



# 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: 3/16/2018

Filing Fee: \$200

Receipt No. N/A Application No. 27A-18-03

**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 Southern Shores Volunteer Fire Dept  
Address: 15 S. Dogwood Trail  
Southern Shores, NC 27949  
Phone 252/261-2272 Email elimbacher112@gmail.com

### Applicant's Representative (if any)

Name Edward Limbacher  
Agent, Contractor, Other (Circle one)  
Address 15 S. Dogwood Trail  
Southern Shores, NC 27949  
Phone 252/489-1529 Email elimbacher112@gmail.com

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

Address: 15 S. Dogwood Trail 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  Zoning Ordinance

  
\_\_\_\_\_  
Signature

3-16-2018  
\_\_\_\_\_  
Date

\* Attach supporting documentation.



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ZTA-18-03

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. § 160A-381, the Town of Southern Shores (the "Town") may enact and amend ordinances regulating the zoning and development of land within its jurisdiction and specifically the location and use of buildings, structures and land. Pursuant to this authority and the additional authority granted by N.C.G.S. Chap. 160A, Art. 19 et. seq, 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**, pursuant to N.C.G.S. § 160A-174 the Town may also enact and amend ordinances that define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the Town; 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, morals and general welfare for the Town to amend the Town's Zoning Ordinance and Town Code of Ordinances 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 Zoning Ordinance.**

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Southern Shores, North Carolina, that Section 36-163 the Town Code shall be amended as follows:

**PART I.** That Town Code Sec. 36-163, (1) be amended as follows:

Town of Southern Shores, NC

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...

n. Required parking spaces for fire stations that cannot be provided on the site of the fire station may be located on Town-owned property and/or within the Town right-of-way.

**PART II. That Town Code Sec. 36-163, (3), c be amended as follows:**

...

~~7~~ 8. Fire Stations: one parking space for each employee plus one space for each 4 seats in the training room.

~~8~~ 9. Restaurant: one parking space for each three customer seats, plus one additional parking space for each employee.

~~9~~ 10. Retail uses not otherwise listed: one parking space for each 300 square feet of floor area.

~~10~~ 11. Theaters: one parking space for each three seats.

~~11~~ 12. Nonprofit entities: a minimum of three parking spaces shall be provided.

**PART III. That Town Code Sec. 36-165, (1), c be amended as follows:**

...

c. Legal notices, identifications, directional and informational signs erected or required by governmental bodies, fire stations, public utilities or civic associations with the approval of town council;

**PART IV. That Town Code Sec. 36-205, (d) be amended as follows:**

...

**(d) Dimensional requirements.**

**(1) Minimum lot size.**

a. Minimum lot size for all uses other than country club shall be 20,000 square feet.

b. For country club, the minimum lot size shall be 150 acres.

**(2) Minimum lot width: 100 feet (measured at building setback line).**

**(3) Minimum front yard (setback): 25 feet.**

**(4) Minimum side yard (setback).**

1 a. Minimum side yard setback for fire stations shall be 0 feet when adjacent to  
2 Town-owned property or a Town right-of-way;

3 a b. Minimum side yard setback for all other uses shall be 15 feet;

4 b c. An additional five-foot side yard adjacent to the street is required for a corner  
5 lot;

6 e d. Minimum side yard setback shall be 15 feet for swimming pools.

7 (5) Minimum rear yard (setback): ~~25 feet~~.

8 a. Minimum rear yard setback for fire stations shall be 0 feet from Town-owned  
9 property or a Town right-of-way;

10 b. Minimum rear yard setback for all other uses shall be 25 feet.

11  
12 **ARTICLE IV. Statement of Consistency with Comprehensive Plan and**  
13 **Reasonableness.**

14  
15 The Town's adoption of this ordinance amendment is consistent with the Town's adopted  
16 comprehensive zoning ordinance, land use plan and any other officially adopted plan that  
17 is applicable. For all of the above-stated reasons and any additional reasons supporting  
18 the Town's adoption of this ordinance amendment, the Town considers the adoption of  
19 this ordinance amendment to be reasonable and in the public interest.  
20

21 **ARTICLE V. Severability.**

22  
23 All Town ordinances or parts of ordinances in conflict with this ordinance amendment  
24 are hereby repealed. Should a court of competent jurisdiction declare this ordinance  
25 amendment or any part thereof to be invalid, such decision shall not affect the remaining  
26 provisions of this ordinance amendment nor the Zoning Ordinance or Town Code of the  
27 Town of Southern Shores, North Carolina which shall remain in full force and effect.  
28

29 **ARTICLE VI. Effective Date.**

30  
31 This ordinance amendment shall be in full force and effect from and after the \_\_\_ day of  
32 \_\_\_\_\_, 2018.  
33  
34  
35

36 \_\_\_\_\_  
37 Mayor

38 ATTEST:

39 Date: \_\_\_\_\_

40 \_\_\_\_\_  
41 Town Clerk

42 Vote: Ayes Nayes

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APPROVED AS TO FORM:

\_\_\_\_\_  
Town Attorney