



County of Gloucester
Department of Planning and Zoning
6489 Main Street
Gloucester, Virginia 23061
(804) 693-1224

20030049

FOR OFFICE USE ONLY

Date Rec'd 3-25-26
Case No. A-26-01
Tax Map/Parcel No. 18807
Receipt No. 10217201
Received by L. Wlnski

APPLICATION FOR APPEAL

A. APPLICANT INFORMATION:

Applicant Name: Frances Ann Foster
Mailing Address: 4374 Taliaferro Lane Gloucester Va 23061
Phone: 804-815-8972 Email Address: bobfoster1942@gmail.com

B. PROPERTY INFORMATION:

E-911 Address: 7111 Tandems Way Hayes VA 23072
Tax Map/Parcel #: 50E-10-18 Magisterial District: Gloucester point
Zoning District: SF-1
Property Owner(s) Name: Frances Ann Foster
Mailing Address: 4374 Taliaferro Lane Gloucester, VA 23061
Phone: 804-815-8972 Email Address: bobfoster1942@gmail.com

C. STATE WHAT IS BEING APPEALED AND WHY: (Please attach separate page(s) if more space is needed)

We respectfully submit this appeal of denial of the zoning/building permit for an existing dining room addition over a pre-existing deck. The structure in question is a 15'x12' enclosed dining room built upon a deck that existed prior to the current ownership of the property which began on July 9, 2009. The deck is believed to have been in place for a substantial period before that date and was inherited as part of the property at the time of purchase. The permit denial is based on the structure encroaching into the setback. However, the current addition does not extend beyond the footprint of the original deck. The enclosure of the deck occurred under good faith misunderstanding, as both the property owner and tenant believed that the appropriate permits had been obtained at the time of construction. We respectfully request that the Board recognize the pre-existing 15'x12' deck as a lawful nonconforming structure and consider that the enclosed dining room was constructed within that same footprint. Based on these circumstances, we seek a variance or other appropriate relief from the setback requirement to allow the structure to remain. Additionally, we note that there have been no complaints, objections, or adverse impacts reported by neighboring property owners or the public regarding this structure. The condition has existed for two decades or more in a manner consistent with peaceful use and without incident. The matter has only come to light following a recent tax assessment review, rather than as a result of any demonstrated harm or nuisance. Given the long standing existence of the structure, the absence of complaints, and the good faith effort to resolve the issue, we respectfully request equitable consideration and approval of this appeal.

D. LIST THE NAMES AND ADDRESSES OF OWNERS OR OCCUPANTS OF ALL ABUTTING PROPERTY AND PROPERTY IMMEDIATELY ACROSS THE STREET, ROAD OR HIGHWAY. ADDRESSES SHOULD COINCIDE WITH THOSE IN THE COMMISSIONER OF THE REVENUE PROPERTY RECORDS. (Please Print)

NAME	MAILING ADDRESS	TAX MAP/PARCEL#
John D Coates	7099 Tandems Way Hayes VA 23072	50E-10-17
Britney N Hartleben	7124 Westminster Dr Hayes VA 23072	50R(1)-1
road-state route 1232		
road -Tandems Way		
_____	_____	_____
_____	_____	_____
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_____	_____	_____
_____	_____	_____

PRIVACY ACT STATEMENT: Information provided in this application will be used in the application review process and is a matter of public record once the application is filed.

CERTIFICATION: I agree to allow the members and representatives of the Board of Zoning Appeals and duly authorized personnel of Gloucester County to enter upon said premises at reasonable times to inspect and/or photograph site conditions for review of this application. In addition, I certify under penalty of law that this document and all attachments were prepared by myself or under my direction or supervision and the information submitted is, to the best of my knowledge and belief, true, accurate, and complete.

NOTICE: *If the property owner(s) does not sign this application (below), written notice will be given to the property owner(s) within 10 days of the receipt of this application as required by Virginia Code § 15.2-2204.*

E. APPLICANT / PERSON REPRESENTING THE APPLICATION:

Applicant (print): Frances Ann Foster

Applicant Signature: *Frances Ann Foster* Date: 3/25/2026

OWNER(S) OF THE PROPERTY:

Property Owner (print): SAME AS ABOVE

Property Owner Signature: _____ Date: _____

Property Owner (print): _____

Property Owner Signature: _____ Date: _____

NOTE: A completed Conflict of Interest Form must be submitted for each applicant and each property owner.

Appeals to the BZA may be taken by any person aggrieved, or by any officer, department, board, or bureau of the County affected, by any decision of the Zoning Administrator pursuant to section 14-11 of the Zoning Ordinance. Such appeal shall be taken within thirty (30) days after the decision appealed from by filing a notice of appeal, specifying the grounds thereof, with the Administrator and the BZA. An application for appeal, filed according to the above procedure, shall be given a case number within five (5) working days. Applications for appeals will be assigned for hearing in the order in which they are received. The BZA shall fix a reasonable time for the hearing of an applicant's appeal, and decide the same within sixty (60) days. In exercising its powers, the Board may reverse or affirm, wholly or partly, or may modify any order, requirement, decision, or determination appealed from. The appellant may appear on his own behalf at the hearing, or be represented by counsel or an agent. Both the appellant and Zoning Administrator may speak to the appeal and, at the discretion of the Chair, the appellant and/or Zoning Administrator may be given additional opportunity for rebuttal. The BZA's decision on any appeal shall be based on the Board's judgment of whether the administrative officer was correct. (§15.2-2309)

SUBMIT APPLICATION TO: Gloucester County Department of Planning & Zoning
County Office Building Two, 6489 Main Street, Gloucester VA 23061 (804) 693-1224
**APPLICATION FEE: \$275.00; Make check payable to Gloucester County; Payment is
required with application and is NOT REFUNDABLE**

Conflict of Interest Statement

In accordance with Section 14-22 of the Gloucester County Zoning Ordinance, I certify that my application for X variance, ___ zoning appeal, or ___ special exception is subject to the following:

Does any member of the Planning Commission, Board of Zoning Appeals, Historic Landmarks Commission, or governing body (Board of Supervisors) have any interest in the **property** which is the subject of this application/petition, either individually, or by ownership of stock in a corporation owning such land or partnership?

Yes _____ No X

Does a member of the immediate household of any member of the Planning Commission, Board of Zoning Appeals, Historic Landmarks Commission, or governing body (Board of Supervisors) have any interest in the **property** which is the subject of this application/petition?

Yes _____ No X

If yes to either question above, please state:

Person's name: _____

Member of: _____

Nature of their interest: _____

I, _____, hereby certify that the information contained in this conflict of interest statement is true and correct to the best of my knowledge.

Frances Ann Foster 3/25/2026
(Signature) Date

CITY/COUNTY OF Gloucester
COMMONWEALTH OF VIRGINIA

The foregoing instrument was subscribed and sworn before me this 25th day of

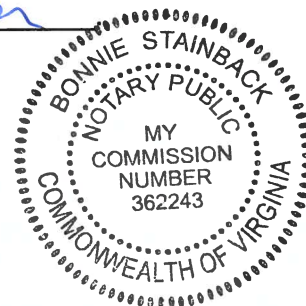
March, 2026 by Frances Ann Foster

Bonnie Stainback
Notary Public

(Seal)

Notary Registration Number: 362243

My commission expires: 9/30/2029



Conflict of Interest Statement

In accordance with Section 14-22 of the Gloucester County Zoning Ordinance, I certify that my application for ___ variance, ___ zoning appeal, or ___ special exception is subject to the following:

Does any member of the Planning Commission, Board of Zoning Appeals, Historic Landmarks Commission, or governing body (Board of Supervisors) have any interest in the **property** which is the subject of this application/petition, either individually, or by ownership of stock in a corporation owning such land or partnership?

 Yes No

Does a member of the immediate household of any member of the Planning Commission, Board of Zoning Appeals, Historic Landmarks Commission, or governing body (Board of Supervisors) have any interest in the **property** which is the subject of this application/petition?

 Yes No

If yes to either question above, please state:

Person's name: _____

Member of: _____

Nature of their interest: _____

I, _____, hereby certify that the information contained in this conflict of interest statement is true and correct to the best of my knowledge.

Frances Ann Foster
(Signature) _____ Date

CITY/COUNTY OF Gloucester
COMMONWEALTH OF VIRGINIA

The foregoing instrument was subscribed and sworn before me this 25th day of March, 2026 by Frances Ann Foster.

Brie Stasch
Notary Public

(Seal)

Notary Registration Number: 362243

My commission expires: 9/30/2029

