

ORDINANCE NUMBER 2023-



**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT
TO ALLOW A MODIFICATION OF THE BUILD-TO LINE REQUIREMENT IN THE
C-B (CENTRAL BUSINESS) DISTRICT AT 222 S. WAYNE AVENUE (TAX MAP NO.
45-2-21), WAYNESBORO, VIRGINIA**

WHEREAS, the owner, David Elmore, representing Elmore Properties, LLC, submitted an application for a Conditional Use Permit (CUP 22-011) to modify the build-to line requirement in the C-B (Central Business) District in which the subject property is located;

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 20, 2022, with the Planning Commission voting to recommend approval of the application with condition;

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 9, 2023;

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 C-B (Central Business) District.

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

1. The applicant, David Elmore, representing Elmore Properties, LLC, is hereby granted a conditional use permit to allow a modification of the build-to line requirement in the C-B (Central Business) District at the property located at 222 S. Wayne Avenue, Waynesboro, in accordance with the application (#22-011) and the staff report dated December 20, 2022, and revised January 9, 2023, which is attached hereto and incorporated herein as Exhibit 1, subject to the following condition:
 - a. The placement of any new structures to be located at 222 S Wayne Avenue, TM 45-2-21, shall compliment the set-back of the neighboring structures to ensure a consistent street wall.
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 this property.
3. This Ordinance shall take effect immediately upon adoption by the City Council.

INTRODUCED: ON JANUARY 9, 2023 BY COUNCIL MEMBER BRUCE ALLEN

ADOPTED:

EFFECTIVE:

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 a Modification of the Build-To Line Requirement in the C-B (Central Business) District at 222 S. Wayne Avenue (Tax Map No. 45-2-21), Waynesboro, Virginia, adopted by the City Council at a meeting held on _____.

[SEAL]

CLERK

MAYOR