

ORDINANCE NO. 20-17

**AN ORDINANCE DESIGNATING PROPERTY LOCATED AT
606 NORTH MEMORIAL BOULEVARD AND KNOWN AS
DIANE BAUM COTTAGE AS A LOCAL HISTORIC LANDMARK**

WHEREAS, prerequisites to the adoption of this ordinance as prescribed in Part 3C, Chapters 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 November 18, 2024 and considered the recommendations of the North Carolina Department of Cultural Resources on the question of designating the property located at 606 North Memorial Boulevard, Kill Devil Hills, known as Diane Baum Cottage, as a local historic landmark; and

WHEREAS, the structure known as Diane Baum Cottage is located in the Kitty Hawk Shores Subdivision and is one of the first residential structures to be built in the vicinity of the Wright Brothers Monument; and

WHEREAS, the structure known as Diane Baum Cottage is of historic, architectural, and cultural significance in that it embodies the distinctive architectural characteristics of an Outer Banks flat top; and

WHEREAS, the structure known as Diane Baum Cottage was constructed in 1953 by Diane Baum who was a pioneer visionary in Kill Devil Hills; and

WHEREAS, the structure known as Diane Baum Cottage is one of Kitty Hawk Shores Subdivision's first and original remaining flat tops from that era; and

Adopted Ordinance designating property located at
606 North Memorial Boulevard and known as Diane Baum Cottage
as a Kill Devil Hills Local Historic Landmark

WHEREAS, the structure known as Diane Baum Cottage maintains its original integrity of design, setting, workmanship, feeling, and association on both the exterior architecture and interior finishes; and

WHEREAS, the structure known as Diane Baum Cottage maintains its original architectural appearance with concrete block exterior, a covered porch, and flat top roof; and

WHEREAS, the structure known as Diane Baum Cottage survived the Ash Wednesday Storm of 1962 with little damage, as well as other multiple hurricanes and nor'easters that caused major damage to surrounding structures, and a major tornado that destroyed property within the area; and

WHEREAS, the structure known as Diane Baum Cottage was built in the first era in Town that attracted working class to the Outer Banks; and

WHEREAS, although Diane Baum Cottage has undergone no additions since its construction, there have been upgrades; however, the house maintains the original floor plan layout; and

WHEREAS, the structure known as Diane Baum Cottage is one of the best examples of this type of architecture built in the time period, as well as the enclosed porch and flat roof synonymous with Outer Banks flat tops; and

WHEREAS, the location of Diane Baum Cottage in the Kitty Hawk Shores Subdivision with a clear view of Wright Brothers National Monument 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 606 North Memorial Boulevard in the Town of Kill Devil Hills is hereby designated as a local historic landmark pursuant to N.C.G.S. Chapters 160D-945 & 946. The property is presently owned by John Masters, Donald Whiting, and Debra Whiting and is identified on Dare County Tax Maps as Pin No. 988419711959 and is further described on Exhibit A attached hereto and made a part hereof.
2. The significant features of the building located on this 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-945 & 946.

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

Adopted Ordinance designating property located at
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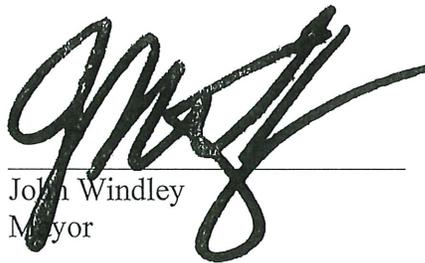
For purposes of this designation, “significant features” shall be understood to include:

- 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 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 “Diane Baum 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 18th day of November, 2024, by a vote of 5 in favor and 0 opposed.

SEAL





John Windley
Mayor

ATTEST:



James Michael O'Dell
Town Clerk

Adopted Ordinance designating property located at
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as a Kill Devil Hills Local Historic Landmark

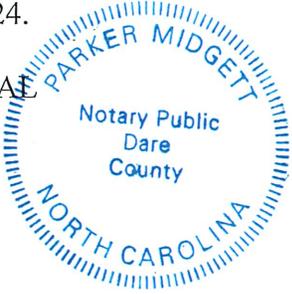
APPROVED AS TO FORM:

Casey C. Varnell
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 19th day of NOVEMBER, 2024.

SEAL



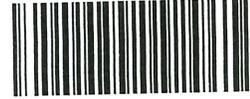
Parker Midgett
Notary Public

My commission expires 5/22/2028

Recorded: 12/06/2024 04:50:22 PM
BY: ASHTON HEADRICK
Cheryl L. House, Register of Deeds
Dare County, NC
Fee Amt: \$26.00 NC Excise Tax: \$0.00
Land Transfer Fee: \$0.00

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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

Assistant Director of
Planning and Inspections
CAMERON RAY

Senior Planner
RYAN LANG

Permit Services Administrator
MICHELLE NICHOLS

PLANNING DEPARTMENT

PREPARED BY AND

RETURN TO: Town of Kill Devil Hills

P.O. Box 1719

Kill Devil Hills, North Carolina 27948

GRANTOR:

Masters, John
Whiting, Donald
Whiting, Debra _____ (OWNER NAME)

GRANTEE:

Masters, John
Whiting, Donald
Whiting, Debra _____ (OWNER NAME)

DOCUMENT DESCRIPTION:

ORDINANCE DESIGNATING PROPERTY LOCATED AT 606 N. Memorial BLVD.
KNOWN AS Dianne Baum Cottage AS A LOCAL HISTORIC LANDMARK