



**TOWN OF SOUTHERN SHORES**  
**TOWN COUNCIL REGULAR MEETING**

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)

**PITTS CENTER**

**Tuesday, June 06, 2023 at 5:30 PM**

---

## **ACTION ITEMS**

### **Call Meeting to Order**

Pledge of Allegiance

Moment of Silence

Approval of Agenda

**Motion: Council Member Sherlock**

**Second: Council member Holland**

**Vote: 5-0**

### **Consent Agenda**

1. Minute Approval
2. Budget Amendments
3. Budget Amendment- Capital Project Ordinance Budget Amendment #3
4. 2023 Street Improvement Projects Bid Award & Budget Amendment
5. Tax Pickups & Releases

**Motion: Council Member Holland**

**Second: Council Member Sherlock**

**Vote: 5-0**

### **Business**

6. Public Hearing-ZTA-22-08, a Zoning Text Amendment application submitted by Casey Varnell on behalf of Pledger Palace, CDEC, Inc. to amend Town Code Sections 36-57 and 36-207(b) to allow Shared space-Occupancy Dwellings in the Commercial zoning district.

**Motion: Council Member Sherlock moved to deny ZTA-22-08 for all reasons council discussed and that a ZTA is not appropriate in this case.**

**Second: Mayor Morey**

**Vote: 5-0**

**Motion: Mayor Morey moved to include a statement as part of the action to deny ZTA -22-08; the action that council just took to deny ZTA 22-08 is consistent with our Land Use Plan.**

**Second: Council Member Holland**

**Vote: 5-0**

7. Public Hearing-on ZTA-23-04, a Zoning Text Amendment application submitted by Matthew Huband to amend Town Code Sections 36-207(c)(1)b., 36-207(c)(1.5)b., 36-207(c)(11)j., 36-207(c)(11)k., 36-207(d)(7), and 36-207(d)(8) to establish a 50 ft. setback requirement for restaurants from planned unit developments, a 50 ft. setback requirement for drive-through facilities or establishments (small) from planned unit developments, a 50 ft. setback requirement for mixed use group developments from planned unit developments and residential districts, a 50 ft. setback requirement for commercial buildings and facilities from planned unit developments, a 20 ft. buffer requirement where a mixed use group development abuts a residential district or planned unit

development, and a 20 ft. buffer requirement where a commercial use or zone abuts a residential district or planned unit development.

**Motion: Council Member Batenic moved to deny ZTA-23-04 as presented and even though it is in compliance with the current Land Use Plan.**

**Second: Mayor pro tem Neal**

**Vote: 5-0**

8. Public Hearing-ZTA-23-03, a Zoning Text Amendment application submitted by the Town of Southern Shores to amend Town Code Sections 36-57, 36-202(d)(2), 36-203(d)(2), 36-204(d)(2), 36-205(d)(2), and 36-206(d)(2) to clarify the Town's current lot width requirements.

**Motion: Mayor pro tem Neal moved to deny ZTA-23-03 with the recommendation to send it back to the Planning Board specifically addressing the setback requirement and the location of that setback requirement.**

**Second: Council Member Sherlock**

**Vote: 2-3, Opposed by Council Members Holland & Batenic & Mayor**

The Town Attorney asked if there was a motion in the alternative.

**MOTION: Mayor Morey moved to approve ZTA-23-03 and acknowledge it is consistent with the Land Use Plan.**

**Second: Council Member Batenic**

**Vote: 3-2, opposed by Mayor pro tem Neal and Council Member Sherlock**

9. Town Manager's Recommended Budget FY2023-2024 -

a. Public Hearing -purpose of receiving input from citizens wishing to comment on the proposed budget for FY2023-2024

b. Consideration of Budget Ordinance #2023.06.01

c. Amendment to the Unreserved Fund Balance Policy

**Motion: Mayor Morey moved to adopt budget ordinance 2023.06.01 as presented (Budget Ordinance FY 2023-2024 Budget)**

**Second: Council Member Holland**

**Vote: 5-0**

**Motion: Mayor Morey moved to approve budget amendment #36 in the amount of 25,000 from the ARP funds and applied towards the canal maintenance -capital reserve fund.**

**Second: Council Member Holland**

**Vote: 5-0**

**Motion: Mayor Morey moved to adopt the amendments to the personnel policy as presented.**

**Second: Council Member Sherlock**

**Vote: 5-0**

**Motion: Mayor Morey moved to amend the fund balance policy as presented by Town Manager Ogburn on June 6, 2023.**

**Second: Council Member Batenic**

**Vote: 5-0**

10. Consideration of Town Hall Complex Building Maintenance Contract Award & Budget Amendment

11. Consideration of Contract Amendment-HREM

**Motion: Council Member Holland moved to approve the HREM Attorney contract amendment as presented.**

**Second: Council Member Batenic**

**Vote: 5-0**

12. Beach Nourishment Monitoring Agreement-CPE

**Motion: Council Member Batenic moved to authorize the town manager to sign the proposal for 2023 annual monitoring service with CPE.**

**Second: Council Member Holland**

**Vote: 5-0**

13. Planning Board Appointment

**Motion: Council Member Holland moved to reappoint Ed Lawler with a term that will expire June 30, 2026.**

**Second: Council Member Sherlock**

**Vote: 5-0**

14. Discussion / Consideration of Speed Bumps

Council Business

**Motion: Mayor Morey moved to amend the agenda and delay items #10 and #14 until June 20th at 9:00 a.m. and add N.C.G.S. § 143-318.11(a)(3) attorney Client privileged to the closed session.**

**Second: Council Member Batenic**

**Vote: 5-0**

Closed Session- pursuant to N.C.G.S. § 143-318.11(a)(5) & N.C.G.S. § 143-318.11(a)(5)

**Motion: Council Member Batenic moved to go into closed session pursuant to N.C.G.S. § 143-318.11(a)(5) & N.C.G.S. § 143-318.11(a)(5)**

**Second: Mayor Morey**

**Vote: 5-0**

Adjourn

**Motion: Council Member Holland moved to adjourn the meeting at 8:50 p.m**

**Second: Council Member Batenic**

**Vote: 5-0**