Director of
Planning and Inspections
MEREDITH GUNS

Building Inspector
MARTY SHAW
CHARLES THUMAN

Code Enforcement Officer
JORDAN BLYTHE

THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

PLANNING DEPARTMENT

Assistant Director of
Planning and Inspections
CAMERON RAY

Senior Planner
RYAN LANG

Zoning Administrator
DONNA ELLIOTT

November 08, 2021

Memorandum

To: Debora P. Diaz, Town Manager

From: Cameron Ray, Assistant Planning Director (R)

Subject: Schedule Public Hearing – Local Historic Designation – 3208 North Virginia Dare Trail: Wolcott Cottage

Attached with this memorandum you will find an ordinance for designation of 3208 North Virginia Dare Trail, Wolcott Cottage, as a Local Historic Landmark. You will also find the designation report, which provides justification for the designation and State comments.

The attached designation report for 3208 North Virginia Dare Trail was reviewed by the NC Department of Cultural Resources, State Historic Preservation Office and has obtained non-binding State comments regarding the designation. On November 03, 2021, the Historic Landmarks Commission held a public hearing for designation of 3208 North Virginia Dare Trail with all comments positive for its designation.

The Commission is forwarding the ordinance designating, the Wolcott Cottage, located at 3208 North Virginia Dare Trail, 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 the required public hearing for this designation for December 13, 2021.

ORDINANCE NO._____

AN ORDINANCE DESIGNATING PROPERTY KNOWN AS WOLCOTT COTTAGE AND LOCATED AT 3208 NORTH VIRGINIA DARE TRAIL AS A LOCAL HISTORIC LANDMARK

WHEREAS, pre-requisites to the adoption of this ordinance as prescribed in Chapter 160D-945 & 946 of the North Carolina General Statues 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 Wolcott Cottage located at 3208 North Virginia Dare Trail as a local historic landmark; and

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

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

WHEREAS, the Wolcott Cottage was constructed in 1952 for Mr. H. A. and Rebie Britton of Jackson, North Carolina and used as a family summer home; and

WHEREAS, the Dail family of Virginia purchased the house as a rental home in 1970 and sold to the Wolcott family of Virginia in 1992, whom still own and maintain the cottage; and

WHEREAS, the Wolcott family used the cottage as a summer rental home, later converted to year-round use in the late 2010's; and

WHEREAS, the cottage is approximately 936 square feet constructed of concrete block on slab with a flat roof. Because of the simple architectural designs, bright and vivant colors were utilized for individuality and aesthetics, which this house has maintained; and

WHEREAS, Wolcott Cottage is one of the dozen remaining flattops from that era; and

WHEREAS, the architectural design is based off of the larger flat top cottages in Southern Shores designed by Frank Stick, a pioneer developer on the Outer Banks; and,

WHEREAS, the flat top design was used both for its affordability and function, as concrete was very durable and helped keep the structure cool in the summer months; and,

WHEREAS, this style and size of cottages introduced an era in Town that attracted the working class to the Outer Banks making it no longer just for the wealthy elites; and,

WHEREAS, Wolcott Cottage maintains it original with concrete block exterior, a screen porch, flat top roof, and vibrant color scheme; and,

WHEREAS, Wolcott 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, Wolcott Cottage has had no additions since its construction, there have been interior upgrades, which are not part of this designation, including central heating and air conditioning; and interior flooring and,

WHEREAS, the Wolcott Cottage maintains the original fireplace and floor plan and overall footprint of the original structure; and,

WHEREAS, the Wolcott 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 Frank Stick inspired flat tops; and,

WHEREAS, the location of Wolcott Cottage in the Orville Beach Subdivision on North Virginia Dare Trail 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 3208 North Virginia Dare Trail in the Town of Kill Devil Hills is hereby designated as a local historic landmark pursuant to Chapter 160D-945 & 946 of the North Carolina General Statues. The property is presently owned by Lana Hobbs Wolcott and is identified on Dare County Tax Maps as Pin No. 988513047617 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 Chapter 160D-945 & 946.

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 "Wolcott 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 _____, 2021.

SEAL

_____
Ben Sproul
Mayor

ATTEST:

_____
James Michael O'Dell
Deputy Town Clerk

Approved as to form:

_____
Town Attorney

NORTH CAROLINA
DARE COUNTY

I, the undersigned Notary Public do hereby certify that _____ personally appeared before me and acknowledged that he / 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 him / her as its Deputy Town Clerk. Witness my hand and official stamp or seal, this _____ day of _____, 202_.

_____
(Signature)

_____, Notary Public
(Printed name)

My commission expires
_____

SEAL

Exhibit "A"

All that certain lot of land lying and being on the beach near Kill Devil Hills in Atlantic Township, Dare County, N.C. and known as, designated and being Lot No. 4, in Block 5, of the subdivision made by J.L. Foy, registered surveyor, August 1948, and duly recorded in Map Book 1, page 138, in the office of the Register of Deeds of Dare County, N.C. reference to which is hereby made for a more particular description of the lands herein described.

Local Historic Landmark Report
3208 North Virginia Dare Trail

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
   Wolcott Cottage

2. Location of the Property
   3208 North Virginia Dare Trail
   Pin #988513047617
   Attached is a copy of a Dare County Tax Map depicting the property.

3. Owner of the Property
   Lana Hobbs Wolcott
   929 Ditchley Rd
   Virginia Beach VA 23451

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 0800 page 0601. The property is shown on Dare County Tax Map 9885(13). The Tax Parcel number is 0000810000. Dare County tax Record is attached for reference.

6. Architectural Description of the Property
   The house located at 3208 North Virginia Dare Trail is comprised of a one-story single family structure with a flat membrane roof. The footprint is largely rectangular with a bump-out at the front for a covered porch and at the back for living area. The profile of the home is low and horizontal. In terms of materials, the house is a roughly troweled stucco finish. It is painted turquoise and there is no trim at the corners of the house The windows and doors are white with minimal white trim. The roof is a horizontal white band to match the windows.
   The front of the house faces East and is broken up with a covered entry porch that might have once been screened in. The stucco runs underneath the screen porch openings for a consistent look. Finally pressure treated shower is visible from the front step. Windows are paired double hung units. On the North side, there are additional double hung windows and bump-out from was at one time been a chimney. The West side is enclosed by a fence and has a door opening out on a wood deck at grade level. The South façade is similarly horizontal with several double hung windows.

7. Historic Discussion of the Property
The structure was built in 1952. Mr. and Mrs. Britton purchased the land in 1952 from Peter Peterson. It is located in the Orville Beach Subdivision, which was platted in 1948. The house was built as a second home and their primary residence was in Jackson, North Carolina. The Britton family did not rent out the house, it was just used by family and close friends. For many years this was one of the few houses along this block of NC12. The house was then sold in 1970 to the Dail family of Virginia. The Dail family owned the two adjacent houses to the north and south, and rented all three to vacationers in the summer. In 1992 it was then sold to the Wolcott family who has owned it since. The Wolcott family starting in 2020 winterized the house, and currently have it in a rental program.

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 1952 and served as a second home to H.A. and Rebie Britton of Northampton County, North Carolina. 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 design and build of the structure mirrors those of the first flat top houses in Southern Shores, built by developer Frank Stick. They were quick and affordable to build.
   B. *Integrity of the property's design, setting, workmanship, materials, feeling and/or association:* The property is well preserved and maintains its original character. There have been no changes to the original footprint of the structure since its construction. The architecture is typical of Outer Banks flat top style houses, which maintains its architectural integrity and historical associations. After WWII lumber was very expensive and unavailable to most people. The architectural design is based off of the larger flat top cottages in Southern Shores designed by Frank Stick, a pioneer developer on the Outer Banks. The house is approximately 936 square feet constructed of concrete block on slab with a flat roof. Because of the simple architectural designs, bright and vivant colors were utilized for individuality and aesthetics, which this house has maintained. The house has had minor interior upgrades, along with a new flat roof and HVAC units added in 2020. And existing roof top deck was removed during the reconstruction of the roof. 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 major physical changes since its construction in 1952. 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. Little has changed on the interior, the floor layout is still the original, an HVAC system was installed recently to provide comfort in the summer and winter months. The house and property provide a perfect example from that time period of the flat top style vacation houses. It remains in perfect condition, showing the lasting standard and excellence of both the construction methods and the craftsmanship. This structure would provide a great addition to

the Town's Local Historic Landmark inventory, as it is an unmodified example of an era of architecture and affordable development in the Town which lasted into the late 1970's.

10. Total Tax Value of the Property
Total value of the property is $328,100 according to the Dare County Tax Office.

11. Documentation of Historical Significance to the Town of Kill Devil Hills.
In the 1950s there were hundreds of structures of this type built in the Town of Kill Devil Hills. This size and style of house were marketed as affordable second homes for the working class. Orville Beach Subdivision was one of the earliest subdivisions in the Town. For many years the house did not have ocean front houses across the street until the early 1970s. The house has survived the Ash Wednesday Storm of 1962 with minimal damage. Other major storms that the structure survived include the Halloween Storm of 1991, and Hurricane Isabel in 2003. These major storms did little to no damage to the structure. The house has been a family vacation house for the past 30 years, mostly in the summer as it did not have heat, but prior to that was used as a seasonal rental property to families on summer vacation. The house remains one of original flat tops from the northern part of the Town of Kill Devil Hills, where few exist today.

12. Documentation of Architectural Significance to the Town of Kill Devil Hills.
The house is an original concrete block structure with stucco siding. The flat top style was copied from the flat tops designed and built by Frank Stick in Southern Shores. It is similar to a number of houses built in Kill Devil Hills in the 1950s whose design is unique to that time period for its architectural significance, with flat roofs and enclosed front porches. Concrete was used in the construction due to the short supply of lumber after WWII. The design was created both for its affordability and function, as concrete was very durable and helped keep the structure cool in the summer months. This style and size of homes introduced an era in Town that attracted the working class to the Outer Banks making it no longer just for the wealthy elites. This structure is in excellent condition and remains largely unchanged since it was constructed 50 years ago.

13. National Register Criteria met by Property
Non-Applicable

14. Documentation for Inclusion of Accompanying Land
The lots on which the structure is located provide an appropriate setting for the building.

Bibliography

1. Lana Hobbs Wolcott, has owned the house since 1992, currently lives in Virginia Beach, spoke to her by phone
2. Christopher Nason, AIA Beacon Architecture and Design, PLLC Conducted the architectural review, and author of the architectural descriptions, Item No. 6

CHAIN OF TITLE

1. THIS DEED made this the 8th day of July 1952 by Peter A. Peterson and wife Margaret Peterson of the County of Monmouth, State of New Jersey, parties of the first part, to H. A. Britton and wife, Rebie G. Britton, of Jackson, State of North Carolina as estate by the entireties, parties of the second part; All that certain lot of land lying and being on the beach near Kill Devil Hills in Atlantic Township, Dare County, N.C. and known as, designated and being Lot No. 4, in Block 5, of the subdivision known as Orville Beach. Map or Plat of said subdivision made by J.L. Foy, registered surveyor, August 1948, and duly recorded in Map Book 1, page 138, in the office of the Register of Deeds of Dare County, N.C., reference to which is hereby made for a more particular description of the lands above described.
2. THIS DEED, made the 17th day of August, 1970, by H.A. Britton and wife, Rebie G. Britton of Northhampton County, North Carolina, parties of the first part, to Robert C. Dail of the State of Virginia, party of the second part; Tract No. 1: All that certain lot of land lying and being on the beach near Kill Devil Hills in Atlantic Township, Dare County, N.C. and known as, designated and being Lot No. 4, in Block 5, of the subdivision known as Orville Beach. Map or Plat of said subdivision made by J.L. Foy, registered surveyor, August 1948, and duly recorded in Map Book 1, page 138, in the office of the Register of Deeds of Dare County, N.C., reference to which is hereby made for a more particular description of the lands above described. It being identical property conveyed to H.A. Britton and wife, Rebie G. Britton by deed of Peter A. Petersen and wife, Margaret Petersen, dated July 8, 1952 and recorded in Book 44, Page 225, Dare County Public Registry.
3. THIS DEED, made this 22nd day of January 1971, by as Grantors, Robert C. Dail and wife Carrie R. Dail, as Grantors, whether one or more, to Robert C. Dail and wife, Carrie R. Dail, as tenants by the entirety, of 224 Waller Mill Road, Williamsburg, Virginia 23185, as Grantees, whether one or more; All those certain lots together with the improvements thereon designated and being Lots No. 4, 5, and 6, of Block 5, of the subdivision known as Orville Beach. Map or Plat of said subdivision made by J.L. Foy, registered surveyor, August 1948, and duly recorded in Map Book 1, page 138, in the office of the Register of Deeds of Dare County, N.C., reference to which is hereby made for a more particular description of the lands herein described. It being the same lands conveyed to Robert C. Dail by deed of H. A. Britton et ux recorded in Book 168, 163, Public Registry of Dare County, North Carolina.
4. THIS DEED made this 5th day of May 1992, by and between GRANTOR CARRIE R. DAIL, widowed and not remarried GRANTEE LANA HOBBS WOLCOTT 929 Ditchley Road Virginia Beach, Virginia 23451. All that certain lot of land lying and being on the beach near Kill Devil Hills in Atlantic Township, Dare County, N.C. and known as, designated and being Lot No. 4, in Block 5, of the subdivision known as Orville Beach. Map or Plat of said subdivision made by J.L. Foy, registered surveyor, August 1948, and duly recorded in Map

Book 1, page 138, in the office of the Register of Deeds of Dare County, N.C., reference to which is hereby made for a more particular description of the lands herein described.

County of Dare, North Carolina

*Owner and Parcel information is based on current data on file and was last updated on October 08 2021

Primary (100%) Owner Information:
WOLCOTT, LANA HOBBS
929 DITCHLEY RD
VIRGINIA BEACH VA 23451

Parcel Information:
Parcel: 000081000 PIN: 988513047617
District: 07- KILL DEVIL HILLS
Subdivision: ORVILLE BEACH BLK 5
LotBlkSect: LOT: 4 BLK: 5 SEC:
Multiple Lots: -
PlatCabSlide: PL: 1 SL: 138A Units: 1
Deed Date: 05/06/1992
BkPg: 0800/0601
Parcel Status: ACTIVE

Property Use: RESIDENTIAL

3208 N VA DARE TRL

BUILDING USE & FEATURES	**Tax Year Bldg Value: $84,600**	**Next Year Bldg Value: $84,800**
Building Use:	FLAT ROOF	
Exterior Walls:	STUCCO	**Actual Year Built:** 1930
Full Baths:	1 Half Baths: 0	
Bedrooms:	3	
Heat-Fuel:	3 - ELECTRIC	
Heat-Type:	2 - FORCED AIR	**Finished sqft for building 1:** 936
Air Conditioning:	4 -CENTRAL W/AC	**Total Finished SqFt for all bldgs:** 936

MISCELLANEOUS USE	**Tax Year Misc Value: $3,500**	**Next Year Misc Value: $3,500**

Misc Bldg a: (RS1) FRAME UTILITY SHED Year Built: 2008 sqft: 240

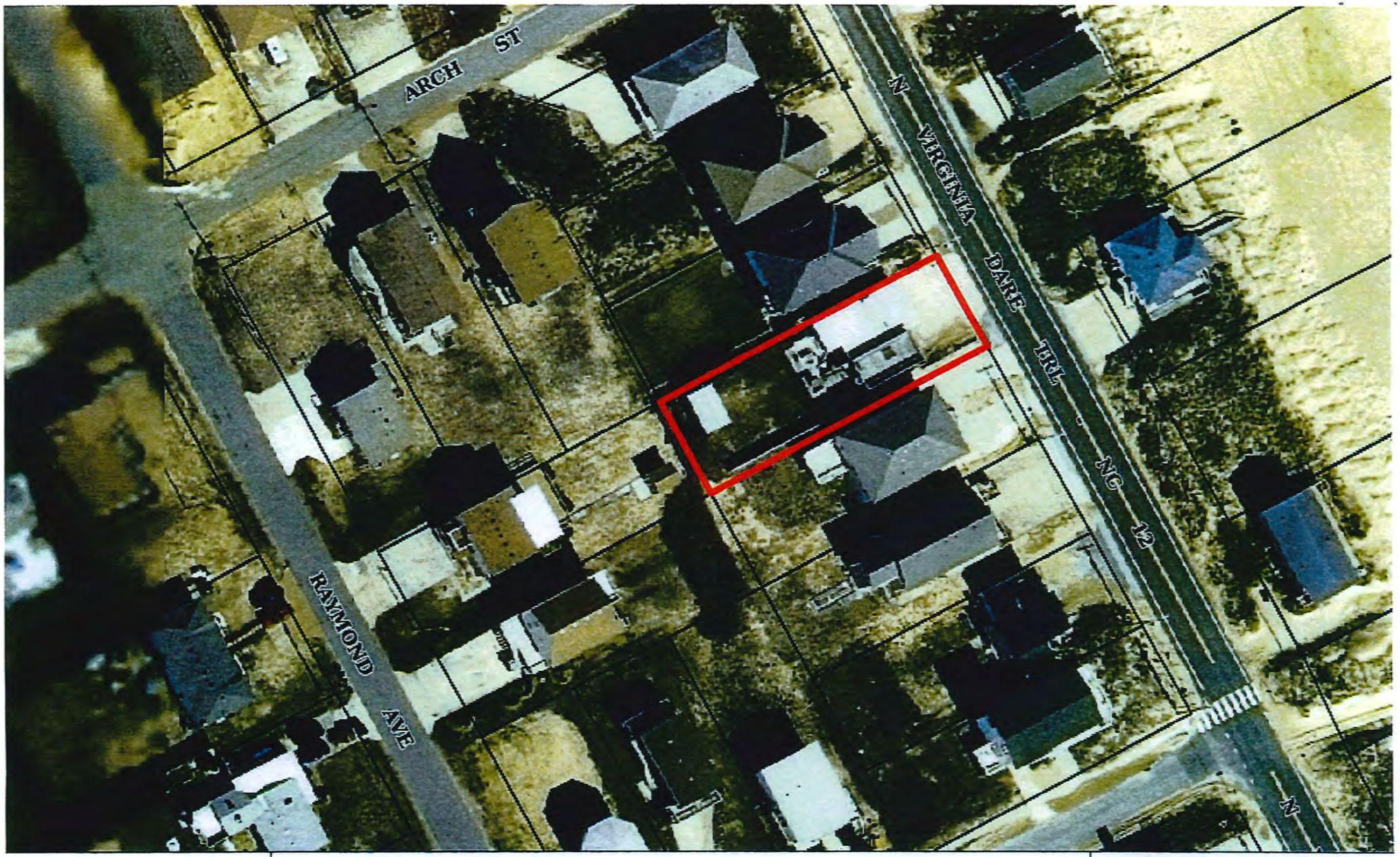
LAND USE	**Tax Year Land Value: $240,000**	**Next Year Land Value: $240,000**

Land Description : 07-Residential Beach Rd

TOTAL LAND AREA: 7500.00 square feet

Tax Year Total Value: $328,100 **Next Year Total Value: $328,300**

**Values shown are on file as of October 08 2021*



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

3208 N Va Dare TRL
Kill Devil Hills NC, 27948
Parcel: 000081000
Pin: 988513047617

Owners: Wolcott, Lana Hobbs - Primary Owner

Building Value: $84,600
Land Value: $240,000
Misc Value: $3,500
Total Value: $328,100

Tax District: Kill Devil Hills
Subdivision: Orville Beach Blk 5
Lot BLK-Sec: Lot: 4 Blk: 5 Sec:
Property Use: Residential
Building Type: Flat Roof
Year Built: 1930

North Carolina Department of Natural and Cultural Resources
State Historic Preservation Office
Ramona M. Bartos, Administrator

Governor Roy Cooper
Secretary D. Reid Wilson

Office of Archives and History
Deputy Secretary Darin J. Waters, Ph.D.

October 28, 2021

Ryan Lang, Senior Planner
Town of Kill Devil Hills
102 Town Hall Dr.
Kill Devil Hills, NC 27948

Via email: rlang@kdhnc.com

RE: Proposed Designation of the **Wolcott Cottage 3208 N. Virginia Dare Trail, Kill Devil Hills, Dare County.**

Dear Mr. Lang:

Thank you for submitting the report for the **Wolcott Cottage 3208 N. Virginia Dare Trail, Kill Devil Hills, Dare County.** We have reviewed the information in the report and offer the following comments in accordance with North Carolina General Statute 160D-946.

According to the report, the Wolcott Cottage is one of the best existing examples of vacation homes built in this style in Kill Devil Hills in Orville Beach subdivision, an area built for its affordability for the working class. The one-story cottage, built in 1952, was in the Frank Stick style flat top designed houses.

We have shared recommendations with staff to perform some changes to the report. With these changes, we believe the designation report will provide the preservation commission and local governing board sufficient information to determine whether the Wolcott Cottage possesses the requisite special local significance and integrity for local historic landmark designation.

Landmark designation means the community recognizes the property is worthy of preservation because of its special significance to the local community. Any substantial changes in design, materials, and appearance to the property is subject to the design review procedures of the preservation commission.

Thank you for the opportunity to comment on the report. Please note, our comments are advisory only and therefore, non-binding. Once the governing board has received a recommendation from the Kill Devil Hills Historic Landmarks Commission, it should proceed in the same manner as would otherwise be required for an amendment to the zoning ordinance. Once a decision has been made, please return a completed copy of the attached form to our office.

This letter serves as our comments on the proposed designation of the Wolcott Cottage 3208 N. Virginia Dare Trail, Kill Devil Hills, Dare County.

Please contact me at Kristi.brantley@ncdcr.gov (preferred) or at 919-814-6576 should you have any questions about our comments.

Sincerely,

Kristi Brantley

Kristi Brantley
Local Preservation Commissions/CLG Coordinator

CC: Commission Chair

Enclosure