

**HENRY COUNTY BOARD OF ZONING APPEALS**  
**MINUTES OF MEETING**  
July 23, 2025

The regular meeting of the Henry County Board of Zoning Appeals was held on Wednesday, July 23, 2025, on the second-floor room 211 of the Henry County Administration Building at 1 pm. Paul Setliff, Deborah Hairston, Stuart Warren, and Jay Hudson were in attendance with Lisa Spencer absent. Recording Secretary, Wanda Setliff, Planner/Community Development Specialist, Micah Montgomery were also in attendance.

Motion to approve the minutes of May 28, 2025, was made by Stuart Warren, seconded by Deborah Hairston, and followed by a unanimous vote with one absent.

**S-25-10 Smith River Rentals, LLC / Mark Brogan**

A request for a Special Use Permit was received under Section 21-802 of the Henry County Zoning Ordinance to allow for the addition of one apartment unit to an existing two-unit apartment building. The property is located at 3775 Fairystone Park Highway in the Reed Creek District, and is shown on Tax Map 15.7/59. The Board of Supervisors has scheduled a public hearing for July 22, 2025 to consider rezoning the property to Neighborhood Commercial District B-2.

The property is located within the Bassett Growth Area as defined by the Henry County Comprehensive Plan. Staff considers this use to be consistent with the Comprehensive Plan.

Staff has reviewed the application and suggests the BZA add the following minimum conditions as part of any motion to approve.

- Special Use Permit must be exercised within 3 years
- A minimum of 6 off street parking spaces

The public hearing opened at 1:04.

Paul Setliff asked if anyone present would like to speak on behalf of the Special Use Permit.

Mark Brogan spoke on his own behalf, stating that this is an apartment building with two grandfathered apartments upstairs. He mentioned that he built them out several years ago and that they have been active as AIRBNB'S for approximately three years. His plans include renovating the lower area into a two-bedroom, one-bathroom unit. He emphasized that this area needs more accommodations like these and pointed out that he is not simply applying a fresh coat of paint; he is completely remodeling these units. There is ample parking on the side of the property, and he has also created a gravel parking area in the back.

Stuart Warren asked the applicant if he owns the adjacent lot, and whether that is where the parking will be. Mr. Brogan replied, "Yes, the parking is already there."

Paul Setliff asked if anyone present would like to speak in favor or opposition to the Special Use Permit.

Patrick Henry Lodge #82 representative S.T. Fulcher states that he is representing 183 members and has concerns regarding parking. The parking lot next to our building is owned by us, and we are aware of the property lines. We utilize this parking lot for our building and would like to know how many people will be on-site when you reach full occupancy. It appears that you have sufficient parking; however, on Thursday nights, there are typically 20 to 25 cars. We want to ensure there is no misunderstanding regarding parking arrangements.

Mark Brogan stated that he will instruct the property manager to include the parking location in the contract.

The public hearing closed at 1:10.

Stuart Warren made a motion to approve the Special Use Permit including the recommended conditions from staff. Deborah Hairston seconded the motion followed by a unanimous vote of 4-0 with one absent.

#### **S-25-11 Philisty O. Ziegler**

A request for a Special Use Permit was received under Section 21-902 of the Henry County Zoning Ordinance to allow for the establishment of a business as an innovative children's playhouse. The property is located at 2424 Virginia Avenue Suite 7, in the Collinsville District, is shown on Tax Map 29.7(51)/1,3,5,7,9,11 and is zoned as Commercial District B-1.

The property is located with the Collinsville Growth Area as defined by the Henry County Comprehensive Plan. Staff considers this use to be consistent with the Comprehensive Plan.

Staff has reviewed the application and suggest the BZA add the following minimum conditions as part of any motion to approve.

- Special Use Permit must be exercised within three years

The public hearing opened at 1:14.

Philisty Ziegler spoke on her own behalf, explaining that she is a retired federal government employee who was born and raised in Henry County. After leaving the area for better opportunities, she returned after retirement and noticed that not much has changed regarding entertainment options for children. Families still need to travel to Roanoke or Greensboro for such activities. Her goal is to open an innovative children's playhouse featuring various stations where children can pretend to be anything they want.

Deborah Hairston asked about the age group you plan to target. Philisty Ziegler replied, "From toddler to 11 years old."

Paul Setliff asked if anyone present would like to speak on behalf of the Special Use Permit.

King Tyer stated, "I live in Washington, D.C., and when I visit Henry County, I often find that there aren't many activities available. We usually have to travel to Roanoke or Greensboro for more options. My aunt loves spending time with kids and ensuring there are activities for them. This will be a joyous occasion for our family."

Loretta Moyer mentioned that we have a large family with strong support to help make this idea a reality. She came up with a concept that everyone loves, especially since we don't have anything like it in Henry County.

Paul Setliff asked if anyone present would like to speak in opposition of the Special Use Permit, and no one came forward.

The public hearing closed at 1:18.

Jay Hudson made a motion to approve the Special Use Permit including the recommended condition from staff. Deborah Hairston seconded the motion followed by a unanimous vote of 4-0 with one absent.

The meeting adjourned at 1:19.

  
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Lee H. Clark, Secretary