

**Town of Cape Charles**  
**Article VIII**  
**Historic District Overlay**

*“The Cape Charles Historic District encompasses nearly all of the town of Cape Charles as it was originally laid out in 1883-1884 as well as the Sea Cottage addition, an area west of the original limits of the town, that was developed after 1909...The town was originally laid out in an unusual twenty-seven block grid pattern dominated by a central park with four landscaped streets that radiate from the park and serve as a main cross axis for the town’s circulation pattern. No other such plan is known to exist in Virginia.”*  
- 1989 National Register of Historic Places Registration Form Section 7, page 1.

*“An interesting stock of architectural styles in both the residential area and the downtown commercial area contribute an historic style and authenticity. The street patterns, lot configurations and boundaries, which were laid out in an historic grid pattern, have remained largely unaltered, adding to the Town’s historical integrity. Cape Charles’ late nineteenth and early twentieth century character is a key element in the Town’s interest and attractiveness to tourists. The traditional downtown commercial area on Mason Avenue still serves as the commercial center for the Town. It is important that the Town’s historic character be protected, not only for its intrinsic value, but also to contribute to attract and expand tourism in Cape Charles.”* – Town of Cape Charles 1999 Comprehensive Plan, page 40.

The Town of Cape Charles participates in the Certified Local Government program and in so doing demonstrates a commitment to keep what is significant from the past for the benefit of future generations. The architectural integrity of existing structures shall be recognized, and future development shall be compatible.

**Section 8.1 Purpose of the District** *[revised – 08/16/18]*

The purpose of this district is to provide for protection against destruction or encroachment upon historic areas, buildings, monuments, or other features, or buildings and structures of registered architectural significance which contribute or will contribute to the cultural, social, economic, political, artistic, or architectural heritage of the Town of Cape Charles and the Commonwealth of Virginia. It is also the purpose of the district to preserve the designated historic areas and historic landmarks and other historic or architectural features from destruction, damage, defacement to ensure that buildings, structures, streets, walkways, or signs shall be erected, reconstructed, altered, or restored so as to be kept architecturally compatible with the character of the historic district.

**Section 8.2 Criteria for Establishing Historic Districts--General Character**

The boundaries of the Historic District shall in general be drawn to include areas containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation. The district may include either individual buildings or places of such character, and a reasonable distance beyond, or it may include areas or groupings of structures which have significance relative to their patterns of development or social and

economic or architectural interrelationships even though some structures in the area might not possess significant merit when considered alone.

### **Section 8.3 Inventory of Landmarks and Contributing Properties Established**

The Town of Cape Charles has established as part of this ordinance an inventory map covering the area included in the Historic District, based on the criteria set forth in this ordinance. This map herein after called the inventory map shall be as much a part of this ordinance as if fully described herein and shall be filed as a part of this ordinance by the Town Clerk of the Town of Cape Charles. Structures or sites designated as properties which contribute to the historic character of the Town shall be known as contributing properties for the purpose of this Ordinance. Structures or sites not designated as landmark or contributing properties shall be known as noncontributing properties. The inventory map may be amended from time to time in the same manner as the zoning district map.

### **Section 8.4. Application of the District; Relation to Other Zoning Districts**

To enable the district to operate in harmony with the plan for land use and population density embodied in these regulations, the Historic District is created as a special district to be superimposed on other districts contained in these regulations and is to be so designated by a special symbol for its boundaries on the Zoning District Map. The uses, housing types, minimum lot requirements, minimum yard requirements, maximum height, and accessory uses and accessory signs shall be determined by the regulations applicable to the other districts over which the Historic District is superimposed except as these other district regulations may be modified by application of the regulations in the Historic District.

### **Section 8.5 Permitted Uses *[revised – 08/16/18]***

A building or land shall be used only for any use or accessory use permitted in the zoning district in which the premises are situated and upon which the Historic District is superimposed.

### **Section 8.6 Historic District Review Board; Creation**

For the general purposes of this Article as herein stated and specifically to preserve and protect historic places and areas in the Town through the control of demolition of such places and through the regulation of architectural design and uses of structures in such areas, there is created a board known as the Historic District Review Board.

### **Section 8.7 Historic District Review Board; Membership *[revised – 08/16/18]***

The members of the Historic District Review Board shall be appointed by the Town Council. The Membership shall consist of five citizens, at least three of whom shall be residents of the local historic district.

### **Section 8.8 Historic District Review Board; Terms *[revised – 08/16/18]***

Upon approval by the Town Council, members shall be appointed for a term of five years. Appointments to fill vacancies shall be only for the unexpired term. Members may be

reappointed to succeed themselves. A member whose term expires shall continue to serve until a successor is appointed and qualifies.

**Section 8.9 Historic District Review Board; Qualifications** *[revised – 08/16/18]*

Members of the Historic District Review Board shall have demonstrated interest and knowledge in the historical and architectural development of the Town.

**Section 8.10 Historic District Review Board; Organization** *[revised – 08/16/18]*

The Historic District Review Board shall elect from its own membership a chairman and vice chairman who shall serve annual terms and may succeed themselves. The chairman shall preside over all meetings in addition to having the duties and responsibilities of other members of the Board. The vice chairman shall preside over meetings of the Board in the absence of the chairman.

**Section 8.11 Historic District Review Board; Rules** *[revised – 08/16/18]*

The Board shall meet in regular session on the third Tuesday of every month when an application has been filed requiring consideration. Special meetings of the Board may be called by the chairman or a majority of the members after public notice as required.

**Section 8.12 Historic District Review Board; Meetings; Hearings** *[revised – 08/16/18]*

Written notice of a special meeting is not required if the time of special meeting has been fixed at a regular meeting or if all members are present at a special meeting or file a written waiver of notice. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all voting members of the Board. The Board may make, alter, or rescind rules and forms for its procedures, consistent with the ordinances of the Town and the general laws of the Commonwealth of Virginia.

**Section 8.13 Historic District Review Board; Procedures**

The Board shall establish procedures for all matters coming before it for review and all meetings shall be open to the public.

**Section 8.14 Historic District Review Board; Powers and Duties**

The Historic District Review Board shall have the power and authority for issuing or denying Certificates of Appropriateness for construction, reconstruction, substantial exterior alteration, razing, or relocation within the historic district: In addition, the Board shall have the following duties:

- A. To assist and advise the Town Council, the Planning Commission, and other Town departments, agencies, and property owners in matters involving historically significant sites at buildings or other properties in historic districts such as, but not limited to, appropriate land usage, parking facilities, and signs.
- B. To continuously evaluate conditions and advise owners of historic landmarks or contributing structures or other properties in historic districts on problems of preservation.

- C. To conduct studies deemed necessary by the Town Council or Planning Commission concerning location of historic districts and means of preservation, utilization, improvement, and maintenance of historic assets in the Town.
- D. To propose additional historic districts or additions or deletions to districts.
- E. To adopt standards for review to supplement the standards set forth in this Ordinance.
- F. To formulate recommendations to the Town Council concerning the establishment of an appropriate system of markers for selected historic sites and buildings, including proposals for the installation and care of such historic markers.
- G. To cooperate with and enlist assistance from the Virginia Department of Historic Resources, the National Trust for Historic Preservation, and other interested parties both public and private in its efforts to preserve, restore, and conserve historic landmarks, buildings, sites, or areas within the Town.

**Section 8.15 Summary of Administration Review Procedures** *[revised – 08/16/18]*

In general, it is the purpose of this ordinance to establish review procedures for actions affecting properties in the Historic District. To this end, some actions are exempted from special historic and architectural review altogether, except as normal review may be necessary for issuance of a building permit. Other actions, depending on the possible consequences thereof, may be reviewed by the Zoning Administrator or by the Historic District Review Board acting with original jurisdiction, or, in the most serious cases, action by the Town Council following action by the Historic District Review Board. In all cases the decisions of the Zoning Administrator shall be appealed to the Board of Zoning Appeals as stated in §2-2.6.2.C, the decisions of the Historic District Review Board may be appealed to the Town Council, and the final decisions of the Town Council may be appealed to the Circuit Court of Northampton County.

**Section 8.16 Certain Minor Actions Exempted from Review by the Historic District Review Board** *[revised – 08/16/18]*

Within the Historic District certain minor actions which are deemed not to have permanent effects upon the character of the historic district are exempted from review for architectural compatibility by the Historic District Review Board. Such actions shall include the following and any similar actions which in the opinion of the Zoning Administrator will have no more effect on the character of the district than those listed:

- A. Repainting the structure. (Original painting of masonry surfaces is not exempted from review.)
- B. Replacement of missing or broken window panes, roofing slates, tiles, porch floor, posts, rails, shingles, window frames, or shutters where no substantial change in design or material is proposed.
- C. Addition or deletion of storm doors or storm windows, window gardens, or similar appurtenances and portable air conditioners located in existing windows, doors, or

other existing wall openings (if no building permit is required for such addition or deletion).

- D. Addition or deletion of television and radio antennas or skylights and solar collectors in locations not visible from a public street or a waterway.
- E. Landscaping involving minor grading, walks, low retaining walls, temporary fencing, small fountains, and ponds which will not substantially affect the character of the property and its surroundings.
- F. Construction of off-street loading areas and off-street parking areas.
- G. Creation of outside storage in a commercial or industrial district which does not require structural changes or major grading and is not visible from a public street or waterway.

**Section 8.17 Delegation of Authority** *[revised – 08/16/18]*

- A. The Zoning Administrator shall have authority to order that work be stopped and that an appropriate application be filed for review by the Historic District Review Board in any case where the action has an adverse effect on the Historic District.
- B. The Historic District Review Board shall periodically review the design guidelines contained in this section.

**Section 8.18 Approval of Historic District Review Board Required** *[revised – 08/16/18]*

- A. Except as herein otherwise provided in this article, no building or structure, including signs, shall be erected, reconstructed, restored, or substantially altered in exterior appearance and no buildings or structures shall be razed or demolished within a historic district and no permit authorizing same shall be granted unless and until the same is approved by the Historic District Review Board and a Certificate of Appropriateness has been issued by that body, with right of direct appeal to the Town Council as hereinafter provided, as being architecturally compatible with the historical, cultural, and/or architectural aspects of the structure and its surroundings.
- B. "Substantial alterations" shall be defined as any and all work done on buildings, structures, or sites in a historic district other than those specifically exempted herein:
  - 1. General examples of "non-substantial" alterations:
    - a. Work done to prevent deterioration or to replace parts of a structure with similar materials in order to correct any deterioration, decay of, or damage to any structure or on any part thereof, or
    - b. To restore same as nearly as practical to its condition prior to such deterioration, decay, or damage.
  - 2. Examples of work not constituting "substantial alteration" include those minor actions exempted from review by §8.16 of this article.

3. General examples of work constituting "substantial alterations" include:
  - a. Construction of a new building at any location or a new accessory building on a landmark or contributing property or on a site within the Historic District.
  - b. Any addition to or alteration of a building which increases the square footage of the building or otherwise alters substantially its size, height, contour, or outline.
  - c. Any change or alteration of the exterior architectural style of a structure, including removal or rebuilding of porches, openings, dormers, window sashes, chimneys, columns, structural elements, stairways, terraces, and the like.
  - d. Any change or alteration of the exterior color scheme of the structure or any of its significant elements, including porches, openings, dormers, window sashes, awnings, canopies, chimneys, columns, stairways, terraces, or any other structural elements. This also applies to all structures on the site.
  - e. Addition to or removal of one or more stories or alteration of a roof line.
  - f. Any other major actions not specifically covered by the terms of this section but which would have an effect on the character of the historic district.
- C. In any case in which there might be some question as to whether a project may be exempted from review may constitute a minor action or may constitute "substantial alteration," the Zoning Administrator shall be contacted for an interpretation prior to commencement of work.

**Section 8.19. Certificate of Appropriateness *[revised – 08/16/18]***

Evidence of the approval required under the terms of the Historic District shall be a certificate of appropriateness issued by the Historic District Review Board, stating that the demolition, moving, or changes in the exterior architectural appearance of the proposed construction, reconstruction, alteration, or restoration for which application has been made are approved by the Historic District Review Board. The Historic District Review Board may permit modifications of original proposals if such modifications are formally acknowledged, clearly described, and recorded in the records of the case. A certificate of appropriateness shall be in addition to any other permits required. Any action by applicants following issuance of a permit-requiring certificate of appropriateness shall be in accord with the application and material approved and any conditions appended thereto.

**Section 8.20 Design Guidelines; Standards for Review *[revised – 08/16/18]***

- A. The Historic District Review Board shall be guided in its decisions by the design guidelines as authorized in subsection B of this section.
- B. It shall be the duty of the Historic District Review Board to prepare, and adopt, and amend specific design guidelines, illustrated as necessary, for buildings, structures, and sites in the historic district.
- C. The Historic District Review Board may adopt and amend a set of design guidelines after conducting at least one public hearing pursuant to §15.22204 Code of Virginia.

**Section 8.21 Maintenance and Repair Required** *[revised – 08/16/18]*

- A. The purpose of this section is solely to stop demolition by neglect, whereby owners of property in the Historic District allow the structure, or historic attributes of the structure, to become a hazardous building or structure.
- B. All buildings and structures in the Historic District shall be preserved against decay and deterioration and maintained free from structural defects to the extent that such decay, deterioration, or defects may, in the opinion of the Historic District Review Board and Town Council, result in the irreparable deterioration of any exterior appurtenance or architectural feature or produce a detrimental effect upon the character of the district as a whole or upon the life and character of the structure itself, including but not limited to:
  - 1. The deterioration of exterior walls or other vertical supports, including broken doors and window panes;
  - 2. The deterioration of roofs or horizontal members;
  - 3. The deterioration of exterior chimneys;
  - 4. The deterioration or crumbling of exterior plaster, wood, or mortar;
  - 5. The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.
- C. After notice by the Historic District Review Board by certified mail of specific instances of failure to maintain or repair and of an opportunity to appear before the Historic District Review Board, the owner or person in charge of said structure shall have ninety (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 this ordinance. In the alternative, if the owner fails to act, the Historic District Review Board may recommend to the Town Council that the Zoning Administrator, after due notice to the owner, enter the property and make or cause to be made such repairs as are necessary to preserve the integrity and safety of the structure and the reasonable costs thereof shall be placed as a lien against the property.

**Section 8.22 File of Actions to be Maintained** *[revised – 08/16/18]*

In order to provide guidance for application of standards and guidelines, for the improvement of standards and guidelines, and for assistance to future applicants and the promotion of consistent policies in guiding applicants toward better standards of design, the Zoning Administrator and the Historic District Review Board shall maintain a file containing a record of all applications brought before them, including drawings and photographs pertaining thereto and the decision of the Zoning Administrator or the Historic District Review Board in each case. The file documents shall remain the property of the Town but shall be held available for public review.

**Section 8.23 Administration; Zoning Administrator**

Except as authorized herein the Zoning Administrator shall not authorize a permit for any erection, reconstruction, integral exterior facade change, demolition, or razing of a building or structure in the Historic District until the same has been approved by the Historic District Review Board as set forth in the following procedures.

**Section 8.24 Receipt of Application**

Upon receipt of an application by the Zoning Administrator for each permit in the historic district, the Zoning Administrator shall:

- A. Forthwith forward to the Historic District Review Board a copy of the application, together with a copy of the site plan and the building plans and specifications filed by the applicant if such application requires the Historic District Review Board to meet and render a decision;
- B. Maintain in his office a record of all such applications and of his handling and final disposition of the same;
- C. Require applicants to submit three (3) copies of material required to permit compliance with the foregoing.

**Section 8.25 Material to be Submitted for Review** *[revised – 08/16/18]*

By general rule, or by specific request in a particular case, the Historic District Review Board may require submission of any or all of the following in connection with the application: architectural plans, site plans, landscaping plans, construction methods, proposed exterior lighting arrangements, elevations of all portions of structures with important relationships to public view and such other exhibits and reports as are necessary for its determinations. Requests for approval of activities proposed in historic districts shall be accepted only from the record owner of the land involved in such proposal, or his agent.

**Section 8.26 Other Approvals Required**

In any case in which an applicant's proposal also requires the approval of the Board of Zoning Appeals, final action by the Board of Zoning Appeals shall precede final action by the Historic District Review Board. The Board of Zoning Appeals may, however, table a proposal in order to request the comments of the Historic District Review Board. Final action by the Historic District Review Board shall be taken prior to consideration of proposals requiring site plan approval.

**Section 8.27 Action by the Historic District Review Board; Issuance of Certificates of Appropriateness *[revised – 08/16/18]***

The Historic District Review Board shall render a decision upon any request or application for a Certificate of Appropriateness within sixty (60) days after the filing of an application accepted as complete. Failure of the Historic District Review Board to render such a decision within said sixty (60) day period, unless such period be extended with the concurrence of the applicant, shall entitle the applicant to proceed as if the Historic District Review Board had granted the Certificate of Appropriateness applied for prior to denying the Certificate of Appropriateness. The Historic District Review Board, on the basis of the review of information received, shall, upon request, indicate to the applicant the changes in plans and specifications, if any, which in the opinion of the Historic District Review Board, would protect and/or preserve the historical aspects of the landmark, building, structure, or district. If the applicant determines that he will make the suggested changes and does so in writing, the Historic District Review Board may issue the Certificate of Appropriateness.

**Section 8.28 Expiration of Certificates of Appropriateness *[revised – 08/16/18]***

Any certificate issued pursuant to this article shall expire of its own limitation twelve (12) months from the date of issuance if the work authorized thereby is not commenced by the end of such twelve (12) month period; and further, any such certificate shall also expire and become null and void if such authorized work is suspended or abandoned for a period of twelve (12) months after being commenced. Any period or periods of time during which the right to use any such certificate is stayed pursuant to this article shall be excluded from the computation of the twelve (12) months.

**Section 8.29 Inspection by Administrator After Approval**

When a Certificate of Appropriateness has been issued, the Zoning Administrator or Town Building Official shall from time to time inspect the alteration or construction approved by such certificate and shall give prompt notice to the applicant of any work not in accordance with such certificate or violating any ordinances of the Town. The Zoning Administrator or Town Building Official may revoke the certificate or the building permit if violations are not corrected by the applicant in a timely manner.

**Section 8.30 Delay of Approval**

In the case of a proposal other than for demolition or moving but involving a designated landmark where the Historic District Review Board or, on appeal, the Town Council cannot reach a satisfactory agreement with the owner and where the Historic District Review Board or, on appeal, the Town Council decides such action to be in the public interest and not in conflict with any provision of law, it may delay the effective date of an approval for a period of three(3) months from the date of application or appeal to enable negotiations to

be undertaken and completed for acquisition of the property for preservation or public use. Failure of negotiations within this period shall be the equivalent of a denial of the application by the Historic District Review Board or, on appeal, by the Town Council.

**Section 8.31 Conditions Imposed by the Historic District Review Board**

In approval of any proposal under this section, the Historic District Review Board or, on appeal, the Town Council may limit such approval by such reasonable conditions as the case may require, including but not limited to, the specifications enumerated for conditional uses and for the Town Council.

**Section 8.32 Appeals; Decisions of the Historic District Review Board**

*[revised – 11/15/18]*

An appeal from a decision of the Historic District Review Board may be taken to the Town Council by the owner of the property in question or by any party aggrieved and must show that he has an immediate, pecuniary and substantial interest in the litigation, and not a remote or indirect interest, which shall be taken within thirty (30) days after the decision appealed from by filing with the Zoning Administrator the following: a notice of appeal specifying the grounds thereof; a signed statement listing any personal or business relationship with any general or subcontractors associated with the project under appeal; a signed statement that all real and personal property taxes are current as of the date of the filed appeal notice; a signed statement listing any personal or business relationship or partnership with the property owner(s) associated with the project under appeal; a fee equal in value to the fee paid by the property owner(s) associated with the project under appeal. The Zoning Administrator shall transmit to the Town Council within five (5) days all the papers constituting the record upon which the action appealed from was taken. The Town Council shall fix a reasonable time for the hearing, give public notice thereof and decide the same within sixty (60) days. At the hearing the appealing party may appear in person or by agent. In exercising its powers, the Town Council may, in conformity with the provisions of this Ordinance, reverse or affirm, wholly or partly, or may modify any order, requirement, decision, or determination appealed from and make such order, requirement, decision or determination as ought to be made and to that end shall have all the powers of the Historic District Review Board.

**Section 8.33 Appeals; Decisions of the Zoning Administrator *[revised – 11/15/18]***

An appeal from a decision of the Zoning Administrator may be taken to the Board of Zoning Appeals by the owner of the property in question or by any party aggrieved and must show that he has an immediate, pecuniary and substantial interest in the litigation, and not a remote or indirect interest, which shall be taken within thirty (30) days after the decision appealed from by filing with the Zoning Administrator the following: a notice of appeal specifying the grounds thereof; a signed statement listing any personal or business relationship with any general or subcontractors associated with the project under appeal; a signed statement that all real and personal property taxes are current as of the date of the filed appeal notice; a signed statement listing any personal or business relationship or partnership with property owner(s) associated with the project under appeal. The Zoning Administrator shall transmit to the Board of Zoning Appeals within five (5) days all the papers constituting the record upon which the action appealed from was taken. The Board of Zoning Appeals shall fix a reasonable time for the meeting, give public notice thereof as

required pursuant to §15.2-2204; Code of Virginia, and decide the same within sixty (60) days. At the meeting the party may appear in person or by agent. In exercising its powers, the Board of Zoning Appeals may reverse or affirm, wholly or partly, or may modify, any order, requirement, decision, or determination appealed from and make such order, requirement, decision or determination as ought to be made.

### **Section 8.34 Appeal to the Circuit Court from a Decision of the Town Council**

*[revised – 11/15/18]*

An appeal from a final decision of the Town Council may be filed with the Circuit Court within thirty (30) days after said decision in the manner prescribed by law by the owner of the property in question, by any party aggrieved and must show that he has an immediate, pecuniary and substantial interest in the litigation, and not a remote or indirect interest, or by the Historic District Review Board. The filing of an appeal shall stay the decision of the Town Council pending the outcome of the appeal to the court, except that the filing of such petition shall not stay the decision of the Town Council if such decision denies the right to raze or demolish a designated landmark, building, or structure. The court may reverse or modify the decision of the Town Council, in whole or part, if it finds upon review that the decision of the governing body is contrary to law or that its decision is arbitrary and constitutes an abuse of discretion, or it may affirm the decision of the Town Council.

### **Section 8.35 Violations and Penalties**

Any violation of this Article and the penalties for all such violations shall be as set forth in §2.43 of the Zoning Ordinance.

### **Section 8.36 Definitions** *[revised – 08/16/18]*

For the purpose of this article, certain terms and words pertaining to the Historic District are hereby defined. The general rules of construction contained in Article II of this Ordinance are applicable to these definitions.

**ALTERATION** is any change, modification, or addition to a part or all of the exterior of any building or structure.

**BUILDING** is any enclosed or open structure which is a combination of materials to form a construction for occupancy or use.

**ADMINISTRATOR, THE ZONING ADMINISTRATOR**, is that person appointed by the Town Council as the individual who issues the permit for the construction, alteration, reconstruction, repair, restoration, demolition, or razing of all or part of any building.

**BUILDING PERMIT** is an approval statement signed by the Building Permit Office authorizing the construction, alteration, reconstruction, repair, restoration, demolition, or razing of all or a part of any building.

**CERTIFICATE OF APPROPRIATENESS** is a certificate or other statement indicating approval by the Administrator or the Historic District Review Board as the case may require of plans for construction alteration, reconstruction, repair,

restoration, relocation, demolition, or razing of a building or structure or part thereof in a historic district.

**CONTRIBUTING PROPERTIES** are those properties constructed fifty (50) years or more ago.

**DESIGN GUIDELINES** are those set of guidelines, standards, and regulations adopted pursuant to §8.20 of this Code.

**HISTORIC DISTRICT** means an area containing buildings or places in which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community of such significance as to warrant conservation and preservation.

**HISTORIC LANDMARK** is defined as any building or place listed on the National Register of Historic Places or on the Register of the Virginia Historic Landmarks Commission.

**RECONSTRUCTION** is any or all work needed to remake or rebuild all or part of any building to a sound condition, but not necessarily of original materials.

**REPAIRS** are any or all work involving the replacement of existing work with equivalent material for the purpose of maintenance, but not including any addition, change, or modification in construction.

**RESTORATION** is any or all work connected with the returning to or restoring of a building or a part of any building to its original condition through the use of original or nearly original materials.

This ordinance was duly considered following a required public hearing held on December 11, 2001, and adopted by the Town Council of Cape Charles at its regular session on the same day. All members voted in favor of its adoption: Chris Bannon, Charles Brown, Donald Clarke, James Davis, Dave Flora, and Frank Lewis.