



MORGANTOWN BOARD OF ZONING APPEALS

November 19, 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: V14-53 / US Cellular / 1451 Earl Core Road

REQUEST and LOCATION:

Request by Rudy Hoffert of City Neon, on behalf of US Cellular, for variance relief from Article 1369 as it relates to signage at 1451 Earl Core Road.

TAX MAP NUMBER(s) and ZONING DESCRIPTION:

Tax Map 31, Parcel 100; B-5, Shopping Center District

SURROUNDING ZONING:

B-5, Shopping Center District

BACKGROUND and ANALYSIS:

The petitioner seeks to erect wall signage for *US Cellular* located 1451 Earl Core Road as a part of a façade renovation. Addendum A of this report illustrates the location of the subject site.

Article 1369.07(I)(1) provides that the maximum wall sign area in the B-5 District is determined by multiplying the linear width of the storefront feet by 0.6. The storefront width of *US Cellular* along Earl Core Road is approximately 87 feet. The maximum area for the petitioner's wall signage is therefore 52.2 square feet. The following table identifies the locations and areas for the two proposed wall signs.

Sign	Location	Area
30" LED Channel Letters	Front Façade	92.4 square feet
24" LED Channel Letters	Side Façade	59.1 square feet
Proposed Total Wall Sign Area		151.5 square feet
Maximum Wall Sign Area		52.2 square feet
Requisite Variance		99.3 square feet

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 applicant.

No recommendation is submitted concerning the petitioner's findings of fact or whether variance relief should be granted as requested, modified, or denied. Staff advises the Board to closely review the petitioner's submitted findings of fact as it considers the variance petition.

Enclosures: Application and accompanying exhibits

Development Services

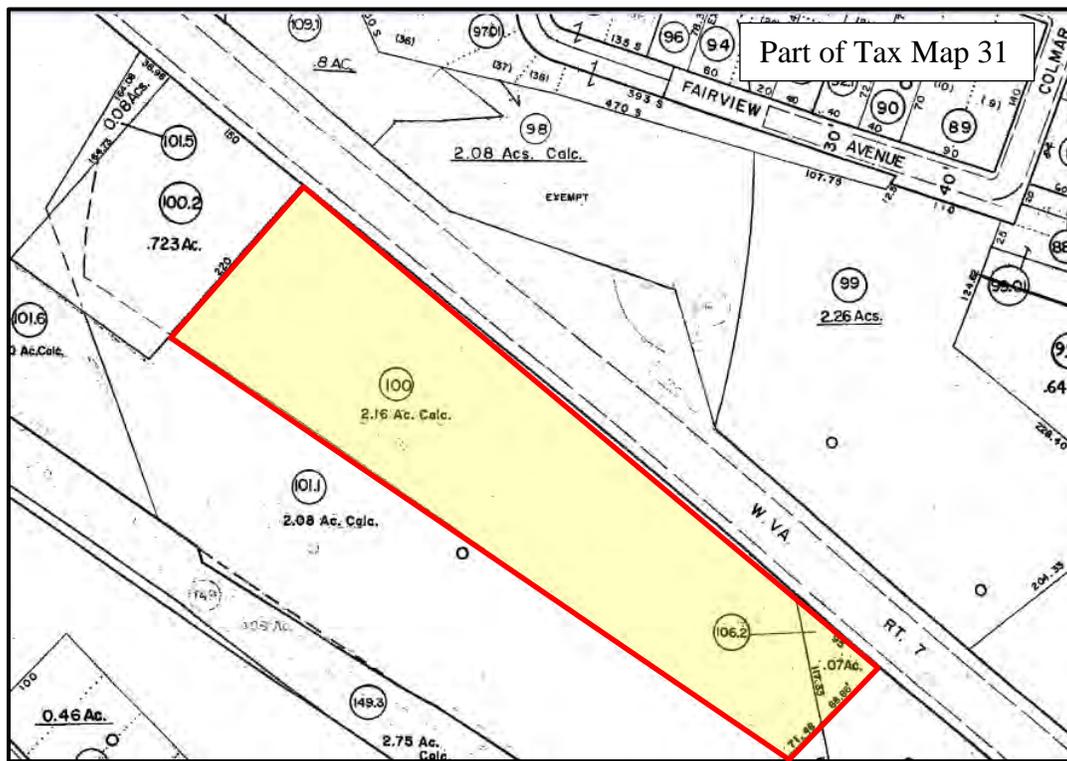
Christopher Fletcher, AICP
Director

Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431

STAFF REPORT ADDENDUM A
V14-53 / US Cellular / 1451 Earl Core Road





STAFF REPORT ADDENDUM B

V14-53 / US Cellular / 1451 Earl Core Road

Petitioner's Findings of Fact responses.

<p><u>Finding of Fact No. 1</u> – The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because:</p> <p>Other business establishments in Morgantown have existing signs that are similar in size and style, which provides the type of visibility to the public for which the petitioner seeks to emulate and enjoy.</p>
<p><u>Finding of Fact No. 2</u> – 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>It appears that the majority of commercial signs along the Earl L. Core Road corridor are nonconforming as most do not meet maximum area standards set forth in the Planning and Zoning Code.</p>
<p><u>Finding of Fact No. 3</u> – The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:</p> <p>The sign appears to be relatively consistent with other shopping locations throughout Morgantown including several businesses on Earl L. Core Road.</p>
<p><u>Finding of Fact No. 4</u> – The variance will allow the intent of the zoning ordinance to be observed and substantial justice done, because:</p> <p>The sign should help to promote business for the tenant and the community.</p>



City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V14-53
RECEIVED:	

(PLEASE TYPE OR PRINT IN BLACK INK)

Fee: \$75

I. APPLICANT		Name:	CITY NEON INC.	
Mailing Address:	PO BOX 40		Phone:	304-599-1852
	Street	MORGANTOWN, WV 26507		Mobile:
	City	State	Zip	Email: signs@cityneon.com
II. PROPERTY		Street Address:	451 Earl Core Road Morgantown, WV	
Owner:	Glenmark Holding LLC		Zoning:	B-5
Mailing Address:	6 Canyon Road Suite 300		Tax Map No:	31
	Street	Morgantown, WV 26508		Parcel No:
	City	State	Zip	100
III. NARRATIVE		Please describe the nature and extent of your variance request(s).		
<p>THE VARIANCE IS NECESSARY TO ALLOW TWO CHANNEL LETTER SETS ON EXISTING BUILDING THAT IS BEING REMODELED. THE CHANNEL LETTER SETS WILL BE INSTALLED WHERE THE PREVIOUS CHANNEL LETTER SETS WERE.</p> <p style="text-align: center;">PAID OCT 22 2014 PAID</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>				
Samantha Wade		Samantha D. Wade		10/22/14
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 table with CASE NO. V14-53 and 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 (checked)

COMMERICAL BUILDING

Structure Characteristics (complete only those that apply)

Total number of buildings: 1 Gross floor area of each building: Estimated number of employees: No. of dwelling units: No. of bedrooms: Additional structure-related details:

Additional Information (as required by Staff):

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.	V14-53
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:

Other business establishments in Morgantown have existing signs that are similar in size and style, which provides the type of visibility to the public for which the petitioner seeks to emulate and enjoy.

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:

It appears that the majority of commercial signs along the Earl L. Core Road corridor are nonconforming as most do not meet maximum area standards set forth in the Planning and Zoning Code.



**APPLICATION FOR
VARIANCE PETITION**

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CASE NO.	V14-53
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VII. FINDINGS OF FACT

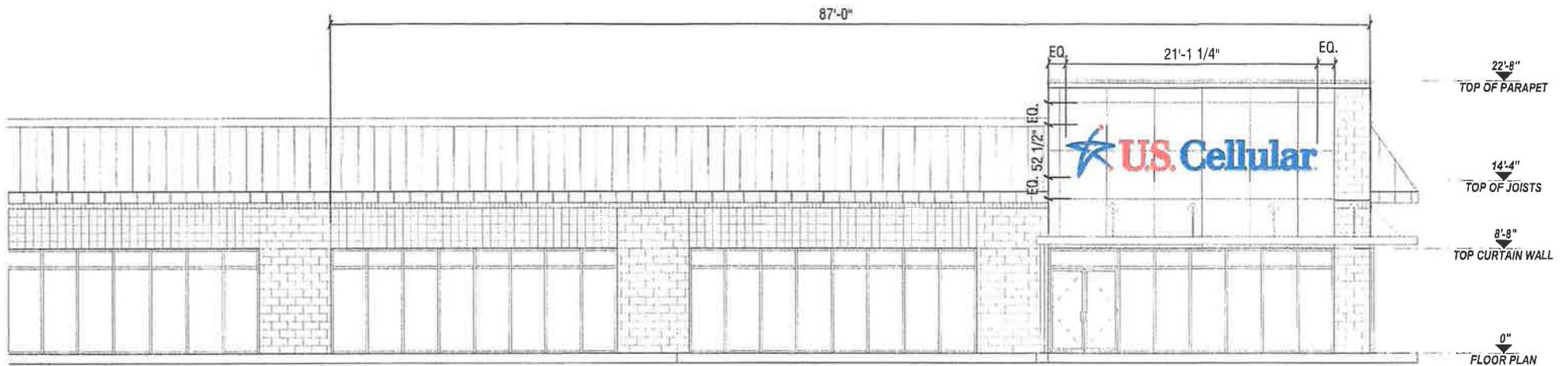
COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.

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

The sign appears to be relatively consistent with other shopping locations throughout Morgantown including several businesses on Earl L Core Road.

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

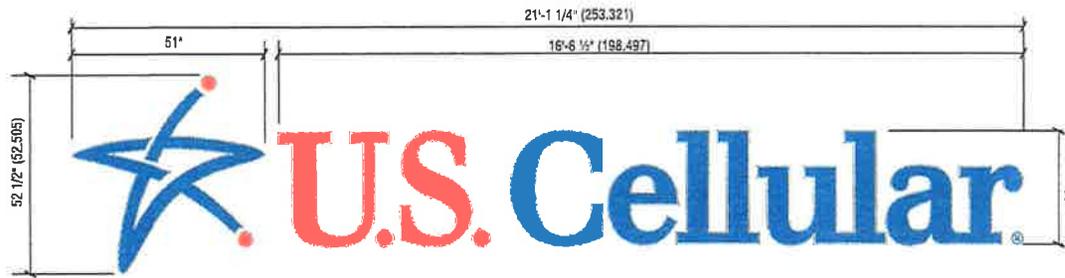
The sign should help to promote business for the tenant and the community.



Partial Front Building Elevation

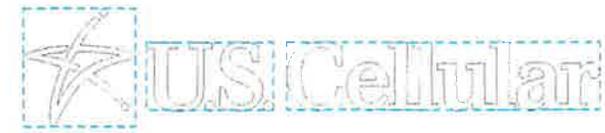
scale: 1/8"=1'-0"

*FRONT
92.9 sq ft
C.M.P.*



Mfg. & Install New 30" LED Channel Letters

scale: 3/8"=1'-0"



52.5" x 51"
18.5sf

30" x 56.25"
11.7sf

30" x 137"
28.5sf

TOTAL 58.7sf

It is the intent and purpose of this color rendering to provide a basic color representation of your sign finish and color. However, digital media and printed colors will vary from actual paint finish and color. Existing painted surfaces will have a perceptible difference in shade and sheen from your sign finish. Providing a sample of the paint you wish to match or a Munsell paint color formula will minimize the differences.

16265 Star Road Nampa, ID 83687 toll free: 800.592.8058 tele: 208.345.4020 fax: 208.336.9886 www.imagenational.com

		LOCATION 1451 Earl Core Rd. Morgantown, WV. 26505	DATE 09.19.2014	DESIGN BY S. Carico	HANAPA PLANT - UL #433195-001
			S.C.	COMPONENT PART USC-Morgantown-C	
			ACCOUNT EXEC R. Paulson	REVISION R2 10.09.2014	<small>ALL signs contain a UL listing unless otherwise specified. All signs must be UL listed. All signs must be installed in accordance with the manufacturer's instructions. All signs must be installed in accordance with the manufacturer's instructions. All signs must be installed in accordance with the manufacturer's instructions.</small>

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PROJECT TITLE

 **U.S. Cellular**

LOCATION

1451 Earl Core Rd.
Morgantown, WV.
26505

DATE

09.19.2014

SUB.

ACCOUNT EXEC.

R. Paulson

DESIGNER

S. Carico

CLIENT

USC-Morgantown-C

REVISION

R2 10.09.2014



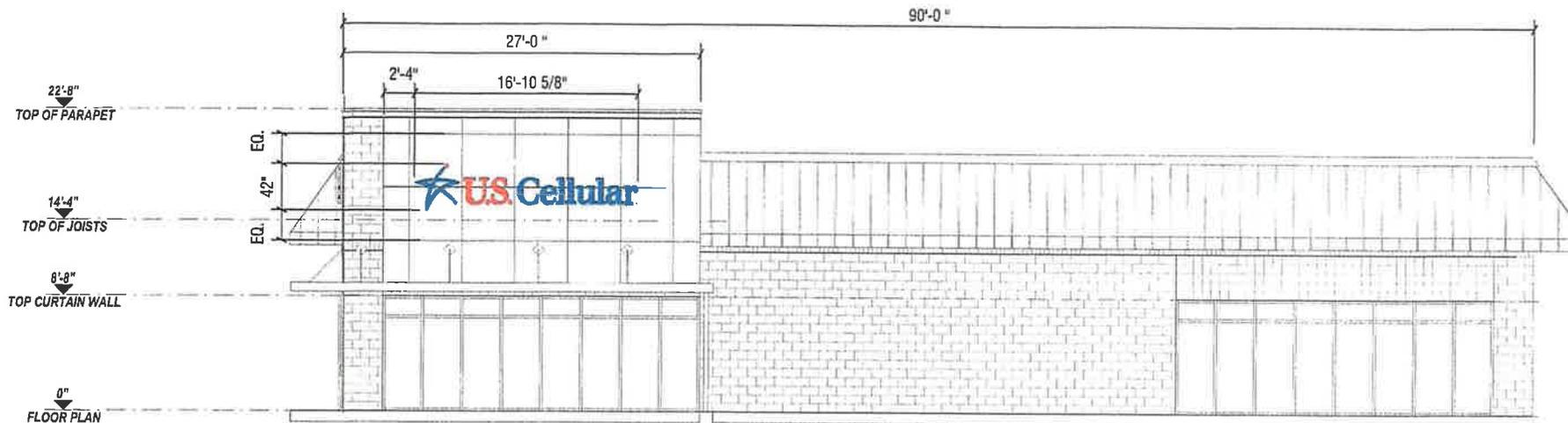
NAMPA PLANT -
UL #433195-001

U.S. & Canada: All signs conform to all applicable Federal, State and Local codes. All signs must be UL listed. All signs must be installed in accordance with the requirements of the National Electrical Code (NEC) and all local codes. This includes proper grounding and bonding of the sign.

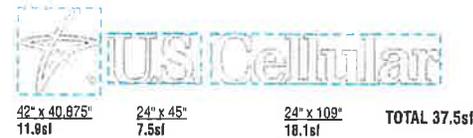
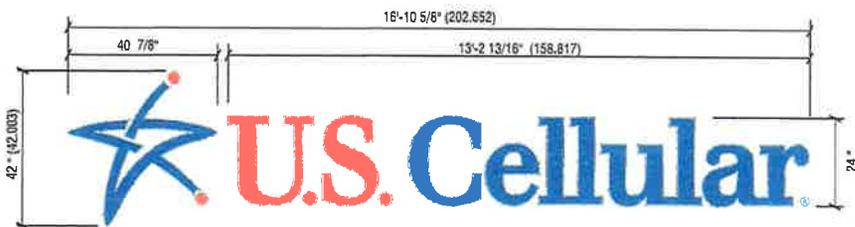
page #

1 of 4

SIDE
59.1 sq. ft.
CRD/P



Side Building Elevation
scale: 1/8" = 1'-0"



Mfg. & Install New 24" LED Channel Letters
scale: 3/8" = 1'-0"

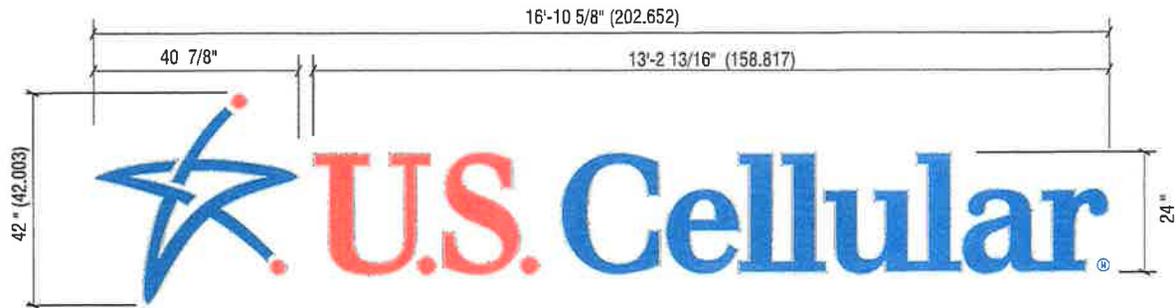
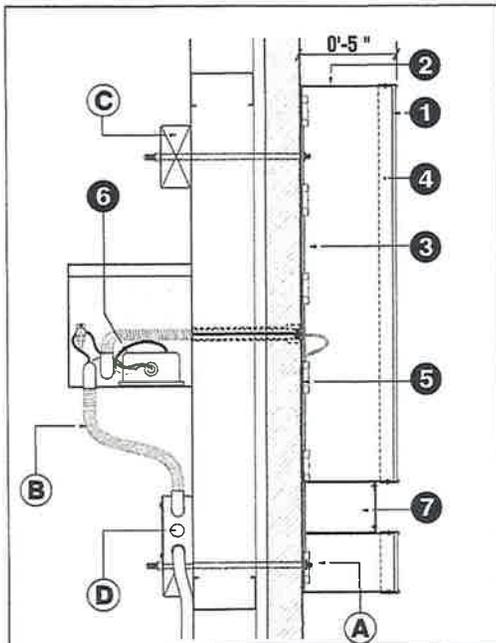
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		LOCATION 1451 Earl Core Rd. Morgantown, WV. 26505	DATE 09.19.2014	DESIGN BY S. Carico	
			ACCOUNT EXEC R. Paulson	CO-ORDINATOR USC-Morgantown-C	

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SIDE
59.1' height
conf.



Mfg. & Install 24" LED Illuminated Channel Letter sets
scale: 1/2" = 1'-0"

I N S T A L L

- A.** Non-Corrosive Securement
1/4" Rivet Nut w/ All-Thread Attachment
(or appropriate mounting hardware)
 - B.** 1/2" Flexible Conduit to 120v Power
 - C.** Blocking as Required per Location
 - D.** (1) 20 amp 120v Circuit Required
(supplied by others than Image National)
- NOTE:** Disconnect Switch Required in Transformer Box (Supplied by Image National)

1 FACE:

MATERIAL: 3/16" ACRYLIC
COLOR: 020-4 or 2447 WHITE
VINYL: #53 Cardinal Red & #97 Bristol Blue

2 RETURNS:

MATERIAL: PRE-PAINTED .040 ALUM.
SIZE: 5"
COLOR: PRE-PAINTED WHITE (WHITE INSIDE)

3 ILLUMINATION:

MATERIAL: GE
SIZE: TBD
COLOR: WHITE

4 TRIM CAP:

MATERIAL: 1" JEWELITE TRIM CAP
COLOR: WHITE

5 BACKS:

MATERIAL: PRE-PAINTED .063 ALUM.
COLOR: PRE-PAINTED WHITE (WHITE INSIDE)

6 ELECTRICAL:

POWER SUPPLY: (2) GEPS 12-60
TOTAL amps: 1 amp EA. set

7 STEP DOWN:

MATERIAL: PRE-PAINTED .040 ALUM.
SIZE: 3 3/4"
COLOR: PRE-PAINTED WHITE (WHITE INSIDE)



MATERIAL: PAINTED 1/4" ALUM.
SIZE: 2 5/8" x 2 5/8"
COLOR: PAINTED WHITE
w/ 1st SUR. VINYL #97 BRISTOL BLUE

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LOCATION:
1451 Earl Core Rd.
Morgantown, WV.
26505

DATE:	09.19.2014	CREATOR BY:	S. Carico
DRAWN BY:		COMPUTER FILE:	USC-Morgantown-C
ACCOUNT CODE:	R. Paulson	REVISION:	R2 10.09.2014



WAMPA PLANT
TEL #433195-001

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Zimbra

US Cellular Sabraton

From : Mark J. Nesselroad <mjnesselroad@glenmarkholding.com>

Fri, Oct 10, 2014 01:36 PM

Subject : US Cellular Sabraton

 2 attachments

To : Christopher Fletcher (cfletcher@cityofmorgantown.org) <cfletcher@cityofmorgantown.org>

Cc : Mike Saab <msaab@glenmarkholding.com>

Chris,

Good morning. As you may have seen, US Cellular in Sabraton is undergoing a façade upgrade. In the coming days, US Cellular will be submitting a signage plan for City approval, which may require a size variance. Here is a rendering of the finished product showing a smaller sign, along with the signage plan I believe they'll be submitting with a larger sign that is attractive. If I am unable to attend a variance hearing, please note for the record that I am in favor of their application.

Thanks,

Mark J. Nesselroad

Chief Operating Officer & General Counsel

Glenmark Holding Limited Liability Company

6 Canyon Road, Suite 300

Morgantown, WV 26508

D: 304-413-0497

O: 304-599-3369 ext. 114

F: 304-599-3285

mjnesselroad@glenmarkholding.com

www.glenmarkholding.com



image003.jpg
3 KB

 **US Cellular Facade Conceptual (3) Selected.pdf**
1 MB



US Cellular

OMNI
omni411.com

AA
VIZUALIZATION