



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: 4/19/2022

Filing Fee: \$200

Receipt No. 082157 Application No. ZTA-22-06

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 Ginguite, LLC, Attn: Sumit Gupta

Address: P.O. Box 90

Kill Devil Hills, NC 27948

Phone 252-441-9003 Email sgupta@icrsaga.com

Applicant's Representative (if any)

Name Michael W. Strader, Jr., PE, Quible & Associates, P.C.

Agent, Contractor, Other (Circle one)

Address P.O. Drawer 870

Kitty Hawk, NC 27949

Phone 252-491-8147 Email mstrader@quible.com

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

Address: 6195 N. Croatan Hwy Zoning district C

Section Block Lot Lot size (sq.ft.) 226,269.21

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

DocuSigned by:

Sumit Gupta

Signature 750C1099FC3B41B...

4/19/2022

Date

* Attach supporting documentation.



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ZTA-22-06

4-28-22

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. 36-207. C general commercial district.** Be amended as follows:

Sec. 36-207. C general commercial district.

...

(c) *Conditional uses.* The following uses shall be permitted as a conditional use, subject to the requirements of this district; shall be subject to conditions and modifications

Town of Southern Shores, NC

ZTA-22-06

4-28-22

Page 1 of 3

1 relating to impacts on adjacent properties, transportation and transportation systems,
2 transportation interconnectivity, stormwater, utilities and telecommunications
3 facilities (including capacity), vegetation and other elements of the natural
4 environment, noise, hours of operation, and other factors that the town council finds
5 applicable; and additional regulations and requirements imposed by the town
6 council, as provided in article X of this chapter:...

7 (11) Group development of commercial and residential buildings, provided:

- 8 a. Minimum size of any building shall be 2,500 square feet.
9 b. All buildings constructed within 35 feet of another building within the
10 development are to be connected by a breezeway or covered walkway.
11 c. Lot shall be serviced by an existing community wastewater treatment
12 facility permitted by NC DEQ DWR.
13 d. Residential density shall be limited to RS-8 District allowances as
14 established within Sec. 36-203(a).
15 e. No more than 40% lot coverage of the net parcel area can be associated
16 with building footprints containing residential uses and the required
17 parking for residential uses.

18 ...

19
20 **ARTICLE IV. Statement of Consistency with Comprehensive Plan and**
21 **Reasonableness.**

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

28
29 **ARTICLE V. Severability.**

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

36
37 **ARTICLE VI. Effective Date.**

38
39 This ordinance amendment shall be in full force and effect from and after the ____ day of
40 _____, 2022.

41
42
43

Elizabeth Morey, Mayor

1 ATTEST:

2

3

4 _____
Town Clerk

5

6

7 APPROVED AS TO FORM:

8

9

10 _____
Town Attorney

11

12 Date adopted:

13

14

15 _____
Motion to adopt by Councilmember:

16

17 _____
Motion seconded by Councilmember:

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19

Vote: ___AYES___NAYS