



Board of Zoning Appeals

Public Hearing & Meeting

Cape Charles Civic Center
July 13, 2021
10:00 a.m.

At approximately 10:00 a.m. in the Cape Charles Civic Center, Vice-Chairman Pete Baumann called to order the Board of Zoning Appeals Public Hearing and Meeting. In attendance were Board members Dolores Blackburn, Jim Holloway, and Thomas Weaver. Bill Murphy was not in attendance. Also, present were, Planning Technician Tracy Outten and the applicants. Interim Town Planner/Zoning Administrator Katie Nunez participated via telephone. There was one member of the public in attendance.

Pete Baumann led the Board in the recitation of the Pledge of Allegiance.

CONSENT AGENDA

Motion made by Jim Holloway, seconded by Dolores Blackburn, to accept the consent agenda as presented. The motion was approved by unanimous vote.

NEW BUSINESS - PUBLIC HEARING

A. *An application from James Peters for a variance of 8 feet from the rear yard setback of 20 feet pursuant to the Accawmacke Plantation Planned Unit Development (PUD), which is an appendix to the Cape Charles Zoning Ordinance, Article 4.2 (E) (2) for the addition of a 13' x 18' screened-in porch on the rear of an existing house located at 6 American Court (Tax Map # 90-5-19) in the PUD R-2 District.*

i. *Zoning Administrator Report*

Katie Nunez gave a narrative of the staff report.

Pete Baumann was curious about what the Bay Creek Homeowners Association thought. James Peters, applicant, said that the association needed a letter from the neighbors.

ii. *Open Public Hearing*

Pete Baumann read the public hearing advertisement and opened the public hearing.

There were no comments to be heard nor written comments submitted prior to the hearing.

iii. *Applicant Statement*

James Peters, applicant, and homeowner explained that the patio was already graded for stepping out. He was willing to shorten the porch to at least get a place to sit outside without worrying about mosquitoes.

iv. *Public Comments*

There were no comments to be heard nor any written comments submitted prior to the meeting.

v. *Close Public Hearing*

Motion made by Jim Holloway, seconded by Pete Baumann, to close the public hearing at 10:33 a.m. The motion was approved by unanimous consent.

vi. *Discussion and Vote by the Board*

Discussion and questions were as follows: (i) Dolores Blackburn did not think it was in the setback and was not concerned with the request. She would approve with the condition that the proposed screen-in porch was approved by the Bay Creek Architectural Review Committee; (ii) Jim Holloway thought that the patio structure was already in place and a bump out would not be necessary. He added the porch should make a

nice addition to the home; (iii) Pete Baumann did not see the hardship and said there was ample space to build a porch in another location without any issues or variances needed; and (iv) There was much discussion about changing the size of the screened-in porch. The applicant would think about it. Thomas Weaver was not sure if reducing the depth would work.

Motion made by Pete Baumann, seconded by Thomas Weaver, to defer the application for a variance of 8 feet from the rear yard setback of 20 feet pursuant to the Accawmacke Plantation Planned Unit Development an appendix to the Cape Charles Zoning Ordinance Article 4.2 (E) (2) for the addition of a 13' by 18' screened-in porch on the rear of the existing house at 6 American Court until a new set of drawings were submitted by the applicant. The motion was approved by unanimous vote.

OTHER BUSINESS

Presentation and Discussion of Draft Rules of Procedures for the Board of Zoning Appeals.

There was no discussion on the Draft Rules of Procedures for the Board of Zoning Appeals.

Motion made by Pete Baumann, seconded by Thomas Weaver, to adjourn the Board of Zoning Appeals Public Hearing and Meeting at 10:46 a.m. The motion was approved by unanimous vote.

Vice-Chairman Pete Baumann

Planning Technician