



BOARD OF ZONING APPEALS
REGULAR MEETING
AGENDA

July 3, 2025
6:00 PM

Council Chambers, Rocky Mount Municipal Building
345 Donald Avenue, Rocky Mount, Virginia

Call to Order and Welcome

1. Roll Call of Members Present
2. Approval of Agenda
3. Review and Consideration of Minutes
 - 3.a. May 1, 2025 - Regular Meeting Minutes
4. Public Hearing
 - 4.a. The applicant, Brandon Foster, has applied for a variance for Franklin County Tax Map and Parcel Number 2100016000 also known as 110 Grayson Street Rocky Mount, Virginia. The applicant requests a variance of Section 4-3-1 of the Town of Rocky Mount Zoning Ordinance which requires the maximum accessory building height of 12 feet. The applicant is requesting an accessory building height greater than 12 feet.
 - Staff Report
 - Applicant Comments
 - Public Comments
5. New Business (None)
6. Board Concerns
7. Staff Updates
8. Adjournment

**TOWN OF ROCKY MOUNT
BOARD OF ZONING APPEALS
MEETING MINUTES
May 1, 2025
6:00 P.M.**

The Board of Zoning Appeals (BZA) of the Town of Rocky Mount, Virginia met at the Rocky Mount Municipal Building on Thursday, May 1, 2025, at 6:00 p.m., with Chair Susan Hapgood calling the meeting to order.

ROLL CALL OF MEMBERS PRESENT

- Susan Hapgood, Chair
- Jason Altice, Vice Chair
- Lucy Goode
- Carol Tuning
- Bud Blanchard

BOARD MEMBERS ABSENT:

- None

STAFF MEMBERS PRESENT

- Jessica Angle, Zoning Administrator
- Cherie Compton, Board of Zoning Appeals Clerk
- John Boitnott, Town Attorney

ELECTION OF OFFICERS (Chair)

Chair Hapgood opened the floor for nominations for Chair

Motion: To nominate Susan Hapgood for Chair

Motion By: Member Carol Tuning

Seconded By: Member Lucy Goode

Hearing no further nominations Chair Susan Hapgood closed the floor for nominations.

Action: Approved by unanimous vote to elect Susan Hapgood as Chair for the Board of Zoning Appeals

ELECTION OF OFFICERS (Vice Chair)

Chair Susan Hapgood opened the floor for nominations for Vice Chair

Motion: To nominate Jason Altice for Vice Chair

Motion By: Member Bud Blanchard

Seconded By: Member Carol Tuning

Hearing no further nominations Chair Susan Hapgood closed the floor for nominations.

Action: Approved by unanimous vote to elect Jason Altice as Vice Chair for the Board of Zoning Appeals

ELECTION OF OFFICERS (Secretary)

Chair Hapgood requested to reappoint Cherie Compton as Secretary

Motion: To reappoint Cherie Compton as Secretary

Motion By: Member Carol Tuning

Seconded By: Member Bud Blanchard

Hearing no further nominations Chair Susan Hapgood closed the floor for nominations.

Action: Approved by unanimous vote to reappoint Cherie Compton as Secretary

APPROVAL OF AGENDA

Additions or Corrections: None

Motion: To approve the agenda as presented

Motion By: Member Bud Blanchard

Second By: Member Lucy Goode

Action: Approved by a unanimous vote of members present

REVIEW AND CONSIDERATION OF MINUTES

Prior to the meeting, the Board received the following draft minutes for review and consideration of approval:

- November 2, 2023- Regular Meeting Minutes

Motion: To approve minutes as presented

Motion By: Member Carol Tuning

Second by: Vice Chair Jason Altice

Action: Approved by a unanimous vote of members present

PUBLIC HEARING:

The applicant, Sheetz, Inc. has applied for a variance for Franklin County Tax Map and Parcel Number 2030008202, commonly known as 265 Old Franklin Tpke, Rocky Mount, Virginia. The applicant seeks a variance of Article 7-5-7 (A) (2) of the Town of Rocky Mount Zoning Ordinance, which requires a setback of 15 feet for all compressed air connections. The applicant is seeking a reduced setback for the air machines.

Zoning Administrator Jessica Angle presented the staff report. Applicant, Kelley Brown from Sheetz, Inc was present and answered questions from BZA members.

Hearing no further comments, Chair Susan Hapgood asked for a motion.

Motion: To approve the request for the variance for Franklin County Tax Map and Parcel Number 2030008202, commonly known as 265 Old Franklin Tpke.

Motion By: Member Carol Tuning

Second By: Member Lucy Goode

Action: Approved by a unanimous vote

NEW BUSINESS

Members were presented with the 2023 and 2024 Annual Report of the Board of Zoning Appeals for review.

BOARD CONCERNS

Chair Susan Hapgood asked about the former Jones Flower shop and Carilion. An open discussion ensued.

STAFF UPDATES

Zoning Administrator Jessica Angle stated the new Zoning & Subdivision Ordinance was adopted October 2024, and recommended members review changes. An open discussion ensued.

Hearing no further comments, Chair Susan Hapgood asked for a motion to adjourn.

ADJOURNMENT

Motion By: Member Bud Blanchard

Seconded By: Vice Chair Jason Altice

Action: Adjourned by a unanimous vote of members present

Time: 6:18 p.m.

Chair, Susan Hapgood

ATTEST:

Cherie Compton, Secretary

Draft



To: Members of the Rocky Mount Board of Zoning Appeals

From: Jessica L. Angle, Planning & Zoning Administrator

Date: June 24, 2025

Re: Variance Request pending before Board of Zoning Appeals

BOARD OF ZONING APPEALS STAFF REPORT
PETITIONER: Brandon Foster
HEARING DATE: July 3, 2025
PROPERTY ZONING: R1-Residential
TAX PARCEL: 2100016000– 110 Grayson Street, Rocky Mount, Virginia
APPLICABLE REGULATIONS: <i>4-3-1, accessory structure - maximum height of 12'</i>
REQUEST: A variance of Article 4-3-, Table 4-2, of the Town of Rocky Mount Zoning Ordinance requiring accessory structures have a maximum height of 12"

I. BACKGROUND:

In accordance with Article 3 of the Zoning & Subdivision Ordinance of the Town of Rocky Mount and §15.2-2310 of the Code of Virginia, the applicant, Brandon Foster, has applied for a variance for Franklin County Tax Map and Parcel Number 2100016000, 110 Grayson Street, Rocky Mount, Virginia, in the R1-Residential District. The applicant is requesting a variance to construct a garage that is 17.5' tall.

The intent of the height regulations are to secure safety, to provide light and air, and to protect the character of districts.

The applicant's justification for the request for a height that exceeds the maximum 12' are:

- Parcel is 5.20 acres, and though it is zoned R1, allowing a structure that exceeds 12' would not impact light, air or the character of the district.
- The garage door height required for the intended use is 12', the 12' maximum building height prevents Mr. Foster from providing shelter for his large boat and trailer.

Proper public notice has been given as required by law. Notices have been mailed to adjacent property owners, a public hearing sign has been posted on site, and the application was advertised in the *Franklin News-Post*.



II. VARIANCE CRITERIA:

FINDINGS TO GRANT A VARIANCE (must meet all)

The strict application of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance, and

- (1) **The property interest for which the variance is being requested was acquired in good faith and any hardship was not created by the applicant for the variance;** The property was acquired in good faith, and the proposed variance is not seeking to remedy a pre-existing violation or self-created hardship
- (2) **The granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;** Staff does not anticipate the increased height would negatively affect nearby properties.
- (3) **The condition or situation of the property concerned is not of so general or recurring nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;** The parcel is considerably larger than a traditional R-1 lot, and not general or recurring.
- (4) **The granting of the variance does not result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property;** The request does not result in a new use nor does it alter the zoning classification of the property.
- (5) **The relief or remedy sought by the variance application is not available through a special exception process or the process for modification of a zoning ordinance at the time of the filing of the variance application.** It is not.

III. SUMMARY

Due to the unusually large size of the subject parcel for an R-1 property and the need for a larger garage to accommodate the intended use, staff finds that the request presents a unique circumstance not commonly encountered in the R-1 district. The intent of the 12-foot maximum height for accessory structures is to ensure that properties in districts with typically smaller parcels are not negatively impacted relative to light, air or the overall character. The proposed garage (Attachment A) will be the same color and trim as the existing home. The structure will be set back approximately 43' from the left property line and approximately 100' from the front property line. (Attachment B) Staff does not anticipate any negative impacts from allowing an additional 5.5 feet in height for an accessory structure on a 5.2-acre parcel with generous setbacks. While staff did not identify a clear hardship, the unique nature of the request is recognized, and no negative impacts are anticipated. Therefore, staff is generally supportive of the request.



POSSIBLE MOTIONS:

Approval

I move that the Board approves the variance request for Tax Map ID No 2100016000 (on the following grounds, if needed): _____

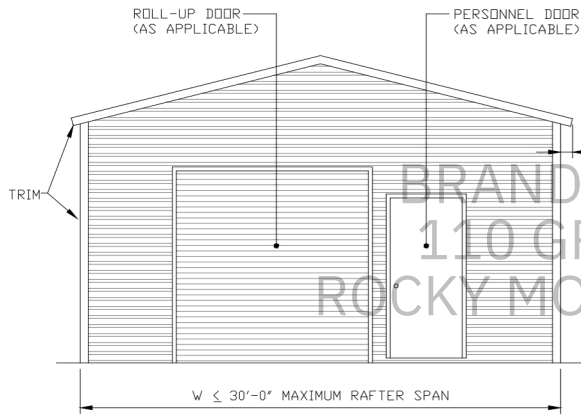
Conditional Approval

I move that the Board approves the variance request for Tax Map ID No 2100016000, with the following conditions: _____

Denial

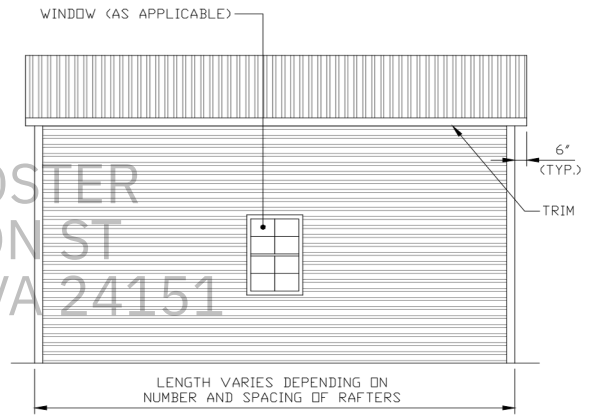
I move that the Board denies the variance request for Tax Map ID No 2100016000 (on the following grounds, if needed) _____

BOX EAVE FRAME RAFTER STRUCTURE



TYPICAL END ELEVATION

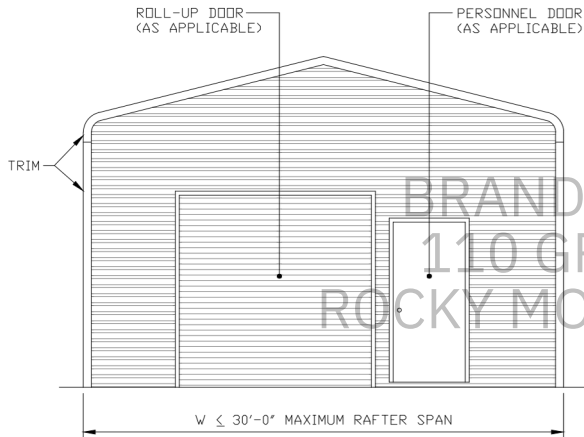
SCALE: NTS



TYPICAL SIDE ELEVATION

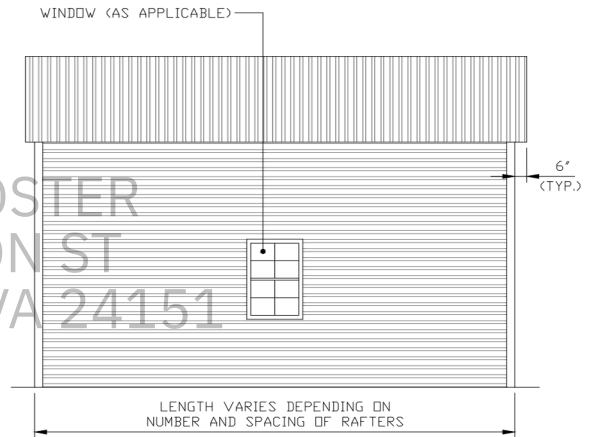
SCALE: NTS

BOX FRAME RAFTER STRUCTURE



TYPICAL END ELEVATION

SCALE: NTS



TYPICAL SIDE ELEVATION

SCALE: NTS

Validity Notice

Plans Expiration Date:

22 July 2025

**MOORE AND ASSOCIATES
ENGINEERING AND CONSULTING, INC.**

DRAWN BY: BF

CHECKED BY: JS

PROJECT MGR: JRP

CLIENT: UNIVERSAL

UNIVERSAL METAL BUILDINGS
9283 US 601

DOBSON, NC 27017

30'-0"x14'-0" SP ENCLOSED STRUCTURE

DATE: 7-22-24

SHT. 4

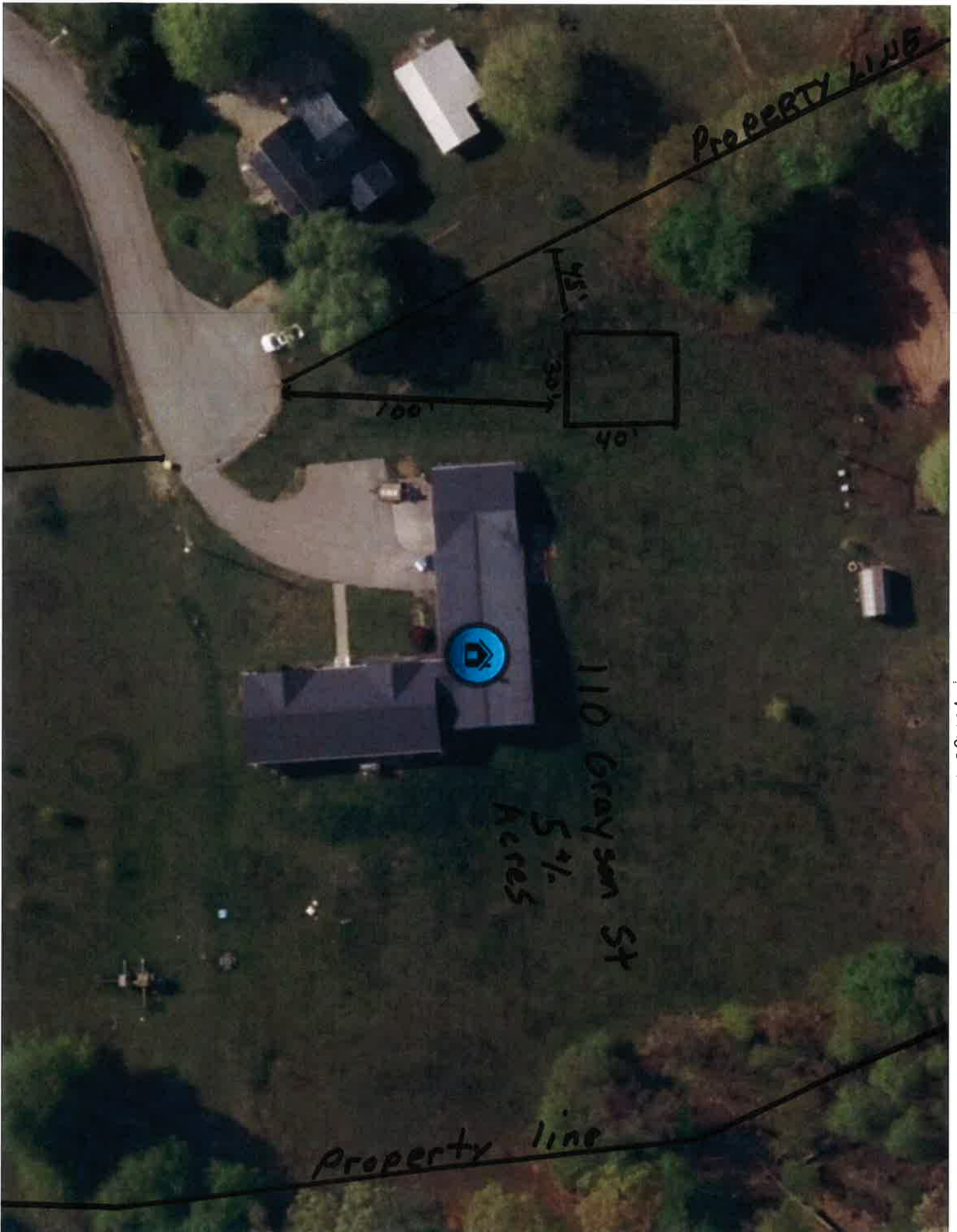
SCALE: NTS

DWG. NO: SK-3

**JOB NO: 17259S/19076S
/19176S/20124S/23125S
/24189S**

REV: 5

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Brandon Foster



Town of Rocky Mount SPECIAL ZONING APPLICATION

REZONING REQUEST SPECIAL EXCEPTION/USE VARIANCE

Date Received:	6/6/25
Received by:	Jingle
PC/BZA Date:	7-3-25

PRE-FILING CONSULTATION WITH THE TOWN PLANNING STAFF TO REVIEW THE PROPOSED REQUEST AND TO OBTAIN RECOMMENDED PROCEDURES AND TECHNICAL ASSISTANCE IS REQUIRED. TO SCHEDULE A PRE-FILING CONSULTATION, PLEASE CONTACT THE TOWN OF ROCKY MOUNT COMMUNITY DEVELOPMENT DEPARTMENT AT 540-483-0907.

APPLICANT NAME: Brandon Foster
ADDRESS: 110 Grayson St. Rocky Mount VA 24151
PHONE: 540 266 4012 EMAIL: _____

PROPERTY OWNERS NAME & ADDRESS: same
(IF DIFFERENT FROM APPLICANT)

TAX MAP & PARCEL NUMBER: 210 001 6000 LOT SIZE (ACRES/SQ.FT.) _____

CURRENT ZONING: R-1 R-2 R-3 RA RB RPUD POS C-1 C-2 M-1 M-2 CBD CBD-ARTS & CULTURE GB

CURRENT LAND USE: VACANT AGRICULTURAL RESIDENTIAL COMMERCIAL INDUSTRIAL

REZONING REQUEST: PROPOSED ZONING: _____ PROPOSED LAND USE: _____

SPECIAL EXCEPTION/USE REQUEST OF SECTION(S) _____ OF THE TOWN ZONING ORDINANCE.

VARIANCE REQUEST OF SECTION(S) 4-3-1 OF THE TOWN ZONING ORDINANCE.

NATURE OF REQUEST - BRIEFLY DESCRIBE THE PROPOSED PROJECT AND SPECIFIC DEVIATION REQUEST FROM THE ZONING ORDINANCE.

applicant is requesting an accessory building height greater than 12' 17.5' at peak

I HEARBY CERTIFY THAT I AM ACTING WITH THE KNOWLEDGE AND CONSENT OF THE PROPERTY OWNER TO THE REQUEST DESCRIBED ON THE APPLICATION. BY SIGNING BELOW, I AGREE THE INFORMATION PROVIDED ON THE APPLICATION IS TRUE TO THE BEST OF MY KNOWLEDGE.

APPLICANT SIGNATURE _____ DATE _____

BY SIGNING BELOW, I CERTIFY I AM AWARE OF THE REQUEST SUBMITTED AND THE INFORMATION PROVIDED IS TRUE TO THE BEST OF MY KNOWLEDGE.

OWNER SIGNATURE [Signature] DATE 6/6/25



