



HISTORIC DISTRICT REVIEW BOARD

Special Meeting and Work Session

Cape Charles Civic Center

November 4, 2020

1:00 p.m.

At 1:00 p.m., Chairman Kerry Shackelford, having established a quorum, called to order the Special Meeting and Work Session of the Historic District Review Board (HDRB). In addition to Kerry Shackelford, present were Michael Strub, Herb Thom, and Edward Wells. arrived after roll call. There was one vacancy on the board. Also, in attendance were Town Planner Allyson Finchum, Planning Technician Tracy Outten, and the applicants. There were two members of the public in attendance.

PUBLIC COMMENT (AGENDA ITEMS ONLY):

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

ORDER OF BUSINESS:

- A. *Pre-Application for a Certificate of Appropriateness at 526 Strawberry Street – to construct an addition on a single-family detached dwelling.*

William Manning, contractor, described the proposed addition to the side of the home. He said all materials and windows would match the existing home.

Kerry Shackelford asked if the window grills were on the interior or exterior. William Manning answered interior.

Motion made by Herb Thom, seconded by Michael Strub, to approve the application for the Certificate of Appropriateness at 526 Strawberry Street to construct an addition on the single-family dwelling as presented. The motion was approved by unanimous vote.

- B. *Pre-Application for a Certificate of Appropriateness at 212 Randolph Avenue – to demo and reconstruct a rear addition on a single-family detached dwelling.*

Leon Parham, architect, said the owners do not want to restore the existing addition.

Questions and discussion were as follows: (i) Herb Thom asked if the roof was original; yes. He would like it to be restored. Leon Parham said the owners wanted a stand and seam roof. Kerry Shackelford had an issue with the roof being changed; (ii) Michael Strub asked if the three chimneys would be affected; no; and (iii) Kerry Shackelford wanted to know if the windows were original. Leon Parham said the windows were vinyl.

Motion made by Kerry Shackelford, seconded by Michael Strub, to approve the application for the Certificate of Appropriateness at 212 Randolph Avenue to demolish and reconstruct a rear addition on the single-family dwelling with the condition that the existing roof material state be determined and reported to the Historic District Review Board. The motion was approved by unanimous vote.

- C. *Pre-Application for a Certificate of Appropriateness at 642 Randolph Avenue – to demo and reconstruct a rear addition on a single-family detached dwelling.*

Leon Parham, architect, said the original siding condition would be discovered during demolition.

Motion made by Edward Wells, seconded by Michael Strub, to approve the application for the Certificate of Appropriateness at 642 Randolph Avenue to demolish and reconstruct a rear addition on the single-family dwelling with the condition that the siding material needed to be approved by the Historic District Review Board. The motion was approved by unanimous vote.

- D. *Pre-Application for a Certificate of Appropriateness at 722 Randolph Avenue – to demolish the front façade wall on a commercial building.*

Leon Parham, architect, asked if the board had any questions.

There was some discussion on painting the brick. Kerry Shackelford read the guidelines on masonry.

Motion made by Kerry Shackelford, seconded by Edward Wells, to approve the application for the Certificate of Appropriateness at 722 Randolph Avenue to demolish and rebuild the front façade on the commercial building with the conditions as follows: (i) the brick will not be painted; and (ii) a sample of the brick be provided and approved by the Historic District Review Board. The motion was approved by unanimous vote.

- E. *Pre-Application for a Certificate of Appropriateness at 419/421/423/425 Tazewell Avenue – to repair or replace windows on the duplex.*

Jeb Johnson, contractor, said the existing replacement windows were incorrectly installed mismatched and he was trying to correct the mistakes of others.

There was much discussion on allowing the replacement of the original wood windows. Edward Wells said that this was a duplex and not all the windows were original.

Motion made by Herb Thom, seconded by Michael Strub, to approve the application for the Certificate of Appropriateness at 419/421/423/425 Tazewell Avenue to repair and replace the windows on the duplexes as presented. The motion was approved by majority vote with Kerry Shackelford abstaining.

Kerry Shackelford said this decision would come back to bite the board.

- F. *Pre-Application for a Certificate of Appropriateness at 501 Tazewell Avenue – to construct a storage shed.*

Jeb Johnson, contractor, said the proposed shed would match the house.

Motion made by Herb Thom, seconded by Michael Strub, to approve the application for the Certificate of Appropriateness at 501 Tazewell Avenue to construct a storage shed as presented. The motion was approved by unanimous vote.

- G. *Pre-Application for a Certificate of Appropriateness at 6 Tazewell Avenue – to construct a rear addition on a single-family detached dwelling.*

Scott Simms, contractor, said there was nothing to add to the application.

Kerry Shackelford asked what the railing material would be; azek. He also did not want the door replacing any windows.

Motion made by Kerry Shackelford, seconded by Herb Thom, to approve the application for the Certificate of Appropriateness at 6 Tazewell Avenue to construct a rear addition on the single-family dwelling with the condition that the door would be placed between the windows rather than removing them. The motion was approved by unanimous vote.

- H. *Application for a Certificate of Appropriateness at 511 Tazewell Avenue – to renovate the exterior and repair the chimney on a single-family detached dwelling.*

Mark Guevarra, applicant, said the chimney would be repaired and the fish scale siding was underneath the existing siding.

Kerry Shackelford said the original porch did not have balusters and adding them would change the

façade.

Motion made by Michael Strub, seconded by Herb Thom, to approve the application for the Certificate of Appropriateness at 511 Tazewell Avenue to renovate the exterior and repair the chimney on the single-family dwelling with the condition that there would be no balusters. The motion was approved by unanimous vote.

I. *Pre-Application for a Certificate of Appropriateness at 505 Monroe Avenue – to renovate the exterior of a shed.*

Anthony Regalbuto, applicant, said the shed was moved from the Blue Ridge Mountains and it needs to be renovated.

There was some discussion on the door type.

Motion made by Kerry Shackelford, seconded by Edward Wells, to approve the application for the Certificate of Appropriateness at 505 Monroe Avenue to renovate the storage shed as presented. The motion was approved by unanimous vote.

OTHER BUSINESS:

There was no other business.

Kerry Shackelford closed the November 4, 2020 Historic District Review Board Special meeting and moved to the Work Session.

WORK SESSION ORDER BUSINESS:

A. *Cape Charles Zoning Ordinance Article VIII proposed amendments.*

After some discussion on the amendments presented by Paul Grossman, the board members would have any questions or comments ready for the next work session. (Please see attached.)

Kerry Shackelford adjourned the November 4, 2020 Historic District Review Board Special Meeting and Work Session at 4:06 p.m.

Chairman Kerry Shackelford

Planning Technician

Town of Cape Charles
Article VIII
Historic District Overlay

“The Cape Charles Historic District encompasses nearly all of the town of Cape Charles as it was originally laid out in 1883-1884 as well as the Sea Cottage addition, an area west of the original limits of the town, that was developed after 1909...The town was originally laid out in an unusual twenty-seven block grid pattern dominated by a central park with four landscaped streets that radiate from the park and serve as a main cross axis for the town’s circulation pattern. No other such plan is known to exist in Virginia.”
- 1989 National Register of Historic Places Registration Form Section 7, page 1.

“An interesting stock of architectural styles in both the residential area and the downtown commercial area contribute an historic style and authenticity. The street patterns, lot configurations and boundaries, which were laid out in an historic grid pattern, have remained largely unaltered, adding to the Town’s historical integrity. Cape Charles’ late nineteenth and early twentieth century character is a key element in the Town’s interest and attractiveness to tourists. The traditional downtown commercial area on Mason Avenue still serves as the commercial center for the Town. It is important that the Town’s historic character be protected, not only for its intrinsic value, but also to contribute to attract and expand tourism in Cape Charles.” – Town of Cape Charles 1999 Comprehensive Plan, page 40.

The Town of Cape Charles participates in the Certified Local Government program and in so doing demonstrates a commitment to keep what is significant from the past for the benefit of future generations. The architectural integrity of existing structures shall be recognized, and future development shall be compatible.

Section 8.1 Purpose of the District *[revised – 08/16/18]*

The purpose of this district is to provide for protection against destruction or encroachment upon historic areas, buildings, monuments, or other features, or buildings and structures of registered architectural significance which contribute or will contribute to the cultural, social, economic, political, artistic, or architectural heritage of the Town of Cape Charles and the Commonwealth of Virginia. It is also the purpose of the district to preserve the designated historic areas and historic landmarks and other historic or architectural features from destruction, damage, defacement to ensure that buildings, structures, streets, walkways, or signs shall be erected, reconstructed, altered, or restored so as to be kept architecturally compatible with the character of the historic district.

Section 8.2 Criteria for Establishing Historic Districts--General Character

The boundaries of the Historic District shall in general be drawn to include areas containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation. The district may include either individual buildings or places of such character, and a reasonable distance beyond, or it may include areas or groupings of structures which have significance relative to their patterns of development or social and

economic or architectural interrelationships even though some structures in the area might not possess significant merit when considered alone.

Section 8.3 Inventory of Landmarks and Contributing Properties Established

The Town of Cape Charles has established as part of this ordinance a an inventory map covering the area included in the Historic District, based on the criteria set forth in this ordinance. This map herein after called the inventory map shall be as much a part of this ordinance as if fully described herein and shall be filed as a part of this ordinance by the Town Clerk of the Town of Cape Charles. Until such time as it is changed in this ordinance, the period of significance for the Town will be 1880s to 1964 as delineated in the Cape Charles Historic District National Register of Historic Places (amended 2019). As identified in the National Register, sStructures or sites designated as properties which contribute to the historic character of the Town shall be known as contributing properties for the purpose of this Ordinance. Should a building or structure within the boundaries of the historic district not be listed in the national register, the age of the house or structure will be used to determine classification (i.e., built before 1965 will be considered as contributing). The board may be presented with evidence of extensive changes previously made or other information that may warrant the board in changing a property's classification. Structures or sites not designated as landmark or contributing properties shall be known as noncontributing properties. The inventory map may be amended from time to time in the same manner as the zoning district map.

Section 8.4. Application of the District; Relation to Other Zoning Districts

To enable the district to operate in harmony with the plan for land use and population density embodied in these regulations, the Historic District is created as a special district to be superimposed on other districts contained in these regulations and is to be so designated by a special symbol for its boundaries on the Zoning District Map. The uses, housing types, minimum lot requirements, minimum yard requirements, maximum height, and accessory uses and accessory signs shall be determined by the regulations applicable to the other districts over which the Historic District is superimposed except as these other district regulations may be modified by application of the regulations in the Historic District.

Section 8.5 Permitted Uses *[revised – 08/16/18]*

A building or land shall be used only for any use or accessory use permitted in the zoning district in which the premises are situated and upon which the Historic District is superimposed.

Section 8.6 Historic District Review Board; Creation

For the general purposes of this Article as herein stated and specifically to preserve and protect historic places and areas in the Town through the control of demolition of such places and through the regulation of architectural design and uses of structures in such areas, there is created a board known as the Historic District Review Board.

Section 8.7 Historic District Review Board; Membership *[revised – 08/16/18]*

The members of the Historic District Review Board shall be appointed by the Town Council. The Membership shall consist of five citizens, at least three of whom shall be residents of the local historic district.

Section 8.8 Historic District Review Board; Terms *[revised – 08/16/18]*

Upon approval by the Town Council, members shall be appointed for a term of five years. Appointments to fill vacancies shall be only for the unexpired term. Members may be reappointed to succeed themselves. A member whose term expires shall continue to serve until a successor is appointed and qualifies.

Section 8.9 Historic District Review Board; Qualifications *[revised – 08/16/18]*

Members of the Historic District Review Board shall have demonstrated interest and knowledge in the historical and architectural development of the Town and when possible be a licensed architect or engineer, Planning Commission member, or licensed building contractor.

Section 8.10 Historic District Review Board; Organization *[revised – 08/16/18]*

The Historic District Review Board shall elect from its own membership a chairman and vice chairman who shall serve annual terms and may succeed themselves. The chairman shall preside over all meetings in addition to having the duties and responsibilities of other members of the Board. The vice chairman shall preside over meetings of the Board in the absence of the chairman.

Section 8.11 Historic District Review Board; Rules *[revised – 08/16/18]*

The Board shall meet in regular session on the third Tuesday of every month when an application has been filed requiring consideration. Special meetings of the Board may be called by the chairman or a majority of the members after public notice as required.

Section 8.12 Historic District Review Board; Meetings; Hearings *[revised – 08/16/18]*

Written notice of a special meeting is not required if the time of special meeting has been fixed at a regular meeting or if all members are present at a special meeting or file a written waiver of notice. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all voting members of the Board. The Board may make, alter, or rescind rules and forms for its procedures, consistent with the ordinances of the Town and the general laws of the Commonwealth of Virginia.

Section 8.13 Historic District Review Board; Procedures

The Board shall establish procedures for all matters coming before it for review and all meetings shall be open to the public.

Section 8.14 Historic District Review Board; Powers and Duties

The Historic District Review Board shall have the power and authority for issuing or denying Certificates of Appropriateness for construction, reconstruction, substantial exterior alteration, razing, or relocation within the historic district. In addition, the Board shall have the following duties:

- A. To assist and advise the Town Council, the Planning Commission, and other Town departments, agencies, and property owners in matters involving historically significant sites at buildings or other properties in historic districts such as, but not limited to, appropriate land usage, parking facilities, and signs.
- B. To continuously evaluate conditions and advise owners of historic landmarks or contributing structures or other properties in historic districts on problems of preservation.
- C. To conduct studies deemed necessary by the Town Council or Planning Commission concerning location of historic districts and means of preservation, utilization, improvement, and maintenance of historic assets in the Town.
- D. To propose additional historic districts or additions or deletions to districts.
- E. To adopt standards and guidelines for review to supplement the standards set forth in this Ordinance.
- F. To formulate recommendations to the Town Council concerning the establishment of an appropriate system of markers for selected historic sites and buildings, including proposals for the installation and care of such historic markers.
- G. To cooperate with and enlist assistance from the Virginia Department of Historic Resources, the National Trust for Historic Preservation, and other interested parties both public and private in its efforts to preserve, restore, and conserve historic landmarks, buildings, sites, or areas within the Town.

Section 8.15 Summary of Administration Review Procedures [revised – 08/16/18]

In general, it is the purpose of this ordinance to establish review procedures for actions affecting properties in the Historic District. To this end, some actions are exempted from special historic and architectural review altogether, except as normal review may be necessary for issuance of a building permit. Other actions, depending on the possible consequences thereof, may be reviewed by the Zoning Administrator or by the Historic District Review Board acting with original jurisdiction, or, in the most serious cases, action by the Town Council following action by the Historic District Review Board. In all cases the decisions of the Zoning Administrator shall be appealed to the Board of Zoning Appeals as stated in §2-2.6.2.C, the decisions of the Historic District Review Board may be appealed to the Town Council, and the final decisions of the Town Council may be appealed to the Circuit Court of Northampton County.

Section 8.16 Certain Minor Actions Exempted from Review by the Historic District Review Board [revised – 08/16/18]

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. Such actions shall include the following and any similar actions which in the opinion of the Zoning Administrator will have no more effect on the character of the district than those listed:

- A. Repainting the structure. (Original painting of masonry surfaces is not exempted from review.)
- B. Replacement of missing or broken windowpanes, roofing slates, tiles, porch floor, posts, rails, shingles, window frames, or shutters where no substantial change in design or material is proposed.
- C. Addition or deletion of storm doors or storm windows, window gardens, or similar appurtenances and portable air conditioners located in existing windows, doors, or other existing wall openings (if no building permit is required for such addition or deletion).
- D. Addition or deletion of television and radio antennas or skylights and solar collectors in locations not visible from a public street or a waterway.
- E. Landscaping involving minor grading, walks, low retaining walls, temporary fencing, small fountains, and ponds which will not substantially affect the character of the property and its surroundings.
- F. Construction of off-street loading areas and off-street parking areas.

G. Creation of outside storage in a commercial or industrial district which does not require structural changes or major grading and is not visible from a public street or waterway.

H. Any changes to a structure (contributing and noncontributing) that are not visible from a public street or public place, i.e., alteration that is obscured from view from the street by the original structure and not merely obscured by fencing landscaping, non-historic additions, or other impermanent obstructions. Alleys in this context are not to be considered public places.

I. Covered by other zoning ordinance requirements as administrated by the Zoning Administrator unless altered by the overlay ordinance.

J. Receiving historic preservation tax credits through state or federal offices.

K. Demolition of non-contributing buildings or structures.

L. Alterations or repairs made to a building or structure for the purpose of temporary emergency stabilization.

G.

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Section 8.17 Delegation of Authority *[revised – 08/16/18]*

- A. The Zoning Administrator shall have authority to order that work be stopped and that an appropriate application be filed for review by the Historic District Review Board in any case where the action has an adverse effect on the Historic District.