



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

MEMORANDUM

December 9, 2019

TO: Mayor and Board of Commissioners

FROM: Debora P. Díaz, Town Manager

REF: Public Hearings

**1. Recommended local historic designations (Attached PH-1A and 1B)**

**A. 202 East Arch Street – Brightbill-Jensen Cottage**

This Local Historic Designation was considered by the Historic Landmarks Commission (HLC) at its December 3, 2019, meeting, at which time the HLC voted to recommend it for public hearing by the Board of Commissioners. The Board of Commissioners set its own public hearing at the November 13, 2019, meeting. The owners are in support of the property designation.

At the conclusion of the public hearing, it will be appropriate for the Board of Commissioners to take action on the ordinance designating the Brightbill-Jensen Cottage – 202 East Arch Street as a Local Historic Designation, such action to include approval, disapproval, or tabling the ordinance for further consideration.

A motion will be in order.

**B. 2043 Norfolk Street – Savage Cottage**

This Local Historic Designation was considered by the Historic Landmarks Commission (HLC) at its December 3, 2019, meeting, at which time the HLC voted to recommend it for public hearing by the Board of Commissioners. The Board of Commissioners set its own public hearing at the November 13, 2019, meeting. The owners are in support of the property designation.

At the conclusion of the public hearing, it will be appropriate for the Board of Commissioners to take action on the ordinance designating the Savage Cottage – 2043 Norfolk Street as a Local Historic Designation, such action to include approval, disapproval, or tabling the ordinance for further consideration.

A motion will be in order.

November 12, 2019

***Memorandum***

To: Historic Landmarks Commission

From: Meredith B. Guns, Planning Director

Subject: Public Hearing – 2043 Norfolk Street – Savage Cottage

Attached to this memorandum is Designation Report and a proposed Ordinance for 2043 Norfolk Street, the Savage Cottage.

If the Commission is satisfied with the proposed ordinance it would be appropriate to set the public hearing for December 3, 2019 as required by Chapter 160A, Article 19, Part 3C to receive public input on the designation. At such time staff will inform the property owner of the public hearing date. Additionally, due to time constraints for designation by December 31, 2019 staff request the Commission forward the amendment to the Board of Commissioners in order to set the required public hearing for December which will follow the Commission's hearing.

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.



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

AN ORDINANCE DESIGNATING PROPERTY KNOWN AS BRIGHTBILL-  
JENSEN 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-Jensen Cottage located at 202 East Arch Street as a local historic landmark; and

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

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

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

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

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

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

WHEREAS, in the 1970's Brightbill-Jensen Cottage had a 350 square-foot addition connected 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-Jensen 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-Jensen 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 K. Brightbill and Charles Taylor Jensen 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, or 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, or 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-Jensen 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.

\_\_\_\_\_  
James Michael O'Dell  
Deputy Town Clerk

\_\_\_\_\_  
Sheila F. Davies, Ph.D.  
Mayor

Approved as to form:

\_\_\_\_\_  
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 a 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 him as its Deputy Town Clerk. Witness my hand and official stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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

SEAL

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

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.



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 middle class 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 tops 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, or 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, or 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.

\_\_\_\_\_  
James Michael O'Dell  
Deputy Town Clerk

\_\_\_\_\_  
Sheila F. Davies, Ph. D.  
Mayor

Approved as to form:

\_\_\_\_\_  
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 a 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 him as its Deputy Town Clerk. Witness my hand and official stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

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

SEAL

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



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.