

	Agenda Title:	Agenda Date:
	Zoning Ordinance Article VIII – Historic District Guidelines	August 21 2025
	Subject/Proposal/Request:	
	Review and discussion of possible zoning text amendment to Article VIII (Historic District Overlay Ordinance) and Historic District Guidelines	
Town of Cape Charles	Attachments:	For Council:
	1) Proposed Zoning Text Amendment to Article VIII – Historic District Overlay; 2) Proposed Historic District Guidelines new Appendix G 3) Town Council Agenda Packet of 11/7/2024 4) Town Council Minutes of 11/7/2024 Meeting 5) Citizen Comment 7/1/2025	Action: X Information:
	Staff Contact(s):	Reviewed by:
	Katie H. Nunez, Director of Planning & Zoning Administrator	Rick Keuroglan, Town Manager

Background:

In summer 2024, an appeal was filed with the Board of Zoning Appeals regarding a Zoning Administrator decision that found a property owner in violation of not completing an application and obtaining Zoning approval prior to conducting work on their property in compliance with the Historic District Overlay Ordinance and the Guidelines. On October 8, 2024, the Board of Zoning Appeals upheld the appeal and overturned the Zoning Administrator decision.

This entire file of the BZA Appeals Case was reviewed by the Town's attorney and he noted that the ordinance did not clearly state that a zoning approval by the Town was required for all elements of repair/renovation or building additions within the Historic District.

This decision was reviewed with Town Council by the Town Manager at the November 7, 2024 Work Session (see attached agenda packet with Town Manager Staff Report & Minutes of said meeting). This discussion concluded that some amendments to the Zoning Ordinance should be proposed regarding process and approvals required and a more detailed listing of the types of renovation/repair work that require no review; review by Zoning Administrator; and review by the Historic District Review Board. Said zoning text amendments and guideline revisions should be considered to rectify this issue and clearly state the Town's intent of zoning review in the Historic District but that it would be useful to also improve the distinction between routine maintenance work on a property vs. minor work vs. major work and the levels of review required by either the

Zoning Administrator or the Historic District Review Board leading to the issuance of a Certificate of Appropriateness of the approved work being sought by the property owner.

Staff has been working on developing draft language amendments to CCZO Section VIII – Historic District Overlay Ordinance which we have attached and show the proposed changes as “red strikethroughs of existing provisions” and additions are shown in “green font”. We have also developed a new Appendix “G” to give greater clarity as to the types of building work being conducted in the Historic District is classified under these proposed changes. Staff requested an initial review by the Planning Commission at their July 1, 2025 meeting to see if there were errors, omissions, or edits that should be made before providing a full presentation to Town Council to determine if this is the text amendment they were seeking to address this issue.

Item Specifics: Staff is requesting review by Town Council to determine if the proposed zoning text amendment to Article VIII (Historic District Overlay), specifically Section 8.15, 8.16, 8.17 & 8.20 and the proposed new Appendix G. Appendix G is a brand new document to the Guidelines which provides a comprehensive listing of types of work that could occur on a property and indicates its classification of either Routine Maintenance vs. Minor Work vs. Major Work. We have also included a column that details when an inspection will be needed by staff. I have also included a citizen comment that was provided to the Planning Commission meeting when they conducted their initial review of said draft zoning text amendments.

Recommendation: Town Council to provide direction/determination if the proposed zoning text amendment to Article VIII (Historic District Overlay) and the amendment to the Historic District Guidelines (the new Appendix G) addresses the issues that were raised last year and whether this matter is ready to be voted to commence the public hearing process for zoning text amendments.