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BY: CLAUDIA HARRINGTON
Cheryl L. House, Register of Deeds
Dare County, NC
Fee Amt: \$26.00 NC Excise Tax: \$0.00
Land Transfer Fee: \$0.00

BOOK 2711 PAGE 548 (4)

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ORDINANCE NO. 20-1

AN ORDINANCE DESIGNATING PROPERTY LOCATED AT
500 WEST AVALON DRIVE AND KNOWN AS SHARP COTTAGE
AS A LOCAL HISTORIC LANDMARK

WHEREAS, pre-requisites to the adoption of this ordinance as prescribed in Part 3C, Chapter 160D-945 & 946 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 a public hearing on December 11, 2023 and considered the recommendations of the North Carolina Department of Cultural Resources on the question of designating the property located at 500 West Avalon Drive, Kill Devil Hills, known as Sharp Cottage as a local historic landmark; and

WHEREAS, the structure known as Sharp Cottage is located in the Avalon Beach Subdivision, which was the first development marketed and priced for the middle class that offered financing; and

WHEREAS, the structure known as Sharp 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 Clarence A. "Sug" York; and

WHEREAS, Sharp Cottage is one of Avalon Beach Subdivision's original remaining flat tops from that era; and

Proposed Ordinance designating property located at 500 West Avalon Drive and known as Sharp Cottage as a Local Historic Landmark

Return to Town of Kill Devil Hills

WHEREAS, Sharp Cottage was constructed in 1960 for Mrs. E.R. Russell of Norfolk, Virginia; and

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

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

WHEREAS, Sharp 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, Sharp Cottage was built as a summer rental home but was converted to year-round use in the mid-1990's; and

WHEREAS, although Sharp Cottage has undergone no additions since its construction, there have been upgrades including central heating and air conditioning; however the house maintains the original floor plan layout; and

WHEREAS, the Sharp 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 Sharp Cottage in the Avalon Beach Subdivision on Avalon Drive is connected to the history of the structure; now, therefore be it

ORDAINED BY THE KILL DEVIL HILLS BOARD OF COMMISSIONERS:

1. All of the property located at 500 WEST AVALON DRIVE in the Town of Kill Devil Hills is hereby designated as a local historic landmark pursuant to N.C.G.S. Chapter 160D-945 & 946. The property is presently owned by Kathryn R. Sharp and is identified on Dare County Tax Maps as Pin No. 988517009173 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 160D-946 & 946 of Chapter 160A.

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

- A. The exterior of the building
- B. The grounds

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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 Town-approved 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 "Sharp 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.

Adopted and approved by the Board of Commissioners of the Town of Kill Devil Hills at a regular meeting held on the 11th day of December, 2023, by a vote of 5 in favor and 0 opposed.

SEAL



Ben Spraul
Mayor

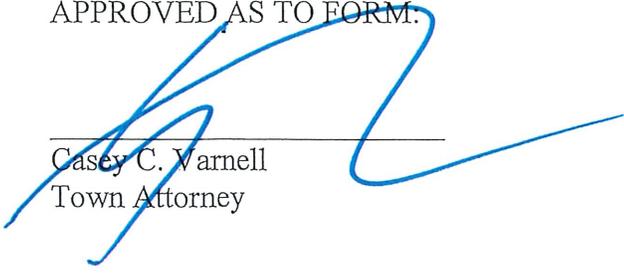
A handwritten signature in black ink, appearing to read "Ben Spraul", written over a horizontal line.

ATTEST:

A handwritten signature in blue ink, appearing to read "James Michael O'Dell", written over a horizontal line.

James Michael O'Dell
Town Clerk

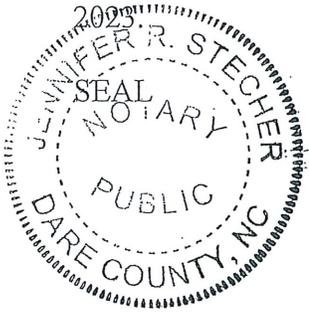
APPROVED AS TO FORM.

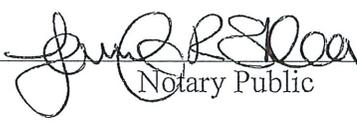


Casey C. Warnell
Town Attorney

NORTH CAROLINA
DARE COUNTY

I, the undersigned Notary Public do hereby certify that James Michael O'Dell personally appeared before me and acknowledged that he is the 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 him as its Town Clerk. Witness my hand and official stamp or seal, this 12TH day of December,





Notary Public

My commission expires 04-07-2024