

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: 7 / 15 / 22

Filing Fee: \$200

Receipt No. 766792

~~27A-22-01~~ Application No.

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 Atlantic Dance / Mila Smith

Address: 1702 N. Croatan Hwy Kill Devil Hills. NC 27948

Phone 252-489-9309 Email mila@atlanticdance.com

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 Zoning Ordinance

Mila Smith
Signature

7/15/22
Date

*** Attach supporting documentation.**



July 2022

To Whom It May Concern,

This letter is in regards to the zoning text amendment application that I am submitting today.

My name is Mila Smith and I own and operate a local dance studio currently located in Kill Devil Hills. We have been in business in The Dare Center for the past 27 years. We have taught hundreds of local children throughout these years and want to continue to do so in a new location that is better suited for our needs.

The majority of our 175 dance families live in the Southern Shores, Kitty Hawk area. Our hours of operation are after school until approximately 8:30pm Monday - Thursday and Friday mornings when we conduct our preschool program.

Most of our dancers are dropped off and picked back up at the end of their classes and a good deal of them carpool to and from the studio.

Our motto has always been:

We believe that children who have dance in their lives learn much more than the ability to just point their toes. Being a dancer is about hard work, passion, and commitment. The goal is to teach our girls life lessons through dance. What is being taught in class will carry them through to confidence, perseverance and creative skills in the real world.

Please consider approving this amendment so our girls can have the opportunity to dance and grow in a beautiful new space that they deserve.

Thank you for your time,

Mila Smith
Atlantic Dance



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ZTA-22-09

8-15-22

Ordinance 2022-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. 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, 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, and general welfare for the Town to amend the Town’s Zoning Ordinance 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 the Town Code shall be amended as follows:

PART I. That **Sec. 36-163. Off-street parking requirements.** Be amended as follows:

Sec. 36-163. Off-street parking requirements.

...

1 (4) *Minimum parking requirements.* The number of off-street parking spaces
2 required by this section shall be provided on the same lot with the principal use,
3 or in combination with adjacent lots, provided the applicant has secured a
4 shared parking agreement, and special use permit, as described in subsection
5 36-163(1)j., and the required number of off-street parking spaces specified for
6 each use shall be considered as the absolute minimum. Where a fraction of a
7 space is required by this article, the next whole number shall be provided. In
8 addition, a developer shall evaluate his own needs to determine if they are
9 greater than the minimum specified by this article.

10

11 ...

12

13

b. *Public and semipublic uses.*

14

1. Churches: one parking space for each three seats in the sanctuary.

15

2. Clinic (medical and dental): five parking spaces for each doctor
16 assigned plus one parking space for each employee, but not less than
17 ten spaces total.

18

3. Elementary school: one parking space for each classroom and
19 administrative office.

20

4. Event facilities: one space for each 150 square feet of floor area.

21

5. Public or private clubs: one parking space for each 200 square feet of
22 gross floor space.

23

6. Telephone switching stations or electric substations: one parking
24 space for each employee.

25

7. Group fitness, aerobics, dance, martial arts, yoga, gym, and/or weight
26 training: one parking space for each 250 square feet of gross floor
27 space.

28

29 ...

30

31 **PART II.** That **Sec. 36-207. C general commercial district.** Be amended as follows:

32

33 **Sec. 36-207. C general commercial district.**

34

35 ...

36

37 (b) *Permitted uses.* The following uses shall be permitted by right:

38

39 ...

40

41

(3) Service establishments, including such uses as:

- 1 a. Banks.
- 2 b. Barbershops and beauty shops.
- 3 c. Business service—copying, photocopying and computer services.
- 4 d. Churches.
- 5 e. Dry cleaning and laundry pickup stations.
- 6 f. Funeral homes.
- 7 g. Group fitness, aerobics, dance, martial arts, yoga, gym, and/or weight
- 8 training.
- 9 gh. Indoor motion picture theaters.
- 10 hi. Pharmacy, with or without a drive-through facility.
- 11 ij. Radio and television broadcasting studios (excluding transmitter sites).
- 12 jk. Shoe repair.

13
14 ...
15

16 **ARTICLE IV. Statement of Consistency with Comprehensive Plan and**
17 **Reasonableness.**

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

24
25 **ARTICLE V. Severability.**

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

32
33 **ARTICLE VI. Effective Date.**

34
35 This ordinance amendment shall be in full force and effect from and after the ____ day of
36 _____, 2022.

37
38
39
40
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42

ATTEST:

Elizabeth Morey, Mayor

1 Town Clerk

2

3

4 APPROVED AS TO FORM:

5

6

7 _____
Town Attorney

8

9 Date adopted:

10

11

12 _____
Motion to adopt by Councilmember:

13

14 _____
Motion seconded by Councilmember:

15

16

Vote: ___AYES___NAYS