



TOWN COUNCIL
Public Hearing & Regular Meeting
December 16, 2021
Cape Charles Civic Center
6:30 PM

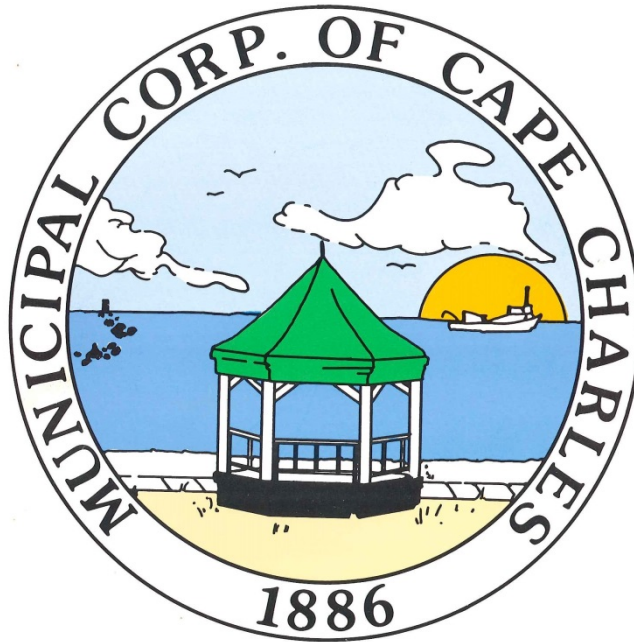
1. Call to Order
 - A. Roll Call
 - B. Establish quorum
2. Moment of Silence and Pledge of Allegiance
3. Public Hearing:
 - A. 602 Tazewell Avenue – Conditional Use Permit – Accessory Dwelling Unit
 - B. 206A Jefferson Avenue – Conditional Use Permit – Accessory Dwelling Unit
 - C. 325 Madison Avenue – Conditional Use Permit – Accessory Dwelling Unit
 - D. 654 Monroe Avenue – Conditional Use Permit – Accessory Dwelling Unit
 - E. 410 Harbor Ave/100 Madison Ave – Conditional Use Permit – Accessory Dwelling Unit
 - F. 4 Lots on Randolph Avenue – Conditional Use Permit – Mini Golf
 - G. 219 Mason Avenue – Conditional Use Permit – 5 Residential Units above First Floor Commercial
4. Recognition of Visitors / Presentations / Recognitions
 - A. [Board of Zoning Appeals Semi-Annual Report](#) – Katie Nunez, Zoning Administrator
5. Public Comments for items not subject to the advertised public hearing (3 minutes per speaker)
6. *Consent Agenda
 - A. Approval of Agenda Format
 - B. [Approval of Minutes](#)
 - C. [Approval of October 31, 2021 Financial Report](#)
7. Unfinished Business: None
8. New Business:
 - *A. [602 Tazewell Avenue – Conditional Use Permit – Accessory Dwelling Unit](#)
 - *B. [206A Jefferson Avenue – Conditional Use Permit – Accessory Dwelling Unit](#)
 - *C. [325 Madison Avenue – Conditional Use Permit – Accessory Dwelling Unit](#)
 - *D. [654 Monroe Avenue – Conditional Use Permit – Accessory Dwelling Unit](#)
 - *E. [410 Harbor Ave/100 Madison Ave – Conditional Use Permit – Accessory Dwelling Unit](#)
 - *F. [4 Lots on Randolph Avenue – Conditional Use Permit – Mini Golf](#)
 - *G. [219 Mason Avenue – Conditional Use Permit – 5 Residential Units above First Floor Commercial](#)
 - *H. [Harbor Area Review Board Member Reappointment](#)
 - *I. [Architectural Services Contract Amendment](#)
 - *J. [Civil War Trail Interactive Signage](#)
 - *K. [Comprehensive Plan Consultant](#)
9. Town Manager Comments
10. Mayor & Council Comments (5 minutes per speaker)
11. Announcements
 - December 17, 2021 – Town Offices closing at 2:00 PM for Employee Christmas Party
 - December 23 & 24, 2021 – Town Offices closed for Christmas holiday
 - December 31, 2021 – Town Offices closed for New Year's holiday
 - December 31, 2021 – Dropping of the Crab Pot
 - January 6, 2022 – Town Council Special Meeting & Work Session
 - January 8, 2022 – Town Council Town Hall Meeting re: Strategic Plan (*tentative*)
 - January 12, 2022 – Town Council Executive Session – Board Interviews (*tentative*)
 - January 13, 2022 – Town Council Special Meeting & Work Session (*tentative*)
 - January 17, 2022 – Town Offices closed for Martin Luther King, Jr. Day
 - January 20, 2022 – Town Council Regular Meeting
12. Adjournment of Public Hearing and Regular Meeting

TOWN OF CAPE CHARLES
Town Council – Public Hearing

The Cape Charles Town Council will hold a public hearing on Thursday, December 16, 2021, at 6:30 pm in the Cape Charles Civic Center, 500 Tazewell Avenue, to receive comment on the following requests:

- A. Conditional Use Permit applications in the Residential-1 Zoning District for an accessory dwelling unit pursuant to Cape Charles Zoning Ordinance Section 4.2 (J):
 - 1. From Renato & Jody Lucatello at 602 Tazewell Avenue (Tax Map #83A3-1-448)
 - 2. From Susan, John & Kelly Robinson at 206A Jefferson Avenue (Tax Map #83A1-1-220)
 - 3. From Sam & Amy Scharpf at 410 Harbor Avenue (Tax Map #83A3-2-8-7)
 - 4. From Jose & Diana Gonzalez at 325 Madison Avenue (Tax Map #83A1-1-191)
 - 5. From Michael Ryan and Donna Lee Wilkins at 654 Monroe Avenue (Tax Map #83A3-1-323)
- B. A Conditional Use Permit application from Tom & Katie Austin (contract purchasers) dba Cape Charles Mini Golf, Inc. with consent from property owners (John F. & Loraine A. Huchler & Daniel C. Dabinett) at Randolph Avenue, directly across from Heritage Acres Court (Tax Map #83A4-1-B-26, 83A4-1-B-27, 83A4-1-28, and 83A4-1-B-29) in the Commercial-3 Zoning District for a Mini-Golf Course, pursuant to CCZO Section 3-8 (B) (2).
- C. A Conditional Use Permit application from Todd Bricken (contract purchaser) with consent from property owners (Paul G. Watson III & William D. Watson) at 219 Mason Avenue (Tax Map #83A3-1-631) in the Commercial-1 Zoning District for 5 Dwelling Units on second floor above first-floor commercial, pursuant to CCZO Section 3.6 (C).

The applications are available for public review on our website at www.capecharles.org, under Agendas and Minutes//Town Council. Please contact the Planning Department at 331-2036, or by email at planner@capecharles.org if you have any questions or require additional information.



Town of Cape Charles
Board of Zoning Appeals

2019, 2020 & 2021 Annual Report
(January 1, 2019-December 31, 2019)
(January 1, 2020 – December 31, 2020)
(January 1, 2021 – December 31, 2021)

Bill Murphy
Chairman

Pete Baumann
Vice-Chairman

2019 Board of Zoning Appeals Members

Bill Murphy, Chairman
Pete Baumann, Vice-Chairman
Jim Holloway
Jay Wiegner
Tom Weaver (appointed November 2019)

2020 Board of Zoning Appeals Members

Bill Murphy, Chairman
Pete Baumann, Vice-Chairman
Delores Blackburn (appointed November 2020)
Jim Holloway
Tom Weaver
Jay Wiegner (resigned March 2020)

2021 Board of Zoning Appeals Members

Bill Murphy, Chairman
Pete Baumann, Vice-Chairman
Delores Blackburn
Jim Holloway
Tom Weaver (resigned November 2021)

2019 - 2021 Staff

Zachary Ponds, Town Planner (December 2018 - February 2020)
Allyson Finchum, Town Planner (July 2020 – February 2021)
Katie Nunez, Interim Town Planner/Zoning Administrator (February 2021 to present)
Tracy Outten, Deputy Clerk (January 2019 – July 2020)
Tracy Outten, Planning Technician (August 2020 to present)

Introduction

Section 15.2-2308.C of the Code of Virginia states the following, “The board shall keep a full public record of its proceedings and shall submit a report of its activities to the governing body or bodies at least once each year.”

Board and Staff Updates

Board Membership 2019 – 2021:

Jim Holloway was appointed as BZA representative to the Planning Commission in June 2019.

Tom Weaver joined the Board in November 2019 and served until November 2021 when he resigned due to health reasons.

Jay Wiegner resigned in March 2020 and the term was filled by Delores Blackburn in November 2020.

STAFF CHANGES 2019 - 2021:

Zachary Ponds left the position of Town Planner in early 2020 so the end of year administrative duties did not get completed, including the Annual Report. Town Councilman Paul Grossman provided temporary assistance as Zoning Administrator due to his experience and knowledge with the Town Zoning Ordinance and his affiliation with the Board of Zoning Appeals and Planning Commission until the position could be permanently filled.

Allyson Finchum was hired in July 2020 and departed in February 2021. Again, end of year administrative duties did not get completed, include the Annual Report.

Katie Nunez was hired in February 2021 as Interim Planning/Zoning Administrator and has continued in this role to allow the department to handle the backlog of work and is working on a staffing plan for the department.

Tracy Outten has been a continued source of continuity for the department since she served as clerk to the Board for the last three years. In August 2020, she transferred from the Town Clerk’s office to the Planning & Zoning Department as a full time Planning Technician.

VARIANCE AND EXCEPTIONS

2019

The Board of Zoning Appeals held 5 meetings in which 7 applications were brought to public hearing. They are listed below by type and the decision is listed. Three applications were denied because they had not met the hardship criteria for a variance and accommodations could be met either in the placement on the lot or in the design of the structure in order to come into compliance with the zoning ordinance.

<u>SINGLE FAMILY DWELLING</u>			
Conforming Lot	600 Pine Street	Rear Yard Setback from 25 ft requirement (Section 3.2.G.1.c)	Approved
	652 Randolph Avenue	Rear Year Setback from 25 ft requirement (Section 3.2.G.1.c)	Denied
Non-Conforming Lot	623 Jefferson Avenue	Side Setback from 5 ft requirement (Section 3.2.G.2.b)	Approved
	Lot 83N Washington Avenue	Side Setback from 5 ft requirement (Section 3.2.G.2.b) & Rear yard Setback (Section 3.2.G.2.c)	Approved
<u>FENCES</u>			
	420 Randolph Avenue	Height of Fence in Side Yard greater than 4 feet (Section 4.2.G.1)	Denied
<u>ACCESSORY STRUCTURES</u>			
	Lot 82 & 83 Strawberry Street	Allow accessory structure to be located in the side yard (Section 4.2.E.1)	Approved
	509 Nectarine Street	Request for variance from rear yard setback from alley for accessory structure Section 4.2.E.2	Approved
	509 Nectarine Street	Request to exceed Height Requirement for an Accessory Structure by 3 feet Section 4.2.E.10	Denied

Code Review
2019

The Board reviewed the existing zoning definitions of hardship and variance and discussed whether any changes should be recommended to the Planning Commission and Town Council. The Board decided that the definitions were appropriate and confirmed that variances, once approved, run with the land. (See Attachment A – BZA 07-15-2019 Staff Report Text Amendment)

In 2021 the Board reviewed and revised their Rules & Procedures which aligned them to the Town Council Code of Ethics and Meeting Rules of Order. Final approval of this document is scheduled for their next meeting. (See Attachment B - BZA Rules & Procedures FINAL 2021-12-14)

ATTACHMENTS

Attachment A – BZA 07-15-2019 Staff Report Text Amendment
Attachment B – BZA Rules & Procedures FINAL 2021-12-14



BOARD OF ZONING APPEALS STAFF REPORT

Meeting Date: July 2, 2019

Item #: 7A

Item Specifics:

All proposed amendments of the zoning ordinance shall be referred by the Town Council to the Town's Planning Commission for its recommendations after at least one advertised public hearing (Section 2.7.2). Staff has identified the following two definitions that pertain to the Board of Zoning Appeals process, and would like the Board to review the proposed definitions prior to taking it to Planning Commission and Town Council for adoption:

Hardship: A restriction on property so unreasonable that it results in an arbitrary and capricious interference with basic property rights, and that which relates to the physical characteristics of the property, not the personal, financial, or self-imposed circumstances of the owner or user.

Variance: A modification of the specific provisions of this zoning ordinance granted when strict enforcement of the ordinance would cause undue hardship owing to circumstances unique to the individual property on which the variance is granted.

Recommendation:

Following discussion, recommend changes, if any, to the proposed definitions.

Attachments:

None

ATTACHMENT B
TOWN OF CAPE CHARLES
BOARD OF ZONING APPEALS
RULES OF PROCEDURE

Reviewed: July 2021

August 2021

Adopted: _____

ARTICLE 1 – OBJECTIVES

- 1-1. The Cape Charles Board of Zoning Appeals, hereinafter called “Board” or “BZA”, established pursuant to Cape Charles Zoning Ordinance Section 2.6.1 and Code of Virginia §15.2-2308, as amended, has adopted these rules of procedure in order to properly exercise its powers and fulfill its duties in accordance with the Cape Charles Zoning Ordinance and the Code of Virginia §15.2-2309, as amended.

ARTICLE II – MEETINGS

- 2-1. *Annual meeting.* The meeting in January of each year shall be known as the annual meeting. At the annual meeting, the BZA shall establish the day, time, and place for regular meetings of the BZA for that year, and shall elect the Chair, Vice-Chair, and Secretary.
- 2-2. *Regular meetings.* A regular meeting of the Board of Zoning Appeals for the hearing of cases shall be held on the 2nd Tuesday of each month, starting at 10:00 a.m., at the Cape Charles Civic Center located at 500 Tazewell Avenue, unless no cases or other matters are pending – in which instance, no meeting shall be held. If the Chair, or Vice-Chair in his or her absence, finds and declares that weather or other conditions are such that it is hazardous for members to attend the meeting, the meeting shall be continued until the 3rd Tuesday of that month. All matters properly advertised to be heard at such meeting shall be conducted at the next available meeting after fulfilling the advertising requirements for each public hearing. Notice of all meetings must be in accordance with Code of Virginia §2.2-3707 (C), posted at least three (3) working days prior to the meeting and be posted in the Cape Charles Town Offices and the town website.
- 2-3. *Special Meetings.* Special meetings may be called by the Chairman, provided that at least three days’ notice under the circumstances of such meeting is given to each member and notice is contemporaneously provided to the public when the members of the public body are notified. Notice of all meetings must be in accordance with Code of Virginia §2.2-3707 (C) and be posted in the Cape Charles Town Offices and the town website.
- 2-4. *Quorum.* The Board of Zoning Appeals has five members who are appointed by the Northampton County Circuit Court judge each for a term of five years, pursuant to Cape Charles Zoning Ordinance Section 2.6.1. A quorum shall consist of a majority of the

members of the Board, which is deemed to be three members. If less than a majority of the members are present, no action can be taken and the meeting shall be adjourned.

- 2-5. *Conduct.* The conduct of business at all regular meetings of the Board shall follow these Rules of Procedure and hereby embrace Robert's Rules of Order for Small Organizations to specify rules of order as the procedural determinant in cases where both the Code of Virginia, as amended, and these Rules of Procedure are silent. Robert's Rules of Order for Small Organizations are less formal.
- 2-6. *Adjournment.* The Board may adjourn a regular meeting once all applications or appeals are duly disposed of and the Chair has called for a motion to adjourn.
- 2-7. *Postpone/Continuance.* If all applications or appeals cannot be properly disposed of on the date set, the meeting shall be postponed/continued to a date set and announced by the BZA. No further public notice shall be necessary for a postponement/continuation of such meeting.

ARTICLE III – OFFICERS

- 3-1. *Chair.* At its annual meeting, the BZA shall elect a Chair who, if present, shall preside at all meetings and hearings of the Board; he or she shall decide all points of order or procedure and shall appoint any committees that are found to be necessary. On any application or appeal, the Chair may administer oaths and compel the attendance of witnesses.
- 3-2. *Vice-Chair.* At its annual meeting, the BZA shall elect a Vice-Chair who, if present shall assume the duties of the Chair in his or her absence or disability.
- 3-3. *Secretary.* At its annual meeting, the BZA shall elect a Secretary. The Secretary, who need not be a member of the Board pursuant to Code of Virginia §15.2-2308 (C), shall handle all official correspondence necessary for the execution of the duties and functions of the BZA. The Secretary shall keep the minutes of the Board's proceedings, shall keep a file on each case which comes before the Board, and perform other such duties as these rules may provide and the BZA may, from time to time, assign.

The Secretary of the Board shall notify the court at least thirty (30) days in advance of the expiration of any term of office and shall also notify the court promptly if any vacancy occurs, pursuant to Code of Virginia §15.2-2308 (A) and Cape Charles Zoning Ordinance Section 2.6.1 (A).

- 3-4. *Term of Office.* The Chair and Vice-Chair shall be elected for one-year terms and shall serve until their respective successors take office. Either or both officers may be elected to one or more successive terms.
- 3-5. *Vacancies in Office.* Vacancies in office shall be filled as soon as practicable using the election procedures as set forth in this Article.

- 3-6. *Absence of Chair and Vice-Chair.* In the event that the Chair and Vice-Chair are both absent from any meeting, a member present shall be chosen to act as Chair.
- 3-7. Technical assistance may be provided by Town staff as needed.

ARTICLE IV – ORDER OF BUSINESS

- 4-1. *Agenda.* The agenda for each regular meeting will be established by the Secretary; the Secretary shall consult with the Chair when determining the order of cases to be heard.
- 4-2. *Organization of the Agenda.* The agenda for each regular meeting shall substantially follow the order listed below, unless a change is requested by the Chair and approved by consent of the Board.
- A) Call to order
 - 1. Members Present and Absent
 - 2. Determination of a Quorum
 - B) Invocation and Pledge of Allegiance
 - C) Adoption of Agenda
 - D) Minutes - review and approve minutes of previous meeting(s)
 - E) Old Business/Matters Deferred from Previous Meetings
 - F) New Business – Scheduled Hearings
 - 1. Special Exceptions aka Special Use Permits
 - 2. Variances
 - 3. Appeals of Zoning Determinations
 - 4. Interpretations of the District Zoning Map
 - G) Other Matters
 - H) Adjournment

ARTICLE V – QUORUM

- 5-1. A majority of the five (5) members of the BZA shall constitute a quorum for any regular meeting of the Board, which shall be three (3) members. A majority of the members present at the time and place established for any regular or special meeting shall constitute a quorum for the purpose of adjourning the meeting.

If, during the course of a meeting, less than a majority of the membership of the BZA remains present, no action may be taken except to adjourn the meeting. If, prior to adjournment, a quorum is again established, the meeting shall continue.

ARTICLE VI – APPLICATIONS TO THE BZA

6-1. The BZA shall establish, and make publicly available, a deadline for receipt of completed applications.

6-2. *Appeals.* Appeals to the BZA may be taken by any person aggrieved or by any office, department, board or bureau of the Town or municipality affected, by any decision of the Zoning Administrator pursuant to Cape Charles Zoning Ordinance Section 2.6.2 (A) and the VA Code §15.2-2311. Such appeal shall be taken within 30 days after the decision appealed from by filing with the zoning administrator and with the board, a notice of appeal specifying the grounds thereof.

An application for appeal, filed according to this procedure utilizing any forms promulgated by the Town for applications for appeals, shall be given a case number within five (5) working days. Applications for appeals will be assigned for hearing in the order in which they are received. The appeal shall be heard based upon the established calendar for receipt of completed applications and the proposed BZA meeting hearing date and in compliance with all advertising and public notifications as prescribed in VA Code §15.2-2204.

The hearing will be conducted in accordance with the prescribed Procedure for Hearing Cases in Article VII below.

The BZA's decision on any appeal shall be based on the Board's judgment of whether the administrative officer was correct (VA Code §15.2-2309). Said decision will be issued within sixty (60) days of the hearing. In exercising its powers, the Board may reverse or affirm, wholly or partly, or may modify any order, requirement, decision, or determination appealed from.

6-3. *Special Exceptions/Special Use Permits.* Applications for special exceptions/special use permits may be made by any person, property owner, tenant, governmental official, department, board, or bureau. Such applications shall be made to the zoning administrator in accordance with department policy and on forms prescribed by the department. Completed Applications for Special Exceptions/Special Use Permits will be assigned for hearing in the order in which they are received.

The special exceptions/special use permits application shall be heard based upon the established calendar for receipt of completed applications and the proposed BZA meeting hearing date and in compliance with all advertising and public notifications as prescribed in VA Code §15.2-2204.

The BZA shall issue a decision within a reasonable timeframe of the closing of the hearing, pursuant to Cape Charles Zoning Ordinance Section 2.6.3

6-4. *Variances.* Applications for variances may be made by any person, property owner, tenant, governmental official, department, board, or bureau. Such applications shall be made to the zoning administrator in accordance with department policy and on forms

prescribed by the department. Completed Applications for Variances will be assigned for hearing in the order in which they are received.

The variance application shall be heard based upon the established calendar for receipt of completed applications and the proposed BZA meeting hearing date and in compliance with all advertising and public notifications as prescribed in VA Code §15.2-2204.

The BZA shall issue a decision within a reasonable timeframe of the closing of the hearing, pursuant to Cape Charles Zoning Ordinance Section 2.6.3 and VA Code §15.2-2309 (2), as amended.

ARTICLE VII – PROCEDURE FOR HEARING CASES

- 7-1. Cases shall be heard in the order in which they appear on the agenda, except a case may be advanced for hearing by order of the Board upon good cause shown.
- 7-2. At the hearing, the order shall be as follows:
 - a. Presentation of case and explanation and/or report by Zoning Administrator or his/her designee.
 - b. Open public hearing, announce that each person speaking during the public hearing will need to state their name & address and will be sworn in by the Chairman to provide testimony during the public hearing.
 - i. Statement of Applicant or his representative; the applicant may make a presentation which is limited to ten (10) minutes, unless additional time is granted by the Chair. If the applicant wishes to present a PowerPoint presentation, it must be provided to staff at least twenty-four (24) hours in advance for review for appropriateness.
 - ii. Statements of other persons in favor. All comments are limited to three (3) minutes. The Secretary will state if any correspondence has been received in support of the application and will enter it into the record.
 - iii. Statements by persons in opposition of the application. All comments are limited to three (3) minutes. The Secretary will state if any correspondence has been received in opposition of the application and will enter it into the record.
 - iv. Applicant's rebuttal, limited to five (5) minutes, unless additional time is granted by the Chair.
 - v. The Chair opens the floor to the members of the BZA to ask any questions of the applicant and/or their representative and to Town staff to clarify items raised during the hearing.
 - vi. The Chair will close the public hearing.
 - vii. The Chair will call for the Board to consider the case and to call for motions. If the Board decides that it is not sufficiently informed, it may continue the case and may request further information.

- viii. The final disposition of any appeal shall be in the form of a motion sustaining, reversing, varying or modifying the order, requirement or determination appealed from.

The final disposition of an application for a variance or special exception/special use permit shall be in the form of a motion approving, approving with conditions, modifying or denying the application. Said motion shall refer specifically to the applicable provision in the Town Zoning Ordinance and shall set forth facts and finding in the case on which the decision is based, which shall be consistent with the requirements of the law.

If a motion fails to receive a second, the motion has died and the application or appeal will be carried over for another motion until a final disposition is reached. The vote of each member present on each motion shall be recorded with the motion.

- c. *General Conduct by all participants at the public hearing.* All persons addressing the Board of Zoning Appeals will stand behind the lectern, state their name and address and affirm by oath that they are providing truthful testimony for the matter at hand. No person shall use inappropriate language or verbally attack any BZA member or any member of the public or the Town staff. Signs and placards are not allowed inside the meeting room. Any person whose behavior is disruptive shall be asked by the Chair to leave the meeting room. Persons may not question individual BZA members or staff members without the consent of the Chair. Comments must be limited to the public hearing matter at hand. Public Comments will adhere to the “Guidelines for Citizen Participation” adopted by Town Council on 7/19/2021 and attached as Appendix A.
- d. No member present shall abstain from voting unless such member has a conflict of interest in the matter being voted upon. A “conflict of interest” shall exist when there is an actual conflict: 1) pursuant to the Virginia State and Local Government Conflict of Interests Act (§ 2.2-3100 et. seq. of the Code of Virginia, or 2) pursuant to Town of Cape Charles Code of Ethics & Meeting Rules of Order, adopted by Town Council on July 22, 2021, and which is affixed as Appendix B to these Rules of Procedure or 3) as stated by the Board member unless objected to by a majority vote of the members of the Board with such member asserting such conflict of interest not permitted to vote on such matter.

ARTICLE VIII – REHEARING/RECONSIDERATION OF A VOTE

- 8-1. No rehearing/reconsideration of any decision by the Board shall be had except on motion by a member of the Board who previously voted on the prevailing side of the decision, which shall be made not later than the first regular meeting succeeding the meeting at which the motion was acted on; such motion shall be to reconsider the vote, and shall be carried by not less than three affirmative votes.

- 8-2. No motion for a rehearing/reconsideration shall be entertained unless new evidence is submitted, which could not reasonably have been presented at the original hearing. In all cases, the request for rehearing shall be in writing, reciting the reasons for the request, and shall be accompanied by the necessary information, including a recitation of all evidence, which could not reasonably have been presented at the original hearing.
- 8-3. If a rehearing/reconsideration is granted, the case shall be put on the agenda for a rehearing/reconsideration after complying with all notice requirements.

ARTICLE IX – VOTING PROCEDURES

- 9-1. Each decision by the BZA shall be made by approval of a majority of the members present and voting on a motion properly made by a member and properly seconded by any other member. Any motion not properly seconded shall not be further considered.

ARTICLE X – ANNUAL REPORT

- 10-1. The board shall keep a full public record of its proceedings and shall submit a report of its activities to the governing body or bodies at least once each year, pursuant to the Code of Virginia §15.2-2308 (C).

ARTICLE XI – SUSPENSION OF RULES

- 11-1. These rules may be suspended in whole or in part, only upon the unanimous vote of the entire Board.

ARTICLE XII – AMENDMENTS

- 12-1. These rules may be amended or modified by the affirmative vote of four members of the Board.

ATTACHMENT A

STANDARDS/CRITERIA FOR REVIEW OF EACH TYPE OF APPLICATION

VARIANCES

Pursuant to the Code of Virginia §15.2-2309 (2), variance applications shall be evaluated and reviewed based upon the following criteria:

- (a) Does the evidence shows that the strict application of the terms of the ordinance would unreasonably restrict the utilization of the property or that the granting of the variance would alleviate a hardship due to a physical condition relating to the property or improvements thereon at the time of the effective date of the ordinance?;
- (b) Was the property interest for which the variance is being requested acquired in good faith and any hardship was not created by the applicant for the variance?;
- (c) Will the granting of the variance not be of substantial detriment to adjacent property and nearby properties in the proximity of that geographical area?;
- (d) Is the condition or situation of the property concerned not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the ordinance;
- (e) Does the granting of the variance result in a use that is not otherwise permitted on such property or a change in the zoning classification of the property?;
- (f) Is the relief or remedy sought by the variance application not available through a special exception process that is authorized in the ordinance pursuant to subdivision 6 of § 15.2-2309 or the process for modification of a zoning ordinance pursuant to subdivision A 4 of § 15.2-2286 at the time of the filing of the variance application?

SPECIAL USE PERMITS/SPECIAL EXCEPTIONS Town Zoning Ordinance § 2.6.2 (F)

- (a) Hear and decide applications for special exceptions as may be authorized in the ordinance & may impose such conditions relating to the use for which a permit is granted as it may deem necessary in the public interest, including limiting the duration of a permit, and may require a guarantee to ensure that the conditions imposed are being will continue to be complied with.

APPEAL OF ADMINISTRATIVE OFFICER DETERMINATION

Pursuant to the Code of Virginia §15.2-2309 (1), appeals of administrative officer determinations shall be based on the board's judgment of whether the administrative officer was correct. The determination of the administrative officer shall be presumed to be correct. At a hearing on an appeal, the administrative officer shall explain the basis for his determination after which the appellant has the burden of proof to rebut such presumption of correctness by a preponderance of the evidence. The board shall consider any applicable ordinances, laws, and regulations in making its decision. For purposes of this section, determination means any order, requirement, decision or determination made by an administrative officer. Any appeal of a determination to the board shall be in compliance with this section, notwithstanding any other provision of law, general or special.

Town of Cape Charles Guidelines for Citizen Participation

Town Council meetings are open to the public, except when the Council invokes the provisions of the Virginia Freedom of Information Act to discuss an authorized topic under a closed (Executive) session. A period of Public Comment shall be provided as part of the Agenda for the Council's regular monthly meetings. The Public Comment period is an obligation of the Council to provide members of the public an opportunity to address the Council on legitimate matters of town business. This period shall be governed by the following provisions:

Eligibility

Only those citizens with standing in the Town of Cape Charles will be provided the opportunity to provide input during the Public Comment period. Citizens with standing include full-time residents, property owners, and business owners within the corporate boundaries of the Town of Cape Charles. State, federal, and county officials representing/serving the Town of Cape Charles are also eligible. When eligibility is called into question, input may be provided upon affirmative vote of the Council.

Registering

Persons having an interest in making in-person comments to the Town Council during the Public Comment period must register on a sign-up sheet, including their name and basis for standing, indicating the item or topic on which they wish to speak. The sign-in sheet is available at the main entrance to the Council meeting and must be completed prior to the start of the meeting. The Mayor will recognize speakers at the appropriate time.

Persons having an interest in providing written comments to the Town Council during the Public Comment period must provide such comments to the Town Clerk no later than 60 minutes prior to the start of the meeting. Written comments must include a full name, basis for standing, and the agenda item or topic on which they wish to comment. The Clerk will read authorized comments into the record following all in-person speakers during the Public Comment period.

Members of Council are not permitted to sign-up and make comment during the Public Comment period unless an agenda item being considered has a direct impact upon the Council member or his/her interests, they have declared a potential conflict of interest, and the remaining Council members have voted to excuse that Council member from official action on the related item.

Regulations:

Cell Phone and Recordings

- Ringers on cell phones or pagers shall be turned off during the time that persons are at a Town Council meeting.
- The taking of photographs and video or audio recordings of a speaker or the activities during a meeting of Town Council shall be no closer than the front row of seating or other location designated by the Mayor or presiding officer to avoid disruption to the meeting and to promote public safety. The photographer or recorder shall take steps to avoid obstructing the aisles or other areas for any length of time in such a manner as to prevent other citizens from taking photographs, or to block the view of other citizens attending the meeting. No flashes or lighting devices may be used by photographers or operators of video recording equipment.

Speaking

When a speaker is called by the Mayor or presiding officer, the following is required:

- Speakers shall speak into the microphone to ensure that their name and remarks are heard and recorded as a part of the record of the meeting.
- Speakers shall state their full name and basis for standing and topic to which they are speaking.
- If a speaker represents a group or organization, the speaker shall indicate the name of the organization and the speaker's relationship to the group or organization. Speakers may ask others from their group or organization to stand at their seats to be recognized while the group's or organization's name is announced, but non-speakers or individual members are not permitted to stand with the speaker at the podium and for safety reasons, no members of the group or organization are permitted to stand in the aisles or doorways at Town Council meetings. Those members of a group or organization who do stand when the name of the group or organization is announced shall then be seated.
- Speakers shall address remarks to the Mayor and members of Council and not to the audience.
- Speakers shall state their position, give the facts to substantiate their position, and relate the concerns they believe the Town Council should consider.
- Speaker's comments will be made part of the record and a written copy should be delivered to the Town Clerk for inclusion. If other supportive material is available, it should also be delivered to the Town Clerk for the record.
- Speakers shall refrain from campaigning for public office, personal attacks upon members of the Town Council, Town employees or officials, or any other person.
- Speakers shall refrain from words or statements which, from their usual construction and common acceptance, are construed as insults or which have a tendency to cause an act of violence or a breach of the peace.
- Speakers shall refrain from abusive language, obscenity, vulgarity, and profanely cursing or swearing.
- Speakers shall refrain from actions that would interrupt the public meeting.
- All comments must come directly from the speaker.

Time limitations for remarks

- In-person speakers shall confine their remarks to no more than three (3) minutes. Speakers will be advised when their three (3) minutes have concluded.
- Persons providing written input must limit their comments to no more than can be read by the Town Clerk within three (3) minutes. Written comments provided beyond what can be read during the allotted time will not be entered into the record.
- Speakers cannot "yield," "transfer" or "designate" their time to another speaker in an effort to provide another speaker more than the allotted three (3) minutes.
- The Mayor or other presiding officer shall have the right to limit redundant remarks, as well as the overall time provided for remarks based on consideration of the time available and the need to complete the meeting efficiently.
- After a speaker has concluded his or her remarks, the speaker shall be seated.

Decorum and order

- For safety reasons, petitioning, picketing, displaying signs or posters, solicitation, demonstrating, pamphlet distribution, conducting polls, and blocking of the entryway shall not be permitted at a Town Council meeting or within one hundred (100) feet of any doorway to the meeting location.
- These guidelines do not preclude speakers, when addressing the Town Council, from delivering to the Council members by way of the Town Clerk written materials including reports, statements, exhibits, letters, or signed petitions. Nor do these guidelines preclude those addressing the Town Council from using a chart or graph during their remarks.
- Speakers and members of the audience shall be respectful of others, even if they do not agree with others' comments.
- The Mayor or other presiding officer shall preserve decorum and shall decide all questions of public order.
- At the request of the Mayor or Town Manager, one or more persons, including Town police officers shall act as sergeant-at-arms or sergeants-at-arms at all Town Council meetings. The sergeant-at-arms or sergeants-at-arms shall, under the direction of the Mayor or other presiding officer, have charge of the Council meeting location, and shall prevent disorder or interruption of the business of Town Council.
- Applause shall be permitted only during awards and presentations. Flash photography will be permitted at this time.
- Violation of these rules by speakers or members of the audience shall enable the Mayor or other presiding officer to rule the speaker or member of the audience out of order and by directive to have the speaker or member of the audience removed from the meeting, if necessary, and to take such other steps the Mayor or other presiding officer deems appropriate. The Mayor's or other presiding officer's decision to remove or rule a speaker or member of the audience out of order shall be final. One (1) warning will be given and if not heeded, the speaker or member(s) of the audience shall be escorted from the meeting.
- Any citizen is welcome to address their concerns informally with the Mayor, Town Council or Town Manager at any time outside of a Town Council meeting.

Town Council Response

Council members or Town employees shall not respond to questions posed nor address or rebut speaker's statements made during the Public Comment period. The Council, at its discretion, may direct matters raised during the Public Comment period be placed on the Agenda of a future meeting.

The Town Council hopes these Guidelines will encourage the greatest possible participation by citizens in the Town Government.

Applicability

While these guidelines reference the Town Council specifically, they shall also apply to all Town boards, commissions, and committees as appropriate.

Thank you for your interest and participation in your Town Council meeting. The Mayor and Town Council invite and encourage you to attend whenever possible because good, responsive government depends on the interest and involvement of all citizens.



Town of Cape Charles Code of Ethics & Meeting Rules of Order

Adopted July 22, 2021

Preamble

The citizens and businesses of the Town of Cape Charles, Virginia, are entitled to have fair, ethical and accountable local government, which has earned the public's full confidence for integrity. The effective functioning of representative government requires that public officials, both elected and appointed, comply with both the letter and spirit of the laws and policies affecting the operations of government; that public officials be independent, impartial, and fair in their judgment and actions; that public office be used for the public good, not for personal gain; and that public deliberations and processes be conducted openly, unless legally confidential, in an atmosphere of respect and civility.

To this end, the Town of Cape Charles Town Council has adopted this Code of Ethics and Rules of Order for members of the Town Council and of the Town's boards, commissions, and committees to assure public confidence in the integrity of local government and its effective and fair operations.

Code of Ethics

1. Act in the Public Interest

Recognizing that stewardship of the public interest must be their primary concern, members will work for the common good of the people of the Town of Cape Charles and not for any private or personal interest, and they will assure fair and equitable treatment of all persons, claims, and transactions coming before the Town of Cape Charles Town Council, boards, commissions, and committees.

2. Comply with the Law

Members shall comply with the laws of the nation, the Commonwealth of Virginia, and the Town of Cape Charles in the performance of their public duties. These laws include but are not limited to the United States and Virginia Constitutions; the Charter of the Town of Cape Charles; laws pertaining to conflicts of interest, election campaigns, employer responsibilities, open processes of government; and Town ordinances and policies.

3. Conduct of Members

The professional and personal conduct of members must be above reproach and avoid even the appearance of impropriety. Members shall refrain from abusive conduct or language, personal charges or verbal attacks upon the character or motives of other members of the Town Council, boards, commissions, committees, the staff, or the public.

4. Respect for Process

Members shall perform their duties in accordance with the processes and Rules of Order established by the Town Council; they shall respect the deliberation of public policy issues of other bodies, the meaningful involvement of the public, and the Town staff's implementation of policy decisions of the Town Council.

5. Conduct of Public Meetings

Members shall prepare themselves for public business; listen courteously and attentively to all public discussions before the body; and focus on the issues at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

6. Decisions Based on Merit

Members shall base their decisions on the merits and substance of the matter at hand, rather than on unrelated considerations.

7. Communication

Members shall publicly share substantive information that is relevant to a matter under consideration by the Town Council or boards, committees, and commissions, which they may have received from sources outside of the public decision-making process.

8. Gifts and Favors

A member should never accept for himself or herself or for family members, gifts, favors, or benefits under circumstances which might be construed by reasonable persons as influencing the performance of governmental duties.

9. Confidential Information

Members shall respect the confidentiality of information concerning the property, personnel, or affairs of the Town. They shall neither disclose confidential information without proper legal authorization, nor use such information to advance their personal, financial, or other private interests.

10. Use of Public Resources

Members shall not use public resources that are not available to the public in general, such as Town staff time, equipment, supplies, or facilities, for private gain or personal purposes.

11. Advocacy

Members shall represent the official policies or positions of the Town Council, boards, commissions, or committees to the best of their ability when designated as delegates for this purpose. When representing their individual opinions and positions in any venue, members shall explicitly state they do not represent their body of Town of Cape Charles, nor will they allow the inference that they do.

12. Policy Role of Members

The Town Council determines the policies of the Town with the advice, information, and analysis provided by the public boards, commissions, committees, and Town staff. The Town Council delegates authority for the administration of the Town to the Town Manager.

Members, therefore, shall not interfere with the administrative functions of the Town or the professional duties of Town staff, nor shall they impair the ability of staff to implement Town Council policy decisions. Inquiries to staff shall be made through the Town Manager or the appropriate department manager or director as authorized by the Town Manager.

13. Independence of Town Council and Commissions

Because of the value of the independent advice of boards, committees, and commissions to the public decision-making process, members of the Town Council shall refrain from using their positions to unduly influence the deliberations or outcomes of board, committee, or commission proceedings.

14. Positive Workplace Environment

Members shall support the maintenance of a positive and constructive workplace environment for Town employees, citizens, and businesses dealing with the Town. Members shall recognize their special role in dealings with Town employees and in no way create the perception of inappropriate direction to staff. All requests for staff resources must be approved by the Town Manager.

15. Implementation

Ethical standards shall be included in the regular orientations for candidates for the Town Council, applicants to boards, committees, commissions, and newly elected and appointed officials. Members entering office shall sign a statement affirming they have read and understood the Town of Cape Charles Code of Ethics and Rules of Order. In addition, the Town Council, boards, committees, and commissions, shall annually review the Code of Ethics and Rules of Order, and the Town Council shall consider recommendations from boards, committees, and commissions to update it as necessary.

16. Compliance and Enforcement

The Town of Cape Charles Code of Ethics expresses standards of ethical conduct expected of Members of the Town of Cape Charles Town Council, boards, committees, and commissions. Members themselves have the primary responsibility to assure that ethical standards are understood and met, and that the public can continue to have full confidence in the integrity of government.

The chairs of boards, committees, and commissions and the Mayor of the Town of Cape Charles have the additional responsibility to intervene when actions of Members that appear to be in violation of the Code of Ethics are brought to their attention.

A violation of this Code of Ethics shall not be considered a basis for challenging the validity of a Town Council, board, committee, or commission decision. However, it may be considered when the Town Council is determining the suitability of any person to serve in any appointed position.

Conflict of Interest

In order to assure their independence and impartiality on behalf of the common good, members shall not use their official positions to influence government decisions in which they have a material financial interest and shall disclose any substantial organizational responsibility or personal business relationship to the parties in any matter coming before them. In accordance with the law, members shall disclose investments, interests in real property, sources of income, and gifts; and they shall abstain from participating in deliberations and decision-making where conflicts are determined to exist. This paragraph is not intended to unduly restrict members who have minor business or professional dealings with clients whose matter comes before them.

1. Abstention

As elected or appointed officials, members have a duty/obligation to represent their constituents in all public matters coming before their body. It is not appropriate for individual members to decide in which matters they should abstain. If a member believes they have a conflict of interest on any matter before their body, they are REQUIRED to disclose it before deliberations on that business begins. However, it shall be up to the remaining members of that body to determine if an actual conflict exists and if the member disclosing the potential conflict can be excused from participating in the business. If the body votes to allow the member to recuse him/herself, that member will not participate in any of the discussions or vote related to that business. Failing a vote to allow recusal, the member shall participate as normal.

2. Representation of Third-Party Interests

In keeping with their role as stewards of the public interest, members of the Town Council shall not appear on behalf of the private interests of third parties before the Town Council or any board, committee, commission, or proceeding of the Town; nor shall members of boards, committees, or commissions appear before their own bodies or before the Town Council on behalf of the private interests of third parties on matters related to the areas of service of their bodies. This provision should not unduly restrict a member's participation who is associated with, but not representing, community or non-profit organizations serving the Town, whose matter comes before them.

Meeting Rules of Order

The following rules of order are to serve as a non-binding guide to the conduct of business. It is the duty of the Mayor or other presiding officer to conduct meetings in accordance with the Code of Virginia, the Town Charter, applicable Bylaws, and in a manner intended to promote open, civil, and fair discussion of all issues.

1. Meeting Types

All meetings of the Town of Cape Charles fall under the provisions of the Virginia Freedom of Information Act (FOIA). All members will receive training on VA FOIA requirements upon initial appointment, as well as periodic refreshers. The Town Clerk will ensure FOIA training is completed, and that all records of the training are maintained. This document is not to be considered a substitute for FOIA training and offered only as a summary overview.

The public must be provided notice and access to all Town meetings.

- **Regular Meeting:** Meetings required by Charter or Bylaws to occur on a regular interval to conduct the primary business of the body. These meetings are conducted more formally, with established procedure. The Mayor or presiding officer will enforce these procedures to ensure proper decorum and efficient flow of business. Agendas will include a public comment period on any topic in accordance with public comment procedures established by the Town Council.
- **Special Meeting:** Meetings to conduct official business of the body that are deemed necessary in addition to Regular Meetings. Special Meetings are also conducted formally but may not include all Regular Meeting agenda items. Public comments will be permitted but limited to only business items on the agenda. Special meetings may be called by the Mayor, Chairperson, Town Manager, or any three members of a body.
- **Work Session:** Informal meetings of the body that allow for relaxed procedure enabling freer flowing discussion. No official action may be taken during a work session, however determining consensus on items to be brought forward to a Regular or Special meeting is appropriate. Work Sessions are generally used for (but not limited to) brainstorming, information gathering, planning efforts, budget review, or when more time is needed on a particular item than is typically afforded during formal meetings. The public must be permitted the opportunity to observe work sessions but are not typically permitted an opportunity to provide comments. The Mayor or presiding officer may on special circumstance, allow public comment. Work sessions may be called by the Mayor, Chairperson, Town Manager, or any three members of a body.
- **Closed Session:** Closed Sessions (Executive Sessions) are authorized by FOIA to discuss certain confidential matters limited to specific purposes, while using very specific procedures. Though a portion of this meeting is closed to the public, other portions are open. The public must be permitted to observe the motion to go into Closed Session as well as the certification upon leaving the Closed Session.
- **Public Hearing:** Public Hearings are intended to solicit public feedback on specific topics. These topics will be advertised in advance. Input may be made in person or in writing. All comments will adhere to the Town Council approved guidelines. Comments will be directed to the body and not to any individual. Members shall not respond to questions posed nor address or rebut speaker's statements made during the Public Hearing.
- **Town Hall Meeting:** An informal meeting where no official action is taken. A Town Hall Meeting is essentially a Work Session that involves the public. These meetings are typically focused on one or two topics and encourages dialog between members and the public. A primary goal of a Town Hall meeting is to provide decision makers with in-depth public perspectives prior to taking an official action.

- Social or Community Events: These are gatherings where no official business is conducted, but where Town issues may be informally discussed. If more than two members will be present in their capacity as a Town official, the gathering should be posted. There are no agendas or minutes associated with these functions.

2. Motions

- Unanimous Consent: Routine business is typically conducted by unanimous consent. This is an informal process that allows business to be conducted expeditiously. The procedure is for the presiding officer to ask whether anyone objects to a particular action and then to state, "Hearing no objection the action will be taken by unanimous consent." Note that even when a member is not in favor of a particular action the member may choose not to object in the interest of moving the agenda forward. In other words, unanimous consent does not mean that everyone was actually in favor of the action. If anyone objects, then the action must be addressed with a formal motion and vote.
- Main Motion: This is the motion that brings business before the council or other body. Such motions should be stated in a concise form and should generally be in writing to avoid misunderstandings. It must be seconded and when voted upon will ordinarily require a simple majority vote. There are circumstances where a super majority may be required, such as in the disposition of real estate. Before voting on the motion the presiding officer should call for discussion. The presiding officer should allow for discussion until it terminates by *unanimous consent* or is formally terminated by a subsidiary motion (discussed below).

When the motion is ripe for a vote the presiding officer should call for "all in favor" and then "all opposed." The presiding officer should then clearly state either the "motion passes" or the "motion fails." Generally, in the event of a tie the presiding officer may cast the deciding vote. The Town Charter expressly allows the Mayor to vote in the event of a tie. Any member may request a roll call vote.

- Subsidiary Motions:
 - Motion to Postpone Indefinitely (sometimes incorrectly called a motion to table): Normally used to put aside business that is not ripe for consideration, such as when further study is required. It requires a second, is debatable and is not amendable.
 - Motion to Amend: This is a motion to amend the wording and sometimes the meaning of the main motion. It requires a second and is debatable. It is also amendable *one time*. Note that a vote to adopt the amendment is not a vote on the main motion. Once the motion to amend is adopted the amended main motion must then be voted on as well. Often, simple motions to amend are adopted by unanimous consent. Also, note that whether the member that offered the original motion is willing to accept the proposed amendment or not is irrelevant. It must still be seconded and voted upon or adopted by unanimous consent.

- Motion to Refer: This is a motion to refer a matter to a committee or other body for action. In effect, when the motion is to refer the matter to a "workshop, it is a motion to refer the matter to a committee comprised of the entire council or other body (a committee of the whole). It requires a second and is debatable.
- Postpone to a Certain Time: Used when a matter is best considered at a different time to allow for the orderly conduct of business. It requires a second and is debatable.
- Motion to Limit Debate: Used to put a limit on the time permitted for debate of a motion. It requires a second, is not debatable and traditionally requires a two-thirds vote. Since the Town Charter allows for business to be conducted based on a majority vote, if a motion to limit debate does not pass by a two-thirds vote, then after further debate for a reasonable time the motion shall require only a majority vote.
- Motion of the Previous Question (often referred to as "a motion to call the question" or "motion to bring the matter to a vote"): Used to end debate and bring the pending motion to a vote. It requires a second, is not debatable, and traditionally requires a two-thirds vote. Since the Town Charter allows for business to be conducted based on a majority vote, if a motion of the previous question does not pass by a two-thirds vote, then after further debate for a reasonable time the motion shall require only a majority vote.
- Motion to Lay on the Table (often confused with a motion to postpone indefinitely): Used to temporarily interrupt pending business so that another matter can be considered first. It requires a second and is not debatable. This is often done by unanimous consent to move business forward.
- Motion to Recess: This is a motion to take a short break in the proceeding. It requires a second and is not debatable.
- Motion to Adjourn: This motion closes the meeting. It requires a second and is not debatable.

3. Agenda

The presiding officer should make a reasonable effort to conduct business in accordance with a consent agenda. The agenda should be organized to promote the orderly conduct of business. If the members cannot agree on the agenda, it should be presented by motion and subject to a vote. Keep in mind that even after an agenda is approved it can be amended. Often that is done by unanimous consent at the suggestion of the presiding officer to expedite the meeting. The procedure is for the presiding officer to state, "Is there any objection to amending the agenda [explain]. Hearing no objection, the agenda is so amended by unanimous consent."

4. Other Issues

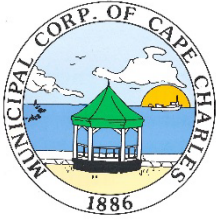
- Mayor's Veto: The Town Charter provides the Mayor with "the power of veto over the ordinances and resolutions of the council, but such ordinances and resolutions may be passed over such veto by a two-thirds vote of the members of the town council present and meeting." With a six-member council the override requires a vote of four members if all are present and voting.
- Quorum: The Town Charter provides that "four members of the town council shall constitute a quorum for the transaction of business at any meeting." The bylaws of other bodies establish the number of members required for a quorum. The Code of Virginia provides that if a member is disqualified due to a conflict of interest "the remaining member or members shall constitute a quorum for the conduct of business and have authority to act for the agency by majority vote, unless a unanimous vote of all members is required by law, in which case authority to act shall require a unanimous vote of remaining members." 2.2-3112.C.

Acknowledgement

I _____ (printed name), a sitting member of
_____ (body), hereby certify that I have
been given a copy, read, understand, and will abide by the above Town of Cape Charles Code of
Ethics & Meeting Rules of Order, adopted on July 22, 2021.

_____ (signature)

_____ (date)



DRAFT
TOWN COUNCIL
Public Hearing & Regular Meeting
Cape Charles Civic Center
November 18, 2021
6:30 PM

At approximately 6:30 p.m. Mayor William "Smitty" Dize, having established a quorum, called to order the Public Hearing & Regular Meeting of the Cape Charles Town Council. In addition to Mayor Dize, in attendance were Councilmen Buchholz, Follmer and Grossman, and Councilwomen Holloway and O'Brien. Vice Mayor Bennett was not in attendance. Also, in attendance were Town Manager John Hozey, Police Chief Jim Pruitt, Assistant to the Town Manager Julie Pruitt, and Town Clerk Libby Hume. There were 8 members of the public physically in attendance, and 13 viewers on Facebook.

A moment of silence was observed followed by the recitation of the Pledge of Allegiance.

PUBLIC HEARING:

Mayor Dize opened the public hearing for comments relating to the conveyance of a portion of tax parcel 83A3-A-14 to the Cape Charles Rosenwald School Restoration Initiative.

There were no comments to be heard nor any received in writing prior to the hearing.

Motion made by Councilman Buchholz, seconded by Councilman Grossman, to close the public hearing. The motion was approved by unanimous vote.

The public hearing portion of the meeting closed at 6:32 p.m.

Mayor Dize asked that item 4A – Board of Zoning Appeals Semi-Annual Report be removed from the agenda. Town Manager John Hozey stated that this item would be rescheduled for the December meeting.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to remove item 4A from the agenda. The motion was approved by unanimous vote.

RECOGNITION OF VISITORS / PRESENTATIONS:

There were no visitors, presentations or recognitions.

PUBLIC COMMENTS: (3 MINUTES PER SPEAKER)

Dianne Davis

Ms. Davis addressed Council regarding the safety of the residents at Myrtle Landing when travelling around Town with their scooters, wheelchairs, canes, etc., the need for a basketball court, and sidewalks. (Please see attached.)

Herb Thom

Mr. Thom addressed Council as follows: i) He thanked John Hozey for the sidewalks being repaired. John Hozey interjected that VDOT started working on the sidewalks on November 9th and would be working through Thanksgiving; ii) He commended John Hozey for doing a good job. Things needed to be on a time schedule for the Council; iii) There was nothing in the zoning ordinance providing guidance regarding walkways from the sidewalks to the steps of houses and whether permits were needed; iv) The Town subscribed to the preventive maintenance Code of Virginia, but the house at 400 Randolph Avenue was exposed to weather without windows, rotting floors, etc. The Town should require a substantial roof and the windows and doors being boarded up; v) Coastal Precast

Systems beginning work at 5:00 a.m. He thought there was a rule that work couldn't begin until 6:00 a.m.; and vi) He would be back next month to get a timeline to resolve these issues.

There were no additional comments received in writing prior to the meeting.

CONSENT AGENDA

- A. Approval of Agenda Format
- B. Approval of Minutes:
 - i. October 21, 2021 Town Council Regular Meeting & Executive Session
- C. Approval of September 30, 2021 Financial Report
- D. Scheduling of Public Hearings for December 16, 2021:
 - i. 602 Tazewell Avenue – Conditional Use Permit – Accessory Dwelling Unit
 - ii. 206A Jefferson Avenue – Conditional Use Permit – Accessory Dwelling Unit
 - iii. 325 Madison Avenue – Conditional Use Permit – Accessory Dwelling Unit
 - iv. 654 Monroe Avenue – Conditional Use Permit – Accessory Dwelling Unit
 - v. 410 Harbor Ave/100 Madison Ave – Conditional Use Permit – Accessory Dwelling Unit
 - vi. 4 Lots on Randolph Avenue – Conditional Use Permit – Mini Golf
 - vii. 219 Mason Avenue – Conditional Use Permit – 5 Residential Units above First Floor Commercial

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to remove Item 6D from the Consent Agenda for separate discussion, and approving the balance of the Consent Agenda as presented. The motion was approved by unanimous vote.

Councilman Grossman stated that he wanted to make sure that the staff reports for each item under 6D captured what the actual Planning Commission recommendations were since a number of them included conditions. Town Manager John Hozey stated that the reports would include all conditions recommended by the Commission.

Motion made by Councilman Grossman, seconded by Councilwoman Holloway, to approve the scheduling of a public hearing on December 16, 2021 for the items under 6D. The motion was approved by unanimous vote.

UNFINISHED BUSINESS:

There was no unfinished business for review.

NEW BUSINESS:

- A. *Atlantic Union Bank Line of Credit Renewal:*

John Hozey stated that since 2011, the Town of Cape Charles had maintained a \$500K line of credit for working capital. The Town had not needed to use the credit line, but it would be prudent to extend the account for another year to have an emergency safety net in place. All disbursements must be approved by the Town Council.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to adopt Resolution 20211118 Authorizing the Renewal of the Line of Credit with Atlantic Union Bank in the amount of \$500K. Mayor Dize moved for adoption of Resolution 20211118 as noticed and forewent reading of the Resolution. The motion was approved by unanimous vote. Roll call vote: Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes; O'Brien, yes.

- B. *Wetlands & Coastal Dune Board Member Reappointment:*

John Hozey stated that Ms. Ann Hayward Walker currently served on the Wetlands & Coastal Dune Board, and her term expired on November 12, 2021. Ms. Walker expressed her interest in continuing her service on the Board for another term.

Motion made by Councilman Follmer, seconded by Councilman Buchholz, to reappoint Ms. Ann Hayward Walker to the Wetlands & Coastal Dune Board for another term. The motion was approved by unanimous vote.

C. *Property Conveyance to Cape Charles Rosenwald School Restoration Initiative:*

John Hozey stated that on March 4, 2021, Council was briefed on the Cape Charles Rosenwald School Restoration Initiative (CCRSRI) request to convey a portion of tax parcel 83A3-A-14 so that they were better able to redevelop their existing property for fund raising and other community events. Parcel 14 was currently leased to South Port Investors, LLC until 2036 but South Port was supportive of CCRSRI and had committed to terminating the lease if the portion of the parcel was conveyed. The Town would gain immediate access to usable portions of the parcel. The delay in bringing this item back to Council was the need for a survey, which was included in the agenda packet. A public hearing, as required by Code of Virginia § 15.2-1800, was held earlier this evening with no comments received. Such conveyance must be made by an ordinance with a three-fourths affirmative vote of all members elected to Council which meant that a unanimous vote was needed.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to adopt Ordinance 20211118 approving the conveyance of a portion of tax parcel 83A3-A-14 to the Cape Charles Rosenwald School Restoration Initiative. Mayor Dize moved for adoption of Ordinance 20211118 as noticed and forewent reading of the Ordinance. The motion was approved by unanimous vote. Roll call vote: Buchholz, yes; Follmer, yes; Grossman, yes; Holloway, yes; O'Brien, yes.

D. *Cape Charles Yacht Center Reorganization – Consent to Assignment of Contract:*

John Hozey stated that the Cape Charles Yacht Center harbor management agreement ran through December 31, 2023, unless extended in writing by mutual consent. On the advice of their accountant, Cape Charles Yacht Center, LLC decided to establish one umbrella operating company as an S-Corp called Cape Charles Marine Services, Inc. under which they would operate all of their business dealings in Cape Charles. The new S-Corp was established in September. Since this change represented a legally different entity from the company originally contracted by the Town, Council was required to approve the assignment of the contract to the new entity. There would be no change in the management structure, personnel, or the ownership structure of the new business, nor would there be any change to the existing operations.

Motion made by Councilman Grossman, seconded by Councilman Buchholz, to approve the Consent to Assignment of the Town Harbor Management Agreement to Cape Charles Marine Services, Inc. The motion was approved by unanimous vote.

TOWN MANAGER COMMENTS

John Hozey commented as follows: i) The Town had been waiting a long time to obtain VDOT approval of several projects: 1) approval received for the Trail at Peach Street. The consultant was working to get the bid documents completed so the project could be advertised; 2) Considerable comments were received for the parking on Mason Avenue. The consultant turned the comments around within two days and submitted it back to VDOT. We were rapidly losing our window of opportunity to get this project completed before the 2022 season; ii) He had been working with Human Resources Manager Jodi Outland updating the personnel manual. There were a lot of updates so it was impractical to present a document showing the tracked changes. The draft manual would be provided to Council next week to allow two weeks for review. Please submit any questions or comments to him by December 8th. Jodi Outland would compile all questions and comments and provide a response to Council. The manual would be on the December 16th meeting agenda for approval. Councilman Grossman commented that he had not seen personnel policies come to Council

for approval in the past. Town Clerk Libby Hume stated that the last time the personnel policies were completely updated was in 2014 and none of the current members in attendance this evening were on Council; iii) A budget review work session would be scheduled following the December 16th regular meeting. He was hopeful that the September numbers would be available by that time; iv) An executive session needed to be scheduled for board interviews. He asked Council to provide their availability to the clerk for an evening just for interviews. The first Thursday in December was reserved for an executive session to interview the Public-Private Education Facilities Infrastructure Act (PPEA) proposers; v) Staff was trying to organize the Dropping of the Crab Pot, which was the Mayor's baby. Staff intended to follow the Mayor's vision but the entire vision would not be realized this year. We would do as much as possible, but he asked the Mayor to update his Facebook posting notifying the public that; vi) The Small Business Recovery Assistance Grant was incredibly successful. The number of businesses applying for the grant exceeded the expected number and there was not enough funding to satisfy all the current applications. No more applications were being accepted but we were about \$85K short in funding. He requested an official budget amendment from the Department of Housing and Community Development (DHCD) earlier today, as encouraged by the DHCD. We were awaiting a response; vii) The Historic District Design Guidelines project consultant was doing a good job. Due to the complexity of the work and holidays, we were about a month behind schedule, but things were going well; viii) VDOT was in town working on the sidewalk project. Their goal was to have the project completed by Thanksgiving. Please let him know if an area was missed; ix) As things moved forward, he would like to get back to holding joint public hearings with the Planning Commission for non-controversial applications and projects. The process demanded a considerable amount of staff time and joint hearings would help streamline the process for the public as well.

MAYOR AND COUNCIL COMMENTS

Councilman Buchholz commented on the following: i) He reiterated Ms. Dianne Davis' comments and added that citizens could go to the VDOT website and report their concerns. Citizens could assist the Town in getting crosswalks and signage installed, similar to the approval of the speed limit reduction on Stone Road after a public outcry. John Hozey corrected Councilman Buchholz's statement about VDOT's website, adding that it was actually a call center whose phone number was 800-367-7623. Councilman Buchholz suggested distributing information to the Myrtle Landing residents providing them with the phone number. There was much discussion regarding this issue. Councilwoman Holloway added that she, Karen Zamorski and John Hozey met with a VDOT representative who specifically stated that the Town could make a recommendation, but it was best if residents called the call center. John Hozey noted that Council had adopted a resolution, but VDOT claimed they did not receive it. Libby Hume added that she recently resubmitted the request; ii) He commended the public works/utilities crew for their response to the sewer issue at The Shanty. Staff worked over the weekend to complete the repairs; iii) He congratulated Councilwoman O'Brien on her election win.

Councilwoman Holloway commented on the following: i) She congratulated Councilwoman O'Brien; ii) Festive Fridays would begin next Friday, November 26th, and would be held every Friday except Christmas Eve. Volunteers were needed; iii) She was the Cape Charles representative on the Eastern Shore of Virginia Tourism Commission (ESVTC). The ESVTC met this week and were focusing on the American Rescue Plan Act (ARPA) money specifically earmarked for tourism. Northampton County would get \$100K to spend over two years. The ESVTC discussed the possibility of working with Accomack County, which would receive \$267K, on plans to benefit both counties. The overall feeling was that the planning could wait to see what infrastructure was needed.

Councilwoman O'Brien commented as follows: i) She was happy to see the public works crew working on the fishing pier today; ii) She thanked the people of Cape Charles for allowing her to stay in office.

Councilman Grossman commented as follows: i) He attended the Virginia Governor's housing conference in Norfolk. He obtained a lot of information and heard that it was very difficult for rural areas, like Cape Charles, to bring in housing. He would forward his notes to Council; ii) The Accomack-Northampton County Regional Housing Survey was just completed. Two meetings were held, one in each county and only 2 to 6 people attended. There was very low citizen participation. 340 responses were received out of a population of 15K. 16 business and about 2 dozen landlord responses were received. The next meeting was scheduled for December 6th and determination would be made on whether there was adequate information to move forward. Councilwoman Holloway stated that she wanted to attend but it was very difficult for her and most people to attend in August. She suggested virtual meetings in the future which would allow more people to participate. The Eastern Shore Community College held some virtual sessions via Zoom and had good participation.

Councilman Follmer commented as follows: i) He also congratulated Councilwoman O'Brien; ii) He thanked John Hozey and staff but raised concern of Festive Fridays and the transition of the Town's parking lot along Mason Avenue to a boat storage area. He encouraged the Town to have the boats moved; iii) He agreed to move back to joint public hearings with the Planning Commission to help streamline the application process; iv) He received complaints regarding the state of the landscaping in Town. He wanted to look toward next spring to look at the Browder Hite contract to ensure things were in place. We needed participation from the merchants on Mason Avenue regarding their expectations and what would be performed by the Town and by the merchants.

Mayor Dize commented as follows: i) He also congratulated Councilwoman O'Brien; ii) He thanked Mr. Herb Thom for running for Council, adding that the Town was always in need of citizens to serve on the boards and commission. There would be another election in November 2022. We had a lot of smart people in this Town, and he would like them to be more involved. He expressed his appreciation for those currently serving on Council, the boards and commission; iii) He met with Julie Pruitt, the new assistant to the town manager, to discuss the Dropping of the Crab Pot, and he understood that there was not much money in the budget for events this year. He was excited to have the event back this year.

Mayor Dize read the announcements and wished everyone a happy Thanksgiving.

Motion made by Councilman Buchholz, seconded by Councilman Grossman, to adjourn the Town Council Public Hearing & Regular Meeting. The motion was approved by unanimous vote.

The Public Hearing & Regular Meeting adjourned at 7:19 p.m.

Mayor Dize

Town Clerk

**Comments & Information Provided in Writing
November 18, 2021 Town Council Public Hearing & Regular Meeting**

#5 – Public Comments

Dianne Davis

Good evening, Mr. Mayor, members of the Town Council, Town Clerk and Town Manager. I am Dianne Davis of 601 Jefferson Avenue – resident.

I have just a few concerns.

As you enter Cape Charles you will usually pass Myrtle Landing (used to be called Heritage Acres) where you have people living there that use scooters, some in wheelchairs, some using canes, and others walking down our streets and avenues. When you get to the intersection of Fig Street and Randolph Avenue they have to cross to go to the pharmacy or downtown. This is quite dangerous especially for them in the summer. I mentioned this in the early spring with hopes that something could be done for their safety – signage plus crosswalk. We are still waiting. There have been times when I actually got out of my car to make sure that people have gotten across the street safely.

I just do not understand our priorities. We can get a golf cart path so that people can get to the brewery safely, we can get no parking signs at the private school which should have been done for when the students are arriving and being picked up each day. We stopped the citizens in that area from parking anytime that the school is in session.

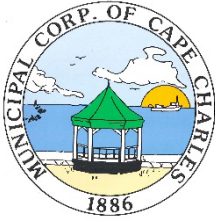
If you got to the beach front you will see a cross walk plus you will see signage for walking. What is wrong with this picture?

Last but not least, there is space at the park for a basketball court whether it is a half-court or a full court. Now to say put it over the hump carries me back to the 50's and 60's when the town put our school over the hump behind the dump pile because they did not want the school that educated African Americans in the main part of the town. Hopefully, you have disregarded that thought which was mentioned at the last council meeting.

Sidewalks, please just be honest and state your feelings because this conversation goes back to 1978. If this is not a priority, please tell me and I will stop mentioning it.

It is not VDOT, it is the town of Cape Charles that make these decisions.

Thanks for listening.



DRAFT
TOWN COUNCIL
Work Session
Cape Charles Civic Center
November 18, 2021

Immediately Following the Public Hearing & Regular Meeting

At 7:26 p.m. Mayor William "Smitty" Dize, having established a quorum, called to order the Work Session of the Town Council. In addition to Mayor Dize, in attendance were Councilmen Buchholz, Follmer and Grossman, and Councilwomen Holloway and O'Brien. Vice Mayor Bennett was not in attendance. Also, in attendance were Town Manager John Hozey and Town Clerk Libby Hume. There was one member of the public in attendance.

WORK SESSION DISCUSSION:

Community Strategic Plan Report Card:

Town Manager John Hozey began by reviewing the Community Strategic Plan Report Card – 2021, explaining that the items shown in yellow had been completed and the grayed-out items were delayed. The initial strategic plan was for six years, but almost 50% of the items had been completed within eight months. The report card would be published for public review.

There were no comments regarding the report card.

Community Strategic Planning Survey:

John Hozey stated that the survey was updated with input provided by Councilwoman Holloway and distributed the updated version. John Hozey went on to explain that the questions were straight forward and the request for name, address and contact information was to help determine the respondent's standing in the community.

Council reviewed the draft survey by question and numerous changes were made. There was discussion regarding the number and types of questions and the potential of additional surveys in order to keep them short and precise, focusing on a few strategic areas. Concern was also expressed regarding the number of recent surveys from various organizations.

John Hozey would rework the survey as discussed and provide it for Council review again prior to it being published. Council's immediate response was needed in order for hard copies to be included in the November utility bills which would be mailed early next week. The electronic version would also go out next week.

Legislative Priorities:

John Hozey explained that there were two sections in the Code of Virginia that addressed the issue of wrongful demolition and enforcement, but only provided recourse for counties. Council reviewed the two sections (§§ 15.2-744 and 15.2-819) with staff's requested changes. There was some discussion regarding the Town's request to change the sections to allow all cities and towns to also have the ability of enforcement versus just asking for the Town of Cape Charles to have this ability. Typically, each locality would petition their representative(s) requesting changes pertaining to that locality. Council recommended that John Hozey contact Delegate Bloxom's office for guidance. There was a general consensus among Council to move forward with a request to Delegate Bloxom to submit a bill requesting the proposed changes, either for all localities in the Commonwealth or just Cape Charles.

John Hozey added the following: i) No other legislative issues were received from staff or Council; ii) Northampton County's 2022 General Assembly Priorities were included for informational purposes

only; iii) He, Treasurer Deborah Pocock and Councilman Follmer met with County Administrator Charlie Kolakowski, and Supervisors Coker and Leatherbury regarding our revenue sharing request. Mr. Kolakowski was taking it to the Board, and we hoped for a favorable response.

Councilman Grossman stated that Zoning Administrator Katie Nunez was looking into penalties in the zoning ordinance and the possibility of changing penalties from a misdemeanor to a civil penalty which would provide the Town with more flexibility. Ms. Nunez was researching the Code of Virginia to determine whether the Town was permitted to do so or whether we would have to petition the General Assembly for permission. John Hozey stated that he would check with the attorney adding that his understanding was that it would be okay for the Town to make this change as long as the penalties did not exceed the highest misdemeanor.

Canonie Master Lease:

John Hozey stated that the Canonie master lease was being removed from this evening's work session agenda. This would be brought back to Council at a later date.

John Hozey added that, on a personal note, he planned to take some additional time off after the Grand Illumination weekend to help his mother.

Mayor Dize stated that he would be out of town the first week of January and would be unavailable for one evening the week of December 16th for his company's staff party across the bay.

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

The meeting adjourned at 9:09 p.m.

Mayor Dize

Town Clerk

October 2021 Treasurer's Report

Page 1 – Cash Position

- A debt service payment of \$120,587 was made on the VRA interest free loan.
- A payment of \$1,798,279 was received as a surety bond. It was deposited into a new VIP Liquidity Pool investment account and will be refunded to the developer as portions of the project are completed.
- A Boating Infrastructure Grant Payment of \$30,754 was received. The project ended in FY2021 and included WiFi improvements, security cameras, 4 new light poles, and improvements to the fuel pumps.

Page 2 – Revenue vs. Expenditures

- It is normal to have a net loss in the general fund at this time of year, prior to receiving tax payments.
- The special activities fund net loss is a timing issue with the small business recovery grant payments and reimbursements.

Page 3 – Capital Projects

- No activity year to date, will return in a future report.

Page 4 – Tax Collection Rate

- The 2021 tax bills were mailed out on November 3rd. This report will return next month.

Page 5 – Tax Revenue Trends

- Business license due date was extended in FY 2021, which may cause collections for July 2021-March 2022 to be lower the previous year.
- Meals tax, sales and use tax and transient occupancy taxes average 50% higher than year to date October 2020. Please note that over \$15,000 in delinquent TOT from prior years is included in this increase.

MUNICIPAL CORPORATION OF CAPE CHARLES
TREASURER'S REPORT
October 31, 2021

<u>Cash on Hand</u>	<u>9/30/2021</u>	<u>10/31/2021</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account	\$804,045	\$672,385	-\$131,660
Atlantic Union Bank Money Market Account	\$2,021,864	\$2,021,475	-\$389
LGIP Account 1 - Unrestricted	\$104,241	\$104,246	\$5
LGIP Account 2 - Unrestricted	\$295,520	\$295,537	\$16
Total Cash On Hand	\$3,225,670	\$3,093,642	-\$132,027

<u>Restricted and Reserved Cash Balances</u>	<u>9/30/2021</u>	<u>10/31/2021</u>	<u>Increase/ (Decrease)</u>
Atlantic Union Bank Checking Account - Police Funds	\$431	\$431	\$0
LGIP Account 2 - Restricted for USDA loan covenant	\$35,810	\$35,810	\$0
Atlantic Union checking Acct Library CD converted to cash	\$11,131	\$11,131	\$0
Atlantic Union Bank Checking Acct - E-Summons Revenue Rsrvd	\$6,365	\$6,651	\$286
US Bank - Reserved per VRA Interest Free Loan Requirements	\$257,587	\$257,588	\$0
Wells Fargo 2010 Debt Service pass through account #300	\$2,898	\$2,898	\$0
Wells Fargo 2010 Debt Service pass through account #308	\$761	\$761	\$0
Atlantic Union Money Market # ARPA CRF #5847	\$528,633	\$528,647	\$13
Virginia Investment Pool Liquidity Acct#1 Facility Fees Rsrvd (Utilities)	\$1,735,885	\$1,736,079	\$194
Virginia Investment Pool Liquidity Acct#2, Surety Bond Escrow Rsrvd	\$0	\$1,798,279	\$1,798,279
Total Cash Held in Reserve	\$2,579,503	\$4,378,275	\$1,798,772
Total Cash - All Accounts	\$5,805,173	\$7,471,918	\$1,666,745

DEBT SERVICE

Net Debt as of Current Reporting Month End (Excludes USDA vehicle and equipment loans)	\$6,419,908
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MUNICIPAL CORPORATION OF CAPE CHARLES

TREASURER'S REPORT

October 31, 2021

REVENUE VS. EXPENDITURES

<u>FUND</u>	<u>CURRENT MONTH</u>	<u>PRIOR YEAR-TO-DATE</u>	<u>CURRENT YEAR-TO-DATE</u>	<u>INCREASE/ (DECREASE) YTD</u>	<u>ANNUAL BUDGET</u>	<u>% REALIZED/ EXPENDED FY22</u>
GENERAL Operations						
REVENUE	\$193,716	\$627,692	\$890,849	\$263,157	\$3,536,507	25.19%
EXPENDITURES	\$182,483	\$909,790	\$1,015,450	\$105,660	\$3,536,507	28.71%
NET	\$11,233	(282,098)	(\$124,601)	\$157,497	\$0	
GENERAL Capital						
REVENUE	\$6,752	\$0	\$33,162	\$33,162	\$1,197,762	2.77%
EXPENDITURES	\$0	\$0	\$848	\$848	\$1,197,762	0.07%
NET	\$6,752	\$0	\$32,314	\$32,314	\$0	
GENERAL Debt Service						
REVENUE	\$0	\$70,793	\$104,166	\$33,373	\$258,614	40.28%
EXPENDITURES	\$0	\$70,793	\$104,166	\$33,373	\$258,614	40.28%
NET	\$0	\$0	\$0	\$0	\$0	
GENERAL Special Activities						
REVENUE	\$20,786	\$0	\$102,128	\$102,128	\$948,115	10.77%
EXPENDITURES	\$75,009	\$0	\$196,432	\$196,432	\$948,115	20.72%
NET	(\$54,224)	\$0	(\$94,304)	(\$94,304)	\$0	

MUNICIPAL CORPORATION OF CAPE CHARLES

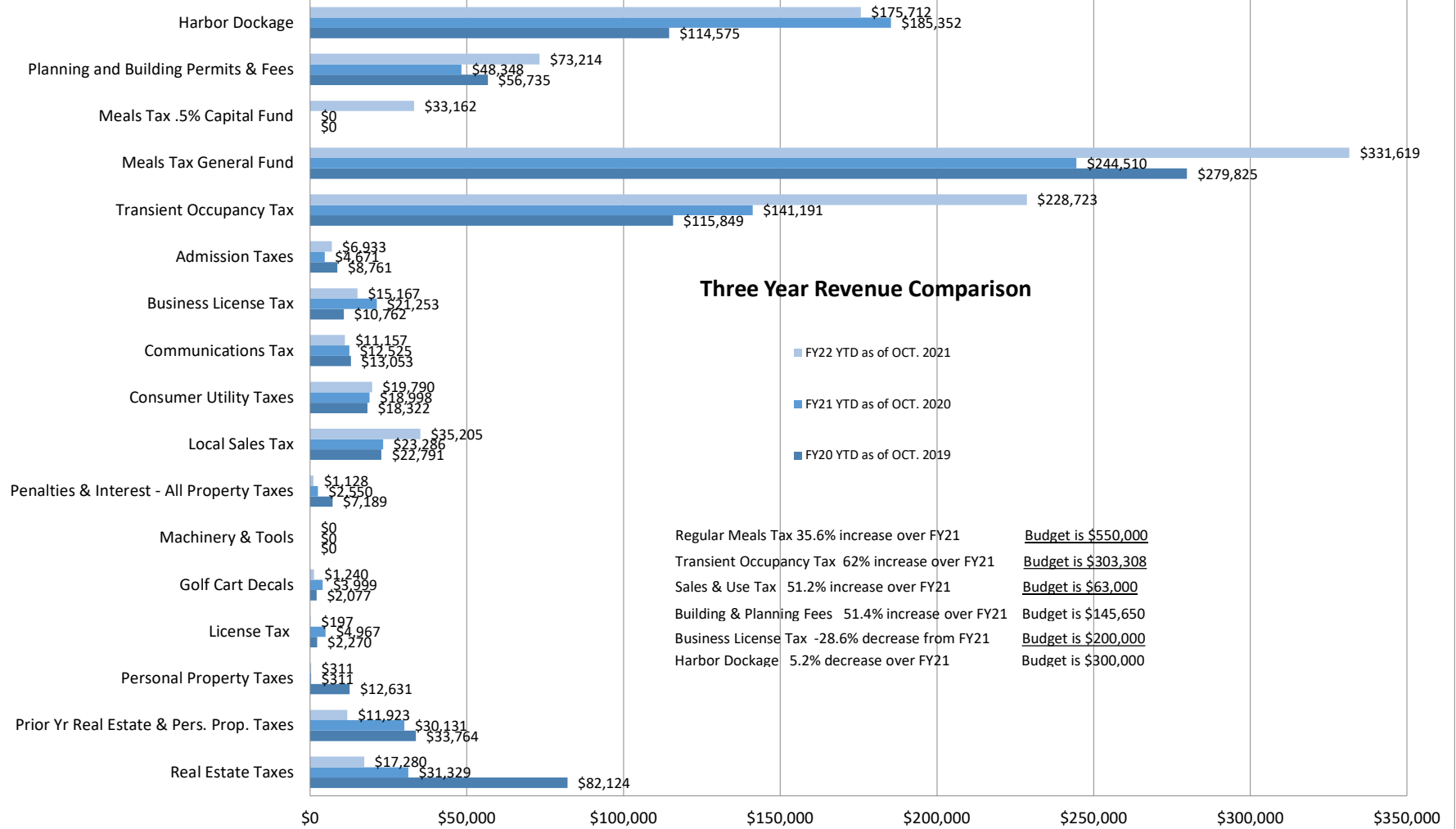
TREASURER'S REPORT

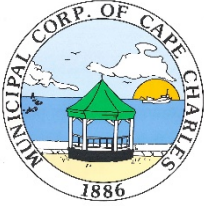
October 31, 2021

REVENUE VS. EXPENDITURES

<u>FUND</u>	<u>CURRENT MONTH</u>	<u>PRIOR YEAR-TO-DATE</u>	<u>CURRENT YEAR-TO-DATE</u>	<u>INCREASE/ (DECREASE) YTD</u>	<u>ANNUAL BUDGET</u>	<u>% REALIZED/ EXPENDED FY22</u>
PUBLIC UTILITIES						
REVENUE - Operating	\$37,996	\$406,815	\$486,319	\$79,503	\$1,825,021	26.65%
EXPENDITURES - Operating (less facility fees rsrvd)	\$89,468	\$182,857	\$286,854	\$103,997	\$993,224	28.88%
NET	(\$51,472)	\$223,958	\$199,465	(\$24,493)	\$831,797	
REVENUE - CAPITAL GRANTS, LOANS, DEBT SVC	\$120,587	\$341,121	\$163,100	-\$178,021	\$104,751	155.70%
REVENUE - FACILITY FEES	\$10,600	\$176,200	\$127,200	-\$49,000	\$254,400	50.00%
EXPENDED - CAPITAL PROJECTS, DEBT SVC, & FACILITY FEES	\$131,187	\$164,921	\$290,300	\$125,379	\$936,548	31.00%
TOWN CONTRIB. & PENDING GRANTS	\$0	\$0	\$0	\$0	(\$831,797)	
HARBOR						
REVENUE - Operating	\$58,299	\$542,158	\$414,944	-\$127,214	\$833,500	49.78%
EXPENDITURES - Operating	\$50,843	\$368,219	\$337,931	-\$30,288	\$772,500	43.75%
NET	\$7,456	\$173,939	\$77,013	(\$96,926)	\$61,000	
REVENUE - GRANTS & LOANS	\$30,754	\$0	\$30,754	\$30,754	\$0	#DIV/0!
TRANSFERRED FM GEN FUND FOR DEBT SERVICE	\$33,094	\$0	\$33,094	\$33,094	\$102,657	32.24%
EXPENDED - Capital Projects, Debt Svc	\$0	\$94,314	\$33,094	-\$61,220	\$163,657	20.22%
TOWN CONTRIB. & PENDING GRANTS	\$30,754	(\$94,314)	\$30,754	\$125,068	(\$61,000)	
SANITATION						
REVENUE	\$20,729	\$67,528	\$81,952	\$14,424	\$390,595	20.98%
EXPENDITURES	\$18,864	\$64,980	\$70,448	\$5,467	\$390,595	18.04%
NET	\$1,865	\$2,548	\$11,505	\$8,957	\$0	

Three Year Revenue Comparison



 TOWN OF CAPE CHARLES	AGENDA TITLE: Conditional Use Permit Public Hearing – 602 Tazewell Avenue		AGENDA DATE December 16, 2021
	SUBJECT/PROPOSAL/REQUEST: Planning Commission Recommendation on Conditional Use Permit Application from Renato & Jody Lucatello at 602 Tazewell Avenue for Accessory Dwelling Unit		ITEM NUMBER: 8A
	ATTACHMENTS: Planning Commission October 2021 Agenda Packet for Conditional Use Permit: Staff Report, Application and associated correspondence		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Katie H. Nunez, Interim Planning/Zoning Director	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

The Town is in receipt of a Conditional Use Permit application from Renato & Jody Lucatello at 602 Tazewell Avenue to construct an accessory structure of 2 stories (height of 24 ft) with 540 square feet with the first floor to be used as a garage and the second floor as an accessory dwelling unit. The proposed inclusion of an apartment on the second floor of the garage structure requires a Conditional Use Permit, pursuant to Cape Charles Zoning Ordinance Section 4.2 (J).

AERIAL MAP: *Property Outlined in Blue*



ITEM SPECIFICS:

Zoning review was completed on the application and found to be in compliance with all of the requirements of the zoning ordinance. The proposed use for the second floor of the accessory structure as an accessory dwelling requires a Conditional Use Permit which necessitates both the Planning Commission hold a public hearing and provide a recommendation to Town Council and then Town Council is required to hold a public hearing to take final action on the disposition of the conditional use permit application.

At the Planning Commission meeting on October 5, 2021, a Public Hearing was held, and the applicants participated in the hearing via phone conference. Staff presented the full staff report dated September 29, 2021, including the full application packet submitted by the applicants. The applicants have signed the ADU

Checklist Affidavit acknowledging all of the ordinance requirements for ADUs, including the 30 consecutive day length of stay.

No public comments were offered and the Planning Commission closed the public hearing to public comment and then fully discussed the application. To clarify the matter, the applicants stated that they intend to utilize the ADU as their residence when they come to Cape Charles and once they retire and fully move to town then they would utilize the ADU as a long-term rental property with the main house becoming their full-time residence.

RECOMMENDATION by PLANNING COMMISSION:

A motion was made by Commissioner Butta and seconded by Commissioner Grossman to recommend approval of the Conditional Use Permit for an accessory dwelling unit at 602 Tazewell Avenue on an application filed by Renato & Jody Lucatello, pursuant to Cape Charles Zoning Ordinance Section 4.2 (J) with the following conditions:

- 1.) the applicant applies and obtain Historic District Review Board approval for all exterior improvements, in accordance with the Historic District Overlay and Guidance Documents; and
- 2.) the applicant obtains all required permits and approvals from the Building and Planning Department;

and further finds that the CUP standards in Section 4.3 of the Cape Charles Zoning Ordinance are satisfied and that the issuance of the CUP is in general accord with the current Comprehensive Plan. Said motion was approved with Commissioner D'Amico voting against.

Commissioner D'Amico stated that she does not feel any of the Conditional Use Permit Applications for Accessory Dwellings actually solve the problem of providing affordable housing and believes the Planning Commission and Town Council should consider other provisions, such as rent control, to achieve our stated goal of providing affordable housing in Town.

TOWN COUNCIL

Town Council is requested to hold their public hearing and consider the recommendation by the Planning Commission to favorably approve the Conditional Use Permit application by Renato & Jody Lucatello at 602 Tazewell Avenue.



PLANNING COMMISSION STAFF REPORT

Meeting Date: October 5, 2021

Item #: 4A

Prepared by: Katie H. Nunez, Interim Planning/Zoning Administrator

Date: September 29, 2021

APPLICANT: Renato & Jody Lucatello
SITE ADDRESS: 602 Tazewell Avenue

TAX MAP: 83A3-1-448
LOT SIZE: 5,600 sq. ft.

TYPE OF APPLICATION: Conditional Use Permit
SPECIFIC REQUEST: An accessory dwelling unit located on second floor of accessory structure (garage)
ZONING ORDINANCE: Section 4.2 (J)
CURRENT ZONING: Residential (R-1)

DATE RECEIVED: May 30, 2021

DATE DEEMED COMPLETE: August 18, 2021

LEGAL DEADLINE (90 Days from Complete Application – Directory, not Mandatory): November 18, 2021

NARRATIVE OF PROPOSAL

The applicant is seeking to construct an accessory structure of 2 stories (height of 24 ft) with 540 square feet with the first floor to be used as a garage and the second floor as an accessory dwelling unit. The proposed inclusion of an apartment on the second floor of the garage structure requires a Conditional Use Permit.

AERIAL MAP: *Property outlined in blue*



Staff has been working with the applicant over the last three months in submitting a complete application for the accessory structure, including the application for a Conditional Use Permit (CUP) as well as documentation that will be required to also be reviewed by the Historic District Review Board if the CUP is approved.

The Cape Charles Zoning Ordinance Section 4.2 (J) states that:

Accessory Dwellings. One accessory dwelling may be maintained on a property in the R-E, R-1, R-2 and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3, and subject to the following:

1. Physical characteristics.

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

2. Occupancy characteristics.

- a. Length of stay – No accessory dwelling unit shall be occupied by any person or persons, whether paying a fee for such occupancy or not, for a period less than thirty (30) consecutive calendar days. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles the owner of the subject lot of record upon which the accessory dwelling unit sits shall provide occupancy documentation and/or information as requested, either verbally or in writing. Failure to do so may result in the revocation by the Cape Charles Town Council of the conditional use status for the accessory dwelling unit according to Section 4.3.F.*
- b. Inspections – All accessory dwelling units shall be inspected annually not later than fifteen (15) days from the anniversary date of the conditional use permit being approved by Town Council.*

3. Other requirements.

- a. Accessory dwellings located in accessory buildings may have a separate water meter from the principal dwelling.*
- b. The lot on which an accessory dwelling is located shall have the required minimum lot area for the district in which it is located.*
- c. Parking shall be considered on a case-by-case basis as part of the conditional use permit application process, ensuring adherence to Section 4.5.1.C.6. (Table of Parking Standards) using both on and off-street parking areas.*
- d. Exterior elevations shall also be approved by the Historic District Review Board when required by Article VIII, Historic Overlay.*

ORDINANCE REQUIREMENTS:

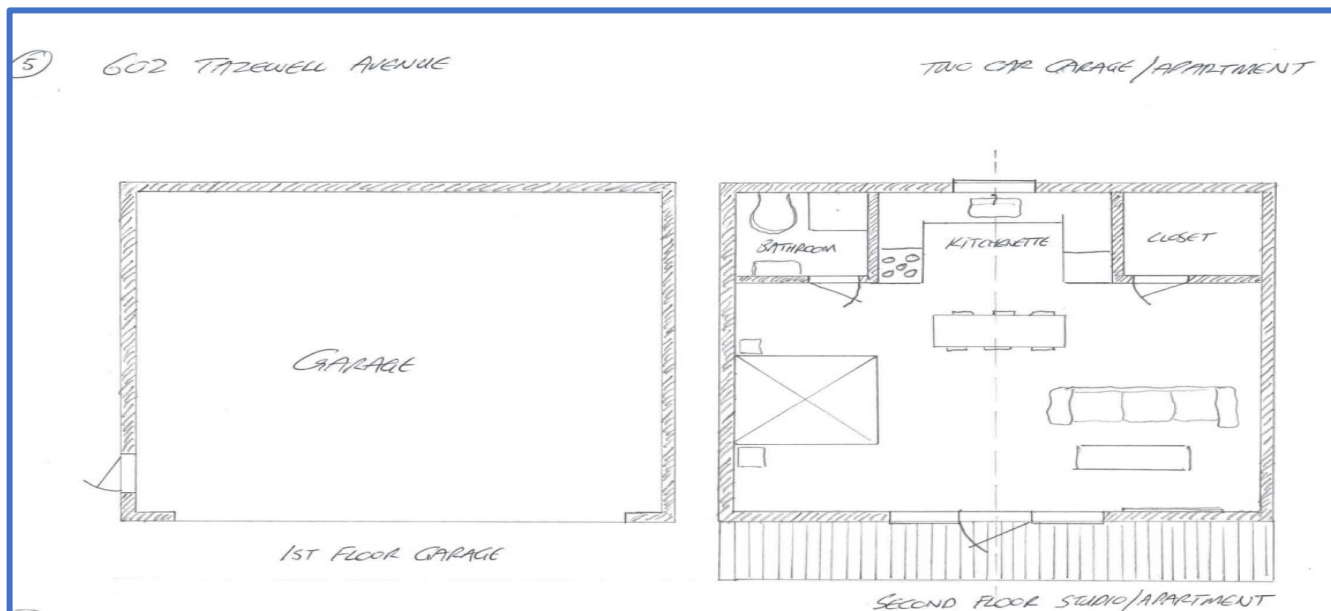
Cape Charles Zoning Ordinance Section 4.3 states that “conditional use permits may be issued for any of the conditional uses for which a use permit is required by the provision of this ordinance in the specific

1. Adversely affect the health, safety, or welfare of the persons residing or working in the neighborhood of the proposed use or adversely affect other land uses within the particular surrounding neighborhood.
2. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood.
3. Be in conflict with the purpose of the comprehensive plan of the town.

Additionally, approval of a conditional use permit shall be valid for only the specific use it covers in the specific location designated for a period of one year after approval by the Town Council and the completion of the additional permit process as requested in the application. Applicant shall apply or have applied for all additional permits as provided to the Planning Commission and as required by the Zoning Administrator within one (1) month of the approval by the Town Council. If Applicant fails to apply for any such permit within this time period, the conditional use permit shall be effective as of this date, thirty (30) days after the Town Council approval, unless the Town Council allows for additional time for such application or applications. If not acted upon within one (1) year, the conditional use permit shall become null and void, unless an extension of time is approved by the Town Council for good cause shown before the expiration of the Conditional Use Permit.

The application for the construction of an accessory structure of 540 square feet with garage space on first floor and an accessory dwelling unit on second floor demonstrates consistency with the requirements of the Cape Charles Zoning Ordinance Section 4.2 (J). The full zoning review finds the application in compliance with all elements of the zoning ordinance.





The Cape Charles Comprehensive Plan Section III.A.5.2. identifies a goal to “Promote compatible infill development and renovation within established neighborhoods” and to specifically “Promote accessory dwelling units to add diversity of housing types, while maintaining the neighborhood character and providing affordable housing options”.

Staff finds that the application for a Conditional Use Permit pursuant to Section 4.2 (J) for an accessory dwelling unit as part of an accessory structure in the Residential-1 Zoning District meets and satisfies the requirements of the Town Zoning Ordinance, Section 4.3, as follows:

- 1) it does not adversely affect the health, safety, or welfare of the persons residing or working in the neighborhood or adversely affect other land uses within the particular surrounding neighborhood;
- 2) it is not detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
- 3) it is not in conflict with the purpose of the comprehensive plan of the town.

Staff acknowledges that additional issues or comments may arise through the public hearing on this matter and request that the Planning Commission consider said issues and/or comments as part of their deliberations.

RECOMMENDED ACTION FOR PLANNING COMMISSION:

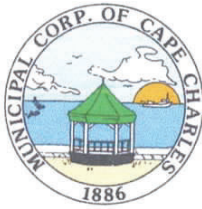
Staff recommends that the Planning Commission consider recommending approval of the Conditional Use Permit to the Town Council with the following motion:

The Cape Charles Planning Commission recommends approval of a Conditional Use Permit for an Accessory Dwelling Unit at 602 Tazewell Avenue on an application filed by Renato & Jody Lucatello, pursuant to Cape Charles Zoning Ordinance Section 4.2 (J) with the following conditions:

- 1.) the applicant applies and obtain Historic District Review Board approval for all exterior improvements, in accordance with the Historic District Overlay and Guidance Documents; and*
 - 2.) the applicant obtains all required permits and approvals from the Building and Planning Department;*
- and further finds that the CUP standards in Section 4.3 are satisfied and that the issuance of the CUP is in general accord with the current Comprehensive Plan.*

Attachments:

Attachment 1 – CUP Application, Letter of Intent and Proposal, CUP Accessory Dwelling Unit Checklist, Survey & Drawings/Photos



CONDITIONAL USE PERMIT APPLICATION

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036 Fax: 757-331-4820
planner@capecharles.org

CONDITIONAL USE PERMIT CHECKLIST - all documents can be emailed to the above email

- ☒ Completed application (if applicable, attach accessory dwelling checklist and documents)
- ☒ Letter of intent clearly explaining project
- ☒ Existing site plan or survey
- ☒ Proposed site plan or survey (if applicable)
- ☒ Names and addresses of adjacent property owners
- ☐ Payment of Fees (single-family detached residential \$600; all other \$800)

PROJECT INFORMATION

Name of Project: 2 CAR, 2 STOREY GARAGE / STUDIO APARTMENT
Property Address: 602 TAZEWELL AVENUE
Brief Description of Project: To build a garage and apartment above
Zoning District: R1 Current Use: YARD Proposed Use: GARAGE / RESIDENTIAL

OWNER INFORMATION

Name and Company: RENATO & JODY LUKATELLO
Mailing Address: 9 PURCELL MANSIONS, QUEENS CLUB GARDENS, LONDON W14 9TP
Phone Number: 0044 207 381 0627 Email: nat1966@yahoo.co.uk

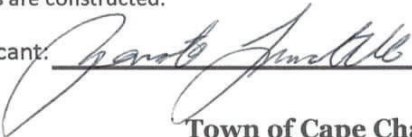
APPLICANT INFORMATION

☒ check here if applicant is owner

Name: _____
Mailing Address: _____
Phone Number: _____ Email: _____

CERTIFICATION OF APPLICANT

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.

Signature of Applicant:  Date: 05/22/2021

Town of Cape Charles Planning & Zoning Department
2 Plum St. • Cape Charles, VA 23310 • 757-331-2036 • capecharles.org

Conditional Use Permit - Accessory Dwelling Unit Checklist

Date: 14th SEPT 2021

Address: 602 TAZEWELL AVENUE

The following criteria are required for one accessory dwelling to be maintained on a property in the R-E, R-1, R-2, and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3:

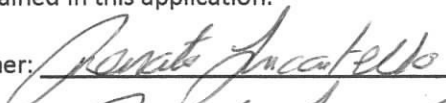
1. Is the accessory dwelling unit located in an accessory building? YES ☒ NO ☐
2. Does the accessory dwelling floor area exceed of forty-five (45) percent of the floor area of the main building? YES ☐ NO ☒ Accessory Dwelling Unit square footage 540
3. Does the accessory dwelling have one kitchen and one bathroom? YES ☒ NO ☐
4. Does the accessory building/dwelling differentiate from the single-family dwelling? YES ☐ NO ☒

The following conditions must be maintained for an accessory dwelling unit on a property in the R-E, R-1, R-2, and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3:

1. Occupancy characteristics.
 - a. Length of stay – No accessory dwelling unit shall be occupied by any person or persons, whether paying a fee for such occupancy or not, for a period less than thirty (30) consecutive calendar days. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles the owner of the subject lot of record upon which the accessory dwelling unit sits shall provide occupancy documentation and/or information as requested, either verbally or in writing. Failure to do so may result in the revocation by the Cape Charles Town Council of the conditional use status for the accessory dwelling unit according to Section 4.3.F.
 - b. Inspections – All accessory dwelling units shall be inspected annually not later than fifteen (15) days from the anniversary date of the conditional use permit being approved by Town Council.
2. Other requirements.
 - a. Accessory dwellings located in accessory buildings may have a separate water meter from the principal dwelling.
 - b. The lot on which an accessory dwelling is located shall have the required minimum lot area for the district in which it is located.
 - c. Parking shall be considered on a case-by-case basis as part of the conditional use permit application process, ensuring adherence to Section 4.5.1.C.6. (Table of Parking Standards) using both on and off-street parking areas.
 - d. Exterior elevations shall also be approved by the Historic District Review Board when required by Article VIII, Historic Overlay.

CERTIFICATION OF APPLICANT

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. I am providing authorization to the town authorities to enter my properties to confirm accuracy of information contained in this application.

Signature of Owner: 

Signature of Applicant: 

Renato Lucatello
9 Purcell Mansions
Queens Club Gardens
London W14 9TP
Telephone: 0207 381 0627
Email: Nart1966@yahoo.co.uk

30th May 2021

602 TAZEWELL AVENUE, CAPE CHARLES GARAGE /APARTMENT PROPOSAL

We have a corner lot so have direct garage access onto street (nectarine)
We would like to build a 2 storey garage/apartment addition at the end of our yard.
It will be a 2 car garage (standard 24' wide x 22.5' depth) on the first floor and an apartment above in the roof space with a pitched roof.

The contractor will,
Pour monolith footing and pad to code.
Build garage to plan with truss roof.
Install one entry door and, two carriage style doors and six windows.
Roof similar to house in materials and pitch
Exterior to be the same style and colour as house (white trim, boothbay blue hardie plank and shingle roof) Windows and door to match existing main building (6 over 6)
Pour concrete pad in front of garage for pavers.

RENATO and JODY LUCATELLO.
Homeowners.

Renato Lucatello
 9 Purcell Mansions
 Queens Club Gardens
 London W14 9TP
 Telephone: 0207 381 0627
 Email: Nart1966@yahoo.co.uk

30th May 2021

LETTER OF INTENT AND MATERIALS LIST

602 TAZEWELL AVENUE, CAPE CHARLES GARAGE /APARTMENT PROPOSAL

We would like to build a two car garage with apartment above at the end of our yard. As we have a corner lot we will have direct access onto Nectarine.

It will be built within the square feet and lot lines required guidelines.

Materials list

1ST Floor

Side entry door Therma TRU Craftsman Lite Red to match main house as per spec sheet.

Double carriage style door white as per spec sheet.

3 Atrium double hung windows 36" x 60" 6 over 6 as per spec sheet.

2nd Floor

Single front (French style 15 lite) entry door to match main house rear door. Example as per spec sheet.

3 windows (2 either side of door (36" x 40" 6 over 6) to match same arrangement on rear of main house. 1 window at rear above counter height (36" x 40" 6 Over 6)

HARDIEPLANK siding to match main house as per spec sheet.

TIMBERLINE ULTRA HD SHINGLE (PEWTER) as per spec sheet to match main house. Roof pitch to match main house.

WHITE AZEK trim as per spec sheet to be used to match main house.

External stair and entry deck to be made from treated lumber as per rear deck of main house (photo attached)

All decking and stair treads to be Mahogany as per main building rear deck.

Apartment to be used as private residence for the homeowners only and at this stage not for rental.

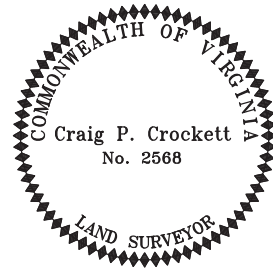
All the best,

RENATO and JODY LUCATELLO.

Homeowners.

SURVEYORS CERTIFICATION

I, CRAIG P. CROCKETT, A LICENSED LAND SURVEYOR, HEREBY CERTIFY THAT THIS PLAT WAS MADE BY ME AT THE REQUEST OF THE OWNERS AND THAT THIS SURVEY IS ENTIRELY WITHIN THE BOUNDARIES OF LAND COVERED BY THE DEED DESCRIBED HEREON AND THAT MONUMENTATION IS ACTUALLY IN PLACE OR WILL BE SET AT POINTS MARKED AS SHOWN HEREON AND THAT THEIR LOCATIONS ARE CORRECTLY SHOWN. THIS SURVEY IS CORRECT AND COMPLIES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS, AND LANDSCAPE ARCHITECTS. THIS PLAT IS BASED ON A CURRENT FIELD SURVEY.

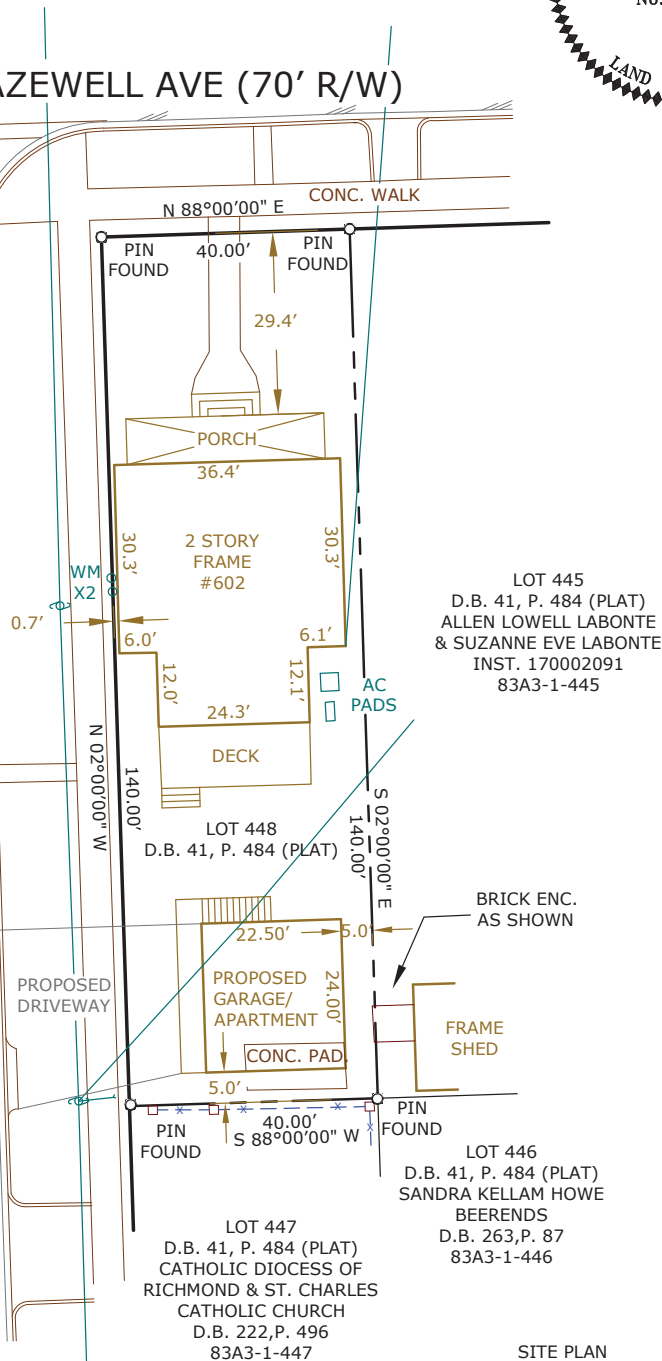


GENERAL NOTES:

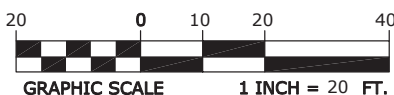
- OWNERS:
RENATO LUCATELLO
& JODY L. LUCATELLO
- TAX PARCEL:
83A3-1-448
- SOURCE OF TITLE:
INST. 100001925
- A SURVEY WAS PERFORMED ON THIS PROPERTY IN JULY 2021 WITH A BOUNDARY CLOSURE WHOSE PRECISION EXCEEDS 1:10,000.
- THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND MAY NOT SHOW ANY/ALL EASEMENTS OR RESTRICTIONS THAT MAY AFFECT SAID PROPERTY AS SHOWN OR WETLANDS, ENVIRONMENTAL HAZARDS, CEMETERIES AND UNDERGROUND STRUCTURES NOT OBSERVED DURING THE COURSE OF THE SURVEY.
- ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 51131C0295F, DATED 03-02-15, THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE X.
- PLAT REFERENCE:
D.B. 41, P. 484 (PLAT)
- AREA: 5,600 SQ. FT. (0.129 AC.)

TAZEWELL AVE (70' R/W)

NECTARINE STREET (70' R/W)



SITE PLAN
LOT 448
MAP OF THE TOWN OF
CAPE CHARLES
CAPEVILLE DISTRICT
NORTHAMPTON COUNTY, VA.
MADE FOR RENATO LUCATELLO
& JODY L. LUCATELLO
SCALE: 1"=20' JULY 23, 2021



POINT NORTH

POINT NORTH SURVEYING LLC

P.O. Box 701, Onley, VA. 23418 (757) 709-3008
pointnorthsurveying@gmail.com

DRAWN BY: DCP FIELD BOOK: FILE COPY
BACK TRAV: CROCKETT PROJ. NO: 21116

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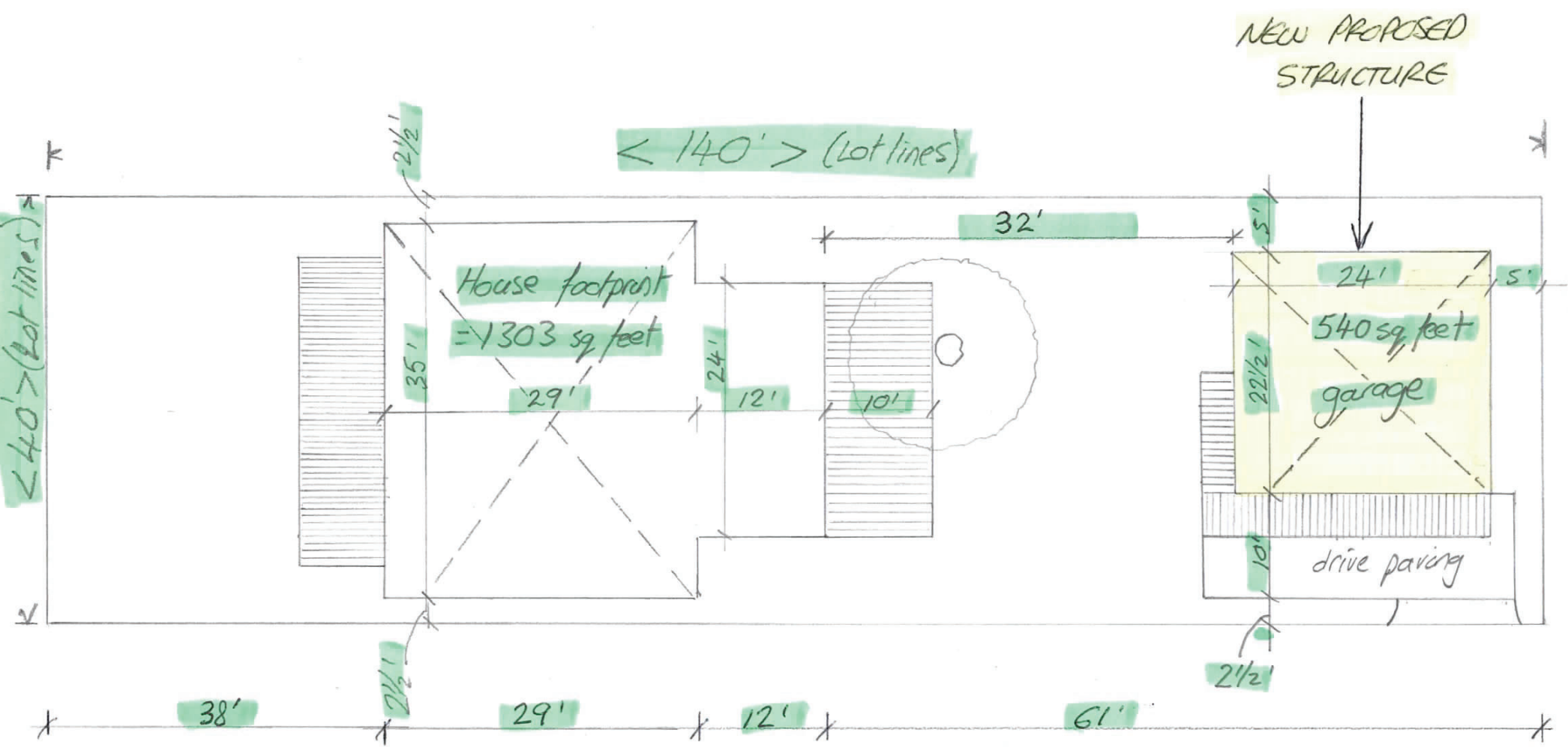
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602 TAZEVELL AVE

CORNER LOT

2 STOREY GARAGE/APARTMENT
PROPOSAL

LOT SIZE 140' x 40'

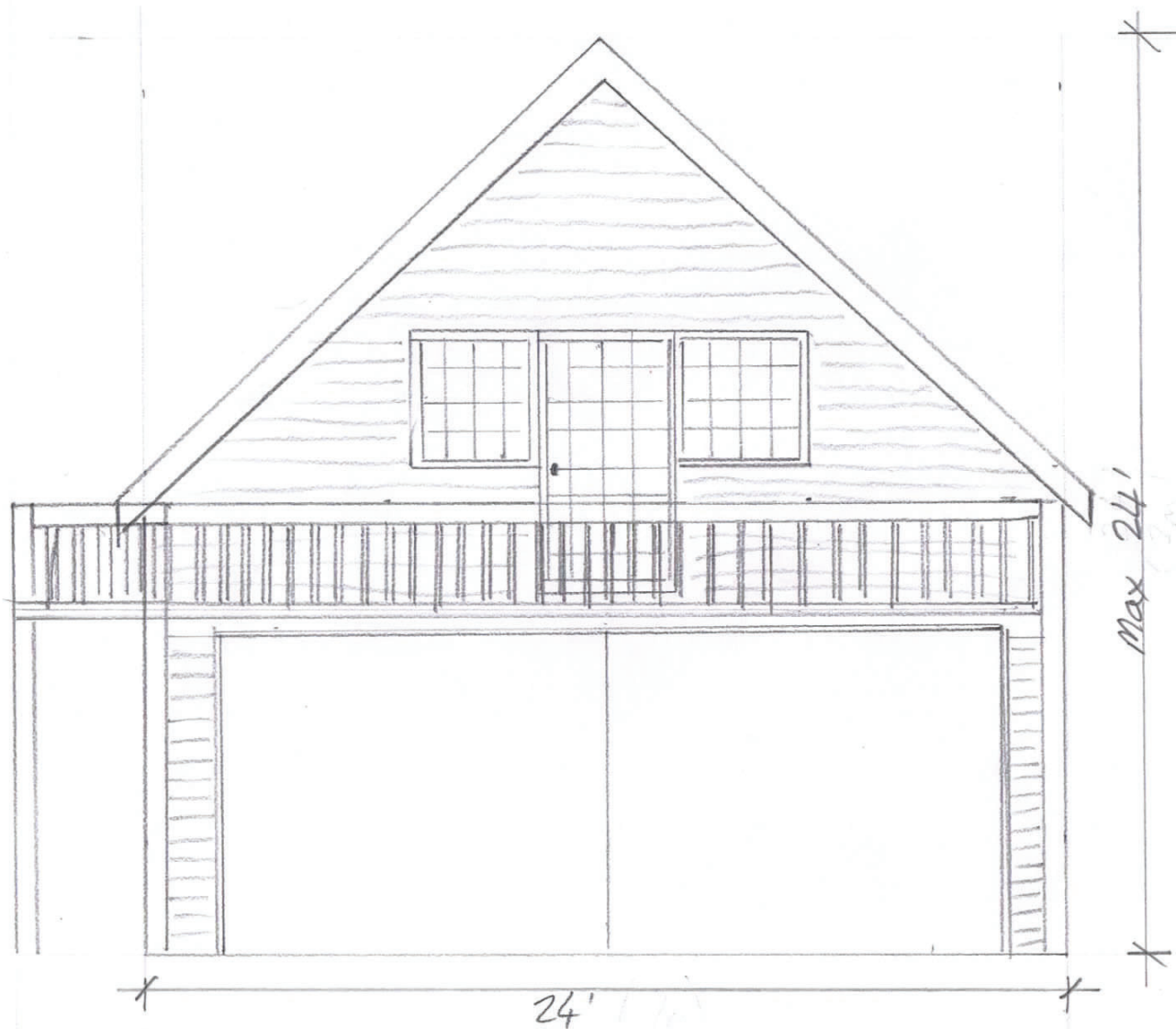


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602 TAREWELL AVE

TWO CAR GARAGE/APARTMENT

WEST FACING



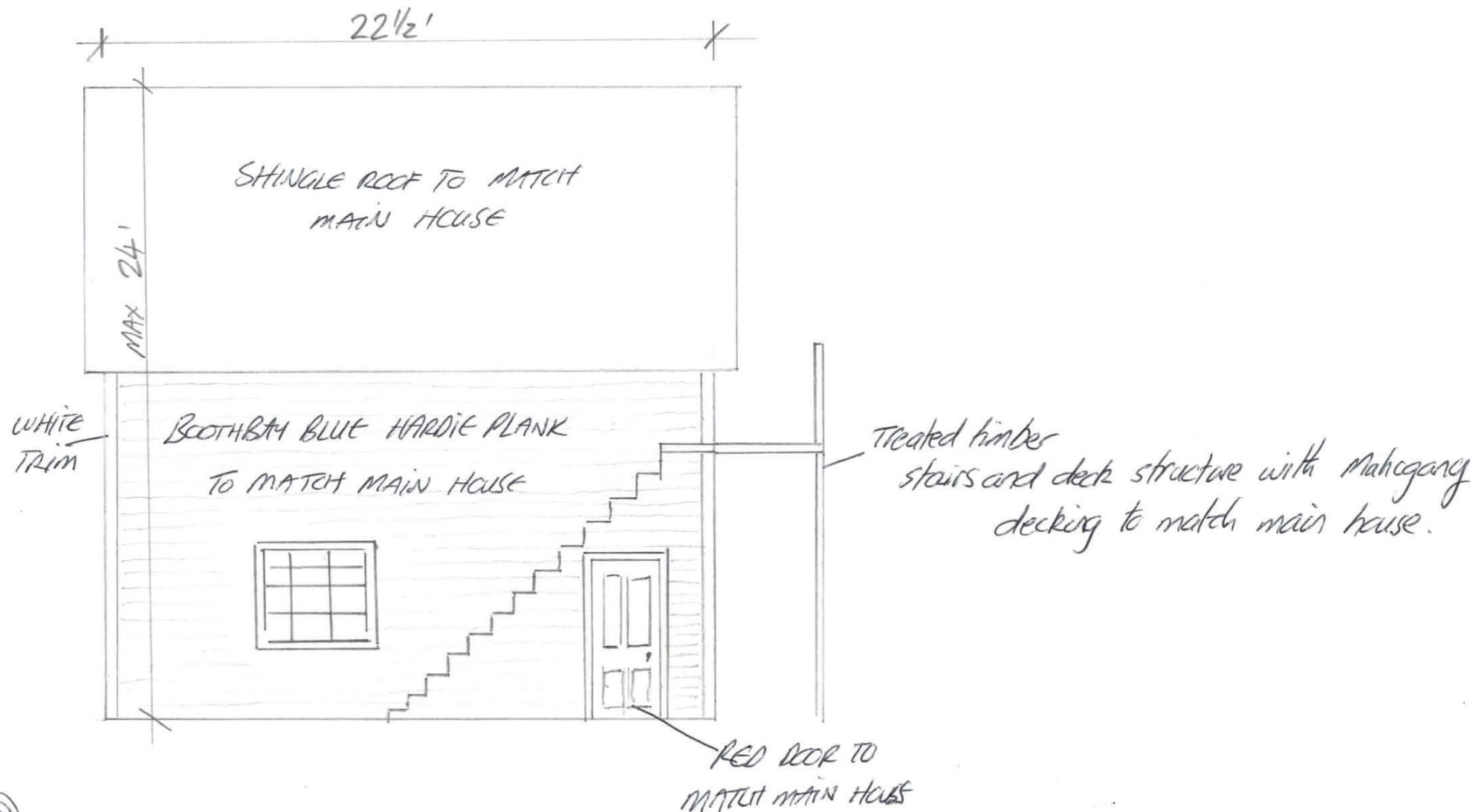
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③

602 TAZEWELL AVE.

TWO CAR GARAGE / APARTMENT

NORTH FACING



⑩

④ 602 TAZEWELL AVE

TWO CAR GARAGE/APARTMENT

EAST FACING



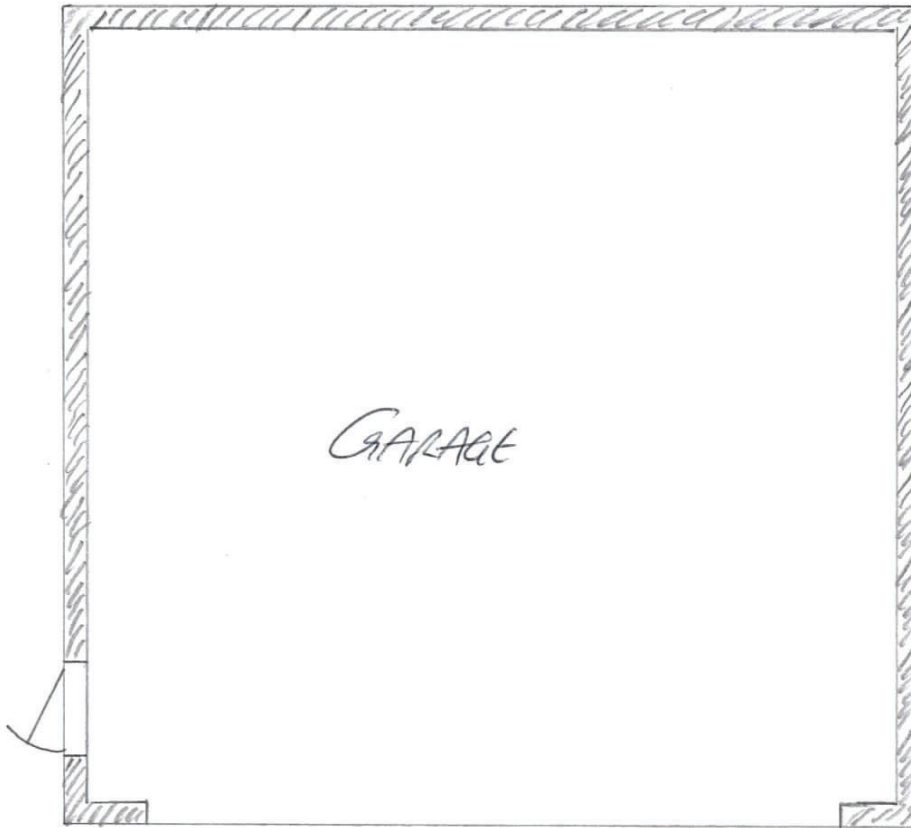
SOUTH FACING



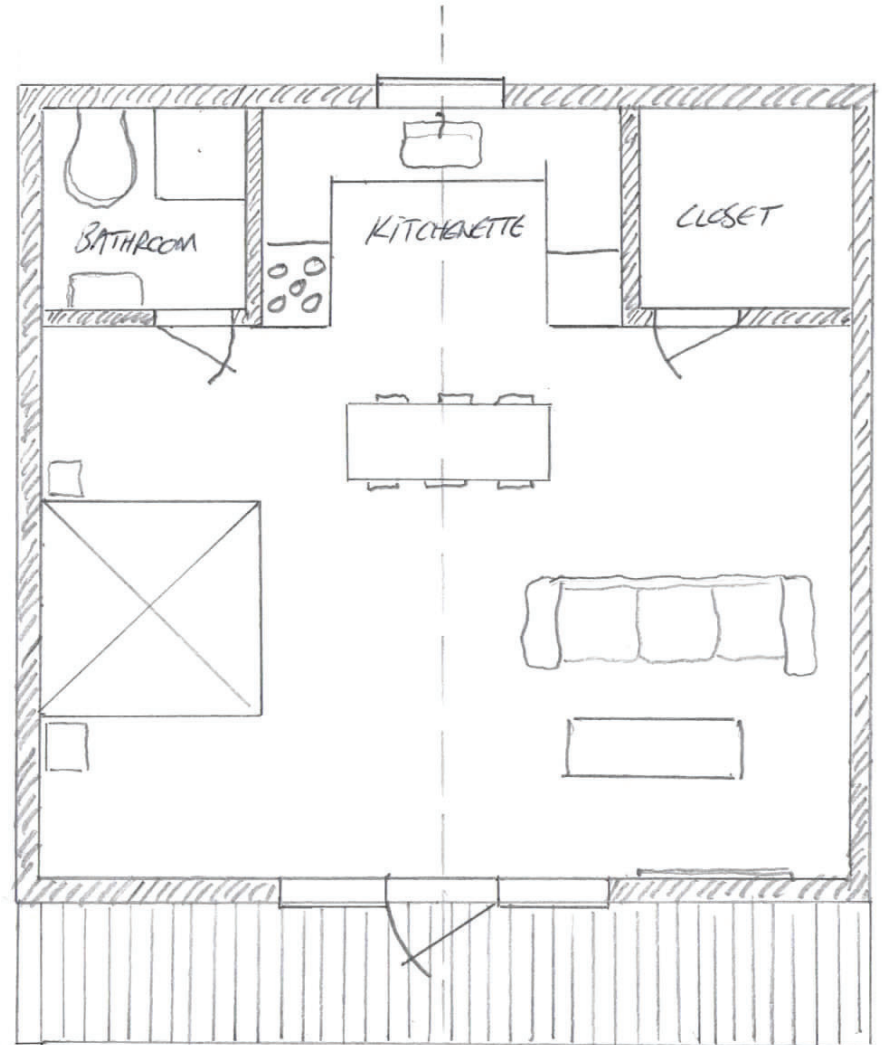
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(5) 602 TAZEWELL AVENUE

TWO CAR GARAGE/APARTMENT



1ST FLOOR GARAGE



SECOND FLOOR STUDIO/APARTMENT

28

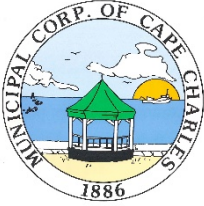


29







 TOWN OF CAPE CHARLES	AGENDA TITLE: Conditional Use Permit Public Hearing – 206A Jefferson Avenue		AGENDA DATE December 16, 2021
	SUBJECT/PROPOSAL/REQUEST: Planning Commission Recommendation on Conditional Use Permit Application from Susan, John & Kelly Robinson at 206A Jefferson Avenue for Accessory Dwelling Unit		ITEM NUMBER: 8B
	ATTACHMENTS: Planning Commission October 2021 Agenda Packet for Conditional Use Permit: Staff Report, Application and associated correspondence		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Katie H. Nunez, Interim Planning/Zoning Director	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

The Town is in receipt of a Conditional Use Permit application from Susan, John & Kelly Robinson at 206A Jefferson Avenue seeking approval after the fact to utilize a 576 square foot accessory structure as an accessory dwelling unit. The current owners did not create this situation but purchased the property on May 3, 2021 and inherited this situation. When the Town investigated about an illegal apartment and confirmed this, the new owners acted swiftly to remedy the violation, once notified, and filed the Conditional Use Permit application on August 12, 2021.

AERIAL MAP: *Property Outlined in Blue*



ITEM SPECIFICS:

Zoning review was completed on the application and found to be in compliance with all of the requirements of the zoning ordinance since the accessory structure is an existing structure. The proposed use of the structure as an accessory dwelling unit requires a Conditional use Permit which necessitates both the Planning Commission and provide a recommendation to Town Council and then Town Council is required to hold a public hearing to take final action on the disposition of the conditional use permit application.

At the Planning Commission meeting on October 5, 2021, a Public Hearing was held, and the applicants were in attendance and spoke at the hearing. Staff presented the full staff report dated September 29, 2021, including the full application packet submitted by the applicants. The applicants have signed the ADU Checklist

Affidavit acknowledging all of the ordinance requirements for ADUS, including the 30 day consecutive day length of stay.

The applicants indicated that they are living in the main house at 206 Jefferson Avenue and want to have the accessory dwelling unit for long-term rental. They indicated that this has been used as a rental for the last 25 years. No public comments were offered and the Planning Commission closed the public hearing to public comment and then fully discussed the application.

RECOMMENDATION by PLANNING COMMISSION:

A motion was made by Commissioner Grossman and seconded by Commissioner Holloway to recommend approval of the Conditional Use Permit to the Town Council with the following motion: The Cape Charles Planning Commission recommends approval of a Conditional Use Permit for an Accessory Dwelling Unit at 206A Jefferson Avenue as an after-the fact approval on an application filed by Susan, John and Kelly Robinson, pursuant to Cape Charles Zoning Ordinance Section 4.2 (J) with the following condition:

- 1) To obtain a Certificate of Occupancy thru the Building Department for this Accessory Dwelling Unit; and that the applicant has expeditiously applied for this permit after the fact for this structure upon notification as the new owners of this property as of May 3, 2021.



PLANNING COMMISSION STAFF REPORT

Meeting Date: October 5, 2021

Item #: 4B

Prepared by: Katie H. Nunez, Interim Planning/Zoning Administrator

Date: September 29, 2021

APPLICANT: Susan, John & Kelly
Robinson

TYPE OF APPLICATION: Conditional Use Permit

SITE ADDRESS: 206A Jefferson Avenue

SPECIFIC REQUEST: An accessory dwelling unit

TAX MAP: 83A1-1-220

ZONING: Section 4.2 (J)

LOT SIZE: 5,200 sq. ft.

CURRENT ZONING: Residential (R-1)

DATE RECEIVED: August 12, 2021

DATE DEEMED COMPLETE: August 12, 2021

LEGAL DEADLINE (90 Days from Complete Application – Directory, not Mandatory): November 12, 2021

NARRATIVE OF PROPOSAL

The applicant is seeking approval after the fact to utilize a 576 square foot accessory structure as an accessory dwelling unit.

AERIAL MAP: *Property outlined in blue*



The office was informed that the accessory structure was being used as an accessory dwelling. After confirming that the structure was being used in this manner and that the Town had not approved a Conditional Use Permit for the accessory dwelling, the property owners were contacted about the matter and indicated that they need to apply for a Conditional Use Permit in order to address the violation, if their intent was to have an accessory dwelling unit on the property in addition to the primary house.

The current owners did not create this situation but purchased the property on May 3, 2021 and inherited this situation. They have acted swiftly to remedy the violation, once notified, and filed the Conditional Use Permit application on August 12, 2021.

The Cape Charles Zoning Ordinance Section 4.2 (J) states that:

Accessory Dwellings. One accessory dwelling may be maintained on a property in the R-E, R-1, R-2 and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3, and subject to the following:

1. Physical characteristics.

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

2. Occupancy characteristics.

- a. Length of stay – No accessory dwelling unit shall be occupied by any person or persons, whether paying a fee for such occupancy or not, for a period less than thirty (30) consecutive calendar days. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles the owner of the subject lot of record upon which the accessory dwelling unit sits shall provide occupancy documentation and/or information as requested, either verbally or in writing. Failure to do so may result in the revocation by the Cape Charles Town Council of the conditional use status for the accessory dwelling unit according to Section 4.3.F.*
- b. Inspections – All accessory dwelling units shall be inspected annually not later than fifteen (15) days from the anniversary date of the conditional use permit being approved by Town Council.*

3. Other requirements.

- a. Accessory dwellings located in accessory buildings may have a separate water meter from the principal dwelling.*
- b. The lot on which an accessory dwelling is located shall have the required minimum lot area for the district in which it is located.*
- c. Parking shall be considered on a case-by-case basis as part of the conditional use permit application process, ensuring adherence to Section 4.5.1.C.6. (Table of Parking Standards) using both on and off-street parking areas.*

d. Exterior elevations shall also be approved by the Historic District Review Board when required by Article VIII, Historic Overlay.

ORDINANCE REQUIREMENTS:

Cape Charles Zoning Ordinance Section 4.3 states that “conditional use permits may be issued for any of the conditional uses for which a use permit is required by the provision of this ordinance in the specific districts provided that the Town Council, upon recommendation by the Planning Commission, shall find that after duly advertised public hearing the use will not:

1. Adversely affect the health, safety, or welfare of the persons residing or working in the neighborhood of the proposed use or adversely affect other land uses within the particular surrounding neighborhood.
2. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood.
3. Be in conflict with the purpose of the comprehensive plan of the town.

In granting any conditional use permit, the Town Council shall designate such conditions as it determines necessary to carry out the intent of this ordinance.

Additionally, approval of a conditional use permit shall be valid for only the specific use it covers in the specific location designated for a period of one year after approval by the Town Council and the completion of the additional permit process as requested in the application. Applicant shall apply or have applied for all additional permits as provided to the Planning Commission and as required by the Zoning Administrator within one (1) month of the approval by the Town Council. If Applicant fails to apply for any such permit within this time period, the conditional use permit shall be effective as of this date, thirty (30) days after the Town Council approval, unless the Town Council allows for additional time for such application or applications. If not acted upon within one (1) year, the conditional use permit shall become null and void, unless an extension of time is approved by the Town Council for good cause shown before the expiration of the Conditional Use Permit.

STAFF ANALYSIS:

The application for an after-the-fact permit for an accessory dwelling unit of 576 square feet demonstrates consistency with the requirements of the Cape Charles Zoning Ordinance Section 4.2 (J).

The accessory structure was built in the mid-to-late 2010’s when the ordinance did not specify the requirements for an accessory dwelling unit but did not give authority for an accessory dwelling unit as a by-right use either and the Town did not amend the zoning ordinance until 2017 regarding Accessory Dwelling Units.

The Cape Charles Comprehensive Plan Section III.A.5.2. identifies a goal to “Promote compatible infill development and renovation within established neighborhoods” and to specifically “Promote accessory dwelling units to add diversity of housing types, while maintaining the neighborhood character and providing affordable housing options”.

Staff finds that the application for a Conditional Use Permit pursuant to Section 4.2 (J) for an accessory dwelling unit in the Residential-1 Zoning District meets and satisfies the requirements of the Town Zoning Ordinance, Section 4.3, as follows:

- 1) it does not adversely affect the health, safety, or welfare of the persons residing or working in the neighborhood or adversely affect other land uses within the particular surrounding neighborhood;
- 2) it is not detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
- 3) it is not in conflict with the purpose of the comprehensive plan of the town.

Staff acknowledges that additional issues or comments may arise through the public hearing on this matter and request that the Planning Commission consider said issues and/or comments as part of their deliberations.

RECOMMENDED ACTION FOR PLANNING COMMISSION:

Staff recommends that the Planning Commission consider recommending approval of the Conditional Use Permit to the Town Council with the following motion:

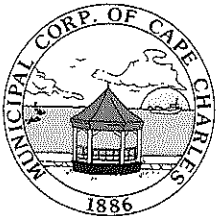
The Cape Charles Planning Commission recommends approval of a Conditional Use Permit for an Accessory Dwelling Unit at 206A Jefferson Avenue as an after-the fact approval on an application filed by Susan, John and Kelly Robinson, pursuant to Cape Charles Zoning Ordinance Section 4.2 (J) with the following condition:

(1) To obtain a Certificate of Occupancy thru the Building Department for this Accessory Dwelling Unit;

and finds that the CUP standards in Section 4.3 are satisfied and that the issuance of the CUP is in general accord with the current Comprehensive Plan and that the applicant has expeditiously applied for this permit after the fact for this structure upon notification as the new owners of this property as of May 3, 2021.

Attachments:

Attachment 1 – CUP Application



CONDITIONAL USE PERMIT APPLICATION

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036 Fax: 757-331-4820
planner@capecharles.org

CONDITIONAL USE PERMIT CHECKLIST - all documents can be emailed to the above email

- ☒ Completed application (if applicable, attach accessory dwelling checklist and documents)
- ☒ Letter of intent clearly explaining project
- ☒ Existing site plan or survey
- ☐ Proposed site plan or survey (if applicable)
- ☒ Names and addresses of adjacent property owners
- ☒ Payment of Fees (single-family detached residential \$600; all other \$800)

PROJECT INFORMATION

Name of Project: 206a Jefferson
Property Address: 206 Jefferson
Brief Description of Project: We would like the auxiliary building approved for LT rental
Zoning District: _____ Current Use: _____ Proposed Use: LT rental

OWNER INFORMATION

Name and Company: Susan, John and Kelly Robinson
Mailing Address: 9006 Wood Sorrel Drive, Henrico, VA 23229
Phone Number: 804-539-7318 Email: robin21090@aol.com

APPLICANT INFORMATION

☒ check here if applicant is owner

Name: Susan, ~~John and Kelly~~ Robinson
Mailing Address: 9006 Wood Sorrel Drive, Henrico, VA 23229
Phone Number: 804-539-7318 Email: robin21090@aol.com

CERTIFICATION OF APPLICANT

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.

Signature of Applicant:  Date: 8/12/21

Conditional Use Permit - Accessory Dwelling Unit Checklist

Date: 8/12/2021

Address: 206 Jefferson Avenue

The following criteria are required for one accessory dwelling to be maintained on a property in the R-E, R-1, R-2, and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3:

1. Is the accessory dwelling unit located in an accessory building? YES ☒ NO ☐
2. Does the accessory dwelling floor area exceed of forty-five (45) percent of the floor area of the main building? YES ☐ NO ☒ Accessory Dwelling Unit square footage _____
3. Does the accessory dwelling have one kitchen and one bathroom? YES ☒ NO ☐
4. Does the accessory building/dwelling differentiate from the single-family dwelling? YES ☒ NO ☐

The following conditions must be maintained for an accessory dwelling unit on a property in the R-E, R-1, R-2, and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3:

1. Occupancy characteristics.
 - a. Length of stay – No accessory dwelling unit shall be occupied by any person or persons, whether paying a fee for such occupancy or not, for a period less than thirty (30) consecutive calendar days. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles the owner of the subject lot of record upon which the accessory dwelling unit sits shall provide occupancy documentation and/or information as requested, either verbally or in writing. Failure to do so may result in the revocation by the Cape Charles Town Council of the conditional use status for the accessory dwelling unit according to Section 4.3.F.
 - b. Inspections – All accessory dwelling units shall be inspected annually not later than fifteen (15) days from the anniversary date of the conditional use permit being approved by Town Council.
2. Other requirements.
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 - b. The lot on which an accessory dwelling is located shall have the required minimum lot area for the district in which it is located.
 - c. Parking shall be considered on a case-by-case basis as part of the conditional use permit application process, ensuring adherence to Section 4.5.1.C.6. (Table of Parking Standards) using both on and off-street parking areas.
 - d. Exterior elevations shall also be approved by the Historic District Review Board when required by Article VIII, Historic Overlay.

CERTIFICATION OF APPLICANT

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. I am providing authorization to the town authorities to enter my properties to confirm accuracy of information contained in this application.

Signature of Owner: _____

Signature of Applicant: _____

Town of Cape Charles Planning & Zoning Department,

We would like to rent our auxiliary, detached building located at 206a Jefferson Avenue to a long-term renter. 206 Jefferson will be the permanent residence of Kelly Robinson, our daughter and an owner of the property. Can we please have a conditional use permit to do that?

I have included the Northampton County plot map, a picture of the structures, the Northampton County description of the lot and the tenant house (still listed by the county under the previous owner), and the names and addresses of the owners of the lots on each side.

I have enclosed a check for \$600 for the application.

Please let us know if you need anything further.

Susan Robinson

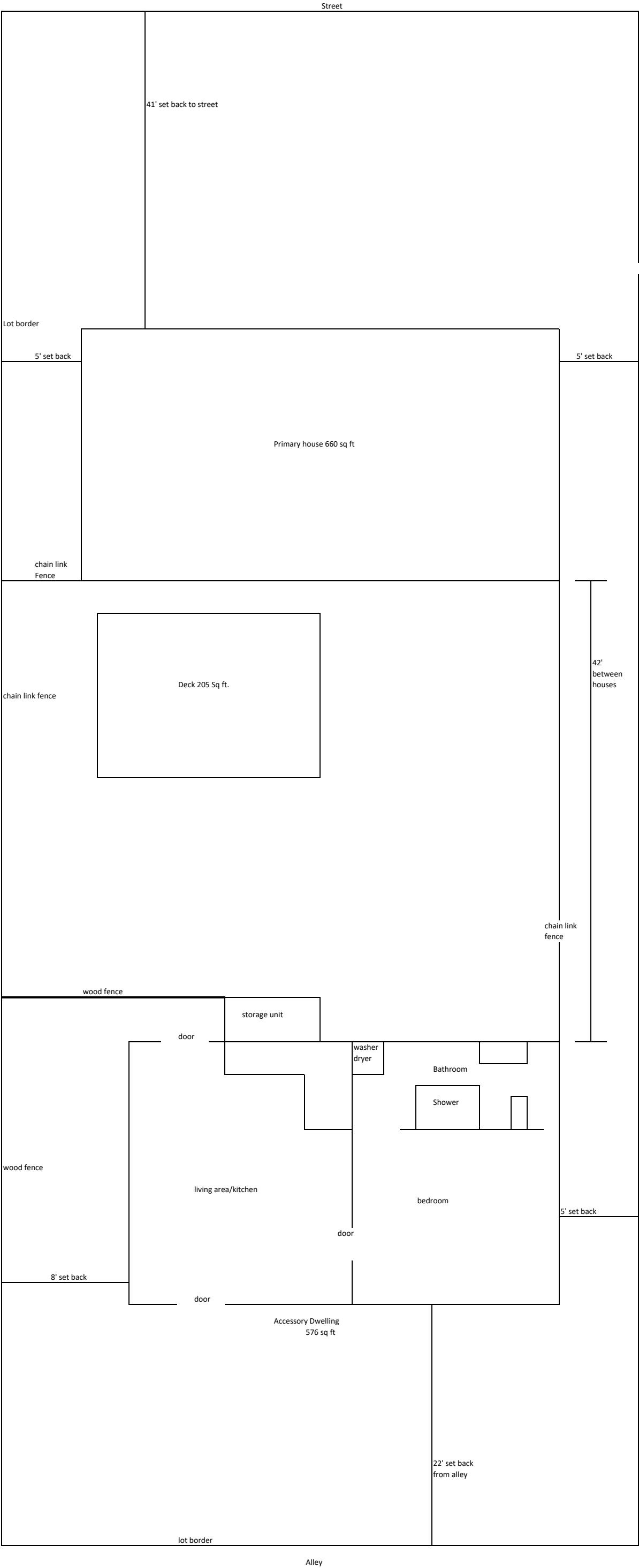


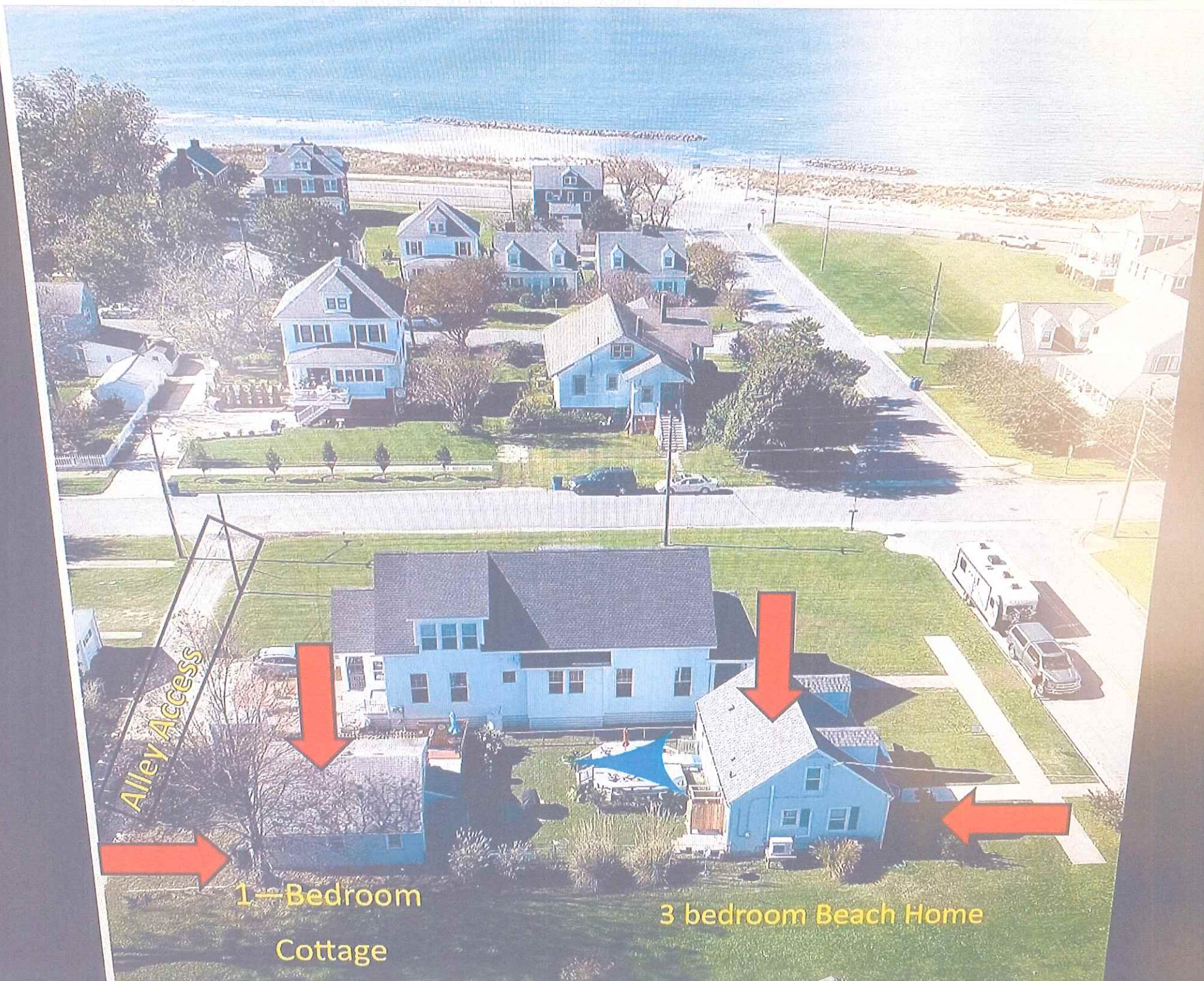
John Robinson



Kelly Robinson







Alley Access

1—Bedroom
Cottage

3 bedroom Beach Home

206 JEFFERSON AVE

Location 206 JEFFERSON AVE

Map # 083A1/ 01 00/ 0000220/ /

Par Rec # 4571

Owner BROWN, BARBARA M &

Assessment \$205,700

PID 4325

Building Count 1

Legal Description LOT #220 40X140

Lot Type

Current Value

Assessment					
Valuation Year	Building	Extra Features	Outbuildings	Land	Total
2020	\$62,500	\$200	\$31,600	\$111,400	\$205,700

Owner of Record

Owner BROWN, BARBARA M &
Care Of REYNOLDS, SHERI A
Address 226 RANDOLPH AVE
CAPE CHARLES, VA 23310

Sale Price \$145,000
Instrument #
Book & Page 336/1
Sale Date 07/30/2001
Sale Type Q

Ownership History

Ownership History						
Owner	Sale Price	Instrument #	Book & Page	Sale Type	Sale Date	Plat
BROWN, BARBARA M &	\$145,000		336/1	Q	07/30/2001	

Building Information

Building 1 : Section 1

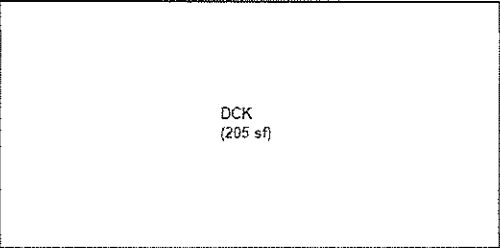
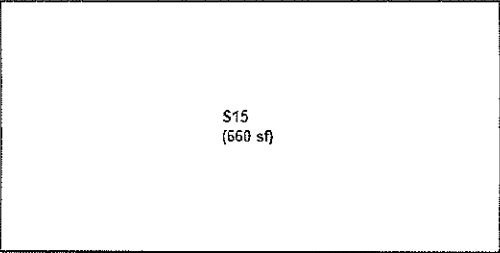
Year Built: 1949

Living Area: 990

Building Attributes	
Field	Description
Style	Single Family
Model	Residential

Grade	C-05
Stories	1
Foundation 1	Concrete Block
Exterior Wall 1	Vinyl
Exterior Wall 2	
Roof Structure 1	Gable
Roof Cover 1	Composition Shingle
Interior Wall 1	Plaster
Interior Wall 2	Tile
Interior Floor 1	Carpet
Roof Structure 2	
Fuel Type 1	Gas
Heat Type 1	Central Heat
AC Type 1	Central Air
Bedrooms	3
Full Baths	1
Half Baths	0
Extra Fixtures	
Total Rooms	0
Roof Cover 3	
Fuel Type 3	
Ttl Living Area	990
Exterior Wall 3	
Interior Floor 2	Softwood
Interior Floor 3	
Style	CONVENTIONAL
Heat Type 2	
Heat Type 3	
FPL Openings	0
Basement Area	
Roof Cover 2	
Interior Wall 3	Dry Wall
Fuel Type 2	

Building Layout



Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
S15	Single Family - 1.50	660	990
DCK	Wood Deck - 1.00	205	0
		865	990

Extra Features

Extra Features					Legend
Code	Description	Size	Value	Assessed Value	Bldg #
CHMY	CHIMNEY	1.00 UNITS	\$200	\$200	1

Land

Land Use

Use Code 100R
Description SFD - Urban Res
Zone
Alt Land Appr No

Land Line Valuation

Size (Acres) 1
Frontage

Outbuildings

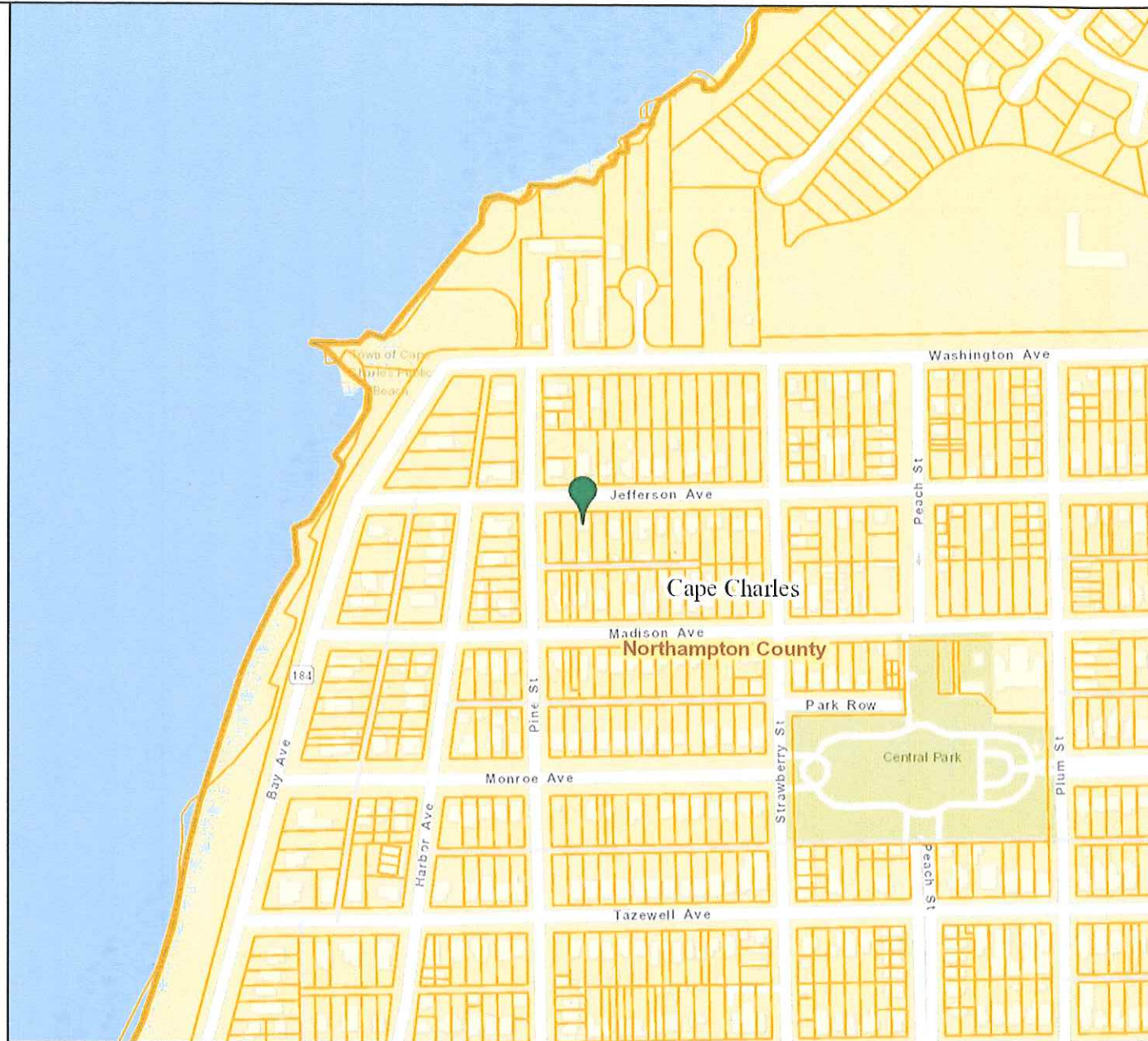
Outbuildings							<u>Legend</u>
Code	Description	Sub Code	Sub Description	Size	Value	Assessed Value	Bldg #
TNHS	TENANT HOUSE			576.00 UNITS	\$31,000	\$31,000	1
FEN	FENCE	CL	CHAIN LINK/WOOD	1.00 UNITS	\$600	\$600	1

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Northampton County, Virginia

Legend

- County Boundaries
- Town Names
- Route Numbers
- Road Labels
- Parcels
- Driveways



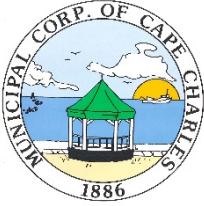
Map Printed from Northampton
<https://parcelviewer.geodecisions.com/Northampton/>

Feet
0 100 200 300 400
1:4,514 / 1"=376 Feet

Title:

Date: 8/11/2021

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Northampton County is not responsible for its accuracy or how current it may be.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Conditional Use Permit Public Hearing – 325 Madison Avenue		AGENDA DATE December 16, 2021
	SUBJECT/PROPOSAL/REQUEST: Planning Commission Recommendation on Conditional Use Permit Application from Jose & Diana Gonzalez at 325 Madison Avenue for Accessory Dwelling Unit		ITEM NUMBER: 8C
	ATTACHMENTS: Planning Commission October 2021 Agenda Packet for Conditional Use Permit: Staff Report, Application and associated correspondence		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Katie H. Nunez, Interim Planning/Zoning Director	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

The Town is in receipt of a Conditional Use Permit application from Jose & Diana Gonzalez at 325 Madison Avenue seeking approval after the fact to utilize a 360 square foot accessory structure as an accessory dwelling unit. When the Town received a complaint and investigated, we confirmed that there was an Accessory Dwelling Unit on the property and being utilized; our research indicated that the accessory structure was built in the mid-to-late 2010's when the ordinance did not specify the requirements for an accessory dwelling unit but did not give authority for an accessory dwelling unit as a by-right use either and the Town did not amend the zoning ordinance until 2017 regarding Accessory Dwelling Units.

AERIAL MAP: *Property Outlined in Blue*



ITEM SPECIFICS:

Zoning review was completed on the application and found to be in compliance with all of the requirements of the zoning ordinance since the accessory is an existing structure. The proposed use of the structure as an accessory dwelling unit requires a Conditional Use Permit which necessitates both the Planning Commission to hold a public hearing and develop a recommendation to Town Council and then Town Council is required to hold a public hearing to take final action on the disposition of the conditional use permit application.

At the Planning Commission meeting on October 5, 2021, a Public Hearing was held, and the applicants were in attendance and spoke at the hearing. Staff presented the full staff report dated September 29, 2021, including the full application packet submitted by the applicants. The applicants have signed the ADU Checklist Affidavit acknowledging all of the ordinance requirements for ADUS, including the 30-day consecutive day length of stay.

The Commission discussed the definition of kitchen and what components should be included or not to define a kitchen, such as a stove.

The applicants stated that they never intended to do anything wrong and had been in touch with the Town while they were constructing the accessory structure. A statement from Diana Gonzalez about parking for the accessory structure was read into the record. Written comments were also received by Janet Dudley, Edmund Sabo, The Pattons Family, and Michael & Jean Hollister in support of this application and all were read into the record.

No further public comments were offered and the Planning Commission closed the public hearing to public comment and then fully discussed the application.

RECOMMENDATION by PLANNING COMMISSION:

A motion was made by Commissioner Holloway and seconded by Commissioner McCoy to recommend approval of the Conditional Use Permit to the Town Council with the following motion: The Cape Charles Planning Commission recommends approval of a Conditional Use Permit for an Accessory Dwelling Unit at 325 Madison Avenue as an after-the fact approval on an application filed by Jose & Diana Gonzalez pursuant to Cape Charles Zoning Ordinance Section 4.2 (J) with the following condition:

- (1) To obtain a Certificate of Occupancy thru the Building Department for this Accessory Dwelling Unit; and finds that the CUP standards in Section 4.3 are satisfied and that the issuance of the CUP is in general accord with the current Comprehensive Plan and that the applicant has expeditiously applied for this permit after the fact for this structure upon notification that a Conditional Use Permit is required for an accessory dwelling unit

The motion was approved with Commissioner D'Amico voting in opposition.

TOWN COUNCIL

Town Council is requested to hold their public hearing and consider the recommendation by the Planning Commission to favorably approve the Conditional Use Permit application by Jose & Diana Gonzalez at 325 Madison Avenue.



PLANNING COMMISSION STAFF REPORT

Meeting Date: October 5, 2021

Item #: 4C

Prepared by: Katie H. Nunez, Interim Planning/Zoning Administrator

Date: September 29, 2021

APPLICANT: Jose & Diana Gonzalez
SITE ADDRESS: 325 Madison Avenue
TAX MAP: 83A1-1-191
LOT SIZE: 5,546 sq. ft.

TYPE OF APPLICATION: Conditional Use Permit
SPECIFIC REQUEST: An accessory dwelling unit
ZONING ORDINANCE: Section 4.2 (J)
CURRENT ZONING: Residential (R-1)

DATE RECEIVED: August 25, 2021

DATE DEEMED COMPLETE: August 25, 2021

LEGAL DEADLINE (90 Days from Complete Application – Directory, not Mandatory): November 25, 2021

NARRATIVE OF PROPOSAL

The applicant is seeking approval after the fact to utilize a 360 square foot accessory structure as an accessory dwelling unit.

AERIAL MAP: *Property outlined in blue*



The office was informed that the accessory structure was being used as an accessory dwelling. After confirming that the structure was being used in this manner and that the Town had not approved a Conditional Use Permit for the accessory dwelling, the property owners were contacted about the matter and indicated that they need to apply for a Conditional Use Permit in order to address the violation, if their intent was to have an accessory dwelling unit on the property in addition to the primary house.

The Cape Charles Zoning Ordinance Section 4.2 (J) states that:

Accessory Dwellings. One accessory dwelling may be maintained on a property in the R-E, R-1, R-2 and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3, and subject to the following:

1. Physical characteristics.

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

2. Occupancy characteristics.

- a. Length of stay – No accessory dwelling unit shall be occupied by any person or persons, whether paying a fee for such occupancy or not, for a period less than thirty (30) consecutive calendar days. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles the owner of the subject lot of record upon which the accessory dwelling unit sits shall provide occupancy documentation and/or information as requested, either verbally or in writing. Failure to do so may result in the revocation by the Cape Charles Town Council of the conditional use status for the accessory dwelling unit according to Section 4.3.F.*
- b. Inspections – All accessory dwelling units shall be inspected annually not later than fifteen (15) days from the anniversary date of the conditional use permit being approved by Town Council.*

3. Other requirements.

- a. Accessory dwellings located in accessory buildings may have a separate water meter from the principal dwelling.*
- b. The lot on which an accessory dwelling is located shall have the required minimum lot area for the district in which it is located.*
- c. Parking shall be considered on a case-by-case basis as part of the conditional use permit application process, ensuring adherence to Section 4.5.1.C.6. (Table of Parking Standards) using both on and off-street parking areas.*
- d. Exterior elevations shall also be approved by the Historic District Review Board when required by Article VIII, Historic Overlay.*

The Cape Charles Zoning Ordinance Section 3.2 (C) (7) states:

Conditional Uses: The following uses may also be permitted, subject to securing a use permit as provided for in this ordinance:

- 7. Residential dwelling units in square footage area below the minimum or above the maximum stated in Section 3.2.F.2.*

ORDINANCE REQUIREMENTS:

Cape Charles Zoning Ordinance Section 4.3 states that “conditional use permits may be issued for any of the conditional uses for which a use permit is required by the provision of this ordinance in the specific districts provided that the Town Council, upon recommendation by the Planning Commission, shall find that after duly advertised public hearing the use will not:

1. Adversely affect the health, safety, or welfare of the persons residing or working in the neighborhood of the proposed use or adversely affect other land uses within the particular surrounding neighborhood.
2. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood.
3. Be in conflict with the purpose of the comprehensive plan of the town.

In granting any conditional use permit, the Town Council shall designate such conditions as it determines necessary to carry out the intent of this ordinance.

Additionally, approval of a conditional use permit shall be valid for only the specific use it covers in the specific location designated for a period of one year after approval by the Town Council and the completion of the additional permit process as requested in the application. Applicant shall apply or have applied for all additional permits as provided to the Planning Commission and as required by the Zoning Administrator within one (1) month of the approval by the Town Council. If Applicant fails to apply for any such permit within this time period, the conditional use permit shall be effective as of this date, thirty (30) days after the Town Council approval, unless the Town Council allows for additional time for such application or applications. If not acted upon within one (1) year, the conditional use permit shall become null and void, unless an extension of time is approved by the Town Council for good cause shown before the expiration of the Conditional Use Permit.

STAFF ANALYSIS:

The application for an after-the-fact permit for an accessory dwelling unit of 360 square feet demonstrates consistency with the requirements of the Cape Charles Zoning Ordinance Section 4.2 (J).

The accessory structure was built in the mid-to-late 2010’s when the ordinance did not specify the requirements for an accessory dwelling unit but did not give authority for an accessory dwelling unit as a by-right use either and the Town did not amend the zoning ordinance until 2017 regarding Accessory Dwelling Units.

The Cape Charles Comprehensive Plan Section III.A.5.2. identifies a goal to “Promote compatible infill development and renovation within established neighborhoods” and to specifically “Promote accessory dwelling units to add diversity of housing types, while maintaining the neighborhood character and providing affordable housing options”.

Staff finds that the application for a Conditional Use Permit pursuant to Section 4.2 (J) for an accessory dwelling unit in the Residential-1 Zoning District meets and satisfies the requirements of the Town Zoning Ordinance, Section 4.3, as follows:

- 1) it does not adversely affect the health, safety, or welfare of the persons residing or working in the neighborhood or adversely affect other land uses within the particular surrounding neighborhood;
- 2) it is not detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
- 3) it is not in conflict with the purpose of the comprehensive plan of the town.

Staff acknowledges that additional issues or comments may arise through the public hearing on this matter and request that the Planning Commission consider said issues and/or comments as part of their deliberations.

RECOMMENDED ACTION FOR PLANNING COMMISSION:

Staff recommends that the Planning Commission consider recommending approval of the Conditional Use Permit to the Town Council with the following motion:

The Cape Charles Planning Commission recommends approval of a Conditional Use Permit for an Accessory Dwelling Unit at 325 Madison Avenue as an after-the fact approval on an application filed by Jose & Diana Gonzalez pursuant to Cape Charles Zoning Ordinance Section 4.2 (J) with the following condition:

(1) To obtain a Certificate of Occupancy thru the Building Department for this Accessory Dwelling Unit;

and finds that the CUP standards in Section 4.3 are satisfied and that the issuance of the CUP is in general accord with the current Comprehensive Plan and that the applicant has expeditiously applied for this permit after the fact for this structure upon notification that a Conditional Use Permit is required for an accessory dwelling unit.

Attachments:

Attachment 1 – CUP Application



CONDITIONAL USE PERMIT APPLICATION

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036 Fax: 757-331-4820
planner@capecharles.org

CONDITIONAL USE PERMIT CHECKLIST - all documents can be emailed to the above email

- ☒ Completed application (if applicable, attach accessory dwelling checklist and documents)
- ☒ Letter of intent clearly explaining project
- ☒ Existing site plan or survey
- ☒ Proposed site plan or survey (if applicable)
- ☒ Names and addresses of adjacent property owners
- ☒ Payment of Fees (single-family detached residential \$600; all other \$800)

PROJECT INFORMATION

Name of Project: Accessory dwelling at 325 Madison Ave.
Property Address: 325 Madison Ave.
Brief Description of Project: Convert accessory building to dwelling
Zoning District: _____ Current Use: _____ Proposed Use: _____

OWNER INFORMATION

Name and Company: Jose + Diana Gonzalez
Mailing Address: 325 Madison Ave Cape Charles 23310
Phone Number: 257-646-8143 Email: josee.semilla.org

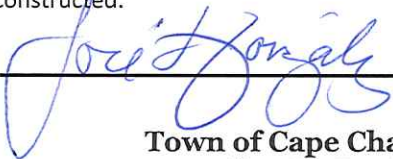
APPLICANT INFORMATION

☒ check here if applicant is owner

Name: see above
Mailing Address: _____
Phone Number: _____ Email: _____

CERTIFICATION OF APPLICANT

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.

Signature of Applicant:  Date: 8/26/21

Conditional Use Permit - Accessory Dwelling Unit Checklist

Date: 8/26/21

Address: 325 Madison Ave.

The following criteria are required for one accessory dwelling to be maintained on a property in the R-E, R-1, R-2, and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3:

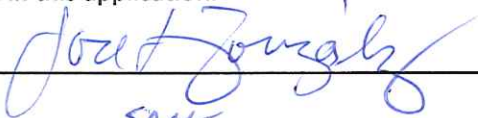
1. Is the accessory dwelling unit located in an accessory building? YES ☒ NO ☐
2. Does the accessory dwelling floor area exceed of forty-five (45) percent of the floor area of the main building? YES ☐ NO ☒ Accessory Dwelling Unit square footage 360 sq ft
3. Does the accessory dwelling have ~~one kitchen~~ one bathroom? YES ☒ NO ☐
4. Does the accessory building/dwelling differentiate from the single-family dwelling? YES ☒ NO ☐

The following conditions must be maintained for an accessory dwelling unit on a property in the R-E, R-1, R-2, and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3:

1. Occupancy characteristics.
 - a. Length of stay – No accessory dwelling unit shall be occupied by any person or persons, whether paying a fee for such occupancy or not, for a period less than thirty (30) consecutive calendar days. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles the owner of the subject lot of record upon which the accessory dwelling unit sits shall provide occupancy documentation and/or information as requested, either verbally or in writing. Failure to do so may result in the revocation by the Cape Charles Town Council of the conditional use status for the accessory dwelling unit according to Section 4.3.F.
 - b. Inspections – All accessory dwelling units shall be inspected annually not later than fifteen (15) days from the anniversary date of the conditional use permit being approved by Town Council.
2. Other requirements.
 - a. Accessory dwellings located in accessory buildings may have a separate water meter from the principal dwelling.
 - b. The lot on which an accessory dwelling is located shall have the required minimum lot area for the district in which it is located.
 - c. Parking shall be considered on a case-by-case basis as part of the conditional use permit application process, ensuring adherence to Section 4.5.1.C.6. (Table of Parking Standards) using both on and off-street parking areas.
 - d. Exterior elevations shall also be approved by the Historic District Review Board when required by Article VIII, Historic Overlay.

CERTIFICATION OF APPLICANT

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. I am providing authorization to the town authorities to enter my properties to confirm accuracy of information contained in this application.

Signature of Owner: 

Signature of Applicant: SAME

Cape Charles, August 25, 2021

This is our letter of intent to request converting our accessory building to an accessory dwelling at the back of the property at 325 Madison Ave.

Background

We began to visit Cape Charles by renting one, or sometimes two houses every summer to gather our large extended family. After several years we decided to build a family beach house. We proceeded to build a large capacity beach house to gather our family anytime. To sustain the cost of building it, we offered it for rent to others, particularly during the summer season. It was reserved the day after posting it on AirBnB, and it has been rented or occupied by us ever since.

The first year, we traveled from Chesapeake every Saturday to clean the house for the next guests. Then we realized the value of maintaining closer supervision and maintenance of the house by living on the premises. Our presence in town ensures that any untoward behavior by our guests is dealt with immediately (our emphasis on renting to extended families - often with elderly members - means that this has never been an issue). We have always striven to be good neighbors.

We moved to Cape Charles during the off season and laid plans to build an accessory dwelling. We visited Town Hall several times, but were told that while an ordinance regulating accessory dwellings had been under discussion for months, it was not yet approved.

At that point, our home in Chesapeake had been sold, and we had to order a prefabricated building from Pennsylvania in time to vacate the main house for the reserved rental season, so we were forced to take out a permit for an "accessory building" to begin site work. We built it to comply with the (anticipated but not yet published) standards for an accessory dwelling for workforce housing.

The main house at 325 Madison is registered as "Family Reunion on the Bay, LLC" and is run by us as a vacation rental which we manage when not using it for our own family. We are thus a working couple requesting permission to live in our accessory building as a dwelling, per town policy.

Our plan has been to stay in it ourselves for as long as possible, thinking that at some future date it could become a desirable long-term rental for a single person (like a schoolteacher) to rent year-round or perhaps barter cleaning and maintaining the main house in the summer rental month. Either way, it would be a very affordable work force housing situation for others after us.

Regarding Article IV section 4.2 E, "Accessory Building:"

The accessory dwelling complies with all points, 1-13:

1. Not located in front or side yard
2. Not closer than 5 feet to any property line (see site plan)
3. Not closer than 2 feet to side or rear property line
4. Not closer than 15 feet from the main building. (It is 46 ft away.)
5. Not a 2-story building
6. Sum of all building footprints is less than 50% ($360 + 1680 \text{ sq} = 2040 \text{ sq ft}$, out of 5,600 sq ft lot)
7. Size of accessory building (360 sq ft) is less than main building & less than 550 sq ft.
8. N/A

9. Not higher than main structure
10. Not higher than 2/3 of main structure nor 24 ft (our accessory building peak is 11'3")
11. N/A
12. Does not exceed 7% of lot size (7% = 392 sq ft, Building is 360 sq ft)
13. N/A

Regarding Article IV. J. "Accessory Dwelling"

The dwelling complies with the physical and the occupancy characteristics required. Additionally:

- Water, sewer and electric lines are shared with the main building. (The sewer was originally built to accommodate five trailers). All utilities are on a single account.
- We can provide copies of multiple building inspections for when it was permitted as an accessory building (slab, plumbing, electrical, frame, insulation and final).
- The exterior matches the main structure in shape/form, siding, shingles, window, door, and shutters, thus harmonious while clearly subordinate to the main house. It's also landscaped.
- The 4 windows are 36" wide X 60" each, making them legal egress windows.
- We pay a monthly fee for an additional trash can for the accessory, stored separately.
- There is a 3-piece bathroom (shower, toilet, sink) and a food prep area with fridge, sink, microwave, toaster oven and induction hot plate, along with a 6 ft counter, pantry and cabinets. We prefer not to install a stove but will do so if the code requires it.
- It is heated and cooled by two units at either end of the building.

The entire 300 block of Madison Ave. is occupied by:

Mrs. Janet Dudley, the only neighbor who is actually adjacent to us, at 303 Madison Ave.

Beyond her, on the corner, Frank Giardina, 301 Madison Ave.

On our northwest corner, facing Strawberry, a vacant lot, owner unknown.

Directly north at the rear of the property, a vacant lot owned by the church across Jefferson Ave.

At the northeast corner, Jeanpaul Beauchamp, 312 Jefferson Ave

Directly east, 327 Madison Ave belongs to us.

Towards Peach, another vacant lot (owner unknown) separates us from Ed Sabo, on 333 Madison Ave.

Janet Dudley, Frank and Andrea Giardina, Jeanpaul and Marielena Beauchamp, and Ed Sabo have all expressed their support of an accessory dwelling in our property. We are also friends with the owners of three houses directly across the street, facing Park Row, if more neighborhood input is needed.

Attached please find the completed application, structure elevations, floor plan, property survey, site plan, and check for \$600.00.

We apologize for neglecting the transition to an accessory dwelling for so long and will pay any penalties for the delay. Thank you for your patience and for considering this application.



Jose L Gonzalez

(757) 646 8143



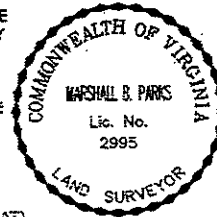
Diana L Gonzalez

(757) 646 9314

325 Madison Ave, Cape Charles, 23310

SURVEYORS CERTIFICATION

I, MARSHALL B. PARKS, A LICENSED LAND SURVEYOR, HEREBY CERTIFY THAT THIS PLAT WAS MADE BY ME AT THE REQUEST OF THE OWNERS AND THAT THIS SURVEY IS ENTIRELY WITHIN THE BOUNDARIES OF LAND COVERED BY THE DEED DESCRIBED HEREON AND THAT MONUMENTATION IS ACTUALLY IN PLACE OR WILL BE SET AT POINTS MARKED AS SHOWN HEREON AND THAT THEIR LOCATIONS ARE CORRECTLY SHOWN. THIS SURVEY IS CORRECT AND COMPLIES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS, AND LANDSCAPE ARCHITECTS. THIS PLAT IS BASED ON A CURRENT FIELD SURVEY.



GENERAL NOTES:

1. OWNER: JOSE L. GONZALEZ

2. TAX PARCEL: 83A1-1-191

3. SOURCE OF TITLE:
INST. 160001432

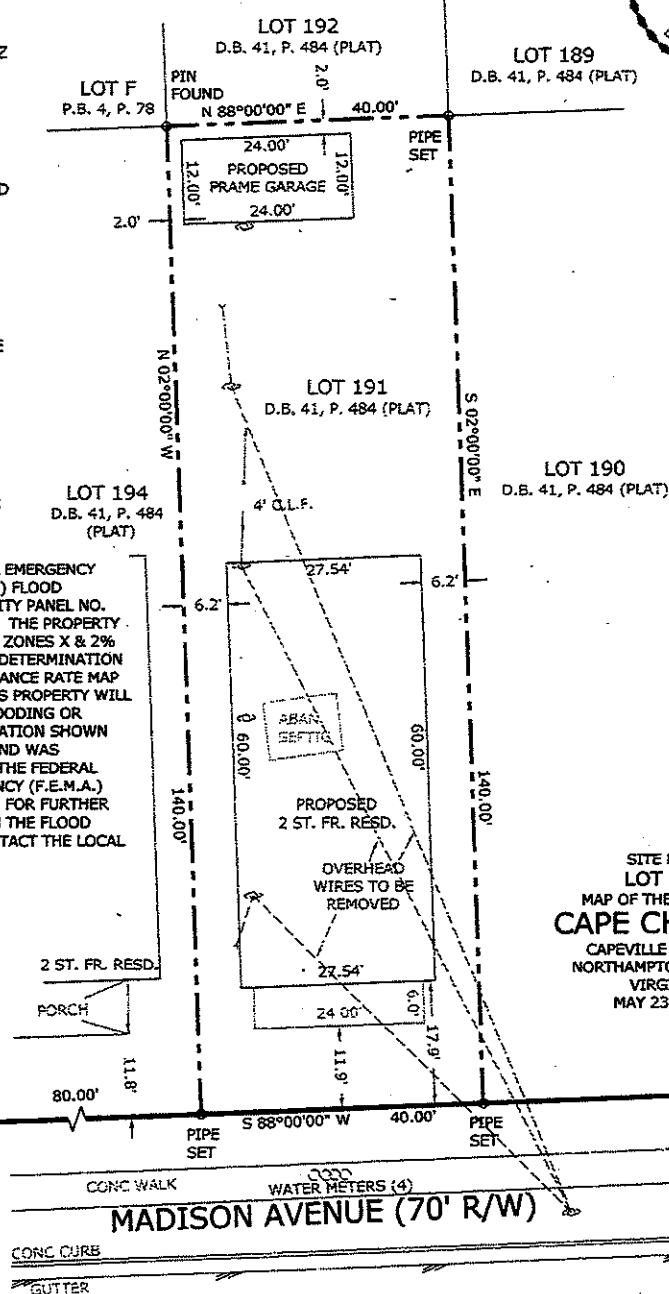
4. A SURVEY WAS PERFORMED ON THIS PROPERTY IN MAY 2017 WITH A BOUNDARY CLOSURE WHOSE PRECISION EXCEEDS 1:10,000.

5. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND MAY NOT SHOW ANY/ALL EASEMENTS OR RESTRICTIONS THAT MAY AFFECT SAID PROPERTY AS SHOWN OR WETLANDS, ENVIRONMENTAL HAZARDS, CEMETERIES AND UNDERGROUND STRUCTURES NOT OBSERVED DURING THE COURSE OF THE SURVEY.

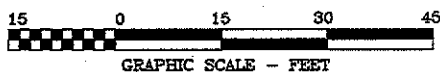
6. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 51131C0430F, DATED 03-02-15, THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONES X & 2% ANNUAL CHANCE. FLOOD ZONE DETERMINATION IS BASED ON THE FLOOD INSURANCE RATE MAP AND DOES NOT IMPLY THAT THIS PROPERTY WILL OR WILL NOT BE FREE FROM FLOODING OR DAMAGE. FLOOD ZONE INFORMATION SHOWN HEREON IS NOT GUARANTEED AND WAS APPROXIMATELY SCALED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAPS. FOR FURTHER INFORMATION AND TO CONFIRM THE FLOOD ZONE FOR THIS PROPERTY, CONTACT THE LOCAL COMMUNITY FLOOD OFFICIAL.

7. PLAT REFERENCES:
D.B. 41, P. 484 (PLAT)
P.B. 4, P. 78

STRAWBERRY STREET (70' R/W)



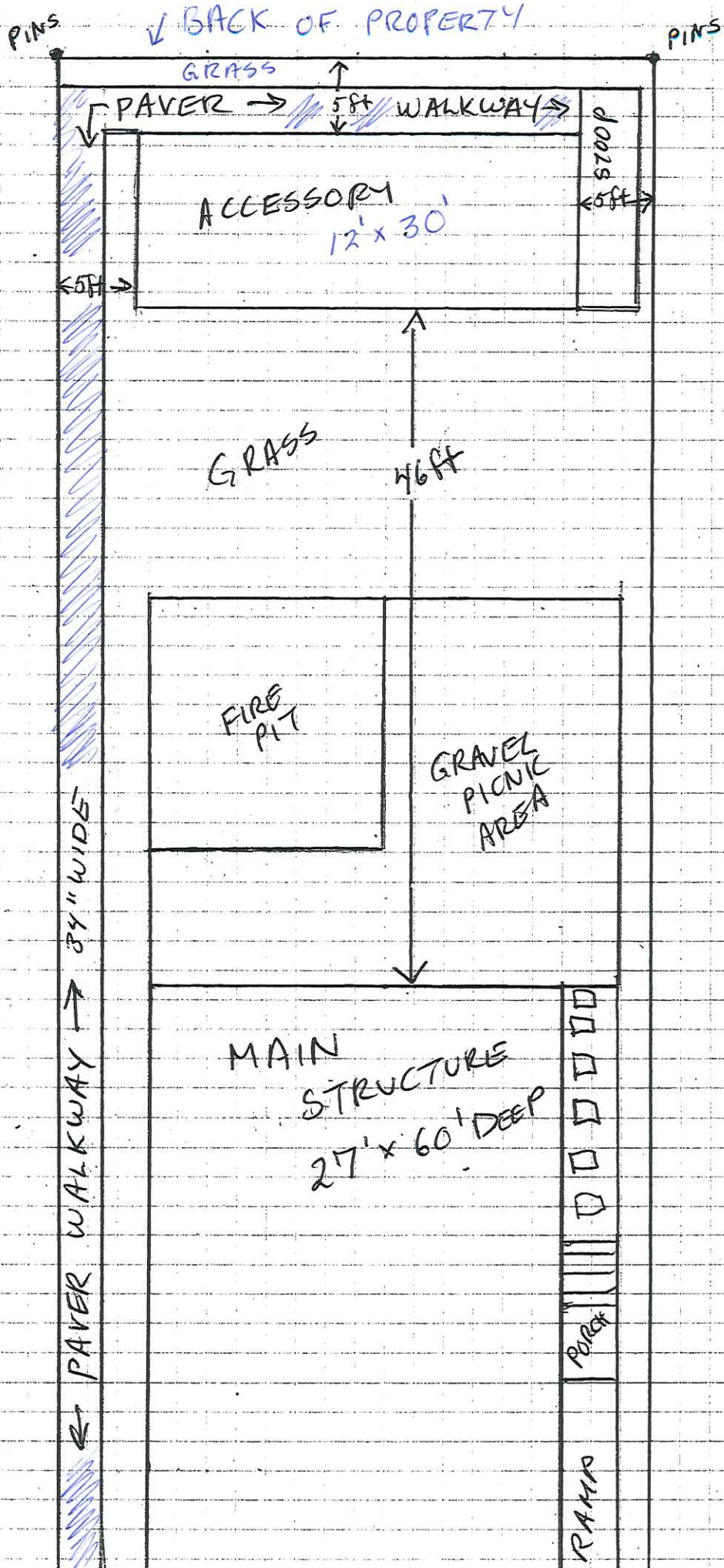
SITE PLAN
LOT 191
MAP OF THE TOWN OF
CAPE CHARLES
CAPEVILLE DISTRICT
NORTHAMPTON COUNTY,
VIRGINIA
MAY 23, 2017

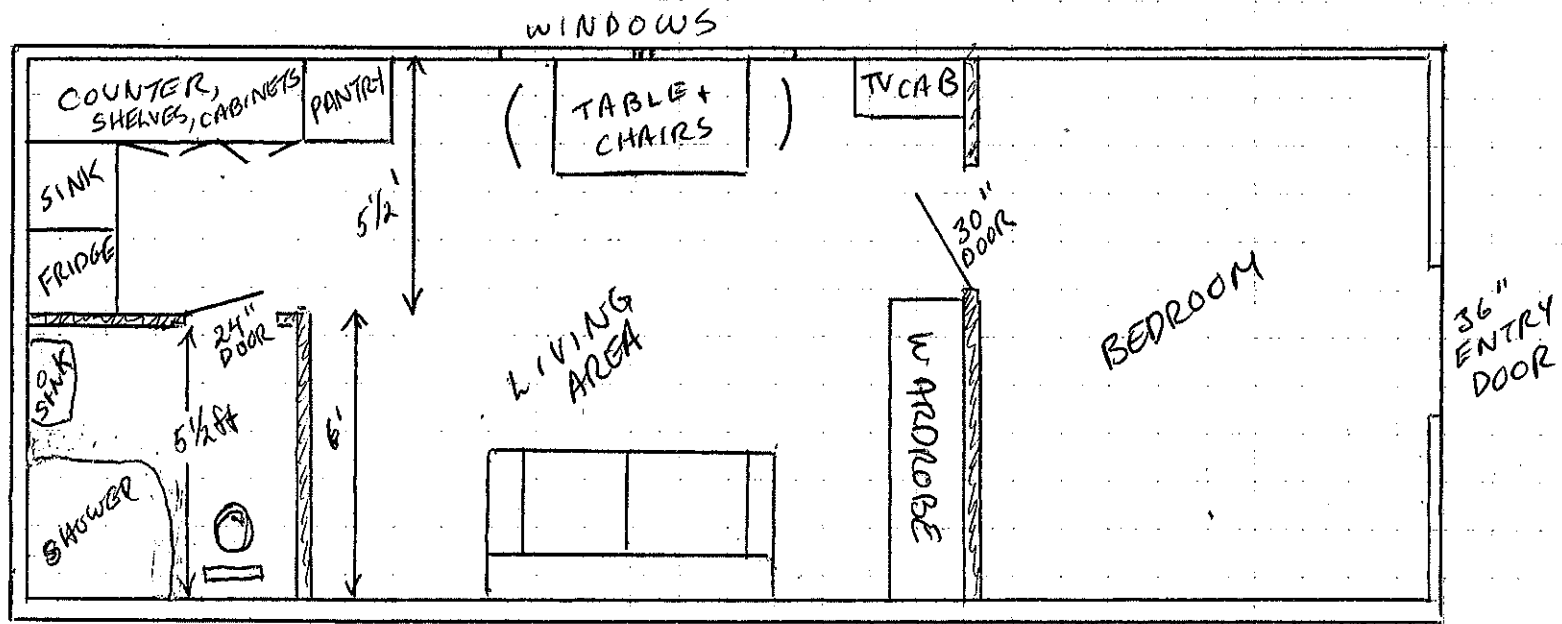


ACCOMACK-NORTHAMPTON SURVEYING & MAPPING PLLC

36308 Lankford Highway, Belle Haven, Virginia 23306
Mail Address: 11403 Heron Drive, Machipongo, Virginia 23405
Phone: (757) 709-4192

DRAWN BY: CROCKETT	SCALE: 1" = 15'
CHKD BY: PARKS	BACK TRAV. BY: CROCKETT
FIELD BOOK: CPCL, P. 23	JOB NUMBER: 576





Building Specifications

Floor:

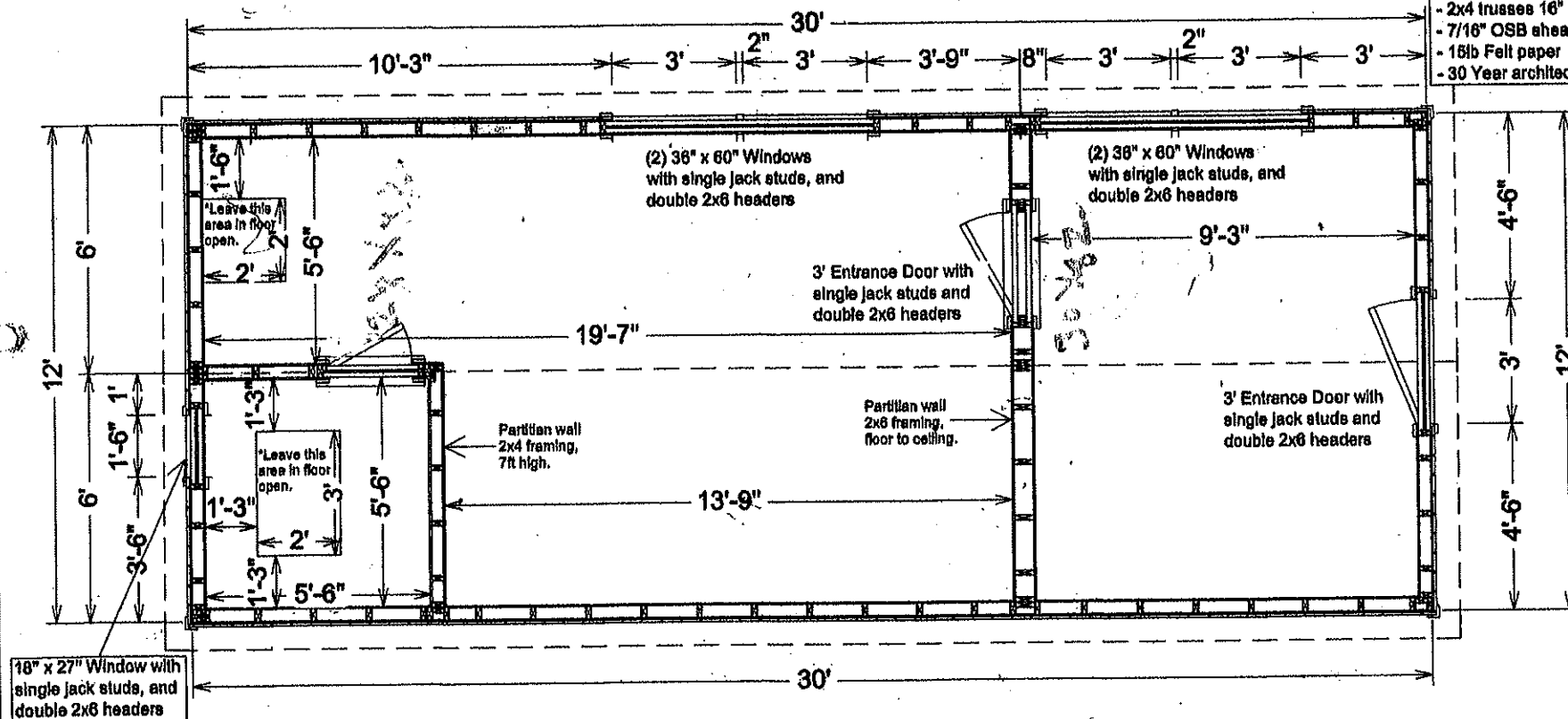
- Pressure treated 4x4 skids
- 2x4 Floor Joist at 12" O.C.
- 5/8" Plywood
- Double layer of 1" foam board insulation
- Floor anchored to concrete with 1/2" wedge anchor, one at each corner and one centered on each gable wall. (6) anchors total.

Walls:

- 2x4 wall framing at 16" O.C.
- Double top header
- Single bottom plate
- 7/16 OSB sheathing
- House wrap
- Vinyl siding

Roof:

- 2x4 trusses 16" O.C.
- 7/16" OSB sheathing
- 15lb Felt paper
- 30 Year architectural shingles



12x30 Classic Workshop

Sheds Unlimited
2025 Valley Rd
Morgantown, PA 19543
Phone: 717-442-3281
office@shedsunlimited.net

Customer:
Diana Gonzalez
4322 Oneford Place
Chesapeake, VA 23321

Drawing

Floor Plan
Scale
1/4" to 1'

Revisions

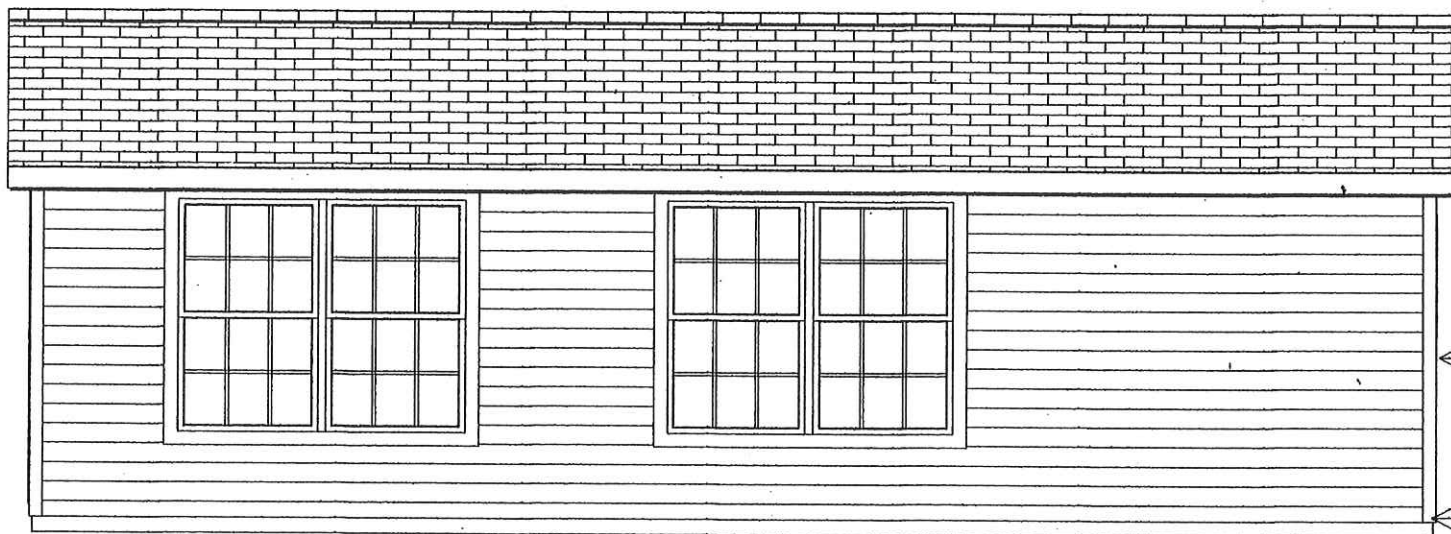
Drawn By:

Austin Beachy
Date:
02/07/2019

Page No:

1

2x4 trusses 16" O.C. - 7/16" OSB sheathing - 15lb Felt paper - 30 Year architectural shingles



8" Overhang

- 2x4 wall framing at 16" O.C.
- Double top header
- Single bottom plate
- 7/16 OSB sheathing
- Vinyl siding
- House wrap

- Pressure treated 4x4 skids
- 2x4 Floor Joist at 12" O.C.
- 5/8" Plywood

SHUTTERS ADDED

Sheds Unlimited
2025 Valley Rd
Morgantown, PA 19543
Phone: 717-442-3281
office@shedsunlimited.net

Customer:
Diana Gonzalez
4322 Oneford Place
Chesapeake, VA 23321

Drawing
Side View
Scale
1/4" to 1'

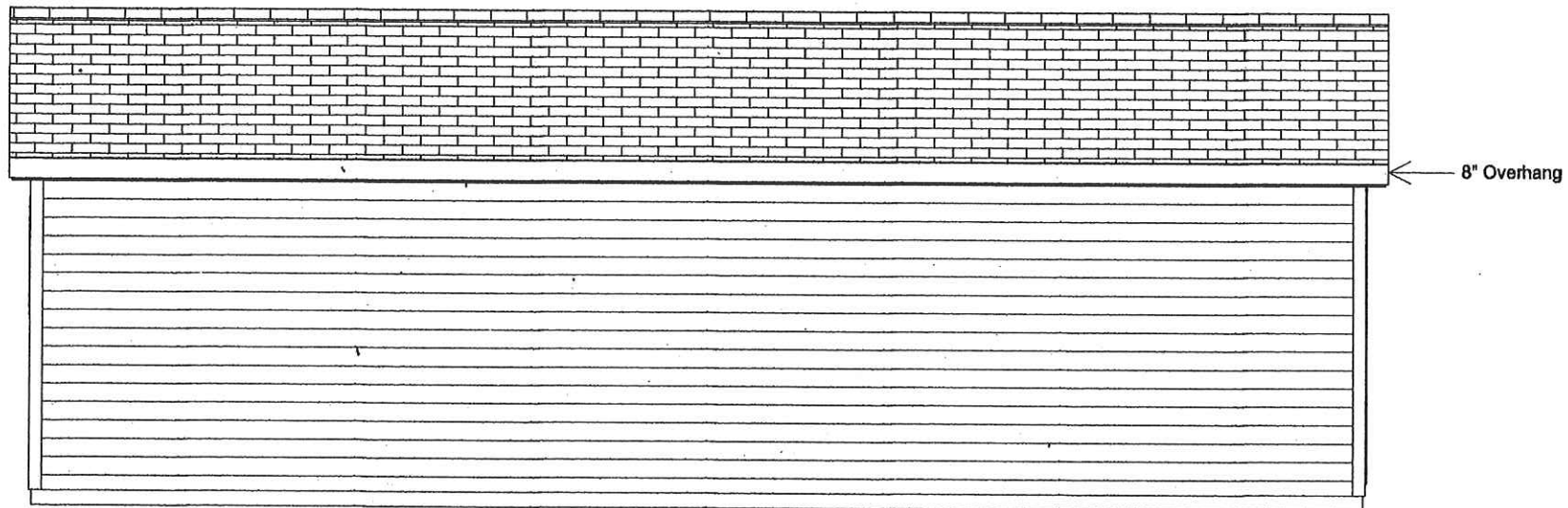
Revisions

Drawn By:
Austin Beachy
Date:
02/07/2019

Page No:

2

2x4 trusses 16" O.C. - 7/16" OSB sheathing - 15lb Felt paper - 30 Year architectural shingles



LANDSCAPING ADDED

Sheds Unlimited
2025 Valley Rd
Morgantown, PA 19543
Phone: 717-442-3281
office@shedsunlimited.net

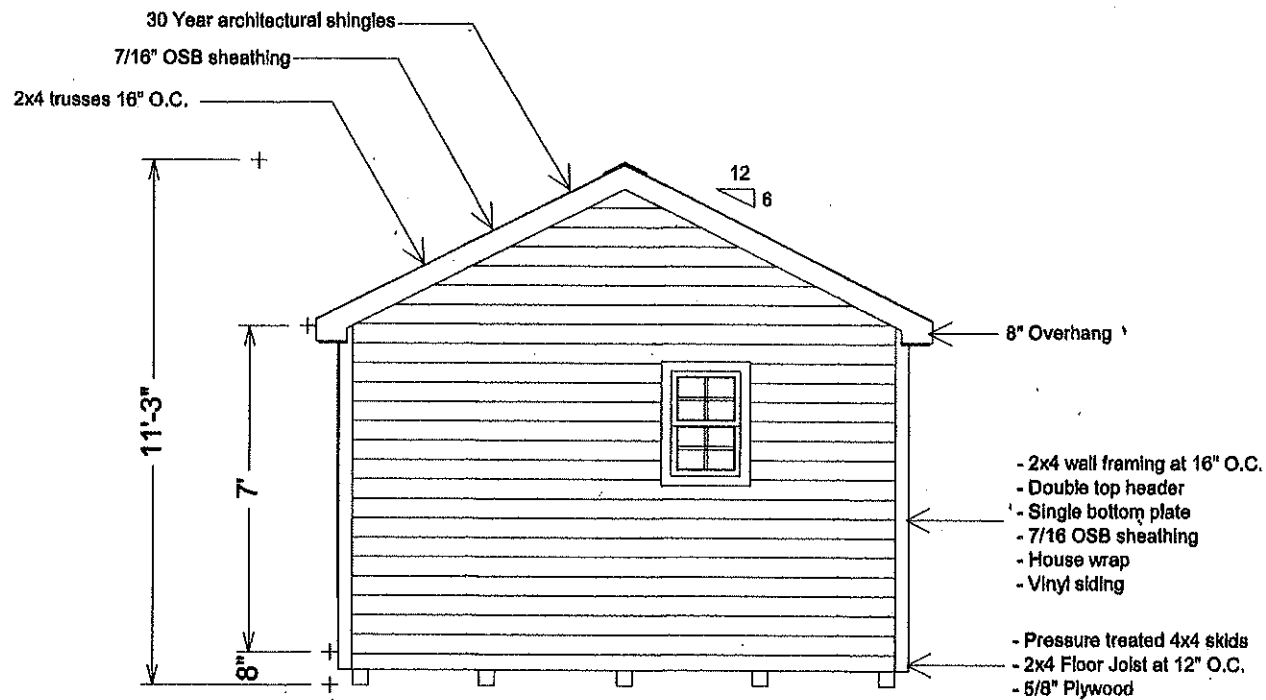
Customer:
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4322 Oneford Place
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Drawing:
Side View
Scale
1/4" to 1'

Revisions

Drawn By:
Austin Beachy
Date:
02/07/2019

Page No:
3



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Customer:
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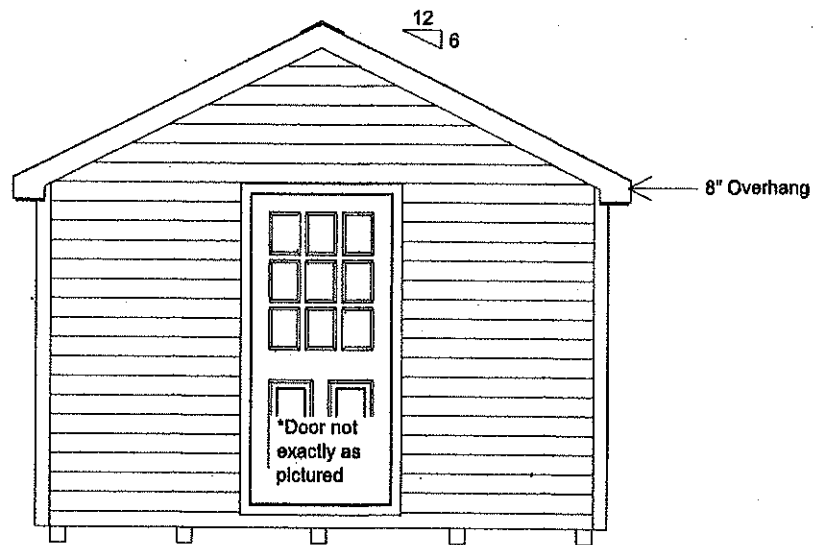
Drawing
Gable View
Scale
1/4" to 1'

Revisions

Drawn By:
Austin Beachy
Date:
02/07/2019

Page No:

4



Sheds Unlimited
2025 Valley Rd
Morgantown, PA 19543
Phone: 717-442-3281
office@shedsunlimited.net

Customer:
Diana Gonzalez
4322 Oneford Place
Chesapeake, VA 23321

Drawing
Gable View
Scale
1/4" to 1'

Revisions

Drawn By:
Austin Beachy
Date:
02/07/2019

Page No:

5

October 5, 2021 Planning Commission Applicant Comments & Public Hearing Comments

Diana Gonzalez, Applicant

Subject: Public Hearing Tuesday 10/5/21

My name is Diana Gonzalez. My husband and I own and reside at 325 Madison Avenue. We have applied to have our accessory building rezoned as an accessory dwelling.

After submitting all the relevant paperwork and fees, it occurred to me that one sticking point might be the issue of parking - which is to be decided on a case-by-case basis, according to what I have read.

Therefore I'd like to point out that our situation is rather unique. We live on the only block of Madison Avenue which faces Park Row. As a result, all the houses across the street from us have on-street parking on Park Row and additional rear-loading driveways on Madison Avenue.

On our side of the street, we are the only vacation rental home on the block. None of our neighbors rent out their homes, and all have created off-street parking for their vehicles. The only exception is our only adjacent neighbor, Mrs. Janet Dudley, who parks her car on the street in front of her house. Our house manual specifically forbids our guests from taking that space, a rule all guests have honored since we built 4 years ago.

We estimate there to be about 7-8 parking spaces on each side of our block that don't interfere with driveways, so 14-16 total. Our house rental typically uses 3 or 4. We own 1 car. As such, we do not believe we put undue pressure on the parking situation on our block, although we do encourage any renters that bring boats to park them on the empty lot we also own simply to keep traffic flowing smoothly.

Therefore, we hope you will not consider parking a negative factor when considering our accessory dwelling application.

Thank you

Diana Gonzalez

Janet Dudley

Subject: dwelling permit 325 Madison Avenue

My name is Janet Dudley and I Live at 303 Madison Avenue, I totally support Jose & Diana Gonzalez's request to have their tiny house as a "dwelling" they have been stellar neighbors, and whomever "turned them in for living there" have nothing better to do, obviously they need to get a hobby other than trying to create havoc where none exist.

The Gonzalez's have not committed any crimes they do not create any noise ordinances, they keep their property in good condition, they keep their rental property and guest informed about all town restrictions, and they don't have any dogs that bark all the time (in fact most of the neighbors have dogs including me and they spoil mine all they time).

So good for them for bring good neighbors, and give them that permit.

Respectively Submitted:

Janet Dudley

Edmund Sabo

Subject: 325 Madison Avenue

Town of Cape Charles

ATTN: Zoning Commission

Sir or Ma'am:

I am writing this letter in support of Jose and Diana Gonzalez' request to convert an Accessory Building to an Accessory Dwelling at their address, 325 Madison Avenue. I have reviewed the applicable town ordinances and feel that they have fulfilled all the requirements necessary to do so. It is my understanding that they intended to originally classify the structure as an Accessory Dwelling, and not doing so was just an administrative error.

I have lived next to the Gonzalez' fulltime for more than a year and have had no issues with them or their tenants. Quite the opposite, since Jose and Diana live on the property with their rental house, they are immediately available if their renters have an issue; much better than if the house was owned by an absentee landlord, or managed by a company which may have multiple units to care for. Also, since Jose and Diana live on site, they are members of our community not just landlords. They are engaged in our neighborhood and town happenings. Jose and I meet regularly to talk, borrow tools, help move heavy items, all things good neighbors do. He is sure to ask if I have any concerns about his guests, but to date his tenant selection process has been exceptional. I am confident I could discuss any issue with the Gonzalez' and come to an understanding.

I fully support Jose and Diana's request to convert their Accessory Building to an Accessory Dwelling and permit them to continue living on site.

Sincerely,
Edmund J Sabo II
Lucky Dog Cottage
325 Madison Avenue
540-905-2237

The Pattans

To whom it may concern:

I am writing on behalf of our neighbors at 325 Madison Ave Cape Charles VA 23310. We recently became aware of complaints lodged against Jose and Diane and their residence in the accessory building and were shocked that anyone was able to find a reason.

Having owned property and been neighbors since 2018, I can only say good things about the people, the property, and the business they run. In a small town, Jose and Diane have found a way to enjoy their time together while promoting the town, hosting tourists, and running a small business out of their home. Small business owners should be applauded for their efforts and ingenuity, not reported and scolded for using their property in a way they see fit that is not intrusive or disruptive to the neighborhood.

I'm unfamiliar with the letter of the law, though am certain the spirit of the law and common sense would find that Jose and Diane's situation is in no way a disruption or impediment to the neighborhood or broader town and should not be deemed a violation.

The Pattans
522 Strawberry Street

Jeanne Hollister

Subject: Public Hearing for 325 Madison Avenue Accessory Dwelling
Good afternoon,

We would like to submit this letter on behalf of our neighbors, Jose and Diana Gonzalez of 325 Madison Avenue, who have a scheduled public hearing regarding their accessory dwelling behind their rental property. We don't see any problem with Jose and Diana using this dwelling to live in as it is practical for them to live there while they keep an eye on and maintain their rental property.

Let us begin by sharing with you that the Gonzalez property is behind our home on Park Row, and we could not ask for better neighbors! They go over and above for everyone in our immediate neighborhood. We are scheduled to move permanently to Cape Charles this month; however, Jose Gonzalez has been kind enough to move our trash can back into our yard when we are not in town for over four years now. We never asked for this favor; he just began doing this for us. He also does the same for two other part-time residents. We can't tell you how many times we have seen the Gonzalezes policing the street for trash (candy wrappers, empty cups, cans, bottles, etc.), no doubt caused by visitors to our town park.

They fanatically maintain their property and the surrounding area. Due to the fact that they are "on-site," the Gonzalezes have done nothing but keep their home and yard in tip-top shape. They personally manage the repair of their sidewalk, paths around their home, lawn care, landscaping and their side property used for additional parking. The Gonzalezes were so concerned for their neighbors, that they paid to create additional parking for all their house guests so that there are plenty of available spots for all, including the many visitors to our town park.

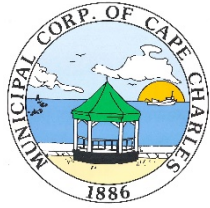
Their rental home on Madison Avenue, Family Reunion, enjoys many visitors, thanks to the wonderful care they put forth daily. The Gonzalezes do much of the cleaning of this property themselves (makes economic sense for a healthy, active retired couple) and take tremendous effort to make certain their guests have a wonderful, memorable experience while visiting our little town. Thanks to all their immediate and thoughtful attention, The Family Reunion symbolizes the special place that we all here in town want Cape Charles to be for our visitors. Their daily upkeep does nothing but enhance the charm and stellar reputation that Cape Charles has with families who are seeking our town's unique experience.

Diana and Jose are great neighbors. They are always cheerful, pleasant, POSITIVE, and upbeat and highly concerned with our beautiful town. It is quite an asset for all of us to have them right here in town 24/7 to personally maintain their rental home.

If we can provide you any further insight in this matter for the public hearing, please do not hesitate to contact us.

Kindest regards,

Michael and Jeanne Hollister
7 Park Row



**TOWN OF
CAPE CHARLES**

AGENDA TITLE: Conditional Use Permit Public Hearing –
654 Monroe Avenue

AGENDA DATE
December 16, 2021

SUBJECT/PROPOSAL/REQUEST: Planning Commission
Recommendation on Conditional Use Permit Application from
Michael Ryan and Anna Lee Wilkins at 654 Monroe Avenue for
Accessory Dwelling Unit

ITEM NUMBER:
8D

ATTACHMENTS: Planning Commission October 2021 Agenda
Packet for Conditional Use Permit: Staff Report, Application and
associated correspondence

FOR COUNCIL:
Action (X)
Information ()

STAFF CONTACT (s):
Katie H. Nunez, Interim Planning/Zoning Director

REVIEWED BY:
John Hozey, Town Manager

BACKGROUND:

The Town is in receipt of a Conditional Use Permit application from Michael Ryan and Anna Lee Wilkins at 654 Monroe Avenue to convert an existing 576 sq. ft accessory structure as an accessory dwelling unit, specifically the second floor for living quarters and the first floor for recreation purposes with no parking of vehicles within the structure.

AERIAL MAP: *Property Outlined in Blue*



ITEM SPECIFICS:

In the Staff report dated September 29, 2021, it was noted that the site plan and building layout were not part of the application packet. The Applicants did supply this information prior to the Planning Commission public hearing and the application was found to be in compliance with the zoning ordinance. The proposed use of the accessory structure as an accessory dwelling unit requires a Conditional Use Permit which necessitates both the Planning Commission hold a public hearing and provide a recommendation to Town Council and then Town is required to hold a public hearing to take final action on the disposition of the rezoning application.

At the Planning Commission meeting on October 5, 2021, a Public Hearing was held, and the applicants were in attendance and spoke at the hearing. Staff presented the full staff report dated September 29, 2021 which was amended in person to indicate zoning compliance based upon the submittal of the site plan and building

layout. The applicants have signed the ADU Checklist Affidavit acknowledging all of the ordinance requirements for ADUS, including the 30-day consecutive day length of stay.

The applicants indicated that they purchased the property and their realtor had indicated that there was a rental space as part of the property. As soon as they were informed that the structure had not been approved for dwelling purposes and rentals, they took the steps to end the rental until the property was in full compliance. They also indicated that there is parking available in front of the garage as well as in the alleyway.

No public comments were offered, and the Planning Commission closed the public hearing to public comment and then fully discussed the application.

RECOMMENDATION by PLANNING COMMISSION:

A motion was made by Commissioner Grossman and seconded by Commissioner McCoy to recommend approval of the Conditional Use Permit to the Town Council with the following motion: The Cape Charles Planning Commission recommends approval of a Conditional Use Permit for an Accessory Dwelling at 654 Monroe Avenue on an application filed by Michael Ryan and Donna Lee Wilkins, pursuant to Cape Charles Zoning Ordinance Section 4.2 (J) with the following condition:

1. To obtain a Certificate of Occupancy thru the Building Department for this Accessory Dwelling Unit;

And further finds that the CUP standards in Section 4.3 of the Cape Charles Zoning Ordinance are satisfied and that the issuance of the CUP is in general accord with the current Comprehensive Plan. Said motion was approved with Commissioner D'Amico voting against.

TOWN COUNCIL

Town Council is requested to hold their public hearing and consider the recommendation by the Planning Commission to favorably approve the Conditional Use Permit application by Michael Ryan and Donna Lee Wilkins at 654 Monroe Avenue.



PLANNING COMMISSION PRELIMINARY STAFF REPORT

Meeting Date: October 5, 2021

Item #: 4D

Prepared by: Katie H. Nunez, Interim Planning/Zoning Administrator

Date: September 29, 2021

APPLICANT: Michael Ryan & Anna Lee Wilkins **TYPE OF APPLICATION:** Conditional Use Permit

SITE ADDRESS: 654 Monroe Avenue

SPECIFIC REQUEST: An accessory dwelling unit

TAX MAP: 83A3-1-323

ZONING: Section 4.2 (J)

LOT SIZE: 5,118 sq. ft.

CURRENT ZONING: Residential (R-1)

DATE RECEIVED: August 24, 2021

DATE DEEMED COMPLETE:

LEGAL DEADLINE (90 Days from Complete Application – Directory, not Mandatory):

NARRATIVE OF PROPOSAL

The applicant is seeking to convert an existing 576 sq. ft accessory structure as an accessory dwelling unit, specifically the second floor for living quarters and the first floor for recreation purposes with no parking of vehicles within the structure

AERIAL MAP: *Property outlined in blue*



The Cape Charles Zoning Ordinance Section 4.2 (J) states that:

Accessory Dwellings. One accessory dwelling may be maintained on a property in the R-E, R-1, R-2 and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3, and subject to the following:

1. Physical characteristics.

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

2. Occupancy characteristics.

- a. Length of stay – No accessory dwelling unit shall be occupied by any person or persons, whether paying a fee for such occupancy or not, for a period less than thirty (30) consecutive calendar days. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles the owner of the subject lot of record upon which the accessory dwelling unit sits shall provide occupancy documentation and/or information as requested, either verbally or in writing. Failure to do so may result in the revocation by the Cape Charles Town Council of the conditional use status for the accessory dwelling unit according to Section 4.3.F.*
- b. Inspections – All accessory dwelling units shall be inspected annually not later than fifteen (15) days from the anniversary date of the conditional use permit being approved by Town Council.*

3. Other requirements.

- a. Accessory dwellings located in accessory buildings may have a separate water meter from the principal dwelling.*
- b. The lot on which an accessory dwelling is located shall have the required minimum lot area for the district in which it is located.*
- c. Parking shall be considered on a case-by-case basis as part of the conditional use permit application process, ensuring adherence to Section 4.5.1.C.6. (Table of Parking Standards) using both on and off-street parking areas.*
- d. Exterior elevations shall also be approved by the Historic District Review Board when required by Article VIII, Historic Overlay.*

ORDINANCE REQUIREMENTS:

Cape Charles Zoning Ordinance Section 4.3 states that “conditional use permits may be issued for any of the conditional uses for which a use permit is required by the provision of this ordinance in the specific districts provided that the Town Council, upon recommendation by the Planning Commission, shall find that after duly advertised public hearing the use will not:

- 1. Adversely affect the health, safety, or welfare of the persons residing or working in the neighborhood of the proposed use or adversely affect other land uses within the particular surrounding neighborhood.
- 2. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood.

3. Be in conflict with the purpose of the comprehensive plan of the town.

In granting any conditional use permit, the Town Council shall designate such conditions as it determines necessary to carry out the intent of this ordinance.

Additionally, approval of a conditional use permit shall be valid for only the specific use it covers in the specific location designated for a period of one year after approval by the Town Council and the completion of the additional permit process as requested in the application. Applicant shall apply or have applied for all additional permits as provided to the Planning Commission and as required by the Zoning Administrator within one (1) month of the approval by the Town Council. If Applicant fails to apply for any such permit within this time period, the conditional use permit shall be effective as of this date, thirty (30) days after the Town Council approval, unless the Town Council allows for additional time for such application or applications. If not acted upon within one (1) year, the conditional use permit shall become null and void, unless an extension of time is approved by the Town Council for good cause shown before the expiration of the Conditional Use Permit.

STAFF ANALYSIS:

The application for the conversion of an existing, 576 sq. ft. accessory structure from a garage to the second floor as an accessory dwelling unit and the first floor for recreational items (pool table and ping-pong table) demonstrates consistency with the requirements of the Cape Charles Zoning Ordinance Section 4.2 (J) with the exception that the loss of parking on-site within the accessory structure has not been addressed or noted in the application to indicate that the lot can accommodate on-site parking of vehicles.

The Cape Charles Comprehensive Plan Section III.A.5.2. identifies a goal to “Promote compatible infill development and renovation within established neighborhoods” and to specifically “Promote accessory dwelling units to add diversity of housing types, while maintaining the neighborhood character and providing affordable housing options”.

Please note that the applicant has indicated that the site plan and layout of the interior of the structure have been mailed to the office but have not been received by the date of this staff report so I am not able to make a recommendation on this matter until this material is received, as requested by the Planning Commission.

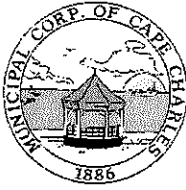
RECOMMENDATION TO PLANNING COMMISSION

I am recommending that the Planning Commission convene and hold the public hearing and receive any public comment but then table the matter until the floor layout and site plan have been received and provided to the Planning Commission for their review and inclusion as part of the application packet.

If these items are received by the office between the distribution of the agenda packet on September 29, 2021 and the public hearing on October 5, 2021, my office will electronically distribute this material and the Commission will determine if they are able to issue a recommendation following the public hearing. If that is the case, then the staff will assist in the development of a motion.

Attachments:

Attachment 1 – CUP Application



CONDITIONAL USE PERMIT APPLICATION

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036 Fax: 757-331-4820
planner@capecharles.org

CONDITIONAL USE PERMIT CHECKLIST - all documents can be emailed to the above email

- ☒ Completed application (if applicable, attach accessory dwelling checklist and documents)
- ☒ Letter of intent clearly explaining project
- ☒ Existing site plan or survey
- ☒ Proposed site plan or survey (if applicable)
- ☒ Names and addresses of adjacent property owners
- ☒ Payment of Fees (single-family detached residential \$600; all other \$800)

PROJECT INFORMATION

Name of Project: Remodel Garage
Property Address: 654 Monroe, Cape Charles, VA 23310
Brief Description of Project: Prepare existing space for occupancy.
Zoning District: _____ Current Use: Garage/loft space Proposed Use: Occupancy

OWNER INFORMATION

Name and Company: Michael F. Ryan Anna Lee Wilkins
Mailing Address: 106 Luther Ave, San Antonio, TX 78212
Phone Number: 210/393-8900 Email: dlee.wilkins@hotmail.com

APPLICANT INFORMATION

☒ check here if applicant is owner

Name: Michael F. Ryan Anna Lee Wilkins
Mailing Address: 106 Luther Ave, San Antonio, TX 78212
Phone Number: 210/393-8900 Email: dlee.wilkins@hotmail.com

CERTIFICATION OF APPLICANT

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.

Signature of Applicant: [Signature] Date: 8-24-2021

PLANF - Revised 4/19

Town of Cape Charles Planning & Zoning Department
2 Plum St. • Cape Charles, VA 23310 • 757-331-2036 • capecharles.org

Conditional Use Permit - Accessory Dwelling Unit Checklist

Date: 8-24-2021

Address: 654 Monroe, Cape Charles, VA 23310

The following criteria are required for one accessory dwelling to be maintained on a property in the R-E, R-1, R-2, and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3:

1. Is the accessory dwelling unit located in an accessory building? YES ☒ NO ☐
2. Does the accessory dwelling floor area exceed of forty-five (45) percent of the floor area of the main building? YES ☐ NO ☒ Accessory Dwelling Unit square footage 576
3. Does the accessory dwelling have one kitchen and one bathroom? YES ☒ NO ☐
4. Does the accessory building/dwelling differentiate from the single-family dwelling? YES ☒ NO ☐

The following conditions must be maintained for an accessory dwelling unit on a property in the R-E, R-1, R-2, and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3:

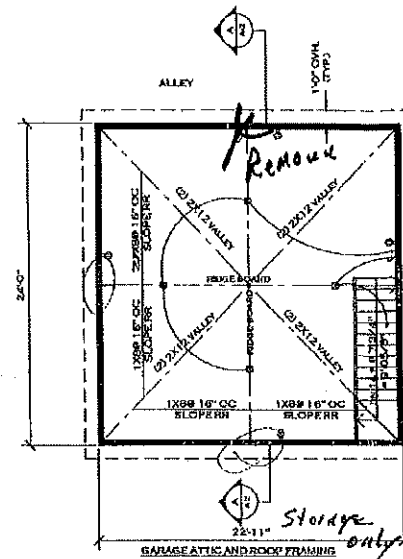
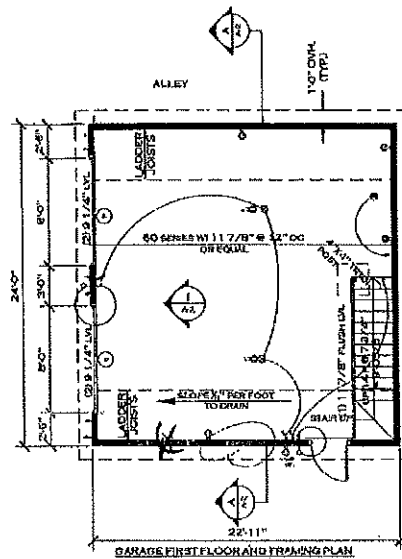
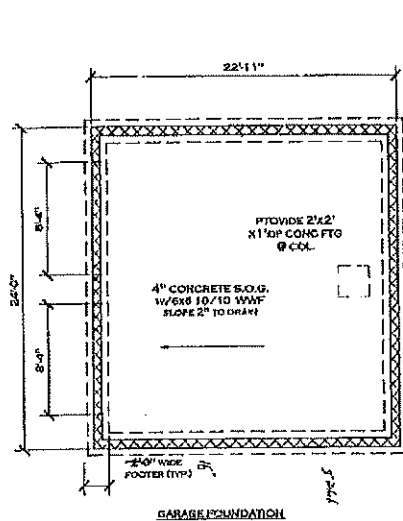
1. Occupancy characteristics.
 - a. Length of stay – No accessory dwelling unit shall be occupied by any person or persons, whether paying a fee for such occupancy or not, for a period less than thirty (30) consecutive calendar days. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles the owner of the subject lot of record upon which the accessory dwelling unit sits shall provide occupancy documentation and/or information as requested, either verbally or in writing. Failure to do so may result in the revocation by the Cape Charles Town Council of the conditional use status for the accessory dwelling unit according to Section 4.3.F.
 - b. Inspections – All accessory dwelling units shall be inspected annually not later than fifteen (15) days from the anniversary date of the conditional use permit being approved by Town Council.
2. Other requirements.
 - a. Accessory dwellings located in accessory buildings may have a separate water meter from the principal dwelling.
 - b. The lot on which an accessory dwelling is located shall have the required minimum lot area for the district in which it is located.
 - c. Parking shall be considered on a case-by-case basis as part of the conditional use permit application process, ensuring adherence to Section 4.5.1.C.6. (Table of Parking Standards) using both on and off-street parking areas.
 - d. Exterior elevations shall also be approved by the Historic District Review Board when required by Article VIII, Historic Overlay.

CERTIFICATION OF APPLICANT

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. I am providing authorization to the town authorities to enter my properties to confirm accuracy of information contained in this application.

Signature of Owner: _____

Signature of Applicant: _____



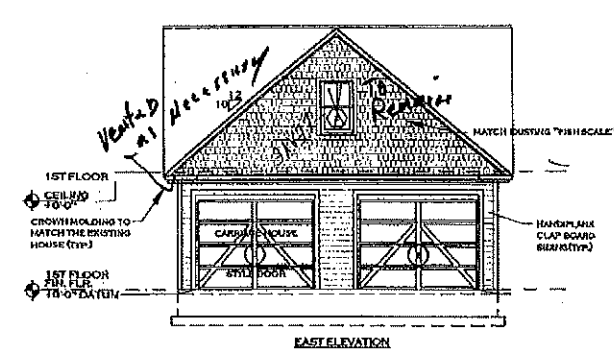
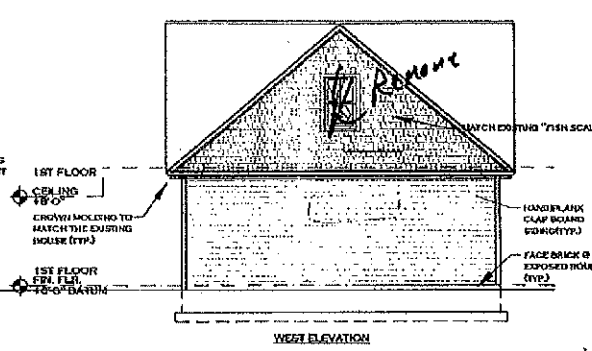
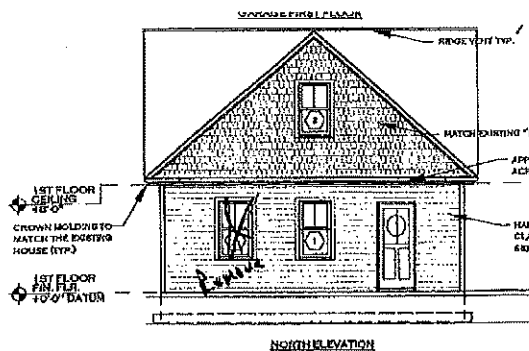
DOOR SCHEDULE
ALL DOORS TO BE 6'0" HIGH BY 2'0" WIDE. 1 1/2" MIN. THICKNESS. 1 1/2" MIN. THICKNESS. 1 1/2" MIN. THICKNESS. 1 1/2" MIN. THICKNESS.

WINDOW SCHEDULE
ALL WINDOWS TO BE 6'0" HIGH BY 2'0" WIDE. 1 1/2" MIN. THICKNESS. 1 1/2" MIN. THICKNESS. 1 1/2" MIN. THICKNESS. 1 1/2" MIN. THICKNESS.

ELECTRICAL
 - S: SURFACE MOUNT LIGHT
 - L: LIGHT AS SHOWN
 - V: SWITCH
 - W: 3-WAY SWITCH
 - G: AUTO GARAGE DOOR OUTLET
 - D: DUPLEX OUTLET
 - W: WEATHER PROOF GROUND FAULT INTERRUPT DUPLEX OUTLET

DETAILS
 10 100 NAIL TYPE
 2'x4" OVERLAP
 TYPICAL TRIP PLATE PLATE DETAIL

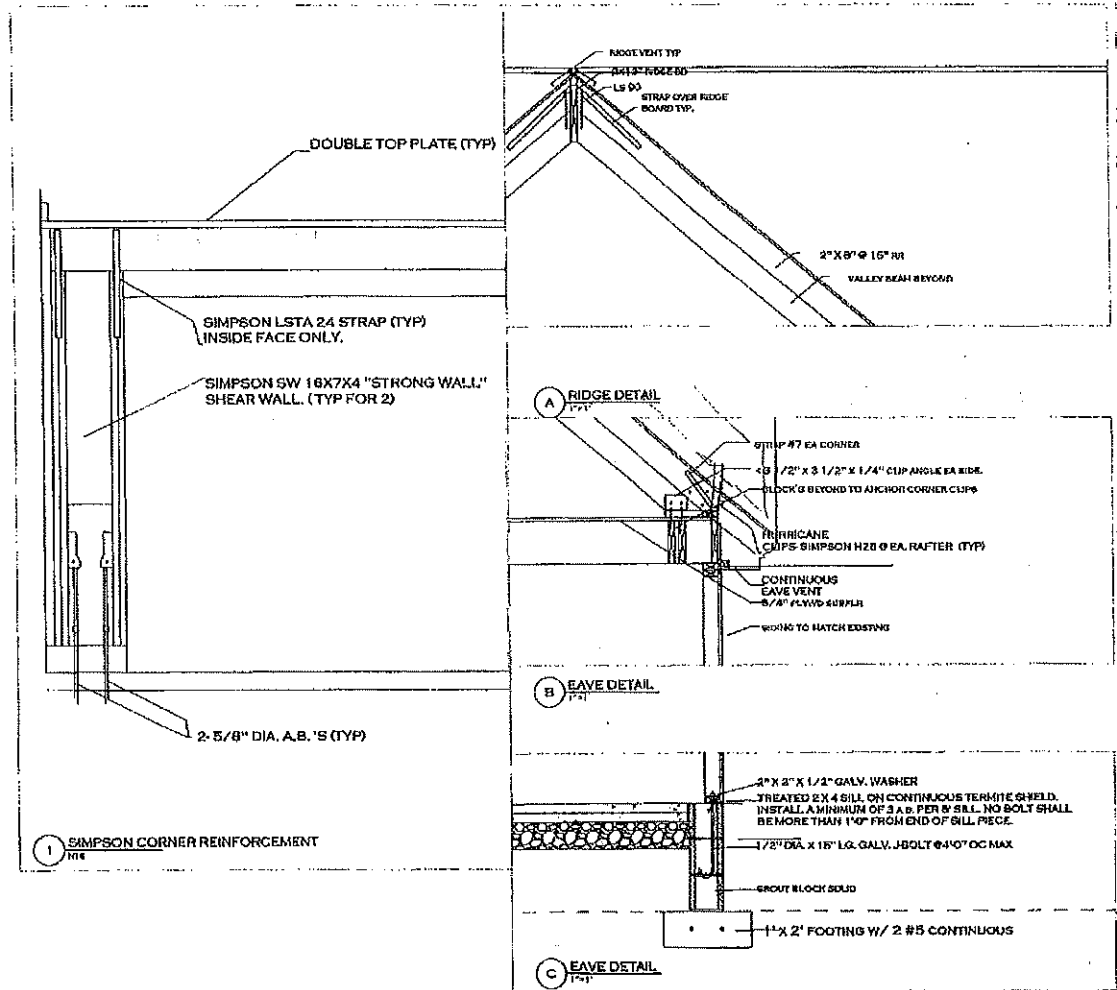
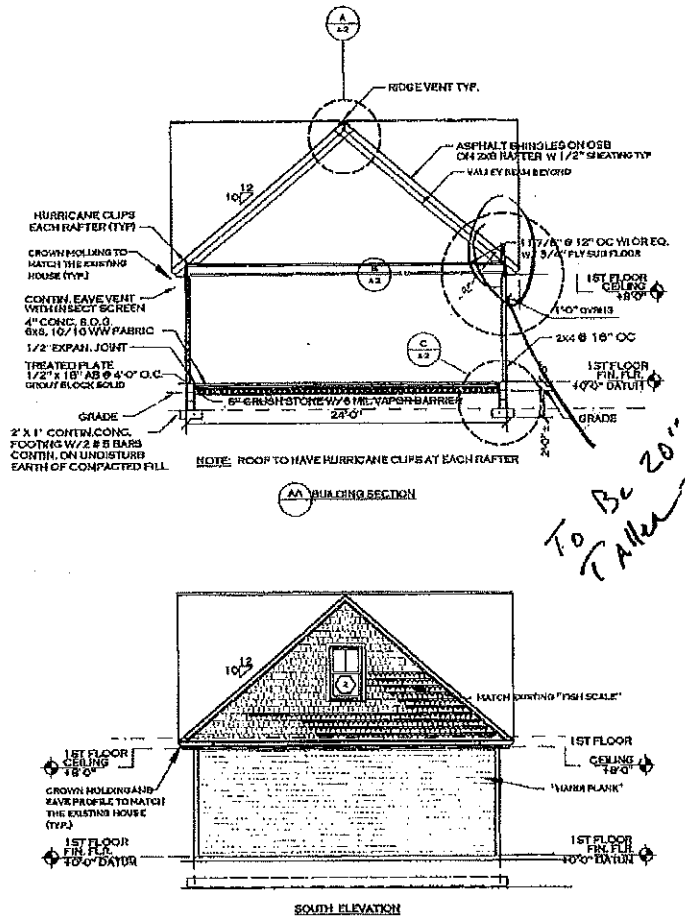
NAILING
 RAFTER TO PLATE: (3) 16 D NAILS
 JOIST TO RAFTER: (3) 10 D FACE NAILS
 JOIST TO PLATE: (3) 10 D NAILS
 COLLAR TIE TO RAFTER: (4) 10 D FACE NAILS



PARHAM
 4037 IZEWELL, CAPE CHARLES, VA 25110-3311
 337.331.8113... info@parhamva.com
 LEON FULLER PARHAM, ARCHITECT, P.A. NCARB

PROPOSED MELBY GARAGE
 654 MONROE AVENUE, CAPE CHARLES, VA
 PLANS, ELEVATIONS, SCHED. AND MISC. DETAILS

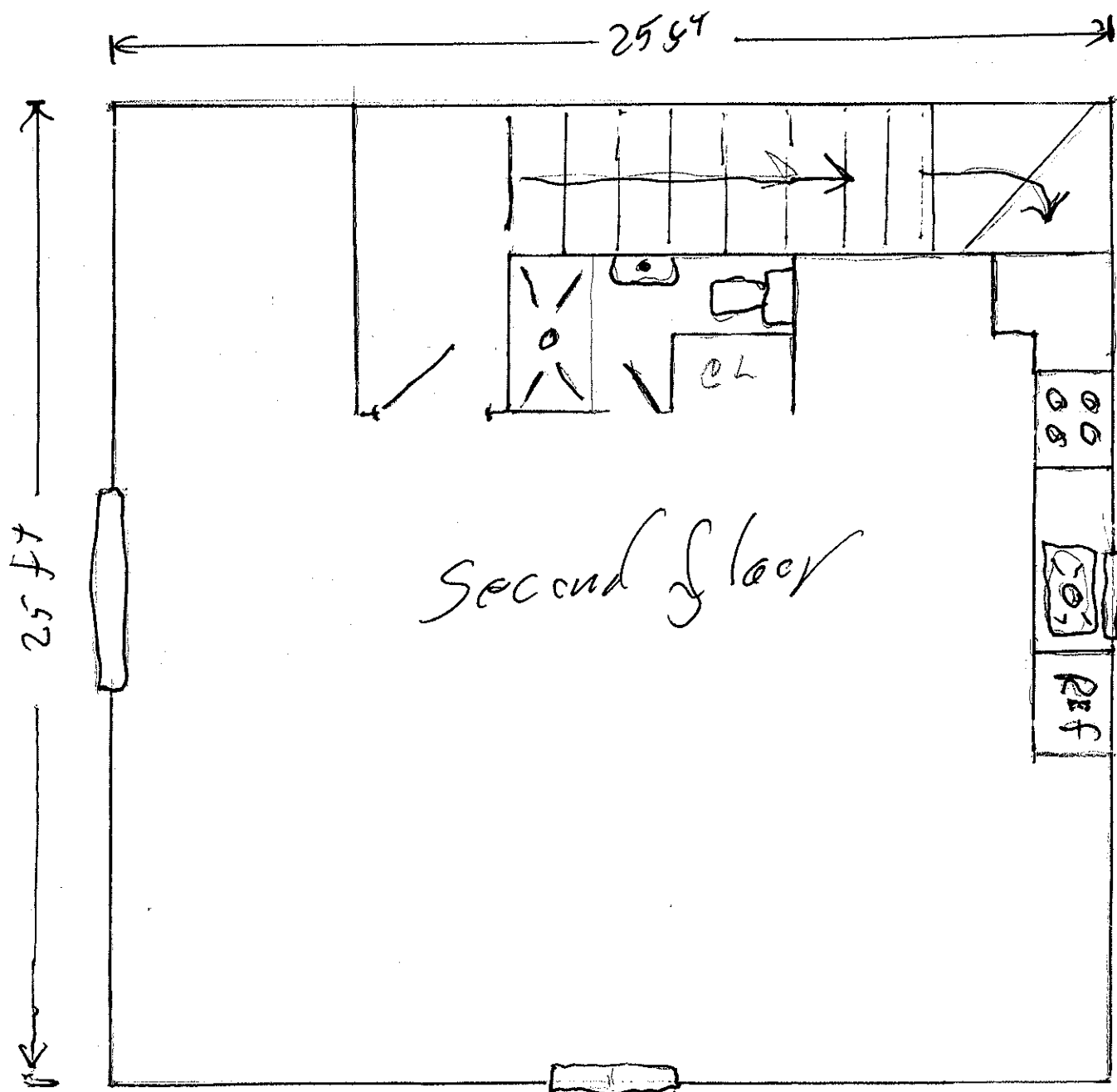
LP	3/7/08		A-1
0804	1/4"=1'		



PARHAM
100 LAZARUS, CAPE CHARLES, VIRGINIA 23110-2117
301-221-5111 FAX 301-221-5112
LEON FID. ARCHITECT, R.A. & ASSOC.

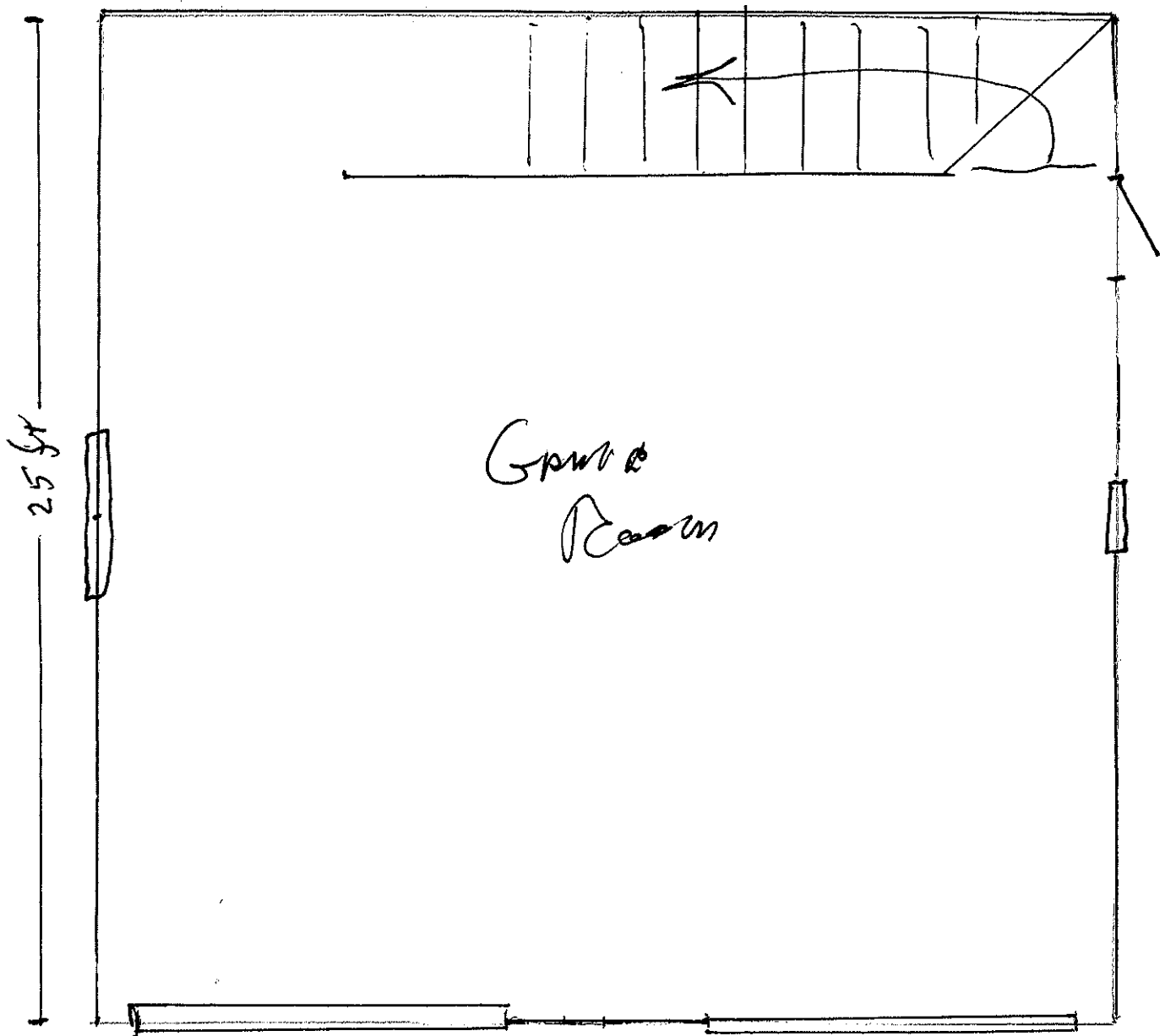
PROPOSED MELBY GARAGE
654 MONROE AVENUE, CAPE CHARLES, VA
ELEVATION, BUILDING AND WALL SECTIONS, AND DETAILS

LP	3/07/08		A-2
0804	1/4"=1'		



Property: 654 Monroe Avenue

← 25 ft →



Property: 654 Monroe Ave.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Conditional Use Permit Public Hearing – 410 Harbor Avenue/100 Madison Avenue		AGENDA DATE December 16, 2021
	SUBJECT/PROPOSAL/REQUEST: Planning Commission Recommendation on Conditional Use Permit Application from Tom & Amy Scharpf at 410 Harbor Avenue/100 Madison Avenue for Accessory Dwelling Unit		ITEM NUMBER: 8E
	ATTACHMENTS: Planning Commission November 2021 Agenda Packet for Conditional Use Permit: Staff Report, Application and associated correspondence		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Katie H. Nunez, Interim Planning/Zoning Director	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

The Town is in receipt of a Conditional Use Permit application from Tom & Amy Scharpf at 410 Harbor Avenue/100 Madison Avenue to remove an existing shed and replace with a new accessory structure, sized 13' x 30' (390 sq. ft) with the first floor to be used as a garage and storage space and the second story of this accessory structure to be used as an accessory dwelling unit. The applicant has appeared before the Historic District Review Board on November 17, 2020 and April 20, 2021 regarding renovations and addition to the existing house as well as to discuss the removal of the existing shed and informed them of their intent to seek a new accessory structure with dwelling on second floor. The HDRB, at their 4/20/2021, approved a Certificate of Appropriateness for the work on the main house and the removal of the shed. It was noted as part of that meeting that the applicant needed to seek a Conditional Use Permit for the accessory structure as a dwelling and then come back before the HDRB for review of a Certificate of Appropriateness for the new accessory structure.

AERIAL MAP: *Property Outlined in Blue*



ITEM SPECIFICS:

Zoning review was completed on the application and found to be in compliance with all of the requirements of the zoning ordinance. The proposed use of the second floor of the proposed replacement accessory structure as an accessory dwelling unit requires a Conditional Use Permit which necessitates both the Planning Commission holding a public hearing and providing a recommendation to the Town Council and then Town Council is required to hold a public hearing to take final action on the disposition of the conditional use permit application.

At the Planning Commission meeting on November 9, 2021., a Public Hearing was held, and the applicants were participating by phone conference. Staff presented the full staff report dated November 1, 2021, including the full application packet submitted by the applicants. The applicants have signed the ADU Checklist Affidavit acknowledging all of the ordinance requirements for ADUS, including the 30-day consecutive length of stay. The applicants stated that their intent is to provide a long-term rental space.

No public comments were offered, and the Planning Commission closed the public hearing to public comment and then fully discussed the application.

RECOMMENDATION by PLANNING COMMISSION:

A motion was made by Commissioner Grossman and seconded by Commissioner Strub to recommend approval of the Conditional Use Permit to the Town Council with the following motion:

The Cape Charles Planning Commission recommends approval of a Conditional Use Permit for an Accessory Dwelling Unit at 410 Harbor Avenue/100 Madison Avenue on an application filed by Sam & Amy Scharpf, pursuant to Cape Charles Zoning Ordinance Section 4.2 (J) & Section 3.2(C) (7) with the following conditions:

1. the applicant applies and obtain Historic District Review Board approval for all exterior improvements, in accordance with the Historic District Overlay and Guidance Documents; and
2. the applicant obtains all required permits and approvals from the Building and Planning Department; and further finds that the CUP standards in Section 4.3 are satisfied and that the issuance of the CUP is in general accord with the current Comprehensive Plan.

The motion was unanimously approved.

TOWN COUNCIL

Town Council is requested to hold their public hearing and consider the recommendation by the Planning Commission to favorably approve the Conditional Use Permit application by Tom & Amy Scharpf at 410 Harbor Avenue/100 Madison Avenue.



PLANNING COMMISSION STAFF REPORT

Meeting Date: November 9, 2021

Item #: 5A

Prepared by: Katie H. Nunez, Interim Planning/Zoning Administrator

Date: November 1, 2021

APPLICANT: Sam & Amy Scharpf
SITE ADDRESS: 410 Harbor Avenue
(& 100 Madison Avenue)
TAX MAP: 83A3-2-8-7

LOT SIZE: 4,640 sq. ft.

TYPE OF APPLICATION: Conditional Use Permit
SPECIFIC REQUEST: An accessory dwelling unit located
on second floor of accessory structure (garage) – 390 sq ft
ZONING ORDINANCE: Section 4.2 (J) & Section 3.2
(c)(7)
CURRENT ZONING: Residential (R-1)

DATE RECEIVED: September 16, 2021

DATE DEEMED COMPLETE: September 23, 2021

LEGAL DEADLINE (90 Days from Complete Application – Directory, not Mandatory): December 23, 2021

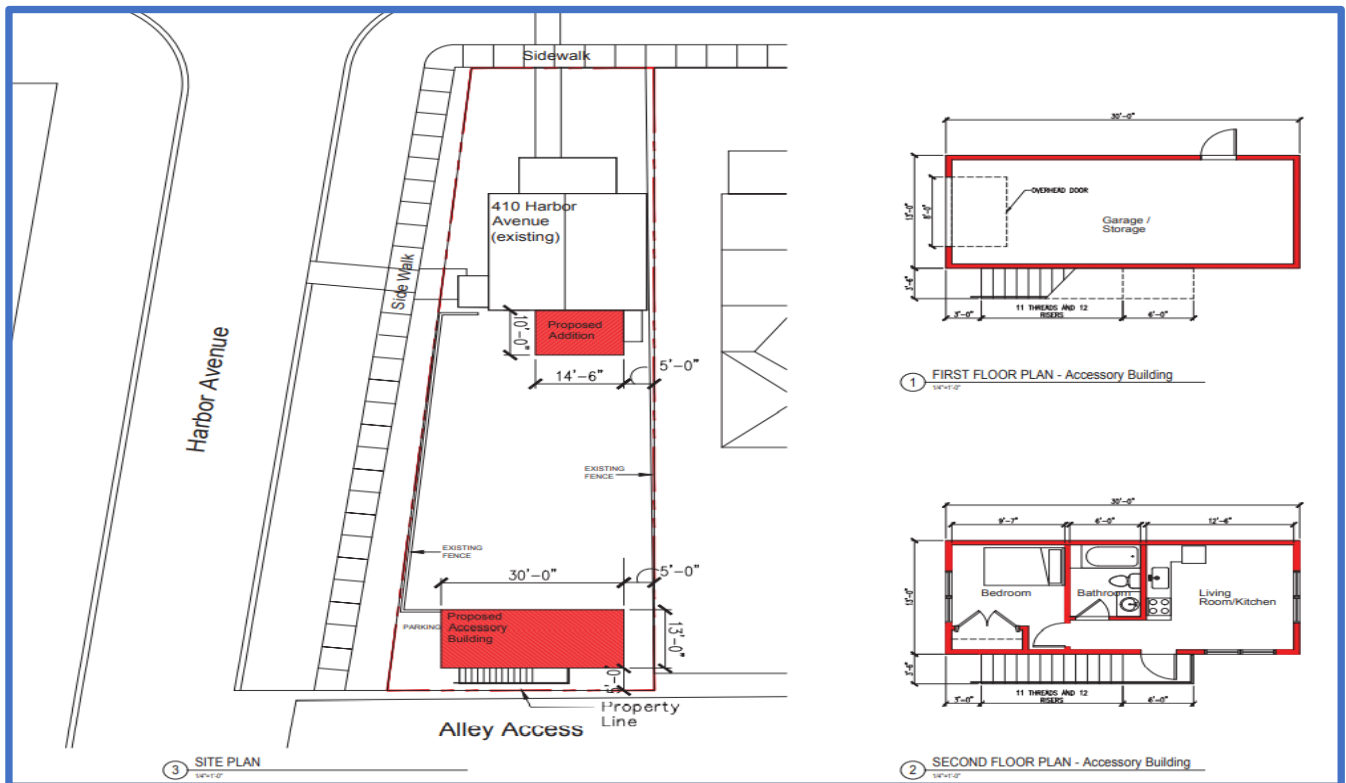
NARRATIVE OF PROPOSAL

The applicant is seeking a Conditional Use Permit, pursuant to Section 4.2 J & Section 3.2 (C) (7) at 410 Harbor Avenue (Tax Map #83A3-2-8-7) for an accessory dwelling unit.

The applicant is seeking to remove an existing shed and replace with a new accessory structure, sized 13' x 30' (390 sq. ft) with the first floor to be used as a garage and storage space and the second story of this accessory structure to be used as an accessory dwelling unit.

The applicant has appeared before the Historic District Review Board on November 17, 2020 and April 20, 2021 regarding renovations and addition to the existing house as well as to discuss the removal of the existing shed and informed them of their intent to seek a new accessory structure with dwelling on second floor. The HDRB, at their 4/20/2021, approved a Certificate of Appropriateness for the work on the main house and the removal of the shed. It was noted as part of that meeting that the applicant needed to seek a Conditional Use Permit for the accessory structure as a dwelling and then come back before the HDRB for review of a Certificate of Appropriateness for the new accessory structure.

Staff has been working with the applicant since April 2021 in submitting a complete application for the accessory structure, including the application for a Conditional Use Permit (CUP) as well as documentation that will be required to also be reviewed by the Historic District Review Board if the CUP is approved.



ORDINANCE REQUIREMENTS:

Cape Charles Zoning Ordinance Section 4.2 (J) states that:

Accessory Dwellings. One accessory dwelling may be maintained on a property in the R-E, R-1, R-2 and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3, and subject to the following:

1. Physical characteristics.

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

2. Occupancy characteristics.

- a. Length of stay – No accessory dwelling unit shall be occupied by any person or persons, whether paying a fee for such occupancy or not, for a period less than thirty (30) consecutive calendar days. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles the owner of the subject lot of record upon which the accessory dwelling unit sits shall provide occupancy documentation and/or information as requested, either verbally or in writing. Failure to do so may result in the revocation by the Cape Charles Town Council of the conditional use status for the accessory dwelling unit according to Section 4.3.F.*
- b. Inspections – All accessory dwelling units shall be inspected annually not later than fifteen (15) days from the anniversary date of the conditional use permit being approved by Town Council.*

3. Other requirements.

- a. Accessory dwellings located in accessory buildings may have a separate water meter from the principal dwelling.*
- b. The lot on which an accessory dwelling is located shall have the required minimum lot area for the district in which it is located.*
- c. Parking shall be considered on a case-by-case basis as part of the conditional use permit application process, ensuring adherence to Section 4.5.1.C.6. (Table of Parking Standards) using both on and off-street parking areas.*
- d. Exterior elevations shall also be approved by the Historic District Review Board when required by Article VIII, Historic Overlay.*

Cape Charles Zoning Ordinance Section 3.2 (C) states that for Single Family Residential -1 (R-1) Zoning Districts for Conditional Uses: *The following uses may also be permitted, subject to securing a use permit as provided for in this ordinance and specifically (7) states that “residential dwelling units in square footage area below the minimum or above the maximum stated in Section 3.2.F.2”. This lot is a legal non-conforming lot at 4,640 sq. ft and Section 3.2.F.2 states that “Non-conforming lots smaller than 5,600 square feet in the R-1 District the total footprint area of all accessory building lot coverage shall not exceed 10%.*

Cape Charles Zoning Ordinance Section 4.3 states that “*conditional use permits may be issued for any of the conditional uses for which a use permit is required by the provision of this ordinance in the specific districts provided that the Town Council, upon recommendation by the Planning Commission, shall find that after duly advertised public hearing the use will not:*

- 1. Adversely affect the health, safety, or welfare of the persons residing or working in the neighborhood of the proposed use or adversely affect other land uses within the particular surrounding neighborhood.*
- 2. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood.*
- 3. Be in conflict with the purpose of the comprehensive plan of the town.*

In granting any conditional use permit, the Town Council shall designate such conditions as it determines necessary to carry out the intent of this ordinance.”

Additionally, approval of a conditional use permit shall be valid for only the specific use it covers in the specific location designated for a period of one year after approval by the Town Council and the completion of the additional permit process as requested in the application. Applicant shall apply or have applied for all additional permits as provided to the Planning Commission and as required by the Zoning Administrator within one (1) month of the approval by the Town Council. If Applicant fails to apply for any such permit within this time period, the conditional use permit shall be effective as of this date, thirty (30) days after the Town Council approval, unless the Town Council allows for additional time for such application or applications. If not acted upon within one (1) year, the conditional use permit shall become null and void, unless an extension of time is approved by the Town Council for good cause shown before the expiration of the Conditional Use Permit.

STAFF ANALYSIS:

The application for the construction of an accessory structure of 390 square feet with garage space on first floor and an accessory dwelling unit on second floor demonstrates consistency with the requirements of the Cape Charles Zoning Ordinance Section 4.2 (J). **The applicant has also completed and signed the affidavit regarding knowledge and compliance with the component of Section 4.2(J)**

The accessory structure is less than 464 square feet, so this complies with Section 3.2(C) (7) and 3.2.F.2 & 4 of the ordinance, requiring the total of all accessory building footprints to be no greater than 10% and the lot size for this lot is 4,640.

The full zoning review finds the application in compliance with all other elements of the zoning ordinance.

The Cape Charles Comprehensive Plan Section III.A.5.2. identifies a goal to “Promote compatible infill development and renovation within established neighborhoods” and to specifically “Promote accessory dwelling units to add diversity of housing types, while maintaining the neighborhood character and providing affordable housing options”.

Staff finds that the application for a Conditional Use Permit pursuant to Section 4.2 (J) for an accessory dwelling unit as part of an accessory structure in the Residential-1 Zoning District meets and satisfies the requirements of the Town Zoning Ordinance, Section 4.3, as follows:

- 1) it does not adversely affect the health, safety, or welfare of the persons residing or working in the neighborhood or adversely affect other land uses within the particular surrounding neighborhood;
- 2) it is not detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
- 3) it is not in conflict with the purpose of the comprehensive plan of the town.

Staff acknowledges that additional issues or comments may arise through the public hearing on this matter and request that the Planning Commission consider said issues and/or comments as part of their deliberations.

RECOMMENDED ACTION FOR PLANNING COMMISSION:

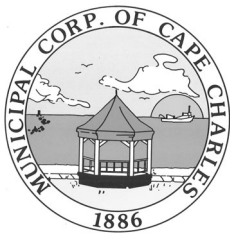
Staff recommends that the Planning Commission consider recommending approval of the Conditional Use Permit to the Town Council with the following motion:

The Cape Charles Planning Commission recommends approval of a Conditional Use Permit for an Accessory Dwelling Unit at 410 Harbor Avenue/100 Madison Avenue on an application filed by Sam & Amy Scharpf, pursuant to Cape Charles Zoning Ordinance Section 4.2 (J) & Section 3.2(C) (7) with the following conditions:

- 1.) the applicant applies and obtain Historic District Review Board approval for all exterior improvements, in accordance with the Historic District Overlay and Guidance Documents; and***
- 2.) the applicant obtains all required permits and approvals from the Building and Planning Department; and further finds that the CUP standards in Section 4.3 are satisfied and that the issuance of the CUP is in general accord with the current Comprehensive Plan.***

Attachments:

Attachment 1 – CUP Application, Letter of Intent and Proposal, CUP Accessory Dwelling Unit Checklist, Survey & Drawings/Photos



CONDITIONAL USE PERMIT APPLICATION

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036 Fax: 757-331-4820
planner@capecharles.org

CONDITIONAL USE PERMIT CHECKLIST - all documents can be emailed to the above email

- ☒ Completed application (if applicable, attach accessory dwelling checklist and documents)
- ☒ Letter of intent clearly explaining project
- ☒ Existing site plan or survey
- ☒ Proposed site plan or survey (if applicable)
- ☒ Names and addresses of adjacent property owners
- ☒ Payment of Fees (single-family detached residential \$600; all other \$800)

PROJECT INFORMATION

Name of Project: 410 Harbor Ave. Accessory Dwelling
Property Address: 410 Harbor Ave. Cape Charles, VA 23310
Brief Description of Project: Tear-down of shed and construction of Accessory Dwelling
Zoning District: HIST Current Use: Residential Proposed Use: Long term rental

OWNER INFORMATION

Name and Company: Sam & Amy Scharpf
Mailing Address: 410 Harbor Ave. Cape Charles, VA 23310
Phone Number: 202.365.4814 Email: samscharpf@yahoo.com

APPLICANT INFORMATION

☒ check here if applicant is owner

Name: Sam & Amy Scharpf
Mailing Address: 7829 Fulbright Court, Bethesda, MD 20817
Phone Number: 202.365.4814 Email: samscharpf@yahoo.com

CERTIFICATION OF APPLICANT

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.

Signature of Applicant: Samford A. Scharpf Digitally signed by Samford A. Scharpf
Date: 2021.09.16 15:10:26 -04'00' Date: 9/16/2021

Town of Cape Charles Planning & Zoning Department
2 Plum St. • Cape Charles, VA 23310 • 757-331-2036 • capecharles.org

Conditional Use Permit - Accessory Dwelling Unit Checklist

Date: 9/16/2021

Address: 410 Harbor Ave. Cape Charles, VA

The following criteria are required for one accessory dwelling to be maintained on a property in the R-E, R-1, R-2, and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3:

1. Is the accessory dwelling unit located in an accessory building? YES ☒ NO ☐
2. Does the accessory dwelling floor area exceed of forty-five (45) percent of the floor area of the main building? YES ☐ NO ☒ Accessory Dwelling Unit square footage 390
3. Does the accessory dwelling have one kitchen and one bathroom? YES ☒ NO ☐
4. Does the accessory building/dwelling differentiate from the single-family dwelling? YES ☒ NO ☐

The following conditions must be maintained for an accessory dwelling unit on a property in the R-E, R-1, R-2, and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3:

1. Occupancy characteristics.
 - a. Length of stay – No accessory dwelling unit shall be occupied by any person or persons, whether paying a fee for such occupancy or not, for a period less than thirty (30) consecutive calendar days. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles the owner of the subject lot of record upon which the accessory dwelling unit sits shall provide occupancy documentation and/or information as requested, either verbally or in writing. Failure to do so may result in the revocation by the Cape Charles Town Council of the conditional use status for the accessory dwelling unit according to Section 4.3.F.
 - b. Inspections – All accessory dwelling units shall be inspected annually not later than fifteen (15) days from the anniversary date of the conditional use permit being approved by Town Council.
2. Other requirements.
 - a. Accessory dwellings located in accessory buildings may have a separate water meter from the principal dwelling.
 - b. The lot on which an accessory dwelling is located shall have the required minimum lot area for the district in which it is located.
 - c. Parking shall be considered on a case-by-case basis as part of the conditional use permit application process, ensuring adherence to Section 4.5.1.C.6. (Table of Parking Standards) using both on and off-street parking areas.
 - d. Exterior elevations shall also be approved by the Historic District Review Board when required by Article VIII, Historic Overlay.

CERTIFICATION OF APPLICANT

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. I am providing authorization to the town authorities to enter my properties to confirm accuracy of information contained in this application.

Signature of Owner: Samford A. Scharpf

Digitally signed by Samford A. Scharpf
Date: 2021.09.16 15:22:37 -04'00'

Signature of Applicant: Samford A. Scharpf

Digitally signed by Samford A. Scharpf
Date: 2021.09.16 15:22:47 -04'00'

Letter of Intent for: 410 Harbor Ave. Accessory Dwelling

We would like to tear down the existing dilapidated shed and build a two-story structure in its place. The first floor would serve as a garage and storage space for tools and yard items. The second floor would contain a living room, kitchen, bathroom, and bedroom, and ultimately serve as a long-term rental unit for local workers, like teachers and other professionals.

Sam & Amy Scharpf

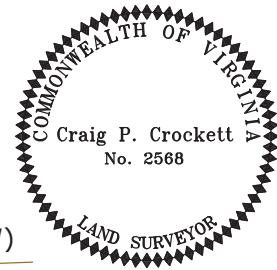
410 Harbor Ave.

Cape Charles, VA 23310

202.210.4590

SURVEYORS CERTIFICATION

I, CRAIG P. CROCKETT, A LICENSED LAND SURVEYOR, HEREBY CERTIFY THAT THIS PLAT WAS MADE BY ME AT THE REQUEST OF THE OWNERS AND THAT THIS SURVEY IS ENTIRELY WITHIN THE BOUNDARIES OF LAND COVERED BY THE DEED DESCRIBED HEREON AND THAT MONUMENTATION IS ACTUALLY IN PLACE OR WILL BE SET AT POINTS MARKED AS SHOWN HEREON AND THAT THEIR LOCATIONS ARE CORRECTLY SHOWN. THIS SURVEY IS CORRECT AND COMPLIES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS, AND LANDSCAPE ARCHITECTS. THIS PLAT IS BASED ON A CURRENT FIELD SURVEY.



GENERAL NOTES:

1. OWNERS: SAMFORD ADAMS SCHARPF & AMY CHEN SCHARPF

2. TAX PARCEL: 83A3-2-8-7

3. SOURCE OF TITLE: INST. 180001287

4. A SURVEY WAS PERFORMED ON THIS PROPERTY IN JANUARY 2020 WITH A BOUNDARY CLOSURE WHOSE PRECISION EXCEEDS 1:10,000.

5. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT AND MAY NOT SHOW ANY/ALL EASEMENTS OR RESTRICTIONS THAT MAY AFFECT SAID PROPERTY AS SHOWN OR WETLANDS, ENVIRONMENTAL HAZARDS, CEMETERIES AND UNDERGROUND STRUCTURES NOT OBSERVED DURING THE COURSE OF THE SURVEY.

6. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 51131C0295F, DATED 03-02-15, THE PROPERTY SHOWN HEREON FALLS IN ZONE OF 0.2% ANNUAL CHANCE.

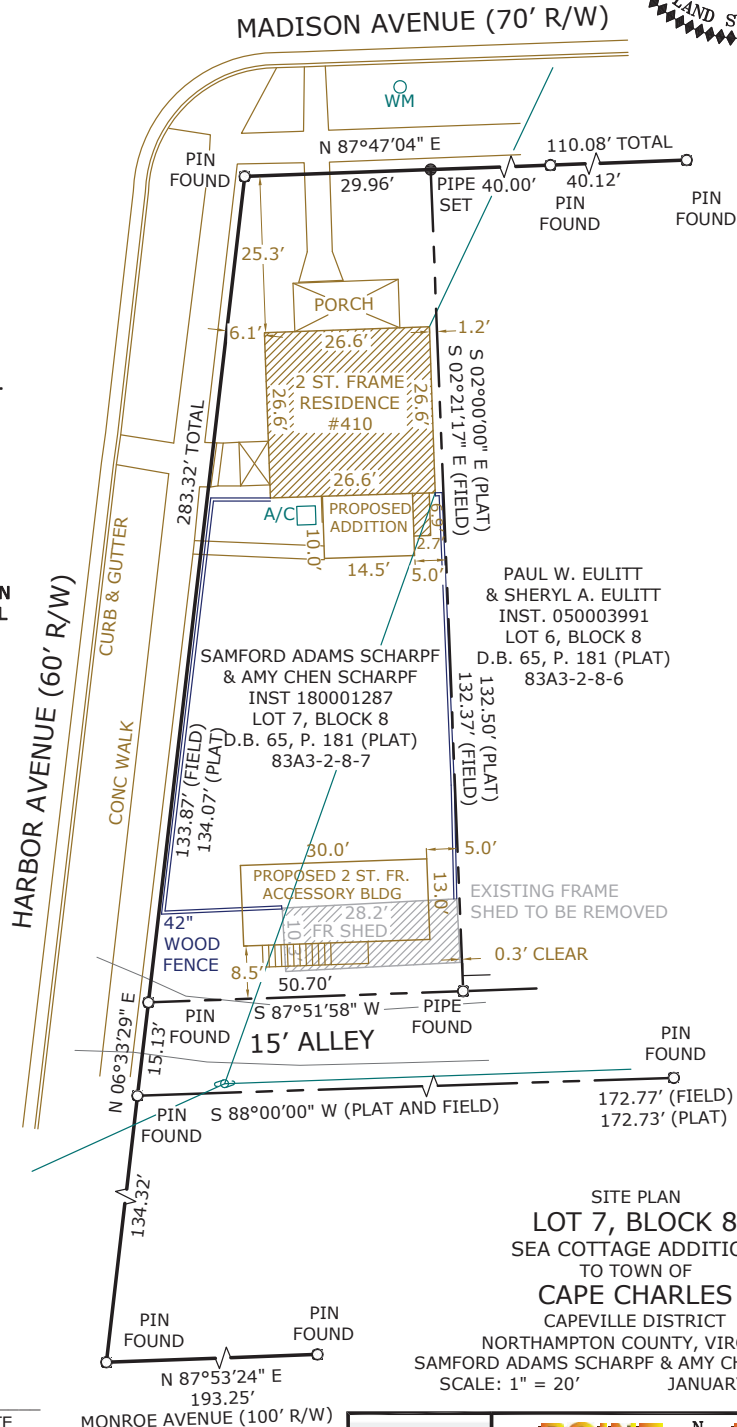
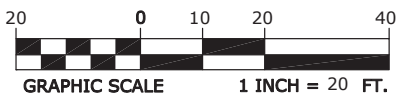
7. PLAT REFERENCES:
D.B. 41, P. 484 (PLAT)
D.B. 65, P. 181 (PLAT)



APPROVED

PLANNER, TOWN OF
CAPE CHARLES

DATE



SITE PLAN
LOT 7, BLOCK 8
SEA COTTAGE ADDITION
TO TOWN OF
CAPE CHARLES

CAPEVILLE DISTRICT
NORTHAMPTON COUNTY, VIRGINIA
SAMFORD ADAMS SCHARPF & AMY CHEN SCHARPF
SCALE: 1" = 20'
JANUARY 13, 2020

REVISED 02-04-2021
CHANGES TO PROPOSED
HOUSE AND ACCESSORY
BUILDING

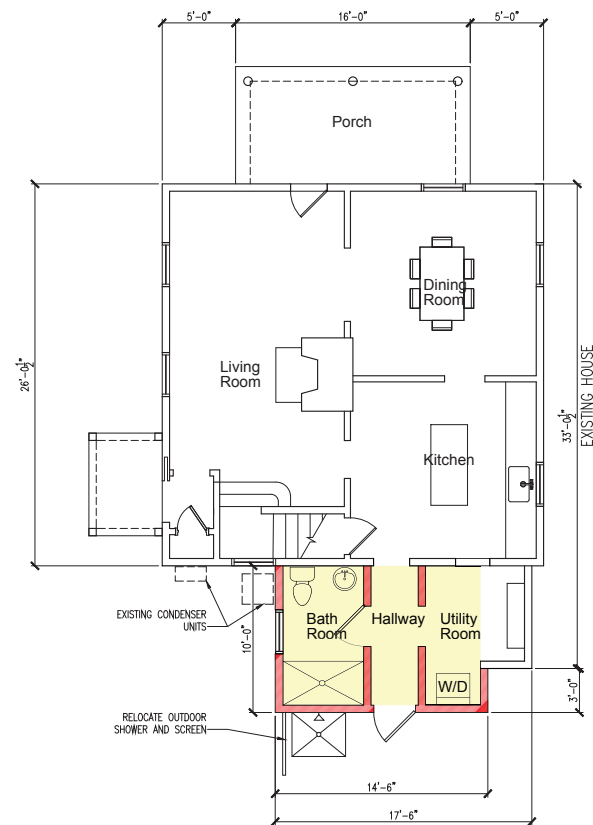
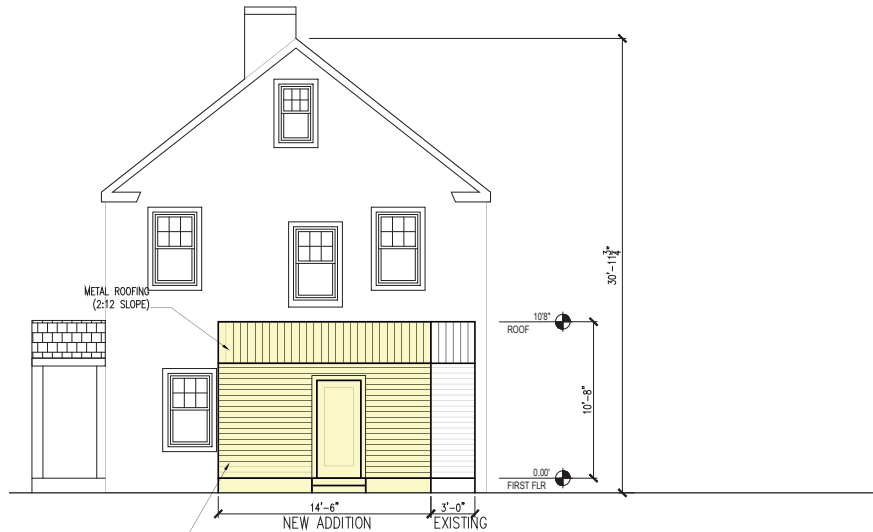


POINT NORTH

POINT NORTH SURVEYING LLC

P.O. Box 701, (757) 709-3008
Onley, VA. 23418 pointnorthsurveying@gmail.com

DRAWN BY: CROCKETT FIELD BOOK: FILE COPY
BACK TRAV: CROCKETT PROJ. NO: 20001B



DESIGN

Project Team

Architect
Dan Chen, AIA, LEED AP
36 Marlboro Street
Belmont, MA 02478
617.470.4722

Surveyor
Point North Surveying, LLC
P.O.Box 701
Onley, VA 23418
757.709.3008

410 HARBOR AVENUE

410 Harbor Avenue
Cape Charles, VA. 23310

DRAWING NOTES:

THIS DRAWING SHALL REMAIN THE PROPERTY OF THE ARCHITECT. REPRODUCTION OF THIS DRAWING OR THE SPECIFICATIONS ASSOCIATED WITH THIS PROJECT WITHOUT THE ARCHITECT'S AGREEMENT IS FORBIDDEN. THE PLANS AND SPECIFICATIONS OF THIS PROJECT SHALL NOT BE USED BY THE OWNER ON OTHER PROJECTS EXCEPT BY AGREEMENT IN WRITING AND WITH APPROPRIATE COMPENSATION TO THE ARCHITECT.

THE DRAWINGS ARE DIAGRAMMATIC. DO NOT SCALE. CONTRACTOR TO VERIFY ALL SITE CONDITIONS AND RESPONSIBLE FOR DIMENSIONAL COORDINATION WITH SUBCONTRACTORS WORK PRIOR START OF WORK.

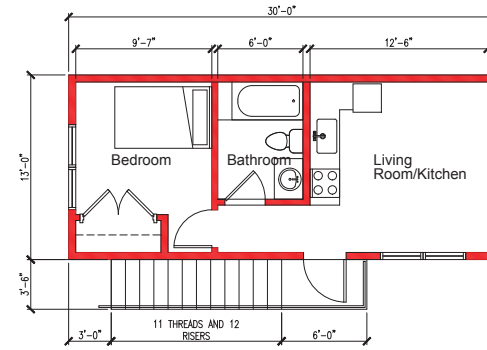
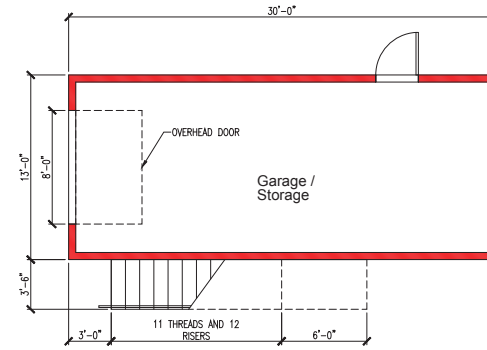
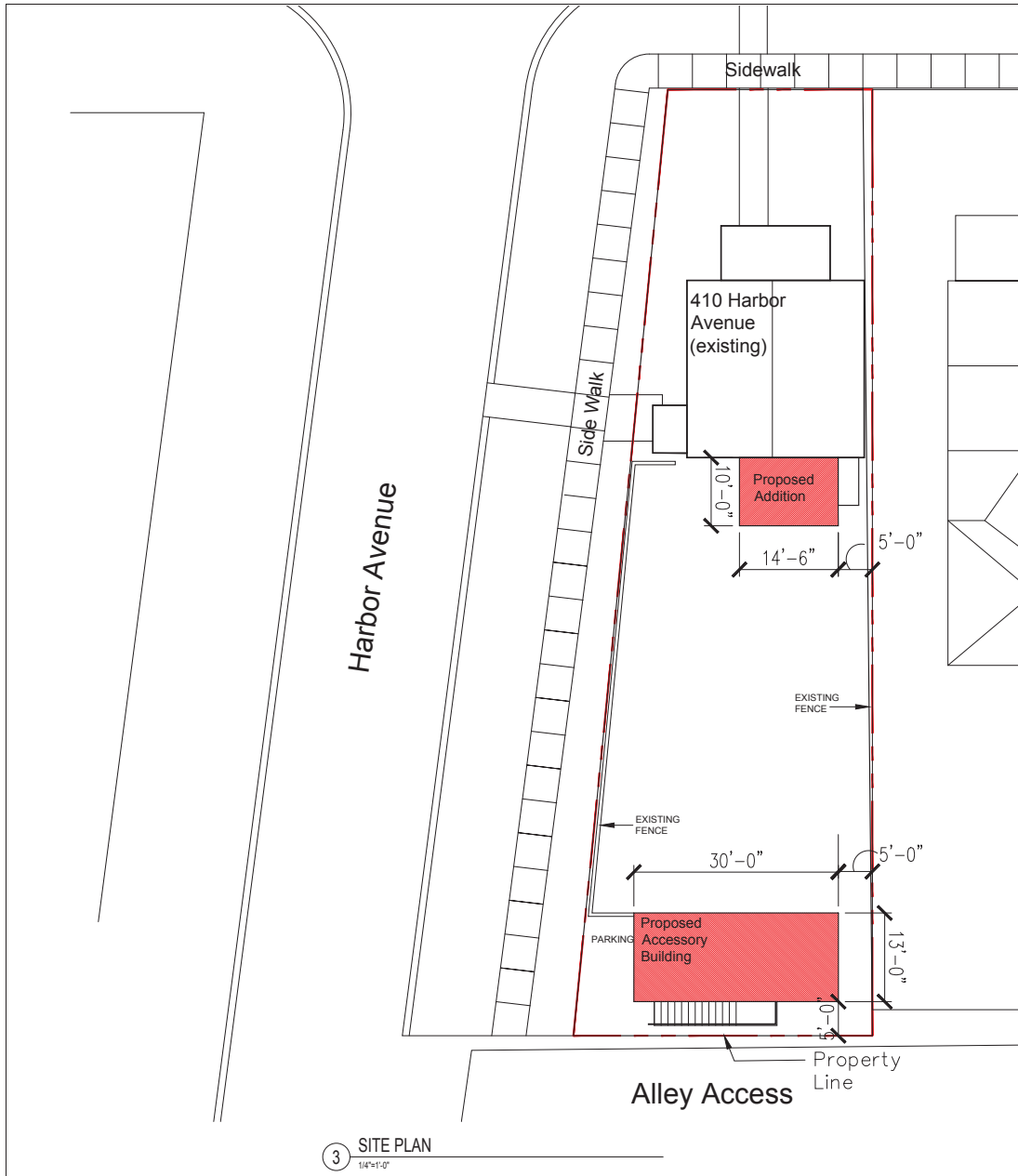
FLOOR PLAN AND ELEVATIONS

SCALE: AS NOTED
DATE: Jan. 20, 2021

DRAWN BY:
CHECKED BY:



A1



DESIGN

Project Team

Architect
Dan Chen, AIA, LEED AP
36 Marlboro Street
Belmont, MA 02478
617.470.4722

Surveyor
Point North Surveying, LLC
P.O. Box 701
Onley, VA 23418
757.709.3008

410 HARBOR AVENUE

410 Harbor Avenue
Cape Charles, VA 23310

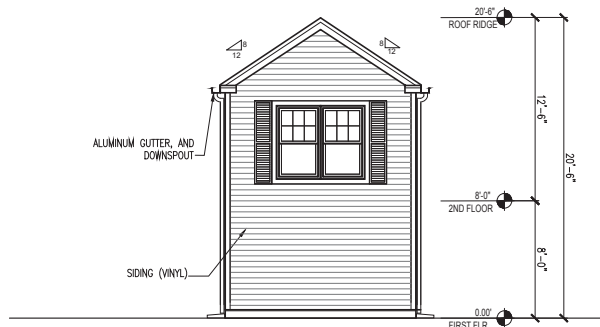
DRAWING NOTES:
THIS DRAWING SHALL REMAIN THE PROPERTY OF THE ARCHITECT. REPRODUCTION OF THIS DRAWING OR THE SPECIFICATIONS ASSOCIATED WITH THIS PROJECT WITHOUT THE ARCHITECT'S AGREEMENT IS FORBIDDEN. THE PLANS AND SPECIFICATIONS OF THIS PROJECT SHALL NOT BE USED BY THE OWNER ON OTHER PROJECTS EXCEPT BY AGREEMENT IN WRITING AND WITH APPROPRIATE COMPENSATION TO THE ARCHITECT.

THE DRAWINGS ARE DIAGRAMMATIC. DO NOT SCALE. CONTRACTOR TO VERIFY ALL SITE CONDITIONS AND RESPONSIBLE FOR DIMENSIONAL COORDINATION WITH SUBCONTRACTORS WORK PRIOR START OF WORK.

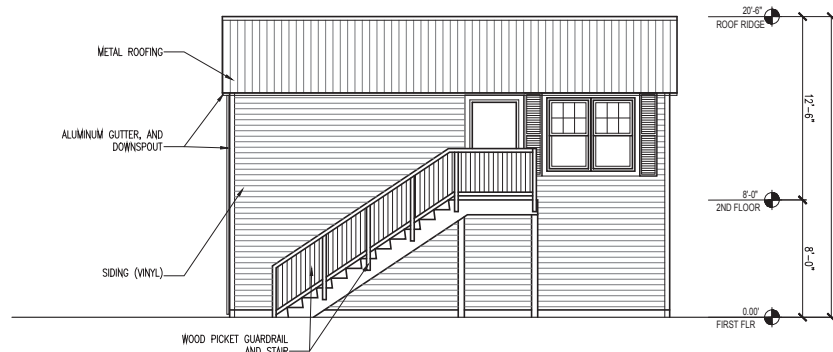
FLOOR PLAN AND SITE PLAN

SCALE: AS NOTED
DATE: Jan. 20, 2021
DRAWN BY:
CHECKED BY:

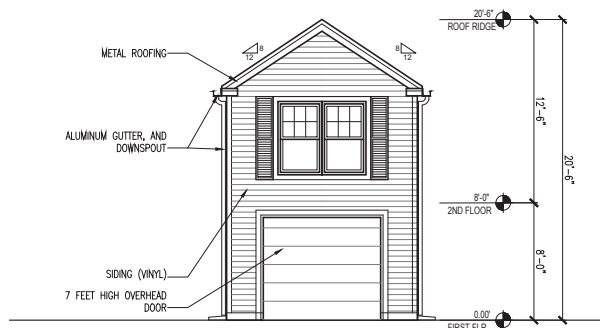
A2



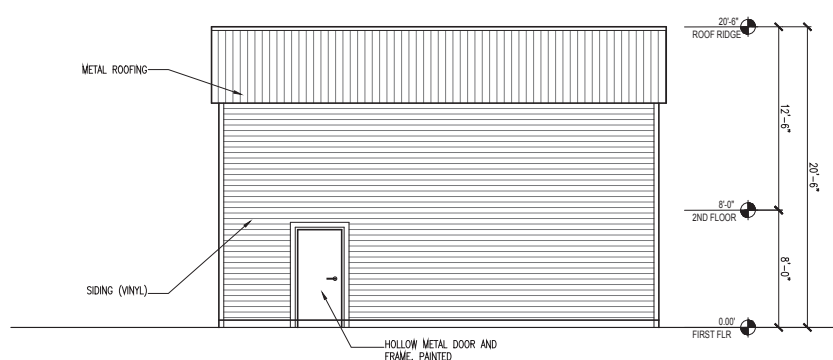
3 ELEVATION - EAST
1/4"=1'-0"



1 ELEVATION - SOUTH
1/4"=1'-0"



4 ELEVATION - WEST
1/4"=1'-0"



2 ELEVATION - NORTH
1/4"=1'-0"

DESIGN

Project Team

Architect
Dan Chen, AIA, LEED AP
36 Marlboro Street
Belmont, MA 02478
617.470.4722

Surveyor
Point North Surveying, LLC
P.O. Box 701
Onley, VA 23418
757.709.3008

410 HARBOR AVENUE

410 Harbor Avenue
Cape Charles, VA 23310

DRAWING NOTES:
THIS DRAWING SHALL REMAIN THE PROPERTY OF THE ARCHITECT. REPRODUCTION OF THIS DRAWING OR THE SPECIFICATIONS ASSOCIATED WITH THIS PROJECT WITHOUT THE ARCHITECT'S AGREEMENT IS FORBIDDEN. THE PLANS AND SPECIFICATIONS OF THIS PROJECT SHALL NOT BE USED BY THE OWNER ON OTHER PROJECTS EXCEPT BY AGREEMENT IN WRITING AND WITH APPROPRIATE COMPENSATION TO THE ARCHITECT.

THE DRAWINGS ARE DIAGRAMMATIC. DO NOT SCALE. CONTRACTOR TO VERIFY ALL SITE CONDITIONS AND RESPONSIBLE FOR DIMENSIONAL COORDINATION WITH SUBCONTRACTORS WORK PRIOR START OF WORK.

ELEVATIONS

SCALE: AS NOTED
DATE: Jan. 20, 2021
DRAWN BY:
CHECKED BY:

A3

Adjacent Neighbors for: 410 Harbor Ave. Accessory Dwelling

Next door, on Madison:

Vogt, William Joseph

102 Madison Ave

Cape Charles, VA

Behind house, on Monroe:

Hubbell, Brian & Andrea

101 Monroe Ave

Cape Charles, VA

Across the street, on Madison:

Headley, Robert

10 Madison Ave

Cape Charles, VA

Across the street, on Madison:

Hall, Betty Drummond

101 Madison Ave

Cape Charles, VA

 TOWN OF CAPE CHARLES	AGENDA TITLE: Conditional Use Permit Public Hearing – 4 Parcels on Randolph Avenue		AGENDA DATE December 16, 2021
	SUBJECT/PROPOSAL/REQUEST: Planning Commission Recommendation on Conditional Use Permit Application from Tom and Katie Austin for a Mini-Golf Course at 4 Parcels on Randolph Avenue		ITEM NUMBER: 8F
	ATTACHMENTS: Planning Commission November 2021 Agenda Packet for Conditional Use Permit: Staff Report, Application and associated correspondence		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Katie H. Nunez, Interim Planning/Zoning Director	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

The Town is in receipt of a Conditional Use Permit application from Tom & Katie Austin (contract purchasers) dba Cape Charles Mini Golf, Inc. to construct a Mini-Golf course on 4 lots at Tax Map #83A4-1-B-26, 27, 28, & 29 (4 properties on Randolph Avenue) which are located directly across from the entrance to Heritage Acres.

These lots are zoned Commercial-3, and the proposed use of a Mini-Golf is a permitted use under Section 3-8 (B) (2) which states “*any other commercial or professional use which is compatible in nature with the allowed uses and which the Zoning Administrator determines to be compatible with the intent of the district and is concurred with by the Planning Commission.*” This proposed use was brought to the Planning Commission at their meeting on 2/2/2021 and the Planning Commission stated that this use would be compatible with other uses allowed in the C-1 and C-2 and C-3 zoning districts but indicated that only through a Conditional Use Permit application so that parking, lighting, landscaping, setbacks and visual aesthetics of the proposed project can be adequately reviewed and addressed in relation to the other development occurring on this stretch of Randolph/Stone Road.

ITEM SPECIFICS:

Zoning review was completed on the application and found to be in compliance with all of the requirements of the zoning ordinance. A public hearing by the Planning Commission with recommendation to Town Council is required as well as a public hearing by the Town Council to take final action on the disposition of the rezoning application.

On November 9, 2021, the Planning Commission held a public hearing and the applicants were in attendance and spoke at the hearing. Staff presented the full staff report dated November 1, 2021 and indicated that the applicants are prepared to address each question raised in the Staff Report for consideration.

Tom & Katie Austin stated that they would like to offer some lite food fare, beer, wine and canned cocktails on the premise; hours of operation – close at 9:00 pm during the summer season and reduced hours in the shoulder season; width of path between holes will be ADA compliant as well as each hole will be ADA compliant; have two speakers to play ambient music with no live music; low-key place for families to come and play; black aluminum fence, similar to the Park, around the property; will have a small dumpster on the southeast corner of the course; will have trash cans throughout the course; have provided a landscape plan and are looking to improve the look of the property along Randolph Avenue and will help provide a buffer of noise as well; lighting will be a historic type pole seen throughout town and will have a baffle on top to direct the light down in keeping with the Town’s Lighting Ordinance; there will be landscape lighting on the course itself which will allow for mini-golfing in the evening hours. They are working on the sign (4 ft x 6 ft) and will submit that for a sign permit application.

They are working on finalizing the site plan, including the stormwater plan, for submission to the state and VDOT for their review and approval of the proposed site plan. There was discussion about a golf-cart path and where exactly that will be located in relation to this property.

The Course Design and Layout will mimic the feel of the Town – historic, nautical aspects, old trains, elements of the Eastern Shore (horses of Chincoteague).

Ms. Nunez stated that we have not required the applicant to include a sidewalk in their site plan and she wanted to raise this item so that Town Council can weigh in on this matter and see if they will require this to be part of the site plan development.

One public comment received from Benjamin Lewis in support of this application. No further public comments were received and the Planning Commission closed the public hearing to public comment and discussed the application thoroughly.

RECOMMENDATION by PLANNING COMMISSION:

A motion was made by Commissioner Holloway and seconded by Commissioner McCoy to recommend approval of the Conditional Use Permit as follows: The Planning Commission recommends approval of a Conditional Use Permit for a Mini-Golf Course on Randolph Avenue for Tax Map #83A4-1-B-26, 83A4-1-B-27, 83A4-1-B-28, and 83A4-1-B-29 on an application filed by Tom & Kate Austin along with all attachments, pursuant to Cape Charles Zoning Ordinance Section 3-8 (B) (2), as determined by the Planning Commission at their meeting on 2/2/2021 that this use type requires a Conditional Use Permit; and that said application is in accordance with the Comprehensive Plan; and said Conditional Use Permit is subject to the following conditions:

- 1) All signage shall comply with the sign requirements in Cape Charles Zoning Ordinance Section 4.1-Sign Regulations and a sign permit application will be filed and approved by the Town prior to any signage being installed.
- 2) At least 20 parking spaces will be provided as required by Cape Charles Zoning Ordinance Section 4.5 (B) (g) (3)
- 3) A full lighting plan will be submitted as part of the Final Site Plan that fully complies with Cape Charles Zoning Ordinance Section 4.4 (E) – Exterior Lighting.
- 4) Final Site Plan is conditional upon affirmative third party reviews (DEQ, VDOT, Town's Third Party Reviewer, Enviro-Management, LLC) and incorporation of all comments from said reviews into a revised and submitted Final Site Plan.
- 5) Final Site Plan will incorporate the requirements of Cape Charles Zoning Ordinance Section 4.5 (M) which details the placement and screening for dumpsters.
- 6) Historic District Review Board Certificate of Appropriateness needs to be obtained; Building Official Certificate of Occupancy needs to be obtained; and stop admission of new players onto the course at 9:00 pm.

The motion was carried unanimously.

TOWN COUNCIL:

Town Council is requested to hold their public hearing and consider the recommendation by the Planning Commission to favorably approve the Conditional Use Permit application by Tom & Katie Austin for a mini-golf course at 4 lots on Randolph Avenue.



PLANNING COMMISSION STAFF REPORT

Meeting Date: November 9, 2021

Item #: 5B

Prepared by: Katie H. Nunez, Interim Planning/Zoning Administrator

Date: November 1, 2021

APPLICANT: Tom & Katie Austin (contract purchasers) dba Cape Charles Mini Golf, Inc.

TYPE OF APPLICATION: Conditional Use Permit

PROPERTY OWNER: John F. & Loraine A. Huchler & Daniel C. Dabinett

SITE ADDRESS: Randolph Avenue, directly across from Heritage Acres Court

ZONING ORDINANCE: Section 3-8 (B) (2)

TAX MAP: 83A4-1-B-26, 83A4-1-B-27, 83A4-1-B-28, and 83A4-1-B-29

CURRENT ZONING: Commercial-3 (C-3)

LOT SIZE: .56 acres (approximately 25,000 sq. ft.)

DATE RECEIVED: September 17, 2021

DATE DEEMED COMPLETE: September 24, 2021

LEGAL DEADLINE (90 Days from Complete Application – Directory, not Mandatory): December 24, 2021

NARRATIVE OF PROPOSAL:

The applicant is under contract to purchase the 4 lots at Tax Map #83A4-1-B-26, 27, 28, & 29 (4 properties on Randolph Avenue) to construct a Mini-Golf course.

These lots are zoned Commercial-3, and the proposed use of a Mini-Golf is a permitted use under Section 3-8 (B) (2) which states *“any other commercial or professional use which is compatible in nature with the allowed uses and which the Zoning Administrator determines to be compatible with the intent of the district and is concurred with by the Planning Commission.”* This proposed use was brought to the Planning Commission at their meeting on 2/2/2021 and the Planning Commission stated that this use would be compatible with other uses allowed in the C-1 and C-2 and C-3 zoning districts but indicated that only through a Conditional Use Permit application so that parking, lighting, landscaping, setbacks and visual aesthetics of the proposed project can be adequately reviewed and addressed in relation to the other development occurring on this stretch of Randolph/Stone Road.

Staff has been working with the applicant since April 2021 in the development of their proposed site plan and landscaping plan in order to bring this matter to public hearing for a Conditional Use Permit.

Industry guidelines for mini-golf course development indicate that 13,000 to 30,000 square feet is the minimum lot size for an outdoor 18-hole mini-golf course layout with the average size being 22,000 square feet. The American with Disabilities Act (ADA), which is administered by the U.S Access Board, indicates that new 18-hole mini-golf courses must have a minimum of 9 ADA compliant holes.

[illegible]

ORDINANCE REQUIREMENTS

Cape Charles Zoning Ordinance Section 4.3 states that “*conditional use permits may be issued for any of the conditional uses for which a use permit is required by the provision of this ordinance in the specific districts provided that the Town Council, upon recommendation by the Planning Commission, shall find that after duly advertised public hearing the use will not:*

- 1. Adversely affect the health, safety, or welfare of the persons residing or working in the neighborhood of the proposed use or adversely affect other land uses within the particular surrounding neighborhood.*
- 2. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood.*
- 3. Be in conflict with the purpose of the comprehensive plan of the town.*

In granting any conditional use permit, the Town Council shall designate such conditions as it determines necessary to carry out the intent of this ordinance.”

Additionally, approval of a conditional use permit shall be valid for only the specific use it covers in the specific location designated for a period of one year after approval by the Town Council and the completion of the additional permit process as requested in the application. Applicant shall apply or have applied for all additional permits as provided to the Planning Commission and as required by the Zoning Administrator within one (1) month of the approval by the Town Council. If Applicant fails to apply for any such permit within this time period, the conditional use permit shall be effective as of this date, thirty (30) days after the Town Council approval, unless the Town Council allows for additional time for such application or applications. If not acted upon within one (1) year, the conditional use permit shall become null and void, unless an extension of time is approved by the Town Council for good cause shown before the expiration of the Conditional Use Permit.

COMPREHENSIVE PLAN

The Comprehensive Plan Section III B.2 identifies Cape Charles as a diversified residential community comprised of a mixture of long-term residents and new arrivals. To create a baseline for economic vitality, the Comprehensive Plan identifies the following as the broad direction of economic focus:

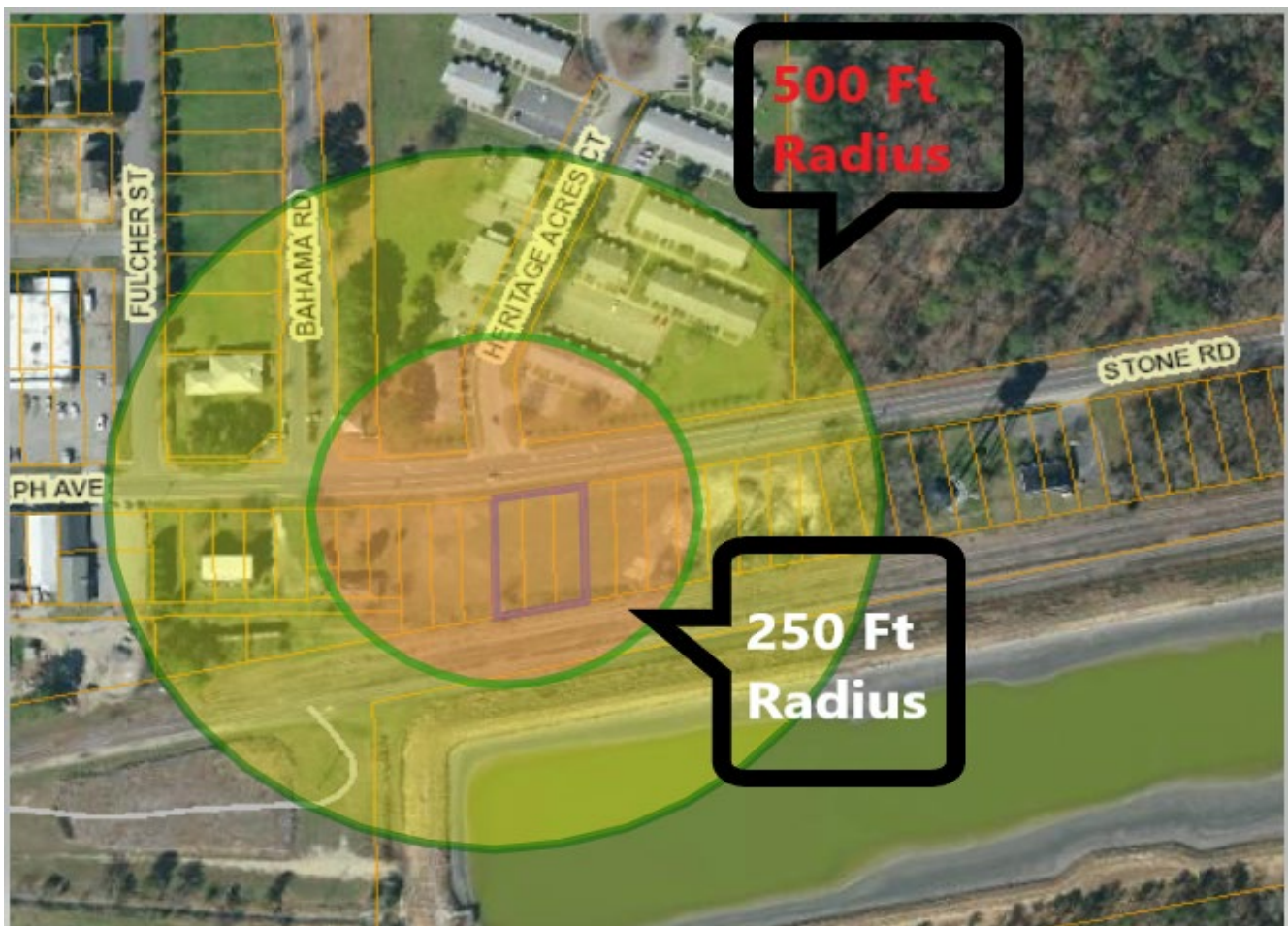
- Cape Charles is a **tourist and second home location attracting**:
 - o Eastern Shore visitors
 - o Weekly, monthly and seasonal renters
 - o Golfers, fishermen, boaters, eco-tourists and birders
- Cape Charles is a retirement destination
- Cape Charles’ working citizens are primarily in the service sector
- Cape Charles has an industrial infrastructure and history
- Cape Charles has a history of commercial fishing

One of the primary objectives for Economic Development as stated in Section III B.3 is to “Attract tourists, vacation and second homeowners”. Specifically, the Plan notes the need to continue to grow the hospitality sector and expand the offerings in Cape Charles to strengthen the town as the tourist destination of choice on the Eastern Shore (Section III B.5).

DISCUSSION ITEMS

These 4 lots, totaling approximately 5,600 square feet, are zoned Commercial-3 and located directly across Stone Road/Randolph Avenue from Heritage Acres which is zoned Residential-1. On the same side of the street as Heritage Acres to the west is PUD-R-2 zoning along Bahama Drive. The block between Fulcher Street/Randolph Avenue is zoned Commercial-2 (where the old Meatland Building is located). To the west of these four lots is the Cape Charles Museum lots which are zoned Commercial-1 and to the east of these four lots the zoning is Commercial-3 and there are ongoing approved projects on several of these lots (Beach Market, Custom Carts).

This corridor is the main corridor into Town and is comprised of a mix of uses (residential, commercial, vacant with zoning designation for commercial development). Any proposed use needs to be compatible within that area and cognizant that uses may sometime pose a conflict to existing uses, especially residential uses. Below is an aerial map with the 4 lots outlined in blue and overlaid on that is a 250 foot radius (pink circle) as well as a 500 foot radius (yellow circle) to the subject project to show the properties contained within those distances



- 1) Should the Commission recommend any parameters regarding outdoor speakers/sound systems relative to broadcasting music on the property?

- 2) The site plan shows a fence at the edge of the golf course but there is insufficient detail about the size and material and construction of the fence to determine if it addresses the primary concern that there is a sufficient barrier or deterrent to prevent any golf balls from departing the property and not to impact any of the traveling vehicles on Stone Road/Randolph Avenue.
- 3) The site plan needs to incorporate the requirements of CCZO Section 4.5 (M) which details the placement and screening for dumpsters.
- 4) The site plan, specifically the layout of the club house building, indicate the possibility of some food service. However, the applicant's narrative does not include an affirmative nor negative statement relative to food service as well as if there are any plans for alcoholic beverage sales. The Town does not control the licensing for retail sales of alcoholic beverages but it should be indicated if that is part of the business plan at this property.
- 5) The applicant has not indicated hours of operation. It is important to note that this proposed use is directly across from a residential development and the Town may wish to restrict or limit hours of operation so as to not intrude about the established residential uses in this area, such as curtailing hours at 11:00 pm until 9:00 am.
- 6) This type of recreational activity is a complementary business to serve the tourist community as well as to serve as an additional activity for year-round residents who reside in Northampton County. The town previously had a mini-golf course located on Mason Avenue. This location allows for a diversification of offerings to visitors to our community so that not all of the tourist sites or businesses are solely concentrated on Mason Avenue/Bay Avenue. The applicant has also indicated that they are accommodating golf cart traffic at the rear of their property from the established golf cart path.
- 7) Staff finds that the applicant has provided a robust landscape plan which exceeds the requirement of Appendix F (Tree Conservation and Preservation Ordinance) but would request Planning Commission review of the proposed landscape plan.
- 8) Staff finds that the site plan meets the requirement of CCZO Section 4.5 (B) (g) (3) which requires a minimum of 20 parking spaces.
- 9) A full lighting plan has not been completed and submitted yet but it will need to fully comply with Section 4.4 (E) – Exterior Lighting which states:
 1. *All exterior lighting shall be arranged and installed so that the direct or reflected illumination does not exceed (0.5) foot candles above the background measured at the lot line of any adjoining parcel.*
 2. *Lighting standards shall be of a directional type capable of shielding the light source from direct view from any adjoining parcel.*
 4. *All lighting shall comply with Dark Sky standards.*
- 8) The applicant will need to submit an application for signage for the business, in accordance with CCZO Section 4.1-Sign Regulations.
- 9) It is important to note that there are additional reviews required for the site plan if the Conditional Use Permit is favorably acted upon by the Town and that the approvals of these third-party reviews should be a considered condition and that the site plan presented at this time is subject to those reviews and a final site plan will need to be submitted to the Town which incorporates all comments from these reviews.. The reviews that will need to be obtained are:
 - a) Stormwater Plans by DEQ
 - b) Site Plan regarding Commercial Entrance Permit by VDOT

- c) Erosion and Sediment Control & Land Disturbance Plans - review by Town's Third Party Reviewer, Enviro-Management LLC (Joe Gilbert).

The Final Site Plan will be subject to review by the Zoning Administrator to ensure compliance with the Cape Charles Zoning Ordinance and any conditions imposed as part of a Conditional Use Permit, if one is approved by the Town.

- 10) Cape Charles Town Code Chapter 62-4 states that *"The town council may require and compel the owner of property within the town to construct or maintain sidewalks abutting on the property of such owner along existing streets."* From the corner of Fig Street and Randolph Avenue and running along Randolph Avenue to the subject property, there is not a functional side walk on this side of Randolph Avenue. At this time, there has been no discussion nor requirement for this project to include a sidewalk along the approximately 160 ft of road frontage. Should a sidewalk be required installation as part of this Conditional Use Permit review and conditions?
- 11) Lastly, a Certificate of Appropriateness review by the Historic District Review Board (HDRB) is required since the Town Council assigned review of all development in the Commercial-3 (C-3) Zoning District to the HDRB.

RECOMMENDED ACTION FOR PLANNING COMMISSION:

Staff is supportive of this Conditional Use Permit for the use proposed as an 18-hole mini-golf course, conditional upon discussion of the items raised above and is prepared to assist in the development of any proposed motion on the application. At a minimum, if the Planning Commission is supportive of this application, I would propose the following basic components for a motion:

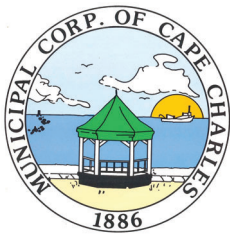
The Planning Commission recommends approval of a Conditional Use Permit for a Mini-Golf Course on Randolph Avenue for Tax Map #83A4-1-B-26, 83A4-1-B-27, 83A4-1-B-28, and 83A4-1-B-29 on an application filed by Tom & Kate Austin along with all attachments, pursuant to Cape Charles Zoning Ordinance Section 3-8 (B) (2), as determined by the Planning Commission at their meeting on 2/2/2021 that this use type requires a Conditional Use Permit; and that said application is in accordance with the Comprehensive Plan; and said Conditional Use Permit is subject to the following conditions:

- 1) All signage shall comply with the sign requirements in Cape Charles Zoning Ordinance Section 4.1-Sign Regulations and a sign permit application will be filed and approved by the Town prior to any signage being installed.***
- 2) At least 20 parking spaces will be provided as required by Cape Charles Zoning Ordinance Section 4.5 (B) (g) (3)***
- 3) A full lighting plan will be submitted as part of the Final Site Plan that fully complies with Cape Charles Zoning Ordinance Section 4.4 (E) – Exterior Lighting.***
- 4) Final Site Plan is conditional upon affirmative third party reviews (DEQ, VDOT, Town's Third Party Reviewer, Enviro-Management, LLC) and incorporation of all comments from said reviews into a revised and submitted Final Site Plan.***
- 5) Final Site Plan will incorporate the requirements of Cape Charles Zoning Ordinance Section 4.5 (M) which details the placement and screening for dumpsters.***

- 6) Any other conditions as a result of the public hearing and discussion of the applications and items raised through the Staff Report – will need to be detailed and included as Item #6, et seq.

Attachments:

- Staff Memo dated 2/2/2021 from Allyson Finchum to Planning Commission re: C-3 Uses
- Planning Commission minutes of 2/2/2021 meeting
- Full Application Packet which includes Application, Site Plan dated 8/10/2021, Golf Course Layout Plan, Landscape Plan, Club House Architectural Rendering and Layout, Applicant Letter of Intent.
- E-mail Comment from Benjamin Lewis



CONDITIONAL USE PERMIT APPLICATION

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036 Fax: 757-331-4820
planner@capecharles.org

CONDITIONAL USE PERMIT CHECKLIST - all documents can be emailed to the above email

- ☒ Completed application (if applicable, attach accessory dwelling checklist and documents)
- ☒ Letter of intent clearly explaining project
- ☒ Existing site plan or survey
- ☒ Proposed site plan or survey (if applicable)
- ☒ Names and addresses of adjacent property owners
- ☒ Payment of Fees (single-family detached residential \$600; all other \$800)

PROJECT INFORMATION

Name of Project: Cape Charles Mini Golf

Property Address: Randolph Ave. Cape Charles, VA 23310

Brief Description of Project: Miniature Golf

Zoning District: C3 Current Use: Unimproved Land Proposed Use: Mini Golf

OWNER INFORMATION

Name and Company: John/Lorraine Huchler (Lot 26/27) and Daniel Dabinette (Lot 28/29)

Mailing Address: 35 PO Box 607 Cape Charles VA 23310

Phone Number: (609)896-4457 Email: huchler@verizon.net

APPLICANT INFORMATION

☐ check here if applicant is owner

Name: Thomas and Katherine Austin

Mailing Address: 39 Sunset Dr. Severna Park, MD 21146

Phone Number: (410)652-4746 Email: taustin777@yahoo.com

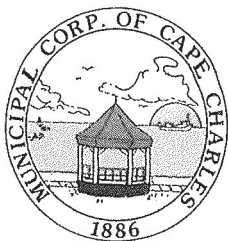
CERTIFICATION OF APPLICANT

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.

Signature of Applicant: Thomas Austin Date: 9/17/2021

Town of Cape Charles Planning & Zoning Department

2 Plum St. • Cape Charles, VA 23310 • 757-331-2036 • capecharles.org



OWNER PERMISSION AFFIDAVIT

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036 Fax: 757-331-4820
planningtech@capecharles.org

PROPERTY INFORMATION

Subject Property Street Address: Lot 26 + 27 Randolph Ave Extended Cape Charles VA 23310
Subject Property Tax ID Number: 8344-1-B-26 8344-1-B-27

OWNER INFORMATION

Name (Person, Firm, Corporation, or Agency): John + Lorraine Hutchler
Mailing Address: 35 Viburnum Court Lawrenceville, NJ 08648
Phone Number: 609-891-4457 Email: Hutchler@Verizon.net

APPLICANT INFORMATION (If applicable)

Name: Cape Charles Mini Golf, LLC
Mailing Address: 818 Randolph Avenue, Cape Charles, VA
Phone Number: 40-652-4746 Email: touristin77@yahoo.com 23310

I am applying for, or I hereby give authority to the applicant to file an application for:

mini putt putt golf course

X
Signature of Owner: John F. Hutchler Date: 7/21/21
Lorraine A. Hutchler 7/21/21

Commonwealth of Virginia

County of Northampton

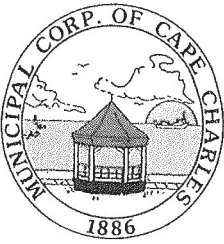
The foregoing instrument was acknowledged before me this 21 day of July, 2021, by Paul Grantham Watson (name of person acknowledged).

Signature of Notarial Officer: Paul Grantham Watson

Notary Registration Number: 70-96-521

My Commission Expires: 3-31-23

(Seal)



OWNER PERMISSION AFFIDAVIT

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036 Fax: 757-331-4820
planningtech@capecharles.org

PROPERTY INFORMATION

Subject Property Street Address: Lot 28 & Lot 29 Randolph Extended
Subject Property Tax ID Number: 83A4-1-B-29 83A4-1-B-28 Cape Charles
VA 23310

OWNER INFORMATION

Name (Person, Firm, Corporation, or Agency): Daniel Dakinoff
Mailing Address: 35 P O Box 407 Cape Charles VA 23310
Phone Number: _____ Email: _____

APPLICANT INFORMATION (If applicable)

Name: Cape Charles Mini Golf LLC
Mailing Address: 818 Randolph Avenue Cape Charles, VA 23310
Phone Number: 410-652-4146 Email: forestin777@yahoo.com

I am applying for, or I hereby give authority to the applicant to file an application for:

mini Putt Putt Golf Course

✓ Signature of Owner: DCD Date: 7/21/21

Commonwealth of Virginia

County of Northampton

The foregoing instrument was acknowledged before me this 21 day of July,
20 21, by Paul Granville Warden (name of person acknowledged).

Signature of Notarial Officer: [Signature]

Notary Registration Number: 7096-521

My Commission Expires: 3-31-23

(Seal)

Town of Cape Charles Planning & Zoning Department
2 Plum St. • Cape Charles, VA 23310 • 757-331-2036 • capecharles.org

Town of Cape Charles Planning Commission and Zoning Administration,

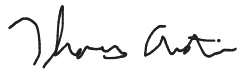
Per the meeting on 2/2/2021, we have attached all necessary documentation needed for review of our conditional use permit on Randolph Avenue for mini golf business (lots 26, 27, 28, and 29). We took note of all commentary from the planning commission and are confident that this proposal will be in line with the vision put forth by the comprehensive plan/ planning commission.

Our miniature golf will be a great place for the community to engage in family friendly fun and recreation. This will be a family run business, as we plan on moving full time to our house at 506 Nectarine Street.

As you will see in the landscape plan, we took into account the planning commission's comments on beautifying the town entrance. The landscape plan includes planting 195 trees/shrubs, which includes 23 medium – large trees such as cherries, oaks, cypress, and myrtles. The course itself will be professionally landscaped by Browder-Hite and will include a vast array of evergreens, perennials, and annuals. It is very important for us to ensure that our business fits in with the historical and quaint nature of the town.

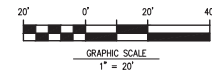
Please let us know if you have any further questions.

Thomas Austin



Katie Austin





- MSA, P.C.**
Environmental Sciences • Surveying
Civil & Environmental Engineering
5032 Reuse Drive, Suite 100
Virginia Beach, VA 23462-3764
757-480-9264 | www.msaonline.com



DATE	NO. OF DAYS	NO. OF DAYS	DESIGNED
10/10/72	10/10/72	10/10/72	DRAWN CJS
			CHECKED JJV
			APPROVED JJV
DATE	5/24/72		

TOPOGRAPHIC SURVEY
of
TAX PARCELS 83A4-1-B-26, 83A4-1-B-27,
83A4-1-B-28 AND 83A4-B-29
(PB 5, PG 184)
CAPE CHARLES, NORTHAMPTON COUNTY
VIRGINIA

SHEET
1
1 of 1 Sheets
SCALE: 1" = 20'
PROJ. NO.: 21080

CONCEPTUAL SITE LAYOUT PLAN OF CAPE CHARLES MINI-GOLF ISLE OF WIGHT, VIRGINIA

Site Data

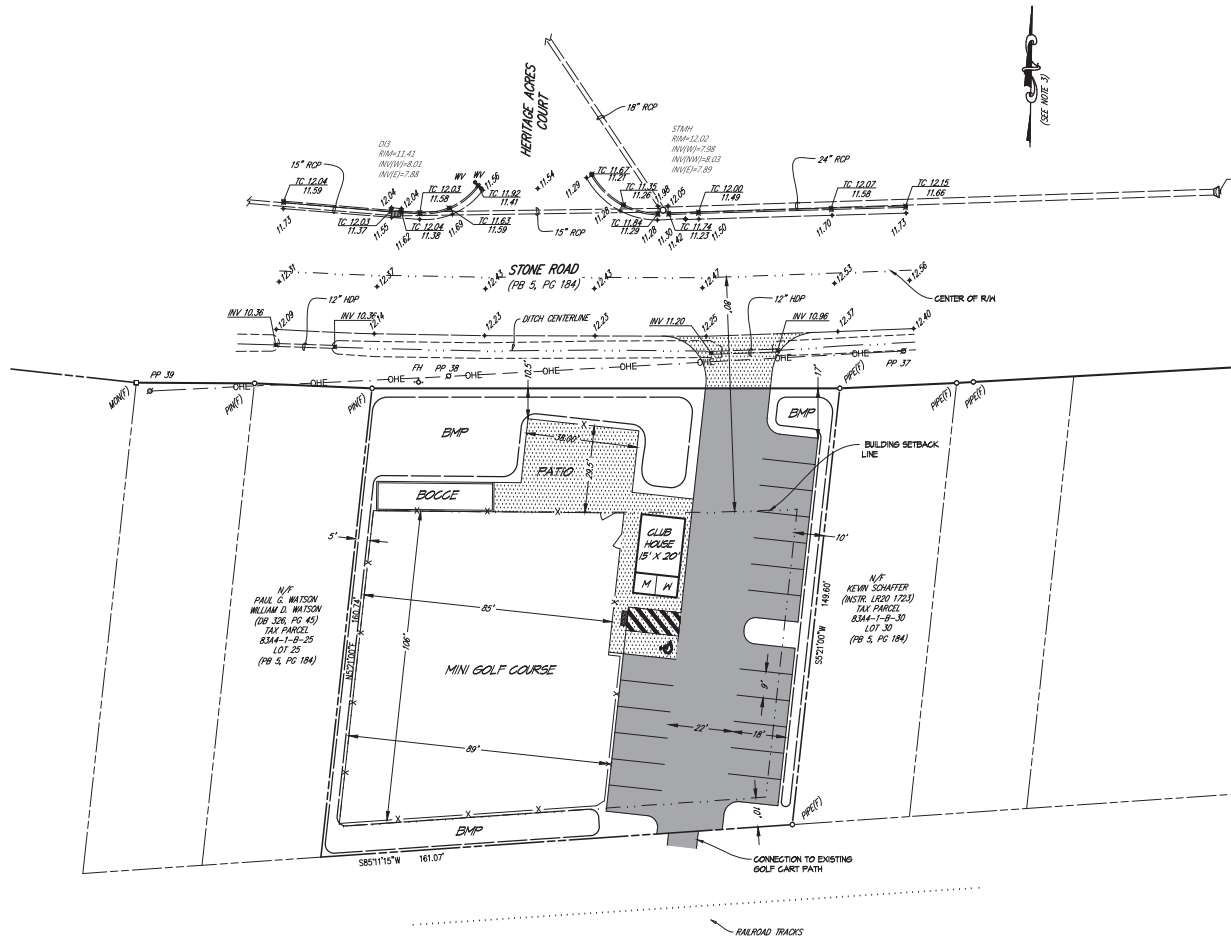
Site Area:	± 0.56 AC
Tax Parcels:	83A4-1-B-26 83A4-1-B-27 83A4-1-B-28 83A4-1-B-29
Existing Zoning:	C-3
Existing Use:	Undeveloped
Proposed Use:	Mini Golf
Parking Required:	20 Spaces
Parking Provided:	19 Spaces 1 ADA Space <u>20 Total Spaces</u>

BMP Provided: ± 3,600 SF (± 15% of Site Area)

BUILDING SETBACKS

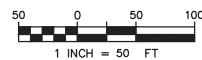
FRONT: 80' FROM CENTER OF R/W
SIDE: 5' & 10'
REAR: 10'

PATIO SETBACK 10.5' FROM R/W



DATE: 08/10/2021

THIS DRAWING IS CONCEPTUAL AND HAS BEEN PREPARED WITH A SITE SURVEY PREPARED BY OTHERS, THEREFORE, PROPERTY LINES, WETLAND BOUNDARIES, AND OTHER SITE SPECIFIC DATA ARE APPROXIMATE. CONCEPT DRAWINGS ARE GENERAL IN NATURE AND ARE INTENDED ONLY TO ILLUSTRATE THE DEVELOPMENT POTENTIAL FOR A PROPERTY; THEY SHOULD NOT BE RELIED UPON AS THE SOLE BASIS FOR ANY FINANCIAL OR LEGALLY BINDING TRANSACTION.



N/F
CANONIE ATLANTIC
COMPANY
(DB 218, PG 432)
TAX PARCEL 90-A-9



ORBIS
LANDSCAPE
ARCHITECTURE
ORBIS-LA.COM

Proposed Miniature Golf Course 9,600 sf.



Notes:
Handicap accessible portions of the course(s) are designed in accordance with ADAAG (Americans with Disabilities Act Accessibility Guidelines) Chapter 10 Section 1007.
ADA gate shown will consist of two 4x4 wooden posts, two eye hooks, and rope with hooks.



HORWATH
Miniature Golf Courses

ALL DESIGN, IMAGES AND PLANS SHOWN ARE ONLY TO BE USED BY BOB HORWATH MINIATURE GOLF COURSES UNLESS GIVEN WRITTEN CONSENT.

Project:
**Proposed Miniature Golf
CAPE CHARLES**

DATE: **07/20/2021**

**Layout
Plan**

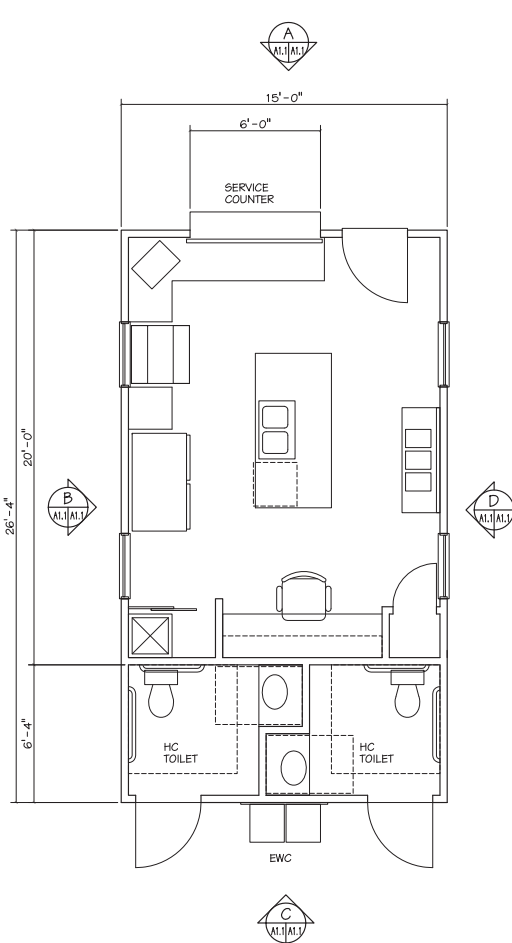
SCALE:
1"=10'-0"

DRAWN BY:
MVC

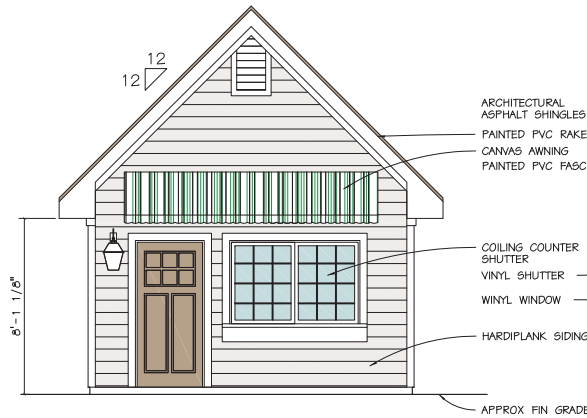
SHEET #:
2 JOB #:
01-21

REVISIONS:	
MVC	August 9, 2021
MVC	September 1, 2021
DATE PRINTED:	
September 1, 2021	

GRAPHICS KEY	
R - ROUGH	
M - MOUND	
P - PLANTER	
ST - SAND TRAP	



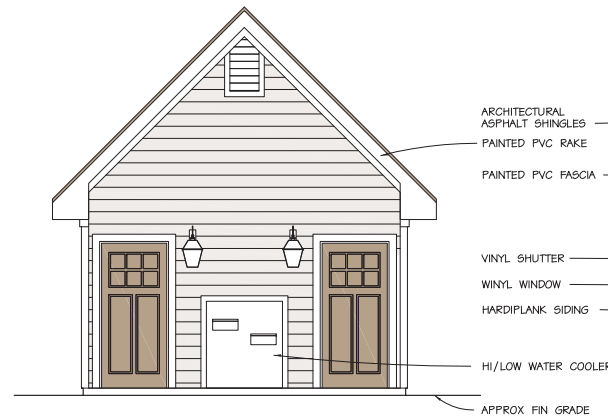
FLOOR PLAN
3/8" = 1'-0"



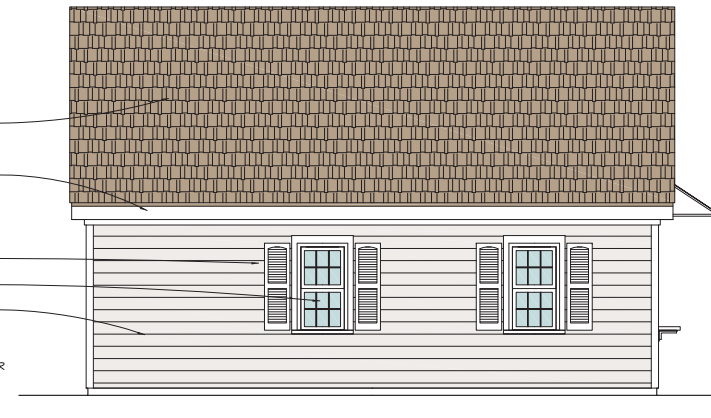
A
EXTERIOR ELEVATION
3/8" = 1'-0"



B
EXTERIOR ELEVATION
3/8" = 1'-0"



C
EXTERIOR ELEVATION
3/8" = 1'-0"



D
EXTERIOR ELEVATION
3/8" = 1'-0"

ARCHITECTURAL
ASPHALT SHINGLES
PAINTED PVC RAKE
CANVAS AWNING
PAINTED PVC FASCIA

COILING COUNTER
SHUTTER
VINYL SHUTTER
VINYL WINDOW
HARDPLANK SIDING

APPROX FIN GRADE

ARCHITECTURAL
ASPHALT SHINGLES
PAINTED PVC RAKE
PAINTED PVC FASCIA

VINYL SHUTTER
VINYL WINDOW
HARDPLANK SIDING

HI/LOW WATER COOLER

APPROX FIN GRADE

PROGRESS
PRINT
10-11-21

PROJECT NO.	DATE	DESIGNED	DRAWN	CHECKED	SRL
21091	21 SEPT 2021				
REVISION	DATE	BY	DATE	BY	DATE

CAPE CHARLES MINI GOLF
CAPE CHARLES, VIRGINIA
STONE RD
SHEET TITLE
PROPOSED PLAN AND ELEVATIONS

LEMOLE
ARCHITECTS
2809 PRODUCTION
SUITE 102
VIRGINIA BEACH, VIRGINIA 23464
757-228-2520
SRLEMOLE@GMAIL.COM

SHEET NUMBER

A-1.1

XX of XX

Names of adjacent Property owners:

Lot 83A4-1-B-25 Paul and William Watson

Lot 83A4-1-B-30 Kevin Schaffer

Tracy Outten

From: Benjamin Lewis <blewis@browderhite.com>
Sent: Tuesday, October 19, 2021 4:35 PM
To: Katie Nunez; Tracy Outten; Katie Nunez
Subject: Cape Charles Mini Golf

I'm writing on behalf of Tom and Katie Austin and their mini golf project. The project is a great step in the right direction for our town. As a resident, I'm glad to see something like this come along for young families with children. It will be a positive calling card for tourists. Additionally, it will be a BPOL tax generator along with elevated real estate taxation once the project is complete. Tom and Katie plan to move full time to Cape Charles and operate the business. Both of them are upstanding people who will add to the character and strength of our town. As a contractor helping the Austin's get this project completed, I can say with confidence the building and plants will all blend well together. There will be no garish ornamentation inside the golf course (as is commonly found elsewhere). In fact, the plan is to use Cape Charles landmarks as part of the course decoration. These touches and many others are why this project is essential as we build back Cape Charles one home, business and customer at a time.

Best, Benjamin



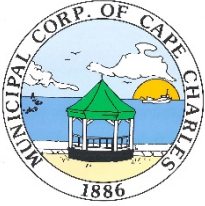
Benjamin Lewis, President
Browder-Hite, Inc.
757-442-5296 (O) 757-442-5295 (F)
VA Contractors Class A License #2705127359 / VA Pesticide Business License #7808

From: Da Crens <dacrens21@gmail.com>
Sent: Monday, November 8, 2021 11:05 AM
To: Katie Nunez; Katie Nunez; tracey.outten@capecharles.org
Cc: Wanda Crenshaw
Subject: Cape Charles Public Meeting--9 November 2021

Good Morning All,

We (David & Wanda Crenshaw) support the approval and establishment of a miniature golf facility in Cape Charles, Virginia. We started vacationing in Cape Charles a couple of years ago. The small, family oriented vacation-town character and charm of Cape Charles kept drawing us back. We were so drawn that we eventually purchased property there. We will continue to support local businesses/residents that promote building and enhancing Cape Charles' positive, unique appeal.

David & Wanda Crenshaw
781-698-9559

 TOWN OF CAPE CHARLES	AGENDA TITLE: Conditional Use Permit Public Hearing – 219 Mason Avenue		AGENDA DATE December 16, 2021
	SUBJECT/PROPOSAL/REQUEST: Planning Commission Recommendation on Conditional Use Permit Application from Todd Bricken for 5 Residential Dwelling Units above First Floor Commercial at 219 Mason Avenue		ITEM NUMBER: 8G
	ATTACHMENTS: Planning Commission November 2021 Agenda Packet for Conditional Use Permit: Staff Report, Application and associated correspondence		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Katie H. Nunez, Interim Planning/Zoning Director	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

The Town is in receipt of a Conditional Use Permit application from Todd Bricken for five residential units above 1st floor commercial at 219 Mason Avenue.

The applicant is in the process of purchasing 219 Mason Avenue with an anticipated closing date of November 2021 (which he has now purchased the property as of 11/12/2021). The property is zoned Commercial District C-1 which allows for a dual use of Commercial/ Residential. The applicant has submitted a floor plan for five residential units on the second floor of this building. Three of the units are one-bedroom apartments or lofts and two of the units are two-bedroom apartments.

AERIAL MAP: *Property Outlined in Blue*



STREET VIEW



ITEM SPECIFICS:

The Planning & Zoning office has been working with the applicant since early summer 2021 in compiling this application, including all associated zoning requirements. One of the most significant issues is the parking requirement and how this can be addressed (either on-site or through a signed, shared parking agreement for off-site parking). The applicant has made concessions to include 3 parking spaces on the property, including one space within the building.

A Conditional Use Permit application requires both the Planning Commission hold a public hearing and provide a recommendation to Town Council and then Town Council is required to hold a public hearing to take final action on the disposition of the Conditional Use Permit application.

On November 9, 2021, the Planning Commission held a public hearing with the applicant in attendance and he spoke at the hearing. Staff provided the full staff report dated November 2, 2021 and discussed at length about the components of the application, including the building layout, and the parking requirements. Staff indicated that while the parking requirements have not been fully met but that efforts are still being pursued to secure meeting the parking requirements. Commissioners discussed whether emergency vehicles will be able to traverse the alley with cars parked there.

Mr. Todd Bricken stated that he has purchased residential property in town as well as this commercial property and is looking to retire to Cape Charles in the near future. He has changed the staircase in the rear of the building to accommodate 2 spaces as well as one space within the building.

Ms. Nunez asked for input from the Planning Commission about possible property owners that might be amenable to a shared parking arrangement with Mr. Bricken. Suggestions offered: buildings across the street recently constructed (Patrick Hand) and the parking provided for that project; Strawberry and Randolph (Bowen Yang).

The Commissioners have asked the Zoning Administrator to confirm the required number of parking spaces.

No public comments were received and the Planning Commission closed the public hearing to public comment.

RECOMMENDATION by PLANNING COMMISSION:

A motion was made by Commissioner Grossman and seconded by Commissioner McCoy to recommend approval of the Conditional use Permit to the Town Council with the following motion: The Cape Charles Planning Commission recommends approval of the Conditional Use Permit Application, presented by Todd Bricken at 219 Mason Avenue, for 5 residential units on the 2nd floor of a commercially zoned building, contingent upon resolution of meeting the parking space requirements either on-site, thru a shared parking arrangement, or thru an approved Board of Zoning Appeals variance for relief from the parking space requirements and also with the condition that:

- 1) Final Site Plan is conditional upon affirmative third party reviews (DEQ, VDOT, Town's Third Party Reviewer, Enviro-Management, LLC) and incorporation of all comments from said reviews into a revised and submitted Final Site Plan.
- 2) Historic District Review Board Certificate of Appropriateness needs to be obtained & Building Official Certificate of Occupancy needs to be obtained.

ADDITIONAL INFORMATION FROM STAFF since PLANNING COMMISSION PUBLIC HEARING

With the easement for the alley behind Watson's Hardware now provided as part of the closing documents when the property was purchased by Mr. Bricken, he asked his surveyor to consider the easement and whether additional parking could be provided and has now provided the current survey of the property as well as the survey proposing the addition of 3 more parking spaces beyond what was included in Mr. Bricken's application that the Planning Commission received. Both surveys are attached for your review.

TOWN COUNCIL

Town Council is requested to hold their public hearing and consider the recommendation by the Planning Commission and the additional information provided by Staff to favorably approve the Conditional Use Permit application by Todd Bricken at 219 Mason Avenue.



PLANNING COMMISSION STAFF REPORT

Meeting Date: November 9, 2021

Item #: 5C

Prepared by: Katie H. Nunez, Interim Planning/Zoning Administrator

Date: November 2, 2021

APPLICANT: Todd Bricken
SITE ADDRESS: 219 Mason Avenue

TAX MAP: 83A3-1-631
LOT SIZE: 5,359 sq. ft.

TYPE OF APPLICATION: Conditional Use Permit
SPECIFIC REQUEST: 5 Residential Units above Commercial
ZONING: Section 3.6 (C)
CURRENT ZONING: Commercial -1 (C-1) & Historic District Overlay

DATE RECEIVED: July 29, 2021

DATE DEEMED COMPLETE: October 21, 2021

LEGAL DEADLINE (90 Days from Complete Application – Directory, not Mandatory): January 21, 2022

NARRATIVE OF PROPOSAL:

The applicant is in the process of purchasing 219 Mason Avenue with an anticipated closing date of November 2021. The applicant is proposing to renovate the second floor above 1st floor commercial at 219 Mason Avenue to five residential units.

The property is zoned Commercial District C-1 which allows for a dual use of Commercial/Residential. The applicant has submitted a floor plan for five residential units on the second floor of this building. Three of the units are one-bedroom apartments or lofts and two of the units are two-bedroom apartments.

The Cape Charles Zoning Order, pursuant to Section 3.6 (C), allows for a residential unit above first floor commercial provided that no such dwelling is located at street level and all dwelling units have direct access to the street level (no access through the commercial establishment on the first floor) through a Conditional Use Permit. Please note that my office has been working with the applicant since May 2021 and the initial concept was for three residential units; however, as the applicant has worked with his structural engineer and architect, the most recent proposal is for five residential units on the second floor. As part of the proposal, the applicant is also proposing to provide for 3 on-site parking spaces for the residential units to assist in meeting a portion of the parking requirements.

The first-floor uses are for two distinct commercial spaces with their own entrance as well as a distinct entrance for the residential units.

AERIAL MAP: *Property outlined in blue*



STREET VIEW



ORDINANCE REQUIREMENTS:

Cape Charles Zoning Ordinance Section 4.3 states that “conditional use permits may be issued for any of the conditional uses for which a use permit is required by the provision of this ordinance in the specific districts provided that the Town Council, upon recommendation by the Planning Commission, shall find that after duly advertised public hearing the use will not:

1. Adversely affect the health, safety, or welfare of the persons residing or working in the neighborhood of the proposed use or adversely affect other land uses within the particular surrounding neighborhood.
2. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood.
3. Be in conflict with the purpose of the comprehensive plan of the town.

In granting any conditional use permit, the Town Council shall designate such conditions as it determines necessary to carry out the intent of this ordinance.

Additionally, approval of a conditional use permit shall be valid for only the specific use it covers in the specific location designated for a period of one year after approval by the Town Council and the completion of the additional permit process as requested in the application. Applicant shall apply or have applied for all additional permits as provided to the Planning Commission and as required by the Zoning Administrator within one (1) month of the approval by the Town Council. If Applicant fails to apply for any such permit within this time period, the conditional use permit shall be effective as of this date, thirty (30) days after the Town Council approval, unless the Town Council allows for additional time for such application or applications. If not acted upon within one (1) year, the conditional use permit shall become null and void, unless an extension of time is approved by the Town Council for good cause shown before the expiration of the Conditional Use Permit.

The Cape Charles Zoning Ordinance Section 3.6 (C) for property zoned Commercial-1 (C-1) states that:

Conditional Uses: Single family and multi-family dwellings provided that no such dwelling is located at street level and all dwelling units have direct access to the street level (not access through commercial establishment on the first level).

STAFF ANALYSIS:

The application for the renovation of the second story into five residential units with the first floor remaining as active commercial usage is consistent with the intent of the Cape Charles Zoning Ordinance Commercial C-1 District which is to preserve and enhance the traditional mixed use urban nature of Cape Charles commercial districts, to encourage the location of regional and local business and professional activities, to facilitate the development of buildings in keeping with its largely National Historic District character, and to protect against destruction of or undesirable encroachment on these areas.

This building used to house a movie theater and most recently was used as a side component of the Watson Hardware store. The opening between this building and the original Watson Hardware building will be closed off and the applicant intends on building an entire second story floor across the full building span (in the area marked “Warehouse” on the First Floor of the Existing Conditions Site Plan).

This will allow for five residential units to be provided on the second floor and the applicant intends on providing a common laundry facility for use by the residential units. The applicant has indicated that 3 parking spaces will be provided on site at the rear of the property to address the parking requirements in the Cape Charles Zoning Ordinance. It does not fully meet the ordinance requirements for parking which requires 6 parking spaces.

The Cape Charles Comprehensive Plan Section III.2.1.1. recognizes that the Commercial District is a mix of small-scale, mixed-use buildings characterized by retail, office, restaurant, educational, civic and entertainment uses on the street level, with residential uses on upper floors. Section III-A.5.1.3 has stated an overall policy to promote the mixed use as the preferred form of development in the Commercial District, specifically allowing residential and retail/commercial uses within the same building.

The renovation of this building through the addition of five residential dwelling units on the second floor and the commercial usage on the first floor is complementary to the district and provides a residential dwelling opportunity in space that was previously underutilized, and it would be harmonious within the main commercial district. All exterior proposed improvements are subject to Historic District Review Board approval and obtaining a building permit for all proposed work to the interior and exterior work as required by the Building Code and Town Ordinances.

Staff finds that the application for a Conditional Use Permit pursuant to Section 3.6 (C) for a residential dwelling unit above commercial usage meets the provision that the entrance for the 5 residential dwelling units have direct access to the street level and not be through the commercial use; however, the parking requirements are not in compliance with the ordinance which would require 6 parking spaces and the applicant has shown the provision of 3 parking spaces on-site but has not been able to provide a solution for the other 3 parking spaces.

I have spoken with the applicant about the possibility of trying to secure a shared parking arrangement through recorded easements or even consideration of a remote parking location outside of the immediate downtown area, but this matter has not been resolved. Meeting the parking requirement for residential units above the first floor of commercially zoned properties in the C-1 Zoning District is a significant impediment to this type of redevelopment application. In the absence of any shared parking agreement to provide the 3 additional required parking spaces, the applicant would need to petition the Board of Zoning Appeals for a variance from the parking requirements and receive favorable consideration in order – this would need to be a condition to any consideration of this Conditional Use Permit application.

Staff acknowledges that additional issues or comments may arise through the public hearing on this matter and request that the Planning Commission consider said issues and/or comments as part of their deliberations.

RECOMMENDED ACTION FOR PLANNING COMMISSION:

Staff is prepared to assist the Planning Commission in the development of any motions regarding the Conditional Use Permit to Town Council.

Attachments:

Attachment 1 – CUP Application Packet



CONDITIONAL USE PERMIT APPLICATION

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036 Fax: 757-331-4820
planner@capecharles.org

CONDITIONAL USE PERMIT CHECKLIST - all documents can be emailed to the above email

- ☐ Completed application (if applicable, attach accessory dwelling checklist and documents)
- ☐ Letter of intent clearly explaining project
- ☐ Existing site plan or survey
- ☐ Proposed site plan or survey (if applicable)
- ☒ Names and addresses of adjacent property owners
- ☐ Payment of Fees (single-family detached residential \$600; all other \$800)

PROJECT INFORMATION

Name of Project: _____
Property Address: 219 Mason Ave Cape Charles Va
Brief Description of Project: Commercial 1st Floor Residential 2nd Floor
Zoning District: TCC Current Use: Commercial Proposed Use: Mixed
C1 Commercial/Residential

OWNER INFORMATION

Name and Company: Paul G Watson III William D Watson
Mailing Address: 225 mason Ave Cape Charles Va 23310
Phone Number: _____ Email: _____

APPLICANT INFORMATION

☐ check here if applicant is owner

Name: Todd A. Bucken
Mailing Address: 4090 Della Drive Westminster Md 21157
Phone Number: 3014180786 Email: CHARCHEF@MINDSPRING.COM

CERTIFICATION OF APPLICANT

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.

Signature of Applicant: Todd A. Bucken Date: 07/29/2021

Conditional Use Permit - Accessory Dwelling Unit Checklist

Date: _____

Address: _____

The following criteria are required for one accessory dwelling to be maintained on a property in the R-E, R-1, R-2, and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3:

1. Is the accessory dwelling unit located in an accessory building? YES ☐ NO ☐
2. Does the accessory dwelling floor area exceed of forty-five (45) percent of the floor area of the main building? YES ☐ NO ☐ Accessory Dwelling Unit square footage _____
3. Does the accessory dwelling have one kitchen and one bathroom? YES ☐ NO ☐
4. Does the accessory building/dwelling differentiate from the single-family dwelling? YES ☐ NO ☐

The following conditions must be maintained for an accessory dwelling unit on a property in the R-E, R-1, R-2, and CR zoning districts, contingent upon approval as a conditional use in accordance with Section 4.3:

1. Occupancy characteristics.
 - a. Length of stay – No accessory dwelling unit shall be occupied by any person or persons, whether paying a fee for such occupancy or not, for a period less than thirty (30) consecutive calendar days. Upon request from any building, zoning, finance, or public safety official acting on behalf of the Town of Cape Charles the owner of the subject lot of record upon which the accessory dwelling unit sits shall provide occupancy documentation and/or information as requested, either verbally or in writing. Failure to do so may result in the revocation by the Cape Charles Town Council of the conditional use status for the accessory dwelling unit according to Section 4.3.F.
 - b. Inspections – All accessory dwelling units shall be inspected annually not later than fifteen (15) days from the anniversary date of the conditional use permit being approved by Town Council.
2. Other requirements.
 - a. Accessory dwellings located in accessory buildings may have a separate water meter from the principal dwelling.
 - b. The lot on which an accessory dwelling is located shall have the required minimum lot area for the district in which it is located.
 - c. Parking shall be considered on a case-by-case basis as part of the conditional use permit application process, ensuring adherence to Section 4.5.1.C.6. (Table of Parking Standards) using both on and off-street parking areas.
 - d. Exterior elevations shall also be approved by the Historic District Review Board when required by Article VIII, Historic Overlay.

CERTIFICATION OF APPLICANT

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. I am providing authorization to the town authorities to enter my properties to confirm accuracy of information contained in this application.

Signature of Owner: _____

William D Watson

8/17/2021 6:45:11 AM EDT

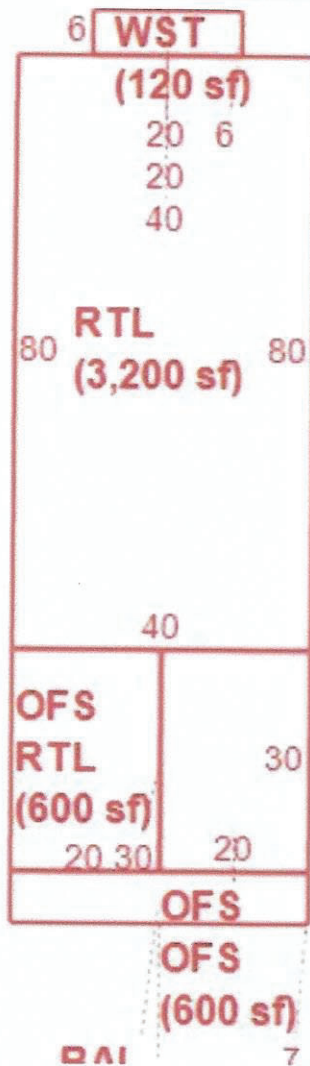
Paul G Watson III

8/17/2021 6:45:34 AM EDT

Signature of Applicant: _____

Todd A. Bricken

8/16/2021 6:32:06 PM EDT

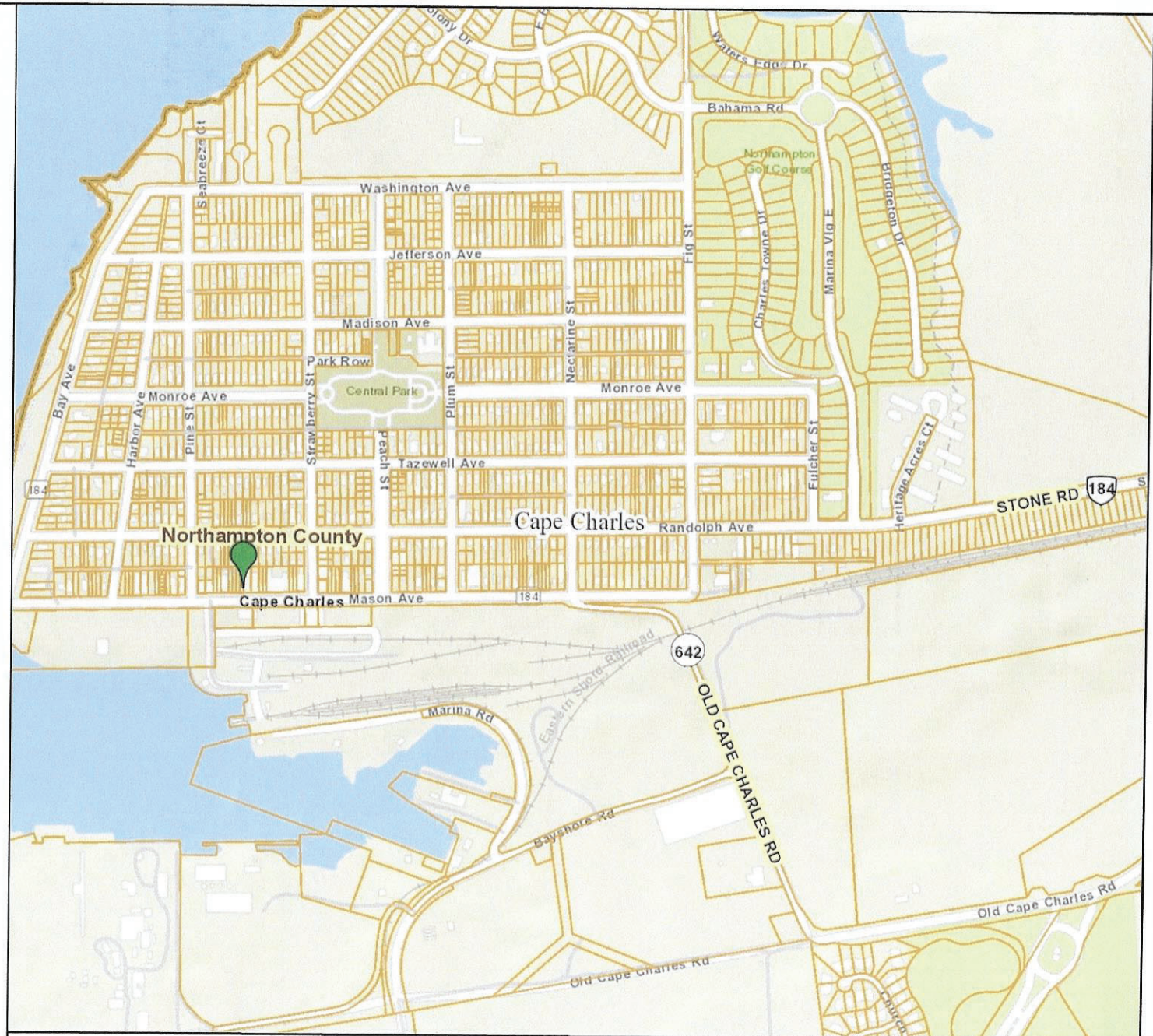


Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAL	Balcony - 1.00	280	0
OFS	Office - Standard - 1.00	1,800	0
RTL	Retail - 1.00	3,800	0
WST	Warehouse Storage - 1.00	120	0
		6,000	0

Northampton County, Virginia

Legend

- County Boundaries
- Town Names
- Route Numbers
- Road Labels
- Parcels
- Driveways



Map Printed from Northampton
<https://parcelviewer.geodecisions.com/Northampton/>

Feet
0 200 400 600 800
1:9,028 / 1"=752 Feet

Title:

Date: 7/28/2021

DISCLAIMER: This drawing is neither a legally recorded map nor a survey and is not intended to be used as such. The information displayed is a compilation of records, information, and data obtained from various sources, and Northampton County is not responsible for its accuracy or how current it may be.



OWNER PERMISSION AFFIDAVIT

Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036 Fax: 757-331-4820
planningtech@capecharles.org

PROPERTY INFORMATION

Subject Property Street Address: 219 Mason Ave, Cape Charles, VA 23310
Subject Property Tax ID Number: 83A3-1-631

OWNER INFORMATION

Name (Person, Firm, Corporation, or Agency): Paul G Watson III & William D Watson
Mailing Address: PO BOX 5 CAPE CHARLES VA 23310
Phone Number: 757-695-2779 Email: CHIP@CAPECHARLES.COM
&SANDYSHOESCOTTAGE@YAHOO.COM

APPLICANT INFORMATION (If applicable)

Name: Todd A. Bricken
Mailing Address: 4090 Della Dr. WESTMINSTER, Maryland 21157
Phone Number: 301-418-0786 Email: charchef@mindspring.com

I am applying for, or I hereby give authority to the applicant to file an application for:

Conditional Use Permit

Signature of Owner: Paul G Watson III Date: 08/17/2021
8/17/2021 6:45:33 AM EDT

William D Watson 08/17/2021
8/17/2021 6:45:09 AM EDT

Commonwealth of Virginia

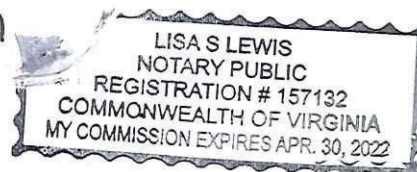
County of Northampton

The foregoing instrument was acknowledged before me this 17 day of August,
2021, by Paul G Watson III (name of person acknowledged).

Signature of Notarial Officer: Lisa S Lewis

Notary Registration Number: 157132

My Commission Expires: 4/30/2022



(Seal)

Town of Cape Charles Planning & Zoning Department
2 Plum St. • Cape Charles, VA 23310 • 757-331-2036 • capecharles.org

From: [Bill Ellison](#)
To: [Katie Nunez](#); [charchef](#)
Subject: Fw: Initial Drawings - 219 Mason Avenue
Date: Thursday, September 2, 2021 2:51:29 PM
Attachments: [Bricken - Cape Charles 8-31-21.pdf](#)

Good Afternoon Katie,

At the request of Tood Bricken, I'm forwarding our current concept drawings for 219 Mason Avenue:

- Ex-1 Existing Conditions Plan
- A1.1 - Proposed Improvement Plans
- A1.2 - Enlargement of Apartment Area

You'll see that we are intending to expand the existing second-floor-front to establish three (3) loft style (short term rental) apartments and one separate second-floor-apartment in the rear.

The first floor could be either one or two separate commercial tenants as illustrated; the larger one being well suited for a potential restaurant, brewery, etc.; exploiting a large portion of the existing large and tall room; leaving a small single-exit retail space. Or, the first floor space could be readily demised as two more equitably sized spaces, each with a second exit at the rear.

We are continuing to work on some alternate concepts including the expansion of the rear unit to have a loft-type bedroom (still at the second floor); and another concept that would provide two separate apartments at the rear (giving up the rest of the high ceiling in the commercial space.

In summary we see establishing 4 residential units; (with the possibility of a fifth)....
Please feel free to contact me with any questions, comments or concerns.

Best Regards,

Bill Ellison

President - Caddworks, Inc.
Principle - Ellison & Benjamin Architecture
301-695-9121 ext.21
<http://www.caddworks.net>

From: Bill Ellison <bellison@caddworks.net>

Sent: Tuesday, August 31, 2021 5:35 PM
To: todd <charchef@mindspring.com>
Subject: Initial Drawings - 219 Mason Avenue

Todd,
See attached; my initial drawing and design concept.

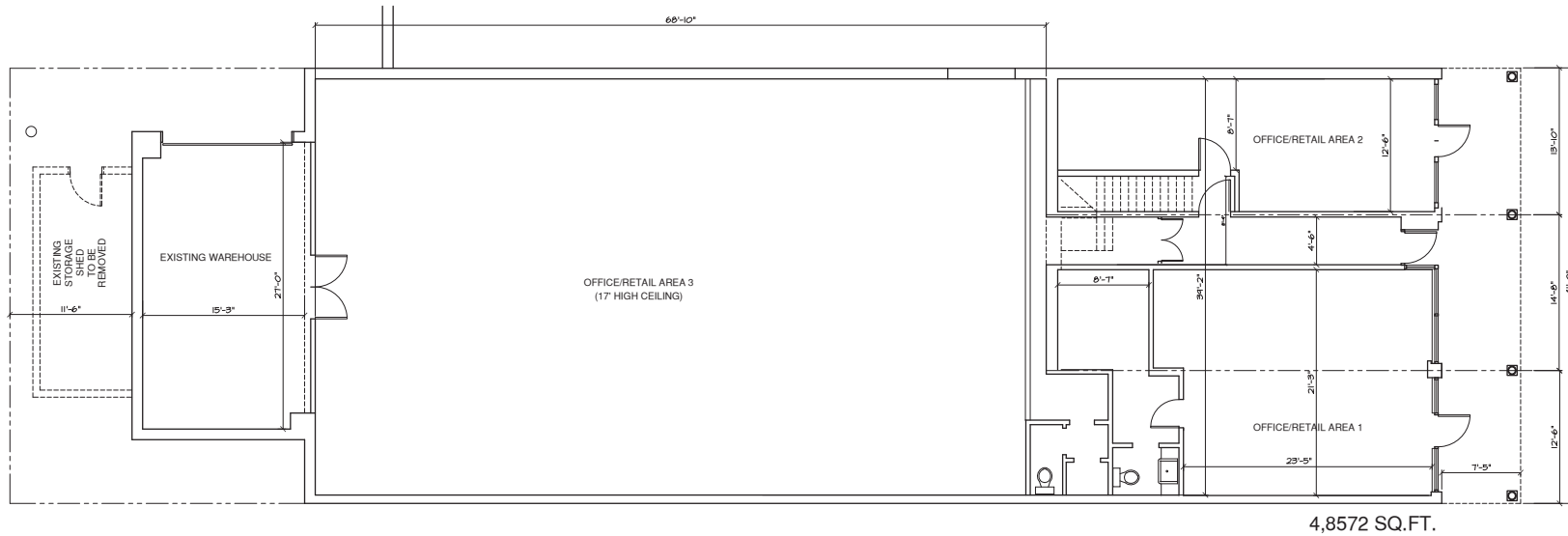
- Ex-1 Existing Conditions Plan
- A1.1 - Proposed Improvement Plans
- A1.2 - Enlargement of Apartment Area

I'll look forward to discussing these layouts; along with other possible scenarios.
Hope you're pleased with the initial effort.

Best Regards,
Bill

Bill Ellison

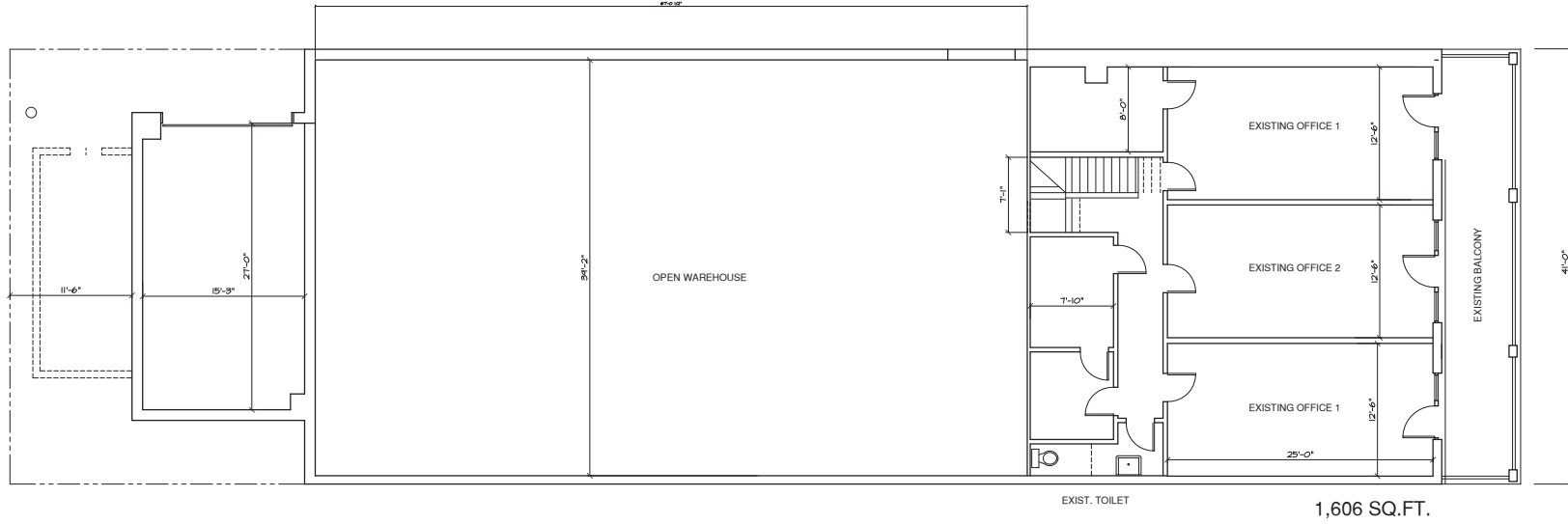
President - Caddworks, Inc.
301-695-9121 ext.21
<http://www.caddworks.net>



FIRST FLOOR PLAN

EXISTING CONDITIONS

SCALE: 1/8"=1'-0"



SECOND FLOOR PLAN

EXISTING CONDITIONS

SCALE: 1/8"=1'-0"

PROPOSED RENOVATION

219 MASON AVENUE

CAPE CHARLES, VIRGINIA

TODD & LILIANA BRICKEN

SHEET NO.
EX1

PROJ. NO.: 558-03

SUBMITTALS

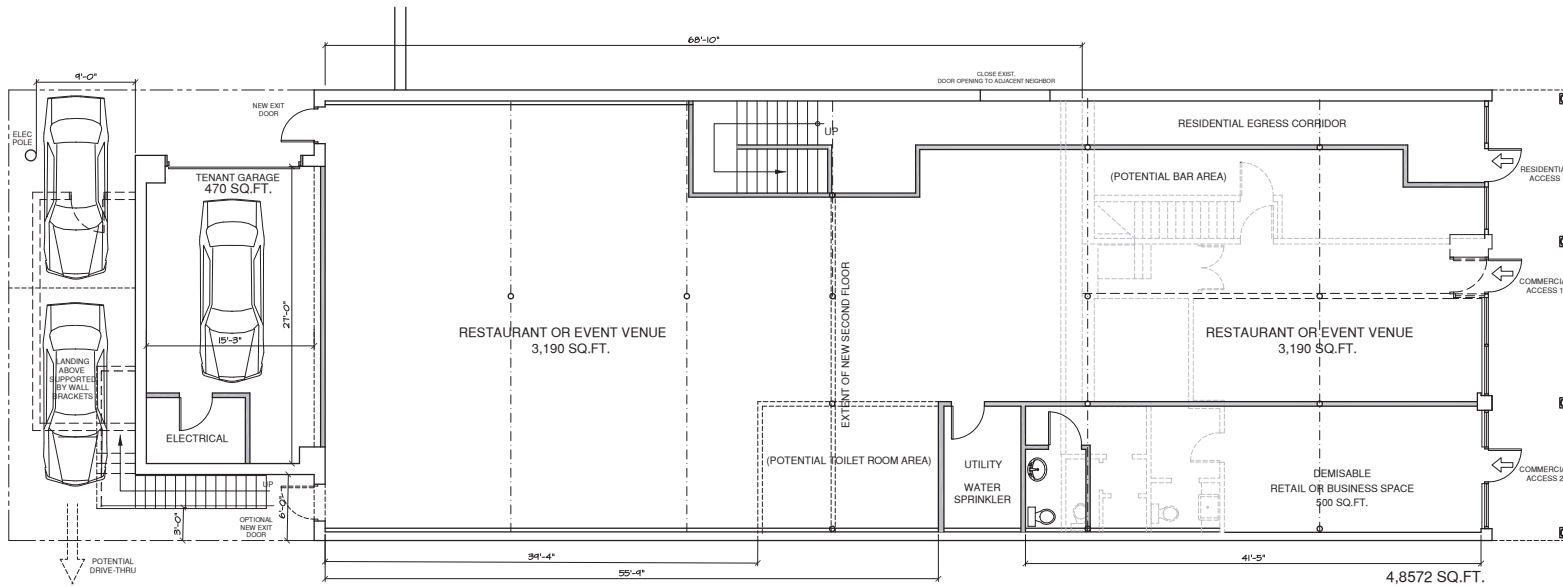
ISSUE	DATE	DRAWN BY	REMARKS
1	8-21-21	PHE	EXIST. CONDITIONS AND CONCEPT DINGS
2	8-24-21	PHE	SCHEME 2
3	10-21-21	PHE	PARKING OPTION - THIRD SPACE



RESIDENTIAL DESIGN

332 WEST PATRICK STREET / FREDERICK, MD / 20701
(V) 301.495.9721 (E) DESIGN@CADDWORKS.NET
(F) 301.495.4648 (W) WWW.CADDWORKS.NET

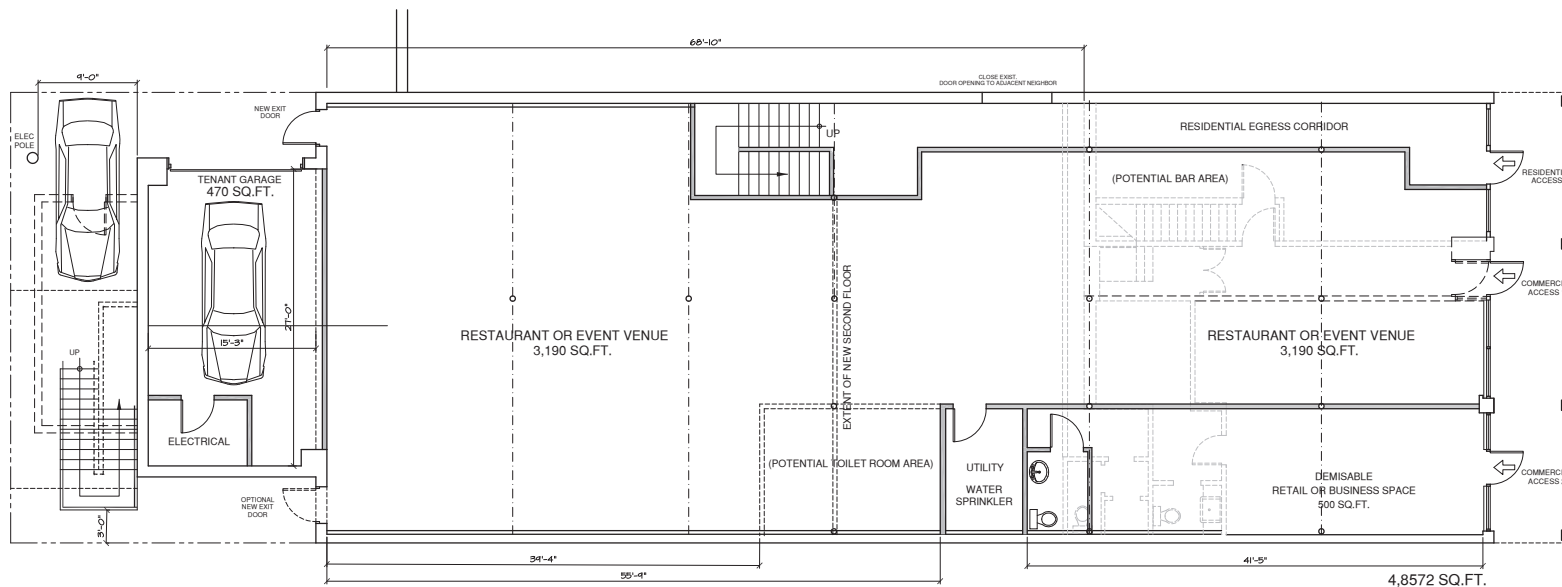
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FIRST FLOOR PLAN - SCHEME 2A

PROPOSED IMPROVEMENTS
THIRD PARKING SPACE

SCALE: 1/8"=1'-0"



FIRST FLOOR PLAN - SCHEME 2

PROPOSED IMPROVEMENTS

SCALE: 1/8"=1'-0"



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SUBMITTALS

ISSUE	DATE	DRAWN BY	REMARKS
1	8-21-21	PHE	EXIST. CONDITIONS AND CONCEPT DRWG
2	9-24-21	PHE	SCHEME 2
3	10-21-21	PHE	PARKING OPTION - THIRD SPACE

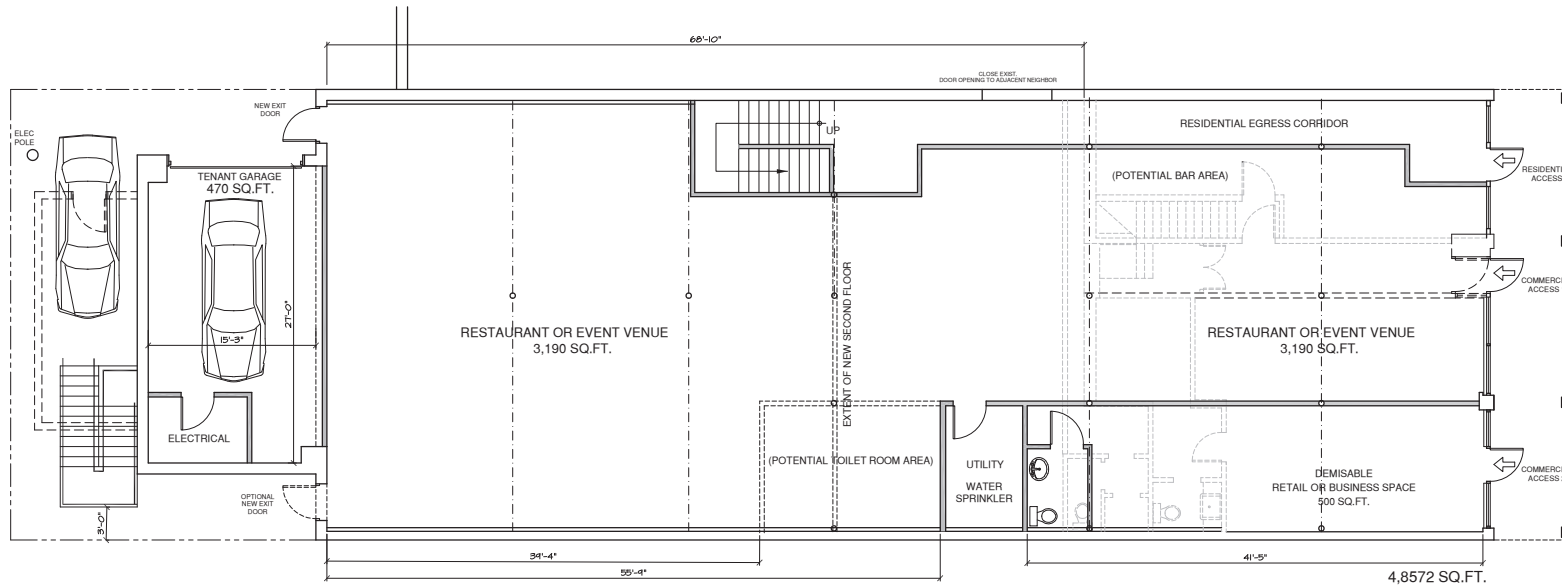
SCHEME 2 PROPOSED RENOVATIONS

PROPOSED RENOVATION
219 MASON AVENUE
CAPE CHARLES, VIRGINIA
TODD & LILIANA BRICKEN

SHEET NO.

A-1.2

PROJ. NO.: 558-03



FIRST FLOOR PLAN - SCHEME 2

PROPOSED IMPROVEMENTS

SCALE: 1/8"=1'-0"

PROPOSED RENOVATION

219 MASON AVENUE

CAPE CHARLES, VIRGINIA

TODD & LILIANA BRICKEN

SHEET NO.

A-1.2

PROJ. NO.: 558-03

SUBMITTALS

ISSUE DATE	DRAWN BY	REMARKS
8-21-21	MJE	EXIST. CONDITIONS AND CONCEPT DYNOS
8-24-21	MJE	SCHEME 2



RESIDENTIAL DESIGN

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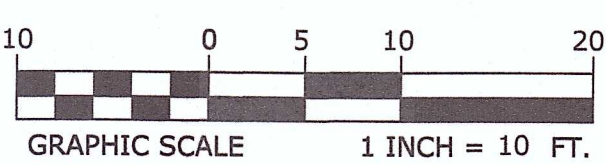
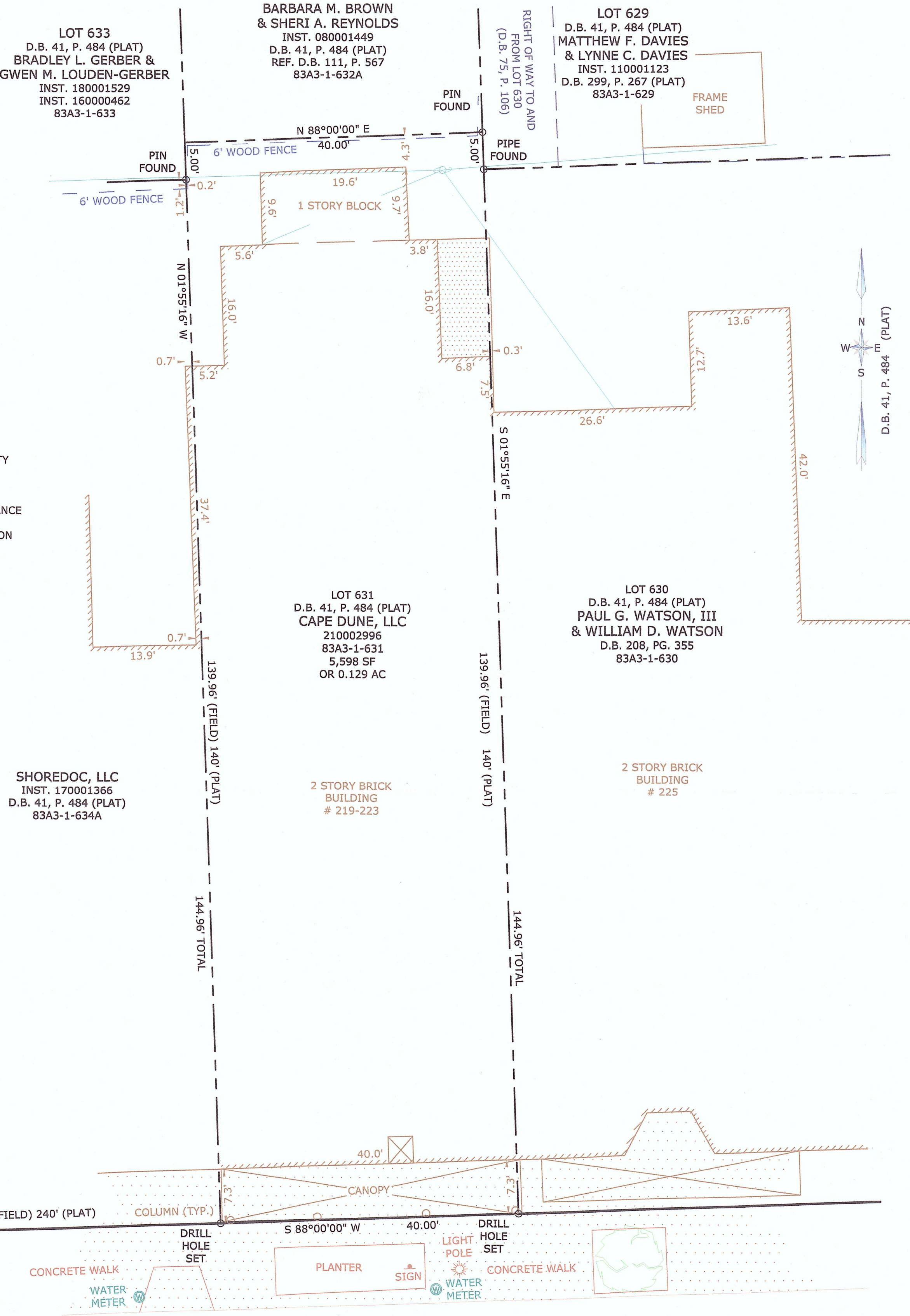
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SURVEYORS CERTIFICATION
I, CRAIG P. CROCKETT, A LICENSED LAND SURVEYOR, HEREBY CERTIFY THAT THIS PLAT WAS MADE BY ME AT THE REQUEST OF THE OWNERS AND THAT THIS SURVEY IS ENTIRELY WITHIN THE BOUNDARIES OF LAND COVERED BY THE DEED DESCRIBED HEREON AND THAT MONUMENTATION IS ACTUALLY IN PLACE OR WILL BE SET AT POINTS MARKED AS SHOWN HEREON AND THAT THEIR LOCATIONS ARE CORRECTLY SHOWN. THIS SURVEY IS CORRECT AND COMPLIES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS, AND LANDSCAPE ARCHITECTS. THIS PLAT IS BASED ON A CURRENT FIELD SURVEY.

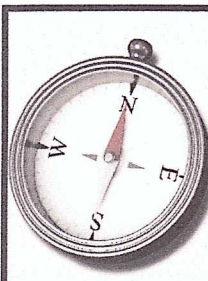
- GENERAL NOTES:**
- 1. OWNERS: CAPE DUNE, LLC.
 - 2. SOURCE OF TITLE: INST. 210002996
 - 3. TAX PARCEL: 83A3-1-631
 - 4. A SURVEY WAS PERFORMED ON THIS PROPERTY ON SEPTEMBER 8, 2021.
 - 5. ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (F.E.M.A.) FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 51131C295F, DATED 03-02-15, THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE X.
 - 6. PLAT REFERENCES:
D.B. 41, P. 484 (PLAT)
INST. 160000442 (PLAT)
D.B. 299, P. 267 (PLAT)
 - 7. AREA: 5,798 SQ. FT. (0.129 AC.)



APPROVED

DIRECTOR OF PLANNING
CAPE CHARLES, VA. DATE

SURVEY OF
LOT 631
MAP OF THE TOWN OF
CAPE CHARLES
CAPEVILLE DISTRICT
NORTHAMPTON COUNTY, VIRGINIA
MADE FOR
CAPE DUNE, LLC
SCALE: 1" = 10' DECEMBER 1, 2021



POINT NORTH
POINT NORTH SURVEYING LLC
P.O. Box 701, (757) 709-3008
Onley, VA. 23418 pointnorthsurveying@gmail.com
DRAWN BY: CROCKETT FIELD BOOK: FILE COPY
BACK TRAV: CROCKETT PROJ. NO: 21160

Proposed Site Plan w/ Parking Behind Building

SURVEYORS CERTIFICATION

I, CRAIG P. CROCKETT, A LICENSED LAND SURVEYOR, HEREBY CERTIFY THAT THIS PLAT WAS MADE BY ME AT THE REQUEST OF THE OWNERS AND THAT THIS SURVEY IS ENTIRELY WITHIN THE BOUNDARIES OF LAND COVERED BY THE DEED DESCRIBED HEREON AND THAT MONUMENTATION IS ACTUALLY IN PLACE OR WILL BE SET AT POINTS MARKED AS SHOWN HEREON AND THAT THEIR LOCATIONS ARE CORRECTLY SHOWN. THIS SURVEY IS CORRECT AND COMPLIES WITH THE MINIMUM PROCEDURES AND STANDARDS ESTABLISHED BY THE VIRGINIA BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, LAND SURVEYORS, CERTIFIED INTERIOR DESIGNERS, AND LANDSCAPE ARCHITECTS. THIS PLAT IS BASED ON A CURRENT FIELD SURVEY.

GENERAL NOTES:

- OWNERS: CAPE DUNE, LLC
- SOURCE OF TITLE: INST. 210002996
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- PLAT REFERENCES:
D.B. 41, P. 484 (PLAT)
INST. 160000442 (PLAT)
D.B. 299, P. 267 (PLAT)
- AREA: 5,798 SQ. FT. (0.129 AC.)
- PARKING SPACES SHOWN THUS "1" ARE MINIMUM 8.5' X 18'.

LOT 633
D.B. 41, P. 484 (PLAT)
BRADLEY L. GERBER &
GWEN M. LOUDEN-GERBER
INST. 180001529
INST. 160000462
83A3-1-633

BARBARA M. BROWN
& SHERI A. REYNOLDS
INST. 080001449
D.B. 41, P. 484 (PLAT)
REF. D.B. 111, P. 567
83A3-1-632A

LOT 629
D.B. 41, P. 484 (PLAT)
MATTHEW F. DAVIES
& LYNNE C. DAVIES
INST. 110001123
D.B. 299, P. 267 (PLAT)
83A3-1-629

SHOREDOC, LLC
INST. 170001366
D.B. 41, P. 484 (PLAT)
83A3-1-634A

LOT 631
D.B. 41, P. 484 (PLAT)
CAPE DUNE, LLC
INST. 210002996
83A3-1-631
5,598 SF
OR 0.129 AC

LOT 630
D.B. 41, P. 484 (PLAT)
PAUL G. WATSON, III
& WILLIAM D. WATSON
D.B. 208, PG. 355
83A3-1-630

2 STORY BRICK
BUILDING
219-223

2 STORY BRICK
BUILDING
225

PINE STREET (70' R/W)

MASON AVENUE (70' R/W)

SURVEY OF
LOT 631

MAP OF THE TOWN OF
CAPE CHARLES

CAPEVILLE DISTRICT
NORTHAMPTON COUNTY, VIRGINIA
MADE FOR
CAPE DUNE, LLC

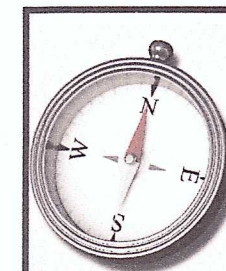
SCALE: 1" = 10' DECEMBER 1, 2021

APPROVED

DIRECTOR OF PLANNING
CAPE CHARLES, VA.

DATE

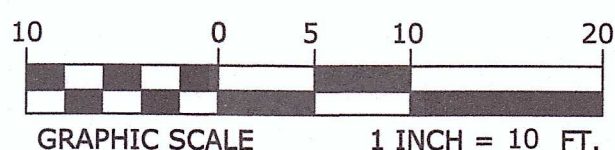
REVISED DECEMBER 1, 2021
TO SHOW PARKING SPACES



POINT NORTH SURVEYING LLC

P.O. Box 701, (757) 709-3008
Onley, VA. 23418 pointnorthsurveying@gmail.com

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BACK TRAV: CROCKETT PROJ. NO: 21160



 TOWN OF CAPE CHARLES	AGENDA TITLE: Reappointment of Harbor Area Review Board Member		AGENDA DATE: December 16, 2021
	SUBJECT/PROPOSAL/REQUEST: Reappointment of a member to the Harbor Area Review Board		ITEM NUMBER: 8H
	ATTACHMENTS: None		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Libby Hume	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

The Harbor Area Review Board oversees the Town's Historic Harbor Area Overlay District. The Board reviews applications for Certificates of Appropriateness (COA) for construction, reconstruction, substantial exterior alternation, razing or relocation within the Historic Harbor Area Overlay District, and makes recommendation to the Town Council for approval or denial of a COA. The Board meets as needed and consists of three citizen members each serving five-year terms, along with representatives from the Town Council, Planning Commission and Historic District Review Board.

DISCUSSION:

Mr. Stuart Smith currently serves on the Harbor Area Review Board and his term is due to expire on December 20, 2021. Mr. Smith expressed his interest in continuing his service on the Board for another term.

RECOMMENDATION:

Staff requests Council discussion and, if deemed appropriate, reappointment of Mr. Stuart Smith to the Harbor Area Review Board for another term.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Architectural Services Contract Amendments		AGENDA DATE December 16, 2021
	SUBJECT/PROPOSAL/REQUEST: Authorize two contract amendments.		ITEM NUMBER: 8I
	ATTACHMENTS: None.		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): Bob Panek, Project Manager	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

At the September 16 meeting, Council authorized a contract with HBA initially in the amount of \$41,509 for Phase 1 architectural services (analysis of alternatives) for future office space, and up to \$45,000 to accommodate addition of a wetlands delineation and Phase 1 Environmental Site Assessment (ESA) for the potential construction site on Cassatt Parkway. Additionally, Council requested that a fee proposal be obtained from HBA to add the library function into the analysis. The FY 2022 budget includes \$130,000 for the project, with \$45,000 earmarked for the analysis of alternatives.

DISCUSSION:

HBA is making substantial progress on the space needs assessment and the Municipal and Library building condition assessments.

We have been working with HBA and their proposed sub-consultant, MSA, to scope the environmental assessment work needed at the potential construction site. A Phase 1 ESA will not be necessary as we have learned enough about the prior use of that land and the surrounding area. Instead, MSA recommends soil and water sampling to determine if there is any significant contamination from the adjacent former dump site. Additionally, the VDOT survey for construction of Cassatt Parkway contains a non-tidal wetlands delineation for the low area along the right-of-way. Consequently, MSA recommends only a wetlands assessment for the remaining portion of the site. The total fee for this environmental assessment would be \$5,040. This would bring the contract value to \$46,549, or \$1,549 over the \$45,000 authorized.

Additionally, HBA has a proposed a fee of \$1,948 to add the library function to the Phase 1 scope of work.

The total of this additional work would exceed the \$45,000 contemplated for Phase 1 by \$3,497. There is sufficient funding budgeted for the project to accommodate this.

RECOMMENDATION:

Staff recommends that Council authorize the following amendments to the HBA contract:

1. \$5,040 for an environmental assessment of the potential construction site.
2. \$1,948 to add the library function to Phase 1.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Placement of Civil War Trail Interpretive Sign		AGENDA DATE December 16, 2021
	SUBJECT/PROPOSAL/REQUEST: Approve Placement of Civil War Trail Interpretive Sign		ITEM NUMBER: 8J
	ATTACHMENTS: N/A		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): John Hozey, Town Manager	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

Civil War Trails® has been working with communities since 1994 to share their stories and connect visitors with small towns and big stories across a network that now spans six states. Travelers look to Trails to put them in the footsteps of the generals, soldiers, citizens, and the enslaved who found themselves in the midst of this Civil War.

ITEM SPECIFICS:

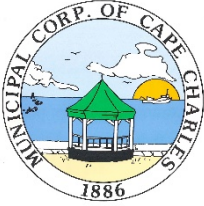
The Town was recently contacted about joining the Civil War Trail by approving the placement of an interpretive sign depicting the life and contributions of Peter Jacob Carter. Peter Jacob Carter was enslaved in Northampton County before self-emancipating and then serving with the 10th 'United States Colored Troops' during the War. After the war he would go on to serve the County as their Delegate to the House of Delegates, as well as being the keeper for the old Cherrystone lighthouse (which is what would provide the nexus for installing a sign in Cape Charles). It is likely that some of Peter Jacob Carter's descendants might still be in the County.

All these signs must be located at historically significant sites, or at a location where such sites could be viewed. Therefore, this sign must be placed in an area where the original Cherrystone lighthouse site could be viewed. This limits the location to somewhere in the area of Bay and Washington Aves. The current plan would be to install it along the Boardwalk on Bay Ave, as far north as is practicable.

There is no cost to the Town for either the initial installation of this sign, or ongoing maintenance. The Civil War Trails organization and associated donors/sponsors will cover all costs. If the Town were to ever renovate that area of the Boardwalk/Beach, the Civil War Trails organization would move the sign to whatever new location we choose (as long as the Cherrystone lighthouse site could still be viewed).

RECOMMENDATION:

Staff recommends approval of the placement of a Civil War Trails interpretive sign in the area of Bay and Washington Avenues.

 TOWN OF CAPE CHARLES	AGENDA TITLE: Approval of Contract for Comprehensive Plan and Zoning Update Consultant		AGENDA DATE December 16, 2021
	SUBJECT/PROPOSAL/REQUEST: Approve Contract for Comprehensive Plan and Zoning Update Consultant		ITEM NUMBER: 8K
	ATTACHMENTS: Professional Services Proposal		FOR COUNCIL: Action (X) Information ()
	STAFF CONTACT (s): John Hozey, Town Manager	REVIEWED BY: John Hozey, Town Manager	

BACKGROUND:

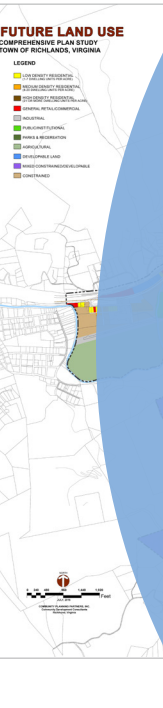
On October 8, 2021 the Town issued a Request for Proposals to solicit consultant help for a two phased project. Phase I of this project was to assist with finishing the work already begun by the Planning Commission to complete our Comprehensive Plan update. Phase II was to then use the new Comp Plan to conduct a complete review and update of all the Town's zoning ordinances.

ITEM SPECIFICS:

On November 19, 2021 the Town received three proposals. An evaluation team was formed consisting of Bill Stramm (Planning Commission Chair), Paul Grossman (Councilmember and PC Commissioner), Katie Nunez (Zoning Administrator), and myself. This group reviewed the proposals and met to develop a recommendation. These team members unanimously choose Summit Design and Engineering Services (Summit) for this project. While the other two proposals represented qualified companies, the team felt Summit did the best job of understanding the work already done and how to carry that forward in an efficient way. The team was also impressed with the types of recent similar work completed by this company. While this proposal represented an efficient way forward, it is still projected to take approximately 12 months to complete the full scope of work. Note: there is sufficient funding budgeted for this project to cover the work anticipated for the balance of this fiscal year. Work done next fiscal year will be reappropriated or added to the FY23 budget and authorized for this contract by Council at that time.

RECOMMENDATION:

Staff recommends authorizing the Town Manager to sign an agreement for professional services with Summit Design and Engineering Services in an amount of \$61,275, for Comprehensive Plan and Zoning Ordinances Updates.



TOWN OF CAPE CHARLES, VIRGINIA REQUEST FOR PROPOSALS FOR COMPREHENSIVE PLAN & ZONING UPDATES

NOVEMBER 19, 2021

PREPARED BY:



SUMMIT
DESIGN AND ENGINEERING SERVICES

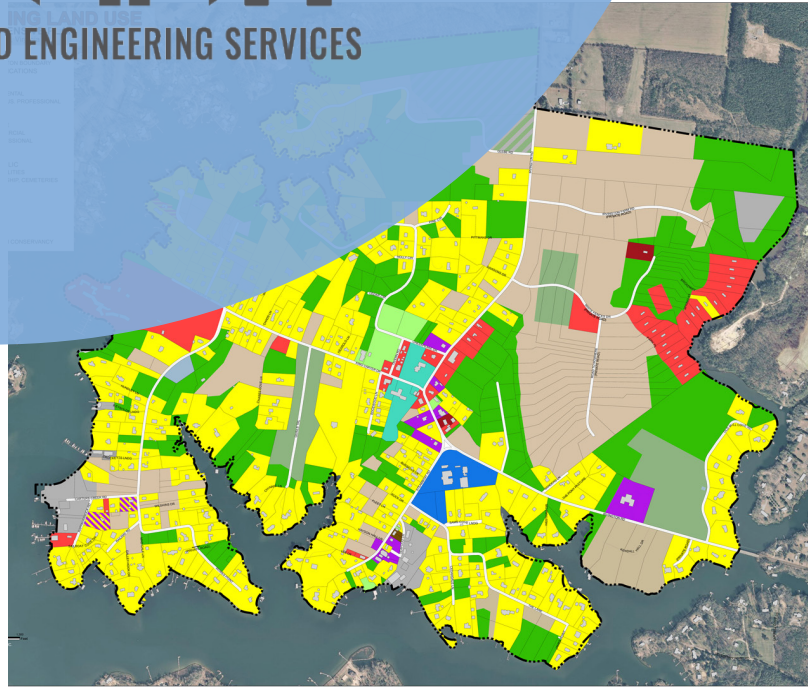


TABLE OF CONTENTS

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November 19, 2021

Mr. John Hozey
2 Plum Street
Cape Charles, Virginia 23310

Subject: Request for Proposals, Comprehensive Plan & Zoning Update Consulting Services

Dear Mr. Hozey,

Thank you for this opportunity to submit our qualifications for the Cape Charles Comprehensive Plan and Zoning Updates. I believe you will find Summit Design and Engineering Services, PLLC (Summit) eminently qualified to provide the services described in the RFP.

There is something incredibly compelling about the honesty and thoughtfulness with which this RFP was written. Equally compelling and impressive is the way that the Planning Commission has remained engaged in the planning process and moved the ball forward even in the face of COVID-19 and staff changes.

COVID-19 has been difficult in myriad ways, and we are well aware of the negative effects it has had on engagement in long-term planning, so we applaud the Town's diligence and tenacity.

We would love to help you complete your comprehensive plan and make the subsequent changes to your zoning ordinance to implement the plan. The amount of engagement already completed and the obvious investment by the Planning Commission ensures that the end results will be a powerful plan and zoning ordinance that will shape the Town's future.

Summit's planning team brings a wealth of experience working in Virginia, with over 60 years of combined planning experience. We are committed to working with communities to plan for themselves, combining extensive stakeholder engagement with data- and geographic-analysis to create plans that are reflective of each individual community. In updating the comprehensive plan, Cape Charles has already started to take stock of current conditions and make proactive

decisions regarding land use, economic development, and the prioritizing of limited resources. We are committed to developing plans that are both visionary and fully implementable.

Summit's planning team is well-versed in many services, including:

- // preparing comprehensive and master plans
- // community engagement
- // economic analysis
- // zoning ordinance amendments
- // hazard mitigation
- // transportation planning
- // affordable housing
- // project planning
- // general planning

Our Planning Department is known for our public participation processes as well as our GIS and mapping capabilities, producing maps and other planning documents that are informative and useful to staff and residents alike.

Our forte has always been small to medium-sized counties, cities, and towns, with work ranging from comprehensive planning to feasibility studies and grants management. Summit has significant experience working in historic communities that are seeking to maintain their historic character while simultaneously laying the framework for a vibrant future. Our planners enjoy hearing from community residents and stakeholders and believe their input is integral to the planning process. They combine strategic thinking with practical knowledge of planning processes and local government realities to create planning documents used as guides for decision-making to attain the desired vision of the community's future.

Anne Darby, AICP, Planning Department Manager, will serve as the point of contact and the Project Manager, taking leadership of the overall process and playing a major role in community engagement and developing goals, objectives, strategies, and various elements of the Plan.

Even outside the expertise offered by the project team, Summit offers an advantage in the diversity of our staff, ranging over six states and comprised of

engineers, architects, cost estimators and construction managers, who can easily be consulted for an even more realistic and implementable plan.

You will find a scope of work on page 14 which adapts a traditional planning process to incorporate the work you have already done. If selected to complete this work, our team will work with Town staff to adjust the details of the scope as desired.

We look forward to the opportunity of an interview and potentially working with Cape Charles on this important project.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Anne Darby', with a stylized flourish at the end.

Anne Darby, AICP
Planning Department Manager

QUALIFICATIONS



NORTH CAROLINA

// Hillsborough
// Raleigh
// Pittsboro
// Fayetteville
// Wilmington
// Asheville
// Indian Trail

WEST VIRGINIA

// Fairmont

SOUTH CAROLINA

// Fort Mill

FLORIDA

// St. Petersburg

COLORADO

// Westminster

VIRGINIA

// South Boston
// Richmond
// Franklin

350

EMPLOYEES AT SUMMIT

8

YEARS IN BUSINESS UNDER CURRENT NAME

14

OFFICE LOCATIONS

1997

YEAR ESTABLISHED

14

DIVERSE SERVICES

It is verified that the Summit staff listed in this proposal have the availability and capability to begin and complete the tasks necessary to deliver the finished Comprehensive Plan within the time frames indicated by the Town of Cape Charles.

We have the depth of expertise and the agility to respond to any type or size of project. Our team has the history and successful past performance on similar types of contracts and projects. Our planning staff works on Comprehensive Plans, CDBG projects, FEMA funded HMGP projects and other planning projects across Virginia. Our current workload will allow us to come along side you and your staff to bring your project's goals to fruition. Our philosophy and project approach have been tested and refined on many successful projects.

We know what it means to stay within budget and schedule parameters. Our recent experience has kept us up-to-date

with best practices and new technologies. We are proud of our accomplishments and our record of avoiding major legal and technical problems. Summit understands the importance of finishing projects and selecting us will allow you to sleep at night knowing your project is in capable hands.

PROJECT MANAGER/PRIMARY CONTACT

Anne Darby, AICP
2201 W. Broad Street, Suite 204
Richmond, VA 23220
Phone: 804-204-1022
anne.darby@summitde.net

QUALIFICATIONS



ANNE DARBY, AICP PROJECT MANAGER

Anne has extensive planning experience gained over thirteen years as a planner, most of which were in regional and local government. Her expertise ranges from comprehensive, corridor and small area plans, to plan implementation, local government processes and zoning. She has experience in transportation programming and regional project prioritization, as well as technical assistance planning to local governments. Anne holds a Master's in Urban and Regional Planning from VCU and is an AICP certified planner.

In her previous job as Planner III, Zoning Specialist with the City of Richmond, she focused primarily on large area rezonings based on adopted plans such as the Pulse Corridor Plan, including the rezoning of downtown neighborhoods and priority growth areas. She has a complex understanding of zoning and how to use that tool to accomplish land use goals, including creating Plan of Development Overlay districts based on design guidelines. She worked as staff on Richmond's recently-adopted comprehensive plan, Richmond 300: a Guide for Growth.

Previous to that, Anne spent nearly a decade working for the Richmond Regional Planning District Commission and the Richmond Area Metropolitan Planning Organization as a transportation and then land use planner, doing many small area plans for area local governments, such as a corridor study for Midlothian Turnpike and Belt Boulevard in Richmond City and the Charles City County Courthouse Area Plan. Anne is a Roanoke native and a graduate of the Virginia Natural Resources Leadership Institute. She is a firm believer in strong, community-led, data-driven plans to guide decision-making and to create great places.

EDUCATION

Master of Urban and Regional
Planning Virginia Commonwealth
University

PROFESSIONAL CERTIFICATION

American Institute of Certified
Planners

American Planning Association,
National & Virginia Chapter

YEARS OF EXPERIENCE

13

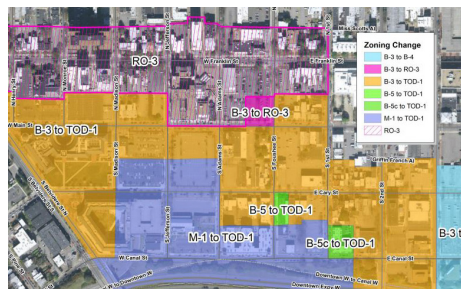
RELATED EXPERIENCE



CHARLES CITY COURTHOUSE AREA PLAN



TOWN OF SMITHFIELD COMPREHENSIVE PLAN



REZONING OF MONROE WARD 2019



TOWN OF CAPE CARTERET UNIFIED
DEVELOPMENT ORDINANCE PLAN

QUALIFICATIONS



MICHAEL STAPOR, AICP PLANNER II

Michael has three years of public-sector land use project management experience and additional time in academia. His expertise ranges from planning process and policymaking to urban design, placemaking, and place management both in the United States and internationally. He has provided input and graphics for comprehensive plans, developed design proposals, and presented before elected officials, among many other diverse experiences. He believes in taking a holistic approach to understand problems and help communities thrive. He holds Master's degrees in Urban and Regional Planning from Virginia Tech and in Urbanism Studies from Kungliga Tekniska Högskolan (KTH Royal Institute of Technology) and is an AICP certified planner.

EDUCATION

Master of Urban and Regional Planning, Virginia Tech

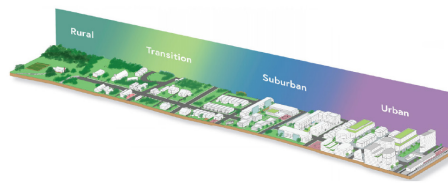
Master of Urbanism Studies, Kungliga Tekniska Högskolan

PROFESSIONAL CERTIFICATION

American Institute of Certified Planners

YEARS OF EXPERIENCE

3



LOUDOUN COUNTY PLACE TYPES



KÖPING SOFT INDUSTRIAL NEIGHBORHOOD



SARA ROZMUS PLANNER I

Prior to her position at Summit, Sara spent two years at the Richmond Regional Planning District Commission, now called PlanRVA. She worked on numerous regional transportation projects and served as a consultant for site specific locality projects. She served as the regional transportation advisor for the Staples Mill Amtrak station redesign and small area revitalization project. Her work shaped the scope of the station improvements and overall design and long-term goals for transit-oriented development in the area surrounding the station. As a regional planner, Sara helped the Henrico County planning department understand the wider regional impact of the station improvements and how a focus on transit-oriented development in the area around the station improves the accessibility to local businesses and encourages travelers to spend time and money in Henrico. While working on her Master's degree, Sara worked as an intern for the Center for Urban and Regional Analysis (CURA) at VCU. Her work ranged from economic analysis for the City of Richmond and surrounding counties to a historic revitalization plan of a neglected, prominently black cemetery in the southside of the city. Her work in economic analysis focused on how Richmond, Henrico, and Hanover can better position as destinations for a range of industries, with an emphasis on technology and distribution logistics. For her graduate master plan she created a neighborhood green space plan for the previously industrial neighborhood, Scott's Addition.

EDUCATION

M.A. Urban and Regional Planning, Virginia Commonwealth University

B.S. Mass Communications with a Concentration in Strategic Advertising, Virginia Commonwealth University

YEARS OF EXPERIENCE

2

QUALIFICATIONS



JOEL WEBNE

GIS/MAPPING/GRAPHICS

Joel served as the graphics/mapping coordinator for 19 years with Community Planning Partners prior to its merger with Summit in 2018. Currently he serves as GIS technician responsible for the creation of thematic and graphic maps specific to various stages of market studies, community development and planning for target sites associated with Community Improvement Grant Applications, Comprehensive Plans, Housing Studies, Downtown Revitalization and specialized studies of areas within Community Development Block Grants. He is also responsible for the design of graphic displays, presentations, proposals and supporting graphics used throughout the company. He serves as the Firm's Labor Compliance Officer and is responsible for monitoring Contractor and Subcontractor activity to ensure that they comply with Federal and/or State labor requirements that are applicable to their respective funded projects, including but not limited to the following: A. Davis -Bacon and Related Acts; B. Section 3 of the Housing & Urban Development (HUD) Act of 1968; C. Contract Work Hours and Safety Act; D. Copeland Anti-Kickback Act; and E. State Labor Law.

EDUCATION

B.S. in Interior Design, University of Bridgeport

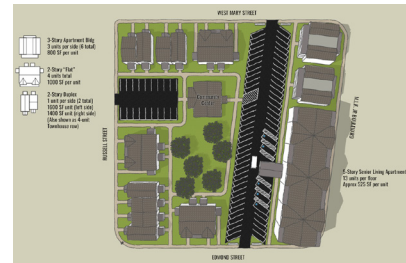
Post-Graduate Certificate in GIS, Virginia Commonwealth University

YEARS OF EXPERIENCE

20



LYNCHBURG CONCEPTUAL BREWERY
SITE SKETCH



POTENTIAL REDEVELOPMENT CONCEPT
STANT AND JONES SITE



CIARA FISCHER, CDMP

COMMUNITY ENGAGEMENT/WEBSITE DESIGN

Ciara is a graphic/web designer with 7 years of experience in graphic design, web design and interactive design. She has coordinated with our 13 departments at Summit to provide all print and digital marketing materials for internal and external use. She also works with the managers of those departments to ensure the web presence for each department is accurate and the best representation of our experience. Ciara's work includes the design of fliers, brochures and booklets for both print and digital formats, website coding using HTML5, PHP, jQuery and Javascript, logo design and the creation of graphics for social media. She also has experience creating web input forms to gather information from end users, which benefits the Town in their efforts to gather information on the planning efforts from the community. She recently finished the website for the Town of Smithfield Comprehensive Plan. These forms have been created using either HTML5 or Microsoft Forms and then are embedded into a website. Ms. Fischer also manages our Google Analytics account for our website to monitor our effectiveness with Search Engine Optimization (SEO) and our social media posts on Facebook, LinkedIn and Twitter.

Ms. Fischer recently earned her Certified Digital Marketing Professional (CDMP) certification through the American Marketing Association and the Digital Marketing Institute, both of which are nationally and internationally renowned. This certification includes skills in content marketing, social media best practices, search engine optimization (SEO), paid search using Google Ads, display and video advertising, and email.

EDUCATION

B.F.A. Graphic + Interactive Design, Youngstown State University

PROFESSIONAL CERTIFICATION

Certified Digital Marketing Professional
NC No. 23313527

YEARS OF EXPERIENCE

7

QUALIFICATIONS

COMPREHENSIVE PLANNING & ZONING

Our planning process always incorporates robust community engagement via online resources and through in-person planning sessions. In addition to the research and data tables that go into a comprehensive plan, the firm seeks to include graphic and visual elements and well-done plan maps intended to tell a story and keep a reader's attention. A Summit-prepared comprehensive plan seeks to balance creating a big picture vision of what a community envisions for itself and providing the detailed plans, strategies, and potential funding sources needed to make the vision become a reality. The comprehensive planning effort is frequently followed by work to update zoning and subdivision ordinances and other regulatory requirements to implement various plan aspects. Recent clients have included the Towns of Smithfield, Richlands and the Cities of Irvington, Danville and Emporia.

SUMMIT HAS LED IN THE PREPARATION OF MORE THAN 45 COMPREHENSIVE AND MASTER PLANS FOR TOWNS AS SMALL AS 400 RESIDENTS TO COMMUNITIES WITH NEARLY 50,000 RESIDENTS IN COASTAL AREAS, THE PIEDMONT, AND IN THE MOUNTAINS.

Summit enjoys helping localities preserve their culture and sense of place while developing strategies that take advantage of economic growth and opportunities that on the clearly on the horizon. The Town's rich history and charm clearly need to be preserved.

This balancing act requires making sure leaders and residents share a common vision for the community's future and agree to what growth should look like. The plan needs to outline that vision and provide the steps and the tools needed to achieve that vision. This includes a thoughtful Future Land Use map, growth management strategies, development guidelines and zoning ordinances, as well as how the Town's finances will be impacted including capital improvement planning and level of services projections. Summit's planners are well-versed in developing this balance and have experience in addressing similar challenges and opportunities like the Town of Cape Charles is going to be facing in the very near future.

PLANNING

We embrace the belief that planning is a necessary prelude to informed decision making and the successful completion of a project. We view planning as the best

way to assist communities to realize their own vision for the future. Whether it is a strategic plan, market analysis, or project development, it is important that we create plans that lead to projects on the ground. This practical planning approach ensures that plans get implemented, rather than sitting on a shelf gathering dust. This principle has fueled our involvement in helping localities develop, apply for, and manage grant-funded projects with specialization in economic analysis and hazard mitigation funding mechanisms

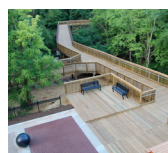
48

YEARS PROVIDING PROFESSIONAL PLANNING SERVICES

EXPERIENCE WITH PUBLIC ENGAGEMENT

Summit planners approached these Comprehensive Plans as they do with every planning project: with the understanding that effective engagement and collaboration between local government and its residents are powerful tools to ensure buy-in and the long-term success of any plan. Summit planners have many years of experience with public engagement. We have been very successful at pulling in citizens to public meetings and hearings, conducting interviews and forums, and designing and implementing surveys whether on paper, in-person and door-to-door as is needed for community development projects, or through digital means. Additionally, Summit planners are adept at leading strategy sessions and decision-making processes with elected and appointed officials, who always have final oversight over the final plan elements.

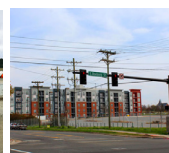
OTHER SERVICES



CONSTRUCTION
MANAGEMENT



SURVEYING &
GEOMATICS



ITS/TRAFFIC
ENGINEERING



ARCHITECTURE



CONSTRUCTION
ENGINEERING &
INSPECTION



CONSTRUCTION
MATERIALS TESTING



INDUSTRIAL
COATINGS



LANDSCAPE
ARCHITECTURE



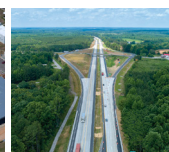
MAINTENANCE
MANAGEMENT



GEOTECHNICAL
ENGINEERING



STRUCTURAL
ENGINEERING



TRANSPORTATION
DESIGN

SIMILAR WORK PROJECTS

CITY OF DANVILLE COMPREHENSIVE PLAN

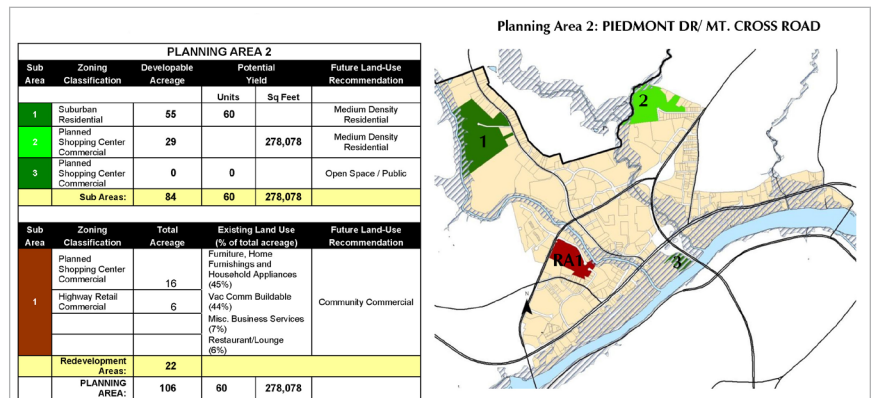
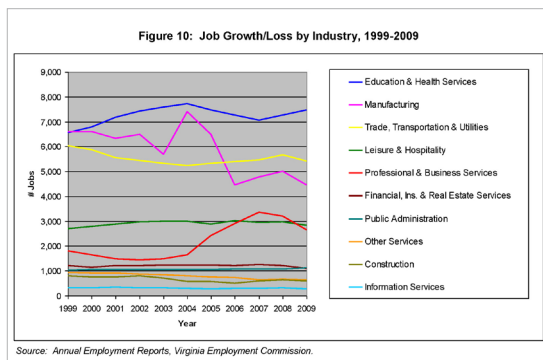
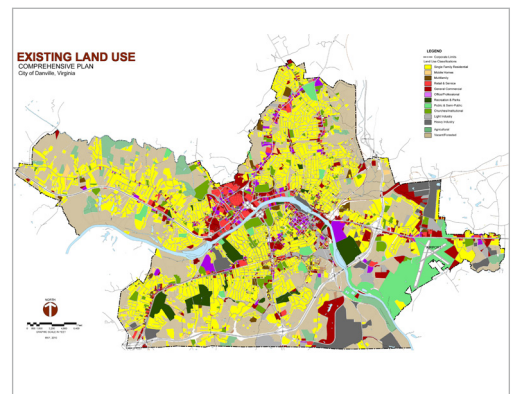
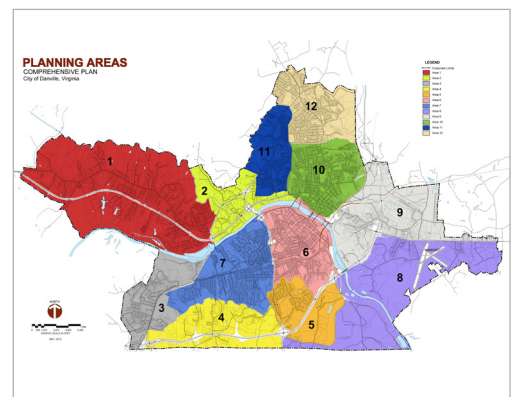
The City of Danville was working hard to develop economically and needed to update its comprehensive plan in order to bring aggressive economic development and land use development practices together into a cohesive document. The plan places an emphasis on strong visual presentation that is accessible to the public.

Summit improved the most recent comprehensive plan by including mapping and graphics and clearly outlined objectives, strategies, and actions for economic growth and land use. Throughout the planning process we engaged with the public through a series of informative and engaging public meetings.

Through seeking stakeholder input from elected officials, public and private economic interests, and the general public, the plan sought to bring in a wide range of stakeholders. The plan enables the City to develop outlying parcels of land and redevelop existing properties in a manner that is cohesive with a citywide vision.

Contact:

Earl B. Reynolds
Deputy City Manager
City of Danville
(434) 799-5100
earl.reynolds@danvilleva.gov



SIMILAR WORK PROJECTS

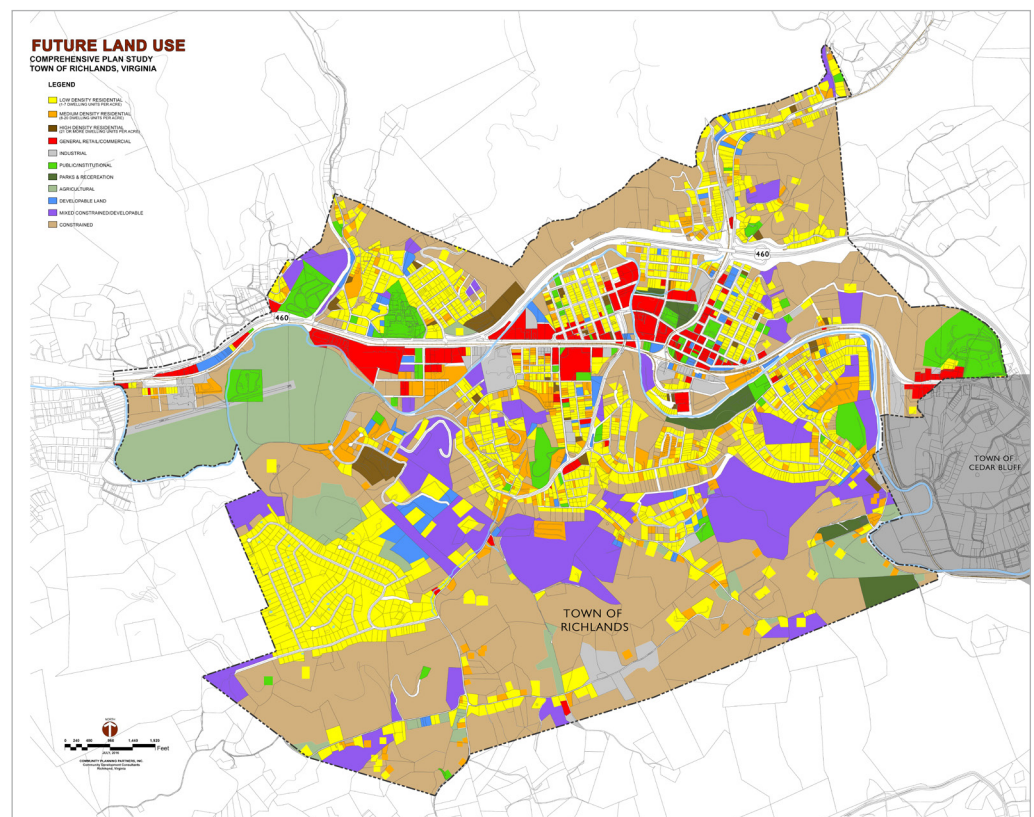
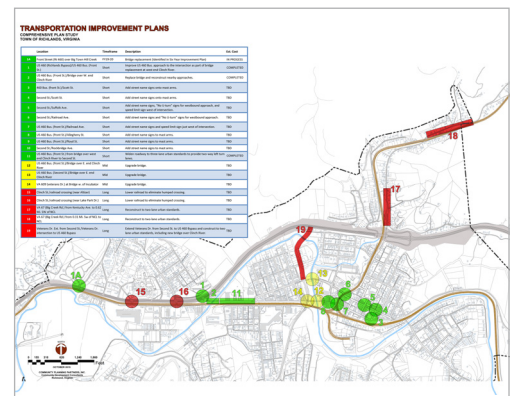
TOWN OF RICHLANDS COMPREHENSIVE PLAN

The Town of Richlands was at a cross-roads in its history. On the edge of Virginia's coal region, the Town has benefited from the natural gas exploration and drilling in the area. It had the potential to benefit from the relocation of businesses from deeper in coal country to its major cross-roads location. However, developable land not constrained by steep slopes and the floodplain of the Clinch River was at a premium.

Summit conducted extensive community engagement through an online survey and a public input meeting with various issue stations that generated a lively discussion. We completed an extensive analysis of current land use, zoning, and slopes/floodplains utilizing a technique created by Summit for more accurately pinpointing the constrained land. These analyses were followed up by the development of goals, objectives, and strategies aimed at kick-starting the Town's economic development efforts through better land use policies and zoning, more robust capital improvement planning, and the implementation of a series of key grant-fundable projects.

Contact:

Timothy Taylor
Town Manager
Town of Richlands
(276) 964-2566
ttaylor@richlands-va.gov



SIMILAR WORK PROJECTS

TOWN OF IRVINGTON COMPREHENSIVE PLAN

Irvington, a Town of approximately 650 residents, is located in Lancaster County on Virginia's "Northern Neck." Identified by its waterways and related functions, Irvington is viewed as a small village community that serves a majority retired and seasonal population. Unique among other towns in Lancaster County, Irvington has remained a historic small town village community. The Town has also retained a flavor of its earlier water-related history both in the structures and the uses that continue into the present. Because of its presence on the water and small town ambiance, the Town has found itself encountering rapid growth advancing from the north and east.

Summit prepared the comprehensive plan in cooperation with community leaders. Throughout the course of the planning process, we engaged with the public using a series of informative public meetings. Working closely with members of the Planning Commission, Town Council, and Town staff, existing conditions were analyzed, goals and objectives identified, and recommendations developed for the future. The plan focused on intelligent utilization of the land in a manner that meets the needs of the population while protecting and preserving Irvington's historic quality and character. It also served to maintain the area's high quality of life through a series of goals and objectives along with implementation strategies. We subsequently developed a Planned Unit Development (PUD) ordinance to potentially utilize in developing several large vacant parcels.



Contact:

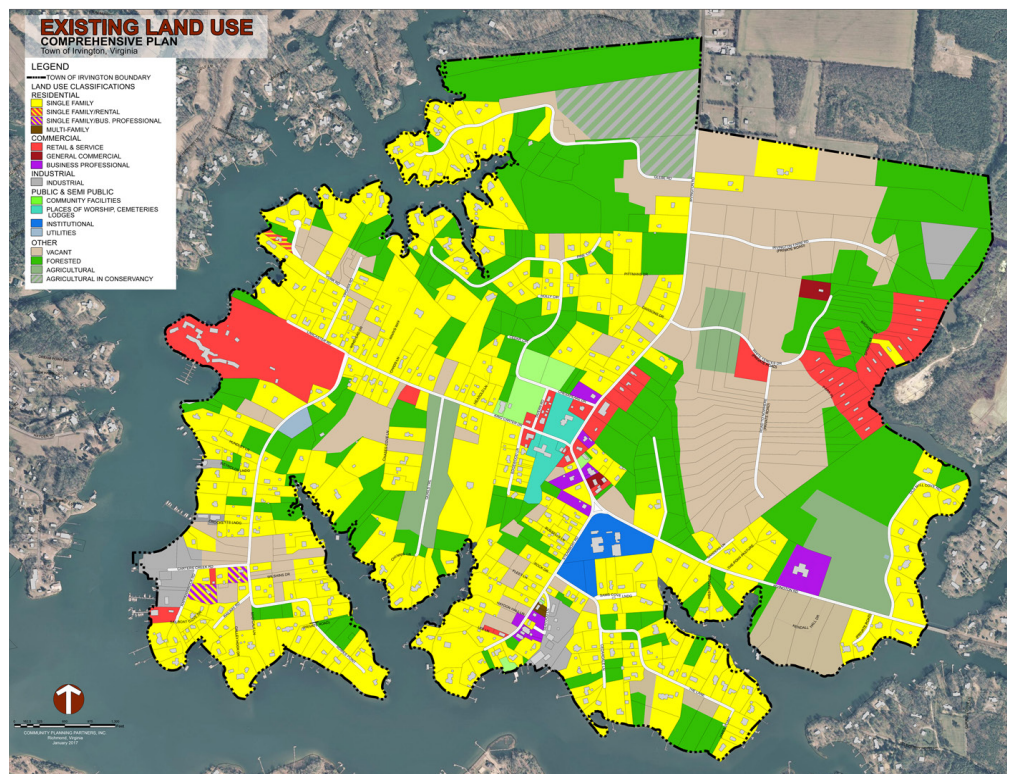
Roy Kime

Town Manager

Town of Irvington

(804) 438-6230

rkime@town.irvington.va.us



SIMILAR WORK PROJECTS

TOWN OF SMITHFIELD COMPREHENSIVE PLAN

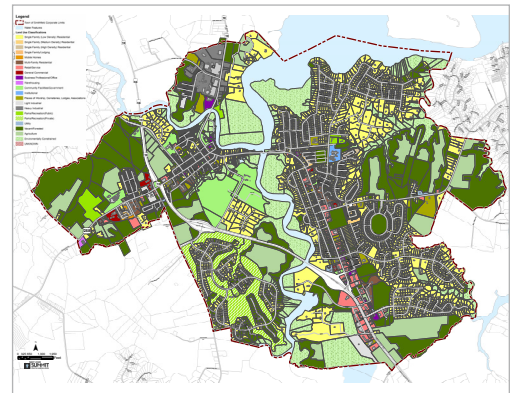
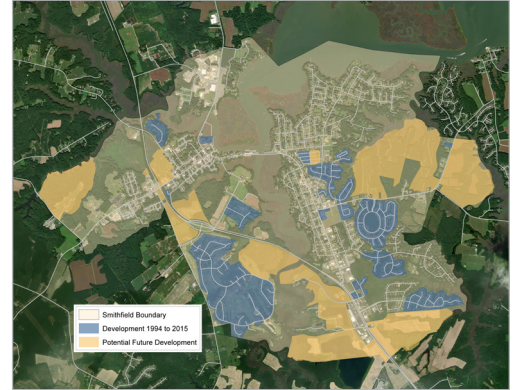
The Town of Smithfield is known historically as the home of one of the largest pork producers and a charming, historic downtown center with high quality of life and a strong tourism economy. However, the recent decades have seen growth in the greater Hampton Roads area with hundreds of new housing units built, changing life in the Town significantly.

Summit is currently working with the Town of Smithfield to update its comprehensive plan. The approach is targeted toward acknowledging the changes brought by recent decades of development and leading toward specific recommendations to mitigate the negative impacts of growth and preserve quality of life in the Town.

Planning process elements include a thorough existing conditions analysis, including an in-depth on-the-ground land use analysis and data set creation, recent and potential development mapping, and a thorough public outreach process including a custom-built, smart-phone compatible website with vision statement submission and outdoor (COVID-safe) public open houses.

Contact:

Tammie Clary
Planning Director
(757) 365-4200
tclary@smithfieldva.gov



SIMILAR WORK PROJECTS

TOWN OF CAPE CARTERET - UNIFIED DEVELOPMENT ORDINANCE PLAN

Summit recently created a Unified Development Ordinance for the Town of Cape Carteret, with the goals of:

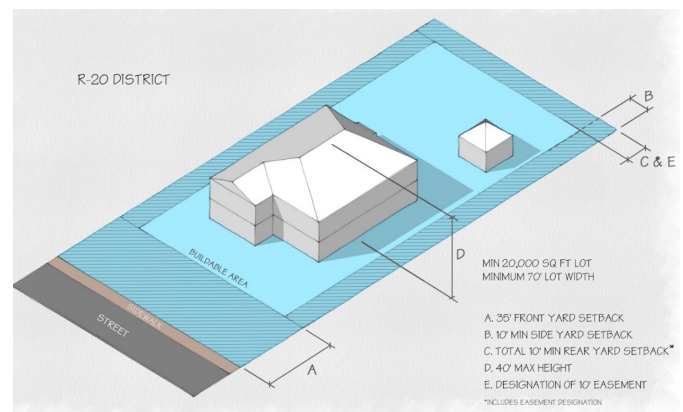
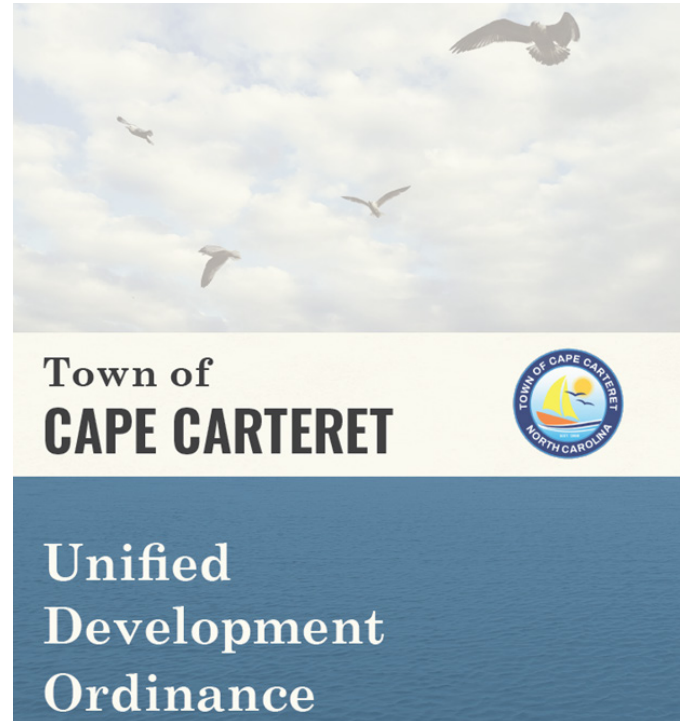
- Moving existing development regulation to a Unified Development Ordinance format,
- Bringing existing development ordinances into compliance with G. S. 160D,
- Eliminating inconsistencies between different sections of existing ordinance,
- Adding diagrams to zoning districts, and
- Streamlining existing cumbersome development processes.

After a review of the existing ordinances, conversations with staff and stakeholders, the Summit team made recommendations for streamlining the development process, working in an iterative process with a Board of Commissioners-appointed steering committee.

The resulting document is an appendix to the existing code of ordinances and can be used as a stand-alone document. It is compliant with Chapter 160D, is consistent with the Town's current practices, and incorporates diagrams into existing zoning districts. The new language streamlines the development process by enabling Special Use Permits to be used for impactful projects and moving less impactful projects to administrative review.

Contact:

Zach Steffy, Town Manager
(252) 393-8483
zsteffey@capecarteret.org



COST ESTIMATE

ACTIVITY	COST
Meetings (Kickoff and Others)	\$7,600
Review Previous Work, Plans, and Documents	\$3,800
Data Inventory and Research; Existing Conditions and Mapping	\$3,800
Refine and Publish Existing Conditions Report and Community Profile	\$4,275
Stakeholder and Community Meetings	\$3,800
Establishing a Town Vision and Goals	\$3,800
Draft Objectives and Strategies	\$3,800
Prepare Future Land Use Map and Related Policies	\$3,800
Compliance with State Code	\$3,040
Write and Compile the Draft Comprehensive Plan	\$7,600
Edits and Presentation	\$1,900
Begin Zoning Ordinance Update	\$3,800
Recreate the 2008 Zoning Map in GIS	\$760
Aligning the Zoning Ordinance with the Comprehensive Plan	\$3,800
Further Zoning Ordinance Review and Changes	\$3,800
Final Presentation of Zoning Ordinance	\$1,900
Total	\$61,275

PLANNING SERVICES

TITLE	UNIT RATE
Department Head	\$210.00 Per Hour
Project Manager	\$165.00 Per Hour
Principal Planner	\$150.00 Per Hour
Planner III	\$125.00 Per Hour
Planner II	\$110.00 Per Hour
Planner I	\$90.00 Per Hour
Planning Technician	\$85.00 Per Hour
Senior Community Development Specialist	\$105.00 Per Hour

MISCELLANEOUS

	UNIT RATE
Direct Expenses	Cost + 15%
Admin/Clerical	\$60.00 Per Hour

WORK PLAN

THE FOLLOWING PROPOSED METHODOLOGY AND APPROACH FOR THE CAPE CHARLES COMPREHENSIVE PLAN AND ZONING ORDINANCE UPDATE IS INTENDED TO:

- // build on the good work and public participation already completed;
- // ensure that Summit staff has reviewed all relevant documents needed to inform the planning process,
- // allow for continued community engagement and visioning while using a data-driven approach to guide future growth;
- // provide many touch-points with Town leaders to make sure the final Comprehensive Plan encompasses their vision for the future of Cape Charles;
- // produce a plan that is thoroughly implementable;
- // create a plan that tells a compelling story via the use of clear and interesting narrative, detailed maps, and strong graphics.

COMPREHENSIVE PLAN:



Kick-Off Meetings

Summit will meet with key staff and the Planning Commission to gain their insight into priorities and vision for the Comprehensive Plan, to set the work plan and calendar of events, and to work out the logistics for community engagement.

Review Previous Work, Previous Plans, and Additional Documents

Summit will review all relevant planning documents, including but not limited to those listed in the RFP, and work with staff and Planning Commission members to determine which elements of those plans should be incorporated into the Comprehensive Plan. We will review all information from public meetings and surveys as well as all progress made thus far by the Town, and identify the areas needing additional elements and/or research.

Data Inventory and Research; Existing Conditions and other Mapping Data Analysis

Summit will collect the relevant GIS data from Northampton County and other available sources, census data, and any other additional data to create an existing conditions analysis of socioeconomic and geographic data, existing conditions of infrastructure, utilities, natural resources, and others as requested. We will conduct an on-the-ground existing land use inventory if the data does not already exist, or make necessary updates to existing datasets. Where possible the team will use 2020 decennial data and rely on the recently-released American Community Survey (ACS) 2020 data where appropriate.



Refine and Publish Existing Conditions Report and Community Profile

Using initial background research and analysis, information gathered from previous public input, we will compile and publish an Existing Conditions Report, Map Book and Community Profile for use in the final Comprehensive Plan. Data and trends to be highlighted include but are not limited to:

- Population and Demographic Profile
- Housing Assessment
- Economic Assessment

- Community Services and Facilities
- Transportation
- Existing Land Use and Development
- Natural Resources
- Public Utilities
- Historic and Cultural Resources



Public Engagement – Stakeholder and Community Meetings

In the initial meetings, we will work with Town staff to create a list of stakeholders, such as Cape Charles Main Street, from whom the team should solicit feedback. During these initial meetings the team will also determine the number and format of community meetings to visioning and information gathering.



Establishing a Town Vision and Goals

We will develop a draft vision statement and goals, based on previous work by staff and Planning Commission members, which may include but is not limited to:

- Pattern of Desired Growth and Development
- Transportation & Land Use Connections
- Economic and Community Development
- Preservation and Protection of Natural Resources
- Housing Availability, Type and Affordability
- Community Services and Facilities
- Public Utilities & Infrastructure
- Hazard Mitigation and Flooding
- Recreation and Open Spaces
- Protection of Significant Architectural, Historic, Scenic and Cultural Resources



Flesh out the Plan – Objectives and Strategies

After the Town's vision, guiding principles, and goals are set, Summit will work with key staff to develop a detailed set of objectives and strategies that will be categorized as short-term, intermediate, or long-term recommendations. The objectives and strategies will be specifically tailored to make use of the Town's available implementation tools including the Capital Improvement Plan.

Prepare Future Land Use Map and Growth & Development Policies

Based on the collected data, information, and community input, we will prepare the Future Land Use Map in consultation with key staff and the Planning

Commission showing areas to which growth should be directed, and areas that should be preserved. Along with the Future Land Use Map, our team will create a set of Future Land Use category descriptions which will be used to inform the Zoning Ordinance update. Additionally, through the same process, an accompanying set of policies that helps steer growth to the appropriate locations, targets specific types of development, and promotes infill development will be developed to back up the Future Land Use Map.



Month 6

Compliance with Sec 15.2 of the Virginia State Code

In accordance with Virginia State Code Section 15.2-2223(B), our team will develop a transportation plan including a map of all road and transportation improvements and VDOT cost estimates. We will coordinate with VDOT to ensure that the plan is acceptable and not in conflict with the Commonwealth Transportation Board (CTB) Statewide Transportation Plan. Additionally, Summit will evaluate existing broadband access (15.2-2223(E)), include coastal resource management guidance as necessary (15.2-2223.2), incorporate strategies to combat sea level rise and recurrent flooding (15.2-2223.3), and all other relevant elements as required by state code.



Month 7

Write and Compile the Draft Comprehensive Plan

Summit will complete the full draft of the Comprehensive Plan in consultation with Town staff. We will anticipate that there will be three iterations of the plan in preparation for and in response to comments from the Planning Commission and Town Council, as well as after Town Council action.



Month 8

Complete All Edits and Present the Comprehensive Plan for Approval

Summit will complete all edits of the Comprehensive Plan and present the plan to the Planning Commission and Town Council.

ZONING ORDINANCE UPDATE:



Month 9

Begin Zoning Ordinance Update

Based on the Comprehensive Plan and an understanding of the Town and development regulations gained throughout the planning process, Summit will begin the Zoning Ordinance re-write, beginning by performing a detailed review of the existing Zoning Ordinance, the draft Historic District Guidelines, and the amendments to the PUD Agreement for Bay Creek.

Recreate 2008 Zoning Map in GIS

Before beginning revisions to the Official Zoning Map, our GIS staff will re-create the adopted 2008 to use as a basis for change.

WORK PLAN



Aligning the Zoning Ordinance with the Comprehensive Plan

We will compare the Future Land Use map in the Comprehensive Plan to the existing zoning map and create a new draft zoning map, then compare the existing zoning district descriptions to the adopted Future Land Use categories and make necessary changes to the zoning districts to align them.

Further Zoning Ordinance Review and Changes

Summit will make further changes to eliminate inconsistencies or obsolete concepts, bring the ordinance into compliance with the Code of Virginia and generally streamline and bring into alignment with current best practices.

Complete All Edits and Present the Zoning Ordinance for Approval

Summit will complete all edits of the Zoning Ordinance and present the plan to the Planning Commission and Town Council.

Final deliverables will include:

- Final Comprehensive Plan in PDF format as well as all working files used to create the plan, from Word, Indesign, Excel.
- Updated Official Zoning Map in PDF, GIS and hard copy format, including 100 color copies and 4 large-format maps for wall display.
- All GIS files used or created in the planning process including the zoning map update.
- A digital version of the Comprehensive Plan for easy printing and web viewing.
- Digital versions of all maps for web viewing and in GIS format for future use by Town staff. Presentation maps utilized in the Comprehensive Planning process will also remain with the Town.

WORK PLAN

PROJECT SCHEDULE

TASK	MONTH 1	MONTH 2	MONTH 3	MONTH 4	MONTH 5	MONTH 6	MONTH 7	MONTH 8	MONTH 9	MONTH 10	MONTH 11	MONTH 12
Get Started – Kick-Off Meetings												
Review Previous Plans and Additional Documents												
Data Inventory and Research; Existing Conditions & Mapping Data Analysis												
Refine and Publish Existing Conditions Report and Community Profile												
Stakeholder and Community Meetings												
Establishing a Town Vision and Goals												
Draft Objectives and Strategies												
Prepare Future Land Use Map and Related Policies												
Compliance with State Code												
Write and Compile the Draft Comprehensive Plan												
Edit and Present Comprehensive Plan												
Begin Zoning Ordinance Update												
Aligning the Zoning Ordinance with the Comprehensive Plan												
Further Zoning Ordinance Review and Changes												
Final Presentation of Zoning Ordinance												

REFERENCES

The locality contacts listed below will be happy to provide references regarding our past work for them.

TOWN OF SMITHFIELD - COMPREHENSIVE PLAN UPDATE

Tammie Clary, Planning Director
(757) 365-4200
tclary@smithfieldva.gov

CITY OF DANVILLE - COMPREHENSIVE PLAN UPDATE

Earl B. Reynolds, Deputy City Manager
Phone: (434) 799-5100
earl.reynolds@danvilleva.gov

TOWN OF CAPE CARTERET - UNIFIED DEVELOPMENT ORDINANCE PLAN

Zach Steffey, Town Manager
252-393-8483
zsteffey@capecarteret.org





TOWN COUNCIL

Work Session

December 16, 2021

Cape Charles Civic Center

Immediately Following the Regular Meeting

1. Call to Order
 - A. Roll Call
 - B. Establish quorum
2. FY 2022 Mid-Year Budget Review
3. Adjournment



TOWN OF CAPE CHARLES FY22 MID-YEAR BUDGET REVIEW COMMENTS

General Fund

Increased meals, TOT, and sales and use tax revenues, as well as building and zoning revenues are projected based on data through November 2021 and the previous year's data plus growth. These increased revenues may be appropriated up to the amount that is needed to balance the anticipated changes in the departmental expenditure budgets.

The expenditure changes are primarily due to:

- Request to restructure police officer and public works departmental structure/pay brackets
- Janitorial services bids came in higher than budgeted, though staff did negotiate a bid reduction
- Increase in use of contracted services for grounds maintenance (weeding, mulching, and watering) to meet increased expectations in Central Park, Mason Avenue, and Strawberry Street
- Additional funding needed in the planning department to cover the historic district design guideline update
- Additional funding needed in the planning department to cover the greatly increased need for public hearing advertising
- Additional funding needed in the code enforcement department to cover enforcement actions
- New allocation transferred to the general capital fund to develop a project contingency reserve

After Council determines the spending level desired, staff will reduce the anticipated revenue to an amount equal to the expenditures in order to balance the budget for each fund

General Capital Fund

Increased meals tax revenues should bring an additional \$10,000 to the Capital Fund.

The primary changes:

- Town Manager proposes transferring from General Fund surplus an additional \$50,000 for capital project contingencies due to the current supply climate
- It is recommended that the stormwater system project be postponed until a decision has been made about the utility sales

Sanitation Fund

The waste pickup contract increase of just over \$7,000 plus additional costs to purchase replacement trash cans will reduce the sanitation fund balance to an estimated \$82,000 at the end of FY2022.

Special Activity Fund

Community Groups Grants were added in order to be appropriated properly. For example, Citizens for Central Park plan to install a rock-climbing wall, and the Friends of the Library have several expenditures planned. These projects will be funded by the associated groups and have corresponding revenue and expenditure line items. The exact amount for the Library is unknown at this time, so \$10,000 was estimated as a placeholder.

Utility Fund

Water and Sewer Revenue is up 3.5%. It appears to be related to much higher water usage during the tourist season. Penalties on delinquent accounts were not allowed until the end of the summer due to COVID, and it was unclear when the ban would be lifted when the budget was prepared. Due to the development in Bay Creek water and sewer facility fees are higher than anticipated, however use of this revenue is currently restricted.

There are savings due to the water tank cleaning contract coming in lower than budgeted, as well as savings from delaying capital projects until a decision is made regarding the potential sale. The budgeted water truck was also paid for in late FY21, creating additional savings.

New expenditures include new capacity studies needed for both water and wastewater, as well as an increase in the overall fund contingency.

Harbor Fund

Dockage revenue is tracking 43% higher than anticipated (note, there was a significant rate increase this year). The lease storage revenue will decrease, as the lot is being cleared and repurposed. A payment for a previous year's Boating Infrastructure Grant project was received. A new project application was approved and should be closed out by the end of FY22. These grants combined will bring \$54,947 in revenue for this fiscal year. Expenditures for the new Boating Infrastructure Grant project will be \$64,720. There will also be some savings in fuel usage.

Because of the increased dockage revenue, the contractual management fees will also increase by an anticipated \$52,700.

There was an increase of \$3,900 in liability insurance, and janitorial supplies of \$3,500 were not in the budget and must be added at this time. The structural piling repair work is estimated at \$20,000. The harbor capital plan evaluation study was less than budgeted and the balance of that line item was moved to repairs and maintenance as there is a backlog of repairs to be completed. The east inner harbor work should cost \$5000.

General Debt Service Fund (There are no proposed changes to the debt service fund)

TOWN OF CAPE CHARLES
FISCAL YEAR 2022 MID-YEAR BUDGET REVIEW

100-GENERAL FUND REVENUE

Account Description	Proposed FY22		Variance	Prcnt	Notes	
	Approved FY2022 Budget	Budget Amendment				
TOTAL GENERAL FUND REVENUE	\$3,536,507.41	\$3,779,062.71	\$242,555.30	106.86%		0
TOTAL LEGISLATIVE DEPT EXP	\$43,611.76	\$43,611.76	\$0.00	100.00%		0
TOTAL TOWN CLERK DEPT EXP	\$96,156.01	\$96,156.01	\$0.00	100.00%		0
TOTAL TOWN MANAGER DEPT EXP	\$1,200,505.04	\$1,251,185.32	(\$50,680.28)	104.22%		0
TOTAL TREASURER DEPT EXP	\$379,949.11	\$364,091.41	\$15,857.70	95.83%		0
TOTAL POLICE DEPT EXP	\$580,852.27	\$599,269.69	(\$18,417.42)	103.17%		0
TOTAL CODE ENFORCEMENT DEPT EXP	\$144,843.19	\$189,443.19	(\$44,600.00)	130.79%		0
TOTAL PUBLIC WORKS EXP	\$541,166.25	\$601,662.50	(\$60,496.25)	111.18%		0
TOTAL COMMUNITY EVENTS DEPT EXP	\$109,874.52	\$95,190.37	\$14,684.15	86.64%		0
TOTAL LIBRARY DEPT EXP	\$169,224.21	\$171,855.81	(\$2,631.60)	101.56%		0
TOTAL PLANNING DEPT EXP	\$270,325.05	\$309,428.26	(\$39,103.21)	114.47%		0
TOTAL GENERAL FUND EXPENDITURES	\$3,536,507.41	\$3,721,894.31	(\$185,386.90)	0.00%		0
GENERAL FUND REVENUE LESS EXPENDITURES	\$0.00	\$57,168.40	\$57,168.40		Projected additional surplus of funds, which if not appropriated at this time, will fall to fund balance. The increase to revenue (meals, tot, sales) less \$57,168.40 however, must be appropriated 5.24% in order to be used in FY22.	

Account Description	Approved FY2022 Budget	Proposed FY22 Budget Amendment	Variance	Prcnt	Notes	
110-GENERAL CAPITAL FUND						
Account Description	Approved FY2022 Budget	Proposed FY22 Budget Amendment	Variance	Prcnt	Notes	
TOTAL GENERAL CAPITAL FUND REVENUE	\$1,197,762.00	\$1,257,762.00	\$60,000.00	3.00%		0
TOTAL GENERAL CAPITAL FUND EXPENDITURES	\$1,197,762.00	\$1,232,722.00	\$34,960.00	0.00%		0
GENERAL CAPITAL FUND REVENUE LESS EXPENDITURES	\$0.00	\$25,040.00	\$25,040.00	2.00%	Surplus to fall to fund balance	
120-GENERAL DEBT SERVICE FUND						
Account Description	Approved FY2022 Budget	Proposed FY22 Budget Amendment	Variance	Prcnt	Notes	
TOTAL DEBT SERVICE FUND REVENUE	\$258,614.37	\$258,614.37	\$0.00	0.00%		0
TOTAL DEBT SERVICE FUND EXPENDITURES	\$258,614.37	\$258,614.37	\$0.00	0.00%		0
DEBT SERVICE FUND REVENUE LESS EXPENDITURES	\$0.00	\$0.00	\$0.00	40.00%		0
130-GENERAL SPECIAL ACTIVITIES FUND FUND						
Account Description	Approved FY2022 Budget	Proposed FY22 Budget Amendment	Variance	Prcnt	Notes	
TOTAL SPECIAL ACTIVITIES REVENUE	\$948,115.00	\$965,932.48	\$17,817.48	0.00%		0
TOTAL SPECIAL ACTIVITIES EXPENDITURES	\$948,115.00	\$965,932.48	\$17,817.48	0.00%		0
SPECIAL ACTIVITIES FUND REVENUE LESS EXPENDITURES	\$0.00	\$0.00	\$0.00	0.00%		0

Account Description	Approved FY2022 Budget	Proposed FY22 Budget Amendment	Variance	Prcnt	Notes	
501 - UTILITY FUND REVENUE						
Account Description	Approved FY2022 Budget	Proposed FY22 Budget Amendment	Variance	Prcnt	Notes	
TOTAL UTILITY FUND REVENUE	\$2,184,171.79	\$2,263,845.58	\$79,673.79	3.65%		0
TOTAL ADMIN DEPT EXP	\$28,092.62	\$136,592.62	(\$108,500.00)	-7233.33%		0
TOTAL WATER DEPT EXP	\$846,679.85	\$706,551.83	\$140,128.02	16.55%		0
TOTAL SEWER DEPT EXP	\$1,253,335.78	\$1,221,653.62	\$31,682.16	2.53%		0
TOTAL UTILITY BILLING DEPT EXP	\$56,063.54	\$56,063.54	\$0.00	0.00%		0
UTILITY FUND REVENUE LESS EXPENDITURES	(\$0.00)	\$142,983.98	\$142,983.98	0.00%	Surplus to fall to fund balance	
510 - HARBOR FUND REVENUE						
Account Description	Approved FY2022 Budget	Proposed FY22 Budget Amendment	Variance	Prcnt	Notes	
TOTAL HARBOR REVENUE	\$936,156.63	\$1,117,682.49	\$181,525.86	119.39%		0
TOTAL HARBOR EXPENDITURES	\$936,156.63	\$1,079,119.05	(\$142,962.42)	115.27%		0
HARBOR REVENUE LESS EXPENDITURES	\$0.00	\$38,563.44	\$38,563.44	41.00%	Surplus to fall to Fund balance or cover debt service	
520-SANITATION FUND						
Account Description	Approved FY2022 Budget	Proposed FY22 Budget Amendment	Variance	Prcnt	Notes	
TOTAL SANITATION FUND REVENUE	\$390,595.02	\$390,595.02	\$0.00	26.00%		0
TOTAL SANITATION FUND EXPENDITURES	\$390,595.02	\$399,323.14	(\$8,728.12)	18.00%		0
SANITATION FUND REVENUE LESS EXPENDITURES	\$0.00	(\$8,728.12)	(\$8,728.12)	22.00%		0

FISCAL YEAR 2022 MID-YEAR BUDGET REVIEW
Budget vs Actual General Fund Fiscal Period From - 7/1/2021 Thru - 11/30/2021

100-GENERAL FUND REVENUE

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-3010-1000 Real Property Tax <= 2014	\$2,000.00	\$0.00	\$2,000.00	\$0.00	100.00%	
100-3010-2015 Real Property Tax 2015	\$2,000.00	\$0.00	\$2,000.00	\$0.00	100.00%	
100-3010-2016 Real Property Tax 2016	\$800.00	\$0.00	\$800.00	\$0.00	100.00%	
100-3010-2017 Real Property Tax 2017	\$1,000.00	\$0.00	\$1,000.00	\$0.00	100.00%	
100-3010-2018 Real Property Tax 2018	\$5,000.00	\$613.10	\$5,000.00	\$0.00	100.00%	
100-3010-2019 Real Property Tax 2019	\$7,500.00	\$1,723.58	\$7,500.00	\$0.00	100.00%	
100-3010-2020 Real Property Tax 2020	\$15,000.00	\$6,218.99	\$15,000.00	\$0.00	100.00%	
100-3010-2021 Real Property Tax 2021	\$1,484,511.41	\$1,074,757.39	\$1,484,511.41	\$0.00	100.00%	Due date is Dec 6th.
100-3020-2016 Personal Property Tax 2016	\$1,000.00	\$120.33	\$1,000.00	\$0.00	100.00%	
100-3020-2017 Personal Property Tax 2017	\$1,500.00	\$118.94	\$1,500.00	\$0.00	100.00%	
100-3020-2018 Personal Property Tax 2018	\$4,500.00	\$145.74	\$4,500.00	\$0.00	100.00%	
100-3020-2019 Personal Property Tax 2019	\$8,000.00	\$229.02	\$8,000.00	\$0.00	100.00%	
100-3020-2020 Personal Property Tax 2020	\$10,000.00	\$6,178.95	\$10,000.00	\$0.00	100.00%	
100-3020-2021 Personal Property Tax 2021	\$153,000.00	\$119,251.02	\$153,000.00	\$0.00	100.00%	Due date is Dec 6th.
100-3025-1000 License Tax Prior Years <=2016	\$0.00	\$49.00	\$49.00	\$49.00	#DIV/0!	
100-3025-2017 License Tax 2017	\$0.00	\$49.00	\$49.00	\$49.00	#DIV/0!	
100-3025-2018 License Tax 2018	\$750.00	\$49.00	\$750.00	\$0.00	100.00%	
100-3025-2019 License Tax 2019	\$1,000.00	\$128.68	\$1,000.00	\$0.00	100.00%	
100-3025-2020 License Tax 2020	\$2,000.00	\$1,327.78	\$2,000.00	\$0.00	100.00%	
100-3025-2021 License Tax 2021	\$21,000.00	\$10,833.69	\$21,000.00	\$0.00	100.00%	Due date is Dec 6th.
100-3035-2021 Machinery & Tools Tax 2021	\$6,000.00	\$371.00	\$6,000.00	\$0.00	100.00%	Due date is Dec 6th.
100-3040-1000 Penalties All Property Tax	\$25,000.00	\$2,102.14	\$25,000.00	\$0.00	100.00%	
100-3050-1000 Golf Cart Decals	\$10,000.00	\$2,418.00	\$10,000.00	\$0.00	100.00%	
100-3050-1100 Consumer Utility Taxes - Elec & Gas	\$54,500.00	\$24,913.29	\$54,500.00	\$0.00	100.00%	
100-3050-1200 Communications Tax - Phone	\$35,000.00	\$14,018.56	\$35,000.00	\$0.00	100.00%	
100-3050-1300 BPOL - ALL	\$200,000.00	\$15,801.23	\$200,000.00	\$0.00	100.00%	
100-3050-1400 Admission Taxes	\$11,000.00	\$8,746.04	\$13,000.00	\$2,000.00	118.18%	
100-3050-1500 Transient Occupancy Tax	\$303,308.00	\$257,385.02	\$333,000.00	\$29,692.00	109.79%	collected about 20K in prior year's taxes + increase
100-3050-1600 Meals Tax	\$500,000.00	\$384,608.25	\$600,000.00	\$100,000.00	120.00%	Added several new restaurants + open for seating now
100-3050-1650 Meals Tax .5% for Capital Projects	\$50,000.00	\$38,460.82	\$60,000.00	\$10,000.00	120.00%	
100-3050-1700 Short Term Rental Tax	\$12,000.00	\$10,144.22	\$12,000.00	\$0.00	100.00%	Collected prior year taxes, appears higher
100-3050-1800 Rolling Stock Taxes	\$11.00	\$3.81	\$3.81	(\$7.19)	34.64%	
100-3075-1000 Penalties & Int Misc Taxes & Licenses	\$600.00	\$54.67	\$600.00	\$0.00	100.00%	
100-3100-1000 Harbor Development Certificate P/Z	\$1,500.00	\$0.00	\$1,500.00	\$0.00	100.00%	
100-3100-1050 Land Use/Conditional Use Application P/Z	\$3,500.00	\$2,800.00	\$3,500.00	\$0.00	100.00%	
100-3100-1060 Zoning Variance Advt & Mailing Fee P/Z	\$2,000.00	\$0.00	\$2,000.00	\$0.00	100.00%	
100-3100-1070 Miscellaneous Planning/Zoning Fees P/Z	\$5,000.00	\$450.00	\$5,000.00	\$0.00	100.00%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-3100-1080 Subdivision Fees P/Z	\$0.00	\$450.00	\$0.00	\$0.00	#DIV/0!	Zoning Fees are higher, a reclassification entry must be made to correct, move from building fees to planning/zoning
100-3100-1100 Historic Review Fees COA P/Z	\$6,000.00	\$1,450.00	\$6,000.00	\$0.00	100.00%	
100-3100-1110 Building Permits	\$75,000.00	\$55,716.19	\$90,000.00	\$15,000.00	120.00%	
100-3100-1150 Planning Review, Zoning Clrnc & Misc. P/Z	\$4,500.00	\$11,700.00	\$20,000.00	\$15,500.00	444.44%	
100-3100-1160 Electrical Permits	\$7,000.00	\$5,392.24	\$10,000.00	\$3,000.00	142.86%	
100-3100-1200 Plumbing Permits	\$4,500.00	\$3,676.36	\$6,500.00	\$2,000.00	144.44%	
100-3100-1220 Plumbing Inspection Fees DONOTUSE	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-3100-1250 Mechanical Permits	\$4,500.00	\$3,480.70	\$6,500.00	\$2,000.00	144.44%	
100-3100-1260 Elevator Permits	\$500.00	\$205.00	\$500.00	\$0.00	100.00%	
100-3100-1300 UST/AST Permit	\$400.00	\$988.13	\$1,600.00	\$1,200.00	400.00%	
100-3100-1350 Occupancy Permits, Temporary	\$1,000.00	\$1,200.00	\$1,600.00	\$600.00	160.00%	
100-3100-1360 Permit After Fact Admin Fee	\$1,000.00	\$600.00	\$2,000.00	\$1,000.00	200.00%	
100-3100-1400 Building Plan Review Fees	\$4,500.00	\$5,200.00	\$10,000.00	\$5,500.00	222.22%	
100-3100-1410 Shallow Well Permits	\$800.00	\$400.00	\$800.00	\$0.00	100.00%	
100-3100-1460 Erosion & Sediment Control Permit	\$3,000.00	\$4,200.00	\$6,000.00	\$3,000.00	200.00%	
100-3100-1470 Erosion & Sediment Plan Review Fee	\$300.00	\$525.00	\$1,000.00	\$700.00	333.33%	
100-3100-1500 Demolition Permit	\$100.00	\$50.00	\$100.00	\$0.00	100.00%	
100-3100-1510 Gas Permit	\$1,000.00	\$2,566.88	\$4,000.00	\$3,000.00	400.00%	
100-3100-1550 Misc Building Dept Fees	\$12,000.00	\$3,000.00	\$12,000.00	\$0.00	100.00%	
100-3100-1560 Fire Permit	\$700.00	\$50.60	\$700.00	\$0.00	100.00%	
100-3100-1570 Sign Permit P/Z	\$0.00	\$50.00	\$50.00	\$50.00	#DIV/0!	
100-3100-1600 Rental Inspections	\$6,500.00	\$2,400.00	\$6,500.00	\$0.00	100.00%	
100-3200-1600 Court Fines and Forfeitures	\$40,000.00	\$13,847.74	\$40,000.00	\$0.00	100.00%	
100-3200-1640 Planning/Zoning Admin Fees/Fines P/Z	\$0.00	\$750.00	\$2,000.00	\$2,000.00	#DIV/0!	
100-3200-1650 Code Enfrcmnt Admin Fees/Fines	\$350.00	\$3,050.00	\$3,500.00	\$3,150.00	1000.00%	
100-3200-1660 Traffic & Parking Fines	\$700.00	\$4,900.00	\$8,500.00	\$7,800.00	1214.29%	
100-3200-1700 E-Summons \$5 Fee-Future Software Purchase	\$4,500.00	\$5,900.42	\$8,000.00	\$3,500.00	177.78%	reserved, may not be expended except for spec. purpose
100-3200-1710 Police Nexis Lexis	\$0.00	\$50.00	\$50.00	\$50.00	#DIV/0!	
100-3300-1700 Interest on Bank Deposits	\$4,000.00	\$293.58	\$2,000.00	(\$2,000.00)	50.00%	
100-3300-1750 Dividends & Interest on Investments	\$7,500.00	\$163.26	\$4,000.00	(\$3,500.00)	53.33%	
100-3400-1750 Rental of Parks/Rec Property & Facility	\$250.00	\$400.00	\$750.00	\$500.00	300.00%	
100-3400-1800 Lease Revenue - Town Property Shanty 1%	\$24,000.00	\$17,260.04	\$34,000.00	\$10,000.00	141.67%	
100-3400-1810 Lease Revenue - Town Property, Water Tower	\$2,400.00	\$1,200.00	\$2,400.00	\$0.00	100.00%	
100-3500-1800 Sale of Surplus Equipment & Misc	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-3500-1850 Library Service & Misc Fees	\$1,000.00	\$68.90	\$1,000.00	\$0.00	100.00%	
100-3500-1900 Recreation & Event Fees Collected	\$800.00	\$2,750.00	\$800.00	\$0.00	100.00%	4th of July
100-3500-1910 Sale of Maps, Plats, Surveys, Blueprints, Misc	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-3500-1920 Notary Services	\$0.00	\$5.00	\$30.00	\$30.00	#DIV/0!	
100-3500-1950 FOIA Service Fees	\$100.00	\$215.61	\$350.00	\$250.00	350.00%	
100-3500-1970 DMV Stop Fee Collected	\$1,000.00	\$50.00	\$1,000.00	\$0.00	100.00%	
100-3600-3000 Gifts & Private Donations Library non-FOL	\$0.00	\$100.00	\$100.00	\$100.00	#DIV/0!	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-3600-3100 Gifts & Private Donations Library FOL	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-3600-4000 Insurance Proceeds, Refund or Misc Rebate	\$0.00	\$5,642.18	\$5,642.18	\$5,642.18	#DIV/0!	Vehicle Damage Ins. Proceeds, police dept
100-3600-5000 Surplus & Salvage Property Sale	\$1,200.00	\$0.00	\$1,200.00	\$0.00	100.00%	
100-3600-6000 Appropriation From Fund Balance	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-3600-9000 Gifts & Private Donations CCMS	\$119,110.00	\$0.00	\$119,110.00	\$0.00	100.00%	DHCD Small Business Recovery Grant Funding
100-3650-1500 Recovery Misc. Costs - Finance	\$0.00	\$514.72	\$1,200.00	\$1,200.00	#DIV/0!	legal fee collections costs- reimbursements
100-3650-2000 Recovery - Police Property Loss & Misc.	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-3650-3000 Recovery, Misc.-Code Enf (mowing, demo, etc)	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-3650-4000 Recovery Public Works - Misc Damage	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-3650-5000 Recovery (damage)-Parks & Rec	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-3650-6000 Recovery Town Mgr-Misc.	\$0.00	\$175.85	\$175.00	\$175.00	#DIV/0!	Allied Benefit Systems Refund
100-3650-7000 Recovery - Retirement Forfeiture	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-3700-1000 Grant - Recov. of Storm Damages FEMA	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-3700-2200 Grant Gen Fund - USDA Rural Development	\$28,350.00	\$0.00	\$28,350.00	\$0.00	100.00%	
100-3700-3000 Proceeds from Loan/Bond Issuance	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-3750-1000 Rolling Stock Taxes	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-3750-2000 Personal Prop. Tax Reimbursement- PPTRA	\$35,424.00	\$35,423.60	\$35,423.60	(\$0.40)	100.00%	
100-3750-3000 Local SALES & USE Taxes	\$63,000.00	\$43,158.83	\$81,158.83	\$18,158.83	128.82%	YTD + Dec20-July21
100-3750-3100 DMV Humane Plates Pybl to ESSO	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-3800-1000 Assistance to Local Police Dept HB 599 - State	\$31,248.00	\$15,626.00	\$31,252.00	\$4.00	100.01%	
100-3800-2000 Grant - Criminal Justice Svd & Byrne & CaresSupl	\$1,000.00	\$172.38	\$1,000.00	\$0.00	100.00%	
100-3800-5000 Grant - Litter Prevention Grant (DEQ)	\$935.00	\$0.00	\$935.00	\$0.00	100.00%	
100-3800-6000 Grant - Miscellaneous/Other	\$7,460.00	\$0.00	\$7,460.00	\$0.00	100.00%	
100-3850-1000 Grant - Budget Contribution from Northampton Cty	\$30,000.00	\$0.00	\$30,000.00	\$0.00	100.00%	
100-3850-2000 Grant Other - Northampton County	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-3900-1000 Grant - VML Risk Management	\$4,000.00	\$3,162.88	\$5,162.88	\$1,162.88	129.07%	
100-3900-6000 Appropriation from Fund Balance	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-3950-2000 Reappropriate Grant Proceeds Previous Year	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-3950-2100 Loan Proceeds USDA Rural Devlpmnt	\$52,650.00	\$0.00	\$52,650.00	\$0.00	100.00%	
100-3975-1000 Misc Rev (Proceeds Fair/Festivl-vendors)	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-3975-1100 Miscellaneous Rev & NSF Fees-Gen Fund	\$2,250.00	\$1,920.00	\$2,250.00	\$0.00	100.00%	
TOTAL GENERAL FUND REVENUE	\$3,536,507.41	\$2,244,173.35	\$3,779,062.71	\$242,555.30	106.86%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4110-1200 PT Salaries & Wages Legislative	\$4,800.00	\$2,000.00	\$4,800.00	\$0.00	100.00%	
100-4110-2000 FICA Expense	\$367.00	\$162.67	\$367.00	\$0.00	100.00%	
100-4110-2100 SUI Expense	\$29.84	\$17.60	\$29.84	\$0.00	100.00%	
100-4110-2230 Worker's Comp	\$2.92	\$0.00	\$2.92	\$0.00	100.00%	
100-4110-3025 Repair Maint & Inspect Contracted Svcs	\$1,800.00	\$105.00	\$1,800.00	\$0.00	100.00%	
100-4110-3430 IT, Software, Scan & Website Services	\$300.00	\$0.00	\$300.00	\$0.00	100.00%	
100-4110-3450 Printing & Design Services	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4110-3500 Advertising Services	\$3,200.00	\$1,693.76	\$3,200.00	\$0.00	100.00%	
100-4110-5040 Phone Service, Landline & Wireless	\$500.00	\$187.95	\$500.00	\$0.00	100.00%	
100-4110-5050 Internet & Cable Services	\$1,080.00	\$539.85	\$1,080.00	\$0.00	100.00%	
100-4110-5080 Lease, Bldgs & Property	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4110-5200 Travel-Mileage, Parking & Tolls	\$2,350.00	\$410.56	\$2,350.00	\$0.00	100.00%	
100-4110-5210 Travel-Lodging & Meals	\$7,425.00	\$792.13	\$7,425.00	\$0.00	100.00%	
100-4110-5220 Conference	\$4,300.00	\$650.00	\$4,300.00	\$0.00	100.00%	
100-4110-5230 Education	\$1,200.00	\$0.00	\$1,200.00	\$0.00	100.00%	
100-4110-5240 Books & Subscriptions	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4110-5250 Dues & Memberships	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4110-5310 Insurance, Public Official Liability	\$6,587.00	\$3,448.40	\$6,587.00	\$0.00	100.00%	
100-4110-6000 Office Supplies	\$700.00	\$386.35	\$700.00	\$0.00	100.00%	
100-4110-6125 Departmental Equipment & Supplies	\$4,300.00	\$0.00	\$4,300.00	\$0.00	100.00%	
100-4110-6150 Comptr, Sftware & Electronics < \$5,000	\$4,670.00	\$3.96	\$4,670.00	\$0.00	100.00%	
100-4110-6225 Repair & Maintenance Supplies Legislative	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
TOTAL LEGISLATIVE DEPT EXP	\$43,611.76	\$10,398.23	\$43,611.76	\$0.00	100.00%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4112-1000 Regular Salaries & Wages Town Clerk	\$62,200.00	\$26,315.41	\$62,200.00	\$0.00	100.00%	
100-4112-1100 Regular Salaries & Wages OT Town Clerk	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4112-2000 FICA Expense	\$4,758.30	\$2,010.19	\$4,758.30	\$0.00	100.00%	
100-4112-2100 SUI Expense	\$66.40	\$0.00	\$66.40	\$0.00	100.00%	
100-4112-2200 Retirement-ER VRS & ICMA-RC Contribution	\$3,719.56	\$1,549.80	\$3,719.56	\$0.00	100.00%	
100-4112-2210 Life Insurance	\$833.48	\$347.30	\$833.48	\$0.00	100.00%	
100-4112-2220 Disability Insurance, LTD & STD	\$477.72	\$141.94	\$477.72	\$0.00	100.00%	
100-4112-2230 Worker's Comp	\$37.83	\$37.56	\$37.83	\$0.00	100.00%	
100-4112-2300 Health Insurance	\$499.92	\$0.00	\$499.92	\$0.00	100.00%	
100-4112-2310 Dental Insurance	\$591.48	\$246.45	\$591.48	\$0.00	100.00%	
100-4112-2320 Vision Insurance	\$91.32	\$38.05	\$91.32	\$0.00	100.00%	
100-4112-2325 AFLAC Insurance Premiums - Town portion	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4112-2340 Employee Assist Program	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4112-2345 Employee/Volunteer Testing	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4112-2360 Staff & Volunteer Appreciation	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4112-3000 Contract Labor	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4112-3020 Maint Svc Contracts - Annual	\$600.00	\$0.00	\$600.00	\$0.00	100.00%	
100-4112-3025 Repair Maint & Inspect Contracted Svcs	\$2,000.00	\$912.00	\$2,000.00	\$0.00	100.00%	
100-4112-3030 Lease - Storage	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4112-3430 IT, Software, Scan & Website Services	\$5,600.00	\$5,625.00	\$5,600.00	\$0.00	100.00%	
100-4112-3450 Printing & Design Services	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4112-3500 Advertising Services	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4112-5040 Phone Service, Landline & Wireless	\$780.00	\$325.00	\$780.00	\$0.00	100.00%	
100-4112-5200 Travel-Mileage, Parking & Tolls	\$1,350.00	\$0.00	\$1,350.00	\$0.00	100.00%	
100-4112-5210 Travel-Lodging & Meals	\$1,300.00	\$0.00	\$1,300.00	\$0.00	100.00%	
100-4112-5220 Conference	\$850.00	\$0.00	\$850.00	\$0.00	100.00%	
100-4112-5230 Education	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4112-5240 Books & Subscriptions	\$8,350.00	\$0.00	\$8,350.00	\$0.00	100.00%	
100-4112-5250 Dues & Memberships	\$500.00	\$228.00	\$500.00	\$0.00	100.00%	
100-4112-5260 Employee Testing & Certification	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4112-6000 Office Supplies	\$1,300.00	\$33.84	\$1,300.00	\$0.00	100.00%	
100-4112-6150 Comptr, Sftware & Electronics < \$5,000	\$250.00	\$0.00	\$250.00	\$0.00	100.00%	
TOTAL TOWN CLERK DEPT EXP	\$96,156.01	\$37,810.54	\$96,156.01	\$0.00	100.00%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4121-1000 Regular Salaries & Wages-Town Manager	\$105,000.00	\$44,372.30	\$105,000.00	\$0.00	100.00%	
100-4121-1200 PT Salaries & Wages Town Mgr	\$32,000.00	\$12,005.00	\$32,000.00	\$0.00	100.00%	
100-4121-1800 Allocated Wages	(\$15,750.00)	(\$6,562.50)	(\$15,750.00)	\$0.00	100.00%	
100-4121-1900 Personnel Lapse Allowance	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-2000 FICA Expense	\$10,480.50	\$4,318.28	\$10,480.50	\$0.00	100.00%	
100-4121-2100 SUI Expense	\$132.80	\$0.00	\$132.80	\$0.00	100.00%	
100-4121-2200 Retirement-ER VRS & ICMA-RC Contribution	\$6,279.00	\$2,616.30	\$6,279.00	\$0.00	100.00%	
100-4121-2210 Life Insurance	\$1,407.00	\$586.15	\$1,407.00	\$0.00	100.00%	
100-4121-2220 Disability Insurance, LTD & STD	\$785.88	\$229.34	\$785.88	\$0.00	100.00%	
100-4121-2230 Worker's Comp	\$132.49	\$49.78	\$132.49	\$0.00	100.00%	
100-4121-2300 Health Insurance	\$6,760.32	\$2,905.50	\$6,760.32	\$0.00	100.00%	
100-4121-2310 Dental Insurance	\$285.00	\$118.75	\$285.00	\$0.00	100.00%	
100-4121-2320 Vision Insurance	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-2325 AFLAC Insurance Premiums - Town portion	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-2340 Employee Assist Program	\$250.00	\$103.40	\$250.00	\$0.00	100.00%	
100-4121-2345 Employee/Volunteer Testing	\$120.00	\$0.00	\$120.00	\$0.00	100.00%	
100-4121-2350 Relocation Assistance	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-2360 Staff & Volunteer Appreciation	\$4,000.00	\$0.00	\$4,000.00	\$0.00	100.00%	
100-4121-2800 Allocated Benefits	(\$3,552.00)	(\$1,480.00)	(\$3,552.00)	\$0.00	100.00%	
100-4121-3000 Contract Labor	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-3020 Maint Svc Contracts - Annual	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-3025 Repair Maint & Inspect Contracted Svcs	\$7,200.00	\$942.06	\$7,200.00	\$0.00	100.00%	
100-4121-3400 Legal Services TM	\$100,000.00	\$7,761.15	\$100,000.00	\$0.00	100.00%	
100-4121-3401 Legal Services Finance	\$1,500.00	\$870.50	\$1,500.00	\$0.00	100.00%	
100-4121-3402 Legal Services Code Enf	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-3404 Legal Services Police	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-3405 Legal Services Planner	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-3406 Legal Services Public Works	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-3410 Management Consulting	\$20,000.00	\$0.00	\$20,000.00	\$0.00	100.00%	
100-4121-3420 Engineering & Architect Svcs Gen Fund	\$25,000.00	\$3,380.00	\$25,000.00	\$0.00	100.00%	
100-4121-3430 IT, Software, Scan & Website Services	\$7,500.00	\$703.96	\$7,500.00	\$0.00	100.00%	
100-4121-3500 Advertising Services	\$1,500.00	\$223.20	\$1,500.00	\$0.00	100.00%	
100-4121-4015 Grant Exp - Town Match Arts Enter VCA	\$2,500.00	\$2,500.00	\$2,500.00	\$0.00	100.00%	
100-4121-4025 Grant Exp - Town Support Fire Dept	\$25,000.00	\$25,000.00	\$25,000.00	\$0.00	100.00%	
100-4121-4030 Grant Exp - Nrthmptn Cty Tourism Infrast.	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-4040 Grant Exp - Star Transit Support	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-4045 Grant Exp - Cape Charles Musm & Welcm Cntr	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-4050 Grant Exp - Eastern Shore Tourism Comm.	\$5,000.00	\$5,000.00	\$5,000.00	\$0.00	100.00%	
100-4121-4060 Grant Exp - Local Arts, GEAR, Harbor for the Arts	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-4065 Grant Exp - Randy Custis Mmrl Fund, Youth Sports	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-4070 Grant Exp - VRSA Risk Mngmnt Grant Exp	\$4,000.00	\$0.00	\$2,000.00	\$2,000.00	50.00%	replace front door?

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4121-4100 Grant Exp - YMCA	\$5,000.00	\$5,000.00	\$5,000.00	\$0.00	100.00%	
100-4121-4125 Grant/Donation Exp - Misc. Pass-through	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-4130 DHCD CDBG COVID-19 Bus Asst Grant Expenditures	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-4150 Grant Exp - Emergency & Misc.	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-4200 Fireworks	\$15,000.00	\$15,000.00	\$15,000.00	\$0.00	100.00%	
100-4121-4210 Cape Charles Main Street	\$80,000.00	\$40,000.00	\$80,000.00	\$0.00	100.00%	
100-4121-5000 Tax Refund - Prior Year, (RE, PP, BPOL, MISC)	\$2,000.00	\$25.75	\$2,000.00	\$0.00	100.00%	
100-4121-5005 Refund - Misc. Fees	\$1,000.00	\$912.49	\$1,000.00	\$0.00	100.00%	
100-4121-5010 Refund - Tourism Zone BPOL	\$2,000.00	\$0.00	\$2,000.00	\$0.00	100.00%	
100-4121-5020 Refund - Tourism Zone Real & Business Property Tax	\$2,000.00	\$0.00	\$2,000.00	\$0.00	100.00%	
100-4121-5030 Refund - Tourism Zone Permit Fees	\$4,000.00	\$0.00	\$4,000.00	\$0.00	100.00%	
100-4121-5040 Phone Service, Landline & Wireless	\$10,000.00	\$3,128.00	\$10,000.00	\$0.00	100.00%	
100-4121-5050 Internet & Cable Services	\$1,550.00	\$656.45	\$1,550.00	\$0.00	100.00%	
100-4121-5070 Postage	\$8,000.00	\$4,050.67	\$8,000.00	\$0.00	100.00%	
100-4121-5080 Lease, Bldgs & Property	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-5090 Lease, Right of Way	\$6,200.00	\$1,875.00	\$6,200.00	\$0.00	100.00%	
100-4121-5100 Lease, Vehicles & Equipment	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-5110 Lease, Office Equipment	\$6,800.00	\$1,828.80	\$6,800.00	\$0.00	100.00%	
100-4121-5200 Travel-Mileage, Parking & Tolls	\$400.00	\$302.70	\$400.00	\$0.00	100.00%	
100-4121-5210 Travel-Lodging & Meals	\$1,400.00	\$666.62	\$1,400.00	\$0.00	100.00%	
100-4121-5220 Conference	\$950.00	\$400.00	\$950.00	\$0.00	100.00%	
100-4121-5230 Education	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-5240 Books & Subscriptions	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-5250 Dues & Memberships	\$1,350.00	\$1,024.00	\$1,350.00	\$0.00	100.00%	
100-4121-5300 Insurance, Property & General Liability	\$45,305.00	\$18,367.64	\$36,735.28	\$8,569.72	81.08%	Cost less than anticipated
100-4121-5340 Licensing	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-5350 Fines & Penalties	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-6000 Office Supplies	\$8,000.00	\$2,889.59	\$8,000.00	\$0.00	100.00%	
100-4121-6150 Comptr, Sftware & Electronics < \$5,000	\$6,750.00	\$7,236.68	\$8,000.00	(\$1,250.00)	118.52%	Symantec Renewal increased
100-4121-6175 Vehicles & Powered Equipment Fuel - Admin Vehicle	\$600.00	\$0.00	\$600.00	\$0.00	100.00%	
100-4121-6200 Vehicles & Powered Equip.Supplies & Svcs.	\$2,000.00	\$0.00	\$2,000.00	\$0.00	100.00%	
100-4121-6900 Contingency Fund Exp Gen Fund	\$50,000.00	\$0.00	\$50,000.00	\$0.00	100.00%	
100-4121-8110 Transfer to Gen Capital Proj Fund - Min 6%	\$186,214.68	\$0.00	\$186,214.68	\$0.00	100.00%	
100-4121-8111 Transfer .5% Meals tax to Cap Proj Fund	\$50,000.00	\$38,460.82	\$60,000.00	(\$10,000.00)	120.00%	Increase in meals tax revenue expected Appropriate capital project contingency funding from current revenue surplus
100-4121-8112 Transfer Reappropriated Funds to Cap Proj Fund	\$97,840.00	\$0.00	\$147,840.00	(\$50,000.00)	151.10%	
100-4121-8120 Transfer to Gen Debt Svc Fund	\$258,614.37	\$104,165.76	\$258,614.37	\$0.00	100.00%	
100-4121-8130 Transfer to Gen Special Activity Fund	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4121-8510 Transfer Funds to Harbor	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
TOTAL TOWN MANAGER DEPT EXP	\$1,200,505.04	\$351,634.14	\$1,251,185.32	(\$50,680.28)	104.22%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4124-1000 Regular Salaries & Wages-Finance	\$249,168.45	\$88,683.30	\$233,533.30	\$15,635.15	93.73%	New position was vacant for a few months savings
100-4124-1100 Regular Salaries & Wages OT Finance	\$837.37	\$83.66	\$837.37	\$0.00	100.00%	
100-4124-1200 PT Salaries & Wages Finance	\$0.00	\$3,773.03	\$5,500.00	(\$5,500.00)	#DIV/0!	Intern, Shared with Planning
100-4124-1300 PT Salaries & Wages OT Fin	\$0.00	\$96.10	\$96.10	(\$96.10)	#DIV/0!	
100-4124-1800 Allocated Wages	(\$16,762.00)	(\$6,984.35)	(\$16,762.00)	\$0.00	100.00%	
100-4124-2000 FICA Expense	\$19,125.45	\$6,446.21	\$17,865.30	\$1,260.15	93.41%	
100-4124-2100 SUI Expense	\$332.00	\$75.15	\$398.00	(\$66.00)	119.88%	
100-4124-2200 Retirement-ER VRS & ICMA-RC Contribution	\$14,713.70	\$5,124.10	\$14,607.70	\$106.00	99.28%	
100-4124-2210 Life Insurance	\$3,297.05	\$1,148.20	\$3,200.00	\$97.05	97.06%	
100-4124-2220 Disability Insurance, LTD & STD	\$1,920.95	\$484.59	\$1,900.00	\$20.95	98.91%	
100-4124-2230 Worker's Comp	\$151.54	\$150.96	\$151.54	\$0.00	100.00%	
100-4124-2300 Health Insurance	\$33,801.60	\$13,790.88	\$27,581.76	\$6,219.84	81.60%	
100-4124-2310 Dental Insurance	\$1,425.00	\$522.50	\$1,331.50	\$93.50	93.44%	
100-4124-2320 Vision Insurance	\$0.00	\$7.61	\$60.88	(\$60.88)	#DIV/0!	
100-4124-2330 Benefits Adminstn Fees	\$3,100.00	\$791.30	\$3,100.00	\$0.00	100.00%	
100-4124-2345 Employee/Volunteer Testing	\$0.00	\$45.95	\$45.95	(\$45.95)	#DIV/0!	
100-4124-2800 Allocated Benefits	(\$4,997.00)	(\$2,082.05)	(\$4,997.00)	\$0.00	100.00%	
100-4124-3020 Maint Svc Contracts - Annual	\$11,800.00	\$3,832.76	\$11,800.00	\$0.00	100.00%	
100-4124-3430 IT, Software, Scan & Website Services	\$1,075.00	\$560.00	\$1,075.00	\$0.00	100.00%	
100-4124-3500 Advertising Services	\$600.00	\$862.53	\$862.53	(\$262.53)	143.76%	
100-4124-3600 Payroll Processing & Timekeeping	\$8,800.00	\$2,963.50	\$8,800.00	\$0.00	100.00%	
100-4124-3700 Auditor & Accountant Services	\$26,000.00	\$0.00	\$26,000.00	\$0.00	100.00%	
100-4124-3710 Collections Services & DMV Fees	\$1,000.00	\$75.00	\$1,000.00	\$0.00	100.00%	
100-4124-3730 Bank Service Charges	\$3,800.00	\$1,104.08	\$3,800.00	\$0.00	100.00%	
100-4124-3740 Merchant Service Charges	\$6,400.00	\$3,750.84	\$6,400.00	\$0.00	100.00%	
100-4124-3750 Late Fees & Fines	\$150.00	\$5.02	\$150.00	\$0.00	100.00%	
100-4124-3760 Cash Short & Over Finance	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4124-5040 Phone Service, Landline & Wireless	\$2,340.00	\$650.00	\$2,340.00	\$0.00	100.00%	
100-4124-5110 Lease, Office Equipment	\$1,230.00	\$438.66	\$1,230.00	\$0.00	100.00%	
100-4124-5200 Travel-Mileage, Parking & Tolls	\$527.00	\$268.88	\$527.00	\$0.00	100.00%	
100-4124-5210 Travel-Lodging & Meals	\$1,783.00	\$0.00	\$1,783.00	\$0.00	100.00%	
100-4124-5220 Conference	\$845.00	\$250.00	\$845.00	\$0.00	100.00%	
100-4124-5230 Education	\$2,635.00	\$885.00	\$2,635.00	\$0.00	100.00%	
100-4124-5240 Books & Subscriptions	\$150.00	\$0.00	\$150.00	\$0.00	100.00%	
100-4124-5250 Dues & Memberships	\$700.00	\$651.50	\$700.00	\$0.00	100.00%	
100-4124-5260 Employee Testing & Certification	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4124-5340 Licensing	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4124-5350 Fines & Penalties	\$0.00	\$4.35	\$4.35	(\$4.35)	#DIV/0!	
100-4124-6000 Office Supplies	\$4,000.00	\$2,284.35	\$5,000.00	(\$1,000.00)	125.00%	4 printers need to be replaced
100-4124-6150 Comptr, Sftware & Electronics < \$5,000	\$0.00	\$539.13	\$539.13	(\$539.13)	#DIV/0!	HR Laptop
TOTAL TREASURER DEPT EXP	\$379,949.11	\$131,282.74	\$364,091.41	\$15,857.70	95.83%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4310-1000 Regular Salaries & Wages-Police	\$319,894.72	\$140,673.38	\$333,221.22	(\$13,326.50)	104.17%	Position restructuring
100-4310-1100 Regular Salaries & Wages OT Police	\$4,000.00	\$2,394.84	\$4,000.00	\$0.00	100.00%	
100-4310-1200 Part Time Wages Police (COVID related)	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4310-2000 FICA Expense	\$24,777.95	\$10,566.06	\$25,491.42	(\$713.47)	102.88%	
100-4310-2100 SUI Expense	\$464.80	\$0.00	\$464.80	\$0.00	100.00%	
100-4310-2200 Retirement-ER VRS & ICMA-RC Contribution	\$18,382.06	\$7,659.20	\$19,179.01	(\$796.95)	104.34%	
100-4310-2210 Life Insurance	\$4,119.06	\$1,716.35	\$4,297.64	(\$178.58)	104.34%	
100-4310-2220 Disability Insurance, LTD & STD	\$2,422.39	\$975.33	\$2,399.19	\$23.20	99.04%	
100-4310-2230 Worker's Comp	\$9,776.29	\$4,630.28	\$9,776.29	\$0.00	100.00%	
100-4310-2300 Health Insurance	\$41,062.00	\$20,409.66	\$41,062.00	\$0.00	100.00%	
100-4310-2310 Dental Insurance	\$1,710.00	\$712.50	\$1,710.00	\$0.00	100.00%	
100-4310-2320 Vision Insurance	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4310-3430 IT, Software, Scan & Website Services	\$2,875.00	\$1,275.00	\$2,875.00	\$0.00	100.00%	
100-4310-3500 Advertising Services	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4310-4080 Grant Exp - DCJS Byrne	\$1,000.00	\$0.00	\$1,000.00	\$0.00	100.00%	
100-4310-4150 Grant Exp - Police Other	\$4,500.00	\$0.00	\$4,500.00	\$0.00	100.00%	
100-4310-5040 Phone Service, Landline & Wireless	\$6,000.00	\$1,251.55	\$6,000.00	\$0.00	100.00%	
100-4310-5200 Travel-Mileage, Parking & Tolls	\$513.00	\$151.30	\$513.00	\$0.00	100.00%	
100-4310-5205 Travel-Mileage, Parking & Tolls - Pol. Acad.	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4310-5210 Travel-Lodging & Meals	\$500.00	\$30.86	\$500.00	\$0.00	100.00%	
100-4310-5215 Travel-Lodging & Meals - Pol. Acad.	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4310-5220 Conference	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4310-5230 Education	\$2,500.00	\$2,338.00	\$2,500.00	\$0.00	100.00%	
100-4310-5240 Books & Subscriptions	\$200.00	\$0.00	\$200.00	\$0.00	100.00%	
100-4310-5250 Dues & Memberships	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4310-5260 Employee Testing & Certification	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4310-5310 Insurance, Public Official Liability	\$2,680.00	\$2,728.72	\$2,728.72	(\$48.72)	101.82%	
100-4310-5330 Insurance, LODA	\$5,605.00	\$2,802.50	\$5,605.00	\$0.00	100.00%	
100-4310-6000 Office Supplies	\$2,500.00	\$2,117.75	\$2,500.00	\$0.00	100.00%	
100-4310-6050 Uniforms Expense	\$6,000.00	\$1,770.26	\$6,000.00	\$0.00	100.00%	
100-4310-6125 Departmental Supplies & Equipment - Police	\$10,270.00	\$443.87	\$10,270.00	\$0.00	100.00%	
100-4310-6150 Comptr, Sftware & Electronics < \$5,000	\$2,600.00	\$290.00	\$2,600.00	\$0.00	100.00%	
100-4310-6175 Vehicles & Powered Equipment Fuel	\$16,000.00	\$5,074.47	\$14,876.40	\$1,123.60	92.98%	
100-4310-6200 Vehicle & Powered Equip. Supplies & Svcs	\$8,500.00	\$9,581.13	\$13,000.00	(\$4,500.00)	152.94%	See Insurance reimbursement in gen fund revenue
100-4310-6225 Repair & Maintenance Supplies Police	\$1,000.00	\$196.91	\$1,000.00	\$0.00	100.00%	
100-4310-6800 Debt Service - Principal Payment PD	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4310-6850 Debt Service Interest Police Dept	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4310-6850 Debt Service Interest Police Dept	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4310-7070 Vehicles & Equipment	\$81,000.00	\$0.00	\$81,000.00	\$0.00	100.00%	
TOTAL POLICE DEPT EXP	\$580,852.27	\$219,789.92	\$599,269.69	(\$18,417.42)	103.17%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4340-1000 Regular Salaries & Wages-Code Enforcement	\$98,971.08	\$41,898.55	\$98,971.08	\$0.00	100.00%	
100-4340-1100 Regular Salaries & Wages OT Code Enf	\$1,020.00	\$285.12	\$1,020.00	\$0.00	100.00%	
100-4340-2000 FICA Expense	\$7,649.32	\$3,093.02	\$7,649.32	\$0.00	100.00%	
100-4340-2100 SUI Expense	\$132.80	\$0.00	\$132.80	\$0.00	100.00%	
100-4340-2200 Retirement-ER VRS & ICMA-RC Contribution	\$5,918.47	\$2,466.05	\$5,918.47	\$0.00	100.00%	
100-4340-2210 Life Insurance	\$1,326.21	\$552.60	\$1,326.21	\$0.00	100.00%	
100-4340-2220 Disability Insurance, LTD & STD	\$772.35	\$231.93	\$772.35	\$0.00	100.00%	
100-4340-2230 Worker's Comp	\$441.40	\$236.58	\$441.40	\$0.00	100.00%	
100-4340-2300 Health Insurance	\$7,260.24	\$3,897.72	\$7,260.24	\$0.00	100.00%	
100-4340-2310 Dental Insurance	\$570.00	\$237.50	\$570.00	\$0.00	100.00%	
100-4340-2320 Vision Insurance	\$91.32	\$38.05	\$91.32	\$0.00	100.00%	
100-4340-2340 Employee Assist Program	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4340-2345 Employee/Volunteer Testing	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4340-3020 Maint Svc Contracts - Annual	\$800.00	\$245.26	\$800.00	\$0.00	100.00%	
100-4340-3025 Repair Maint & Inspect Contracted Svcs-Mowing/Dem	\$5,400.00	\$650.00	\$50,000.00	(\$44,600.00)	925.93%	General enforcement needs
100-4340-3430 IT, Software, Scan & Website Services	\$3,600.00	\$80.00	\$3,600.00	\$0.00	100.00%	
100-4340-3450 Printing & Design Services	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4340-3500 Advertising Services	\$500.00	\$0.00	\$500.00	\$0.00	100.00%	
100-4340-3760 Cash Short & Over Code Enf	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4340-5040 Phone Service, Landline & Wireless	\$1,140.00	\$475.00	\$1,140.00	\$0.00	100.00%	
100-4340-5110 Lease, Office Equipment	\$1,000.00	\$78.48	\$1,000.00	\$0.00	100.00%	
100-4340-5200 Travel-Mileage, Parking & Tolls	\$600.00	\$0.00	\$600.00	\$0.00	100.00%	
100-4340-5210 Travel-Lodging & Meals	\$600.00	\$0.00	\$600.00	\$0.00	100.00%	
100-4340-5220 Conference	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4340-5230 Education	\$1,000.00	\$739.76	\$1,000.00	\$0.00	100.00%	
100-4340-5240 Books & Subscriptions	\$1,000.00	\$0.00	\$1,000.00	\$0.00	100.00%	
100-4340-5250 Dues & Memberships	\$500.00	\$0.00	\$500.00	\$0.00	100.00%	
100-4340-5260 Employee Testing & Certification	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4340-5300 Insurance, Property & General Liability	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4340-6000 Office Supplies	\$1,900.00	\$61.51	\$1,900.00	\$0.00	100.00%	
100-4340-6075 Hand Tools, & Small Equipment	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4340-6150 Comptr, Sftware & Electronics < \$5,000	\$1,000.00	\$0.00	\$1,000.00	\$0.00	100.00%	
100-4340-6175 Vehicles & Powered Equipment Fuel	\$850.00	\$273.13	\$850.00	\$0.00	100.00%	
100-4340-6200 Vehicle & Powered Equip. Supplies & Svcs	\$800.00	\$0.00	\$800.00	\$0.00	100.00%	
100-4340-6800 Debt Service - Principal Payment Code Enforcement	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4340-6850 Debt Service Interest - Code Enforcement	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
TOTAL CODE ENFORCEMENT DEPT EXP	\$144,843.19	\$55,540.26	\$189,443.19	(\$44,600.00)	130.79%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4430-1000 Regular Salaries & Wages-Public Works	165460.38	68740.88	\$182,303.44	(\$16,843.06)	110.18%	Position restructuring
100-4430-1100 Regular Salaries & Wages OT Pub Works	\$18,750.00	\$12,354.21	\$18,750.00	\$0.00	100.00%	
100-4430-1200 PT Salaries & Wages Pub Works COVID related	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4430-1300 PT Salaries & Wages OT Pub Works	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4430-1400 Seasonal Wages	\$24,040.00	\$12,557.76	\$23,057.76	\$982.24	95.91%	
100-4430-1500 Seasonal Wages OT	\$0.00	\$491.25	\$491.25	(\$491.25)	#DIV/0!	
100-4430-2000 FICA Expense	\$15,931.15	\$7,009.47	\$17,182.09	(\$1,250.94)	107.85%	Position restructuring
100-4430-2100 SUI Expense	\$464.80	\$132.24	\$464.80	\$0.00	100.00%	
100-4430-2200 Retirement-ER VRS & ICMA-RC Contribution	\$9,894.53	\$3,998.35	\$10,901.75	(\$1,007.22)	110.18%	Position restructuring
100-4430-2210 Life Insurance	\$2,217.17	\$895.90	\$2,442.87	(\$225.70)	110.18%	Position restructuring
100-4430-2220 Disability Insurance, LTD & STD	\$1,340.71	\$399.76	\$1,462.58	(\$121.87)	109.09%	Position restructuring
100-4430-2230 Worker's Comp	\$4,778.51	\$2,365.30	\$4,730.60	\$47.91	99.00%	
100-4430-2300 Health Insurance	\$27,541.20	\$13,006.44	\$30,411.20	(\$2,870.00)	110.42%	Position restructuring
100-4430-2310 Dental Insurance	\$1,731.48	\$745.20	\$1,911.84	(\$180.36)	110.42%	Position restructuring
100-4430-2320 Vision Insurance	\$91.32	\$38.05	\$91.32	\$0.00	100.00%	
100-4430-3020 Maint Svc Contracts	\$2,500.00	\$597.20	\$2,500.00	\$0.00	100.00%	
100-4430-3040 Grounds Maintenance	\$30,000.00	\$34,069.22	\$60,000.00	(\$30,000.00)	200.00%	Bed maintenance, weeding watering increases
100-4430-3060 Landfill Disposal	\$3,500.00	\$390.75	\$3,500.00	\$0.00	100.00%	
100-4430-3070 Mosquito & Pest Control	\$8,500.00	\$1,600.00	\$8,500.00	\$0.00	100.00%	
100-4430-3200 Cleaning and Janitorial Services	\$5,000.00	\$5,765.00	\$13,836.00	(\$8,836.00)	276.72%	bids were higher than anticipated
100-4430-3430 IT, Software, Scan & Website Services	\$2,000.00	\$277.50	\$2,000.00	\$0.00	100.00%	
100-4430-3500 Advertising Services	\$500.00	\$0.00	\$500.00	\$0.00	100.00%	
100-4430-4070 Grant Exp - VML Risk Mngmnt Grant Exp	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4430-5010 Electric Service	\$51,000.00	\$20,736.74	\$51,000.00	\$0.00	100.00%	
100-4430-5020 Propane & Fuel Oil Exp	\$4,000.00	\$0.00	\$4,000.00	\$0.00	100.00%	
100-4430-5040 Phone Service, Landline & Wireless	\$2,300.00	\$925.00	\$2,300.00	\$0.00	100.00%	
100-4430-5050 Internet & Cable Services	\$1,000.00	\$395.15	\$1,000.00	\$0.00	100.00%	
100-4430-5100 Lease, Vehicles & Equipment	\$2,500.00	\$0.00	\$2,500.00	\$0.00	100.00%	
100-4430-5200 Travel-Mileage, Parking & Tolls	\$500.00	\$104.95	\$500.00	\$0.00	100.00%	
100-4430-5210 Travel-Lodging & Meals	\$500.00	\$0.00	\$500.00	\$0.00	100.00%	
100-4430-5220 Conference	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4430-5230 Education	\$400.00	\$0.00	\$400.00	\$0.00	100.00%	
100-4430-5240 Books & Subscriptions	\$100.00	\$0.00	\$100.00	\$0.00	100.00%	
100-4430-5250 Dues & Memberships	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4430-5260 Employee Testing & Certification	\$225.00	\$0.00	\$225.00	\$0.00	100.00%	
100-4430-6000 Office Supplies	\$800.00	\$933.07	\$1,000.00	(\$200.00)	125.00%	
100-4430-6025 Janitorial & Kitchen Supplies	\$6,500.00	\$2,347.69	\$6,500.00	\$0.00	100.00%	
100-4430-6050 Uniforms Expense	\$1,000.00	\$0.00	\$1,000.00	\$0.00	100.00%	
100-4430-6075 Hand Tools, & Light Equipment	\$1,000.00	\$751.76	\$1,000.00	\$0.00	100.00%	
100-4430-6080 Safety Equipment	\$500.00	\$1,636.25	\$2,000.00	(\$1,500.00)	400.00%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4430-6150 Comptr, Sftware & Electronics < \$5,000	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4430-6175 Vehicles & Powered Equipment Fuel	\$13,000.00	\$3,095.73	\$11,000.00	\$2,000.00	84.62%	
100-4430-6200 Vehicle & Powered Equip. Supplies & Svcs	\$7,000.00	\$3,260.40	\$7,000.00	\$0.00	100.00%	
100-4430-6225 Repair & Maintenance Supplies Public Works	\$74,600.00	\$25,392.86	\$74,600.00	\$0.00	100.00%	
100-4430-6275 Beach Maint. & Safety Supplies & Svcs	\$50,000.00	\$7,783.13	\$50,000.00	\$0.00	100.00%	
TOTAL PUBLIC WORKS EXP	\$541,166.25	\$232,797.21	\$601,662.50	(\$60,496.25)	111.18%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4710-1000 Regular Salaries & Wages-Commty Events	\$46,861.86	\$16,567.52	\$33,489.92	\$13,371.94	71.47%	
100-4710-1100 Regular Salaries & Wages OT	\$2,033.93	\$811.08	\$2,000.00	\$33.93	98.33%	
100-4710-1200 PT Salaries - Commty Events	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4710-1400 Seasonal Wages	\$10,000.00	\$2,945.00	\$10,000.00	\$0.00	100.00%	Beach attendants/parking/trash patrol
100-4710-1500 Seasonal Wages OT	\$0.00	\$92.25	\$92.25	(\$92.25)	#DIV/0!	
100-4710-2000 FICA Expense	\$4,390.78	\$1,527.55	\$3,487.04	\$903.74	79.42%	
100-4710-2100 SUI Expense	\$132.80	\$57.20	\$132.80	\$0.00	100.00%	
100-4710-2200 Retirement-ER VRS & ICMA-RC Contribution	\$2,802.34	\$671.38	\$2,002.70	\$799.64	71.47%	
100-4710-2210 Life Insurance	\$627.95	\$149.33	\$448.76	\$179.19	71.47%	
100-4710-2220 Disability Insurance, LTD & STD	\$367.29	\$59.57	\$241.13	\$126.16	65.65%	
100-4710-2230 Worker's Comp	\$892.25	\$523.24	\$892.25	\$0.00	100.00%	
100-4710-2300 Health Insurance	\$6,760.32	\$2,398.48	\$6,111.32	\$649.00	90.40%	
100-4710-2310 Dental Insurance	\$285.00	\$95.00	\$261.25	\$23.75	91.67%	
100-4710-2345 Employee/Volunteer Testing	\$0.00	\$45.95	\$45.95	(\$45.95)	#DIV/0!	
100-4710-2360 Staff & Volunteer Appreciation	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4710-3000 Contract Labor	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4710-3005 Program & Event Performers & Entertainers CCP	\$10,000.00	\$0.00	\$10,000.00	\$0.00	100.00%	CCP concerts
100-4710-3025 Repair Maint & Inspect Contracted Svcs	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4710-3430 IT, Software, Scan & Website Services	\$200.00	\$0.00	\$200.00	\$0.00	100.00%	
100-4710-3450 Printing & Design Services	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4710-3500 Advertising Services	\$1,275.00	\$550.00	\$1,275.00	\$0.00	100.00%	
100-4710-4150 Grant Exp - Recreation Other	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4710-5040 Phone Service, Landline & Wireless	\$780.00	\$175.00	\$720.00	\$60.00	92.31%	
100-4710-5200 Travel-Mileage, Parking & Tolls	\$400.00	\$0.00	\$400.00	\$0.00	100.00%	
100-4710-5210 Travel-Lodging & Meals	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4710-5220 Conference	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4710-5230 Education	\$250.00	\$0.00	\$250.00	\$0.00	100.00%	
100-4710-5260 Employee Testing & Certification	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4710-5340 Licensing	\$740.00	\$0.00	\$740.00	\$0.00	100.00%	Fishing Pier License
100-4710-6000 Office Supplies	\$425.00	\$1,134.50	\$1,400.00	(\$975.00)	329.41%	
100-4710-6050 Uniforms Expense	\$150.00	\$402.00	\$500.00	(\$350.00)	333.33%	
100-4710-6100 Program & Event Supplies & Awards	\$20,000.00	\$3,254.08	\$20,000.00	\$0.00	100.00%	
100-4710-6150 Comptr, Sftware & Electronics < \$5,000	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4710-6225 Repair & Maintenance Supplies Recreation	\$500.00	\$0.00	\$500.00	\$0.00	100.00%	
TOTAL COMMUNITY EVENTS DEPT EXP	\$109,874.52	\$31,459.13	\$95,190.37	\$14,684.15	86.64%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4730-1000 Regular Salaries & Wages-Library	\$83,579.00	\$35,078.99	\$83,579.00	\$0.00	100.00%	
100-4730-1100 Regular Salaries & Wages OT Library	\$0.00	\$71.60	\$71.60	(\$71.60)	#DIV/0!	
100-4730-1200 PT Salaries & Wages Library	\$10,368.54	\$2,753.19	\$10,368.54	\$0.00	100.00%	
100-4730-1300 PT Salaries & Wages OT Library	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4730-2000 FICA Expense	\$7,186.99	\$2,743.30	\$7,186.99	\$0.00	100.00%	
100-4730-2100 SUI Expense	\$199.20	\$22.87	\$199.20	\$0.00	100.00%	
100-4730-2200 Retirement-ER VRS & ICMA-RC Contribution	\$4,998.02	\$2,082.55	\$4,998.02	\$0.00	100.00%	
100-4730-2210 Life Insurance	\$1,119.96	\$466.60	\$1,119.96	\$0.00	100.00%	
100-4730-2220 Disability Insurance, LTD & STD	\$661.53	\$200.48	\$661.53	\$0.00	100.00%	
100-4730-2230 Worker's Comp	\$57.13	\$56.92	\$57.13	\$0.00	100.00%	
100-4730-2300 Health Insurance	\$11,956.52	\$3,897.72	\$11,956.52	\$0.00	100.00%	
100-4730-2310 Dental Insurance	\$570.00	\$237.50	\$570.00	\$0.00	100.00%	
100-4730-2320 Vision Insurance	\$91.32	\$38.05	\$91.32	\$0.00	100.00%	
100-4730-2340 Employee Assist Program	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4730-2345 Employee/Volunteer Testing	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4730-3005 Program & Event Performers & Entertainers	\$4,000.00	\$1,026.91	\$4,000.00	\$0.00	100.00%	
100-4730-3020 Maint Svc Contracts - Annual	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4730-3025 Repair Maint & Inspect Contracted Svcs	\$775.00	\$302.60	\$775.00	\$0.00	100.00%	
100-4730-3200 Cleaning and Janitorial Services	\$5,000.00	\$3,150.00	\$7,560.00	(\$2,560.00)	151.20%	Bids came in higher than anticipated
100-4730-3430 IT, Software, Scan & Website Services	\$2,200.00	\$440.00	\$2,200.00	\$0.00	100.00%	
100-4730-3450 Printing & Design Services	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4730-3500 Advertising Services	\$500.00	\$0.00	\$500.00	\$0.00	100.00%	
100-4730-3760 Cash Short & Over Lib	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
100-4730-4090 Grant Exp - DEQ Litter Grant - Library	\$814.00	\$0.00	\$814.00	\$0.00	100.00%	
100-4730-5010 Electric Service	\$7,250.00	\$2,425.22	\$7,250.00	\$0.00	100.00%	
100-4730-5020 Propane & Fuel Oil Exp	\$2,400.00	\$0.00	\$2,400.00	\$0.00	100.00%	
100-4730-5050 Internet & Cable Services	\$1,000.00	\$439.85	\$1,000.00	\$0.00	100.00%	
100-4730-5110 Lease, Office Equipment	\$1,200.00	\$400.45	\$1,200.00	\$0.00	100.00%	
100-4730-5200 Travel-Mileage, Parking & Tolls	\$100.00	\$0.00	\$100.00	\$0.00	100.00%	
100-4730-5210 Travel-Lodging & Meals	\$561.00	\$0.00	\$561.00	\$0.00	100.00%	
100-4730-5220 Conference	\$400.00	\$0.00	\$400.00	\$0.00	100.00%	
100-4730-5230 Education	\$200.00	\$0.00	\$200.00	\$0.00	100.00%	
100-4730-5240 Books & Subscriptions - Professional	\$306.00	\$0.00	\$306.00	\$0.00	100.00%	
100-4730-5250 Dues & Memberships	\$500.00	\$0.00	\$500.00	\$0.00	100.00%	
100-4730-6000 Office Supplies	\$1,800.00	\$362.27	\$1,800.00	\$0.00	100.00%	
100-4730-6025 Janitorial & Kitchen Supplies	\$200.00	\$0.00	\$200.00	\$0.00	100.00%	
100-4730-6050 Uniforms - Library	\$200.00	\$0.00	\$200.00	\$0.00	100.00%	
100-4730-6100 Program & Event Supplies & Awards	\$1,530.00	\$0.00	\$1,530.00	\$0.00	100.00%	
100-4730-6125 Dept Sppls & Equip -Books, DVD's and CDs	\$17,500.00	\$546.56	\$17,500.00	\$0.00	100.00%	
100-4730-6150 Comptr, Sftware & Electronics < \$5,000	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
TOTAL LIBRARY DEPT EXP	\$169,224.21	\$56,743.63	\$171,855.81	(\$2,631.60)	101.56%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
100-4811-1000 Regular Salaries & Wages-Planning	\$94,218.99	\$17,994.02	\$94,218.99	\$0.00	100.00%	
100-4811-1100 Regular Wages OT Planning	\$1,841.51	\$846.10	\$1,841.51	\$0.00	100.00%	
100-4811-1200 PT Salaries & Wages Planning	\$54,100.00	\$24,433.00	\$54,100.00	\$0.00	100.00%	
100-4811-1300 PT Wages Planning - OT	\$0.00	\$375.00	\$450.00	(\$450.00)	#DIV/0!	
100-4811-2000 FICA Expense	\$11,487.28	\$3,332.33	\$11,521.70	(\$34.42)	100.30%	
100-4811-2100 SUI Expense	\$216.63	\$13.16	\$216.63	\$0.00	100.00%	
100-4811-2200 Retirement-ER VRS & ICMA-RC Contribution	\$5,634.30	\$935.75	\$5,634.30	\$0.00	100.00%	
100-4811-2210 Life Insurance	\$1,262.63	\$209.65	\$1,262.53	\$0.10	99.99%	
100-4811-2220 Disability Insurance, LTD & STD	\$738.14	\$91.59	\$678.38	\$59.76	91.90%	
100-4811-2230 Worker's Comp	\$88.93	\$88.58	\$88.93	\$0.00	100.00%	
100-4811-2300 Health Insurance	\$13,520.64	\$3,781.97	\$10,377.41	\$3,143.23	76.75%	
100-4811-2310 Dental Insurance	\$570.00	\$95.00	\$425.00	\$145.00	74.56%	
100-4811-3025 Repair Maint & Inspect Contracted Svcs	\$0.00	\$245.25	\$600.00	(\$600.00)	#DIV/0!	1/2 of shared copier maintenance Comp plan at \$45K for FY22, +\$41K for Hist dist review board + contingency 10%
100-4811-3410 Management Consulting	\$60,000.00	\$79.80	\$95,000.00	(\$35,000.00)	158.33%	
100-4811-3430 IT, Software, Scan & Website Services	\$3,000.00	\$757.50	\$3,000.00	\$0.00	100.00%	
100-4811-3450 Printing & Design Services	\$300.00	\$0.00	\$300.00	\$0.00	100.00%	
100-4811-3500 Advertising Services	\$2,500.00	\$4,085.79	\$8,500.00	(\$6,000.00)	340.00%	Increased public hearings, etc.
100-4811-5040 Phone Service, Landline & Wireless	\$1,560.00	\$150.00	\$1,560.00	\$0.00	100.00%	
100-4811-5110 Lease - Equipment	\$1,000.00	\$78.47	\$1,000.00	\$0.00	100.00%	
100-4811-5200 Travel-Mileage, Parking & Tolls	\$958.00	\$40.00	\$958.00	\$0.00	100.00%	
100-4811-5210 Travel-Lodging & Meals	\$1,871.00	\$65.82	\$1,871.00	\$0.00	100.00%	
100-4811-5220 Conference	\$125.00	\$100.00	\$125.00	\$0.00	100.00%	
100-4811-5230 Education	\$12,015.00	\$300.00	\$12,015.00	\$0.00	100.00%	CAMP and Board training
100-4811-5240 Books & Subscriptions	\$309.00	\$0.00	\$309.00	\$0.00	100.00%	
100-4811-5250 Dues & Memberships	\$408.00	\$595.00	\$595.00	(\$187.00)	145.83%	
100-4811-5260 Employee Testing & Certification	\$200.00	\$0.00	\$200.00	\$0.00	100.00%	
100-4811-6000 Office Supplies	\$2,400.00	\$936.97	\$2,400.00	\$0.00	100.00%	
100-4811-6150 Comptr, Sftware & Electronics < \$5,000	\$0.00	\$179.88	\$179.88	(\$179.88)	#DIV/0!	
TOTAL PLANNING DEPT EXP	\$270,325.05	\$59,810.63	\$309,428.26	(\$39,103.21)	114.47%	
TOTAL GENERAL FUND EXPENDITURES	\$3,536,507.41	\$1,187,266.43	\$3,721,894.31	(\$185,386.90)		
GENERAL FUND REVENUE LESS EXPENDITURES	\$0.00	\$1,056,906.92	\$57,168.40	\$57,168.40	5.24%	Projected additional surplus of funds, which if not appropriated at this time, will fall to fund balance. The increase to revenue (meals, tot, sales) less \$57,168.40 however, <u>must</u> be appropriated in order to be used in FY22.
*Based on 5 months of FY22 Data and 7 months of FY21 trends					budget increase as of draft B creation	

FISCAL YEAR 2022 MID-YEAR BUDGET REVIEW
Budget vs Actual SPECIAL FUNDS Fund Fiscal Period From - 7/1/2021 Thru - 11/30/2021

110-GENERAL CAPITAL FUND

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
110-3800-4000 Grant - VDOT Roads, Trails & Sidewalks	\$703,483.00	\$0.00	\$703,483.00	\$0.00	0.00%	
110-3900-6000 Transfer fm Gen Fund Capital - Reappropriation	\$97,840.00	\$0.00	\$147,840.00	\$50,000.00	0.00%	New - Capital project contingencies
110-3950-2000 Transfer from Gen Fund for Capital 6%	\$186,214.68	\$0.00	\$186,214.68	\$0.00	0.00%	
110-3950-2050 Transfer from Gen Fund Meals Tax 5%	\$50,000.00	\$38,460.82	\$60,000.00	\$10,000.00	76.92%	Increased revenue
110-3950-8520 Transfer from Sanitation Fund	\$160,224.32	\$0.00	\$160,224.32	\$0.00	0.00%	
TOTAL GENERAL CAPITAL FUND REVENUE	\$1,197,762.00	\$38,460.82	\$1,257,762.00	\$60,000.00	3.00%	
110-4430-7010 Buildings & Improvements	\$130,000.00	\$0.00	\$130,000.00	\$0.00	0.00%	
110-4430-7020 Infrastructure-Open Space, Parks & Outdoor Equip	\$73,600.00	\$0.00	\$73,600.00	\$0.00	0.00%	
110-4430-7040 Insfrastructure - Parking Lots	\$34,240.00	\$0.00	\$19,200.00	(\$15,040.00)	0.00%	design execution, plan is unapproved by VDOT
110-4430-7050 Infrastructure-Streets & Walkways	\$929,922.00	\$5,110.50	\$929,922.00	\$0.00	0.55%	Trail Project
110-4430-7060 Infrastructure-Stormwater System	\$30,000.00	\$0.00	\$30,000.00	\$0.00	0.00%	Proceed? Need project manager
110-4430-7999 Capital Project Contingencies	\$0.00	\$0.00	\$50,000.00	\$50,000.00	0.00%	New - Capital project contingencies
TOTAL GENERAL CAPITAL FUND EXPENDITURES	\$1,197,762.00	\$5,110.50	\$1,232,722.00	\$34,960.00	0.00%	
GENERAL CAPITAL FUND REVENUE LESS EXPENDITURES	\$0.00	\$33,350.32	\$25,040.00	\$25,040.00	2.00%	Surplus to fall to fund balance

*Based on 5 months of FY22 Data and 7 months of FY21 trends

FISCAL YEAR 2022 MID-YEAR BUDGET REVIEW
Budget vs Actual SPECIAL FUNDS Fund Fiscal Period From - 7/1/2021 Thru - 11/30/2021

120-GENERAL DEBT SERVICE FUND

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
120-3950-2100 Transfer from Gen Fund for GF Debt	\$155,957.74	\$71,072.16	\$155,957.74	\$0.00	0.00%	
120-3950-2510 Transfer from Gen Fund for Harb Debt	\$102,656.63	\$33,093.60	\$102,656.63	\$0.00	0.00%	
TOTAL DEBT SERVICE FUND REVENUE	\$258,614.37	\$104,165.76	\$258,614.37	\$0.00	0.00%	
120-4121-3730 Bank & Trustee Service Fees - Debt Service	\$0.00	\$131.93	\$0.00	\$0.00	0.00%	
120-4121-6800 Debt Service Principal - TMgr	\$97,346.08	\$59,873.40	\$97,346.08	\$0.00	0.00%	
120-4121-6850 Debt Service Interest - TMgr	\$21,503.28	\$11,066.83	\$21,503.28	\$0.00	0.00%	
120-4121-8510 Transfer to Harbor Fund for Debt Service	\$102,656.63	\$33,093.60	\$102,656.63	\$0.00	0.00%	
	\$221,505.99	\$104,165.76	\$221,505.99	\$0.00	0.00%	
120-4124-6800 Debt Service Principal - Finance	\$7,614.77	\$0.00	\$7,614.77	\$0.00	0.00%	
120-4124-6850 Debt Service Interest - Finance	\$218.80	\$0.00	\$218.80	\$0.00	0.00%	
	\$7,833.57	\$0.00	\$7,833.57	\$0.00	0.00%	
120-4310-6800 Debt Service Interest - Police Dept	\$11,784.00	\$0.00	\$11,784.00	\$0.00	0.00%	
120-4310-6850 Debt Service Principal - Police Dept	\$1,268.00	\$0.00	\$1,268.00	\$0.00	0.00%	
	\$13,052.00	\$0.00	\$13,052.00	\$0.00	0.00%	
120-4340-6800 Debt Service Principal Code Enforcement	\$984.26	\$0.00	\$984.26	\$0.00	0.00%	
120-4340-6850 Debt Service Interest - Code Enf	\$96.69	\$0.00	\$96.69	\$0.00	0.00%	
	\$1,080.95	\$0.00	\$1,080.95	\$0.00	0.00%	
120-4430-6800 Debt Service Principal - PWrks	\$14,094.61	\$0.00	\$14,094.61	\$0.00	0.00%	
120-4430-6850 Debt Service Interest - P Wrks	\$1,047.25	\$0.00	\$1,047.25	\$0.00	0.00%	
	\$15,141.86	\$0.00	\$15,141.86	\$0.00	0.00%	
TOTAL DEBT SERVICE FUND EXPENDITURES	\$258,614.37	\$104,165.76	\$258,614.37	\$0.00	0.00%	
DEBT SERVICE FUND REVENUE LESS EXPENDITURES	\$0.00	\$0.00	\$0.00	\$0.00	40.00%	

*Based on 5 months of FY22 Data and 7 months of FY21 trends

FISCAL YEAR 2022 MID-YEAR BUDGET REVIEW
Budget vs Actual SPECIAL FUNDS Fund Fiscal Period From - 7/1/2021 Thru - 11/30/2021

130-GENERAL SPECIAL ACTIVITIES FUND FUND

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
130-3650-6000 Recovery Town Mgr - Misc	\$100,000.00	\$0.00	\$100,000.00	\$0.00	0.00%	PPEA reimbursements
130-3800-3000 Grant-Fire Program Funds (Passthru)	\$15,000.00	\$15,000.00	\$15,000.00	\$0.00	0.00%	
130-3800-7000 Grant-VA State Promotion of the Arts Passthru	\$4,500.00	\$2,500.00	\$4,500.00	\$0.00	0.00%	
130-3800-8000 Grant - Friends of the Library	\$0.00	\$0.00	\$10,000.00	\$10,000.00	0.00%	Rock-climbing wall - new project
130-3800-9000 Grant Parks/Rec Faciliies & Equipment - CCP	\$0.00	\$0.00	\$7,817.48	\$7,817.48	0.00%	New addition - Rock climbing wall
130-3800-9910 Federal Grant - DHCD CDBG Small Bus Rcvry	\$300,000.00	\$109,661.09	\$300,000.00	\$0.00	0.00%	
130-3800-9920 Federal Grant - ARPA	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	
130-3850-2000 Reappropriate Grant Funding Previous Year	\$528,615.00	\$0.00	\$528,615.00	\$0.00	0.00%	
130-3950-2000 Reappropriate Grant Funding Prior Year	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	
TOTAL SPECIAL ACTIVITIES REVENUE	\$948,115.00	\$127,161.09	\$965,932.48	\$17,817.48	0.00%	
130-4121-4010 Grant Exp - Arts Enter Passthru	\$4,500.00	\$2,500.00	\$4,500.00	\$0.00	0.00%	
130-4121-4020 Grant Exp- Fire Dept Passthru	\$15,000.00	\$15,000.00	\$15,000.00	\$0.00	0.00%	
130-4121-4030 Grant Exp-Northampton Cnty Tourism Infrstr	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	
130-4121-4125 Grant or Donation Misc. Passthru incl. PPEA	\$100,000.00	\$49,111.55	\$100,000.00	\$0.00	0.00%	
130-4121-4130 DHCD CDBG Small Business Rcvry Grant Exp	\$300,000.00	\$148,209.08	\$300,000.00	\$0.00	0.00%	
130-4121-4150 Federal Grant Exp - ARPA	\$528,615.00	\$0.00	\$528,615.00	\$0.00	0.00%	
130-4430-4110 Grant Exp - Citizens for Central Park	\$0.00	\$0.00	\$7,817.48	\$7,817.48	0.00%	Rock-climbing wall - new project
130-4730-4110 Grant Exp- Friends of the Library	\$0.00	\$0.00	\$10,000.00	\$10,000.00	0.00%	Placeholder, FOL hasn't indicated an amount
TOTAL SPECIAL ACTIVITIES EXPENDITURES	\$948,115.00	\$214,820.63	\$965,932.48	\$17,817.48	0.00%	
SPECIAL ACTIVITIES FUND REVENUE LESS EXPENDITURES	\$0.00	(\$87,659.54)	\$0.00	\$0.00	0.00%	

*Based on 5 months of FY22 Data and 7 months of FY21 trends

FISCAL YEAR 2022 MID-YEAR BUDGET REVIEW
Budget vs Actual UTILITY Fund Fiscal Period From - 7/1/2021 Thru - 11/30/2021

501 - UTILITY FUND REVENUE

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
501-3100-1201 Connection, Plumbing Permit Water	1000.00	\$1,000.00	\$1,000.00	\$0.00	0.00%	
501-3100-1202 Connection, Plumbing Permit Sewer	1000.00	\$1,000.00	\$1,000.00	\$0.00	0.00%	
501-3150-1501 Miscellaneous Revenues - Utilities	1000.00	\$90.00	\$1,000.00	\$0.00	0.00%	
501-3300-1000 Interest Earned on Bank Deposits - Util	1000.00	\$0.00	\$500.00	(\$500.00)	-50.00%	
501-3300-2000 Dividends & Int. on Investments - Util	1000.00	\$247.81	\$1,000.00	\$0.00	0.00%	
501-3500-1501 Water Sales	607816.75	\$274,386.11	\$628,526.66	\$20,709.91	3.41%	increased usage in tourist season
501-3500-1502 Sewer Charges	1111324.04	\$492,203.30	\$1,151,287.92	\$39,963.88	3.60%	increased usage in tourist season
501-3500-1800 Sale of Surplus Equipment & Misc.	0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-3500-3501 Penalties & Interest - Water Charges	1500.00	\$2,429.63	\$5,000.00	\$3,500.00	233.33%	Gov lifted ban on late penalties
501-3500-3502 Penalties & Interest Wastewater Charges	2000.00	\$4,565.42	\$9,000.00	\$7,000.00	350.00%	Gov lifted ban on late penalties
501-3500-4501 Connection Fees - Bay Creek Water	17500.00	\$15,750.00	\$22,000.00	\$4,500.00	25.71%	
501-3500-4502 Connection Fees - Bay Creek Sewer	17500.00	\$15,750.00	\$22,000.00	\$4,500.00	25.71%	
501-3500-5501 Connection Fees - Historic Cape Charles Water	3500.00	\$1,750.00	\$3,500.00	\$0.00	0.00%	
501-3500-5502 Connection Fees - Historic Cape Charles Sewer	3500.00	\$1,750.00	\$3,500.00	\$0.00	0.00%	
501-3500-6501 Facility Fees, Rest. - Bay Creek Water	80000.00	\$72,000.00	\$80,000.00	\$0.00	0.00%	
501-3500-6502 Facility Fees, Restr. - Bay Creek Sewer	132000.00	\$118,800.00	\$132,000.00	\$0.00	0.00%	
501-3500-7501 Facility Fees, Restr.- Historic Cape Charles Water	16000.00	\$8,000.00	\$16,000.00	\$0.00	0.00%	
501-3500-7502 Facility Fees, Restr. - Historic Cape Charles Se	26400.00	\$21,552.41	\$26,400.00	\$0.00	0.00%	
501-3600-6000 Utility Fund Transfer from Fund Balance	55000.00	\$0.00	\$55,000.00	\$0.00	0.00%	
501-3650-4000 Recovery Water & Sewer Misc. charges	380.00	\$0.00	\$380.00	\$0.00	0.00%	
501-3800-2001 USDA Grant Water	36000.00	\$0.00	\$36,000.00	\$0.00	0.00%	For truck payment
501-3950-2101 USDA Loan Proceeds Water	68751.00	\$0.00	\$68,751.00	\$0.00	0.00%	For truck payment
TOTAL UTILITY FUND REVENUE	2184171.79	\$1,031,274.68	\$2,263,845.58	\$79,673.79	3.65%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
501-4500-1800 Allocated Wages	21123.08	\$8,801.30	\$21,123.08	\$0.00	0.00%	
501-4500-2800 Allocated Benefits	5469.54	\$2,278.95	\$5,469.54	\$0.00	0.00%	
501-4500-6900 Contingency Fund Expense Util Fund	1500.00	\$0.00	\$110,000.00	(\$108,500.00)	-7233.33%	Move from unexecuted capital project costs
TOTAL ADMIN DEPT EXP	28092.62	\$11,080.25	\$136,592.62	(108500.00)	-7233.33%	
501-4501-1000 Regular Salaries & Wages-Water	\$145,822.28	\$64,188.15	\$154,000.00	(\$8,177.72)	-5.61%	
501-4501-1100 Regular Salaries & Wages OT-Water	\$2,040.00	\$1,502.77	\$2,040.00	\$0.00	0.00%	
501-4501-1200 PT Salaries - Water	\$24,000.00	\$13,717.50	\$24,000.00	\$0.00	0.00%	
501-4501-1300 Part Time Wages Water - OT	\$0.00	\$95.64	\$0.00	\$0.00	#DIV/0!	
501-4501-2000 FICA Expense	\$12,859.82	\$5,815.70	\$13,485.36	(\$625.54)	-4.86%	
501-4501-2100 SUI Expense	\$199.20	\$68.55	\$199.20	\$0.00	0.00%	
501-4501-2200 Retirement-ER VRS & ICMA-RC Contribution	\$8,720.17	\$3,633.50	\$8,720.17	\$0.00	0.00%	
501-4501-2210 Life Insurance	\$1,954.02	\$814.25	\$1,954.02	\$0.00	0.00%	
501-4501-2220 Disability Insurance, LTD & STD	\$1,139.56	\$342.57	\$1,139.56	\$0.00	0.00%	
501-4501-2230 Worker's Comp	\$4,166.05	\$1,938.20	\$4,166.05	\$0.00	0.00%	
501-4501-2300 Health Insurance	\$18,716.84	\$7,195.44	\$18,716.84	\$0.00	0.00%	
501-4501-2310 Dental Insurance	\$1,161.48	\$356.25	\$1,161.48	\$0.00	0.00%	
501-4501-2320 Vision Insurance	\$91.32	\$38.05	\$91.32	\$0.00	0.00%	
501-4501-2325 AFLAC Insurance Premiums - Town portion	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4501-2340 Employee Assist Program	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4501-2345 Employee/Volunteer Testing	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4501-2360 Staff & Volunteer Appreciation	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4501-3000 Contract Labor	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4501-3020 Maint Svc Contracts - Annual	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4501-3025 Repair Maint & Inspect Contracted Svcs	\$20,000.00	\$0.00	\$6,000.00	\$14,000.00	70.00%	New company cleaning water tank
501-4501-3060 Landfill Disposal	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4501-3350 Water Sampling	\$11,000.00	\$2,923.78	\$11,000.00	\$0.00	0.00%	
501-4501-3420 Engineering & Architect Svcs Water	\$20,000.00	\$1,035.00	\$45,000.00	(\$25,000.00)	-125.00%	Add \$25K for capacity study
501-4501-3430 IT, Software, Scan & Website Services	\$1,000.00	\$800.00	\$1,000.00	\$0.00	0.00%	
501-4501-3500 Advertising Services	\$500.00	\$600.00	\$600.00	(\$100.00)	-20.00%	
501-4501-3730 Bank Service Charges	\$200.00	\$31.83	\$200.00	\$0.00	0.00%	
501-4501-4150 Grant Exp - Water Other	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4501-5000 Refund - Tourism Zone Connection Fees Water	\$3,000.00	\$0.00	\$3,000.00	\$0.00	0.00%	
501-4501-5010 Electric Service	\$22,440.00	\$9,644.12	\$22,440.00	\$0.00	0.00%	
501-4501-5020 Propane & Fuel Oil Exp	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4501-5040 Phone Service, Landline & Wireless	\$1,740.00	\$503.70	\$1,740.00	\$0.00	0.00%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
501-4501-5050 Internet & Cable Services	\$1,100.00	\$439.85	\$1,100.00	\$0.00	0.00%	
501-4501-5090 Lease, Right of Way	\$3,000.00	\$1,500.00	\$3,000.00	\$0.00	0.00%	
501-4501-5100 Lease, Vehicles & Equipment	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4501-5200 Travel-Mileage, Parking & Tolls	\$240.00	\$40.00	\$240.00	\$0.00	0.00%	
501-4501-5210 Travel-Lodging & Meals	\$800.00	\$0.00	\$800.00	\$0.00	0.00%	
501-4501-5220 Conference	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4501-5230 Education	\$500.00	\$0.00	\$500.00	\$0.00	0.00%	
501-4501-5240 Books & Subscriptions	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4501-5250 Dues & Memberships	\$400.00	\$400.00	\$400.00	\$0.00	0.00%	
501-4501-5260 Employee Testing & Certification	\$400.00	\$0.00	\$400.00	\$0.00	0.00%	
501-4501-5300 Insurance, Property & General Liability	\$10,000.00	\$4,599.86	\$9,199.72	\$800.28	8.00%	
501-4501-5340 Licensing	\$4,000.00	\$3,339.00	\$4,000.00	\$0.00	0.00%	
501-4501-5350 Fines & Penalties	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4501-6000 Office Supplies	\$1,500.00	\$212.32	\$1,500.00	\$0.00	0.00%	
501-4501-6025 Janitorial & Kitchen Supplies	\$300.00	\$200.34	\$300.00	\$0.00	0.00%	
501-4501-6050 Uniforms Expense	\$1,000.00	\$36.00	\$1,000.00	\$0.00	0.00%	
501-4501-6075 Hand Tools, & Small Equipment	\$1,500.00	\$790.97	\$1,500.00	\$0.00	0.00%	
501-4501-6080 Safety Equipment	\$3,000.00	\$250.00	\$3,000.00	\$0.00	0.00%	
501-4501-6150 Comptr, Sftware & Electronics < \$5,000	\$0.00	\$520.00	\$520.00	(\$520.00)	#DIV/0!	
501-4501-6175 Vehicles & Powered Equipment Fuel	\$5,000.00	\$1,354.62	\$5,000.00	\$0.00	0.00%	
501-4501-6200 Vehicle & Powered Equip. Supplies & Svcs	\$2,000.00	\$67.25	\$2,000.00	\$0.00	0.00%	
501-4501-6225 Repair & Maintenance Supplies Water	\$70,000.00	\$9,144.60	\$70,000.00	\$0.00	0.00%	
501-4501-6300 Chemical Supplies	\$73,000.00	\$35,612.99	\$73,000.00	\$0.00	0.00%	
501-4501-6325 Laboratory Supplies	\$2,900.00	\$0.00	\$2,900.00	\$0.00	0.00%	
501-4501-6800 Debt Service - Principal Payment W	\$78,964.42	\$0.00	\$78,964.42	\$0.00	0.00%	
501-4501-6850 Debt Service Interest Water	\$30,573.69	\$15,287.06	\$30,573.69	\$0.00	0.00%	
501-4501-7070 Vehicles & Equipment CAPITAL BUDGET	\$32,766.00	\$0.00	\$0.00	\$32,766.00	100.00%	paid for it on June 30th
501-4501-7080 Computers, Software & Elec Equip.>\$5000 CAP BDGT	\$71,985.00	\$0.00	\$0.00	\$71,985.00	100.00%	Hold meter replacements & software
501-4501-7090 Infrastructure - Waterlines, Tanks & Wells	\$55,000.00	\$0.00	\$0.00	\$55,000.00	100.00%	Hold mixer/power vent
501-4501-7095 Work in Progress CAPITAL BUDGET	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4501-7100 Depreciation Expense - Utility Fund	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4501-8000 Reserve for Plant Expansion - Facility Fees	\$96,000.00	\$0.00	\$96,000.00	\$0.00	0.00%	
501-4501-8100 Water Rate Increase Reserve - Future year	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
TOTAL WATER DEPT EXP	\$846,679.85	\$189,039.86	\$706,551.83	\$140,128.02	16.55%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
501-4502-1000 Regular Salaries & Wages-Sewer	190252.54	\$82,423.16	\$175,954.23	\$14,298.31	7.52%	Move Ralph to P Works
501-4502-1100 Regular Salaries & Wages OT-Sewer	1530.00	\$642.21	\$1,530.00	\$0.00	0.00%	
501-4502-2000 FICA Expense	14671.36	\$6,149.87	\$13,460.50	\$1,210.86	8.25%	
501-4502-2100 SUI Expense	232.40	\$0.00	\$232.40	\$0.00	0.00%	
501-4502-2200 Retirement-ER VRS & ICMA-RC Contribution	11377.10	\$4,740.45	\$10,522.06	\$855.04	7.52%	
501-4502-2210 Life Insurance	2549.38	\$1,062.30	\$2,447.43	\$101.95	4.00%	
501-4502-2220 Disability Insurance, LTD & STD	1489.34	\$448.21	\$1,489.34	\$0.00	0.00%	
501-4502-2230 Worker's Comp	1865.78	\$953.20	\$1,865.78	\$0.00	0.00%	
501-4502-2300 Health Insurance	25477.16	\$10,100.94	\$22,857.16	\$2,620.00	10.28%	
501-4502-2310 Dental Insurance	1140.00	\$602.70	\$945.00	\$195.00	17.11%	
501-4502-2320 Vision Insurance	91.32	\$38.05	\$91.32	\$0.00	0.00%	
501-4502-3020 Maint Svc Contracts - Annual	22300.00	\$13,790.94	\$22,300.00	\$0.00	0.00%	
501-4502-3060 Landfill Disposal - Sludge	42000.00	\$13,330.20	\$42,000.00	\$0.00	0.00%	
501-4502-3200 Cleaning and Janitorial Services	2600.00	\$800.00	\$2,600.00	\$0.00	0.00%	
501-4502-3350 Water Sampling	21000.00	\$7,306.91	\$21,000.00	\$0.00	0.00%	
501-4502-3420 Engineering & Architect Svcs WW	20000.00	\$0.00	\$45,000.00	(\$25,000.00)	-125.00%	capacity study
501-4502-3430 IT, Software, Scan & Website Services	7000.00	\$240.00	\$7,000.00	\$0.00	0.00%	
501-4502-3450 Printing & Design Services	0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4502-3500 Advertising Services	500.00	\$0.00	\$500.00	\$0.00	0.00%	
501-4502-3730 Bank Service Charges	1550.00	\$255.12	\$1,550.00	\$0.00	0.00%	
501-4502-4150 Grant Exp - Sewer Other	0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4502-5000 Refund - Tourism Zone Connection Fees Sewer	5000.00	\$0.00	\$5,000.00	\$0.00	0.00%	
501-4502-5010 Electric Service	102000.00	\$40,602.93	\$102,000.00	\$0.00	0.00%	
501-4502-5040 Phone Service, Landline & Wireless	7500.00	\$3,183.97	\$7,500.00	\$0.00	0.00%	
501-4502-5050 Internet & Cable Services	600.00	\$0.00	\$600.00	\$0.00	0.00%	
501-4502-5060 Alarm & Security Monitoring Services	650.00	\$0.00	\$650.00	\$0.00	0.00%	
501-4502-5090 Lease, Right of Way	4000.00	\$2,518.42	\$4,000.00	\$0.00	0.00%	
501-4502-5100 Lease, Vehicles & Equipment	0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4502-5200 Travel-Mileage, Parking & Tolls	3200.00	\$231.00	\$3,200.00	\$0.00	0.00%	
501-4502-5210 Travel-Lodging & Meals	500.00	\$0.00	\$500.00	\$0.00	0.00%	
501-4502-5220 Conference	0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
501-4502-5230 Education	2000.00	\$0.00	\$2,000.00	\$0.00	0.00%	
501-4502-5240 Books & Subscriptions	0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4502-5250 Dues & Memberships	850.00	\$0.00	\$850.00	\$0.00	0.00%	
501-4502-5260 Employee Testing & Certification	450.00	\$0.00	\$450.00	\$0.00	0.00%	
501-4502-5300 Insurance, Property & General Liability	32725.00	\$17,529.82	\$32,725.00	\$0.00	0.00%	
501-4502-5340 Licensing	\$4,500.00	\$3,540.00	\$4,500.00	\$0.00	0.00%	
501-4502-5350 Fines & Penalties	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4502-6000 Office Supplies	\$1,500.00	\$251.92	\$1,500.00	\$0.00	0.00%	
501-4502-6025 Janitorial & Kitchen Supplies	\$100.00	\$0.00	\$100.00	\$0.00	0.00%	
501-4502-6050 Uniforms Expense	\$1,000.00	\$891.96	\$1,000.00	\$0.00	0.00%	
501-4502-6075 Hand Tools, & Small Equipment	\$750.00	\$2,491.43	\$2,500.00	(\$1,750.00)	-233.33%	
501-4502-6080 Safety Equipment	\$250.00	\$0.00	\$250.00	\$0.00	0.00%	
501-4502-6150 Comptr, Sftware & Electronics < \$5,000	\$1,200.00	\$189.99	\$1,200.00	\$0.00	0.00%	
501-4502-6175 Vehicles & Powered Equipment Fuel	\$7,000.00	\$1,376.89	\$7,000.00	\$0.00	0.00%	
501-4502-6200 Vehicle & Powered Equip. Supplies & Svcs	\$3,000.00	\$0.00	\$3,000.00	\$0.00	0.00%	
501-4502-6225 Repair & Maintenance Supplies Wastewater	\$95,000.00	\$34,194.64	\$95,000.00	\$0.00	0.00%	
501-4502-6300 Chemical Supplies	\$39,675.00	\$26,154.76	\$39,675.00	\$0.00	0.00%	
501-4502-6325 Laboratory Supplies	\$1,000.00	\$20.25	\$1,000.00	\$0.00	0.00%	
501-4502-6800 Debt Service - Principal Payment WW	\$329,170.37	\$132,713.93	\$329,170.37	\$0.00	0.00%	
501-4502-6850 Debt Service Interest - Sewer	\$30,038.03	\$15,099.33	\$30,038.03	\$0.00	0.00%	
501-4502-7090 Infrastructure - Sewerlines & Pump Stations	\$53,651.00	\$0.00	\$14,500.00	\$39,151.00	72.97%	Sewer pod controllers only at this time
501-4502-7095 Work in Progress - CAPITAL BUDGET	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4502-8000 Reserve for Plant Expansion - Facility Fees	\$158,400.00	\$0.00	\$158,400.00	\$0.00	0.00%	
501-4502-8100 Wastewater Rate Increase Reserve - Future Year	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
TOTAL SEWER DEPT EXP	\$1,253,335.78	\$423,875.50	\$1,221,653.62	\$31,682.16	2.53%	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
501-4503-1000 Regular Salaries & Wages-Utility Billing	\$32,013.70	\$13,555.90	\$32,013.70	\$0.00	0.00%	
501-4503-1100 Regular Salaries & Wages OT-Util Billing	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4503-2000 FICA Expense	\$2,449.05	\$1,094.97	\$2,449.05	\$0.00	0.00%	
501-4503-2100 SUI Expense	\$66.40	\$0.00	\$66.40	\$0.00	0.00%	
501-4503-2200 Retirement-ER VRS & ICMA-RC Contribution	\$2,101.00	\$875.35	\$2,101.00	\$0.00	0.00%	
501-4503-2210 Life Insurance	\$470.79	\$196.15	\$470.79	\$0.00	0.00%	
501-4503-2220 Disability Insurance, LTD & STD	\$260.38	\$86.64	\$260.38	\$0.00	0.00%	
501-4503-2230 Worker's Comp	\$21.90	\$19.40	\$21.90	\$0.00	0.00%	
501-4503-2300 Health Insurance	\$6,760.32	\$3,297.72	\$6,760.32	\$0.00	0.00%	
501-4503-2310 Dental Insurance	\$285.00	\$118.75	\$285.00	\$0.00	0.00%	
501-4503-2320 Vision Insurance	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4503-2325 AFLAC Insurance Premiums - Town portion	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4503-2340 Employee Assist Program	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4503-2345 Employee/Volunteer Testing	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4503-2360 Staff & Volunteer Appreciation	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4503-3020 Maint Svc Contracts - Annual	\$650.00	\$1,087.94	\$650.00	\$0.00	0.00%	
501-4503-3025 Repair Maint & Inspect Contracted Svcs	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4503-3430 IT, Software, Scan & Website Services	\$720.00	\$0.00	\$720.00	\$0.00	0.00%	
501-4503-3500 Advertising Services	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4503-3760 Cash Short & Over Util Billing	\$0.00	\$0.50	\$0.00	\$0.00	#DIV/0!	
501-4503-5040 Phone Service, Landline & Wireless	\$360.00	\$150.00	\$360.00	\$0.00	0.00%	
501-4503-5070 Postage	\$6,300.00	\$1,500.00	\$6,300.00	\$0.00	0.00%	
501-4503-5110 Lease, Office Equipment	\$2,000.00	\$437.13	\$2,000.00	\$0.00	0.00%	
501-4503-5200 Travel-Mileage, Parking & Tolls	\$80.00	\$0.00	\$80.00	\$0.00	0.00%	
501-4503-5210 Travel-Lodging & Meals	\$75.00	\$0.00	\$75.00	\$0.00	0.00%	
501-4503-5220 Conference	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4503-5230 Education	\$200.00	\$0.00	\$200.00	\$0.00	0.00%	
501-4503-5240 Books & Subscriptions	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4503-5250 Dues & Memberships	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
501-4503-6000 Office Supplies	\$1,250.00	\$426.28	\$1,250.00	\$0.00	0.00%	
501-4503-6150 Comptr, Sftware & Electronics < \$5,000	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
TOTAL UTILITY BILLING DEPT EXP	\$56,063.54	\$22,846.73	\$56,063.54	0.00	0.00%	
UTILITY FUND REVENUE LESS EXPENDITURES	(0.00)	\$384,432.34	\$142,983.98	\$142,983.98	Surplus to fall to fund balance	

*Based on 5 months of FY22 Data and 7 months of FY21 trends

FISCAL YEAR 2022 MID-YEAR BUDGET REVIEW
Budget vs Actual Harbor Fund Fiscal Period From - 7/1/2021 Thru - 10/31/2021

510 - HARBOR FUND REVENUE

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
						Based on prior year sales history +20% increase (40% price increase prorated)
510-3150-1000 Harbor Fuel Sales	\$478,000.00	\$190,644.79	\$482,484.45	\$4,484.45	100.94%	
510-3150-2000 Dockage Fees	\$300,000.00	\$175,712.25	\$431,929.25	\$131,929.25	143.98%	
510-3150-2050 Special Event Revenue - Harbor	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
510-3150-2100 Harbor Electric Sales/NC for Pumpout	\$25,000.00	\$12,006.00	\$25,000.00	\$0.00	100.00%	
510-3150-2200 Lease/Storage Revenue	\$10,500.00	\$130.00	\$400.00	(\$10,100.00)	3.81%	No more storage at harbor lot
510-3150-3000 Wharfage Fees	\$13,000.00	\$612.00	\$13,000.00	\$0.00	100.00%	Spring is the busy season
510-3300-1520 Sale of Abandoned or Harbor Misc. Property	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
510-3400-1000 Lease - Restaurant Base Amount	\$6,000.00	\$2,000.00	\$6,000.00	\$0.00	100.00%	
510-3500-1501 Harbor Water Sales	\$0.00	\$680.00	\$1,200.00	\$1,200.00	#DIV/0!	
510-3650-4000 Recovery - Harbor Miscellaneous	\$0.00	\$65.50	\$65.50	\$65.50	#DIV/0!	
						\$30.7K from project closed out in FY21, available for appropriation, remainder from new BIG application
510-3800-3000 Grant - Federal Boating Infrastructure BIG	\$0.00	\$30,753.66	\$54,946.66	\$54,946.66	#DIV/0!	
510-3800-3500 Grant VA Dept of Health - Pumpout Costs	\$1,000.00	\$0.00	\$0.00	(\$1,000.00)	0.00%	Pumpout Boat no longer functional
510-3950-2000 Transfer from General Debt Service Fund	\$102,656.63	\$33,093.60	\$102,656.63	\$0.00	100.00%	For debt service payments
TOTAL HARBOR REVENUE	\$936,156.63	\$445,697.80	\$1,117,682.49	\$181,525.86	119.39%	

510 HARBOR FUND EXPENDITURES

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
510-4713-1800 Allocated Wages	\$11,389.34	\$3,796.44	\$11,389.34	\$0.00		
510-4713-2800 Allocated Benefits	\$3,079.40	\$1,026.48	\$3,079.40	\$0.00	100.00%	
510-4713-3020 Maint Svc Contracts - Annual	\$3,800.00	\$749.14	\$3,800.00	\$0.00	100.00%	
510-4713-3025 Repair Maint & Inspect Contracted Svcs	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
510-4713-3030 Lease - Storage	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
510-4713-3040 Grounds Maintenance	\$1,500.00	\$0.00	\$1,500.00	\$0.00	100.00%	
510-4713-3415 Management Services Exp - CC Yacht Center	\$253,606.00	\$106,033.56	\$306,377.70	(\$52,771.70)	120.81%	Increased revenue = Increased management cost
510-4713-3420 Engineering & Architect Svcs Harbor	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
510-4713-3430 IT, Software, Scan & Website Services	\$1,700.00	\$480.00	\$1,700.00	\$0.00	100.00%	
510-4713-3500 Advertising Services	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
510-4713-3730 Bank Service Charges Harbor	\$700.00	\$293.62	\$700.00	\$0.00	100.00%	Debt Service admin costs
						Grant request approved, budget amendment needed for FY22 expenditures (A B C & D dock repairs/electrical, Bathhouse HVAC)
510-4713-4160 Grant Exp - VDH BIG	\$0.00	\$0.00	\$64,720.00	(\$64,720.00)	#DIV/0!	

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
510-4713-4170 Grant Exp - VA Port Authority	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
510-4713-4180 Grant Ex. - Northampton County Tourism	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
510-4713-5010 Electric Service	\$24,480.00	\$9,295.37	\$24,480.00	\$0.00	100.00%	
510-4713-5020 Propane & Fuel Oil Exp	\$700.00	\$0.00	\$700.00	\$0.00	100.00%	
510-4713-5030 Water Expense Harbor	\$750.00	\$252.85	\$750.00	\$0.00	100.00%	
510-4713-5035 Sewer Expense Harbor	\$1,400.00	\$398.24	\$1,400.00	\$0.00	100.00%	
510-4713-5040 Phone Service, Landline & Wireless	\$0.00	\$139.24	\$139.24	(\$139.24)	#DIV/0!	
510-4713-5050 Internet & Cable Services	\$720.00	\$344.11	\$720.00	\$0.00	100.00%	
510-4713-5300 Insurance, Property & General Liability	\$23,000.00	\$13,445.74	\$26,891.48	(\$3,891.48)	116.92%	
510-4713-6025 Janitorial & Kitchen Supplies	\$0.00	\$1,296.30	\$3,500.00	(\$3,500.00)	#DIV/0!	
510-4713-6150 Comptr, Sftware & Electronics < \$5,000	\$1,000.00	\$40.00	\$540.00	\$460.00	54.00%	
510-4713-6175 Vehicles & Powered Equipment Fuel	\$3,300.00	\$150.87	\$1,200.00	\$2,100.00	36.36%	
510-4713-6200 Vehicle & Powered Equip. Supplies & Svcs	\$8,000.00	\$3,995.98	\$8,000.00	\$0.00	100.00%	
						Increase for backlog of repairs & \$5000 East Inner harbor
510-4713-6225 Repair & Maintenance Supplies Harbor	\$65,000.00	\$8,407.39	\$85,900.00	(\$20,900.00)	132.15%	work
510-4713-6230 Repair & Maint Suppl Reimbrsbl	\$1,500.00	\$0.00	\$0.00	\$1,500.00	0.00%	Pumpout boat no longer in service
510-4713-6400 COGS - Fuel for Resale	\$353,000.00	\$158,343.67	\$355,000.00	(\$2,000.00)	100.57%	
510-4713-6800 Debt Service - Principal Payment HRB	\$78,692.58	\$20,999.40	\$78,692.58	\$0.00	100.00%	
510-4713-6850 Debt Service Interest - Harbor	\$23,964.05	\$12,094.20	\$23,964.05	\$0.00	100.00%	
510-4713-6900 Contingency Fund Expense Harb Fund	\$13,875.26	\$0.00	\$13,875.26	\$0.00	100.00%	
510-4713-7010 Building, Equipment, Other CAPITAL BUDGET	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
510-4713-7060 Infrastructure - Breakwaters & Jetties	\$0.00	\$0.00	\$20,000.00	(\$20,000.00)	#DIV/0!	Structural piling repair
510-4713-7070 Vehicles & Equipment CAPITAL BUDGET	\$0.00	\$0.00	\$0.00	\$0.00	#DIV/0!	
510-4713-7085 Infrastructure - Docks & Misc CAP BDGT	\$61,000.00	\$0.00	\$40,100.00	\$20,900.00	65.74%	\$40.1K Cap Plan Eval; move remainder to repair & Maint
TOTAL HARBOR EXPENDITURES	\$936,156.63	\$341,582.60	\$1,079,119.05	(\$142,962.42)	115.27%	
HARBOR REVENUE LESS EXPENDITURES	\$0.00	\$104,115.20	\$38,563.44	\$38,563.44	41%	Surplus to fall to Fund balance or cover debt service

*Based on 4 months of FY22 Data and 8 months of FY21 trends

FISCAL YEAR 2022 MID-YEAR BUDGET REVIEW
Budget vs Actual General Fund Fiscal Period From - 7/1/2021 Thru - 11/30/2021

520-SANITATION FUND

Account Description	Budget	YTD	* Projected FY2022	Variance	Prcnt	Notes
520-3150-1000 Refuse Collection Fees	\$229,770.70	\$101,293.47	\$229,770.70	\$0.00	44.08%	
520-3150-2000 Bulk refuse collection fees	\$600.00	\$325.00	\$600.00	\$0.00	54.17%	
520-3150-3000 Miscellaneous Refuse fees	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	
520-3150-4000 Penalties & Interest - Garbage Charges	\$0.00	\$1,028.60	\$0.00	\$0.00	0.00%	
520-3900-6000 Appropriation from Fund Balance	\$160,224.32	\$0.00	\$160,224.32	\$0.00	0.00%	
TOTAL SANITATION FUND REVENUE	\$390,595.02	\$102,647.07	\$390,595.02	\$0.00	26.00%	
520-4520-3020 Maint Svc Contracts	\$216,513.00	\$55,560.15	\$223,613.00	(\$7,100.00)	25.66%	Rate increase with new contract
520-4520-3500 Advertising Services	\$0.00	\$81.32	\$81.32	(\$81.32)	0.00%	
520-4520-5300 Insurance, Property & General Liability	\$1,000.00	\$401.82	\$1,000.00	\$0.00	40.18%	
520-4520-6225 Repair & Maintenance Supplies Sanitation	\$12,857.70	\$14,404.50	\$14,404.50	(\$1,546.80)	112.03%	New trash cans
520-4520-7090 Bulding, Equipment, Other CAPITAL BUDGET	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	
520-4520-7100 Depreciation Expense Sanitation	\$0.00	\$0.00	\$0.00	\$0.00	0.00%	
520-4520-8110 Transfer to Capital Fund	\$160,224.32	\$0.00	\$160,224.32	\$0.00	0.00%	Will transfer when trail project draws closer
TOTAL SANITATION FUND EXPENDITURES	\$390,595.02	\$70,447.79	\$399,323.14	(\$8,728.12)	18.00%	
SANITATION FUND REVENUE LESS EXPENDITURES	\$0.00	\$32,199.28	(\$8,728.12)	(\$8,728.12)	22.00%	

Based on 5 months of FY22 Data and 7 months of FY21 trends

Estimated sanitation fund balance at end of FY22 after new contract price increase = \$82,800