

West Run Planning District Board of Zoning Appeals
January 19, 2022
6:00 pm
Via Tele-Conference and In-Person*
*(with Omicron, Tele-conference is preferred)

AGENDA

- I. Call to Order and Roll Call
- II. Approval of Minutes (November 17, 2021, there was no December meeting)
- III. Public Hearings

Case VAR 009-2021: A variance request to reduce: 1) decrease the front yard landscaping buffer from 10 feet to 3 feet at its minimum along Maple Drive; 2) decrease the front yard landscaping buffer from 10 feet to 5 ft feet at its minimum along Mon General Drive; 3) remove the requirement to plant trees between the road and parking area, all other landscaping to remain; and 4) decrease the parking stall width from 10 feet to 9 feet; for the property legally described as Morgan 4C, Parcels 35 35.2 and 36.1 in order to install a 2,000 sq ft bank and 2 lane drive-thru.
- VI. Other Business
- VII. Adjournment



Board of Zoning Appeals:

Kent Pauley, Chair

Frank Oliverio, Vice Chair

James Barnes

Billy Smerka

Nate Gladish

Director of Planning:

Andrew Gast-Bray, AICP

County Planner:

Patricia Booth, AICP



MEMORANDUM

MONONGALIA COUNTY PLANNING COMMISSION

To: The West Run Planning District Board of Zoning Appeals
From: Andrew Gast-Bray, AICP, Director of Planning
Date: December 29, 2021
Subject: Request for various variances by Clear Mountain Bank for the property legally described as Parcels 35, 35.2, and 36 of Map 4C in the Morgan Tax District

Meeting: January 19, 2022

I. REQUEST:

In order to install a 2,000 sq ft bank and 2 lane drive-thru, the Applicant is requesting a variance to:

- 1) decrease the front yard landscaping buffer from 10 feet to 3 feet at its minimum along Maple Drive;
- 2) decrease the front yard landscaping buffer from 10 feet to 5 ft feet at its minimum along Mon General Drive;
- 3) remove the requirement to plant trees between the road and parking area, all other landscaping to remain;
- 4) decrease the parking stall width from 10 feet to 9 feet; and
- 5) increase the allowed slope grade of the road from the max of eight (8) percent to fifteen point two (15.2) percent; **THIS WAS FOUND TO BE UNNESSARY. The drive-thru aisle way does not constitute a road, and therefore does not fall under Article 2600 (Roads and ROW) requirements.**



Location:

Owner: CLEAR MOUNTAIN BANK Address: Maple Drive
Legal Description: Parcels 35, 35.2, and 36.1 of Map 4C in the Morgan Tax District

II. RELEVANT PRIOR COUNTY ACTIONS:

On November 18, 2021, Ryan Hess emailed the office regarding the how variances are handled by the MCPC.

On November 30, 2021, Mr. Hess emailed the office to confirm the zoning.

On December 7, 2021, Mr. Hess came into office to review the possible application and what variances would be needed.

On December 17, 2021, Mr. Hess submitted the application. After review of the application, it was accepted.

III. BACKGROUND INFORMATION:

- A. Size of Parcel: 0.5+/- acres (21,780+/- sq ft)
- B. Zoning District: General Commercial (C-2)
- C. Existing Vegetation: Empty parcel.
- D. Community Character of Immediate Vicinity: Mixture of various commercial uses.

IV. REVIEW OF APPLICATION:

❖ **The Applicant is requesting a variance to:**

- 1) Decrease the front yard landscaping buffer from 10 feet to 3 feet at its minimum along Maple Drive (N.B. due to the nature of the lot, ALL sides are considered front yard);

Pursuant to Section 2550.07 of the West Run Planning District Zoning Ordinance, development with parking between the building and public right of way is required to have a ten-foot-wide buffer of parking.

The Applicant is required to have 10 feet of landscaping between the road and the parking area.

The Applicant is requesting to **reduce** the landscaping buffer along Maple Drive (see Exhibit A). Approximately **132 ft** of the total frontage space will be required to have the reduction of the buffer of the 214 ft total of buffer (61.68% of the frontage).

As a result, the Applicant would be able to develop the property for the bank, while maintaining the overall integrity of the requirements, landscaping setbacks, and overall aesthetics.

- 2) Decrease the front yard landscaping buffer from 10 feet to 5 feet at its minimum along Mon General Drive;

Pursuant to Section 2550.07 of the West Run Planning District Zoning Ordinance, development with parking between the building and public right of way is required to have a ten-foot-wide buffer of parking.

The Applicant is required to have 10 feet of landscaping between the road and the parking area.

The Applicant is requesting to **reduce** the landscaping buffer along Mon General Drive (see Exhibit A). Approximately **89 ft** of the total frontage space will be required to have the reduction of the buffer of the 147 ft total of buffer (60.54% of the frontage).

- 3) Remove the requirement to plant trees between the road and parking area, all other landscaping to remain;

Pursuant to Section 2550.07 of the West Run Planning District Zoning Ordinance, development with parking between the building and public right of way is required to have installation of trees as part of the landscaping buffer.

The Applicant is required to have 10 of trees installed between the road and the parking area.

The Applicant is requesting to **completely remove** the requirement for installation of trees as part of the landscaping buffer along both Maple Drive and Mon General Drive (see Exhibit A).

- 4) Decrease the parking stall width from 10 feet to 9 feet;

Pursuant to Graphic 2500.17.01 of the West Run Planning District Zoning Ordinance, 90 degree parking is required to be 18 feet long and 10 feet wide..

The Applicant is required to have 10 foot wide parking stalls.

The Applicant is requesting to **reduce** the parking stall width by one foot from 10 feet to 9 feet (see Exhibit A), a 10 percent reduction.

As a result, the Applicant will be allowed to construct the development, while maintaining the overall integrity of the requirements, grading, and overall aesthetics.

❖ *Pursuant to Section 2400.08 of the West Run Planning District Zoning Ordinance, the Board of Zoning Appeals may grant a variance if the Applicant demonstrates that all of the following standards are met:*

The given requested variances are stated above and in Section I (Numbered 1 thru 4).

- A. The variance will not adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents:

Staff has no concrete evidence that indicates that granting this variance will adversely affect the public health, safety or welfare, or the rights of adjacent property owners or residents.

- 1) The landscape buffer will have **additional shrubs** as part of its installation and will include an area of green space to the rear of the property.
- 2) The landscape buffer will have **additional shrubs** as part of its installation and will include an area of green space to the rear of the property.
- 3) The reduction of the trees at the front of the property will **increase safety** and welfare by ensuring proper line of sight is still safeguarded.
- 4) Based on current vehicle models, the largest width is 80 inches (not including the General Motors H1 or H2), after which other federal government requirements

come into effect. This gives a clearance of 14 inches on either side of the vehicle for a 9 foot (108 inch) wide parking stall. Staff has determined that the proposed width will not decrease ease of use for the parking stalls (N.B. 9ft is often considered a standard parking stall width).

B. 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:

- 1) The rear of the property is a major thoroughfare as well as the parcel being oddly shaped. Moving the building more towards Maple drive allows for use of the property without causing additional issues.
- 2) The one side of the property is much narrower than the other side, and the property is oddly shaped. The ordinance allows for drive aisle up to 5 feet from the property. Drive through lanes have seen an increase in use in recent years. A reduction in the landscaping buffer would be necessary to allow a second lane.
- 3) The property is surrounded on three sides by roads, all of which curve directly after the intersection, this has created issues with sight lines, which installation of trees could hinder.
- 4) The rear of the property is a major thoroughfare. Additionally, an increase in online banking and direct banking (online only) have decreased the need for parking.

C. The variance would eliminate an unnecessary hardship and permit a reasonable use of the land:

- 1) The rear of the property abuts a major thoroughfare, and the property is oddly shaped, which causes central placement of construction on site to be hindered. Reducing the 10-foot buffer to three will allow for construction of the traditional accoutrements associated with bank layouts. Furthermore, this side of the property abuts a DOH buffer yard anyway. The Applicant is working with DOH to develop mutually an appropriate landscaping for the whole of that side of the property.
- 2) The one side of the property is much narrower than the other side, and the property is oddly shaped, which causes central placement of construction on site to be hindered. Reducing the 10-foot buffer to five will allow for construction of the traditional accoutrements associated with bank layouts.
- 3) The property is surrounded on three sides by roads, all of which curve directly after the intersection, this has created issues with sight lines which installation of trees could hinder. Reduction of the required trees to zero would eliminate sight line issues.
- 4) The proposed decrease in parking stall width will allow for the required parking, as well as meeting other requirements such as drive aisles and other accoutrements associated with bank layouts.

D. Will allow the intent of this Ordinance to be observed and substantial justice done:

- 1) The reduction of the buffer from ten to three will still allow for the rest of the basic parcel bulk requirements, such as setbacks, to be followed.

- 2) The reduction of the buffer from ten to five will still allow for the rest of the basic parcel bulk requirements, such as setbacks, to be followed.
- 3) The reduction of the tree requirement will still allow for the rest of the basic parcel bulk requirements, such as shrub and landscaping, to be followed.
- 4) The decrease in parking stall width is similar size or better to several other nearby bank locations, Wes Banco (9 by 17), BB&T (9.5 by 16), and Clear Mountain Bank (10 by 21 and 45 degree), with measurements taken via ArcGIS and the 2021 aerial.

The site has posed challenges to finding a proper use due to the location and odd shape of the lot. Staff has found that granting these variances will allow the intent of this Ordinance to be observed and substantial justice be done similar to other similar structures in the area. Thus, the proposed variances seem relatively minor and to pose little issue in this context.

V. RECOMMENDATION:

Staff recommends APPROVAL to the Board of Zoning Appeals for the variances outlined in Section I (numbered 1 thru 4) with the following conditions:

- A. The approval of this variance is based on the design of the residence shown on the site plan submitted with the application. Work not specified or alterations to the site plan may not be carried out without additional Planning approval.

VI. ITEMS REVIEWED:

- A. Proposed Variances Plan by CTL Engineering, dated December 13, 2021
- B. Proposed Site Plan by CTL Engineering, dated December 13, 2021
- C. Existing Conditions by CTL Engineering, dated December 13, 2021
- D. Grading Plan by CTL Engineering, dated December 13, 2021
- E. Landscaping Plan by CTL Engineering, dated December 13, 2021
- F. Erosion and Sediment Control Plan by CTL Engineering dated December 13, 2021
- G. Stormwater Plan by CTL Engineering, dated December 13, 2021
- H. Utility Plan by CTL Engineering, dated December 13, 2021
- I. Floor Plan and Elevations by Mills Group, dated December 13, 2021
- J. Similar Use Map, submitted December 17, 2021

