



Town of Southern Shores

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

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July 16, 2024

Anthony S. Mina
Jennifer L. Franz
75 E. Dogwood Trl.
Southern Shores, NC 27949

Re: 75 E. Dogwood Trl. Subdivision (Application 2 Received on July 3, 2024)

Dear Mr. Mina and Ms. Franz:

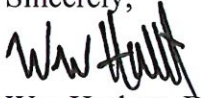
This letter shall serve as denial of your application (Application 2 received on July 3, 2024) to subdivide Lot 1, Block 105 located at 75 E. Dogwood Trl. (parcel #021731000). The reason for the denial is that the proposed lots do not equal or exceed the standards in Town Code Section 30-97 of the Town's Subdivision Ordinance because the proposed lots do not meet the zoning requirements for properties located in the Town's RS-1, Residential zoning district as established in the Town's Zoning Ordinance and incorporated into the Town's Subdivision Ordinance via Section 30-97(2).

Town Code Section 30-97(2) states that all lots in new subdivisions shall conform to the zoning requirements of the district in which the subdivision is located. Conformance to zoning requirements means, among other things, that the smallest lot in the subdivision must meet all dimensional requirements of the zoning chapter. It is not sufficient merely for the average lot to meet zoning requirements. Subdivisions must comply in all respects with the requirements of the zoning chapter in effect in the area to be subdivided and any other officially adopted plans. Specifically, the proposed lots do not meet the zoning requirements for properties located in the Town's RS-1 Residential zoning district and as a result do not equal or exceed the standards in Section 30-97 of the Town's Subdivision Ordinance because:

1. Town Code Section 36-202(d) of the Town's Zoning Ordinance requires a minimum lot width of 100 feet (measured from the front lot line at right angles to the rear lot line). Both of the proposed lots do not have a lot width of 100 feet measured from the front lot line at right angles to the rear lot line.

Your application that was submitted on April 29, 2024 is considered withdrawn. Should you wish to appeal this administrative decision per Town Code Section 36-366, the Town Planning Board (acting as the Board of Adjustment) will consider it following submittal of an appeal application and the applicable \$350 fee within 30 days of receipt of this certified letter. The application can be found at <https://www.southernshores-nc.gov/bc-pb>. Feel free to contact me at (252) 261-2394 or whaskett@southernshores-nc.gov. if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Wes Haskett', written over the word 'Sincerely,'.

Wes Haskett, Deputy Town Manager/Planning Director
Town of Southern Shores

Cc: Cliff Ogburn, Town Manager
L. Phillip Hornthal, III, Town Attorney