SUFFOLK BOARD OF ZONING APPEALS

APRIL 14, 2026
AGENDA

PREPARED BY THE CITY OF SUFFOLK
DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
OFFICE OF THE ZONING ADMINISTRATOR

JENNIFER COBB, SECRETARY
jcobb@suffolkva.us

WILLIAM MELLON, ZONING ADMINISTRATOR
wmellon@suffolkva.us

THE REGULAR MEETING WILL BE HELD AT 2:00 P.M., IN THE SUFFOLK CITY COUNCIL CHAMBERS OF THE SUFFOLK MUNICIPAL BUILDING, 442 W. WASHINGTON STREET. IF YOU CANNOT ATTEND THIS MEETING, PLEASE CALL THE CITY OF SUFFOLK DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT AT (757) 514-4151, PRIOR TO 12:00 NOON ON FRIDAY, APRIL 10, 2025.

ADMINISTRATION

AGENDA
CITY OF SUFFOLK
BOARD OF ZONING APPEALS
APRIL 14, 2026
CITY COUNCIL CHAMBERS

I. CALL TO ORDER & ROLL CALL

II. APPROVAL OF MINUTES

MARCH 10, 2026 – Regular Meeting

III. OLD BUSINESS

IV. PUBLIC HEARINGS

BZA 04-2026 – Tax Map 34G23(3)E*11*12*12A – Jeremy Crafts

BZA 06-2026 – 627 SPRUCE ST – Arnold & Monique Manigault

V. NEW BUSINESS

VI. ADJOURNMENT

MINUTES

SUFFOLK BOARD OF ZONING APPEALS

March 10, 2026

2:00pm

The regular meeting of the Suffolk Board of Zoning Appeals was held on Tuesday, March 10, 2026, at 2:00 p.m., in the City Council Chambers, located at 442 W. Washington Street, Suffolk, Virginia, with the following people present:

MEMBERS:

Melissa Venable, Chairman
Shante Hall, Board Member
Corey Kornegay, Board Member
Fred Walker, Jr., Board Member

STAFF:

Jennifer Cobb, Asst. Director of Community Dev.
William "Bill" Mellon, Zoning Administrator
Lisa Marshall, Zoning Official
Courtney Hale, Zoning Inspector

The meeting was called to order by Chairman Venable. The roll call reflected that all Board members were present except for Roger Fawcett, there was a quorum. The February 10th. 2026 meeting minutes were approved by a voice vote 4-0.

OLD BUSINESS:

No old business was presented.

PUBLIC HEARINGS:

The BZA 02-2026 Staff Report was read by Jennifer Cobb, Assistant Director of Community Development, and the Staff Analysis Recommendation was presented by Lisa Marshall, Assistant Zoning Administrator. The hearing was opened and time limits established. Renata Brown, property owner, appeared in favor of application. There was no one to speak in opposition and the hearing was closed. A motion for approval was made by Fred Walker, Jr, Board Member, seconded by Shante Hall. The request passed by a recorded vote of 3-0, with Board Member Corey Kornegay abstaining.

The BZA 03-2026 Staff Report was read by Jennifer Cobb, Assistant Director of Community Development, and the Staff Analysis Recommendation was presented by Lisa Marshall, Assistant Zoning Administrator. The hearing was opened and time limits established. Renata Brown, property owner, appeared in favor of application. There was no one to speak in opposition and the hearing was closed. A motion for approval was made by Fred Walker, Jr, Board Member, seconded by Shante Hall. The request passed by a recorded vote of 3-0, with Board Member Corey Kornegay abstaining.

There was no new business and the meeting was adjourned.

BZA 04-2026

STAFF REPORT
APPLICATION BZA 04-2026

Applicant: Jeremy Crafts

Location: 0 Carolina Ave
Tax Map and Parcel Number: 34G23(3)E*11*12*12A
Account # 353744700

Zoning Category: B-2 General Business

Adjacent Zoning: North: B-2, General Business
South: B-2 General Business
East: RM, Residential- Medium
West: B-2, General Business and
RC, Residential Compact

Application: Appealing Administrator's determination and notice of violation for commercial parking without a conditional use permit as required.

Hearing Date: April 14, 2026

Background Information:

The applicant and property owner Jeremy Crafts is appealing notice of violation for commercial parking without a conditional use permit as required by Unified Development Ordinance (UDO) Article 4, Section 31-406(c), Table 406-1. The property is identified as Tax Map and Parcel 34G23(3)E*11*12*12A located on Carolina Rd, Whaleyville voting borough, zoning classification B-2, General Business district.

This variance request was advertised in the *Suffolk News Herald*, and a notice was mailed to adjacent property owners in accordance with Section 15.2-2204 of the Code of Virginia. The public notice sign was posted on the property pursuant to the request of the Zoning Administrator.

Staff Analysis and Recommendation:

In accordance with Section 31-309(c)(2) of the UDO, a variance may be granted by the Board only if the applicant establishes compliance with the hardship criteria established in Section 15.2-2309 of the Code of Virginia. An excerpt from the State Code which outlines the established criteria is attached at the end of this report.

In approving a variance, the Board must find, conditioned upon the applicant having acquired the property in good faith, that the applicant's situation is unique due to the particular physical surroundings, size, shape, topographical condition or other extraordinary situation and not shared by other properties in the same zoning district and vicinity. The Board must also find that the denial of the variance would result in undue hardship rather than an inconvenience, that the character of the district would not be changed as a result of the granting of the variance, and that the situation is not such of a general nature that it would require a text amendment to the Zoning Ordinance to achieve compliance.

The applicant and owner Jeremy Crafts is appealing a notice of violation for vehicle parking in the B-2 district without a conditional use permit for commercial parking as required.

The Zoning office received a complaint that a vacant lot in the 300 blk of Carolina Ave was being used for parking vehicles. Inspections of the property on January 7 and January 14,2026 indicated that lot 34G23(3)E*11*12*12A was being used for vehicle parking and that a makeshift barrier had been erected. Review of aerial surveys of the area as far back as 2007 indicates that the lot had not used for parking aside from a couple of vehicles intermittently and that the vehicle parking use is not a non-conforming use predating the adoption of the UDO in 1999.

A notice of violation was issued to the property owners on January 15, 2026, for a commercial parking lot in the B-2 district without a conditional use permit as required by Section 31-406(c), Table 406.1 of the Unified Development Ordinance (UDO). Appendix A of the UDO defines commercial parking as "The principal use of a lot or parcel as a parking lot or parking garage." The UDO defines principal use as "the primary or main use of land or structures, as distinguished from a secondary or accessory use."
The applicant acquired the property on January 17, 2024. The applicant appeals statement contends that the parking of privately owned vehicles on a vacant B-2 property is not a principal use, and the property is not being" operated or held out as a public parking lot." The applicant advises that the "parcel is not being operated as a public parking lot, parking service, or parking business." The applicant states the vehicle parking on the lot is not for adjacent businesses.

There is no requirement for the parking area to be used for commercial vehicles or the operation of a commercial parking lot but simply the utilization of any B-2 lot

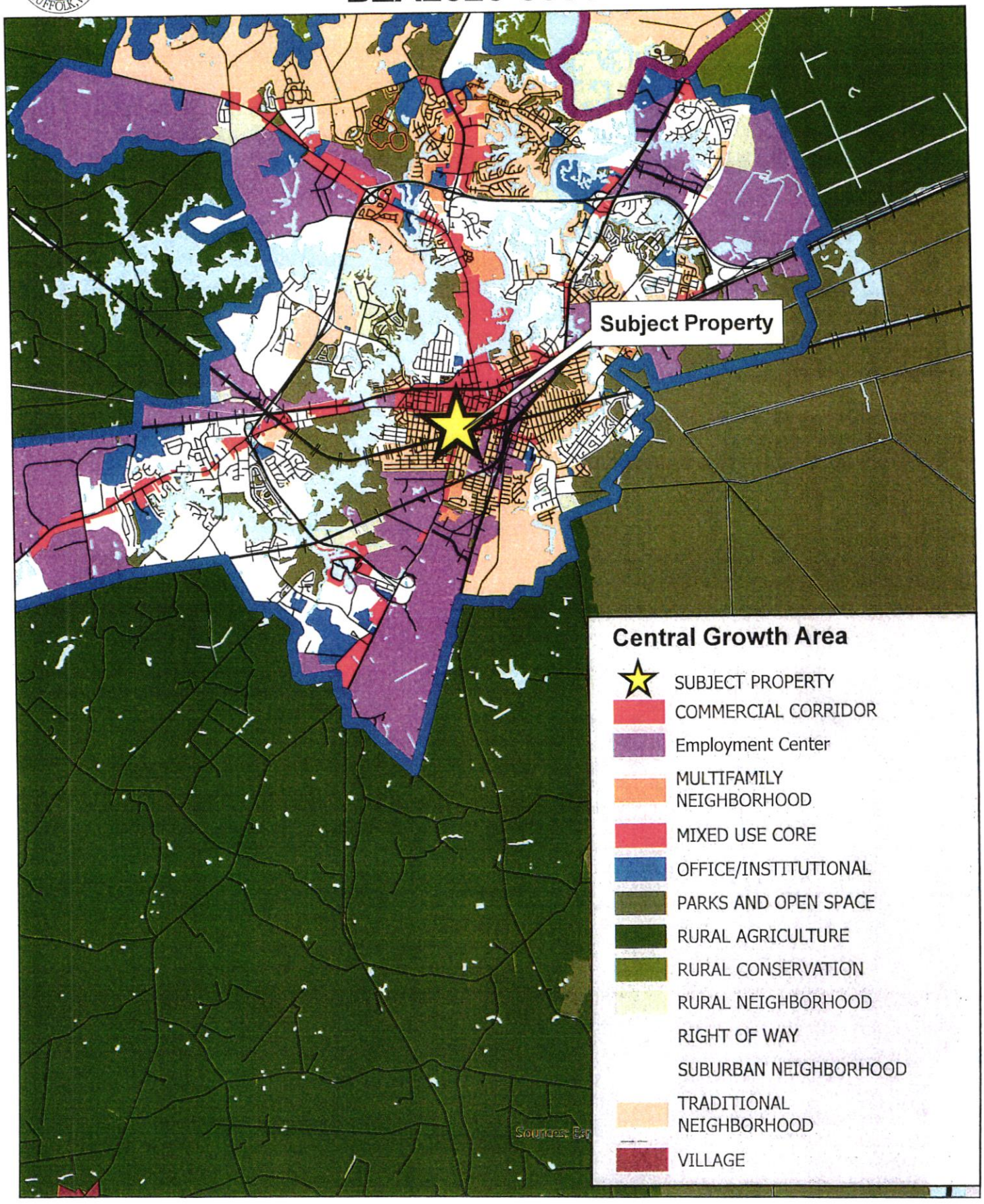
without a principal use for parking of any type of vehicles for any reason constitutes commercial parking requiring a conditional use permit per the UDO.

Lot 34G23(3)E*11*12*12A is vacant and has no other uses on the property besides the parking of vehicles. The parking of vehicles of any type or ownership status, absent any other use, makes parking the principal use and thus requires a commercial parking conditional use permit in the B-2 General Business district per the UDO.

In regard to appeals to Administrator determinations, Section 15.2-2309 of the Code of Virginia states that "*the determination of the administrative officer shall be presumed to be correct. At a hearing on an appeal, the administrative officer shall explain the basis for his determination after which the appellant has the burden of proof to rebut such presumption of correctness by a preponderance of the evidence.*"

Staff asks that the Board affirm the Administrator's determination and the notice of violation for using the lot for vehicle parking without a conditional use permit for commercial parking in the B-2 district as required by the UDO be upheld by the Board.

GENERAL LOCATION MAP
BZA2026-00004



Author: KOSSAI
Date: 03-16-2026

0 0.75 1.5 3 4.5 6 Miles

N

ZONING / LAND USE MAP
BZA2026-00004

Image: Suffolk Pictometry 2024

Author: KOSSAI
Date: 03-16-2026

0 70 140 280 420 560 Feet

N

PROPERTY MAP
BZA2026-00004

EXHIBIT B

Author: KOSSAI
Date: 03-16-2026

0 40 80 160 240 320 Feet

N

VLA April 14, 2026

City of Suffolk

Department of Zoning

BOARD OF ZONING APPEALS APPLICATION

PART 1 - OFFICE INFORMATION: To be completed by staff			
Application Number:	BZA202604	Project Name:	
Project Address:		Date Submitted:	

1. Name of Applicant: Jeremy G Crafts
   Address: 712 Raleigh Ave, Norfolk, VA 23507
   Phone Number: [redacted]
   Email: [redacted]

2. Name of property owner if different from applicant:

   Owner: _____
   Address: _____
   Phone Number: _____

3. Property Specifics:

   Address: 0 Carolina rd
   Location/Neighborhood: Hall Place, Whaleyville Borough
   Tax Map: 34G23(3)E111 Parcel Number: 353744700

4. A check for $551.00, payable to "City of Suffolk", is attached to this application for the filing fee. [✔] Yes [ ] No. explain: _____

5. I/we have had a pre-application conference with the Secretary of the Board to confirm the type of application. [✔] Yes [ ] No
   If no, explain: _____

6. I/We have provided plats, plan or other documents needed for this application.
   [✔] Yes [ ] No. explain: _____

7. I/we request that a hearing be scheduled before the Board of Zoning Appeals to hear a request for (check all that apply)

- ☐ Variance Request
- ☐ Chesapeake Bay Exception Request
- ☐ Special Exception
- ☑ Appeal of the Zoning Administrator's decision/violation letter dated 1/15/26 (attach copy of correspondence)

8. The following Ordinance section(s) apply to this application: Zoning Ordinance Section(s)
31-301(i) of the UDO

9. In the section(s) mentioned in item 8 above, what do you need relief from (example - side yard setback)
Relief is requested from the administrative determination that classifying incidental private vehicle presence on a vacant parcel as "Parking, Commercial" (principal use)

10. Current use of the property (residential, commercial, etc.) Number of structures on site
Vacant commercial zoned parcel (B-2), unimproved lot. 0 structures

11. Describe in detail the nature of your appeal and/or request for a variance. Include in your explanation how your request reflects the 5 elements of a hardship as listed in **§ 15.2-2309 of the Code of Virginia:**
This is an administrative appeal, not a variance request, and hardship criteria do not apply. I appeal the determination that privately owned vehicles on a vacant B-2 parcel constitute "Parking, Commerical" as a principal use. The property is not operated or held out as a public parking lot. I request reversal/clarification that incidental private vehicle presence alone does not establish a prohibited commercial parking lot use.

(i) 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:
Yes

(ii) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;

No.

(iii) the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;

No.

(iv) 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;

No.

(v) the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § **15.2-2309** or the process for modification of a zoning ordinance pursuant to subdivision A4 of § **15.2-2286** at the time of the filing of the variance application.

No.

12. When did you acquire the property and from whom?
This property was acquired January 17, 2024 from H EURE PROPERTIES INC

13. Has an appeal been filed for this property within the last year?

☐ Yes ☑ No

14. Is this property currently under any legal action (i.e., violation notice for non-compliance with construction codes, zoning regulations, court order, etc.)?

☑ Yes ☐ No

If yes, explain NOV January 15, 2026 for Operating a commercial parking lot in the B-2 District without a Conditional Use Permit

15. I/we certify that, to the best of my/our knowledge, the information above is complete and accurate.

I/we hereby grant the right of trespass to any party essential to the review of this application.

Applicant's Signature _____ Date 2/11/26
Applicant's Signature _____ Date _____

Property Owner Jeremy Crafts Date 2/11/26
Property Owner _____ Date _____

BE ADVISED: There is a $90 fee for signs which are not returned and signed in at the Planning Department front desk.

BOARD OF ZONING APPEALS APPLICATION
CONTINUATION SHEET

1. Name of applicant: Jeremy Crafts
   Address: 712 Raleigh Ave, Norfolk, VA 23507
   Phone Number: 757-279-8565

2. Please state the item number(s) and continue your information below:

Attached: Survey of property
Item 6 BZA Owner statement
Item 9 - Relief request
Item 10 - Current use
Item 11 - Request description
Item 12 - Date of purchase
Items 13 - No appeals in past year
Item 14 - Notice of Violation statement
Item 15 - Notice of Violation from City
Tenant affadavit
Addtional supporting materials (photos, affadavit) will be submitted prior to the hearing.

BE ADVISED: There is a $90 fee for signs which are not returned and signed in at the Planning Department front desk.

Applicant's Signature _____ Date 2/11/26

Applicant's Signature _____ Date _____

Property Owner Jeremy Crafts Date 2/11/26

Property Owner _____ Date _____

City of Suffolk

Department of Planning and Community Development

DISCLOSURE STATEMENT FORM

PART 1 - OFFICE INFORMATION: To be completed by staff			
Application Number:		Project Name:	
Project Address:		Date Submitted:	

The disclosures contained in this Form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law. The completion and submission of this Form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Suffolk requiring action by the City Council or a City board, commission or other body.

PART 2 - APPLICANT DISCLOSURE: To be completed by Applicant

Important Notice: Only complete, hard-copy application forms with original signatures or other approved written consent from all property owners are accepted.

APPLICANT INFORMATION

Applicant Name: Jeremy Crafts

Property Address(es): 0 Carolina Road, Suffolk, Virginia

Tax Map Number(s): 34G23(3)E1112*12A)

Account Number(s): 353744700

Is Applicant the owner of the subject property? ☑ YES ☐ NO

Does the Applicant have a Representative? ☐ YES ☑ NO

If yes, name of Representative: _____

Is Applicant a corporation, partnership, firm, business, trust, or unincorporated business? ☐ YES ☑ NO

If yes, list the names of all officers, directors, members, trustees, etc. below AND businesses that have a parent-subsidiary or affliated business entity relationship (see definitions below) with the applicant (attach list if necessary):

_____

_____

KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

Does an official or employee of the City of Suffolk have an interest in the subject property or any proposed development contigent on the subject public action? ☐ YES ☑ NO

If yes, name of the official or employee, and description of the nature of their interest:

_____

_____

APPLICANT SERVICES DISCLOSURE

The Applicant must certify whether the following services are being provided in connection to the applicant, the subject of the application, and/or any business operating, or to be operated on the property. The name of the entity and/or individual providing such services must be identified (attach list if necessary).

SERVICE	YES (select one)	NO (select one)	SERVICE PROVIDER (Name of entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	☐	☑	
Real Estate Broker/Agent/Realtor	☐	☑	
Accounting/Tax Preparation	☐	☑	
Architect/Designer/Landscape Architect/Land Planner	☐	☑	
Construction Contractor	☐	☑	
Engineer/Surveyor/Agent	☐	☑	
Legal Services	☐	☑	

PART 3 – PROPERTY OWNER DISCLOSURE

PROPERTY OWNER DISCLOSURE

Property Owner Name: Jeremy Crafts
(as listed on application)

Is the Owner a corporation, partnership, firm, business, trust or an unincorporated business? ☐ YES ☑ NO

If yes, the names of all officers, directors, members, or trustees below AND businesses that have a parent-subsidiary or affliated business entity relationship (see definitions below) with the Applicant (attach list if necessary):

Does the subject property have a proposed or pending purchaser? ☐ YES ☑ NO
If yes, name of the proposed or pending purchaser:

KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

Does an official or employee of the City of Suffolk have an interest in the subject property or any proposed development contigent on the subject public action? ☐ YES ☑ NO
If yes, name of the official or employee, and descripton of the nature of their interest:

PROPERTY OWNER SERVICES DISCLOSURE

The Owner must certify whether the following services are being provided in connection to the Applicant, the subject of the application, and/or any business operating, or to be operated on the property. The name of the entity and/or individual providing such services must be identified (attach list if necessary).

SERVICE	YES (select one)	NO (select one)	SERVICE PROVIDER (Name of entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	☐	☑	
Real Estate Broker/Agent/Realtor	☐	☑	
Accounting/Tax Preparation	☐	☑	
Architect/Designer/Landscape Architect/Land Planner	☐	☑	
Construction Contractor	☐	☑	
Engineer/Surveyor/Agent	☐	☑	
Legal Services	☐	☑	

APPLICANT CERTIFICATION

- I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.
- I understand that I am responsible for updating this Form if any information changes at any point even if a public hearing has not yet been scheduled.
- I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the meeting of Planning Commission, City Council, or any public body or committee in connection with this application.

Applicant Name (Print)	Applicant Signature	Date
Jeremy Crafts		2/11/26

PROPERTY OWNER CERTIFICATION

- I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.
- I understand that I am responsible for updating this Form if any information changes at any point even if a public hearing has not yet been scheduled.
- I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the meeting of Planning Commission, City Council, or any public body or committee in connection with this application.

Property Owner Name (Print)	Property Owner Signature	Date
Jeremy Crafts		2/11/26

"Parent-subsidiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, VA. Code § 2.2-3101.

"Affiliated business entity relationship" means "a relationship, other than parent-subsidiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

Item 6 – Statement of Appeal (Zoning Administrator Determination)

I respectfully appeal the Zoning Administrator's determination that the presence of privately owned vehicles on my vacant B-2 parcel constitutes a violation of the Unified Development Ordinance as an unlawful "Parking, Commercial" use.

The UDO defines "Parking. Commercial" as "the principal use of a lot or parcel as a parking lot or parking garage." The determination in this matter applies that definition so broadly that any vehicle presence on a vacant parcel is treated as establishing a prohibited principal commercial parking lot use, regardless of whether the parcel is operated or held out as a parking facility.

Respectfully, this interpretation is inconsistent with the ordinary meaning and intent of the ordinance. A "principal use" is generally understood to mean the primary use to which a parcel is devoted or operated. The mere presence of a limited number of privately owned, registered vehicles on a controlled leased parcel does not transform the property into a commercial parking lot or parking operation.

The parcel is not being operated as a public parking lot, parking service, or parking business. No parking is offered to the public, no compensation is received for parking, and the vehicles present are privately owned and incidental to lawful possession and control of the property. Treating incidental private vehicle presence as a prohibited principal commercial parking use would produce sweeping and unreasonable results, effectively classifying virtually any vacant commercial parcel with an owner's or tenant's vehicles as an unlawful commercial parking lot.

For these reasons, I respectfully request that the Board reverse or clarify the Zoning Administrator's determination and confirm that the presence of privately owned vehicles alone does not establish the principal use of a parcel as "Parking, Commercial" under the ordinance definition.

Respectfully submitted,
Jeremy Crafts
0 Carolina Road, Suffolk, Virginia (Tax Map 34G23(3)E1112*12A)

Item 9 – Relief Requested

I respectfully request that the Board of Zoning Appeals reverse the Zoning Administrator's determination that the presence of privately owned vehicles on this vacant B-2 parcel constitutes the principal use of the property as "Parking, Commercial."

Specifically, I request that the Board find that the ordinance definition of "Parking, Commercial" applies to parcels whose principal use is an actual parking lot or parking operation, and that incidental private vehicle presence alone does not establish a prohibited commercial parking lot use.

Accordingly, I request that the Notice of Violation be overturned and that the Board provide clarification of the proper interpretation of "principal use" in this context.

Item 10: Current Use:

Vacant commercial parcel under lease; no active business operations currently occurring on-site. Tenant is in the process of seeking required zoning approvals for a future permitted use.

Item 11 – Description of Proposed Request (Interpretation Appeal)

This application does not request a dimensional variance (such as setbacks, height, or lot coverage). Rather, this is an appeal of the Zoning Administrator's determination and interpretation that the presence of privately owned vehicles on a vacant B-2 parcel constitutes the principal use of the property as "Parking, Commercial."

The relief requested is a reversal and clarification of the administrative interpretation of the ordinance definition of "Parking, Commercial," specifically that incidental private vehicle presence alone does not establish a prohibited principal commercial parking lot use.

Item 12:

Date of Purchase: January 17, 2024

Item 13

No appeals have been filed by the applicant within the past year.

Item 14

Yes - a Notice of Violation was issued on January 15, 2026 regarding an alleged "Parking, Commercial" use determination.

CITY OF SUFFOLK

442 W. WASHINGTONSTREET, POST OFFICE BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4150 FAX: (757) 514-4199

DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT
Division of Community Development

NOTICE OF VIOLATION

January 15, 2026

Crafts, Jeremy & Sareena
712 Raleigh Ave
Norfolk, VA 23507

Re: Commercial Parking Lot in the B-2 District Requires a CUP
0 Carolina Road
Suffolk, VA 23434
Tax Map: 34G23(3)E*11*12*12A
Account: 353744700

Greetings,

An inspection was conducted on January 7, 2026 and January 14, 2026 which revealed the above referenced property is being used for a Commercial Parking Lot.

The above listed property is zoned B-2 (General Commercial). According to Table 406.1 of the Unified Development Ordinance Principle Uses Permitted in Zoning Districts, states that parking, commercial in the B-2 (General Commercial) is only permitted with a conditional use permit obtained from the Planning Department. Parking, Commercial, as stated in Appendix A, entitled "Definitions" is the principal use of a lot or parcel as a parking lot or parking garage.

Violation*** Operating a commercial parking lot in the B-2 District without a Conditional Use Permit

Abatement*** Cease all non-permitted activity relating to a commercial parking lot & obtain a conditional use permit from The Planning Department located at 442 W Washington St. Correction of this violation within thirty (30) days of the notice will prevent any additional remedies, which may result in legal action by the City.

Pursuant to Section 31-301(i) of the Unified Development Ordinance, you may have the right to appeal any order, requirement, decision or determination made by the Zoning Administrator or other administrative officer to the Board of Zoning Appeals within thirty (30) days of receipt of this notice, after which time such order, requirement, decision, or determination shall be un-appealable. Applications may be obtained from the Department of Planning and Community Development either in person or via the internet at http://www.suffolk.vaus/PCD/cd/docs/zoning/BZA_Application.pdf. The application must have an original signature with all relevant documents in order to be processed and must be accompanied with an application fee of $551.00 when submitted. **The City of Suffolk appreciates your cooperation and attention to this matter. If you have any further questions, feel free to contact me at (757) 514-4176 (email: chale@suffolkva.us).**

Sincerely,

Courtney Hale

Courtney Hale, CZA
Zoning Inspector II

Use of 0 Carolina Road, Suffolk, Virginia

AFFIDAVIT

I, Brandon Silver, being duly sworn, hereby state as follows:

1. I am the tenant leasing the property located at **0 Carolina Road, Suffolk, Virginia.**

2. The property is **not being operated as a commercial parking lot**, and no parking spaces on the property are offered to the public, customers, neighboring businesses, or any third party.

3. The prior use of the property for parking associated with the adjacent building has ceased and is not continuing in any form.

4. The property is currently **vacant and secured**. It has been fenced and posted with "No Parking / Tow-Away" signage, and unauthorized parking is actively prohibited and enforced.

5. At present, **only three (3) vehicles** are located on the property. These vehicles are and are not customer vehicles, employee vehicles, or vehicles belonging to third parties.

6. No parking on the property is sold, leased, advertised, or otherwise made available for compensation or for the convenience of others.

7. The limited presence of these privately owned vehicles on the property is **temporary, non-commercial in nature**, and **does not constitute operation of a commercial parking lot or a principal parking use.**

8. I am in the process of pursuing required zoning and permitting approvals for a future use of the property, and no public-facing operations are currently occurring on the site.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge.

Signed this 6 day of Feburary, 2026.

Tenant Signature [signature]
Printed Name: Brandon Silver

State of Virginia
City/County of Suffolk

Subscribed and sworn before me this 6 day of Febuary, 2026.

Notary Public Jedi Conor Grooms
My Commission Expires: 11/30/2026

JEDI CONOR GROOMS
Notary Public ID 8005940
Commonwealth of Virginia
My Commission Expires November 30, 2026

CITY OF SUFFOLK

442 W. WASHINGTON ST., POST OFFICE BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4150 FAX: (757) 538-1306

Board of Zoning Appeals

March 24, 2026

ADJACENT PROPERTY OWNER LETTER
NOTICE OF PUBLIC HEARING

Dear Property Owner:

Please be advised the following request has been filed with the City of Suffolk's Board of Zoning Appeals (BZA) and will be considered at a **PUBLIC HEARING** to be held in the City Council Chambers, Municipal Building, 442 W. Washington Street, Suffolk, Virginia. The Public Hearing will be held before the Suffolk Board of Zoning Appeals on **Tuesday, April 14, 2026 at 2:00 p.m.** or as soon thereafter as the matter may be heard.

BZA 04-2026- Jeremy Crafts, owner, is appealing notice of violation for commercial parking without a conditional use permit as required. The property is identified as tax and map parcel 34G23(3)E*11*12*12A, located on Carolina Rd, zoning classification General Business district (B-2).

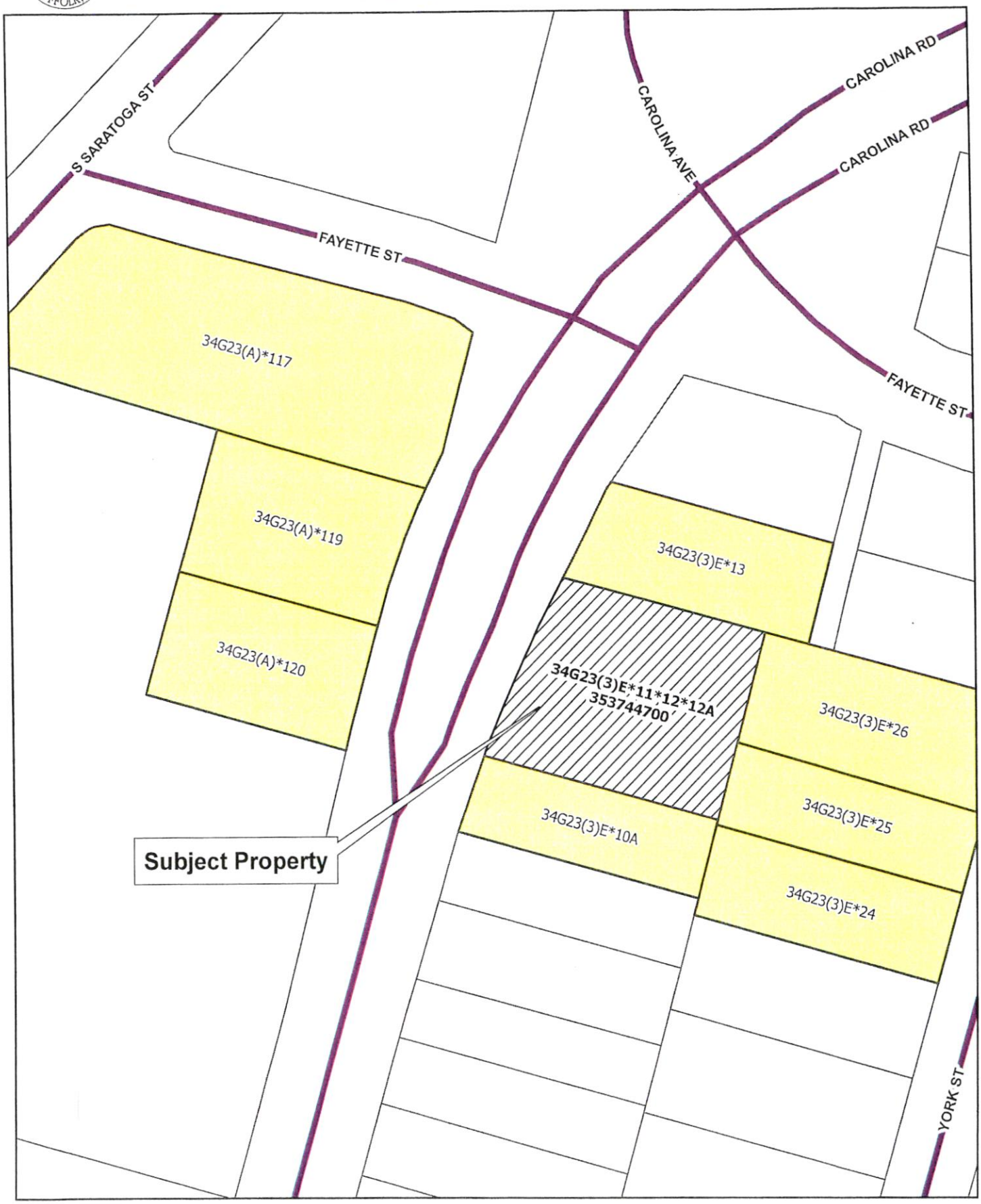
Should you have any interest in this matter, you are invited to attend this public hearing. **THIS IS THE ONLY NOTICE YOU WILL RECEIVE NOTIFYING YOU OF THIS PUBLIC HEARING.** Please feel free to contact this office should you have any questions pertaining to the above request. You are receiving this notification as a requirement of Section 31-309 et seq. of the City of Suffolk's Unified Development Ordinance and Section 15.2-2204 of the Code of Virginia. As our records indicate, you own property adjacent to the location of the variance or appeal. All of the property owners within this area may not have received a notice. Please feel free to share this notice with other property owners. If you have any questions, please contact me at (757) 514-4152.

Sincerely,

William Mellon

Williiam Mellon, CZA, CTM
Zoning Administrator

APO MAP
BZA2026-00004



Author: KOSSAI
Date: 03-16-2026

0 37.5 75 150 225 300 Feet

N

CITY OF SUFFOLK

442 W. WASHINGTON STREET, POST OFFICE BOX 1858, SUFFOLK, VIRGINIA 23439-1858

PHONE. (757) 514-4060 FAX (757) 514-4099

DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT

Division of Planning

APPLICATION #: BZA 04-2026

STAFF: WILLIAM MELLON

NUMBER OF SIGNS: 1

DATE OF BOARD OF ZONING APPEALS: APRIL 14, 2026

POSTING OF SIGNS

I take full responsibility for the care and maintenance of the Board of Zoning Appeals sign(s). I understand that the sign(s) shall be posted on the property at least fifteen (15) days prior to the Public Hearings and shall be removed within five (5) days after the Public Hearing. I understand that all signs and stakes shall be picked up and returned to the Department of Planning and Community Development and shall be signed in and out at the time of pickup/drop-off. I understand that all signs and stakes must be returned to the Planning Department within ten (10) business days of the final Public Hearing or I will be responsible for the replacement costs of each sign at $90.00/per sign.

PLACEMENT OF SIGNS

- ✓ One (1) sign shall be erected so as to be visible and eligible to each abutting public street.
- ✓ Corner Lot – Sign to be posted on each abutting street.
- ✓ Extensive Road Frontage – One sign shall be posted for each 2,000 feet.
- ✓ No Frontage on Public Street – A sign shall be posted adjacent to the nearest public street from which future access is contemplated.

If the sign(s) has not been posted in accordance with City regulations, the application may be removed from the applicable agenda. The applicant shall be responsible for all reprocessing costs, including but not limited to, advertising costs.

3/31/26

Date Sign(s) Picked Up

Signature of Applicant

NOTICE OF APPLICATION FOR
PUBLIC HEARING
BZA04-2026
Appeal Notice of Violation
for Commercial Parking
A PUBLIC HEARING
WILL BE HELD
April 14, 2026
2:00 PM
IN CITY COUNCIL CHAMBERS
SUFFOLK PLANNING DEPARTMENT
(757) 514-4060
310

CITY OF SUFFOLK

442 W. WASHINGTONSTREET, POST OFFICE BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4150 FAX: (757) 514-4199

DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT
Division of Community Development

NOTICE OF VIOLATION

January 15, 2026

Crafts, Jeremy & Sareena
712 Raleigh Ave
Norfolk, VA 23507

Re: Commercial Parking Lot in the B-2 District Requires a CUP
0 Carolina Road
Suffolk, VA 23434
Tax Map: 34G23(3)E*11*12*12A
Account: 353744700

Greetings,

An inspection was conducted on January 7, 2026 and January 14, 2026 which revealed the above referenced property is being used for a Commercial Parking Lot.

The above listed property is zoned B-2 (General Commercial). According to Table 406.1 of the Unified Development Ordinance Principle Uses Permitted in Zoning Districts, states that parking, commercial in the B-2 (General Commercial) is only permitted with a conditional use permit obtained from the Planning Department. Parking, Commercial, as stated in Appendix A, entitled "Definitions" is the principal use of a lot or parcel as a parking lot or parking garage.

Violation*** Operating a commercial parking lot in the B-2 District without a Conditional Use Permit

Abatement*** Cease all non-permitted activity relating to a commercial parking lot & obtain a conditional use permit from The Planning Department located at 442 W Washington St. Correction of this violation within thirty (30) days of the notice will prevent any additional remedies, which may result in legal action by the City.

Pursuant to Section 31-301(i) of the Unified Development Ordinance, you may have the right to appeal any order, requirement, decision or determination made by the Zoning Administrator or other administrative officer to the Board of Zoning Appeals within thirty (30) days of receipt of this notice, after which time such order, requirement, decision, or determination shall be un-appealable. Applications may be obtained from the Department of Planning and Community Development either in person or via the internet at http://www.suffolk.vaus/PCD/cd/docs/zoning/BZA_Application.pdf. The application must have an original signature with all relevant documents in order to be processed and must be accompanied with an application fee of $551.00 when submitted. **The City of Suffolk appreciates your cooperation and attention to this matter. If you have any further questions, feel free to contact me at (757) 514-4176 (email: chale@suffolkva.us).**

Sincerely,

Courtney Hale

Courtney Hale, CZA
Zoning Inspector II

Definitions

Per Appendix A of the Unified Development Ordinance:

PRINCIPAL USE: The primary or main use of land or structures, as distinguished from a secondary or accessory use.

PARKING, COMMERCIAL: The principal use of a lot or parcel as a parking lot or parking garage.

THIS IS TO CERTIFY THAT I, TIMOTHY M. FALLON A LAND SURVEYOR, ON 01-08-2024 SURVEYED THE PROPERTY SHOWN ON THIS PLAT, AND THAT THE TITLE LINES AND THE WALLS OF THE BUILDING ARE AS SHOWN ON THIS PLAT. THE IMPROVEMENTS STAND STRICTLY WITHIN THE TITLE LINES AND THERE ARE NO ENCROACHMENTS OR VISIBLE EASEMENTS, EXCEPT AS SHOWN. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND CONSEQUENTLY MAY NOT DEPICT ALL MATTERS AFFECTING THE TITLE OF THE PROPERTY SHOWN.

SIGNED
TIMOTHY M. FALLON LIC.#1659

THIS PROPERTY SHOWN ON THIS PLAT APPEARS TO FALL IN FLOOD ZONE "X" AS SHOWN ON THE FLOOD INSURANCE RATE MAP, COMMUNITY 510156 PANEL 0227E DATED 08-03-2015

COMMONWEALTH OF VIRGINIA
TIMOTHY M. FALLON
No. 1659
01-09-2024
LAND SURVEYOR

12' ALLEY

LOT 26 | LOT 25 | LOT 24

FENCE OUT 1.7'
FENCE OUT 1.5'
FENCE OUT 0.1'
FENCE OUT 1.6'
PIN (S)
S 23°09'40" W 100.00'
FENCE OUT 0.7'
FENCE OUT 0.5'
FENCE OUT 9.1'
6.95
PIN (S)
3' WOOD FENCE
PIN (F)
FENCE IN 0.9'
3' WOOD FENCE
CONCRETE IN 0.9'
OLD DIVISION LINE

LOT 13

ONE STORY BUILDING #306

S 66°50'20" E 109.26' (O.A.)

LOT 12 | LOT 11

COVERED AREA OUT 0.1'

LOT 10

N 66°50'20" W 127.34'

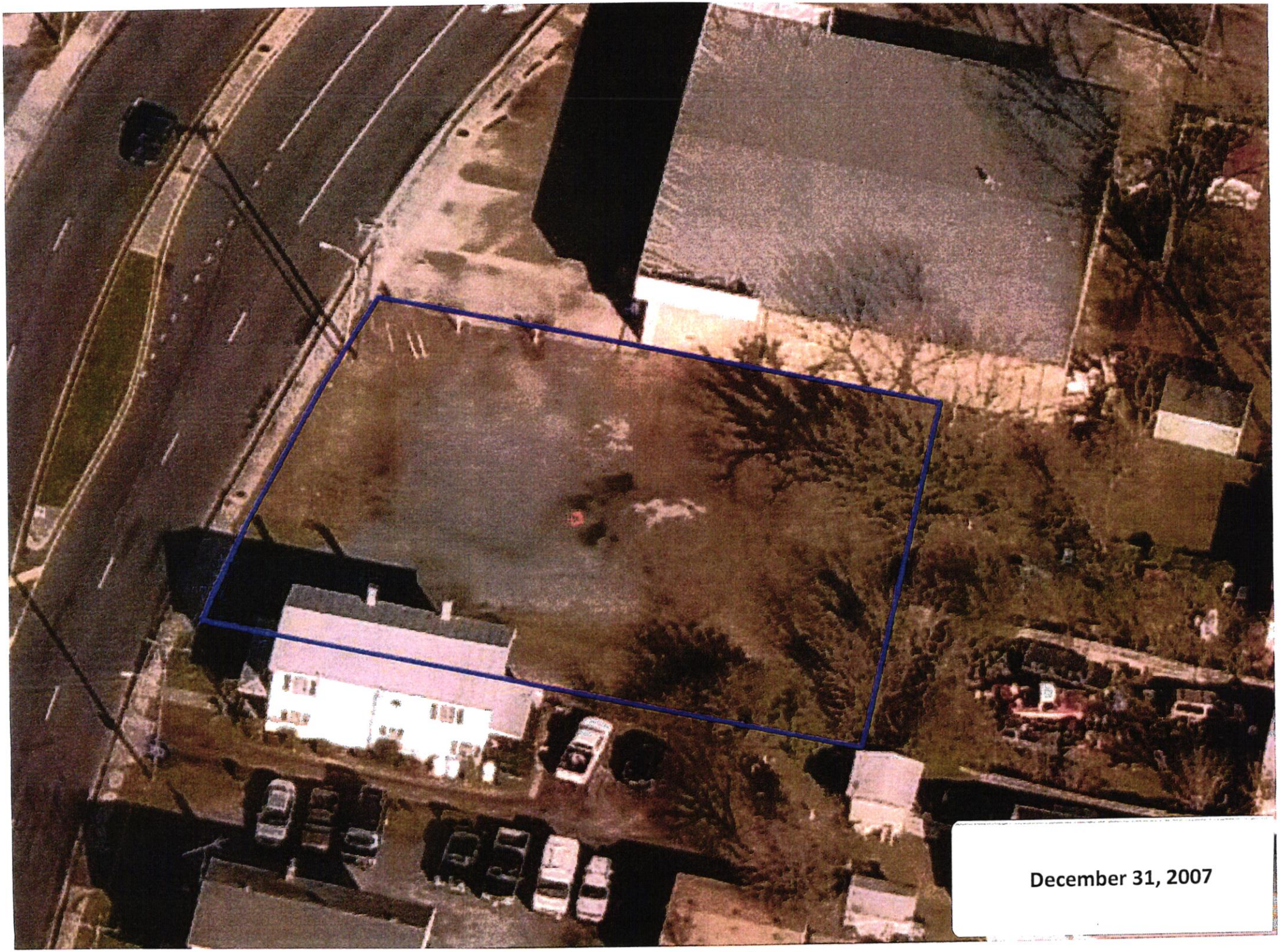
S 66°50'20" E 102.31'

COVERED AREA
COVERED AREA OUT 0.1'
CONCRETE SIDEWALK
CONCRETE DRIVE
GRAVEL
CONCRETE DRIVE
PARKING SIGN
PARKING SIGN
VARIABLE WIDTH EASEMENT (PB.4, PG.121)
GW(2)
GW
GW
PP
PARKING SIGN
DI
CONCRETE IN 0.1'
PIN (S)
103.87' TO FAYETTE ST.
PP
CONCRETE IN 0.7'
SIDEWALK OUT 2.1'
N 33°34'34" E 86.45'
SIDEWALK IN 0.4'
CONCRETE SIDEWALK
CONCRETE APRON
N 32°26'36" E 15.18'
SIDEWALK IN 0.8'
PIN (S)

CAROLINA ROAD
(VARIABLE WIDTH R/W)
(0032-133-102, C-501 R/W-201, PE-102)

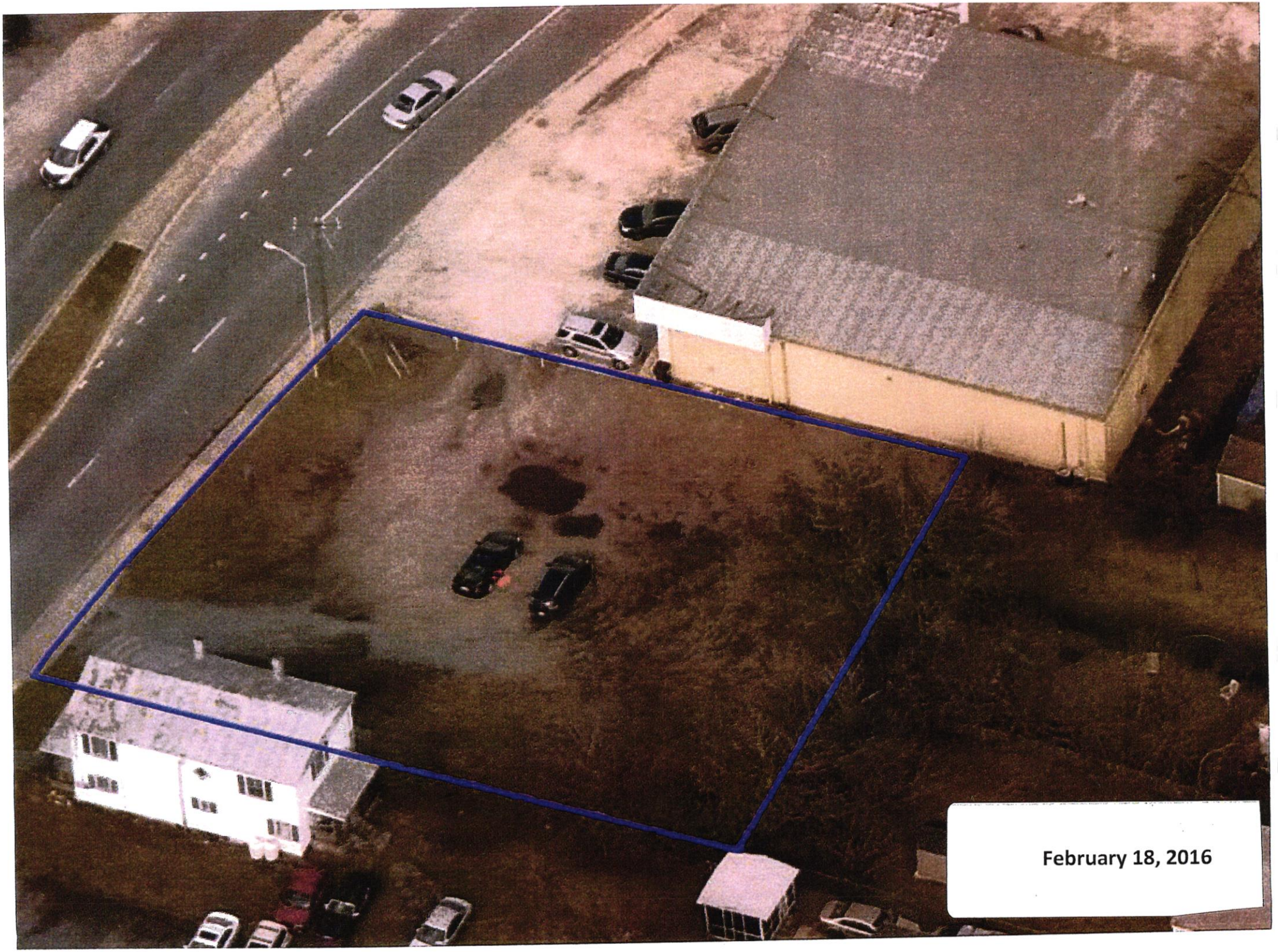
VARIABLE WIDTH EASEMENT (PB.4, PG.121)

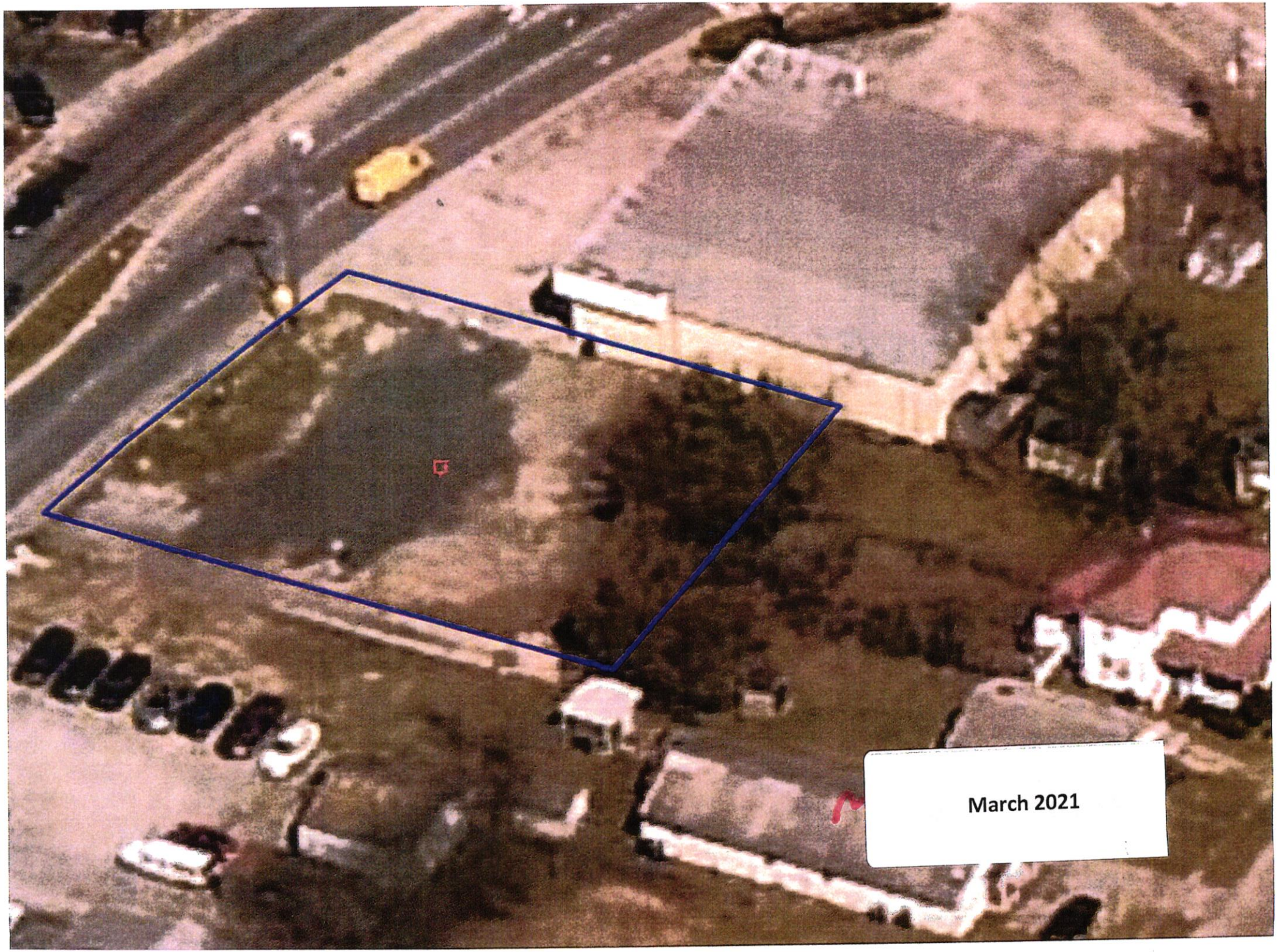
PHYSICAL SURVEY

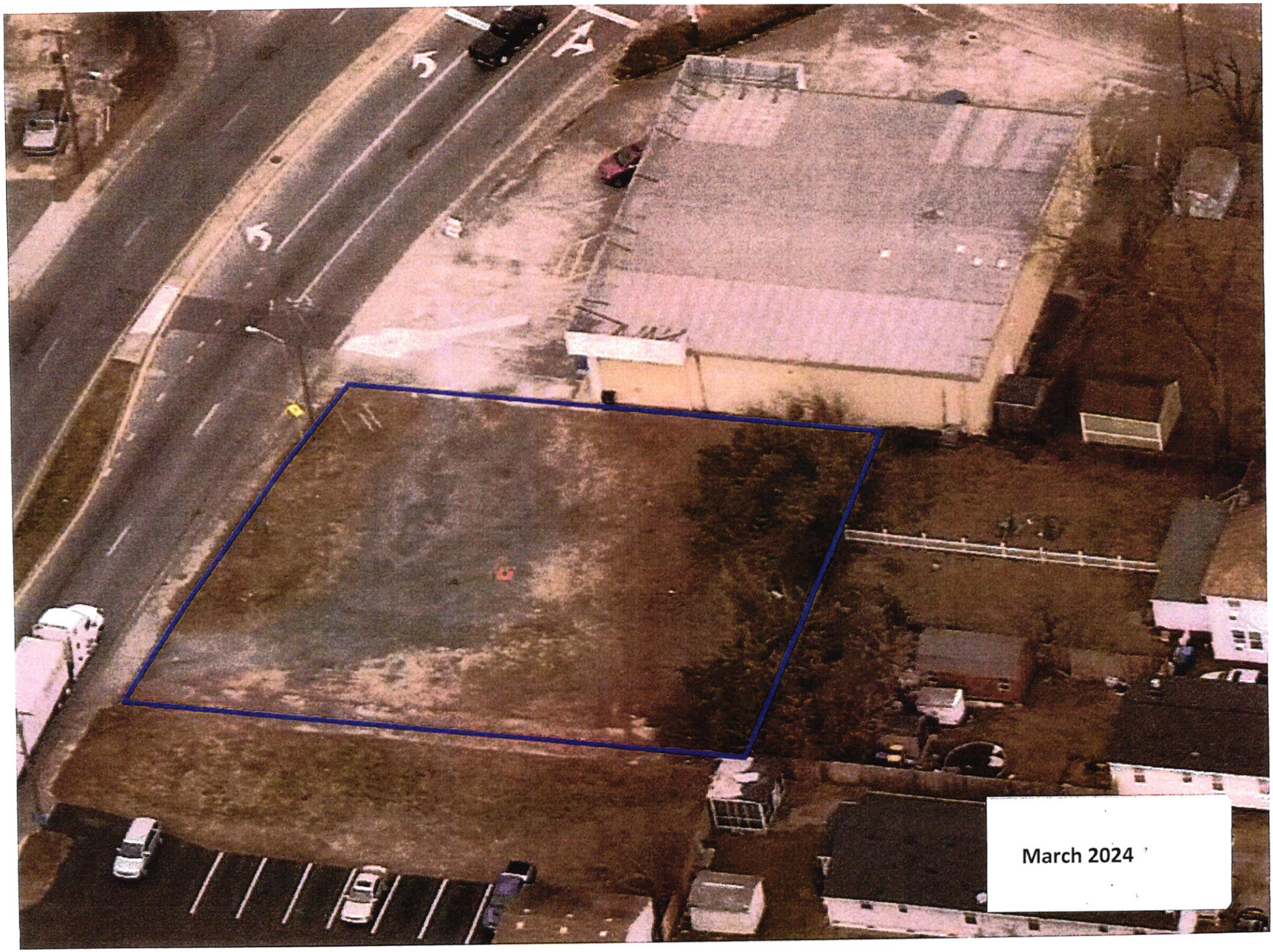

December 31, 2007

December 28. 2009

March 5, 2010


February 18, 2016


March 2021


March 2024

Friends of the Suffolk Library
01/07/2026

Friends of the Suffolk Library
Hair & Beyond
01/14/2026

§ 15.2-2309 - Powers and duties of boards of zoning appeals

Boards of zoning appeals shall have the following powers and duties:

1. To hear and decide appeals from any order, requirement, decision, or determination made by an administrative officer in the administration or enforcement of this article or of any ordinance adopted pursuant thereto. The decision on such appeal shall be based on the board's judgment of whether the administrative officer was correct. The determination of the administrative officer shall be presumed to be correct. At a hearing on an appeal, the administrative officer shall explain the basis for his determination after which the appellant has the burden of proof to rebut such presumption of correctness by a preponderance of the evidence. The board shall consider any applicable ordinances, laws, and regulations in making its decision. For purposes of this section, determination means any order, requirement, decision or determination made by an administrative officer. Any appeal of a determination to the board shall be in compliance with this section, notwithstanding any other provision of law, general or special.

2. Notwithstanding any other provision of law, general or special, to grant upon appeal or original application in specific cases a variance as defined in § 15.2-2201, provided that the burden of proof shall be on the applicant for a variance to prove by a preponderance of the evidence that his application meets the standard for a variance as defined in § 15.2-2201 and the criteria set out in this section. Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms 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 (i) 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; (ii) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area; (iii) the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance; (iv) 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; and (v) the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A 4 of § 15.2-2286 at the time of the filing of the variance application. No variance shall be considered except after notice and hearing as required by § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail. In granting a variance, the board may impose such conditions regarding the location, character, and other features of the proposed structure or use as it may deem necessary in the public interest and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with. Notwithstanding any other provision of law, general or special, the property upon which a property owner has been granted a variance shall be treated as conforming for all purposes under

state law and local ordinance; however, the structure permitted by the variance may not be expanded unless the expansion is within an area of the site or part of the structure for which no variance is required under the ordinance. Where the expansion is proposed within an area of the site or part of the structure for which a variance is required, the approval of an additional variance shall be required.

3. To hear and decide appeals from the decision of the zoning administrator after notice and hearing as provided by § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail.

4. To hear and decide applications for interpretation of the district map where there is any uncertainty as to the location of a district boundary. After notice to the owners of the property affected by the question, and after public hearing with notice as required by § 15.2-2204, the board may interpret the map in such way as to carry out the intent and purpose of the ordinance for the particular section or district in question. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail. The board shall not have the power to change substantially the locations of district boundaries as established by ordinance.

5. No provision of this section shall be construed as granting any board the power to rezone property or to base board decisions on the merits of the purpose and intent of local ordinances duly adopted by the governing body.

6. To hear and decide applications for special exceptions as may be authorized in the ordinance. The board may impose such conditions relating to the use for which a permit is granted as it may deem necessary in the public interest, including limiting the duration of a permit, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.No special exception may be granted except after notice and hearing as provided by § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail.

7. To revoke a special exception previously granted by the board of zoning appeals if the board determines that there has not been compliance with the terms or conditions of the permit. No special exception may be revoked except after notice and hearing as provided by § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail. If a governing body reserves unto itself the right to issue special exceptions pursuant to § 15.2-2286, and, if the governing body determines that there has not been compliance with the terms and conditions of the permit, then it may also revoke special exceptions in the manner provided by this subdivision.

8. The board by resolution may fix a schedule of regular meetings, and may also fix the day or days to which any meeting shall be continued if the chairman, or vice-chairman if the chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend the meeting. Such finding shall be communicated to the members and the press as promptly as possible. All hearings and other matters previously advertised for such meeting in accordance with § 15.2-2312 shall be conducted at the continued meeting and no further advertisement is required.

BZA 06-2026

STAFF REPORT
APPLICATION BZA06-2026

Applicant: Arnold & Monique Manigault

Location: **627 Spruce St**
Tax Map and Parcel Number: 35(H)D1
Account# 100186000

Zoning Category: RM, Residential Medium Density

Adjacent Zoning: *North:* RM, Residential Medium Density
South: RM, Residential Medium Density
East: RM, Residential Medium Density
West: RM, Residential Medium Density

Application: Request for a variance to reduce the required side yard setback adjacent to a street from 25 feet to 6 feet to install a 6-foot privacy fence.

Hearing Date: April 14, 2026

Background Information:

The applicants, Arnold and Monique Manigault, are requesting a variance from the Unified Development Ordinance (UDO) Article 4, Section 31-407(C) Table 407-1-Dimensional Standards (J) to reduce the required side yard setback adjacent to a street from 25 feet to 6 feet to install a 6-foot privacy fence. The property is identified as Tax Map and Parcel 35H(4)D1 located at 627 Spruce Street Suffolk, Virginia, Whaleyville voting borough, zoning classification RM, Residential Medium Density.

This variance request was advertised in the *Suffolk News Herald*, and a notice was mailed to adjacent property owners in accordance with Section 15.2-2204 of the Code of Virginia. The public notice sign was posted on the property pursuant to the request of the Zoning Administrator.

Approving Variance:

In accordance with Section 31-309(c)(2) of the UDO, a variance may be granted by the Board only if the applicant establishes compliance with the hardship criteria established in Section 15.2-2309 of the Code of Virginia. An excerpt from the State Code which outlines the established criteria is attached at the end of this report.

In approving a variance, the Board must find, conditioned upon the applicant having acquired the property in good faith, that the applicant's situation is unique due to the particular physical surroundings, size, shape, topographical condition or other extraordinary situation and not shared by other properties in the same zoning district and vicinity. The Board must also find that the denial of the variance would result in undue hardship rather than an inconvenience, that the character of the district would not be changed as a result of the granting of the variance, and that the situation is not such of a general nature that it would require a text amendment to the Zoning Ordinance to achieve compliance.

Variance Request:

On August 12, 2025, BZA2025-00013, was submitted by the builder and previously approved by the Board allowing a reduction of the side yard setback adjacent to a street from 25 feet to 10 feet for the construction of the single-family dwelling. The house was built at the 10-foot setback line as approved.

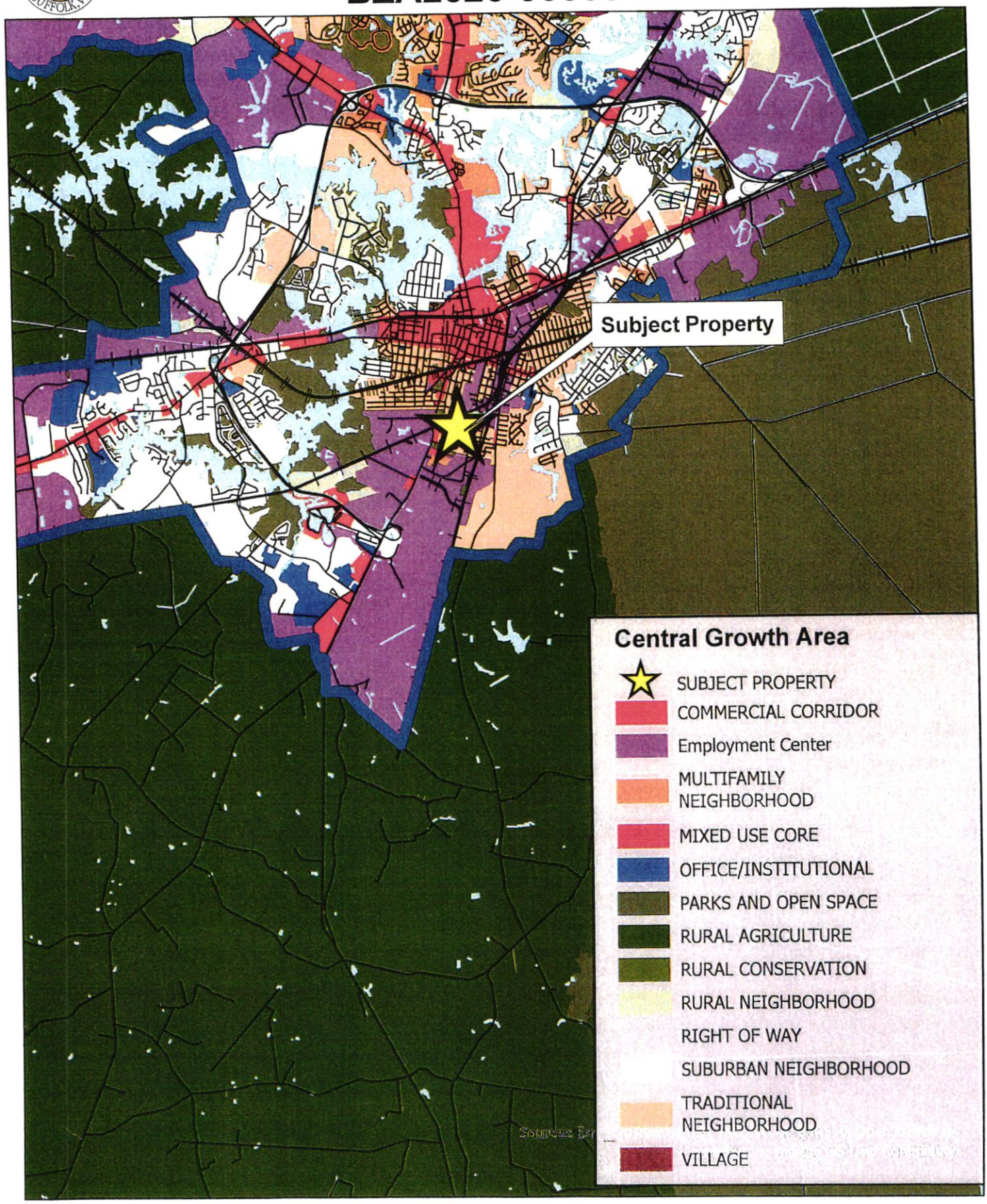
The applicant today is requesting a variance to reduce the side yard setback adjacent to a street from 25 feet to 6 feet for the installation of a 6-foot privacy fence. This request is due to their safety concerns associated with adjacent property. The applicant states that a neighboring property contains a German Shepherd that has exhibited aggressive barking and has gotten loose a couple of times. Mrs. Manigault has a disability that affects her mobility and gait, limiting her ability to quickly move or evade a potential threat and she has provided a doctor's note. Additionally, the applicant has young grandchildren who frequently utilize the backyard. They feel a 6-foot privacy fence closer to the property line is necessary to provide an adequate barrier for protection and to ensure a safe environment for both their family members and visiting grandchildren.

Staff Analysis and Recommendation:

The applicant today is requesting a variance to reduce the side yard setback adjacent to a street from 25 feet to 6 feet for the installation of a 6-foot privacy fence. While staff acknowledges the applicant's concerns, the criteria for granting a variance require that the hardship be related to unique physical conditions of the property itself rather than concerns that are personal in nature. Approval of such a request would be inconsistent with the intent of the ordinance, which is to maintain visibility, openness and safety along street frontages, particularly on corner lots. The behavior of the neighboring dog is a matter more appropriately addressed through animal control rather than through a

zoning variance. In addition, the prior BZA approval has already provided relief from the standard requirements, and the current request would further intensify the encroachment into the setback area beyond what was previously granted. Based on the above findings, staff conclude that the request does not meet the criteria for granting a variance and therefore recommends **denial**.

GENERAL LOCATION MAP
BZA2026-00006



Author: KOSSAI
Date: 03-16-2026

0 0.75 1.5 3 4.5 6 Miles

N

ZONING / LAND USE MAP
BZA2026-00006

Image: Suffolk Pictometry 2024

Author: KOSSAI
Date: 03-16-2026

0 40 80 160 240 320 Feet

N

PROPERTY MAP
BZA2026-00006

EXHIBIT B

Author: KOSSAI
Date: 03-16-2026

0 15 30 60 90 120 Feet

N

City of Suffolk

Department of Zoning

BOARD OF ZONING APPEALS APPLICATION

PART 1 - OFFICE INFORMATION: To be completed by staff			
Application Number:		Project Name:	
Project Address:		Date Submitted:	

1. Name of Applicant: Arnold & Monique Manigault
   Address: 627 Spruce Street Suffolk, VA 23434
   Phone Number: [redacted]
   Email: [redacted]

2. Name of property owner if different from applicant:
   BC Branch Enterprises, Inc.
   Owner: Brenda Branch - Owner
   Address: 958 Main Street Dr Ste 201, Suffolk, VA 23434
   Phone Number: [redacted]

3. Property Specifics:
   Address: 627 Spruce Street Suffolk, VA 23434
   Location/Neighborhood: Orlando
   Tax Map: 35H(4) D1 Parcel Number: _____

4. A check for $551.00, payable to "City of Suffolk", is attached to this application for the filing fee. ☑ Yes ☐ No, explain: _____

5. I/we have had a pre-application conference with the Secretary of the Board to confirm the type of application. ☐ Yes ☒ No
   If no, explain: _____

6. I/We have provided plats, plan or other documents needed for this application.
   ☑ Yes ☐ No, explain: _____

7. I/we request that a hearing be scheduled before the Board of Zoning Appeals to hear a request for (check all that apply)

- [x] Variance Request
- [ ] Chesapeake Bay Exception Request
- [ ] Special Exception
- [ ] Appeal of the Zoning Administrator's decision/violation letter dated _____ (attach copy of correspondence)

8. The following Ordinance section(s) apply to this application: Zoning Ordinance Section(s) _____

9. In the section(s) mentioned in item 8 above, what do you need relief from (example - side yard setback) Corner set back relief - 25ft to 6ft.

10. Current use of the property (residential, commercial, etc.) Number of structures on site 1 Residential

11. Describe in detail the nature of your appeal and/or request for a variance. Include in your explanation how your request reflects the 5 elements of a hardship as listed in **§ 15.2-2309 of the Code of Virginia:**
Install 6FT fence, 6FT from the property Line. Fear of Dogs in the neighborhood, we have younger grand children, and for safety reasons.

(i) 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; Yes

(ii) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area;

yes it will not

(iii) the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;

yes

(iv) 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;

yes

(v) the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § **15.2-2309** or the process for modification of a zoning ordinance pursuant to subdivision A4 of § **15.2-2286** at the time of the filing of the variance application.

yes

12. When did you acquire the property and from whom? Closing date is March 19, 2024

13. Has an appeal been filed for this property within the last year? 2025 for the house

☑ Yes ☐ No

14. Is this property currently under any legal action (i.e., violation notice for non-compliance with construction codes, zoning regulations, court order, etc.)?

☐ Yes ☑ No

If yes, explain_____

15. I/we certify that, to the best of my/our knowledge, the information above is complete and accurate.

I/we hereby grant the right of trespass to any party essential to the review of this application.

Applicant's Signature _____ Date 2/27/26

Applicant's Signature _____ Date 2/27/26

Property Owner _____ Date 2/27/26

Property Owner BC Branch Enterprises Inc Date 2/27/26

BE ADVISED: There is a $90 fee for signs which are not returned and signed in at the Planning Department front desk.

BOARD OF ZONING APPEALS APPLICATION
CONTINUATION SHEET

1. Name of applicant: _____
   Address: _____
   Phone Number: _____

2. Please state the item number(s) and continue your information below:

BE ADVISED: There is a $90 fee for signs which are not returned and signed in at the Planning Department front desk.

Applicant's Signature _____ Date _____

Applicant's Signature _____ Date _____

Property Owner _____ Date 2/27/26

Property Owner Brennan Branch Date 2/27/26
BC Branch Enterprises, Inc.

City of Suffolk

Department of Planning and Community Development

DISCLOSURE STATEMENT FORM

PART 1 - OFFICE INFORMATION: To be completed by staff			
Application Number:		Project Name:	
Project Address:		Date Submitted:	

The disclosures contained in this Form are necessary to inform public officials who may vote on the application as to whether they have a conflict of interest under Virginia law. The completion and submission of this Form is required for all applications that pertain to City real estate matters or to the development and/or use of property in the City of Suffolk requiring action by the City Council or a City board, commission or other body.

PART 2 - APPLICANT DISCLOSURE: To be completed by Applicant

Important Notice: Only complete, hard-copy application forms with original signatures or other approved written consent from all property owners are accepted.

APPLICANT INFORMATION

Applicant Name: Arnold & Monigauct Monique Manigault

Property Address(es): 627 Spruce Street Suffolk, VA 23434

Tax Map Number(s): 35H(4)D1

Account Number(s): 1001186000

Is Applicant the owner of the subject property? ☐ YES ☑ ~~NO~~

Does the Applicant have a Representative? ☐ YES ☑ ~~NO~~

If yes, name of Representative: _____

Is Applicant a corporation, partnership, firm, business, trust, or unincorporated business? ☐ YES ☑ ~~NO~~

If yes, list the names of all officers, directors, members, trustees, etc. below AND businesses that have a parent-subsidiary or affliated business entity relationship (see definitions below) with the applicant (attach list if necessary):

_____

_____

KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

Does an official or employee of the City of Suffolk have an interest in the subject property or any proposed development contigent on the subject public action? ☐ YES ☑ NO

If yes, name of the official or employee, and description of the nature of their interest:

_____

_____

APPLICANT SERVICES DISCLOSURE

The Applicant must certify whether the following services are being provided in connection to the applicant, the subject of the application, and/or any business operating, or to be operated on the property. The name of the entity and/or individual providing such services must be identified (attach list if necessary).

SERVICE	YES	NO (select one)	SERVICE PROVIDER (Name of entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	☐	☑	_____
Real Estate Broker/Agent/Realtor	☐	☑	_____
Accounting/Tax Preparation	☐	☑	_____
Architect/Designer/Landscape Architect/Land Planner	☐	☑	_____
Construction Contractor	☐	☑	_____
Engineer/Surveyor/Agent	☐	☑	_____
Legal Services	☐	☑	_____

PART 3 – PROPERTY OWNER DISCLOSURE

PROPERTY OWNER DISCLOSURE

Property Owner Name: BC Branch Enterprises Inc.
(as listed on application)

Is the Owner a corporation, partnership, firm, business, trust or an unincorporated business? ☑ YES ☐ NO

If yes, the names of all officers, directors, members, or trustees below AND businesses that have a parent-subsidiary or affliated business entity relationship (see definitions below) with the Applicant (attach list if necessary):

N/A

Does the subject property have a proposed or pending purchaser? ☑ YES ☐ NO

If yes, name of the proposed or pending purchaser: Arnold + Monique Marisault

KNOWN INTEREST BY PUBLIC OFFICIAL OR EMPLOYEE

Does an official or employee of the City of Suffolk have an interest in the subject property or any proposed development contigent on the subject public action? ☐ YES ☑ NO

If yes, name of the official or employee, and descripton of the nature of their interest:

PROPERTY OWNER SERVICES DISCLOSURE

The Owner must certify whether the following services are being provided in connection to the Applicant, the subject of the application, and/or any business operating, or to be operated on the property. The name of the entity and/or individual providing such services must be identified (attach list if necessary).

SERVICE	YES (select one)	NO (select one)	SERVICE PROVIDER (Name of entity and/or individual)
Financing (mortgage, deeds of trust, cross-collateralization, etc.)	☐	☑	
Real Estate Broker/Agent/Realtor	☐	☑	
Accounting/Tax Preparation	☐	☑	
Architect/Designer/Landscape Architect/Land Planner	☐	☑	
Construction Contractor	☐	☑	
Engineer/Surveyor/Agent	☐	☑	
Legal Services	☐	☑	

APPLICANT CERTIFICATION

- I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.
- I understand that I am responsible for updating this Form if any information changes at any point even if a public hearing has not yet been scheduled.
- I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the meeting of Planning Commission, City Council, or any public body or committee in connection with this application.

Applicant Name (Print)	Applicant Signature	Date
Arnold Marigault Monique Marigault		2/27/26 2/27/26

PROPERTY OWNER CERTIFICATION

- I certify that all of the information contained in this Disclosure Statement Form is complete, true, and accurate.
- I understand that I am responsible for updating this Form if any information changes at any point even if a public hearing has not yet been scheduled.
- I understand that, upon receipt of notification that the application has been scheduled for public hearing, I am responsible for updating the information provided herein two weeks prior to the meeting of Planning Commission, City Council, or any public body or committee in connection with this application.

Property Owner Name (Print)	Property Owner Signature	Date
BC Branch Enterprises Inc Brennan Branch - owner		2/27/24

"Parent-subsidiary relationship" means "a relationship that exists when one corporation directly or indirectly owns shares possessing more than 50 percent of the voting power of another corporation." See State and Local Government Conflict of Interests Act, VA. Code § 2.2-3101.

"Affiliated business entity relationship" means "a relationship, other than parent-subsidiary relationship, that exists when (i) one business entity has a controlling ownership interest in the other business entity, (ii) a controlling owner in one entity is also a controlling owner in the other entity, or (iii) there is shared management or control between the business entities. Factors that should be considered in determining the existence of an affiliated business entity relationship include that the same person or substantially the same person own or manage the two entities; there are common or commingled funds or assets; the business entities share the use of the same offices or employees or otherwise share activities, resources or personnel on a regular basis; or there is otherwise a close working relationship between the entities." See State and Local Government Conflict of Interests Act, Va. Code § 2.2-3101.

Letter by Fine, Jessica K, PA on 3/30/2026

Jessica K Fine, PA
Hospital for Special Surgery
Department of Physiatry
770 Lexington Avenue
2nd Floor
New York NY 10065-8165

Date: 03/30/26
Name: Monique Manigault
Date Of Birth: [redacted]

To Whom It May Concern,

Ms. Manigault is a patient of ours and is under our care for management of her arthrofibrosis of her knee joint. This condition causes her significant knee pain and difficulty walking quickly, let alone running. We are recommending she have a privacy fence to protect her from aggressive animals in her are, as she is fearful her neighbor's dog could attack her. He has shown signs of aggression in the past.

Thank you for your consideration. If you have any additional questions, please call Dr. Cooke's office at 212-606-1430.

PA-C

Jessica Fine, PA-C, MPAS
Office of Dr. Paul Cooke
Department of Physiatry
Hospital For Special Surgery

Communication Routing Information

Recipient	Relationship	Method	Details
Monique Manigault	Patient	MyHSS	

CITY OF SUFFOLK

442 W. WASHINGTON ST., POST OFFICE BOX 1858, SUFFOLK, VIRGINIA 23439-1858
PHONE: (757) 514-4150 FAX: (757) 538-1306

Board of Zoning Appeals

March 24, 2026

ADJACENT PROPERTY OWNER LETTER
NOTICE OF PUBLIC HEARING

Dear Property Owner:

Please be advised the following request has been filed with the City of Suffolk's Board of Zoning Appeals (BZA) and will be considered at a **PUBLIC HEARING** to be held in the City Council Chambers, Municipal Building, 442 W. Washington Street, Suffolk, Virginia. The Public Hearing will be held before the Suffolk Board of Zoning Appeals on **Tuesday, April 14, 2026, at 2:00 p.m.** or as soon thereafter as the matter may be heard.

BZA 06-2026- Arnold and Monique Manigualt, applicants, are requesting a variance to reduce the required side yard adjacent to street setback from 25 feet to 6 feet for the construction of a 6-foot tall, closed fence. The property is identified as tax map and parcel 35H(4)D1, located at 627 Spruce St, zoning classification Residential Medium density (RM).

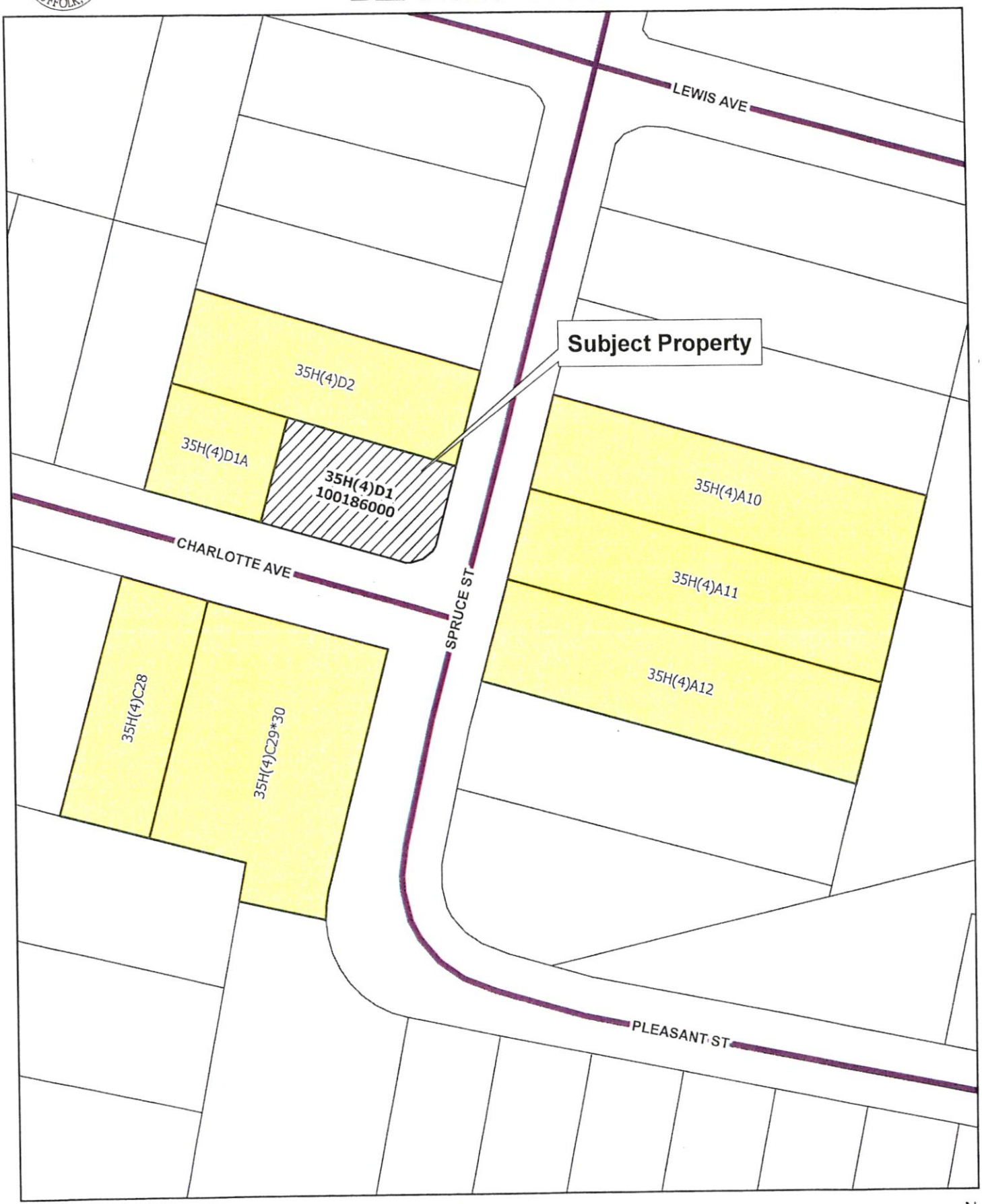
Should you have any interest in this matter, you are invited to attend this public hearing. **THIS IS THE ONLY NOTICE YOU WILL RECEIVE NOTIFYING YOU OF THIS PUBLIC HEARING.** Please feel free to contact this office should you have any questions pertaining to the above request. You are receiving this notification as a requirement of Section 31-309 et seq. of the City of Suffolk's Unified Development Ordinance and Section 15.2-2204 of the Code of Virginia. As our records indicate, you own property adjacent to the location of the variance or appeal. All of the property owners within this area may not have received a notice. Please feel free to share this notice with other property owners. If you have any questions, please contact me at (757) 514-4152.

Sincerely,

William Mellon

Williiam Mellon, CZA, CTM
Zoning Administrator

APO MAP
BZA2026-00006



Author: KOSSAI
Date: 03-16-2026

0 30 60 120 180 240 Feet

N

CITY OF SUFFOLK

442 W. WASHINGTON STREET, POST OFFICE BOX 1858, SUFFOLK, VIRGINIA 23439-1858

PHONE: (757) 514-4060 FAX. (757) 514-4099

DEPARTMENT OF
PLANNING & COMMUNITY DEVELOPMENT

Division of Planning

APPLICATION #: BZA 06-2026

STAFF: LISA MARSHALL

NUMBER OF SIGNS: 1

DATE OF BOARD OF ZONING APPEALS: APRIL 14, 2026

POSTING OF SIGNS

I take full responsibility for the care and maintenance of the Board of Zoning Appeals sign(s). I understand that the sign(s) shall be posted on the property at least fifteen (15) days prior to the Public Hearings and shall be removed within five (5) days after the Public Hearing. I understand that all signs and stakes shall be picked up and returned to the Department of Planning and Community Development and shall be signed in and out at the time of pickup/drop-off. I understand that all signs and stakes must be returned to the Planning Department within ten (10) business days of the final Public Hearing or I will be responsible for the replacement costs of each sign at $90.00/per sign.

PLACEMENT OF SIGNS

- ✓ One (1) sign shall be erected so as to be visible and eligible to each abutting public street.
- ✓ Corner Lot – Sign to be posted on each abutting street.
- ✓ Extensive Road Frontage – One sign shall be posted for each 2,000 feet.
- ✓ No Frontage on Public Street – A sign shall be posted adjacent to the nearest public street from which future access is contemplated.

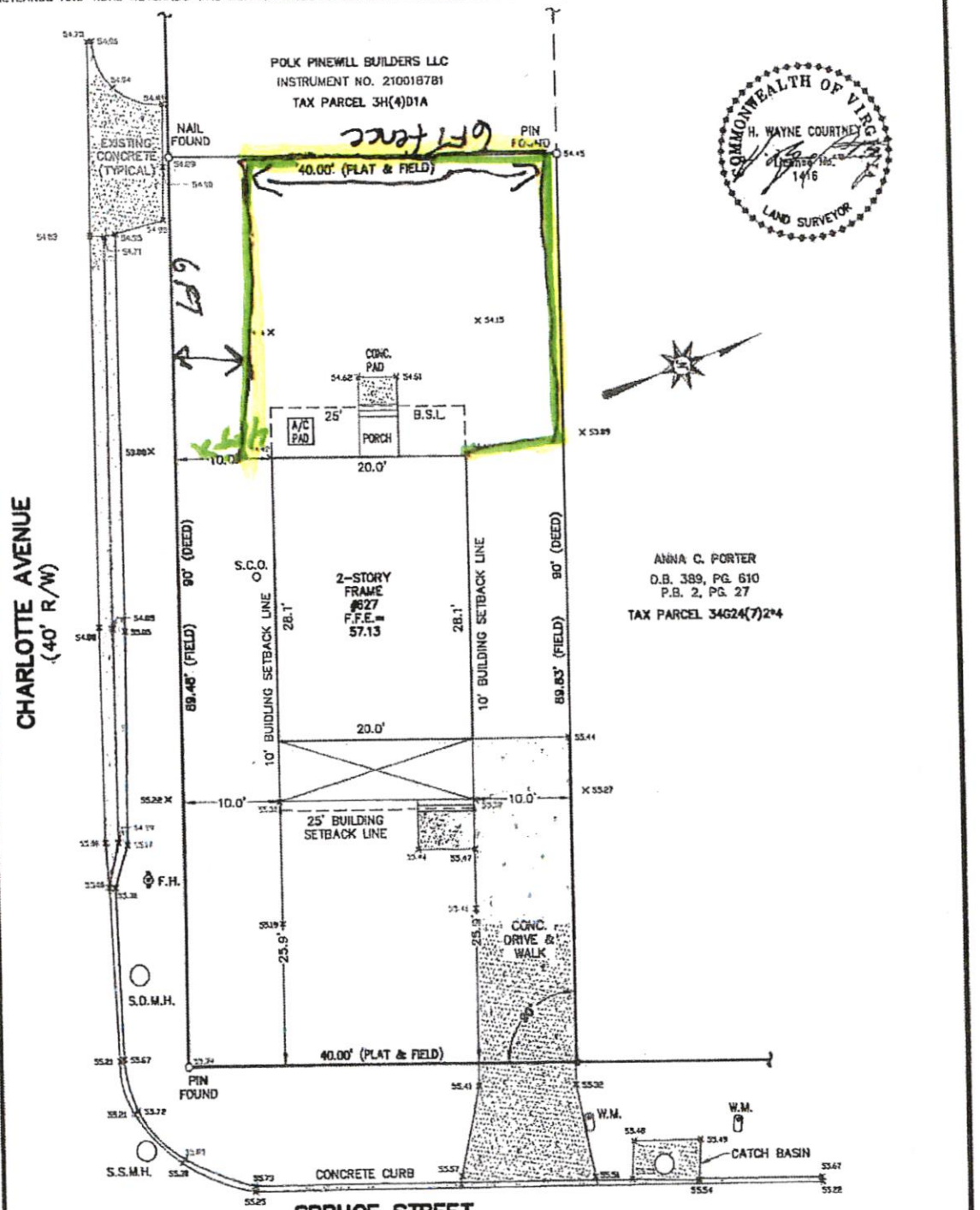
If the sign(s) has not been posted in accordance with City regulations, the application may be removed from the applicable agenda. The applicant shall be responsible for all reprocessing costs, including but not limited to, advertising costs.

3/27/2026
Date Sign(s) Picked Up

Signature of Applicant

NOTICE OF APPLICATION FOR
PUBLIC HEARING
BZA06-2026
Side Yard Adjacent to
Street Reduction
A PUBLIC HEARING
WILL BE HELD
April 14 2026
2:00 PM
IN CITY COUNCIL CHAMBERS
SUFFOLK PLANNING DEPARTMENT
(757) 514-4060
PlanningEmail@suffolkva.us

THIS PLAN WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND CONSEQUENTLY MAY NOT DEPICT ALL MATTERS AFFECTING EASEMENTS OR OTHER ASPECTS CONCERNING THE TITLE OR BOUNDARIES OF THE PROPERTY SHOWN HEREON. THE EXISTENCE OF HAZARDOUS WASTES, VEGETATED WETLANDS AND TIDAL WETLANDS WAS NEITHER INVESTIGATED NOR CONFIRMED DURING THE PERFORMANCE OF THIS SURVEY.



COMMONWEALTH OF VIRGINIA
H. WAYNE COURTNEY
License No. 1416
LAND SURVEYOR

THIS PROPERTY APPEARS TO BE LOCATED IN ZONE "X" AS SHOWN ON FLOOD MAPS SUPPLIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS SHOWN ON COMMUNITY PANEL NUMBER 510156 0230 E. EFFECTIVE DATE 8/3/2015.

GRAPHIC SCALE : 1" = 10'

10' 0 10'

SUBJECT PARCEL: TAX PARCEL 35H(4)D1

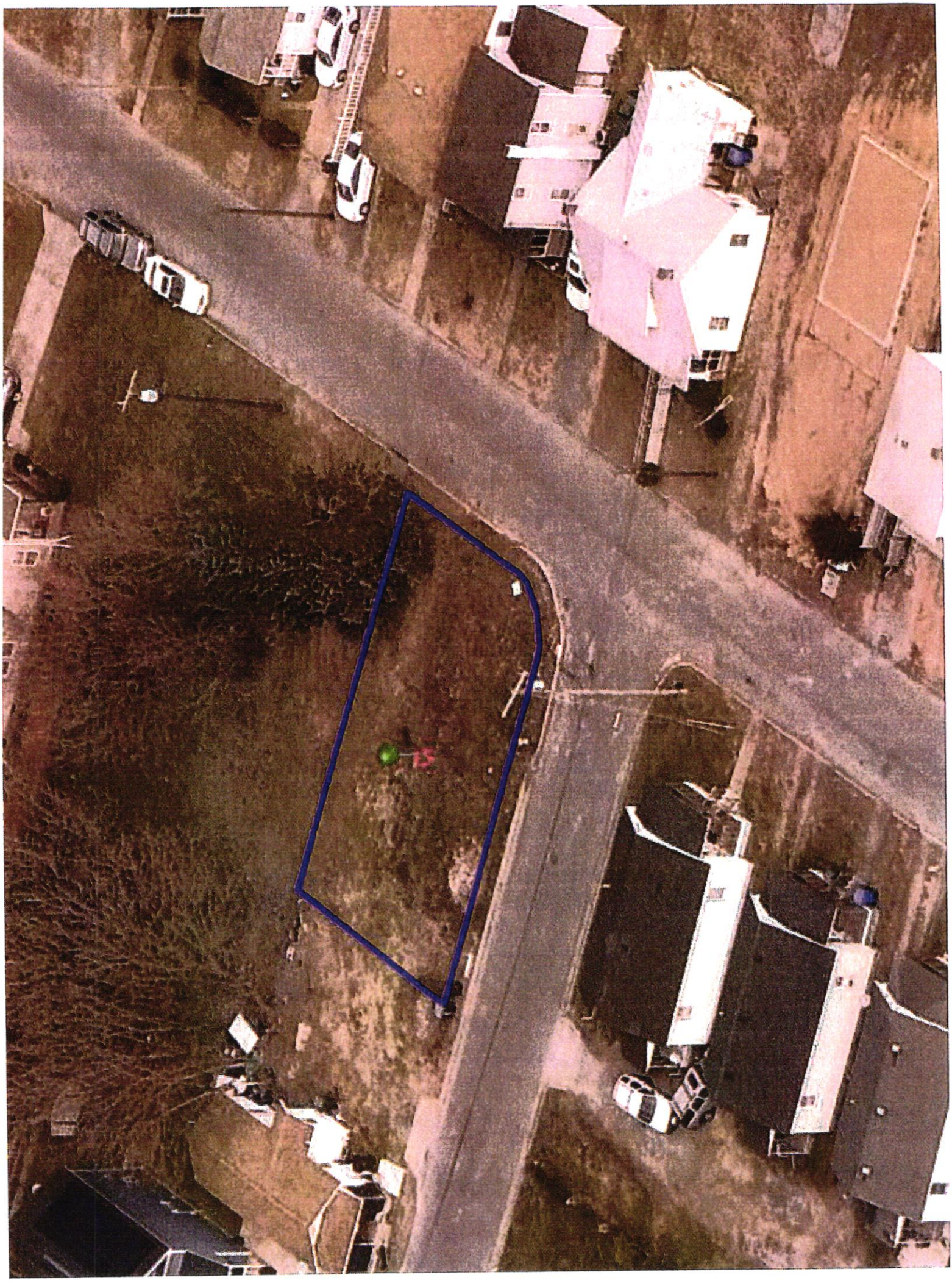
LEGAL REFERENCE: D.B. 248, PG. 584
P.B. 1, PG. 35

AS-BUILT SURVEY

OF PROPERTY KNOWN AS
TAX PARCEL 35H(4)D1
LOCATED AT
627 SPRUCE STREET
WHALEYVILLE BOROUGH
SUFFOLK, VIRGINIA

SCALE: 1"=10' JANUARY 12, 2026

COURTNEY & ASSOCIATES, P.C.
SURVEYORS - MAPPING CONSULTANTS
RIGHT OF WAY ACQUISITION AGENTS
LAND PLANNERS - SWoM CERTIFIED
98 KILBY SHORES DRIVE, SUITE 200
SUFFOLK, VIRGINIA 23434
(757) 539-0036



§ 15.2-2309 - Powers and duties of boards of zoning appeals

Boards of zoning appeals shall have the following powers and duties:

1. To hear and decide appeals from any order, requirement, decision, or determination made by an administrative officer in the administration or enforcement of this article or of any ordinance adopted pursuant thereto. The decision on such appeal shall be based on the board's judgment of whether the administrative officer was correct. The determination of the administrative officer shall be presumed to be correct. At a hearing on an appeal, the administrative officer shall explain the basis for his determination after which the appellant has the burden of proof to rebut such presumption of correctness by a preponderance of the evidence. The board shall consider any applicable ordinances, laws, and regulations in making its decision. For purposes of this section, determination means any order, requirement, decision or determination made by an administrative officer. Any appeal of a determination to the board shall be in compliance with this section, notwithstanding any other provision of law, general or special.

2. Notwithstanding any other provision of law, general or special, to grant upon appeal or original application in specific cases a variance as defined in § 15.2-2201, provided that the burden of proof shall be on the applicant for a variance to prove by a preponderance of the evidence that his application meets the standard for a variance as defined in § 15.2-2201 and the criteria set out in this section. Notwithstanding any other provision of law, general or special, a variance shall be granted if the evidence shows that the strict application of the terms 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 (i) 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; (ii) the granting of the variance will not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area; (iii) the condition or situation of the property concerned is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance; (iv) 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; and (v) the relief or remedy sought by the variance application is not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A 4 of § 15.2-2286 at the time of the filing of the variance application. No variance shall be considered except after notice and hearing as required by § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail. In granting a variance, the board may impose such conditions regarding the location, character, and other features of the proposed structure or use as it may deem necessary in the public interest and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with. Notwithstanding any other provision of law, general or special, the property upon which a property owner has been granted a variance shall be treated as conforming for all purposes under

state law and local ordinance; however, the structure permitted by the variance may not be expanded unless the expansion is within an area of the site or part of the structure for which no variance is required under the ordinance. Where the expansion is proposed within an area of the site or part of the structure for which a variance is required, the approval of an additional variance shall be required.

3. To hear and decide appeals from the decision of the zoning administrator after notice and hearing as provided by § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail.

4. To hear and decide applications for interpretation of the district map where there is any uncertainty as to the location of a district boundary. After notice to the owners of the property affected by the question, and after public hearing with notice as required by § 15.2-2204, the board may interpret the map in such way as to carry out the intent and purpose of the ordinance for the particular section or district in question. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail. The board shall not have the power to change substantially the locations of district boundaries as established by ordinance.

5. No provision of this section shall be construed as granting any board the power to rezone property or to base board decisions on the merits of the purpose and intent of local ordinances duly adopted by the governing body.

6. To hear and decide applications for special exceptions as may be authorized in the ordinance. The board may impose such conditions relating to the use for which a permit is granted as it may deem necessary in the public interest, including limiting the duration of a permit, and may require a guarantee or bond to ensure that the conditions imposed are being and will continue to be complied with.No special exception may be granted except after notice and hearing as provided by § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail.

7. To revoke a special exception previously granted by the board of zoning appeals if the board determines that there has not been compliance with the terms or conditions of the permit. No special exception may be revoked except after notice and hearing as provided by § 15.2-2204. However, when giving any required notice to the owners, their agents or the occupants of abutting property and property immediately across the street or road from the property affected, the board may give such notice by first-class mail rather than by registered or certified mail. If a governing body reserves unto itself the right to issue special exceptions pursuant to § 15.2-2286, and, if the governing body determines that there has not been compliance with the terms and conditions of the permit, then it may also revoke special exceptions in the manner provided by this subdivision.

8. The board by resolution may fix a schedule of regular meetings, and may also fix the day or days to which any meeting shall be continued if the chairman, or vice-chairman if the chairman is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend the meeting. Such finding shall be communicated to the members and the press as promptly as possible. All hearings and other matters previously advertised for such meeting in accordance with § 15.2-2312 shall be conducted at the continued meeting and no further advertisement is required.