



CITY OF HARRISONBURG
**COMMUNITY
DEVELOPMENT**

Zoning Ordinance Amendment Application

www.harrisonburgva.gov/zoning

DESCRIPTION OF AMENDMENT

Zoning Ordinance Section:

10-3-114(d)

Proposed Text (Attach separate sheet, if needed.)

(d) Location in setbacks in residential districts prohibited. No accessory building in a residential district shall be located within the existing setback between a principal building and public street; except:
(i) on through lots in the U-R district, where an accessory building may be located within the established rear yard between the principal building and a public street ~~and meet principal building setbacks;~~
(ii) on through lots in all other districts, where an accessory building may be located within the established rear yard between the principal building and a public street and meet principal building setbacks.

** see manual for track changes clearly BE*

APPLICANT'S INFORMATION

Miranda Ebersold

Applicant's Name

260 Franklin Street

Street Address

Harrisonburg

VA

22801

City

State

Zip

304-283-1536

Telephone

Miranda.Ebersold@gmail.com

E-Mail

*Chance: 540 435 4022
Chanceebersold@gmail.com*

APPLICANT'S REPRESENTATIVE INFORMATION (if applicable)

Quinton B. Callahan

Applicant's Representative

92 N Liberty Street

Street Address

Harrisonburg

VA

22801

City

State

Zip

540-433-2601

Telephone

qcallahan@clark-bradshaw.com

E-Mail

CERTIFICATION

I certify that the information supplied on this application and on the attachments provided is accurate and true to the best of my knowledge.

Miranda Ebersold

APPLICANT

11/19/24

DATE

REQUIRED ATTACHMENTS

☒ Letter explaining the reasons for seeking Ordinance amendment.

TO BE COMPLETED BY PLANNING & ZONING DIVISION

11/20/24
Date Application and Fee Received

Total Fees Due: \$ *450*
Application Fee: \$450.00

[Signature]
Received By

CLARK & BRADSHAW, P.C.

ATTORNEYS AND COUNSELORS AT LAW

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NOT AN ATTORNEY

October 28, 2024

City of Harrisonburg
Community Development
Attn: Thanh Dang, AICP
Deputy Director of Community Development
409 S Main St
Harrisonburg VA 22801

RE: Zoning Ordinance Amendment Application

Dear Ms. Dang,

Please find attached a zoning ordinance amendment application for 260 Franklin Street. This application is associated with the pending Petition for Writ Of Certiorari in regard to the August 7, 2023 decision of Board Of Zoning Appeals Of Harrisonburg City, Virginia, ID 23-295, variance request for 260 Franklin Street, Harrisonburg, which was filed with the Circuit Court of Rockingham County on September 15th, 2023.

I have been working with Mr. Russ, copied here, to try and resolve that BZA appeal via zoning ordinance amendment. My understanding is that Mr. Russ and you/your department have agreed to the terms of the attached amendment. I am happy to meet with you or anyone in the department to talk through the details of this application. In short, my clients wish to erect a garage in their rear yard and require a reduced setback. As it stands, the rear-yard setback is the same as the front yard because it is a through lot. The proposed amendment would allow for the accessory building to be located within the rear yard between the principal building and the public street.

I look forward to working with you on this matter.

Sincerely,



Quinton B. Callahan

CC: Mr. Wesley Russ, Esq. Deputy City Attorney
Attachments.
QBC/mg-b

Current Ordinance Reflecting Amendments as requested by the applicant

ORDINANCE AMENDING AND RE-ENACTING TITLE 10 – PLANNING AND DEVELOPMENT, CHAPTER 3. – ZONING, SECTION 10-3-114, MODIFICATIONS AND ADJUSTMENTS, THE CODE OF ORDINANCES CITY OF HARRISONBURG, VIRGINIA

Be it ordained by the Council of the City of Harrisonburg, Virginia:

**Section 10-3-114. Modifications and adjustments.
Amend and add subsections (i) and (ii) as shown:**

Location in setbacks in residential districts prohibited. No accessory building in a residential district shall be located within the existing setback between a principal building and public street; except:

- (i) on through lots in the U-R district, where an accessory building may be located within the established rear yard between the principal building and a public street ~~and meet principal building setbacks~~ and shall not be less than five feet from any property line;
- (ii) on through lots in all other districts, where an accessory building may be located within the established rear yard between the principal building and a public street and meet principal building setbacks.

The remainder of each Section is reaffirmed and reenacted in its entirety, except as hereby modified.

This ordinance shall be effective from the _____ day of _____, 2025. Adopted and approved this _____ day of _____, 2025.

MAYOR

ATTESTE:

CITY CLERK