



MORGANTOWN BOARD OF ZONING APPEALS

February 20, 2013
6:30 PM
City Council Chambers

Board Members:

Bernie Bossio, Chair
Leanne Cardoso, Vice-Chair
George Papandreas
Jim Shaffer
Tom Shamberger

STAFF REPORT

CASE NO: V13-03 / Ronald McDonald House / 841 Country Club Road

REQUEST and LOCATION:

Request by Brenda Stipanovich of Fastsigns, Inc., on behalf of Ronald McDonald House Charities, for variance relief from Articles 1369.08 and 1369.09 as it relates to wall signs at 841 Country Club Road.

TAX MAP NUMBER(s) and ZONING DESCRIPTION:

Tax Map 11, Parcel 90; R-3, Multi-Family Residential District

SURROUNDING ZONING:

North, South and East: R-1, (West Virginia University Hospitals)

West: R-3, Multi-Family Residential District

BACKGROUND and ANALYSIS:

The petitioner seeks to erect a wall sign for Ronald McDonald House Charities, located at 841 Country Club Road. Addendum A of this report illustrates the location of the subject site.

For business uses in residentially zoned districts, Article 1369.09(A)(1) provides a maximum sign area of 0.15 square feet per linear foot of lot frontage on the primary street. According to Tax Map 11, the subject site has approximately 112 feet of frontage along Country Club Road. The maximum sign area would therefore be 18.8 square feet.

The petitioner's proposed wall sign is 56 square feet, which $3 \frac{1}{3}$ times the maximum area standard and requires a variance of 39.2 square feet.

Article 1369.08(B) provides the following:

- (1) Sign faces shall be opaque;
- (2) Signs may not be internally illuminated, except for neon signs; and,
- (3) Signs shall be made of wood; sculpted "sign foam"; ornamental metals such as bronze, brass, copper, etc.; painted aluminum panels, stone or masonry (with concrete blocks being covered with stucco); and have painted or vinyl letters attached to window and doors.

The proposed sign is internally illuminated with a transparent synthetic polymer face, which requires variance relief.

Development Services

Christopher Fletcher, AICP
Director

Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431



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The extent of the variance could be reduced by orienting the proposed sign vertically rather than horizontally. In other words, portions of the sign face could be eliminated to the right and left of the logo while not impacting the area of the sign's copy (see illustration below).



STAFF RECOMMENDATION:

One of the stated purposes within the Planning and Zoning Code for sign regulations is to:

“...encourage the effective use of signs as a means of communication in the City, to maintain and enhance the pleasing look of the City, which attracts to the City continued economic investment; to preserve Morgantown as a community that is attractive to business, to residents and to visitors...” [Article 1369.01(A)]

Size restrictions are one of several means to accomplish this policy objective.

The Board of Zoning Appeals must determine whether the proposed request meets the standard criteria for a variance by reaching a positive determination for *each* of the “Findings of Fact” submitted by the applicant.

Addendum B of this report provides Staff recommended revisions to the petitioner's findings of fact (deleted matter struck through; new matter underlined).

Development Services

Christopher Fletcher, AICP
Director

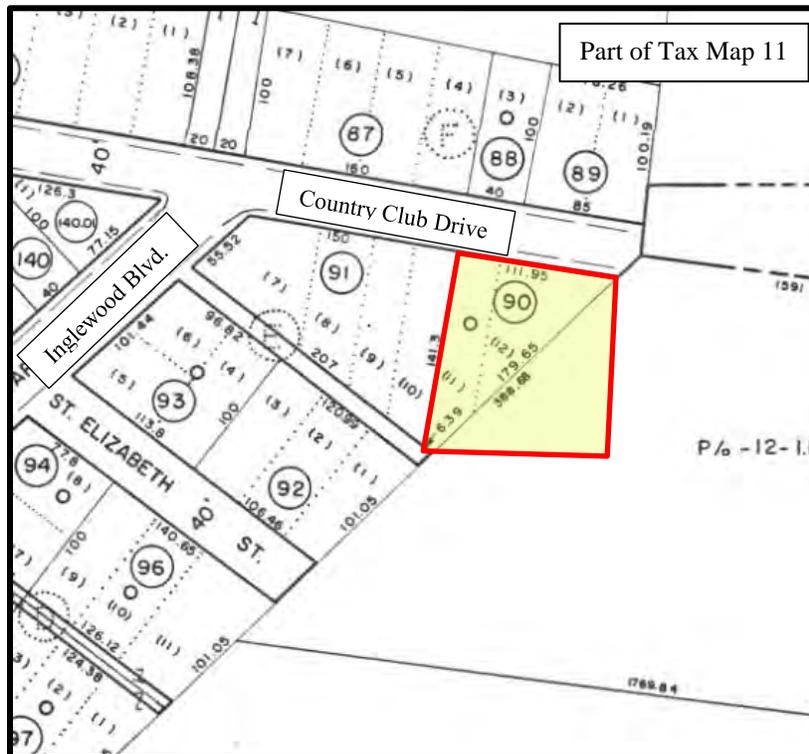
Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431

Enclosures: Application and accompanying exhibits

STAFF REPORT ADDENDUM A

V13-03 / Ronald McDonald House / 841 Country Club Road



STAFF REPORT ADDENDUM B

V13-03 / Ronald McDonald House / 841 Country Club Road

Staff recommended revisions to petitioner's Findings of Fact (deleted matter struck through; new matter underlined).

Finding of Fact #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:

~~Other properties in the vicinity, have ample and large signage. A few examples are WVU Healthcare and Mylan Puskar Stadium. It appears that many of Ronald McDonald House guests have family members or friends staying or receiving medical treatment at West Virginia University Hospitals. The proposed area of the sign appears to be appropriately sized to enhance guest/patient/client recognition of the facility and its location given its distance and visibility from the hospital campus.~~

Finding of Fact #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:

~~Several properties in the area have large illuminated signs attached to buildings. There appears to be a number of properties within the area that have large illuminated signs attached to the building, such as WVU Hospitals and Mylan Puskar Stadium.~~

Finding of Fact #3 – The granting of this variance 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:

~~The larger sign will not be a hazard or obstruction to area businesses. It will allow better visibility for patients and families in need of services. The proposed sign will only face and be visible from an apartment building across the street behind which is West Virginia University Hospital's expansive parking lot. Additionally, the facility is located at the end of Country Club Drive, which leads into the hospital and stadium campuses.~~

Finding of Fact #4 – The granting of this variance 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:

~~This building signage will not alter any form of land use. It will provide a clear understanding to the customer of location of the RMHC. The proposed sign should not alter the character of the facility that has been in place for a number of years nor diminish the value of adjacent buildings within an area that includes large illuminated signs attached to WVU Hospitals and Mylan Puskar Stadium buildings. The nature of the variance relief requested cannot contribute to nor mitigate existing traffic congestion.~~



City of Morgantown, West Virginia

APPLICATION FOR ZONING VARIANCE

OFFICE USE	
CASE NO.	V1303
RECEIVED:	1/14/03
COMPLETE:	

(PLEASE TYPE OR PRINT IN BLACK INK)

Fee: \$75

I. APPLICANT		Name:	FASTSIGNS		
Mailing Address:	Street	140 Morgantown St.		Phone:	724-430-7446
	City	State	Zip	Mobile:	724-322-0064
	Uniontown PA 15401			Email:	owner.599@fastsign.com
II. PROPERTY		Street Address:	841 Country Club Road Morgantown, WV, 26505		
Owner:	RONALD McDONALD House Charities		Zoning:	R-3	
Mailing Address:	Street	841 Country Club Rd		Tax Map No:	11
	City	State	Zip	Parcel No:	90
	Morgantown, WV, 26505			Phone:	304-598-0050
III. NARRATIVE		Please describe the nature and extent of your variance request(s).			
<p>This variance is requested to allow for a larger internally illuminated sign to be mounted to the front of the building to identify RMTB & increase visibility for families in need of services.</p>					
V. ATTEST					
<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>					
Type/Print Name of Applicant/Agent		Signature of Applicant/Agent		Date	
Brenda Stipanovich		Brenda Stipanovich		1-14-13	

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.

PAID
Finance Office
3041 284-7408



APPLICATION FOR ZONING VARIANCE

OFFICE USE	
CASE NO.	V13-03
RECEIVED:	1/14/13
COMPLETE:	

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)

P-3

Structure Characteristics (complete only those that apply)

Total number of buildings: 1 Gross floor area of each building: _____

Estimated number of employees: _____ No. of dwelling units: _____ No. of bedrooms: _____

Additional structure-related details: _____

Additional Information (as required by Staff):

Fabrication & Installation being completed by CityNEON.

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.

V13-03

84"

96"

8' x 7' = 56 sq. ft.



®

RONALD MCDONALD
HOUSE CHARITIES

V13-03

LOT FRONTAGE FOR
PARCEL 90 OF TAX MAP 11
IS 112' ACCORDING TO
TAX MAP





**APPLICATION FOR
ZONING VARIANCE**

OFFICE USE

CASE NO.

V13-03

RECEIVED:

COMPLETE:

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:

OTHER PROPERTIES IN THE VICINITY HAVE
AMPLE + LARGE SIGNAGE. A FEW EXAMPLES ARE
WVU HEALTHCARE
MYLAN PUSKAS STADIUM

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:

SEVERAL PROPERTIES IN THE AREA HAVE LARGE
ILLUMINATED SIGNS ATTACHED TO BUILDINGS

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:

THE LARGER SIGN WILL NOT BE A HAZARD OR
OBSTRUCTION TO AREA BUSINESSES. IT WILL ALLOW
BETTER VISIBILITY FOR PATIENTS + FAMILIES IN NEED
OF SERVICES.

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:

THIS BUILDING SIGNAGE WILL NOT ALTER ANY FORM OF LAND
USE. IT WILL PROVIDE A CLEAR UNDERSTANDING TO THE
CUSTOMER OF LOCATION OF THE EMHC.



City of Morgantown, West Virginia

APPLICATION FOR SIGN PERMIT

OFFICE USE

CASE NO. V13-03
RECEIVED: 11/09/13
COMPLETE:

A separate application must be completed for each proposed sign.

Sign Application Fee - \$17

(PLEASE TYPE OR PRINT IN BLACK INK)

I. APPLICANT
Name: FASTSIGNS - Brenda Stipanovich
Phone: 724-430-7446
Mailing Address: 140 Morgantown St.
City: Uniontown PA 15761
Email: owner@fastsigns.com
II. PROPERTY
Owner:
Mailing Address:
Street Address (if assigned):
Tax Map #(s):
Zoning:
Parcel #(s):
III. SIGN
Sign to Advertise:
Type of Sign:
Mark all that apply to this particular sign.
Sign Dimensions: Height: 7' ft. Width: 8' ft. Area: 56 sq. ft.
Structure Dimensions:
Distance from building (if applicable):
Height above sidewalk (if applicable):
Description of construction materials (i.e. wood, plastic, metal, glass, etc.):
Single sided illuminated (UL LABEL) SIGN cabinet 84" X 96"
Pan faced - ATTACHED TO 2ND STORY BRICK WALL



City of Morgantown, West Virginia

APPLICATION FOR SIGN PERMIT

OFFICE USE	
CASE NO.	
RECEIVED:	01/09/13
COMPLETE:	

III. SIGN (cont.)

Illumination: Internally Externally None *please describe below:*
MAY NOT BE INTERNALLY ILLUMINATED
1369.08 (B)

Estimated Cost: \$ *3221.00*

Firm Erecting Sign: *City Neon* Phone: *304-599-1854*

Address: *428 Industrial Ave Morgantown, WV 26505*

IV. SUPPLEMENTAL INFORMATION

- The following information must be submitted with this application:
- Photographic illustration of existing conditions
 - Rendering of the sign showing the dimensions
 - Photographic illustration of proposed conditions
 - Site Plan drawn to scale, if sign is not affixed to existing building.
 - A copy of the applicant's liability insurance naming the City as coinsured.

V. 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 ordinances 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.

BRENDA STEPANOVICH *Brenda Stepanovich* *12/13/12*
Type/Print Name of Applicant Signature of Applicant Date

In consideration of the premises and the advantages that will accrue to the undersigned owner of said property, on behalf of myself, my vendees, heirs, and assigns, I do hereby agree to save the City of Morgantown harmless from any and all damages which may arise from or grow out of the erection and maintenance of said sign or structure.

Type/Print Name of Property Owner Signature of Property Owner Date

Approved Denied Requires: Variance
 Conditional Use

Planning Department Official Date