



MORGANTOWN BOARD OF ZONING APPEALS

January 16, 2019
 6:30 p.m.
 City Council Chambers

STAFF REPORT

Board Members:

Christopher Benison
 Harrison Case
 Heidi Cook
 Kevin Meehan
 Garrett Tomblin

CASE NO: V19-01 / Supercuts / 200 Hornbeck Road

REQUEST and LOCATION:

Request by Crystal Miller of *City Neon*, on behalf of *Supercuts*, for variance relief from Article 1369 concerning signage at 200 Hornbeck Road.

TAX MAP NUMBER(s) and ZONING DESCRIPTION:

Tax Map 64, Parcel 5; B-5, Shopping Center District

SURROUNDING ZONING:

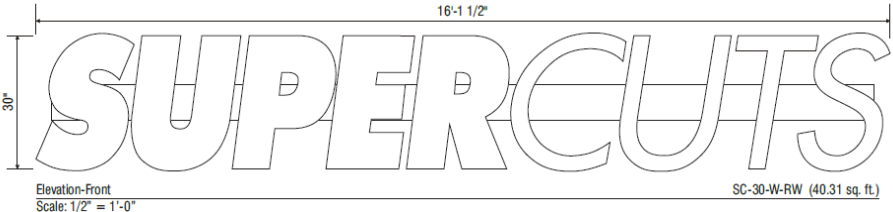
North and East: B-5, Shopping Center District
 South and West: outside Morgantown corporate boundaries

BACKGROUND and ANALYSIS:

Representatives of *City Neon* have been in contact with Planning Division staff regarding the rebranding of an existing "Barber Shop/Beauty Salon" use from a *Famous Hair* establishment to a *Supercuts* establishment. Addendum A of this report illustrates the location of the subject site.

Wall Sign

Section 1369.07(I)(1) of the Planning and Zoning Code provides a maximum wall sign area standard of six tenths (0.6) square feet for every one (1) foot of tenant building frontage in the B-5 District. The linear width of the tenant's frontage is 20 feet +/-, which establishes a maximum wall sign area standard of 12 square feet. As such, variance relief of 28.3 square feet is required for the wall sign as proposed and further illustrated in the table below.

Wall Sign	Sign Area
	40.3 sf
Total Permitted Sign Standards	12 sf
Total Requested Variance	28.3 sf

Development Services

Christopher Fletcher, AICP
 Director

John Whitmore, AICP
 Planner III

Planning Division

389 Spruce Street
 Morgantown, WV 26505
 304.284.7431



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STAFF RECOMMENDATION:

It is the duty of the Board of Zoning Appeals to determine whether the proposed request meets the standard criteria for a variance by reaching a positive determination for *each* of the "Findings of Fact" submitted by the petitioner. If the Board disagrees with the petitioner's "Findings of Fact" and determines the proposed request does not meet the standard criteria for a variance, then the Board must state findings of fact and conclusions of law on which it bases its decision to deny the subject variance petition. [See WV State Code 8A-8-11(e) and 8A-7-11(b)].

Addendum B of this report restate the petitioner's Findings of Fact responses. Staff offers no recommended revisions.

As is customary with sign variance petitions, no recommendation is submitted by Staff concerning whether variance relief should be granted as requested.

Development Services

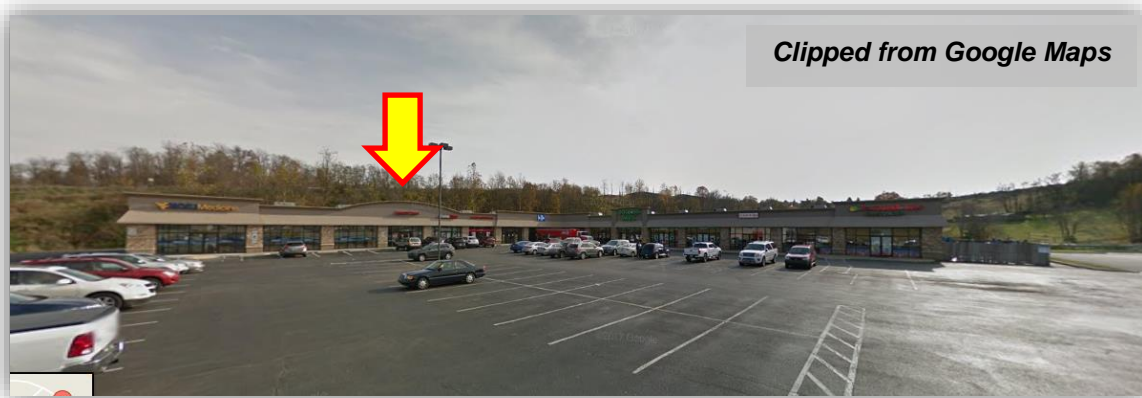
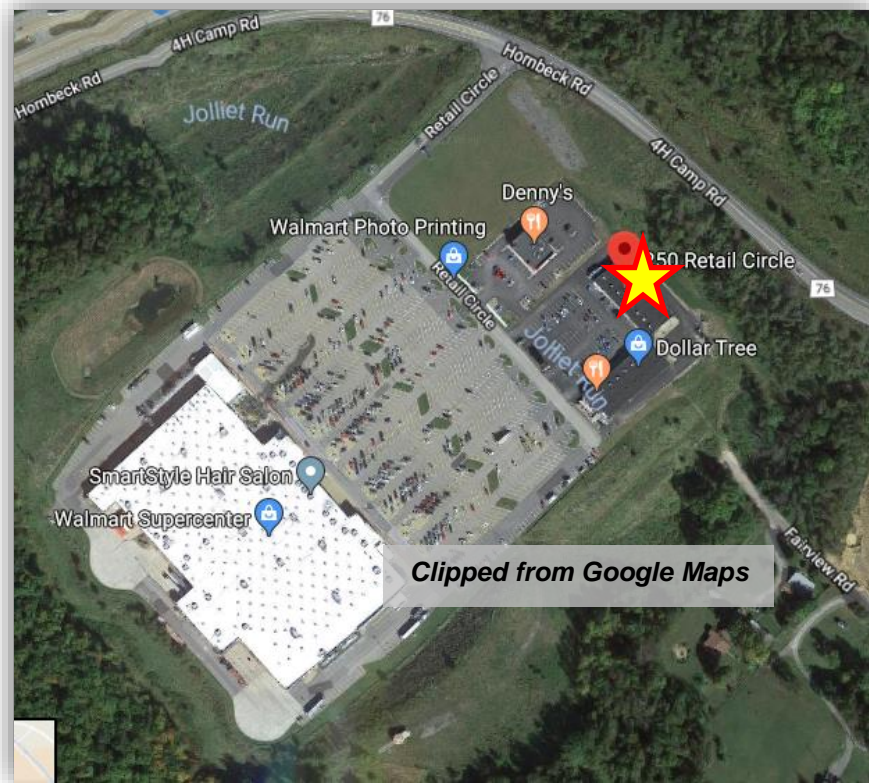
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STAFF REPORT ADDENDUM A
V19-01 / Super Cuts / 200 Hornbeck Road



STAFF REPORT ADDENDUM B

V19-01 / Super Cuts / 200 Hornbeck Road

The following restates the petitioner's Findings of Fact responses.

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:

A larger sign will help promote the business within the unique conditions of the plaza's location and distance from Retail Circle, which will not adversely impact the public realm or property rights of others.

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 shopping plaza is set back approximately 225' from the center of Retail Circle off of Hornbeck Road. The store front will only allow for a 12 sq ft sign which would be very difficult to see through the parking lot (approximately 17 cars deep).

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

A larger sign would allow the business to identify itself to potential customers despite the large setback from the road.

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

The business will be able to effectively advertise its location without harming the rights of others.



OFFICE USE
CASE NO. **V19-01**

Ch# 03222

APPLICATION FOR VARIANCE

(PLEASE TYPE OR PRINT IN BLACK INK)

Fee: \$150.00 [Z-V]

I. APPLICANT/AGENT		Name:	Crystal Miller - City Neon, Inc.	
Mailing Address:	1095 Chaplin Road		Phone:	304-599-1854
	Street	Morgantown WV 26501	Mobile:	304-322-7057
	City	State	Zip	Email: crystal@cityneon.com

II. PROPERTY		Street Address:	200 Hornbeck Road Ste 205 - SuperCuts	
Owner:	1400 Weatherly Plaza Realty Trust		Zoning:	B-5
Mailing Address:	16897 Pavilion Way		Tax Map No:	64
	Street	Delray Beach FL 33446	Parcel No:	5, 6
	City	State	Zip	Phone:

III. NARRATIVE	Describe the specific use and the standard for which the variance is sought.
<p>The store front is approximately 20'-0" in length which would allow signage of 12 sq ft by City Code. The business is requesting a 40.3 sq ft sign and would like relief from the City Code in the amount of 28.3 sq ft.</p>	

PAID
NOV 21 2018
BY: _____

IV. ATTEST	<p>I hereby certify that I am the owner of record of the named property, or that this application is authorized by the owner of record and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. The granting of a variance 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. I certify that the information submitted herein and attached hereto is true and accurate and understand that if found otherwise may result in the denial of this request or subsequent revocation of any and all related approvals. The undersigned has the power to authorize and does hereby authorize City of Morgantown representatives on official business to enter the subject property as necessary to process the application and enforce related approvals and conditions. I hereby authorize the Development Services Department to erect a notification sign on the subject property approximately 15 days prior to the BZA hearing. I further agree to maintain said signage and hereby accept responsibility in case of destruction or removal.</p>	
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\$150.00
 Z-V
 2019-00005892
 KIM MORGANTOWN
 11/21/2018 9:13:44 AM
 VARIANCE APPLICATION FEE
 FOR DEPOSIT ONLY
 CITY OF MORGANTOWN

Crystal Miller - City Neon, Inc		11/21/18
Type/Print Name of Applicant/Agent	Signature of Applicant/Agent	Date

SUPERCUTS

#82809
200 Hornbeck Rd.
Morgantown, WV



REGIS



→ SCHEDULE ←

N1 - New Sign
R1 - Refaced
N2, N3 & N4- Window, front & rear door vinyl

→ Code Description ←

CODE DESCRIPTION:

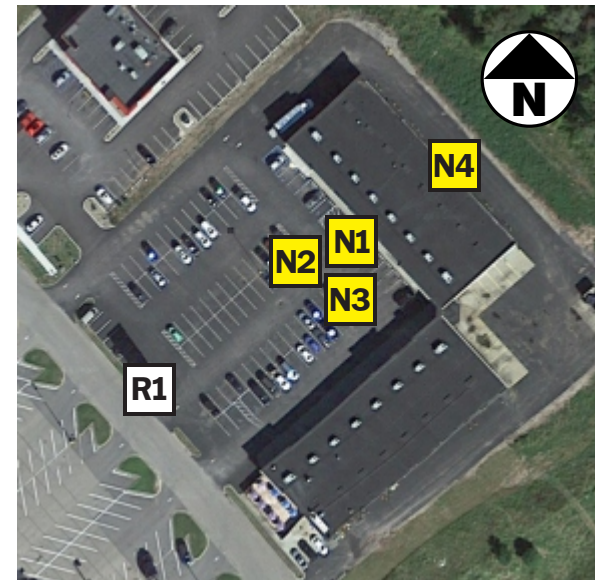
*50 SQ FT 2.5 SQ FT PER LINEAL FT.

→ LEGEND ←

- N1** New proposed sign
- R1** Existing sign to be refaced
- A1** Awnings

→ SIGN AREA ←

CODE/LL CRITERA	PROPOSED
Front: 50.00 sq. ft.	Front: 40.31 sq. ft.



Vicinity/Site Plan NTS



Yakima Office
2323 W. Washington Ave
Yakima, WA 98902
509.469.8186
800.562.2854
Fax 509.469.8211

10534
Customer Number
135050
Quote Number
SC82809-MorganTownWV-050
File Name

Paul Genge
Salesperson
Brian Bimbi
Drawn By
Checked By

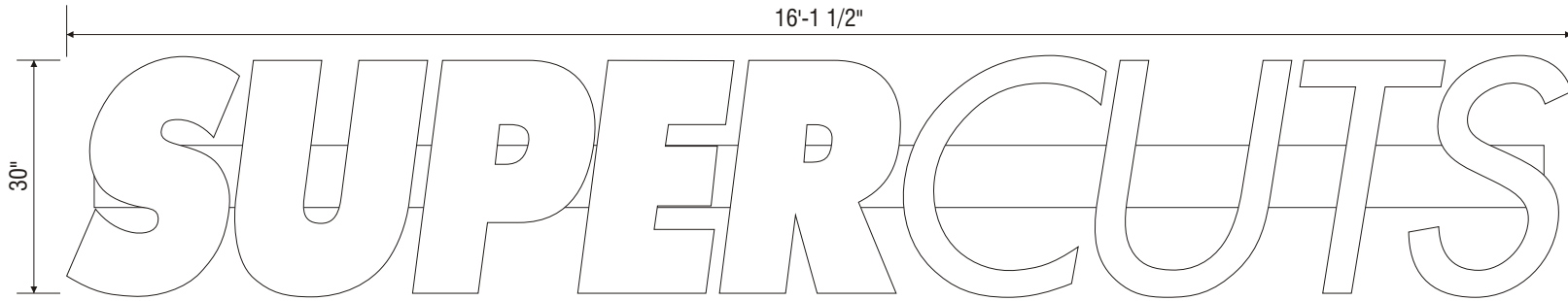
October 24, 2018 .75
Date
Revisions

Approved
 Approved With Changes Noted
Customer Signature Landlord Signature
Date Date

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SUPERCUTS
#82809
200 Hornbeck Rd.
Morgantown, WV



Elevation-Front
Scale: 1/2" = 1'-0"

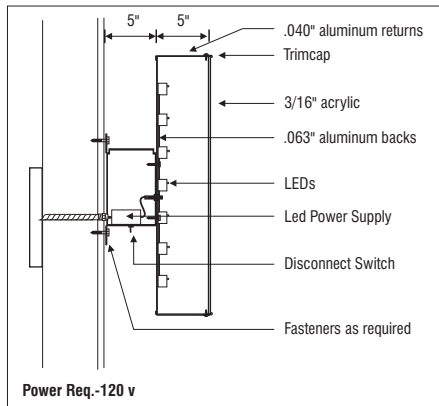
SC-30-W-RW (40.31 sq. ft.)

N1 Manufacture and install (1) set of LED illuminated channel letters on raceways.

Letters returns fabricated from 5" Dk. Bronze .040 channel coil with 1" Bronze trim-cap. 3/16 White plex faces SLOAN White LED internal letter illumination

Raceway (8" x 5") paint to: **TBD**

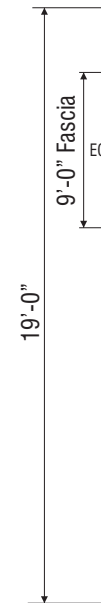
All components are U.L. listed items with installation conforming to U.L. standards



Power Req.-120 v



Existing Conditions
NTS



New
NTS



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2323 W. Washington Ave
Yakima, WA 98902
509.469.8186
800.562.2854
Fax 509.469.8211

10534 Customer Number
135050 Quote Number
SC82809-MorganTownWV-050 File Name

Paul Genge Salesperson
Brian Bimbi Drawn By
Checked By

October 24, 2018 Date
.75
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Tenant Display Vinyl Graphics

Scale: 1 1/2" = 1'

R1 Manufacture and install (2) vinyl graphics for existing d/f illum. display.

Vinyl color: 3m custom Blue (PMS 541)



Existing Conditions

NTS



New

NTS



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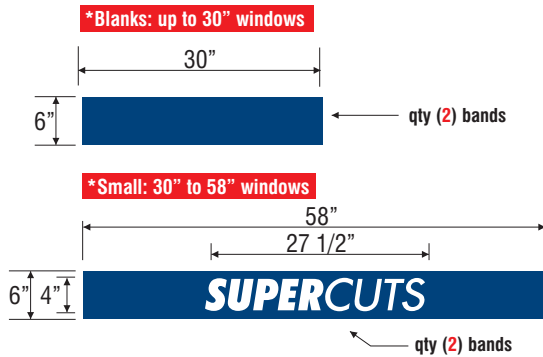
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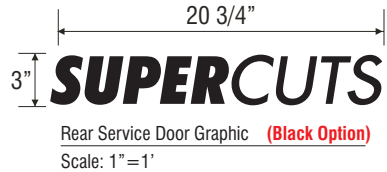
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Morgantown, WV



Store Front Window Bands
Scale: 1/2"=1'

N2 Manufacture and install a total of (4) first surface 3M custom Blue (PMS 541) white window bands.

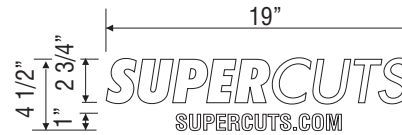
Apply graphic band to center of window, trim ends as needed. Top of graphic band to be at 3'-0" above finished floor (AFF).



Rear Service Door Graphic (Black Option)
Scale: 1"=1'

N4 Manufacture and install (1) first surface 3M opaque door vinyl.

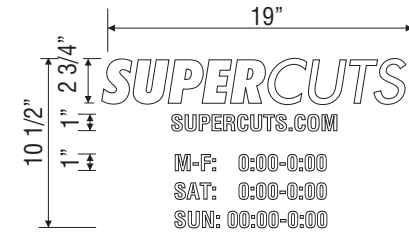
Bottom of "SUPERCUTS" to be 5'-0" above finished floor (AFF).



Store Front Door Graphics (double doors, left side door)
Scale: 1"=1'

N3 Manufacture and install (1) first surface 3M white opaque door vinyl.

Bottom of "SUPERCUTS" to be 5'-0" above finished floor (AFF).

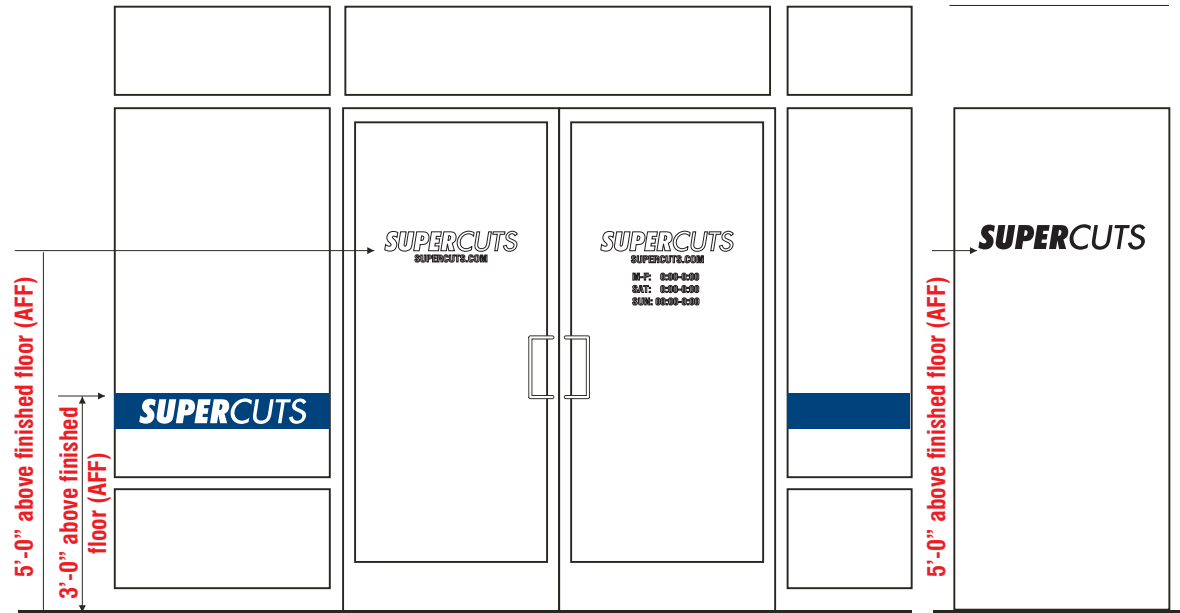


Store Front Door Graphics
Scale: 1"=1'

Manufacture and install (1) first surface 3M white opaque door vinyl.

Bottom of "SUPERCUTS" to be 5'-0" above finished floor (AFF).

***Actual Store Hours Required**



Store Front Window Graphics
Scale: NTS

(sample layout only)

Rear Door
Scale: NTS



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