



HISTORIC DISTRICT REVIEW BOARD

Regular Meeting
Cape Charles Civic Center
August 20, 2024
5:00 p.m.

At approximately 5:00 p.m., Chairwoman Kathy Glaser, having established a quorum, called to order the Regular Meeting of the Historic District Review Board (HDRB). In addition to Chairwoman Glaser, present were, Patricia James, Martin Mayer, Herb Thom, and Elizabeth Wright. Also, in attendance were Director of Planning/Zoning Administrator Katie Nunez, Planning/Zoning Assistant Preservation and Zoning Administrator Tracy Outten, Planning/Zoning Compliance Officer and Administrative Assistant Jack Steinmayer, Town Clerk Libby Hume, and the applicants. There were seven of the public in attendance and eleven viewers on Facebook Live.

Chairwoman Glaser started the HDRB Regular meeting with a moment of silence and the recitation of the Pledge of Allegiance.

PUBLIC COMMENT:

Ms. Outten read letters and emails from Amy Townsend, Clark Cundiff, and Gus Epps that were submitted in writing. (Please see attached.)

Sam Jones, 538 Monroe Avenue

Mr. Jones thought that although the proposed design for the Hotel Cape Charles annex did not touch the Wilson Building, the renderings seemed to show an excess of outdoor lighting which did not seem to be in line with the Town's dark sky community.

There were no further public comments to be heard nor any other comments received in writing prior to the meeting.

CONSENT AGENDA:

Hearing no objections, Chairwoman Glaser approved the agenda as presented.

Motion made by Vice-Chairman Thom, seconded by Member Mayer, to approve the minutes from the June 18, 2024 Historic District Review Board Regular Meeting with the address correction made under Agenda Item Other Business A. Report from Zoning Administrator Katie Nunez number (4) Demolition by Neglect Cases (iii) 636 Monroe Avenue should have been 636 Madison Avenue. The motion was approved by unanimous vote.

UNFINISHED BUSINESS:

1. *607 Randolph Avenue: Steve Chapman dba Virginia Sell Now 2023, LLC – (1) to construct a rear two-story addition; (2) to extend the second story deck along the rear; (3) to replace the existing cement front porch flooring with wood porch flooring using the same footprint; (4) to enclose part of the left side lower deck; and (5) to restore original shutters on the two-story single-family home.*

Ms. Outten presented the staff report.

Josh Howard, the applicant representative, was available to answer questions.

The board discussion and questions were as follows: (i) Member James asked if there has been an existing side porch. Mr. Howard answered yes it was approximately five feet by five feet (5' x 5') and the proposal was to extend it and make it longer. (ii) Chairwoman Glaser wanted to know what the area being enclosed was. Mr. Howard said it was a porch and if approved it would be a bathroom as well as a utility closet for

the washer and dryer. and (iii) Member Wright thought the large wall space for the addition was a large blank space and should be broken up. She suggested adding a window or even a privacy window.

Motion made by Member Wright, seconded by Vice-Chairman Thom, to approve the application for a Certificate of Appropriateness at 607 Randolph Avenue on an application filed by Steve Chapman dba Virginia Sell Now 2023, LLC (1) to construct a rear two-story addition; (2) to extend the second story deck along the rear; (3) to replace the existing cement front porch flooring with wood porch flooring using the same footprint no changes to columns, balustrades, or corbels; (4) to enclose part of the left side lower deck; and (5) to restore original shutters on the two-story single-family dwelling per the Cape Charles Historic District Overlay Design Guidelines Section 3.1 Architectural Character, Section 3.2 – Building Types, Forms, & Associated Architectural Styles – Folk Victorian, Section 4.4 – Woodwork – Exterior Walls, Decorative Trim & Porches, Section 5.4 – Woodwork – Exterior Walls, Decorative Trim & Porches, Section 5.5.1 (Page 5-21) – Shutters, Section 5.6 – New Additions to Contributing Buildings, and Section 7.1 – Alternative Materials; as stated in the application dated 5/6/2024; and per all zoning ordinance requirements. The motion was approved by unanimous vote.

NEW BUSINESS:

A. *Certificate of Appropriateness to Install a Fence:*

There were no applications filed.

B. *Modification to Approved Certificate of Appropriateness:*

There were no applications filed.

C. *Certificate of Appropriateness for Minor Renovations:*

There were no applications filed.

D. *Certificate of Appropriateness for Renovations, Additions, and New Construction:*

1. *7 Strawberry Street: David Gammino dba Cape Charles Ventures, LLC – to construct an additional two stories on the existing one-story commercial building.*

Ms. Nunez gave an overview of the zoning review and the compliance of this project with the zoning ordinance in reference to parking, height, spacing of the addition from the existing neighboring building known as the Wilson Building, and the impact to the windows on the Wilson Building. (Please see the attached Cape Charles Zoning Ordinance Section 4.5 (C) (3).) Ms. Outten read the staff report.

David Gammino, the applicant, said he was sympathetic to the residents in the Wilson Building, but this building had a zero-lot line, and those windows should not have been allowed. He started explaining the proposed design of the new addition by referencing the Historic District Overlay Design Guidelines (HDODG) as the new construction should be representative of the current era in which the existing building was constructed and not try to replicate the structure. Mr. Gammino believed the materials were compatible to the guidelines and the front detail was not attempting to replicate a historic look. He said the rendering does not depict the actual lighting plan, and thought the architect was trying to illustrate the elements of the building. Mr. Gammino finished by correcting that the material for the building would be brick and not brick veneer as stated on the plans.

The board discussion and questions were as follows: (i) Member Mayer raised the issue of aluminum material not being allowed for use in the Cape Charles Zoning Ordinance Section 3.6 (F)(1)(e). Ms. Nunez understood that there were some instances when the zoning ordinance and the HDODG contradicted one another but, it was up to this board to decide if the materials were compatible. This issue has been noted. (ii) Chairwoman Glaser said the use of wood trim was no allowed per the guidelines and the zoning ordinance. She thought the scale of the proposed structure should be compatible to the area, and the balconies seem much larger than the ones on the Wilson Building. (iii) Member James said the project does

not seem to meet HDODG Section 5.12 as the scale is out of proportion to the existing building known as the Betis Building itself. (iv) Mr. Gammino said this had been a difficult project to meet all the requirements. The proposal was on the same scale, mass, and setback of the adjacent building. He would be willing to delete the apron from the balconies and replace the wood railings with metal railings to match the contemporary features of the adjacent building. (v) Vice-Chairman Thom thought removing the transom above the door would bring the door into proper scaling. There was much discussion regarding the door height as it was two feet (2') plus eight feet (8') which makes it appear like a very large door. (vi) Member Mayer focused on the allowable material as there was a great deal of subjectivity in the design elements. (vii) Mr. Gammino again stated that design and material changes were already being made and felt that a design change to the windows and door area was not appropriate. (viii) Chairwoman Glaser asked if there would be a way to scale down the glass. (ix) Member James wanted to know if the existing Wilson Building sign would be covered up; no. and (x) After much discussion about the amount of glass and door size, Mr. Gammino would do seven feet (7') doors with eighteen-inch (18") transoms.

Motion made by Vice-Chairman Thom, seconded by Chairwoman Glaser, to approve the application for a Certificate of Appropriateness at 7 Strawberry Street on an application filed by David Gammino dba Cape Charles Ventures, LLC, to construct an additional two stories on the existing one-story commercial building per the Cape Charles Historic District Overlay Design Guidelines Section 3.1 Architectural Character, Section 4.3 – Masonry – Exterior Walls, Foundations, & Chimneys, Section 5.12 – New Additions to Noncontributing Buildings, and Section 7.1 – Alternative Materials; as stated in the application dated 7/2/2024 with the designated conditions as following: (1) 2nd and 3rd floors would have seven feet (7') doors and eighteen inch (18") transoms, (2) the apron was being removed from the balconies, (3) the balcony balustrades would be metal/steel, and (4) the building would be full brick not brick veneer; and per all zoning ordinance requirements. The motion was approved by majority vote with Member James abstaining.

2. *646 Tazewell Avenue: Susan and Bob Eidam – to increase the size of the side porch on the two-story single-family dwelling.*

Ms. Outten presented the staff report and corrected the terminally from stoop to porch.

Susan and Bob Eidam, the applicants, clarified that the new door would bring the building up to code to comply with the American with Disabilities Act.

The board discussion and questions were as follows: (i) Chairwoman Glaser did not think this was consistent with the HDODG porch section. Ms. Eidam explained that this porch was not original to the house, therefore they did not reconstruct an original porch. (ii) Ms. Outten referenced HDODG Section 5.4.2 (5) (a) – porches can be located on the side, minimally visual from the public right of way. The application was to increase the size of the porch. and (iii) Member Wright believed that it was set back from the street and not visual from the street.

Motion made by Member James, seconded by Member Wright, to approve the application for a Certificate of Appropriateness at 646 Tazewell Avenue on an application filed by Susan and Bob Eidam to increase the width of the east side porch from 70" to 130" on the two-story single-family dwelling per the Cape Charles Historic District Overlay Design Guidelines Section 3.1 Architectural Character, Section 3.2 – Building Types, Forms, & Associated Architectural Styles – Queen Anne, Section 4.4 – Woodwork – Exterior Wall, Decorative Trim, & Porches, and Section 5.4.2 – Porches; as stated in the application dated 7/2/2024; and per all zoning ordinance requirements. The motion was approved by majority vote with Vice-Chairman Thom opposing.

E. *Commercial-3 District:*

There were no applications filed.

OTHER BUSINESS:

A. Report from Zoning Administrator Katie Nunez

Ms. Nunez updated the board on (1) Administrative Approvals as follows: (i) Reroofing: front porch 127 Peach Street; (ii) Other: 521 Mason Avenue; 209 Randolph Avenue; and (2) Compliance Checks by Zoning Compliance Officer on Issued Certificate of Appropriateness: None. (3) Notices of Violations Issued on Behalf of the HDRB: (a) 1 Fig Street; (b) 204 Bay Avenue; and (4) Other: Demolition by Neglect Update: 426/428 Randolph Avenue – Almost finished; 542 Jefferson Avenue – Ongoing; Just Starting: 1 Fig Street and 619 Mason Avenue; Early Interventions: 115 Fig Street, 122 Pine Street, 400 Jefferson Avenue, 636 Madison Avenue, and 649 Monroe Avenue.

Ms. Nunez informed the board that the new owners of 542 Jefferson Avenue were in the process of submitting a new application.

ANNOUNCEMENTS:

There were no announcements.

Motion made by Vice-Chairman Thom, seconded by Member Wright, to adjourn the August 20, 2024 Historic District Review Board Regular Meeting at 6:36 p.m.

Chairwoman Kathy Glaser

Planning/Zoning Assistant Preservation & Zoning Administrator

**August 20, 2024 Historic District Review Board Regular Meeting
Comments Submitted in Writing**

Amy M. Townsend, Wilson Building Resident

August 19, 2024

Good Day,

My name is Amy Townsend and I've been a homeowner in Cape Charles for the past fourteen years. My residence is in the Wilson Building on Strawberry Street and I'm thankful to be part of such a friendly and supportive community.

It has recently been brought to my attention that the building beside my unit is requesting the city approval to build two additional floors above the one-story structure that currently exists. There are three windows in my unit's rear brick wall. The loss of all-natural light from the north would have a very significant impact on my living environment and the value of my home. Additionally, there are significant concerns regarding parking space available on Strawberry Street to support the proposed 10 hotel rooms plus parking for staff.

Thank you very much for your review and consideration regarding this important matter.

Respectfully,

Amy M. Townsend

Clark Cundiff, 245 Mason Avenue Unit #203

HISTORIC DISTRICT REVIEW BOARD

Meeting Date: August 20, 2024,

Item #: 6D (1) – 7 Strawberry Street

Dear Board:

I am requesting the Historic District Review Board of Cape Charles to deny the application for Certificate of Appropriateness from David Gammino dba Cape Charles Ventures, LLC for constructing an additional 2 stories to an existing commercial building at 7 Strawberry Street.

With the addition of 10 hotel rooms plus the staff that will be needed to run the hotel I am concerned that there will not be enough parking available. As an owner since 2010 on Strawberry Street we currently have issues finding available parking now and with the new addition I fear there will be no parking available for the current residents of the Wilson Building.

The addition of two stories will block all the natural light that currently is present on the 2nd, 3rd, and 4th stories adversely impacting the value of the property and the time living there.

I hope you will deny the application.

Sincerely,

Clark D. Cundiff

Augustus Epps, 245 Mason Avenue, Apt. 303

My apartment is number 303 in the Wilson Building. It is my understanding that this project, if built, will eliminate the only window in our master bedroom. I know of no law or municipal regulations that allow a new project to eliminate the access to light and air that our apartment presently possesses. Thus, I strongly object to the request by the proposed developer that this project be approved. In addition, I object to the project's proposal that it provide no parking for tenants and guests. Further, I join in the objections registered by the other owners of apartments in the Wilson building.

Because I will be in Richmond tomorrow evening and thus will be unable to attend tomorrow's meeting. I request that this letter be read into the record of the proceedings, and that no vote to approve the project be taken at this time.

construction of a permanent building or for some non-recurring purpose	
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C. Shared parking.

1. Reduction of parking requirements through a shared parking arrangement may be granted by the Zoning Administrator through written request from an applicant and provision of one of the options provided in subsection C.2.
2. Options for a reduction of parking through a shared parking arrangement:
 - a. Option one: For properties sharing parking spaces under this provision, cross-easements shall be filed establishing access to the shared parking spaces in perpetuity and documentation of filing provided to the Town.
 - b. Option two: The minimum number of parking spaces where shared parking strategies are proposed shall be determined by a study prepared by the applicant following the procedures of the Urban Land Institute Shared Parking Report, Institute of Transportation Engineers Shared Parking Guidelines, or other approved procedures with approval by the Zoning Administrator.
 1. The actual number of parking spaces required shall be based on well-recognized sources of parking data such as the Urban Land Institute or Institute of Transportation Engineers reports. If shared parking rates are not available or limited, the applicant may collect data at similar sites to establish local parking demand rates.
 2. If the shared parking plan assumes use of an existing parking facility, then field surveys shall be conducted to determine actual parking accumulation. If possible, these surveys should consider the seasonal peak period for the combination of land uses involved.
 3. Said study must receive Zoning Administrator review and approval. The study shall document that the arrangement shall avoid conflicting parking demands and provide for safe pedestrian circulation and access.
3. Shared parking agreements shall be fully executed and submitted to the Zoning Administrator for review prior to receiving a Certificate of Occupancy.
4. In no case shall the Zoning Administrator approve a reduction of parking through a shared parking arrangement of greater than 25 percent for any use.
5. Any subsequent change in land uses within the participating developments shall require proof that adequate parking will be available. Prior to any change in use, the owner must apply to the Zoning Administrator for an evaluation and confirmation of the change. If the Zoning Administrator finds that the parking reduction is no longer justified, the Zoning Administrator shall notify the owner to construct the number of parking spaces necessary to meet the difference in the required parking between the proposed and previous uses.
6. A formal parking study may be waived by the Zoning Administrator for small developments where there is established experience with the land use mix and its impact is expected to be minimal.

D. Bicycle parking.