



**DEVELOPMENT  
SERVICES  
DEPARTMENT**

# The City of Morgantown

389 SPRUCE STREET  
MORGANTOWN, WEST VIRGINIA 26505  
(304) 284-7431 TDD (304) 284-7512  
FAX (304) 284-7534 [www.morgantownwv.gov](http://www.morgantownwv.gov)

September 18, 2014

Blondell Trickett  
412 Cobun Avenue  
Morgantown, WV 26505

**RE: V14-37 / Blondell Trickett / 412 Cobun Avenue  
Tax Map 29, Parcel 565**

Dear Ms. Trickett,

This letter is to notify you of the decision made by the Board of Zoning Appeals concerning the above referenced variance petition for variance relief from Article 1331.08 as it relates to an accessory structure at 412 Cobun Avenue.

The decision is as follows:

**Board of Zoning Appeals, September 17, 2014:**

1. Each of the Findings of Fact was found in the positive as stated in Addendum A of this letter.
2. The Board granted a three-foot variance from the minimum rear setback standard provided under Article 1331.08(3) and 9.3% variance from the maximum lot coverage standard providing under Article 1335.03(C) with the following condition:
  - a. That the detached accessory structure shall not be located closer than five (5) feet to each side property line.

This decision may be appealed to the Circuit Court of Monongalia County within thirty (30) days. Any work done relating to decisions rendered by the Board of Zoning Appeals during this thirty-day period is at the sole financial risk of the petitioner.

The above referenced approval is set to expire in twelve (12) months unless you can demonstrate that they have been activated as evidenced by permits, construction, or required licenses. This expiration deadline may be extended to eighteen (18) months upon prior written request of the Board. Please note that building permits must be obtained prior to the commencement of work for which variance relief was granted herein.

Should you have any questions or require further clarification, please contact the undersigned. We look forward to serving your plans review and permitting needs.

Respectfully,

Stacy Hollar  
Executive Secretary  
[shollar@cityofmorgantown.org](mailto:shollar@cityofmorgantown.org)

## ADDENDUM A – Approved Findings of Fact

V14-37 / Blondell Trickett / 412 Cobun Avenue

---

**Finding of Fact No. 1** – The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:

The carport will be placed above an existing cement pad that is presently used for off-street parking. There appears to be several carports and principal structures in the South Park and Greenmont neighborhoods that do not comply with requisite setback and lot coverage standards given compact parcel configurations and development patterns.

**Finding of Fact No. 2** – The variance arises from special conditions or attributes which pertain to the property for which a variance is sought and which were not created by the person seeking the variance, because:

There is not sufficient space in the rear yard to develop a carport over an existing paved off-street parking space without encroaching into the minimum rear yard setback standard or exceeding the maximum lot coverage standard because of the limited space available on the 1,902 square foot parcel.

**Finding of Fact No. 3** – The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:

The hardship exists due to the limited size of the lot and confined rear yard, which appears to be a common challenge given the compact development patterns of the South Park and Greenmont neighborhoods.

**Finding of Fact No. 4** – The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:

Granting variance relief as requested will permit the development of a carport over an existing paved off-street parking space in a manner that will foster the comfort, convenience, and enjoyment of the property without undermining the legislative intent of protecting and preserving the predominant development pattern within the immediate built environment.