



HISTORIC DISTRICT REVIEW BOARD

Special Meeting
Cape Charles Civic Center
February 5, 2018
6:00 p.m.

At 6:00 p.m., Chairman Joe Fehrer, having established a quorum, called to order the Special Meeting of the Historic District Review Board (HDRB). In addition to Joe Fehrer, present were Terry Strub, Sandra Salopek, and David Gay. John Caton was not in attendance. Also in attendance were Town Planner Larry DiRe and Assistant Town Clerk Tracy Outten. The applicants were available by phone. There were no members of the public in attendance.

Chairman Joe Fehrer started the HDRB Special meeting with a moment of silence and the recitation of the Pledge of Allegiance.

CONSENT AGENDA:

Motion made by Terry Strub, seconded by David Gay, to accept the agenda as presented. The motion was unanimously approved.

NEW BUSINESS:

- A. *Application for Certificate of Appropriateness for 111-113 Peach Street – second-floor rear addition, re-siding, front porch changes, and brick steps on a duplex dwelling unit.*

Larry DiRe was emailed a letter from Sherry and John Petersik amending the application that was presented and denied at the HDRB Regular Meeting on January 16, 2018. (Please see attached letter.) Sherry and John Petersik, applicants, informed the board that the dormer had been stricken and the roof pitch lowered from 6/12 to the suggested 4/12. Joe Fehrer said the board was in agreement with all other aspects of the presented application.

Motion made by Terry Strub, seconded by David Gay, to approve the Application for the Certificate of Appropriateness at 111-113 Peach Avenue for a second-floor rear addition, re-siding, front porch changes, and brick steps on the duplex dwelling unit as presented with the amendments that included no dormer and the roof pitch would be lowered from 6/12 to 4/12. The motion was approved by unanimous vote.

- B. *Proposed draft text amendment to zoning ordinance Article VIII.*

Larry DiRe gave a brief summary of the text changes and asked the board for their input. Larry DiRe read emails from his correspondences with Smithfield about their economic hardship funding. (Please see attached.) Joe Fehrer and the board would like the Planning Commission to move forward with the text amendments.

Motion made by Joe Fehrer, seconded by David Gay, to accept the text amendments to Zoning Ordinance Article VIII as proposed. The motion was approved by unanimous vote.

- C. *Potential bonding for approved projects.*

After some discussion, the board decided to take time to research historic district performance bonds in other localities.

ANNOUNCEMENTS:

There were no announcements.

Motion made by Joe Fehrer, seconded by Terry Strub, to adjourn the February 5, 2018 Historic District Review Board Special Meeting. The motion was unanimously approved.

Chairman Joe Fehrer

Assistant Town Clerk

January 17, 2018

Dear Members of The Cape Charles Historic Review Board,

John Petersik and I, Sherry Petersik, are the owners of the duplex at 111 and 113 Peach Street, and a proposal was submitted yesterday, January 16th, for approval. That request included a dormer and a 6/12 roof pitch, which was denied.

We would like this letter to serve as an addendum to that proposal whereby we strike the dormer and lower the roof to a 4/12 pitch. To expedite this we request that a special meeting be called.

Thank you so much for your time. We are very much looking forward to fixing up this house and continuing to beautify Peach Street!

Best,

A handwritten signature in black ink, appearing to read 'Sherry Petersik', with a stylized, cursive script.

Sherry Petersik

A handwritten signature in black ink, appearing to read 'John Petersik', with a stylized, cursive script.

John Petersik

Larry DiRe

From: Larry DiRe <larry.dire@capecharles.org>
Sent: Monday, January 29, 2018 11:37 AM
To: 'William Saunders'
Subject: RE: Economic hardship in the historic overlay district

Thanks. I understand, believe me.

From: William Saunders [mailto:wsaunders@smithfieldva.gov]
Sent: Monday, January 29, 2018 11:40 AM
To: Larry DiRe <larry.dire@capecharles.org>
Subject: RE: Economic hardship in the historic overlay district

Good morning,

We do not have any local economic hardship provisions, other than the 'Offer to Sell' section of the ordinance.

I wish I could provide more.

Sincerely,

William G. Saunders, IV, AICP, CZA
Director of Planning, Engineering and Public Works
Town of Smithfield, VA
Office (757) 365-4266
Fax (757) 357-9933
wsaunders@smithfieldva.gov

From: Larry DiRe [mailto:larry.dire@capecharles.org]
Sent: Monday, January 22, 2018 11:44 AM
To: William Saunders
Subject: Economic hardship in the historic overlay district

Mr. Saunders,

Thank you for taking the time to assist me on this matter. In the Smithfield zoning ordinance Article 3.M, Section 3.F.2.G (page 23 of 34) there is a citation of an ordinance dated September 5, 2000 relative to "proper case" of economic hardship under required maintenance in the historic overlay district. The Cape Charles Historic Overlay ordinance has identical language to much of Smithfield's including the following:

After notice by the Review Board by certified or registered mail of specific instances of failure to maintain or repair and of the opportunity to appear before the Review Board, the owner or person in charge of said structure shall have 90 days to remedy such violation. Thereafter, each day during which there exists any violation of this section shall constitute a separate offense and shall be punishable as provided in the Zoning Ordinance. In the alternative, if the owner fails to act, the Review Board may order the Planning and Zoning Administrator, after due notice to the owner, to enter the property and make or cause to be made such repairs as are necessary to preserve the integrity and safety of the structure. The reasonable costs thereof shall be placed as a lien against the property or, in a proper hardship case, paid by the Town from a fund established for such purposes.
(Ord. of 9-5-2000)

Cape Charles is in the process of major revision to the town historic overlay district ordinance. I informed the Planning Commission of the Smithfield language on economic hardships and they directed me to contact your jurisdiction about your approach, since the two towns' laws are identical in this matter.

Lawrence DiRe, M.A. M.P.A
Town Planner
Town of Cape Charles
2 Plum Street
Cape Charles, VA 23310
757-331-2036
planner@capecharles.org

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