and on line of Lot 7 of said Section B; thence with the lands of said Simar, with a line common to said Lot 2 and Lot 3, N83°47'W, 88.2' to an iron pin (fnd.); thence by same, N83°47'W, 4.3' (92.5' in all) to an iron pin (fnd.) on the eastern right-of-way line of Douglas Street, a twenty (20') foot street; thence with the eastern right-of-way line of said Douglas Street, with Lot 3 and Lot 4 of said Section B, N6°13'E, 88.82' to an iron pin (set) at the intersection of the eastern right-of-way of said Douglas Street with the southern right-of-way line of Munsey Street (formerly Orchard Street), a thirty (30') foot street; thence with said southern right-of-way line, with said Lot 4, S89°04'14"E, 92.895' to an iron pin (set), corner common to Lot 4 and Lot 5 of said section B; thence with Lot 5 and Lot 6, S6°13'W, 88.82' to the point of beginning. Containing 0.1977 acres.



WILLIAMS ENGINEERING COMPANY

ENGINEERS & SURVEYORS

204 HIGH STREET, SUITE 301
MORGANTOWN, WV 26505
TELEPHONE 304-292-8794

Re: **BERNARD V. BOSSIO**
Parcel No. 2 Description
0.1977 Acrs, Seventh Ward Morgantown
Monongalia County, West Virginia

Beginning at an iron pin (fnd.), corner common to Lot 6 and Lot 7 of Section B as shown on a plat by B.W. Reynolds, dated November 15, 1946 (Deed Book 396 Page 354) on the western right-of-way line of Windsor Avenue (formerly Jackson Avenue), a thirty (30') foot street; thence with said Lot 7, lands of Roger A. Simar and Sue A. Simar (Deed Book 1171 Page 34), N83°47'W, 92.5' to an iron pin (set) on line of Lot 3 of said Section B; thence with said Lot 3, N6°13'E, 35.85' to a point, corner common to Lot 3 and Lot 4 of said section B; thence with said Lot 4, N6°13'E, 52.97' (88.82' in all) to an iron pin (set) on the southern right-of-way line of Munset Street (formerly Orchard Street), a thirty (30') foot street; thence with said Munsey Street right-of-way, with Lot 5 of said Section B, S89°04'14"E, 92.895' to a lead plug in concrete pavement (set) at the intersection of the southern right-of-way of said Munsey Street with the western right-of-way line of Windsor Avenue (formerly Jackson Avenue), a thirty (30') foot street; thence with said Windsor Avenue right-of-way line, with said Lot 5 and Lot 6, S6°13'W, 97.38' to the point of beginning. Containing 0.1977 acres.

BVBPELLP2.DOC

November 7, 2014

Bernie Bossio
449 Kiwanis Avenue
Morgantown WV 26505

**Re: Water/Sewer/Storm Service Availability
Windsor Avenue, Munsey Avenue & Douglas Avenue
Morgantown, Tax Map 6, Parcel 28; Proposed Parcels 1 & 2**

Dear Mr. Bossio,

This will confirm that water and sanitary sewer services are available to the above referenced properties. Storm sewer service is available at cost and will require an estimate. 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 structures. We will evaluate such adequacy upon receipt of additional details describing the design of the proposed structures along with a property plat showing the proposed structures 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 is \$700.00 (3/4-inch or less); \$1,000.00 (1-inch); \$1,500.00 (1 1/2-inch); \$2,000.00 (2-inch) per meter setting. All water services larger than 2-inch are installed on an as-cost basis. The tap fee for sewer service is \$700.00 per structure. 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.

A Stormwater Permit Application will be required for your project along with a review and approval of your Storm Water Management Plan by MUB. **Note that this will be required prior to construction and/or development of the site.** Note also that if the subject property is part of a current or planned sub-division, and if the cumulative impervious area of the sub-division equals or exceeds a total of 3,000 square feet, that structural stormwater management control facilities may likely be required as a part of the Stormwater Management Plan.

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 to complete the Stormwater Permit application.

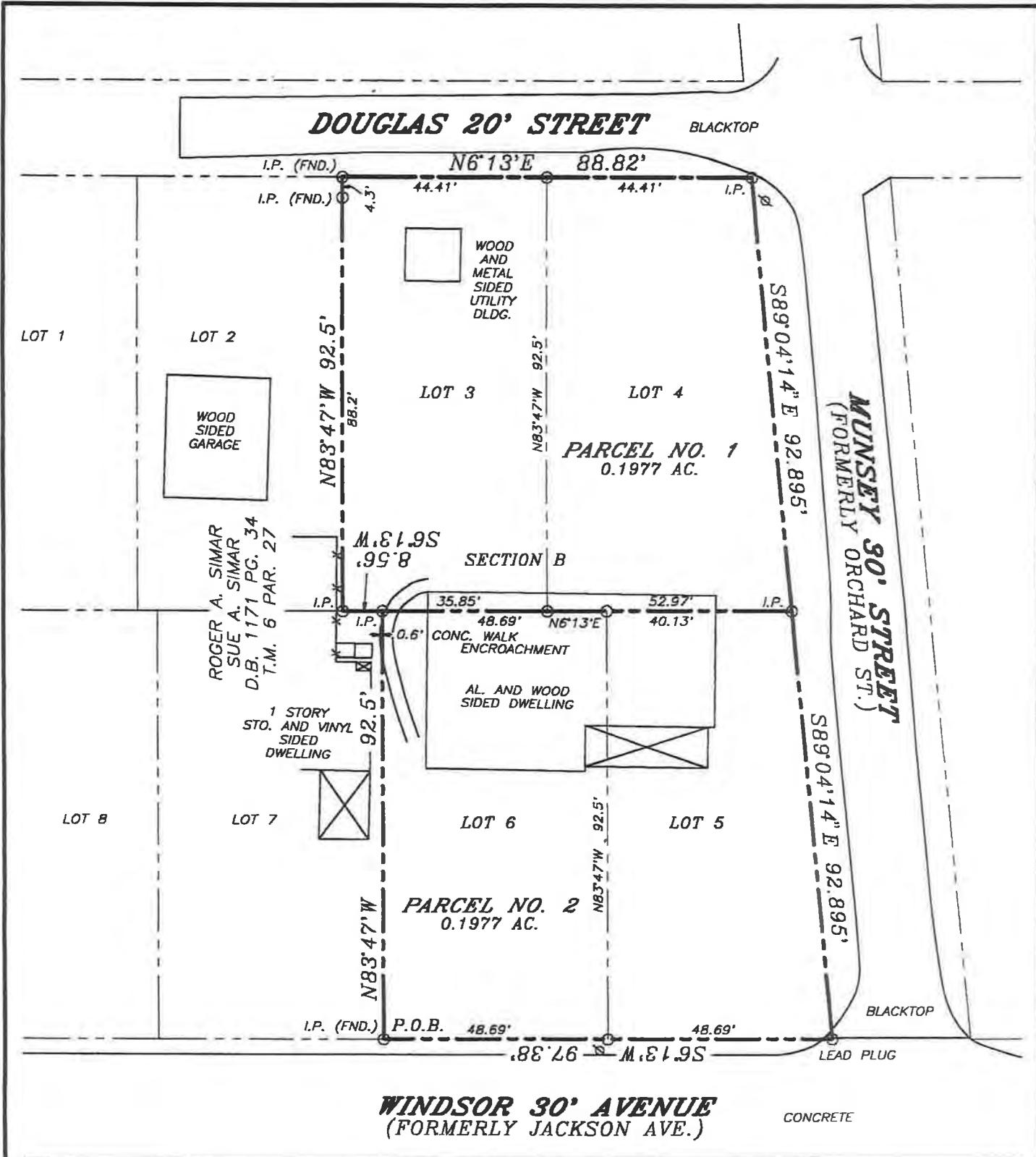
If you have any questions regarding this matter, please call me at (304) 292-8443. Thank you in advance for your kind cooperation.

Sincerely,

MORGANTOWN UTILITY BOARD



Bryan Hindman
Engineering Technician



NOTE: THIS SURVEY WAS CONDUCTED WITHOUT BENEFIT OF A LAWYER'S TITLE REPORT AND MAY NOT REFLECT ALL EXCEPTIONS, RIGHT-OF-WAYS, EASEMENTS OR RESTRICTIONS.

TAX MAP NO. 6 PARCEL NO. 28
TOTAL AREA = 0.3954 ACRES
TITLE REF.: D.B. 1270 PG. 569
PLAN REF.: D.B. 396 PG. 354



SURVEY FOR

BERNARD V. BOSSIO

SEVENTH WARD MORGANTOWN, MONONGALIA CO., WV
SCALE: 1" = 30' **MAY 27, 2004**

WILLIAMS ENGINEERING COMPANY
MORGANTOWN, WV



[Handwritten signature]

Zimbra

shollar@cityofmorgantown.org

Planning Commission / 1081 Windsor Ave

From : Bernie Bossio <bernie@bossioent.com>

Thu, Nov 20, 2014 03:54 PM

Subject : Planning Commission / 1081 Windsor Ave**To** : 'Stacy Hollar' <shollar@cityofmorgantown.org>

Dear Ms. Hollar,

I have made application for a minor sub-division for property located at 1081 Windsor Ave and should be on the agenda for the Planning Commissions December 2014 meeting. The property meets all the standards of City of Morgantown's standards for lots located within the R1 zoning district. There currently is a dwelling situated on the proposed new property line that will divide the property into two separate parcels when the commission approves the minor sub-division. I am happy to accept a condition with the commission's approval that the dwelling is razed once approval is granted. The process for razing the dwelling is underway and could be complete by the December's Planning Commission's meeting.

I would also ask that the planning department represent me at the December meeting as I am scheduled to be out of town at that time.

Could you please acknowledge receipt of this email.

Thank You

Bernard Bossio

Bernard V. Bossio
449 Kiwanis Ave
Morgantown WV 26505
Ph: 304.685.9810
Fax:304.599.2101

Note: This email is a confidential communication. If you are not the intended recipient, please notify the sender immediately and destroy this email and any attachments. Thank you.
