



# MORGANTOWN PLANNING COMMISSION

December 8, 2016  
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

William Kawecki, City Council

VACANT, City Administration

## **STAFF REPORT**

**CASE NO:** MNS16-17 / LDolly LLC / 520 Astor Avenue

**REQUEST and LOCATION:**

Request by Larry Dolly, on behalf of LDolly, LLC, for minor subdivision approval of property located at 520 Astor Avenue.

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

Tax Map 40, Parcel 562; R-1A, Single-Family Residential District

**SURROUNDING ZONING:**

R-1A, Single-Family Residential District

**BACKGROUND and ANALYSIS:**

The petitioner seeks to combine Parcel 562 and Parcel 563 of Tax Map 40 into one (1) Parcel. Addendum A of this report illustrates the location of the subject site.

The following information provides a history of the single-family dwelling that once occupied the subject site.

Code Enforcement Dept.	Rental Registration	JUL 1997
Fire Dept.	Significant Fire	29 JAN 2016
Code Enforcement Dept.	Demolition Permit Issuance	28 APR 2016

The petitioner seeks to reconstruct a single-family dwelling and, as proposed, and address the nonconforming element of the existing parcels. Specifically, each of the subject parcels is approximately 2,160 square feet in area. The minimum lot size in the R-1A District is 3,500 square feet. The combined area of the two (2) parcels will be 4,320 square feet and will have sixty (60) feet of road frontage, both greater than R-1A District minimum standards.

**RECOMMENDATION:**

Staff recommends approval with the following conditions:

1. That the petitioner submits 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.

**Development Services**

Christopher Fletcher, AICP  
Director

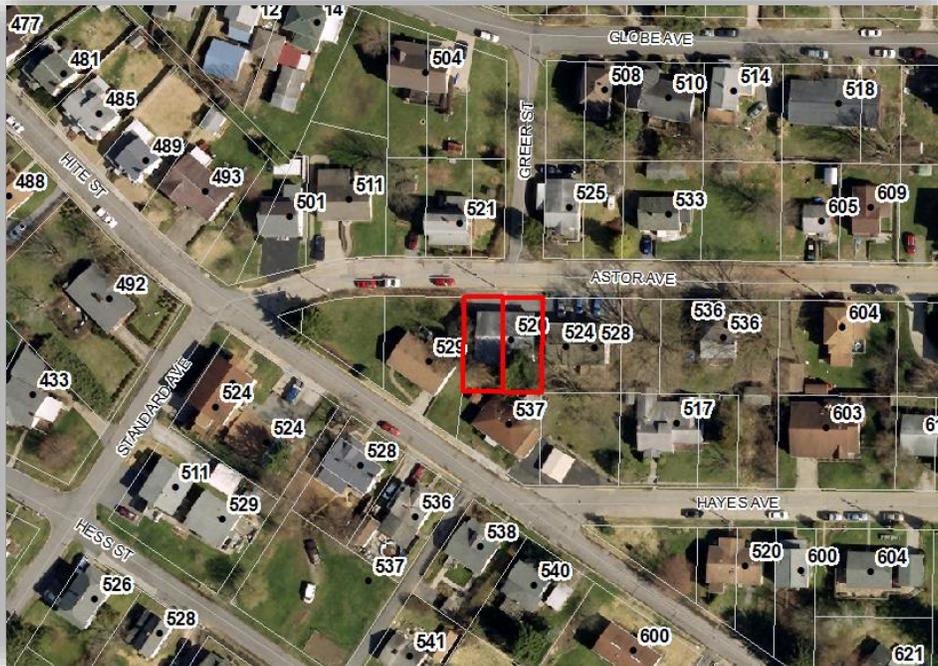
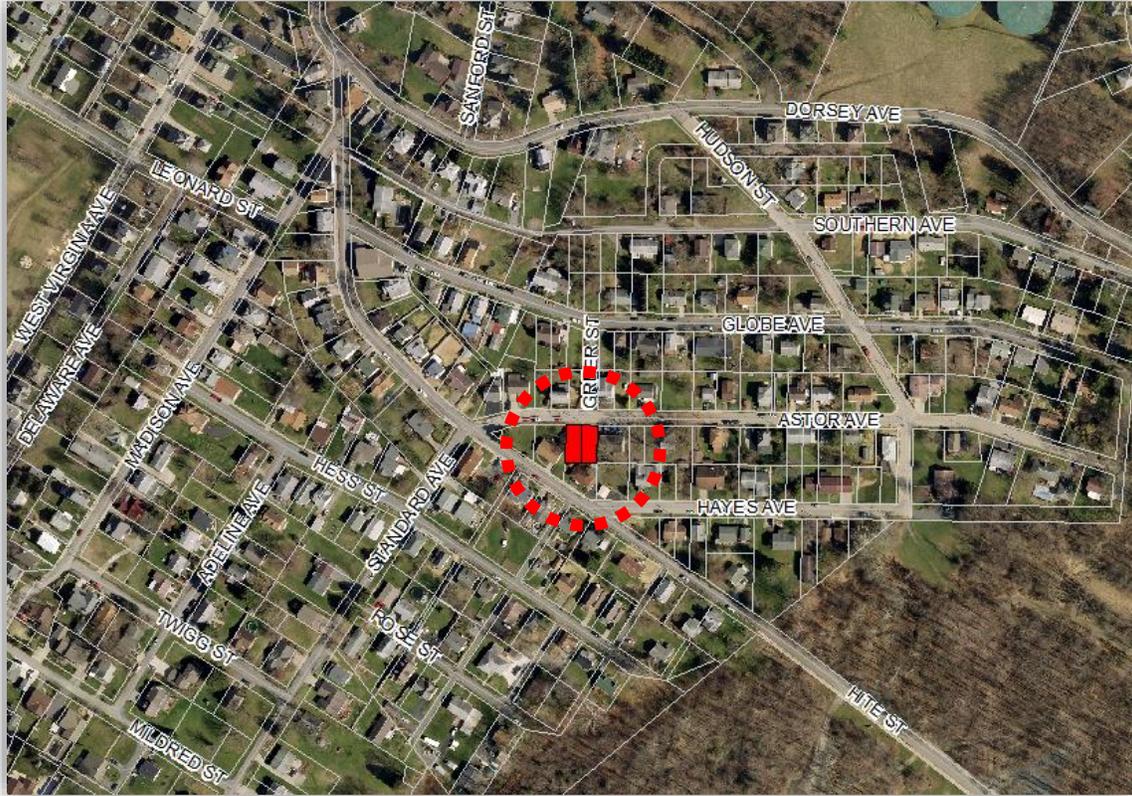
John Whitmore, AICP  
Planner III

**Planning Division**

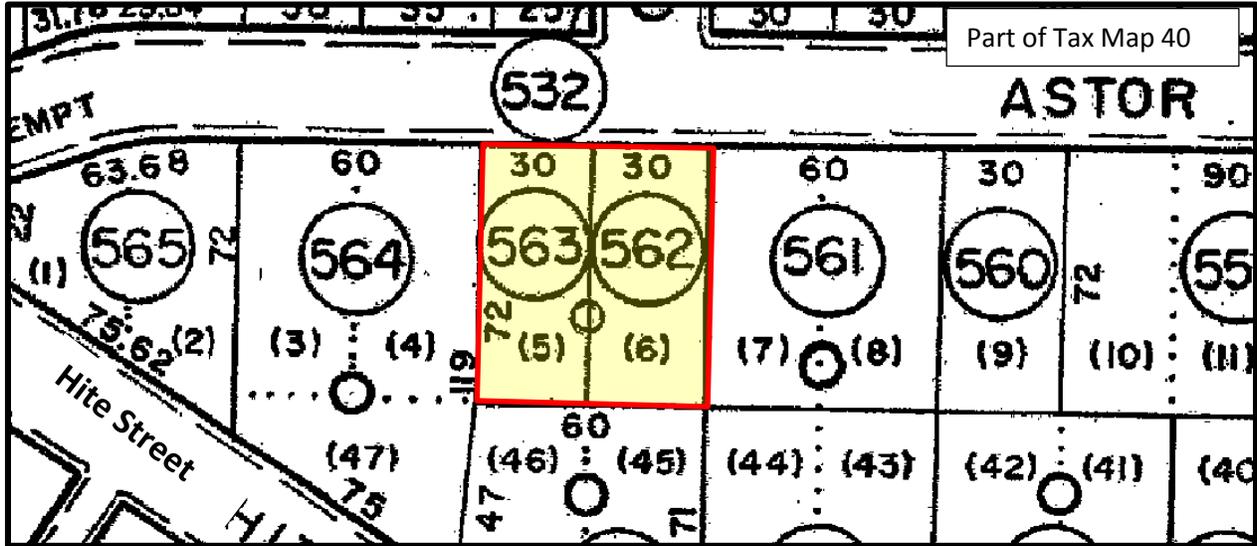
389 Spruce Street  
Morgantown, WV 26505  
304.284.7431

Enclosure: Application and accompanying exhibits

**STAFF REPORT ADDENDUM A**  
**MNS16-17 / LDolly, LLC / 520 Astor Avenue**



STAFF REPORT ADDENDUM A  
MNS16-17 / LDolly, LLC / 520 Astor Avenue





City of Morgantown, West Virginia

APPLICATION FOR MINOR SUBDIVISION

OFFICE USE	
CASE NO.	MMS16-17
RECEIVED:	28 OCT 16
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)

VESA \$35.00

PAID BY: OCT 28 2016

I. APPLICANT

Name:	Larry Dolly) LDolly LLC	Phone:	304-813-9826
Mailing Address:	PO Box 819	Mobile:	
	Keyser WV 26726	Email:	ldollyllc@yahoo.com
	City State Zip		

II. AGENT / CONTACT INFORMATION

Name:	LDolly LLC (Larry Dolly)	Phone:	304-813-9826
Mailing Address:	PO Box 819	Mobile:	
	Keyser WV 26726	Email:	
	City State Zip		

Mailings - Send all correspondence to (check one):  Applicant OR  Agent/Contact

III. PROPERTY

Owner:	LDolly LLC	Phone:	304-813-9826
Mailing Address:	520 Astor Ave	Mobile:	
	Morgantown WV 26501	Email:	ldollyllc@yahoo.com
	City State Zip		

IV. SITE

Street Address (if assigned):	520 Astor Ave	Tax Map #(s):	40
Zoning:	R-1A call.	Parcel #(s):	562
Square Footage of Parcel(s):	ft. <sup>2</sup>	ft. <sup>2</sup>	ft. <sup>2</sup>

Subdivision Description: Combining two parcels to make one complete parcel.

Are there any Variances from the Subdivision Regulations anticipated:  Yes  No

If yes, to what extent is a variance necessary?



City of Morgantown, West Virginia

APPLICATION FOR MINOR SUBDIVISION

OFFICE USE	
CASE NO.	MWS16-17
RECEIVED:	28 OCT 16
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.

Harry Dolly
[Signature]
10-28-16  
Type/Print Name of Applicant/Agent      Signature of Applicant/Agent      Date

• Minor Subdivision Application Fee – \$35

MNS 16-17

Block No. 13

GREER ST.  
(FORMERLY GILL ST.)

Block No. 8

right-of-way line

right-of-way line

# ASTOR AVENUE

concrete street (30 foot right-of-way)

S89°21'00"E 60.00'

ETC ETC ETC ETC ETC ETC ETC ETC ETC ETC

right-of-way line

Pt. of Beg.

right-of-way line

gravel parking

30'

gravel

parking

30'

16.2'

concrete

pole

16.2'

(3)

(4)

(7)

(8)

Greg E. Campbell  
D.B. 1436 / Pg. 621  
TM 40 - P 564

N00°39'00"E 72.00'

15.0'

36.1'

concrete  
block  
foundation

40.0'

5.0'

S00°39'00"W 72.00'

June R. Tanner  
D.B. 1343 / Pg. 165  
TM 40 - P 561

(5)

(6)



30'

30'

N89°21'00"W 60.00'

adjoiner's cyclone fence

19.7'

(47)

(46)

(45)

(44)

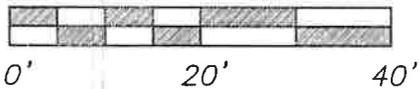
Willie F. Huggins et al  
W.B. 158 / Pg. 233  
TM 40 - P 567

Willie F. Huggins et al  
W.B. 158 / Pg. 233  
TM 40 - P 568

(46) - denotes lot number

### LEGEND

- 1/2" reinforcing rod (found)
- 5/8" reinforcing rod (set)



### NOTES:

- 1) Location of underground utilities NOT shown. CALL 811 before digging.
- 2) Survey was conducted without benefit of lawyer's title report and may not reflect all exceptions, rights-of-way, easements or restrictions.



**GREENLEAF SURVEYING  
COMPANY**

1215 GREENBAG ROAD  
MORGANTOWN, WEST VIRGINIA 26508  
304 / 291-1264

*Allan J. Witschi*  
ALLAN J. WITSCHI, P.S. NO. 587

### PLAT OF SURVEY FOR LARRY W. DOLLY

Description: Lots No. 5 & 6, Block No. 10  
Midway Addition

Addition Ref.: D.B. 206 / Pg. 120-1/2  
Map Cab. 1 / Env. 260B

Area: 4,320 sq.ft., or 0.0992 acres

Title: Larry W. Dolly

D.B. 1557, at Page 201

Tax Map No. 40, Parcel 562 & 563

Corporation: First Ward of Morgantown

District: Morgan

of Monongalia County, West Virginia.

Address: 520 Astor Avenue, Morgantown, WV

Scale 1" = 20'

Date: August 10, 2016

file number 042-16