



ORDINANCE NUMBER 2013-6

**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT
TO ALLOW A MANUFACTURED HOME
IN AN RG-5 (GENERAL RESIDENTIAL) DISTRICT AT 1715 3RD STREET
(TAX MAP NUMBER 48-1-187-12 & 13),
WAYNESBORO, VIRGINIA**

WHEREAS, upon application of Cindy Slusher, the Waynesboro Planning Commission finds that the conditional use permit is specifically permitted as a conditional use in an RG-5 (General Residential) District in which the subject parcels are located; that the proposed use will have no more adverse effect on the health, safety, or comfort of persons living or working in the area and will be no more injurious, economically or otherwise, to property or improvements in the surrounding area than would any use generally permitted in such District; and, further, that the request is consistent with good planning and zoning practice; is justified by the public necessity, convenience, and general welfare; and is in accord with the comprehensive plan of this City;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Waynesboro, Virginia, that the request of Cindy Slusher for a conditional use permit to allow a manufactured home in an RG-5 General Residential District on parcels (Tax Map number 48-1-187-12 & 13) owned by Wanda Fitzgerald at 1715 3rd Street, be approved, in accordance with the application (#12-073), the staff report dated December 18, 2012, and without any conditions.

INTRODUCED: ON JANUARY 14, 2013 BY VICE MAYOR TIM WILLIAMS
ADOPTED: ON JANUARY 28, 2013
EFFECTIVE: FEBRUARY 7, 2013

 /s/ Julia Bortle
CLERK

 /c/ Bruce Allen

MAYOR



**CITY OF WAYNESBORO, VIRGINIA
STAFF REPORT
CONDITIONAL USE PERMIT
CUP 12-073
December 18, 2012**

SUMMARY SHEET

<i>Applicant:</i>	Cindy Slusher
<i>Address/Legal Description:</i>	1715 3 rd Street Waynesboro, VA 22980
<i>Total Acreage:</i>	12,944 square feet/0.413 acres
<i>Tax Map Number:</i>	TM 48-1-187 12 & 13
<i>Real Estate Owner of Record:</i>	Wanda Fitzgerald 1715 3 rd Street Waynesboro, VA 22980
<i>Current Zoning:</i>	RG-5 General Residential
<i>Comprehensive Plan Designation:</i>	Medium Density Residential
<i>Attachments:</i>	1. Application 2. Applicant's Sketch Plan
<i>Flood Plain:</i>	No
<i>Enterprise Zone:</i>	No
<i>Action Requested:</i>	Conditional Use to allow a manufactured home in the RG-5 General Residential District
<i>Authorizing City Code Section(s):</i>	Section 2.4 (Use Table)
<i>Summary Recommendations:</i>	Staff recommends approval of the application without conditions.

1. Nature of Request

An application has been received from Wanda Fitzgerald, owner, by Cindy Slusher, applicant, requesting a conditional use permit to replace an existing manufactured home with a new 26.5' X 64.25' manufactured home on two lots of 12,944 square feet at 1715 3rd Street. The applicant also provided a sketch plan showing the design concept for the manufactured home.

2. Background

The existing manufactured home is a grandfathered use under current zoning ordinance. The demolition of the existing manufactured home will lose its grandfathered feature and a conditional use permit is required for a new manufactured home in the RG-5 General Residential District.



Surrounding Land Use

The site is located in the RG-5 General Residential District. The subject property is surrounded by existing trailers and single family homes in the neighborhood.



Zoning Requirements

The intention of the applicant is to replace the existing manufactured home with a new one on the same site. As a result, a major site plan will not be required for the use. Therefore, the proposed development is not required to meet the Site Development Standards of the Ordinance (Article 5).

In the supplemental use regulations in Article 4.2.7, there are requirements for manufactured homes that they should be on a full foundation or completely skirted materials approved by the Building Official, be set up and tied down in accordance with the standards set by Virginia Uniform Statewide Building Code regulations, and wheels, axles, tongue, towing apparatus and transporting lights, if any, shall be removed prior to final installation of the unit.

At 12,944 square feet in area, the subject parcels exceed the minimum 5,000 square feet required for a single-family detached home in an RG-5 District. As shown in the sketch plan, the proposed manufactured home does meet setbacks and all other applicable zoning regulations.

3. Review with Respect to the Comprehensive Plan

The City's 2008 Comprehensive Plan Land Use Plan identifies the subject site as Medium Density Residential. It allows single-family housing and multi-family housing with densities up to 8 DUA. The subject site has been used as a manufactured home for many years. The use is consistent with the land use designation, and the surrounding area already has several manufactured homes. The use is consistent with these surrounding uses. The impacts resulting from the proposed use will be minimal.

4. Analysis

The Conditional Use Permit allows for a case-by-case review of uses which may be, but are not always, compatible with neighboring uses. In order to approve the Conditional Use Permit the Council must find that the proposed use is consistent with good zoning practice and will have no more adverse effect on the health, safety or comfort of persons living or working in the area and will be no more detrimental, economically or otherwise, to property or improvements in the surrounding area than would any use generally permitted in the district. The City Council may attach conditions to the permit to ensure compatibility.

Impacts to Adjacent Properties

The existing manufactured home is surrounded by single family houses and other manufactured homes. The proposed manufactured home will have no impact to adjacent properties because it is essentially the same use as currently exists on the site.

Infrastructure Issues

The current site is served by adequate public water and sewer. Therefore, the use will have no impact to the City's infrastructure.

5. Conclusion and Recommendations

Staff has concluded that the use is in line with the Comprehensive Plan and is reasonable. Therefore, city staff recommends *approval* of the application without conditions.

cc: Cindy Slusher, Applicant
James Shaw, Deputy City Manager
Todd Wood, City Engineer
Joe Honbarrier, Zoning Administrator

