

Recorded: 08/23/2019 02:06:04 PM  
BY: TONI MIDGETT  
Cheryl L. House, Register of Deeds  
Dare County, NC

Fee Amt: \$26.00 NC Excise Tax: \$0.00

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Return To: Town of Southern Shores  
5375 N Virginia Dare Trail  
Southern Shores, NC 27949



## Town of Southern Shores

5375 N. Virginia Dare Trail, Southern Shores, NC 27949  
Phone 252-261-2394 / Fax 252-255-0876  
[www.southernshores-nc.gov](http://www.southernshores-nc.gov)

ORDINANCE 2019-08-01

### ORDINANCE DESIGNATING THE PROPERTY AND STRUCTURE LOCATED AT 218 OCEAN BLVD. AS A HISTORIC LANDMARK

WHEREAS, all of the prerequisites to the adoption of this ordinance prescribed in Part 3C Article 19, Chapter 160A (Historic Districts and Landmarks) of the General Statutes of North Carolina and an ordinance creating the Southern Shores Historic Landmarks Commission (the "Historic Landmark Designation and Historic Landmarks Commission Ordinance") have been met and;

WHEREAS, Southern Shores Historic Landmarks Commission has undertaken an inventory of properties of historical, architectural, prehistoric and cultural significance within the Town of Southern Shores caused to be made an investigation and report on the historic, architectural, prehistoric, educational or cultural significance of the property known as The Clarke Cottage, located at 218 Ocean Blvd. in the Town of Southern Shores; and

WHEREAS, a written application was received from one of the record owners of the property requesting the property be designated as a historic landmark; and

WHEREAS, the Southern Shores Historic Landmarks Commission held a public hearing on July 23, 2019 to consider designating The Mackey Cottage, located at 218 Ocean Blvd. as a historic landmark; and

WHEREAS, the Southern Shores Town Council has taken into full consideration all statements and information in the application and the designation report prepared for the Southern Shores Historic Landmarks Commission and presented to the Southern Shores Town Council on the 6<sup>th</sup> day of August, 2019, on the question of designating the property known as The Mackey Cottage, located at 218 Ocean Blvd. currently owned by G. Wilmer Mackey and Mackey Properties Limited Partnership as a historic landmark, and

WHEREAS, the property known as The Mackey Cottage, located at 218 Ocean Blvd. in the Town of Southern Shores and more particularly described as the house and lots shown as Lots 20 & 21, Block 28, Section 3, as shown and described in Exhibit A attached hereto, remains as an excellent example of the Flat Top vacation house form designed by famed Outer Banks developer Frank Stick; and

WHEREAS, the property known as The Mackey Cottage, located at 218 Ocean Blvd. in the Town of Southern Shores is a prime example of the Flat Top inspiration that Frank Stick brought to Dare County in the late 1940s; and

WHEREAS, The Mackey Cottage, located at 218 Ocean Blvd. in the Town of Southern Shores was developed in 1955 which incorporated the Flat Top roof design inspired by preexisting properties developed by Frank Stick; and

WHEREAS, the Southern Shores Historic Landmarks Commission has recognized the special significance of The Mackey Cottage in terms of its historical, prehistoric, design, setting, workmanship, materials, feeling and/or association and has recommended that the property be designated a "historic landmark" as outlined in Section 17-3 of the Historic Landmark Designation and Historic Landmarks Commission Ordinance; and

WHEREAS, the Division of Archives and History of the North Carolina Department of Cultural Resources has reviewed and commented on the application and designation report for the Sokol House.

NOW, THEREFORE BE IT ORDAINED by the Southern Shores Town Council that:

Section 1. The property and structure known as The Mackey Cottage, located at 218 Ocean Blvd. in the Town of Southern Shores, North Carolina jurisdictional area, more particularly described in Exhibit A, is hereby designated a historic landmark pursuant to Part 3C, Article 19, Chapter 160A of the General Statutes of North Carolina and the Southern Shores Historic Landmark Designation and Historic Landmarks Commission Ordinance.

Section 2. The owner(s) and occupants (s) of the property known as The Mackey Cottage be given notice of this ordinance as required by applicable law and that a copy of this ordinance be filed and indexed in the office of the Register of Deeds of Dare County, as required by applicable law.

Section 3. In accordance with Part 3C, Article 19, Chapter 160A of the General Statutes of North Carolina and Southern Shores Historic Landmark Designation and Historic Landmarks Commission Ordinance, a second copy of the ordinance shall be kept on file in the office of the Southern Shores Town Clerk and be made available for public inspection at any reasonable time. A third copy of the ordinance and all amendments thereto shall be kept on file with the Southern Shores Planning and Code Enforcement Department.

Section 4. In accordance with Part 3C, Article 19, Chapter 160A of the General Statutes of North Carolina and the Southern Shores Historic Landmark Designation and Historic Landmarks Commission Ordinance, the exterior and site features of all historic landmarks are always under the purview of the Southern Shores Historic Landmarks Commission's Certificate of Appropriateness provisions.

Section 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 6. Any part of the ordinance determined by a court of competent jurisdiction to be in violation of any law or constitutional provision shall be deemed severable and shall not affect the validity of the remained.


Section 7. In the event the demolition, removal, or destruction of the property is authorized as provided by law, such action may be delayed up to 365 days as provided by Section 17-9 of the Historic Landmark Designation and Historic Landmarks Commission Ordinance.

Section 8. This ordinance shall become effective immediately upon its adoption.

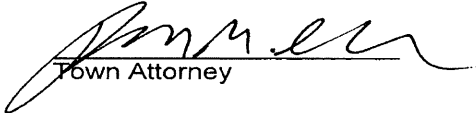
ATTEST:

  
Thomas G. Bennett, Mayor



  
Sheila Kane, Town Clerk

APPROVED AS TO FORM:

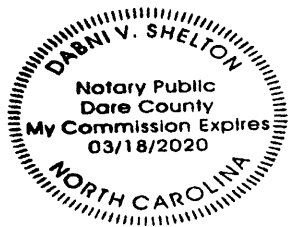
  
Town Attorney

Date Adopted: 08/06/2019

Motion to adopt by Council Member: McDonald


Motion seconded by Council Member: Nason

Vote: 5 Ayes 0 Nays



North Carolina-Dare County  
I, a notary public of the aforesaid County  
and State, do hereby certify that  
Thomas G. Bennett, Mayor and Sheila Kane,  
Town Clerk of the Town of Southern Shores,  
personally, appeared and signed the foregoing  
instrument

This the 14<sup>th</sup> day of August 2019

Notary Signature:   
Notary Name  
(print): Dabni V Shelton  
My commission expires: 03/18/2020



This map may not be a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations and has not been reviewed for compliance with recording requirements for plats.



The map is prepared from data used for the inventory of the real property for the purposes. For many information sources such as recorded deeds, plats, etc., and other primary public records should be consulted for verification of the information.

218 Ocean Blvd  
Southern Shores NC, 27949  
Parcel: 022077000  
Pin: 986819622325

Owners: Mackey, G Wilmer  
Markey Properties Limited Partnership  
Building Value: \$76,500  
Land Value: \$882,100  
Misc Value: \$1,100  
Total Value: \$959,700

Tax District: Southern Shores  
Subdivision: SoSh Amended Plat B Sec 3  
Rev  
Lot BLK-Sec: Lot 70 21 Blk 28 Sec 3  
Property Use: Residential  
Building Type: Flat Roof  
Year Built: 1955

