



MORGANTOWN BOARD OF ZONING APPEALS

October 15, 2014
6:30 PM
City Council Chambers

Board Members:

- Bernie Bossio, Chair
- Leanne Cardoso, Vice-Chair
- Bill Burton
- George Papandreas
- Jim Shaffer

STAFF REPORT

CASE NO: COMBINED REPORT
V14-44, V14-45, V14-46, V14-47, V14-48 and V14-49
Highland Park Square / 502 Stewart Street

REQUEST and LOCATION:

Request by Michael Mills of Mills Group, on behalf of John Rice, for approvals of five (5) variance petitions relating to a proposed redevelopment at 502 Stewart Street.

TAX MAP NUMBER(s) and ZONING DESCRIPTION:

Tax Map 14, Parcels 450 and 451; B-1, Neighborhood Business District

SURROUNDING ZONING:

North and West: R-1A, Single Family Residential District

East: B-1, Neighborhood Business District

South: R-2, Single- and Two-Family Residential District

BACKGROUND and ANALYSIS:

The petitioner seeks to raze the existing structure and construct a three-story building with residential and nonresidential uses. The following summarizes proposed development program details:

- The total gross floor area (GFA) of the building is 13,861 square feet.
 - Total area of non-residential leasable spaces is 8,671 square feet.
 - Total area of residential spaces is 5,190 square feet.
- The residential use includes seven (7) one-bedroom “Overstore Dwellings” with one (1) accessible dwelling unit on the second floor and six (6) dwelling units on the third floor.
- The contemplated nonresidential use scenarios include:

Level – Space – Scenario	Area	Contemplated Use
First – A – 1	2,580 sq. ft.	Neighborhood Convenience Store
First – A – 1	622 sq. ft.	Barber Shop
First – A – 2	3,309 sq. ft.	Retail
First – B – 1	1,259 sq. ft.	Pizzeria
First – B – 2	1,458 sq. ft.	Retail
Second – A – 1	2,412 sq. ft.	Administrative Office
Second – A – 1	723 sq. ft.	Professional Services

Development Services

Christopher Fletcher, AICP
Director

Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431



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Level – Space – Scenario	Area	Contemplated Use
Second – A – 2	3,166 sq. ft.	Administrative Office
Second – B – 1	712 sq. ft.	Professional Services
Second – B – 2	729 sq. ft.	Administrative Office

- Level 1 will be at or near grade with Stewart Street. Level 2 will be at or near grade with Junction Street. Level 3 will be above Junction Street grade.
- Currently, there is one continuous driveway along Stewart Street. The proposed development will significantly enhance access management with one curb cut or driveway entrance providing access to twenty (20) parking spaces. Five (5) additional parallel parking spaces are proposed along Junction Street.
- The petitioner and the adjoining property owner have agreed to share a new dumpster enclosure located on the adjoining property but accessed through the petitioner’s property. Currently, the adjoining property has a dumpster located along Junction Street that appears to be located partially in the right-of-way and partially on the petitioner’s property. The proposed plan appears to mitigate any informal encroachment and improves public safety and garbage truck access on the narrow portion of Junction Street.

Attached hereto is a Planning and Zoning Code Conformity Report dated 09 OCT 2014, which identifies whether or not the subject development meets related requirements and whether Planning Commission and Board approvals are required. The following summarizes the approvals identified in the Conformity Report for the development program as proposed. Each case number is followed with a related description. It should be noted that items marked “TBD” in the report will be determined during building permit review should variance relief be granted as requested.

Planning Commission

Case No. MNS14-08.....Minor subdivision petition to combine Parcels 450 and 451 of Tax Map 14.

A minor subdivision petition has been filed with the Planning Division and is scheduled for consideration by the Planning Commission on 13 NOV 2014.

Board of Zoning Appeals

Case No. V14-44Variance relief as it relates to the proposed location of parking spaces.

Article 1345.06(C) provides that no parking spaces shall be permitted between the front façade of a building and any street right-of-way. Variance relief is required for the parallel spaces along Junction Street, which are located entirely between the proposed building and the right-of-way. Additionally, it appears that portions of the row of parking labeled 15 through 20 may be closer to Stewart Street than the proposed building by less than one (1) foot.

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Case No. V14-45Variance relief as it relates to landscaping, screening and buffering.

Article 1367.07(A) – Variance relief is required to provide a bufferyard less than ten (10) feet along the property boundary shared with the adjoining two-family dwelling.

Article 1367.08(C)(1) – Variance relief is required to provide a bufferyard less than ten (10) feet along the length of the parking areas on Junction Street and Stewart Street.

Article 1367.08(D)(2) – Variance relief is required from developing terminal islands on the south side of the parking space labeled 14 and the west side of the parking space labeled 15.

Case No. V14-46Variance relief as it relates to “Overstore Dwelling” uses.

Article 1331.06(20)(c) – Variance relief is required to permit an “Over-store Dwelling” unit on Level 2 to be located at or approximate to the grade of the Junction Street.

Case No. V14-47Variance relief as it relates to dumpster enclosure.

Article 1367.06(E) – Variance relief is required to develop the dumpster coral on the adjoining realty.

Case No. V14-48Variance relief as it relates to minimum width of sidewalks along Willowdale Road.

Article 1345.07(F)(1) – Variance relief is required from improving the sidewalk along Willowdale Road from its existing width to at least six (6) feet in width.

Case No. V14-49Variance relief as it relates to performance standards for cladding, configuration of cladding materials, and minimum fenestration ratio.

Article 1345.07(C)(1) – Variance relief is required to utilize cementitious board and imitation stacked stone as a part of the developed cladding material.

Article 1345.07(D)(1) – Variance relief is required for the arrangement of cladding materials in a manner other than the required horizontal configuration.

Article 1345.07(D)(5) – Variance relief is required to develop a front façade with a fenestration ratio of 15.8% rather than 60%.

Staff recommends that the Board, without objection from members of the Board, the petitioner, or the public, combine the public hearings for Case Nos. V14-44, V14-45, V14-46, V14-47, V14-48, and V14-49. However, each respective variance petition must be considered and acted upon by the Board separately.

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STAFF RECOMMENDATION:

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

Please note that each respective variance petition must be considered and acted upon by the Board separately.

Staff submits the following recommendations and/or conditions for each of the subject variance petitions.

- Case No. V14-44.....Variance relief as it relates to the proposed location of parking spaces.
Staff recommends approval without conditions.
- Case No. V14-45.....Variance relief as it relates to landscaping, screening and buffering.
Staff recommends approval with the condition that the minimum landscaping materials and planting location standards provided in Article 1367.07(A) and Article 1367.08(C)(1) be observed to the greatest extent practicable given any site visibility and/or overhead and underground utility restrictions.
- Case No. V14-46.....Variance relief as it relates to “Overstore Dwelling” uses.
Staff recommends approval without conditions.
- Case No. V14-47.....Variance relief as it relates to dumpster enclosure.
Staff recommends approval with the condition that access easements, covenants, and maintenance obligations for the dumpster coral facility must be recorded with the Monongalia County Clerk prior to building permit issuance and that said recorded instrument run with all affected lands. Further, that a certified recorded copy of said instrument must be filed with the Planning Division.
- Case No. V14-48.....Variance relief as it relates to minimum width of sidewalks along Willowdale Road.
No recommendation to approval or deny is submitted by Staff.
- Case No. V14-49.....Variance relief as it relates to performance standards for cladding, configuration of cladding materials, and minimum fenestration ratio.
Staff recommends approval without conditions.

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Enclosures: Applications and accompanying exhibits

STAFF REPORT ADDENDUM A

V14-44 thru V14-49 / Highland Park Square / 502 Stewart Street





PLANNING AND ZONING CODE CONFORMITY REPORT

PLANNING DIVISION

“Highland Park Square” – 502 Stewart Street; Tax Map 26; Parcels 450 and 451

The following information identifies Planning and Zoning (P&Z) Code provisions related to the above referenced development. The plans reviewed herein were prepared by Mills Group and dated 19 SEP 2014 and 02 OCT 2014 as well as a survey prepared by Charles A. Lemley Jr., PLS 1489 and dated 15 AUG 2014. Also identified is whether or not the subject development meets P&Z requirements; whether additional information is required; or, whether Planning Commission and/or Board of Zoning Appeals (BZA) approvals are required.

PROPOSED DEVELOPMENT PROGRAM DESCRIPTION

- The total gross floor area (GFA) of the building is 13,861 square feet.
 - Total area of non-residential leasable spaces is 8,671 square feet.
 - Total area of residential spaces is 5,190 square feet.
- The residential use includes seven (7) one-bedroom “Overstore Dwellings” with one (1) accessible dwelling unit on the second floor and six (6) dwelling units on the third floor.
- The contemplated nonresidential use scenarios include:

Level – Space – Scenario	Area	Contemplated Use
First – A – 1	2,580 sq. ft.	Neighborhood Convenience Store
First – A – 1	622 sq. ft.	Barber Shop
First – A – 2	3,309 sq. ft.	Retail
First – B – 1	1,259 sq. ft.	Pizzeria
First – B – 2	1,458 sq. ft.	Retail
Second – A – 1	2,412 sq. ft.	Administrative Office
Second – A – 1	723 sq. ft.	Professional Services
Second – A – 2	3,166 sq. ft.	Administrative Office
Second – B – 1	712 sq. ft.	Professional Services
Second – B – 2	729 sq. ft.	Administrative Office

- Level 1 will be at or near grade with Stewart Street. Level 2 will be at or near grade with Junction Street. Level 3 will be above Junction Street grade.
- Currently, there is one continuous driveway along Stewart Street. The proposed development will significantly enhance access management with one curb cut or driveway entrance providing access to twenty (20) parking spaces. Five (5) additional parallel parking spaces are proposed along Junction Street.
- The petitioner and the adjoining property owner have agreed to share a new dumpster enclosure located on the adjoining property but accessed through the petitioner’s property. Currently, the adjoining property has a dumpster located along Junction Street that appears to be located partially in the right-of-way and partially on the petitioner’s property. The proposed plan appears to mitigate any informal encroachment and improves public safety and garbage truck access on the narrow portion of Junction Street.



PLANNING AND ZONING CODE CONFORMITY REPORT
PLANNING DIVISION

SUMMARY OF CONFORMITY OBSERVATIONS

Planning and Zoning Code Reference	
Conformity (Y, N, TBD)	Conformity review observations. Required approvals are noted in bold yellow highlighted font .

1345.02 Permitted and Conditional Uses	
TBD	Non-residential uses on Levels 1 and 2 must be identified to confirm whether or not they are permitted in the B-1 District as provided in Table 1331.05.01. Nonresidential uses noted in proposed development program description above are permitted either by-right or by conditional use approval.
V	“Over-store Dwelling” uses are permitted in the B-1 District by-right. However, Supplemental Regulations 1331.06(20)(c) prohibits such units from being on the ground floor or street level of any building. As such, the accessible dwelling unit on Level 2 requires variance relief.

1345.03 Lot Provisions	
Y	(A) Minimum lot size – 3,000 sq. ft. The area of the site is approximately 20,385.6 sq. ft. based on a calculation of the dimensions of the site provided in the survey.
Y	(B) Minimum lot frontage – 30 ft. The site’s frontage along Willowdale Road is approximately 121.62 feet according to the survey.
Y	(C) Minimum lot depth – 100 ft. The average depth of the site is approximately 170 feet according to the survey.
Y	(D) Maximum lot coverage – 70%. The proposed lot coverage is 25% as provided on Sheet A105.

1345.04 Setbacks and Encroachments			
	Provision	Requirement	Proposed
Y	(A)(1) Minimum Front	5 ft.	5 ft.
N/A	(A)(2) Maximum Front	12 ft.	5 ft.
Y	(A)(3) Minimum Side	3 ft.	North – 16’-8” South – 6’-11”
Y	(A)(5) Minimum Rear	20 ft.	42’-2”



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PLANNING DIVISION

N/A	(B) Minimum setback for accessory structures – 5’ from side and rear property boundaries. No accessory structure is illustrated in plans reviewed herein.
Y	(C) On a corner lot, the front lot line is the lot line having the shortest dimension along the street right-of-way line. The width of the site along Willowdale Road is less than the site’s width along Stewart Street. As such, Willowdale Road is considered the site’s front.

1345.05 Building Height			
	Provision	Requirement	Proposed
Y	(A) Minimum Height	2 stories	3 stories
Y	(B) Maximum Height	40 ft.	35.5 ft.
N/A	(C) Maximum Height (accessory structure). No accessory structure is illustrated in plans reviewed herein.		
Y	(D) The maximum gross floor area is 15,000 for three-story buildings. The total GFA for the building is 13,861 sq. ft. as provided on Sheet A105.		

1345.06 Parking and Loading Standards	
TBD	(A) All uses within this district shall provide not less than seventy-five (75) percent of the required parking as set forth in Article 1365. This provision is also provided in Article 1365.04(O). See comments below under Article 1365.
N/A	(B) On-street parking located immediately in front of a building or on a corner lot, may be counted towards the parking requirements.
N	(C) No parking spaces shall be permitted between the front façade of a building and any street right-of-way. Variance relief is required for the parallel spaces along Junction Street, which are located entirely between the proposed building and Junction Street. Additionally, it appears that portions of the row of parking labeled 15 through 20 may be closer to Stewart Street than the proposed building by less than one (1) foot.

1345.07 Performance Standards	
Y	(A) All construction shall conform in street orientation to adjacent structures, except where this shall cause conflict with other provisions.



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Y	(B) Important structures should be built so that they terminate street vistas whenever possible, and should be of sufficient design to create visual anchors for the community. All principal structures within a development should maintain a consistent architectural style.
	(C) Materials
N	(C)(1) Walls shall be clad in any combination of stone, brick, stucco, marble, or wood. The cladding materials schedule provided on Sheet A107 included cementitious siding and/or stacked imitation stone, which requires variance relief.
Y	(C)(2) Roof shall be clad in slate, sheet metal, corrugated metal, and/or diamond tab asphalt singles, unless the roof is flat and generally not visible from a public street. The roof material schedule provided on Sheet A107 provides for standing seam metal for the hip roof portions of the towers and EPDM for the flat roof portions of the main building.
N/A	(C)(3) The orders, if provided, should be made of wood or cast concrete.
	(D) Configuration.
N	(D)(1) Two wall materials may be combined horizontally on one façade. The heavier material shall be below and should not extend above the first floor. The alternate cladding design requires variance relief.
N/A	(D)(2) Skylights shall be flat (non-bubble).
Y	(D)(3) Street level windows shall be non-tinted. The glazing material schedule provided on Sheet A07 is clear glass.
Y	(D)(4) Windows shall be square or vertical proportion, unless they are transom windows.
N	(D)(5) Front façade shall have a fenestration ratio of not less than sixty (60) percent. The elevation of the front façade illustrates a fenestration ratio of 15.8%, which requires variance relief.
	(E) Techniques.
TBD	(E)(1) Stucco should be float finish, not of the synthetic variety. A cladding materials schedule and detail have not been provided yet to determine conformity. However, the term “should” is desired and not required.
TBD	(E)(2) Windows should be set to the inside of the building face wall. Construction drawings have not been provided yet to determine conformity. However, the term “should” is desired and not required.



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TBD	<p>(E)(3) All rooftop equipment that is enclosed should be enclosed in building material that matches the structure or is visually compatible with the structure.</p> <p>Construction drawings have not been provided yet to determine conformity. However, the term “should” is desired and not required. It should be noted that this Office prefers rooftop equipment for the proposed development over wall-mounted or ground units. Additionally, every effort should be made to properly screen said equipment from neighboring residential properties located at higher grade levels to the greatest extent practicable.</p>
Y	<p>(E)(4) No metal bars or screens shall be permitted to cover windows on any façade facing a street.</p> <p>Construction drawings have not been provided yet to determine conformity.</p>
	(F) Sidewalks.
N	<p>(F)(1) Sidewalks shall be constructed along the frontage of a lot upon which a B-1 use is to be constructed.</p> <p>A six-foot sidewalk is proposed along the site’s Stewart Street frontage. However, the developer wishes to maintain the sidewalk along the site’s Willowdale Road, which is less than six (6) feet in width and requires variance relief. It should be noted that the existing sidewalk may be damaged or demolished during the course of construction and the developer should consider replacing the sidewalk with a new six-foot sidewalk thereby complying with the development standard.</p>
N/A	<p>(F)(2) A canvas or fabric awning may be placed extending from a building over the sidewalk and into the public right-of-way. Such awning must be placed no lower than nine (9) feet above the sidewalk and extend not closer than three (3) feet from the curb line. An encroachment permit is required.</p>

1345.08 Landscaping	
	See comments below under Article 1367.

1363.03 Safety and Vision	
Y	This 25-foot clear vision triangle provision is superseded by Article 134504(A)(3). The City Engineer has made a determination that the proposed front setback and side setbacks do not present an obstruction for motorists at the Stewart Street / Willowdale Road intersection (see attached email communication).



PLANNING AND ZONING CODE CONFORMITY REPORT
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1365 Parking, Loading and Internal Roadways	
1365.04 Determining the Number of Spaces Required	
TBD	<p>(J) Off-street parking shall be provided in accordance with Table 1365.04.01, Minimum Off-Street Parking Requirements.</p> <p>Additional information is required concerning the land use classifications that will occupy the non-residential leasable spaces. The following minimum parking requirements are provided for each of the land uses noted in proposed development program description above. Each land use requires unique information to calculate the corresponding minimum parking requirement.</p> <p>Over-Store Dwelling 1 space per one-bedroom dwelling unit.</p> <p>Neighborhood Convenience Store 3 spaces per 1,000 sq. ft. of GFA of sales area and 1 space per employee present during the busiest shift.</p> <p>Barber Shop/Beauty Salon 1 space per 2 client chairs and 1 space per employee present during the busiest shift.</p> <p>Restaurant (carry-out/take-out) 1 space per 4 seats and 1 space per 2 employees present during the busiest shift.</p> <p>Administrative Office 3 spaces per 1,000 sq. ft. of NFA.</p> <p>Professional Services 3 spaces per 1,000 sq. ft. of GFA and 1 space per employee present during the busiest shift.</p> <p>Personal Services 1 space per 250 sq. ft. of GFA.</p> <p>Conformity with minimum parking requirements will be determined during occupancy permitting.</p>
TBD	<p>(O) In the B-1 Districts, uses may provide less than the required number of off-street parking spaces, but in no case shall a use provide less than 75 percent of the minimum number of off-street parking spaces in accordance with Table 1365.04.01.</p> <p>This provision is also provided under Article 1345.06(A). However, additional information (as noted above) is required to calculate minimum parking requirements for the use classifications that will occupy the building. Conformity with minimum parking requirements will be determined during occupancy permitting.</p>
1365.05 Drive-Through Stacking.	
N/A	Drive-through facilities are not proposed for the subject development. Additionally, Supplemental Regulation 1331.06(25) prohibits drive-through facility associated with restaurants in the B-1 District.
1365.06 Parking Spaces Accessible to the Disabled.	
Y	Table 1365.06.01 provides that a minimum two (2) accessible spaces must be provided for the subject development. Three (3) accessible spaces are proposed and one (1) of the spaces is designed as a van-accessible space.
1365.07 Off-Site Parking Facilities.	
N/A	Off-site parking facilities are not proposed for the subject development.



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1365.08 Parking and Storage of Certain Vehicles.	
Y	These provisions appear to regulate use rather than design. However, the developer should be aware of these restrictions.
1365.09 Parking Development Standards.	
Y	(A)(1) Minimum standard space dimensions.
N/A	(A)(2) Minimum compact space dimension.
Y	(A)(3) Minimum drive aisle dimension.
Y	(A)(4) All parking spaces and aisles must be provided wholly within the property lines and may not extend into any public right-of-way.
TBD	(B)(1) All off-street parking or loading facilities shall be designed with appropriate means of vehicular access to a street or an alley in a manner which will least interfere with traffic movement. The City Engineer has reviewed the location of the proposed Stewart Street driveway entrance. However, maneuvering of the garbage truck must be modeled prior to building permit issuance to confirm that the parking lot layout design does not present obstructions.
Y	(B)(2) No driveway across public property at the right-of-way line of the street shall exceed a width of 22 feet, unless a greater width is specifically approved by the City Engineer.
N/A	(B)(3) Connections between parking lots or reservations of land for future such connections.
Y	(B)(4) Standards ensuring the that required off-street parking spaces are so designed, arranged regulated in terms of lining and designation; slope and wheel stops; unobstructed stalls (tandem parking); and, physical separation from building.
Y	(B)(5) Off-street parking spaces may be open to the sky or enclosed in a building.
TBD	(B)(6) All parking lots abutting residential uses or districts, and all parking lots in any district containing more than four (4) spaces shall be subject to the landscaping and screening requirements for such parking lots as set forth in Article 1367. See comments below under Article 1367.
TBD	(B)(7) Parking lot lighting provisions. See comments below under Article 1371.
TBD	(C) Surfacing and Drainage. It is understood that all parking areas will be paved to meet the City Engineer's related design standards. Gravel surfacing provisions do not apply to the subject development. Site erosion, sediment, grading, and stormwater management planning will be reviewed and approved by the Engineering Division and MUB during building permit plans review.



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1365.10 Loading Requirements.	
N/A	As illustrated on Sheet A106, none of the non-residential leasable spaces exceeds 5,000 sq. ft.

1367 Landscaping and Screening

1367.05 Preservation of Existing Features.
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TBD	Although the term “should” is desired and not required, every effort should be made to preserve existing trees and/or shrubs on the site based on the criteria stated in Article 1367.05.
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1367.06 General Landscaping and Screening.
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TBD	A preliminary Landscaping Plan has not been submitted. A Landscaping Plan must be submitted with the building permit application for review and approval by the Planning Division. Variance approval must be obtained should the Landscaping Plan not conform to the performance standards set forth in the City’s Planning and Zoning Code.
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V	(E) Details for the proposed dumpster coral must be reviewed and approved as a part of the building permit process. Given the fact that the proposed facility will also serve as a retaining wall on the north and east side, it is strongly encouraged that masonry materials be used on the south side as well. The enclosure must be at least six (6) feet in height and must include an opaque gate. Additionally, evergreen shrubs may be requested along the top of the retaining wall to further screen the facility from the adjoining two-family dwelling. Because the proposed shared facility is located on adjoining property, variance relief is required. Staff will recommend that the Board of Zoning Appeals includes a condition (should variance relief be granted) that access easements, covenants, and maintenance obligations for the facility be recorded prior to building permit approval and that said terms run with all affected lands.
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Y	(I) All landscaped areas at the front line of off-street parking spaces must be protected from encroachment or intrusion of vehicles.
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1367.07 Bufferyard Landscaping Requirements.
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N	(A) Because the proposed building abuts a residentially used property (adjoining two-family dwelling), a landscape buffer of at least ten (10) feet must be provided. The proposed site plan does not appear to conform to this design standard. Specifically, access to the shared dumpster coral appears to prevent compliance. Additionally, the landscape areas along the parking spaces labeled No. 1 and No. 20 are approximately nine (9) feet wide. As such, variance relief is required.
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1367.08 Parking Lot Landscaping Requirements.	
	(C) Development with Parking Located Between Building and Street.
N	<p>(C)(1) A ten-foot wide buffer shall be provided for the length of any parking area abutting the street.</p> <p>The proposed site plan includes parallel parking spaces along Junction Street where no buffer yard is planned or proposed, which requires variance relief.</p> <p>The proposed site plan illustrates a landscape buffer along Stewart Street ranging from 3 feet to 7.75 feet measured from the property boundary to edge of parking lot pavement. The functional buffer is wider and ranges from 5 feet to 10 feet measured from the back of the proposed six-foot sidewalk to the edge of the parking lot. This additional width is provided within the public right-of-way. Variance relief is required to develop the buffer yard less than ten (10) feet as required and to utilize a portion of the public right-of-way for the buffer. It should be noted that the development of the six-foot sidewalk is at the existing edge or curb line of the Stewart Street pavement rather than beginning (back of sidewalk) at the property boundary as is customarily desired. The City Engineer has not objected to the proposed location of the sidewalk in relation to the right-of-way boundary.</p>
N/A	(C)(2) The six-foot side and rear yard buffer requirement is superseded by Article 1367.07(A), which requires a ten-foot buffer at the abutting residentially used property (see related comments above).
N	(D)(2) Terminal islands on the south side of parking space labeled 14 and the west side of parking space labeled 15 are not provided, which requires variance relief.
N/A	(D)(3) There are no rows of parking with 15 or more parking spaces that would require landscape islands.

1369 Signs	
TBD	A preliminary Signage Plan has not been submitted. Signage will be reviewed separately to aid in expediting the building permit application process for the development. Variance approval must be obtained should the Signage Plan not conform to the performance standards set forth in the City's Planning and Zoning Code.

1371 Lighting	
TBD	A preliminary Lighting Plan for the exterior of the building has not been submitted. A Lighting Plan must be submitted with the building permit application for review and approval by the Planning Division. Variance approval must be obtained should the Lighting Plan not conform to the performance standards set forth in the City's Planning and Zoning Code.



PLANNING AND ZONING CODE CONFORMITY REPORT

PLANNING DIVISION

SUMMARY OF REQUIRED APPROVALS

1. Planning Commission:

- a. Case No. MNS14-08..... Minor subdivision petition to combine Parcels 450 and 451 of Tax Map 14.

A minor subdivision petition has been filed with the Planning Division and is scheduled for consideration by the Planning Commission on 13 NOV 2014.

2. Board of Zoning Appeals:

The following variance petitions have been filed with the Planning Division and are scheduled for consideration by the Board on 15 OCT 2014.

- a. Case No. V14-44..... Variance relief as it relates to the proposed location of parking spaces.

Article 1345.06(C) provides that no parking spaces shall be permitted between the front façade of a building and any street right-of-way. Variance relief is required for the parallel spaces along Junction Street, which are located entirely between the proposed building and the right-of-way. Additionally, it appears that portions of the row of parking labeled 15 through 20 may be closer to Stewart Street than the proposed building by less than one (1) foot.

- b. Case No. V14-45..... Variance relief as it relates to landscaping, screening and buffering.

Article 1367.07(A) – Variance relief is required to provide a bufferyard less than ten (10) feet along the property boundary shared with the adjoining two-family dwelling.

Article 1367.08(C)(1) – Variance relief is required to provide a bufferyard less than ten (10) feet along the length of the parking areas on Junction Street and Stewart Street.

Article 1367.08(D)(2) – Variance relief is required from developing terminal islands on the south side of the parking space labeled 14 and the west side of the parking space labeled 15.

- c. Case No. V14-46..... Variance relief as it relates to “Overstore Dwelling” uses.

Article 1331.06(20)(c) – Variance relief is required to permit an “Over-store Dwelling” unit on Level 2 to be located at or approximate to the grade of the Junction Street.

- d. Case No. V14-47..... Variance relief as it relates to dumpster enclosure location.

Article 1367.06(E) – Variance relief is required to develop the dumpster coral on the adjoining realty.

- e. Case No. V14-48..... Variance relief as it relates to minimum width of sidewalks along Willowdale Road.

Article 1345.07(F)(1) – Variance relief is required from improving the sidewalk along Willowdale Road from its existing width to at least six (6) feet in width.



PLANNING AND ZONING CODE CONFORMITY REPORT
PLANNING DIVISION

- f. Case No. V14-49..... Variance relief as it relates to performance standards for cladding and roofing materials, configuration of cladding materials, and minimum fenestration ratio.

Article 1345.07(C)(1) – Variance relief is required to utilize cementitious board and imitation stacked stone as a part of the developed cladding material.

Article 1345.07(D)(1) – Variance relief is required for the arrangement of cladding materials in a manner other than the required horizontal configuration.

Article 1345.07(D)(5) – Variance relief is required to develop a front façade with a fenestration ratio of 15.8% rather than 60%.

Prepared by: _____

Digitally signed by Christopher M. Fletcher, AICP
Date: 2014.10.09 15:54:27 -04'00'

Christopher M. Fletcher, AICP
Director of Development Services
304-284-7431
cfletcher@cityofmorgantown.org

Zimbra

cfletcher@cityofmorgantown.org

Re: Highland Park Square Development - 502 Stewart Street

From : Damien Davis <ddavis@cityofmorgantown.org>

Wed, Sep 17, 2014 02:39 PM

Subject : Re: Highland Park Square Development - 502 Stewart Street

To : Christopher Fletcher <cfletcher@cityofmorgantown.org>

Reply To : ddavis@cityofmorgantown.org

Chris,

Let this email serve as my confirmation that your comments below are correct. We visited the site Sept. 16 and determined the planned front and side setbacks for the proposed construction would not limit drivers vision of on coming traffic at the corner of Stewart and Willowdale Rd.

J. Damien Davis, PE, CFM

Assistant City Engineer

City of Morgantown

Public Works Department - Engineering Division

389 Spruce Street

Morgantown, WV 26505

Office: 304.284.7398

Fax: 304.284.7409

www.MorgantownWV.gov

From: "Christopher Fletcher" <cfletcher@cityofmorgantown.org>

To: "Damien Davis" <ddavis@cityofmorgantown.org>

Sent: Wednesday, September 17, 2014 1:05:36 PM

Subject: Highland Park Square Development - 502 Stewart Street

Damien:

In lieu of a memorandum to this effect, could you please confirm the following:

- You and I visited the 502 Stewart Street site yesterday at approximately 1:00 PM.
- We identified the approximate location of the proposed corner of the three-story building at the intersection of Willowdale Road and Stewart Street.
- You determined during our site visit that the proposed front setback (Willowdale Road), side setback (Stewart Street), and three-story building height for the Highland Park Square Development will not create an obstruction to the clear vision triangle at the subject intersection due to the geometry and grades of the roads leading into the subject intersection.
- This determination, which is permitted under Article 1345.04(A)(3) of the Planning and Zoning Code, supersedes the 25-foot clear vision triangle provision provided under Article 1363.03 of the Planning and Zoning Code.

I will include your confirmation in the related site plan project folder to document accordingly.

As always, thank you for your time and assistance.

Christopher M. Fletcher, AICP
Director of Development Services



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V14-44
RECEIVED:	

(PLEASE TYPE OR PRINT IN BLACK INK)

Fee: \$75

I. APPLICANT		Name: Mr. John Rice	
Mailing Address:	966 Valley View Ave.		Phone: 304-288-6396
	Street	Morgantown WV 26505	Mobile:
	City	State Zip	Email: ourjr3322@yahoo.com
II. PROPERTY		Street Address: 502 Stewart St. Morgantown, WV 26505	
Owner:	Mr. John Rice	Zoning:	B-1
Mailing Address:	502 Stewart St.		Tax Map No: Fourth Ward Map 14
	Street	Morgantown WV 26505	Parcel No: 450 & 451
	City	State Zip	Phone: 304-288-6396
III. NARRATIVE		Please describe the nature and extent of your variance request(s).	
<p>Parking along Stewart Street is closer to the road than the building. Parking spaces along Junction St. are in a parallel arrangement between the building and the street. "No parking spaces shall be permitted between the front façade of a building and any street right-of-way." 1345.06 PARKING AND LOADING STANDARDS.</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 Development Services 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>			
Michael Mills		09/19/2014	
Type/Print Name of Applicant/Agent		Signature of Applicant/Agent	
		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.



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V14-44
RECEIVED:	

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)

B-1 District:

Residential, Multi-family dwelling (1-Bedroom units) and Non-residential.

7 (1) Beds over store dwelling. Non-residential spaces total 8,671 SF. Residential Dwelling total is 5,190 SF.

Structure Characteristics (complete only those that apply)

Total number of buildings: 1 Gross floor area of each building: Lv1 Footprint: 4,776 sf / Total: 13,861 sf

Estimated number of employees: 15 (Includes 7 Res) No. of dwelling units: 7 No. of bedrooms: 7

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



APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V14-44
RECEIVED:	

VII. FINDINGS OF FACT	COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.
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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. The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:

Along Stewart St. the current relationship of parking lot to street does not have the required buffer and is closer than the building to the street. The proposed lot shall be provided with a 10' landscape/ sidewalk buffer, and shall screen the parking lot to be aesthetically pleasing.

Use of this area is similar to adjacent property parking along Junction Street. The backyard dwelling properties across Junction St. currently have driveways between the structure and the street. Parallel parking will promote ease of use from either direction along Junction. Maneuverability to access these parking spots are within the site property lines.

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:

The property is conveniently located between downtown; WVU's Downtown campus and Suncrest, or the Evansdale campus. This area is heavily trafficked along Willowdale Rd. For students and patrons of the city, this viable site lends itself to attracting the multi-uses the building proposes. The size of the building and placement required to establish good site flow from the parking areas to adjacent streets require these variances. The architectural aesthetic, form, and massing is designed to be respective of the existing neighborhood context. The number of parking spaces were determined by the square footage size and use of the building's spaces.



APPLICATION FOR
VARIANCE PETITION

OFFICE USE	
CASE NO.	V1444
RECEIVED:	

VII. FINDINGS OF FACT

COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.

3. The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:

This multi-use building contributes to a positive urban infill due to the placement of it within a walkable community. This area is currently pedestrian friendly with sidewalks that connect two well-populated areas of Morgantown. A new sidewalk shall be incorporated along Stewart Street. The existing sidewalk along Willowdale Road will be maintained.

The current parking count of 12 will be increased to 27. The parking area off Stewart St. will have a controlled entrance drive and eliminates the existing mountable curb and condition of patron backing directly into the street. The parking areas on Stewart Street and Junction Street offer direct and easy access for pedestrians from the car to the building, as well as coherent circulation routes. An efficient means of layout has been planned to leave a 10' buffer for landscaping on Stewart Street, which increases aesthetics and will lessen runoff water.

4. The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:

With parking spaces arranged 10'-0" from Stewart St., and those along Junction the parking number required by the uses in the building will be upheld. Additional landscaping beyond the landscape buffer along Stewart St. will be incorporated in the site. A sidewalk for pedestrian safety shall be added along Stewart St.



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE table with CASE NO. V14-45 and RECEIVED:

(PLEASE TYPE OR PRINT IN BLACK INK)

Fee: \$75

Form sections: I. APPLICANT (Mr. John Rice), II. PROPERTY (502 Stewart St), III. NARRATIVE (variance request details), V. ATTEST (Michael Mills, 09/19/2014)

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.



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V14-45
RECEIVED:	

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)

B-1 District: Residential, Multi-family dwelling (1-Bedroom units) and Non-residential. 7 (1) Beds over store dwelling. Non-residential spaces total 8,671 SF. Residential Dwelling total is 5,190 SF.

Structure Characteristics (complete only those that apply)

Total number of buildings: 1 Gross floor area of each building: Lv1 Footprint: 4,776 sf / Total: 13,861 sf

Estimated number of employees: 15 (Includes 7 Res) No. of dwelling units: 7 No. of bedrooms: 7

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



APPLICATION FOR
VARIANCE PETITION

OFFICE USE	
CASE NO.	V14-45
RECEIVED:	

VII. FINDINGS OF FACT	COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.
<p>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.</p>	
<p>1. The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:</p> <p>The parking areas on Stewart Street and Junction Street offer direct and easy access for pedestrians from the car to the building, as well as coherent circulation routes. An efficient means of layout has been planned to leave a 10' buffer for landscaping and a sidewalk on Stewart Street, which increases aesthetics and will lessen runoff water. This arrangement greatly improves the current condition.</p> <p>Additional landscaping will be provided between the proposed building and the adjacent residential building in addition to the preservation of existing vegetation. Shared access to the new dumpster area will be provided to the adjacent property owner in the place that a 10' buffer would prohibit.</p> <p>A terminal island required adjacent to space 14 to provide pedestrian access between the parking lot and sidewalk. The terminal island at space 15 has been omitted to allow proper turning radius of the garbage truck, and the maximum amount of parking spaces in this area.</p>	
<p>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:</p> <p>The size and placement required to establish good site flow and attractive rentable space requires the 10' buffer to be located against the street, and incorporate the sidewalk along Stewart St.</p> <p>Layout of the Junction Street parking spaces allows separation from the lower retail level for the residential dwellings. This parking lot is also located at an appropriate height to allow Level Two occupants an accessible means of access.</p>	



APPLICATION FOR
VARIANCE PETITION

OFFICE USE	
CASE NO.	V14-45
RECEIVED:	

VII. FINDINGS OF FACT

COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.

3. The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:

This area is currently pedestrian friendly with sidewalks that connect two well-populated areas of Morgantown. The existing sidewalk along Willowdale will be protected. One new sidewalk will improve pedestrian flow along Stewart St., and will be incorporated into a 10' buffer between Stewart St. and the building which increases aesthetics and will lessen runoff water.

ADA access will be granted to Level 1 and Level 2 occupants.

Two properties will have access to one dumpster.

Ease of use between the parking lot and the building will be provided with walkways in lieu of landscaped termination islands. Vehicular turning radius will be improved with the use of hardscape instead of planting bed near parking space number 15.

4. The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:

With parking spaces arranged 10'-0" from Stewart St., and those along Junction, the parking number required by the uses in the building will be upheld.

Additional landscape will be provided as a buffer, though not one designed for the entire length of the property division.

Termination islands are near other landscape buffers that have been proposed to adhere to city code standards.



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V14-46
RECEIVED:	

(PLEASE TYPE OR PRINT IN BLACK INK)

Fee: \$75

I. APPLICANT	Name: Mr. John Rice	
Mailing Address:	966 Valley View Ave.	Phone: 304-288-6396
	Street Morgantown WV 26505	Mobile:
	City State Zip	Email: ourjr3322@yahoo.com

II. PROPERTY	Street Address: 502 Stewart St. Morgantown, WV 26505	
Owner:	Mr. John Rice	Zoning: B-1
Mailing Address:	502 Stewart St.	Tax Map No: Fourth Ward Map 14
	Street Morgantown WV 26505	Parcel No: 450 & 451
	City State Zip	Phone: 304-288-6396

III. NARRATIVE	Please describe the nature and extent of your variance request(s).
One ADA compliant dwelling will be located at Floor Level 2. This grade is below the elevation of Junction St., and is accessed by a sloping sidewalk. If this is considered grade level, a variance shall be requested for this use.	

V. ATTEST		
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 Development Services 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.		
Michael Mills		09/19/2014
Type/Print Name of Applicant/Agent	Signature of Applicant/Agent	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.



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V14-46
RECEIVED:	

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)

B-1 District: Residential, Multi-family dwelling (1-Bedroom units) and Non-residential. 7 (1) Beds over store dwelling. Non-residential spaces total 8,671 SF. Residential Dwelling total is 5,190 SF.

Structure Characteristics (complete only those that apply)

Total number of buildings: 1 Gross floor area of each building: Lv1 Footprint: 4,776 sf / Total: 13,861 sf

Estimated number of employees: 15 (Includes 7 Res) No. of dwelling units: 7 No. of bedrooms: 7

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



City of Morgantown, West Virginia

**APPLICATION FOR
VARIANCE PETITION**

OFFICE USE	
CASE NO.	V14-46
RECEIVED:	

VII. FINDINGS OF FACT

COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.

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. The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:

An accessible, single-dwelling, apartment maintains the similar use of nearby properties.

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:

The proposed building will have 7 (1) bedroom dwellings. Six of these units will be located on Level 3. One of these units shall be ADA compliant per Building Code and Fair Housing Act. Without the use of an elevator, this requirement may be achieved by locating it on the second level, at grade with Junction Street.



City of Morgantown, West Virginia

**APPLICATION FOR
VARIANCE PETITION**

OFFICE USE	
CASE NO.	V14-46
RECEIVED:	

VII. FINDINGS OF FACT	COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.
<p>3. The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:</p> <p>The proposed use of the land will improve leasable spaces for existing tenants located currently on site. The nature of the site provides the opportunity to access multiple levels from different street heights, due to an increase in grade height between Junction Street and Stewart Street.</p> <p>The parking areas on Stewart Street and Junction Street offer direct and easy access for pedestrians from the car to the building, as well as coherent circulation routes.</p>	
<p>4. The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:</p> <p>6 (1) bedroom dwellings will be located on the third level, completely above grade. One unit will be located at Level 2, near the existing grade at Junction St. This location allows for one residential dwelling to be ADA compliant without the expense of an elevator.</p>	



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V14-47
RECEIVED:	

(PLEASE TYPE OR PRINT IN BLACK INK)

Fee: \$75

I. APPLICANT		Name:	Mr. John Rice		
Mailing Address:	966 Valley View Ave.		Phone:	304-288-6396	
	Street	Morgantown WV 26505	Mobile:		
	City	State	Zip	Email:	ourjr3322@yahoo.com
II. PROPERTY		Street Address:	502 Stewart St. Morgantown, WV 26505		
Owner:	Mr. John Rice		Zoning:	B-1	
Mailing Address:	502 Stewart St.		Tax Map No:	Fourth Ward Map 14	
	Street	Morgantown WV 26505	Parcel No:	450 & 451	
	City	State	Zip	Phone:	304-288-6396
III. NARRATIVE		Please describe the nature and extent of your variance request(s).			
Dumpster location shall be located on neighbor's property for mutual benefit. Letter of Understanding between property owners shall be submitted.					
V. ATTEST					
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 Development Services 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.					
Michael Mills				09/19/2014	
Type/Print Name of Applicant/Agent		Signature of Applicant/Agent		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.



APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V1447
RECEIVED:	

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)

B-1 District: Residential, Multi-family dwelling (1-Bedroom units) and Non-residential. 7 (1) Beds over store dwelling. Non-residential spaces total 8,671 SF. Residential Dwelling total is 5,190 SF.

Structure Characteristics (complete only those that apply)

Total number of buildings: 1 Gross floor area of each building: Lv1 Footprint: 4,776 sf / Total: 13,861

Estimated number of employees: 15 (Includes 7 Res) No. of dwelling units: 7 No. of bedrooms: 7

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



City of Morgantown, West Virginia

**APPLICATION FOR
VARIANCE PETITION**

OFFICE USE	
CASE NO.	V14-47
RECEIVED:	

VII. FINDINGS OF FACT

COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.

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. The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:

Access to dumpster is provided at the first level, that of retail. Adjacent property owner is willing to allow the location of the dumpster on his property to encourage a good circulation pattern for the proposed project because it is considered an improvement to the neighborhood. Letter of agreement between property owners to be submitted.

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:

Location of the dumpster in this location will promote ease of circulation within the proposed parking lot, and allow best access for waste authority vehicles.



City of Morgantown, West Virginia

**APPLICATION FOR
VARIANCE PETITION**

OFFICE USE	
CASE NO.	V14-47
RECEIVED:	

VII. FINDINGS OF FACT	COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.
3. The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:	<p>The proposed building size, and number of parking spaces have been defined by the best use and subsequent required need of the building in this location.</p> <p>Tenants will appreciate a dumpster located at the level of retail business and easily accessed by residential units.</p>
4. The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:	<p>The adjacent owner is in agreement. Letter of Agreement between property owners to be submitted.</p>

LETTER OF INTENT

This letter of intent dated September 8, 2014 by and between Rice Rentals, Inc., a West Virginia Corporation, (herein "Rice") and Roy L. Wolfe and Linda S. Wolfe (herein "Wolfe").

Whereas, Rice and Wolfe are the owners of adjoining properties located on Stewart Street, Morgantown West Virginia designated on the Monongalia County tax Maps in the Fourth Ward of the City of Morgantown as Map 14, Parcels 450, 451 and 451.1: and

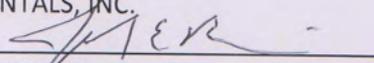
Whereas, Rice intends to construct a mixed use project consisting of part retail/office and part residential housing on its parcels 450 and 451, commonly known as Highland Park Square; and

Whereas, Wolfe is willing to convey an easement to Rice on the Wolfe Parcel 451.1 measuring 20 feet wide and 34 feet, 3 inches long located at the Southwest corner of the Wolfe property for installation and utilization of a garbage dumpster pad and related truck access directly from Stewart Street, as shown on the Proposed Site Plan for Highland Square; and

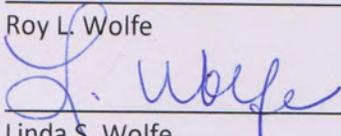
Whereas, Rice is willing to construct the dumpster pad and related truck access at its sole cost and expense and give Wolfe access and use of dumpster;

Now therefore in exchange for mutual promises, the parties intend to enter into an Easement Agreement at a later date to formalize the agreement between the parties for the location of the dumpster and related truck access as set forth herein.

RICE RENTALS, INC.

BY:  _____
IT'S PRESIDENT

Roy L. Wolfe



Linda S. Wolfe



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V14-48
RECEIVED:	

(PLEASE TYPE OR PRINT IN BLACK INK)

Fee: \$75

I. APPLICANT		Name:	Mr. John Rice			
Mailing Address:	966 Valley View Ave.			Phone:	304-288-6396	
	Street	Morgantown	WV	26505	Mobile:	
	City	State	Zip		Email:	ourjr3322@yahoo.com
II. PROPERTY		Street Address:	502 Stewart St. Morgantown, WV 26505			
Owner:	Mr. John Rice			Zoning:	B-1	
Mailing Address:	502 Stewart St.			Tax Map No:	Fourth Ward Map 14	
	Street	Morgantown	WV	26505	Parcel No:	450 & 451
	City	State	Zip		Phone:	304-288-6396
III. NARRATIVE		Please describe the nature and extent of your variance request(s).				
Existing sidewalk at Willowdale St. shall remain, though the existing dimension of 3'-10" is not to code. Improvements to the termination of the sidewalk at Junction Street and at Stewart street will be improved, however, and allow dome pavers to be incorporated at these intersections.						
V. ATTEST						
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 Development Services 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.						
Michael Mills				09/19/2014		
Type/Print Name of Applicant/Agent		Signature of Applicant/Agent		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.



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V14-48
RECEIVED:	

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)

B-1 District: Residential, Multi-family dwelling (1-Bedroom units) and Non-residential. 7 (1) Beds over store dwelling. Non-residential spaces total 8,671 SF. Residential Dwelling total is 5,190 SF.

Structure Characteristics (complete only those that apply)

Total number of buildings: 1 Gross floor area of each building: Lv1 Footprint: 4,776 sf / Total: 13,861 sf

Estimated number of employees: 15 (Includes 7 Res) No. of dwelling units: 7 No. of bedrooms: 7

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



City of Morgantown, West Virginia

**APPLICATION FOR
VARIANCE PETITION**

OFFICE USE	
CASE NO.	V14-48
RECEIVED:	

VII. FINDINGS OF FACT

COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.

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. The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:

The sidewalk will remain as-is with the exception of the integrated dome pavers at each intersection.

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:

Improvements to the site did not include the requirement to alter the existing sidewalk.



City of Morgantown, West Virginia

**APPLICATION FOR
VARIANCE PETITION**

OFFICE USE	
CASE NO.	V14-48
RECEIVED:	

VII. FINDINGS OF FACT	COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.
	<p>3. The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:</p> <p>The existing sidewalk will remain.</p>
	<p>4. The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:</p> <p>Additional sidewalks at the required width will be incorporated along other street fronts of the project.</p>



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V14-49
RECEIVED:	

(PLEASE TYPE OR PRINT IN BLACK INK)

Fee: \$75

I. APPLICANT		Name:	Mr. John Rice		
Mailing Address:	966 Valley View Ave.		Phone:	304-288-6396	
	Street	Morgantown WV 26505	Mobile:		
	City	State Zip	Email:	ourjr3322@yahoo.com	
II. PROPERTY		Street Address:	502 Stewart St. Morgantown, WV 26505		
Owner:	Mr. John Rice		Zoning:	B-1	
Mailing Address:	502 Stewart St.		Tax Map No:	Fourth Ward Map 14	
	Street	Morgantown WV 26505	Parcel No:	450 & 451	
	City	State Zip	Phone:	304-288-6396	
III. NARRATIVE		Please describe the nature and extent of your variance request(s).			
60% Fenestration required for front facade is not met with current layout of interior space. 15.8% fenestration shall be proposed and require a variance.					
Variance for manufactured stone and hardie board in lieu of required stone and wood is requested, and appeal to apply this 'heavy' material vertically at tower elements within facade design.					
V. ATTEST					
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 Development Services 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.					
Michael Mills				09/19/2014	
Type/Print Name of Applicant/Agent		Signature of Applicant/Agent		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.



APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V14-49
RECEIVED:	

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)

B-1 District:
Residential, Multi-family dwelling (1-Bedroom units) and Non-residential.
7 (1) Beds over store dwelling. Non-residential spaces total 8,671 SF. Residential Dwelling total is 5,190 SF.

- Structure Characteristics (complete only those that apply)

Total number of buildings: 1 Gross floor area of each building: Lv1 Footprint: 4,776 sf / Total: 13,861 sf

Estimated number of employees: 15 (Includes 7 Res) No. of dwelling units: 7 No. of bedrooms: 7

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



City of Morgantown, West Virginia

**APPLICATION FOR
VARIANCE PETITION**

OFFICE USE	
CASE NO.	V14-49
RECEIVED:	

VII. FINDINGS OF FACT

COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.

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. The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:

The building is located between three streets; Junction Street, Willowdale Road, and Stewart Street. The front is considered to be the elevation along Willowdale Road as per the B-1 district. The layout of the building with the required parking aligns best if the facade along Stewart Street is considered the front, which offers the best access between the parking lot and retail spaces. With this layout, the facade at the first level along Willowdale Rd. is considered the back wall. Windows have been provided to allow for maximum consideration to this variance.

At levels 2 and 3 windows have been provided at a maximum to serve the interior occupants in the best capacity.

Consideration of this facade as one that is facing west has also been examined to assure heat gain affecting the interior occupants is not a future problem to the owner.

The proposed building facades maintain similar materials used in nearby properties.

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:

The variance is the effect of multiple considerations with how to site, and access the building for best circulation in this neighborhood. Grade at this facade transitions from access at building Level 1 and Level 2, as one moves from Stewart St. to Junction St. The facades perpendicular to this side offer ease of access to the building at multiple levels, and have storefronts with double-door openings that offer increased fenestration percentages than the front facade.

The proposed project contributes to a positive urban infill due to the placement of it within a walkable community, and the proposed manufactured stone on the tower elements are prominent and aesthetically pleasing.



**APPLICATION FOR
VARIANCE PETITION**

OFFICE USE	
CASE NO.	V14-49
RECEIVED:	

VII. FINDINGS OF FACT	COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.
<p>3. The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:</p> <p>Maximum fenestration at the front facade is not desirable. Due to the location of the building on site, afternoon sun may contribute to unnecessary heat gain. At Level 1, this facade is the rear retail wall. Level 2 and Level 3 offer more windows than Level 1.</p> <p>Manufactured stone provides easier installation and eliminates the need for special footings and support. Hardie board is low maintenance, rot-resistant, insect-resistant, and highly fire-resistant.</p>	
<p>4. The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:</p> <p>While this front facade has a fenestration percentage below the requirement. Other facades at the building offer higher percentages of glazing.</p> <p>The building offers a combination of materials that are aesthetically pleasing, and resistant to natural conditions such as high and freezing temperatures, rain, and insects.</p>	

A PLAT FOR
 RICE RENTALS, INC.
 FOURTH WARD MAP 14 PARCEL 450 & 451
 DEED BOOK 1136 PAGE 387
 HIGHLAND PARK ADDITION BLOCKS 13-16

Drawing Name:
 Plat
 scale: 1" = 20'
 Date: 8-15-2014

Property Address
 502 Stewart Street,
 Morgantown, West Virginia

Rice Rentals,
 Inc.
 Morgantown, WV 26508

Lemley
 Technologies
 387 Little Shannon Road
 Mt. Morris, PA 15349

san. mh
 rim 999.95'

ROOF BOLT (FD)

JUNCTION STREET 25' R.O.W.

sanitary MH
 rim 1017.25

WILLOWDALE ROAD 36' R.O.W.

N65°38'43"E
 121.62'

S74°25'30"E
 179.76'

5/8 rebar (SET)

Area of ROW conveyed to
 A & M Properties and
 described in
 DB 1021 on Page 642

edge of asphalt

Approximate
 location of gas service

Gas Meter
 AC Unit

RICE RENTALS, INC.
 FOURTH WARD MAP 14 PARCEL 450 & 451
 DEED BOOK 1136 PAGE 387
 HIGHLAND PARK ADDITION BLOCKS 13-16
 Fin. Floor 999.6'
 2nd floor 1004.6'

san. mh
 rim 999.95'

water meter

inlet rim 998.87
 invert out 995.87

sign foundation

stop sign

3/8" rebar (FD)

power pole

LINDA S. & ROY L. WOLFE
 FOURTH WARD MAP 14 PARCEL 451.1
 DEED BOOK 1179 PAGE 184

N74°25'30"W
 160.00'

power pole

inlet rim 998.75
 4" pipe incoming
 invert out 997.7
 6" pipe out

sanitary MH
 rim 996.25*

PK Nail (SET)

inlet rim 997.64
 6" pipe incoming
 invert out 994.84
 8" pipe out

STEWART STREET 30' R.O.W.

power pole

power pole

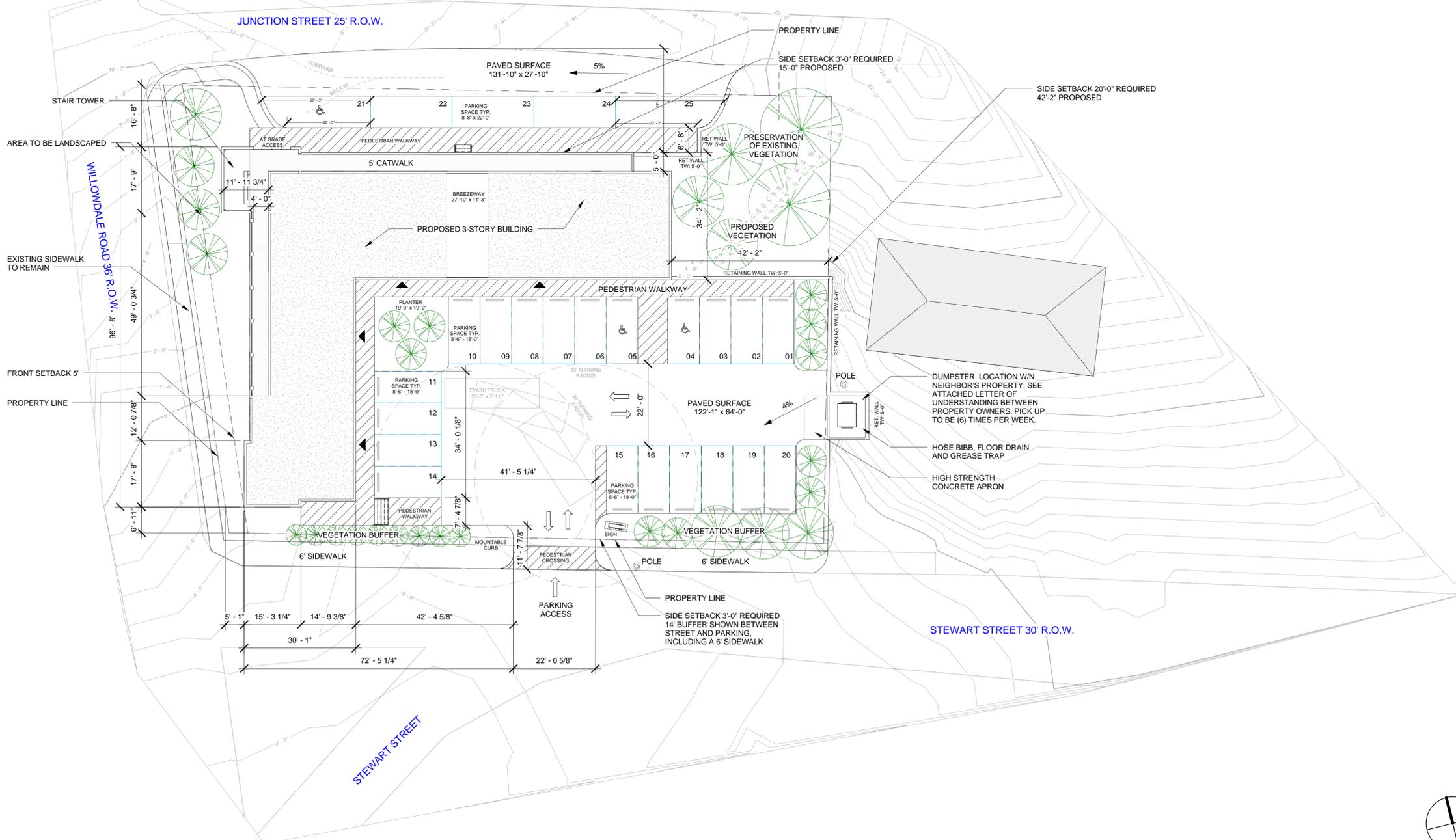
NOTE:
 ALL ELEVATIONS ARE ASSUMED.
 NO SANITARY CLEAN OUT WAS FOUND TO PLACE SEWER TAP.
 NO GAS VALVE WAS FOUND TO DETERMINE EXACT LOCATION OF GAS LINE.

LEGEND	
-x-x-	FENCE
●	5/8" ROD- SET UNLESS NOTED OTHERWISE
---	PROPERTY LINE
○	POINT
ST-ST	STORM LINE
ET-ET	ELECTRIC/TELEPH./CABLE
-W-W-	WATER LINES
-gas-gas-	GAS LINES

Charles A. Lemley Jr. PLS 1489



1 LOCATION MAP
1" = 100'-0"



2 SITE PLAN
1/16" = 1'-0"

GENERAL NOTES

* SEE EXISTING SURVEY (ATTACHED) FOR EXISTING CONTOURS.

SITE PLAN FOR APPLICATION FOR VARIANCE

ZONING CLASSIFICATION: B-1 DISTRICT RESIDENTIAL, SINGLE-FAMILY DWELLING AND NON-RESIDENTIAL
7 (1) BEDS OVER-STORE DWELLING, NON-RESIDENTIAL SPACES TOTAL 6,671 SF, RESIDENTIAL DWELLING TOTAL IS 5,190 SF, TOTAL BUILDING GROSS SF IS 13,861 SF.

EXISTING LOT SIZES: 20,385 SF TOTAL
ALLOWABLE COVERAGE (70%): 14,270 SF
PROPOSED COVERAGE: 26% (5,067/ 20,385)
MINIMUM LOT FRONTAGE OF 30' SATISFIED
MINIMUM LOT DEPTH OF 100' SATISFIED

BUILDING HEIGHT:
ROOF AT FRONT 'TOWER' FROM GRADE MEASURED TO MID POINT OF ROOF = 43'-6"
ROOF AT BACK 'TOWER' FROM GRADE MEASURED TO MID POINT OF ROOF = 27'-5"
AVERAGE HEIGHT BELOW MAXIMUM
40'-0" ALLOWABLE AT 35'-5 1/2"

VARIANCES REQUESTED:

1. PARKING ALONG STEWART STREET IS CLOSER TO THE ROAD THAN THE BUILDING. PARKING SPACES ALONG JUNCTION STREET ARE IN A PARALLEL ARRANGEMENT BETWEEN THE BUILDING AND THE STREET.
2. A TEN-FOOT WIDE BUFFER SHALL BE PROVIDED FOR THE LENGTH OF ANY PARKING AREA ABUTTING THE STREET. A LANDSCAPE/ SIDEWALK BUFFER HAS BEEN LOCATED BETWEEN THE PARKING LOT AND STEWART ST. REFER TO THE DRAWING FOR THE DIMENSION OF THE BUFFER OUTSIDE OF THE PROPERTY LINE. THE PLAN ILLUSTRATES A LANDSCAPE BUFFER ALONG STEWART STREET RANGING FROM TWO FEET TO SIX FEET MEASURED FROM THE PROPERTY BOUNDARY TO EDGE OF PARKING LOT PAVEMENT. THE FUNCTIONAL BUFFER IS WIDER AND RANGES FROM FIVE TO EIGHT FEET MEASURED FROM THE BACK OF THE PROPOSED SIX-FOOT SIDEWALK TO THE EDGE OF THE PARKING LOT. THIS ADDITIONAL WIDTH IS PROVIDED WITHIN THE PUBLIC R.O.W. THE DEVELOPMENT TO THE SIX-FOOT SIDEWALK IS AT THE EXISTING EDGE OR CURB LINE OF THE STEWART STREET PAVEMENT RATHER THAN BEGINNING (BACK OF SIDEWALK) AT THE PROPERTY BOUNDARY AS IS CUSTOMARILY DESIRED. THE PROPOSED SIDEWALK IS ALONG STEWART ST. THIS BUFFER HAS BEEN OMITTED AT JUNCTION ST. DUE TO THE PARALLEL PARKING ARRANGEMENT. THE PROPOSED BUILDING ABUTS A RESIDENTIAL-USE PROPERTY. A 10' LANDSCAPE BUFFER DOES NOT EXIST AT THIS LOCATION, AND THEREFORE REQUIRES A VARIANCE. TERMINAL ISLANDS REQUIRED ADJACENT TO SPACES 14 AND 15 HAVE NOT BEEN PROVIDED. QUOTED LANGUAGE FROM CONFORMITY REPORT 2014917
3. ONE ADA COMPLIANT DWELLING WILL BE LOCATED AT FLOOR LEVEL 2. THIS GRADE IS BELOW JUNCTION STREET ELEVATION. IF IT IS CONSIDERED AT GRADE LEVEL, A VARIANCE WILL BE REQUESTED.
4. DUMPSTER LOCATION SHALL EXIST ON NEIGHBOR'S PROPERTY. SEE LETTER OF UNDERSTANDING BETWEEN PROPERTY OWNERS.
5. 60% FENESTRATION REQUIRED FOR FRONT FACADE IS NOT MET WITH CURRENT LAYOUT OF INTERIOR SPACE. 15.8% PROPOSED FOR A VARIANCE. VARIANCE FOR FALSE STONE AND HARDIE BOARD IN LIEU OF REQUIRED STONE AND WOOD IS REQUESTED AND APPEAL TO APPLY THIS 'HEAVY' MATERIAL VERTICALLY AT TOWER ELEMENTS WITHIN FACADE DESIGN.
6. EXISTING SIDEWALK AT WILLOWDALE ST. SHALL REMAIN, THOUGH THE EXISTING DIMENSION OF 3'-10" IS NOT TO CODE. IMPROVEMENTS TO THE TERMINATION OF THE SIDEWALK AT JUNCTION STREET AND AT STEWART STREET WILL BE IMPROVED, HOWEVER, AND ALLOW DOME PAVERS TO BE INCORPORATED AT THESE INTERSECTIONS.

MINOR SUBDIVISION TO COMBINE PARCELS 450 AND 451

REQUIRED PARKING SPACES:

AS PER THE PLANNING AND ZONING CODE REQUIREMENTS, A MINIMUM COUNT OF 26 PARKING SPACES IS REQUIRED IN THE PROPOSED DEVELOPMENT. THIS COUNT INCLUDES ADA PARKING SPACES. SEE CHART BELOW:

Land Use	Spaces per:					Req'd Spaces
	GFA	Dwelling Units	Customer Chairs	Tables	Employee	
Over-Store Dwelling		7				7
Convenience Store	8				1	9
Barber Shop			2		1	3
Prof. Services	4					4
Admin. Office	7					7
Restaurant				1	1	2
						24
						75% of Required Plus 1 ADA



PROJECT:
Highland Park Square
502 Stewart St. Morgantown WV 26505
John Rice
PROPOSED SITE PLAN

Drawing Set Number

Revision Schedule

No.	Revision Description	Date

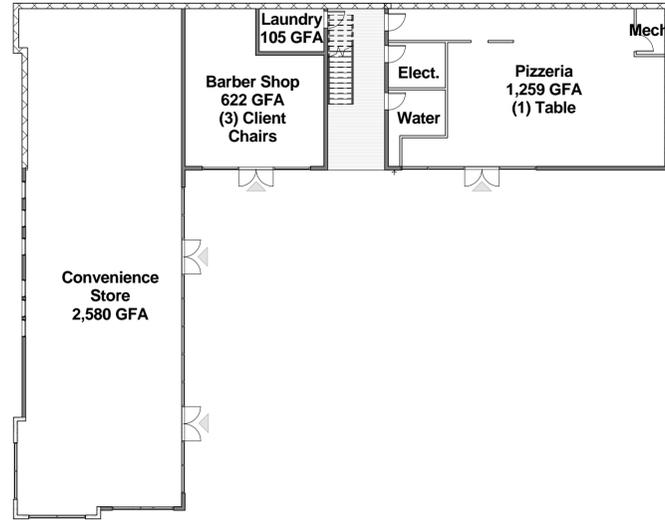
INTENDED DRAWING USE:

Review	Conceptual
	Review
	Permitting
	Bidding
	Construction Documents

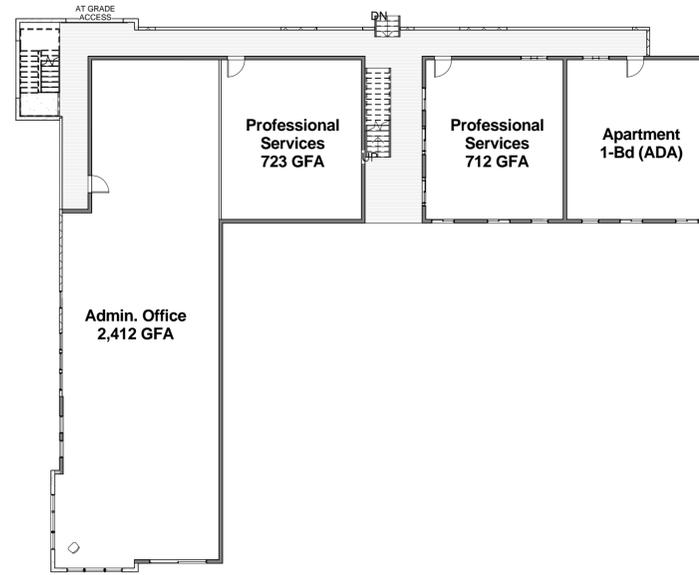
Project number	14053
Date	9/19/14
Drawn by	Author
Checked by	Checker

A105
Scale As indicated
SCALE REFERS TO 22" X 34" PAPER SIZE

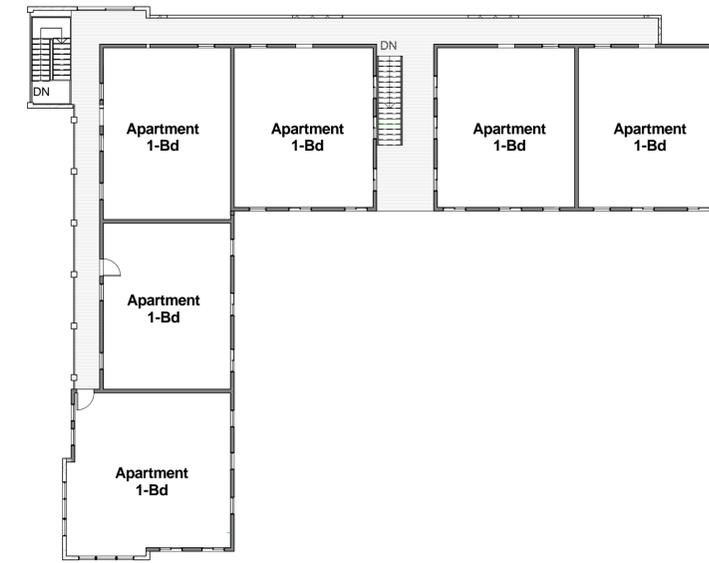




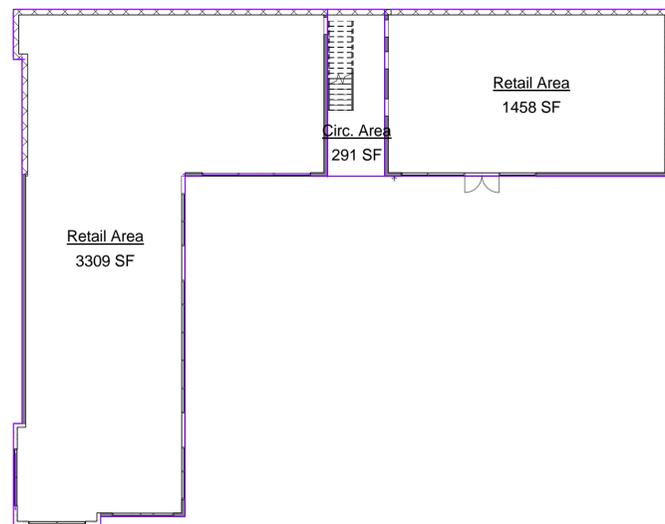
① LEVEL 1
1/16" = 1'-0"



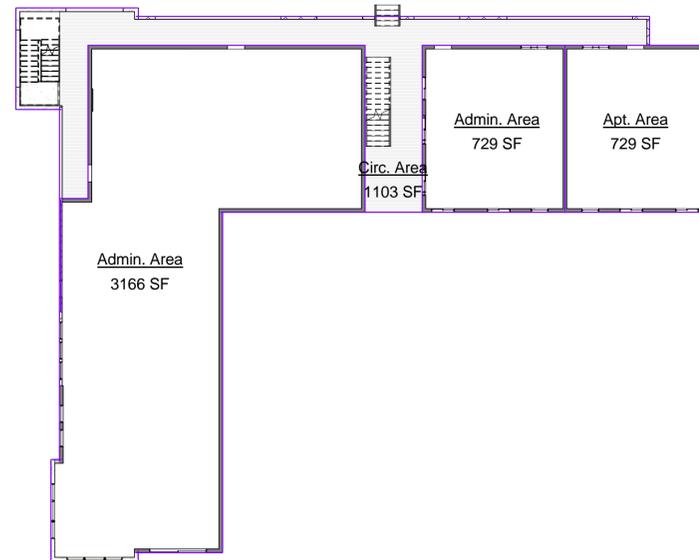
② LEVEL 2
1/16" = 1'-0"



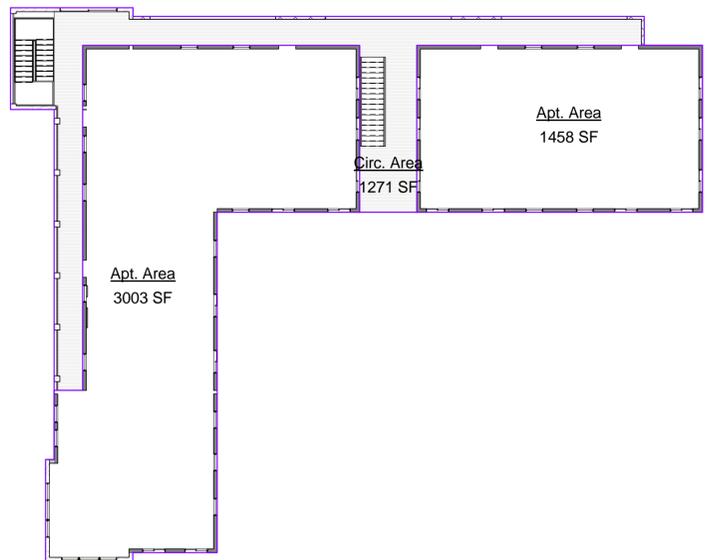
③ LEVEL 3
1/16" = 1'-0"



③ LEVEL 1 - Area Plan
1/16" = 1'-0"



④ LEVEL 2 - Area Plan
1/16" = 1'-0"



⑤ LEVEL 3 - Area Plan
1/16" = 1'-0"

PROJECT:
Highland Park Square
 502 Stewart St. Morgantown WV 26505
 John Rice
AREA PLANS

Drawing Set Number

Revision Schedule		
No.	Revision Description	Date

INTENDED DRAWING USE:

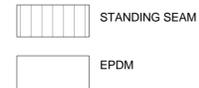
Review	Conceptual
	Review
	Permitting
	Bidding
	Construction Documents

Project number 14053
 Date 9/19/14
 Drawn by Author
 Checked by Checker

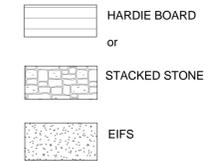
A106
 Scale 1/16" = 1'-0"
 SCALE REFERS TO 22" X 34" PAPER SIZE



ROOF SCHEDULE



CLADDING SCHEDULE



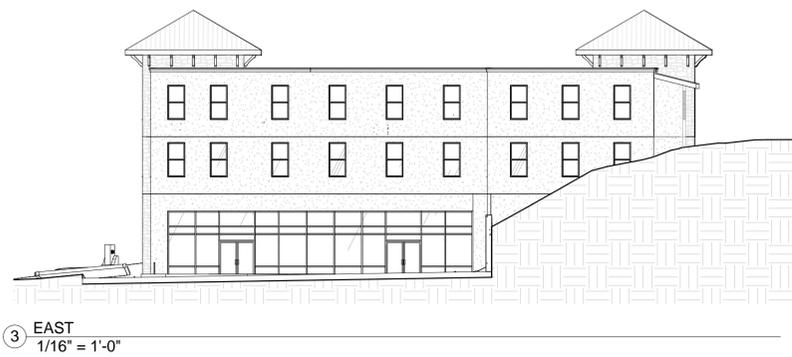
GLAZING SCHEDULE



① FENESTRATION AREA TAKEOFF
 1/16" = 1'-0"



② WEST ELEVATION
 1/16" = 1'-0"



PROJECT:
Highland Park Square
 502 Stewart St. Morgantown WV 26505
 John Rice
ELEVATIONS

Drawing Set Number _____

Revision Schedule		
No.	Revision Description	Date

INTENDED DRAWING USE:

Review	Conceptual
	Review
	Permitting
	Bidding
	Construction Documents

Project number	14053
Date	10/02/14
Drawn by	JL
Checked by	KC

A107

Scale As indicated

SCALE REFERS TO 22" X 34" PAPER SIZE