



Waynesboro City Council Agenda Briefing

Meeting Date:	November 25, 2019	Staff/Council Member(s): Luke J. Juday, Planning Director
Agenda Item #	5	
Ordinance#	2019-	
Department:	Planning	
Subject:	A conditional use permit request by Ivette P. Pintor to allow a manufactured home in the RG-5 (General Residential District) at 1015 Gardner St.	
Attachments	<ol style="list-style-type: none"> 1. Planning Commission recommendation 2. Staff report 3. Draft ordinance 	
Planning Commission Recommendation	<p>The Planning Commission recommends approval of the conditional use permit on a 6-0 vote to place the manufactured home on the property and to allow the replacement of the home with one of equal or better value in the future, with the following condition:</p> <p>The longest façade of the house shall be positioned parallel to the street.</p>	

Background:

Ms. Ivette Pintor has applied for a conditional use permit (CUP 19-001) to place a manufactured home at 1015 Gardner Street in Waynesboro. Ms. Pintor owns the property, which currently has a deteriorated structure on it that she has a permit to demolish. The single-wide manufactured home Ms. Pintor intends to locate on the site is already owned by the applicant. It is currently located in Crimora and is a 2017 model maintained in good condition. Ms. Pintor intends to eventually upgrade to a double-wide manufactured home.

Planning Commission Recommendation:

The Planning Commission recommends approval of the conditional use permit on a 6-0 vote to place the manufactured home on the property and to allow the replacement of the home with one of equal or better value in the future, with the following condition:

The longest façade of the house shall be positioned parallel to the street.

City Manager's Recommendation:

The City Manager recommends approving the conditional use permit request with the attached condition.

Suggested Motion(s):

Introduce the draft Ordinance as provided in Attachment #3.



**RESOLUTION AND RECOMMENDATION TO THE CITY COUNCIL
FROM THE WAYNESBORO PLANNING COMMISSION
REGULAR MEETING OF OCTOBER 22, 2019 PER
CONDITIONAL USE PERMIT 19-001**

WHEREAS, upon a conditional use permit (19-001) application by Ivette P. Pintor, the Waynesboro Planning Commission finds that a Conditional Use Permit should be granted for a manufactured home in the RG-5 (General Residential) District in which the subject property is located; and 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 RESOLVED by the Waynesboro Planning Commission, by a vote of 6-0, that a recommendation be forwarded to City Council that the request of Ivette P. Pintor to receive a Conditional Use Permit (CUP 19-001) for a manufactured home at parcel number 28-2-6-3, be approved, in accordance with the application and staff report dated October 16, 2019. Planning Commission recommends one condition:

The widest façade of the proposed manufactured home shall be positioned parallel to the street.

Luke J. Juday
Clerk of Planning Commission



**CITY OF WAYNESBORO, VIRGINIA
STAFF REPORT
CONDITIONAL USE PERMIT
CUP 19-001
October 16, 2019**

SUMMARY SHEET

Applicant:	Ivette P. Pintor
Address/Legal Description:	1015 Gardner St. Waynesboro, VA 22980
Total Acreage:	10,439.95 square feet
Tax Map Number:	TM 28-2-6-3
Real Estate Owner of Record:	Ivette P. Pintor 34 Colby Ave Lot #6 Crimora, VA 24431
Current Zoning:	RG-5 General Residential
Comprehensive Plan Designation:	Medium Density Residential
Attachments:	1. Application 2. Photo of planned mobile home 3. Diagram
Flood Plain:	No
Enterprise Zone:	No
Action Requested:	Conditional Use to allow a manufactured home in the RG-5 General Residential District
Authorizing City Code Section(s):	Section 2.4 (Use Table)
Summary Recommendations:	Staff recommends approval of the application with the following conditions. 1. The widest façade of the proposed manufactured home shall be positioned parallel to the street.

1. Nature of Request

An application has been received from Ms. Ivette Pintor to place a manufactured home at 1015 Gardner Street in Waynesboro. Ms. Pintor owns the property, which currently has a deteriorated structure on it that she plans to have demolished. The manufactured home Ms. Pintor intends to locate on the site is already owned by the applicant, is currently located in Crimora, and has been maintained in good condition. A photo of it is attached.

2. Background

The subject property is located on Gardner Street on the eastern edge of the City in the RG-5 (General Residential) District. The surrounding neighborhoods are also zoned RG-5 and are made up of a mixture of single family and multifamily homes, including numerous manufactured and mobile homes. There is currently a dilapidated house on the property that Ms. Pintor will be removing.



3. Zoning Requirements

The applicant intends to place a manufactured home on a lot that currently has an old, dilapidated building. At 10,440 square feet in area, the applicant's property significantly exceeds the minimum 5,000 square feet required for a single-family detached home in the RG-5 District. The manufactured home will be positioned to conform with the setback requirements of the zoning code.

The supplemental use regulations in Article 4.2.7 (Manufactured Homes) require manufactured homes to be (A) on a full foundation or completely skirted materials approved by the Building Official, (B) set up and tied down in accordance with the standards set by Virginia Uniform Statewide Building Code regulations, and (C) wheels, axles, tongue, towing apparatus and transporting lights, if any, removed prior to final installation of the unit. These requirements will be enforced by the Building and Zoning Department during installation.

4. 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 proposed use is consistent with the land use designation.

5. Analysis

Conditional Use Permits allow 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, Planning Commission 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 1000 block of Gardner Street is a heavily wooded area bordering Augusta County and containing smaller single-family homes in fair to good condition. The nearest manufactured homes are located a block away on Frye Street, with one grandfathered mobile home in good condition and one new manufactured home in excellent condition. The existing structure on the applicant's property is a dilapidated home currently assessed at a value of \$2,500 that is both a safety concern and a potential detriment to neighboring property values.

The applicant proposes to move an existing single-wide manufactured home in good condition to the site, though she hopes to purchase a new unit once she is able to. If positioned correctly on the lot, staff believes this unit will not greatly detract from the appearance of the immediate vicinity or decrease the value of surrounding houses. Gardner Ave is not visible from any designated entrance corridor and the property is located at the edge of the City near a portion of Augusta County where manufactured homes are legal. Installation of the mobile home will not contradict the Comprehensive Plan's goals with respect to commercial corridors.

6. Conclusion and Recommendations

While manufactured homes are not an ideal residential use, staff believes that the benefits of removing the existing structure and welcoming an owner-occupant to the street warrant approval of the permit. Staff recommends approval with the following condition:

The widest façade of the proposed manufactured home shall be positioned parallel to the street.

This condition has been applied to all recent CUPs granted to manufactured homes and is recommended for consistency as well as congruence with the neighborhood.

cc: Laura Martin, Zoning Administrator
Joe Honbarrier, Building Official
File





ORDINANCE NUMBER 2019-



**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT
TO ALLOW A MANUFACTURED HOME IN THE RG-5 (GENERAL RESIDENTIAL) DISTRICT AT 1015
GARDNER STREET (TAX MAP #28-2-6-3), WAYNESBORO, VIRGINIA**

WHEREAS, upon application of Ivette P. Pintor (CUP 19-001), public hearings were held, pursuant to notice thereof as required by § 98-577 of the Code of this City and § 15.2-2204 and 15.2-2205 of the Code of Virginia, both as amended; and

WHEREAS, the proposed use is specifically permitted as a conditional use in an RG-5 District in which subject property is located; and

WHEREAS, 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 the RG-5 (General Residential) District.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Waynesboro, Virginia, that the applicant, Ivette P. Pintor, be hereby granted a conditional use permit to allow a manufacture home in the RG-5 District in accordance with the application (#19-001) and the staff report dated October 16, 2019.

INTRODUCED: ON NOVEMBER 25, 2019 BY
ADOPTED: ON , 2019
EFFECTIVE: , 2019

CLERK

MAYOR