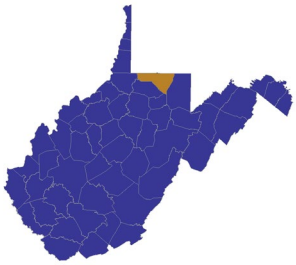
MCPC
MONONGALIA COUNTY
PLANNING COMMISSION

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Board of Zoning Appeals:

Kent Pauley, Chair

Nate Gladish, Vice Chair

James Barnes

Frank Oliverio

Randy Levelle

PLANNING STAFF:
Director of Planning:
Andrew Gast-Bray, AICP

County Planner:
Patricia Booth, AICP

West Run Planning District Board of Zoning Appeals
November 19, 2025
6:00 pm
Via Tele-Conference/Zoom Only

AGENDA

I. Call to Order and Roll Call

II. Approval of Minutes (September 17, 2025)

III. Public Hearings:

CASE VAR 005-2025: A variance request to:

1) Reduce the parking space width to 9 feet; and
2) Reduce the landscape buffer from ten (10) feet to five (5) feet;

for the property legally described as Morgan Tax Map 4D parcels 7 and 8 located on the southeast corner of Chestnut Ridge Rd and Northwestern Ave. The applicant is proposing to install 1 five story apartment complex with 50 one-bed units. This is in conjunction with a DSI request.

VI. Other Business

VII. Adjournment

MEMORANDUM

MONONGALIA COUNTY PLANNING COMMISSION

To: The West Run Planning District Board of Zoning Appeals

From: Andrew Gast-Bray, AICP, Director of Planning

Date: October 21, 2025

Subject: Request for a Variance by CMC Malone for property legally described as Parcels 7 and 8, Tax Map 4D of the Morgan District.

Meeting: November 19, 2025

I. REQUEST:

The Applicant has requested a variance to
1) Reduce the parking setback from five (5) feet to zero (0) feet; and
2) Reduce the total landscape buffer from ten (10) feet to five (5) feet;
3) See Exhibit A

Location:
Current Owner: Star, LLC
Address: 950 and 953 Chestnut Ridge Rd, Morgantown, WV 26505
Legal Description: Parcel 7 and 8, Tax Map 4D of the Morgan District

II. RELEVANT PRIOR COUNTY ACTIONS:

On July 24, 2019 the County Commission approved to rezone Parcels 7 and 8 of Morgan Tax Map 4D from R-1 (single family residential) to R-4 (high density residential).

On September 11, 2019, the Mon County Planning Commission approved DSI 002-2019 for construction of 36 one-bed units onsite. This particular DSI did not include any variances.

On September 15, 2021, Star LLC was approved for an extension of DSI 002-2029 due to the Morgantown Utility Board not granting approval of the stormwater management plan due to ongoing stormwater extensions and upgrading in the general area. The extension was for a period of 2 years until September 11, 2023 at which point either the Land use Permit must have been issued and active or the DSI must be reapplied for. Star LLC chose to let the extension lapse without pursuing an LUP.

On October 17, 2025 agent Scott Copen submitted an application for a variance. While the application was complete, Mr. Copen requested to make minor changes to the submitted items after submission. An addendum, which did not materially change the application but clarified items like the landscape buffer, was submitted on October 22, 2025.

III. BACKGROUND INFORMATION:

A. Size of Site: Approx. 39,160 sq ft (0.89 acres)
B. Zoning District: High Density Residential (R-4)

C. Existing Use: Both parcels had previously been developed: one with a single family residence (Par 8) and one with a single family residence and 4 unit apartment building (Par 7). These have since been removed.
D. Proposed Use: A development of significant impact in order to develop the site with 1 five story apartment complex with 50 one-bed units
E. Community Character of Immediate Vicinity: Mixture of high and low density residential with a smattering of commercial.

IV. REVIEW OF APPLICATION:

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

1) Reduce the parking space width to 9 feet;

Pursuant to Section 2500.07 of the West Run Planning District Zoning Ordinance, parking lot stall standards for 90-degree dimensions are: 18 feet long and 10 feet in width.

2) Reduce the landscape buffer from ten (10) feet to five (5) feet;

Pursuant to Section 2550.06 of the West Run Planning District Zoning Ordinance, new multi-family development adjacent to single family residential property (existing or zoned) shall provide a landscape buffer yard ten (10) feet wide..

❖ **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 6).

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 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) *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 have determined that the proposed width will not decrease ease of use for the parking stalls.*

2) *The site is also adjacent to property to the north zoned R-1, however in practical use, the majority of these parcels are utilized in a commercial or multi-family capacity and have been since before zoning was enacted.*

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:

Current ordinance requirements are above national standards for parking. Additionally, while the property to the north is zoned R-1, however in practical use, the majority of these parcels are utilized in a commercial or multi-family capacity and have been since before zoning was enacted.

1) *The proposed decrease in parking stall width will allow for the required parking as well as drive aisle widths. Staff has found that this approach will ensure appropriate drive aisle widths for safety and ensure the building will meet required setbacks.*

2) *While the applicant is not permitted to landscape within the right of way, it will still be grassed over and the overall green space between the road and parking will be at least 10 feet.{Note where not constrained by DOH, the applicant is providing appropriate landscaped buffering}*

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

1) *The proposed decrease in parking stall width will allow for the required parking as well as drive aisle widths. Staff has found that this approach will ensure appropriate drive aisle widths for safety and ensure the building will meet required setbacks.*

2) *While the applicant is not permitted to landscape within the right of way, it will still be grassed over and the overall green space between the road and parking will be at least 10 feet. {Note where not constrained by DOH, the applicant is providing appropriate landscaped buffering}*

Permitting these variances will eliminate an unnecessary hardship by allowing for the development of the property.

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

1) *The decrease in parking stall width is similar size to several other adjacent locations, Northwest Court (9 by 14.5) and Charter Club (9 by 16). Northwestern Townhomes, Willow View Apts, and Silvercreek Apts are unstriped.*

2) *The proposed decrease in landscaping buffer will still include additional non-landscaped green space adjacent to the road which is not permitted to be landscaped as it is part of DOH right of way. {Note where not constrained by DOH, the applicant is providing appropriate landscaped buffering}*

Staff has found that granting these variances will allow the intent of this Ordinance to be observed and substantial justice be done.

V. RECOMMENDATION:

Staff recommends APPROVAL to the Board of Zoning Appeals for a variance to:

A. Reduce the parking space width of the senior housing phase to 9 feet; and

B. Reduce the landscape buffer from ten (10) feet to five (5) feet;

Based on the following conditions:

A. The approval of this variance is based on the design of 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.
B. Prior to the issuance of a Land Use Permit, the Applicant shall have the coinciding permit DSI 002-2025 approved by the Monongalia County Planning Commission.

VI. ITEMS REVIEWED:

A. Proposed Variance Request Plan by Scott Copen, CRE, dated October 8, 2025
B. Assessor Maps and Data Cards

VII. ATTACHMENTS:

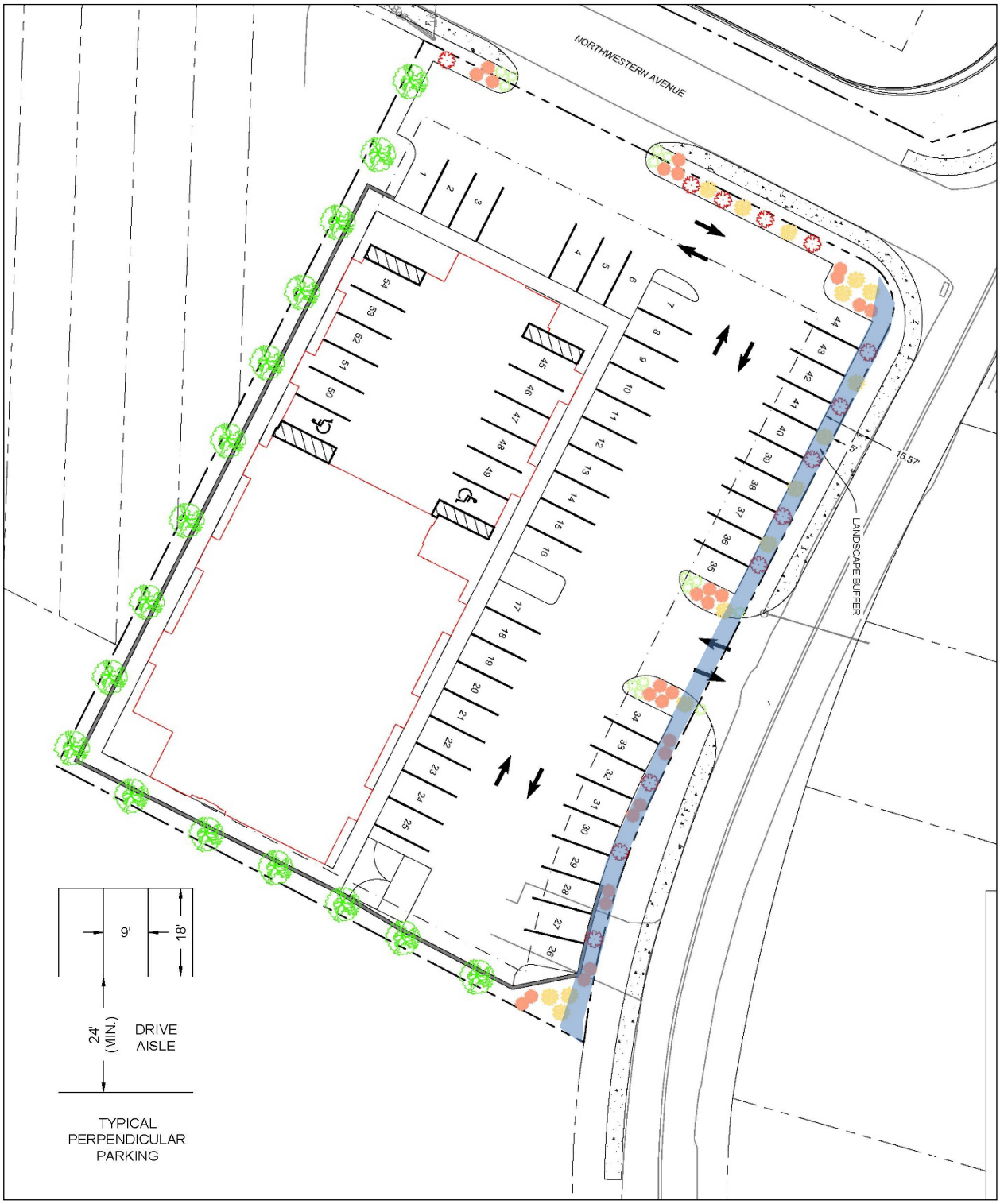


Exhibit A: Site plan showing also showing the proposed decreased landscaping buffer (in light blue) and decreased parking stall width. The overall green space between the road and parking will be at least 10 feet.