



# VACATING STREET/ALLEY APPLICATION

CITY OF WAYNESBORO, PLANNING DEPARTMENT

Reference City Charter Sec. 2.6(b)

Application Fee \$300

### A.) APPLICATION TYPE:

Street Vacation  
Name of Street \_\_\_\_\_

30' Hunter St.  
Gun Avenue

Alley Vacation  
Name of alley (if applicable) \_\_\_\_\_

20' undeveloped alley  
between Gun Ave.  
& Hunter Street

### B.) SITE INFORMATION:

Description and location of area requested to be vacated: Gun Avenue lies adjacent to Elkin circle in Winchester Heights between Block 9 & Block 10

Reason for requesting vacation: was sold as a block of 32 lots of which only a few are developable based on existing terrain so I will request a more favorable division of the lots in the future.

Present Zoning: RS-7 Comprehensive Plan Designation: Opportunity neighborhoods

Is the Portion of the Alley or Street Improved?  YES  NO

If Yes, is it being used by persons other than yourself?  YES  NO If Yes, please explain: \_\_\_\_\_

List all Property Owners Adjacent to the Street/Alley: (use separate sheet if necessary)

Property Owner Name	Mailing Address	City Tax Map # & Parcel
<u>Wayne M. Massie</u>	<u>182 McClure Blvd Fairfield</u>	<u>TMS9-30-10A i B</u>
<u>Sharon Conner</u>	<u>VA 24435</u> <u>P.O. Box 873 Stuarts Groft VA 24477</u>	<u>Winchester Hts Blk 10 Lot 1 &amp; 2</u> <u>TM 57-2-3</u>
_____	_____	_____
_____	_____	_____

### C.) APPLICANT INFORMATION:

Name: William T. Elder

Address: 1275 Amber Ridge Rd Charlottesville VA 22901  
(Street Address) (City, State, Zip)

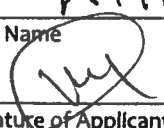
Email Address: hwj555@yahoo.com Phone #: 1-434-760-0190

#### FOR OFFICE USE ONLY:

Date Rec'd \_\_\_\_\_ Fee Paid \$ \_\_\_\_\_ MS Receipt # \_\_\_\_\_ Application # \_\_\_\_\_ Approval Date \_\_\_\_\_  Not

**G.) SIGNATURE:**

**AFFIDAVIT:** The undersigned certifies that the foregoing information is true and correct to the best of my knowledge and belief. I hereby authorize City staff and City Council to review this request, appoint viewers to visit the site, and contact any appropriate design professional in relation to questions generated as a result of the review.

William Elder	434760-0190
Print Name	Daytime phone number of contact
	8/10/22
Signature of Applicant	Date

**PROCEDURE FOR ALLEY OR STREET VACATION**

1. The applicant will file an application with the City's Planning Department. The application shall include:
  - a. A complete and signed application;
  - b. Payment of the application fee; and,
  - c. A plat, produced by a licensed surveyor, that shows the metes and bounds of the area proposed to be closed and vacated as well as parcel(s) to which the vacated land will be appended.
2. The Mayor will appoint Citizen Viewers as prescribed by the City Charter.
3. Upon receipt of the Viewers' report and recommendation, the Mayor shall fix a date to consider the application at public hearing a public hearing.
4. At the public hearing, Council will receive a report from city staff which shall evaluate potential impacts and issues with vacating the right of way. Furthermore, the staff report shall include a determination by the City Assessor's office as to the value of the right of way and any potential increase in value to parcels to which the vacated land will be appended.
5. If the value of the right of way or parcel(s) to which the vacated land will be appended is \$999 or less, then the land shall be transferred without cost to the applicant.
6. However, if the value of the right of way or parcel(s) to which the vacated land will be appended is \$1,000 or greater, then the land may be sold to the affected landowners for the value as determined by the City Assessor.
7. At their discretion, Council may elect to reduce or eliminate the selling price if it is determined that the sale would not advance a specific economic development, redevelopment, or other similar initiative.
8. At their discretion, Council may elect to retain certain rights within the right of way or place conditions that it deems necessary.
9. When the decision is to sell the property, the sale shall occur at or before the recordation of a quitclaim deed by the City.