



## TOWN OF KILL DEVIL HILLS

*Land Where Flight Began*

MEMORANDUM

November 13, 2019

TO: Mayor and Board of Commissioners

FROM: Debora P. Díaz, Town Manager

REF: Consent Agenda

**5. Schedule for Public Hearings on December 9, 2019 – historic landmark designations ordinances (Attached CA-5A and 5B)**

- A. 202 East Arch Street – Brightbill Cottage
- B. 2043 Norfolk Street – Savage Cottage

Approval of this Consent Agenda will schedule these items for public hearing on Monday, December 9, 2019, at 5:30 p.m.

Director of  
Planning and Inspections  
MEREDITH GUNS

Building Inspector  
MARTY SHAW  
CHARLES THUMAN

Code Enforcement Officer  
JORDAN BLYTHE



Assistant Director of  
Planning and Inspections  
CAMERON RAY

Senior Planner  
RYAN LANG

Zoning Administrator  
DONNA ELLIOTT

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

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**PLANNING DEPARTMENT**

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November 13, 2019

**Memorandum**

To: Debora P. Diaz, Town Manager

From: Meredith B. Guns, Planning Director *MBG*

Subject: Schedule Public Hearing - Local Historic Designation – 202 East Arch Street – Brightbill Cottage

Attached with this memorandum you will find an ordinance for designation of 202 East Arch Street, the Brightbill Cottage, as a Local Historic Landmark. You will also find the designation report, which provides justification for the designation.

The Commission is forwarding the ordinance designating, the Brightbill Cottage, located at 202 East Arch Street, as a Local Historic Landmark to the Board of Commissioners recommending adoption after the required public hearing. Once adopted the ordinance will be filed with the register of deeds and the structure will be subject to the regulations outlined in Chapter 31 of the Town Code.

Staff recommends setting a public hearing for this designation for December 9, 2019.

**ATTACHMENT CA-5A**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE DESIGNATING PROPERTY KNOWN AS BRIGHTBILL  
COTTAGE AND LOCATED AT 202 EAST ARCH STREET AS A LOCAL  
HISTORIC LANDMARK

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WHEREAS, pre-requisites to the adoption of this ordinance as prescribed in Part 3C, Article 19, Chapter 160A of the North Carolina General Statutes have been met; and

WHEREAS, the Kill Devil Hills Board of Commissioners has taken full consideration of all statements and information presented at the public hearing on \_\_\_\_\_ and considered the recommendations of the North Carolina Department of Cultural Resources on the question of designating the property known as Brightbill Cottage located at 202 East Arch Street as a local historic landmark; and

WHEREAS, the structure known as Brightbill Cottage is of historic, architectural, and cultural significance in that it embodies the distinctive architectural characteristics of the Outer Banks; and

WHEREAS, Brightbill Cottage was constructed in 1969 for William and Mable Blanchard of Suffolk, Virginia; and

WHEREAS, the Brightbill Cottage was owned and maintained by members of the Blanchard family for 46 years until it was sold to the current owner in 2015; and,

WHEREAS, Brightbill Cottage maintains its original integrity of design, setting, workmanship, feeling, and association on both the exterior architecture and interior finishes; and,

WHEREAS, Brightbill Cottage maintains its original low pitch roof, block foundation, and a screen porch indicative of 1960's beach houses; and,

WHEREAS, Brightbill Cottage survived multiple hurricanes and nor'easters with little damage that caused major damage to surrounding structures; and

WHEREAS, Brightbill Cottage was built as a summer home for the family and currently in a short term summer rental program; and,

WHEREAS, in the 1970's Brightbill Cottage had a 350 square foot addition connect by a breezeway to the original structure, which included a bedroom bathroom and laundry room built in the same architectural theme as the main house; and,

WHEREAS the Brightbill Cottage has made several interior upgrades, including flooring and central cooling and heat, the house maintains the original floor plan; and,

WHEREAS, the location of Brightbill Cottage in the Orville Beach Subdivision on East Arch Street is connected to the history of the structure;

NOW, THEREFORE, BE IT ORDAINED BY THE KILL DEVIL HILLS BOARD OF COMMISSIONERS THAT:

1. All of the property located at 202 EAST ARCH STREET in the Town of Kill Devil Hills is hereby designated as a local historic landmark pursuant to Part 3C, Article 19, Chapter 160A of the North Carolina General Statutes. The property is presently owned by Bryan Brightbill and is identified on Dare County Tax Maps as Pin No. 988513042733 and is further described on Exhibit A attached hereto and made a part hereof.

2. The significant features of the building located on said property may not be demolished, materially altered, restored, or removed, nor any new structure built upon the lot without a Certificate of Appropriateness being issued by the Kill Devil Hills Historic Landmarks Commission. Any application for the demolition of this building shall require the waiting period set forth in Part 3C of Article 19 of Chapter 160A.

For purposes of this designation, "significant features" shall be understood to include:

- a. The exterior of the building
- b. The grounds

3. Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any architectural feature in or on the said building and property that does not involve a change in design, material or outer appearance, nor to prevent the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a Kill Devil Hills Building Inspector or similar official certifies to the Kill Devil Hills Historic Landmarks Commission that such action is required for the public safety because of an unsafe or dangerous condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances or regulations.

4. A suitable sign or plaque shall be posted indicating the property has been designated as a local historic landmark and containing any other appropriate information. If the owner consents, the sign or plaque shall be placed upon the building or property. If the owner objects, the sign or plaque shall be placed in the nearby public right-of-way.

5. The owner and occupants of the building known as "Brightbill Cottage" shall be given notice of this ordinance as required by applicable law and copies of this ordinance shall be filed and indexed in the offices of the Town Clerk, Dare County Register of Deeds, the Town's Building Inspector and Dare County Tax Department as required by applicable law.

Read, approved, and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

Approved as to form:

\_\_\_\_\_  
Town Attorney

NORTH CAROLINA  
DARE COUNTY

I, the undersigned Notary Public do hereby certify that Harriet B. Banner personally appeared before me and acknowledged that she is the Deputy Town Clerk for the Town of Kill Devil Hills and that by authority duly given and as the act of the Town of Kill Devil Hills, the foregoing instrument was signed in its name by its Mayor, and attested by her as its Deputy Town Clerk. Witness my hand and official stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

SEAL

Exhibit "A"

Being Lot No. 9 in Block 3, as shown and delineated on the Revised Map of a Part of Orville Beach, made by David Cox, Jr., Surveyor, April 1956, and duly recorded in Map Book 2, Page 75, office of the Register of Deeds of Dare County, N.C., reference to which is hereby made for a more particular description thereof

**Local Historic Landmark Report  
202 East Arch Street**

This application initiates consideration of a property for designation as a Kill Devil Hills Local Historic Landmark by the Historic Landmarks Commission and the Board of Commissioners. It enables evaluation of the resources to determine if it qualifies for designation.

1. Historical Name  
Brightbill Cottage
  
2. Location of the Property  
202 East Arch Street  
Pin #988513042733  
Attached is a copy of a Dare County Tax Map depicting the property.
  
3. Owner of the Property  
Brightbill, Bryan K  
453 Riverview Drive  
Asheville, NC, 28806
  
4. Representative Photographs of the Property  
Photos are attached.
  
5. Deed Book and Legal Description of the Property  
Attached is a complete chain of title for the property. The most current deed reference is in Dare County Deed Book 1906 page 0153. The property is shown on Dare County Tax Map 9885(13). The Tax Parcel number is 000008000. Dare County Tax Record is attached for reference.
  
6. Architectural Description of the Property  
The house located at 202 East Arch Street is comprised of a one-story single family structure connected to another guest suite by a breezeway. The main house rectangular shaped and has a low sloped roof. The guest suite appears to be a later addition and stands apart from the main house and has a flat roof. Both structures appear to be on CMU foundations with flood vents. In terms of materials, the main house is a large format shingle siding with a wavy edge. It is painted sea foam green and pink and there is no trim at the corners of the house such that the shingles weave together. The white wood windows are primarily of the double hung variety. The main entrance is through a screen porch and the cut back overhangs on the front gable give a flattening effect to the design. The guest suite is connected to the main house by a covered breezeway and deck with stairs going down towards the driveway. On the other side of the breezeway, a raised shower had been built off the deck and has the effect of visually blocking it on one side. The exterior sheathing is a pink T-111 siding/sheathing product with white corner boards. The windows are also white double hung units. Overall, there are not many windows and the guest suite has a rather blank appearance.

7. Historic Discussion of the Property

This house was built in 1969, according to the Dare County tax records, by previous owners William and Mable Blanchard. The structure is located in the East Orville Beach Subdivision. Mr. and Mrs. Blanchard purchased the land in 1968 from T.H. and Helen Twine and W.V. and Berline Blanchard and built their home in 1969. The house was built as a second home and their primary residence was located in Suffolk, Virginia. During the 1970's a rear addition was added which included a bedroom and bath. The house was used as a summer home and also occasionally loaned it to friends for use for many years. When William and Mable Blanchard passed away, their two children, Cathy and William, inherited the property. In 2015 the property was purchased by Bryan Brightbill. The structure survived several major storms, including Hurricane Isabel in 2003, with minimal damage. The home currently is in its original state and only cosmetic upgrades have occurred, with the exception of the addition that was added in the 1970's. The house is currently used as a short term rental and second home.

8. Assessment of the Significance of the Site

A. *Special Significance in terms of its history, architecture, and/or cultural importance:*

The house was built in 1969 and served as a second home to William and Mable Blanchard of Suffolk, Virginia. Orville Beach East Subdivision has two dozen homes that were built prior to 1970. Around this time these lots were considered very affordable and were bought and built commonly as second homes. Additionally, the architecture of the structure was common due to the affordability. The house was owned and maintained by members of the Blanchard family until 2015 when the current owner Bryan Brightbill purchased the house and uses it as a short term summer rental.

B. *Integrity of the property's design, setting, workmanship, materials, feeling and/or association:*

The property is well preserved and maintains its original character. The architecture is typical of Outer Banks style houses. The house was constructed in 1969. The house at the time was approximately 900 square feet with two bedrooms one and a half bath, and a screened front porch. The house was constructed with a concrete block foundation, large shingle siding, and low pitch gable roof. A low pitch roof is a typical Outer Banks style as it structurally performs well in high wind events. In the 1970's, a rear addition was constructed. The 350 square foot addition connects to the original structure by an outdoor breezeway and included a bedroom, bathroom, and laundry room. It was constructed of like materials including block foundation, T-111 siding, and a flat roof. The interior has been remodeled over the years, updating its appliances and flooring, however the wood paneling wall cover is still original and has been painted over the years. The original house did not have heat or air conditioning but was upgraded with central air conditioning in the 1990's and is heated by electric baseboards and a propane heater. The property maintains its original integrity of design, setting, workmanship, feeling and association.

9. Assessment of the Property's Suitability for Preservation or Restoration, Educational Value, and Possibilities for Adaptive or Alternative Use

The property's original structure from 1969 is still in good condition and the rear addition done in the 1970's is also in good condition. There are approximately two dozen structures in Orville Beach Subdivision built prior to 1970. The low pitch roof and interior layout are traditional for this type of dwelling as is the enclosed porch and flat roof on the addition.

10. Total Tax Value of the Property

Total value of the property is \$195,600 according to the Dare County Tax Office.

11. National Register Criteria met by Property

Non-Applicable

12. Documentation for Inclusion of Accompanying Land

The lots on which the structure is located provide an appropriate setting for the building.

## CHAIN OF TITLE

1. 6<sup>th</sup> day of September 1955 by Peter A. Peterson and wife, Margaret Peterson, of the County of Monmouth, State of New Jersey, parties of the first part, to Allen Soble, an undivided three-fourths interest, and W.C. Foreman, an undivided one-fourth interest, parties of the second part: All that certain tract of land, lying and being in Kill Devil Hills in Atlantic Township, Dare County, North Carolina, sometimes known as the "Orville Beach Tract" and "Peterson Tract", adjoining the lands of Lewis Tate, sometimes known as the "William J. Tate Tract", the lands of Foreman T. Bailey et als, sometimes known as the "Virginia Dare Shores Tract", and others, and bounded as follows: Beginning at an ironwood post or other marker situated in and marking the northeast corner of the Foreman T. Bailey et als tract sometimes known as the "Virginia Dare Shores Tract" on the Atlantic Ocean in Kill Devil Hills, Dare County, North Carolina, said point of beginning being also the Southeast corner of this described tract on the Atlantic Ocean, running thence from the beginning point along the North line of the Foreman T. Bailey et als, sometimes known as the "Virginia Dare Shores Tract" South 78 deg. And 35 min West 3,702 feet to a concrete monument situated on Kitty Hawk Bay, said line being marked by a row of cypress posts 2"x2"x8' situated therein and also by a concrete post situated on both the East and West margins of U. S. Highway No. 158 traversing the said tract near the ocean; thence along Kitty Hawk Bay, the various meanderings and courses thereof, in a general Northwesterly direction to a concrete post situated in a marking the Southwest corner of the William J. Tate Tract, now owned by Lewis J. Tate, said post being 1,456 feet on a course North 12 deg. West from the terminal point of the first call above; thence along the William J. Tate Tract South line and a row of cypress post 2"x 2"x 8' in and marking the same North 78 deg. And 35 min. East 3,394 feet to the Atlantic Ocean, said line being also marked and indicated by a concrete post situated therein on both the East and West margins of the right of way of said U.S. Highway 158; thence along the Atlantic Ocean in a general Southeasterly direction to the ironwood post or other marker situated at and in the point of beginning, the said point of beginning and the terminal point of the fourth call above being 1,485 feet on a course South 20 deg. East from the terminal point of the third call above on the Atlantic Ocean. For a more particular description of the lands above described see map or plat thereof made by David Cox, Jr., Surveyor, September 1, 1955 designated "Map of Survey of Peterson Tract Situate Kill Devil Hills, Dare County, N.C.", and attached hereto. Same being the lands conveyed to Peter A. Peterson by Alice S. Blair and husband, William J. Blair by deed dated May 15, 1929 and duly recorded in Book 12, page 3, office of the Register of Deeds of Dare County, North Carolina. See also deed from Frank Stick et ux to Peter A. Peterson dated July 27, 1929 and duly recorded in Book 13, page 4, Dare County Registry.
2. This Deed made this the 12<sup>th</sup> day of November 1959, by Allen Soble (unmarried), W.C. Foreman and Wife Mildred F. Foreman and Martin Kellogg, Jr., Trustee, parties of the first part, to W.V. Blanchard and T.H. Twine, parties of the second part: All that certain lot or parcel of land lying and being in the subdivision known as Orville Beach at Kill Devil Hills in Atlantic Township, and being Lot No. 9 in Block 3, as shown and delineated on the Revised Map of a Part of Orville Beach, made by David Cox, Jr., Surveyor, April 1956, and duly

recorded in Map Book 2, Page 75, office of the Register of Deeds of Dare County, N.C., reference to which is hereby made for a more particular description thereof. Said lot being a portion of the lands conveyed to Allen Soble et al by Peter A. Petersen et ux by deed dated September 6, 1955, and duly recorded in Book 65, page 112, office of the Register of Deeds of Dare County, N.C.

3. THIS DEED, made this 10<sup>th</sup> day of October, 1968 by and between T. H. Twine and wife, Helen B. Twine, and W. V. Blanchard and wife, Berline F. Blanchard, as GRANTORS, whether one or more, to William E. Blanchard and wife, Mable B. Blanchard, as GRANTEES, whether one or more, of 2813 Norfolk Road, Suffolk, Virginia: Being Lot No. 9 in Block 3, as shown and delineated on the Revised Map of a Part of Orville Beach, made by David Cox, Jr., Surveyor, April 1956, and duly recorded in Map Book 2, Page 75, office of the Register of Deeds of Dare County, N.C., reference to which is hereby made for a more particular description thereof. It being the same land conveyed to W. B. Blanchard and T.H. Twine by deed of Allen Soble et als, dated November 12, 1959, and recorded in Book 90 at page 401, Public Registry of Dare County, North Carolina.
4. THIS DEED OF EXCHANGE, made and entered into this 28<sup>th</sup> day of January, 2004 by and between CATHY LYNN BLANCHARD WALL, married, Grantor and Grantee, whose address is 1340 River Road, Suffolk, Virginia 23434, and William E. Blanchard, Jr., married, Grantee and Grantor, whose address is 418 Williams Road, Suffolk, Virginia, 23434; All that certain parcel of land situate in Kill Devil Hills District, Atlantic Township, Dare County, North Carolina, and described herein as follows: "Being Lot No. 9 in Block 3, as shown and delineated on the Revised Map of a Part of Orville Beach, made by David Cox, Jr., Surveyor, April 1956, and duly recorded in Map Book 2, Page 75, office of the Register of Deeds of Dare County, N.C., reference to which is hereby made for a more particular description thereof." It being the same land conveyed to William E. Blanchard and wife, Mabel B. Blanchard, by deed of T.H. Twine, et als, dated October 10, 1968, and recorded in Book 153 at page 633, Public Registry of Dare County, North Carolina. William E. Blanchard died testate January 24, 1991, and by his Will duly probated in the Clerk's Office of the Circuit Court of the City of Suffolk, Virginia, with ancillary probate in Dare County, North Carolina, devised his one-half interest in the above described property to William E. Blanchard, Jr. and Cathy Lynn Blanchard Wall. Mabel E. Blanchard died testate January 28, 2003 and by her Will duly probated in the Clerk's Office of the Circuit Court of the City of Suffolk, Virginia, with ancillary probate in Dare County, North Carolina, devised her one-half interest in the above described property to William E. Blanchard, Jr. and Cathy Lynn Blanchard Wall, thereby vesting in each of the parties to this Deed of Exchange a one-half interest.
5. THIS QUITCLAIM DEED, made this 8<sup>th</sup> day of November, 2015, by and between Cathy Lynn Blanchard Wall and husband, Timothy Wall, whose mailing address is 1340 River Road, Suffolk, Virginia 23434 (hereinafter collectively referred to as "Grantor"), and William E. Blanchard, Jr., whose mailing address is 418 Williams Road, Suffolk, Virginia 23434 (hereinafter referred to as "Grantee"): Being Lot No. 9 in Block 3, as shown and delineated on the Revised Map of a Part of Orville Beach, made by David Cox, Jr., Surveyor, April 1956, and duly recorded in Map Book 2, Page 75, office of the Register of Deeds of Dare County, N.C., reference to which is hereby made for a more particular description thereof.

6. THIS GENERAL WARRANTY DEED made this 6<sup>th</sup> day of December, 2015, by and between William E. Blanchard, Jr., and wife, Candace S. Blanchard, whose mailing address is 418 Williams Road, Suffolk, Virginia 23434 (hereinafter collectively referred to as "Grantor"), and Bryan K. Brightbill, unmarried, whose mailing address is 202 East Arch Street, Kill Devil Hills, North Carolina 27948 (hereinafter referred to as "Grantee"): Being Lot No. 9 in Block 3, as shown and delineated on the Revised Map of a Part of Orville Beach, made by David Cox, Jr., Surveyor, April 1956, and duly recorded in Map Book 2, Page 75, office of the Register of Deeds of Dare County, N.C., reference to which is hereby made for a more particular description thereof.











County of Dare, North Carolina

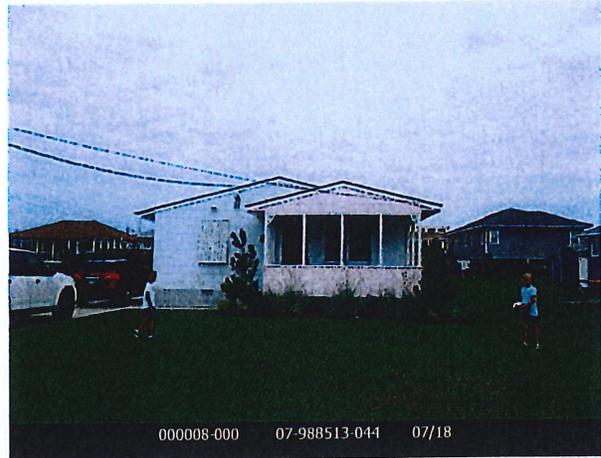
\*Owner and Parcel information is based on current data on file and was last updated on October 25 2019

**Primary (100%) Owner Information:**

BRIGHTBILL, BRYAN K  
 453 RIVERVIEW DR  
 ASHEVILLE NC 28806

**Parcel Information:**

Parcel: 000008000 PIN: 988513042733  
 District: 07- KILL DEVIL HILLS  
 Subdivision: ORVILLE BEACH AMENDED BLK 3  
 LotBlkSect: LOT: 9 BLK: 3 SEC:  
 Multiple Lots: -  
 PlatCabSlide: PL: 2 SL: 75 Units: 1  
 Deed Date: 12/15/2015  
 BkPg: [2062/0305](#)



000008-000 07-988513-044 07/18

**Parcel Status:** ACTIVE

**Property Use:** RESIDENTIAL

**202 E ARCH ST**

<b>BUILDING USE &amp; FEATURES</b>	<b>Tax Year Bldg Value: \$68,600</b>	
Building Use:	BUNGALOW OR OLD STYLE	
Exterior Walls:	ASBESTOS	<b>Actual Year Built: 1969</b>
Full Baths:	1 Half Baths: 2	
Bedrooms:	3	
Heat-Fuel:	3 - ELECTRIC	
Heat-Type:	2 - FORCED AIR	<b>Finished sqft for building 1: 1148</b>
Air Conditioning:	4 -CENTRAL W/AC	<b>Total Finished SqFt for all bldgs: 1148</b>

Disclaimer: In instances where a dwelling contains unfinished living area, the square footage of that area is included in the total finished sqft on this record. However, the assessed value for finish has been removed.

<b>MISCELLANEOUS USE</b>	<b>Tax Year Misc Value: \$1,700</b>
Misc Bldg a: (RS1) FRAME UTILITY SHED Year Built: 2016 sqft: 64	

<b>LAND USE</b>	<b>Tax Year Land Value: \$125,300</b>
Land Description : 07-Ocean Influence D	

**TOTAL LAND AREA:** 9500 square feet

**Tax Year Total Value: \$195,600**

\*Values shown are on file as of October 25 2019

County of Dare, North Carolina

\*Owner and Parcel information is based on current data on file and was last updated on October 25 2019

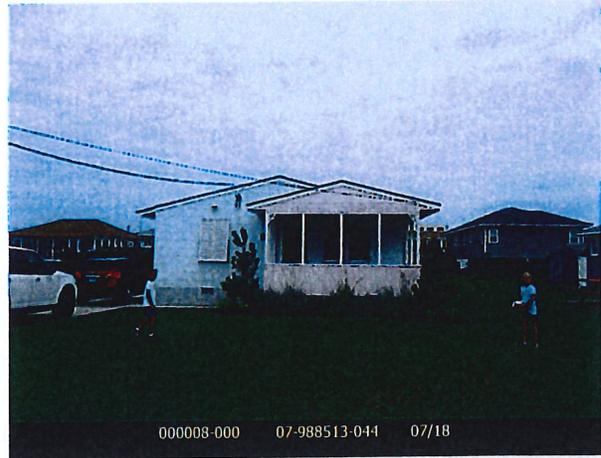
**Primary (100%) Owner Information:**

BRIGHTBILL, BRYAN K  
453 RIVERVIEW DR  
ASHEVILLE NC 28806

**Parcel Information:**

Parcel: 000008000 PIN: 988513042733  
District: 07- KILL DEVIL HILLS  
Subdivision: ORVILLE BEACH AMENDED BLK 3  
LotBlkSect: LOT: 9 BLK: 3 SEC:  
Multiple Lots: -  
PlatCabSlide: PL: 2 SL: 75 Units: 1  
Deed Date: 12/15/2015  
BkPg: 2062/0305

**Parcel Status:** ACTIVE



**Property Use:** RESIDENTIAL

**202 E ARCH ST**

<b>BUILDING USE &amp; FEATURES</b>	<b>Tax Year Bldg Value: \$68,600</b>	
Building Use:	BUNGALOW OR OLD STYLE	
Exterior Walls:	ASBESTOS	<b>Actual Year Built: 1969</b>
Full Baths:	1 Half Baths: 2	
Bedrooms:	3	
Heat-Fuel:	3 - ELECTRIC	
Heat-Type:	2 - FORCED AIR	<b>Finished sqft for building 1: 1148</b>
Air Conditioning:	4 -CENTRAL W/AC	<b>Total Finished SqFt for all bldgs: 1148</b>

Disclaimer: In instances where a dwelling contains unfinished living area, the square footage of that area is included in the total finished sqft on this record. However, the assessed value for finish has been removed.

<b>MISCELLANEOUS USE</b>	<b>Tax Year Misc Value: \$1,700</b>
Misc Bldg a: (RS1) FRAME UTILITY SHED	Year Built: 2016 sqft: 64

<b>LAND USE</b>	<b>Tax Year Land Value: \$125,300</b>
Land Description : 07-Ocean Influence D	

**TOTAL LAND AREA:** 9500 square feet

**Tax Year Total Value: \$195,600**

*\*Values shown are on file as of October 25 2019*



Tax District: Kill Devil Hills  
 Subdivision: Orville Beach Amended Blk 3  
 Lot BLK-Sec: Lot: 9 Blk: 3 Sec:  
 Property Use: Residential  
 Building Type: Bungalow Or Old Style  
 Year Built: 1969

Owners: Brightbill, Bryan K - Primary  
 Owner  
 Building Value: \$68,600  
 Land Value: \$125,300  
 Misc Value: \$1,700  
 Total Value: \$195,600

202 E Arch ST  
 Kill Devil Hills NC, 27948  
 Parcel: 000008000  
 Pin: 988513042733

This map is prepared from data used for the inventory of the real property for tax purposes. Primary information sources such as recorded deeds, plats, wills, and other primary public records should be consulted for verification of the information contained in this map.



Director of  
Planning and Inspections  
MEREDITH GUNS



Assistant Director of  
Planning and Inspections  
CAMERON RAY

Building Inspector  
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Code Enforcement Officer  
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Zoning Administrator  
DONNA ELLIOTT

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

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**PLANNING DEPARTMENT**

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November 13, 2019

***Memorandum***

To: Debora P. Diaz, Town Manager

From: Meredith B. Guns, Planning Director 

Subject: Schedule Public Hearing - Local Historic Designation – 2043  
Norfolk Street – Savage Cottage

Attached with this memorandum you will find an ordinance for designation of 2043 Norfolk Street, the Savage Cottage, as a Local Historic Landmark. You will also find the designation report, which provides justification for the designation.

The Commission is forwarding the ordinance designating, the Savage Cottage, located at 2043 Norfolk Street, as a Local Historic Landmark to the Board of Commissioners recommending adoption after the required public hearing. Once adopted the ordinance will be filed with the register of deeds and the structure will be subject to the regulations outlined in Chapter 31 of the Town Code.

Staff recommends setting a public hearing for this designation for December 9, 2019.

**ATTACHMENT CA-5B**

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE DESIGNATING PROPERTY KNOWN AS SAVAGE COTTAGE  
AND LOCATED AT 2043 NORFOLK STREET AS A LOCAL HISTORIC  
LANDMARK

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WHEREAS, pre-requisites to the adoption of this ordinance as prescribed in Part 3C, Article 19, Chapter 160A of the North Carolina General Statutes have been met; and

WHEREAS, the Kill Devil Hills Board of Commissioners has taken full consideration of all statements and information presented at the public hearing on \_\_\_\_\_ and considered the recommendations of the North Carolina Department of Cultural Resources on the question of designating the property known as Savage Cottage located at 2043 Norfolk Street as a local historic landmark; and

WHEREAS, Savage Cottage is located in the Avalon Beach Subdivision which was the first development marketed and priced for the middleclass that offered financing; and,

WHEREAS, the structure known as Savage Cottage is of historic, architectural, and cultural significance in that it embodies the distinctive architectural characteristics of an Avalon Beach flat top; and

WHEREAS, in the 1950's and 1960's Avalon Beach Subdivision was the largest residential development in Kill Devil Hills, over a hundred flat top structures were constructed and sold by Robert Young and C.A. "Sug" York; and,

WHEREAS, Savage Cottage is one of twelve flat top remaining from that era; and,

WHEREAS, Savage Cottage was constructed in 1955 for Mrs. E.R. Russell of Norfolk, Virginia; and

WHEREAS, Savage Cottage maintains its original integrity of design, setting, workmanship, feeling, and association on both the exterior architecture and interior finishes; and,

WHEREAS, Savage Cottage maintains its original architectural appearance with concrete block exterior, a screen porch and flat top roof; and,

WHEREAS, Savage Cottage survived the Ash Wednesday Storm of 1962 with little damage as well as multiple other hurricanes and nor'easters that caused major damage to surrounding structures; and

WHEREAS, Savage Cottage was built as a summer rental home but was converted to year-round use in the mid-1980's; and,

WHEREAS, Savage Cottage has had no additions since its construction, there have been upgrades including central heating and air conditioning, interior flooring and an outside shower, however the house maintains the original fireplace and floor plan; and,

WHEREAS, the Savage Cottage is one of the best examples of this type of architecture built in the time period, maintaining the traditional colors for this type of dwelling as well as the enclosed porch and flat roof synonymous with Avalon Beach flat tops; and,

WHEREAS, the location of Savage Cottage in the Avalon Beach Subdivision on Norfolk Street is connected to the history of the structure;

NOW, THEREFORE, BE IT ORDAINED BY THE KILL DEVIL HILLS BOARD OF COMMISSIONERS THAT:

1. All of the property located at 2043 NORFOLK STREET in the Town of Kill Devil Hills is hereby designated as a local historic landmark pursuant to Part 3C, Article 19, Chapter 160A of the North Carolina General Statutes. The property is presently owned by KMPN LLC and is identified on Dare County Tax Maps as Pin No. 988517106098 and is further described on Exhibit A attached hereto and made a part hereof.

2. The significant features of the building located on said property may not be demolished, materially altered, restored, or removed, nor any new structure built upon the lot without a Certificate of Appropriateness being issued by the Kill Devil Hills Historic Landmarks Commission. Any application for the demolition of this building shall require the waiting period set forth in Part 3C of Article 19 of Chapter 160A.

For purposes of this designation, "significant features" shall be understood to include:

- a. The exterior of the building
- b. The grounds

3. Nothing in this ordinance shall be construed to prevent the ordinary maintenance or repair of any architectural feature in or on the said building and property that does not involve a change in design, material or outer appearance, nor to prevent the construction, reconstruction, alteration, restoration, demolition or removal of any such feature when a Kill Devil Hills Building Inspector or similar official certifies to the Kill Devil Hills Historic Landmarks Commission that such action is required for the public safety because of an unsafe or dangerous condition. Nothing herein shall be construed to prevent the property owner from making any use of this property not prohibited by other statutes, ordinances or regulations.

4. A suitable sign or plaque shall be posted indicating the property has been designated as a local historic landmark and containing any other appropriate information. If the owner consents, the sign or plaque shall be placed upon the building or property. If the owner objects, the sign or plaque shall be placed in the nearby public right-of-way.

5. The owner and occupants of the building known as "Savage Cottage" shall be given notice of this ordinance as required by applicable law and copies of this ordinance shall be filed and indexed in the offices of the Town Clerk, Dare County Register of Deeds, the Town's Building Inspector and Dare County Tax Department as required by applicable law.

Read, approved, and adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Mayor

Approved as to form:

\_\_\_\_\_  
Town Attorney

NORTH CAROLINA

DARE COUNTY

I, the undersigned Notary Public do hereby certify that Harriet B. Banner personally appeared before me and acknowledged that she is the Deputy Town Clerk for the Town of Kill Devil Hills and that by authority duly given and as the act of the Town of Kill Devil Hills, the foregoing instrument was signed in its name by its Mayor, and attested by her as its Deputy Town Clerk. Witness my hand and official stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

My commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

SEAL

Exhibit "A"

Being Lot No. 790, as shown on Map or Plat of Avalon Beach Annex 2 & 3 Amended made by T. R. Pettit, Registered North Carolina Engineer, dated the 3<sup>rd</sup> day of November, 1951, which said Map or Plat is duly of record in the Office of the Register of Deeds of Dare County, North Carolina, in Map Book 1 at page 84, together with all buildings and improvements situated thereon.

**Local Historic Landmark Report**  
**2043 Norfolk Street**

This application initiates consideration of a property for designation as a Kill Devil Hills Local Historic Landmark by the Historic Landmarks Commission and the Board of Commissioners. It enables evaluation of the resources to determine if it qualifies for designation.

1. Historical Name  
Savage Cottage
  
2. Location of Property  
2043 Norfolk Street  
PIN # 988517106098  
Attached is a copy of a Dare County Tax Map depicting the property.
  
3. Legal Owner of the Property  
KMPN LLC  
334 West Walker Street  
Kill Devil Hills, NC, 27948
  
4. Representative Photographs of the Property  
Photos are attached.
  
5. Deed Book and Legal description of the Property  
Attached is a complete chain of title for the property. The most current deed reference is in Dare County Deed Book 2266 page 599. The property is shown on Dare County Tax Map 9885(17). The Tax Parcel number is 001243000.
  
6. Architectural Description of the Property  
The house located at 2043 Norfolk Street is comprised of a one-story single family structure in the flat top style common to the Outer Banks of North Carolina during the 1950's and 1960's. The house has many of the common flat top features including: locally sourced concrete block construction, jewel tone and white color scheme, pronounced overhang with exposed and tapered rafters. Since these homes were built at a time before air-conditioning, numerous operable windows were placed across from one another to catch prevailing winds and a screen porch has been built attached to the main structure. The screen porch for this house is a bit smaller than usual and looks to have been repaired with new pressure treated wood. The windows have stand-off shutters to provide shading and for hurricane protection. These appear to be newer reproductions but are indicative of the traditional style. The windows are typically double hung units with a more traditional 6/6 grille pattern. Also customary is a masonry fireplace. This house has one made out of concrete block although some of the style utilize brick. The house is an excellent example of the style and given its small size is one of a few left in the Outer Banks.

7. Historic Discussion of the Property

This house was built in 1955, according to Dare County tax records, by previous owner Mrs. E.R. Russell. The structure is located in the Avalon Beach Subdivision, which was developed by Robert Young and C.A. "Sug" York in the 50's and 60's. Mr. Young contracted many houses in the subdivision all flat tops with the same floor plans. Mrs. Russell purchased the property from Robert Young in 1952. This was the first subdivision in the area that was marketed and priced for the middle class. Mr. York and Mr. Young sent promotional flyers and other advertisements to employees at the Norfolk shipyard and Ford Motor Company Plant in Tidewater. Mrs. Russell from Norfolk, Virginia and likely was a recipient of the promotion materials in that area. The lots sold for between \$3,000 and \$5,000 at the time. The house was sold by Mrs. Russell to Evan Tuttle from Hampton, Virginia who owned and maintained the house until 1996 when it was sold to Joseph Paul McEwan of Kitty Hawk, NC (a neighboring municipality). It is unclear if Mr. McEwan permanently resided in the house or if it was used as a rental house. Most recently the house was bought by KMPN, LLC owned by Ken Savage. Mr. Savage helped renovate the interior of the structure and repainted the exterior white with turquoise trim traditional for an Avalon flat top. The house is currently used as a short term rental.

8. Assessment of the Significance of the Site

*A. Special Significance in terms of its history, architecture, and/or cultural importance:*

Built in 1955, this structure ushered in the era of affordable homes on inexpensive land. This was the first working class development on the Outer Banks. Its unique architecture was prominent at the time for its affordability. In the 1950's Avalon Beach was the largest residential development on the Outer Banks. The property is well preserved and maintains its original historic character. This house was a rental house for the owner. CA York and Robert Young were the primary developers and realtor in Avalon Beach and were the first to market to the middle class even offering financing for the land.

*B. Integrity of the property's design, setting, workmanship, materials, feeling and/or association:*

The property is unaltered from its original appearance. The house was constructed in 1955 from Mrs. E. R. Russell of Norfolk, Virginia. CA 'Sug' York constructed most of the houses in the Avalon Subdivision. He used family and friends to build the houses. Wallace Shannon of Manteo did all the block work, Rosco Gallop was the roofer and Smitty Smith was the electrician. There have been no additions to the original footprint of the house since it's construction in 1955. The house is approximately 780 square feet constructed of concrete block on slab with a flat roof. Because of the simple architectural designs, bright and vibrant colors were utilized for individuality and aesthetics. The current color is white with a turquoise trim. The interior has been ungraded with new flooring and appliances. The layout remains unchanged as a two bedroom one bath house. The house is heated and cooled by a central heating and air system but the fireplace remains intact. The original porch was rescreened and an outdoor shower constructed in 2018. The property maintains its original integrity of design, setting, workmanship, feeling and association.

9. Assessment of the Property's Suitability for Preservation or Restoration, Educational Value, and Possibilities for Adaptive or Alternative Use

The property is in very good condition. The property has no physical changes since its construction in 1955. There are approximately a dozen of these structures in their original condition in Kill Devil Hills. It is one of the best examples of this type of architecture built in the time period. The colors are traditional for this type of dwelling as is the enclosed porch and flat roof.

10. Total Tax Value of the Property

Total value of the property is 91,600 according to the Dare County Tax Office

11. National Register Criteria met by Property

Non-Applicable

12. Documentation for Inclusion of Accompanying Land

The lots on which the structure is located provide an appropriate setting for the building.

## CHAIN OF TITLE

2043 Norfolk Street

1. THIS DEED, made this 8<sup>th</sup> day of January, 1952, by and between Robert A. Young, and wife Mary Young of Dare County, State of North Carolina, parties of the first part, and Mrs. E.R. Russell of City of Norfolk, State of Virginia, hereinafter designated as parties of the second part, whether one or more: That Robert A. Young and wife, Mary Young in consideration of other valuable considerations and the sum of Ten Dollars, to them paid by the parties of the second part, the receipt of which is hereby acknowledged, have bargained and sold, and by these presents do grant, bargain, sell and convey to the said parties of the second part, their heirs and assigns, a certain tract, lot, or parcel of land in the Atlantic Township, Dare County, North Carolina, and described as follows: Being Lot No. 790, as shown on Map or plat of Avalon Beach Annex 2 & 3 Amended made by T.R. Pettit, Registered North Carolina Engineer, dated the xx day of November, 1951, which said Map or Plat is duly of record in the Office of the Register of Deeds of Dare County, North Carolina, in Map Book 1, at page 84.
2. THIS DEED, Made this 15<sup>th</sup> day of March, 1966, by and between Sarah Frances Basnight (Mrs. C.B. Basnight) and husband, Curtis Brannon Basnight, as Grantors to Evans Tuttle, As Grantee, of 79 Cherokee Road, Hampton, Virginia: Being Lot No. 790, as shown on Map or Plat of Avalon Beach Annex 2 & 3 Amended made by T. R. Pettit, Registered North Carolina Engineer, dated the 3<sup>rd</sup> day of November, 1951, which said Map or Plat is duly of record in the Office of the Register of Deeds of Dare County, North Carolina, in Map Book 1 at page 84, together with all buildings and improvements situated thereon. Together with easements in, to, on, and over all roads and community beaches on the Atlantic Ocean and Kitty Hawk Bay as designated on the aforesaid Map or Plat, which said privileges shall be in common with other property owners of Avalon Beach and annexes thereto. Being the same land conveyed to Mrs. E. R. Russell, who at the time of the conveyance was a widow, by deed of Robert A. Young et al dated January 8, 1952, and duly recorded in Book 41 at page 329, Public Registry of Dare County, North Carolina, said lands being subject to the restrictions contained in the aforesaid deed, the said Mrs. E. R. Russell being one and the same person as Mrs. Sarah Frances Basnight.
3. THIS GENERAL WARRANTY DEED made this 22<sup>nd</sup> day of April, 1996, by and between James Evans Tuttle, unmarried (hereinafter referred to as "Grantor"), and Joseph Paul McEwan, whose mailing address is Post Office Box 105, Kitty Hawk, NC 27949 (hereinafter referred to as "Grantee"): Being Lot No. 790, as shown on Map or Plat of Avalon Beach Annex 2 & 3 Amended made by T. R. Pettit, Registered North Carolina Engineer, dated the 3<sup>rd</sup> day of November, 1951, which said Map or Plat is duly of record in the Office of the Register of Deeds of Dare County, North Carolina, in Map Book 1 at page 84, together with all buildings and improvements situated thereon. Being the same property conveyed to Evans Tuttle by deed dated the 15<sup>th</sup> day or March, 1966, and recorded in Book 132, Page 483, Dare

County Registry. And becoming vested in the Grantor herein by virtue of the death of Evans Tuttle (Dare County 88-E-44).

4. THIS DEED made this 31<sup>st</sup> day of July, 2018, by and between Meghan Ashworth, Guardian of the Estate of Joseph McEwan, an Incompetent Person 106A Ascension Drive Kitty Hawk, NC 27949 and All in OBX, Corp. A North Carolina Corporation P.O. Box 284 Kill Devil Hills, NC 27948: Being Lot No. 790, as shown on Map or Plat of Avalon Beach Annex 2 & 3 Amended made by T. R. Pettit, Registered North Carolina Engineer, dated the 3<sup>rd</sup> day of November, 1951, which said Map or Plat is duly of record in the Office of the Register of Deeds of Dare County, North Carolina, in Map Book 1 at page 84, together with all buildings and improvements situated thereon.
5. THIS DEED made the 25<sup>th</sup> day of October, 2018 by and between ALL IN OBX, CORP, a North Carolina corporation P.O. Box 284 Kill Devil Hills, NC 27948 and KMPN, LLC, 334 W. Walker St. Kill Devil Hills, NC 27948. Being Lot No. 790, as shown on Map or Plat of Avalon Beach Annex 2 & 3 Amended made by T. R. Pettit, Registered North Carolina Engineer, dated the 3<sup>rd</sup> day of November, 1951, which said Map or Plat is duly of record in the Office of the Register of Deeds of Dare County, North Carolina, in Map Book 1 at page 84, together with all buildings and improvements situated thereon.

## County of Dare, North Carolina

\*Owner and Parcel information is based on current data on file and was last updated on June 28 2019

**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: 10/25/2018  
BkPg: [2266/0599](#)

**Parcel Status:** ACTIVE



001243-000

07-988517-026

03/11

**Property Use:** RESIDENTIAL

**2043 NORFOLK ST**

**BUILDING USE & FEATURES**

**Tax Year Bldg Value: \$27,700**

Building Use:	FLAT ROOF	
Exterior Walls:	CONCRETE BLOCK	<b>Actual Year Built: 1955</b>
Full Baths:	1 Half Baths: 0	
Bedrooms:	2	
Heat-Fuel:	1 - NONE	
Heat-Type:	1 - NONE	<b>Finished sqft for building 1: 780</b>
Air Conditioning:	1 -NONE	<b>Total Finished SqFt for all bldgs: 780</b>

Disclaimer: In instances where a dwelling contains unfinished living area, the square footage of that area is included in the total finished sqft on this record. However, the assessed value for finish has been removed.

**MISCELLANEOUS USE**

**Tax Year Misc Value: \$2,600**

Misc Bldg a: (RS1) FRAME UTILITY SHED Year Built: 2010 sqft: 144

**LAND USE**

**Tax Year Land Value: \$61,300**

Land Description : 07-Residential Subdivision

**TOTAL LAND AREA:** 5000 square feet

**Tax Year Total Value: \$91,600**

*\*Values shown are on file as of June 28 2019*



Tax District: Kill Devil Hills  
 Subdivision: Avalon Beach Annex 2 & 3  
 Lot BLK-Sec: Lot: 790 Blk: Sec:  
 Property Use: Residential  
 Building Type: Flat Roof  
 Year Built: 1955

Owners: Kmpn Llc -Primary Owner  
 Building Value: \$27,700  
 Land Value: \$61,300  
 Misc Value: \$2,600  
 Total Value: \$91,600

2043 Norfolk ST  
 Kill Devil Hills NC, 27948  
 Parcel: 001243000  
 Pin: 988517106098

This map is prepared from data used for the inventory of the real property for tax purposes. Primary information sources such as recorded deeds, plats, wills, and other primary public records should be consulted for verification of the information contained in this map.











