



**DEVELOPMENT
SERVICES
DEPARTMENT**

The City of Morgantown

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April 26, 2016

Bonnie Strader
633 Madison Avenue
Morgantown, WV 26508

**RE: V16-09 / Strader / 633 Madison Avenue
Tax Map 40, Parcel 318 & 318.2**

Dear Ms. Strader:

This letter is to notify you of the decisions made by the Board of Zoning Appeals concerning the above referenced variance petition relating to the proposed development at 633 Madison Avenue. The decisions are as follows:

Board of Zoning Appeals, April 25, 2016:

1. Each of the Findings of Fact was found in the positive as stated in Addendum A of this letter.
2. The Board granted a fifteen (15) foot rear setback variance relief from Article 1335.04(A) as requested with a driveway entrance on Madison Avenue.

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

The above referenced approvals are set to expire in twelve (12) months unless it can be demonstrated that they have been activated as evidenced by permits, construction, or required licenses. This expiration deadline may be extended to eighteen (18) months upon prior written request of the Board.

Please note that building permits must be issued prior to the commencement of work for which the variance approvals was granted herein.

Should you have any questions or require further clarification, please contact the undersigned. We look forward to serving the development's planning and permitting needs.

Respectfully,


John Whitmore
Planner III

ADDENDUM A – Approved Findings of Fact
V16-09 / Strader / 633 Madison Avenue

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

The garage addition does not change traffic turning area in the vicinity. The addition and driveway will not block the neighbors' driveways. The Addition will have 20' x 20' parking, plus off-street parking. Addition is on level ground, so line of sight is not impaired by the construction of this addition. The home's siding and windows will be upgraded creating a better visual appearance to properties near us, increasing property values.

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

The narrow portion of the parcel is along Mildred Street, which would normally serve as the property's frontage in determining building envelope orientation under current Planning and Zoning Code provision. However, the house was constructed several decades ago facing Madison Avenue resulting in a building envelope orientation that generates a rear setback encroachment by the proposed addition. Specifically, if the house was constructed orienting toward Mildred Street, the proposed five-foot setback of the addition would be in compliance with the minimum side setback standard in the R-1A District.

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

The proposed addition appears to resemble similar attached garage development patterns within the immediate neighborhood and single-family neighborhoods in the City. The addition will not decrease property values and will not impact the views of near-by properties.

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

Off-Street parking in the R-1A zoning district is at a premium. Newly created off-street parking will enable better use of the property in keeping with the R-1A zoning district.