

BOARD OF ZONING APPEALS

MEETING MINUTES

6:30 p.m.

August 17, 2022

Mon County Commission Chambers

MEMBERS PRESENT: Chris Benison, Logan Shamberger, Heidi Cook

MEMBERS ABSENT:

STAFF: Rodney Bahner, Planner

- I. **CALL TO ORDER AND ROLL CALL:** Benison called the meeting to order and read the pre-meeting announcement.
- II. **MATTERS OF BUSINESS:** Approval of meeting minutes of February 16, April 20 and July 20, 2022. Shamberger noted his name was spelled wrong on the February minutes. Also, the heading needed changed to regular meeting. Benison stated that meeting minutes were approved with corrections.
- III. **UNFINISHED BUSINESS:** None.
- IV. **NEW BUSINESS:**

A. V 22-118 / City Neon / 1137 Van Voorhis Road

Request by Crystal Miller of City Neon, on behalf of Padgett Morgantown, for variance relief from Article 1369.07 regarding B-1 District sign standards; Morgantown Tax District 15, Tax Map 6, Parcel 43, B-1, Neighborhood Business District / PRO, Professional, Residential, and Office District.

Bahner read the Staff Report and noted the petitioner was present.

Crystal Miller, City Neon, representing Padgett Business Services. She noted that the setbacks of the business make it difficult for visibility. Ms. Miller noted that the surrounding businesses have internal illumination. This specific business would just like the same opportunity to advertise during the evenings. Shamberger asked about the illumination would bother the surrounding neighborhood. Benison noted the signage was directed toward Van Voorhis Road.

Benison opened the public hearing. Seeing no one, the hearing was closed.

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)].

After review, staff had no additions, corrections or modifications to the Findings of Fact presented in the application (attached hereto).

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

Ms. Miller explained the materials being used for the signage. Benison noted that it is the panel illuminated and not the lettering. Miller stated the background is white and the lettering dark, so it would be offset and illumination would showcase.

Shamberger moved to accept the findings of fact as referenced in the staff recommendation, seconded by Cook. Vote was unanimous. Cook moved the grant the variance, seconded by Benison. Vote was unanimous.

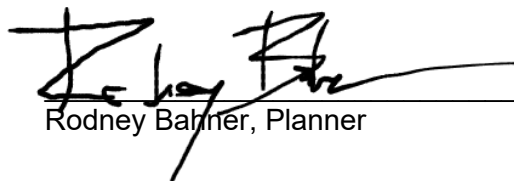
Benison noted the variance has been granted. The Planning office will provide written notification by mail.

V. ANNOUNCEMENTS: None.

VI. ADJOURNMENT: Shamberger moved to adjourn, seconded by Cook. Vote was unanimous. Meeting adjourned at 6:45 p.m.

MINUTES APPROVED:

BOARD SECRETARY:



Rodney Bahner, Planner