



# Board of Zoning Appeals Application for Appeal of Administrative Zoning Decision

Planning & Zoning Department  
2 Plum Street; Cape Charles, VA 23310  
757-331-3259 x24

[planningtech@capecharles.org](mailto:planningtech@capecharles.org)

Revised 03/2023

|            |                |
|------------|----------------|
| Taxes      | <i>paid</i>    |
| Violations | <i>1000.00</i> |
| Fee        | <i>500.00</i>  |
| Decision   |                |

Budget Code: MISPL 100-3100-1070

## PART 1: APPLICATION NOTES

This form is used to appeal an administrative zoning decision. Appeal fee \$500. Fee must be paid at the time of application for appeal.

## PART 2: PROPERTY INFORMATION

Subject Property Address: **204 Bay Avenue, Cape Charles, VA 23310**

## PART 3: APPLICANT INFORMATION

Applicant's Name: **Paul Chandler**

Applicant's Mailing Address: **11548 Swanson Mill Way, Glen Allen, VA 23059**

Applicant's Phone #: **804 245 0572**

Email: **pauljc2000@gmail.com**

## PART 4: PROJECT INFORMATION

Briefly describe the decision that you are appealing. Provide a copy of the letter sent to you by the Zoning Administrator. If necessary, you may attach additional information to this form. Date of Decision: May 31, 2024

In accordance with the Code of Virginia, Section 15.2-2309 (1) and Cape Charles Zoning Ordinance Section 2.6.2 (1), I am appealing the decision of the Zoning Administrator. The appeal is based on the following information:

See attached documentation

This appeal is based on Section(s) 2.4.2A, 2.4.3, 8.16, 8.17 of the Cape Charles Zoning Ordinance.

Applicant's signature: \_\_\_\_\_

Date: 6/26/20

Zoning Administrator's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Chairman: \_\_\_\_\_

Date: \_\_\_\_\_

Notice sent to applicant by certified mail of the decision by the BZA with 30 day right to appeal to Circuit Court.

Date: \_\_\_\_\_ Sent by: \_\_\_\_\_



# **Appeal of Administrative Zoning Decision**

## **204 Bay Avenue**

### **Additional Notes:**

### **Violations cited by the town:**

This is to inform you that you are in violation of the Cape Charles Zoning Ordinance (CCZO), as follows:

1. CCZO Section 2.4.2 (A) (1)
2. CCZO Section 2.4.3
3. CCZO Section 8.16
4. CCZO Section 8.17

for the unauthorized removal and replacement of the roof and installing flashing to a chimney at 204 Bay Avenue.

## 1 . CCZO Section 2.4.2

### A. Building Permits

1. *No building or structure shall be erected, constructed, altered, moved, converted, extended, enclosed, or enlarged without the owner first having applied for and obtained a zoning clearance for a building permit from the Town's Zoning Administrator. Such zoning clearance shall be obtained prior to the application for a building permit from the Cape Charles Building Department. Nothing herein is intended to prevent normal maintenance, which does not require a building permit.*

**The CCZO Section 2.4.2 (A) (1) appeal is based on the following:**

The code section clearly states that "Nothing herein is intended to prevent normal maintenance, which does not require a building permit."

1. The work performed was to undertake normal maintenance to repair a section of the metal roof, and adjoining chimney flashing which had been causing water damage inside the home and needed to be urgently addressed (see pictures below).
2. Ms. Nunez states in her violation notification that Jeb Brady has determined that the size of the roof area on the rear building addition does not require a building permit.

**The maintenance work is a clear exemption from the code section, and the code official has stated that a building permit was not required, therefore, there is no code violation.**



## **2. CCZO Section 2.4.3**

### **A. Violations**

- 1. It shall constitute a violation of this ordinance for any person, either owner, agent, or occupant, to commence any actions for which a permit is required by this ordinance without having first obtained an approved permit. Any such permit issued upon a false statement of any fact which is material to the issuance thereof shall be void. Whenever the fact of such false statement shall be established, the Zoning Administrator shall forthwith revoke the same permit by notice in writing to be delivered to the holder of the void permit or, if such holder cannot be found, by posting such notice of revocation in some conspicuous place upon the premises where the violation has occurred. Any such person who shall proceed thereafter with such work or use without having obtained the proper approved permit in accordance with this ordinance shall be deemed guilty of a violation of this ordinance.*

**The CCZO Section 2.4.3 appeal is based on the following:**

The code section clearly states that “Nothing herein is intended to prevent normal maintenance, which does not require a building permit.”

1. The work performed was to undertake normal maintenance to repair a section of the metal roof, and adjoining chimney flashing which had been causing water damage inside the home and needed to be urgently addressed (see pictures below).
2. Ms. Nunez states in her violation notification that Jeb Brady has determined that the size of the roof area on the rear building addition does not require a building permit.

**The maintenance work is a clear exemption from the code section, and the code official has stated that a building permit was not required, therefore, there is no code violation.**

### **3. CCZO Section 8.16 Approval of Historic District Review Board Required**

A. *Except as herein otherwise provided in this article, no building or structure, including signs, shall be erected, reconstructed, restored, or substantially altered in exterior appearance and no contributing buildings or structures shall be razed or demolished within a historic district and no permit authorizing same shall be granted unless and until the same is approved by the Historic District Review Board and a Certificate of Appropriateness has been issued by that body, with right of direct appeal to the Town Council as hereinafter provided, as being architecturally compatible with the historical, cultural, and/or architectural aspects of the structure and its surroundings.*

B. *Contributing accessory structures will be treated as contributing structures only under the following conditions:*

- 1. It is on a permanent foundation; and*
- 2. It is of sufficient square footage that a new structure of that type would require a building permit; and*
- 3. It is not being used as, or being considered for, accessory dwelling units.*

C. *"Substantial alterations" shall be defined as any and all work done on buildings, structures, or sites in a historic district other than those specifically exempted herein.*

*1. General examples of "non-substantial" alterations:*

- a. Work done to prevent deterioration or to replace parts of a structure with similar materials in order to correct any deterioration, decay of, or damage to any structure or on any part thereof, or*
- b. To restore same as nearly as practical to its condition prior to such deterioration, decay, or damage.*

*2. Examples of work not constituting "substantial alteration" include those minor actions exempted from review by §8.16 of this article.*

*3. General examples of work constituting "substantial alterations" include:*

- a. Construction of a new building at any location or a new permanent accessory building requiring a building permit on a landmark or contributing property or on a site within the Historic District.*
- b. Any addition to or alteration of a building which increases the square footage of the building or otherwise alters substantially its size, height, contour, or outline.*
- c. Any alteration of the exterior architectural style of a structure or its significant elements; some examples being removal or rebuilding of porches, openings, dormers, window sashes, chimneys, columns, stairways, terraces, decks, fences, or any other structural elements.*
- d. Addition to or removal of one or more stories or alteration of a roof line.*
- e. Any other major actions not specifically covered by the terms of this section, but which would have an effect on the character of the historic district*

D. *In any case in which there might be some question as to whether a project may be exempted from review, may constitute a minor action, or may constitute "substantial alteration," the Zoning Administrator shall be contacted for an interpretation prior to commencement of work*

The CCZO Section 8.16 appeal is based on the following:

1. The work performed is not a substantial alteration.

Section 8.16 C is the exact definition of the "non-substantial" work performed.

1. General examples of "non-substantial" alterations:

- a. Work done to prevent deterioration or to replace parts of a structure with similar materials in order to correct any deterioration, decay of, or damage to any structure or on any part thereof, or
- b. To restore same as nearly as practical to its condition prior to such deterioration, decay, or damage.

2. None of the examples in 8.16.3 apply.
3. None of the work performed on the rear addition is visible from the ground, or any location in the town. The only way to view this non-substantial alteration is to stand on the roof itself, approximately 30 feet above the ground! (see picture below). No reasonable person would classify this "alteration" as substantial, when that "alteration" will never be seen.
4. By contrast, the work performed by our neighbor at 204 Bay Avenue where a blue roof was installed, would classify as a substantial alteration, but, ironically, no action was taken against this abomination.



4. CCZO Section 8.17 Certain Minor Actions Exempted from Review by the HDRB

*Within the Historic District certain minor actions which are deemed not to have permanent effects upon the character of the historic district are exempted from review for architectural compatibility by the Historic District Review Board.*

**The CCZO Section 8.16 appeal is based on the following:**

Exemption 8.16.H states:

H. Additions or deletions to an existing building which are not visible from a public street or sidewalk.



## Summary

### **CORRECTIVE ORDER AND PENALTIES**

- 1. No work may proceed at 204 Bay Avenue without a Certificate of Appropriateness and any permit as may be required by the Zoning Administrator and Code Official.*
- 2. A Certificate of Appropriateness Application - Roof and supporting documents have been completed and submitted to the Town of Cape Charles Planning and Zoning Department for review and the office is awaiting payment for document completion.*

The work performed did not require a permit, per Jeb, and a Certificate of Appropriateness was not required as the work is covered by the "non-substantial" maintenance exemption of the HRB rules, as well as the HRB exemption covering alterations not visible from the street.

During my conversations with Ms. Nunez, her arguments have been inconsistent and factually incorrect. She repeatedly stated that the material used for the work was different from the original material, but again, the exemptions that apply mean that the material used is irrelevant.

For reference, the picture below shows the finished job, completed by the best copper and slate roofing company on the east coast who installed the copper roof on our wrap-around porch.

The picture shows the copper integrated gutter repairs and patinaed roofing and flashing to complement the original aged copper visible on the original gutters.





*Municipal Corporation of Cape Charles*

**NOTICE OF VIOLATION & CORRECTIVE ORDER**

**Email & Certified Mail – Paul and Kimberly Chandler**

May 31, 2024

Paul J. and Kimberly A. Chandler

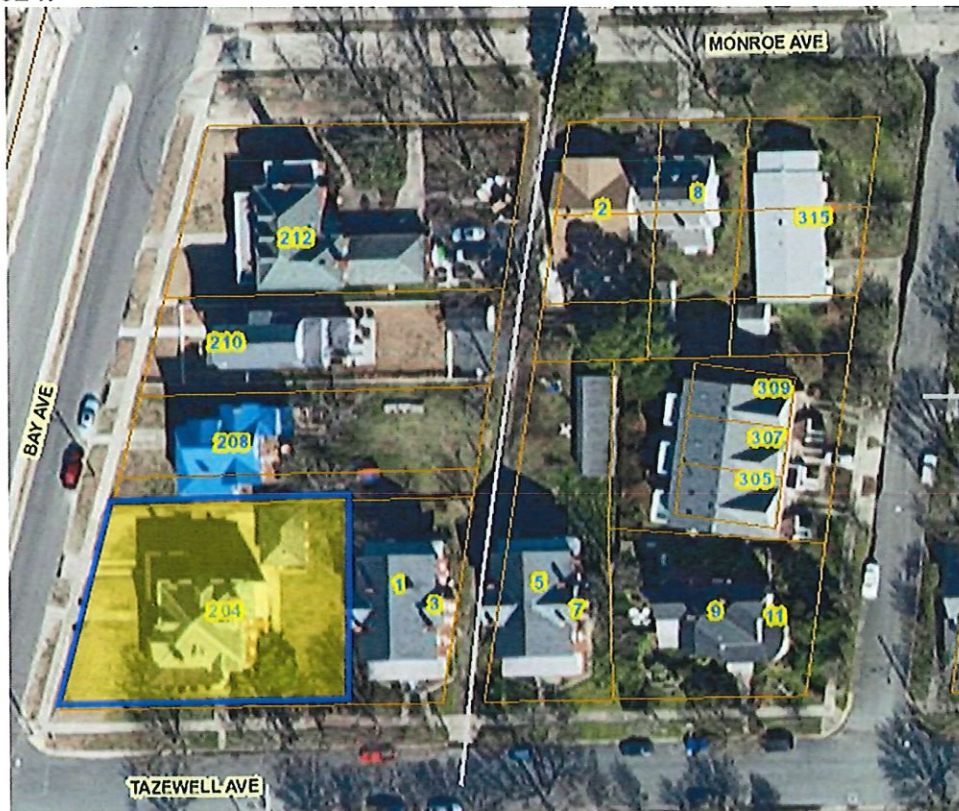
**RE: Notice of Zoning Ordinance Violation at 204 Bay Avenue –  
Tax Map # 83A3-3-1 regarding the removal and replacement of the roof and adding  
flashing to a chimney**

To: Paul and Kimberly Chandler,

This is to inform you that you are in violation of the Cape Charles Zoning Ordinance (CCZO), as follows:

1. CCZO Section 2.4.2 (A) (1)
2. CCZO Section 2.4.3
3. CCZO Section 8.16
4. CCZO Section 8.17

for the unauthorized removal and replacement of the roof and installing flashing to a chimney at 204 Bay Avenue. You were informed of the need for permits for any work to be completed by the Zoning Administrator Katherine H. (Katie) Nunez during a conversation on approximately April 26, 2024.

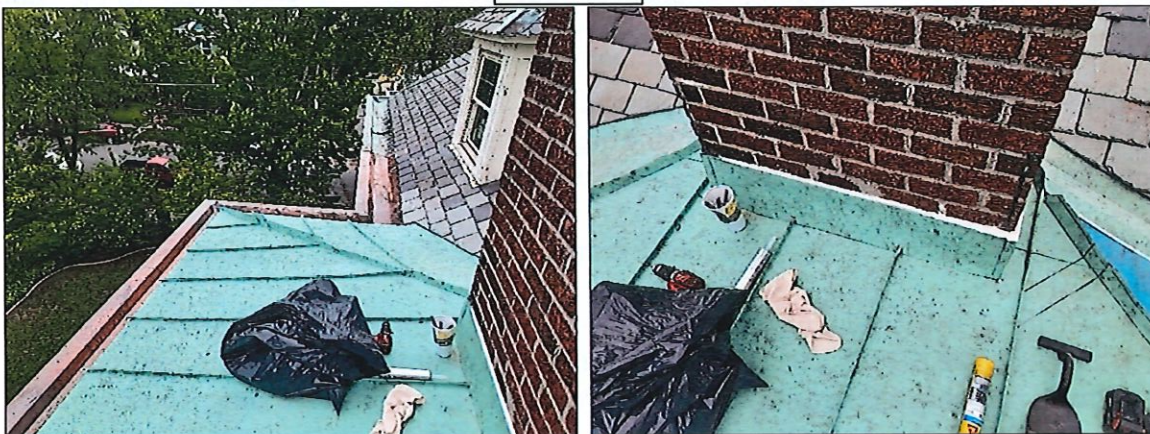


The applicant provided the following before and after pictures:

BEFORE



AFTER



## **CORRECTIVE ORDER AND PENALTIES**

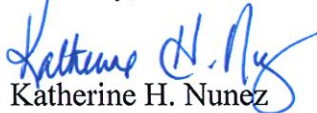
1. No work may proceed at 204 Bay Avenue without a Certificate of Appropriateness and any permit as may be required by the Zoning Administrator and Code Official.
2. A Certificate of Appropriateness Application – Roof and supporting documents have been completed and submitted to the Town of Cape Charles Planning and Zoning Department for review and the office is awaiting payment for document completion.
3. Based upon the Zoning Ordinance violations, the Town, pursuant to Cape Charles Zoning Ordinance Section 2.4.3, will be pursuing all remedies available under the law, including filing with the District Court of Northampton County a Notice of Violation for each of the listed Zoning Ordinance violations which may result in you being found guilty of a Class IV misdemeanor and the imposition of fine of \$250 per each zoning ordinance.
4. **Payment for Working without an approved and active Certificate of Appropriateness (COA) or After the Fact Permit Fee of \$1,000.00.**
5. **By June 14, 2024, submit to the Planning and Zoning office a COA – Roof and payment of fee \$500 along with payment for the penalty fee of \$1,000; a check made payable to the Town of Cape Charles can be mailed to 2 Plum Street; Cape Charles, VA 23310.**

You have the right to appeal this Notice of Violation and Corrective Action order to the following:

- For Appeals of Zoning Code Violations, you will need to file an application with the Cape Charles Board of Zoning Appeals within 30 days of the date of this letter pursuant to Cape Charles Zoning Ordinance Section 2.6.4 and the Code of Virginia Section 15.2-2311 (A); the decision shall be final and unappealable if not appealed within 30 days. The forms are attached to this letter, and you must include the filing fee of \$500 for any application of appeal.

ALL PAYMENTS are to be made out to the Town of Cape Charles.

Sincerely,



Katherine H. Nunez

Director of Planning, Zoning Administrator, & Subdivision Agent

Cc: Katherine H. Nunez, Director of Planning, Zoning Administrator, & Subdivision Agent  
John Hozey, Town Manager  
Historic District Review Board  
Jeb Brady, Code Official

ATTACHMENT 1: Requirement for Zoning Clearance  
ATTACHMENT 2: Approval of HDRB/Zoning Administrator Required  
ATTACHMENT 3: Violations and Penalties  
ATTACHMENT 4: Procedure for Appeals



# ***Municipal Corporation of Cape Charles***

## **Applicable Zoning Ordinances – Requirement for Zoning Clearance**

### CCZO Section 2.4.2 Permits

#### **A. Building Permits**

1. No building or structure shall be erected, constructed, altered, moved, converted, extended, enclosed, or enlarged without the owner first having applied for and obtained a zoning clearance for a building permit from the Town's Zoning Administrator. Such zoning clearance shall be obtained prior to the application for a building permit from the Cape Charles Building Department. Nothing herein is intended to prevent normal maintenance, which does not require a building permit.
2. The Zoning Administrator shall certify whether the proposed use, structure, alteration, or enlargement is or is not in conflict with the provisions of this Chapter. If such proposal is in conflict with the provisions of this ordinance, the Zoning Administrator shall refuse to issue such zoning clearance for a building permit.
3. The fee for a building permit shall be governed by ordinance.
4. Pursuant to the authority contained in §15.2-2286, 15.B. of the Code of Virginia of 1950, as amended, prior to the initiation of an application for a special exception, conditional use permit, variance, rezoning or other land disturbing permit, including building permits and erosion and sediment control permits, all delinquent real estate taxes owed to the Town against the property shall be paid in full.



# ***Municipal Corporation of Cape Charles***

## **Ordinance Citations – Approval of HDRB Required**

### **CCZO Section 8.16 Approval of Historic District Review Board Required**

- A. Except as herein otherwise provided in this article, no building or structure, including signs, shall be erected, reconstructed, restored, or substantially altered in exterior appearance and no contributing buildings or structures shall be razed or demolished within a historic district and no permit authorizing same shall be granted unless and until the same is approved by the Historic District Review Board and a Certificate of Appropriateness has been issued by that body, with right of direct appeal to the Town Council as hereinafter provided, as being architecturally compatible with the historical, cultural, and/or architectural aspects of the structure and its surroundings.
- B. Contributing accessory structures will be treated as contributing structures only under the following conditions:
1. It is on a permanent foundation; and
  2. It is of sufficient square footage that a new structure of that type would require a building permit; and
  3. It is not being used as, or being considered for, accessory dwelling units.
- C. "Substantial alterations" shall be defined as any and all work done on buildings, structures, or sites in a historic district other than those specifically exempted herein.
1. General examples of "non-substantial" alterations:
    - a. Work done to prevent deterioration or to replace parts of a structure with similar materials in order to correct any deterioration, decay of, or damage to any structure or on any part thereof, or
    - b. To restore same as nearly as practical to its condition prior to such deterioration, decay, or damage.
  2. Examples of work not constituting "substantial alteration" include those minor actions exempted from review by §8.16 of this article.
  3. General examples of work constituting "substantial alterations" include:
    - a. Construction of a new building at any location or a new permanent accessory building requiring a building permit on a landmark or contributing property or on a site within the Historic District.
    - b. Any addition to or alteration of a building which increases the square footage of the building or otherwise alters substantially its size, height, contour, or outline.
    - c. Any alteration of the exterior architectural style of a structure or its significant elements; some examples being removal or rebuilding of porches, openings, dormers, window sashes, chimneys, columns, stairways, terraces, decks, fences, or any other structural elements.
    - d. Addition to or removal of one or more stories or alteration of a roof line.
    - e. Any other major actions not specifically covered by the terms of this section, but which would have an effect on the character of the historic district
- D. In any case in which there might be some question as to whether a project may be exempted from review, may constitute a minor action, or may constitute "substantial alteration," the Zoning Administrator shall be contacted for an interpretation prior to commencement of work



# ***Municipal Corporation of Cape Charles***

## **Applicable Zoning Ordinances – Appeals and Procedure of Appeals**

### CCZO Section 2.6.4 – Appeals and Procedures of Appeals

An appeal to the Board of Zoning Appeals may be taken by any person aggrieved or by an officer, department, board, or bureau of the county or municipality affected by any decision of the Zoning Administrator or Administrative Officer in the administration or enforcement of this ordinance. The decision may be appealed within thirty days thereof by filing a notice of appeal specifying the grounds of the appeal. Said appeal shall be filed with Zoning Administrator and with the Board of Zoning Appeals. The Zoning Administrator shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

The board shall fix a reasonable time for the hearing of an application for appeal, give the public notice thereof as well as due notice to the parties in interest, and decide the same within sixty days of the filing of the application for appeal. In exercising its powers, the board may reverse or affirm wholly or in part or may modify an order, requirement, decision, or determination of an administrative officer or decide in favor of the applicant on any matter which it is required to effect any variance from the ordinance. The board shall keep minutes of its proceedings and other official actions which shall be filed in the office of the Zoning Administrator and shall be public record. The chairman of the board, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses.

In accordance with Section 15.2-2313 where a building permit has been issued and the construction of the building for which such permit was issued is subsequently sought to be prevented, restrained, corrected, or abated as a violation of the zoning ordinance, by suit filed within fifteen days after the start of construction by a person who had no actual notice of the issuance of the permit, the court may hear and determine the issues raised in the litigation even though no appeal was taken from the decision of the administrative officer to the Board of Zoning Appeals.



# Board of Zoning Appeals Application for Appeal of Administrative Zoning Decision

Planning & Zoning Department  
2 Plum Street; Cape Charles, VA 23310  
757-331-3259 x24

[planningtech@capecharles.org](mailto:planningtech@capecharles.org)

Revised 03/2023

Taxes

Violations

Fee

Decision

Budget Code: MISPL 100-3100-1070

## PART 1: APPLICATION NOTES

This form is used to appeal an administrative zoning decision. Appeal fee \$500. Fee must be paid at the time of application for appeal.

## PART 2: PROPERTY INFORMATION

Subject Property Address:

## PART 3: APPLICANT INFORMATION

Applicant's Name:

Applicant's Mailing Address:

Applicant's Phone #:

Email:

## PART 4: PROJECT INFORMATION

Briefly describe the decision that you are appealing. Provide a copy of the letter sent to you by the Zoning Administrator. If necessary, you may attach additional information to this form. Date of Decision: \_\_\_\_\_

In accordance with the Code of Virginia, Section 15.2-2309 (1) and Cape Charles Zoning Ordinance Section 2.6.2 (1), I am appealing the decision of the Zoning Administrator. The appeal is based on the following information:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This appeal is based on Section(s) \_\_\_\_\_ of the Cape Charles Zoning Ordinance.

Applicant's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Zoning Administrator's signature: \_\_\_\_\_

Date: \_\_\_\_\_

Chairman: \_\_\_\_\_

Date: \_\_\_\_\_

Notice sent to applicant by certified mail of the decision by the BZA with 30 day right to appeal to Circuit Court.

Date: \_\_\_\_\_ Sent by: \_\_\_\_\_



## Application for Zoning Clearance

Planning & Zoning Department  
2 Plum Street; Cape Charles, VA 23310  
757-331-3259 x24

[planningtech@capecharles.org](mailto:planningtech@capecharles.org)

Revised 02/2024

|            |                                     |
|------------|-------------------------------------|
| Taxes      | <input checked="" type="checkbox"/> |
| Violations | yes                                 |
| Fee        | HDRB                                |
| Decision   |                                     |

Fee \$150 unless a residential building permit

Budget Code: MISPL 100-3100-1070

Budget Code for VIOLATIONS: PERMZ 100-3100-1370

### PART 1. APPLICATION NOTES

Use this form to request zoning clearance for all new construction, alteration of existing structures, additions, or demolitions within the Town of Cape Charles \* *The applicant is responsible for confirming and obtaining all necessary building permits after approvals.*

In addition to the information required in this application, all items from this checklist must be submitted before it can be evaluated.

☒ Photos of existing area   ☐ Site Plan   ☐ Owner Affidavit

Owner/Applicant signature: 

Date: 5/13/24

### PART 2: PROPERTY INFORMATION

Property Address: 204 Bay Avenue

Tax Map #: 83A3-3-1

Zoning District if not located in Bay Creek:

☒ R-1   ☐ R-2   ☐ R-3   ☐ CR   ☐ C-1   ☐ C-2   ☐ C-3  
☐ M-1   ☐ M-2   ☐ GBI   ☐ GBI-H1   ☐ Harbor

Zoning District if located in Bay Creek:

☐ Located on Bay Creek property, but not in a current subdivision

| Subdivision Name                             | Zoning Designation | Subdivision Name                           | Zoning Designation |
|----------------------------------------------|--------------------|--------------------------------------------|--------------------|
| <input type="checkbox"/> Bayside Village     | PUD Village        | <input type="checkbox"/> Muirfield Village | PUD Village        |
| <input type="checkbox"/> Bay Vista           | PUD R-3            | <input type="checkbox"/> New Quarter       | PUD R-2            |
| <input type="checkbox"/> Fairways            | PUD R-3            | <input type="checkbox"/> Plantation Pointe | PUD R-1            |
| <input type="checkbox"/> Heron Pointe        | PUD R-2            | <input type="checkbox"/> The Colony        | PUD R-3            |
| <input type="checkbox"/> Kings Bay           | PUD R-2            | <input type="checkbox"/> The Hollies       | PUD R-2            |
| <input type="checkbox"/> Marina Resort       | PUD R-2            | <input type="checkbox"/> The Signature     | PUD R-2            |
| <input type="checkbox"/> Marina Village East | PUD R-2            |                                            |                    |



# Certificate of Appropriateness Application

## Roof Work Only

Planning & Zoning Department  
2 Plum Street; Cape Charles, VA 23310  
757-331-3259 x24  
[planningtech@capecharles.org](mailto:planningtech@capecharles.org)

Revised 07/2023

|            |              |
|------------|--------------|
| Taxes      | PD           |
| Violations | \$1,000      |
| Fee        | \$50 / \$500 |
| Decision   |              |

Budget Code: HISTF 100-3100-1100

### PART 1: APPLICATION NOTES

A Certificate of Appropriateness is required for all applications for zoning clearances and permits involving any exterior alteration, modification, restoration, reconstruction, demolition, new construction or moving a property within the Cape Charles Historic District Overlay. *\* The applicant is responsible for confirming and obtaining all necessary building permits after approvals.*

The following documents must be submitted to the Town before this application can be reviewed. In addition to these documents, the COA application and requested supporting information must be deemed complete by the department staff prior to being evaluated.

☒ (A) Zoning Clearance Application ☒ (B) Photos of existing roof ☐ (C) Owner Affidavit ☐ (D) Payment of Fee

Owner signature: 

Date: 5/13/24

### PART 2: PROPERTY INFORMATION

Property Address: 204 Bay Ave

Tax Map #: 83A3-3-1

Is there an active Certificate of Appropriateness on this property? ☒ No ☐ Yes \_\_\_\_\_ Date

Zoning District: R-1

### PART 3: PROPERTY OWNER INFORMATION

Name and/or Company: Paul Chandler

Mailing Address: 11548 Swanson Mill Way, Glen Allen VA 23059

Phone Number: 804 245 0572

Email: pauljc2000@gmail.com

### PART 4: PROPERTY INFORMATION

☒ Check here if applicant is owner. (If applicant is not the property owner, an Owner's Permission Affidavit must be attached.)

Name and/or Company:

Mailing Address:

Phone Number:

Email:



# Certificate of Appropriateness Application

## Roof Work Only

Planning & Zoning Department  
2 Plum Street; Cape Charles, VA 23310  
757-331-3259 x24  
[planningtech@capecharles.org](mailto:planningtech@capecharles.org)

Revised 07/2023

|            |              |
|------------|--------------|
| Taxes      | ✓ pd MW      |
| Violations | \$1,000      |
| Fee        | \$50 / \$500 |
| Decision   |              |

Budget Code: HISTF 100-3100-1100

### PART 1: APPLICATION NOTES

A Certificate of Appropriateness is required for all applications for zoning clearances and permits involving any exterior alteration, modification, restoration, reconstruction, demolition, new construction or moving a property within the Cape Charles Historic District Overlay. \* *The applicant is responsible for confirming and obtaining all necessary building permits after approvals.*

The following documents must be submitted to the Town before this application can be reviewed. In addition to these documents, the COA application and requested supporting information must be deemed complete by the department staff prior to being evaluated.

☒ (A) Zoning Clearance Application ☒ (B) Photos of existing roof ☐ (C) Owner Affidavit ☐ (D) Payment of Fee

Owner signature:

Date: 5/13/24

### PART 2: PROPERTY INFORMATION

Property Address: 204 Bay Ave

Tax Map #: 83A3-3-1

Is there an active Certificate of Appropriateness on this property? ☒ No ☐ Yes \_\_\_\_\_ Date

Zoning District: R-1

### PART 3: PROPERTY OWNER INFORMATION

Name and/or Company: Paul Chandler

Mailing Address: 11548 Swanson Mill Way, Glen Allen VA 23059

Phone Number: 804 245 0572

Email: pauljc2000@gmail.com

### PART 4: PROPERTY INFORMATION

☒ Check here if applicant is owner. (If applicant is not the property owner, an Owner's Permission Affidavit must be attached.)

Name and/or Company:

Mailing Address:

Phone Number:

Email:

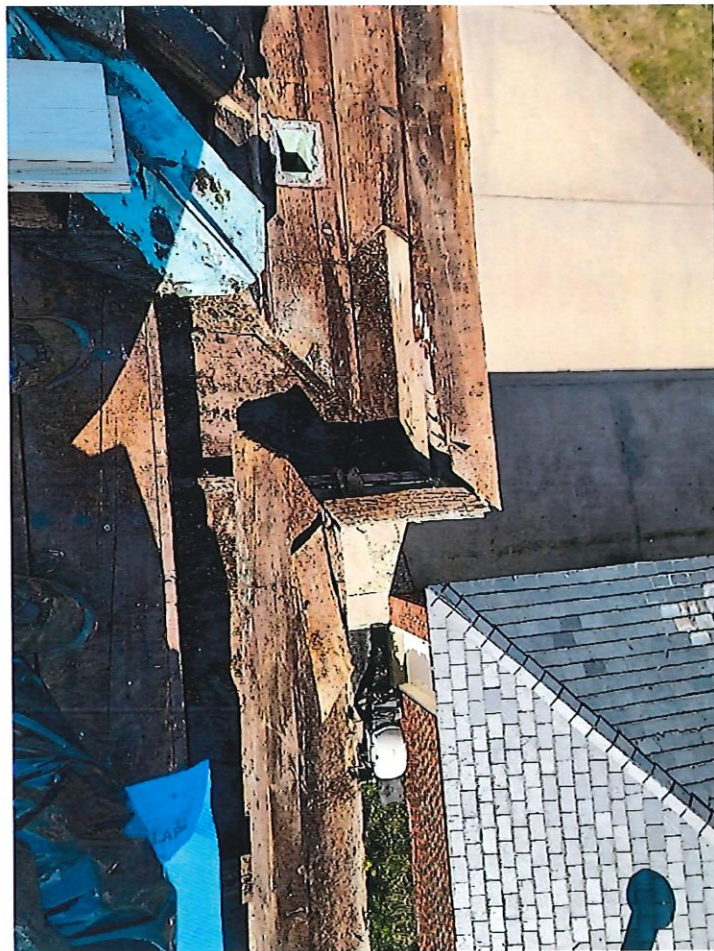
**204 Bay Avenue Roof Pictures After Work Completed**



**204 Bay Avenue Additional Existing Roof Pictures**



204 Bay Avenue Existing Roof Pictures



## Tracy Outten

---

**From:** Paul Chandler <pauljc2000@gmail.com>  
**Sent:** Monday, May 13, 2024 3:40 PM  
**To:** Tracy Outten; Katie Nunez  
**Subject:** RE: 204 Bay Ave - Certificate of Appropriateness Application

Tracy

All of that information is contained in the multiple forms I was asked to complete.

See my responses (again) below!

Tracy Outten wrote:

Good afternoon, Mr. Chandler.

After reviewing the Application for Certificate of Appropriateness – Roof for 204 Bay Avenue I need some clarity on the following items:

- Was the whole roof replaced?

No.

What was replaced:

Percentage of roof replaced. 0% of the main roof. 100% on non-historic addition, approx 48 sq ft.

The valleys on the main roof.

Integrated copper gutters on the rear of the main roof.

Flat metal roof on the rear addition, which is not original to the house.

Copper was used on the valleys and integrated gutters.

Standing seam galvanized aluminum with an aged copper finish was used on the flat roof

○ If not, please explain:

Katie and Tracy

Attached is the application and before and after pictures.

Katie, you mentioned that I also needed to complete a building permit, in addition to the roofing permit, however, on reviewing the building permit it appears to be completely irrelevant to this project. Please advise.

Let me know if you need anything else at this stage.

Paul.



# APPLICATION FOR RESID

Town of  
Municipal  
2 P  
Cape Charles  
(757) 331-2176  
code official



Stevens Roofing  
818 W. 39th St.  
Norfolk, VA

Sec. 18-39

I, Paul Chandler

204 Bay Avenue

of rotting wood visible from the attic area (for roof  
visual defects. If defective materials are found, the  
Fire retardant treated plywood shall not be utilized  
construction within four (4) feet on either side of the  
all applicable codes and ordinances.

Paul Chandler.  
204 Bay Avenue  
2016  
\$600 plus  
cost of  
permit  
(value of contract)

Answer YES or NO beside the following statements as they pertain to this job:

- Yes ☐ No ☐ 1. Roof to be a nail over with only one layer or roofing existing.  
Yes ☒ No ☐ 2. Existing roofing to be removed and replaced with a new roof.

## TOWNHOUSES/CONDOMINIUMS/APARTMENTS

- Yes ☐ No ☐ 3. Fire retardant treated plywood addressed.

Owner/Contractor Signature

## ASBESTOS CERTIFICATION

I, Paul Chandler, certify that the property at  
204 Bay Ave has been inspected for asbestos and  
complies with the Code of Virginia, Section 54.1-503, the Uniform statewide Building Code, Section  
108.10, the "Clean Air Act" (NESHAP) and OSHA "Standards for Construction Workers",  
Environmental Protection Agency (EPA), Asbestos Hazard Emergency Response Act, or is exempt as  
noted in the exemptions below:

- Exception
1. Single Family dwellings
  2. Residential housing with four or less unit

Owner/Contractor Signature



**Stevens Roofing Corp**  
818 West 39th Street,  
Norfolk, VA 23508  
Phone: (757) 489-8791  
Fax: (757) 489-8649

05/17/2024

**Paul Chandler**  
204 Bay Avenue  
Cape Charles, VA 23310  
(804) 245-0572

Job: 282: Paul Chandler

### Upper Rear Copper Roof Replacement

Remove upper rear copper roof and built-in gutter system and make repairs to sheathing if necessary (See Note).

Furnish and apply a high temperature ice and water barrier underlayment and install in built-in gutter a 16oz. built-in gutter system. New gutter to be installed using a cleated system to allow gutter to properly expand and contract. New gutter to tie into built-in gutter on the back of the house. Old and new gutter to be tied together using cloth tape and coating.

Furnish and install a double locked standing seam metal roof system using .032 baked-on enamel aluminum. Tie new roof into slate roof and properly flash chimney using materials and methods supplied by manufacturer.

### Slate Roof Repair Section

Take-up necessary slate to remove metal valleys over front gable and make repairs to sheathing if necessary (See Note)

Furnish and apply an ice and water barrier underlayment and install new metal valleys using 16oz. copper and reinstall slate.

Replace missing and badly broken slate in roof. Resecure loose and sliding slate and reseal flashings where needed using a urethane caulking.

Remove exhaust vent from detached garage and install necessary sheathing. Slate over opening to complete.

## Katie Nunez

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**From:** Paul Chandler <pauljc2000@gmail.com>  
**Sent:** Monday, May 13, 2024 3:40 PM  
**To:** Tracy Outten; Katie Nunez  
**Subject:** RE: 204 Bay Ave - Certificate of Appropriateness Application

Tracy

All of that information is contained in the multiple forms I was asked to complete.

See my responses (again) below!

Tracy Outten wrote:

Good afternoon, Mr. Chandler.

After reviewing the Application for Certificate of Appropriateness – Roof for 204 Bay Avenue I need some clarity on the following items:

- Was the whole roof replaced?

No.

What was replaced:

Percentage of roof replaced. 0% of the main roof. 100% on non-historic addition, approx 48 sq ft.

The valleys on the main roof.

Integrated copper gutters on the rear of the main roof.

Flat metal roof on the rear addition, which is not original to the house.

Copper was used on the valleys and integrated gutters.

Standing seam galvanized aluminum with an aged copper finish was used on the flat roof

- If not, please explain:

Katie and Tracy

Attached is the application and before and after pictures.

Katie, you mentioned that I also needed to complete a building permit, in addition to the roofing permit, however, on reviewing the building permit it appears to be completely irrelevant to this project. Please advise.

Let me know if you need anything else at this stage.

Paul.







