

FRANKLIN COUNTY
VARIANCE REQUEST APPLICATION

I/We Melissa and Aaron Tolliver Owner(s), Contract Purchasers, or Owner's Authorized Agent of the property described below, hereby apply to the Franklin County Board of Zoning Appeals for a variance on the property described below:

Petitioner's Name: Melissa and Aaron Tolliver

Petitioner's Address: 544 Power Dam Rd Rocky Mount, VA

Petitioner's Phone Number: [REDACTED]

Petitioner's Email Address: [REDACTED]

Property Owner's Name: Melissa and Aaron Tolliver

Property Owner's Address: 544 Power Dam Rd Rocky Mount, VA 24151

Property Owner's Phone Number: [REDACTED]

Property Owner's Email Address: [REDACTED]

Property Information:

A. Proposed Property Address: 544 Power Dam Rd

B. Tax Map and Parcel Number: [REDACTED] 0640006800

C. Election District: Snowcreek

D. Size of Property: .46 acre

E. Existing Zoning: A1

F. Existing Land Use: Residential

G. Is the property located within any of the following overlay zoning districts:

☐ Corridor District ☐ Westlake Overlay District ☐ Smith Mountain Lake Surface District

H. Is any land submerged under water or part of Smith Mountain Lake? ☐ YES ☒ NO

I. If yes, please explain: _____

Proposed Variance Request Information:

J. Describe how the strict application of the Zoning Ordinance would unreasonably restrict the use of the property or how the granting of the variance would alleviate a hardship due to a physical condition of the property. Attach additional information if needed.

The property's narrow lot width, the septic system in backyard, and the home's existing placement near the side setback line prevents compliance without a variance.

Requesting 4' foot variance 3' 8" variance

to create an ADA accessible bathroom, enlarge existing primary bedroom and covered entrance for safe mobility.

K. Proposed Land Use: Zoned A 1

L. Size of Proposed Use: 10' x 27' bedroom Ext and 8' x 26' ^{covered} concrete entrance
M. Section of the Zoning Ordinance for which a variance is being requested: for ADA access

Sec. 25-182 property sideline setback

(Zoning Code section must be correct and all applicable code sections included in the request.)

Checklist for Completed Items:

- Application Form
- Letter of Application
- Concept Plan
- Application Fee

I certify that this application for a variance request and the information submitted is herein complete and accurate. I authorize County staff to access this property for purposes related to the review and processing of this application.

Petitioner's Name (Printed): Melissa and Aaron Tolliver

Petitioner's Signature: Melissa F. Tolliver Aaron L. Tolliver

Date: 1/11/2026

Mailing Address: 544 Power Dam Rd
Rocky Mount, VA 24151

Phone Number: [REDACTED]

Email Address: [REDACTED]

Owner's consent, if petitioner is not property owner:

Owner's Name: _____

Owner's Signature: _____

Date: _____

Date Received by Planning Staff: 1/15/2026 MF

Variance Request Letter: 544 Power Dam Rd.

To the Members of the Board of Zoning Appeals:

We respectfully submit this request for a variance from the required side yard setback for the property located at 544 Power Dam Rd. This variance is needed to allow:

- A 10' × 27' enlargement of the existing primary bedroom to accommodate a new accessible ADA bathroom, and
- An 8' × 26' covered entrance providing safe, ADA-appropriate access for a disabled veteran.

This project does not add a new bedroom. It enlarges the existing primary bedroom and creates an accessible bathroom to address significant mobility limitations, upcoming orthopedic surgeries, and newly diagnosed cognitive decline. The home's current bathrooms cannot safely accommodate mobility devices and present ongoing fall and navigation hazards.

Physical Hardship: Topographical and Utility Constraints

Our property contains long-standing physical limitations that make compliance with modern setback requirements impossible without relief:

Pre-Existing Narrow Lot Width

- The lot is only 90 feet wide, significantly narrower than current zoning standards.
- This nonconforming condition has existed since the home's construction in 1965.

Utility Restrictions

- The septic tank and drainfield occupy the rear yard, eliminating any possibility of rear expansion.
- The lot's narrow width prevents construction to either side without immediate encroachment into the setback area.

Given these restrictions, the only feasible, functional building direction is forward, following the home's existing building line.

Long-Term Residency and Community Commitment

We have lived in this home—and this neighborhood—for more than 30 years. This project is not for convenience or speculation; it is essential to allow a disabled veteran with mobility challenges, upcoming

hip replacement surgeries, and cognitive decline diagnosed in late 2025 to continue living safely and independently in his long-time community.

Safety and Accessible Ingress: Need for the 8' × 26' Covered Entrance

The covered entrance is critical for year-round safe access:

- Weather Protection: Prevents ice, snow, and rain from creating hazardous surfaces.
- ADA-Appropriate Width: The 8-foot width supports maneuvering for walkers, wheelchairs, and medical equipment.
- Safe Transition: The resident faces upcoming hip replacements, which will require months of limited mobility, assistive devices, and safe, stable entry into the home.
- EMS Compatibility: Provides emergency responders room for stretchers and equipment.
- Cognitive Safety: A protected, predictable entryway minimizes confusion and disorientation.

This feature is not aesthetic; it is a permanent accessibility and safety solution.

Bedroom Enlargement & New Accessible Bathroom

The 10'×27' addition enlarges the current primary bedroom and creates a fully ADA-compliant bathroom.

Existing Bathrooms Are Not Accessible

- The half bath has no shower, making it unusable for daily hygiene.
- The full bath cannot accommodate mobility devices or provide safe turning and transfer space.

The New Bathroom Will Provide

- Zero-entry shower
- 60-inch turning radius
- Clear transfer space
- Direct, safe access from the bedroom

Cognitive Safety: Necessity of Design for Cognitive Decline

In late 2025, the resident, a disabled veteran, was formally diagnosed with cognitive decline, increasing risks of disorientation, falls, and unsafe navigation inside and outside the home. The proposed addition addresses these needs directly.

Key Cognitive Safety Benefits

- Direct pathways reduce confusion and nighttime disorientation.
- Wider, unobstructed circulation eliminates narrow “pinch points” that trigger hesitation or missteps.
- Improved lighting and sightlines reduce shadows, glare, and depth-perception issues.
- Bathroom safety is dramatically improved with a predictable, open layout and zero-threshold access.
- Simplified movement patterns reduce anxiety and hesitation.

Without these changes, the existing layout presents significant and increasing risk of falls, injury, and hospitalization.

Minimal Impact: No Change to Existing Building Line

- The addition and entrance remain entirely within the home's current longitudinal building line.
- No part of the structure will be closer to the side property lines than it already exists today.
- Neighbor access to light, air, and privacy remains unchanged.

Required Legal Findings

- Unique Physical Conditions: Extremely narrow pre-existing lot; fixed septic system; mobility and cognitive medical needs.
- Minimum Necessary Relief: Requested dimensions reflect the smallest area that achieves ADA-compliant and medically safe circulation.
- Permitted Use: Home remains a single-family residence; materials match existing structure.
- Not a New Bedroom: The project enlarges one existing bedroom and adds a medically necessary accessible bathroom.

Conclusion

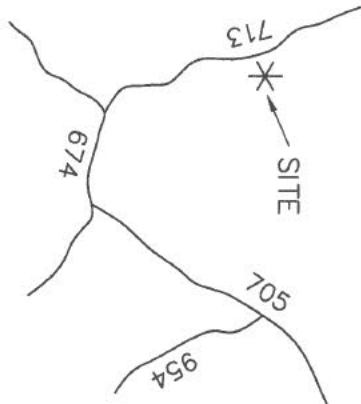
For these reasons, we respectfully request approval of this variance to complete essential safety and accessibility improvements for a disabled veteran who has lived in this home—and this community—for over 30 years. This addition represents the least intrusive, most reasonable solution to the property's unique constraints and urgent medical needs.

Respectfully submitted,

Melissa Tolliver Aaron L Tolliver

Melissa & Aaron Tolliver

1/4/2026



VICINITY MAP

NO SCALE

CURVE	DELTA ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD LENGTH
C1	0°57'00"	5434.95'	90.12'	N14°41'29"W	90.12'

NOW OR FORMERLY
TAMMY F. LOCKHART
D.B. 1191 PG. 213
D.B. 483 PG. 1237 (PLAT)
TAX MAP 64, PARCEL 67

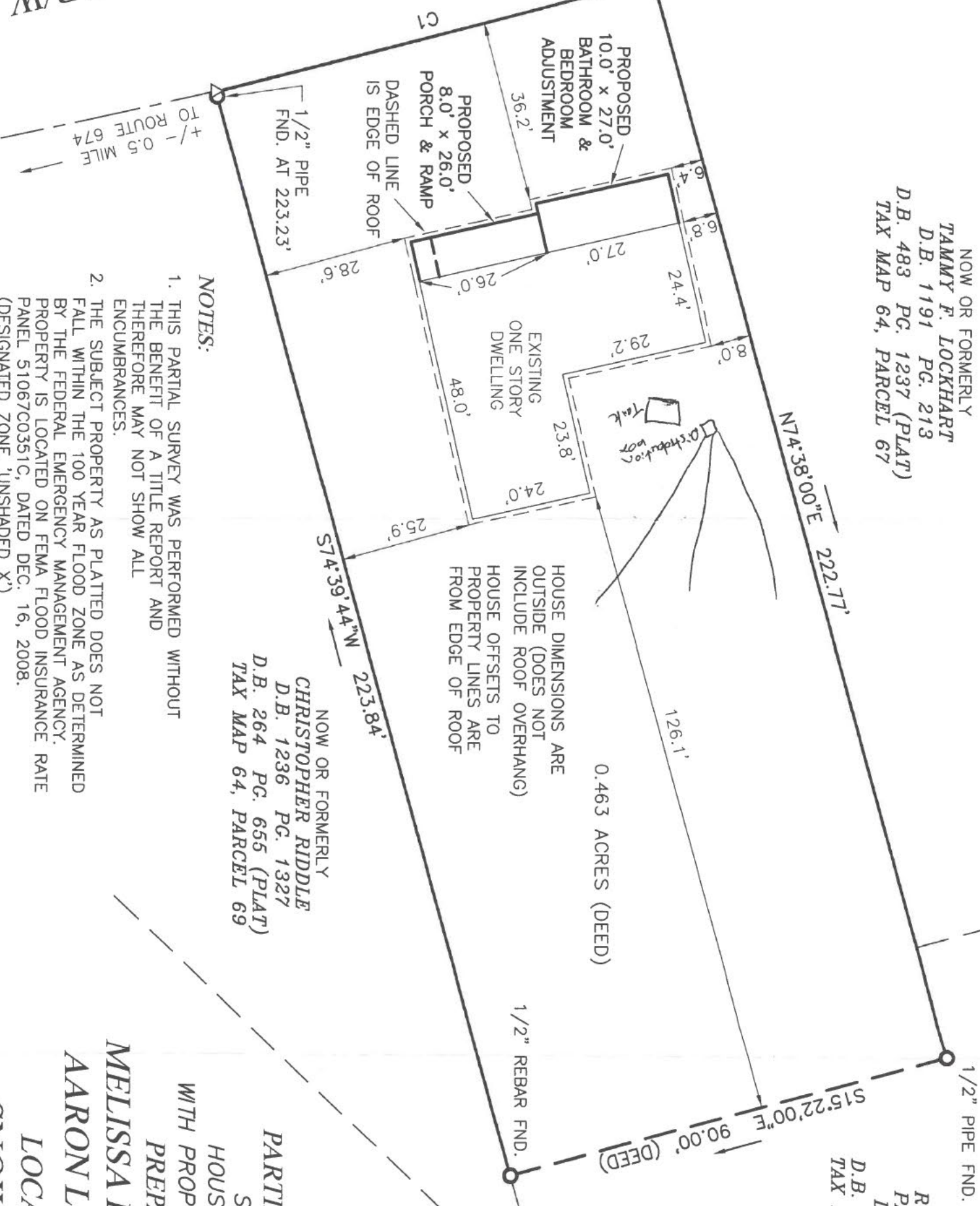
NOW OR FORMERLY
RUSSELL A. MULLINS
PATRICIA S. MULLINS
D.B. 574 PG. 1022
D.B. 574 PG. 1025 (PLAT)
TAX MAP 64, PARCEL 66.02

ROUTE 713 - POWER DAM ROAD

50' R/W



GABRIEL H. ROBERTSON, P.C.
628 WRAYS CHAPEL RD.
ROCKY MOUNT, VA. 24151
(540) 489-4111

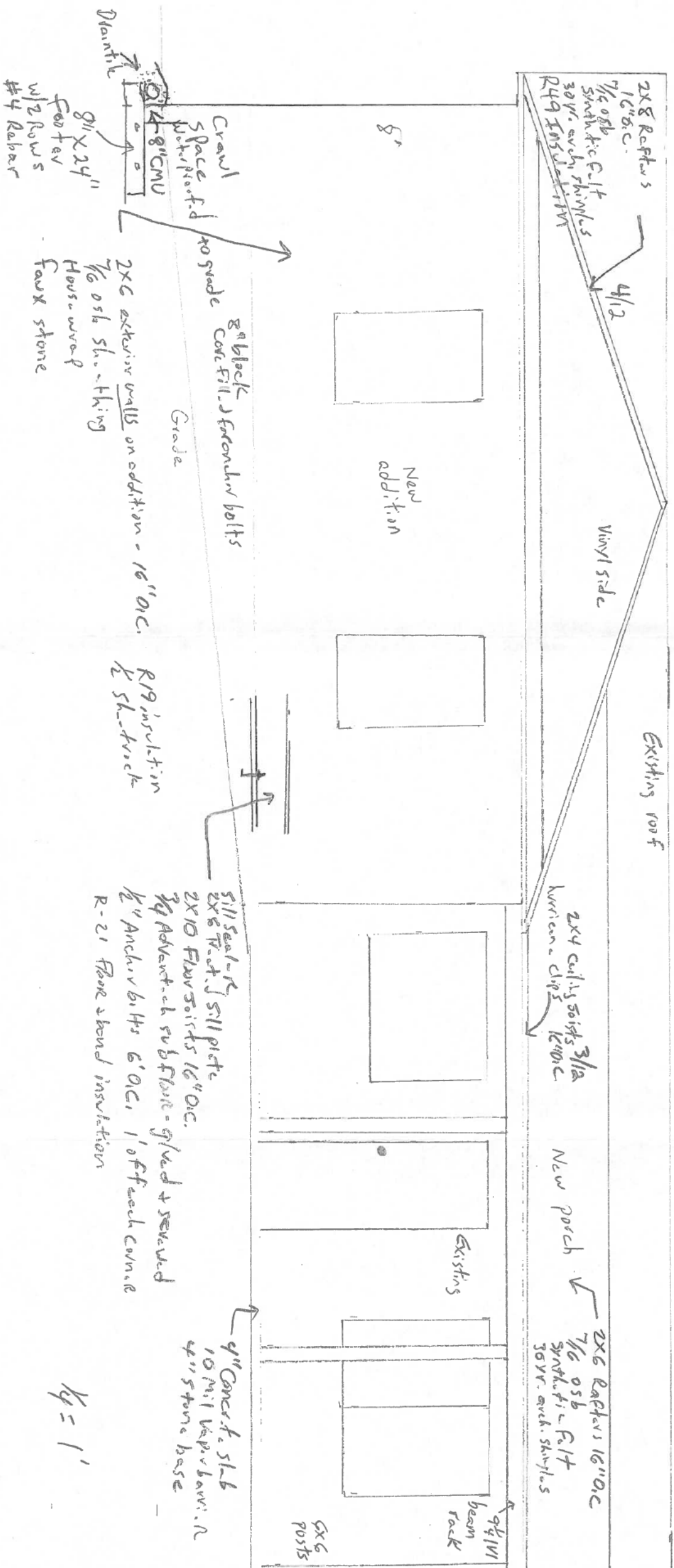


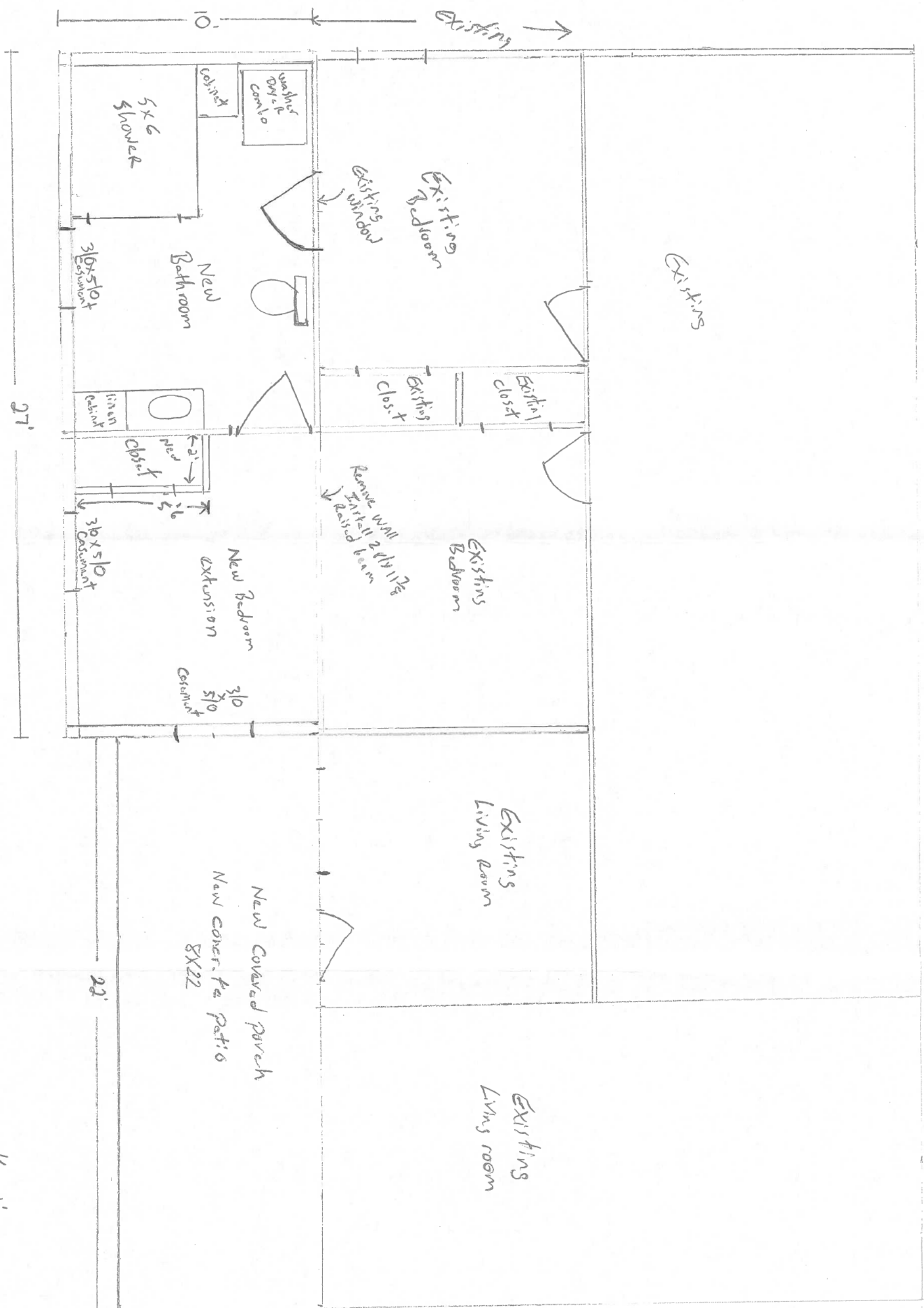
NOTES:

1. THIS PARTIAL SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE MAY NOT SHOW ALL ENCUMBRANCES.
2. THE SUBJECT PROPERTY AS PLATTED DOES NOT FALL WITHIN THE 100 YEAR FLOOD ZONE AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY. PROPERTY IS LOCATED ON FEMA FLOOD INSURANCE RATE PANEL 51067C0351C, DATED DEC. 16, 2008. (DESIGNATED ZONE 'UNSHADED X')
3. THIS PARTIAL SURVEY PLAT AS SHOWN WAS PREPARED FROM A CURRENT FIELD SURVEY.
4. ZONING: A1
5. OWNER & SOURCE OF TITLE: MELISSA F. TOLLIVER AARON L. TOLLIVER D.B. 1235 PG. 2811 TAX MAP 64, PARCEL 68

NOW OR FORMERLY
CHRISTOPHER RIDDLE
D.B. 1236 PG. 1327
D.B. 264 PG. 655 (PLAT)
TAX MAP 64, PARCEL 69

PARTIAL SURVEY
SHOWING
HOUSE LOCATION
WITH PROPOSED ADDITIONS
PREPARED FOR
MELISSA F. TOLLIVER
AARON L. TOLLIVER
LOCATED IN
SNOW CREEK
MAGISTERIAL DISTRICT
FRANKLIN COUNTY, VIRGINIA





1/4" = 1'

Letter of Support from the Lockhart family: 552 Power Dam Road

To the Members of the Board:

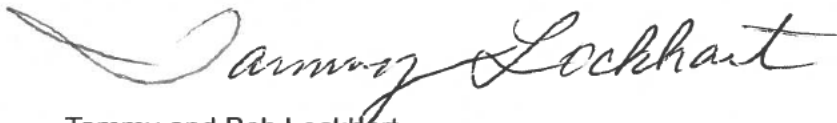
I am writing this letter to formally support the variance request submitted by my neighbors, Aaron (Leo) and Melissa Tolliver of 544 Power Dam Road, Rocky Mount, VA 24151.

As the owner of the property at 552 Power Dam Road, I have come to know the Tollivers as dedicated members of this community since moving here in 2022. I fully support their proposal to construct a 10'x27' handicap-accessible addition and an 8'x22' covered porch (serving as a handicap ramp) for the following reasons:

- **Pre-Existing Physical Hardship:** The exceptional narrowness of their lot is a physical condition that has existed for decades. This is a hardship not of the homeowners' making; they have lived in and cared for this home for over 35 years and are simply trying to adapt to changing health needs on a lot with inherent physical limitations.
- **No Increased Impact on Neighbors:** The addition extends straight off the front of the home and maintains the current side-yard clearance. It does not encroach any further toward my property line than the existing structure. Consequently, the addition will not interfere with my privacy, light, or air.
- **Medical & Veteran Necessity:** I am aware of the mobility challenges my neighbor Leo, a disabled veteran, faces. It is vital that the Tollivers be allowed to modify their home to ensure a safe, accessible environment so they can continue to live in the neighborhood they have been a part of for over three decades.

As the most immediate neighbor, I have absolutely no concerns regarding this project. I believe this is the minimum relief necessary for my neighbors to remain safely in their home and I urge the Board to approve this variance.

Best regards,

A handwritten signature in cursive script that reads "Tammy Lockhart". The signature is written in dark ink and is positioned above the printed name.

Tammy and Bob Lockhart

December 31, 2025