



MORGANTOWN BOARD OF ZONING APPEALS

May 20, 2015
6:30 PM
City Council Chambers

Board Members:

- Leanne Cardoso, Chair
- Bill Burton, Vice-Chair
- Linda Herbst
- George Papandreas
- Jim Shaffer

STAFF REPORT

CASE NO: V15-25 / Denny's Corporation / 258 Retail Circle

REQUEST and LOCATION:

Request by Debbie Wilkins of Franchise Signs International, on behalf of Grate Enterprises, Inc., for variance relief from Article 1369 as it relates to signage at 258 Retail Circle.

TAX MAP NUMBER(s) and ZONING DESCRIPTION:

Tax Map 64, Parcel 4; B-5, Shopping Center District

SURROUNDING ZONING:

B-5, Shopping Center District

BACKGROUND and ANALYSIS:

The petitioner seeks to erect four (4) wall signs for the planned *Denny's Restaurant* to be located at 258 Retail Circle (across from Hornbeck Road Walmart). 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 storefront width in feet by 0.6. The proposed storefront width of *Denny's* is approximately 79.33 feet, which results in a maximum wall sign area standard of 47.6 square feet.

The following table summarizes the individual and total sign areas illustrated in the petitioner's master sign plan along with the requisite variance relief as proposed.

Plan Sign ID	Sign Illustration	Proposed area
A (front)		57.3 sq. ft.
A1 (front)	AMERICA'S DINER	30.54 sq. ft.
B (side)		32 sq. ft.
C (side)		32 sq. ft.
TOTAL		151.84 sq. ft.
REQUISITE VARIANCE		104.24 sq. ft.

Development Services

Christopher Fletcher, AICP
Director

Planning Division

389 Spruce Street
Morgantown, WV 26505
304.284.7431



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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 applicant.

No recommendations are submitted by Staff concerning the "Findings of Fact" or whether or not variance relief should be granted as requested.

Enclosures: Application and accompanying exhibits

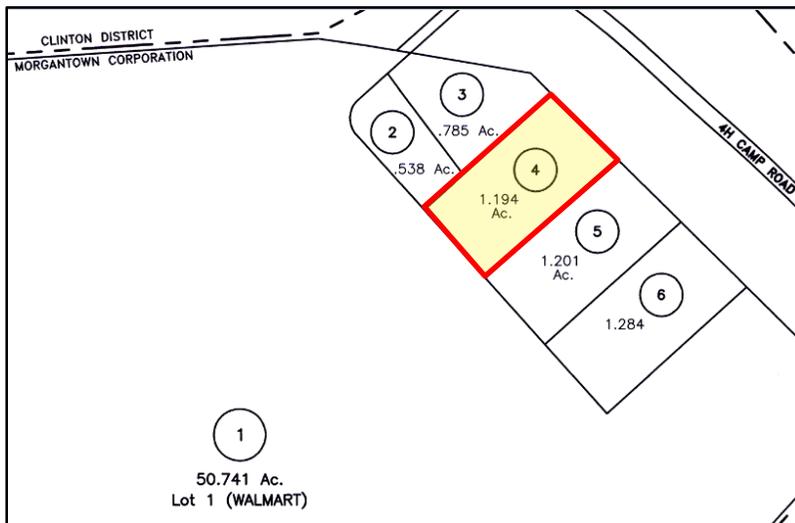
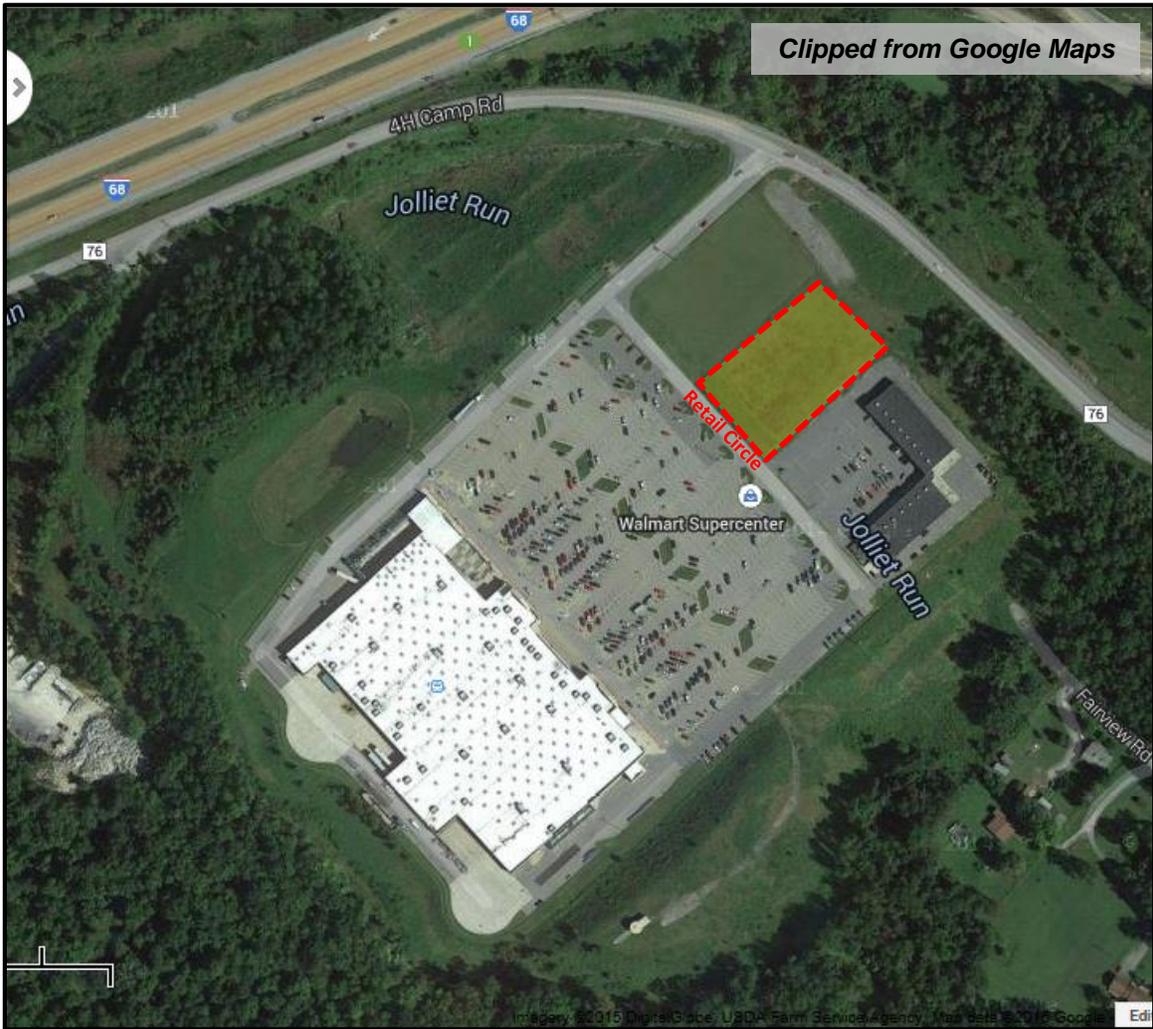
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STAFF REPORT ADDENDUM A
V15-25 / Denny's Corporation / Hornbeck Road





City of Morgantown, West Virginia

APPLICATION FOR VARIANCE PETITION

OFFICE USE	
CASE NO.	V15-25
RECEIVED:	4/3/15

(PLEASE TYPE OR PRINT IN BLACK INK)

Fee: \$75

CK 2563

I. APPLICANT		Name: Frahchise Signs International, Debbie Wilkins	
Mailing Address:	1205 Gracewood Drive		Phone:
	Street	Greensboro, NC 27408	Mobile: 336-501-6165
	City	State Zip	Email: dsk.wilkins@gmail.com
II. PROPERTY		Street Address: To date address has not been assigned	
Owner:	Grate Enterprises		Zoning: B-5
Mailing Address:	1644 Blue Horizon Drive		Tax Map No: 64
	Street	Morgantown, WV 26501	Parcel No: 4
	City	State Zip	Phone: 171-471-8997
III. NARRATIVE		Please describe the nature and extent of your variance request(s).	
<p>Property owner is requesting Master Sign Plan variance relief for building signage allowance. Proposed signage represents Denny's nationally recognized branding and is in keeping with the architectural design of the proposed building.</p> <p style="text-align: center;">PAID APR 06 2015 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>			
Debbie Wilkins, FSI Project Manager			04/02/2015
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.	V15-25
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)

Structure Characteristics (complete only those that apply)

Total number of buildings: _____ 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



City of Morgantown, West Virginia

**APPLICATION FOR
VARIANCE PETITION**

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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:

As a nationally recognized restaurant organization Denny's contributes to the welfare of the community, adjacent businesses and residents by providing employment to local residents, food service to potential customers and those employed by adjacent businesses. Proposed signage is professionally manufactured based on current UL standards and install based on standard building codes to ensure safety and welfare of the community.

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 subject property is a low lying area with limited visual exposure to the N & NE due to natural topographical obstruction. This limited exposure creates the need to maximize visibility to the potential customer given the heavily auto-dependent nature of the development.



City of Morgantown, West Virginia

**APPLICATION FOR
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VII. FINDINGS OF FACT	COMPLETE THE FOLLOWING STATEMENTS IN THIRD PERSON.
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3. The variance will eliminate an unnecessary hardship and permit a reasonable use of the land, because:

The increased visibility provided by variance approval should reduce the affect of natural topographical obstructions, contributing to the on-going success of a newly established business and the success of the overall development community.

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

The purpose of Morgantown's zoning ordinance is to encourage the effective use of signs as a means of communication. Nationally recognized branding via tenant signage contributes to business success and is in keeping with the City's goal to attract continued economic investment in the community.

April 1, 2015

RE: Denny's

Address: Not assigned yet

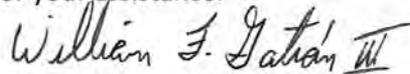
Morgantown, WV

To Whom it May Concern:

Please accept this letter as written authorization for Franchise Signs International (FSI) or their agent to apply for and secure sign permits for the previously referenced location, including representation required for variance application. FSI or their agent are here by authorized to install signage once sign permits are approved and issued.

Thanks you in advance for your assistance.

William F. Gatian III



Grate Enterprises Inc.

1644 Blue Horizon Drive

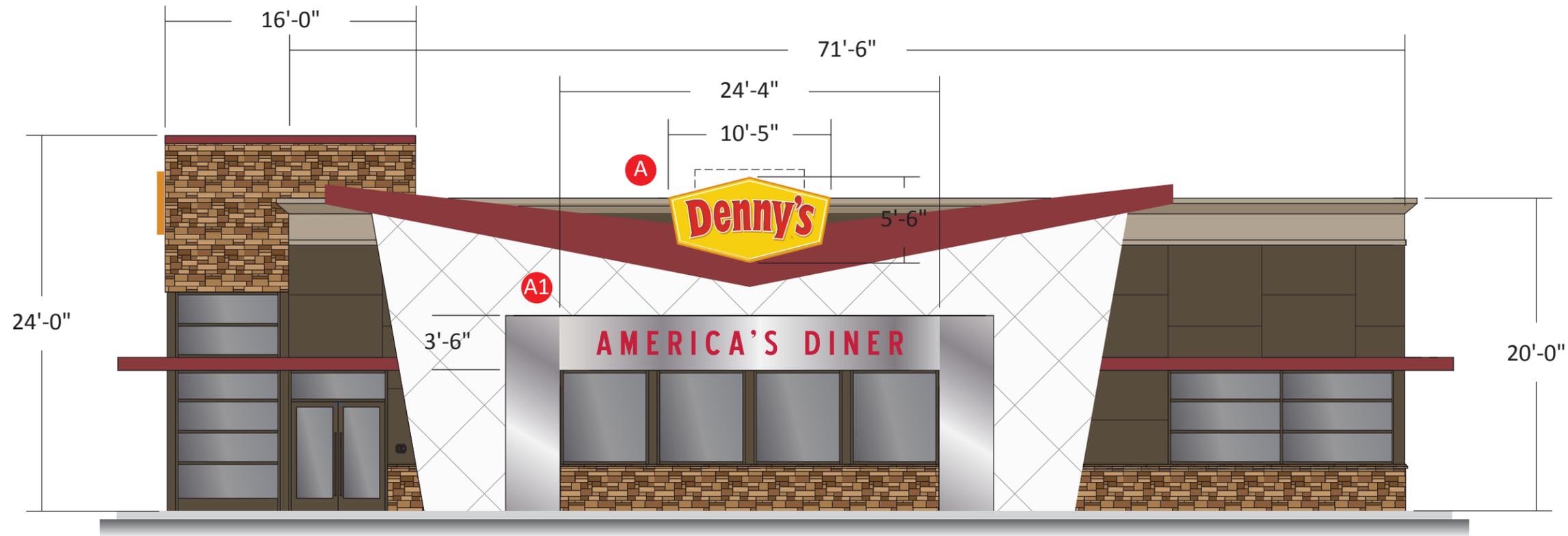
Morgantown, WV 26501

(717) 471-8997

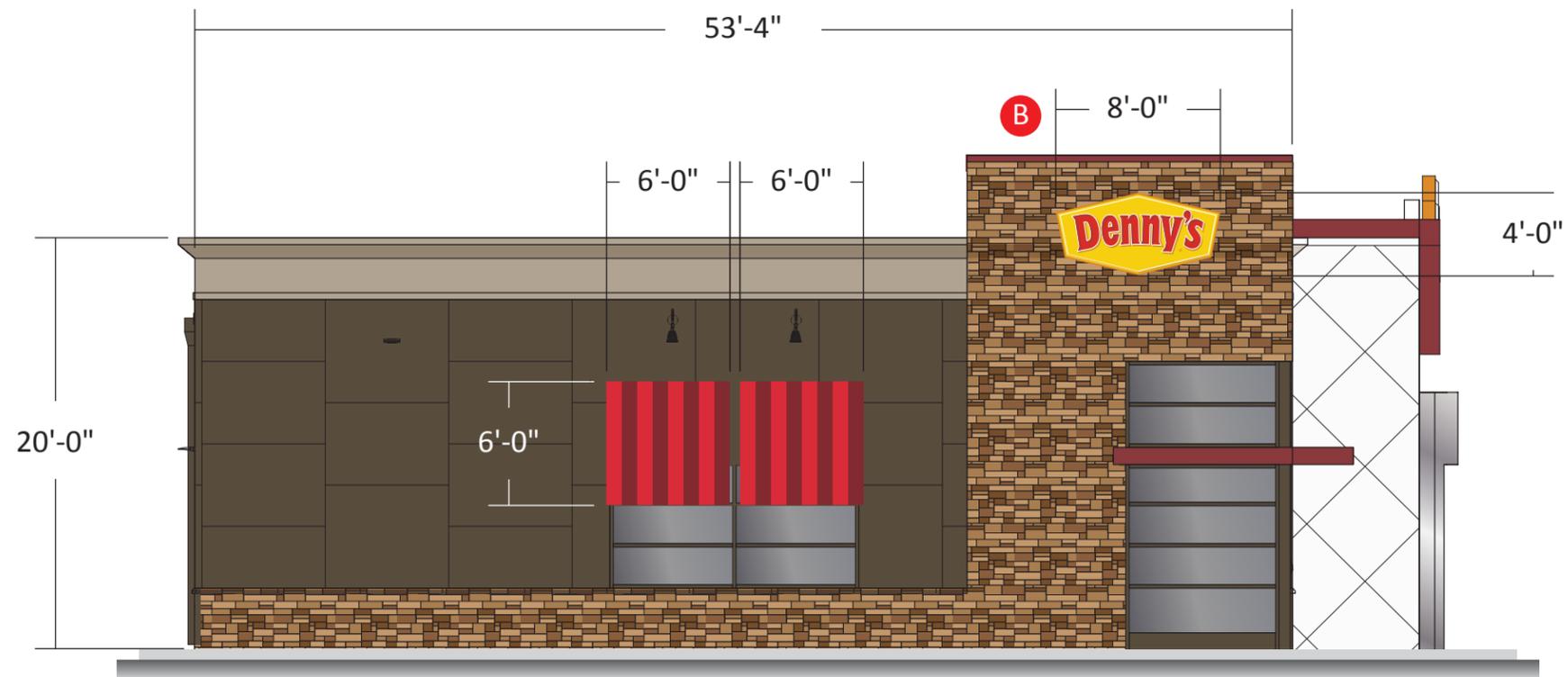


Morganton, West Virginia





FRONT MAIN ENTRANCE
SCALE: 1/8" = 1'-0"



LEFT ELEVATION
SCALE: 1/8" = 1'-0"



PROJECT INFORMATION

Client
DENNY'S
City & State
Morganton, WV
Drawing #
DENNYS.CITY.DATE
Scale
AS NOTED
Designer
IH
Project Manager
PM

REVISIONS

CLIENT APPROVAL

APPROVED
 APPROVED AS NOTED
 REVISE & RESUBMIT
 NAME:
 DATE:

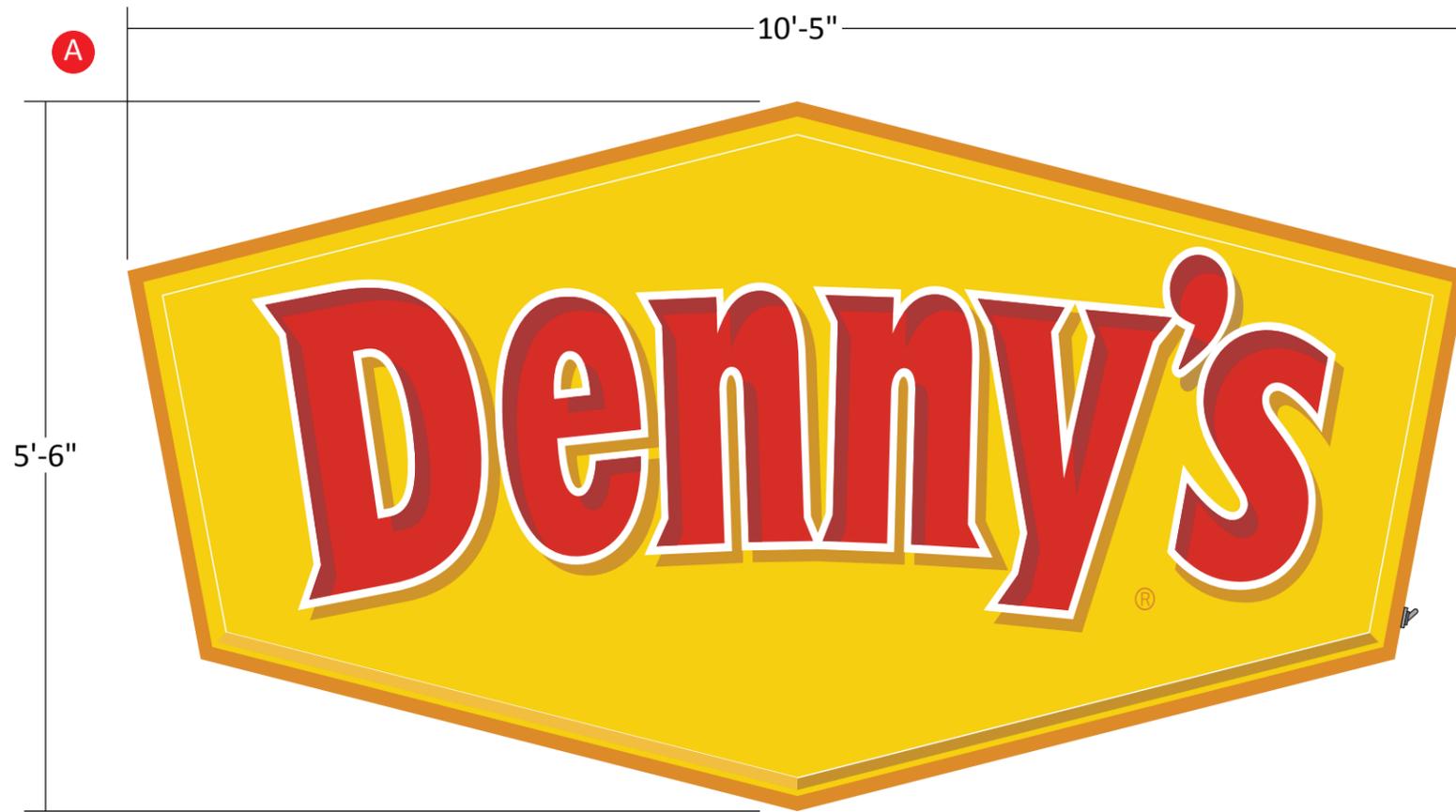


FRANCHISE SIGNS
INTERNATIONAL

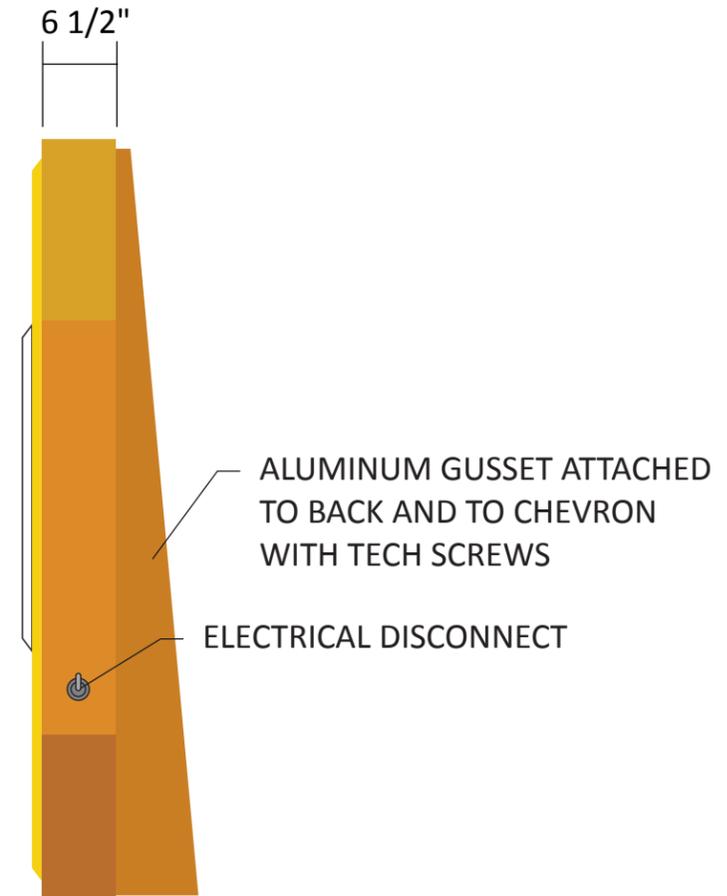
Main Office
1101-A W. Melinda Lane
Phoenix, Arizona 85027
PHONE: 623 792 3061
FAX: 623 792 3063

PAGE SIZE: 11x17

Elevations



FD CABINET - SINGLE SIDED
SCALE: 3/4" = 1'-0"



SIDE VIEW
SCALE: 3/4" = 1'-0"

MANUFACTURING SCOPE

- MANUFACTURE (1) PAN FACE SIGN WITH LED ILLUMINATION AND SECOND SURFACE TRANSLUCENT GRAPHICS

TOTAL SQFT= 57.3
ACTUAL SQFT= 42.5

INSTALLATION SCOPE

- INSTALL TO CHEVRON ON VEE PORTAL

ELECTRICAL INFORMATION

5 AMP MAX / 120V
#12 THWN WIRING AS PER NEC 600-12
UL LISTED



QTY: 1

VINYL COLORS:					
LOGO TYPE	CAST SHADOW	DROP SHADOW	BG YELLOW	BORDER ORANGE	BLACK POLE
PMS#: 485 Lacryl#: L8-9145 Sign Tech#: 3232 3M Vinyl#: VT8987	PMS#: 1807C Lacryl#: L8-9708 Sign Tech#: 1-378 3M Vinyl#: VT8986	PMS#: 131C Lacryl#: L8-9709 Sign Tech#: CC3-121 3M Vinyl#: VT8965	PMS#: 109C Lacryl#: L8-9705 Sign Tech#: 2037 3M Vinyl#: VT8847	PMS#: 138C Lacryl#: L8-9706 Sign Tech#: CX3-126 3M Vinyl#: VT8846	Sherwin Williams Nightscape SW2007



PROJECT INFORMATION

Client
DENNY'S
City & State
Morganton, WV
Drawing #
DENNYS.CITY.DATE
Scale
AS NOTED
Designer
IH
Project Manager
PM

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 APPROVED AS NOTED
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Chevron Sign



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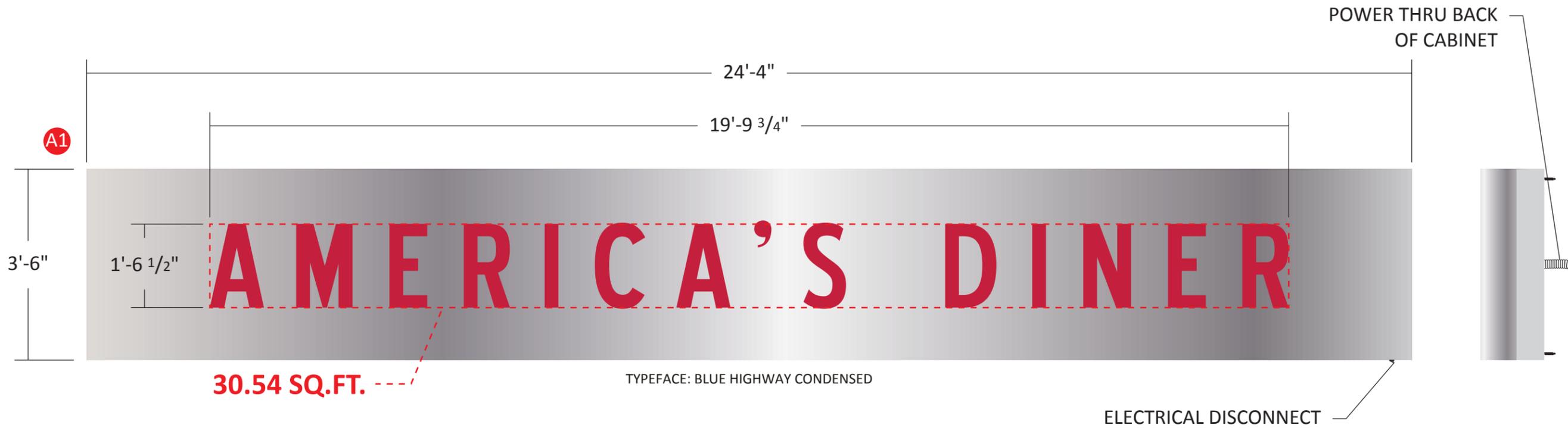


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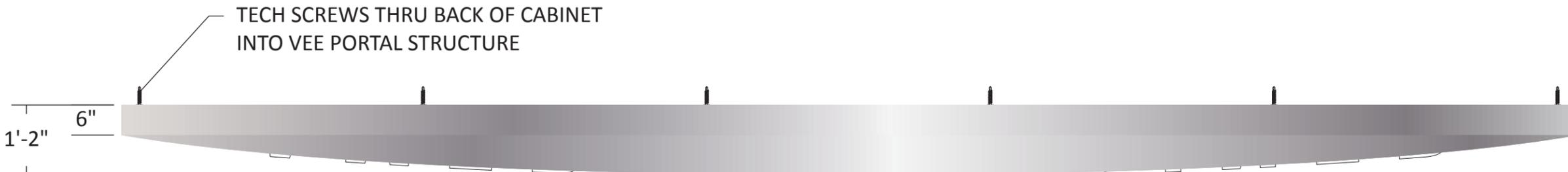
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AD Cabinet



PUSH THRU ACRYLIC CABINET
 SCALE: 1/2" = 1'-0"

85.15 SQ.FT.



PLAN VIEW
 SCALE: 1/2" = 1'-0"

S/F 3'-6" x 24'-4" INTERNALLY ILLUMINATED CABINET
 .080 ALUMINUM ON ALUMINUM FRAMING
 INTERNALLY ILLUMINATED WITH WHITE LED ILLUMINATION
 1/2" CLEAR ACRYLIC COPY PUSHED THROUGH ROUTED FACE
 FACES COVERED WITH TRANSLUCENT VINYL TO MATCH PMS 485 RED



ELECTRICAL INFORMATION
 4 AMP / 120V
 #12 THWN WIRING AS PER NEC 600-12
 UL LISTED

COLOR LEGEND	
	Akzo Nobel 352D4 Titanium
	PMS 485 Red Vinyl - Letters faces



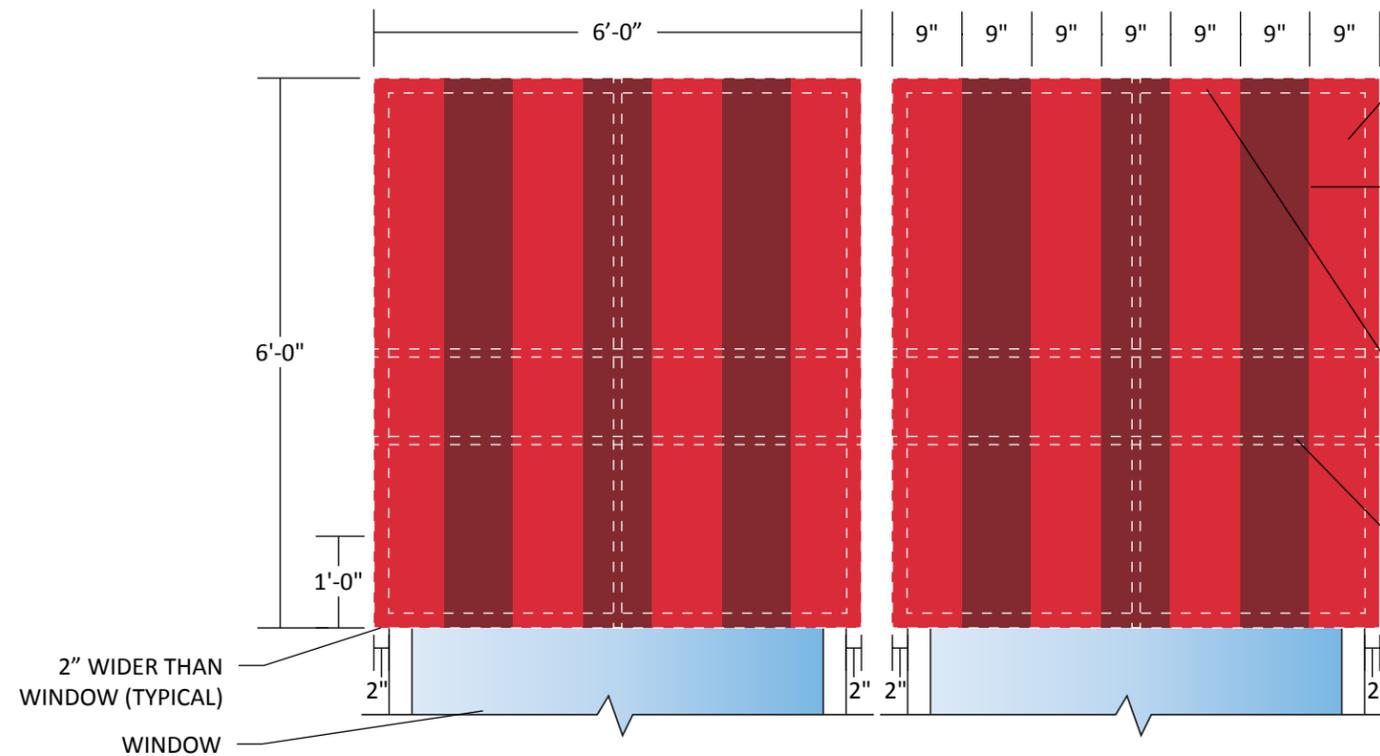
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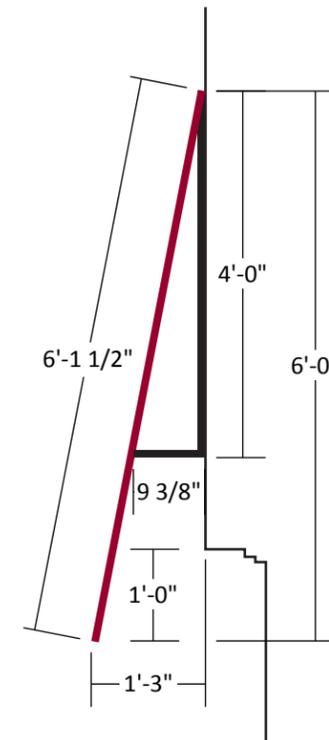
CLIENT APPROVAL

APPROVED
 APPROVED AS NOTED
 REVISE & RESUBMIT
 NAME:
 DATE:



2 Awnings Detail
SCALE: 1/2"=1'-0"

MATERIAL		
FABRIC	CK Denny's program - Sign Tech Arlon	Martha Stewart MSL026 Barn



3 Side View
SCALE: 1/2"=1'-0"



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Awnings

