



**DEVELOPMENT  
SERVICES  
DEPARTMENT**

# The City of Morgantown

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September 22, 2016

Anthony and Crystal Santos  
2037 Eugenia Avenue  
Morgantown, WV 26505

**RE: V16-30 / Santos / 2037 Eugenia Avenue  
Tax Map 44, Parcel 123**

Dear Mr. and Mrs. Santos:

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 minimum setback standard for an uncovered stairs/landing/porch at 2037 Eugenia Avenue. The decisions are as follows:

**Board of Zoning Appeals, September 21, 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 four(4) foot front setback variance relief from Article 1335.04 as requested without conditions.

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,

Stacy Hollar  
Executive Secretary

**ADDENDUM A – Approved Findings of Fact**  
**V16-30 / Santos / 2037 Eugeniva 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:

On this parcel of private property, the location of our new home does not impact the overall visual of the neighborhood.

**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:

By setting our new home an extra 4' beyond the maximum building line. We will be able to enjoy a larger front yard and lessen the grade of our driveway.

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

Our piece of land is small, by allowing us to set our home and extra 4' back, it would help create a larger and flatter front yard. This would help make yard maintenance easier to maintain and help to keep future children away from the street when they are outside. It would also help the grade of the driveway by making it less steep and creating an easier access up and down our driveway in the winter months.

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

It would help make our home more enjoyable to live in by creating a front yard that can be made better use of and a driveway that is more convenient to use. Moving the home an extra 4' back will condense the bank in the front yard and driveway. This will give the home a nicer outside looks and a better living environment.