

**V12-23 Staff Report to be  
distributed at the  
BZA's July 25, 2012 Hearing**

**STAFF REPORT ADDENDUM A**  
**V12-23 / Glenmark Holding / 9 Sterling Drive**





City of Morgantown, West Virginia

APPLICATION FOR ZONING VARIANCE

OFFICE USE	
CASE NO.	V12-23
RECEIVED:	6/14/12
COMPLETE:	

(PLEASE TYPE OR PRINT IN BLACK INK)

Fee: \$75

<b>I. APPLICANT</b>		Name: <u>Glenmark Holding Limited Liability Company</u>	
Mailing Address:	Street	<u>6 CANYON ROAD SUITE 300</u>	Phone: <u>304-692-3369</u>
	City	<u>Morgantown WV 26508</u>	Mobile: <u>304-692-6503</u>
			Email: <u>msaab@glenmarkholding.com</u>
<b>II. PROPERTY</b>		Street Address: <u>9 STEELING DRIVE</u>	
Owner:	<u>Glenmark Holding Limited Liability Co.</u>		Zoning: <u>B-5</u>
Mailing Address:	Street	<u>6 CANYON ROAD SUITE 300</u>	Tax Map No: <u>31</u>
	City	<u>Morgantown WV 26508</u>	Parcel No: <u>PART OF 107</u>
			Phone:
<b>III. NARRATIVE</b>		Please describe the nature and extent of your variance request(s).	
<p>① AN 8 FOOT VARIANCE FROM THE MINIMUM SETBACK REQUIREMENT OF 30 FEET.</p> <p>② VARIANCE RELIEF FROM THE MINIMUM BUILDING HEIGHT OF 35'</p> <p>THE HEIGHT OF THE PROPOSED BUILDING IS 27'</p> <p>① ARTICLE 1353.04(A) (2)</p> <p>② ARTICLE 1353.05(A)</p>			
<b>V. ATTEST</b>			
<p>I hereby certify that I am the owner of record of the named property, or that this application is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. The granting of a variance 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. I certify that the information submitted herein and attached hereto is true and accurate and understand that if found otherwise may result in the denial of this request or subsequent revocation of any and all related approvals. The undersigned has the power to authorize and does hereby authorize City of Morgantown representatives on official business to enter the subject property as necessary to process the application and enforce related approvals and conditions. I hereby authorize the Planning Department to erect a notification sign on the subject property approximately 15 days prior to the BZA hearing. I further agree to maintain said signage and hereby accept responsibility in case of destruction or removal.</p>			
<u>Michael J. SAAB</u>	<u>[Signature]</u>	RSP 6/13/2012 2012/11/0	KRISTEN 16:16:43 SITE PLAN <u>6-13-12</u>
Type/Print Name of Applicant/Agent	Signature of Applicant/Agent	PAID	Date

You or a representative **MUST** be present at the scheduled hearing to present the request and answer questions. Failure to appear at the hearing will result in your request being tabled.

27665



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VI. SUPPLEMENTAL INFORMATION

Depending on the type of variance request and the scale and scope of the development proposal, supplemental information may be needed to assist the Board of Zoning Appeals in rendering a variance decision. Staff will check the appropriate boxes below that must be addressed.

Land Use Characteristics (complete only those that apply)

- Residential
- Single-Family Dwelling
- Townhouse Dwelling
- Two-Family Dwelling
- Multi-Family Dwelling
- Non-Residential or Mixed (please explain)

Structure Characteristics (complete only those that apply)

Total number of buildings: 1 Gross floor area of each building: 6000 sq ft.  
 Estimated number of employees: TBD No. of dwelling units: N/A No. of bedrooms: N/A  
 Additional structure-related details:

Additional Information (as required by Staff):

Site Plan A scaled site plan may be required to assist the Board in rendering a variance decision. The following features must be represented, as required by Staff.

- Location, shape, exterior dimensions, and number of stories of each building on the site.
- Standard yard setbacks for the applicable zoning district
- Location, grade, and dimensions of paved surfaces, and all abutting streets
- Existing and proposed contours, at an interval of at least two (2) feet
- Complete traffic circulation plan showing dimensions, entrance/exit drives, planters, and similar improvements
- Location of landscaped areas (to be detailed on landscape plan), fences, walls, and other screen required

For simple variance requests (as determined by Staff), please use the graph area on the following page to illustrate applicable features listed above.



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Suggested Scale: 1 square = 5'

SEE ATTACHMENT  
COND



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VII. FINDINGS OF FACT

The Board of Zoning Appeals may grant a variance request only if each of the following "Findings of Fact" criteria is determined to be in the positive. Applicants must give their own responses to the following criteria statements.

1. There are exceptional or extraordinary circumstances or conditions applicable to this property or to the intended use, that generally do not apply to other properties or uses in the same vicinity, because:

N/A.

2. The variance is necessary for the preservation and enjoyment of a substantial property right that is possessed by other properties in the same vicinity and zoning district, but which denied to this property, because:

Zoning Change. All surrounding Properties are under the 25' height.

3. The granting of this variance will not be harmful to the public welfare and will not harm property or improvements in the vicinity and zoning district in which the subject property is located, because:

WE ARE THE ADJACENT Property owners ALL AROUND SAID Parcel.

4. The granting of this variance will not alter the land-use characteristics of the vicinity and zoning district, or diminish the market value of adjacent properties, or increase traffic congestion on public streets, because:

It is consistant with the Characteristics of all Surrounding Properties.

**STERLING COMMONS  
 COMMERCIAL BUILDING**

Enter address here

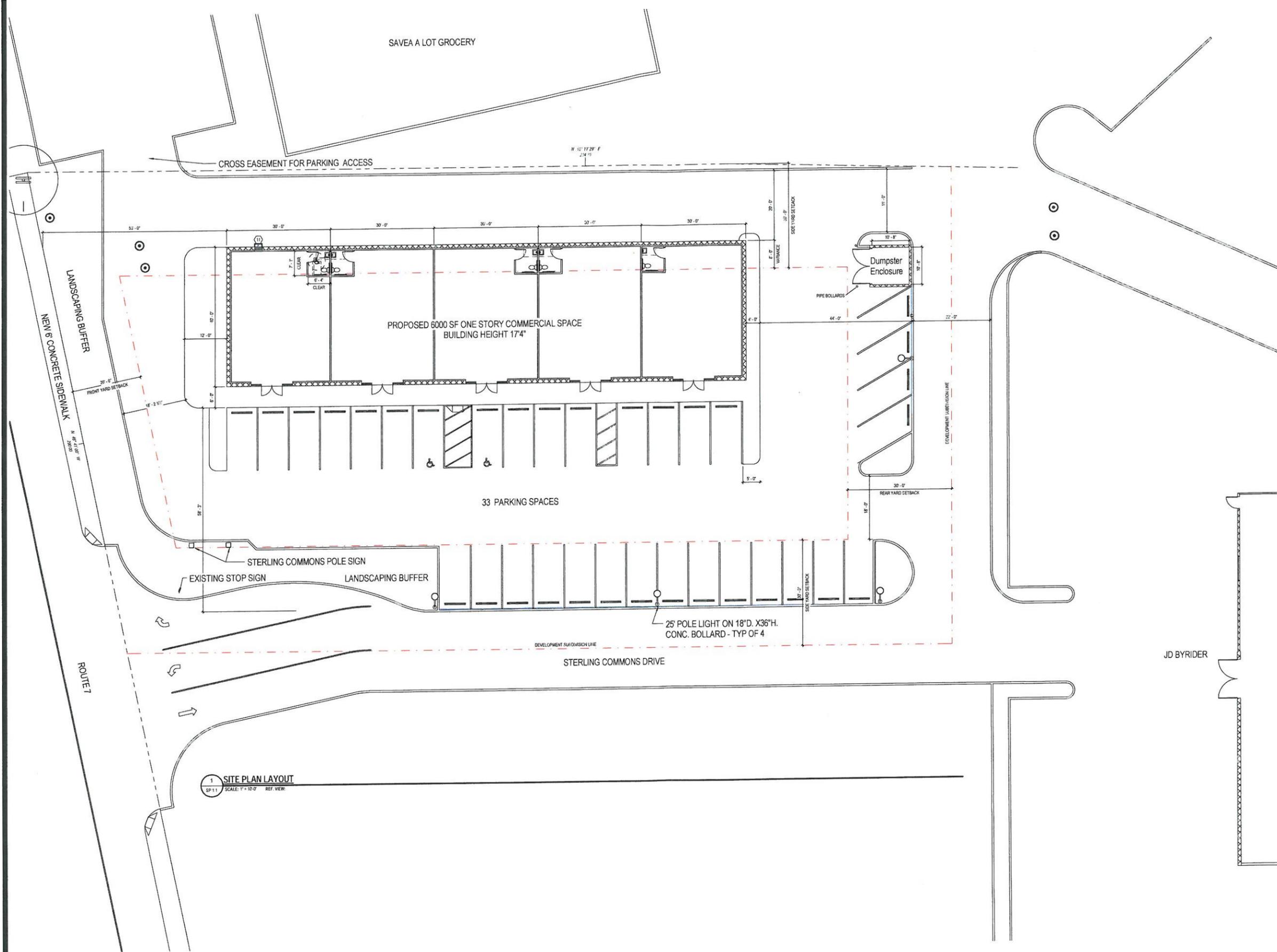
**SITE PLAN LAYOUT**

DRAWN BY: Author  
 PROJECT ISSUE DATE: --  
 SHEET ISSUE DATE: 06/19/12

Drawing Revisions	
No.	Date

ARCHITECT PROJECT NUMBER: --  
 ARCHITECT CAD NUMBER: -- SP 11

- APPROVED DRAWING USE:**
- DESIGN DEVELOPMENT
  - PROGRESS
  - PERMIT ACQUISITION
  - FOR BIDDING
  - CONSTRUCTION DOCUMENT



**1 SITE PLAN LAYOUT**  
 SP 1.1 SCALE: 1" = 10'-0" REF. VIEW:

JD BYRIDER