



Historic District Review Board Meeting

September 16, 2025 at 5:00 PM

Cape Charles Civic Center - 500 Tazewell Avenue

Agenda

1. Call to Order

- A. Roll Call
- B. Establish Quorum

2. Invocation and Pledge of Allegiance

3. Public Comments

4. Consent Agenda

- A. Approval of Agenda Format
- B. Approval of Minutes

New Business: Applications for Certificate of Appropriateness:

5. RENOVATIONS, ADDITIONS, & NEW CONSTRUCTION:

- A. 108 Monroe Avenue
- B. 552 Monroe Avenue
- C. 216 Washington Avenue
- D. 116 Pine Street
- E. Tax Map #83A1-1-20 on Washington Avenue

6. OTHER:

- A. Report from Zoning Administrator

7. Other Business

- A. Discussion Item: Board thoughts on the National Alliance of Preservation Summer Virtual Training
- B. Staff to update Board on Town Council's Proposed Amendments to Zoning Ordinance Article VIII and the Historic District Overlay Design Guidelines

8. Adjournment

File Attachments for Item:

B. Approval of Minutes



HISTORIC DISTRICT REVIEW BOARD

Regular Meeting
Cape Charles Civic Center
June 17, 2025
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, Joan Cooper, Patricia James, and Ken Monarch. Elizabeth Wright was not in attendance. Also, in attendance were Director of Planning/Zoning Administrator Katie Nunez, Planning/Zoning Assistant Preservation and Zoning Administrator Tracy Outten, Town Clerk Libby Hume, and the applicants. There were eight members of the public in attendance, and seven 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:

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

CONSENT AGENDA:

Motion made by Member Cooper, seconded by Member James, to approve the agenda as presented. The motion was approved by a unanimous vote.

UNFINISHED BUSINESS:

There was no unfinished business.

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. 209 Monroe Avenue: Leonel and Wendy Laguarda – to remove an unused flue.

Ms. Outten summarized the staff report.

Leonel Laguarda, the applicant, participated in the meeting by telephone. He did not agree that the masonry surrounding the flue was a chimney.

The board discussions and questions were as follows: (i) Member Cooper referenced Sections 4.3 and 5.2 of the Cape Charles Historic District Overlay Design Guidelines (CCHDODG), which states chimneys were meant to be preserved even if non-functional. There was much discussion about removing the inner flue and parts and retaining the masonry. (ii) Chairwoman Glaser said the flue and other inside parts of could be removed and then installing a cap on the chimney would prevent things from getting inside the house, which would allow for the chimney structure to be retained.

Motion made by Chairwoman Glaser, seconded by Member Cooper, to deny the application for a Certificate of Appropriateness at 209 Monroe Avenue on an application filed by Leonel and Wendy Laguarda to remove

a chimney, but the flue and other interior components can be removed, along with the installation of a chimney cap per the Cape Charles Historic District Overlay Design Guidelines Section 3.1 – Architectural Character, Section 3.2 – Building Types, & Associated Architectural Styles: Craftsman, Section 4.3.1 (2) – Other Masonry Features – Chimneys, Section 5.2.1 – Roof Features, and Section 5.3.2 (Page 5-12) – Chimneys; as stated in the application dated 3/10/2025; and per all zoning requirements. The motion was approved by a unanimous vote.

2. *601 Tazewell Avenue: Cathy Fox for Emmanuel Episcopal Church represented by George Proto, Senior Warden – to construct a side addition and ramp on the one-story building.*

Ms. Outten presented the staff report.

George Proto, the applicant's representative, explained that the addition would improve the bathroom facilities and make the church handicapped accessible. Mr. Proto added that he was available to clarify any details or answer questions.

The board discussion and questions were as follows: (i) Member Cooper asked if the existing roof was primarily slate. Mr. Proto answered yes, but the new addition would be architectural shingles. Member Joan then said that a compatible look would be needed between the two roof lines. (ii) Member James wanted to know more about the stained-glass window being removed. Mr. Proto said that the window may work in the new addition, but if not, a vinyl window would be used. (iii) Member James asked how the ramp would be anchored to the building. Mr. Proto answered that the ramp would be anchored onto the new addition, not the existing building.

Motion made by Member James, seconded by Member Cooper, to approve the application for a Certificate of Appropriateness at 601 Tazewell Avenue on an application filed by George Proto, Senior Warden on behalf of Cathy Fox for Emmanuel Episcopal Church, to construct an 190.89 square feet side addition and a 168.4 square feet front and side handicap ramp on the one-story building per the Cape Charles Historic District Overlay Design Guidelines Section 3.1 – Architectural Character, Section 3.2 – Building Types, & Associated Architectural Styles: Gothic Revival, Section 5.2.1 – Gutters and Downspouts, Section 5.6 – New Additions to Contributing Structures, and Section 9.3 – Decks, Ramps, & Patios; as stated in the application dated 4/10/2025; and per all zoning requirements. The motion was approved by a unanimous vote.

3. *425 Randolph Avenue: Brad Jobmann represented by Claudine Pierce dba Peacock Cottage LLC – to construct an addition to and renovate the existing rear accessory structure, and to replace the existing wooden fence.*

Ms. Outten read the staff report and informed the board that the fence will be installed per the zoning ordinance.

Brad Jobmann, the owner, was available to answer questions.

The board discussion and questions were as follows: (i) Member James did not think there was sufficient space for a shell driveway. Staff confirmed that a shell driveway pad could be installed in the side rear yard. (ii) Member James questioned the footprint calculations. Ms. Outten explained that lot coverage was calculated in two different ways: one was for the Chesapeake Bay Preservation Act, which was the total lot coverage of all impervious surfaces, and the second was the building lot coverage. Ms. Nunez confirmed the calculations.

Motion made by Member Cooper, seconded by Chairwoman Glaser, to approve the application for a Certificate of Appropriateness at 425 Randolph Avenue on an application filed by Claudine Pierce dba Peacock Cottage LLC on behalf of Brad Jobmann, to construct an 126.9 square feet addition on and renovate the existing accessory structure, and to install new fencing and an oyster driveway pad per the Cape Charles Historic District Overlay Design Guidelines Section 3.1 – Architectural Character, Section 3.2 – Building Types, & Associated Architectural Styles: Folk Victorian, Section 6.1 – Contributing Accessory Structures

with a Contributing Primary Building, and Section 9.2 – Fences & Freestanding Walls; as stated in the application dated 4/15/2025; and per all zoning requirements. The motion was approved by a unanimous vote.

4. *Tax Map #83A1-1-104 on Washington Avenue – Christine Holmes dba 3 Sons & Co. LLC represented by William Doughty dba Village Builders on the Bay, Inc. – to construct a new 1-1/2 story single-family dwelling and rear outdoor shower.*

Ms. Outten summarized the application for the proposed new home.

Bill Doughty, owner’s representative and applicant, was available to clarify any details and answer questions. An attempt was made to contact Christy Holmes of 3 Sons and Co. LLC by telephone, but we were unable to reach her. Mr. Doughty confirmed that the proposed outdoor shower location was behind the structure and not visible from the street.

Motion made by Member Cooper, seconded by Chairwoman Glaser, to approve the application for a Certificate of Appropriateness at Tax Map #83A1-1-104 on Washington Avenue on an application filed by Christy Holmes on behalf of 3 Sons and Co. LLC, to construct a new 1,003.75 square feet single-family dwelling, a 16 square feet rear enclosed outdoor shower, a 200 square feet rear accessory structure, and install a fence per the Cape Charles Historic District Overlay Design Guidelines Section 5.13 – New Construction of Primary Buildings, Section 6.3 – New Accessory Structures/ADUs Associated with New Construction, Section 9.1: Hardscaping (driveways, Walkways, & Other Paving), Section 9.2 – Fences & Freestanding Walls, Section 9.3 – Decks, Ramps, & Patios, Section 9.4 – Appurtenances, and Section 9.5 – Landscaping; as stated in the application dated 4/8/2025; and per all zoning requirements. The motion was approved by a unanimous vote.

E. Other:

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) Roof: None; (ii) Other: 616 Monroe Avenue; 520 Randolph Avenue; 618 Randolph Avenue. (2) Compliance Checks by Zoning Compliance Officer on Issued Certificate of Appropriateness: None. and (3) Notices of Violations Issued on Behalf of the HDRB: None.

ANNOUNCEMENTS:

There were no announcements.

Motion made by Member Cooper, seconded by Vice-Chairman Glaser, to adjourn the June 17, 2025 Historic District Review Board Regular Meeting at 5:45 p.m.

Chairwoman Kathy Glaser

Planning/Zoning Assistant Preservation & Zoning Administrator



HISTORIC DISTRICT REVIEW BOARD

Regular Meeting
Cape Charles Civic Center
July 15, 2025
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, Joan Cooper, Patricia James, Ken Monarch, and Elizabeth Wright. Also, in attendance were Director of Planning/Zoning Administrator Katie Nunez, Planning/Zoning Assistant Preservation and Zoning Administrator Tracy Outten, Town Clerk Libby Hume, Assistant to the Town Manager and Events Coordinator, and the applicants. There was one member of the public in attendance, and no viewers on Facebook Live as the Civic Center internet was not working; the meeting could not be live-streamed.

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

PUBLIC COMMENT:

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

CONSENT AGENDA:

Motion made by Member Cooper, seconded by Member James, to approve the agenda and the minutes from the May 20, 2025 Historic District Review Board Regular Meeting as presented. The motion was approved by a unanimous vote.

UNFINISHED BUSINESS:

There was no unfinished business.

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. 115 Mason Avenue Unit 201: Cindy and Sam Slate – to replace the existing 9/9 and 6/6 wood windows with 9/9 and 6/6 vinyl windows on the three-story commercial building.

Ms. Outten summarized the staff report.

Cindy and Sam Slate, the applicants, were available to answer questions.

The board discussions and questions were as follows: (i) Member Cooper referenced Section 5.4.1, page 5-14 of the Cape Charles Historic District Overlay Design Guidelines (CCHDODG), detailing the requirements for replacing windowsills. (ii) Member Monarch asked if the remaining windows on the building would be replaced for consistency. Mr. Slate answered hopefully, but they were not the owners.

(MOTION ON PAGE 2)

Motion made by Member Cooper, seconded by Member James, to approve the application for a Certificate of Appropriateness at 115 Mason Avenue Unit 201 on an application filed by Cindy and Sam Slate to replace: (i) 9 = 9/9 – 38” x 74” x 6” and (ii) 2 = 6/6 – 28” x 54” x 6” wood windows with Atrium Series 8900 double-hung vinyl windows; and (iii) the wood window sills with vinyl of the same depth and dimension per the Cape Charles Historic District Overlay Design Guidelines Section 3.1 – Architectural Character, Section 3.2 – Building Types, & Associated Architectural Styles: Commercial, Section 4.5 – Openings & Associated Features – Windows, Doors, & Storefronts, Section 5.11 – Windows & Associated Features, and Section 7.4 – Noncontributing Considerations; as stated in the application dated 5/8/2025 with the condition that window sills must be replaced per Section 5.4.1 of the design guidelines; and per all zoning requirements. The motion was approved by a unanimous vote.

2. *629 Jefferson Avenue: Edward and Stephanie Barham – to construct a covered patio addition to the existing rear accessory structure with a fireplace and install a rear patio.*

Ms. Outten presented the staff report.

Edward Barham, the applicant, and Ashleigh Wilson, the applicant’s representative, were available to answer questions.

The board discussion and questions were as follows: (i) Chairwoman Glaser clarified that the roof was a rubber membrane, and any drainage would be away from the structure. Ms. Nunez confirmed the roof pitch and material. (ii) Member Monarch asked if a fence was being proposed. Mr. Barham answered no. Ms. Wilson explained that the section on the application was completed for the knee wall of the structure.

Motion made by Member James, seconded by Member Cooper, to approve the application for a Certificate of Appropriateness at 629 Jefferson Avenue on an application filed by Edward and Stephanie Barham, to construct a 418.77 square feet covered patio addition with a fireplace to the existing rear accessory structure and a 265.75 square feet rear natural stone uncovered patio per the Cape Charles Historic District Overlay Design Guidelines Section 6.2 – Accessory Structures Associated with Non-Contributing Structures, Section 9.1 – Hardscaping (Driveways, Walkways, & Other Paving), and Section 9.3 – Decks, Ramps, & Patios; as stated in the application dated 5/10/2025; and per all zoning requirements. The motion was approved by a unanimous vote.

3. *647 Madison Avenue: Jay and Jordan Schlosser represented by Eric Adams dba Adams Home Renovations – to do the following: (i) add screening to the front porch; (ii) construct a rear accessory structure; and (iii) install a fence.*

Ms. Outten read the staff report and informed the board that the front porch screening would be fiberglass, and an aluminum storm door was proposed.

After multiple attempts, Eric Adams, the owner’s representative, was reached by telephone to clarify details of the proposed front porch screening, storm door, and new accessory structure. Mr. Adams informed the board that the steps on the accessory structure would be composite material.

The board discussion and questions were as follows: (i) Chairwoman Glaser asked if a new screen door would be installed on the front porch once screening was added. Mr. Adams said yes, and it would be weather-treated wood. (ii) Member Cooper confirmed that the screening would be installed per the Cape Charles Zoning Ordinance Section 3.1 (F) (2) which states that “*Front porches may be enclosed by insect screening, preferably placed on the inside (house side) of the architectural elements such as railings and columns.*”. (iii) Member Cooper and Member James asked Mr. Adams if the proposed aluminum storm door would be shiny. Mr. Adams said the door would be white. (iv) Chairwoman Glaser questioned the orientation of the steps on the accessory structure, as they were facing different directions on the site plan and elevation drawings. Mr. Adams confirmed that the elevation drawings were done quickly, and they would be updated to correspond with the step location on the side plan. Chairwoman Glaser would like new elevation drawings to be submitted to the Planning and Zoning Department. (v) Member James confirmed

that the garage door would face the back of the house. (vi) Mr. Adams clarified that the outdoor shower would have a cypress door and a stone foot pad. He added that it was not visible from the street.

Motion made by Member Cooper, seconded by Chairwoman Glaser, to approve the application for a Certificate of Appropriateness at 647 Madison Avenue on an application filed by Eric Adams dba Adams Home Renovations on behalf of Jay and Jordan Schlosser, (1) to install screening, a weathered-treated wood door and a storm door to the front porch; (2) to construct a new 384 square feet accessory structure with an enclosed outdoor shower under the landing, (3) to install a 256 square feet rear paver patio; and to install new 6’ fencing on the rear of the property per the Cape Charles Historic District Overlay Design Guidelines (HDODG) Section 3.1 – Architectural Character, Section 3.2 – Building Types, & Associated Architectural Styles: Folk Victorian, Section 5.4.2 – Porches – Screening, Section 5.5.2 – Screen and Storm Doors, Section 6.1 – Contributing Accessory Structures with a Contributing Primary Building, Section 9.2 – Fences & Freestanding Walls, and Section 9.3 – Decks, Ramps, & Patios; as stated in the application dated 6/15/2025, with the following designated conditions: (1) the front porch screening would be installed per the Cape Charles Zoning Ordinance Section 3.1 (F) (2); (2) the new screen door and storm door should be wood or pre-finished metal, and should not have a metallic finish per the HDODG Section 5.5.2 page 5-25; and (3) new elevation drawings need to be submitted to the Zoning Administrator that have the correct depiction of the accessory structure; and per all zoning requirements. The motion was approved by a unanimous vote.

E. Other:
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) Roof: None; (ii) Other: 325 Madison Avenue; 645 Tazewell Avenue; 652 & 654 Tazewell Avenue; (2) Compliance Checks by Zoning Compliance Officer & P/Z Asst. Preservation & Zoning Administrator on Issued Certificate of Appropriateness: 542 Jefferson Avenue; 327 Madison Avenue; 623 Madison Avenue; 215 Mason Avenue; 301 Mason Avenue; 619 Mason Avenue; 224 Monroe Avenue; 500 Monroe Avenue; 520 Monroe Avenue; 538 Monroe Avenue; 10A Peach Street; 610 & 612 Peach Street; 114 Pine Street; 527 Plum Street; 214 Randolph Avenue; 501 Randolph Avenue; 517 & 519 Randolph Avenue; 607 Randolph Avenue; 616 Randolph Avenue; 551 Tazewell Avenue; 646 Tazewell Avenue and (3) Notices of Violations Issued on Behalf of the HDRB: None.

ANNOUNCEMENTS:
There were no announcements.

Motion made by Member Cooper, seconded by Vice-Chairman Wright, to adjourn the July 15, 2025 Historic District Review Board Regular Meeting at 5:46 p.m.

Chairwoman Kathy Glaser

Planning/Zoning Assistant Preservation & Zoning Administrator

File Attachments for Item:

A. 108 Monroe Avenue



Historic District Review Board Staff Report

Agenda Title: 108 Monroe Avenue

Agenda Date: September 16, 2025

Prepared by: Tracy Outten, Planning/Zoning Assistant –
Preservation & Zoning Administrator

Reviewed By: Katie H. Nunez, Director of Planning & Zoning
Administrator

Date: August 15, 2025

Applicant: Elizabeth and James Sutphen	Type Of Application: Certificate of Appropriateness
Site Address: 108 Monroe Avenue	Work to be Performed: to replace front and back porch flooring and front steps
Tax Map: 83A3-25-3	Current Zoning: R-1
Lot Size: 5,600 sq. ft.	Historic Register: CONTRIBUTING
	<i>Description: 1913, Foursquare</i>
	<i>Accessory Structure: Contributing, Garage</i>

Date Application Received: July 7, 2025

Pre-Application Meeting: June 24, 2025

Date Application Deemed Complete: July 7, 2025

Legal Deadline: HDRB Decision (90 Days from Complete Application): October 6, 2025

Overview:
The applicant is seeking to replace the existing wood flooring with TimberTech tongue and groove composite decking on the following: (1) 250 square feet front porch, (2) 80 square feet front steps, and (3) 100 square feet back porch on the single-family home.

Aerial Map:**Materials:**

Porches & Steps: TimberTech Tongue & Groove Composite Decking

Staff Analysis:**Zoning Compliance:**

The property is a legal, conforming use. The proposed project is seeking to replace the existing wood flooring with composite decking on the front porch, front steps, and back porch. Zoning Compliance is achieved based upon this application to the HDRB.

Any property within the Historic District Overlay is required to meet the Historic District Guidelines, which are superimposed on the underlying zoning district regulations.

Historic District Guidelines:

Section 3.1: Architectural Character

Section 3.2: Building Types, Forms, & Associated Architectural Styles (Page 3-9 – American Foursquare)

Section 4.4, Page 4-11: Woodwork: Porches and Associated Features

Section 5.4.2: Porches

Sections 7.1, 7.2, & 7.3: Alternative Materials

Staff Recommendation:

Staff is requesting the HDRB to review the application material submitted by the applicant and determine if the proposed replacements are in keeping with the Guidelines of the Historic District and reflect the character and historic appearance of the neighborhood.

Staff is prepared to assist in the development of a motion, if needed.

The Historic District Review Board makes the final determination on whether or not a Certificate of Appropriateness will be issued for this project and may impose conditions on an approval.

If approved, a Certificate of Appropriateness shall expire of its own limitation six (6) months from the date of issuance if the work authorized thereby is not commenced by the end of such six (6) month period; and further, any such certificate shall also expire and become null and void if such authorized work is suspended or abandoned for a period of six (6) months after being commenced.

Attachments:

Attachment 1: Application and Supporting Documents



Certificate of Appropriateness Application Renovation

Planning & Zoning Department
2 Plum Street; Cape Charles, VA 23310
757-331-3259 x31
planningtech@capecharles.org

Revised 12/2024	
Taxes	
Violations	NA
CHRPd. Fee 348	\$150
Decision	HDRB

Budget Code: HISTF 100-3100-1100

Budget Code VIOLATIONS: PERMZ 100-3100-1370

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 of a property within the Cape Charles Historic District Overlay.

Minor Exterior Work* is exterior maintenance and repair, replacement of missing or broken windowpanes, roofing shingles, slates, tiles, porch floors, posts, rails, or shutters where no substantial change to design or material is proposed and other minor changes that do not materially change the historic characteristics of the building may be reviewed by the Zoning Administrator. Upon approval the applicant is responsible for confirming and obtaining all necessary building permits.

Major Exterior Work: is any alteration of the architectural style of a structure or its significant architectural elements, modifications, additions, and any major or minor work not eligible for administrative review must be reviewed and approved* by the Historic District Review Board. Upon approval the applicant is responsible for confirming and obtaining all necessary building permits.

Note: A pre-application meeting is available upon request prior to submitting this application.

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 relevant to the applicable sections must be deemed complete by department staff prior to being evaluated.

- ☒ A) Zoning Clearance Application ☒ B) Photos of existing condition ☐ C) Owner Permission Affidavit
☒ D) Payment of COA Fee (Residential – Minor \$75 / Major \$150 / \$500 OR Commercial/Commercial Residential – \$1,000)
☐ E) Site Plan/Survey ☒ F) Material Specifications *120* ☐ G) Tree Permit Application *Timber Trce, mahogany*

Owner signature:

Date:

PART 2: PROPERTY INFORMATION

Property Address: *108 Monroe Ave.*

Tax Map #: *83A3-25-3*

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: *Elizabeth & James Sutphen*

Mailing Address: *P.O. Box 330, Earlysville, VA. 22936*

Phone Number: *434-987-0696*

Email: *eids@earthlink.net*

PART 4: APPLICANT INFORMATION

☒ Check here if the 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:

PART 5: PROJECT INFORMATION – Describe in detail proposed work.

(If any tree removal is being proposed a Tree Permit Application must be completed):

old wood will be removed on front & back porch. Substructure will be repaired. Expensive Timber Tech Vintage Collection porch boards will be installed on both front & back porches. The color matches the roof & will be perfect.

PART 6. ALTERATIONS, REPAIRS OR ADDITIONS

Select the type of work to be performed (check all that apply):

☐ Addition ☐ Doors ☐ Windows ☐ Masonry ☒ Porch ☐ Roofs ☐ Siding ☐ Steps/Stoop & Railings
☐ Trim Work ☐ Fence or Wall ☐ Partial demolition ☐ Hardscaping ☐ Appurtenances ☐ Other:

A. ADDITION ☒ Not applicable SEE SECTION 5.6 or 5.12 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Location (Attach a diagram; Survey/Site Plan is required):

Stories: Building height: Footprint: Gross square footage:

Complete all sections below that apply to your addition and supply elevation drawings.

B. ROOF ☒ Not applicable SEE SECTION 4.2, 5.2, or 5.8 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Type of work: ☐ New ☐ Repair % of roof structure _____ ☐ Reroofing: In kind _____ Different in style or material _____
☐ Add/Repair Gutters and downspouts ☐ Solar Panels ☐ Other Solar Installation

Location (Pictures of existing condition):

Existing Roof	Proposed Roof
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed Work:
Existing Material:	Proposed Material:
Pitch:	Pitch:
Gutters & Downspouts: (Pictures of Location & Material Specs)	Solar: (Pictures of Location & Material Specs)
Proposed Work:	Proposed Work:
Proposed Material:	Proposed Material:
Other / Additional Notes:	

C. DOORS ☒ Not applicable SEE SECTION 4.5, 5.5, or 5.11 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Number of doors to be: Added: _____ Removed: _____
 Repaired: _____ Replaced: In kind _____ Different in style or material _____

Attach a diagram of the house exterior with all doors numbered. Add documentation for each additional door.

Existing Door	Proposed Door
Door 1: Complete a separate Section C for each door being modified. Original to the home: ☐ Yes ☐ No ☐ Not Sure	Work to be completed: ☐ Added ☐ Removed ☐ Repaired ☐ Replaced
Existing Material:	Proposed Material:
Dimensions: Width _____ Height _____	Dimensions: Width _____ Height _____
Configuration with picture (i.e., glass panes, divisions, decorative details & panels):	Configuration with picture (i.e., glass panes, divisions, decorative details & panels):

Indicate the reason for change:

D. WINDOWS ☒ Not applicable SEE SECTION 4.5, 5.5, or 5.11 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Number of windows to be: Added: _____ Removed: _____
 Repaired: _____ Replaced: In kind _____ Different in style or material _____

Minimum Guidelines: Window Sill – thickness of 1-1/2" and Window Casing or Trim – thickness of 3-1/2"

Attach a diagram of the house exterior with all windows numbered. Add documentation for each additional window.

Existing Windows	Proposed Windows
Window 1: Complete a separate Section D for each window being modified if it is a different size, configuration, etc.	Work to be completed: ☐ Added ☐ Removed ☐ Repaired ☐ Replaced
Original to the home: ☐ Yes ☐ No ☐ Not Sure	
Configuration (i.e., double-hung sash, 2/2, 6/1, 6/6, etc.): Include a picture	Configuration (i.e., double-hung sash, 2/2, 6/1, 6/6, etc.): Include a picture
Width: _____ Height: _____ Depth: _____	Width: _____ Height: _____ Depth: _____
Existing Material: _____	Proposed Material: _____
Sill: Length: _____ Thickness: _____ Depth: _____	Sill: Length: _____ Thickness: _____ Depth: _____
Existing Material: _____	Proposed Material: _____
Casing / Trim: Width: _____ Height: _____ Depth: _____	Casing / Trim: Width: _____ Height: _____ Depth: _____
Existing Material: _____	Proposed Material: _____
Shutters: Original: ☐ Yes ☐ No (Attach Location Picture)	Shutters: ☐ Repair ☐ Replace ☐ New (Attach Location Picture)
Existing Material: _____	Proposed Material: _____

Indicate the reason for change:

E. PORCHES ☒ Not applicable SEE SECTION 4.4, 5.4, or 5.10 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

New materials should match the historic material, composition, shape, size, and other visual qualities.

Work to be done: ☒ Repair flooring ☐ Repair ceiling ☐ Repair columns ☐ Repair/Add Skirting ☐ Repair/Add Screening
☐ Flooring = ☐ Alter ☒ Replace ☐ Repair ☐ Columns = ☐ Alter ☐ Replace ☐ Repair ☐ Balustrade = ☐ Alter ☐ Replace ☐ Repair ☐ Ceiling = ☐ Replace ☐ Repair ☐ Skirting = ☐ New ☐ Replace ☐ Repair

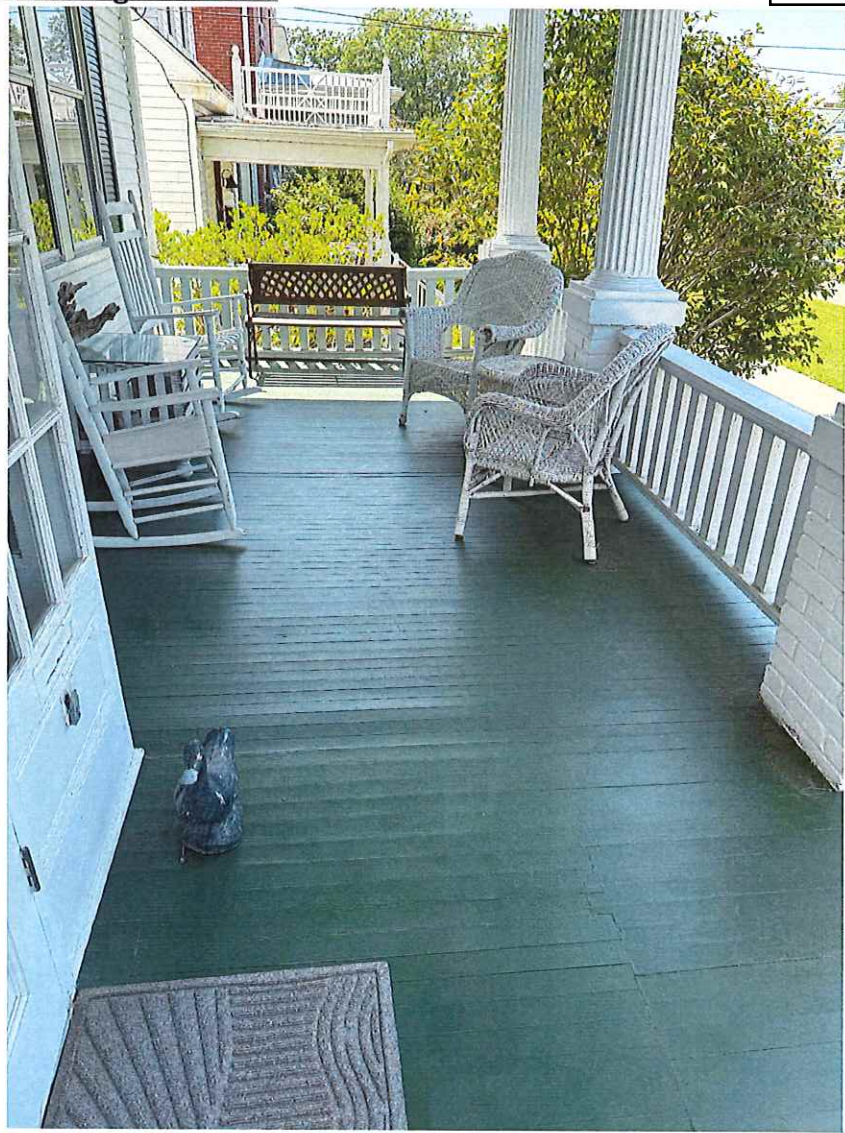
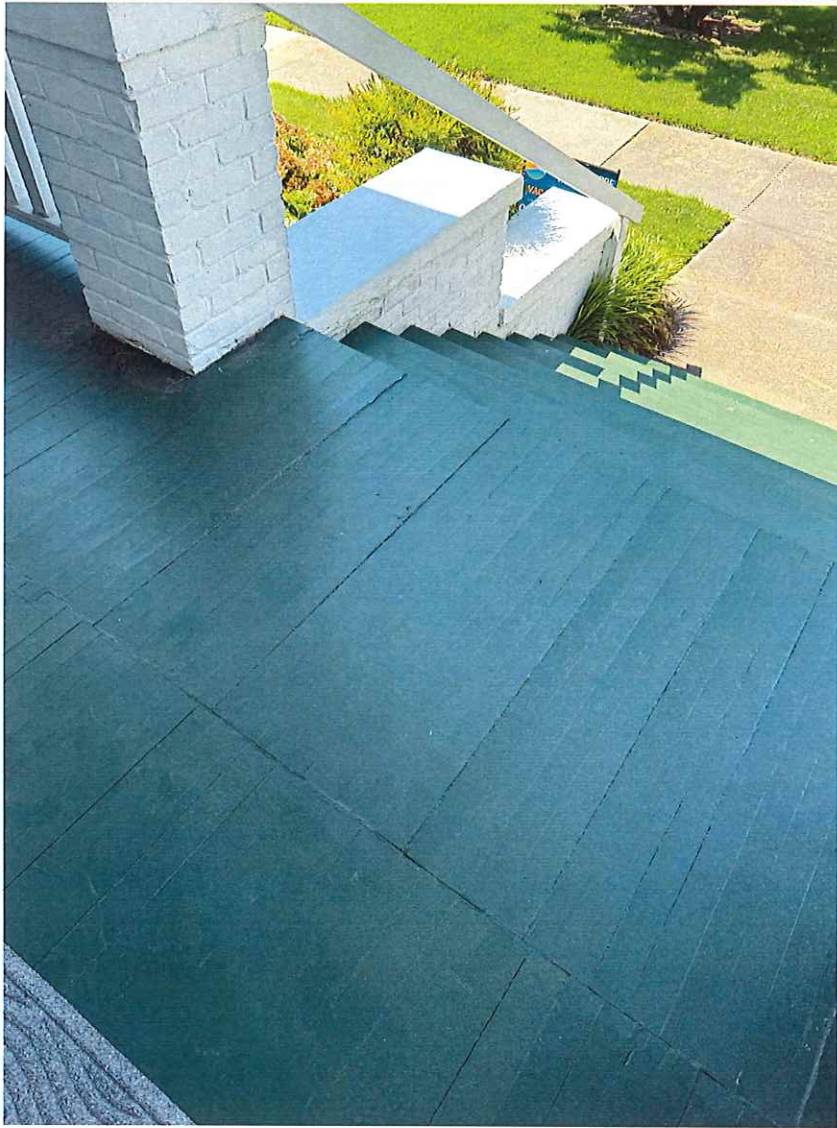
Location (Attach pictures for all work including existing and proposed; Survey may be requested):

FLOORBOARDS. Number of boards to be: _____ Repaired _____ Replaced 30 Altered Not sure yet
 Replacement of flooring should match the historic floorboard orientation. Replacement of an entire porch floor, ensure the new floor slopes away from the building.

Existing Condition: ☐ Original ☐ Not Original ☒ Not Sure	Proposed
Existing Material: <u>Wood</u>	Proposed Material: <u>TREX composite</u>
Dimensions: Length: <u>25</u> Width: <u>10</u> Depth: _____	Dimensions: Length: <u>same</u> Width: <u>see below</u> Depth: _____
<u>25 x 25 25 x 10 CEILING</u>	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material: <u>wood</u>	Proposed Material: _____
<u>COLUMNS</u>	
Existing Condition: ☐ Original ☒ Not Original ☐ Not Sure	Proposed
Existing Material & Design: _____	Proposed Material & Design: _____
Existing Dimensions: Height: _____ Width: _____ Diameter: _____	Proposed Dimensions: Height: _____ Width: _____ Diameter: _____

CONTINUE COMPLETING THIS SECTION ON PAGE 4

★ Front porch 10'x25' / 30 boards
 Steps 10 x 8' / 16 boards
 Back porch 10x10 / 20 boards
 Tongue & groove for porch floors!
 Want it to look beautiful & old.





File Attachments for Item:

B. 552 Monroe Avenue



Historic District Review Board Staff Report

Agenda Title: 552 Monroe Avenue

Agenda Date: September 16, 2025

Prepared by: Tracy Outten, Planning/Zoning Assistant –
Preservation & Zoning Administrator

Reviewed By: Katie H. Nunez, Director of Planning & Zoning
Administrator

Date: August 15, 2025

Applicant: Edmund Pickup and Lynda
Whitehead represented by Jesse Philpot
dba Philpot Construction LLC

Type Of Application: Certificate of
Appropriateness

Site Address: 552 Monroe Avenue

Work to be Performed: to replace the front and
back porch roofs

Tax Map: 83A3-1-351

Current Zoning: R-1

Lot Size: 5,600 sq. ft.

Historic Register: CONTRIBUTING

Description: Ca. 1920, Queen Anne

Accessory Structure: Contributing, Garage

Date Application Received: July 21, 2025

Pre-Application Meeting: July 14, 2025

Date Application Deemed Complete: July 21, 2025

Legal Deadline: HDRB Decision (90 Days from Complete Application): October 20, 2025

Overview:

The applicant is seeking to replace the existing flat lock tin roof on the front porch and second story back porch with architectural shingles on the single-family home.

Aerial Map:**Materials:**

Roof Porches: Pitch: 3/12; Architectural Shingles

Staff Analysis:**Zoning Compliance:**

The property is a legal, conforming use. The proposed project is seeking to replace the existing tin roof with architectural shingles on the front porch and back porch. Zoning Compliance is achieved based upon this application to the HDRB.

Any property within the Historic District Overlay is required to meet the Historic District Guidelines, which are superimposed on the underlying zoning district regulations.

Historic District Guidelines:

Section 3.1: Architectural Character

Section 3.2: Building Types, Forms, & Associated Architectural Styles (Page 3-11 – Victorian Styles)

Section 4.2: Roofs

Section 5.2: Roofs

Sections 7.1, 7.2, & 7.3: Alternative Materials

Staff Recommendation:

Staff is requesting the HDRB to review the application material submitted by the applicant and determine if the proposed replacements are in keeping with the Guidelines of the Historic District and reflect the character and historic appearance of the neighborhood.

Staff is prepared to assist in the development of a motion, if needed.

The Historic District Review Board makes the final determination on whether or not a Certificate of Appropriateness will be issued for this project and may impose conditions on an approval.

If approved, a Certificate of Appropriateness shall expire of its own limitation six (6) months from the date of issuance if the work authorized thereby is not commenced by the end of such six (6) month period; and further, any such certificate shall also expire and become null and void if such authorized work is suspended or abandoned for a period of six (6) months after being commenced.

Attachments:

Attachment 1: Application and Supporting Documents



Certificate of Appropriateness Application Renovation

Planning & Zoning Department
2 Plum Street; Cape Charles, VA 23310
757-331-3259 x31

planningtech@capecharles.org

Revised 12/2024

Taxes	1 pdr
Violations	NA
Fee	\$500
Decision	HDRB

Budget Code: HISTF 100-3100-1100

Budget Code VIOLATIONS: PERMZ 100-3100-1370

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 of a property within the Cape Charles Historic District Overlay.

Minor Exterior Work* is exterior maintenance and repair, replacement of missing or broken windowpanes, roofing shingles, slates, tiles, porch floors, posts, rails, or shutters where no substantial change to design or material is proposed and other minor changes that do not materially change the historic characteristics of the building may be reviewed by the Zoning Administrator. Upon approval the applicant is responsible for confirming and obtaining all necessary building permits.

Major Exterior Work: is any alteration of the architectural style of a structure or its significant architectural elements, modifications, additions, and any major or minor work not eligible for administrative review must be reviewed and approved* by the Historic District Review Board. Upon approval the applicant is responsible for confirming and obtaining all necessary building permits.

Note: A pre-application meeting is available upon request prior to submitting this application.

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 relevant to the applicable sections must be deemed complete by department staff prior to being evaluated.

- ☒ A) Zoning Clearance Application
 ☒ B) Photos of existing condition
 ☒ C) Owner Permission Affidavit
☒ D) Payment of COA Fee (Residential – Minor \$75, Major \$150 / \$500 OR Commercial/Commercial Residential - \$1,000)
☐ E) Site Plan/Survey
 ☒ F) Material Specifications
 ☐ G) Tree Permit Application

Owner signature: _____

Date: _____

PART 2: PROPERTY INFORMATION

Property Address: 552 Monroe Ave Tax Map #: 83A31-351

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: Edmund Pickup
 Mailing Address: 2314 Beverly Dr Charlotte, NC 28207
 Phone Number: (757) 650-0982
 Email: edmundpickup@gmail.com

PART 4: APPLICANT INFORMATION

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

Name and/or Company: Jesse Philpot - Philpot Construction LLC
 Mailing Address: Po Box 21 Eastville, VA 23347
 Phone Number: (757) 678 2887
 Email: jessephilpot@gmail.com

PART 5: PROJECT INFORMATION – Describe in detail proposed work.

(If any tree removal is being proposed a Tree Permit Application must be completed):

Re-roof front porch with architectural shingles and repair rotten wood as necessary. Re-roof back porch with membrane and repair

PART 6. ALTERATIONS, REPAIRS OR ADDITIONS

Select the type of work to be performed (check all that apply):

☐ Addition ☐ Doors ☐ Windows ☐ Masonry ☐ Porch ☒ Roofs ☐ Siding ☐ Steps/Stoop & Railings
☐ Trim Work ☐ Fence or Wall ☐ Partial demolition ☐ Hardscaping ☐ Appurtenances ☐ Other:

A. ADDITION ☐ Not applicable **SEE SECTION 5.6 or 5.12 OF THE HISTORIC DISTRICT DESIGN GUIDELINES**

Location (Attach a diagram; Survey/Site Plan is required):

Stories: Building height: Footprint: Gross square footage:

Complete all sections below that apply to your addition and supply elevation drawings.

B. ROOF ☐ Not applicable **SEE SECTION 4.2, 5.2, or 5.8 OF THE HISTORIC DISTRICT DESIGN GUIDELINES**

Type of work: ☐ New ☐ Repair % of roof structure ☒ Reroofing: In kind Different in style or material ☒
☐ Add/Repair Gutters and downspouts ☐ Solar Panels ☐ Other Solar Installation

Location (Pictures of existing condition):

Existing Roof	Proposed Roof
Existing Condition: ☒ Original ☐ Not Original ☐ Not Sure	Proposed Work: Re-roof, add 1/2" ply Wood
Existing Material: Flat lock tin	Proposed Material: Architectural Shingles
Pitch: 3:12	Pitch: 3:12
Gutters & Downspouts: (Pictures of Location & Material Specs)	Solar: (Pictures of Location & Material Specs)
Proposed Work:	Proposed Work:
Proposed Material:	Proposed Material:
Other / Additional Notes:	

C. DOORS ☐ Not applicable **SEE SECTION 4.5, 5.5, or 5.11 OF THE HISTORIC DISTRICT DESIGN GUIDELINES**

Number of doors to be: Added: Removed:
 Repaired: Replaced: In kind Different in style or material

Attach a diagram of the house exterior with all doors numbered. Add documentation for each additional door.

Existing Door	Proposed Door
Door 1: Complete a separate Section C for each door being modified. Original to the home: ☐ Yes ☐ No ☐ Not Sure	Work to be completed: ☐ Added ☐ Removed ☐ Repaired ☐ Replaced
Existing Material:	Proposed Material:
Dimensions: Width Height	Dimensions: Width Height
Configuration with picture (i.e., glass panes, divisions, decorative details & panels):	Configuration with picture (i.e., glass panes, divisions, decorative details & panels):

Indicate the reason for change:

D. WINDOWS ☐ Not applicable SEE SECTION 4.5, 5.5, or 5.11 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Number of windows to be: Added: _____ Removed: _____
 Repaired: _____ Replaced: In kind _____ Different in style or material _____

Minimum Guidelines: Window Sill – thickness of 1-1/2" and Window Casing or Trim – thickness of 3-1/2"

Attach a diagram of the house exterior with all windows numbered. Add documentation for each additional window.

Existing Windows	Proposed Windows
Window 1: Complete a separate Section D for each window being modified if it is a different size, configuration, etc.	Work to be completed: ☐ Added ☐ Removed ☐ Repaired ☐ Replaced
Original to the home: ☐ Yes ☐ No ☐ Not Sure	
Configuration (i.e., double-hung sash, 2/2, 6/1, 6/6, etc.): Include a picture	Configuration (i.e., double-hung sash, 2/2, 6/1, 6/6, etc.): Include a picture
Width: _____ Height: _____ Depth: _____	Width: _____ Height: _____ Depth: _____
Existing Material: _____	Proposed Material: _____
Sill: Length: _____ Thickness: _____ Depth: _____	Sill: Length: _____ Thickness: _____ Depth: _____
Existing Material: _____	Proposed Material: _____
Casing / Trim: Width: _____ Height: _____ Depth: _____	Casing / Trim: Width: _____ Height: _____ Depth: _____
Existing Material: _____	Proposed Material: _____
Shutters: Original: ☐ Yes ☐ No (Attach Location Picture)	Shutters: ☐ Repair ☐ Replace ☐ New (Attach Location Picture)
Existing Material: _____	Proposed Material: _____
Indicate the reason for change:	

E. PORCHES ☐ Not applicable SEE SECTION 4.4, 5.4, or 5.10 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

New materials should match the historic material, composition, shape, size, and other visual qualities.

Work to be done: ☒ Repair flooring ☒ Repair ceiling ☐ Repair columns ☐ Repair/Add Skirting ☐ Repair/Add Screening
☐ Flooring = ☐ Alter ☐ Replace ☒ Repair ☐ Columns = ☐ Alter ☐ Replace ☒ Repair
☐ Balustrade = ☐ Alter ☐ Replace ☒ Repair ☐ Ceiling = ☐ Replace ☐ Repair ☐ Skirting = ☐ New ☐ Replace ☒ Repair

Location (Attach pictures for all work including existing and proposed; Survey may be requested):

FLOORBOARDS: Number of boards to be: _____ Repaired _____ Replaced _____ Altered _____

Replacement of flooring should match the historic floorboard orientation. Replacement of an entire porch floor, ensure the new floor slopes away from the building.

Existing Condition: ☒ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material: <i>1"x4" T & G</i>	Proposed Material: _____
Dimensions: Length: _____ Width: _____ Depth: _____	Dimensions: Length: _____ Width: _____ Depth: _____
CEILING	
Existing Condition: ☒ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material: <i>Beaded T & G</i>	Proposed Material: _____
COLUMNS	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material & Design: _____	Proposed Material & Design: _____
Existing Dimensions: Height: _____ Width: _____ Diameter: _____	Proposed Dimensions: Height: _____ Width: _____ Diameter: _____

CONTINUE COMPLETING THIS SECTION ON PAGE 4

BALUSTRADE	
Existing Condition: ☒ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material: <u>Square</u>	Proposed Material:
Existing Dimensions: Height: Width: Diameter:	Proposed Dimensions: Height: Width: Diameter:
Existing Style / Design:	Proposed Style / Design:
SCREENING	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed Work: ☐ New ☐ Replace ☐ Repair
Existing Material:	Proposed Material:
SKIRTING	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed Work: ☐ New ☐ Replace ☐ Repair
Existing Material:	Proposed Material:
If replacing any item above, indicate the reason for replacement:	
If altering any item above, describe any proposed change (material, size, etc.):	
F. STEPS/STOOPS/RAILINGS ☐ Not applicable SEE SECTION 4.4, 5.4, or 5.10 OF THE HISTORIC DISTRICT DESIGN GUIDELINES	
Location (Attach pictures; Survey may be requested):	
Number of Steps to be: Repaired Replaced Altered	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material:	Proposed Material:
Dimensions: Rise: Run: Tread Width:	Dimensions: Rise: Run: Tread Width:
If replacing, indicate the reason for replacement. If altering, describe any proposed change (material, configuration, size, etc.):	
Stoop to be: Repaired Replaced Altered	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material & Size:	Proposed Material & Size:
If replacing, indicate the reason for replacement. If altering, describe any proposed change (material, configuration, size, etc.):	
Number of Railings to be: Repaired Replaced Altered	
Location (Attach pictures; Survey may be requested):	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material:	Proposed Material:
Existing Dimensions: Height: Width: Diameter:	Proposed Dimensions: Height: Width: Diameter:
Existing Style / Design:	Proposed Style / Design:
If replacing, indicate the reason for replacement. If altering, describe any proposed change (material, configuration, size, etc.):	

G. SIDING ☐ Not applicable SEE SECTION 4.4, 5.4, or 5.9 OF THE HISTORIC DISTRICT DESIGN GUIDELINES			
Type of work: ☐ Minor Repair ☐ Full Re-Siding (same material) ☐ Full Re-Siding (Change of material)			
Location (Attach diagram & pictures):			
Existing Siding		Proposed Siding	
Original to the home: ☐ Yes ☐ No ☐ Not sure			
Existing Material:		Proposed Material:	
Dimensions: Thickness:	Width:	Dimensions: Thickness:	Width:
Indicate the reason for change, e.g., underlying material condition, rot:			
H. TRIM WORK ☐ Not applicable SEE SECTION 4.4, 5.4, or 5.10 OF THE HISTORIC DISTRICT DESIGN GUIDELINES			
Type of work: ☐ Minor Repair ☐ Alteration			
Location (Attach diagram & pictures):			
Existing Trim		Proposed Trim	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure			
Existing Material:		Proposed Material:	
Dimensions: Width:	Height:	Depth:	
Style / Design:		Style / Design:	
Reason for repair or alteration (change of material or design):			
I. MASONRY ☐ Not applicable SEE SECTION 4.3 or 5.3 OF THE HISTORIC DISTRICT DESIGN GUIDELINES			
Type of work: ☐ New foundation ☐ Substantial Reconstruction ☐ Minor Repair ☐ Repointing			
Location (Attach diagram & pictures):			
Existing Masonry		Proposed Masonry	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure			
Existing Material:		Proposed Materials:	
Existing mortar:	Joints:	Mortar to be used:	Mortar joints:
Other / Additional Notes: (Unpainted masonry cannot be painted.)			
Existing Chimney		Proposed Chimney	
Show location and document conditions with photographs		☐ Repair ☐ Remove ☐ Add a chimney cap	
Indicate the reason for change and materials:			
J. HARDSCAPING ☐ Not applicable SEE SECTION 9.1 OF THE HISTORIC DISTRICT DESIGN GUIDELINES			
Location (Attach Site Plan/Survey & pictures):			
☐ Driveway:	Length:	Width:	Materials:
☐ Walkway:	Length:	Width:	Materials:
☐ Other Paving:	Length:	Width:	Materials:

K. FENCE OR WALL ☐ Not applicable **SEE SECTION 9.2 OF THE HISTORIC DISTRICT DESIGN GUIDELINES**Type of work: ☐ New ☐ Repair % of structure _____ ☐ Replace In kind _____ ☐ Different in style or material _____

Location (include survey showing location, setbacks, and height)

Existing Material:

Proposed Material

Height:

Height:

Describe the style:

Describe the style:

L. DECKS & PATIOS ☐ Not applicable **SEE SECTION 9.3 OF THE HISTORIC DISTRICT DESIGN GUIDELINES**

Location (Attach Site Plan/Survey & pictures):

☐ Deck: Length: _____ Width: _____ Materials: _____☐ Patio: Length: _____ Width: _____ Materials: _____**M. APPURTENCES** ☐ Not applicable **SEE SECTION 9.4 OF THE HISTORIC DISTRICT DESIGN GUIDELINES**

Location (Attach Site Plan/Survey & pictures):

☐ New ☐ Repair ☐ Replacing ☐ Other:Outdoor Shower: ☐ Enclosed Length: _____ Width: _____

Material:

Foot Pad Material:

Other, describe:

Dimensions:

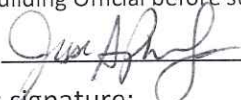
Material

Other:

Dimensions:

Material

I hereby certify that I have the authority to make the foregoing application, that the information given is true and correct, and that the construction or improvements will conform to the regulations in the Virginia Statewide Building Code, all pertinent Town Ordinances, including fire, sewer and water ordinances, and private building restrictions, if any, which may be imposed on the property by deed. Furthermore, I certify that the changes to the improvement before or during construction will be provided to the Zoning Administrator and Building Official before such changes are constructed.

Applicant's signature: Date: 7/21/2025

Zoning Administrator's signature: _____

Date: _____

Zoning Ordinance Article VIII Section: 8.16(C)(3)(c)



Owner Affidavit for Permission to Represent

Planning & Zoning Department
2 Plum Street; Cape Charles, VA 23310
757-331-3259 x31

planningtech@capecharles.org

Revised	Section 5, Item B.
Taxes	
Violations	
Fees	
Decision	

PART 1. APPLICATION NOTES

Use this form to give permission for a contractor, architect, or other individual to represent the owner of a property in matters within the Town of Cape Charles.

PART 2: PROPERTY INFORMATION

Property Address: 552 Monroe Ave, Cape Charles

Tax Map #:

PART 3: PROPERTY OWNER INFORMATION

Name and/or Company: Edmund Pickup Jr.

Mailing Address: 2314 Beverly Drive Charlotte, NC 28207

Phone Number: 757-650-0982 Email: Edmundpickup@gmail.com

I hereby give authority to the following representative to act on my behalf on the following matter:

PART 4: REPRESENTATIVE INFORMATION

Name and/or Company: Philpot Construction LLC

Mailing Address: PO Box 21, Eastville VA 23347

Phone Number: 757-678-2887 Email: jessophilpot@gmail.com

☒ to file documents on my behalf

☒ To represent me in meetings with Town officials

Name and/or Company:

Mailing Address:

Phone Number:

Email:

☐ to file documents on my behalf

☐ To represent me in meetings with Town officials

Signature of owner: Edmund Pickup Jr.

Date: 7/14/25

State of VA, County of Northampton
14th day of July, 2025, by Edmund Pickup

The foregoing instrument was acknowledged before me this
(name of person acknowledged)

Signature of Notarial Officer: Michelle Walsh

Notary Registration number: 7103076

My commission expires: 06/30/2028



Seal

File Attachments for Item:

C. 216 Washington Avenue



Historic District Review Board Staff Report

Agenda Title: 216 Washington Avenue

Agenda Date: September 16, 2025

Prepared by: Tracy Outten, Planning/Zoning Assistant –
Preservation & Zoning Administrator

Reviewed By: Katie H. Nunez, Director of Planning & Zoning
Administrator

Date: August 18, 2025

Applicant: Charlotte Whitney	Type Of Application: Pre-Application/Certificate of Appropriateness
Site Address: 216 Washington Avenue	Work to be Performed: to replace and increase the size of two windows and install a driveway
Tax Map: 83A1-1-96	Current Zoning: R-1
Lot Size: 5,622 sq. ft.	Historic Register: Not Listed
	<i>Description: NA</i>
	<i>Accessory Structure: NA</i>

Date Application Received: August 5, 2025

Pre-Application Meeting: September 16, 2025

Date Application Deemed Complete: August 5, 2025

Legal Deadline: HDRB Decision (90 Days from Complete Application): November 3, 2025

Overview:
The applicant is seeking to replace two existing 2/2 – 2’ 8” x 1’ 10” x 3” deep vinyl windows with two taller 2/2 – 2’ 8” x 4’ 6” x 3” deep vinyl windows on the single-family home, and to install a concrete driveway.

Aerial Map:**Materials:**

Windows: 2/2 – 2' 8" x 4' 6" x 3" Vinyl Windows

Trim: 2' 10" x 4' 9" x 4" Wood

Driveway: Concrete

Staff Analysis:**Zoning Compliance:**

The property is a legal, conforming use. The proposed project is seeking to replace two existing windows with two taller windows on the single-family home and to install a driveway. Zoning Compliance is achieved based on this application to the HDRB. However, an updated survey needs to be submitted before full zoning compliance can be given for the driveway.

Any property within the Historic District Overlay is required to meet the Historic District Guidelines, which are superimposed on the underlying zoning district regulations.

Historic District Guidelines:

Section 5.11: Windows & Associated Features

Section 9.1: Hardscaping (Driveway, Walkways, & Other Paving)

Staff Recommendation:

Staff is requesting the HDRB to review the application material submitted by the applicant and determine if the proposed replacements and installation of a driveway are in keeping with the Guidelines of the Historic District and reflect the character and historic appearance of the neighborhood.

Staff is prepared to assist in the development of a motion, if needed.

The Historic District Review Board makes the final determination on whether or not a Certificate of Appropriateness will be issued for this project and may impose conditions on an approval.

If approved, a Certificate of Appropriateness shall expire of its own limitation six (6) months from the date of issuance if the work authorized thereby is not commenced by the end of such six (6) month period; and further, any such certificate shall also expire and become null and void if such authorized work is suspended or abandoned for a period of six (6) months after being commenced.

Attachments:

Attachment 1: Application and Supporting Documents



Certificate of Appropriateness Application Renovation

Planning & Zoning Department
2 Plum Street; Cape Charles, VA 23310
757-331-3259 x31

planningtech@capecharles.org

Revised 12/2024

Taxes	✓ P&RS
Violations	NA
Fee	\$150
Decision	HDRB

Budget Code: HISTF 100-3100-1100

Budget Code VIOLATIONS: PERMZ 100-3100-1370

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 of a property within the Cape Charles Historic District Overlay.

Minor Exterior Work* is exterior maintenance and repair, replacement of missing or broken windowpanes, roofing shingles, slates, tiles, porch floors, posts, rails, or shutters where no substantial change to design or material is proposed and other minor changes that do not materially change the historic characteristics of the building may be reviewed by the Zoning Administrator. Upon approval the applicant is responsible for confirming and obtaining all necessary building permits.

Major Exterior Work: is any alteration of the architectural style of a structure or its significant architectural elements, modifications, additions, and any major or minor work not eligible for administrative review must be reviewed and approved* by the Historic District Review Board. Upon approval the applicant is responsible for confirming and obtaining all necessary building permits.

Note: A pre-application meeting is available upon request prior to submitting this application.

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 relevant to the applicable sections must be deemed complete by department staff prior to being evaluated.

- ☒ A) Zoning Clearance Application
 ☒ B) Photos of existing condition
 ☐ C) Owner Permission Affidavit
☐ D) Payment of COA Fee (Residential – Minor \$75, Major \$150 / \$500 OR Commercial/Commercial Residential - \$1,000)
☒ E) Site Plan/Survey
 ☒ F) Material Specifications
 ☐ G) Tree Permit Application

Owner signature: *Charlotte Whitney*

Date: August 4, 2025

PART 2: PROPERTY INFORMATION

Property Address: 216 Washington Ave, Cape Charles, VA 23310

Tax Map #: 83A1-1-96

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

Zoning District: Historic District
R-1

PART 3: PROPERTY OWNER INFORMATION

Name and/or Company: Charlotte Whitney

Mailing Address: 216 Washington Ave, Cape Charles, VA 23310

Phone Number: 248-930-4455

Email: c.wren.whitney@gmail.com

PART 4: APPLICANT INFORMATION

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

Name and/or Company: Charlotte Whitney

Mailing Address: 216 Washington Ave, Cape Charles, VA 22310

Phone Number: 248-930-4455

Email: c.wren.whitney@gmail.com

PART 5: PROJECT INFORMATION – Describe in detail proposed work.

(If any tree removal is being proposed a Tree Permit Application must be completed):

Request approval to expand our current windows in our attic to 2 feet 8 inches by 4 feet 6 inches (2/8 x 4/6) as part of our interior/attic renovation project. This window size meets egress requirements, enhancing both safety and livability in the renovated attic space. The expanded window size will provide improved ventilation and emergency exit capability, aligning with code compliance. Thank you.

PART 6. ALTERATIONS, REPAIRS OR ADDITIONS

Select the type of work to be performed (check all that apply):

☐ Addition ☐ Doors ☒ Windows ☐ Masonry ☐ Porch ☐ Roofs ☐ Siding ☐ Steps/Stoop & Railings
☐ Trim Work ☐ Fence or Wall ☐ Partial demolition ☐ Hardscaping ☐ Appurtenances ☐ Other:

A. ADDITION ☒ Not applicable SEE SECTION 5.6 or 5.12 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Location (Attach a diagram; Survey/Site Plan is required):

Stories:	Building height:	Footprint:	Gross square footage:
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Complete all sections below that apply to your addition and supply elevation drawings.

B. ROOF ☒ Not applicable SEE SECTION 4.2, 5.2, or 5.8 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Type of work: ☐ New ☐ Repair % of roof structure ____ ☐ Reroofing: In kind ____ Different in style or material ____
☐ Add/Repair Gutters and downspouts ☐ Solar Panels ☐ Other Solar Installation

Location (Pictures of existing condition):

Existing Roof	Proposed Roof
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed Work:
Existing Material:	Proposed Material:
Pitch:	Pitch:
Gutters & Downspouts: (Pictures of Location & Material Specs)	Solar: (Pictures of Location & Material Specs)
Proposed Work:	Proposed Work:
Proposed Material:	Proposed Material:
Other / Additional Notes:	

C. DOORS ☒ Not applicable SEE SECTION 4.5, 5.5, or 5.11 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Number of doors to be: Added: ____ Removed: ____
Repaired: ____ Replaced: In kind ____ Different in style or material ____

Attach a diagram of the house exterior with all doors numbered. Add documentation for each additional door.

Existing Door	Proposed Door
Door 1: Complete a separate Section C for each door being modified. Original to the home: ☐ Yes ☐ No ☐ Not Sure	Work to be completed: ☐ Added ☐ Removed ☐ Repaired ☐ Replaced
Existing Material:	Proposed Material:
Dimensions: Width ____ Height ____	Dimensions: Width ____ Height ____
Configuration with picture (i.e., glass panes, divisions, decorative details & panels):	Configuration with picture (i.e., glass panes, divisions, decorative details & panels):

Indicate the reason for change:

D. WINDOWS ☐ Not applicable SEE SECTION 4.5, 5.5, or 5.11 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Number of windows to be: Added: _____ Removed: _____
 Repaired: _____ Replaced: In kind _____ Different in style or material 1 (**Expanded**)

Minimum Guidelines: Window Sill – thickness of 1-1/2" and Window Casing or Trim – thickness of 3-1/2"

Attach a diagram of the house exterior with all windows numbered. Add documentation for each additional window.

Existing Windows	Proposed Windows
Window 1: Complete a separate Section D for each window being modified if it is a different size, configuration, etc.	Work to be completed:
Original to the home: ☒ Yes ☐ No ☐ Not Sure	☐ Added ☐ Removed ☐ Repaired ☒ Replaced (/Expanded)
Configuration (i.e., double-hung sash, 2/2, 6/1, 6/6, etc.): Include a picture 2/8 x 1/10	Configuration (i.e., double-hung sash, 2/2, 6/1, 6/6, etc.): Include a picture 2/8 x 4/6
Width: 2/8 Height: 1/10 Depth: 4"	Width: 2/8 Height: 4/6 Depth: 4"
Existing Material: Glass	Proposed Material: Glass
Sill: Length: 2/10 Thickness: 2.5" Depth: 3"	Sill: Length: 2/10 Thickness: 2.5" Depth: 3"
Existing Material: Vinyl	Proposed Material: Vinyl
Casing / Trim: Width: 2/10 Height: 2/1 Depth: 4"	Casing / Trim: Width: 2/10 Height: 4/9 Depth: 4"
Existing Material: Wood	Proposed Material: Wood
Shutters: Original: ☐ Yes ☒ No (Attach Location Picture)	Shutters: ☐ Repair ☐ Replace ☐ New (Attach Location Picture)
Existing Material: N/A	Proposed Material: N/A
Indicate the reason for change: Request approval to expand attic windows to meet egress requirements for attic renovation project	

E. PORCHES ☒ Not applicable SEE SECTION 4.4, 5.4, or 5.10 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

New materials should match the historic material, composition, shape, size, and other visual qualities.

Work to be done: ☐ Repair flooring ☐ Repair ceiling ☐ Repair columns ☐ Repair/Add Skirting ☐ Repair/Add Screening
☐ Flooring = ☐ Alter ☐ Replace ☐ Repair ☐ Columns = ☐ Alter ☐ Replace ☐ Repair
☐ Balustrade = ☐ Alter ☐ Replace ☐ Repair ☐ Ceiling = ☐ Replace ☐ Repair ☐ Skirting = ☐ New ☐ Replace ☐ Repair

Location (Attach pictures for all work including existing and proposed; Survey may be requested):

FLOORBOARDS: Number of boards to be: _____ Repaired _____ Replaced _____ Altered

Replacement of flooring should match the historic floorboard orientation. Replacement of an entire porch floor, ensure the new floor slopes away from the building.

Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material:	Proposed Material:
Dimensions: Length: _____ Width: _____ Depth: _____	Dimensions: Length: _____ Width: _____ Depth: _____
CEILING	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material:	Proposed Material:
COLUMNS	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material & Design:	Proposed Material & Design:
Existing Dimensions: Height: _____ Width: _____ Diameter: _____	Proposed Dimensions: Height: _____ Width: _____ Diameter: _____

CONTINUE COMPLETING THIS SECTION ON PAGE 4

BALUSTRADE	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material:	Proposed Material:
Existing Dimensions: Height: Width: Diameter:	Proposed Dimensions: Height: Width: Diameter:
Existing Style / Design:	Proposed Style / Design:
SCREENING	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed Work: ☐ New ☐ Replace ☐ Repair
Existing Material:	Proposed Material:
SKIRTING	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed Work: ☐ New ☐ Replace ☐ Repair
Existing Material:	Proposed Material:
If replacing any item above, indicate the reason for replacement:	
If altering any item above, describe any proposed change (material, size, etc.):	
F. STEPS/STOOPS/RAILINGS ■ Not applicable SEE SECTION 4.4, 5.4, or 5.10 OF THE HISTORIC DISTRICT DESIGN GUIDELINES	
Location (Attach pictures; Survey may be requested):	
Number of Steps to be: Repaired Replaced Altered	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material:	Proposed Material:
Dimensions: Rise: Run: Tread Width:	Dimensions: Rise: Run: Tread Width:
If replacing, indicate the reason for replacement. If altering, describe any proposed change (material, configuration, size, etc.):	
Number of Stoops to be: Repaired Replaced Altered	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material & Size:	Proposed Material & Size:
If replacing, indicate the reason for replacement. If altering, describe any proposed change (material, configuration, size, etc.):	
Number of Railings to be: Repaired Replaced Altered	
Location (Attach pictures; Survey may be requested):	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material:	Proposed Material:
Existing Dimensions: Height: Width: Diameter:	Proposed Dimensions: Height: Width: Diameter:
Existing Style / Design:	Proposed Style / Design:
If replacing, indicate the reason for replacement. If altering, describe any proposed change (material, configuration, size, etc.):	

G. SIDING ■ Not applicable SEE SECTION 4.4, 5.4, or 5.9 OF THE HISTORIC DISTRICT DESIGN GUIDELINESType of work: ☐ Minor Repair ☐ Full Re-Siding (same material) ☐ Full Re-Siding (Change of material)

Location (Attach diagram & pictures):

Existing Siding	Proposed Siding
Original to the home: ☐ Yes ☐ No ☐ Not sure	
Existing Material:	Proposed Material:
Dimensions: Thickness: Width:	Dimensions: Thickness: Width:
Indicate the reason for change, e.g., underlying material condition, rot:	

H. TRIM WORK ■ Not applicable SEE SECTION 4.4, 5.4, or 5.10 OF THE HISTORIC DISTRICT DESIGN GUIDELINESType of work: ☐ Minor Repair ☐ Alteration

Location (Attach diagram & pictures):

Existing Trim	Proposed Trim
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	
Existing Material:	Proposed Material:
Dimensions: Width: Height: Depth:	Dimensions: Width: Height: Depth:
Style / Design:	Style / Design:
Reason for repair or alteration (change of material or design):	

I. MASONRY ■ Not applicable SEE SECTION 4.3 or 5.3 OF THE HISTORIC DISTRICT DESIGN GUIDELINESType of work: ☐ New foundation ☐ Substantial Reconstruction ☐ Minor Repair ☐ Repointing

Location (Attach diagram & pictures):

Existing Masonry	Proposed Masonry
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	
Existing Material:	Proposed Materials:
Existing mortar: Joints:	Mortar to be used: Mortar joints:
Other / Additional Notes: (Unpainted masonry cannot be painted.)	

Existing Chimney	Proposed Chimney
Show location and document conditions with photographs	☐ Repair ☐ Remove ☐ Add a chimney cap
Indicate the reason for change and materials:	

J. HARDSCAPING ■ Not applicable SEE SECTION 9.1 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Location (Attach Site Plan/Survey & pictures):

☐ Driveway:	Length:	Width:	Materials:
☐ Walkway:	Length:	Width:	Materials:
☐ Other Paving:	Length:	Width:	Materials:

K. FENCE OR WALL ☐ **Not applicable** **SEE SECTION 9.2 OF THE HISTORIC DISTRICT DESIGN GUIDELINES**Type of work: ☐ New ☐ Repair % of structure _____ ☐ Replace In kind _____ ☐ Different in style or material _____

Location (include survey showing location, setbacks, and height)

Existing Material: _____ Proposed Material _____

Height: _____ Height: _____

Describe the style: _____ Describe the style: _____

L. DECKS & PATIOS ☒ **Not applicable** **SEE SECTION 9.3 OF THE HISTORIC DISTRICT DESIGN GUIDELINES**

Location (Attach Site Plan/Survey & pictures):

☐ Deck: Length: _____ Width: _____ Materials: _____☐ Patio: Length: _____ Width: _____ Materials: _____**M. APPURTENCES** ☒ **Not applicable** **SEE SECTION 9.4 OF THE HISTORIC DISTRICT DESIGN GUIDELINES**

Location (Attach Site Plan/Survey & pictures):

☐ New ☐ Repair ☐ Replacing ☐ Other:Outdoor Shower: ☐ Enclosed Length: _____ Width: _____

Material: _____ Foot Pad Material: _____

Other, describe: _____

Dimensions: _____ Material _____

Other: _____

Dimensions: _____ Material _____

I hereby certify that I have the authority to make the foregoing application, that the information given is true and correct, and that the construction or improvements will conform to the regulations in the Virginia Statewide Building Code, all pertinent Town Ordinances, including fire, sewer and water ordinances, and private building restrictions, if any, which may be imposed on the property by deed. Furthermore, I certify that the changes to the improvement before or during construction will be provided to the Zoning Administrator and Building Official before such changes are constructed.

Applicant's signature: Charlotte WhiteyDate: 5/AUG/25

Zoning Administrator's signature: _____

Date: _____

Zoning Ordinance Article VIII Section: 8.16

Front of house : 216 Washington Ave, Cape Charles

Section 5, Item C.

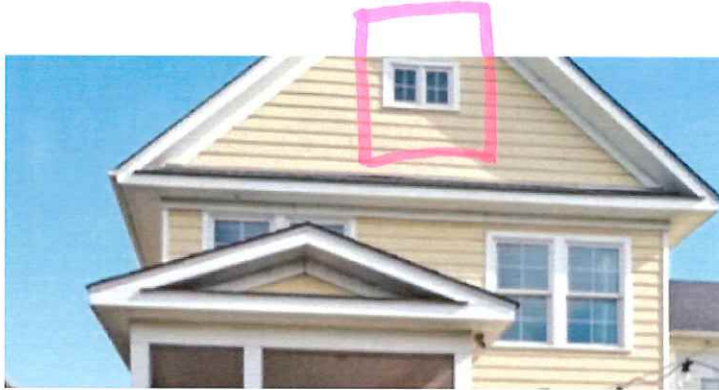


Before
(2/8 x 1/10 attic window)



After
(2/8 x 4/6 attic window)

Back of house



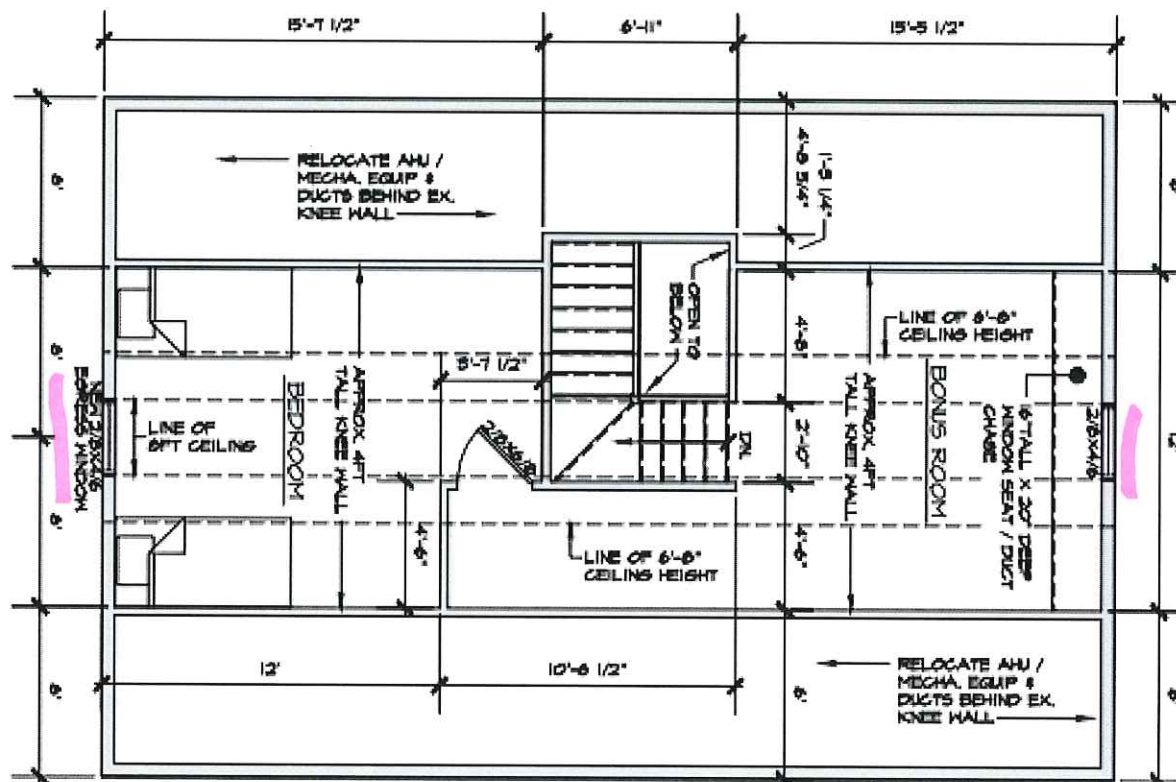
Before
(2/8 x 1/10 attic window)



After
(2/8 x 4/6 attic window)

THIRD FLOOR PLAN

THIRD FLOOR PLAN



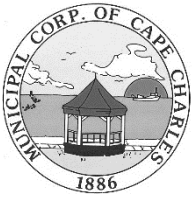
WHITNEY RESIDENCE
216 WASHINGTON AVENUE
CAPE CHARLES VIRGINIA 23301



PLAN REFERENCE NUMBER

U.S. 11-2

DESIGN DEVELOPMENT
DRAFTING & DESIGN SERVICES
1057 BELVOIR LN
VIRGINIA BEACH VA 23464
757-204-6701
dcsdesigndevelopmentllc.com



Certificate of Appropriateness Application Renovation

Planning & Zoning Department
2 Plum Street; Cape Charles, VA 23310
757-331-3259 x31

planningtech@capecharles.org

Section 5, Item C.

Revised 12/2024

Taxes

Violations

Fee

Decision

Budget Code: HISTF 100-3100-1100

Budget Code VIOLATIONS: PERMZ 100-3100-1370

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 of a property within the Cape Charles Historic District Overlay.

Minor Exterior Work* is exterior maintenance and repair, replacement of missing or broken windowpanes, roofing shingles, slates, tiles, porch floors, posts, rails, or shutters where no substantial change to design or material is proposed and other minor changes that do not materially change the historic characteristics of the building may be reviewed by the Zoning Administrator. Upon approval the applicant is responsible for confirming and obtaining all necessary building permits.

Major Exterior Work: is any alteration of the architectural style of a structure or its significant architectural elements, modifications, additions, and any major or minor work not eligible for administrative review must be reviewed and approved* by the Historic District Review Board. Upon approval the applicant is responsible for confirming and obtaining all necessary building permits.

Note: A pre-application meeting is available upon request prior to submitting this application.

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 relevant to the applicable sections must be deemed complete by department staff prior to being evaluated.

- ☒ A) Zoning Clearance Application ☒ B) Photos of existing condition ☐ C) Owner Permission Affidavit
☒ D) Payment of COA Fee (Residential – Minor \$75, Major \$150 / \$500 OR Commercial/Commercial Residential - \$1,000)
☒ E) Site Plan/Survey ☐ F) Material Specifications ☐ G) Tree Permit Application

Owner signature:

Charlotte Whitney

Date: 4/SEP/25
(revision of 5/AUG/25 application)

PART 2: PROPERTY INFORMATION

Property Address: 216 Washington Ave, Cape Charles, VA 23310

Tax Map #: 83A-1-96

Is there an active Certificate of Appropriateness on this property? ☐ No ☐ Yes _____ Date

Zoning District: Historic

PART 3: PROPERTY OWNER INFORMATION

Name and/or Company: Charlotte Whitney

Mailing Address: 216 Washington Ave, Cape Charles, VA 23310

Phone Number: 248-930-4455

Email: c.wren.whitney@gmail.com

PART 4: APPLICANT INFORMATION

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

Name and/or Company: Charlotte Whitney

Mailing Address: 216 Washington Ave, Cape Charles, VA 23310

Phone Number: 248-930-4455

Email: c.wren.whitney@gmail.com

PART 5: PROJECT INFORMATION – Describe in detail proposed work.

(If any tree removal is being proposed a Tree Permit Application must be completed):

10' wide concrete golf cart drive way cut from curb to side of residence at 216 Washington Ave.

PART 6. ALTERATIONS, REPAIRS OR ADDITIONS

Select the type of work to be performed (check all that apply):

☐ Addition ☐ Doors ☐ Windows ☐ Masonry ☐ Porch ☐ Roofs ☐ Siding ☐ Steps/Stoop & Railings
☐ Trim Work ☐ Fence or Wall ☐ Partial demolition ☒ Hardscaping ☐ Appurtenances ☐ Other:
A. ADDITION ☒ Not applicable SEE SECTION 5.6 or 5.12 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Location (Attach a diagram; Survey/Site Plan is required):

Stories:	Building height:	Footprint:	Gross square footage:
----------	------------------	------------	-----------------------

Complete all sections below that apply to your addition and supply elevation drawings.

B. ROOF ☒ Not applicable SEE SECTION 4.2, 5.2, or 5.8 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Type of work: ☐ New ☐ Repair % of roof structure ____ ☐ Reroofing: In kind ____ Different in style or material ____
☐ Add/Repair Gutters and downspouts ☐ Solar Panels ☐ Other Solar Installation

Location (Pictures of existing condition):

Existing Roof	Proposed Roof
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed Work:
Existing Material:	Proposed Material:
Pitch:	Pitch:
Gutters & Downspouts: (Pictures of Location & Material Specs)	Solar: (Pictures of Location & Material Specs)
Proposed Work:	Proposed Work:
Proposed Material:	Proposed Material:
Other / Additional Notes:	

C. DOORS ☒ Not applicable SEE SECTION 4.5, 5.5, or 5.11 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Number of doors to be: Added: ____ Removed: ____
Repaired: ____ Replaced: In kind ____ Different in style or material ____

Attach a diagram of the house exterior with all doors numbered. Add documentation for each additional door.

Existing Door	Proposed Door
Door 1: Complete a separate Section C for each door being modified. Original to the home: ☐ Yes ☐ No ☐ Not Sure	Work to be completed: ☐ Added ☐ Removed ☐ Repaired ☐ Replaced
Existing Material:	Proposed Material:
Dimensions: Width ____ Height ____	Dimensions: Width ____ Height ____
Configuration with picture (i.e., glass panes, divisions, decorative details & panels):	Configuration with picture (i.e., glass panes, divisions, decorative details & panels):

Indicate the reason for change:

D. WINDOWS ■ Not applicable SEE SECTION 4.5, 5.5, or 5.11 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Number of windows to be: Added: _____ Removed: _____
 Repaired: _____ Replaced: In kind _____ Different in style or material _____

Minimum Guidelines: Window Sill – thickness of 1-1/2" and Window Casing or Trim – thickness of 3-1/2"

Attach a diagram of the house exterior with all windows numbered. Add documentation for each additional window.

Existing Windows	Proposed Windows
Window 1: Complete a separate Section D for each window being modified if it is a different size, configuration, etc. Original to the home: ☐ Yes ☐ No ☐ Not Sure	Work to be completed: ☐ Added ☐ Removed ☐ Repaired ☐ Replaced
Configuration (i.e., double-hung sash, 2/2, 6/1, 6/6, etc.): Include a picture	Configuration (i.e., double-hung sash, 2/2, 6/1, 6/6, etc.): Include a picture
Width: _____ Height: _____ Depth: _____	Width: _____ Height: _____ Depth: _____
Existing Material: _____	Proposed Material: _____
Sill: _____ Length: _____ Thickness: _____ Depth: _____	Sill: _____ Length: _____ Thickness: _____ Depth: _____
Existing Material: _____	Proposed Material: _____
Casing / Trim: Width: _____ Height: _____ Depth: _____	Casing / Trim: Width: _____ Height: _____ Depth: _____
Existing Material: _____	Proposed Material: _____
Shutters: Original: ☐ Yes ☐ No (Attach Location Picture)	Shutters: ☐ Repair ☐ Replace ☐ New (Attach Location Picture)
Existing Material: _____	Proposed Material: _____
Indicate the reason for change:	

E. PORCHES ■ Not applicable SEE SECTION 4.4, 5.4, or 5.10 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

New materials should match the historic material, composition, shape, size, and other visual qualities.

Work to be done: ☐ Repair flooring ☐ Repair ceiling ☐ Repair columns ☐ Repair/Add Skirting ☐ Repair/Add Screening

☐ Flooring = ☐ Alter ☐ Replace ☐ Repair ☐ Columns = ☐ Alter ☐ Replace ☐ Repair

☐ Balustrade = ☐ Alter ☐ Replace ☐ Repair ☐ Ceiling = ☐ Replace ☐ Repair ☐ Skirting = ☐ New ☐ Replace ☐ Repair

Location (Attach pictures for all work including existing and proposed; Survey may be requested):

FLOORBOARDS: Number of boards to be: _____ Repaired _____ Replaced _____ Altered

Replacement of flooring should match the historic floorboard orientation. Replacement of an entire porch floor, ensure the new floor slopes away from the building.

Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material: _____	Proposed Material: _____
Dimensions: Length: _____ Width: _____ Depth: _____	Dimensions: Length: _____ Width: _____ Depth: _____
CEILING	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material: _____	Proposed Material: _____
COLUMNS	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material & Design: _____	Proposed Material & Design: _____
Existing Dimensions: Height: _____ Width: _____ Diameter: _____	Proposed Dimensions: Height: _____ Width: _____ Diameter: _____
CONTINUE COMPLETING THIS SECTION ON PAGE 4	

BALUSTRADE**Existing Condition:** ☐ Original ☐ Not Original ☐ Not Sure**Proposed**

Existing Material:

Proposed Material:

Existing Dimensions: Height: Width: Diameter:

Proposed Dimensions: Height: Width: Diameter:

Existing Style / Design:

Proposed Style / Design:

SCREENINGExisting Condition: ☐ Original ☐ Not Original ☐ Not SureProposed Work: ☐ New ☐ Replace ☐ Repair

Existing Material:

Proposed Material:

SKIRTINGExisting Condition: ☐ Original ☐ Not Original ☐ Not SureProposed Work: ☐ New ☐ Replace ☐ Repair

Existing Material:

Proposed Material:

If replacing any item above, indicate the reason for replacement:

If altering any item above, describe any proposed change (material, size, etc.):

F. STEPS/STOOPS/RAILINGS ■ Not applicable SEE SECTION 4.4, 5.4, or 5.10 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Location (Attach pictures; Survey may be requested):

Number of **Steps** to be: Repaired Replaced AlteredExisting Condition: ☐ Original ☐ Not Original ☐ Not Sure**Proposed**

Existing Material:

Proposed Material:

Dimensions: Rise: Run: Tread Width:

Dimensions: Rise: Run: Tread Width:

If replacing, indicate the reason for replacement. If altering, describe any proposed change (material, configuration, size, etc.):

Stoop to be: Repaired Replaced AlteredExisting Condition: ☐ Original ☐ Not Original ☐ Not Sure**Proposed**

Existing Material & Size:

Proposed Material & Size:

If replacing, indicate the reason for replacement. If altering, describe any proposed change (material, configuration, size, etc.):

Number of **Railings** to be: Repaired Replaced Altered

Location (Attach pictures; Survey may be requested):

Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure**Proposed**

Existing Material:

Proposed Material:

Existing Dimensions: Height: Width: Diameter:

Proposed Dimensions: Height: Width: Diameter:

Existing Style / Design:

Proposed Style / Design:

If replacing, indicate the reason for replacement. If altering, describe any proposed change (material, configuration, size, etc.):

G. SIDING ☒ **Not applicable** SEE SECTION 4.4, 5.4, or 5.9 OF THE HISTORIC DISTRICT DESIGN GUIDELINESType of work: ☐ Minor Repair ☐ Full Re-Siding (same material) ☐ Full Re-Siding (Change of material)

Location (Attach diagram & pictures):

Existing Siding**Proposed Siding**Original to the home: ☐ Yes ☐ No ☐ Not sure

Existing Material:

Proposed Material:

Dimensions: Thickness: Width:

Dimensions: Thickness: Width:

Indicate the reason for change, e.g., underlying material condition, rot:

H. TRIM WORK ☒ **Not applicable** SEE SECTION 4.4, 5.4, or 5.10 OF THE HISTORIC DISTRICT DESIGN GUIDELINESType of work: ☐ Minor Repair ☐ Alteration

Location (Attach diagram & pictures):

Existing Trim**Proposed Trim**Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure

Existing Material:

Proposed Material:

Dimensions: Width: Height: Depth:

Dimensions: Width: Height: Depth:

Style / Design:

Style / Design:

Reason for repair or alteration (change of material or design):

I. MASONRY ☒ **Not applicable** SEE SECTION 4.3 or 5.3 OF THE HISTORIC DISTRICT DESIGN GUIDELINESType of work: ☐ New foundation ☐ Substantial Reconstruction ☐ Minor Repair ☐ Repointing

Location (Attach diagram & pictures):

Existing Masonry**Proposed Masonry**Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure

Existing Material:

Proposed Materials:

Existing mortar: Joints:

Mortar to be used: Mortar joints:

Other / Additional Notes: (Unpainted masonry cannot be painted.)

Existing Chimney**Proposed Chimney**

Show location and document conditions with photographs

☐ Repair ☐ Remove ☐ Add a chimney cap

Indicate the reason for change and materials:

J. HARDSCAPING ☐ **Not applicable** SEE SECTION 9.1 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Location (Attach Site Plan/Survey & pictures): From curb to side of house at 216 Washington Ave, Cape Charles VA

☒ Driveway: Length: 52' 6" Width: 10' Materials: Concrete☐ Walkway: Length: Width: Materials:☐ Other Paving: Length: Width: Materials:

K. FENCE OR WALL ☐ **Not applicable** SEE SECTION 9.2 OF THE HISTORIC DISTRICT DESIGN GUIDELINESType of work: ☐ New ☐ Repair % of structure ____ ☐ Replace In kind ____ ☐ Different in style or material ____

Location (include survey showing location, setbacks, and height)

Existing Material:

Proposed Material

Height:

Height:

Describe the style:

Describe the style:

L. DECKS & PATIOS ☒ **Not applicable** SEE SECTION 9.3 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Location (Attach Site Plan/Survey & pictures):

☐ Deck: Length: Width: Materials:☐ Patio: Length: Width: Materials:**M. APPURTENCES** ☒ **Not applicable** SEE SECTION 9.4 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Location (Attach Site Plan/Survey & pictures):

☐ New ☐ Repair ☐ Replacing ☐ Other:Outdoor Shower: ☐ Enclosed Length: Width:

Material:

Foot Pad Material:

Other, describe:

Dimensions:

Material

Other:

Dimensions:

Material

I hereby certify that I have the authority to make the foregoing application, that the information given is true and correct, and that the construction or improvements will conform to the regulations in the Virginia Statewide Building Code, all pertinent Town Ordinances, including fire, sewer and water ordinances, and private building restrictions, if any, which may be imposed on the property by deed. Furthermore, I certify that the changes to the improvement before or during construction will be provided to the Zoning Administrator and Building Official before such changes are constructed.

Applicant's signature: Charlotte WhitingDate: 4/SEP/25
(revision of 5/AUG/25 application)

Zoning Administrator's signature: _____

Date: _____

Zoning Ordinance Article VIII Section: _____

216 Washington Avenue Existing Conditions

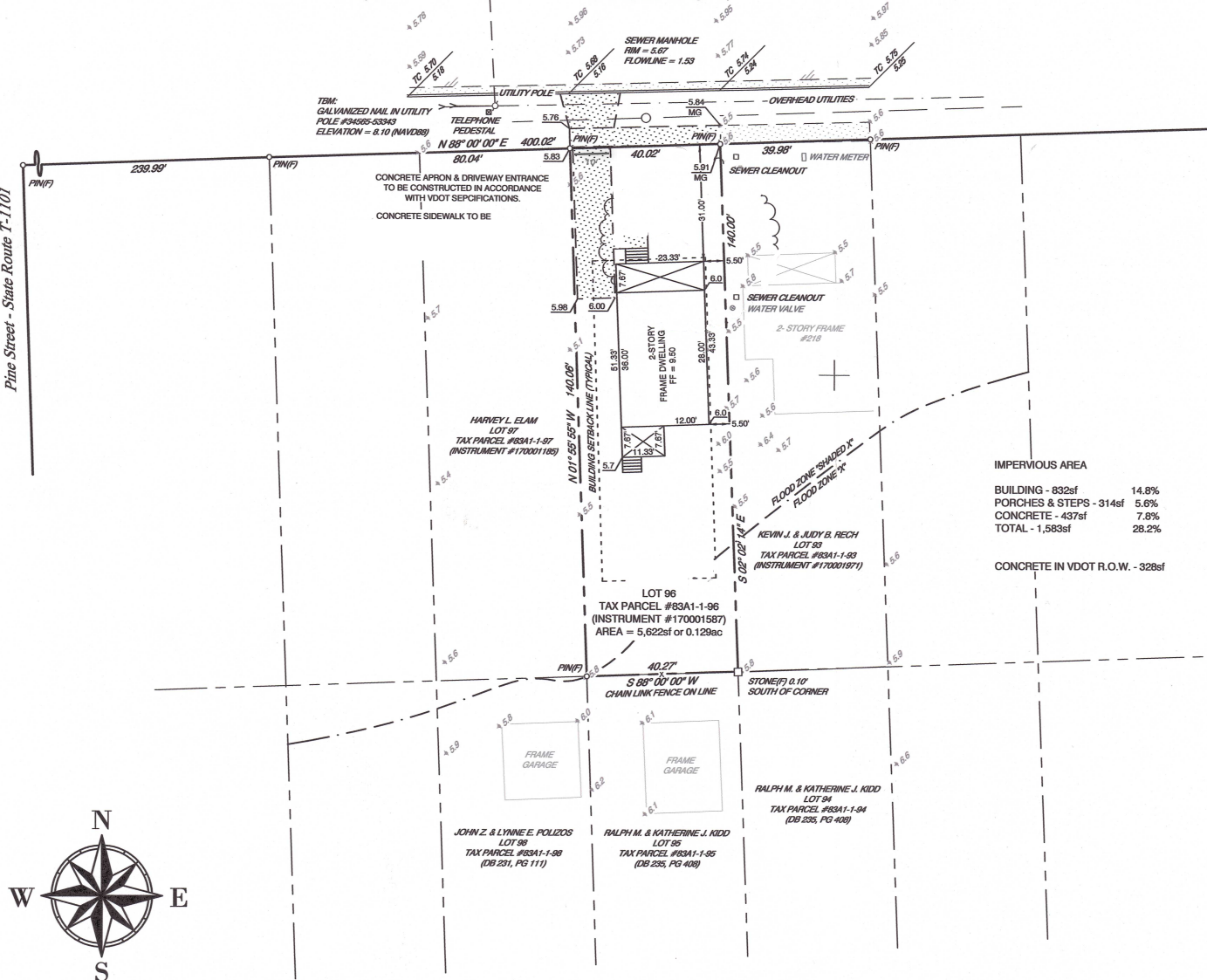


I, HEREBY CERTIFY THAT THIS PLAT IS BASED ON A CURRENT FIELD SURVEY, AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IS CORRECT AND COMPLIES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA STATE BOARD OF ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS AND CERTIFIED LANDSCAPE ARCHITECTS.



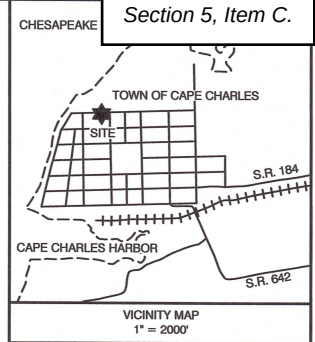
Washington Avenue - State Route T-1106
(70' Right-of-Way)
(Deed Book 41, Page 484)

Pine Street - State Route T-1101



IMPERVIOUS AREA
BUILDING - 832sf 14.8%
PORCHES & STEPS - 314sf 5.6%
CONCRETE - 437sf 7.8%
TOTAL - 1,583sf 28.2%

CONCRETE IN VDOT R.O.W. - 328sf



THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT SHOW ANY/all EASEMENTS OR RESTRICTIONS THAT MAY AFFECT SAID PROPERTY AS SHOWN.

FLOOD ZONE INFORMATION SHOWN HEREON IS NOT GUARANTEED AND WAS APPROXIMATELY SCALED FROM F.E.M.A. FLOOD MAPS. SHORELINE SURVEYORS IS NOT A PARTY IN DETERMINING THE REQUIREMENTS FOR FLOOD INSURANCE ON THE PROPERTY SHOWN HEREON. FOR FURTHER INFORMATION AND TO CONFIRM THE FLOOD ZONE FOR THIS PROPERTY, CONTACT THE LOCAL COMMUNITY FLOOD OFFICIAL.

THIS PROPERTY APPEARS TO FALL IN:
FLOOD ZONES: X & SHADED X
COMMUNITY NO.: 510106
PANEL: 0285F DATED: MARCH 2, 2015

FLOOD ZONE DETERMINATION IS BASED ON THE FLOOD INSURANCE RATE MAPS AND DOES NOT IMPLY THAT THIS PROPERTY WILL OR WILL NOT BE FREE FROM FLOODING OR DAMAGE.

THE NORTH MERIDIAN OF THIS PLAT IS BASED ON A SURVEY RECORDED IN DEED BOOK 41 AT PAGE 483.

BUILDING DATA SHOWN HEREON IS BASED ON PLANS BY DESIGN DEVELOPMENT DRAFTING & DESIGN SERVICES DATED MARCH 27, 2018. CONTRACTOR SHALL VERIFY ALL BUILDING DIMENSIONS PRIOR TO CONSTRUCTION.

AS PER THE TOWN OF CAPE CHARLES ZONING MAP DATED FEBRUARY 10, 2014, THIS LOT IS ZONED "SINGLE FAMILY RESIDENTIAL (R-1)" AND ITS RESTRICTIONS ARE AS FOLLOWS:

- HEIGHT - 2 1/2 STORY AND 40'
- FRONT YARD SETBACK - 30' OR PREVAILING
- SIDE YARD SETBACK - 5'
- REAR YARD SETBACK - 25'

CONTRACTOR SHALL ENSURE THAT THE LOT IS GRADED FOR STORMWATER TO TO FLOW AWAY FROM HOUSE.

CONTRACTOR SHALL COORDINATE WITH THE TOWN OF CAPE CHARLES AND OTHER PUBLIC UTILITIES FOR UTILITY HOOK-UPS.

SITE PLAN
OF
Lot 98
Town of Cape Charles
(DEED BOOK 41, PAGE 484)
TAX PARCEL #83A1-1-96
TOWN OF CAPE CHARLES
NORTHAMPTON COUNTY, VIRGINIA
FOR
Jeff & Beth Howard
FEBRUARY 24, 2019

Shoreline Surveyors

23314 Courthouse Avenue - P.O. Box 735
Accomac, Virginia 23301
PHONE (757) 789-3960 FAX (757) 789-3962



GRAPHIC SCALE

SCALE: 1" = 20'
DRAWN: MAS
FIELD BOOK: 44, PAGE 27
JOB #19005
SHEET 1 OF 1



File Attachments for Item:

D. 116 Pine Street



Historic District Review Board Staff Report

Agenda Title: 116 Pine Street

Agenda Date: September 16, 2025

Prepared by: Tracy Outten, Planning/Zoning Assistant – Preservation & Zoning Administrator

Reviewed By: Katie H. Nunez, Director of Planning & Zoning Administrator

Date: August 18, 2025

Applicant: Martine Richardson dba Legacy Holds II LLC	Type Of Application: Pre-Application/Certificate of Appropriateness
Site Address: 116 Pine Street	Work to be Performed: to replace and increase the size of two windows
Tax Map: 83A3-13-B	Current Zoning: R-1
Lot Size: 2,240 sq. ft.	Historic Register: CONTRIBUTING
	<i>Description: ca. 1900, Folk Victorian</i>
	<i>Accessory Structure: NA</i>

Date Application Received: August 4, 2025

Pre-Application Meeting: September 16, 2025

Date Application Deemed Complete: August 18, 2025

Legal Deadline: HDRB Decision (90 Days from Complete Application): November 14, 2025

Overview:
 The applicant is seeking to complete the following:

Renovations:

Roof: replace the existing shingles with new shingles

Gutters & Downspouts: replace the existing aluminum with new aluminum

Siding: repair existing wood siding

Front Porch: open the existing enclosed porch and repair/replace the existing wood flooring

Skirting: repair existing brick

Doors: Front & Back: repair the existing 20" x 80" wood and replace the glass panes

Windows (17): repair the existing wood frame and replace the existing glass panes with new glass panes

Trim: replace the existing 3-1/2" W x 1" D wood with 3-1/2" W x 1" D Hardie board

New:

Shutters: 5' x 5-1/4 x 5-1/4 Wood

Rear Second-Story Deck: 220.02 square feet, two existing windows will be replaced with doors

Aerial Map:**Materials:**

Roof: Pitch: 10/12, Shingles

Gutters & Downspouts: Aluminum

Windows & Doors: Pane: Glass

Trim: 1" x 3-1/2" x 144" Hardie Board

Front Porch: Ceiling: Wood, Flooring: 4' x 4" x 2" Wood, Balustrades: Wood Colonial Style – 6' 2" x 2" railing, 36" x 1-1/4" balusters, Columns: 8' x 6" Wood Colonial Style, Skirting: Brick

Rear Second-Story Deck: Flooring: 8' x 5/4" x 6" Wood decking boards, Balustrade: Wood Pro deck rail kit, Doors: 32" x 80" Fiberglass 15-lite will replace two existing second-floor rear windows

Staff Analysis:**Zoning Compliance:**

The property is a legal, non-conforming use. The proposed project is seeking to replace the roof, gutters, and downspouts, restore the siding, doors, and windows, add shutters, open the enclosed front porch, and construct a rear second-story deck on the single-family home. Zoning Compliance is achieved based upon this application to the HDRB.

Any property within the Historic District Overlay is required to meet the Historic District Guidelines, which are superimposed on the underlying zoning district regulations.

Historic District Guidelines:

Section 3.1: Windows & Associated Features

Section 3.2: Building Types, Forms, & Associated Architectural Styles (3-12 – Folk Victorian)

Section 4.2: Roofs

Section 4.3: Masonry – Exterior Walls, Foundations, & Chimneys

Section 4.4: Woodwork – Exterior Wall, Decorative Trim, & Porches

Section 4.5: Openings & Associated Features – Windows, Doors, & Storefronts

Section 5.2: Roofs

Section 5.4: Woodwork – Exterior Wall, Decorative Trim, & Porches

Section 5.5.1: Windows

Section 5.5.2: Doors

Section 5.5.4: New Window & Door Openings

Section 5.6: New Additions to Contributing Buildings

Sections 7.1, 7.2, & 7.3: Alternative Materials

Staff Recommendation:

Staff is requesting the HDRB to review the application material submitted by the applicant and determine if the proposed renovations and the deck addition are in keeping with the Guidelines of the Historic District and reflect the character and historic appearance of the neighborhood.

Staff is prepared to assist in the development of a motion, if needed.

The Historic District Review Board makes the final determination on whether or not a Certificate of Appropriateness will be issued for this project and may impose conditions on an approval.

If approved, a Certificate of Appropriateness shall expire of its own limitation six (6) months from the date of issuance if the work authorized thereby is not commenced by the end of such six (6) month period; and further, any such certificate shall also expire and become null and void if such authorized work is suspended or abandoned for a period of six (6) months after being commenced.

Attachments:

Attachment 1: Application and Supporting Documents



Certificate of Appropriateness Application Renovation

Planning & Zoning Department
2 Plum Street; Cape Charles, VA 23310
757-331-3259 x31

planningtech@capecharles.org

Revised 12/2024

Taxes	✓ PD RS
Violations	NA
Fee	
Decision	HDRB

Budget Code: HISTF 100-3100-1100

Budget Code VIOLATIONS: PERMZ 100-3100-1370

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 of a property within the Cape Charles Historic District Overlay.

Minor Exterior Work* is exterior maintenance and repair, replacement of missing or broken windowpanes, roofing shingles, slates, tiles, porch floors, posts, rails, or shutters where no substantial change to design or material is proposed and other minor changes that do not materially change the historic characteristics of the building may be reviewed by the Zoning Administrator. Upon approval the applicant is responsible for confirming and obtaining all necessary building permits.

Major Exterior Work: is any alteration of the architectural style of a structure or its significant architectural elements, modifications, additions, and any major or minor work not eligible for administrative review must be reviewed and approved* by the Historic District Review Board. Upon approval the applicant is responsible for confirming and obtaining all necessary building permits.

Note: A pre-application meeting is available upon request prior to submitting this application.

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 relevant to the applicable sections must be deemed complete by department staff prior to being evaluated.

- ☐ A) Zoning Clearance Application ☐ B) Photos of existing condition ☐ C) Owner Permission Affidavit
☐ D) Payment of COA Fee (Residential – Minor \$75, Major \$150 / \$500 OR Commercial/Commercial Residential - \$1,000)
☐ E) Site Plan/Survey ☐ F) Material Specifications ☐ G) Tree Permit Application

Owner signature:

Martine Hoover

Date: 8/14/25

PART 2: PROPERTY INFORMATION

Property Address: 116 Pine St Cape Charles, VA 23310

Tax Map #: 83A3-13-B

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: Legacy Holds II LLC

Mailing Address: 5806 Grove Ave Ste 317 Richmond, VA 23226

Phone Number: 540-214-7583

Email: martine@hooverhomesllc.com

PART 4: APPLICANT INFORMATION

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

Name and/or Company: Legacy Holds II LLC

Mailing Address: 5806 Grove Ave Ste 317 Richmond, VA 23226

Phone Number: 540-214-7583

Email: martine@hooverhomesllc.com

PART 5: PROJECT INFORMATION – Describe in detail proposed work.

(If any tree removal is being proposed a Tree Permit Application must be completed):

Minor Exterior Work-repair, replacement of missing or broken windowpanes, roofing shingles, porch floors, posts, rails, and adding shutters. No substantial change to design or material is proposed. Taking enclosed porch and opening the porch up.

PART 6. ALTERATIONS, REPAIRS OR ADDITIONS

Select the type of work to be performed (check all that apply):

☐ Addition ☒ Doors ☒ Windows ☐ Masonry ☒ Porch ☒ Roofs ☐ Siding ☐ Steps/Stoop & Railings
☒ Trim Work ☐ Fence or Wall ☐ Partial demolition ☐ Hardscaping ☐ Appurtenances ☐ Other:

A. ADDITION ☒ Not applicable SEE SECTION 5.6 or 5.12 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Location (Attach a diagram; Survey/Site Plan is required):

Stories: Building height: Footprint: Gross square footage:

Complete all sections below that apply to your addition and supply elevation drawings.

B. ROOF ☐ Not applicable SEE SECTION 4.2, 5.2, or 5.8 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Type of work: ☒ New ☐ Repair % of roof structure _____ ☐ Reroofing: In kind _____ Different in style or material _____
☐ Add/Repair Gutters and downspouts ☐ Solar Panels ☐ Other Solar Installation

Location (Pictures of existing condition):

Existing Roof	Proposed Roof
Existing Condition: ☐ Original ☐ Not Original ☒ Not Sure	Proposed Work: replace
Existing Material: Shingles	Proposed Material: shingles
Pitch: 10/12	Pitch: 10/12
Gutters & Downspouts: (Pictures of Location & Material Specs)	Solar: (Pictures of Location & Material Specs)
Proposed Work: replace	Proposed Work:
Proposed Material: aluminum	Proposed Material:
Other / Additional Notes:	

C. DOORS ☐ Not applicable SEE SECTION 4.5, 5.5, or 5.11 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Number of doors to be: Added: _____ Removed: _____
 Repaired: 2 Replaced: In kind _____ Different in style or material _____

Attach a diagram of the house exterior with all doors numbered. Add documentation for each additional door.

Existing Door	Proposed Door
Door 1: Complete a separate Section C for each door being modified. Original to the home: ☒ Yes ☐ No ☐ Not Sure	Work to be completed: ☐ Added ☐ Removed ☒ Repaired ☐ Replaced
Existing Material: wood	Proposed Material: wood
Dimensions: Width 20 in. Height 80 in.	Dimensions: Width 20 in Height 80 in
Configuration with picture (i.e., glass panes, divisions, decorative details & panels): glass panel	Configuration with picture (i.e., glass panes, divisions, decorative details & panels): repairing existing glass panel

Indicate the reason for change: needs to be repaired

D. WINDOWS ☐ Not applicable **SEE SECTION 4.5, 5.5, or 5.11 OF THE HISTORIC DISTRICT DESIGN GUIDELINES**

Number of windows to be: Added: _____ Removed: _____
 Repaired: 17 Replaced: In kind _____ Different in style or material _____

Minimum Guidelines: Window Sill – thickness of 1-1/2" and Window Casing or Trim – thickness of 3-1/2"

Attach a diagram of the house exterior with all windows numbered. Add documentation for each additional window.

Existing Windows	Proposed Windows
Window 1: Complete a separate Section D for each window being modified if it is a different size, configuration, etc.	Work to be completed: ☐ Added ☐ Removed ☐ Repaired ☐ Replaced
Original to the home: ☒ Yes ☐ No ☐ Not Sure	
Configuration (i.e., double-hung sash, 2/2, 6/1, 6/6, etc.): Include a picture double hung sash	Configuration (i.e., double-hung sash, 2/2, 6/1, 6/6, etc.): Include a picture double hung sash
Width: 30 in Height: 52 in Depth: 2 in	Width: 30 in Height: 52 in Depth: 2 in
Existing Material: wood	Proposed Material: wood
Sill: Length: 34 in Thickness: 4 in Depth: 2 in	Sill: Length: 34 in Thickness: 4 in Depth: 2 in
Existing Material: wood	Proposed Material: wood
Casing / Trim: Width: 34 in Height: 56 in Depth: 2 in	Casing / Trim: Width: 34 in Height: 56 in Depth: 2 in
Existing Material: wood	Proposed Material: hardie board
Shutters: Original: ☐ Yes ☒ No (Attach Location Picture)	Shutters: ☐ Repair ☐ Replace ☒ New (Attach Location Picture)
Existing Material: N/A	Proposed Material: wood

Indicate the reason for change: Windows and trim need to be restored. Proposing shutters to only the front windows

E. PORCHES ☐ Not applicable **SEE SECTION 4.4, 5.4, or 5.10 OF THE HISTORIC DISTRICT DESIGN GUIDELINES**

New materials should match the historic material, composition, shape, size, and other visual qualities.

Work to be done: ☒ Repair flooring ☒ Repair ceiling ☒ Repair columns ☐ Repair/Add Skirting ☐ Repair/Add Screening
☐ Flooring = ☐ Alter ☐ Replace ☒ Repair ☐ Columns = ☐ Alter ☐ Replace ☒ Repair
☐ Balustrade = ☐ Alter ☒ Replace ☐ Repair ☐ Ceiling = ☒ Replace ☐ Repair ☐ Skirting = ☐ New ☐ Replace ☐ Repair

Location (Attach pictures for all work including existing and proposed; Survey may be requested):

FLOORBOARDS: Number of boards to be: All Repaired _____ Replaced _____ Altered _____

Replacement of flooring should match the historic floorboard orientation. Replacement of an entire porch floor, ensure the new floor slopes away from the building.

Existing Condition: ☒ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material: wood	Proposed Material: wood
Dimensions: Length: 48 in Width: 4 in Depth: 2 in	Dimensions: Length: 48 in Width: 4 in Depth: 2 in
CEILING	
Existing Condition: ☒ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material: wood	Proposed Material: wood
COLUMNS	
Existing Condition: ☐ Original ☒ Not Original ☐ Not Sure	Proposed
Existing Material & Design: NA	Proposed Material & Design: wood
Existing Dimensions: Height: _____ Width: _____ Diameter: _____	Proposed Dimensions: Height: 8 ft Width: 5.25 ft Diameter: 5.25 ft

CONTINUE COMPLETING THIS SECTION ON PAGE 4

BALUSTRADE	
Existing Condition: ☐ Original ☒ Not Original ☐ Not Sure	Proposed
Existing Material: NA	Proposed Material: wood
Existing Dimensions: Height: Width: Diameter:	Proposed Dimensions: Height: Width: Diameter:
Existing Style / Design: NA	Proposed Style / Design: straight rail kit with colonial spindles
SCREENING	
Existing Condition: ☐ Original ☒ Not Original ☐ Not Sure	Proposed Work: ☒ New ☐ Replace ☐ Repair
Existing Material: asbestos siding	Proposed Material: NA
SKIRTING	
Existing Condition: ☐ Original ☒ Not Original ☐ Not Sure	Proposed Work: ☐ New ☐ Replace ☒ Repair
Existing Material: brick	Proposed Material: brick
If replacing any item above, indicate the reason for replacement: we are opening the porch and we need to make this porch look like the others in the neighborhood	
If altering any item above, describe any proposed change (material, size, etc.):	
F. STEPS/STOOPS/RAILINGS ☒ Not applicable SEE SECTION 4.4, 5.4, or 5.10 OF THE HISTORIC DISTRICT DESIGN GUIDELINES	
Location (Attach pictures; Survey may be requested):	
Number of Steps to be: Repaired Replaced Altered	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material:	Proposed Material:
Dimensions: Rise: Run: Tread Width:	Dimensions: Rise: Run: Tread Width:
If replacing, indicate the reason for replacement. If altering, describe any proposed change (material, configuration, size, etc.):	
Stoop to be: Repaired Replaced Altered	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material & Size:	Proposed Material & Size:
If replacing, indicate the reason for replacement. If altering, describe any proposed change (material, configuration, size, etc.):	
Number of Railings to be: Repaired Replaced 2 Altered	
Location (Attach pictures; Survey may be requested): front porch	
Existing Condition: ☐ Original ☒ Not Original ☐ Not Sure	Proposed
Existing Material: NA	Proposed Material: wood
Existing Dimensions: Height: Width: Diameter:	Proposed Dimensions: Height: Width: Diameter:
Existing Style / Design: NA	Proposed Style / Design: 2 in Height 6ft width and 2 in dia.
If replacing, indicate the reason for replacement. If altering, describe any proposed change (material, configuration, size, etc.): We need to add a railing to open the front porch.	

G. SIDING ☒ Not applicable SEE SECTION 4.4, 5.4, or 5.9 OF THE HISTORIC DISTRICT DESIGN GUIDELINES			
Type of work: ☐ Minor Repair ☐ Full Re-Siding (same material) ☐ Full Re-Siding (Change of material)			
Location (Attach diagram & pictures):			
Existing Siding		Proposed Siding	
Original to the home: ☒ Yes ☐ No ☐ Not sure			
Existing Material:		Proposed Material:	
Dimensions: Thickness:	Width:	Dimensions: Thickness:	Width:
Indicate the reason for change, e.g., underlying material condition, rot:			
H. TRIM WORK ☐ Not applicable SEE SECTION 4.4, 5.4, or 5.10 OF THE HISTORIC DISTRICT DESIGN GUIDELINES			
Type of work: ☐ Minor Repair ☒ Alteration			
Location (Attach diagram & pictures): attached on material list. Trim of the house, around windows and doors			
Existing Trim		Proposed Trim	
Existing Condition: ☒ Original ☐ Not Original ☐ Not Sure			
Existing Material: wood		Proposed Material: hardie board	
Dimensions: Width: 3.5 in Height:	Depth: 1 in	Dimensions: Width: 3.5 in Height:	Depth: 1 in
Style / Design:		Style / Design:	
Reason for repair or alteration (change of material or design): original trim needs to be replaced			
I. MASONRY ☒ Not applicable SEE SECTION 4.3 or 5.3 OF THE HISTORIC DISTRICT DESIGN GUIDELINES			
Type of work: ☐ New foundation ☐ Substantial Reconstruction ☐ Minor Repair ☐ Repointing			
Location (Attach diagram & pictures):			
Existing Masonry		Proposed Masonry	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure			
Existing Material:		Proposed Materials:	
Existing mortar:	Joints:	Mortar to be used:	Mortar joints:
Other / Additional Notes: (Unpainted masonry cannot be painted.)			
Existing Chimney		Proposed Chimney	
Show location and document conditions with photographs		☐ Repair ☐ Remove ☐ Add a chimney cap	
Indicate the reason for change and materials:			
J. HARDSCAPING ☒ Not applicable SEE SECTION 9.1 OF THE HISTORIC DISTRICT DESIGN GUIDELINES			
Location (Attach Site Plan/Survey & pictures):			
☐ Driveway:	Length:	Width:	Materials:
☐ Walkway:	Length:	Width:	Materials:
☐ Other Paving:	Length:	Width:	Materials:

K. FENCE OR WALL ☐ Not applicable **SEE SECTION 9.2 OF THE HISTORIC DISTRICT DESIGN GUIDELINES**Type of work: ☐ New ☐ Repair % of structure _____ ☐ Replace In kind _____ ☐ Different in style or material _____

Location (include survey showing location, setbacks, and height)

Existing Material: _____ Proposed Material _____

Height: _____ Height: _____

Describe the style: _____ Describe the style: _____

L. DECKS & PATIOS ☒ Not applicable **SEE SECTION 9.3 OF THE HISTORIC DISTRICT DESIGN GUIDELINES**

Location (Attach Site Plan/Survey & pictures): _____

☐ Deck: Length: _____ Width: _____ Materials: _____☐ Patio: Length: _____ Width: _____ Materials: _____**M. APPURTENCES** ☒ Not applicable **SEE SECTION 9.4 OF THE HISTORIC DISTRICT DESIGN GUIDELINES**

Location (Attach Site Plan/Survey & pictures): _____

☐ New ☐ Repair ☐ Replacing ☐ Other: _____Outdoor Shower: ☐ Enclosed Length: _____ Width: _____

Material: _____ Foot Pad Material: _____

Other, describe: _____

Dimensions: _____ Material _____

Other: _____

Dimensions: _____ Material _____

I hereby certify that I have the authority to make the foregoing application, that the information given is true and correct, and that the construction or improvements will conform to the regulations in the Virginia Statewide Building Code, all pertinent Town Ordinances, including fire, sewer and water ordinances, and private building restrictions, if any, which may be imposed on the property by deed. Furthermore, I certify that the changes to the improvement before or during construction will be provided to the Zoning Administrator and Building Official before such changes are constructed.

Applicant's signature: Mark A. BishardDate: 8/14/2025

Zoning Administrator's signature: _____

Date: _____

Zoning Ordinance Article VIII Section: _____



Certificate of Appropriateness Application

Renovation - New Deck

Planning & Zoning Department
2 Plum Street; Cape Charles, VA 23310
757-331-3259 x31

planningtech@capecharles.org

Revised 12/2024

Taxes	✓ PD RS
Violations	NA
Fee	-
Decision	HDRB

Budget Code: HISTF 100-3100-1100

Budget Code VIOLATIONS: PERMZ 100-3100-1370

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 of a property within the Cape Charles Historic District Overlay.

Minor Exterior Work* is exterior maintenance and repair, replacement of missing or broken windowpanes, roofing shingles, slates, tiles, porch floors, posts, rails, or shutters where no substantial change to design or material is proposed and other minor changes that do not materially change the historic characteristics of the building may be reviewed by the Zoning Administrator. Upon approval the applicant is responsible for confirming and obtaining all necessary building permits.

Major Exterior Work: is any alteration of the architectural style of a structure or its significant architectural elements, modifications, additions, and any major or minor work not eligible for administrative review must be reviewed and approved* by the Historic District Review Board. Upon approval the applicant is responsible for confirming and obtaining all necessary building permits.

Note: A pre-application meeting is available upon request prior to submitting this application.

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 relevant to the applicable sections must be deemed complete by department staff prior to being evaluated.

- ☐ A) Zoning Clearance Application
 ☐ B) Photos of existing condition
 ☐ C) Owner Permission Affidavit
☐ D) Payment of COA Fee (Residential – Minor \$75, Major \$150 / \$500 OR Commercial/Commercial Residential - \$1,000)
☐ E) Site Plan/Survey
 ☐ F) Material Specifications
 ☐ G) Tree Permit Application

Owner signature: *Martine Hoover*

Date: 8/14/25

PART 2: PROPERTY INFORMATION

Property Address: 116 Pine St Cape Charles, VA 23310

Tax Map #: 83A3-13-B

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: Legacy Holds II LLC

Mailing Address: 5806 Grove Ave Ste 317 Richmond, VA 23226

Phone Number: 540-214-7583

Email: martine@hooverhomesllc.com

PART 4: APPLICANT INFORMATION

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

Name and/or Company: Legacy Holds II LLC

Mailing Address: 5806 Grove Ave Ste 317 Richmond, VA 23226

Phone Number: 540-214-7583

Email: martine@hooverhomesllc.com

PART 5: PROJECT INFORMATION – Describe in detail proposed work.

(If any tree removal is being proposed a Tree Permit Application must be completed):

Change rear first floor roof pitch to accomodate a 2nd story deck on top. Replace the two 2nd story back windows with doors that lead out to the deck.

PART 6. ALTERATIONS, REPAIRS OR ADDITIONS

Select the type of work to be performed (check all that apply):

☐ Addition ☒ Doors ☒ Windows ☐ Masonry ☒ Porch ☒ Roofs ☐ Siding ☐ Steps/Stoop & Railings
☐ Trim Work ☐ Fence or Wall ☐ Partial demolition ☐ Hardscaping ☐ Appurtenances ☐ Other:
A. ADDITION ☒ Not applicable SEE SECTION 5.6 or 5.12 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Location (Attach a diagram; Survey/Site Plan is required):

Stories:	Building height:	Footprint:	Gross square footage:
----------	------------------	------------	-----------------------

Complete all sections below that apply to your addition and supply elevation drawings.

B. ROOF ☐ Not applicable SEE SECTION 4.2, 5.2, or 5.8 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Type of work: ☐ New ☐ Repair % of roof structure ____ ☐ Reroofing: In kind ____ Different in style or material ☒ X
☐ Add/Repair Gutters and downspouts ☐ Solar Panels ☐ Other Solar Installation

Location (Pictures of existing condition):

Existing Roof	Proposed Roof
Existing Condition: ☐ Original ☐ Not Original ☒ Not Sure	Proposed Work: replace and change pitch to 0
Existing Material: metal	Proposed Material: TPO
Pitch: 4/12	Pitch: 0
Gutters & Downspouts: (Pictures of Location & Material Specs)	Solar: (Pictures of Location & Material Specs)
Proposed Work:	Proposed Work:
Proposed Material:	Proposed Material:
Other / Additional Notes: We are changing the pitch on the rear roof so we can build a 2 story deck.	

C. DOORS ☐ Not applicable SEE SECTION 4.5, 5.5, or 5.11 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Number of doors to be: Added: 2 Removed: ____
Repaired: ____ Replaced: In kind ____ Different in style or material ____

Attach a diagram of the house exterior with all doors numbered. Add documentation for each additional door.

Existing Door	Proposed Door
Door 1: Complete a separate Section C for each door being modified. Original to the home: ☐ Yes ☒ No ☐ Not Sure	Work to be completed: ☒ Added ☐ Removed ☐ Repaired ☐ Replaced
Existing Material:	Proposed Material: fiberglass
Dimensions: Width ____ Height ____	Dimensions: Width <u>32 in</u> Height <u>80 in</u>
Configuration with picture (i.e., glass panes, divisions, decorative details & panels):	Configuration with picture (i.e., glass panes, divisions, decorative details & panels): We are replacing the 2 rear windows with doors that lead out to the deck

Indicate the reason for change: The deck needs to be accessed. It will be accessed from the 2 bedrooms upstairs

D. WINDOWS ☐ Not applicable SEE SECTION 4.5, 5.5, or 5.11 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

Number of windows to be: Added: _____ Removed: 2
 Repaired: _____ Replaced: In kind _____ Different in style or material _____

Minimum Guidelines: Window Sill – thickness of 1-1/2" and Window Casing or Trim – thickness of 3-1/2"

Attach a diagram of the house exterior with all windows numbered. Add documentation for each additional window.

Existing Windows	Proposed Windows
Window 1: Complete a separate Section D for each window being modified if it is a different size, configuration, etc.	Work to be completed: ☐ Added ☒ Removed ☐ Repaired ☐ Replaced
Original to the home: ☒ Yes ☐ No ☐ Not Sure	
Configuration (i.e., double-hung sash, 2/2, 6/1, 6/6, etc.): Include a picture double hung sash	Configuration (i.e., double-hung sash, 2/2, 6/1, 6/6, etc.): Include a picture
Width: 30 in Height: 52 in Depth: 2 in	Width: _____ Height: _____ Depth: _____
Existing Material: wood	Proposed Material: _____
Sill: Length: 34 in Thickness: 4 in Depth: 2 in	Sill: Length: _____ Thickness: _____ Depth: _____
Existing Material: wood	Proposed Material: _____
Casing / Trim: Width: 34 in Height: 56 in Depth: 2 in	Casing / Trim: Width: _____ Height: _____ Depth: _____
Existing Material: wood	Proposed Material: _____
Shutters: Original: ☐ Yes ☒ No (Attach Location Picture)	Shutters: ☐ Repair ☐ Replace ☐ New (Attach Location Picture)
Existing Material: _____	Proposed Material: _____
Indicate the reason for change: Removing two 2nd story rear windows and replacing them with doors to access the deck.	

E. PORCHES ☐ Not applicable SEE SECTION 4.4, 5.4, or 5.10 OF THE HISTORIC DISTRICT DESIGN GUIDELINES

New materials should match the historic material, composition, shape, size, and other visual qualities.

Work to be done: ☐ Repair flooring ☐ Repair ceiling ☐ Repair columns ☐ Repair/Add Skirting ☐ Repair/Add Screening
☐ Flooring = ☐ Alter ☐ Replace ☐ Repair ☐ Columns = ☐ Alter ☐ Replace ☒ Repair
☐ Balustrade = ☐ Alter ☐ Replace ☐ Repair ☐ Ceiling = ☐ Replace ☐ Repair ☐ Skirting = ☐ New ☐ Replace ☐ Repair

Location (Attach pictures for all work including existing and proposed; Survey may be requested):

FLOORBOARDS: Number of boards to be: _____ Repaired _____ Replaced All Altered

Replacement of flooring should match the historic floorboard orientation. Replacement of an entire porch floor, ensure the new floor slopes away from the building.

Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material: _____	Proposed Material: 5/4 in decking boards- wood
Dimensions: Length: _____ Width: _____ Depth: _____	Dimensions: Length: 8 ft Width: 5/4 in Depth: 6 in
CEILING	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material: _____	Proposed Material: _____
COLUMNS	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material & Design: _____	Proposed Material & Design: wood deck post
Existing Dimensions: Height: _____ Width: _____ Diameter: _____	Proposed Dimensions: Height: 54 in Width: 3.5 in Diameter: 3.5 in

CONTINUE COMPLETING THIS SECTION ON PAGE 4

BALUSTRADE	
Existing Condition: ☐ Original ☒ Not Original ☐ Not Sure	Proposed
Existing Material: NA	Proposed Material: WOOD
Existing Dimensions: Height: Width: Diameter:	Proposed Dimensions: Height: 33 in Width: 6 ft Diameter:
Existing Style / Design: NA	Proposed Style / Design: wood deck rail kit
SCREENING	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed Work: ☐ New ☐ Replace ☐ Repair
Existing Material:	Proposed Material:
SKIRTING	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed Work: ☐ New ☐ Replace ☒ Repair
Existing Material:	Proposed Material:
If replacing any item above, indicate the reason for replacement:	
If altering any item above, describe any proposed change (material, size, etc.): We are adding a deck to the rear of the house on the 2nd story.	
F. STEPS/STOOPS/RAILINGS ☒ Not applicable SEE SECTION 4.4, 5.4, or 5.10 OF THE HISTORIC DISTRICT DESIGN GUIDELINES	
Location (Attach pictures; Survey may be requested):	
Number of Steps to be: Repaired Replaced Altered	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material:	Proposed Material:
Dimensions: Rise: Run: Tread Width:	Dimensions: Rise: Run: Tread Width:
If replacing, indicate the reason for replacement. If altering, describe any proposed change (material, configuration, size, etc.):	
Stoop to be: Repaired Replaced Altered	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure	Proposed
Existing Material & Size:	Proposed Material & Size:
If replacing, indicate the reason for replacement. If altering, describe any proposed change (material, configuration, size, etc.):	
Number of Railings to be: Repaired Replaced Altered	
Location (Attach pictures; Survey may be requested): front porch	
Existing Condition: ☐ Original ☒ Not Original ☐ Not Sure	Proposed
Existing Material:	Proposed Material:
Existing Dimensions: Height: Width: Diameter:	Proposed Dimensions: Height: Width: Diameter:
Existing Style / Design:	Proposed Style / Design:
If replacing, indicate the reason for replacement. If altering, describe any proposed change (material, configuration, size, etc.):	

G. SIDING ☒ Not applicable SEE SECTION 4.4, 5.4, or 5.9 OF THE HISTORIC DISTRICT DESIGN GUIDELINES			
Type of work: ☐ Minor Repair ☐ Full Re-Siding (same material) ☐ Full Re-Siding (Change of material)			
Location (Attach diagram & pictures):			
Existing Siding		Proposed Siding	
Original to the home: ☒ Yes ☐ No ☐ Not sure			
Existing Material:		Proposed Material:	
Dimensions: Thickness:	Width:	Dimensions: Thickness:	Width:
Indicate the reason for change, e.g., underlying material condition, rot:			
H. TRIM WORK ☒ Not applicable SEE SECTION 4.4, 5.4, or 5.10 OF THE HISTORIC DISTRICT DESIGN GUIDELINES			
Type of work: ☐ Minor Repair ☐ Alteration			
Location (Attach diagram & pictures):			
Existing Trim		Proposed Trim	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure			
Existing Material:		Proposed Material:	
Dimensions: Width:	Height:	Dimensions: Width:	Height:
Style / Design:		Style / Design:	
Reason for repair or alteration (change of material or design):			
I. MASONRY ☒ Not applicable SEE SECTION 4.3 or 5.3 OF THE HISTORIC DISTRICT DESIGN GUIDELINES			
Type of work: ☐ New foundation ☐ Substantial Reconstruction ☐ Minor Repair ☐ Repointing			
Location (Attach diagram & pictures):			
Existing Masonry		Proposed Masonry	
Existing Condition: ☐ Original ☐ Not Original ☐ Not Sure			
Existing Material:		Proposed Materials:	
Existing mortar:	Joints:	Mortar to be used:	Mortar joints:
Other / Additional Notes: (Unpainted masonry cannot be painted.)			
Existing Chimney		Proposed Chimney	
Show location and document conditions with photographs		☐ Repair ☐ Remove ☐ Add a chimney cap	
Indicate the reason for change and materials:			
J. HARDSCAPING ☒ Not applicable SEE SECTION 9.1 OF THE HISTORIC DISTRICT DESIGN GUIDELINES			
Location (Attach Site Plan/Survey & pictures):			
☐ Driveway:	Length:	Width:	Materials:
☐ Walkway:	Length:	Width:	Materials:
☐ Other Paving:	Length:	Width:	Materials:

K. FENCE OR WALL ☐ Not applicable SEE SECTION 9.2 OF THE HISTORIC DISTRICT DESIGN GUIDELINES	
Type of work: ☐ New ☐ Repair % of structure _____ ☐ Replace In kind _____ ☐ Different in style or material _____	
Location (include survey showing location, setbacks, and height)	
Existing Material:	Proposed Material
Height:	Height:
Describe the style:	Describe the style:
L. DECKS & PATIOS ☒ Not applicable SEE SECTION 9.3 OF THE HISTORIC DISTRICT DESIGN GUIDELINES	
Location (Attach Site Plan/Survey & pictures):	
☐ Deck: Length: _____ Width: _____ Materials: _____	
☐ Patio: Length: _____ Width: _____ Materials: _____	
M. APPURTENCES ☒ Not applicable SEE SECTION 9.4 OF THE HISTORIC DISTRICT DESIGN GUIDELINES	
Location (Attach Site Plan/Survey & pictures):	
☐ New ☐ Repair ☐ Replacing ☐ Other:	
Outdoor Shower: ☐ Enclosed Length: _____ Width: _____	
Material:	Foot Pad Material:
Other, describe:	
Dimensions:	Material
Other:	
Dimensions:	Material
I hereby certify that I have the authority to make the foregoing application, that the information given is true and correct, and that the construction or improvements will conform to the regulations in the Virginia Statewide Building Code, all pertinent Town Ordinances, including fire, sewer and water ordinances, and private building restrictions, if any, which may be imposed on the property by deed. Furthermore, I certify that the changes to the improvement before or during construction will be provided to the Zoning Administrator and Building Official before such changes are constructed. Applicant's signature: <u><i>Matthew Richardson</i></u> Date: <u>8/14/2025</u> Zoning Administrator's signature: _____ Date: _____ Zoning Ordinance Article VIII Section: _____	







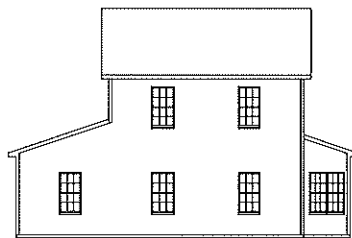
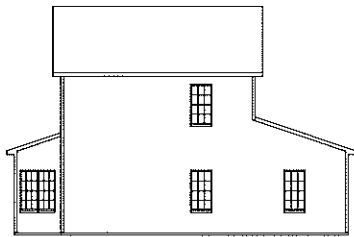
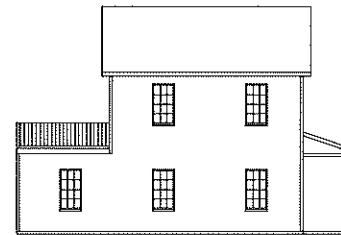
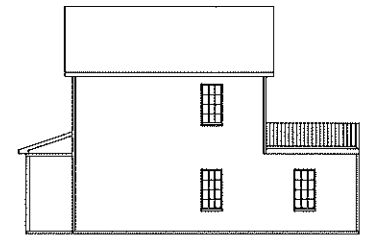
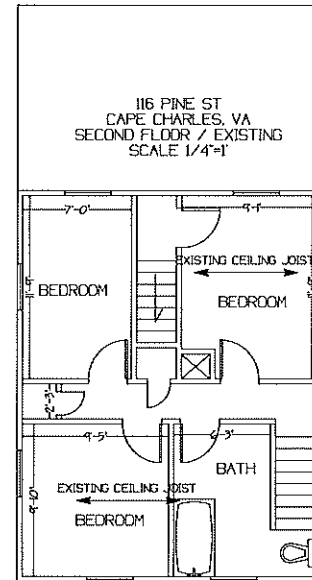
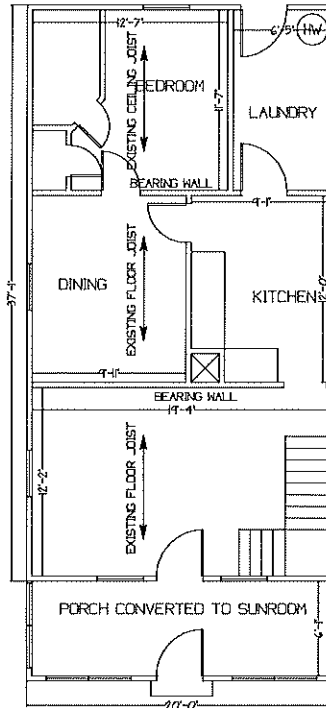
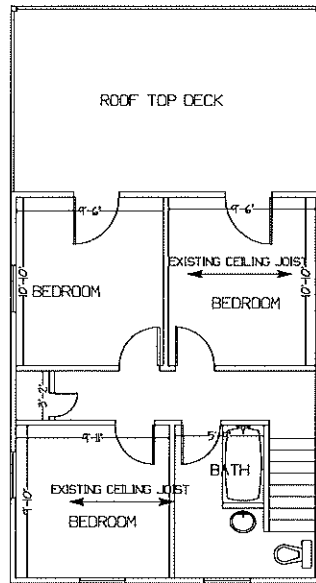
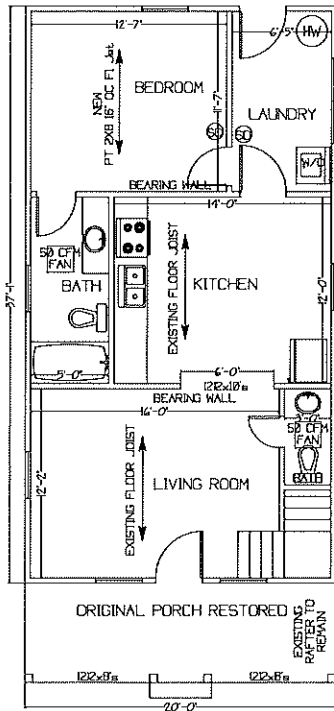






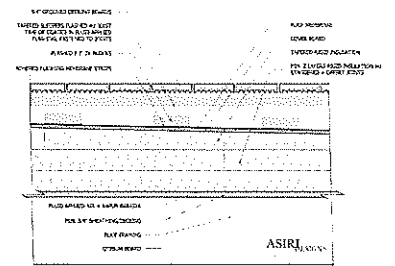






NOTE: FINISHED AREA
R-60 ATTIC INSULATION
R-15 SIDEWALL INSULATION
R-15 FLOOR INSULATION
ICE AND WATER SHIELD @ EAVES

THIS PLAN IS DRAWN TO MEET
IRC 2021 & VRC 2021
BRACED WALL LINES USING
NOT APPLICABLE



THIS PLAN WAS DESIGNED FOR
116 PINE ST CAPE CHARLES

THIS PLAN DESIGNED BY
NetCadDrafting

804-440-0781
www.netcad-drafting.com

RENOVATION
PLANS

DATE OF PLANS
8/1/25
PLANS DRAWN BY
BRAD PRICE

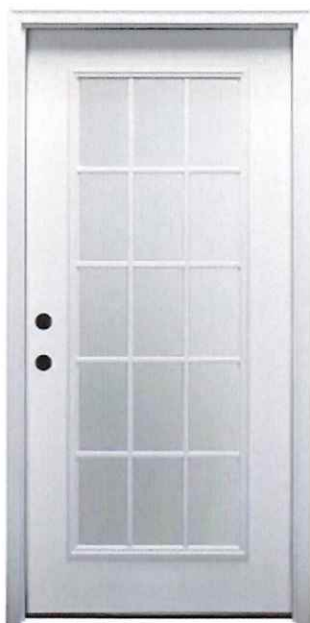
1 of 1

Proposed Material

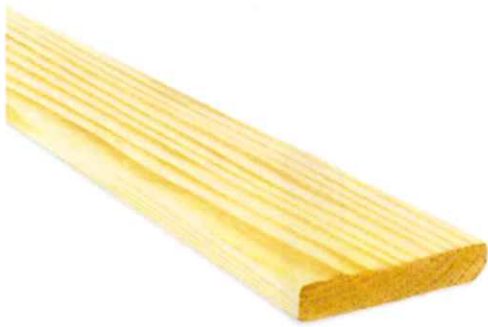
Deck Post 3.5 in by 54 in. WoodPro



Proposed Rear doors (Leading to the deck)- fiberglass 32in x 80 in



Proposed Decking boards- wood 8 ft x 5/4 in x 6 in



Proposed decking rail kit (balustrade)- 33 in x 6 ft



File Attachments for Item:

E. Tax Map #83A1-1-20 on Washington Avenue



Historic District Review Board Staff Report

Agenda Title: Tax Map #83A1-1-20 on Washington Avenue

Agenda Date: September 16, 2025

Prepared by: Tracy Outten, Planning/Zoning Assistant – Preservation & Zoning Administrator

Reviewed By: Katie H. Nunez, Director of Planning & Zoning Administrator

Date: August 18, 2025

Applicant: Richard Sasso and Maria Aillon represented by Altruistic Design	Type Of Application: Pre-Application/Certificate of Appropriateness
Site Address: Washington Avenue	Work to be Performed: to construct a new single-family home, rear patio, enclosed outdoor shower, an accessory structure, and install a fence
Tax Map: 83A1-1-20	Current Zoning: R-1
Lot Size: 5,600 sq. ft.	Historic Register: NA
	<i>Description:</i>
	<i>Accessory Structure:</i>

Date Application Received: August 4, 2025

Pre-Application Meeting: September 16, 2025

Date Application Deemed Complete: August 15, 2025

Legal Deadline: HDRB Decision (90 Days from Complete Application): November 12, 2025

Overview:

The applicant is seeking to construct a new 1,050 sq. ft., two-story single-family residence with a 25' x 8' (200 sq. ft.) front porch, a 16.5' x 13' (214.5 sq. ft.) rear screened-in porch, a 440 sq. ft. rear raised patio, a 12 sq. ft. enclosed rear outdoor shower, and a 150 sq. ft. rear accessory structure. The application also includes the installation of a fence, a hot tub, a walkway, and a driveway. Although this lot is currently vacant, new construction should be compatible, sympathetic, and complementary to existing buildings.

Aerial Map:**Materials:**

Roof: House & Porches: – MCBI Ultra Dek Snap-lock 150 Flat Panel Standing Seam Metal (Pitch: 10:12); Porches (Pitch: 4:12)

Siding: 10' x 4' James Hardie Board & Batten Smooth Panel, 2-1/2" x 3/4" Smooth Batten Strips 12" O.C.

Windows: Marvin Ultimate Double Hung Aluminum Clad Wood 2/2 & 6/6 SDL: 2' 2" x 3' 8" 2H x 2W, 2' 10" x 5' 8" 2H x 2W

Trim: 8/4" x 4" and 8/4" x 8" AZEK Smooth Classic

Doors: Marvin Ultimate Trustile: Front: Wood 7/0 6-lite, Side Transoms 3-lite, Front Second-Floor: 2 = Aluminum Clad Wood 6-lite, Top Transoms 2-lite; Back: (1) Aluminum Clad Wood 3-panel Slider 6-lite per panel, (2) Aluminum Clad Wood 6-lite, 1-panel

Front Porch: Decking: 5.36" x 0.94" TimberTech Composite; Columns: 10" Square TimberTech PVC; Balustrade – Square TimberTech PVC; Steps: TimberTech Composite with Handrails

Rear Screen Porch: Decking: 5.36" x 0.94" TimberTech Composite; Columns: 10" Square TimberTech PVC; Screen: Screeneze Flush Mount Textilene Nano; Window: Vertical 4-track EZE Breeze System

Rear Raised Patio: Decking: 5.36" x 0.94" TimberTech Composite; Pavers: Nicoloc Alpine Contemporary 15-5/8" x 15-5/8" x 2-3/8"

Foundation: Brick Veneer

Outdoor Shower: Composite Wood

Accessory Structure: Roof: Standing Seam Metal; Siding: James Hardie Smooth Board and Batten; Trim: 8/4" x 4" AZEK Smooth Classic; Door: 6' x 6' 8" Wood Clad Double; Foundation: on Skids

Fence: 6' rear Pressure-Treated Wood

Steppingstone: **NEED MATERIAL**

Sidewalk, Walkway, Driveway, Rear Patio: Concrete

Staff Analysis:**Zoning Compliance:**

The property is a legal, conforming use. The proposed project is seeking to construct 1,050 sq. ft., two-story single-family residence with a 25' x 8' (200 sq. ft.) front porch, a 16.5' x 13' (214.5 sq. ft.) rear screened-in porch, a 440 sq. ft. rear raised patio, a 12 sq. ft. enclosed rear outdoor shower, and a 150 sq. ft. rear accessory structure; and to install a fence, a hot tub, a walkway, driveway, and a sidewalk on the front of the property as required by Town Code. The proposed materials are in conformance with the Zoning Ordinance for new construction, and Zoning Compliance is achieved based upon this application to the HDRB.

Please note that a separate Zoning Compliance will be required upon the submission of a building permit application to ensure conformance that the HDRB Votes are fully referenced and contained in the building plans. As of when the applicant submits for a building permit, a full set of building plans must be provided that includes a required Site Plan and Landscape Plan that details both the removal of existing trees if necessary and the proposed addition of trees to conform with CCZO Appendix G – Tree Conservation and Preservation Ordinance along with the Historic District Overlay Design Guidelines Section 9.5 Landscaping.

Any property within the Historic District Overlay is required to meet the Historic District Guidelines, which are superimposed on the underlying zoning district regulations.

Historic District Guidelines:

Section 5.13: New Construction of Primary Buildings

Section 6.3: New Accessory Structures/ADUs Associated with New Construction

Section 9.1: Hardscaping (Driveways, Walkways, & Other Paving)

Section 9.3: Decks, Ramps, & Patios

Section 9.4: Appurtenances

Section 9.5: Landscaping

Staff Recommendation:

Staff is requesting the HDRB to review the application material submitted by the applicant and determine if the proposed new home, patio, and accessory structure are in keeping with the Guidelines of the Historic District and reflect the character and historic appearance of the neighborhood.

Staff is prepared to assist in the development of a motion, if needed.

The Historic District Review Board makes the final determination on whether or not a Certificate of Appropriateness will be issued for this project and may impose conditions on an approval.

If approved, a Certificate of Appropriateness shall expire of its own limitation six (6) months from the date of issuance if the work authorized thereby is not commenced by the end of such six (6) month period; and further, any such certificate shall also expire and become null and void if such authorized work is suspended or abandoned for a period of six (6) months after being commenced.

Attachments:

Attachment 1: Zoning Review Check List Residential-1 District

Attachment 2: Total Lot Coverage Sheet

Attachment 3: Application and Supporting Documents

DECISION OF ZONING REVIEW

BY: Tracy Outten, Planning & Zoning

Asst. Preservation & Admin.

DATE: August 19, 2025

REVIEW DONE FOR: COA

COMMENTS:

DECISION:

Section 5, Item E.

ZONING REVIEW CHECK LIST**Residential -1 District**

Address of Property	Washington Avenue
Property Owner's Name	Richard Sasso and Maria Aillon
Tax Map #	83A1-1-20
Seeking Permit for:	New 1,050 sq. ft, 2-story single-family residence with a 200 sq. ft. front porch; 493.5 sq. ft. rear raised patio, 48 sq. ft. rear concrete patio, 214.5 sq. ft. rear screened-in porch, and 14 sq. ft. enclosed outdoor shower

- ☒ Verify that proposed use is use allowed by right: Single Family dwelling or accessory building (shed, garage) or Home Occupations or other: **New 1,050 sq. ft, 2-story single-family residence with a 200 sq. ft. front porch; 493.5 sq. ft. rear raised patio, 48 sq. ft. rear concrete patio, 214.5 sq. ft. rear screened-in porch, and 14 sq. ft. enclosed outdoor shower, hot tub (on raised patio), 1,231.25 driveway, and a 150 sq. ft. accessory structure.**
- ☒ 1) Site Plan submitted? If not, have Applicant prepare and complete Site Plan in compliance with Appendix C. **Gaddy Engineering Services, LLC dated 8/12/2025**
- ☒ 2) Lot & Dwelling Size & LOT COVERAGE

ORDINANCE REQUIREMENT		
Lot Size	Dwelling Unit Size	LOT COVERAGE (Section 4.2 (E) (6))
Up to 5,600 sq ft	Need to comply with Lot Coverage requirement	The sum of the footprint square footage of all buildings on the lot shall be less than 50% of the total lot square footage
5,600 Sq. Ft (40' x 140')	960 sq ft (min) to 2,400 sq ft. (max)	
5,601 – 8,400 sq. ft	960 sq ft (min) to 3,000 sq ft (max)	
8,401+ sq ft	Max of 4,500 sq	
NOTES: - Ordinance adopted 12/19/2024 (a) Patios, Porches, Decks, Attached Garages & Detached Accessory Structures are not included in the calculation of the dwelling unit square footage. (b) If multiple lots are used, see Section 4.1 (E) (7 & 8) for additional Lot Coverage Rules (c) If lot smaller than 5,600 sq ft, the total footprint area of all accessory building lot coverage shall not exceed ten percent (10%), per Section 4.1 (E) (12)		

LOT SIZE	HOUSE SQ FT	ACCESSORY STRUCTURE SQ FT	TOTAL SQ FT OF ALL BUILDINGS	LOT COVERAGE CALC	In Compliance or Not?
5,600	1,050	150	1,200	21.4%	YES

- ☒ 3) Setbacks – Conforming Lots (5,600 sq ft):
 (a) Front: 30 ft or prevailing: **PREVAILING 17.1 ft.**
 (b) Side: 5 ft: **Actual: West: 6.25 ft. East: 10 ft.**
 (c) Rear: 25 ft: **72 ft.**
If nonconforming lot, then rear setback may be 5 ft if lot less than 40 ft in width
SEE NOTES FOR ACCESSORY BUILDINGS
 (d) Corner Lots – Minimum Side is 5 ft. or prevailing: **NA**
NOTES:
 • **DECKS & PATIOS NOT ALLOWED IN FRONT YARD;**
 • **See Section 4.1 (F) for Projections Allowed in Required Setbacks.**
- ☒ 4) Is there a fence/wall? **FENCE or WALL INDICATED.**
 If yes, then minimum distance of 2 ft from any sidewalk, alley or public right of way; must be 1 inch from adjacent property boundaries.
 If yes, max height for rear fence is 6 ft & max height for side and/or front yard fence is 4 ft.
- ☒ 6) Minimum Lot Width – 40 ft.
- ☒ 7) Height Restrictions for Main Structure/House: 40 ft' height max or 2 ½ stories: **Actual: 33 ft. 6 in.**
 (see Sec. 4.1 (C) for exceptions)
- ☒ 8) Development Standards – HISTORIC DISTRICT REVIEW BOARD (HDRB) determines compliance with Historic District Guidelines and Overlay District Requirements
 a) Proportions – 1:1 to structures in neighborhood: **YES**
 b) Scale and orientation: **YES**
 c) Roof Pitch – prevailing standard or 8:12: **Actual: 4:12 & 10:12**
 d) Windows & Doors: **YES**
 • Double hung windows or prevailing standard; jalousie, picture, and horizontal windows only in traditional American ranch style architecture: **Double-hung 2/2 & 3/4**
 • Exterior doors should be paneled or have glass panels; flush doors not allowed. **6-lite with side 3-lite side transoms, 6-lite with 2-lite top transoms; 6-lite per door; 6-lite/1-panel**
 e) Porches – min depth of six feet & cover 80% of width of front building façade.: **8 ft. & 100%**

ACCESSORY STRUCTURES ONLY – Additional Requirements: NOT APPLICABLE

- ☒ 9) ACCESSORY STRUCTURE – Additional Requirements
 a) Not located in front or side yard: **NO**
 b) No closer than 5 ft to any alley line: **NO**
 c) No closer than 2 ft to any side or rear lot line: **Actual: 2 ft.**
 d) If lot frontage is less than 80 ft, then the sum of all accessory buildings shall be less than the footprint of primary residence or 550 sq. ft, whichever is the lesser: **YES**
 e) If lot frontage is greater than or equal to 80 ft, the sum of all accessory buildings shall be less than the footprint of the primary residence or 660 sq. ft., whichever is less: **NA**
- ☒ 10) Height Restrictions for Accessory Structures:
 a) If house is no more than one story above grade, the height of Accessory Structure cannot be taller than house (Sec. 4.1 (E) (9): **NA**
 b) If house is more than one story above grade, then Accessory Structure shall be no higher than 2/3 the height of the main structure or 24 ft, whichever is less (Sec. 4.1 (E) (10): **1-story**

- ☒ 11) Distance between Accessory Structure and Main Building – min of 15 ft.: **42 ft. 6 in.**

- ☐ **NA** 12) PHYSICAL CHARACTERISTICS: Will there be an accessory dwelling? **NO**
- a. Accessory dwellings shall be located in an accessory building.
 - b. Accessory dwellings shall not have a floor area exceeding forty-five (45) percent of the floor area of the main building.

MAIN BLDG FLOOR AREA	45% ALLOWANCE for ADU FLOOR AREA	ACTUAL ADU FLOOR AREA

- c. Accessory dwellings shall have one kitchen, one bathroom, and a sleeping area.
- d. Accessory buildings shall not have the appearance of a single-family dwelling

- ☐ **NA** 13) Occupancy characteristics for Accessory Dwelling Units – Affidavit signed and submitted re: NO STRS/no TRANSIENT OCCUPANCY – **NOT APPLICABLE**

Total Lot Coverage Breakdown - APPROVED - 9/3/2025	
Address: Washington Avenue	Tax Map # 83A1-1-20
Lot Size	5,600
Structure	Square Footage
House	1,050.00
Front Porch	200.00
Front Steps	51.75
Rear Screen Porch	214.50
Rear Raised Patio (inc. rear steps, hot tub, concrete outline)	440.00
Front Walkway	53.25
Driveway	676.00
Accessory Structure	150.00
Total	2,835.50
Total Lot Coverage	50.63%
PROPOSED	
Proposed Total	0.00
Existing Total	2,835.50
Total Proposed + Existing	2,835.50
Total Lot Coverage	50.63%
NOT INCLUDED	
Enclosed Shower (No roof or pad)	12
Stepping Stones	20

Revised 05/2023

Taxes	Paid
Violations	NA
Fee	\$500 PD
Decision	HDRB

Budget Code: HISTF 100-3100-1100



Certificate of Appropriateness Application

Planning & Zoning Department
2 Plum Street; Cape Charles, VA 23310
757-331-3259 x31
planningtech@capecharles.org

PART 1: APPLICATION NOTES

A Certificate of Appropriateness (COA) is required for all applications for zoning clearances and permits involving any new construction, including accessory structures, within the Cape Charles Historic District Overlay. A pre-application meeting is available upon request prior to submitting this application. ** The applicant is responsible for confirming and obtaining all necessary building permits after approvals.*

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

- | | | |
|---|---|---|
| ☒ A) Site Plan | ☒ B) Elevations | ☒ C) Zoning Clearance Application |
| ☒ D) Photos of existing lot | ☒ E) Renderings | ☒ F) Photos of proposed materials |
| ☒ G) Owner Permission Affidavit | ☒ H) Payment of Fee | ☐ I) Tree Permit Application |

Owner signature: 

Date: 08/04/2025

PART 2: PROPERTY INFORMATION

Property Address: 614 Washington Ave, Cape Charles

Tax Map #: 83A1-1-20

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: RICHARD SASSO, MARIA GABRIELA JARAMILLO AILLON

Mailing Address: 16219 HAMPTON GLEN LN, CHESTERFIELD, VA 23832

Phone Number: 804-332-0445

Email: richard@sassogrp.com, gabriela@sassogrp.com

PART 4: APPLICANT 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: Altruistic Design

Mailing Address: 311 Virginia Beach Blvd, Virginia Beach, Virginia 23451

Phone Number: 757-839-3095 , 508-498-8494

Email: kevans@altruisticdesign.com , jmaloney@altruisticdesign.com

PART 5: PROJECT INFORMATION

Proposed Project Description (If any tree removal is being proposed a Tree Permit Application must be completed.):

SCOPE OF WORK INCLUDES THE CONSTRUCTION OF A NEW TWO STORY RESIDENCE LOCATED IN CAPE CHARLES, VIRGINIA. NEW WORK SHALL INCLUDE WOOD STUD FRAMING, FIBER CEMENT EXTERIOR CLADDING, WOOD CLAD WINDOWS, INTERIOR WOOD STUD AND DRYWALL PARTITIONS, SOLID WOOD DOORS, FINISHES INCLUDING BUT NOT LIMITED TO: FLOORING, WOOD WALL BASE, FLOOR AND WALL TILE , PAINT, BATH AND KITCHEN CASWORK

PART 6. NEW CONSTRUCTION

Section 5, Item E.

See Section 5.13 & 6 of the Historic District Design Guidelines

First Floor Building Area (sq. ft.): 1'045 sf		Total Gross Floor Area (sq. ft.): 1,895 sf	
Front Building Setback (ft.): 30 ft		Building width (ft.): 25'- 0"	
Building Height	Feet: +/-33' -6"	Stories: 2	Roof pitch: 10/12, 4/12
A. Foundation	Material to be used: Brick veneer		
B. Roofing	Material to be used: Standing seam metal		
	Chimney? ☒ No ☐ Yes - Number _____ Materials:		
C. Siding	Material to be used: James Hardie smooth Board & Batten	Dimensions: batten boards @ 12" on center	
D. Steps	Material to be used: Composite wood		
E. Railing	Style and Material to be used: Timbertech pinnacle PVC		
F. Porch	Length: 25'- 0" Width: 7' -8"		
	Material to be used: Floor: Composite wood Skirting: Composite wood		
	Columns? ☐ No ☒ Yes - Number 4 Style & Materials: Composite wrapped		
G. Deck	Length: 13'-0" Width: 17'-2" Material to be used: Composite wood		
H. Doors	Width: 3', 6', & 9' Height: 7'-0"		
	Material and Configuration: attach a picture (i.e., glass panes, divisions, decorative details & panels) [front entrance] solid wood entrance door with simulated divided lites [Upper front and rear doors] aluminum clad wood with simulated divided lites, and		
I. Windows	Configuration (i.e., double-hung sash, 2/2, 6/1, 6/6, etc.) attach a picture: double-hung, 2/2, fixed glazing 3/4 [refer to drawings]		
	Material: aluminum clad wood windows with simulated divided lites		
	Width: 2'-2", 2'-10", 6'-0"	Height: 3'-8", 5'-8", 6'0"	Depth:
J. Trim	Material to be used: Azek smooth classic		
	Dimensions: 8/4" X 4", 8/4" X 8"		
K. Hardscape	Indicate the placement and dimensions of any of the following on your site plan. Driveway: ☐ No ☒ Yes – Materials: <u>stamped concrete</u> Walkway: ☐ No ☒ Yes – Materials: <u>pavers</u> Fence: ☐ No ☒ Yes – Materials: <u>pressure treated wood</u> Patio: ☐ No ☒ Yes – Size: <u>17'-11" x 25'-0"</u> Materials: <u>composite wood and pavers</u> Outdoor shower: ☐ No ☒ Yes - ☐ Not Enclosed ☒ Enclosed – Materials <u>composite wood</u> Pool: ☒ No ☐ Yes – Requires a Conditional Use Permit Accessory Structure: ☐ No ☒ Yes – Complete an additional COA application for the structure		

Describe how the proposed construction will relate to the architectural scale, massing, volumes, and styles represented within the historic district. Attach pictures of the neighborhood (e.g., adjacent buildings, streetscapes).

THE PROPOSED NEW CONSTRUCTION 2 STORY HOME IS SCALED TO BE COMPLIMENTARY TO THE NEIGHBORING PROPERTIES INCLUDING THE FULL WIDTH STACKED FRONT PORCHES. THE WINDOWS, FINISHES, AND DIVIDED LIGHTS SELECTED ARE CONTEMPORARY BUT WITH AN AESTHETIC NOD TO THE HISTORIC COASTAL FABRIC OF THE COMMUNITY.

Indicate the proposed materials if not listed above, distinctive architectural features and ornamentation:

REAR COVERED PORCH SCREENING
SCREENEZE FLUSH MOUNT - TEXTILENE NANO
EZE BREEZE VINYL WINDOW SYSTEM - VERTICAL 4 TRACK

I hereby certify that I have the authority to make the foregoing application, that the information given is true and correct, and that the construction or improvements will conform to the regulations in the Virginia Statewide Building Code, all pertinent Town Ordinances, including fire, sewer and water ordinances, and private building restrictions, if any, which may be imposed on the property by deed. Furthermore, I certify that the changes to the improvement before or during construction will be provided to the Zoning Administrator and Building Official before such changes are constructed.

Applicant's signature: 

Date: 08/04/2025

Zoning Administrator's signature: _____

Date: _____



Owner Affidavit for Permission to Represent

Planning & Zoning Department
2 Plum Street; Cape Charles, VA 23310
757-331-3259 x31

planningtech@capecharles.org

Revised 03/2023

Taxes

Violations

Fees

Decision

PART 1: APPLICATION NOTES

Use this form to give permission for a contractor, architect, or other individual to represent the owner of a property in matters within the Town of Cape Charles.

PART 2: PROPERTY INFORMATION

Property Address: 614 Washington Ave Cape Charles VA 23310

Tax Map #: 83A1-1-20

PART 3: PROPERTY OWNER INFORMATION

Name and/or Company: Richard Sasso

Mailing Address: 16219 Hampton Glen Ln Chesterfield VA 23832

Phone Number: 804-332-0445

Email: richard@sassogrp.com

I hereby give authority to the following representative to act on my behalf on the following matter:

Kelly Evans and Jeremy Maloney

PART 4: REPRESENTATIVE INFORMATION

Name and/or Company: Altruistic Design

Mailing Address: 311 Virginia Beach Blvd VA 23451

Phone Number: 508-498-8494

Email: kevans@altruisticdesign.com

☒ to file documents on my behalf

☒ To represent me in meetings with Town officials

Name and/or Company: Altruistic Design

Mailing Address: 311 Virginia Beach Blvd VA 23451

Phone Number: 757-839-3095

Email: jmaloney@altruisticdesign.com

☒ to file documents on my behalf

☒ To represent me in meetings with Town officials

Signature of owner: [Signature]

Date: 05/23/2025

State of Virginia County of Chesterfield
23rd day of May, 20 25, by Richard Sasso

The foregoing instrument was acknowledged before me this
(name of person acknowledged)

Signature of Notarial Officer: [Signature]

Notary Registration number: 7696847

My commission expires: 5-31-2028



William McLaughlin
Commonwealth of Virginia
Notary Public
Commission No. 7696847
My Commission Expires 5/31/2028

Seal

SITE CONTEXT:



NEIGHBOR TO LEFT



EMPTY LOT AT 164
WASHINGTON AVE



NEIGHBOR TO RIGHT

Section 5, Item E.

EXTERIOR MATERIALS:



FRONT DOOR:
TRUSTILE COASTAL
ENTRY DOOR



WINDOWS:
MARVIN ULTIMATE DOUBLE HUNG
ALUMINUM CLAD WITH SIMULATED
DIVIDED LITES
2'-2" X 3'-8"
2 LITES HIGH/ 2 LITES WIDE
2'-10" X 5'-8"
2 LITES HIGH/ 2 LITES WIDE

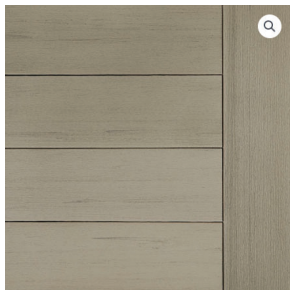


SIDING:
JAMES HARDIE SMOOTH
PANEL 10' X 4'
SMOOTH BATTEN
STRIPS
2.5" X 3/4"
@ 12" O.C.



Simulated Divided Lite (SDL)

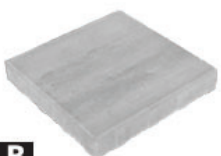
MARVIN ULTIMATE DIRECT GLAZE
ALUMINUM CLAD WITH SIMULATED
DIVIDED LITES
6' X 6'
3 LITES HIGH/ 4 LITES WIDE



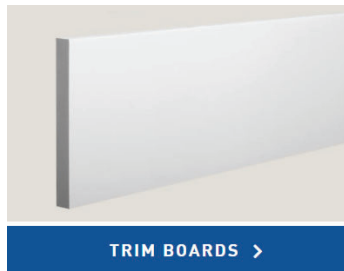
DECKING:
TIMBERTECH
COMPOSITE
TERRAIN COLLECTION
5.36" X 0.94" BOARDS



STANDING SEAM
METAL ROOF:
MCBI ULTRA DEK
SNAP-LOCK 150 FLAT
PANEL



PAVERS:
NICOLOC
ALPINE
CONTEMPORARY
15 5/8" X 15 5/8" X 2 3/8"
PAVERS



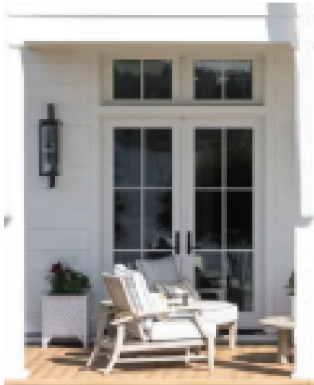
TRIM:
AZEK SMOOTH
8/4" X 4" AND
8/4" X 8" BOARDS

15 5/8" x 15 5/8" x 2 3/8"

TRIM BOARDS >

EXTERIOR MATERIALS:

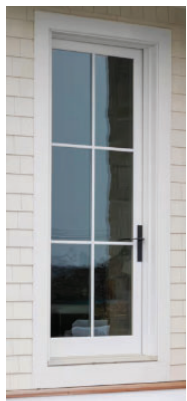
Section 5, Item E.



FRONT UPPER PORCH DOOR:
MARVIN ULTIMATE
INSWING DOUBLE WITH
TRANSOM
2 LITES WIDE/3 LITES WIDE
PER PANEL



REAR DOOR:
MARVIN ULTIMATE
3 PANEL SLIDER
2 LITES WIDE/3 LITES HIGH
PER PANEL



REAR DOOR:
MARVIN ULTIMATE
INSWING SINGLE
2 LITES WIDE/3 LITES HIGH



RAILINGS:
TIMBERTECH PVC
PINNACLE RAIL
36" HIGH MIN.

COLUMNS:
10" WIDE WITH 12" BASE

Top Rail Options for Pinnacle Rail™

- Actual dimensions: 3.5" x 1.875"
- Lengths available: 6' and 8'
- Available in White
- Screw-together rail system allows for custom baluster spacing and delivers a rigid fit

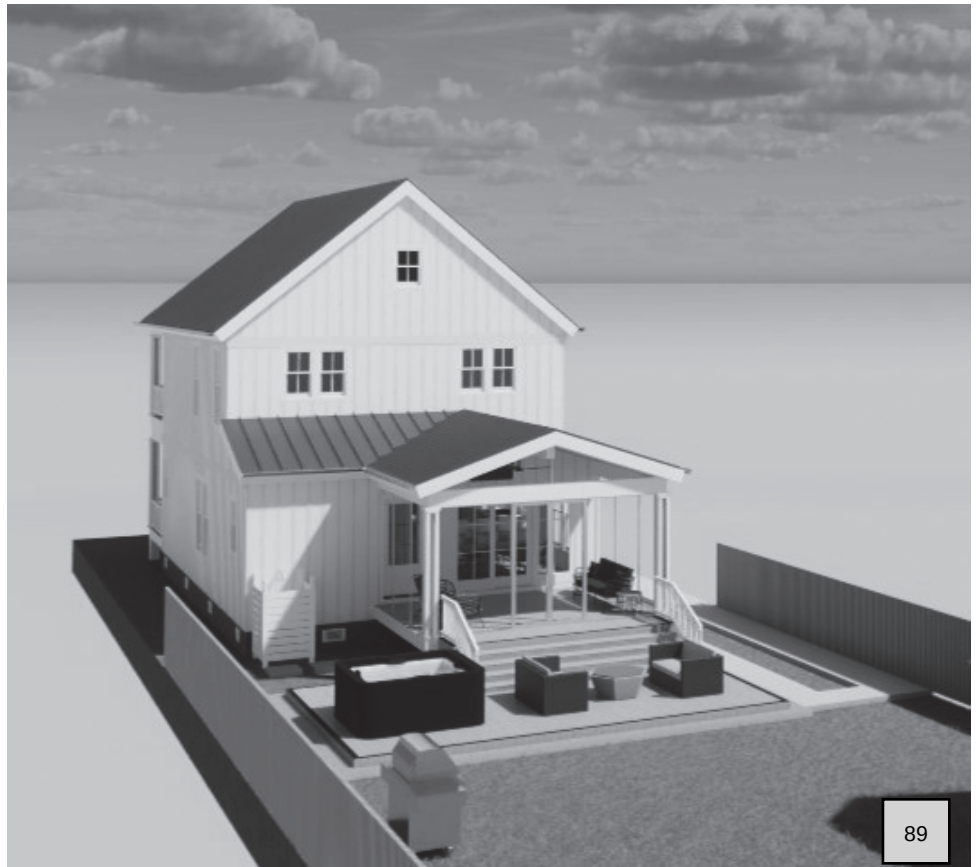
Post Sleeves, Post Caps, and Post Skirt Options for Pinnacle Rail™ systems

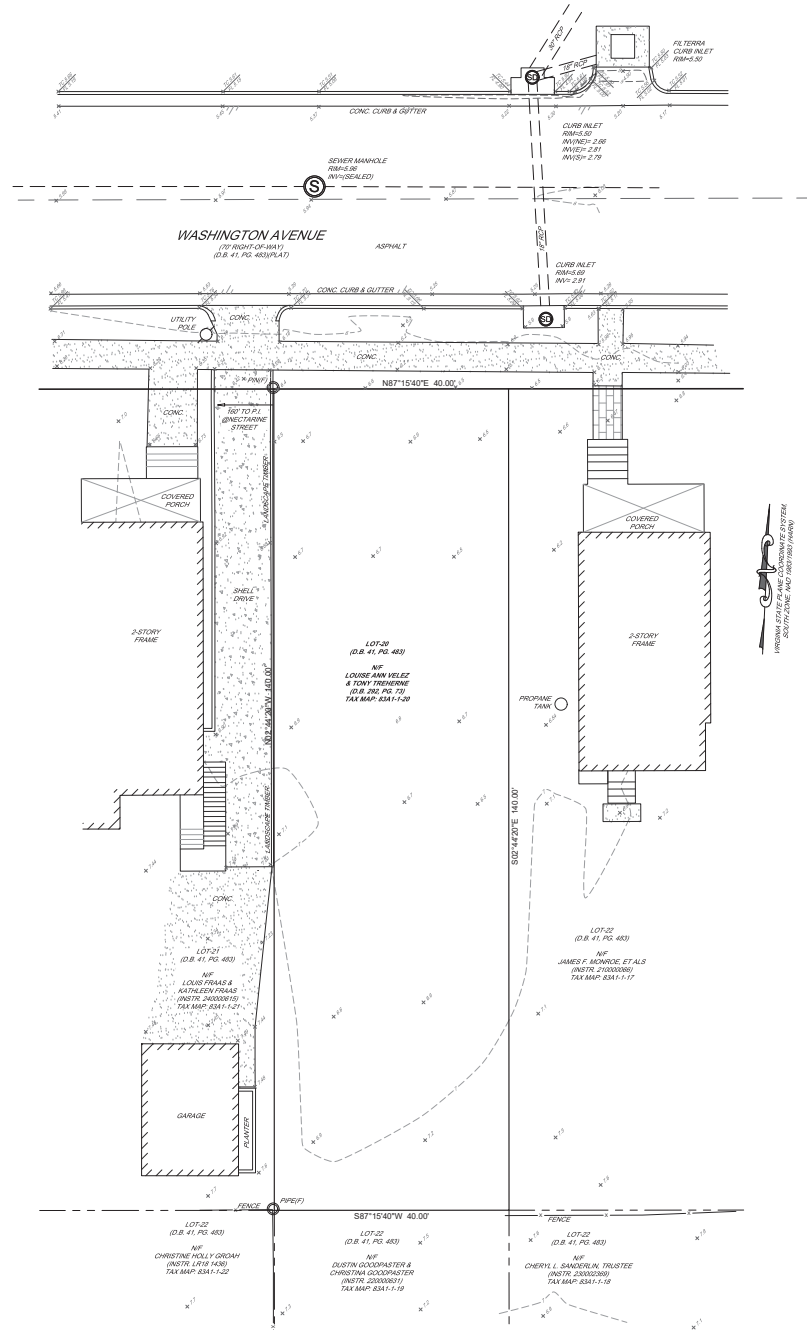
- All available in White
- 5" sq. ft. x 48" post sleeve, 3/8" wall with adjustable shims
- 5" sq. ft. x 108" post sleeve, 3/8" wall with adjustable shims
- 1" x 6-3/4" plain flat post cap to fit 5" sq. ft. post sleeve
- Base post skirt ring for 5" extruded post sleeve

FRONT RENDERING



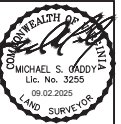
REAR RENDERING





CAUTION
THE UTILITIES SHOWN ARE FOR CONVENIENCE ONLY. THERE MAY BE OTHER UTILITIES NOT SHOWN ON THESE PLANS. PRIOR TO THE START OF CONSTRUCTION, THE CONTRACTOR SHALL VERIFY THE EXACT LOCATION, SIZE, DIMENSION AND ELEVATION OF ALL UNDERGROUND UTILITIES. GADY ENGINEERING SERVICES, LLC ASSUMES NO RESPONSIBILITY FOR THE LOCATION OF BURIED UTILITIES SHOWN ON THE PLANS OR LACK THEREOF. THE CONTRACTOR IS RESPONSIBLE FOR HIRING A PROFESSIONAL SUBSURFACE UTILITY LOCATOR FOR FIELD VERIFICATION OF THE LOCATION OF ALL UNDERGROUND UTILITIES WITHIN THE LIMITS OF WORK. FOR MORE INFORMATION REGARDING THE LOCATION OF UNDERGROUND UTILITIES CALL MISS UTILITIES AT 1-800-553-7891 OR DIAL 811 IN VIRGINIA. ANY DISCREPANCIES IN REFERENCED HORIZONTAL LOCATIONS, ELEVATIONS, DIMENSIONS OR DETAILS SHALL BE BROUGHT TO THE ATTENTION OF THE OWNER OR OWNER'S REPRESENTATIVE BEFORE PROCEEDING WITH THE WORK. ANY DAMAGE MADE TO EXISTING UTILITIES BY THE CONTRACTOR SHALL BE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.

- NOTES:
1. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY NOT SHOWN ANY AND/OR ALL EASEMENTS OR RESTRICTIONS THAT MAY AFFECT SAID PROPERTY AS SHOWN.
 2. THIS TOPOGRAPHIC SURVEY WAS COMPLETED UNDER THE DIRECT AND RESPONSIBLE CHARGE OF MICHAEL S. GADY, L.S., L.C., NO. 3255 FROM AN ACTUAL GROUND SURVEY MADE UNDER MY SUPERVISION THAT THE BAKERY AND/OR ORIGINAL DATA WAS OBTAINED ON FEBRUARY 28, 2025 AND THAT THIS PLAT, MAP OR DIGITAL GEOSPATIAL DATA INCLUDING METADATA MEETS MINIMUM ACCURACY STANDARDS UNLESS OTHERWISE NOTED.
 3. THE PROPERTY DOES NOT FALL WITHIN A SPECIAL FLOOD HAZARD AREA, AS SHOWN ON THE FIRM FLOOD MAP FOR THE CITY OF TOWN OF CAPE CHARLES, VIRGINIA. COMMUNITY FLOOD NUMBER: 812000000 DATED: MARCH 28, 2015.
 4. UNDERGROUND UTILITIES SHOWN HEREON ARE SHOWN FROM A COMBINATION OF FIELD OBSERVED UTILITY MARKINGS, FIELD SURVEY DATA, AND CITY/ASBUILT RECORDS. ITEMS DENOTED WITH (PFI) ARE PER RECORD AND ARE TAKEN FROM COUNTY/ASBUILT RECORDS.



GADY
ENGINEERING SERVICES, LLC
508 N. BROADWAY RD. SUITE D
VIRGINA BEACH, VIRGINIA 23461
CONTACT: MICHAEL S. GADY, PE, LS
757-289-5953

TOPOGRAPHIC SURVEY
FOR
LOT 20
MAP OF THE TOWN OF CAPE CHARLES
D.B. 41 PG. 484
TOWN OF CAPE CHARLES, VIRGINIA

C1

1 of 2 Sheets
SCALE: 1" = 10'



GADDY ENGINEERING SERVICES, LLC
508 N. BIRDBECK RD. SUITE D
VIRGINIA BEACH, VIRGINIA 23451
CONTACT:
MICHAEL S. GADDY, PE, LS
757-269-5933

LEGAL DESCRIPTION: LOT 20, TOWN OF CAPE CHARLES

TAX MAP#: 83A1-1-20

LOT AREA: 5,600 S.F. OR 0.129 AC.

ZONED: R-1 (HISTORIC CAPE CHARLES OVERLAY)

PROPOSED USE: SINGLE FAMILY DWELLING

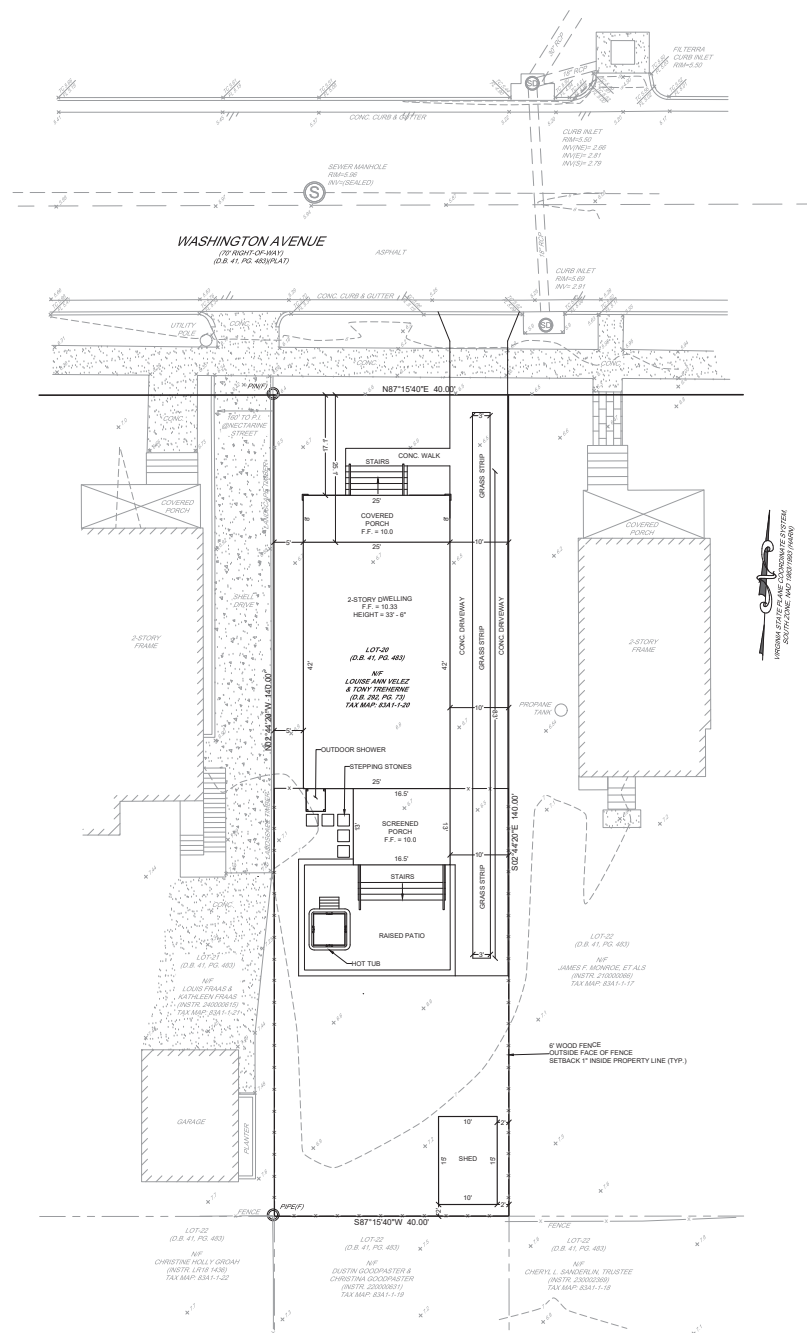
BUILDING SETBACKS:

PRINCIPAL STRUCTURE: FRONT = 30' ; SIDE = 5'; REAR = 25'

ACCESSORY STRUCTURE: SIDE = 2'; REAR = 2':
MUST BE LOCATED A MIN. 15' FROM PRINCIPAL STRUCTURE

LOT COVERAGE: PRINCIPAL STRUCTURE = 1,465 S.F. +
ACCESSORY STRUCTURE = 150 S.F.
= 1,615 S.F. - 28.8% (50% MAXIMUM BY CODE)

IMPERVIOUS AREA: 2,798 S.F. TOTAL (<50%)



SITE LAYOUT PLAN

FOR
LOT 20

LOT 20
MAP OF THE TOWN OF CAPE CHARLES
D.B. 41 PG. 484
TOWN OF CAPE CHARLES, VIRGINIA

C2

2 of 2 Sheets

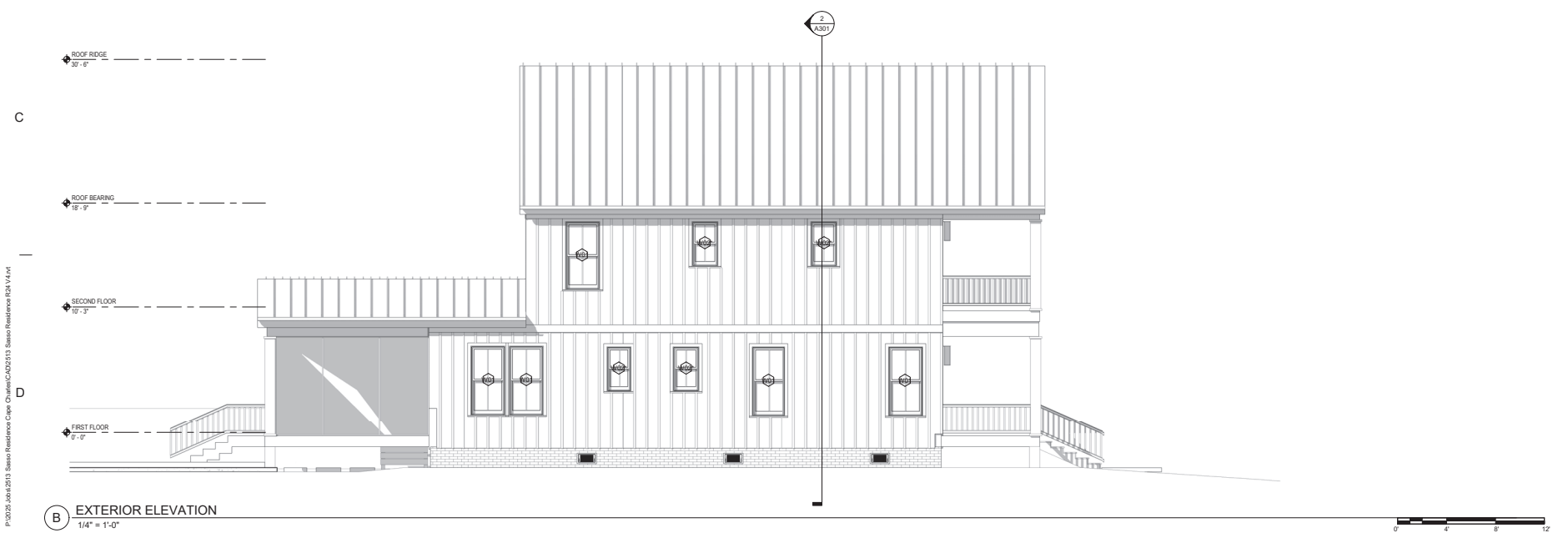
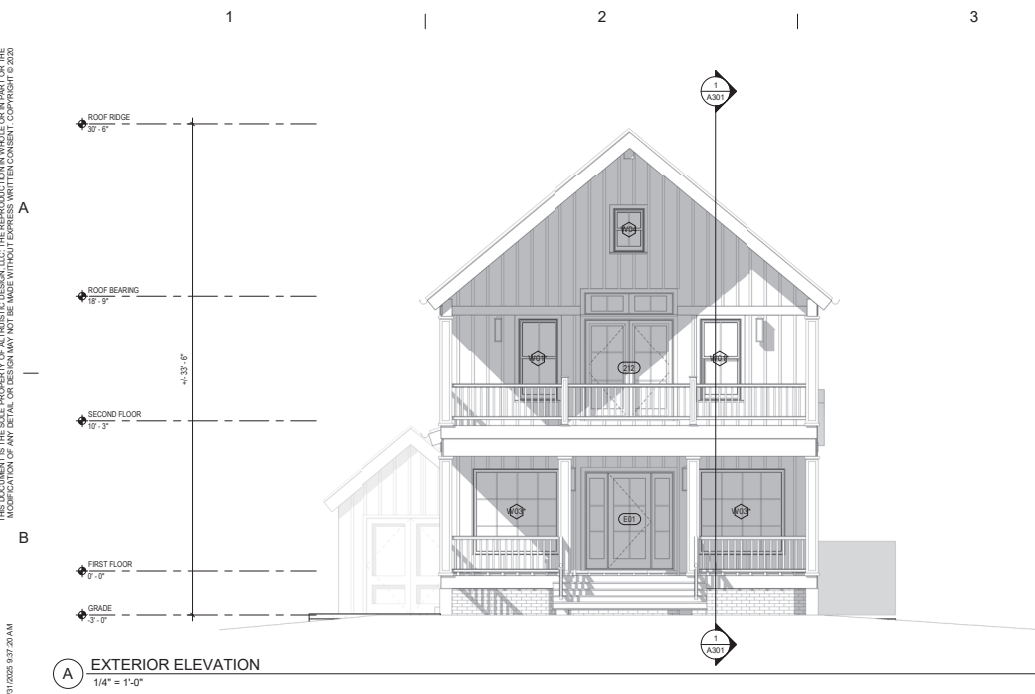
SCALE: 1" = 10'

EXTERIOR MATERIAL LEGEND	
COMPOSITE WOOD DECKING:	TIMBERTECH LEGACY COMPOSITE
RAILINGS:	TIMBERTECH PINNACLE PVC RAIL WHITE
COMPOSITE WOOD TRIM:	AZEK CLASSIC WHITE TRIM SMOOTH
COMPOSITE WOOD SIDING:	HARDIE ARTISAN LAP SIDING 7" EXPOSURE WITH WOVEN CORNERS
METAL ROOFING:	MOBI METALS ULTRA DEK STANDING SEAM SNAP-LOCK 150 FLAT PANEL CHARCOAL GRAY
SCREEN SYSTEM:	SCREENEZE FLUSH MOUNT TEXTILENE NANO
WINDOWS AND DOORS:	MARVIN ULTIMATE STONE WHITE WITH SIMULATED DIVIDED LITES
* GC TO CONFIRM ALL FINISHES, COLORS, ETC. WITH OWNER PRIOR TO ORDERING	
* GC TO CONSTRUCT A FIELD MOCKUP PANEL FOR OWNER/ARCHITECT REVIEW AND APPROVAL. ALLOW TIME FOR REVIEW, TWEAKING, AND REVISING THE PANEL PRIOR TO ORDERING MATERIAL.	

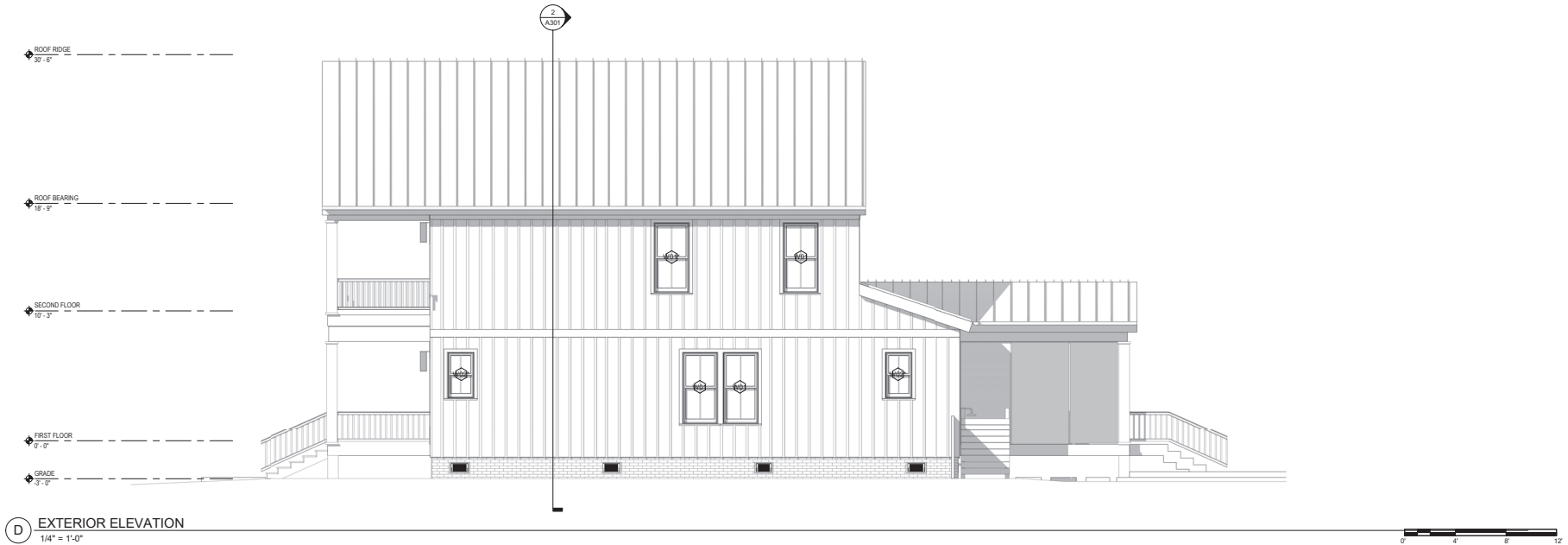
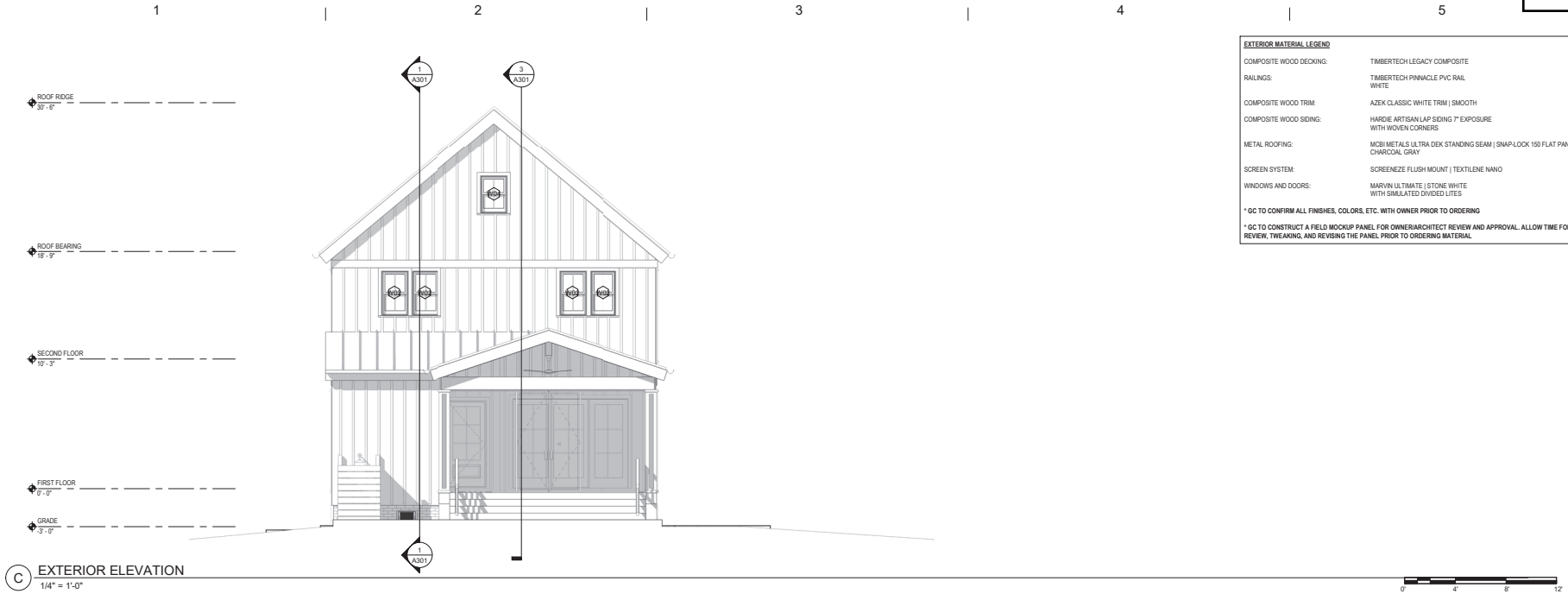
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7/31/2025 9:17:20 AM

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EXTERIOR MATERIAL LEGEND	
COMPOSITE WOOD DECKING:	TIMBERTECH LEGACY COMPOSITE
RAILINGS:	TIMBERTECH PINNACLE PVC RAIL WHITE
COMPOSITE WOOD TRIM:	AZEK CLASSIC WHITE TRIM SMOOTH
COMPOSITE WOOD SIDING:	HARDIE ARTISAN LAP SIDING 7" EXPOSURE WITH WOVEN CORNERS
METAL ROOFING:	MOBI METALS ULTRA DEK STANDING SEAM SNAP-LOCK 150 FLAT PANEL CHARCOAL GRAY
SCREEN SYSTEM:	SCREENEZE FLUSH MOUNT TEXTILENE NANO
WINDOWS AND DOORS:	MARVIN ULTIMATE STONE WHITE WITH SIMULATED DIVIDED LITES
* GC TO CONFIRM ALL FINISHES, COLORS, ETC. WITH OWNER PRIOR TO ORDERING	
* GC TO CONSTRUCT A FIELD MOCKUP PANEL FOR OWNER/ARCHITECT REVIEW AND APPROVAL. ALLOW TIME FOR REVIEW, TWEAKING, AND REVISING THE PANEL PRIOR TO ORDERING MATERIAL.	



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NOT FOR
CONSTRUCTION

NEW CONSTRUCTION FOR
SASSO RESIDENCE
614 WASHINGTON AVE, CAPE CHARLES, VA 23310
CONCEPTUAL DOCUMENTS

PROJECT #	2513
DATE	7.30.2025
REVISIONS:	

A601
WINDOW SCHEDULE,
DOOR SCHEDULE, AND
NOTES

DOOR SCHEDULE					
DOOR NUMBER	TYPE	DOOR		FIRE RATING	COMMENTS
		WIDTH	HEIGHT		
101	SINGLE	2' - 6"	7' - 0"		
102	SINGLE	2' - 6"	7' - 0"		
103	SINGLE	2' - 6"	7' - 0"		
104	SINGLE	2' - 6"	7' - 0"		
105	SINGLE POCKET	2' - 10"	7' - 0"		
201	SINGLE	2' - 10"	7' - 0"		
202	SINGLE	2' - 4"	7' - 0"		
203	SINGLE	2' - 4"	7' - 0"		
204	SINGLE	2' - 4"	7' - 0"		
205	SINGLE	2' - 4"	7' - 0"		
206	SINGLE	2' - 4"	7' - 0"		
207	SINGLE	2' - 10"	7' - 0"		
208	SINGLE	2' - 4"	7' - 0"		
209	SINGLE	2' - 4"	7' - 0"		
210	SINGLE	2' - 10"	7' - 0"		
C01	CASED OPENING	9' - 0"	7' - 0"		
C02	CASED OPENING	3' - 0"	7' - 0"		
E01	EXTERIOR SINGLE WITH SIDELITES	6' - 0 5/8"	6' - 10"		
E02	EXTERIOR 3 PANEL MULTI SLIDE	9' - 2 3/4"	7' - 2"		
E03	EXTERIOR SINGLE	3' - 1 7/16"	7' - 0"		
E04	EXTERIOR DOUBLE INSWING	6' - 0 5/8"	7' - 0"		TRANSOM ABOVE

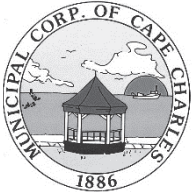
DOOR GENERAL NOTES:

- A. BASIS OF DESIGN FOR EXTERIOR DOORS IS MARVIN ULTIMATE.
B. ALL GLAZING IN DOORS TO BE IMPACT RESISTANT SAFETY GLAZING.
C. BASIS OF DESIGN FOR ALL INTERIOR DOORS TO BE SOLID WOOD TRUSTILE DOORS.
D. BASIS OF DESIGN FOR ALL INTERIOR POCKET DOORS TO BE CAVITY SLIDER CV WITH SOFT CLOSE
E. DOOR SIZES ARE ONLY GIVEN FOR REFERENCE. COORDINATE WITH MANUFACTURER FOR ACTUAL FRAME AND ROUGH-IN DIMENSIONS.
F. COORDINATE ALL HARDWARE STYLE AND FUNCTION WITH OWNER PRIOR TO ORDERING.
G. CONFIRM DOOR FRAME AND PANEL FINISH WITH OWNER PRIOR TO ORDERING.

WINDOW SCHEDULE								
TYPE	QTY.	APPROX. SIZE		TYPE	MODEL	Sill Height	HEAD HEIGHT	COMMENTS
		WIDTH	HEIGHT					
W01	8	2' - 9 1/4"	5' - 7 1/2"	DOUBLE HUNG	UDHG2 2830	1' - 4 1/2"	7' - 0"	
W01*	3	2' - 9 1/4"	5' - 7 1/2"	DOUBLE HUNG	UDHG2 2830	1' - 4 1/2"	7' - 0"	
W02	4	2' - 1 1/4"	3' - 7 1/2"	DOUBLE HUNG	UDHG2 2018	3' - 4 1/2"	7' - 0"	
W02*	6	2' - 1 1/4"	3' - 7 1/2"	DOUBLE HUNG	UDHG2 2018	3' - 4 1/2"	7' - 0"	TEMPERED GLAZING
W03*	2	6' - 0"	5' - 11 1/8"	FIXED PICTURE	UCAP7272	1' - 0 7/8"	7' - 0"	
W04	2	2' - 1 1/4"	2' - 11 1/2"	DOUBLE HUNG	UDHG2 2014	11' - 6"	14' - 5 1/2"	

WINDOW GENERAL NOTES:

- A. REFER TO BOTH FLOOR PLANS AND ELEVATIONS FOR WINDOW DESIGNATIONS.
B. BASIS OF DESIGN FOR ALL EXTERIOR WINDOWS IS MARVIN ULTIMATE.
a. INCLUDE LOCK STATUS SENSOR IN EACH WINDOW AS A BASIS OF DESIGN.
C. BASIS OF DESIGN FOR ALL SKYLIGHTS IS MARVIN FIXED CURB MOUNTED SKYLIGHT.
D. QUANTITIES ARE ONLY SHOWN FOR REFERENCE. GC TO COORDINATE FINAL QUANTITIES
E. WINDOW SIZES ARE ONLY GIVEN FOR REFERENCE. GC TO COORDINATE WITH MANUFACTURER FOR ACTUAL FRAME AND ROUGH-IN DIMENSIONS.
F. ALL WINDOWS LOCATED IN BEDROOMS MUST MEET NATIONAL CODE STANDARDS FOR EGRESS. **GC TO REVIEW AND CONFIRM COMPLIANCE PRIOR TO ORDERING.**
G. PER IRC R310.2.2 ALL WINDOWS IN DWELLING UNITS WHERE THE TOP OF THE SILL OF AN OPERABLE WINDOW OPENING IS LOCATED LESS THAN 18 INCHES (457 MM) ABOVE THE FINISHED FLOOR AND GREATER THAN 72 INCHES (1829 MM) ABOVE THE FINISHED GRADE OR OTHER SURFACE BELOW ON THE EXTERIOR OF THE BUILDING, THE OPERABLE WINDOW SHALL COMPLY WITH ONE OF THE FOLLOWING **GC TO REVIEW AND CONFIRM COMPLIANCE PRIOR TO ORDERING.**
1. OPERABLE WINDOWS WITH OPENINGS THAT WILL NOT ALLOW A 4-INCH DIAMETER SPHERE TO PASS THROUGH THE OPENING WHERE THE OPENING IS IN ITS LARGEST OPENED POSITION
2. OPERABLE WINDOWS THAT ARE PROVIDED WITH WINDOW FALL PREVENTION DEVICES THAT COMPLY WITH ASTM F 2096.
3. OPERABLE WINDOWS THAT ARE PROVIDED WITH WINDOW OPENING CONTROL DEVICES THAT COMPLY WITH SECTION R310.2.2
H. WINDOW SIZES GIVEN REFER TO FRAME SIZE ONLY. GC TO REFER TO MANUFACTURERS SPECIFICATIONS FOR ROUGH-IN.
I. GLAZING SHALL BE U.S. 372 INSULATED GLASS, TEMPERED WHERE REQUIRED BY CODE AT MIN. SEE SCHEDULE FOR ADDITIONAL SPECIFICATIONS. **GC TO REVIEW AND CONFIRM COMPLIANCE PRIOR TO ORDERING.**
J. WINDOW MOUNTING: PROVIDE SIMULATED DIVIDED LITE WINDOW MOUNTINGS W/ SPACER BARS. SEE ARCHITECTURAL ELEVATIONS FOR MOUNTING BAR DESIGNS.
K. PROVIDE SCREENS FOR ALL WINDOWS AND DOORS. COORDINATE INSTALLATION WITH OWNER.
L. GC TO CONFIRM INTERIOR WINDOW HARDWARE FINISH WITH OWNER.
M. SEE A601 FOR TYPICAL WINDOW HEAD, JAMB, AND SILL DETAILS.
N. COORDINATE FINAL SELECTION, STYLE, INTERIOR AND EXTERIOR FINISH, ETC. WITH OWNER. ALSO, SEE COLOR RENDERINGS FOR REFERENCE.



Certificate of Appropriateness Application

Accessory Structure

Planning & Zoning Department
2 Plum Street; Cape Charles, VA 23310
757-331-3259 x31

planningtech@capecharles.org

Section 5, Item E.

Revised 07/2020

Taxes	Paid
Violations	NA
Fee	HDRB
Decision	

Budget Code: HISTF 100-3100-1100

PART 1: APPLICATION NOTES

A Certificate of Appropriateness (COA) is required for all applications for zoning clearances and permits involving any new construction, including accessory structures, within the Cape Charles Historic District Overlay. A pre-application meeting is available upon request prior to submitting this application. ** The applicant is responsible for confirming and obtaining all necessary building permits after approvals.*

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

- | | | |
|--|--|--|
| ☒ Site Plan | ☒ Elevations | ☒ Zoning Clearance Application |
| ☒ Photos of existing lot | ☒ Renderings | ☒ Photos of proposed materials |
| ☒ Owner Permission Affidavit | ☒ Payment of Fee | ☐ Tree Permit Application |

Owner signature:

Date: 8/12/25

PART 2: PROPERTY INFORMATION

Property Address: 614 WASHINGTON AVE. CAPE CHARES

Tax Map #: 83A1-1-20

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: RICHARD SASSO, MARIA GABRIELA JARAMILLO AILLON

Mailing Address: 16219 HAMPTON GLEN LN, CHESTERFIELD, VA 23832

Phone Number: 804-332-0445

Email: RICHARD@SASSOGRP.COM, GABRIELA@SASSOGRP.COM

PART 4: APPLICANT 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: ALTRUISTIC DESIGN

Mailing Address: 311 VIRGINIA BEACH BLVD, VIRGINIA BEACH, VA 23451

Phone Number: 757-839-3095, 508-498-8494

Email: KEVANS@ALTRUISTICDESIGN.COM, JMALONEY@ALTRUISTICDESIGN.COM

PART 5: PROJECT INFORMATION

Proposed Project Description (If any tree removal is being proposed a Tree Permit Application must be completed.):

SCOPE OF WORK INCLUDES THE CONSTRUCTION OF A NEW SINGLE STORY SHED IN CAPE CHARLES, VIRGINIA. NEW WORK SHALL INCLUDE WOOD STUD FRAMING, FIBER CEMENT EXTERIOR CLADDING, WOOD CLAD DOORS.

PART 6. ACCESSORY STRUCTURE

Section 5, Item E.

**See Section 5.13 & 6 of the Historic District Design Guidelines
Cape Charles Zoning Ordinance Section 4.1 (E)**

Main Dwelling First Floor Building Area (sq ft): 1,045 SF		Height of Main Dwelling: +/- 33'-6"	
Building Area (sq. ft.): 150 SF		Total Gross Floor Area (sq. ft.): 1,895 sf	
Distance from Main Structure (ft.): 42'-6"		Building width (ft.): 25'- 0"	
Building Height	Feet: +/-33' -6"	Stories: 2	Roof pitch: 10/12, 4/12
A. Foundation	Material to be used if applicable: on skids		
B. Roofing	Material to be used: Brick veneer		
C. Siding	Material to be used: Standing seam metal	Dimensions: batten boards @ 12" on center	
D. Doors	Width: 6'-0" Height: 7'-0" Material and Configuration: attach a picture (i.e., glass panes, divisions, decorative details & panels) [front entrance] solid wood entrance door with simulated divided lites [Upper front and rear doors] aluminum clad wood with simulated divided lites, and		
E. Windows	Configuration (i.e., double-hung sash, 2/2, 6/1, 6/6, etc.) attach a picture: double-hung, 2/2, fixed glazing 3/4 [refer to drawings] Material: aluminum clad wood windows with simulated divided lites Width: 2'-2", 2'-10", 6'-0" Height: 3'-8", 5'-8", 6'0" Depth:		
F. Trim	Material to be used: James Hardie smooth Board & Batten Dimensions: 8/4" X 4", 8/4" X 8"		

Describe how the proposed construction will relate to the architectural scale, massing, volumes, and styles represented within the historic district. Attach pictures of the neighborhood (e.g., adjacent buildings, streetscapes).
 THE PROPOSED NEW CONSTRUCTION 1 STORY SHED IS SCALED TO BE COMPLIMENTARY TO THE NEIGHBORING PROPERTIES. THE SIDING AND ROOFING MATERIALS SELECTED ARE CONTEMPORARY BUT WITH AN AESTHETIC NOD TO THE HISTORIC COASTAL FABRIC OF THE COMMUNITY TO MATCH THE MAIN STRUCTURE.

Indicate the proposed materials if not listed above, distinctive architectural features and ornamentation:

I hereby certify that I have the authority to make the foregoing application, that the information given is true and correct, and that the construction or improvements will conform to the regulations in the Virginia Statewide Building Code, all pertinent Town Ordinances, including fire, sewer and water ordinances, and private building restrictions, if any, which may be imposed on the property by deed. Furthermore, I certify that the changes to the improvement before or during construction will be provided to the Zoning Administrator and Building Official before such changes are constructed.

Applicant's signature: _____ Date: 8/12/25

Zoning Administrator's signature: _____ Date: _____

Zoning Ordinance Article VIII Section: _____



NOT FOR
CONSTRUCTION

NEW CONSTRUCTION FOR
SASSO RESIDENCE
614 WASHINGTON AVE, CAPE CHARLES, VA 23310
CONCEPTUAL DOCUMENTS

PROJECT #	2513
DATE	7.30.2025
REVISIONS:	

A203
SHED ELEVATIONS

1

2

3

4

5



E EXTERIOR ELEVATION
1/4" = 1'-0" 0 4 8 12

F EXTERIOR ELEVATION
1/4" = 1'-0" 0 4 8 12

G EXTERIOR ELEVATION
1/4" = 1'-0" 0 4 8 12

H EXTERIOR ELEVATION
1/4" = 1'-0" 0 4 8 12

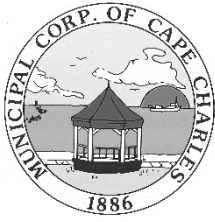
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8/12/2025 12:45:01 PM

P:\2025 Job\2513 Sasso Residence Cape Charles\A203\2513 Sasso Residence R20 V4.rvt

File Attachments for Item:

A. Report from Zoning Administrator



HISTORIC DISTRICT REVIEW BOARD STAFF REPORT

Meeting Date: September 16, 2025

Item: Report from Zoning Administrator Katie Nunez

Prepared by: Katie H. Nunez, Director of Planning & Zoning Administrator

Date: September 5, 2025

1) MINOR EXEMPTIONS APPROVED BY ZONING ADMINISTRATOR:

- a. 501 Jefferson Avenue – replacing the roof shingles, pursuant to CCZO Section 8.17 (B).
- b. 512 Madison Avenue – modifying an approved CoA.
- c. 541 Madison Avenue – After the Fact removal of the side chimney and wall due to structural damage, pursuant to CCZO Section 8.17 (H)
- d. 547 Mason Avenue – installing a fence, pursuant to CCZO Section 8.17 (H)
- e. 115 Randolph Avenue – installing railing to the front steps for medical reasons, pursuant to CCZO Section 8.17. (H).
- f. 409 Randolph Avenue – replacing the existing front porch and side porch wood flooring with new wood flooring, pursuant to CCZO Section 8.17 (B).

2) COMPLIANCE CHECKS BY ZONING COMPLIANCE OFFICER ON ISSUED CERTIFICATES OF APPROPRIATENESS (COA): None.

3) NOTICES OF VIOLATIONS ISSUED ON BEHALF OF THE HDRB: None.

File Attachments for Item:

B. Staff to update Board on Town Council's Proposed Amendments to Zoning Ordinance Article VIII and the Historic District Overlay Design Guidelines



TOWN COUNCIL

Work Session

November 7, 2024

Cape Charles Civic Center

Immediately Following the Special Meeting

1. Call to Order:
 - A. Roll Call

2. Items for Discussion:
 - A. [2024 Draft Community Citizen's Survey](#)
 - B. [Discussion of Recent Zoning Decisions & Possible Associated Zoning Code Changes](#)

3. Adjournment

Memorandum



Section 7, Item B.

From: John Hozey, Town Manager

Date: November 7, 2024

To: Town Council

RE: 2024 Citizen's Survey

It's that time of year again when we finalize our annual Community Strategic Plan Citizen's Survey. This has become a very useful tool over the past four years to gauge the community's sentiment on issues of concern which then helps the Town prioritize its limited resources.

This annual survey is actually the first step in the budget development process each year. Its timing is critical to enable data to feed into the annual update of the Community Strategic Plan, which then feeds into the development of the annual budget.

We therefore release this survey every year around Thanksgiving and leave it open until just after New Years. Note that the first eight questions are the same every year. This enables us to gather demographic information and track resident satisfaction over time. Questions nine and ten are typically reserved for the timely issues of the year, which usually look forward to the upcoming year and seek community guidance on the development of our work plan for that year. Also of note, we've learned that with this survey, less is usually more; and that we get the best response by keeping the survey to no more than two pages. This also facilitates our ability to mail it out with our monthly billing.

In preparation for this year's release, I have prepared a draft survey for Council's review and comment. Working from the existing priorities in the current Strategic Plan, this draft survey focuses on gathering information necessary to continue working on those priorities.

I look forward to answering any questions and incorporating Council input during tonight's work session.



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Community Strategic Plan Citizen Survey - 2024

1. Please choose the closest one that applies to you:

- _____ Full-time resident living within the corporate limits of Cape Charles
- _____ Full-time resident within the town limits, who also owns additional property within the town limits
- _____ Resides in Northampton County but outside the corporate limits of Cape Charles
- _____ Owns property within the corporate limits of Cape Charles but maintains a primary residence outside of the town
- _____ Resides outside Northampton County but a frequent visitor to Cape Charles

2. How long have you lived or owned property in Cape Charles? _____ N/A

3. Do you own a business in Cape Charles? Yes _____ No _____

4. Are you employed? Circle the closest one that applies:

Full time part time retired between jobs prefer not to answer

5. Is your employment based primarily from your home? Yes _____ No _____ N/A

6. Do you think Town public services are appropriate for a community of our size?

Yes _____ No _____ (Please feel free to attach comments)

7. Are you satisfied with the quality of Town public services?

Yes _____ No _____ (Please feel free to attach comments)

8. Do you feel the Town has maintained or improved its small-town character in recent years?

Yes _____ No _____ (Please feel free to attach comments)

9. The currently vacant railroad property north and east of the harbor has captured the imagination of residents for many years. The issues surrounding clear title to this property that have hampered development are now close to being resolved. As a result, formal planning to guide potential development in this area is ripe for discussion. Please indicate your opinion on the following statements from 1 to 5 (with 1 meaning the least agreement and 5 being the strongest agreement).

- _____ Development of this area should strive to diversify our economy beyond tourism as much as possible (though it should not detract from existing tourism)

- ☐ The character of the current historic district and Mason Avenue should be replicated into this area where appropriate
- ☐ Open space, parks, or recreational areas should be included
- ☐ Continuation of the existing street pattern to the south should be considered
- ☐ ?? ☐

What other ideas or concepts should be considered in the development of this area:

10. Other than the topic above, what will be the most pressing issue or need for the Town in 2025?

11. What tools do you use to stay in touch with town happenings? Circle all that apply:

- Facebook posts Gazette Nixle Town website Weekly staff reports Word of mouth
- Watch meetings on Facebook Newspapers CC Happenings Mirror
- Other

12. Your Name:

Street Address:

Email Address:

Note: anonymous surveys cannot be counted

May we contact you regarding this survey? Yes ☐ No ☐

Responses are due back to Town Hall no later than 2:00 pm, January 10, 2025
Surveys may be dropped off, mailed (2 Plum St), or scanned and emailed to Clerk@capecharles.org
An [electronic version](#) of this survey is also available on the Town’s website

DRAFT

Memorandum



Section 7, Item B.

From: John Hozey, Town Manager

Date: November 7, 2024

To: Town Council

RE: Recent BZA Precedents

On October 8, 2024, the Board of Zoning Appeals (BZA) met to hear appeals of two recent Zoning Administrator (ZA) decisions. One was regarding work done to a home at 204 Bay Avenue without receiving a prior zoning clearance. The other was a challenge to the determination that vehicles cannot be stored on vacant lots, specifically in the 500 block of Madison Avenue. The BZA approved both appeals, and in doing so potentially created undesired precedents.

The Town has three options when BZA appeal decisions create unwanted precedents:

1. Appeal the BZA decisions to the Circuit Court
2. Change the Zoning Ordinances to clarify the Council's intent regarding these matters
3. Do nothing and allow the precedents to stand

After consultation with the Town's attorney, I recommend option #2 regarding both decisions.

In the matter of the first appeal regarding the prosecution of work without appropriate advance review; the BZA did not focus on the correct issue, a procedural question. They instead focused on the merits of whether that specific work required HDRB review or not (typically the Zoning Administrator's decision). But in this case, the ZA never got the chance to rule on whether this work required HDRB review, because the applicant never came to the Town to ask for the ZA's interpretation.

Had the applicant followed our procedure and requested a zoning clearance in advance of the work, the ZA, after having the opportunity to review all the information, would have likely agreed that HDRB action was not required, and that the work could have been approved administratively.

But in this case, the applicant reviewed the ordinances on his own and decided unilaterally that the Town did not need to be contacted about this work. When the ZA was notified after the fact that the work had been done, and not knowing exactly what that work entailed, she issued a violation for not getting a zoning clearance before starting the work. It was that violation of procedure (not the question of minor work) that the applicant appealed to the BZA.

The Town Council has vested the authority to determine what is, or what is not, minor work in the ZA, not in the applicant. But by focusing on the work being done rather than the process not being followed, the BZA approval inadvertently vested that authority in the applicant; essentially upholding his right to work on his home based solely on his own interpretation of the ordinances.

The BZA simply got this one wrong; and as a result, any enforcement regarding work done in the historic district without first obtaining a zoning clearance has been suspended pending clarification of this issue with the Town Council.

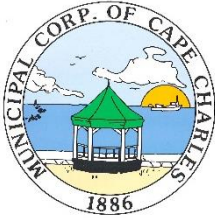
If it is the Council's intent to allow each individual applicant to decide whether a zoning review is required or not, then no action is required. But if the Council still wants the ZA to make this determination, clarifying language needs to be inserted into the ordinances to remove any ambiguity. Once this clarification is made to these ordinances, it will nullify any unfortunate precedent the BZA may have inadvertently created in this case.

In the matter of the second appeal regarding the ability to store parked cars on vacant lots, the BZA reviewed the ordinances associated with this issue, and based primarily on their interpretation of the definition of parking lots in the ordinance, overruled the Zoning Administrator and approved the appeal.

Unlike the first appeal described above, the BZA focused on the correct issues and made the call as they saw fit. But this ruling creates a problem for the Town in that it is in contradiction to many other similar enforcement actions the Town has historically taken that were never appealed. Since the Zoning Administrator assumed her role, there have been 6 other similar cases of parking on vacant lots which were eventually cured as a result of a violation, resulting in the removal of the offending vehicles. This BZA ruling however, will stop all future similar enforcement actions.

Since parking has become an important topic of conversation recently, Town Council direction on this matter is requested. If the Council has no concern regarding the appearance of vehicles being stored on vacant lots in the historic district, then no action is required. But if the Council has any concerns with how this might impact the charm of the historic district, and perhaps would like to discuss some side rails or parameters regarding this issue, guidance is needed and clarifying language must be inserted into the ordinance describing the Council's intent.

One additional item also needs clarification, as it pertains to the assertion that in a Dillon Rule state, actions or uses not specifically authorized by zoning are prohibited. During deliberations of this appeal, some BZA members may have been under the mistaken impression that the opposite was true; that unless prohibited, uses are authorized. This is something that all BZA members must get right, and so if we are making text amendments to clarify other intentions, we should also clarify this important pretext of zoning.



TOWN COUNCIL
Work Session
Cape Charles Civic Center
November 7, 2024
Immediately Following the Regular Meeting

At 6:13 p.m. Vice Mayor Steve Bennett, having established a quorum, called to order the Special Meeting of the Cape Charles Town Council. In addition to Vice Mayor Bennett, in attendance were Councilmen Buchholz, Butta and Grossman, and Councilwoman Holloway. Mayor Charney was out of town and unable to attend. There was one vacant position on the Council. Also, in attendance were Town Manager John Hozey, Project Manager Bob Panek, Treasurer Marion Sofield, Planner/Zoning Administrator Katie Nunez, Zoning Compliance Officer Jack Steinmayer and Town Clerk Libby Hume. There were 7 members of the public physically in attendance.

Vice Mayor Bennett stated that the items for discussion were the 2024 community survey and recent decisions and possible associated zoning code changes.

A. 2024 Draft Community Strategic Plan Citizen Survey:

John Hozey stated that it was time for the 2024 citizen survey. A draft of this year's survey was included in the agenda packet and the 2023 survey was distributed this evening. The plan was to get the survey finalized and distributed with the November trash billing. There would also be an electronic version. Both versions would have a due date in early January. The first 8 questions were the same every year to help track the demographics and trends.

Councilwoman Holloway asked if another question could be added, after question #5, asking the responder their age and provide age ranges. This was not currently asked and would be helpful to know. Councilman Buchholz agreed. John Hozey stated that it would be good to start collecting this data.

Councilwoman Holloway noted that question #7 regarding public services was too generic. She reviewed Ms. McMath's comments that were emailed to Council and made some notes. Maybe we could list the various departments. John Hozey agreed that it would be a good compromise.

Question #9: i) Councilwoman Holloway suggested changing it to have responders rank the items from 1 to 5 in importance, with 1 being the least important and 5 being the most important, adding that she felt that ranking would provide a better result since we needed to know the importance versus agreement to the statements. The other Council members agreed; ii) The fourth statement was changed to "*Continuation of the existing Historic District street pattern into the Harbor area should be considered;*" iii) The fifth item was added to state "*A percentage of affordable housing should be factored in.*"

Question #10: There was much discussion about this question. Councilman Butta suggested listing some items from the Strategic Plan Appendix A – Comprehensive Plan Summary of Objectives and Strategies and have the responders check 5 items that they would prefer the Town focus upon. Councilwoman Holloway agreed, adding that it was best to provide choices for the responders to choose from. Council proceeded to review the list on Appendix A and chose the following to include on the survey: encourage workforce housing; seek healthy balance of residents & tourists; promote and expand business; enhance walkability; increase parking; promote coastal resiliency, and create multi-use recreation field.

Question #11: Councilwoman Holloway suggested having the responders rank the communication options and suggested adding e-Notifications to the list. Councilman Grossman agreed, adding that having them circled just provided numbers.

It was suggested that the statement at the bottom of the survey, related to the electronic version, be moved to the top of the survey since responders needed to know about the electronic version and where to find it before they began completing the hard copy version.

John Hozey stated that he would make the changes discussed this evening and get the survey back out to Council for review.

B. *Discussion of Recent Zoning Decisions & Possible Associated Zoning Code Changes:*

John Hozey stated that there had been two instances where the Board of Zoning Appeals (BZA) created unintended consequences in the form of a precedent. The BZA should have focused on the process, but they weighed in on the work done rather than the process.

First Appeal: The appellant did not come to Town asking about the process to perform work on their house. When the Town found out about the work, a violation was issued because the process was not followed. The BZA shifted the authority to decide whether a review by the zoning administrator was needed.

There was discussion as follows: i) Vice Mayor Bennett stated that we did not want citizens deciding to approve their work but he felt the list of fees were onerous and the costs prohibitive, so residents began making their own choices for work needing to be done on their homes; ii) John Hozey agreed that the applicant was trying to avoid paying the fee and read the ordinance themselves. The fees charged by the Town were substantially similar to other jurisdictions. We only had so much staff available for this so there should be a fee, and our fees were not outrageous; iii) Councilwoman Holloway felt that citizens did not do this intentionally and she felt that we stopped giving warnings and jumped immediately into reprimanding or penalizing our citizens. The small town character and charm reflected how we treated each other. When a resident wanted to follow the process correctly and they found the amount of the fees were more than the repair, they no longer wanted to do the necessary maintenance or repairs. She asked whether the Town had a system for notifying residents in violation. John Hozey stated that there was no way to warn an individual if they did not come in to inquire about the process. If they came in, staff would be able to explain the process and the individual would pay a review fee, not a penalty; iv) Councilman Buchholz noted that the 2 resolutions of intent which were adopted earlier this evening should have been done over a year ago. We all slip up so if someone did some work on their house without prior review by staff, we needed to bring them in to go over the process and guide them, then assess a review fee, not a penalty; v) Councilman Grossman stated that this conversation needed to come back to the reason why every change needed to go through the zoning administrator and asked why citizens could not perform simple repairs to their homes. He passed around photos of his shed which was behind the Town Hall. Under one of the window sills, the wood was rotting. The left side was the same about 5 years ago. He cut out the rotten wood, replaced it and painted it. Did this have to go through an approval cycle for him to make the repair? It should not. It was not clear to him why everything needed to go to zoning. Did we expect a pane of glass to have to go through an approval cycle? He did not think so. He added that the procedural steps needed to be written into the ordinance. Councilwoman Holloway agreed, adding that making everything go through zoning, discouraged the residents from doing anything. Councilman Grossman suggested a list of repair items that would be permitted without zoning approval and include the process if the resident was caught changing materials, etc.; vi) Councilman Grossman stated that the zoning ordinance needed to be changed for clarification (#2 on John Hozey's memo – attached). The current language in the zoning ordinance did not state that everything needed to go through the zoning administrator. If we were going to require

all external work to go through the zoning process for approval, we needed to make it crystal clear. John Hozey agreed and stated that staff would develop a list of items that did and did not require zoning approval and bring it back for Council review; v) Katie Nunez stated that the fees could be reexamined and added that her department encouraged everyone to put as much into their application as possible to reduce the amount of fees. She asked for specific examples of repeated fees so she could review it. She asked for direction regarding the fees and/or tiers, adding that the penalty fee was imposed last year due to the increasing number of after-the-fact approvals. Why would anyone want to ask for permission to do anything in advance if they could do the work, then ask for an after-the-fact approved if they got caught. Why have a Historic District Review Board if prior approval was not necessary?

Second Appeal: The appellant had a bus parked on a vacant lot. The Town had tried not to have vehicles parked on vacant lots, but the BZA's decision now allowed it. Perhaps the Town could allow parking on vacant lots as long as the vehicles were registered and with appropriate screening to limit visibility from the street. The Town did not want a junk yard within the town limits.

There was discussion as follows: i) Vice Mayor Bennett expressed his opposition to allow any type of vehicle to be parked on vacant lots; ii) John Hozey stated that the Town had an ordinance that an RV could not be parked on the street; iii) Councilman Grossman stated that he had 2 lots, and he parked his golf cart on the second lot. John Hozey stated that parking was permitted as an accessory use for a developed property. Councilman Grossman noted that his second lot was considered a vacant lot as it had not been developed. Katie Nunez explained that Councilman Grossman's 2 lots had common ownership, adding that the subject lot of the appeal was separated from the appellant's other lot by an alley which was a public road; iv) Councilman Buchholz stated his opinion that as long as the vehicle was registered, with a current state inspection which would determine whether it was operational, the property owner should be able to park their vehicle on the lot. Vehicles owned by other parties should not be allowed. He added that in his opinion, two lots with an alley between them should be considered as adjacent. We were being too restrictive. John Hozey agreed that, since the Town had a parking issue, if the owner of a vacant lot wanted to park their own, currently registered vehicle, on the lot, it would be permissible; v) Katie Nunez noted that we currently restricted parking in front yards. John Hozey stated that we could add a set back for parking on vacant lots for vehicles registered, inspected and owned by the property owner. Councilman Grossman and Councilwoman Holloway expressed their support of this.

John Hozey stated that staff would draft a text amendment clarifying parking and zoning administrator reviews and present it for Council review.

Councilman Butta stated that if the BZA was granting multiple variances for the same issues, then we needed to review and change the ordinance. Katie Nunez added that the BZA was not being inundated with variance requests. She provided an annual report of all BZA actions to the Town Council, If Council saw something repeatedly, then they could direct the Planning Commission to change the ordinance.

Councilman Grossman asked that the resolution be brought forward along with the recommendations so Council could direct the Planning Commission to make the necessary changes.

There was no further discussion.

John Hozey stated that as a Dillon rule state, we only had the authority granted to us by the state. In zoning, if a use was not expressly authorized, it was prohibited. The BZA may have

misunderstood this, and we could not have that type of confusion. He would have this clarified in the ordinance as well.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to adjourn the Town Council Work Session. The motion was approved by unanimous vote.

The Town Hall Meeting was adjourned at 7:29 p.m.

Vice Mayor Bennett

Town Clerk

11/7/2024 Town Council Work Session Handouts

DRAFT

DRAFT

Community Strategic Plan Citizen Survey - 2024

1. Please choose the closest one that applies to you:
- ___ Full-time resident living within the corporate limits of Cape Charles
 - ___ Full-time resident within the town limits, who also owns additional property within the town limits
 - ___ Resides in Northampton County but outside the corporate limits of Cape Charles
 - ___ Owns property within the corporate limits of Cape Charles but maintains a primary residence outside of the town
 - ___ Resides outside Northampton County but a frequent visitor to Cape Charles
2. How long have you lived or owned property in Cape Charles? _____ N/A
3. Do you own a business in Cape Charles? Yes ___ No ___
4. Are you employed? Circle the closest one that applies:
- Full time part time retired between jobs prefer not to answer
5. Is your employment based primarily from your home? Yes ___ No ___ N/A
6. Do you think Town public services are appropriate for a community of our size?
- Yes ___ No ___ (Please feel free to attach comments)
7. Are you satisfied with the quality of Town public services?
- Yes ___ No ___ (Please feel free to attach comments)
8. Do you feel the Town has maintained or improved its small-town character in recent years?
- Yes ___ No ___ (Please feel free to attach comments)
9. The currently vacant railroad property north and east of the harbor has captured the imagination of residents for many years. The issues surrounding clear title to this property that have hampered development are now close to being resolved. As a result, formal planning to guide potential development in this area is ripe for discussion. Please indicate your opinion on the following statements from 1 to 5 (with 1 meaning the least agreement and 5 being the strongest agreement).
- ___ Development of this area should strive to diversify our economy beyond tourism as much as possible (though it should not detract from existing tourism)

- _____ The character of the current historic district and Mason Avenue should be replicated into this area where appropriate
- _____ Open space, parks, or recreational areas should be included
- _____ Continuation of the existing street pattern to the south should be considered
- _____ ?? _____ ??

What other ideas or concepts should be considered in the development of this area:

10. Other than the topic above, what will be the most pressing issue or need for the Town in 2025?

11. What tools do you use to stay in touch with town happenings? Circle all that apply:

- Facebook posts Gazette Nixle Town website Weekly staff reports Word of mouth
- Watch meetings on Facebook Newspapers CC Happenings Mirror
- Other _____

12. Your Name: _____

Street Address: _____

Email Address: _____

Note: anonymous surveys cannot be counted

May we contact you regarding this survey? Yes _____ No _____

Responses are due back to Town Hall no later than 2:00 pm, January 10, 2025
Surveys may be dropped off, mailed (2 Plum St), or scanned and emailed to Clerk@capecharles.org
An [electronic version](#) of this survey is also available on the Town's website

DRAFT

Page 2 of 2

Community Strategic Plan

Appendix A Cape Charles Comprehensive Plan Summary of Objectives and Strategies

A) Housing

- 1 Pursue additional supply and diversity of housing
- 2 Encourage workforce housing
- 3 Participate in Housing Finance Programs
- 4 Promote manufactured housing
- 5 Address STR impacts on housing

B) Economy

- 1 Seek healthy balance - residents & tourists
- 2 Attract families with children
- 3 Strengthen household economic wellbeing
- 4 Promote and expand business
- 5 Promote diverse economic benefits for the harbor
- 6 Expand local manufacturing base
- 7 Promote traditional water based economic activities
- 8 Study chains of activities
- 9 Identify placemaking opportunities
- 10 Update Bay Creek Planned Unit Development (PUD)

C) Transportation

- 1 Reduce traffic congestion
- 2 Enhance walkability
- 3 Maintain safe golf cart operations
- 4 Increase parking
- 5 Identify and maintain alleys and easements
- 6 Promote affordable public transportation
- 7 Complete multi-use path between historic district, harbor, and Bay Creek
- 8 Intergrade harbor area with other trail/path networks
- 9 Support Rails to Trails

Community Strategic Plan

D) Environment

- 1 Enhance Chesapeake Bay water quality
- 2 Promote strong aesthetics and limit litter
- 3 Ensure high quality drinking water
- 4 Maintain long-term viability of beach and harbor
- 5 Promote coastal resiliency
- 6 Protect wetlands
- 7 Implement Coastal Resources Management guidance
- 8 Develop recommendations to improve resiliency to storm events
- 9 Assess feasibility of recycling
- 10 Protect and promote tree canopy
- 11 Evaluate I&I to sewer

E) Facilities & Services

- 1 Pursue amenities for town facilities
- 2 Create modernized municipal facilities
- 3 Create multi-use recreation field
- 4 Ensure effective water & sewer utilities
- 5 Develop policy for paying for facility expansions
- 6 Develop proffer policy to pay for impacts of future developments
- 7 Pursue arts, public events, etc.

Memorandum



From: John Hozey, Town Manager
Date: November 7, 2024
To: Town Council
RE: Recent BZA Precedents

On October 8, 2024, the Board of Zoning Appeals (BZA) met to hear appeals of two recent Zoning Administrator (ZA) decisions. One was regarding work done to a home at 204 Bay Avenue without receiving a prior zoning clearance. The other was a challenge to the determination that vehicles cannot be stored on vacant lots, specifically in the 500 block of Madison Avenue. The BZA approved both appeals, and in doing so potentially created undesired precedents.

The Town has three options when BZA appeal decisions create unwanted precedents:

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3. Do nothing and allow the precedents to stand

After consultation with the Town’s attorney, I recommend option #2 regarding both decisions.

In the matter of the first appeal regarding the prosecution of work without appropriate advance review; the BZA did not focus on the correct issue, a procedural question. They instead focused on the merits of whether that specific work required HDRB review or not (typically the Zoning Administrator’s decision). But in this case, the ZA never got the chance to rule on whether this work required HDRB review, because the applicant never came to the Town to ask for the ZA’s interpretation.

Had the applicant followed our procedure and requested a zoning clearance in advance of the work, the ZA, after having the opportunity to review all the information, would have likely agreed that HDRB action was not required, and that the work could have been approved administratively.

But in this case, the applicant reviewed the ordinances on his own and decided unilaterally that the Town did not need to be contacted about this work. When the ZA was notified after the fact that the work had been done, and not knowing exactly what that work entailed, she issued a violation for not getting a zoning clearance before starting the work. It was that violation of procedure (not the question of minor work) that the applicant appealed to the BZA.

The Town Council has vested the authority to determine what is, or what is not, minor work in the ZA, not in the applicant. But by focusing on the work being done rather than the process not being followed, the BZA approval inadvertently vested that authority in the applicant; essentially upholding his right to work on his home based solely on his own interpretation of the ordinances.

The BZA simply got this one wrong; and as a result, any enforcement regarding work done in the historic district without first obtaining a zoning clearance has been suspended pending clarification of this issue with the Town Council.

If it is the Council's intent to allow each individual applicant to decide whether a zoning review is required or not, then no action is required. But if the Council still wants the ZA to make this determination, clarifying language needs to be inserted into the ordinances to remove any ambiguity. Once this clarification is made to these ordinances, it will nullify any unfortunate precedent the BZA may have inadvertently created in this case.

In the matter of the second appeal regarding the ability to store parked cars on vacant lots, the BZA reviewed the ordinances associated with this issue, and based primarily on their interpretation of the definition of parking lots in the ordinance, overruled the Zoning Administrator and approved the appeal.

Unlike the first appeal described above, the BZA focused on the correct issues and made the call as they saw fit. But this ruling creates a problem for the Town in that it is in contradiction to many other similar enforcement actions the Town has historically taken that were never appealed. Since the Zoning Administrator assumed her role, there have been 6 other similar cases of parking on vacant lots which were eventually cured as a result of a violation, resulting in the removal of the offending vehicles. This BZA ruling however, will stop all future similar enforcement actions.

Since parking has become an important topic of conversation recently, Town Council direction on this matter is requested. If the Council has no concern regarding the appearance of vehicles being stored on vacant lots in the historic district, then no action is required. But if the Council has any concerns with how this might impact the charm of the historic district, and perhaps would like to discuss some side rails or parameters regarding this issue, guidance is needed and clarifying language must be inserted into the ordinance describing the Council's intent.

One additional item also needs clarification, as it pertains to the assertion that in a Dillon Rule state, actions or uses not specifically authorized by zoning are prohibited. During deliberations of this appeal, some BZA members may have been under the mistaken impression that the opposite was true; that unless prohibited, uses are authorized. This is something that all BZA members must get right, and so if we are making text amendments to clarify other intentions, we should also clarify this important pretext of zoning.

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 a 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 doing so 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

The purpose of this district is to guard 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 character of the designated historic areas and historic landmarks and other historic or architectural features and 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 map covering the area included in the Historic District, based on the criteria set forth in this ordinance. This map shall be as much a part of this ordinance as if fully described herein. Pending further amendment of this ordinance, the period of significance for the Town will be from 1883 to 1964 as delineated in the Cape Charles Historic District National Register of Historic Places (amended 2019). As identified in the National Register, structures 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. Structures or sites not designated as landmark or contributing properties shall be known as noncontributing properties. Should a building or structure within the boundaries of the historic district not be listed in the national register, the building or structure will be classified as noncontributing. The 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 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

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

The members of the Historic District Review Board shall be appointed by the Town Council. The Membership shall consist of five (5) citizens, at least three (3) of whom shall be residents of the local historic district.

Section 8.8: Historic District Review Board; Terms

Upon approval by the Town Council, members shall be appointed for a term of five years (5 yrs). 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

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, include a Planning Commission member, as well as professionals in the disciplines of architecture, history, historic preservation, archaeology, or related professions; and professionals in the disciplines of planning, building construction, or real estate.

Section 8.10: Historic District Review Board; Organization

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

The Board shall meet in regular session on the third (3rd) 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

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, with the concurrence of the town manager, establish procedures for all matters coming before it for review, and all meetings shall be open to the public. The Board will have the right to appeal decisions of the town manager to the Town Council.

Section 8.14: Historic District Review Board; Powers and Duties

The Zoning Administrator will review all applications to determine the proper level of review and compliance with the Cape Charles Zoning Ordinance. 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 and buildings or other properties in the 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 oversee 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 recommend standards and guidelines for adoption by the Town Council to supplement the standards set forth in this Ordinance; the currently adopted guidelines are called “Cape Charles Historic District Guidelines revised October 2017.”
- 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 the character of historic landmarks, buildings, sites, or areas within the Town.

Section 8.15: Summary of Administration Review Procedures

~~In general,~~ It is the purpose of this ordinance to establish review procedures for actions affecting properties in the Historic District. **Therefore, the Zoning Administrator will review all applications to determine the proper level of review and compliance with the Cape Charles Zoning Ordinance.**

- A. Actions related to “Standards” will be exclusively the purview of the Zoning Administrator.
- B. Actions addressed by “Guidelines” will be the purview of the Historic District Review Board, except that guidelines that are relatively straightforward may be delegated to the Zoning Administrator at the discretion of the Historic District Review Board.
- C. 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: 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 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 (1) or more stories or alteration of a roofline.~~
- ~~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.~~

Section 8.17: Certain Minor Actions Exempted from Review by the Historic District Review Board

~~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. Landscaping involving minor grading, walks, low retaining walls, temporary fencing, fencing immediately surrounding trash receptacles or outdoor ventilation units, small fountains, outdoor showers, and ponds which will not substantially affect the character of the property and its surroundings.~~
- ~~E. Construction of off-street loading areas and off-street parking areas.~~
- ~~F. 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.~~
- ~~G. Additions or deletions to an existing building which are not visible from a public street or sidewalk. Alleys in this context are not to be considered public places.~~
- ~~H. Covered by other zoning ordinance requirements as administrated by the Zoning Administrator unless altered by the overlay ordinance.~~

- ~~I. Receiving historic preservation tax credits through state or federal offices.~~
- ~~J. Demolition of non-contributing buildings or structures.~~
- K. ~~Alterations or repairs made to a building or structure for the purpose of temporary emergency stabilization.~~

Section 8.16: Description of Proposed Work

Changes proposed to a property within the Historic District fall into one of the following categories. The nature of the work will determine whether the change proposed requires the department or Historic District Review Board (HDRB) approval. Not every project requires a property owner to obtain a Certificate of Appropriateness (COA). There are three (3) basic categories for projects: Routine Maintenance, Minor Work, and Major Work. The property owner must confirm with the department that the project is consistent with the appropriate work level. The following will give a brief description of each and indicate whether a COA is required by either staff or HDRB.

- A. ***Routine Maintenance** items are types of exterior work that keep the property in good condition. Such projects include any repair where no change is made to the appearance of the structure or site.

Routine Maintenance may not require the issuance of a COA by staff or the HDRB. The property owner must check with the department that the project is consistent with routine maintenance. At the discretion of the department, an application for routine maintenance may be forwarded to the HDRB if the work is questionable as to whether it is consistent with the Cape Charles Historic Overlay District Design Guidelines (HDODG).

- B. ***Minor Work** projects do not substantially alter the visual character of the structure or site.

Minor Work projects require an application and issuance of a COA. They may be approved by the department if the proposed work is consistent with the HDODG. If the department does not approve the application or if the work is questionable as to whether it is consistent with the HDODG, an application for minor work may be forwarded to the HDRB.

- C. ***Major Work** projects that involve change in the appearance of a building or site and are more substantial than routine maintenance or minor projects. They include changes from the original design or material, or replacement, alteration, or removal of an original feature.

Major Work projects require an application and issuance of a COA by the HDRB.

*A detailed Classification of Work Chart can be found in Appendix G of the Cape Charles Historic Overlay District Design Guidelines.

*The property owner must schedule an inspection if required in the Cape Charles Historic Overlay District Design Guidelines Appendix G Classification of Work Chart.

Section 8.17: Declaration of Unsafe or Dangerous Conditions

Nothing in this Ordinance shall be construed to prevent any measures necessary to correct an unsafe or dangerous condition of a property in the Historic District. Temporary measures may be taken as directed by the Zoning Administrator and Code Official without obtaining a Certificate of Appropriateness.

Section 8.18: Delegation of Authority

- A. The Zoning Administrator or Code Official 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.
- B. The Historic District Review Board shall periodically review the design guidelines contained in this section.

Section 8.19: Certificate of Appropriateness

Evidence of the approval required under the terms of the Historic District shall be a certificate of appropriateness issued on behalf of the Historic District Review Board, stating that the demolition, moving, or changes in the exterior architectural appearance of the proposed construction, reconstruction, alteration, or restoration for which application has been made are approved by the Historic District Review Board or the Zoning Administrator. The Historic District Review Board may permit modifications of original proposals if such modifications are formally acknowledged, clearly described, and recorded in the records of the case. A certificate of appropriateness shall be in addition to any other permits required. Any action by applicants following issuance of a permit-requiring certificate of appropriateness shall be in accord with the application and material approved and any conditions appended thereto.

Section 8.20: Design Guidelines; Recommendations for Review

The intent of the guidelines is to ensure that changes within the district are compatible with the district's historic and architectural character.

- A. The Historic District Review Board shall be guided in its decisions by the design guidelines but must also use independent judgement and discretion to consider the unique characteristics of each request. The board is expected to work with each applicant to assist them in achieving their goal while preserving the character of the district. The board shall utilize the pre-application review process as defined in §8.25 (A).
- B. It shall be the duty of the Historic District Review Board to prepare recommended amendments to the design guidelines.
- C. The Town Council shall adopt and amend the design guidelines after

conducting at least one public hearing pursuant to [§15.2-2204](#) of the Code of Virginia.

- D. Separate guidelines shall be developed for all new infill buildings in Cape Charles' historic district. New infill construction will not diminish, detract, or distract from the character of surrounding historic buildings or the overall historic district.
- E. Alterations and additions to non-contributing structures that affect the exterior appearance of the structure or additions should be compatible with the district following the guidelines for new (infill) construction. Criteria for non-contributing structures may be less restrictive than that applied to contributing structures.

Section 8.21 Demolition: Alternate Procedure: Offer to Sell

- A. Prior to approval of any application for demolition, razing, moving, or removal of a contributing structure within the Cape Charles Historic District; the zoning administrator, the Historic District Review Board, or the Town Council, as applicable, shall review the application for its compatibility with each of the following guidelines.
 - 1. Whether or not the contributing structure is of such architectural or historic interest that its removal would be to the detriment of the character and integrity of the Historic District.
 - 2. Whether or not the contributing structure is of such interest or significance that it would qualify as a National, State, or local historic landmark.
 - 3. Whether or not retention of the contributing structure would help to preserve and protect a historic place or area of historic interest in the Town.
 - 4. Whether or not plans for future use of the site after demolition are appropriate, compatible, sympathetic, and complimentary to the character and integrity of the Historic District.

No subsequent application under §8.21 (A) regarding the contributing structure may be made until more than one year (1 yr) after a final denial by the Town Council.

- B. In addition to the right of appeal herein elsewhere set forth, the owner of a contributing structure in the Cape Charles Historic District shall as a matter of right be entitled to raze or demolish a contributing structure provided that:
 - 1. The owner has applied to the Town Council for such right.
 - 2. The owner has for the applicable period of time set forth in the time schedule in §8.21 (B) (4), and at a price reasonably related to the fair market value of the contributing structure and the land, other improvements and appurtenances pertaining thereto (assuming the buyer will be required to preserve and restore the contributing structure in place on the property) as determined by the average of two (2) real estate appraisals from two (2) different appraisers, made a bona

fide, public offer (pursuant to the requirements of this §8.21 (B)) to sell such contributing structure, and the land, other improvements and appurtenances pertaining thereto (collectively, the "Property"), to the Town and any other person, firm, corporation, government or political subdivision or agency thereof, which gives reasonable assurance that it is willing to preserve and restore the contributing structure in place. If the two (2) required real estate appraisals submitted by the Owner differ by more than ten percent (10%), the owner must have the Property appraised a third time at his own expense by a third real estate appraiser selected by the Town. The bona fide offer to sell must be at a price not more than the average of the two (2) such appraisals that are closest to one another.

3. No bona fide contract, binding upon all parties thereto, shall have been executed for the sale of any such Property thereto, prior to the expiration of the applicable time period set forth in the time schedule in §8.21 (B) (4). Any appeal which may be taken to the court from the decision of the Town Council, whether instituted by the owner or by any other proper party, notwithstanding the provisions heretofore stated relating to a stay of the decision appealed from, shall not affect the right of the owner to make the bona fide offer to sell referred to above.
4. The time schedule for offers to sell shall be as follows:
 - a. Three (3) consecutive months when the offering price is less than twenty-five thousand dollars.
 - b. Four (4) consecutive months when the offering price is twenty-five thousand (\$25,000) or more but less than forty thousand dollars (\$40,000).
 - c. Five (5) consecutive months when the offering price is forty thousand (\$40,000) or more but less than fifty-five thousand dollars (\$50,000).
 - d. Six (6) consecutive months when the offering price is fifty-five thousand dollars (\$50,000) or more but less than seventy-five thousand dollars (\$75,000).
 - e. Seven (7) consecutive months when the offering price is seventy-five thousand dollars (\$75,000) or more but less than ninety thousand dollars (\$90,000).
 - f. Twelve (12) consecutive months when the offering price is ninety thousand dollars (\$90,000) or more.
5. Before making a bona fide offer to sell, the owner shall first file a statement with the Zoning Administrator along with the appraisals required by §8.21 (B) (2). The statement shall identify the Property, state the offering price, the date the offer of sale is to begin, the names and addresses of adjacent property owners, and the names and addresses of listing real estate agents, if any. The owner shall be required to maintain the Property in at least its current condition during the term of the public offer. No time period set forth in the time schedule contained in §8.21 (B) (4). shall begin to run until the statement has been filed. Within five (5) business days after receipt of a statement, copies of the statement shall be delivered by the Zoning Administrator to the Town

Manager, the Town Council, and the Historic District Review Board. Within thirty (30) days after the receipt of a statement, the Zoning Administrator: (a) shall place notice of the statement once a week for two (2) successive weeks in a newspaper having general circulation in the Town, (b) post a notice of the statement prominently on the Property, and (c) send notice of the offer, accompanied by the statement, to the adjacent property owners by certified or registered mail.

6. During the time period for the offer to sell, the Town may take steps as it deems necessary to preserve the contributing structure in accordance with the purposes of this article. Such steps may include, but are not limited to, consultation with civic groups, public agencies, and interested citizens, recommendations for acquisition of the Property by public or private bodies or agencies, and exploration of the possibility of moving structures or other features on the Property.
7. The fact that an offer to sell a property is made at a price reasonably related to fair market value as described previously may be questioned by any party who files with the Zoning Administrator, on or before sixty (60) days after the offer for sale has begun, a petition in writing signed by at least twenty-five (25) persons owning real estate within Cape Charles, questioning such valuation. Upon receipt of such a petition, one (1) disinterested real estate appraiser shall be appointed by the petitioners, and the cost of the appraisal shall be borne by the petitioners. Said appraiser shall forthwith make an appraisal of the Property on the same basis as described in §8.21 (B) (2) above, and the Town shall use the average of the lower two (2) appraisals to establish fair market value under §8.21 (B). In the event such valuation indicates that the price at which the applicant offered to sell the Property was at a price that is higher than the Property's fair market value, the offer to sell shall be void and of no force and effect for purposes of satisfying the requirements set forth in this §8.21 (B).
8. If the Town Council authorizes any such demolition or razing of said structure after the above procedures were complied with, then said demolition will proceed after applying for and obtaining approval from the Building Official.

Section 8.22: Maintenance and Repair Required

- A. The purpose of this section is solely to stop demolition by neglect, whereby owners of property in the Historic District allow the structure, or historic attributes of the structure, to become a hazardous building or structure. Any building or structure which is determined to be in such an unsafe condition that it would endanger life or property is governed by Town Code Chapter 18, Article III, Unsafe Buildings or Structures and under the sole jurisdiction of the Town's Code Official. The Zoning Administrator may also pursue violations of the ordinance jointly with the Town's Code Official.
- B. All buildings and structures in the Historic District shall be preserved against decay and deterioration and maintained free from structural defects to the

extent that such decay, deterioration, or defects may, in the opinion of the Historic District Review Board and Town Council, result in the irreparable deterioration of any exterior appurtenance or architectural feature or produce a detrimental effect upon the character of the district as a whole or upon the life and character of the structure itself, including but not limited to:

1. The deterioration of exterior walls or other vertical supports, including broken doors and windowpanes;
 2. The deterioration of roofs or horizontal members;
 3. The deterioration of exterior chimneys;
 4. The deterioration or crumbling of exterior plaster, wood, or mortar;
 5. The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.
- C. After notice by the Zoning Administrator or Code Official by certified mail of specific instances of failure to maintain or repair and of an opportunity to appear before the Historic District Review Board, the owner or person in charge of said structure shall have ninety (90) days to remedy such violation. Thereafter, each day during which there exists any violation of this section shall constitute a separate offense and shall be punishable as provided in this ordinance. In the alternative, if the owner fails to act, the Historic District Review Board may recommend to the Town Council that the Zoning Administrator, after due notice to the owner, enter the property and make or cause to be made such repairs as are necessary to preserve the integrity and safety of the structure and the reasonable costs thereof shall be placed as a lien against the property.

Section 8.23: File of Actions to be Maintained

In order to provide guidance for the consistent application of standards and guidelines, and for assistance to future applicants and the promotion of consistent policies in guiding applicants toward better standards of design, the Zoning Administrator shall maintain a file containing a record of all applications, including drawings and photographs pertaining thereto and the decision of the Zoning Administrator or the Historic District Review Board in each case. The file documents shall be compiled by the Zoning Administrator, maintained by the Town Clerk, and remain the property of the Town but shall be held available for public review.

Section 8.24: Administration; Zoning Administrator

Except as authorized herein, the Zoning Administrator or Code Official shall not authorize a permit for any erection, reconstruction, integral exterior facade change, demolition, or razing of a building or structure in the Historic District until the same has been approved by the Historic District Review Board as set forth in the following procedures.

Section 8.25: Receipt of Application

Upon receipt of an application by the Zoning Administrator for each permit in the historic district, the Zoning Administrator shall oversee the following:

- A. Pre-application review: Persons considering action that requires a certificate of appropriateness, as set forth in this ordinance, are to request an informal

informational meeting with the Zoning Administrator and at least one member of the Historic District Review Board prior to submitting a formal application for a certificate of appropriateness. Requests for such informational meetings can be made to the zoning administrator, who will contact a member of the board. The informational meeting will occur within thirty (30) days of receipt of such a request. The purpose of an informational meeting is to review the design guidelines and standards and the procedures for obtaining a certificate of appropriateness. Neither the applicant nor the zoning administrator/board member(s) shall be bound by any informational meeting or conceptual review. Zoning administrator can use discretion on the need for a pre-application meeting or the inclusion of a board representative depending on the nature of project proposed;

- B. Once accepted by the zoning administrator as a fully completed application, the zoning administrator will forward to the Historic District Review Board a copy of the application, together with a copy of the site plan and the building plans and specifications filed by the applicant if such application requires the Historic District Review Board to meet and render a decision;
- C. Compile a record of all such applications and of the final disposition of the same, to be maintained by the Town Clerk;
- D. Require applicants to submit one (1) hard copy and one (1) electronic version of material required to permit compliance with the foregoing.

Section 8.26: Material to be Submitted for Review

By general rule, or by specific request in a particular case, the Historic District Review Board may require submission of any or all of the following in connection with the application: architectural plans, site plans, landscaping plans, construction methods, proposed exterior lighting arrangements, elevations of all portions of structures with important relationships to public view and such other exhibits and reports as are necessary for its determinations. Requests for approval of activities proposed in historic districts shall be accepted only from the record owner of the land involved in such proposal, or their agent.

Section 8.27: Other Approvals Required

The Zoning Administrator will review submitted applications for Certificates of Appropriateness against appropriate zoning requirements before forwarding application to the Historic District Review Board for pre-application review and approval. In any case in which an applicant's proposal also requires the approval of the Board of Zoning Appeals, final action by the Board of Zoning Appeals shall precede final action by the Historic District Review Board. The Board of Zoning Appeals may, however, table a proposal in order to request the comments of the Historic District Review Board. In this case, final action by the Historic District Review Board shall be taken prior to consideration of proposals requiring site plan approval.

Section 8.28: Action by the Historic District Review Board; Issuance of Certificates of Appropriateness

The Historic District Review Board shall render a decision upon any request or application for a Certificate of Appropriateness within ninety (90) days after the filing of an application accepted as complete. Failure of the Historic District Review Board to render such a decision within said ninety (90) day period, unless such period be extended with the concurrence of the applicant, shall entitle the applicant to proceed as if the Historic District Review Board had granted the Certificate of Appropriateness applied for prior to denying the Certificate of Appropriateness. The Historic District Review Board, on the basis of the review of information received shall, upon request, indicate to the applicant the changes in plans and specifications, if any, which in the opinion of the Historic District Review Board, would protect and/or preserve the historical aspects of the landmark, building, structure, or district. If the applicant determines that they will make the suggested changes, the Historic District Review Board may issue the Certificate of Appropriateness. Agreed to changes will be stipulated on the Certificate of Appropriateness.

All conditions required for the approval of a certificate of appropriateness will also be included on the building plan and will be reviewed by the Code Official during routine inspections.

The Zoning Administrator will be responsible for issuance of the Certificate of Appropriateness to the applicant and the Town's Code Official office within five (5) business days. Denials of applications are to be stated in writing to the applicant along with the reasons for such denials by the zoning administrator and issued within five (5) business days. Once a Certificate of Appropriateness is granted, the applicant may obtain permits to start work with the understanding that work may be stopped should an appeal be filed to the board's decision within a 30-day period following approval of the Certificate of Appropriateness, and that the applicant takes full responsibility to bear whatever consequences result from the appeal's final decision.

Section 8.29: Expiration of Certificates of Appropriateness

Any certificate issued pursuant to this article shall expire of its own limitation six (6) months from the date of issuance if the work authorized thereby is not commenced by the end of such six (6) month period; and further, any such certificate shall also expire and become null and void if such authorized work is suspended or abandoned for a period of six (6) months after being commenced. Any period or periods of time during which the right to use any such certificate is stayed pursuant to this article shall be excluded from the computation of the six (6) months.

Section 8.30: Inspection by Administrator After Approval

When a Certificate of Appropriateness has been issued, the Zoning Administrator or Town Building Official shall from time to time inspect the alteration or construction approved by such certificate and shall give prompt notice to the applicant of any work not in accordance with such certificate or violating any ordinances of the Town. The Zoning Administrator or Town Building Official may revoke the certificate or the building permit if violations are not corrected by the applicant in a timely manner.

Section 8.31: Delay of Approval

In the case of a proposal other than for demolition or moving but involving a

designated landmark where the Historic District Review Board or, on appeal, the Town Council cannot reach a satisfactory agreement with the owner and whereas the Historic District Review Board or, on appeal, the Town Council decides such action to be in the public interest and not in conflict with any provision of law, it may delay the effective date of an approval for a period of three (3) months from the date of application or appeal to enable negotiations to be undertaken and completed for acquisition of the property for preservation or public use. Failure of negotiations within this period shall be the equivalent of a denial of the application by the Historic District Review Board or, on appeal, by the Town Council.

Section 8.32: Conditions Imposed by the Historic District Review Board

In approval of any proposal under this section, the Historic District Review Board or, on appeal, the Town Council may limit such approval by such reasonable conditions as the case may require, including but not limited to, the specifications enumerated for conditional uses and for the Town Council.

Section 8.33: Appeals; Decisions of the Historic District Review Board

An appeal from a decision of the Historic District Review Board may be taken to the Town Council by the owner of the property in question or by any party aggrieved and must show that he has an immediate, pecuniary and substantial interest in the litigation, and not a remote or indirect interest, which shall be taken within thirty (30) days after the decision appealed from by filing with the Zoning Administrator the following: a notice of appeal specifying the grounds thereof; a signed statement listing any personal or business relationship with any general or subcontractors associated with the project under appeal; a signed statement that all real and personal property taxes are current as of the date of the filed appeal notice; a signed statement listing any personal or business relationship or partnership with the property owner(s) associated with the project under appeal; a fee equal in value to the fee paid by the property owner(s) associated with the project under appeal. The person submitting the appeal shall not be allowed to present any evidence that was not presented to the Historic District Review Board, Council members having any relevant interaction with the applicant shall disclose such interaction prior to considering the appeal. The Zoning Administrator will prepare a document of all the papers constituting the record upon which the action appealed from was taken. The Town Council shall fix a reasonable time for the hearing, give public notice thereof and decide the same within sixty (60) days from the date the person submitted a request for appeal. At the hearing, the appealing party may appear in person or by an agent. In exercising its powers, the Town Council will rely solely on the written record of decision from the Historic District Review Board and will refer to the Adopted Historic District Guidelines to determine if they were appropriately applied. The Town Council, through their appeal hearing, is determining only if a procedural or application error has occurred.

Section 8.34: Appeals; Decisions of the Zoning Administrator

An appeal from a decision of the Zoning Administrator may be taken to the Board of Zoning Appeals by the owner of the property in question or by any party aggrieved and must show that he has an immediate, pecuniary and substantial interest in the litigation, and not a remote or indirect interest, which shall be taken within thirty (30)

days after the decision appealed from by filing with the Zoning Administrator the following: a notice of appeal specifying the grounds thereof; a signed statement listing any personal or business relationship with any general or subcontractors associated with the project under appeal; a signed statement that all real and personal property taxes are current as of the date of the filed appeal notice; a signed statement listing any personal or business relationship or partnership with property owner(s) associated with the project under appeal. The Zoning Administrator shall transmit to the Board of Zoning Appeals within five (5) days all the papers constituting the record upon which the action appealed from was taken. The Board of Zoning Appeals shall fix a reasonable time for the meeting, give public notice thereof as required pursuant to [§ 15.2-2204](#) of the Code of Virginia; and decide the same within sixty (60) days. At the meeting the party may appear in person or by agent. In exercising its powers, the Board of Zoning Appeals may reverse or affirm, wholly or partly, or may modify, any order, requirement, decision, or determination appealed from and make such order, requirement, decision or determination as ought to be made.

Section 8.35: Appeal to the Circuit Court from a Decision of the Town Council

An appeal from a final decision of the Town Council may be filed with the Circuit Court within thirty (30) days after said decision in the manner prescribed by law by the owner of the property in question, by any party aggrieved and must show that he has an immediate, pecuniary and substantial interest in the litigation, and not a remote or indirect interest, or by the Historic District Review Board. The filing of an appeal shall stay the decision of the Town Council pending the outcome of the appeal to the court, except that the filing of such petition shall not stay the decision of the Town Council if such decision denies the right to raze or demolish a designated landmark, building, or structure. The court may reverse or modify the decision of the Town Council, in whole or part, if it finds upon review that the decision of the governing body is contrary to law or that its decision is arbitrary and constitutes an abuse of discretion, or it may affirm the decision of the Town Council.

Section 8.36: Violations and Penalties

Any violation of this Article and the penalties for all such violations shall be as set forth in §2.4.3 of the Zoning Ordinance.

Section 8.37: Definitions

For the purpose of this article, terms and words pertaining to the Historic District are defined in Appendix A of this Ordinance.

APPENDIX G – CLASSIFICATION OF WORK – GENERAL GUIDELINES

The following chart has been provided as a reference for Routine Maintenance, Minor Work, and Major Work as defined in the Cape Charles Zoning Ordinance Article VIII.

Please call the Planning & Zoning Department with any questions.

	Type of Work	Routine Maintenance	Minor Work	Major Work	Inspection Required
1)	Painting or repainting of a non-masonry structure does not require approval.				
2)	Accessory Structures* or Buildings, Additions to existing that can be seen from the public right-of-way			X	X
3)	Accessory Structures or Buildings, Additions to existing that cannot be seen from the public right-of-way		X		X
4)	Accessory Structures* or Buildings, Alterations to existing that can be seen from the public right-of-way			X	X
5)	Accessory Structures or Buildings, Alterations to existing that cannot be seen from the public right-of-way		X		X
6)	Accessory Structures* or Buildings, New Construction that can be seen from the public right-of-way			X	X
7)	Accessory Structures or Buildings, New Construction that cannot be seen from the public right-of-way		X		X
8)	Accessory Structures or Buildings, Repairs to existing when there is no change in design, materials, or general appearance	X			Case-by-case basis
9)	Accessory Structures* or Buildings, Replacement of existing		X		X
10)	Architectural Details, Alteration/Addition/Removal of existing			X	X
11)	Architectural Details, Repair/Replacement to existing when there is no change in design, materials, or appearance	X			Case-by-case basis
12)	Awnings, Canopies, or Shutters, Additions/Installation of new			X	X
13)	Awnings, Canopies, or Shutters, Alterations/Removal when there is no change in design or materials		X		X
14)	Awnings, Canopies, or Shutters, Repair/Replacement when there is no change in design, materials, or appearance	X			Case-by-case basis
15)	Buildings, Relocation			X	X
16)	Carports, Alteration/Addition/Removal		X		X
17)	Carports, New Construction that can be seen from the public right-of-way		X		

18)	Carports, New Construction that cannot be seen from the public right-of-way		X		
19)	Certificate of Appropriateness, Modification to previously approved		X		
20)	Certificate of Appropriateness, Renewal of Expiring				
21)	Chimneys, Alteration/Construction/Removal			X	X
22)	Chimneys, Reflash existing when there is no change in design, materials, or appearance		X		
23)	Decks, Alteration/Addition/Removal		X		X
24)	Decks, Repair/Replace of existing when there is no change in design, materials, dimensions, appearance		X		X
25)	Doors (Exterior), Alterations/Addition/Removal			X	X
26)	Doors (Exterior), New Installation			X	X
27)	Doors (Storm), Installation/Removal			X	X
28)	Driveways, Alteration/Addition/Removal/Repair/Replacement of existing when there is a change in design, materials, dimensions, or appearance			X	X
29)	Features not specifically listed, Addition/Alteration/Removal			X	Case-by-case basis
30)	Features not specifically listed, Repair/Replacement when there is no change in design, materials, or appearance		X		Case-by-case basis
31)	Fences, New Construction		X		X
32)	Fences, Repair/Replacement of		X		X
33)	Foundations, Alteration/Replacement of exposed			X	X
34)	Foundations, Repair of exposed when there is no change in design, materials, or general appearance	X			X
35)	Foundation Vents and Ventilators, Alteration/Installation/Removal		X		Case-by-case basis
36)	Foundation Vents and Ventilators, Repair/Replacement of existing when there is no change in design, materials, or general appearance	X			
37)	Gutters and Downspouts, Repair/Minor Replacement when there is no change in design, materials, or appearance	X			
38)	Gutters and Downspouts, Replacement/Installation/Addition/Removal		X		
39)	Lighting Fixtures (Exterior), Alteration/Installation/Removal		X		X
40)	Lighting Fixtures (Exterior), Repair/Replacement when there is no change in design, materials, or	X			

	appearance				
41)	Masonry, Alteration/Construction/Removal			X	X
42)	Masonry, Repainting only when using existing color. Painting to another color or treatment and painting of unpainted masonry not allowed.		X		X
43)	Masonry, Repairs/Replacement when the color and composition of the mortar match the original, and new brick or stone matches the original	X			
44)	Masonry, Repointing		X		
45)	Patios, Alteration/Addition/Removal of existing		X		Case-by-case basis
46)	Patios, New Construction		X		X
47)	Patios, Repair/Replacement of existing when there is no change in design (including dimensions), materials, or appearance	X			
48)	Porches, Addition/Expansion/Removal of existing			X	X
49)	Porches, Alteration of existing			X	X
50)	Primary Buildings, Additions of Commercial or Residential that can be seen from the public right-of-way			X	X
51)	Primary Buildings, Additions of Commercial or Residential that cannot be seen from the public right-of-way		X		X
52)	Primary Buildings, New Construction of Commercial or Residential			X	X
53)	Primary building, Repainting non-masonry	X			
54)	Roof Covering, Alteration/Replacement of existing when there is a change in design, materials, or general appearance			X	X
55)	Roof Coverings, Repair/Replacement when there is no change in design, materials, or appearance		X		X
56)	Roof Forms, Alteration			X	X
57)	Satellite Dishes and/or Television Antennas, Installation		X		Case-by-case basis
58)	*Screening (hedges, plants, or other visual buffer) that is utilized to mitigate the public viewpoint of an Accessory Structure. This may be a designated condition for an approved Certificate of Appropriateness		X		X
59)	Significant Features, Alteration/Removal			X	X
60)	Signs, Alteration/Installation/Removal (must comply with the CCZO Article V.)		X		X

61)	Signs, Repair/Replacement when there is no change in design (including dimensions), materials, or general appearance	X			
62)	Solar Panels, Installation of new that can be seen from the public right-of-way			X	X
63)	Solar Panels, Installation of new that cannot be seen from the public right-of-way		X		X
64)	Solar Panels, Repair/replacement when there is no change in design, materials, or general appearance		X		X
65)	Stairs and Steps (Exterior), Alteration/Addition/Removal			X	X
66)	Stairs and Steps (Exterior), New Construction			X	X
67)	Stairs and Steps (Exterior), Repair/Replacement when there is no change in design, materials, or general appearance	X			X
68)	Surfaces (Exterior) not specifically listed, Addition/Alteration/Removal			X	X
69)	Surfaces (Exterior) not specifically listed, Repair/Replacement when there is no change in design, materials, or appearance		X		X
70)	Structure, Demolition of Contributing in whole or part			X	X
71)	Structure, Demolition of Non-Contributing in whole or part		X		X
72)	Structure, Emergency Stabilization		X		X
73)	Swimming Pools, Addition/Alteration/New Construction. A fence is required to be placed around the perimeter of the pool. A fence is required to be placed around the perimeter of the pool in compliance with the Virginia Building Code		X		Case-by-case basis
74)	Swimming Pools, Removal		X		Case-by-case basis
75)	Swimming Pools, Repairs to existing	X			
76)	Temporary Features, Emergency Installation/Emergency Stabilization to protect a historic property that do not alter the resource		X		X
77)	Temporary Features, Installation/Alteration/Removal that are necessary due to a medical condition		X		Case-by-case basis

78)	Walkways, Addition/Alteration/New Construction/Removal/Repair/Replacement		X		X
79)	Walls, New Construction		X		X
80)	Walls, Repair/Replacement of existing		X		X
81)	Windows, Alteration/Removal of existing			X	X
82)	Windows, Caulking and weatherstripping when there is no change in design, materials, or general appearance	X			
83)	Windows, Installation of new			X	X
84)	Windows, Repair/Replacement when there is no change in design, materials, or general appearance		X		X
85)	Windows (Storm), Installation/Alteration/Removal		X		Case-by-case basis
86)					
87)					
88)					
89)					
90)					
91)					