



# Municipal Corp. of Cape Charles

## Memo

To: Rick Keuroglian

From: Jeb Brady, Code Official *JJB*

Date: January 14, 2026

RE: ADU/STR occupancy considerations

Accessory Dwelling Units is a relatively new concept in Cape Charles when council passed an ordinance a few years ago to allow them but only for long-term tenants. Many of the structures that were built with that intention are designed as such with a small footprint living area. Some have an open concept with the living/sleeping/cooking area all open and some have defined bedrooms with walls and doors. These structures were never built to accommodate more than 2 people except for a couple of non-conforming ADU's that have multiple bedrooms per definition.

Bedroom is a room or space within a structure intended for sleeping.

Requirements include:

- (1) A minimum size of 70 square feet; if more than one person occupies the room, there must be 50 square feet per occupant.
- (2) Access to a bathroom without crossing another bedroom.
- (3) Every bedroom must have access to natural ventilation and have a permanent heat source.
- (4) **Two means of egress: one that leads to the rest of the home without going through another bedroom and one that leads directly to the outside.** If the outside egress is a window, it must be at least five point seven square feet (5.7 SF) and can be no more than 44 inches from the room floor, unless there is a permanent step installed. It shall be illegal to have locking bars or grates covering an egress window.
- (5) Ceiling height must be no less than seven feet

Below are some examples of constructed Accessory Dwelling Units

Example 1 is a 440 square foot unit comprised of a kitchen/dining, living/sleeping area and a 40 square foot bathroom. While you ponder the allowance of the plus 2 I would like for you to consider how this will be enforceable from a code standpoint. As the Building Code/Zoning Ordinance reads a minimum of 50 square foot space per occupant in the bedroom area is required when serving more than 1 person. This creates a real gray area for enforcement purposes in determining what is the measurable sleeping area square footage vs what is the living and kitchen area. What determines the square footage of the sleeping area?

Example 2 is a 336 square foot unit comprised of a living/kitchen area, bathroom, and a 100 square foot bedroom. This example would only allow 2 people as-built due to the square footage of the existing bedroom and per the definition of a bedroom the living area could not be counted as another bedroom.

Example 3 is a 576 square foot unit comprised of a living room, kitchen, bathroom, and 144 square foot bedroom. This example would only allow 2 people as built due to the square footage of the existing bedroom and per the definition of a bedroom the living area could not be counted as another bedroom.

Example 4 is a 432 square foot unit comprised of a living room, kitchen, bathroom, and a 120 square foot bedroom. This example would only allow 2 people as built due to the square footage of the existing bedroom and per the definition of a bedroom the living area could not be counted as another bedroom.

I understand there is an existing ADU that has multiple bedrooms and when Katie and I had discussions about the plus 2 concept it was never intended that a 2 bedroom unit could not sleep 4 it was simply that the examples above could not comply with the 2 per bedroom plus 2 as these units were never designed or intended to sleep that amount of people.

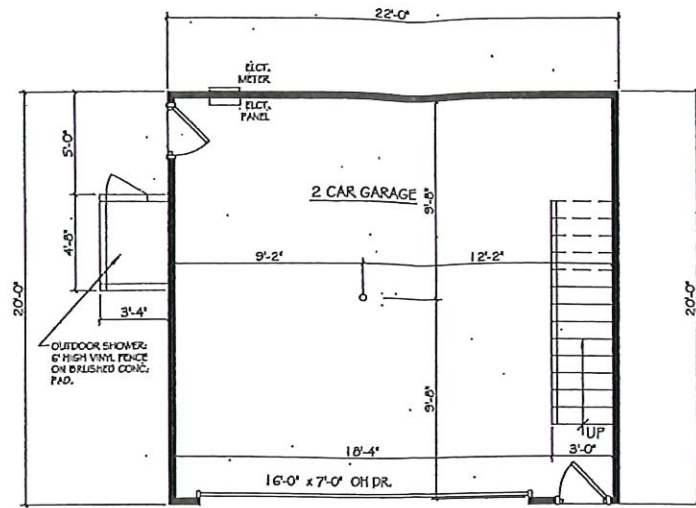
The purpose of the Building Code and the job of the Code Official is to protect the health and safety of the citizens and visitors of this community with the provisions necessary to prevent overcrowding. As I am also a first responder

safety is my number one concern and overcrowding accessory dwelling units will only increase the chances of injuries or death.

Determining square footage requirements are clear when the bedroom is a separate room in the ADU but remains a very gray area when the space is one big open room. The argument would be the fact that what appears to be part of the kitchen the owner may say is part of the sleeping area/bedroom. This simply creates criteria that could be interpreted differently and would not create a consistency that we are trying to obtain along with all The Town's STR regulations.

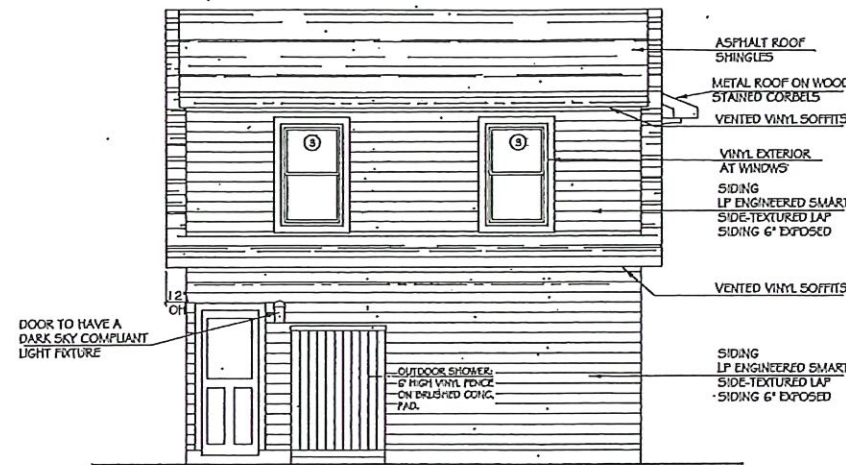
In the same way that we would not allow a +2 with a home that has all of the bedrooms at 100sqft, why grant an ADU a benefit of the +2 when the ADU bedroom doesn't meet the requirement? I know there are exceptions, but ADU's were not designed for more than 2 people, in fact, they were designed to be a Mother-in-law suite, a bonus room for a family member, an efficiency space for a family member...not to be a space to potentially house 4 adult people.

My consistent recommendation would be to limit 2 occupants per bedroom/sleeping area regardless of the amount of square footage and not allow the +2.



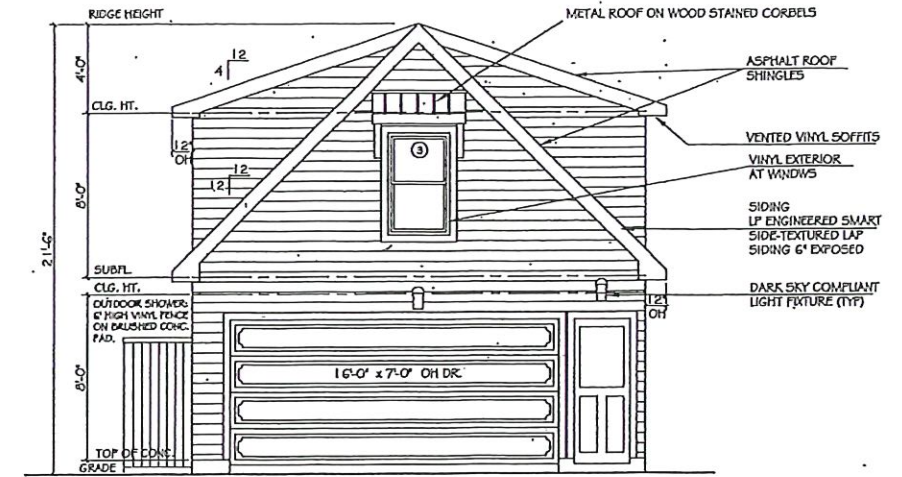
**GARAGE FLOOR PLAN**

SCALE: 1/4" = 1'-0" (440 S.F.)



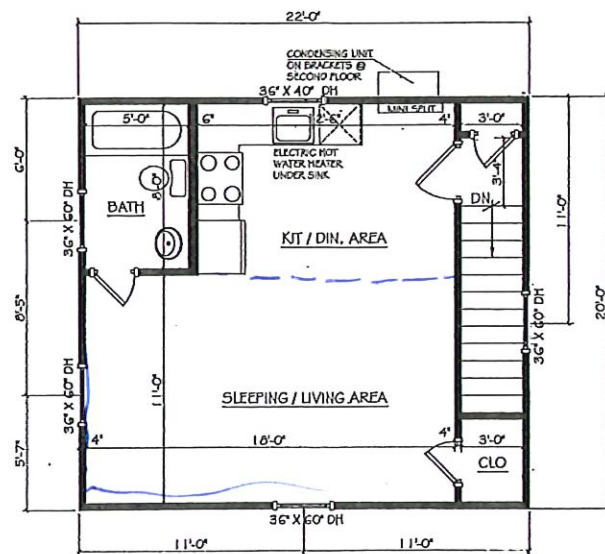
**LEFT SIDE ELEVATION**

SCALE: 1/4" = 1'-0"



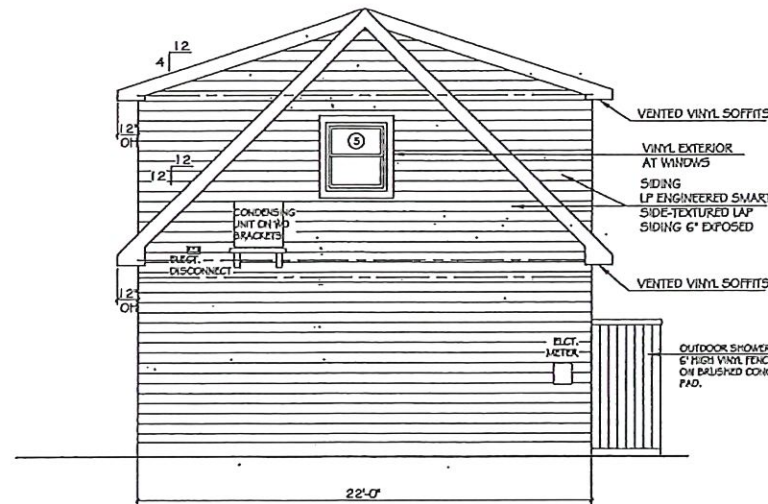
**FRONT ELEVATION**

SCALE: 1/4" = 1'-0"



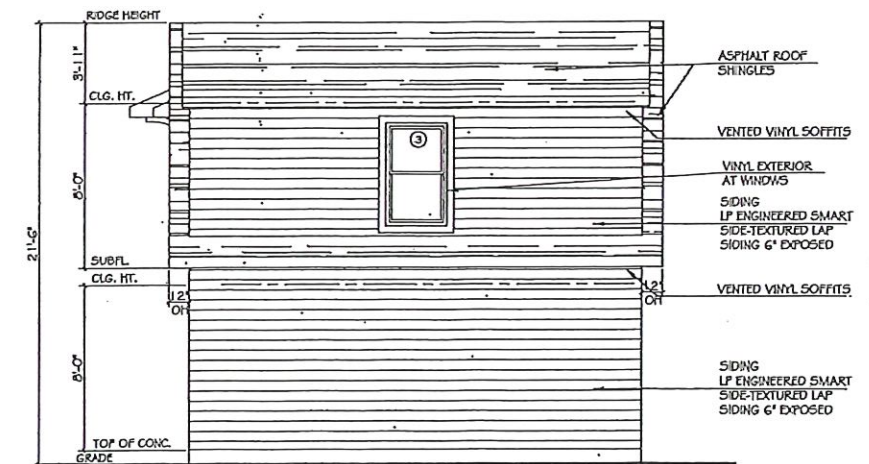
**SECOND FLOOR PLAN**

SCALE: 1/4" = 1'-0" (440 S.F.)  
ACCESSORY DWELLING UNIT



**REAR ELEVATION**

SCALE: 1/4" = 1'-0"



**RIGHT SIDE ELEVATION**

SCALE: 1/4" = 1'-0"

537 JEFFERSON AVENUE #1

- TYPICAL NOTES:**
- ALL EXTERIOR LIGHTING FIXTURES TO BE DARK SKY COMPLIANT
  - ALL CORBELS ON HOUSE AND GARAGE WILL BE STAINED WOOD.
  - ALL FASCIAS TO BE CAFFED IN METAL
  - ALL HAND RAILINGS ARE ALUMINUM. SPINDLES @ 4" O.C. ARE SQUARE ALUMINUM.
  - ALL WINDOWS AND DOORS TO HAVE 5/4 X 4" TRIM WITH METAL CAP.
  - PROVIDE GUTTERS AND LEADERS @ ALL ROOF EAVES AND PROVIDE CORNER RETURNS TO SIDE WALLS AND DOWN SPOUT TO ALL APPLICABLE LOCATIONS.

**FLOOR AREAS:**

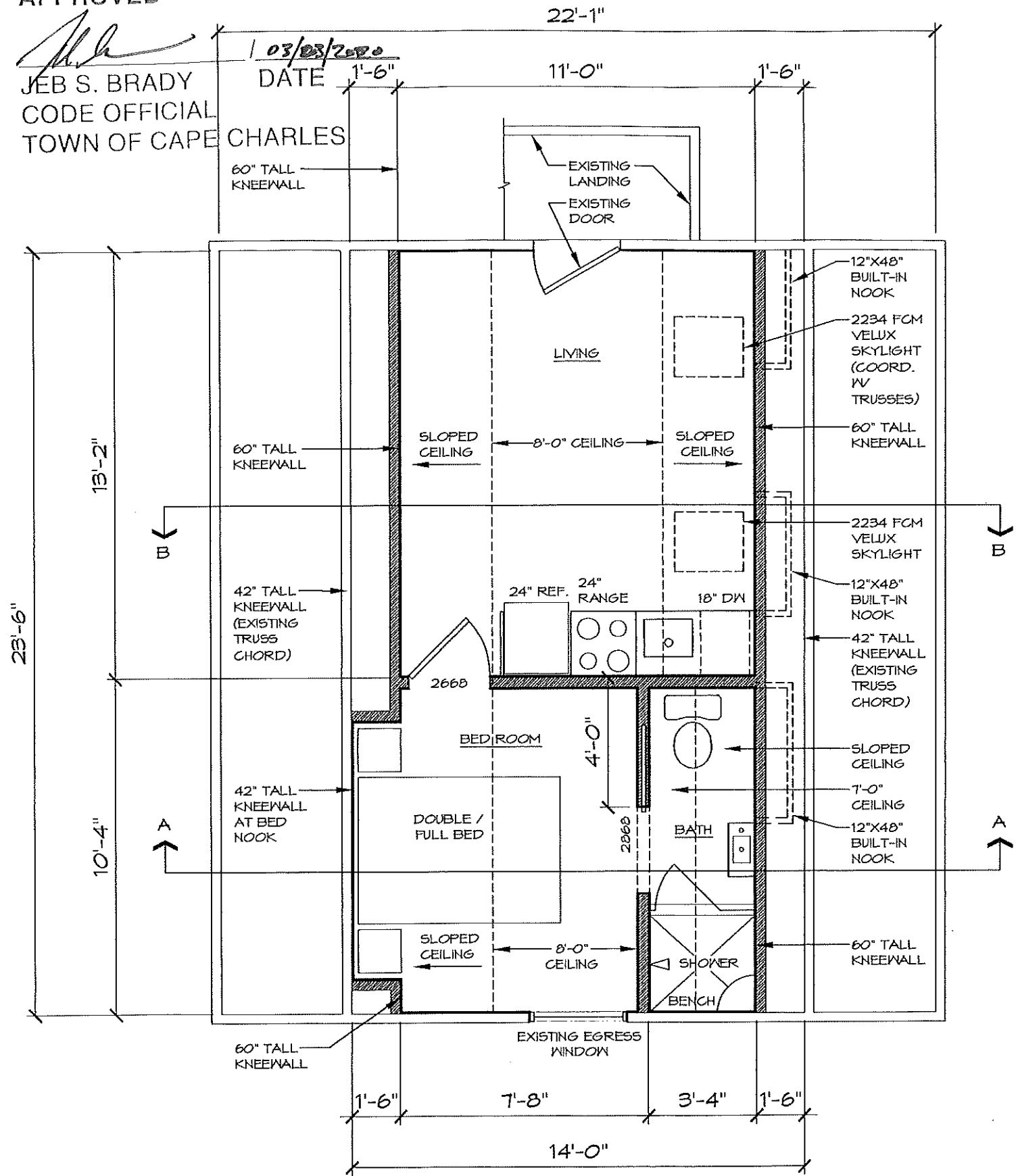
GARAGE FLOOR :	440 S.F.
ACCESSORY DWELL. UNIT:	440 S.F.
TOTAL:	880 S.F.

PREPARED FOR: <b>PATRICIA ARNDT</b>	NEW RESIDENCE:	DATE: 10/20/23 SCALE: 1/4"=1'-0" PROJ. NO. 23.16
THOMAS D. REILLY, P.E. 4 BEZEL LANE, SMITHTOWN, NY (631) 724-5740 TDRPE@TDRPE.com	LOCATION: JEFFERSON AVENUE CAPE CHARLES, VA	SHEET NO. <b>3</b> OF 3

APPROVED

JEB S. BRADY  
CODE OFFICIAL  
TOWN OF CAPE CHARLES

DATE 03/23/2020  
TOWN OF CAPE CHARLES



**FLOOR PLAN**

SCALE: 1/4" = 1'-0" (11 x 17 DRAWING SHEET)



- SHADED WALLS  
DESIGNATE NEW WORK  
WALLS (2X4 STUDWALLS  
WITH 1/2" DRYWALL ON  
FINISH SIDE

1. ALL WORK SHALL CONFORM TO THE 2015 INTERNATIONAL RESIDENTIAL CODE (IRC) AND THE 2015 VIRGINIA CONSTRUCTION CODE, AND ALL OTHER APPLICABLE NATIONAL, STATE, AND LOCAL BUILDING CODES AND ORDINANCES. CODE REFERENCES ON PLANS REFLECT THE 2015 IRC.
2. MECHANICAL VENTILATION MUST BE PROVIDED FOR BATHROOMS, WATER CLOSET COMPARTMENTS AND OTHER SIMILAR ROOMS WHERE A WINDOW WITH AGGREGATE GLAZING AREA NOT LESS THAN 3 SQUARE FEET WITH ONE-HALF OPENABLE IS NOT PROVIDED. IRC R303.4
3. BATHTUB AND SHOWER FLOORS AND WALLS ABOVE BATHTUBS WITH INSTALLED SHOWER HEADS AND IN SHOWER COMPARTMENTS SHALL BE FINISHED WITH A NONABSORBENT SURFACE. SUCH WALL SURFACE SHALL EXTEND TO A HEIGHT OF NOT LESS THAN SIX FEET ABOVE THE FLOOR. IRC R307.2. USE OF WATER-RESISTANT GYPSUM BACKING BOARD SHALL BE PERMITTED ON CEILING WHERE FRAMING SPACING DOES NOT EXCEED 12" O/C FOR 1/2" THICK OR 16" O/C FOR 5/8" THICK GYPSUM WALL BOARD. WATER RESISTANT GYPSUM WALL BOARD SHALL NOT BE INSTALLED OVER A VAPOR RETARDER IN A SHOWER OR TUB COMPARTMENT. CUT OR EXPOSED EDGES, INCLUDING THOSE AT WALL INTERSECTIONS, SHALL BE SEALED AS REQUIRED BY THE MANUFACTURER.
4. THE ENDS OF EACH JOIST, BEAM OR GIRDER SHALL NOT HAVE LESS THAN 1.5 INCHES OF BEARING ON WOOD OR METAL AND NOT LESS THAN 3 INCHES ON MASONRY OR CONCRETE EXCEPT WHERE SUPPORTED ON A 1X4 RIBBON STRIP NAILED TO THE ADJACENT STUD OR BY THE USE OF APPROVED JOIST HANGERS.
5. MINIMUM FINISHED WALL WIDTH SHALL BE 36" PER IRC 311.6.
6. HABITABLE ROOMS LIGHT AND VENTILATION PER IRC R303.T.
7. MINIMUM FINISHED HABITABLE ROOMS SIZE PER IRC R304.1 AND 2.
8. PLUMBING FIXTURE CLEARANCES SHALL BE PER IRC F R307.1.
9. MINIMUM EGRESS DOOR CLEAR WIDTH PER IRC R311.2.
10. A FIRE EXTINGUISHER WITH A RATING OF 2A:10B:C SHALL BE INSTALLED IN THE KITCHEN AREA IN ACCORDANCE WITH IRC R328.1.

**ARCHITECTURAL NOTES:**

1. EXTERIOR DIMENSIONS ARE MEASURED TO THE FOLLOWING SURFACES:
  - a. WALLS - TO FACE OF SHEATHING, U.O.N.
  - b. COLUMNS - CENTERLINE
  - c. DOORS & WINDOWS - CENTERLINE AND/OR ROUGH OPENING
2. INTERIOR DIMENSIONS ARE MEASURED TO THE FOLLOWING SURFACES:
  - a. WALLS - FACE OF FRAMING
  - b. DOOR JAMBS - FRAMING
  - c. DOORS & WINDOWS - CENTERLINE AND/OR ROUGH OPENING

**WOOD FRAMING NOTES:**

1. ALL STUD FRAMING: SPF, GRADE 2 OR BETTER. STUD GRADE MATERIAL IS NOT ACCEPTED.
2. ALL FRAMING LUMBER: #2 SOUTHERN YELLOW PINE OR BETTER. THIS INCLUDES ROOF RAFTERS, CEILING JOISTS, FLOOR FRAMING, SILL BEAMS, FLOOR GIRDERS, AND HEADERS.
3. LAMINATED BEAMS, IF OCCURRING, SHALL BE GANG LAM BEAMS AS MANUFACTURED BY TRUSS JOIST MEYERHAUSER OR APPROVED EQUAL. THE CONTRACTOR SHALL SUBMIT CATALOG DATA AND LOAD TABLES FOR ANY SUBSTITUTIONS.
4. ALL LUMBER IN CONTACT WITH CONCRETE, MASONRY OR STEEL SHALL BE PRESSURE PRESERVATIVE TREATED (P.P.T.).
5. GENERAL CONTRACTOR AND FRAMER ARE TO THOROUGHLY COORDINATE ELECTRICAL DEVICE LOCATIONS WITH FRAMING MEMBER LOCATIONS. SEE FRAMING & ELECTRICAL PLANS.
6. ALL HEADERS SHALL BE 2 - 2 X 8s SYP NO.2, UNLESS OTHERWISE NOTED.
7. INTERIOR WALL STUDS SHALL BE 2X4s AT 16" O/C, UNLESS OTHERWISE NOTED.

**WINDOWS AND DOORS:**

ALL EXTERIOR WINDOWS AND DOORS ARE EXISTING AND SHALL REMAIN.  
ALL SLEEPING AREAS SHALL BE PROVIDED WITH AT LEAST ONE WINDOW THAT MEETS MINIMUM EGRESS WIDTH OF 5.7 SF PER IRC 310.2.1

**INSULATION NOTES:**

EXTERIOR WALLS ADJACENT TO SHOWERS AND TUBS SHALL BE INSULATED, AND AN AIR BARRIER SHALL BE INSTALLED ON THE INTERIOR SIDE OF THE EXTERIOR WALL ADJACENT TO THE SHOWER OR TUB.  
PROVIDE INSULATION THAT MEETS OR EXCEEDS IRC CODE REQUIREMENTS. THROUGHOUT, REFER TO DRAWINGS FOR LOCATIONS AND R-VALUE REQUIREMENTS.  
PROVIDE SOUND ATTENUATING INSULATION AT ALL BATHROOM WALLS.  
PROVIDE INSULATION IN ATTIC WALLS.

**ELECTRICAL NOTES:**

1. PROVIDE A COMPLETE ELECTRICAL WIRING SYSTEM THAT MEETS ALL CURRENT CODES AND INCLUDES ALL EQUIPMENT; KITCHEN APPLIANCES, AND HVAC EQUIPMENT.
2. COORDINATE ELECTRICAL REQUIREMENTS WITH SUBCONTRACTORS (I.E. HVAC, PLUMBING, SECURITY) AND PROVIDE REQUIRED WIRING.
3. ALL WIRING SHALL BE COPPER, SIZED PER N.E.C. CODE. LABEL ALL DISCONNECT SWITCHES, SWITCHBOARDS, AND PANELBOARDS.
4. LOW-VOLTAGE CIRCUITS SUCH AS TELEPHONE AND CABLE TV ARE BY SPECIALTY CONTRACTOR. GENERAL CONTRACTOR TO COORDINATE W/ OTHER TRADES.
5. SMOKE ALARMS SHALL BE PROVIDED IN ACCORDANCE WITH UL 217 AND SHALL BE INSTALLED IN THE FOLLOWING LOCATIONS:
  - IN EACH SLEEPING ROOM.
  - OUTSIDE EACH SEPARATE SLEEPING AREA IN THE IMMEDIATE VICINITY OF EACH SLEEPING ROOM.
  - ALARMS SHALL BE INTERCONNECTED IN ACCORDANCE WITH SECTION R314.4 OF THE IRC.

**GENERAL PLUMBING NOTES:**

- ALL STACKS & VENT PIPES SHALL BE ON THE BACK SIDE OF THE MAIN ROOF SO AS NOT TO BE VISIBLE FROM THE FRONT OF THE HOUSE.
- SOIL, WASTE, DRAIN, & VENT PIPING SHALL MEET THE CURRENT CODES. INSULATE ALL PIPES IN WALLS AND CEILINGS.
- WATER PIPING SHALL BE COPPER AND SHALL MEET THE CURRENT CODES. PROVIDE EXPANSION FITTING TO PREVENT WATER HAMMER.

**HVAC:**

1. HVAC IS TO BE DESIGN/BUILD BY CONTRACTOR.

**PAINTING SCHEDULE:**

1. PAINT AND PRIMER TO BE TOP QUALITY COATING MANUFACTURED BY SHERWIN WILLIAMS OR BENJAMIN MOORE.
  2. INTERIOR TRIM
    - 1ST COAT - PRIME COAT
    - 2ND/3RD COAT - INTERIOR LATEX ENAMEL; SEMI-GLOSS; BRUSH APPLIED
  3. INTERIOR DRYWALL/PLASTER:
    - 1ST COAT - PRIME COAT
    - 2ND/3RD COAT - INTERIOR LATEX ENAMEL; ROLLER APPLIED - NO HOLIDAYS
    - CEILINGS - SATIN
    - WALLS - SATIN
    - HALF BATH - TWO SHEEN LEVELS ABOVE FLAT
  4. COLOR SELECTION - VERIFY COLORS WITH OWNER.
- PROVIDE SAMPLES ON ALL PAINTED SURFACES FOR OWNER'S APPROVAL PRIOR TO PAINTING.

McNAUGHTON architecture  
757.754.4460  
sbm@mcnaughtonarch.com  
www.mcnaughtonarch.com

**McLAUGHLIN GARAGE BUILD-OUT**

9 PARK ROW - CAPE CHARLES, VIRGINIA

FLOOR PLAN

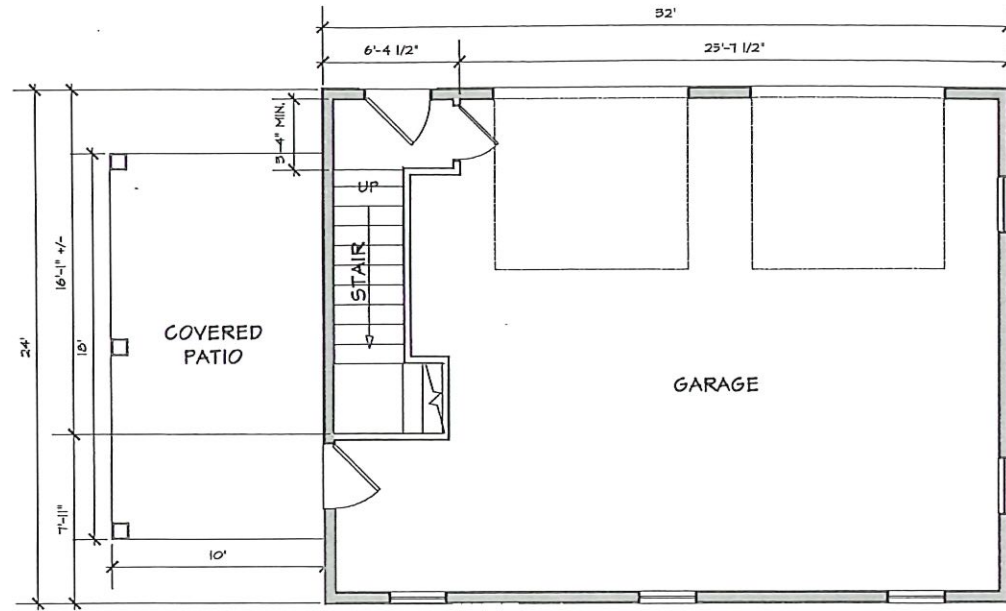
DATE:  
FEBRUARY 11, 2020

SHEET

A1.1

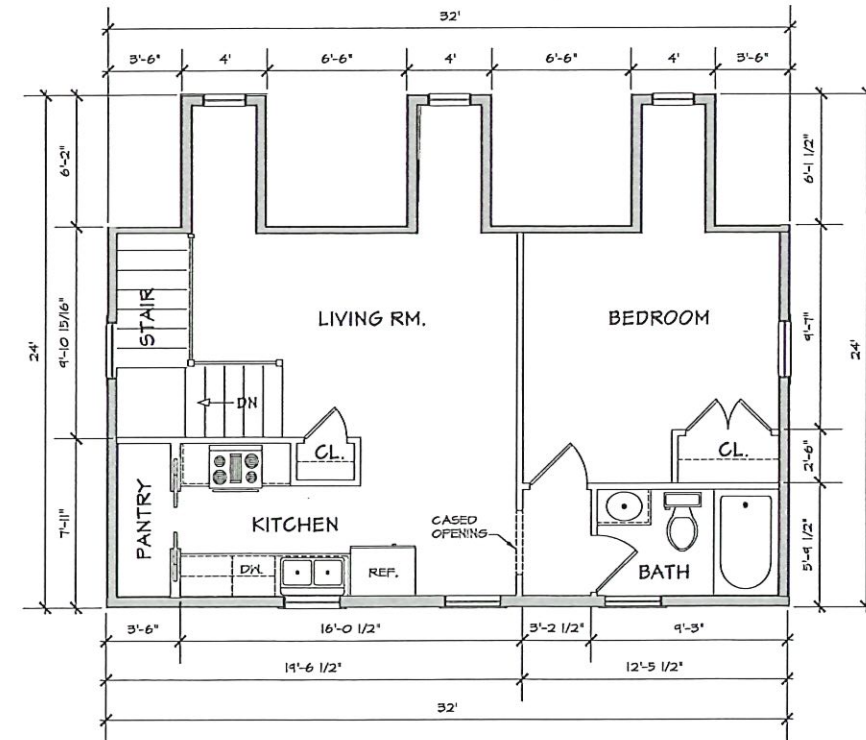
9 Park Row

#2



GARAGE FLOOR PLAN

SCALE: 1/4" = 1'-0"

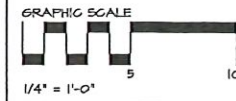


GARAGE UPPER FLOOR PLAN

SCALE: 1/4" = 1'-0"



PLAN REFERENCE NORTH



DESIGN DEVELOPMENT  
DRAFTING & DESIGN SERVICES LLC  
PO BOX 155  
ONANCOCK VA 23417  
757-109-8101  
desdevelopment@live.com  
www.desdevelopment.net

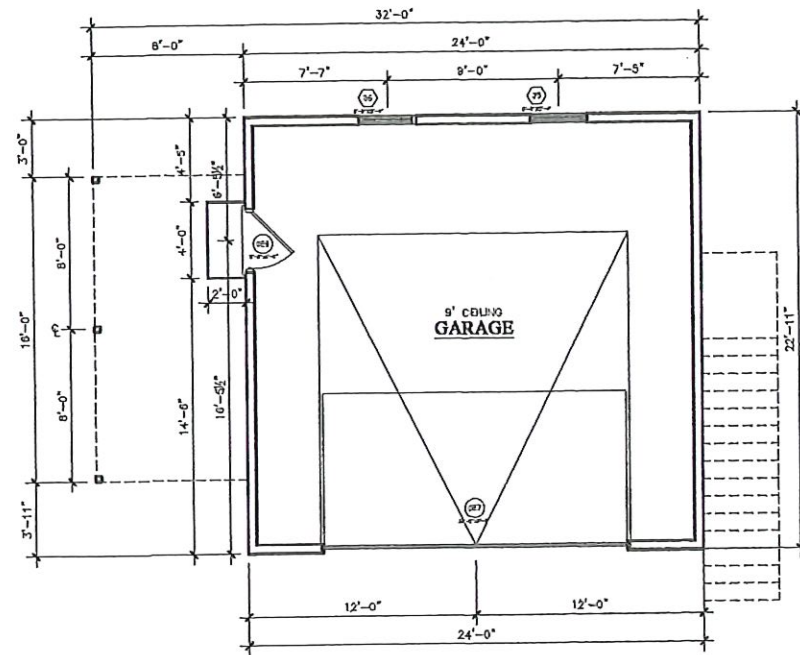
DAVIDSON RESIDENCE  
ADDITIONS & ALTERATIONS  
211 MADISON AVENUE  
CAPE CHARLES VIRGINIA 23310

SHEET 3 OF 6  
PREPARED BY KAM  
DATE: JULY 25 2022

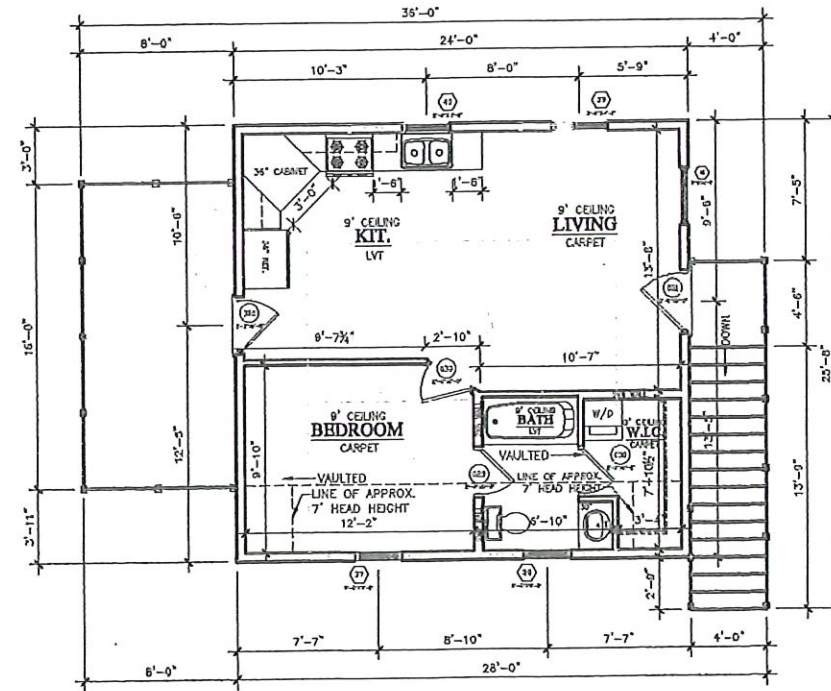
211 MADISON AVENUE

#3

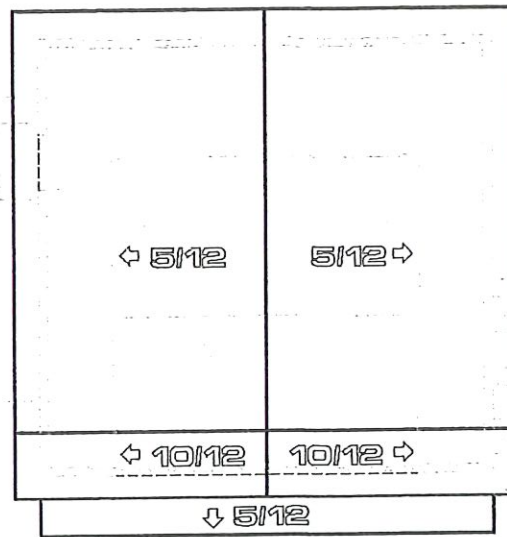
- NOTES:
- IT IS THE RESPONSIBILITY OF THE OWNER AND OR BUILDER TO VERIFY ALL DIMENSIONS AND DETAILS PRIOR TO CONSTRUCTION.
  - THESE PLANS ARE INTENDED FOR USE BY AN EXPERIENCED BUILDER.
  - AN EXPERIENCED BUILDER MAY NEED TO CONSULT OTHER PROFESSIONALS SUCH AS AN ENGINEER AND OR OTHER CONSULTANTS.
  - USE OF THIS PLAN CONSTITUTES ACCEPTANCE OF THESE TERMS.
  - ALL DIMENSIONS ARE TO FACE OF STUD UNLESS NOTED OTHERWISE.
  - 2X4 WALLS ARE 9'-0" AND 2X6 WALLS ARE 9'-6".
  - THIS PLAN HAS NOT BEEN ENGINEERED. SEE ENGINEERED PLAN BY OTHERS.
  - THIS PLAN IS COPYRIGHTED BY ALLDRAFT UNLESS NOTED OTHERWISE - COPYRIGHT © 2019
  - UNAUTHORIZED USE OF THESE PLANS IS PROHIBITED BY LAW - F.W.C.A. 1919



LOWER LEVEL



UPPER LEVEL



ROOF PLAN

DOOR AND FRAME SCHEDULE

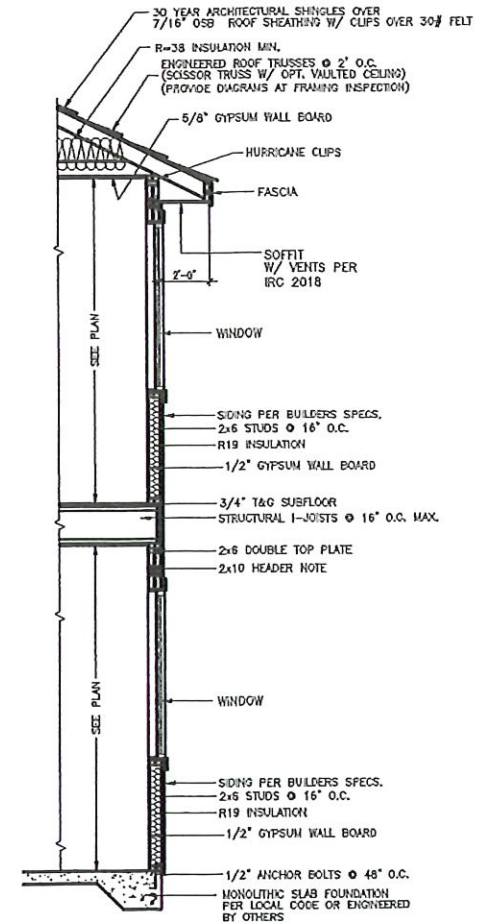
MARK	DOOR SIZE	
	WD	HGT
026	3'-0"	6'-8"
027	16'-0"	8'-0"
029	2'-4"	6'-8"
030	2'-4"	6'-8"
031	3'-0"	6'-8"
032	2'-8"	6'-8"
033	2'-6"	6'-8"

WINDOW SCHEDULE

MARK	SIZE	
	WIDTH	HEIGHT
035	3'-0"	5'-0"
036	3'-0"	5'-0"
037	2'-6"	5'-0"
038	2'-6"	5'-0"
039	3'-0"	4'-0"
040	2'-6"	4'-0"

SQUARE FOOTAGE TABLE

SPACE	AREA
GARAGE SF	550.00 SF
LIVING SPACE	528.00 SF



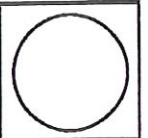
TYP. FOUND. WALL SECTION

SCALE: 1/2" = 1'-0"

REVISIONS

A	03-01-2022
B	03-22-2022
C	04-07-2022
D	07-06-2022
E	08-05-2023
F	
G	
H	

**ALLDRAFT** Design Services  
WWW.ALLDRAFT.COM 707-741-6702



MCLAUGHLIN RESIDENCE  
GARAGE FLOORPLAN

DRAWN BY  
ALLDRAFT  
FILE NAME  
CAD FILE  
DATE  
05-31-2023  
SCALE  
1/4" = 1'-0"  
SHEET  
**A6**

*McLaughlin*

**COPY RIGHT NOTICE:**  
1. THE OWNER AND OR BUILDER AGREE TO OBTAIN A LICENSE FOR ANY COPY RIGHTED MATERIAL THAT MAY HAVE BEEN PROVIDED TO ALLDRAFT FOR THE CREATION OF THIS PLAN PRIOR TO CONSTRUCTION.  
2. THE OWNER AND OR BUILDER AGREE TO RESEARCH AND VERIFY THE LEGALITY OF ALL COPY RIGHT OWNERSHIPS FOR ALL MATERIALS THAT THEY HAVE PROVIDED TO ALLDRAFT.  
3. THE OWNER AND OR BUILDER AGREE THAT ALLDRAFT IS NOT RESPONSIBLE FOR OBTAINING ANY COPY RIGHT LICENSE AND AGREE TO HOLD ALLDRAFT, DESIGN AND MODERNITY ALLDRAFT FROM ANY AND ALL LEGAL ACTIONS THAT MAY RESULT FROM THE CREATION OF THESE PLANS.  
4. USE OF THIS PLAN CONSTITUTES ACCEPTANCE OF THESE TERMS BY THE OWNER AND OR BUILDER.

500 MONROE AVENUE #4