



TOWN OF KILL DEVIL HILLS

Land Where Flight Began

NOTICE OF PUBLIC MEETING

NOTICE is hereby given that on Wednesday, July 13, 2022, at 8:30 a.m., the Kill Devil Hills Historic Landmarks Commission will hold a regular meeting in the Town Hall Meeting Room, 102 Town Hall Drive, Kill Devil Hills. The items to be discussed are listed below:

AGENDA

Call to Order

Agenda Approval

Approval of the Minutes of April 5, 2022

Ongoing Business

New Business

1. Selection of Vice Chairperson
2. Certificate of Appropriateness Application – 2043 Norfolk Street – Savage Cottage – Request for detached screened patio and outdoor shower in yard adjacent to house
3. 2022 Historic Landmarks Open House - Discussion
4. HLC Meeting Schedule

Adjournment

All citizens are cordially invited to attend.

Posted this 7th day of July 2022.

Jennifer Stecher
Deputy Town Clerk

Copies to: Historic Landmarks Commission members in their meeting materials; Mayor & Board of Commissioners; Town Manager; all Town bulletin boards; KDH Sunshine List including all local news media; KDH Electronic Distribution List; website, social media; file

Minutes of the Tuesday, April 5, 2022, Meeting of the Kill Devil Hills Historic Landmarks Commission (HLC) held at 8:30 a.m. in the Town Hall Meeting Room, 102 Town Hall Drive, Kill Devil Hills.

Members Present: Chairperson Sandie Markland, Vice-Chairperson Toni Dorn, Clyde “Andy” Harrell, T. Dillon Heikens, and Mary Simpson

Members Absent:

Others Present: Cameron Ray, Assistant Planning Director; Ryan Lang, Senior Planner; James Michael O’Dell, Town Clerk; and Rachel Tackett, Public Information Officer/HLC Clerk

Call to Order

Chairperson Sandie Markland called this meeting to order at 8:43 a.m. and thanked everyone for attending.

Agenda Approval

Mary Simpson moved to approve the agenda as presented. Andy Harrell seconded the motion, which passed by a unanimous, 5-0, vote.

Approval of the Minutes of November 3, 2021

T. Dillion Heikens moved to approve the minutes of the November 3, 2021, HLC meeting. Mr. Harrell seconded the motion, which passed by a unanimous, 5-0 vote.

Public Hearings

1. Certificate of Appropriateness Application — 2021 South Virginia Dare Trail — Christensen / Small Cottage – request for demolition of property

Chairperson Markland opened the public hearing at 8:44 a.m. The clerk was called upon to conduct the roll call:

Toni Dorn	Present	Andy Harrell	Present
T. Dillon Heikens	Present	Sandie Markland	Present
Mary Simpson	Present		

Five members of the HLC were present, constituting a quorum. Ms. Tackett provided an overview of the rules of procedure for this public hearing, noting the operational structure for this quasi-judicial proceeding. Julie Robinson, Sara Small, and Senior Planner Ryan Lang each undertook a solemn oath.

Applicant

The Applicant was not present.

The Town

Mr. Lang stated that Saga Construction, Inc., submitted the application for a Certificate of Appropriateness for demolition of the Christensen / Small Cottage, located at 2021 South Virginia Dare Trail, to the Town Planning Department on February 14, 2022. Planning Staff reviewed the application and determined it to be complete. He stated that granting the proposed Certificate of Appropriateness would not materially endanger public health or safety. The structure is maintained, not in danger of collapse, and has no current building or zoning code violations. The certificate meets all of the requirements of the Kill Devil Hills Town Code, specifically Chapter 31 and all of the N.C.G.S. 160D-601(a) and G.S. 160D-602(a) requirements of notifying adjacent property owners and published newspaper notice. There is not a significant hardship or deprived permanent use of the property by delaying the effective date of the Certificate of Appropriateness for demolition by 365 days from the date of HLC action. Under Town Code §31.48(A), this 365-day waiting period establishes a timeframe by which the property owners and/or interested members of the public may consider options to preserve the structure. The intent of the ordinance is to promote preservation of these historic sites through the certification process. Staff recommended approval of the Certificate of Appropriateness for demolition of the Christensen / Small Cottage with a 365-day waiting period.

Adjoining Property Owner

Julie Owens Robinson, 2019 South Virginia Dare Trail, Kill Devil Hills – Ms. Robinson owns a historic cottage directly north of the Christensen / Small Cottage, expressed concern that if a Certificate of Appropriateness is granted and the property is demolished, the contractor will build a large single-family dwelling on the lot next to her home. She worried about fire safety if a large structure is constructed. She wanted to make the HLC aware of how the demolition will affect her and adjacent property owners. She inquired why the applicant was not required to be present for the public hearing and state the reason for the structure's proposed demolition. Mr. Lang replied that all submitted application is complete and the applicant is not required to attend the hearing.

Property Owner

Sara Small, owner of Christensen / Small Cottage – Ms. Small's family owns the cottage, but the family believes that selling is only option as parcel next door is being purchased by a developer with plans for two 20+ bedroom single-family dwellings. Although her family restored the cottage in 2009, they do not feel like they can enjoy home as they have in the past. Ms. Small noted that selling the property was a difficult decision for entire family. She expressed her concern about environmental and infrastructure impacts of the large single-family dwellings being developed.

Mr. Lang stated that this public hearing was only to address the application for the Certificate of Appropriateness, and not any potential development of it or surrounding properties.

Chair Markland accepted and introduced into evidence the application for the Certificate of Appropriateness, testimony from the Town, the property owner, and adjoining property owners, along with the application for the Certificate of Appropriateness and any supporting documentation submitted. She then closed the evidentiary portion of the session.

Town Clerk Michael O'Dell provided an overview of the decision process: There are three statements set out in the process. The HLC may discuss and will vote on each statement, supporting the decision for that choice:

1. The Certificate of Appropriateness **MEETS** all requirements of the Town Code (specifically Chapter 31, Section 45 – Review Criteria). This conclusion is based on the following FINDINGS OF FACT: The Town's testimony indicated that the submitted application was reviewed by Planning Department Staff and is complete.
2. Granting the proposed Certificate of Appropriateness **WILL NOT** materially endanger public health and safety. This conclusion is based on the following FINDINGS OF FACT: The Town's testimony was that the structure is maintained, not in danger of collapse, and has no current building or zoning code violations, which would indicate a potential danger.
3. There **IS NO** significant hardship or deprived permanent use of the property by delaying the effective date of the Certificate of Appropriateness for Demolition by 365 days from the date of Historic Landmark Commission action. This conclusion is based on the following FINDINGS OF FACT: No evidence has been presented by the applicant, property owner, or the Town that there is any deprivation of permanent use or significant hardship by delaying the effectiveness date to April 5, 2023.

Ms. Simpson moved to approve the Certificate of Appropriateness application – 2021 South Virginia Dare Trail, Christensen / Small Cottage – request for demolition of property, based on the Findings of Fact. Mr. Harrell seconded the motion, which passed by a unanimous, 5-0, vote.

The Certificate of Appropriateness was granted.

Old Business

New Business

1. Potential Designations for 2022

Chair Planning Director Cameron Ray stated there were no specific properties that have expressed interest. Members indicated they were interested in commercial properties as well as residential ones. Staff will email an updated list to the group.

Adjournment

There being no further business appearing before the Historic Landmarks Commission at this time, Mr. Harrell moved to adjourn the meeting. Ms. Simpson seconded the motion, which was approved by a unanimous, 5-0, vote. It was 9:09 a.m.

Submitted by:

Rachel Tackett
HLC Clerk

Director of
Planning and Inspections
MEREDITH GUNS



Assistant Director of
Planning and Inspections
CAMERON RAY

Building Inspector
MARTY SHAW
CHARLES THUMAN

Senior Planner
RYAN LANG

Code Enforcement Officer
JORDAN BLYTHE

Zoning Administrator
DONNA ELLIOTT

**THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA**

PLANNING DEPARTMENT

July 13, 2022

Memorandum

To: Historic Landmarks Commission

From: Ryan Lang, Senior Planner 

Subject: Certificate of Appropriateness Application – 2043 Norfolk Street – Savage Cottage – Request for detached screened patio and outdoor shower in yard adjacent to house

Attached is a Certificate of Appropriateness Application requesting the addition of a detached screened patio and outdoor shower at 2043 Norfolk Street, the Savage Cottage. Attached is the application, parcel data sheet, and a survey/site plan of the existing structure and proposed patio location. A notification letter has been sent to all property owners within 100 feet of this property, in accordance with §31-43 *Certificate of Appropriateness* to allow for comments and/or attendance at this meeting. The Savage Cottage received Historic Landmark designation on December 9, 2019 by the Kill Devil Hills Board of Commissioners.

After discussion, the Commission has the following options:

1. Make a motion to approve the application as presented.
2. Make a motion to approve the application with conditions.
3. Make a motion to table the application for additional information.
4. Make a motion to deny the application with specific reason(s) for denial.

Staff recommends approval of the Certificate of Appropriateness as it is presented.



Town of Kill Devil Hills Certificate of Appropriateness Application

Applicant

Name: Kew Savage
 Address: _____
Same
 Phone: _____
 Fax: _____
 Cell: _____

Property Owner

Name: Kew Savage
 Address: 334 West Wallace St
KDH, NC
 Phone: 252 489 675
 Fax: _____
 Cell: _____

Property Location

Address: 2043 Walfelle St KDH Lot, Block: _____
 Subdivision: _____ Pin#: _____

Project Categories (check all that apply):

- Exterior Alteration Addition
 New Construction Demolition

Supporting Information: *Please attach.*

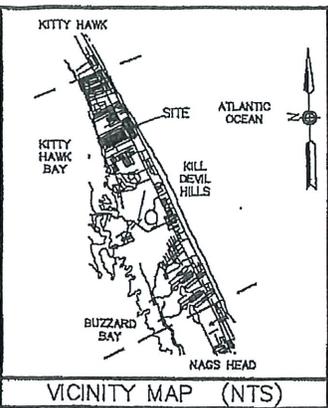
Attach 8-1/2" x 11" sheets with written descriptions and drawing, photographs, and other graphic information necessary to completely describe the project. Use the checklist below to be sure your application is complete.

- Written Description.** Describe clearly and in detail the nature of your project. Include exact dimensions for materials to be used. (e.g. Width of siding, window trim, etc.)
- Plot Plan.** A plot plan showing relationship of buildings, additions, sidewalks, drives, trees, property lines, etc., must be provided if your project includes any addition, demolition, fences/walls, or other landscape work. Show accurate measurements.
- Description of Materials** (provide samples if appropriate).
- Photographs** of existing conditions.
- Drawings** showing proposed work. Include one set of full size drawing when available
- Plan** Drawings.
 Elevations drawings showing the new façade(s).
 Dimensions shown on drawings

Signature of Applicant: *Muel Gut*

Signature of Owner: *Muel Gut*

Staff Use Only: Received By: <u><i>R</i></u> Date: <u>6/29/22</u> Fee: <u>\$50.⁰⁰</u>



LEGEND

- - EX. 1" OPEN PIPE
- - EX. 5/8" REBAR
- - 1/2" REBAR SET
- - EX. CONC. MON.
- - CONC. MON. SET
- △ - EX. MAG NAIL
- △ - MAG NAIL SET
- - EX. 1/2" REBAR
- - WATER METER
- - PHONE PEDESTAL
- - C.A.T.V.
- - UTILITY POLE
- - GUY WIRE
- - FIRE HYDRANT
- - ELECT. TRANS.
- AG - ABOVE GRADE
- BG - BELOW GRADE
- PL - PROPERTY LINE
- ⊗ - WATER VALVE

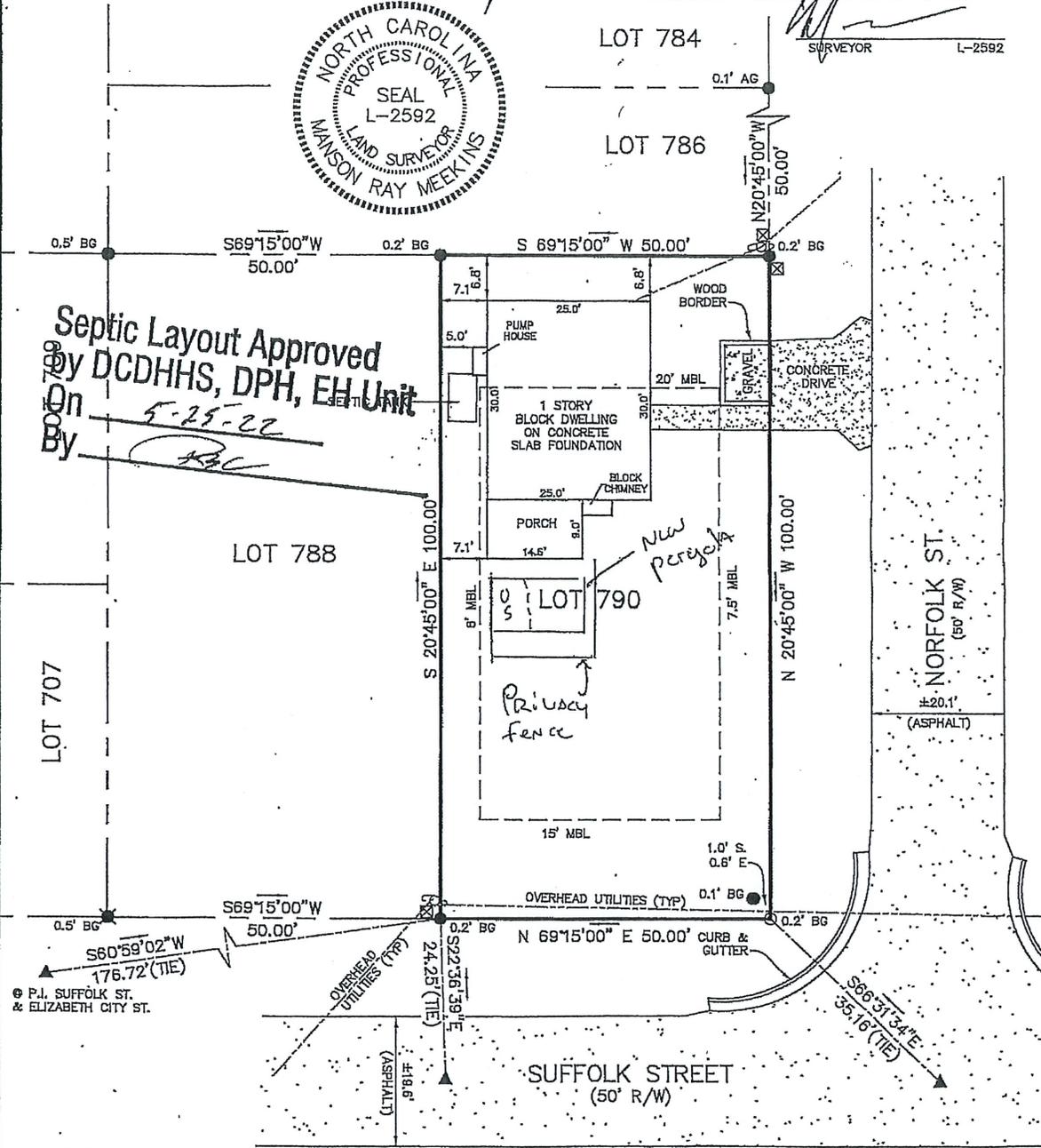
NOTES:

- THIS SURVEY IS SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED BY A FULL AND ACCURATE TITLE SEARCH.
- AREA BY COORDINATE COMPUTATION = 5,000 S.F.
- F.L.R.M. ZONE: AE; B.F.E. 8.3' (PER F.I.S.) + 1.0' FREEBOARD
- PIN NO.: 07 888517 10 6098
- RECORDED REFERENCE: M.B. 1, PG. 84; D.B. 2251, PG. 929
- MINIMUM BUILDING LINES (MBL), IF SHOWN HEREON, ARE PER THE CURRENT LOCAL ZONING REGULATIONS. OTHER SETBACKS AND/OR RESTRICTIONS MAY APPLY AND MUST BE VERIFIED PRIOR TO CONSTRUCTION.
- ELEVATIONS (NAVD 1988):
 HIGH GROUND @ BUILDING = 7.0'
 LOW GROUND @ BUILDING = 6.7'
 FIRST FLOOR = 7.50'
 UTILITY/STORAGE ROOM = N/A

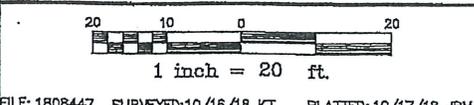
I, MANSON RAY MEEKINS, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK 2251 PAGE 929); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM (DEED DESCRIPTION RECORDED IN BOOK PAGE); THAT THE RATIO OF PRECISION AS CALCULATED IS 1/10,000+; THAT THIS PLAT MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 58.1600).
 THIS 17TH DAY OF OCTOBER, 2018



LOT 784
 0.1' AG
 LOT 786
 SURVEYOR L-2592



PHYSICAL SURVEY FOR
KMPN, LLC
 LOT 790 - AVALON BEACH ANNEX 2 & 3 - KILL DEVIL HILLS
 ATLANTIC TOWNSHIP - DARE COUNTY - NORTH CAROLINA



SEABOARD SURVEYING & PLANNING, INC. C-1536
 103F W. WOOD HILL DR., P.O. BOX 58, NAGS HEAD, NC 27959
 OFFICE: (252) 480-9998 FAX: (252) 480-0571

County of Dare, North Carolina

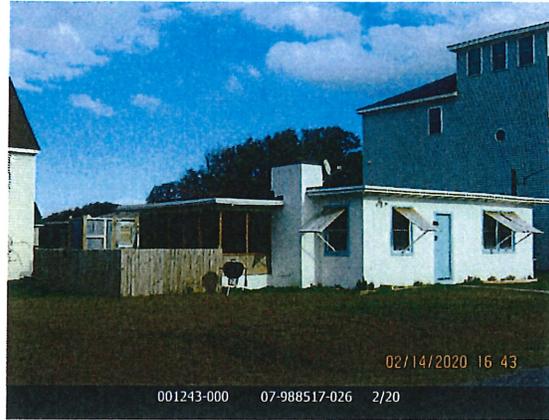
*Owner and Parcel information is based on current data on file and was last updated on June 24 2022

Primary (100%) Owner Information:

KMPN LLC
 334 W WALKER ST
 KILL DEVIL HILLS NC 27948

Parcel Information:

Parcel: 001243000 PIN: 988517106098
 District: 07- KILL DEVIL HILLS
 Subdivision: AVALON BEACH ANNEX 2 & 3
 LotBlkSect: LOT: 790 BLK: SEC:
 Multiple Lots: -
 PlatCabSlide: PL: 1 SL: 84 Units: 1
 Deed Date: 12/13/2019
 BkPg: [2342/0191](#)
Parcel Status: ACTIVE



Property Use: RESIDENTIAL

2043 NORFOLK ST

BUILDING USE & FEATURES	Tax Year Bldg Value: \$74,100	Next Year Bldg Value: \$74,100
Building Use:	FLAT ROOF	
Exterior Walls:	CONCRETE BLOCK	Actual Year Built: 1955
Full Baths:	1 Half Baths: 0	
Bedrooms:	2	
Heat-Fuel:	1 - NONE	
Heat-Type:	1 - NONE	Finished sqft for building 1: 780
Air Conditioning:	1 -NONE	Total Finished SqFt for all bldgs: 780
MISCELLANEOUS USE	Tax Year Misc Value: \$0	Next Year Misc Value: \$0

LAND USE	Tax Year Land Value: \$90,000	Next Year Land Value: \$90,000
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Land Description : 07-Residential Subdivision

TOTAL LAND AREA: 5000.00 square feet

Tax Year Total Value: \$164,100	Next Year Total Value: \$164,100
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**Values shown are on file as of June 24 2022*

