



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 Kaweck, City Council

STAFF REPORT

CASE NO: MNS14-10 / Marano / 1217 Lions Avenue

REQUEST and LOCATION:

Request by Lisa Mardis of Project Management Services, on behalf of Gary and Deborah Marano, for minor subdivision approval of property located at 1217 Lions Avenue.

TAX MAP NUMBER (s) and ZONING DESCRIPTION:

Tax Map 7, Parcels 24, 25 and 28.1. R-1, Single-Family Residential District

SURROUNDING ZONING:

R-1, Single-Family Residential District

BACKGROUND and ANALYSIS:

The petitioner seeks to reconfigure three (3) parcels into two (2) parcels. Addendum A of this report illustrates the location of the subject site and a general illustration of the proposed subdivision.

Each of the three (3) parcels is considered nonconforming because their respective 39.65 feet of frontage along Lions Avenue is less than the minimum R-1 District standard of 70 feet. Additionally, each of their respective area of 5,154.5 square feet is less than the minimum R-1 District standard of 7,200 square feet.

Currently, there is one (1) single-family dwelling located on the three (3) parcels. The petitioner's intent is to raze and remove the existing principal and accessory structures and reconfigure the realty into two (2) buildable parcels so that two (2) single-family dwellings can be developed.

The respective frontages of the reconfigured two (2) parcels will be 59.475 feet, which is less than the minimum frontage standard. However, the respective areas will be 7,731.75 square feet, which exceeds the minimum lot area standard.

In studying the approximately 305 parcels of Tax Map 7, there are approximately 270 parcels within the R-1 District that do not contain structures covering two or more parcels and are not occupied by Suncrest Middle School. Of these 270 parcels, approximately 45 parcels have nonconforming frontage (less than 70 feet).

Article 1315.07 "Variances and Modifications" provides the following:

Where the subdivider can show that a provision of these Subdivision Regulations would cause unnecessary hardship if strictly adhered to and where, in the opinion of the Planning Commission, because of topographical or other conditions peculiar to the site, a departure may be made without destroying the intent of such provision, the Commission may authorize a variance. In granting variances and modifications the Commission may

Development Services

Christopher Fletcher, AICP
Director

Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431



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require such conditions as will, in its judgment, secure substantially the objective of the standards or requirements so varied or modified. Any variance or modification thus authorized is required to be entered in writing in the minutes of the Commission and the reasoning on which the departure was justified shall be set forth.

It is the opinion of the Planning Division that the fact the petitioner's realty contains three (3) nonconforming parcels is peculiar to the site. Further, reconfiguring the realty from three (3) parcels to two (2) parcels as proposed reduces the extent of nonconformity by increasing the frontage of the resultant parcels and ensuring that the two (2) proposed parcels exceed the minimum lot area standard, which substantially secures the residential density objectives established by the minimum frontage and minimum lot area standards.

It should be noted that the proposed subdivision results in a net gain of one (1) additional new home to the neighborhood and two (2) new homes to the City's housing stock.

STAFF RECOMMENDATION:

Staff recommends that variance relief from the minimum lot frontage standard of 70 feet within the R-1 District [Article 1333.03(B)] be granted as requested based on the analysis above and that approval of the subdivision be granted as requested 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

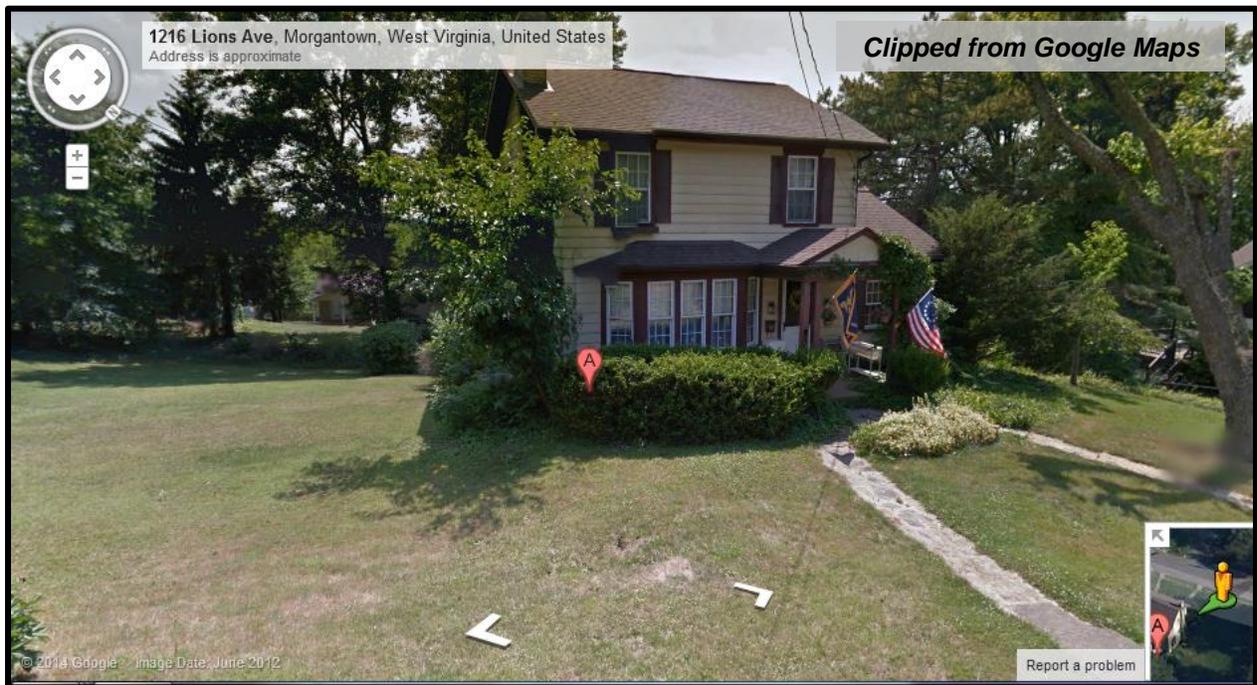
Development Services

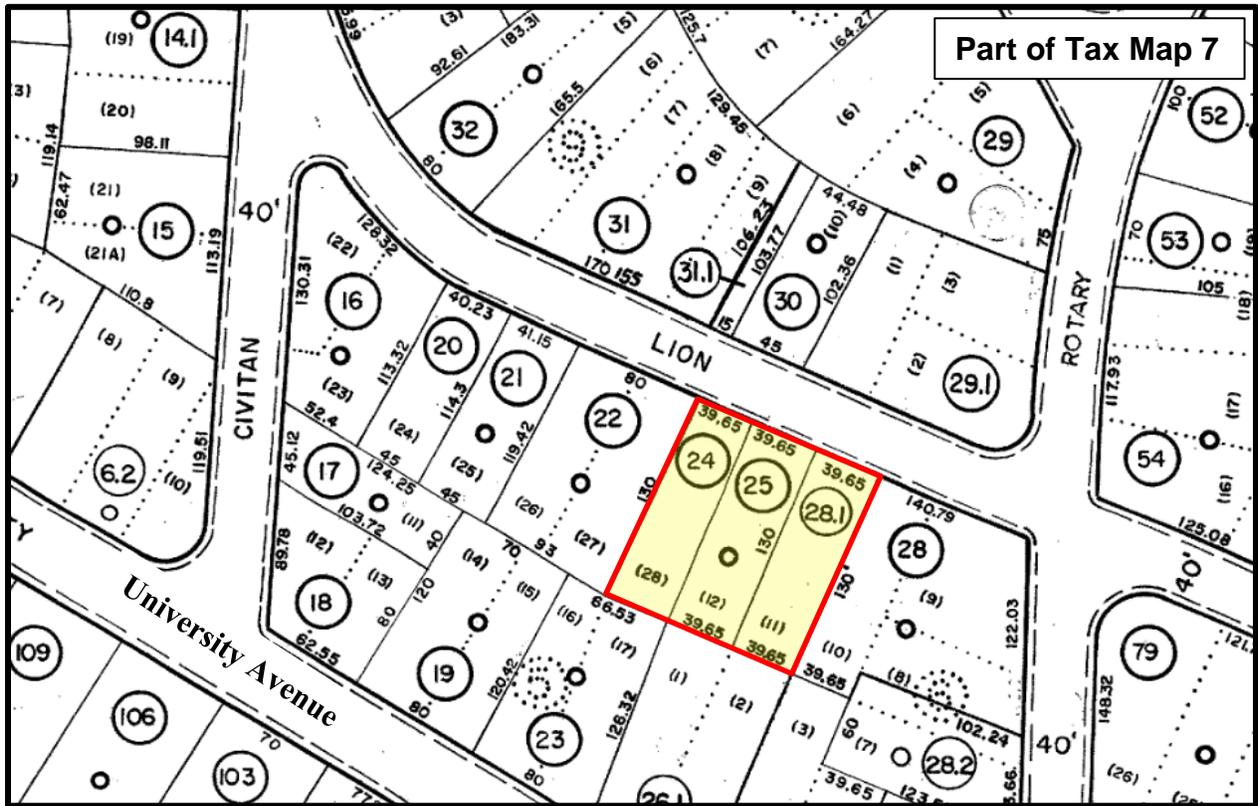
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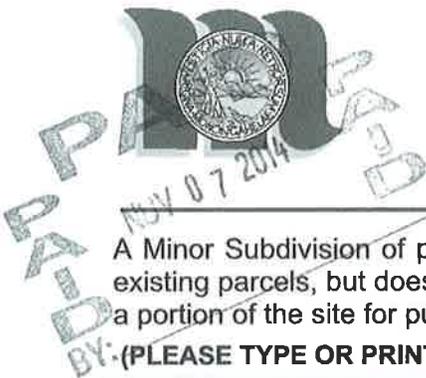
STAFF REPORT ADDENDUM A
MNS14-10 / Marano / 1217 Lions Avenue





CASE NO. MNS14-10
 RECEIVED: _____
 COMPLETE: _____

**APPLICATION FOR
 MINOR SUBDIVISION**



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.

BY: (PLEASE TYPE OR PRINT IN BLACK INK)

I. APPLICANT			
Name:	Gary and Deborah Marano	Phone:	
Mailing Address:	1068 Windsor Avenue	Mobile:	304-290-9180
	Street Morgantown WV 26505	Email:	
	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):	1217 Lions Avenue	Tax Map #(s):	7
Zoning:	R-1	Parcel #(s):	24, 25, 28.1
Square Footage of Parcel(s):	ft. ²	ft. ²	ft. ²
Subdivision Description:	Three parcels into two		
Are there any Variances from the Subdivision Regulations anticipated: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
If yes, to what extent is a variance necessary?	There are currently 3 non-conforming lots in that they are 5,154.5 square feet with only 39.65 feet of road frontage. The new street frontage will be 59.475 feet with two parcels.		

Marano | 1217 Lions Avenue / Minor subdivision



