



# 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: 5 / 8 / 2026      Filing Fee: \$200      Receipt No.: N/A      Application No.: ZTA-2026-03

**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 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

W. Whaskett  
Signature

5-8-2026  
Date

\* Attach supporting documentation.



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ZTA-2026-03

5-18-2026

Ordinance 2026-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 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. § 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**, in accordance with the findings above, the amendment of the Town’s Zoning Ordinance as stated below will serve a public purpose and advance the public health, safety and general welfare.

**WHEREAS**, the amendment of the Town’s Zoning Ordinance as stated below is based on reasonable consideration, among other things, as to the character of the district, suitability for uses in the area, conserving value of buildings and encouraging the most appropriate use of land throughout the Town.

**WHEREAS**, the Town’s currently adopted Land Use Plan contains Policies and Action Items that are applicable to the amendments, including but not limited to the following:

**LUC 7:** Continue to enforce community design standards such as regulating building height, lot coverage, building size, and capacity, and other standards that preserve local character.

**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.

1 **ARTICLE III. Amendment of Zoning Ordinance.**

2  
3 **NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of  
4 Southern Shores, North Carolina, that the Town Code shall be amended as follows:

5  
6 **PART I.** That **Sec. 36-202(d). Dimensional requirements.** Be added as follows:  
7

8 **Sec. 36-103. Reduction in minimum yard requirements based on error in**  
9 **building, structure or site feature location.**

10  
11 Notwithstanding any other provision of this chapter, the zoning administrator may  
12 approve a reduction in the minimum yard requirements where an existing or partially  
13 constructed building or structure does not comply with the requirements that were  
14 applicable when construction of a building or structure began, provided that:

15 (a) The zoning administrator determines that:

16 (1) The error does not exceed 10% of the minimum yard (setback) requirement;

17 (2) The noncompliance occurred in good faith by the property owner and/or his  
18 agent, or was the result of an error in the location of the building or other site  
19 feature subsequent to the issuance of a building permit and/or zoning permit, if  
20 it was required;

21 (3) The reduction will not be detrimental to the use and enjoyment of other  
22 property in the immediate vicinity or result in unsafe conditions;

23 (4) To enforce compliance with the minimum yard or setback requirements would  
24 cause unreasonable hardship upon the owner and/or his agent; and

25 (5) The reduction will not result in an increase in density or finished area ratio.

26 (b) In approving a reduction, the zoning administrator shall allow only a reduction  
27 necessary to provide the requested relief.

28 (c) Upon the issuance of written approval of a reduction for a particular building or  
29 structure in accordance with the provisions of this section, the same shall be deemed  
30 to be lawful.

31  
32 **ARTICLE IV. Statement of Consistency with Comprehensive Plan and**  
33 **Reasonableness.**

34  
35 The Town's adoption of this ordinance amendment is consistent with the Town's adopted  
36 comprehensive zoning ordinance, land use plan and any other officially adopted plan that  
37 is applicable. For all of the above-stated reasons and any additional reasons supporting the  
38 Town's adoption of this ordinance amendment, the Town considers the adoption of this  
39 ordinance amendment to be reasonable and in the public interest.  
40

1 **ARTICLE V. Severability.**

2  
3 All Town ordinances or parts of ordinances in conflict with this ordinance amendment are  
4 hereby repealed. Should a court of competent jurisdiction declare this ordinance  
5 amendment or any part thereof to be invalid, such decision shall not affect the remaining  
6 provisions of this ordinance amendment nor the Zoning Ordinance or Town Code of the  
7 Town of Southern Shores, North Carolina which shall remain in full force and effect.

8  
9 **ARTICLE VI. Effective Date.**

10  
11 This ordinance amendment shall be in full force and effect from and after the \_\_\_ day of  
12 \_\_\_\_\_, 2026.

13  
14  
15 \_\_\_\_\_  
Elizabeth Morey, Mayor

16 ATTEST:

17  
18 \_\_\_\_\_  
19 Town Clerk

20  
21  
22 APPROVED AS TO FORM:

23  
24 \_\_\_\_\_  
25 Town Attorney

26  
27 Date adopted:

28  
29 \_\_\_\_\_  
30 Motion to adopt by Councilmember:

31  
32 \_\_\_\_\_  
33 Motion seconded by Councilmember:

34  
Vote: \_\_\_AYES \_\_\_NAYS