



# MORGANTOWN PLANNING COMMISSION

March 12, 2015  
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 Blosser, 3<sup>rd</sup> Ward

Bill Petros, 4<sup>th</sup> Ward

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

Ken Martis, Admin.

William Kawecki, City Council

## **STAFF REPORT**

**CASE NO:** MNS15-04 / Riffle Contracting, LLC / Wayne Avenue

**REQUEST and LOCATION:**

Request by Jason Riffle of Riffle Contracting, LLC for minor subdivision approval of property located along Wayne Avenue.

**TAX MAP NUMBER (s) and ZONING DESCRIPTION:**

Tax Map 41, Parcels 335, 336, 337, 338; R-1A Single-Family Residential District

**SURROUNDING ZONING:**

R-1A, Single-Family Residential District

**BACKGROUND and ANALYSIS:**

The petitioner seeks to re-subdivide Parcels 335, 336, 337 and 338 into two (2) parcels for the purpose of creating two buildable tracts. Addendum A of this report illustrates the location of the subject site.

Each of the four (4) existing parcels is approximately 30 feet wide by approximately 80 feet deep. Each of the four (4) existing parcels is less than the minimum R-1A District area standard of 3,500 square feet and therefore considered nonconforming. The petitioner's proposed configuration of the subject realty creates two (2) conforming parcels. The following table summarizes the proposed configurations.

Parcels Labeled in Addendum A	Proposed Width	Min. Width Standard	Proposed Area	Min. Area Standard
Proposed Parcel A	65 feet	30 ft.	5,200 sq. ft.	3,500 sq. ft.
Proposed Parcel B	55 feet	30 ft.	4,400 sq. ft.	3,500 sq. ft.

It should be noted that the petitioner is considering the transfer of approximately ten (10) feet in width by approximately 80 feet in depth of the proposed Parcel A to the owner of the adjoining Parcel 334. Proposed Parcel A would then have the same dimensions as proposed Parcel B, which would meet the minimum R-1A District width and areas standards.

Staff understands that the terms of said transfer are still being negotiated by the parties but will note that said portion of proposed Parcel A may not be created by the final subdivision plat unless it is added to and made a part of Parcel 334. In other words, the petitioner's final plat may not create a 10 foot by 80 foot parcel that may or may not be added to Parcel 334 at a later date. Doing so would create a nonconforming parcel.

**Development Services**

Christopher Fletcher, AICP  
Director

**Planning Division**

389 Spruce Street  
Morgantown, WV 26505  
304.284.7431



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**STAFF RECOMMENDATION:**

Staff recommends approval with the following conditions:

1. That the petitioner's final plat may not create a 10-foot wide by 80-foot deep tract of land unless said realty is to be combined with and made a part of the adjoining Parcel 334.
2. 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,
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

**Development Services**

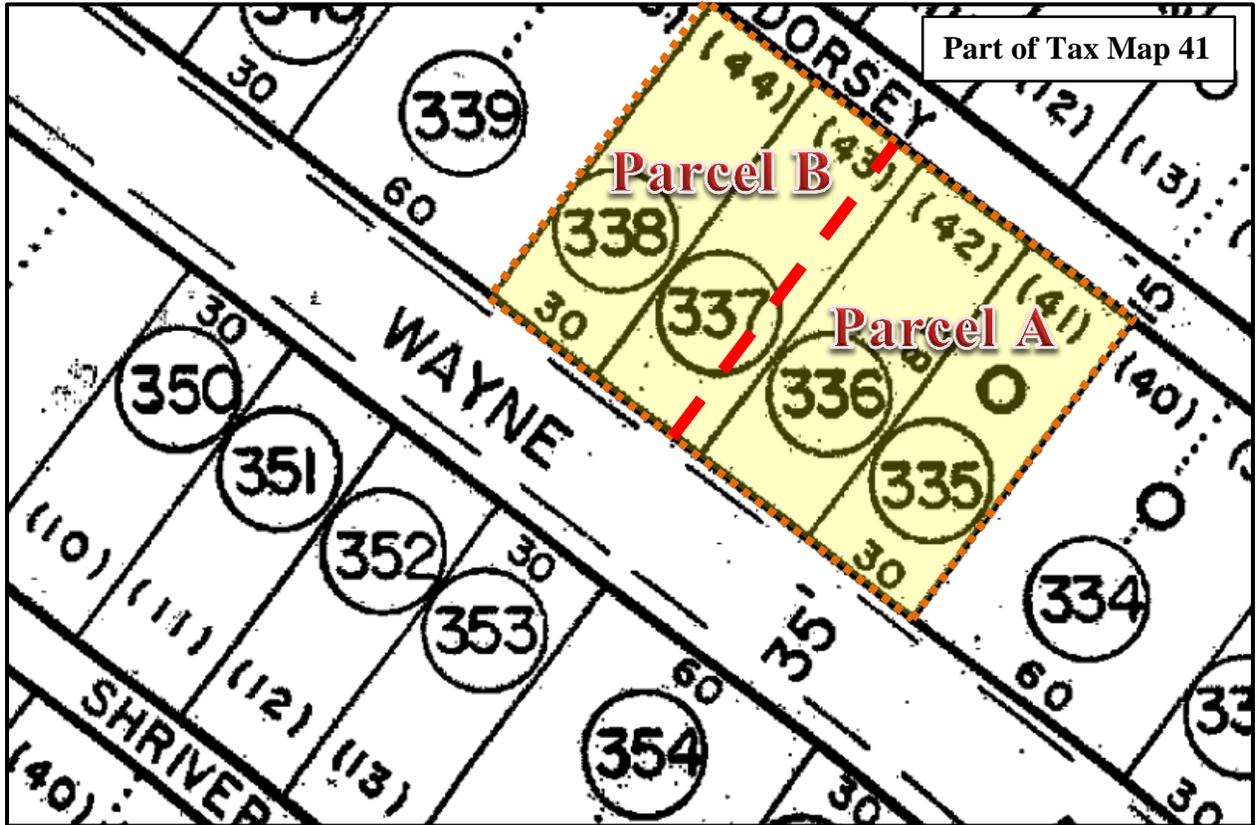
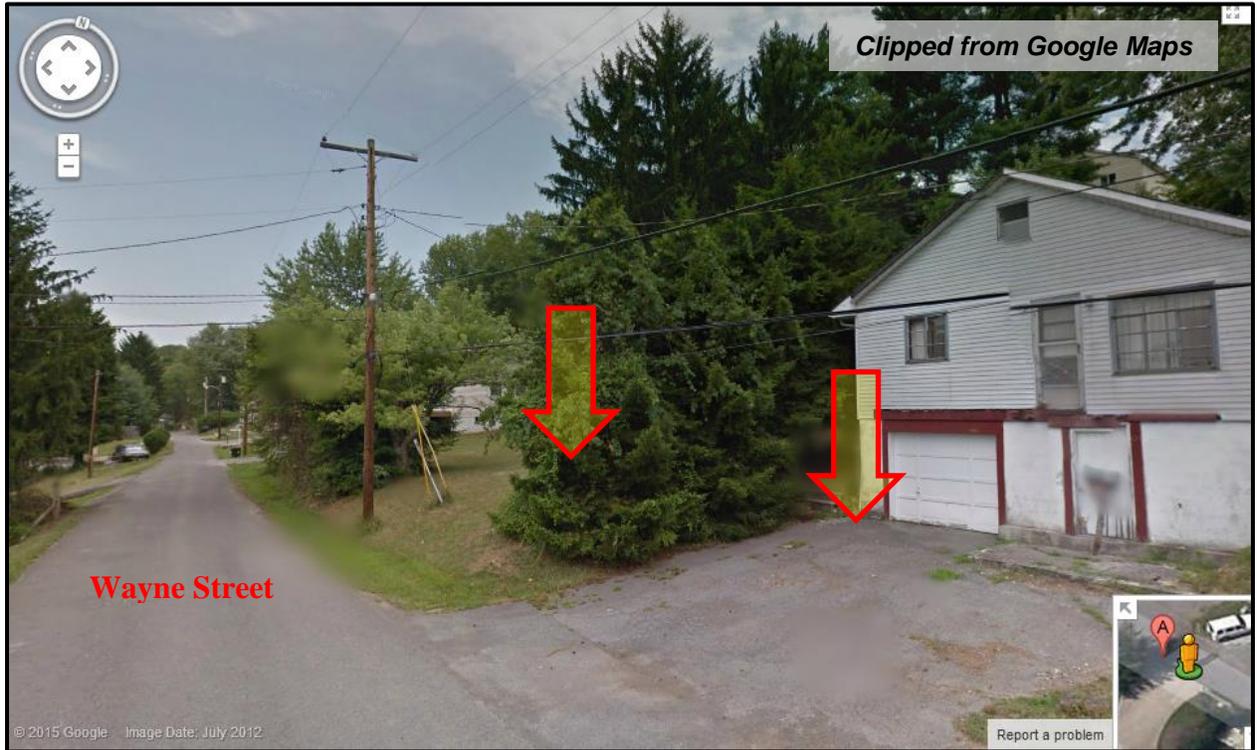
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**STAFF REPORT ADDENDUM A**  
**MNS15-04 / Riffle Contracting, LLC / Wayne Avenue**







City of Morgantown, West Virginia

APPLICATION FOR MINOR SUBDIVISION

OFFICE USE	
CASE NO.	_____
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:	Jason Riffle (Riffle Cont. LLC)		Phone:	685-4722
Mailing Address:	Street	662 Broadway Ave	Mobile:	_____
	City	Mgt WV	Zip	26505
<b>II. AGENT / CONTACT INFORMATION</b>				
Name:	Jason Riffle (Riffle Cont. LLC)		Phone:	304-685-4722
Mailing Address:	Street	662 Broadway Ave	Mobile:	Same
	City	Mgt WV	Zip	26505
Mailings –	Send all correspondence to (check one): <input type="checkbox"/> Applicant OR <input type="checkbox"/> Agent/Contact			
<b>III. PROPERTY</b>				
Owner:	Riffle Contracting LLC		Phone:	304-685-4722
Mailing Address:	Street	PO box 4481	Mobile:	_____
	City	Mgt WV	Zip	26505
<b>IV. SITE</b>				
Street Address (if assigned):	Wayne Ave		Tax Map #(s):	41 District 09
Zoning:	RIA		Parcel #(s):	735, 336, 337, 338
Square Footage of Parcel(s):	9600	ft. <sup>2</sup>		ft. <sup>2</sup>
Subdivision Description:	convert a 120x80 piece of property into two buildable lots			
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?				



City of Morgantown, West Virginia

APPLICATION FOR MINOR SUBDIVISION

OFFICE USE
CASE NO.
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 Jason Riffle

Type/Print Name of Applicant/Agent

[Handwritten Signature]

Signature of Applicant/Agent

2/25/15

Date

Minor Subdivision Application Fee - \$35 VISA