



**CITY OF WAYNESBORO, VIRGINIA  
STAFF REPORT  
CONDITIONAL USE PERMIT  
CUP 23-015  
AUGUST 22, 2023, REVISED SEPTEMBER 11, 2023**

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**SUMMARY SHEET**

<b><i>Applicant:</i></b>	Kimberly Rock Miller
<b><i>Address/Legal Description:</i></b>	1722 3 <sup>rd</sup> Road Waynesboro, VA 22980
<b><i>Total Acreage:</i></b>	6,250 square feet
<b><i>Tax Map Number:</i></b>	TM# 48-1-188-7
<b><i>Real Estate Owner of Record:</i></b>	Shirley Rock and Kimberly Rock Miller 1720 3 <sup>rd</sup> Street Waynesboro, VA 22980
<b><i>Current Zoning:</i></b>	RG-5 General Residential
<b><i>Comprehensive Plan Designation:</i></b>	Medium Density Residential
<b><i>Attachments:</i></b>	1. Application 2. Applicant's Sketch Plan
<b><i>Flood Plain:</i></b>	No
<b><i>Enterprise Zone:</i></b>	No
<b><i>Action Requested:</i></b>	Conditional use permit to allow a manufactured home in the RG-5 (General Residential) District
<b><i>Authorizing City Code Section(s):</i></b>	Section 2.4 (Use Table)
<b><i>Summary Recommendations:</i></b>	Planning Commission recommends approval of the application on a 5-0 vote.

## 1. Nature of Request

The applicant, Kimberly Miller, has submitted an application to place a manufactured home at 1722 3<sup>rd</sup> Street (TM# 48-1-188-7) in Waynesboro. Ms. Miller owns the property with her mother who lives next door at 1720 3<sup>rd</sup> Street.

## 2. Background

The subject property is located on 3<sup>rd</sup> Street on the east side of the City. The portion of 3<sup>rd</sup> Street where the subject property is located is disconnected from the main section of the City's road network and runs from the end of Lee Avenue to the City's boundary with Augusta County.

The subject property is located in the RG-5 (General Residential) District. The surrounding neighborhood, also in the RG-5 District, is primarily single-family residential, including numerous single and double-wide manufactured homes.



Figure 1 Subject parcel vicinity map

### 3. Zoning Requirements

The applicant intends to purchase and place a manufactured home on the subject property which is currently vacant. The property is approximately 6,250 square feet, which exceeds the minimum lot size requirement of 5,000 square feet for a single-family detached home in the RG-5 (General Residential) District. The manufactured home will be placed in a manner to conform with the setback requirements of the zoning ordinance.

Section 98-4.2.7 (Manufactured Homes) contains several supplemental use regulations specific to manufactured homes. It requires that manufactured homes be on a full foundation or completely skirted by materials approved by the Building Official; be set up and tied down in accordance with the standards set by the Virginia Uniform Statewide Building Code; and have the wheels, axels, tongue, towing apparatus, and transporting lights, if any, removed prior to its final 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. Purpose of the Conditional Use Permit

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 the City 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.

## 6. Analysis

Manufactured homes are an important element of the housing market and are still considered a more affordable alternative to a traditional stick built single family home. This block of 3<sup>rd</sup> Street contains a mix of single-family homes and manufactured homes in fair to good condition, and the broader neighborhood contains many manufactured homes mixed in with single family houses. The applicant is proposing purchasing a new unit to place on the subject property. Staff does not believe that this will detract from or decrease the value of the surrounding houses in the neighborhood.

The narrowness of the subject parcel means that the applicant cannot place the widest part of the façade parallel to the street and still meet the setback requirements for the RG-5 (General Residential) District. This has been a requirement of most, if not all, of the prior conditional use permits approved for manufactured houses because in many single-family residential neighborhoods, the widest parts of the home's façade, along with its front entrance, faced the street. This condition was placed to help maintain the appearance of these neighborhoods.

However, the zoning ordinance in Sec. 98-1.13.5.B.d. requires that all single-family homes and duplexes have a primary façade and entrance parallel to the street from which the front set back is marked. Once informed of this requirement, that the applicant found a unit that has a front façade and entrance on the narrow side of the building which would allow it to be placed perpendicular to the street and still have its front entrance face 3<sup>rd</sup> Street. Examples of this unit's side front entrance are shown in Figure 2. This perpendicular orientation will match that of the manufactured home next door.



Figure 2 Front entrance examples for the manufactured home applicant would place on site

## 7. Recommendations

Planning Commission voted 5-0 to recommend approval of the application as recommended by staff.

cc: Leslie Tate, Director of Community Development  
Scott Kesecker, City Engineer  
Laura Martin, Zoning Administrator



# CONDITIONAL USE PERMIT APPLICATION

CITY OF WAYNESBORO, PLANNING DIVISION

Reference City Code Sec. 98-7-6

Application Fee \$350

## A.) SITE INFORMATION:

Project Name: Kimberly Miller - CUP

Property Address: 1722 3<sup>rd</sup> St. Waynesboro, VA 22980

Tax Map No./Legal Description: 48-1-188-7

Present Zoning: RG5 Comprehensive Plan Designation: \_\_\_\_\_

Is Property Located in Flood Hazard Area According to Local FEMA Map?  YES  NO

Is Property Located within the Enterprise Zone?  YES  NO

Project Description (use a separate sheet as necessary): Placing a manufactured home on a vacant lot in the RG5 zoning designation. There are numerous manufactured homes existing in this area. The primary entrance will face 3<sup>rd</sup> St. Home will have the tongue (towing hitch) removed and skirting will be installed around the entire home.

## B.) APPLICANT INFORMATION:

Property Owner of Record: Shirley Rock and Kimberly Rock Miller  
(Printed)

Address: 1720 3<sup>rd</sup> St. Waynesboro, VA 22980  
(Street Address) (City, State, Zip)

Email Address: Kimmiller323@yahoo.com Phone #: (540) 395-9797

\*Applicant Name: Kimberly Rock Miller  
(Printed)

Address: 1519 Park Rd. Waynesboro VA 22980  
(Street Address) (City, State, Zip)

Email Address: Kimmiller323@yahoo.com Phone #: (540) 395-9797

\* If applicant is not property owner of record, the Power of Attorney Form is Required (Form A-2).

Date Rec'd	6/14/23	Fee Paid \$	350. <sup>00</sup>	MS Receipt #	6403	Application #	CUP-2023 0015	Approval Date	<input type="checkbox"/> Not approved
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C.) (OPTIONAL) LICENSED PROFESSIONAL [Architect, Engineer, Surveyor, Landscape Architect]:

Firm Name: \_\_\_\_\_ (Printed) Contact Name: \_\_\_\_\_ (Printed)

Address: \_\_\_\_\_ (Street Address) \_\_\_\_\_ (City, State, Zip)

Phone #: \_\_\_\_\_ Fax Number: \_\_\_\_\_

Email Address: \_\_\_\_\_ Professional License # \_\_\_\_\_

E.) SELECT PRIMARY CONTACT PERSON FOR STAFF:  Owner  Applicant  Licensed Professional

D.) SIGNATURES:

If applicant is not property owner of record, the Power of Attorney Form is Required (Form A-2).

AFFIDAVIT: The undersigned  property owner, or  duly authorized agent/representative thereof [check one] certifies that the foregoing information is true and correct to the best of my knowledge and belief; WITH THE UNDERSTANDING THAT ANY INCORRECT INFORMATION SUBMITTED MAY RESULT IN THE DELAY OR RESCHEDULING OF APPROVAL. I hereby authorize the City of Waynesboro to review this request, visit the site, and contact any appropriate design professional in relation to questions generated as a result of the review.

Kimberly Rock Miller  
 \_\_\_\_\_  
 Print Name  
 Kimberly Rock Miller  
 \_\_\_\_\_  
 Signature of Owner, Contract Purchaser, Agent

(540) 395-9797 (cell#)  
 \_\_\_\_\_  
 Daytime phone number of contact  
 6/13/23  
 \_\_\_\_\_  
 Date

Attachment 2 – Site Plan Sketch

NOT TO SCALE

