



**DEVELOPMENT  
SERVICES  
DEPARTMENT**

# The City of Morgantown

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MORGANTOWN, WEST VIRGINIA 26505  
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August 20, 2015

**VIA CERTIFIED MAIL  
7008 1140 0002 2808 9875**

Craft Built Homes, LLC  
c/o Kurtis Clinton  
P.O. Box 18018  
Morgantown, WV 26507

**RE: V15-46 thru V15-48 / Craft Built Homes, LLC / Munsey Street  
Tax Map 6, Parcel 28**

Dear Mr. Clinton:

This letter is to notify you of the decisions made by the Board of Zoning Appeals concerning the above referenced petitions.

The decisions are as follows:

**Board of Zoning Appeals, August 19, 2015:**

1. Case No. V15-48 – Variance relief from Article 1333.07(B) concerning the front lot line of the parcel located at the corner of Munsey Street and Douglas Avenue.
  - a. The Board found in the negative for three (3) of the four (4) Findings of Fact as stated in Addendum A of this letter.
  - b. The Board DENIED the subject variance petition based on the subject negative findings.
2. Case No. V15-47 –
  - a. The Board DENIED the subject variance petition based on its finding of fact that relief sought under Case No. V15-47 was contingent upon the Board's decision for Case No. 15-48 under which determining the location of the front lot line establishes the orientation of the building envelope. Specifically, Case No. V15-47 requires Case No. V15-48 to be approved by the Board for the Board to consider the building envelope orientation presented by the petitioner under Case No. V15-47.
3. Case No. V15-46 – Variance relief from Article 1333.04(A)(4) and Article 1333.07(B) concerning minimum rear and minimum side setback requirements respectively for the parcel located at the corner of Munsey Street and Windsor Avenue.
  - a. The Board, with your concurrence, tabled the subject variance petition affording you an opportunity to consider development options and/or alternate site designs given the Board's decisions rendered for under Case No. V15-48 and Case No. V15-47; and, given the prohibition set forth in Article 1381.03(J) to re-submit the same variance petition request for a period of one (1) year.

This decision may be appealed to the Circuit Court of Monongalia County within thirty (30) days.

Should you have any questions or require further clarification, please contact the undersigned.

Respectfully,



Christopher M. Fletcher, AICP  
Director of Development Services

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## **ADDENDUM A**

### **Approved Findings of Fact for Case No. V15-48**

Finding of Fact No. 1. AFFIRMATIVE – The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents, because it is only limited to the direction which the dwelling will face.

Finding of Fact No. 2. NEGATIVE – The variance DOES NOT arise from special conditions or attributes which pertain to the property for which a variance is sought because the conditions for which relief is sought appears to have been created by the petitioner's proposed site and building design.

Finding of Fact No. 3. NEGATIVE – The variance WILL NOT eliminate an unnecessary hardship or permit a reasonable use of the land because the variance request appears the hardships identified by the petitioner appear to be a self-imposed.

Finding of Fact No. 4. NEGATIVE – The variance WILL NOT allow the intent of the Zoning Ordinance to be observed and substantial just done because the petitioner agreed during the hearing that alternate site design and planning could be considered.