



TOWN OF SOUTHERN SHORES

"A Town of Volunteers"

6 SKYLINE ROAD, SOUTHERN SHORES, NC 27949

Phone: (252) 261-2394 Fax: (252) 255-0876

info@southernshores-nc.gov

www.southernshores-nc.gov

Ordinance No. 2005-01-01

AN ORDINANCE OF THE SOUTHERN SHORES TOWN COUNCIL RELATING TO AMENDING THE ZONING ORDINANCE RELATING TO SETBACKS

Dare County, North Carolina

Be It Ordained by the Southern Shores Town Council as follows:

Article I: Purpose

The purpose of this Ordinance is to amend the Zoning Ordinance of Southern Shores, Dare County, North Carolina, which was originally adopted by the Town Council on July 7, 1981 and subsequently amended.

Article II. Construction

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Town Code language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Language of the adopted Town Code shall be shown in italics (*italics*).

Article III. Amend Section 5.02 Southern Shores Zoning Ordinance – Regulation of Non-Conformities – Non-Conforming Structures

Section 5.02(C)2. of the Southern Shores Zoning Ordinance is hereby amended to read as follows:

C. *Non-conforming structures. Where a lawful structure exists at the effective date of adoption or amendment of this chapter that could not be built under the terms of this article by reason of restriction on area, lot coverage, height, yards, its location on the lot, or other requirements concerning the structure, such structure may be continued so long as it remains lawful, subject to the following provisions:*

2. *Should such non-conforming structure or non-conforming portion of a structure be destroyed by any means to an extent of more than fifty (50) percent of its*

replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this article. An exception is that a non-conforming structure (or non-conforming portion of a structure) which is destroyed due to fire, flood, windstorm, or natural disaster to an extent that the structure is declared unusable or to the extent that greater than fifty (50) percent of its replacement cost at the time of destruction may be reconstructed on the same footprint existing at the time of its destruction, except as provided in article XVI, hurricane and storm reconstruction and redevelopment and general use standards for ocean hazard areas. If the footprint cannot be verified by an on site inspection, then an "as-built" survey containing the seal of a licensed North Carolina land surveyor made prior to destruction must be provided in order to utilize the benefits of this provision.

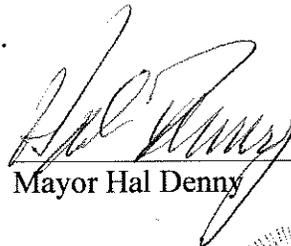
Article IV. Severability

If any words, phrases, language, section or other portion of this Ordinance is held invalid by a court of competent jurisdiction, then all remaining words, phrases, language, section or other portion of this Ordinance shall remain in full force and effect.

Article V: Effective Date

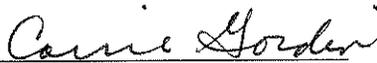
This Ordinance is effective immediately upon adoption.

Adopted this the 1st day of March 2005.



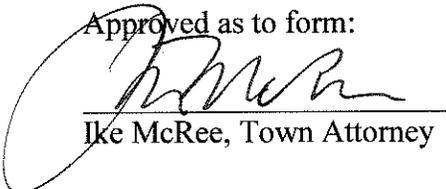
Mayor Hal Denny

ATTEST:



Carrie Gordin, Town Clerk



Approved as to form:


Ike McRee, Town Attorney

Date Introduced: February 1, 2005

Dates of Publication: Coastland Times: February 17 and 24, 2005
Date of Public Hearing: March 1, 2005