

## ORDINANCE NUMBER 2022-



**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT  
TO ALLOW TOWNHOUSES IN THE R-O, RESIDENTIAL OFFICE, DISTRICT AT  
401, 403, 405, AND 407 SOUTH MAGNOLIA AVENUE, TAX MAP NOS:  
44-4-17-1, 44-4-17-2, 44-4-17-3, AND 44-4-17-4, WAYNESBORO, VIRGINIA.**

**WHEREAS**, the application of Zakary Draego, on behalf of Magnolia Corner, LLC, owner, CUP 21-008, requests a conditional use permit to allow townhouses at 401, 403, 405, and 407 South Magnolia Avenue (the “Properties”), Waynesboro, Virginia, which is located in the R-O, Residential Office, District;

**WHEREAS**, a public hearing was held by the Planning Commission pursuant to notice thereof as required by Section 98-7.4 of the Waynesboro City Code and Sections 15.2-2204 and 15.2-2205 of the Code of Virginia, as amended, on December 7, 2021, with the Planning Commission voting to recommend approval of the conditional use permit;

**WHEREAS**, a public hearing was held by the City Council pursuant to notice thereof as required by Section 98-7.4 of the Waynesboro City Code and Sections 15.2-2204 and 15.2-2205 of the Code of Virginia, as amended, on January 10, 2022;

**WHEREAS**, the proposed use is specifically permitted as a conditional use in an R-O, Residential Office, District in which the Properties are 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 R-O, Residential Office, District.

**NOW, THEREFORE BE IT ORDAINED** by the Council of the City of Waynesboro, Virginia, that:

1. The applicant, Zakary Draego, on behalf of Magnolia Corner, LLC, is hereby granted a conditional use permit to allow townhouses at 401, 403, 405, and 407 South Magnolia Avenue, Waynesboro, Virginia, in the R-O, Residential Office, District, in accordance with the application (#21-008) and the staff report dated December 7, 2021, which is attached hereto and incorporated herein as Exhibit 1, on the condition that the townhouses will be built according to the area and dimensional standards of the RG-5, General Residential, District.

2. The City Manager, or his designee, is authorized to take all actions reasonably necessary to effectuate and carry out the purpose of this Ordinance, including, without limitation, execution of such documents as are reasonably necessary to provide a conditional use permit for these Properties.

3. This Ordinance shall take effect immediately upon adoption by the City Council.

INTRODUCED: January 10, 2022 BY COUNCIL MEMBER TERRY R. SHORT, JR.  
ADOPTED: January \_\_, 2022  
EFFECTIVE: January \_\_, 2022

**CERTIFICATE**

The undersigned Mayor and Clerk of the City Council of City of Waynesboro, Virginia hereby certify that the foregoing constitutes a true and correct copy of an ordinance entitled An Ordinance Granting a Conditional Use Permit to Allow Townhouses in the R-O, Residential Office, District at 401, 403, 405, and 407 South Magnolia Avenue, Tax Map Nos: 44-4-17-1, 44-4-17-2, 44-4-17-3, and 44-4-17-4, Waynesboro, Virginia, adopted by the City Council at a meeting held on January \_\_, 2022.

[SEAL]

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CLERK

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MAYOR