

STAFF REPORT

To: Southern Shores Town Council
Date: December 19, 2014
Case: ZMA-14-01
Prepared By: Wes Haskett, Town Planner/Code Enforcement Officer

GENERAL INFORMATION

Applicant: Michael K. Stone
Southern Shores Realty Company, Inc.
P.O. Box 150
Kitty Hawk, NC 27949

Applicant Representative: Michael W. Strader, Jr.
Quible & Associates, P.C.
P.O. Drawer 870
Kitty Hawk, NC 27949

Requested Action: Zoning Map Amendment for 11 Ocean Blvd. to be rezoned from RS-1, Residential District to C, General Commercial District

PIN #: 987717025477
Location: 11 Ocean Blvd.
Zoning: C, General Commercial

Existing Land Use: Commercial

Surrounding Land Use & Zoning:

North- Residential; RS-1, Single-family Residential District

South- Commercial; C, General Commercial District

East- Residential; RS-1, Single-family Residential District

West- Commercial; C, General Commercial District

Applicable Regulations: Zoning Ordinance: Article III Interpretation and Definition of Terms; Article VII, Schedule of District Regulations; Article XIV Changes and Amendments.

ANALYSIS

The applicant seeks approval to amend the Town's currently adopted Zoning Map by rezoning 11 Ocean Blvd. from RS-1, Residential District to C, General Commercial District in order to provide a new entrance/exit to the existing Southern Shores Crossing shopping center. The subject property is adjacent to the shopping center and under same ownership. The Town Zoning Ordinance states that the Town Council may, on its own motion or upon motion or upon petition by any person within any zoning jurisdiction of the Town, after public notice and hearing, amend, supplement, change, modify or repeal the regulations herein established or the maps which are part of this Chapter, subject to the rules prescribed in this Article.

No regulation or map shall be amended, supplemented, changed, modified or repealed until after

a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard.

RECOMMENDATION

The Land Use Plan identifies the subject property as Residential and it is located in the RS-1, Residential zoning district. Goal 2 of the Land Use Plan is to protect, enhance, and support land uses that are compatible with surrounding land uses and maintain the existing community character of Southern Shores. Policy 2 in the Land Use Plan calls for maintaining a low density residential community comprised of single-family dwellings on large lots served by a small commercial district. Action item 2-a states that the Town will promote the maintenance of the boundaries of all zoning districts as they were defined as of September, 2007. Accordingly, Town Staff must conclude that the proposed map amendment is inconsistent with the Town's currently adopted Land Use Plan. However, in the interest of public safety, Town Staff recommends approval of the application.

At the December 15th Planning Board meeting, Board unanimously (5-0) recommended approval of the application and included the following statement in its recommendation: The Planning Board finds that the proposed zoning map amendment is inconsistent with the Town's currently adopted Comprehensive Land Use Plan. However, the Planning Board considers the action taken reasonable and is in the interest of public safety.