



# Town of Southern Shores

5375 N. Virginia Dare Trail, Southern Shores, NC 27949

Phone 252-261-2394 / Fax 252-255-0876

info@southernshores-nc.gov

www.southernshores-nc.gov

## PLANNING BOARD GENERAL APPLICATION FORM TOWN OF SOUTHERN SHORES, NC 27949

**Date:** 8/18/23      **Filing Fee:** \$200      **Receipt No. N/A**      **Application No. ZTA-23-05**

**NOTE:** The Planning Board will follow the specific provisions of the Zoning Ordinance Chapter 36. Article X Administration and Enforcement, Section 36-299.

Please check the applicable Chapter/Article:

- Chapter 30. Subdivisions-Town Code
- Chapter 36. Article VII. Schedule of District Regulations. Section 36-207 C-General Commercial District
- Chapter 36. Article IX. Planned Unit Development (PUD)
- Chapter 36. Article X. Administration and Enforcement, Section 36-299 (b) Application for Building Permits and Site Plan Review other than one and two family dwelling units \*
- Chapter 36. Article X. Section 36-300-Application for Permit for Conditional Use
- Chapter 36. Article X. Section 36-303 Fees
- Chapter 36. Article X. Section 36-304-Vested Rights
- Chapter 36. Article XIV. Changes and Amendments

**Certification and Standing:** As applicant of standing for project to be reviewed I certify that the information on this application is complete and accurate.

### Applicant

Name Town of Southern Shores

Address: 5375 N. Virginia Dare Trl.  
Southern Shores, NC 27949

Phone (252) 261-2394 Email whaskett@southernshores-nc.gov

### Applicant's Representative (if any)

Name \_\_\_\_\_

Agent, Contractor, Other (Circle one)

Address \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

**Property Involved:** \_\_\_ Southern Shores \_\_\_ Martin's Point (Commercial only)

Address: \_\_\_\_\_ Zoning district \_\_\_\_\_

Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_ Lot size (sq.ft.) \_\_\_\_\_

**Request:** \_\_\_ Site Plan Review \_\_\_ Final Site Plan Review \_\_\_ Conditional Use \_\_\_ Permitted Use  
\_\_\_ PUD (Planned Unit Development) \_\_\_ Subdivision Ordinance \_\_\_ Vested Right \_\_\_ Variance

**Change To:** \_\_\_ Zoning Map **X** \_\_\_ Zoning Ordinance

Wm Heath  
Signature

8-18-23  
Date

\* Attach supporting documentation.



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ZTA-23-05

4-5-24

Ordinance 2023-XX-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES  
OF THE TOWN OF SOUTHERN SHORES, NORTH CAROLINA

**ARTICLE I. Purpose(s) and Authority.**

**WHEREAS**, pursuant to N.C.G.S. § 160D-701, the Town of Southern Shores (the “Town”) may enact and amend ordinances regulating the zoning and development of land within its jurisdiction. Pursuant to this authority and the additional authority granted by N.C.G.S. § 160D-702, the Town has adopted a comprehensive zoning ordinance (the “Town’s Zoning Ordinance”) and has codified the same as Chapter 36 of the Town’s Code of Ordinances (the “Town Code”); and

**WHEREAS**, the Town further finds that in accordance with the findings above it is in the interest of and not contrary to the public's health, safety, and general welfare for the Town to amend the Town’s Zoning Ordinance as stated below.

**ARTICLE II. Construction.**

For purposes of this ordinance amendment, underlined words (underline) shall be considered as additions to existing Town Code language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Any portions of the adopted Town Code which are not repeated herein, but are instead replaced by an ellipses (“...”) shall remain as they currently exist within the Town Code.

**ARTICLE III. Amendment of Subdivision Ordinance and Zoning Ordinance.**

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Southern Shores, North Carolina, that the Town Code shall be amended as follows:

**PART I.** That **Sec. 30-2 Definitions.** Be amended as follows:

...

~~*Building setback line* means the line within a property defining the required minimum distance between any building and the adjacent right of way or lot.~~

1 ...

2

3 Lot width line means a line established 25 feet from the front lot line, or the point  
4 where the lot is 100 feet wide, whichever distance is closer to the front lot line.

5

6 ...

7

8 Yard means a required open space, other than a court, unoccupied and unobstructed  
9 by any structure or portion of a structure, from 30 inches above the ground level of the  
10 graded lot upward, provided, however, that eaves, fences, walls, poles, posts, ocean dune  
11 platforms, walks, accessible ramps, steps and other customary yard accessories,  
12 ornaments, and furniture may be permitted in any yard subject to height limitations and  
13 requirements limiting obstruction of visibility or any other requirements of this chapter.

14 (1) Yard, front. A yard extending between side lot lines across the front of a lot  
15 adjoining the public street. Depth of required front yard shall be measured at  
16 right angles to a straight line joining the foremost points of the side lot lines.  
17 The foremost point of the side lot line, in the case of rounded property corners  
18 at street intersections, shall be assumed to be the point at which the side and  
19 front lot lines would have met without such rounding. Front and rear yard lines  
20 shall be essentially parallel.

21 (2) Yard, rear. A yard extending across the rear of the lot between side lot lines.  
22 Depth of a required rear yard shall be measured in such a manner that the yard  
23 established is a strip of the minimum width required by district regulations with  
24 its inner edge parallel with the rear lot line.

25 (3) Yard, side. A yard extending from the rear line of the required front yard to the  
26 rear yard. Width of a required side yard shall be measured in such a manner  
27 that the yard established is a strip of the minimum width required by district  
28 regulations with its inner edge parallel with the side lot line.

29

30 **PART II.** That Sec. 30-124 Preliminary Plat. Be amended as follows:

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32 ...

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34 (10) Proposed minimum building setback lines lot width line.

35

36 ...

37

38 (15) Proposed yards.

39

40 **PART III.** That Sec. 36-57 Definition of specific terms and words. Be amended as  
41 follows:

1  
2 **Sec. 36-57. Definition of specific terms and words.**

3  
4 ...

5  
6 ~~*Building setback line* means a line parallel to or concentric with the street right-of-~~  
7 ~~way establishing the minimum allowable distance between such right-of-way and the~~  
8 ~~nearest portion of any building, excluding the outermost three feet of any uncovered~~  
9 ~~porches, steps, gutters and similar fixtures.~~

10  
11 ~~*Lot width* means the width of a lot at the required lot width line minimum horizontal~~  
12 ~~distance between the side lot lines of a lot measured from the front lot line at right angles~~  
13 ~~to the rear lot line.~~

14  
15 ~~*Lot width line* means a line established 25 feet from the front lot line, or the point~~  
16 ~~where the lot is 100 feet wide, whichever distance is closer to the front lot line.~~

17  
18 ...

19  
20 **PART IV. That Sec. 36-202. RS-1 single-family residential district. Be amended as**  
21 **follows:**

22  
23 **Sec. 36-202. RS-1 single-family residential district.**

24  
25 ...

26  
27 (d) *Dimensional requirements.*

28 (1) Minimum lot size: 20,000 square feet.

29 (2) Minimum lot width for lots created after June 6, 2023: 100 feet (measured at  
30 the lot width line ~~from the front lot line at right angles to the rear lot line).~~

31  
32 ...

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34 **PART V. That Sec. 36-203. RS-8 multifamily residential district. Be amended as**  
35 **follows:**

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37 **Sec. 36-203. RS-8 multifamily residential district.**

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41 (d) *Dimensional requirements.*

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(2) Minimum lot width for lots created after June 6, 2023: 75 feet (measured at the lot width line from the front lot line at right angles to the rear lot line).

...

**PART VI.** That **Sec. 36-204. RS-10 residential district.** Be amended as follows:

**Sec. 36-204. RS-10 residential district.**

...

(d) *Dimensional requirements.*

...

(2) Minimum lot width for lots created after June 6, 2023: 75 feet (measured at the lot width line from the front lot line at right angles to the rear lot line).

...

**PART VII.** That **Sec. 36-205. R-1 low-density residential district.** Be amended as follows:

**Sec. 36-205. R-1 low-density residential district.**

...

(d) *Dimensional requirements.*

...

(2) Minimum lot width for lots created after June 6, 2023: 100 feet (measured at the lot width line from the front lot line at right angles to the rear lot line).

...

**PART VIII.** That **Sec. 36-206. Government and institutional district.** Be amended as follows:

**Sec. 36-206. Government and institutional district.**

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(d) *Dimensional requirements.*

(2) Minimum lot width for lots created after June 6, 2023: 50 feet (measured at the lot width line ~~from the front lot line at right angles to the rear lot line~~).

**ARTICLE IV. Statement of Consistency with Comprehensive Plan and Reasonableness.**

The Town’s adoption of this ordinance amendment is consistent with the Town’s adopted comprehensive zoning ordinance, land use plan and any other officially adopted plan that is applicable. For all of the above-stated reasons and any additional reasons supporting the Town’s adoption of this ordinance amendment, the Town considers the adoption of this ordinance amendment to be reasonable and in the public interest.

**ARTICLE V. Severability.**

All Town ordinances or parts of ordinances in conflict with this ordinance amendment are hereby repealed. Should a court of competent jurisdiction declare this ordinance amendment or any part thereof to be invalid, such decision shall not affect the remaining provisions of this ordinance amendment nor the Zoning Ordinance or Town Code of the Town of Southern Shores, North Carolina which shall remain in full force and effect.

**ARTICLE VI. Effective Date.**

This ordinance amendment shall be in full force and effect from and after the \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Elizabeth Morey, Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_

1 Town Attorney

2

3 Date adopted:

4

5

6 \_\_\_\_\_  
Motion to adopt by Councilmember:

7

8 \_\_\_\_\_  
Motion seconded by Councilmember:

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Vote: \_\_\_AYES\_\_\_NAYS