

# Morgantown Planning Commission



## REGULAR MEETING PACKET

**Thursday, August 13, 2020**

**6:30 p.m.**

**By Electronic Means**

### **Planning Commissioners:**

Peter DeMasters, 6<sup>th</sup> Ward  
President

Carol Pyles, 7<sup>th</sup> Ward  
Vice-President

Sam Loretta, 1<sup>st</sup> Ward

Tim Stranko, 2<sup>nd</sup> Ward

William Blosser, 3<sup>rd</sup> Ward

Bill Petros, 4<sup>th</sup> Ward

Michael Shuman, 5<sup>th</sup> Ward

AJ Hammond, Admin.

Ronald Dulaney, City Councilor

### **Development Services Department**

Christopher M. Fletcher, AICP, Director

John Whitmore, AICP, Senior Planner

## Planning Commission Electronic Means Meeting Announcement

### Confirming Member Access:

As a preliminary matter, this is **Morgantown Planning Commission President Peter DeMasters**. Permit me to confirm that all Planning Commissioners and persons anticipated on the agenda are present and can hear me.

- Planning Commissioners, when I call your name, please respond in the affirmative.

*State each members' name:*

- |                                |                                 |
|--------------------------------|---------------------------------|
| – Vice-President Carol Pyles   | – Commissioner Bill Petros      |
| – Commissioner Sam Loretta     | – Commissioner Michael Shuman   |
| – Commissioner Tim Stranko     | – Council Member Ronald Dulaney |
| – Commissioner William Blosser | – Commissioner AJ Hammond       |

- Staff, when I call your name, please respond in the affirmative.

*State each staff members' name:*

- John Whitmore, Senior Planner

### Introduction to Electronic Means Meeting:

Good Evening. This meeting of the **Morgantown Planning Commission** is being conducted by electronic means consistent with the West Virginia Open Governmental Proceedings Act and the guidance of the West Virginia Ethics Commission due to the current State of Emergency given the outbreak of COVID-19.

In order to mitigate the transmission of the virus and reduce risk of COVID-19 illness, we have been advised and directed to suspend public gatherings. In keeping with that direction, and the authority provided by the Open Governmental Proceedings Act and the Ethics Commission guidance allowing the conduct of public meetings by electronic means so long as the public is able to observe the meeting, this meeting is being conducted by remote electronic participation and in-person attendance by the public is not permitted.

This meeting will include a public comment portion concerning matters not on the agenda and public hearings for each of the cases listing on this evening's agenda. Members of the public will be permitted to comment during these portions by submitting comments in writing or by speaking during their designated time, if they have signed up to do so prior to the start of the meeting. Even if members of the public do not provide comment, participants are advised that people may be listening who do not provide comment, and those persons are not required to identify themselves.

For this meeting, the **Planning Commission** is convening by **Cisco Webex video and telephone conference** as posted on the City's Website identifying how the public may join.

Please note that this meeting is being recorded, and that some attendees are participating by video conference.

## Planning Commission Electronic Means Meeting Announcement

Accordingly, please be aware that other people may be able to see you and your video feed, and that you take care not to “screen share” your computer. Anything that you broadcast may be captured by the recording.

All supporting materials that have been provided members of this body are available on the City’s website with the Planning Commission meeting packet unless otherwise noted. The public is encouraged to follow along using the posted agenda.

### Meeting Business Ground Rules

Before we turn to the first item on the agenda, permit me to cover some ground rules for effective and clear conduct of our business and to ensure accurate meeting minutes.

- Please remember to mute your phone or computer when you are not speaking.
- Please remember to wait to be recognized by the President before speaking and to speak clearly and in a way that helps generate accurate minutes.
- For any response, please wait until the President yields the floor to you and state your name before speaking.
- If Planning Commissioners wish to engage in colloquy with other members, please do so through the President, taking care to identify yourself.

The Planning Commission conducts business in the following order:

- (1) There will be a general public comment portion when anyone who wishes to address the Planning Commission may do so, but only on matters that are not on the agenda. I will first read, or have read, all written comments submitted, and will then review the list of public commenters who have signed up by the meeting start time. Once I have a list of all public commentators, I will call on each by name. All speakers will be limited to five (5) minutes. If members of the Planning Commission have any questions of the speaker, that time will not be counted toward the speaker’s five (5) minutes. Public speakers must state their name and address for the record. Speakers are notified that irrelevant comments or comments of a personal nature or personal attacks may result in the speaker forfeiting their opportunity to participate in the general public comment portion.
- (2) We review, amend, and approve minutes of the previous meeting.
- (3) We consider any Unfinished Business from previous meetings.
- (4) We move on to New Business items. First, we introduce the item and the Planning Division representative presents the Staff Report.
- (5) Next, we ask the petitioner to make a presentation. Planning Commissioners may ask the petitioner questions at that time. To ensure an accurate record and to aid the preparation of meeting minutes, presenters and Planning Commissioners must first be recognized by the President and state your name before proceeding.

## Planning Commission Electronic Means Meeting Announcement

- (6) I will then open a Public Hearing to hear testimony in support of, or in opposition to, the request. Rules regarding public testimony are as follows:
- (a) I will first read, or have read, all written comments submitted, and will then review the list of public commenters who have signed up by the meeting start time.
  - (b) Once I have a list of all public commentators, I will call on each by name. All speakers will be limited to five (5) minutes. If members of the Planning Commission have any questions of the speaker, that time will not be counted toward the speaker's five (5) minutes.
  - (c) Public speakers must state their name and address for the record. All comments must be addressed to the Commission. Speakers are notified that irrelevant comments or comments of a personal nature or personal attacks may result in the speaker forfeiting their opportunity to participate in the public hearing.
  - (d) If there is a large number of speakers, including many who are part of groups or organizations, I may, to avoid repetitive comments, elect to ask for a representative to speak on behalf of the group or organization.
  - (e) I may elect to recognize the applicant/agent at the end of the public hearing to provide rebuttal or additional comments, which will be limited to five (5) minutes. If members of the Commission have any questions of the applicant/agent, that time will not be counted toward the applicant's/agent's five (5) minutes.
- (7) After all testimony is heard, I will declare the Public Hearing closed and no further public comment will be permitted. At that time, no one in the audience may speak again unless a Planning Commissioner asks a question. If someone is asked a question, they must first be recognized by the President and identify themselves once again before answering.
- (8) Next, the Planning Commission will discuss and take action on the application.
- (9) Because this public meeting is being conducted by remote electronic participation and to ensure accurate meeting minutes each vote taken during this meeting will be conducted by roll call vote.
- (10) Uncivil, unruly, and/or disruptive behavior at any time during this meeting is prohibited and will result in removal from this public meeting.

Thank you for your consideration and respect for these proceedings and the opinions of all meeting participants.



## MORGANTOWN PLANNING COMMISSION

August 13, 2020  
6:30 p.m.  
By Electronic Means

**President:**

Peter DeMasters, 6<sup>th</sup> Ward

**Vice-President:**

Carol Pyles, 7<sup>th</sup> Ward

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Sam Loretta, 1<sup>st</sup> Ward

Tim Stranko, 2<sup>nd</sup> Ward

William Blosser, 3<sup>rd</sup> Ward

Bill Petros, 4<sup>th</sup> Ward

Michael Shuman, 5<sup>th</sup> Ward

Ronald Dulaney, City Council

AJ Hammond, City Admin.

*If you need an accommodation, please contact 304-284-7431 or TDD 304-284-7512*

**Development Services**

Christopher Fletcher, AICP  
Director

**Planning Division**

John Whitmore, AICP  
Senior Planner

389 Spruce Street  
Morgantown, WV 26505  
304.284.7431

City buildings remain partially closed to the public to protect public health during the COVID-19 pandemic. Personal attendance at this meeting will not be permitted. The public may participate in the public portions through the following Cisco WebEx videoconference access methods:

Meeting Link: <https://cityofmorgantown.my.webex.com/meet/cityofmorgantown>

Meeting Number: 793 734 477

Phone: 408-418-9388

Access Code: 793 734 477

All members of the public may view the meeting on Channel 15 and by streaming hosted on the City's website at [www.morgantownwv.gov](http://www.morgantownwv.gov). If you do not wish to speak at the meeting, please view it by these methods to conserve capacity on the videoconference.

Any person wishing to speak at the meeting may sign up by completing the form available at: <http://morgantownwv.gov/FormCenter/Public-Comment-Sign-Up-Sheet-14/Public-Comment-Form-Morgantown-Planning--87>. Another option to speak during a public comment portion is by providing their name, phone number they will use to participate, and the specific Case Number and/or General Public Comments listed on the Planning Commission's agenda on which they would like to speak by texting or calling 304-906-7843. You may sign up to speak at any time until the meeting begins. Additionally, the public may submit written comments for the public hearing portions of the meeting by sending an email to the Development Services Department at [bmcdonald@morgantownwv.gov](mailto:bmcdonald@morgantownwv.gov). In the email, please use the subject line "Public Comment PC 07/09/2020" and indicate in the body of the email the specific Case Number you wish to address and if you would like your comment to be read aloud during the public hearing portion for that case.

### AGENDA

- I. **CALL TO ORDER AND ROLL CALL**
- II. **GENERAL PUBLIC COMMENTS** – concerning matters not on the agenda
- III. **MATTERS OF BUSINESS**
  - A. Approval of the July 9, 2020 minutes.
- IV. **UNFINISHED BUSINESS:** None.
- V. **NEW BUSINESS:**
  - A. **MNS20-06 / McIntosh / 116 Maple Avenue:** Request by Chad Frasher on behalf of Jennifer McIntosh for minor subdivision approval of property located at 116 Maple Avenue. Second Ward Tax District, Tax Map 36, Parcel 503; R-1A, Single-Family Residential District.



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Michael Shuman, 5<sup>th</sup> Ward

Ronald Dulaney, City Council

AJ Hammond, City Admin.

**B. MNS20-07 / Smalls / 1105 and 1117 Ross Street:** Request by Jamel and Lindsay Smalls for minor subdivision approval of property located at 1105 and 1117 Ross Street. Second Ward Tax District, Tax Map 41, Parcels 227, 228, 228.1, 229, 229.1, and 230; R-1A, Single-Family Residential District.

**VI. OTHER BUSINESS**

**A. Committee Reports**

- Traffic Commission
- Other Committees

**B. Staff Comments**

**VII. FOR THE GOOD OF THE COMMISSION**

**VIII. ADJOURNMENT**

*If you need an accommodation, please contact 304-284-7431 or TDD 304-284-7512*

**Development Services**

Christopher Fletcher, AICP  
Director

**Planning Division**

John Whitmore, AICP  
Senior Planner

389 Spruce Street  
Morgantown, WV 26505  
304.284.7431

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# MORGANTOWN PLANNING COMMISSION

## MINUTES

**6:30 p.m.**

**July 9, 2020**

**By Electronic Means**

**COMMISSIONERS PRESENT:** Peter DeMasters, William Blosser, AJ Hammond, Sam Loretta, Carol Pyles, Michael Shuman, Tim Stranko

**COMMISSIONERS ABSENT:** Ronald Dulaney and Bill Petros [both experience technical difficulties connecting to the meeting and were not present when votes were cast on agenda items]

**STAFF PRESENT:** Christopher M. Fletcher, AICP

- I. **CALL TO ORDER/ROLL CALL:** DeMasters called the meeting to order at 6:30 p.m. DeMasters and dispensed with the reading of the pre-meeting announcement as no one signed up to speak during the public comment/hearing portions. No one objected.
- II. **GENERAL PUBLIC COMMENTS:** None.
- III. **MATTERS OF BUSINESS:**
  - A. Approval of the June 11, 2020 meeting minutes. Pyles moved to approve as presented; seconded by Lorretta. The motion carried unanimously.
- IV. **UNFINISHED BUSINESS:** None.
- V. **NEW BUSINESS:**
  - A. **MNS20-05 / Eakes / 372-376 Kenmore Street:** Request by Craig Eakes for minor subdivision approval of property located at 372 and 376 Kenmore Street. Seventh Ward Tax District, Tax Map 7, Parcels 192 and 193; R-1, Single-Family Residential District.

Fletcher presented the Staff Report and noting the petitioner requested staff to represent them.

There being no comments or questions by the Commission, DeMasters asked if anyone was present to speak in favor of or in opposition to the petition. Fletcher confirmed no one signed up to speak on this matter. There being no public comments, DeMasters for staff's recommendation, which was read by Fletcher.

DeMasters asked if there was any discussion. There being none, he asked for a motion.

Hammond moved to approve MNS20-05 as requested with staff's recommended conditions; seconded by Stranko. The motion carried unanimously.

Fletcher noted that Mr. Petros had joined the meeting but was having technical difficulties.

## **VI. OTHER BUSINESS**

### **A. Committee Reports**

- Traffic Commission Report: None.
- Other Committees: None.

### **B. Staff Comments**

Fletcher noted City Council enacted the text amendment for the electric vehicle charging stations and the zoning map amendment for the WVU Hospitals.

Fletcher noted City Council passed on first reading the ordinance creating the Wiles Hill Gateway Overlay District. The public hearing and second reading will be on City Council's 04 AUG 2020 agenda.

## **VII. FOR THE GOOD OF THE COMMISSION**

Loretta noted Dulaney had just joined the meeting and congratulated him on becoming Mayor. Dulaney thanked him and apologized for being late to the meeting due to technical difficulties.

## **VIII. ADJOURNMENT: 6:49 p.m.**

MINUTES APPROVED:

COMMISSION SECRETARY:

\_\_\_\_\_  
Christopher M. Fletcher, AICP

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Michael Shuman, 5<sup>th</sup> Ward

Ronald Dulaney, City Council

AJ Hammond, City Admin.

## STAFF REPORT

**CASE NO:** MNS20-06 / McIntosh / 116 Maple Avenue

**REQUEST and LOCATION:**

Request by Chad Frasher on behalf of Jennifer McIntosh for minor subdivision approval of property located at 116 Maple Avenue.

**TAX MAP NUMBER (s) and ZONING DESCRIPTION:**

Tax District 10, Tax Map 36, Parcel 503; R-1A, Single-Family Residential District.

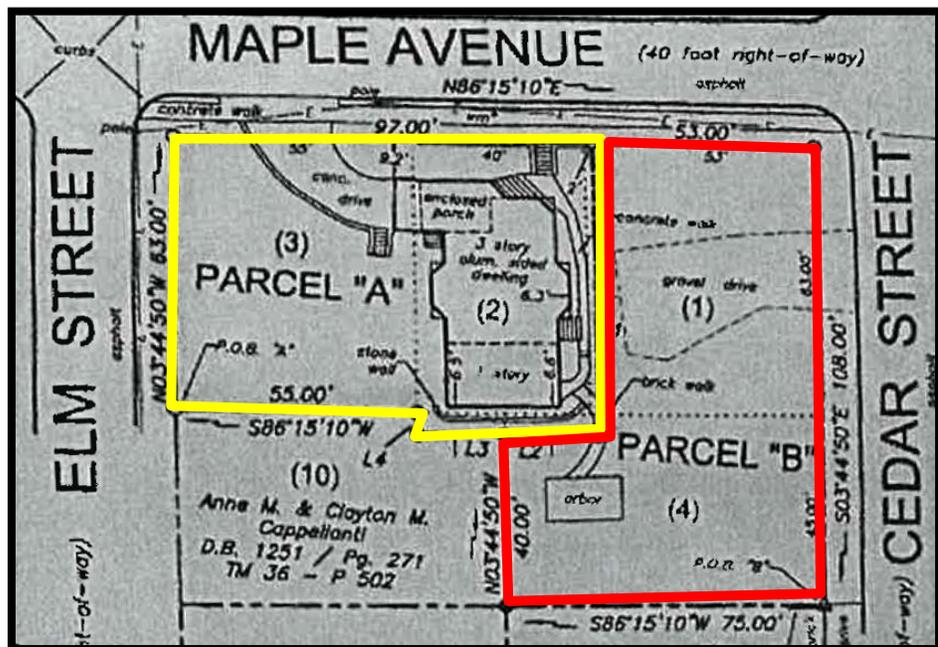
**SURROUNDING ZONING:**

R-1A, Single-Family Residential District.

**BACKGROUND and ANALYSIS:**

The petitioner seeks to subdivide Parcel 503 into two (2) parcels Addendum A of this report illustrates the location of the subject site.

Parcel 503 is approximately 12,925 square feet in area encompassing the entire Maple Avenue frontage (150 feet +/-) of "Block 20." A three-story single-family dwelling, that is a nonconforming structure, is the principal building on-site. The petitioner proposes to subdivide the Cedar Street side-yard into a separate parcel. The staff enhanced image below shows the proposed subdivision of Parcel 503 into Parcel A and Parcel B:



**Development Services**

Christopher Fletcher, AICP  
Director

John Whitmore, AICP  
Senior Planner

**Planning Division**

389 Spruce Street  
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Ronald Dulaney, City Council

AJ Hammond, City Admin.

Parcel A will have a total area of approximately 6,321 and a minimum frontage along Elm Street of sixty-three (63) feet and presumed frontage along Maple Avenue of ninety-seven (97) feet. Parcel B will have a total area of approximately 6,604 square feet and have a minimum parcel frontage along Maple Avenue of fifty-three (53) feet. Both parcels will exceed the R-1A District minimum area (3,500 square feet) and minimum lot frontage (30-foot) requirements

The existing structure at 116 Maple Avenue will continue to have a rear setback non-conformity that will not be impacted by the proposed subdivision as the principal building's frontage is historically established to be Maple Avenue, which is addressed in Section 1329 of the Planning and Zoning Code under the definition for "Lot Front" provided in the image below:

LOT FRONT – The side of a lot that abuts a public street is the front of the lot. For corner lots, the shortest side fronting upon a street shall be considered the front of the lot. Where buildings exist on the lot, the frontage may be established by the orientation of the building, or of the principal entrance, if building orientation does not clearly indicate lot frontage. Where no other method determines conclusively the front of a lot, the Planning Director shall select one frontage on the basis of traffic flow on adjacent streets, so that the lot is considered to front on the street with the greatest traffic flow.

**STAFF RECOMMENDATION:**

Staff recommends approval of the minor subdivision as requested with the following conditions:

1. That the petitioner submits at least three (3) original final plat documents, including all access/utility easements, signed and sealed by a surveyor licensed in the State of West Virginia for the Planning Commission President's signature.
2. That the final plat is recorded at the Monongalia County Courthouse within thirty (30) days of receiving the executed plat.

Enclosure: Application and accompanying exhibits

**Development Services**

Christopher Fletcher, AICP  
Director

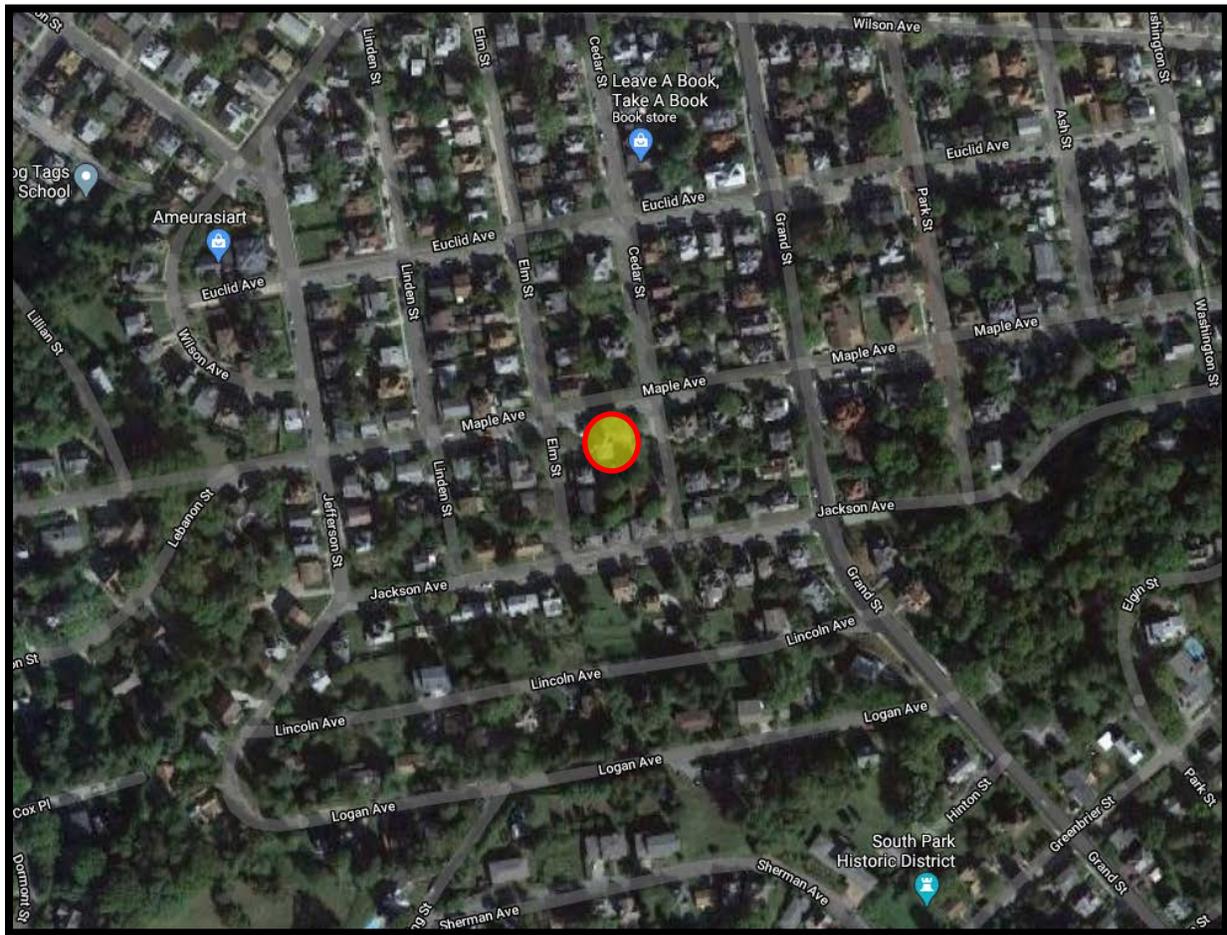
John Whitmore, AICP  
Senior Planner

**Planning Division**

389 Spruce Street  
Morgantown, WV 26505  
304.284.7431

# STAFF REPORT ADDENDUM A

## MNS20-06 / McIntosh / 116 Maple Avenue



# STAFF REPORT ADDENDUM A

## MNS20-06 / McIntosh / 116 Maple Avenue





OFFICE USE  
CASE NO. **MNS20-06**

## APPLICATION FOR MINOR SUBDIVISION

A Minor Subdivision of property includes the creation of up to four (4) parcels or the consolidation of existing parcels via survey plat or approved deeded covenants, but does not involve the extension of off-site facilities (streets, etc.) or the dedication of a portion of the site for public use.

(PLEASE TYPE OR PRINT IN BLACK INK)

FEE: **\$75.00** [Z-MNS] *See*

I. APPLICANT			
Name:	Jennifer McIntosh	Phone:	3042761697
Mailing Address:	116 Maple Ave	Mobile:	
	Street Morgantown WV 26501	Email: jamcshopping@gmail.com	
	City State Zip		
II. AGENT / CONTACT INFORMATION			
Name:	Chad Frasher	Phone:	3042169747
Mailing Address:	700 Sherman Ave	Mobile:	
	Street Morgantown WV 26501	Email: chadfrasher@gmail.com	
	City State Zip		
Mailings –	Send all correspondence to (check one): <input checked="" type="checkbox"/> Applicant OR <input type="checkbox"/> Agent/Contact		
III. PROPERTY			
Owner:	Jennifer McIntosh	Phone:	
Mailing Address:	116 Maple Ave	Mobile:	
	Street Morgantown WV 26501	Email:	
	City State Zip		
IV. SITE			
Street Address (if assigned):		Tax Map No(s):	0036
Zoning:		Parcel No(s):	0503
Subdivision Description, including areas (sq. ft.) of proposed parcel(s):	<i>See attached Survey Parcel "B"</i>		
Are there any Variances from the Subdivision Regulations anticipated:	<input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, to what extent is a variance necessary?			

\$75.00  
 Z-MNS  
 2021-09001010  
 Kim Nigro  
 7/16/2020 11:03:26 PM  
 Minor Subdivision Application  
 For Deposit Only  
 City of Morgantown



OFFICE USE  
CASE NO. *MNS20-06*

# APPLICATION FOR MINOR SUBDIVISION

## V. PLAT

Preliminary Plat submission – A Minor Subdivision Application must also include one (1) preliminary plat illustrating:

- (a) Existing and proposed property boundaries, property boundary dimensions, and square footage.
- (b) A letter of service availability and approval from the Morgantown Utility Board.

Final Plat submission – Upon approval by the Planning Commission, three (3) sealed Final Plat surveys must be submitted to the Planning Office and meet the following standards:

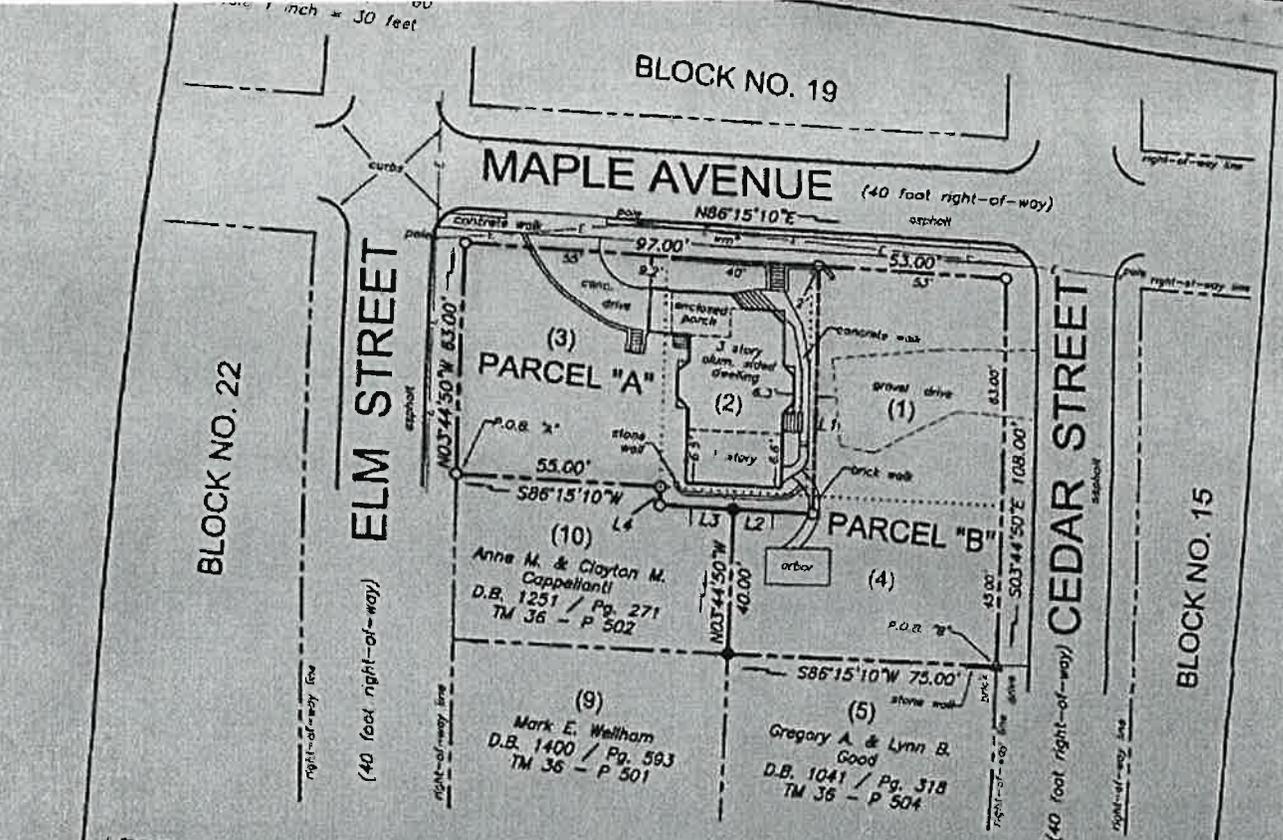
- (a) Drawn to a scale of one inch (1") equals fifty feet (50') or larger;
- (b) Date of preparation, north arrow, and scale;
- (c) Legal description;
- (d) Applicant/owner name and address;
- (e) Existing zoning;
- (f) Legend;
- (g) Vicinity map;
- (h) Existing and proposed utility lines and easements;
- (i) Certification by a registered land surveyor, licensed in the State of West Virginia, that the dimension and bearings are accurately delineated with a seal and signature;
- (j) Location, shape, exterior dimensions of each existing building on the site(s);
- (k) Location and dimensions of paved surfaces including sidewalks and curb cuts, and of all abutting streets;
- (l) Location of springs, streams, other water bodies, and areas subject to flooding;
- (m) Floodplain designation making reference to pertinent FEMA Firm Community Panel Number;
- (n) Approval signature block allowing space for President of Morgantown Planning Commission;
- (o) Other items as deemed necessary by Planner Director or City Engineer.

**Please note that all approved minor subdivision plats must be filed with the Monongalia County Tax Office within thirty (30) days of approval. Plats not filed within thirty (30) days will be considered invalid by the City of Morgantown and will require a new application.**

## VIII. ATTEST

I hereby certify that I have read and examined this document and know the same to be true and correct. All provisions of laws and ordinance governing this type of work will be complied with whether specified herein or not. Granting of a permit 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.

*Jennifer McIntosh*      *[Signature]*      *7/16/20*  
 Type/Print Name of Applicant/Agent      Signature of Applicant/Agent      Date



LEGEND

- property line
- - - - - new division line
- ..... lot line
- (4) lot number
- △ chiseled "X" (found) in stone wall
- 1/2" reinforcing rod (found)
- 5/8" reinforcing rod (set)
- WM water meter
- overhead utility lines

**LINE CHART**

L1: S03°44'50"E	68.00'	(new division line)
L2: S86°15'10"W	22.00'	(new division line)
L3: S86°15'10"W	20.00'	(new division line)
L4: N03°44'50"W	5.00'	

NOTES:

- 1) Location of underground utilities not shown.
- 2) Survey was conducted without benefit of lawyer's title report and may not reflect all exceptions, rights-of-way, easements or restrictions.
- 3) Parcels surveyed are zoned R-1A.

THIS SUBDIVISION HAS BEEN APPROVED BY THE MORGANTOWN PLANNING COMMISSION OR ASCERTAINED TO MEET THE MORGANTOWN SUBDIVISION REGULATIONS ON ... 200 ... AND IS READY FOR RECORDING BY THE MONONGALIA COUNTY CLERK OF THE COURT.

Authorized agent  


**GREENLEAF SURVEYING COMPANY**  
 1215 GREENBAG ROAD  
 MORGANTOWN, WEST VIRGINIA 26506  
 304 / 261-1284

ALLAN J. WITSCHI, P.S. NO. 587 file number 053-11

PARCEL "A"

All Lot No's. 2 & 3 & part of Lot No's. 1, 4 & 10  
 Title: Jennifer Ann McIntosh  
 DB. 1186 at Page 126  
 Tax Map No. 36 Parcel 503 (part of)  
 Area: 6,321 sq.ft., or 0.1451 acres  
 Address: 116 Maple Avenue, Morgantown, WV

PARCEL "B"

Part of Lot No's. 1 & 4  
 Title: Jennifer Ann McIntosh  
 DB. 1186 at Page 126  
 Tax Map No. 36 Parcel 503 (part of)  
 Area: 6,604 sq.ft., or 0.1516 acres  
 Address:

MINOR SUBDIVISION PLAT FOR JENNIFER ANN MCINTOSH

Description: Parcels in Block No. 20 of Morgantown Bridge & Improvement Co's South Park Addition  
 Addition Ref., D.B. 142 / Pg. 464  
 Second Ward of Morgantown Corporation  
 Morgan District, Monongalia County, West Virginia.  
 Scale 1" = 30' Date: September 20...



## Morgantown Utility Board

278 Greenbag Road Post Office Box 852 Morgantown, WV 26507-0852

Phone: 304.292.8443 Email: [mubmail@mub.org](mailto:mubmail@mub.org) Website: [mub.org](http://mub.org)

MNS 20-06

July 17, 2020

Jennifer McIntosh  
c/o Chad Frasher, Realtor  
Via Email: [chadfrasher@gmail.com](mailto:chadfrasher@gmail.com)

**Re: Water, Sewer & Storm Service Availability  
116 Maple Street ~ Proposed Parcel "B"**

Dear Ms. McIntosh,

This will confirm that Water, Sanitary Sewer and Storm Sewer service is available to the above referenced property line. Note that we are unable to certify whether the depth/elevation and/or size of the existing MUB facilities are adequate to serve the proposed structure. We will evaluate such adequacy upon receipt of additional details describing the design of the proposed structure along with a property plat showing the proposed structure to be served.

In addition to the above costs and in accordance with our PSC-approved rate schedule, tap fees will be charged for each domestic service connection requested. The tap fee for water service is \$700.00 (3/4-inch or less); \$1,000.00 (1-inch); \$1,500.00 (1 1/2-inch); \$2,000.00 (2-inch) per meter setting. All water services larger than 2-inch are installed on an as-cost basis. The tap fee for sewer service is \$700.00 per structure. The PSC requires that we install the utility service line to the property line of the premises being served for the cost of these tap fees and further requires that a single and separate customer service line be provided for each structure being served.

A Stormwater Permit Application will be required for your project along with a review and approval of your Storm Water Management Plan by MUB. **Note that this would be required prior to construction and/or development of the site.** Note also that a structural stormwater management control facility would be required as a part of any Stormwater Management Plan.

In order to help us serve you better, please bring this letter with you when applying for new service, along with any additional property information available.

If you have any questions regarding this matter, please call me at (304) 292-8443. Thank you in advance for your kind cooperation.

Sincerely,  
MORGANTOWN UTILITY BOARD

*Brandon Stickle*

Brandon Stickle  
Engineering Technician

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# MORGANTOWN PLANNING COMMISSION

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Ronald Dulaney, City Council

AJ Hammond, City Admin.

## STAFF REPORT

**CASE NO:** MNS20-07 / Smalls / 1105 and 1117 Ross Street

**REQUEST and LOCATION:**

Request by Jamel and Lindsay Smalls for minor subdivision approval of property located at 1105 and 1117 Ross Street.

**TAX MAP NUMBER (s) and ZONING DESCRIPTION:**

Tax District 10, Tax Map 41, Parcels 227, 228, 228.1, 229, 229.1, and 230; R-1A, Single-Family Residential District.

**SURROUNDING ZONING:**

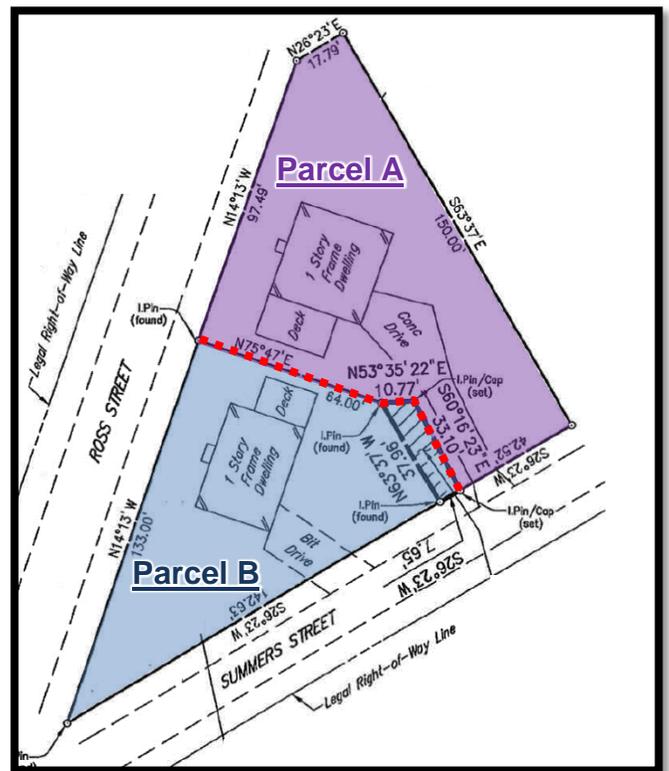
R-1A, Single-Family Residential District.

**BACKGROUND and ANALYSIS:**

The petitioner seeks to subdivide Parcels 227, 228.1, 229.1 into (1) parcel while acquiring an additional 308 square feet segment from Parcel 229; the remainder of Parcel 229 will be consolidated with Parcels 228 and 230. Addendum A of this report illustrates the location of the subject site.

The structure at 1117 Ross Street currently occupies portions of Parcels 228.1 and 229.1 and is considered a nonconforming structure. The structure at 1105 Ross Street is also considered a nonconforming structure. The subdivision will result in two (2) reconstituted parcels as shown in the staff enhanced image to the right.

Parcel A for 1105 Ross Street will be approximately 8,523 square feet and maintain an approximate 97.5-foot frontage along Ross Street. Parcel B for 1117 Ross Street will be approximately 7,271 square feet in area and maintain a 133-foot +/- frontage along Ross Street.



**Development Services**

Christopher Fletcher, AICP  
Director

John Whitmore, AICP  
Senior Planner

**Planning Division**

389 Spruce Street  
Morgantown, WV 26505  
304.284.7431



# MORGANTOWN PLANNING COMMISSION

August 13, 2020  
6:30 p.m.  
By Electronic Means

**President:**

Peter DeMasters, 6<sup>th</sup> Ward

**Vice-President:**

Carol Pyles, 7<sup>th</sup> Ward

**Planning Commissioners:**

Sam Loretta, 1<sup>st</sup> Ward

Tim Stranko, 2<sup>nd</sup> Ward

William Blosser, 3<sup>rd</sup> Ward

Bill Petros, 4<sup>th</sup> Ward

Michael Shuman, 5<sup>th</sup> Ward

Ronald Dulaney, City Council

AJ Hammond, City Admin.

The proposed consolidation and redistribution would result in both structures' nonconformity being corrected and both newly created parcels exceeding the R-1A District minimum frontage (30 feet) and minimum area (3,500 square feet) requirements.

**STAFF RECOMMENDATION:**

Staff recommends approval of the minor subdivision as requested with the following conditions:

1. That the petitioner submits at least three (3) original final plat documents, including all access/utility easements, signed and sealed by a surveyor licensed in the State of West Virginia for the Planning Commission President's signature.
2. That the final plat is recorded at the Monongalia County Courthouse within thirty (30) days of receiving the executed plat.

Enclosure: Application and accompanying exhibits

**Development Services**

Christopher Fletcher, AICP  
Director

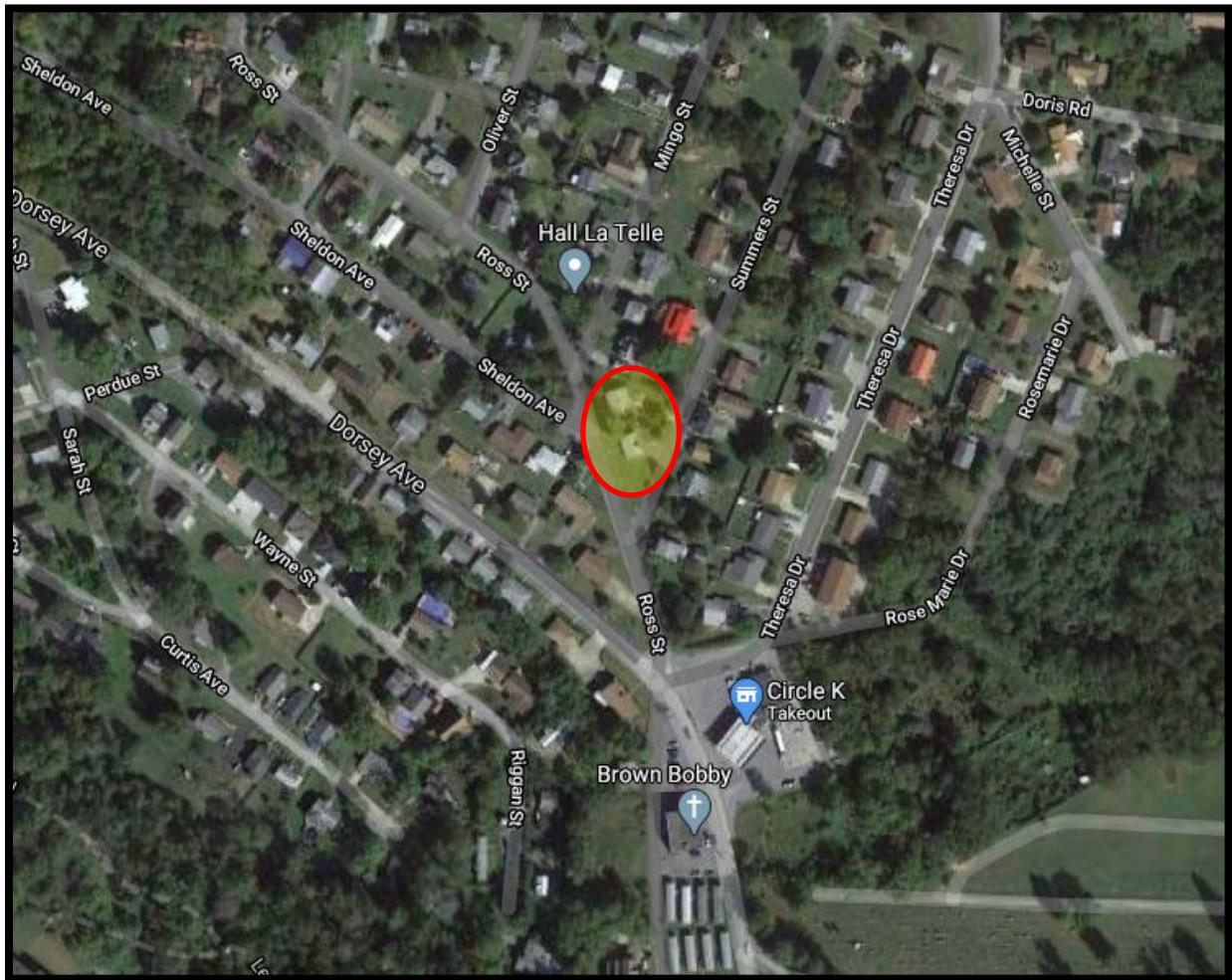
John Whitmore, AICP  
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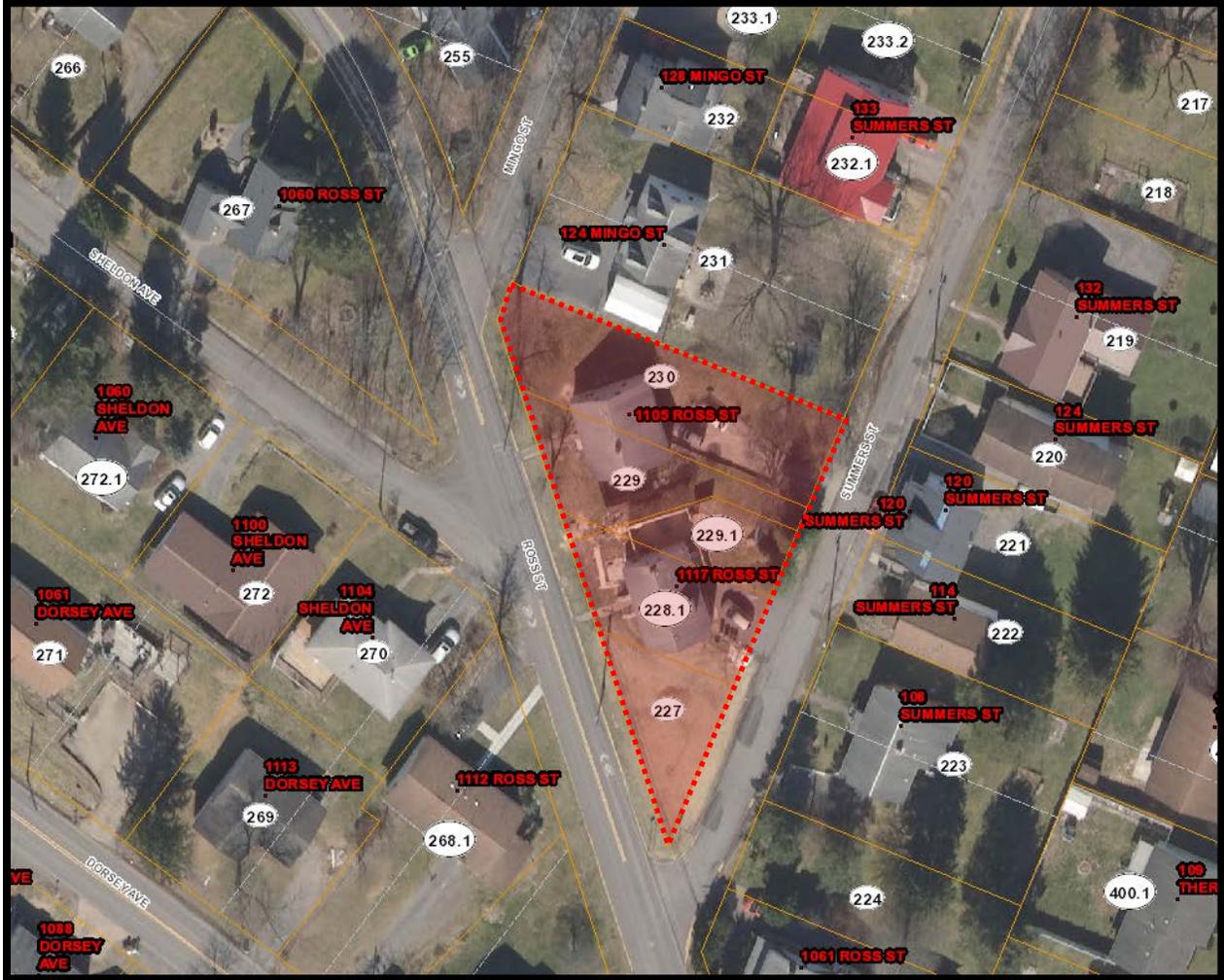
# STAFF REPORT ADDENDUM A

## MNS20-07 / Smalls / 1105 and 1117 Ross Street



# STAFF REPORT ADDENDUM A

## MNS20-07 / Smalls / 1105 and 1117 Ross Street





THE CITY OF MORGANTOWN WEST VIRGINIA

PAID PAID PAID JUL 21 2020

OFFICE USE CASE NO. MNS20-07

APPLICATION FOR MINOR SUBDIVISION

A Minor Subdivision of property includes the creation of up to four (4) parcels or the consolidation of existing parcels via survey plat or approved deeded covenants, but does not involve the extension of off-site facilities (streets, etc.) or the dedication of a portion of the site for public use.

(PLEASE TYPE OR PRINT IN BLACK INK)

FEE: \$75.00 [Z-MNS]

PAID CASH

I. APPLICANT

Name: JAMEL & LINDSAY SMALLS Phone: -
Mailing Address: 1117 ROSS ST. Mobile: 304-276-4973
MORGANTOWN WV 26501 Email: lindsay.smalls@yahoo.com

II. AGENT / CONTACT INFORMATION

Name: PERRY SCHWEISS Phone: -
Mailing Address: 248 GRANDVIEW AVE. Mobile: 724-880-9288
MORGANTOWN WV 26501 Email: pschweiss@spkengr.com

Mailings - Send all correspondence to (check one): [X] Applicant OR [ ] Agent/Contact

III. PROPERTY

Owner: SAME AS APPLICANT Phone:
Mailing Address: Street: City: State: Zip: Email:

IV. SITE

Street Address (if assigned): SAME AS APPLICANT Tax Map No(s): 41
Zoning: R-1-A Parcel No(s): 227, 228.1, 229.1

Subdivision Description, including areas (sq. ft.) of proposed parcel(s): PROPOSED LOT C TRANSFER (308 SF) FROM LOT B TO LOT A.

Are there any Variances from the Subdivision Regulations anticipated: [ ] Yes [X] No

If yes, to what extent is a variance necessary? NA

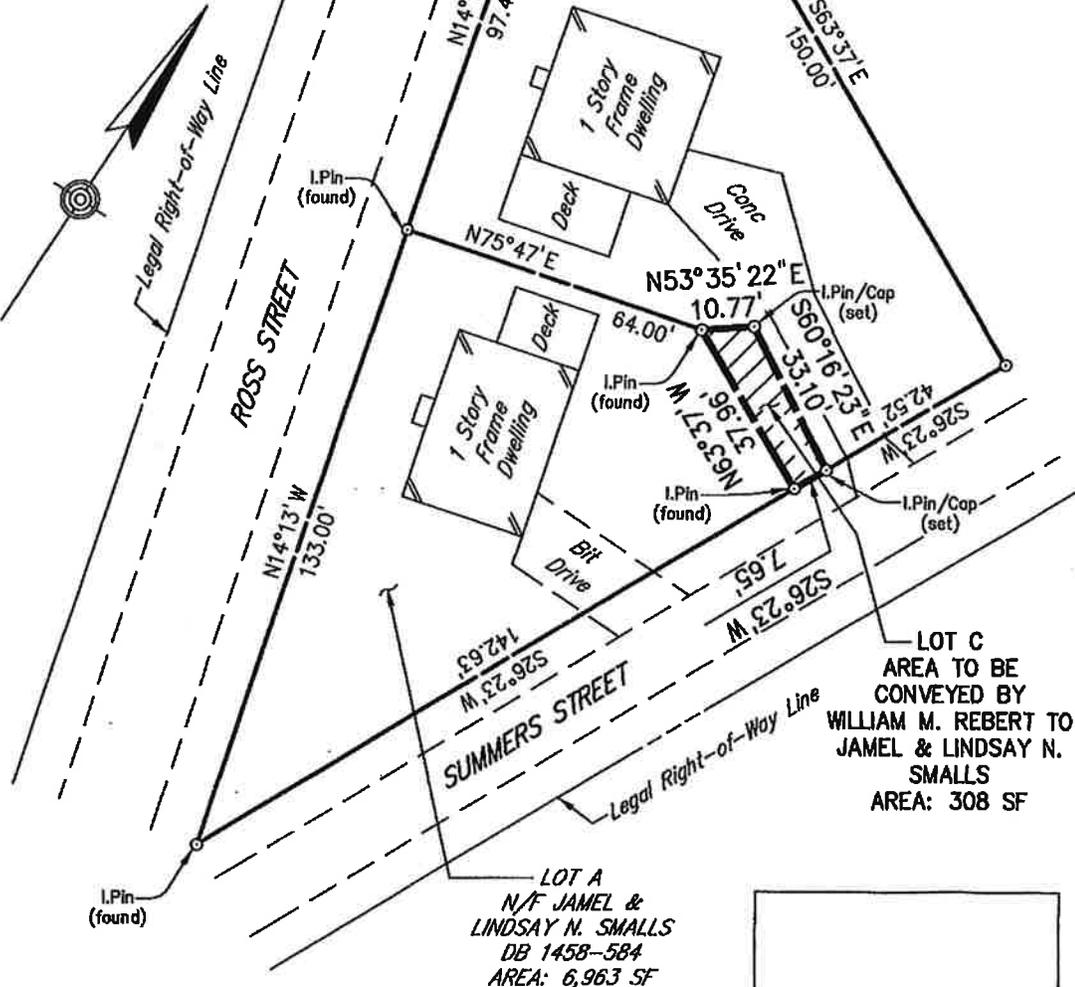
Vertical stamp: \$75.00 Z-MNS 2021-00001303 Kim Mignolo 7/21/2020 12:00:48 PM Minor Subdivision Application City of Morgantown



BEING A REVISION OF LOTS A & B, BLOCK 69, SMITH ADDITION TO SOUTH PARK, SECOND WARD, CITY OF MORGANTOWN, MONONGALIA COUNTY, WEST VIRGINIA

FEMA NO. 540141 0227 F NOT LOCATED IN A FLOOD ZONE.

ZONING: R-1-A ONE FAMILY RESIDENCE DISTRICT.

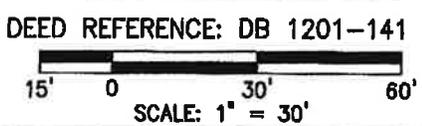


LOT C AREA TO BE CONVEYED BY WILLIAM M. REBERT TO JAMEL & LINDSAY N. SMALLS AREA: 308 SF

PRELIMINARY FOR STUDY PURPOSES ONLY

APPROVED BY THE CITY OF MORGANTOWN PLANNING COMMISSION ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2020.

PRESIDENT



MINOR SUBDIVISION OF PROPERTY BETWEEN  
WILLIAM M. REBERT (GRANTOR) &  
JAMEL & LINDSAY N. SMALLS (GRANTEE)  
 CITY OF MORGANTOWN, MONONGALIA COUNTY, WEST VIRGINIA  
 Scale: 1" = 30'  
 July, 2020