



Town of Cape Charles Board of Zoning Appeals

2025 Annual Report
(January 1, 2025-December 31, 2025)

Bill Stramm
Chairman

Elise McMath
Vice Chairwoman

2025 Board of Zoning Appeals Members

<i>Name</i>	<i>Representation</i>	<i>Term Expiration</i>	<i>Notes</i>
Dolores Blackburn	Member Chairwoman	10/31/2026	Resigned 09/2025
Jim Holloway	Member Vice-Chair	10/31/2027	Resigned 01/2025
Bill Stramm	Member	10/31/2026	PC Representative Appointed Chair at 12/9/2025 Meeting
Pete Baumann	Member	10/31/2027	
Laura Weigand	Member	10/31/2026	
Elise McMath	Member	10/31/2028	Appointed to fill Jim Holloway's vacant seat, Appointed Vice-Chair at 12/9/2025 Meeting
Brian Murphy	Member		Appointed to fill Dolores Blackburn's empty seat

2025 Staff

Katie Nunez, Director of Planning & Zoning Administrator & Subdivision Agent
(July 2022 to present)

Tracy Outten, Planning & Zoning Assistant, Preservation & Zoning Administrator
(October 2016 to present)

Jack Steinmayer, Zoning Compliance Officer & Planning & Zoning Administrative Assistant
(June 2024 to present)

*I. **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 a year.”

*II. **Board and Staff Updates***

A. Board Membership 2025

After Jim Holloway tendered his resignation in January 2025 due to his full-time job requiring in-person attendance, his position was filled by Planning Commissioner Bill Stramm.

Elise McMath was appointed to fill a vacancy to bring the board back to five members. The Town Council also appointed Brian Murphy as the alternate in case there are any more changes. Both Elise and Brian have since undergone staff-led orientation on January 13, 2025.

B. Staff Changes 2025

There have been no changes in staff during 2025.

C. Education

Katie Nunez continues to maintain her annual certification as a Certified Zoning Official through the Virginia Association of Zoning Officials (VAZO)

The two new members (Elise McMath and Brian Murphy) will need to take the Board of Zoning Appeals Certified Program during 2026 since we are looking to have all members complete this course within the first two years of appointment.

III. Meetings - Variances, Exceptions, and Appeals

The Board of Zoning Appeals held 6 Meetings.

	<u>2025 Attendance Record</u>					
	P= Present A= Absent V= Vacant					
	3/11/2025	4/8/2025	5/6/2025	5/13/2025	10/14/2025	12/9/2025
Dolores Blackburn	P	P	P	P	V	V
Pete Baumann	P	V	P	P	P	P
Bill Stramm	P	P	P	P	V	P
Laura Weigand	P	P	P	P	X	A
Elise McMath	P	P	P	P	X	P

Board of Zoning Appeals Regular Meetings and Public Hearings for 2025

March 11th, 2025 Meeting

Discussion with the developer of Dreams by the Water (10-lot subdivision on Washington Avenue, Tax Maps #83A1-21-1 through #83A1-21-10) regarding the Zoning Ordinance and front and rear setback requirements relative to proposed housing styles and sizes to determine whether the BZA would consider variance applications for all lots. *The Board of Zoning Appeals agreed to hear the requested variance applications for lots 83A1-21-1 through 83A1-21-10 regarding the front and rear setback requirements.*

April 8th, 2025 Meeting

Application from Greg and Emily Gentry appealing a decision from the Zoning Administrator dated February 4th, 2025, which provided a Zoning Determination concerning 542 Jefferson Avenue that stated:

- (i) The Accessory Building is a legal, non-conforming use as an Accessory Dwelling Unit (ADU), and Short-Term Rentals are not permissible in the ADU and;
- (ii) This lot does not have 2 principal houses but a main house and an Accessory Dwelling Unit.

The applicant is seeking to have 2 primary residences on this property and is appealing the Zoning determination letter, citing section 4.14 and 4.2 (J) of the Cape Charles Zoning Ordinance.

Said appeal application is authorized pursuant to Cape Charles Zoning Ordinance Section 2.6.2 (C) and 2.6.4. ***As of 12/29/2025, the Cape Charles Zoning Ordinance has been integrated into the Town Code. The new section citations are as follows for Chapter 32, Article II, Section 32-41 and Section 32-43, respectively.***

The Board of Zoning Appeals tabled the application until title work could be conducted on the property.

Application from Bay Creek Resort, LLC., for a variance from the Accawmacke Plantation Planned Unit Development (PUD) Section 9.9 for a fence over the allowable 6' height requirement at 111 Palmer Way. *After discussion, the Board of Zoning Appeals voted to approve the variance application submitted by Bay Creek Development for a variance to allow for a fence greater than 6' according to Accawmacke Plantation Planned Unit Development Section 9.9.*

Application(s) from Chris Larmore, Developer of Dreams by the Water Subdivision on Washington Avenue, for a variance from the Cape Charles Zoning Ordinance Section 3.1 (E) to reduce the front and rear setbacks by 10' for lots 83A1-21-1 through 83A1-21-10. *After discussion, the Board of Zoning Appeals voted unanimously to approve the 10' reduction in the front yard setbacks and to deny the 10' reduction in the rear yard setback.*

May 6th, 2025 Meeting

Discussion with Town Manager John Hozey, regarding Greg and Emily Gentry's application appealing a decision from the Zoning Administrator dated February 4th, 2025, which provided a Zoning Determination concerning 542 Jefferson Avenue that stated:

- (i) The Accessory Building is a legal, non-conforming use as an Accessory Dwelling Unit (ADU), and Short-Term Rentals are not permissible in the ADU and;
- (ii) This lot does not have 2 principal houses but a main house and an Accessory Dwelling Unit.

A discussion was held between the Board of Zoning Appeals and Town Manager John Hozey to explain the board's responsibilities.

May 13th, 2025 Meeting

Application from Greg and Emily Gentry appealing a decision from the Zoning Administrator dated February 4th, 2025, which provided a Zoning Determination concerning 542 Jefferson Avenue that stated:

- (i) The Accessory Building is a legal, non-conforming use as an Accessory Dwelling Unit (ADU), and Short-Term Rentals are not permissible in the ADU and;
- (ii) This lot does not have 2 principal houses but a main house and an Accessory Dwelling Unit.

The applicant is seeking to have 2 primary residences on this property and is appealing the Zoning determination letter, citing section 4.14 and 4.2 (J) of the Cape Charles Zoning Ordinance.

Said appeal application is authorized pursuant to Cape Charles Zoning Ordinance Section 2.6.2 (C) and 2.6.4. ***As of 12/29/2025, the Cape Charles Zoning Ordinance has been integrated into the Town Code. The new section citations are as follows for Chapter 32, Article II, Section 32-41 and Section 32-43, respectively.***

After discussion, the Board of Zoning Appeals voted to uphold the Zoning Administrator's decision and deny the use of an ADU as an STR at 542 Jefferson Avenue, in a unanimous vote.

October 14th, 2025 Meeting

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 setback and 5' into the rear setback. *After discussion, the Board of Zoning Appeals voted unanimously to approve the variance application to allow for a rear deck to extend 1.5' into the side setback and 5' into the rear setback.*

December 9th, 2025 Meeting

Application from Derek Roncaioli appealing a decision from the Zoning Administrator dated October 3rd, 2025, which provided a Zoning Determination letter, which was further amended on November 10th, 2025, regarding licensing a houseboat as a Short-Term Rental (STR) in the Harbor-Commercial (C-1) District that stated:

- (i) The houseboat is not a structure and is not exclusively used for human habitation; therefore, it does not fit the definition of a Short-Term Rental and
- (ii)** The houseboat is a non-navigable, floating home; therefore, it is not within the US Coast Guard's jurisdiction and falls under the Town's zoning jurisdiction. The Town's Zoning Ordinance Section 3.8 does not permit single-family homes in the Harbor Commercial District (HAR-C).

The applicant is seeking to utilize their houseboat as an STR and is appealing the Zoning Determination letter, citing section 4.14 (B).

Said appeal application is authorized pursuant to Cape Charles Zoning Ordinance Section 2.6.2 (C) and 2.6.4. ***As of 12/29/2025, the Cape Charles Zoning Ordinance has been integrated into the Town Code. The new section citations are as follows for Chapter 32, Article II, Section 32-41 and Section 32-43, respectively.***

After discussion, the Board of Zoning Appeals voted to uphold the Zoning Administrator's decision and deny the use of the houseboat anchored in the Cape Charles Harbor to be used as an STR.