



TOWN OF KILL DEVIL HILLS

Land Where Flight Began

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town of Kill Devil Hills Board of Adjustment has scheduled a regular meeting for Tuesday, January 25, 2022 at 5:00 p.m., in the Town Hall Meeting Room, 102 Town Hall Drive, Kill Devil Hills. Social distancing guidelines will be observed.

AGENDA

Call to Order and Roll Call

Approval of the Minutes of January 26, 2021

Old Business

New Business

1. Election of Chairperson and Vice Chairperson
2. Arista Development, LLC. – 1900 North Croatan Highway (formerly 0 West Fourth Street), PT Parcel B, Wright Shores Subdivision; Parcel Number: 029831000 Pin number: 988406288549 – Variance from Chapter 153, Zoning, §153.078 to allow a right in – right out, left in only access to U.S. Highway 158, North Croatan Highway.

Adjournment

All citizens are cordially invited to attend.

Posted this 10th day of January 2022.

James Michael O'Dell
Deputy Town Clerk

Copies to: Board of Adjustment 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 January 26, 2021, Meeting of the Kill Devil Hills Zoning Board of Adjustment (ZBOA) held at 5:00 p.m. in the Meeting Room of the Administration Building, 102 Town Hall Drive, off Colington Road. This meeting was also broadcast on the Zoom online meeting platform.

Members Present: Chairperson Michael Lowack, Kevin Cox, Toni Dorn, Vice Chairperson Ron Seidman II, and Jason Self

Members Absent: Blake Culpepper, T. Dillon Heikens & Natalie Painter

Others Present: Jay Wheless, Attorney for the ZBOA; Donna Elliott, Zoning Administrator; and James Michael O'Dell, ZBOA Clerk

Call to Order and Roll Call

At 5:02 p.m., Vice-Chairperson Michael Lowack called this meeting of the Kill Devil Hills Board of Adjustment to order and welcomed all present. The clerk was called upon to conduct the Roll Call:

Kevin Cox	Present	Toni Dorn	Present
Michael Lowack	Present	Ron Seidman	Present
Jason Self	Present		

Five members of the Board of Adjustment were present, constituting a quorum.

Approval of the Minutes of February 26, 2019

Chair Lowack dispensed with approval of the February 26, 2019, minutes, which will be approved at an upcoming meeting.

Agenda Approval

Ron Seidman moved to approve the agenda as presented. Kevin Cox seconded the motion, which was approved by a unanimous roll call vote.

Kevin Cox	Yes	Toni Dorn	Yes
Michael Lowack	Yes	Ron Seidman	Yes
Jason Self	Yes		

Old Business

New Business

Mr. Wheless provided an overview of the rules of procedure for the Board and applicant.

1. Emanuelson & Dad, Inc. – 1101 Martin Street, Triangular Piece, Block 60, Kill Devil Hills Realty Corp. Subdivision; Parcel Number: 004540099; Pin Number: 988315648986 – Variance from Chapter 153, Zoning, 153.161 Setbacks (RH) and 153.211 (A) Setbacks (LI-2)

Emanuelson & Dad, Inc. has requested a variance from Chapter 153, Zoning, 153.161 Setbacks (RH) and 153.211 (A) Setbacks (LI-2) for a property located at 1101 Martin Street, Triangular Piece, Block 60, Kill Devil Hills Realty Corp. Subdivision; Parcel Number: 004540099; Pin Number: 988315648986, Kill Devil Hills, North Carolina. The applicant is requesting 15-foot front and rear setbacks, and 7.5-foot street and side yard setbacks.

Applicant Rhonda Midgett and Zoning Administrator Donna Elliott each undertook a solemn affirmation.

Mr. Wheless inquired of Ms. Midgett whether she was a shareholder and officer of applicant Emanuelson & Dad, Inc. Ms. Midgett responded in the affirmative.

Applicant

Rhonda Midgett, of 1145 Colington Road, Kill Devil Hills, NC 27948, represented the applicant corporation. She stated the intent to construct a home for a family member, but the triangular-shaped property is double-fronted and completely surrounded by streets. The setback requirements result in a small building envelope, which makes it difficult to construct. Her 6,890 square-foot property currently has 30-foot front and rear setbacks, along with 15-foot side yard setback requirements. The applicant requested 15-foot front and rear setbacks, and 7.5-foot street and side yard setbacks.

Mr. Cox inquired how long the applicant had owned the property. Ms. Midgett said her son, now deceased, purchased it several years ago.

Mr. Seidman asked when the property was purchased, and what was the intent of holding it. Ms. Midgett stated that during the sale process, the real estate agent advised approaching the Town to request a variance.

Mr. Self inquired what the current building envelope with the current setbacks were. Ms. Elliott provided plats for Board review that were part of applicant's materials.

Chair Lowack inquired how the applicant came to the realization that they could not build on the lot with the current setbacks. Ms. Midgett stated that her son had made initial determinations.

He further queried that, if a variance was granted, whether it would satisfy the requirements for the intended structure, including septic, parking, and other requirements. The applicant noted she had spoken with design professionals who indicated that similarly-sized and situated parcels with the requested setbacks could include any intended construction, with adequate space for all development requirements.

Mr. Wheless inquired whether the applicant bought the property in its current shape or had created its shape. She indicated that it was purchased in its current shape. He also asked whether similarly-situated lots existed in Kill Devil Hills. Ms. Midgett noted a similar parcel on Wilkinson Street, which has been developed. Mr. Wheless inquired whether the Wilkinson Street property had been the result of a variance. She replied that she was unsure. He then inquired about the location of the power lines and poles along the property and whether decreased setbacks will permit a house to be built further from them. The applicant replied that the additional space from decreased setbacks would assist in placing the house further away from the power lines, but was unsure whether the existing lines could be in the way of development.

The Town

Zoning Administrator Donna Elliott stated that this property is unusual because it is surrounded by four streets. The front yard setback requirement for this lot is 30 feet because it is over 5,000 square feet. Section 153.161 (D)(2) of the Town's ordinance sets out the required front yard setback for all lots over 5,000 square feet shall be provided on both front and rear of a double frontage lot. So, they would be required to maintain a 30-foot setback on Martin Street and Harding Street. Since it is a corner lot, it would also be required to meet a more restrictive setback from each side street. She noted the street side yard setback on lots over 5,000 square feet is 15 feet. So, they would be required to maintain a 15-foot setback from Tenth Avenue and Boundary Street. The setbacks that they have requested in this variance are in line with lots 5,000 square feet or less. These setbacks are 15 feet for the front and 7.5-foot setback requirement for the street side. This lot is located in a Light Industrial Zone, but it is not large enough to be used for light industrial purposes. The requirement for a lot to be used for a light industrial use is 15,000 square feet. Ms. Elliott stated that this lot is 6,980 square feet and can only be utilized for residential use. She noted that whatever is built on the property would be required to meet all Town requirements, including driveways, setbacks, and lot coverage, among others, whether or not the application would receive a variance.

Mr. Cox inquired about the ditch on the side of the property and whether it is a runoff ditch. Ms. Elliott stated she understood that it was a Town-maintained ditch for stormwater. He asked whether the ditch would affect the setback requirements. She replied in the negative.

Mr. Self inquired about the height of the power lines at the property. Ms. Elliott stated that she did not know, and shared that Town would not know what development criteria are required until a plan is submitted to Town staff for review.

2nd Draft

V/01/21-01/26/2021

January 26, 2021 – Zoning Board of Adjustment

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Chair Lowack inquired whether any properties had ever been recorded in Kill Devil Hills, knowing that they could not be developed. Ms. Elliott noted that there were other similarly-shaped properties to the applicant's parcel in town, and they were developed after being granted variances.

Mr. Wheless asked whether the creation of this lot, housed in map book #2, predate zoning within the Town. Ms. Elliott replied that with the property plat being in map book #2, the property did predate the Town's zoning regulations. He further inquired that when the parcel was created, there were no setbacks for the property and the whole lot could be used. She replied that was correct. Mr. Wheless inquired whether the Town takes issue with any of the four items of proof. Ms. Elliott said the Town does not. He then asked whether the application is consistent with spirit and intent of the ordinance and does not endanger public safety. Ms. Elliott replied that the application was consistent and that granting a variance would not endanger public safety.

Mr. Wheless inquired whether, in Ms. Elliott's experience, it was irregular for a building not to be shown on the plat at this stage. Ms. Elliott replied in the negative, and stated that Planning Department staff reviews building plans when they are submitted, verifying that they meet all building criteria, including lot coverage, health department approval, among others. She noted the example of a previous variance granted by the Board on a similar lot, the applicant had presented a layout of a planned building, but that was not what the applicant ultimately constructed; however, the building envelope met the setbacks granted in the variance. She stated that the applicant is not getting a variance for a building, but rather requesting a variance for the property and its setbacks.

Chair Lowack accepted and introduced into evidence the Town information, and the applicant's submissions, including the surveys and other documentation. He then closed the evidentiary portion of the session. There are four questions set out by the N.C. General Assembly, each of which must be approved by a four-fifths vote. A vote of less than four-fifths on any question will deny the variance. The Board will vote on each question, supporting the decision for that choice.

Board of Adjustment Findings of Fact for V1/21-01/26/2021

The Board of Adjustment established the following findings of fact:

1. It is the Board of Adjustment's CONCLUSION that the hardship of which the Applicant complains **DOES** result from a strict application of the ordinance. This conclusion is based on the following FINDINGS OF FACT: The applicant testified that she could not construct the home she envisioned due to the current setbacks. The power lines potentially lessen the available building area for this triangularly-shaped lot, which was created before zoning and setbacks were established in Town. If the lot was 20% smaller, a lesser setback would be applicable.

Kevin Cox	No	Toni Dorn	Yes
Michael Lowack	Yes	Ron Seidman	Yes
Jason Self	Yes		

2. It is the Board of Adjustment's CONCLUSION that the hardship of which the Applicant complains **DOES** result from conditions that are peculiar to the property. This conclusion is based on the following FINDINGS OF FACT: Surrounded completely by streets, the property is a narrow, pointy triangular lot, making it peculiarly difficult to develop. The Town is subject to double frontage and corner lot restrictions, significantly impairing the ability to develop the lot in this narrow triangular shape.

Kevin Cox	Yes	Toni Dorn	Yes
Michael Lowack	Yes	Ron Seidman	Yes
Jason Self	Yes		

3. It is the Board of Adjustment's CONCLUSION that the hardship **DOES NOT** result from the Applicant's own actions. This conclusion is based on the following FINDINGS OF FACT: The property was developed in its current shape as a triangularly-shaped lot and was recorded prior to the Town's zoning laws. The parcel cannot be joined with any adjoining properties as it is surrounded by streets.

Kevin Cox	No	Toni Dorn	No
Michael Lowack	No	Ron Seidman	No
Jason Self	No		

2nd Draft

V/01/21-01/26/2021

January 26, 2021 – Zoning Board of Adjustment

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4. It is the Board of Adjustment's CONCLUSION that, if granted, the variance **WILL** be consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured, and substantial justice is achieved. This conclusion is based upon all of the above FINDINGS OF FACT listed above, as well as the following: The Town has consented to this finding and noted in the application that a variance is consistent with the spirit of the ordinance, and public health and safety is not jeopardized.

Kevin Cox	Yes	Toni Dorn	Yes
Michael Lowack	Yes	Ron Seidman	Yes
Jason Self	Yes		

Mr. Self moved to approve the variance request for 1101 Martin Street, as submitted and consistent with the application, based on the Findings of Fact. Ms. Dorn seconded the motion, which was approved unanimously by roll call vote:

Kevin Cox	Yes	Toni Dorn	Yes
Michael Lowack	Yes	Ron Seidman	Yes
Jason Self	Yes		

The variance was granted.

Adjournment

There being no further business before the Board of Adjustment at this time, Ms. Dorn moved to adjourn. Mr. Cox seconded the motion, which was approved by a unanimous, roll call vote:

Kevin Cox	Yes	Toni Dorn	Yes
Michael Lowack	Yes	Ron Seidman	Yes
Jason Self	Yes		

The meeting adjourned at 6:04 p.m.

Submitted by:

James Michael O'Dell
ZBOA Clerk

NAME: _____

Date: _____

Signature: _____

4/5 Vote is necessary on each question in order to grant a variance.

- (1) Does a strict application of the ordinance result in an unnecessary hardship to the Applicant?

YES _____ NO _____

(It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.)

- (2) Does the hardship result from conditions that are peculiar to the property, such as location, size, or topography?

YES _____ NO _____

(Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.)

- (3) Does the hardship result from actions taken by the applicant (or the property owner)? Voting yes is for *denial* of the variance.

YES _____ NO _____

(The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.)

- (4) Is the requested variance consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and is substantial justice is achieved?

YES _____ NO _____

NOTES:

- No change in permitted uses may be authorized by variance.
- Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance.
- Any other ordinance that regulates land use or development may provide for variances consistent with the provisions of this subsection.

Town of Kill Devil Hills, NC
Required Attachments/Submittals for an
Application for a Variance

Name of Applicant Requesting the Variance: Arista Development, LLC

1. Typed metes and bounds description of the property (or portion of property). A recorded deed is sufficient, if the deed describes only the subject property.
2. Dare County Tax Records print out of the names and addresses of all immediately adjacent property owners, including any that are directly across the street/road or highway.
3. Fee received by: Donna Elliott Date: 12/13/2021

The application fee is nonrefundable..

******Important: If any of the above requirements
are not present at the time of submittal of the
Application for an Appeal, the application is not complete
and will not be accepted.******

Town of Kill Devil Hills, NC
Application for a Variance
Page 1

A variance is not a right. It may be granted to an application only if the applicant establishes compliance with the hardship criteria established in NCGS §160A-388(d).

(Please Type or Print)

Applicant Name, Address, Contact Information: Arista Development, LLC (Contract Purchaser)
520 Providence Highway, Suite 9, Norwood, MA 02062 Attn: Doug Benoit

Owner Name, Address, Contact Information: Midtown Development Corp.
3200 Pacific Avenue, Suite 100, Virginia Beach, VA 23451

1900 N. Croatan Hwy.
Property Location/Address: ~~0 West Fourth Street~~, Kill Devil Hills, NC (Parcel B)

Parcel Number: 029831000

PIN Number: 988406288549

Area of Subject Property (acres or square feet): 400.1 x 288.77 x 355 x 273 (2.3 acres)

Lot Width: 400.1ft. on 158 355ft. rear Lot Depth: 288.77ft. North side; 273ft. South side

Current Zoning Classification: 07 Commercial

Existing Land Use: Undeveloped

Surrounding Land Use:

North Commercial (Bank)

South 07 Commercial

East 07 Leasehold Commercial

West Residential

Description of Use Requested: Proposed use is a convenience store and gas station; proposed issue for variance is to provide a right in – right out, left in only access to U.S. 158, N. Croatan Highway.

Town of Kill Devil Hills, NC
Application for a Variance
Page2

I (we) Arista Development, LLC, hereby petition the Kill Devil Hills Board of Adjustment for a variance from the literal provisions of the Kill Devil Hills Zoning Ordinance because under the interpretation given to me by the Zoning Administrator, I (we) am/are prohibited from using the parcel of land described in this application in the manner that I have proposed. I (we) request a variance from the following provisions of the ordinance:

Variance from §153.078 to allow a right in – right out, left in only access to U.S. Hwy 158, N. Croatan Highway.

To the end that the above-mentioned property can be used in the manner described herein:

Convenience store and gas station with a safe circular traffic flow.

Facts Relevant to the Issuance of a Variance

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the state enabling act, the Board of Adjustment is required to reach the determination that 1) there are unnecessary hardship(s) to the applicant if the strict letter of the ordinance is carried out; 2) the variance is in harmony with the general purposes and intent of the ordinance and preserves its spirit; and, 3) that in granting of the variance the public safety and welfare have been assured and substantial justice has been done.

In the spaces provided below, indicate the facts that you intend to show and the arguments that you intend to make to convince the Board of Adjustment that it can properly reach these conclusions.

THE REQUESTED VARIANCE IS CONSISTENT WITH THE SPIRIT, PURPOSE, AND INTENT OF THE ORDINANCE, SUCH THAT PUBLIC SAFETY IS SECURED AND SUBSTANTIAL JUSTICE IS ACHIEVED.

Town of Kill Devil Hills, NC
Application for a Variance
Page3

1. That there are unnecessary hardships in the manner of carrying out the strict letter of the ordinance. Applicant comment: as Statement(s) of Pact:

See attached Exhibit "A".

Staff comment, as Statement(s) of Pact:

2. That the variance is in harmony with the general purposes and intent of the ordinance and preserves its spirit:

See attached Exhibit "A".

Staff comment, as Statement(s) of Pact:

3. That in granting the variance, the public safety and welfare have been assured and substantial justice has been done:

See attached Exhibit "A".

Staff comment, as Statement(s) of Pact:

Town of Kill Devil Hills, NC
Application for a Variance
Page4

Calls, conversations or other communications with any member of the Board of Adjustment prior to the meeting cannot be considered in the final decision and may result in the Board Members' recusal due to a conflict of interest. If adjacent property owners are to testify on behalf of the applicant, they must be present. Petitions and written consent may be accepted by the Board of Adjustment, but they cannot be used as a basis for the decision.

Certification:

I (we) hereby acknowledge and say that the information contained herein and herewith is true and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the Town of Kill Devil Hills Planning and Inspections Department.

Applicant Signature: _____

Date: _____

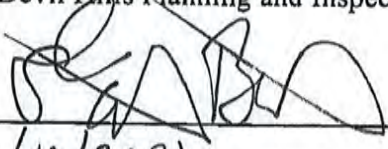

12/10/2021

Exhibit "A"
to Variance Request by Arista Development, LLC

1. Unnecessary hardships - As indicated, the proposed use will be for a convenience store/gas station. It is anticipated there will be additional traffic volume going in and out of the site. If the site is limited to only accessing through Fourth Street, it will undoubtedly increase traffic upon Fourth Street. In conversations with the North Carolina Department of Transportation, though no official approvals have been submitted for, the North Carolina Department of Transportation indicated that they did not see a problem with this proposed driveway, and they voiced concerns about a potential back-up on Fourth Street by the vehicles entering and leaving the site including, but not limited to, trucks and tanker trucks.

The applicant believes that the project should have a primary driveway on N. Croatan Highway. The project will generate additional traffic and the applicant believes this traffic should utilize a primary driveway on N. Croatan Highway as opposed to all traffic using the side streets (Fourth and Fifth Streets). The applicant believes this driveway would not slow traffic on N. Croatan Highway any more than if the traffic only used Fourth Street for access.

Applicant has disclosed to staff that negotiations are ongoing with the property to the North about a potential easement to access onto Fifth Street. However, two comments are in order:

a. These are simply negotiations and no agreement has of yet been obtained; and

b. One of the reasons that the property to the North might be willing to grant an easement across their property to access Fifth Street, is that the property to the North would also like to have the ability of their customers to use a curb cut onto N. Croatan Highway, so they may access through other means other than through Fifth Street; and

2. Harmony - The requested variance from Section 153.078 is in harmony with the general purposes and intent of that ordinance. The ordinance specifically states that the intent of the section was to keep driveways and street intersections along US 158/Croatan Highway and the West side of NC 12/Virginia Dare Trail to the minimum possible (*emphasis added*). It does not specifically state it is to prevent all further accesses to US 158. The overall intent of Section 153.078 is to prevent slow downs of the traffic. Please note, there is a stop light at Fifth Street and as such, with a right in and right out, left in the accessing traffic from US 158/Croatan Highway will not cause any significant slow down of the traffic in that location. Also, please note that the location of the proposed driveway accessing onto N. Croatan Highway is directly across from the driveway accessing onto 158 from the former Kmart property. The design deliberately places the proposed access in that location, so as to make the access to the former Kmart property and the access to the site in question comparable. By limiting the access way to a right in and right out, it preserves the spirit of the ordinance and is in harmony with the general purposes and intent of the ordinance.

3. Safety - As set forth above, lack of a direct access to US 158/N. Croatan Highway, is likely to cause a back-up of traffic onto Fourth Street from US 158/N. Croatan Highway, due to back-up within the site. By having a site that has a circular flow, which includes the right in - right out only

access onto US 158, you have a much safer site, substantially safer traffic flow and does not cause any significant slow down of traffic on US 158/N. Croatan Highway, whereas if in fact, all of the access is on Fourth Street, you will have a significantly greater likelihood of a slow down and therefore, accidents at the Fourth Street intersection.

STAFF COMMENTS

1. The property does not have an unnecessary hardship that prevents carrying the strict letter of the ordinance. The applicant indicated in their comments that the use would generate traffic. This is not unique to other properties/businesses along US158 and there is not an impediment that would prevent access from the improved side street adjacent to the site. Additionally, driveways on US158 create hazardous conditions on a highway that is already over capacity. Limiting entrance and exits to and from US158 to street intersections is crucial for safety. The Town promotes interconnectivity of sites for vehicle circulation and safety. This site proposes to interconnect with the adjacent property to the north which abuts a signalized intersection onto US158. This property does not have an unnecessary hardship that prevents it from meeting the Town Code regulations.
2. The request is not in harmony with the general purpose and intent of the ordinance. The intent of the ordinance is to minimize curb cuts on US158. The ordinance specifically states: "Due to heavy traffic volume on the major thoroughfares in the town and the attendant traffic hazard involved in frequent entrances and exits from and to a major thoroughfare, it is the intent of this section to keep driveways and street intersections along US158/Croatan Highway and the west side of NC12/Virginia Dare Trail to the minimum possible". Therefore, corner lots are not permitted to have cuts onto US158 by ordinance. To minimize cuts on a major thoroughfare, the ordinance only allows lots that do not abut a side street to have a curb cut onto US158 or NC12: "In any district established by this chapter where a corner lot abutting either US158/Croatan Highway or the west side of NC12/Virginia Dare Trail also abuts any other public right-of-way shall be used for access rather than the highway". The intent is clear and this request is not in harmony with the intent of the ordinance.
3. Granting this variance would jeopardize the public safety and welfare of vehicular travelers on US158. Entering and exiting the site along a side street, even in the event of a minor backup, is much safer for the general public. The side street has substantially lower traffic volumes and lower speed limits which allows for safer ingress and egress. Vehicles entering a major thoroughfare at a street intersection is customary and poses less of a hazard than an unregulated intersection. Additionally, curb cuts located near street intersections pose additional risk to motorists entering and exiting a thoroughfare. This variance does not protect public safety or welfare and is not sustainably just.

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TOWN OF KILL DEVIL HILLS

PLANNING & INSPECTIONS DEPARTMENT

(252) 449-5318

NON-REFUNDABLE FEES

DATE: 12/16/21

- ☐ Administrative Review
- ☒ Board of Adjustment
- ☐ CAMA
- ☐ Copies
- ☐ Exempt/Subdivision Plat
- ☐ Fines and/or Re-inspection Fee
- ☐ Site Plan Review
- ☐ Text Amendment
- ☐ _____

AMOUNT: 300⁰⁰ Three hundred dollars

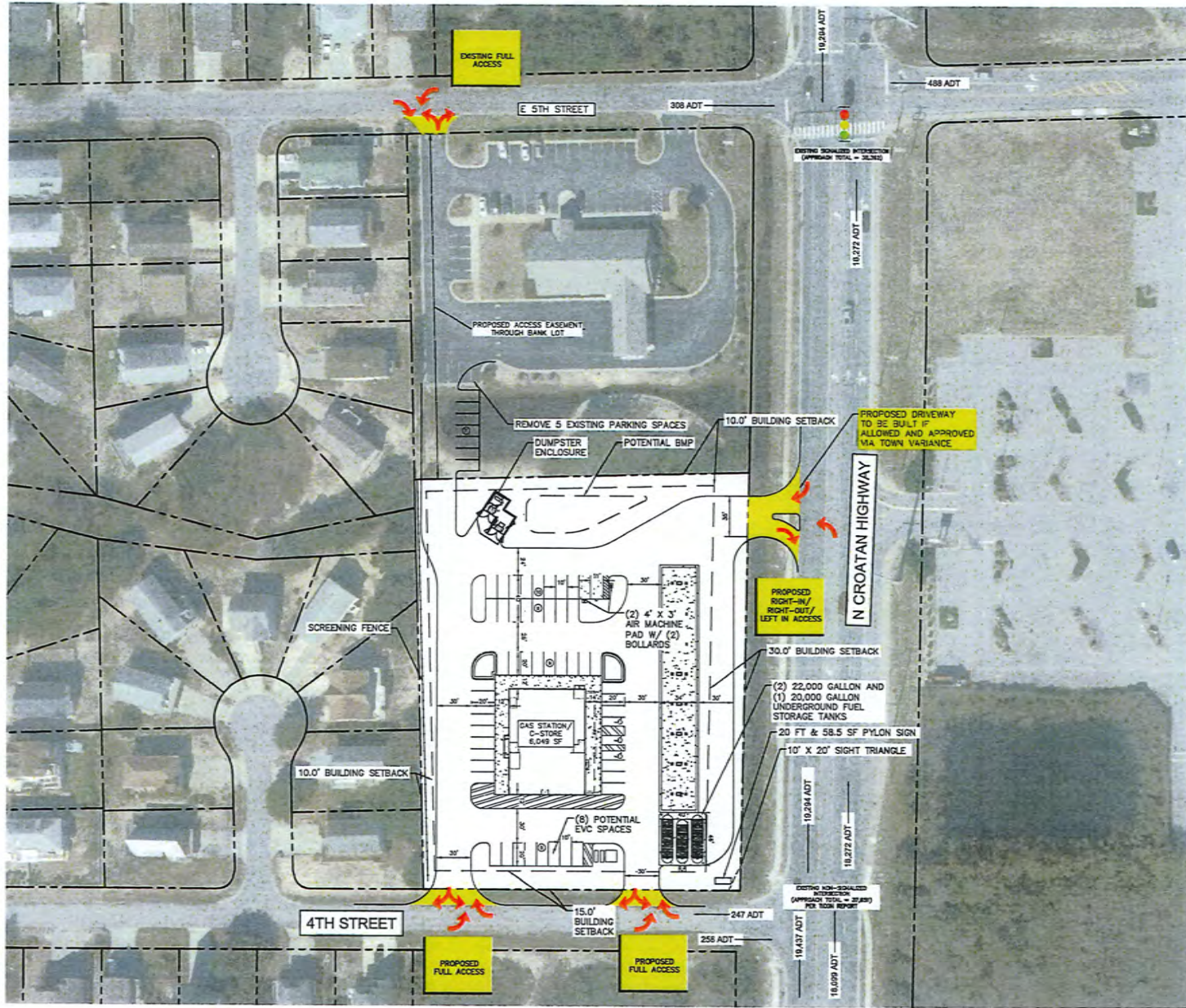
RECEIVED FROM: Gray + Lloyd

DESCRIPTION: Arista Dev variance request

DEC 13 2021

BY: Donna Ellins

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SHEET NUMBER 1 OF 1	SITE PLAN NORTH CAROLINA	VARIANCE EXHIBIT FOR PROPOSED N. CROATAN HWY DRIVEWAY	KIMLEY-HORN 118543032 12/10/2021 SCALE: AS SHOWN DESIGNED BY: AUB CHECKED BY: AUB DATE: 12/10/2021	Kimley-Horn © 2021 KIMLEY-HORN AND ASSOCIATES, INC. 4335 JACOB STREET, SUITE 200, RALEIGH, NC 27603 TEL: 919-876-1000 FAX: 919-876-1001 WWW.KIMLEY-HORN.COM
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V/2022-01/25/22 Submitted by Applicant



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.

0 W Fourth ST
Kill Devil Hills NC, 27948
Parcel: 029831000
Pin: 988406288549

Owners: Midtown Dev Corp -Primary
Owner

Building Value: \$0
Land Value: \$1,173,400
Misc Value: \$0
Total Value: \$1,173,400

Tax District: Kill Devil Hills
Subdivision: Wright's Shores
Lot BLK-Sec: Lot: Pt Parcel B Blk: Sec:
Property Use: Vacant Land (Private)
Building Type:
Year Built:



County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on January 10 2022

Primary (100%) Owner Information:

MIDTOWN DEV CORP
3200 PACIFIC AVE STE 100
VIRGINIA BEACH VA 23451

Parcel Information:

Parcel: 029831000 PIN: 988406288549
District: 07- KILL DEVIL HILLS
Subdivision: WRIGHT'S SHORES
LotBlkSect: LOT: PT PARCEL B BLK: SEC:
Multiple Lots: -
PlatCabSlide: PL: 4 SL: 33 Units: 0
Deed Date:
BkPg: /

Parcel Status: ACTIVE



Property Use: VACANT LAND (PRIVATE)

0 W FOURTH ST

BUILDING USE & FEATURES	<u>Tax Year Bldg Value: \$0</u>	<u>Next Year Bldg Value: \$0</u>
Building Use:		
Exterior Walls:		Actual Year Built:
Full Baths:	Half Baths:	
Bedrooms:		
Heat-Fuel:		
Heat-Type:		Finished sqft for building 1:
Air Conditioning:		Total Finished SqFt for all bldgs: 0
MISCELLANEOUS USE	<u>Tax Year Misc Value: \$0</u>	<u>Next Year Misc Value: \$0</u>

LAND USE	<u>Tax Year Land Value: \$1,173,400</u>	<u>Next Year Land Value: \$1,173,400</u>
Land Description : 07-Commercial Hwy Undeveloped		

TOTAL LAND AREA: 2.31 acres

<u>Tax Year Total Value: \$1,173,400</u>	<u>Next Year Total Value: \$1,173,400</u>
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*Values shown are on file as of January 10 2022

County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on January 10 2022

Primary (100%) Owner Information:

BRANCH BANKING AND TRUST COMPANY
C/O PROPERTY TAX COMPLIANCE
PO BOX 167
WINSTON SALEM NC 27102

Parcel Information:

Parcel: 030222000 PIN: 988406286896
District: 07- KILL DEVIL HILLS
Subdivision: ROBERT A. YOUNG, JR. SUB
LotBlkSect: LOT: 1-3 & ADJ PARCEL BLK: SEC:
Multiple Lots: -
PlatCabSlide: PL: C SL: 120C Units: 0
Deed Date: 01/05/1999
BkPg: [1233/0001](#)

Parcel Status: ACTIVE



Property Use: PROFESSIONAL

1920 N CROATAN HWY

BUILDING USE & FEATURES	<u>Tax Year Bldg Value: \$810,700</u>	<u>Next Year Bldg Value: \$810,700</u>
Building Use:	BANK	
Exterior Walls:		Actual Year Built: 1999
Full Baths:	Half Baths:	
Bedrooms:		
Heat-Fuel:		
Heat-Type:		Finished sqft for building 1: 5208
Air Conditioning:		Total Finished SqFt for all bldgs: 5208
MISCELLANEOUS USE	<u>Tax Year Misc Value: \$42,600</u>	<u>Next Year Misc Value: \$42,600</u>
Misc Bldg a: (PA1) PAVING ASPHALT PARKING Year Built: 1999 sqft: 36000		

LAND USE	<u>Tax Year Land Value: \$1,219,100</u>	<u>Next Year Land Value: \$1,219,100</u>
Land Description : 07-Commercial Highway Primary		

TOTAL LAND AREA: 2.03 acres

<u>Tax Year Total Value: \$2,072,400</u>	<u>Next Year Total Value: \$2,072,400</u>
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*Values shown are on file as of January 10 2022



THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

BOARD OF ADJUSTMENT

January 12, 2022

Branch Banking & Trust Company
c/o Property Tax Compliance
PO Box 167
Winston Salem, NC 27102

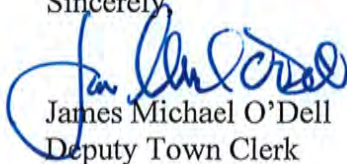
Dear Adjacent Property Owner(s):

The purpose of this letter is to advise you that a variance application has been submitted to the Town of Kill Devil Hills by the property owner of 1900 North Croatan Highway (0 West Fourth Street). You are receiving this notice as an adjacent property owner (1920 North Croatan Highway). The nature of the application is to seek relief from Chapter 153, *Zoning*, §153.078 - to allow a right in – right out, left in only access to U.S. Highway 158, North Croatan Highway.

The Board of Adjustment will hold a public hearing on this matter on Tuesday, January 25, 2022, at 5:00 p.m. in the Kill Devil Hills Town Hall Meeting Room, located at 102 Town Hall Drive. At that time, you may appear and present any arguments you may have for or against the granting of this variance.

Should you have any questions, please do not hesitate to contact Donna Elliott, Zoning Administrator, at 252-449-5310 or by email at donna@kdhnc.com.

Sincerely,



James Michael O'Dell
Deputy Town Clerk

County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on January 10 2022

Primary (100%) Owner Information:

AULDRIDGE, ALISHA
359 NATURE WALK LN
PASADENA MD 21122

Parcel Information:

Parcel: 002132000 PIN: 988406285676
District: 07- KILL DEVIL HILLS
Subdivision: WRIGHT'S SHORES
LotBlkSect: LOT: 174 BLK: SEC:
Multiple Lots: -
PlatCabSlide: PL: 4 SL: 33 Units: 1
Deed Date: 08/31/2021
BkPg: [2540/0463](#)

Parcel Status: ACTIVE



Property Use: RESIDENTIAL

209 ORVILLE CT

BUILDING USE & FEATURES	<u>Tax Year Bldg Value: \$187,800</u>	<u>Next Year Bldg Value: \$186,300</u>
Building Use:	BEACH BOX	
Exterior Walls:	VINYL / ALUM	Actual Year Built: 1972
Full Baths:	1 Half Baths: 1	
Bedrooms:	3	
Heat-Fuel:	3 - ELECTRIC	
Heat-Type:	2 - FORCED AIR	Finished sqft for building 1: 960
Air Conditioning:	4 -CENTRAL W/AC	Total Finished SqFt for all bldgs: 960
MISCELLANEOUS USE	<u>Tax Year Misc Value: \$0</u>	<u>Next Year Misc Value: \$0</u>

LAND USE	<u>Tax Year Land Value: \$86,300</u>	<u>Next Year Land Value: \$86,300</u>
Land Description : 07-Residential Subdivision		

TOTAL LAND AREA: 7500.00 square feet

<u>Tax Year Total Value: \$274,100</u>	<u>Next Year Total Value: \$272,600</u>
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**Values shown are on file as of January 10 2022*



THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

BOARD OF ADJUSTMENT

January 12, 2022

Alisha Auldridge
359 Nature Walke Ln
Pasadena, MD 21122

Dear Adjacent Property Owner(s):

The purpose of this letter is to advise you that a variance application has been submitted to the Town of Kill Devil Hills by the property owner of 1900 North Croatan Highway (0 West Fourth Street). You are receiving this notice as an adjacent property owner (209 Orville Court). The nature of the application is to seek relief from Chapter 153, *Zoning*, §153.078 - to allow a right in – right out, left in only access to U.S. Highway 158, North Croatan Highway.

The Board of Adjustment will hold a public hearing on this matter on Tuesday, January 25, 2022, at 5:00 p.m. in the Kill Devil Hills Town Hall Meeting Room, located at 102 Town Hall Drive. At that time, you may appear and present any arguments you may have for or against the granting of this variance.

Should you have any questions, please do not hesitate to contact Donna Elliott, Zoning Administrator, at 252-449-5310 or by email at donna@kdhnc.com.

Sincerely,


James Michael O'Dell
Deputy Town Clerk

County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on January 10 2022

Primary (100%) Owner Information:

BYRUM, JOSEPH MACK JR EUX
 BYRUM, GLORIA RAWLS EUX
 1409 COPELAND RD
 SUFFOLK VA 23434

Parcel Information:

Parcel: 002248000 PIN: 988406286531
 District: 07- KILL DEVIL HILLS
 Subdivision: WRIGHT'S SHORES SEC 2
 LotBlkSect: LOT: 147 BLK: SEC: 2
 Multiple Lots: -
 PlatCabSlide: PL: 6 SL: 32 Units: 1
 Deed Date: 03/14/2014
 BkPg: [1953/0456](#)

Parcel Status: ACTIVE



Property Use: RESIDENTIAL

206 DAVID LN

BUILDING USE & FEATURES	<u>Tax Year Bldg Value: \$151,400</u>	<u>Next Year Bldg Value: \$151,400</u>
Building Use:	BEACH BOX	
Exterior Walls:	VINYL / ALUM	Actual Year Built: 1982
Full Baths:	2 Half Baths: 0	
Bedrooms:	3	
Heat-Fuel:	3 - ELECTRIC	
Heat-Type:	2 - FORCED AIR	Finished sqft for building 1: 1056
Air Conditioning:	4 -CENTRAL W/AC	Total Finished SqFt for all bldgs: 1056
MISCELLANEOUS USE	<u>Tax Year Misc Value: \$0</u>	<u>Next Year Misc Value: \$0</u>

LAND USE	<u>Tax Year Land Value: \$86,800</u>	<u>Next Year Land Value: \$86,800</u>
Land Description : 07-Residential Subdivision		

TOTAL LAND AREA: 8000.00 square feet

<u>Tax Year Total Value: \$238,200</u>	<u>Next Year Total Value: \$238,200</u>
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*Values shown are on file as of January 10 2022



THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

BOARD OF ADJUSTMENT

January 12, 2022

Joseph Mack and Gloria Rawls Byrum
1409 Copeland Rd.
Suffolk, VA 23434

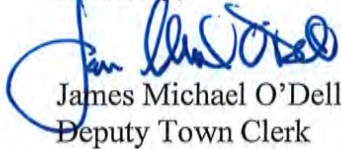
Dear Adjacent Property Owner(s):

The purpose of this letter is to advise you that a variance application has been submitted to the Town of Kill Devil Hills by the property owner of 1900 North Croatan Highway (0 West Fourth Street). You are receiving this notice as an adjacent property owner (206 David Lane). The nature of the application is to seek relief from Chapter 153, *Zoning*, §153.078 - to allow a right in – right out, left in only access to U.S. Highway 158, North Croatan Highway.

The Board of Adjustment will hold a public hearing on this matter on Tuesday, January 25, 2022, at 5:00 p.m. in the Kill Devil Hills Town Hall Meeting Room, located at 102 Town Hall Drive. At that time, you may appear and present any arguments you may have for or against the granting of this variance.

Should you have any questions, please do not hesitate to contact Donna Elliott, Zoning Administrator, at 252-449-5310 or by email at donna@kdhnc.com.

Sincerely,



James Michael O'Dell
Deputy Town Clerk

County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on January 10 2022

Primary (100%) Owner Information:

BEATTY, CHARLIE T EUX
 BEATTY, SONJA EUX
 204 DAVID LN
 KILL DEVIL HILLS NC 27948

Parcel Information:

Parcel: 027143000 PIN: 988406286497
 District: 07- KILL DEVIL HILLS
 Subdivision: WRIGHT'S SHORES SEC 2
 LotBlkSect: LOT: 148 BLK: SEC: 2
 Multiple Lots: -
 PlatCabSlide: PL: 6 SL: 32 Units: 1
 Deed Date: 10/22/2019
 BkPg: [2330/0934](#)

Parcel Status: ACTIVE



Property Use: RESIDENTIAL

204 DAVID LN

BUILDING USE & FEATURES	<u>Tax Year Bldg Value: \$192,100</u>	<u>Next Year Bldg Value: \$192,100</u>
Building Use:	TRADITIONAL	
Exterior Walls:	MODERN FRAME	Actual Year Built: 1984
Full Baths:	2 Half Baths: 1	
Bedrooms:	4	
Heat-Fuel:	3 - ELECTRIC	
Heat-Type:	2 - FORCED AIR	Finished sqft for building 1: 1728
Air Conditioning:	4 -CENTRAL W/AC	Total Finished SqFt for all bldgs: 1728
MISCELLANEOUS USE	<u>Tax Year Misc Value: \$1,300</u>	<u>Next Year Misc Value: \$1,300</u>
Misc Bldg a: (RS1) FRAME UTILITY SHED Year Built: 1900 sqft: 80		

LAND USE	<u>Tax Year Land Value: \$86,300</u>	<u>Next Year Land Value: \$86,300</u>
Land Description : 07-Residential Subdivision		

TOTAL LAND AREA: 7500.00 square feet

<u>Tax Year Total Value: \$279,700</u>	<u>Next Year Total Value: \$279,700</u>
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**Values shown are on file as of January 10 2022*



THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

BOARD OF ADJUSTMENT

January 12, 2022

Charlie & Sonja Beatty
204 David Lane
Kill Devil Hills, NC 27948

Dear Adjacent Property Owner(s):

The purpose of this letter is to advise you that a variance application has been submitted to the Town of Kill Devil Hills by the property owner of 1900 North Croatan Highway (0 West Fourth Street). You are receiving this notice as an adjacent property owner (204 David Lane). The nature of the application is to seek relief from Chapter 153, *Zoning*, §153.078 - to allow a right in – right out, left in only access to U.S. Highway 158, North Croatan Highway.

The Board of Adjustment will hold a public hearing on this matter on Tuesday, January 25, 2022, at 5:00 p.m. in the Kill Devil Hills Town Hall Meeting Room, located at 102 Town Hall Drive. At that time, you may appear and present any arguments you may have for or against the granting of this variance.

Should you have any questions, please do not hesitate to contact Donna Elliott, Zoning Administrator, at 252-449-5310 or by email at donna@kdhnc.com.

Sincerely,



James Michael O'Dell
Deputy Town Clerk

County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on January 10 2022

Primary (100%) Owner Information:

LEWIS, GEORGE E EUX
LEWIS, WINIFRED C EUX
PO BOX 701
DINWIDDIE VA 23841

Parcel Information:

Parcel: 002249000 PIN: 988406287421
District: 07- KILL DEVIL HILLS
Subdivision: WRIGHT'S SHORES SEC 2
LotBlkSect: LOT: 149 BLK: SEC: 2
Multiple Lots: -
PlatCabSlide: PL: 6 SL: 32 Units: 1
Deed Date: 09/28/2015
BkPg: [2048/0694](#)

Parcel Status: ACTIVE



Property Use: RESIDENTIAL

202 DAVID LN

BUILDING USE & FEATURES	<u>Tax Year Bldg Value: \$195,900</u>	<u>Next Year Bldg Value: \$195,900</u>
Building Use:	TRADITIONAL	
Exterior Walls:	VINYL / ALUM	Actual Year Built: 1999
Full Baths:	2 Half Baths: 0	
Bedrooms:	3	
Heat-Fuel:	3 - ELECTRIC	
Heat-Type:	2 - FORCED AIR	Finished sqft for building 1: 1495
Air Conditioning:	4 -CENTRAL W/AC	Total Finished SqFt for all bldgs: 1495
MISCELLANEOUS USE	<u>Tax Year Misc Value: \$0</u>	<u>Next Year Misc Value: \$0</u>

LAND USE	<u>Tax Year Land Value: \$86,300</u>	<u>Next Year Land Value: \$86,300</u>
Land Description : 07-Residential Subdivision		

TOTAL LAND AREA: 7500.00 square feet

	<u>Tax Year Total Value: \$282,200</u>	<u>Next Year Total Value: \$282,200</u>
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**Values shown are on file as of January 10 2022*



THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

BOARD OF ADJUSTMENT

January 12, 2022

George E. & Winifred C. Lewis
PO Box 701
Dinwiddie, VA 23841

Dear Adjacent Property Owner(s):

The purpose of this letter is to advise you that a variance application has been submitted to the Town of Kill Devil Hills by the property owner of 1900 North Croatan Highway (0 West Fourth Street). You are receiving this notice as an adjacent property owner (202 David Lane). The nature of the application is to seek relief from Chapter 153, *Zoning*, §153.078 - to allow a right in – right out, left in only access to U.S. Highway 158, North Croatan Highway.

The Board of Adjustment will hold a public hearing on this matter on Tuesday, January 25, 2022, at 5:00 p.m. in the Kill Devil Hills Town Hall Meeting Room, located at 102 Town Hall Drive. At that time, you may appear and present any arguments you may have for or against the granting of this variance.

Should you have any questions, please do not hesitate to contact Donna Elliott, Zoning Administrator, at 252-449-5310 or by email at donna@kdhnc.com.

Sincerely,

James Michael O'Dell
Deputy Town Clerk

County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on January 10 2022

Primary (100%) Owner Information:

CARDWELL, LARRY W EUX
 CARDWELL, BRENDA B EUX
 14830 LAKE OLIVE DR
 FORT MYERS FL 33919

Parcel Information:

Parcel: 002250000 PIN: 988406287355
 District: 07- KILL DEVIL HILLS
 Subdivision: WRIGHT'S SHORES SEC 2
 LotBlkSect: LOT: 150 BLK: SEC: 2
 Multiple Lots: -
 PlatCabSlide: PL: 6 SL: 32 Units: 1
 Deed Date: 01/16/2007
 BkPg: [1715/0125](#)

Parcel Status: ACTIVE



002250-000 07-988406-041 03/11

Property Use: RESIDENTIAL

200 DAVID LN

BUILDING USE & FEATURES	<u>Tax Year Bldg Value: \$159,800</u>	<u>Next Year Bldg Value: \$159,800</u>
Building Use:	BEACH BOX	
Exterior Walls:	VINYL / ALUM	Actual Year Built: 1985
Full Baths:	2 Half Baths: 0	
Bedrooms:	3	
Heat-Fuel:	3 - ELECTRIC	
Heat-Type:	2 - FORCED AIR	Finished sqft for building 1: 1092
Air Conditioning:	4 -CENTRAL W/AC	Total Finished SqFt for all bldgs: 1092
MISCELLANEOUS USE	<u>Tax Year Misc Value: \$0</u>	<u>Next Year Misc Value: \$0</u>

LAND USE	<u>Tax Year Land Value: \$86,300</u>	<u>Next Year Land Value: \$86,300</u>
Land Description : 07-Residential Subdivision		

TOTAL LAND AREA: 7500.00 square feet

	<u>Tax Year Total Value: \$246,100</u>	<u>Next Year Total Value: \$246,100</u>
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*Values shown are on file as of January 10 2022



THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

BOARD OF ADJUSTMENT

January 12, 2022

Larry W. & Brenda B. Cardwell
14830 Lake Olive Drive
Fort Myers, FL 33919

Dear Adjacent Property Owner(s):

The purpose of this letter is to advise you that a variance application has been submitted to the Town of Kill Devil Hills by the property owner of 1900 North Croatan Highway (0 West Fourth Street). You are receiving this notice as an adjacent property owner (200 David Lane). The nature of the application is to seek relief from Chapter 153, *Zoning*, §153.078 - to allow a right in – right out, left in only access to U.S. Highway 158, North Croatan Highway.

The Board of Adjustment will hold a public hearing on this matter on Tuesday, January 25, 2022, at 5:00 p.m. in the Kill Devil Hills Town Hall Meeting Room, located at 102 Town Hall Drive. At that time, you may appear and present any arguments you may have for or against the granting of this variance.

Should you have any questions, please do not hesitate to contact Donna Elliott, Zoning Administrator, at 252-449-5310 or by email at donna@kdhnc.com.

Sincerely,



James Michael O'Dell
Deputy Town Clerk

County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on January 10 2022

Primary (100%) Owner Information:

HUGGINS, HAYLEY
201 W 4TH ST
KILL DEVIL HILLS NC 27948

Parcel Information:

Parcel: 002210000 PIN: 988406288233
District: 07- KILL DEVIL HILLS
Subdivision: WRIGHT'S SHORES SEC 2
LotBlkSect: LOT: 1 BLK: SEC: 2
Multiple Lots: -
PlatCabSlide: PL: 6 SL: 32 Units: 1
Deed Date: 10/07/2004
BkPg: [1592/0153](#)
Parcel Status: ACTIVE

**Property Use:** RESIDENTIAL**201 W FOURTH ST**

BUILDING USE & FEATURES	<u>Tax Year Bldg Value: \$251,800</u>	<u>Next Year Bldg Value: \$251,800</u>
Building Use:	TRADITIONAL	
Exterior Walls:	VINYL / ALUM	Actual Year Built: 2004
Full Baths:	2 Half Baths: 1	
Bedrooms:	4	
Heat-Fuel:	3 - ELECTRIC	
Heat-Type:	2 - FORCED AIR	Finished sqft for building 1: 2064
Air Conditioning:	4 -CENTRAL W/AC	Total Finished SqFt for all bldgs: 2064
MISCELLANEOUS USE	<u>Tax Year Misc Value: \$1,500</u>	<u>Next Year Misc Value: \$1,500</u>
Misc Bldg a: (RS1) FRAME UTILITY SHED Year Built: 2005 sqft: 80		

LAND USE	<u>Tax Year Land Value: \$86,300</u>	<u>Next Year Land Value: \$86,300</u>
Land Description : 07-Residential Subdivision		

TOTAL LAND AREA: 7500.00 square feet**Tax Year Total Value: \$339,600****Next Year Total Value: \$339,600**

*Values shown are on file as of January 10 2022



THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

BOARD OF ADJUSTMENT

January 12, 2022

Hayley Huggins
201 West 4th Street
Kill Devil Hills, NC 27948

Dear Adjacent Property Owner(s):

The purpose of this letter is to advise you that a variance application has been submitted to the Town of Kill Devil Hills by the property owner of 1900 North Croatan Highway (0 West Fourth Street). You are receiving this notice as an adjacent property owner (201 West 4th St.). The nature of the application is to seek relief from Chapter 153, *Zoning*, §153.078 - to allow a right in – right out, left in only access to U.S. Highway 158, North Croatan Highway.

The Board of Adjustment will hold a public hearing on this matter on Tuesday, January 25, 2022, at 5:00 p.m. in the Kill Devil Hills Town Hall Meeting Room, located at 102 Town Hall Drive. At that time, you may appear and present any arguments you may have for or against the granting of this variance.

Should you have any questions, please do not hesitate to contact Donna Elliott, Zoning Administrator, at 252-449-5310 or by email at donna@kdhnc.com.

Sincerely,



James Michael O'Dell
Deputy Town Clerk

County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on January 10 2022

Primary (100%) Owner Information:

MIDTOWN DEV CORP
3200 PACIFIC AVE STE 100
VIRGINIA BEACH VA 23451

Parcel Information:

Parcel: 029831200 PIN: 988406289382
District: 07- KILL DEVIL HILLS
Subdivision: WRIGHT'S SHORES
LotBlkSect: LOT: BLK: SEC:
Multiple Lots: -
PlatCabSlide: PL: 4 SL: 33 Units: 0
Deed Date:
BkPg: /

Parcel Status: ACTIVE



Property Use: VACANT LAND (PRIVATE)

0 N CROATAN HWY

BUILDING USE & FEATURES	<u>Tax Year Bldg Value: \$0</u>	<u>Next Year Bldg Value: \$0</u>
Building Use:		
Exterior Walls:		Actual Year Built:
Full Baths:	Half Baths:	
Bedrooms:		
Heat-Fuel:		
Heat-Type:		Finished sqft for building 1:
Air Conditioning:		Total Finished SqFt for all bldgs: 0
MISCELLANEOUS USE	<u>Tax Year Misc Value: \$0</u>	<u>Next Year Misc Value: \$0</u>

LAND USE	<u>Tax Year Land Value: \$420,800</u>	<u>Next Year Land Value: \$420,800</u>
Land Description : 07-COMMERCIAL HWY UNDEVELOPED		

TOTAL LAND AREA: 31000.00 square feet

<u>Tax Year Total Value: \$420,800</u>	<u>Next Year Total Value: \$420,800</u>
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*Values shown are on file as of January 10 2022



THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

BOARD OF ADJUSTMENT

January 12, 2022

Midtown Dev. Corp.
3200 Pacific Ave, Ste. 100
Virginia Beach, VA 23451

Dear Adjacent Property Owner(s):

The purpose of this letter is to advise you that a variance application has been submitted to the Town of Kill Devil Hills by the property owner of 1900 North Croatan Highway (0 West Fourth Street). You are receiving this notice as an adjacent property owner (0 North Croatan Highway). The nature of the application is to seek relief from Chapter 153, *Zoning*, §153.078 - to allow a right in – right out, left in only access to U.S. Highway 158, North Croatan Highway.

The Board of Adjustment will hold a public hearing on this matter on Tuesday, January 25, 2022, at 5:00 p.m. in the Kill Devil Hills Town Hall Meeting Room, located at 102 Town Hall Drive. At that time, you may appear and present any arguments you may have for or against the granting of this variance.

Should you have any questions, please do not hesitate to contact Donna Elliott, Zoning Administrator, at 252-449-5310 or by email at donna@kdhnc.com.

Sincerely,



James Michael O'Dell
Deputy Town Clerk

County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on January 10 2022

Primary (100%) Owner Information:

WRIGHT CO INC
3200 PACIFIC AVE STE 100
VIRGINIA BEACH VA 23451

Parcel Information:

Parcel: 029832000 PIN: 988406383994
District: 07- KILL DEVIL HILLS
Subdivision: WRIGHT'S SHORES
LotBlkSect: LOT: KMART BLK: SEC:
Multiple Lots: LAND ONLY
PlatCabSlide: PL: 4 SL: 33 Units: 0
Deed Date: 12/31/2013
BkPg: [1949/0104](#)
Parcel Status: ACTIVE

**Property Use:** RETAIL

1901 N CROATAN HWY

BUILDING USE & FEATURES	<u>Tax Year Bldg Value: \$0</u>	<u>Next Year Bldg Value: \$0</u>
Building Use:		
Exterior Walls:		Actual Year Built:
Full Baths:	Half Baths:	
Bedrooms:		
Heat-Fuel:		
Heat-Type:		Finished sqft for building 1:
Air Conditioning:		Total Finished SqFt for all bldgs: 0
MISCELLANEOUS USE	<u>Tax Year Misc Value: \$0</u>	<u>Next Year Misc Value: \$0</u>

LAND USE	<u>Tax Year Land Value: \$4,444,000</u>	<u>Next Year Land Value: \$4,444,000</u>
Land Description : 07-Commercial Highway Primary	Land Description b : 07-Commercial Hwy Undeveloped	Land Description c : 07-Commercial Village Residual

TOTAL LAND AREA: 13.97 acres

<u>Tax Year Total Value: \$4,444,000</u>	<u>Next Year Total Value: \$4,444,000</u>
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*Values shown are on file as of January 10 2022



THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

BOARD OF ADJUSTMENT

January 12, 2022

Wright Co. Inc.
3200 Pacific Avenue Ste. 100
Virginia Beach, VA 23451

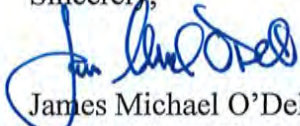
Dear Adjacent Property Owner(s):

The purpose of this letter is to advise you that a variance application has been submitted to the Town of Kill Devil Hills by the property owner of 1900 North Croatan Highway (0 West Fourth Street). You are receiving this notice as an adjacent property owner (1901 North Croatan Highway). The nature of the application is to seek relief from Chapter 153, *Zoning*, §153.078 - to allow a right in – right out, left in only access to U.S. Highway 158, North Croatan Highway.

The Board of Adjustment will hold a public hearing on this matter on Tuesday, January 25, 2022, at 5:00 p.m. in the Kill Devil Hills Town Hall Meeting Room, located at 102 Town Hall Drive. At that time, you may appear and present any arguments you may have for or against the granting of this variance.

Should you have any questions, please do not hesitate to contact Donna Elliott, Zoning Administrator, at 252-449-5310 or by email at donna@kdhnc.com.

Sincerely,



James Michael O'Dell
Deputy Town Clerk

County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on January 10 2022

Primary (100%) Owner Information:

TARGET CORPORATION
ATTN: NORA MCGREEVY
1000 NICOLLET MALL (TPS-3155)
MINNEAPOLIS MN 55403

Parcel Information:

Parcel: 029832001 PIN: 988406383994L1
District: 07- KILL DEVIL HILLS
Subdivision: WRIGHT'S SHORES
LotBlkSect: LOT: BLK: SEC:
Multiple Lots: THIS IS LEASED.
PlatCabSlide: PL: C SL: 168D Units: 0
Deed Date: 10/12/2020
BkPg: [2422/0441](#)

Parcel Status: ACTIVE



029832-001 07-988406-196-LH 03/11

Property Use: LEASEHOLD

1901 A N CROATAN HWY

BUILDING USE & FEATURES	Tax Year Bldg Value: \$3,406,300	Next Year Bldg Value: \$3,406,300
Building Use:	DISCOUNT DEPT STORE	
Exterior Walls:		Actual Year Built: 1992
Full Baths:	Half Baths:	
Bedrooms:		
Heat-Fuel:		
Heat-Type:		Finished sqft for building 1:
Air Conditioning:		Total Finished SqFt for all bldgs:
MISCELLANEOUS USE	Tax Year Misc Value: \$376,200	Next Year Misc Value: \$376,200
Misc Bldg a: (PA1) PAVING ASPHALT PARKING Year Built: 1992 sqft: 280000		
Misc Bldg b: (PC1) PAVING CONCRETE AVERAGE Year Built: 1992 sqft: 8000		
Misc Bldg c: (FN1) FENCE, CHAIN LINK Year Built: 1992 sqft: 4092		
Misc Bldg d: (FN6) BRICK OR STONE WALL Year Built: 1992 sqft: 3432		
LAND USE	Tax Year Land Value: \$0	Next Year Land Value: \$0
Land Description : 07-Leasehold Improvement		
TOTAL LAND AREA: 0.00 square feet		
	Tax Year Total Value: \$3,782,500	Next Year Total Value: \$3,782,500
*Values shown are on file as of January 10 2022		



THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

BOARD OF ADJUSTMENT

January 12, 2022

Target Corporation
Attn: Nora McGreevy
1000 Nicollet Mall (TPS-3155)
Minneapolis, MN 55403

Dear Adjacent Property Owner(s):

The purpose of this letter is to advise you that a variance application has been submitted to the Town of Kill Devil Hills by the property owner of 1900 North Croatan Highway (0 West Fourth Street). You are receiving this notice as an adjacent property owner (1901 A North Croatan Highway). The nature of the application is to seek relief from Chapter 153, *Zoning*, §153.078 - to allow a right in – right out, left in only access to U.S. Highway 158, North Croatan Highway.

The Board of Adjustment will hold a public hearing on this matter on Tuesday, January 25, 2022, at 5:00 p.m. in the Kill Devil Hills Town Hall Meeting Room, located at 102 Town Hall Drive. At that time, you may appear and present any arguments you may have for or against the granting of this variance.

Should you have any questions, please do not hesitate to contact Donna Elliott, Zoning Administrator, at 252-449-5310 or by email at donna@kdhnc.com.

Sincerely,

James Michael O'Dell
Deputy Town Clerk

TOWN OF KILL DEVIL HILLS

PUBLIC HEARING

DATE: Tuesday January 25 2022

TIME: 5:00 p.m.

LOCATION:

KILL DEVIL HILLS TOWN HALL
102 Town Hall Drive
Kill Devil Hills, NC

APPLICATION: Arista Development, LLC

1900 North Croatan Highway, Pt Parcel B

Wright Shores Subdivision Parcel no 02983100 Pin 988406286549

Variance From Chapter 153 Zoning 153.078 to allow right in-right out
left access to US Highway 158 North Croatan Highway

For more information about this application
contact the Planning and Inspections Dept.
at (252) 449-5318

V1/2022-01/25/22:Submitted by Zoning Administrator

