



Municipal Corporation of Cape Charles

Board of Zoning Appeals Public Hearing and Regular Meeting Cape Charles Civic Center October 14th, 2025 10:00 am

At approximately 10:00 am, on October 14th, in the Cape Charles Civic Center, Member Pete Baumann, having established a quorum, called to order the Board of Zoning Appeals Public Hearing and Regular Meeting. Also in attendance were Vice-Chair Laura Weigand and Member Elise McMath.

Also present were Planning/Zoning Administrator Katie Nunez, Zoning Compliance Officer Jack Steinmayer, and Assistant to the Town Manager Pam Endlein.

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

After the recitation of the Pledge of Allegiance, the Board was informed of Chairwoman Dolores Blackburn's resignation. Following this, the Board learned that they would need to reorganize the Board of Zoning Appeals and elect a new Chair and Vice-Chair. Since only three Members were present, the Zoning Administrator, Katie Nunez, suggested waiting to reorganize until the entire Board of Zoning Appeals was available. The Board agreed.

Consent Agenda

Member Baumann requested a motion to adopt the agenda as presented.

Motion made by Vice-Chair Weigand, seconded by Member McMath, to accept the consent agenda as presented. The motion was approved unanimously.

Member Baumann then opened the public hearing.

Public Hearing

A. Application from Martin Mayer, for a variance from Article 3 Section 3.2 of the Cape Charles Zoning Ordinance to allow for a rear deck to extend 1.5' into the side-yard setback and 5' into the rear-yard setback.

Zoning Compliance Officer Jack Steinmayer summarized the staff report.

After the summarization of the staff report, the applicant, Martin Mayer, spoke on the variance application.

Vice-Chair Weigand wanted to know why there were no setback requirements on the side of the lot adjacent to Madison Avenue. Mr. Mayer explained that the

property had approximately a 15' section of VDOT right-of-way coming off of Madison Avenue. Vice-Chair Weigand then wanted to know if the lot behind 502 Plum Street, Mr. Mayer's lot, was also. Mr. Mayer clarified that this empty lot was not his and had been sold to the Palmore's. Vice-Chair Weigand then wanted to know if the Palmore's had any input on the variance application. Ms. Nunez explained that Mr. Palmore had called in to the Planning/Zoning Department to make sure he understood what was being sought for this application.

After the Board had all of their questions answered, Zoning Compliance Officer Jack Steinmayer then read the letters of support that were submitted by Josh Fullam of 508 Plum Street and Raffaele Allen and Brent Diggs of 504 Plum Street. (See attached letters)

Motion made by Vice-Chair Weigand, seconded by Member McMath, to accept the staff's proposed motion on the variance application, which stated, "after careful consideration of the application and the staff report, the Board of Zoning Appeals votes to approve the Variance Application submitted by Martin Mayer for a variance to allow for a rear deck to extend 1.5' into the northside setback and 5' into the rear yard setback for the rear deck." The Motion was approved unanimously.

Motion to adjourn made by Member Baumann, seconded by Member McMath. The Board of Zoning Appeals dismissed at 10:15 am.

Chair of the Board of Zoning Appeals

Zoning Compliance Officer

Dear Ms. Nunez,

I am writing to formally convey my support for the Mayer's zoning variance request concerning their property at 502 Plum Street. The proposed variance, which would allow for a minor extension of a raised deck into the setback area, appears both reasonable and necessary to alleviate recurring drainage and flooding concerns affecting the rear portion of the property.

Due to the limited dimensions of the lot, the current setback restrictions significantly constrain opportunities for effective use and improvement of the property. Granting this variance would not create any adverse effects on adjacent properties nor alter the established character of the neighborhood. Several nearby properties already include comparable structures extending within the setback boundaries.

For these reasons, I respectfully recommend that the Town approve the requested variance.

Thank you,

Josh Fullam
508 Plum Street

A handwritten signature in black ink, appearing to read "Josh Fullam", written in a cursive style.

October 13, 2025

Ms. Katie Nunez
Director of Planning/Zoning Administrator and Subdivision Agent
Town of Cape Charles
Cape Charles, Virginia 23310

Dear Ms. Nunez,

I am writing in support of the Mayer's zoning variance request for 502 Plum Street. The requested variance, which would allow the raised deck to extend a few feet into the setback, will help address the frequent flooding issues the property experiences.

Given the size of the lot, the current setbacks leave minimal room for expansion and limit the full use of the property. Granting this variance would not create any undue impact on neighboring properties or alter the character of the neighborhood, as many surrounding properties already have structures or hardscaping that extend into the rear setback.

For these reasons, I respectfully offer my support for the Town to grant the requested zoning variance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Raffaele Allen and Brent Diggs', written in a cursive style.

Raffaele Allen and Brent Diggs

504 Plum Street