



**TOWN OF KILL DEVIL HILLS**  
*Land Where Flight Began*

MEMORANDUM

January 15, 2024

TO: Mayor and Board of Commissioners

FROM: Debora P. Díaz, Town Manager 

REF: Consent Agenda

**1. Minutes (Attached CA-1A)**

A. December 11, 2023

**2. Monthly Report (Attached CA-2A)**

A. November 2023

**3. Budget Amendments and Transfers (Attached CA-3)**

A. Budget Amendment #7 – to appropriate grant funds for drainage channel rehabilitation of the Bickett Street Ditch

**4. Annual Certification of Firefighters (Attached CA-4)**

The Board of Trustees for the N.C. Firemen's Pension Fund requires all fire departments to submit a roster of active firefighters annually. Rosters must be certified by each local governing board in order to maintain eligibility for pensions and the line-of-duty death benefit provided for firefighters by the State. Our Fire Department has prepared this list, which includes only those firefighters that have met the State's minimum requirement for training hours. Approval of the Consent Agenda will record the Board's certification of the Fire Department roster.

**5. Recommended Resolution Authorizing the Sale of Unclaimed and Found Property (Attached CA-5)**

On occasion, the Police Department must dispose of items that have been turned in or found and unclaimed by their rightful owners. North Carolina law requires that revenues raised from the sale of this unclaimed property, less the Town's expenses, must be turned over to the Dare County Board of Education. The attached resolution authorizes the sale of the listed items; the Town of Kill Devil Hills utilizes GovDeals.com for surplus and found or unclaimed property.

In previous years, organizations have approached the Town and requested the donation of bicycles for distribution to guest student workers; however, no organization has contacted the Town. If the notice's publication would generate interest by a qualified non-profit organization, Staff will return to the BOC to request authorization to donate the bicycles.

Approval of the Consent Agenda will record the Board's authorization for the sale of unclaimed property in accordance with the requirements of the General Statutes.

**6. Amending Name of Kill Devil Hills Local Historic Landmark property (Attached CA-6)**

Initially designated as a Kill Devil Hills Local Historic Landmark property on December 14, 2015, the Young/Croarkin Cottage, located at 201 Random Street, was recently purchased and the owner submitted an application for a certificate of appropriateness to rename the property as the Markland Cottage. At its January 10, 2024, meeting, the Historic Landmarks Commission approved the name change. Since there is no change to the property apart from the name, no public hearing is required.

Approval of the Consent Agenda will record the Board's approval of the name change for the property at 201 Random Street to the Markland Cottage.

**7. Schedule public hearings (Attached CA-7A and CA-7B)**

The Planning Department's attached memoranda detail the proposed amendments to the Town Code. At its December 19, 2023, meeting, the Planning Board reviewed and forwarded the following amendments, recommending approval:

**A. Proposed Zoning Amendment – 153.310 Cottage Courts & 153.311 Cluster Homes – Proposed modification to Cottage Court and Cluster Homes Regulations**

At its August 14, 2023, meeting, the Board of Commissioners directed Staff to develop additional regulations for cottage courts and cluster homes. Staff recommends approval of the requested amendment, which reduces the maximum size of dwelling units, creates an additional front yard setback in the OIR, and creates a tiered separation of structures based on gross square footage and heights.

**B. Proposed Zoning Amendment – 153.073 Landscaping Requirements – Modify Buffer Requirements for Commercial Use(s)**

At its November 13, 2023, meeting, the Board of Commissioners directed Staff to develop additional regulations for landscaping and buffer requirements for commercial uses. Staff recommends approval of the requested amendment, which increases minimum buffer areas for incompatible uses and zoning, and clarifies three different buffer categories: incompatible use, incompatible zoning, and compatible use / streets.

Staff recommends scheduling two public hearings for Monday, February 5, 2023, at 6:00 p.m. Approval of the Consent Agenda will schedule these items for public hearings.

Staff recommends approval of the Consent Agenda and a motion would be in order.