



Town of Southern Shores

"A Town of Volunteers"

6 Skyline Road, Southern Shores, NC 27949

Telephone: (252) 261-2394 Fax: (252) 261-0452

Web Site: southernshores.org

E-mail: toss@beachlink.com

Council Meeting
December 7, 1999
7:30 p.m.-Pitts Center

1. Mayor Wood called the meeting to order at 7:33 p.m.
Kern Pitts absent.
2. Tom Charlton led the Pledge of Allegiance.
3. Mayor Wood asked that a moment of silence be held for Kern Pitts, due to his extended illness and for the families of Mary O'Keefe, Julius Axman, and Albert Stein who lost loved ones.
4. Recognition of Debris Removal Volunteers

Mayor Wood announced it was his pleasure to conduct this part of the meeting in showing appreciation for the 27 volunteers (see list) that gave their time to help in the hurricane debris removal. Mayor Wood stated the Town fire department did a great job in the initial removal of the tree debris after the hurricanes. As he read each name, Tom Gjestson, Town Manager, gave them a Town flag. Mayor Wood stated Bill Storey deserved a medal. He put in a lot of hours and did a great job in organizing and overseeing the task. Everyone gave them a round of applause.

5. Consent Agenda

Mayor Wood read the monthly Building Inspection's report for November and asked for any additions or corrections to the minutes of the November 3, 1999 Council meeting. Councilman Campbell made a motion to approve the consent agenda as presented. Councilman Sutherland seconded. Approved unanimously.

6. Election Results

Mayor Wood asked Tom Gjestson, the Town Manager, to read the official election results of (certified by Dare County Board of Elections) November 2, 1999: Joe Campbell 639; Hal Denny 566; Don Smith 498; Gene Kennedy 480; Robin Morgan 439; Jack Cox 231; write-ins 6 and the Mixed Beverage Referendum FOR 376, AGAINST 432.

7. Swearing In of the Newly Elected Council

Carrie Gordin, Town Clerk, swore in each Council Member: Joe Campbell, Gene Kennedy, Hal Denny, and Don Smith. Each took their place at the Council table. Family members were present and assisted in the swearing in: Merrie, Amy, and Donnie Smith; Billie Denny; Pat Sutherland; and Johnetta Kennedy.

8. Election of Mayor.

Mayor pro tem Sutherland opened the floor for nominations for Mayor and stated no second was necessary.

Councilman Kennedy asked to be recognized and then took the time to thank everyone for their support. Councilman Kennedy stated he would like to nominate someone who has spent a lot of time being involved in the Town. He has been involved in the Chicahawk Property Owners Association Board, worked on the multi-use path, worked with Dare County Tourist Bureau, a long standing member of the fire department, spent long hours on the menhaden issue and the septic systems regulations, he is a self starter and has great leadership skills. Councilman Kennedy nominated Paul Sutherland. Mayor pro tem Sutherland asked for any other nominations. Councilman Campbell moved to close the nominations. Councilman Denny seconded. The vote was unanimous for Paul Sutherland as Mayor.

Mayor Sutherland stated he accepts the nomination and thanked fellow Council for their support and he stated that he would work diligently for the Town. The Town Clerk administered the oath.

Mayor Sutherland then asked Dick Wood to stand and he presented Dick with a certificate of appreciation, which was read by the Mayor. Also, Dick received a framed Town seal. Dick thanked everyone. He received a big round of applause.

Mayor Sutherland called upon Councilman Campbell to give, in absentia, a certificate of appreciation and a framed Town seal to Kern Pitts for his long standing (20 years) volunteerism to the Town. Councilman Campbell reported Kern is not doing well after his surgery and is due to have more surgery on December 14. Councilman Campbell said he would present these to Kern and that all prayers should go to Kern. Councilman Campbell stated Kern would never be forgotten. Mayor Sutherland suggested that arrangements be made so that all of Council and the Town Manager could present Kern with the items of appreciation.

9. Election of the Mayor pro tem

Mayor Sutherland opened the floor for nominations for Mayor pro tem.

Councilman Kennedy asked to be recognized and stated that he would like to nominate this individual who has spent many volunteer hours with the SSCA, the Civil Air Patrol, and worked on many committees in the Town. Councilman Kennedy stated that Hal Denny is a hard worker and he nominates him for Mayor pro tem.

Election of the Mayor pro tem cont'd

Councilman Smith asked to be recognized and he thanked everyone for their support and at this time he would like to nominate Joe Campbell for Mayor pro tem. He stated that Joe's time on the Council speaks for itself.

Councilman Campbell stated he appreciated the nomination but feels the nomination on the floor is a good one, he moved to close the nominations. Councilman Kennedy seconded. The motion was made to elect Hal Denny as Mayor pro tem. Approved 3-1. Councilman Smith voting no.

Hal Denny was sworn in by the Town Clerk as Mayor pro tem.

Councilman Campbell stated he wished the best to all Council and stated he has enjoyed working under Dick Wood.

10. Public Hearing

a. Moratorium Extension on Telecommunication Towers

Mayor Sutherland opened the public hearing at 8:10 p.m. He explained this is to propose a six-month extension on the current moratorium for telecommunication towers in Town.

He explained no one had signed up to speak and asked if anyone wished to speak on this subject, hearing from no one he closed the public hearing at 8:11 a.m. Councilman Campbell moved to approve the ordinance as presented to extend the telecommunication towers moratorium for an additional six months. Councilman Kennedy seconded. Approved unanimously.

b. Moratorium on Large Residential Structures

Mayor Sutherland explained the Town is working on these changes due to the responses received from residents regarding rental properties. He stated at the November Council meeting Council approved an amendment to the zoning ordinance reflecting the concerns relating to structures. Mayor Sutherland opened the public hearing at 8:14 p.m. and read the proposed moratorium for large residential structures. He stated three people have signed up to speak.

Bryant Carter thanked everyone for allowing him to speak. He has been working on a structure that would accommodate 16 people in Town. He has spent a lot of time and effort to make sure he did everything right with the health department to accommodate 16 people and has tried to do what is needed and he would like that to be recognized.

Richard Perkins, of Fern Lane, stated he has lived here for 19 years. He wanted to express his concern by saying he thinks this is a bad plan. He commented that he understands that the Planning Board has been working on this for a long time but he cautioned that if the law comes between you and the plan it is a bad plan.

Public Hearings cont'd

Bob Siegel, resident, commented that the presented moratorium doesn't really address the large residential structures. He stated, "We don't want a Pine Island in Southern Shores." He thinks there should be a limit on square footage to limit the size of a structure. He would like the Planning Board to proceed with this suggestion.

Mayor Sutherland asked for any other comments? Hearing none he closed the public hearing at 8:20 p.m.

Councilman Kennedy stated this is not an easy issue and the interest of everyone is Council's concern. Council does not want to prohibit "rentals". Tom White has provided guidance over this issue. Councilman Kennedy asked Mr. White to explain the pitfalls involved in writing such an ordinance.

Mr. White commented that the property owner's rights are difficult to restrict. He commented that restrictions can be only health, safety, or welfare issues when writing an ordinance. He continued by saying a zoning district could be created but the language would need to be specific and the proposed moratorium will allow time for this.

Mayor Sutherland commented that Council has contacted a planner from the League of Municipalities to come and aid the Planning Board on these matters. The Planner will be at the council retreat (January 10-11) at no cost to the Town.

Councilman Kennedy commented Council wants the ordinance to be specific.

Councilman Campbell commented that the Planning Board has spent a lot of time on this issue and he applauds their efforts. Councilman Campbell commented the moratorium will give the Planning Board more time to explore the issue. Mayor Sutherland called to adopt the large structure moratorium as presented. Councilman Campbell seconded. Approved unanimously by a show of hands.

11. Planning Board

Chairman Morgan presented the November report.

Chairman Morgan reported that the Outer Banks Hotel in Kitty Hawk will be coming before the Planning Board at the December meeting to discuss buffers and parking area in the Town that is needed for the proposed hotel.

Chairman Morgan recommends for Council's approval an office complex in Martin's Point (Amrhien) with four conditions that are addressed on Council's report. She commented that the Planning Board would not see the lighting or vegetation plan that it will go to the Building Inspector. Mayor Sutherland asked if the Martin's Point representative (Watson) was present at the meeting. She replied that he was. Councilman Denny asked if he understands that the Planning Board and Martin's Point will not see the lighting and vegetation plans. Chairman Morgan said that is correct.

Planning Board Report cont'd

Councilman Campbell moved to approve the site plan with the conditions listed in the Planning Board report. Councilman Kennedy seconded. Approved unanimously.

Chairman Morgan proposed to Council for their approval of a conditional use for a small day care located at 222 Wax Myrtle Trail (Allison Jones). The Building Inspector has inspected it and he recommends it be approved. Mayor Sutherland stated this would be the second operational small day care in Town. Councilman Denny asked for the definition of a small day care. Chairman Morgan gave the definition according to the zoning ordinance. Councilman Kennedy moved to approve the day care at 222 Wax Myrtle Trail as presented. Councilman Smith seconded. Approved unanimously by a show of hands.

Chairman Morgan proposed to Council for their approval of the Central Garden Center/Nursery as a conditional use to be located in Martin's Point. The Planning Board has submitted conditions to this use (as shown in their report). Councilman Denny moved to approve as presented. Councilman Campbell seconded. Approved unanimously by a show of hands.

Chairman Morgan reported that the draft of the Sexually Oriented Business ordinance has been sent to the Town attorney and to the American Center for Law and Justice for final comment.

Chairman Morgan reported that the East Carolina Bank had requested approval for a driveway access to Hwy. 158. The Planning Board recommends denying this request. The current zoning ordinance Section 6.07 does not allow a driveway access on corner lots. The Bank had made a request to NCDOT.

Mayor Sutherland commented that he liked the report given to Council regarding the monthly Planning Board meeting. It would be helpful to have a monthly report at all Council's workshops.

12. Old Business-None

13. New Business

a. Mayor Sutherland announced that the Council's annual retreat would be held at the Aycock Brown Center on January 10-11 beginning at 9:00 a.m. and this is an open meeting.

Councilman Campbell stated that any citizen of the Town may submit subjects that they wish Council to review.

b. Mayor Sutherland called upon Guy Hellwege to give the Waterways Task Force report. See report.

Mayor Sutherland commented that the Town has pursued state clean water grants but received none. The SS Boat Club has traveled the canals and listed the trouble spots. The Town Manager has sent letters to canal front property owners regarding the clean up necessary.

New Business cont'd

Mr. Gjestson reported there were twice as many problems last year, so people are aware of what is needed done.

Councilman Denny stated this report was done under the leadership of former Mayor Wood. Councilman Campbell suggested the names of the committee should be noted. They are Guy Hellwege; Hal Denny; Ed Lawler; Jack Shea; and Dick Wood.

Mayor Sutherland announced that a copy of the report would be available at the front desk of Town Hall for public review.

c. Councilman Kennedy reported it is time to order more garbage cans and parts. He made a motion to spend no more than \$8,000.00 for garbage and recycle cans and parts. Councilman Campbell seconded. Approved unanimously.

d. Mayor Sutherland announced Council met with NCDOT regarding the Transportation Improvement Program for 2000-2001 and asked them to hold a meeting in Southern Shores on the proposals for this area. It will be publicized when a date is known.

14. Public Comment

Randall Wrenn noted there is standing room only at tonight's meeting and Council may want to consider purchasing more chairs. Mayor Sutherland stated a proposal has already been addressed to remodel the meeting room. Council will have a dais and the room will be set up to look like a meeting room like the other Towns.

15. Mayor's Agenda

Mayor Sutherland recommends that the Planning Board amend the non-conforming section of the zoning ordinance to grandfather those homes that would become non-conforming if the increased side yard setback and the 6' pool fence amendments were adopted. He explained that if a house were destroyed 50% or more they would then have to abide by the new zoning. The ordinance should cover the 10' side yard setback and the demolishing of a structure by other means than the property owner taking it down.

Councilman Campbell stated the language should be written to keep current structures from becoming nonconforming. That should remove a lot of the objections to the original draft regarding the setbacks and the pool fence.

Mayor Sutherland announced that Council received comment at the Council's workshop that Martin's Point was not being represented. Mayor Sutherland explained that the ETJ is for zoning and planning. Mayor Sutherland proposed to invite them in writing to attend the Council meetings.

Mayor Sutherland reported Falcon Cable representative, Gordon Waters, had asked to attend the Council workshop but he had a calendar mix-up and that the meeting will be rescheduled.

Mayor's Agenda cont'd

Mayor Sutherland asked everyone that has an email address to please contact the Town Hall and give your email address so you may receive the Town broadcasts. He stated it has been a great benefit to all in receiving the broadcast emails from Town Hall.

16. Council's Agenda

Councilman Smith-none

Councilmen Kennedy recommended for Council's approval to waive the building permit fee for the remodeling of the east fire station on Duck Road. Mike Hejduk stated the fee has been waived in the past for the fire department. Councilman Campbell seconded. Approved unanimously.

Councilman Campbell reported ITRE has submitted its report on the town streets. He stated the guidelines submitted by the report were very good and anyone wishing to review the report can find a copy at Town Hall.

Councilman Campbell announced that all of Council and the Town Manager would be attending the Mayor/Council School December 8-10 at the Ramada Inn sponsored by the League of Municipalities.

Mayor Sutherland announced a grant was received from the Dare County Tourist Bureau for \$10,000.00 to conduct a millennium fireworks display on January 1, 2000 at 8:00 p.m. at the Kitty Hawk pier. This will be in conjunction with the Town of Kitty Hawk who also received an equal grant.

Councilman Denny expressed his happiness of being on the Council and he is proud of this Town and he hopes to build on it for future years.

17. Town Manager's Agenda

Tom Gjestson announced the cost sharing agreements for the SSCA, Chicahawk Property Owners Association, and Blue Sky Foundation (BSF) are up for renewal. Councilman Denny made a motion to authorize the Mayor to sign renewals for year 2000 as presented. Councilman Smith seconded. Approved unanimously.

Mr. Gjestson asked Council to approve expenditures not to exceed \$1,000.00 for costs associated with the January 1 fireworks program and \$750.00 for street pot hole repair. Councilman Kennedy moved to approve the expenses as presented. Councilman Smith seconded. Approved unanimously.

Mr. Gjestson announced the Volunteer Luncheon would be held December 17 at noon in the Pitts Center.

Town Manager's Agenda cont'd

Mr. Gjestson announced there would be a first annual recognition dinner for Town employees to be held January 8, 2000 at Kelly's Restaurant.

Mr. Gjestson reported the N. C. Aquarium Society has requested a contribution of \$100.00. Councilman Campbell made a motion to table this until after council's retreat. Councilman Sutherland seconded. Approved unanimously.

Mr. Gjestson announced that the new web site for the Town is www.southernshores.org and is being maintained and is very nice. He explained that if someone visits the old web site it would automatically go to the new one. The old site will be removed within 30 days. The Town has been using email broadcasts to disseminate current information and we have close to 300 addressees.

Mr. Gjestson reported that NCDOT has nearly completed the aerial survey for the extended multi-use path along NC12/Duck Rd and expects the path to be completed by the end of May 2000.

Police Chief Brazell gave the monthly police report and congratulated the new board.

Chief Brazell commented that the year 2000-vehicle sticker registration asks for your email address and that the speed trailer is being used.

Chief Brazell reported the towns of Kitty Hawk, Kill Devil Hills, and Southern Shores held a checkpoint and he gave an overview of the results.

Sgt. Buchanan reported that to help prevent crime in the Town neighbors should report to the police department things they think are out of the normal. People taking furniture from houses, cars in driveways that might not belong, or lights on when you know someone is gone. The citizens are very helpful. Anyone wishing to have their homes and items in their home video taped can provide a tape and the police department will come record the items. Residents should put permanent identification numbers on items of value and keep a list of the items and ID numbers.

Elsa Edwards commented that she had been told not to use your social security number. Chief Brazell confirmed this and suggested using your driver license number.

Councilman Kennedy asked about the traffic light situation at Kitty Hawk School. Lt. Merriman stated she will be meeting with the PTA on December 13 and a School Improvement Team will look into this. Once a plan is decided upon it will be given to the parents. She stated the number one issue to be considered is the safety of the children.

Sgt. Buchanan congratulated the new Council and Mayor Sutherland and he said the Police Department would miss Dick. (Wood)

Town Manager's Agenda cont'd

Greg Solesbee, SS Fire Chief, commented the fire department would like to be kept informed of the day cares that are approved. He also thanked whoever was responsible for getting the fireworks to be held in Kitty Hawk.

18. Town Attorney's Agenda

Tom White explained that in 1979 when the Town was chartered it allowed jurisdiction over Martin's Point (ETJ). This was followed by statutory procedure. A representative from Martin's Point sets on the Planning Board and the Board of Adjustment. The latest amendment to the original ETJ includes the state property, re-established the waterway district, and allowed police powers in the ETJ for the waterways.

Councilman Denny asked if there is anything in the General Statute regarding the withdrawal of an ETJ? Tom White commented it is a legislative act that can be taken by Town Council or by state legislation.

Mayor Sutherland asked if Martin's Point could petition someone else to remove ETJ? Tom White stated Council needs to do this or by changes in state legislation.

Councilman Kennedy asked if a change to the ETJ would affect the waterways? Tom White said it could get complicated at this stage.

Mayor Sutherland commented that Council deferred the side yard setback and the 6' pool fence amendments to the January Council meeting. This is to give time for the new Council members to review. Council did unanimously approve to bring these issues back to the table at the November meeting.

Councilman Denny stated he would not be ready to vote on the two issues until he has read the draft grandfathering amendment.

Tom White commented that by delaying the effective date of the ordinance it allows the Planning Board time to write an effective grand-fathering ordinance and the effective date could be the same as the original ordinance.

Councilman Campbell asked Chairman Morgan how far are you from writing the grand-fathering ordinance? She responded by saying we have written some of the language but everyone has not reviewed it.

Jim Morrison commented he would like Council to look at draft ordinances before setting a public hearing.

19. Other

Mayor Sutherland asked that everyone take a moment to remember all the volunteers that have made this town what it is today and he would like a moment of meditation for all the WWII volunteers on this day December 7 in memory of Pearl Harbor (1941).

20. Announcements- no additional

Councilman Campbell made a motion to adjourn at 9:45 p.m. Mayor Sutherland seconded.
Approved unanimously.

Attest:

P.E. Sutherland

Respectfully submitted:

Carrie Gordon



Town of Southern Shores

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6 Skyline Road, Southern Shores, NC 27949

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November 30, 1999

MONTHLY PERMIT SUMMARY

TYPE CONSTRUCTION	NO.	COST	FEES
SOUTHERN SHORES			
New	15	2,589,525.00	18,561.03
Add/Alt	7	179,700.00	1,106.26
Other	10	67,931.00	802.35
TOTAL SS	<u>32</u>	<u>2,837,156.00</u>	<u>20,469.64</u>
CUMULATIVE FY2000	<u>143</u>	<u>8,902,174.55</u>	<u>67,823.78</u>
TOTAL HOMES SS	1870	(5 Certificate(s) of Occupancy issued this month)	
MARTIN'S POINT			
New	4	694,000.00	5,709.61
Add/Alt	0	-	-
Other	2	5,350.00	100.00
TOTAL MP	<u>6</u>	<u>699,350.00</u>	<u>5,809.61</u>
CUMULATIVE FY2000	<u>15</u>	<u>1,550,922.00</u>	<u>11,122.18</u>
TOTAL HOMES MP	163	(2 Certificate(s) of Occupancy issued this month)	
CAMA PERMITS	0		-
PLAN REVIEW FEE	29		2,640.00
ADD TO PERMITS	1		100.00
RE-INSPECTIONS	2		100.00
TOTAL MONTH		<u>3,536,506.00</u>	<u>29,119.25</u>
TOTAL YEAR		<u>10,453,096.55</u>	<u>87,304.86</u>

Add to # 3518

Respectfully submitted,

Michael Hejduk
Building Inspector



Town of Southern Shores

6 Skyline Road
 Southern Shores, NC 27949-3600
 252-261-2394
 252-261-0778
 Fax 252-261-0452

October 29, 1999

MONTHLY PERMIT SUMMARY

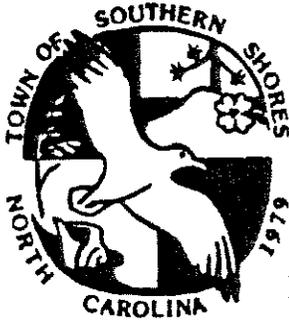
TYPE CONSTRUCTION	NO.	COST	FEES
SOUTHERN SHORES			
New	9	1,610,000.00	14,100.74
Add/Alt	9	197,500.00	1,714.39
Other	17	86,122.53	1,010.00
TOTAL SS	<u>35</u>	<u>1,893,622.53</u>	<u>16,825.13</u>
CUMULATIVE FY2000	<u>111</u>	<u>6,065,018.55</u>	<u>47,354.14</u>
TOTAL HOMES SS	1865	(7 Certificate(s) of Occupancy issued this month)	
MARTIN'S POINT			
New	0	-	-
Add/Alt	0	-	-
Other	0	-	-
TOTAL MP	<u>0</u>	<u>-</u>	<u>-</u>
CUMULATIVE FY2000	<u>9</u>	<u>851,572.00</u>	<u>5,312.57</u>
TOTAL HOMES MP	161	(1 Certificate(s) of Occupancy issued this month)	
CAMA PERMITS	0		-
PLAN REVIEW FEE	20		1,540.00
ADD TO PERMITS	2		150.00
RE-INSPECTIONS	0		-
TOTAL MONTH		<u>1,893,622.53</u>	<u>18,515.13</u>
TOTAL YEAR		<u>6,916,590.55</u>	<u>58,185.61</u>

Add to # 3168
 # 3465

Respectfully submitted,

Michael Hejduk
 Building Inspector





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MORATORIUM ON TELECOMMUNICATIONS TOWERS

WHEREAS, there is a rapid expansion of telecommunications facilities within Dare County, North Carolina and municipalities within the county; and

WHEREAS, there are significant land use concerns related to the placement of such towers, some being as follows:

1. The protection of residential neighborhoods by the minimizing of adverse impacts of towers;
2. The encouragement of the location of towers in non-residential zoning areas;
3. Encouraging the joint use of towers in order to minimize numbers of towers;
4. The avoidance of damage to structures and property surrounding tower sites due to structural tower failures, particularly in hurricane prone areas;
5. The minimization of visual impacts through zoning mechanisms; and
6. Considerations of public health and safety in relation to such towers.

AND WHEREAS, the Town of Southern Shores Land Use Plan and Zoning Ordinance do not adequately address these lawful and legitimate concerns and the Planning Board and Town Council need adequate time to properly study these concerns and formulate appropriate land use plan provisions and zoning ordinance regulations which will govern location, placement and standards for Telecommunications Towers;

NOW, THEREFORE, The Town Council of the Town of Southern Shores does hereby ordain as follows:

1. For the purposes of this moratorium the **Telecommunication Towers** is defined as any structure designed and constructed for the purpose of supporting one or more antennas, including without limitation, self-supporting lattice towers, guy towers, or monopole towers. The term also includes radio and television transmission towers, common carrier towers, cellular telephone towers and similar structures. The term also includes any antenna or antenna array attached to the tower structure. The term does not include a private communications mast as an accessory use to a residence, which has been approved pursuant to section 4.11 of the Town Zoning Ordinance.
2. The construction, installation, building and relocation of Telecommunications Towers during the period of this moratorium is prohibited: and

Telecommunications Towers Moratorium

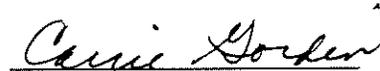
3. During the period of this moratorium Town Officials and Boards, including the Zoning Administrator and Planning Board, shall not accept or process any site plan, building permit application, or conditional use application for a Telecommunications Tower either as a principal use or as an accessory use on any lot or structure. This provision does not prohibit any person from submitting a proposed Land Use Plan or Zoning Ordinance Amendment for consideration by the Town; and
4. Nothing in this moratorium shall be interpreted to prohibit the installation of communications antennas on an existing public water tower or of the construction of towers owned by the Town, the Southern Shores Volunteer Fire Department or Dare County which are used solely for fire, emergency service and governmental public service communications.
5. This moratorium shall be in full force and effect from the date and time of its adoption and extend for a period of six months expiring at the adjournment of the first regular meeting of the Town Council the seventh month after adoption.

Adopted this the 7th day of December 1999.



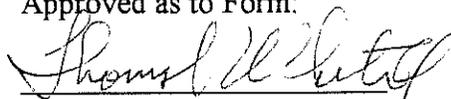
Mayor

ATTEST:



Town Clerk

Approved as to Form:



Town Attorney

MORATORIUM ON LARGE RESIDENTIAL STRUCTURES

WHEREAS, the citizens of the Town of Southern Shores in numerous public meetings have requested that limits be placed on the size of homes viewed as "mini-hotels" in this community;

WHEREAS, a petition signed by over 300 citizens of Southern Shores requested that Council limit the size of homes in this community;

WHEREAS, the citizens of Southern Shores, through the Southern Shores Civic Association survey of members' opinions, have endorsed limits on the size of homes;

WHEREAS, the Southern Shores Civic Association Board of Directors has resolved that the Town of Southern Shores limit the size of homes;

WHEREAS, the Town Code Enforcement Administrator is seeking guidance from the State Department of Insurance on the applicability of the One and Two Family residential building construction codes (Volume VII) to large residential structures designed to accommodate in excess of two (2) persons per bedroom or greater than fourteen (14) people;

WHEREAS, the definition of "single family" (related persons, or no more than five unrelated persons) as used in the Town's Zoning Ordinance does not reflect the use of large residences/ "mini-hotels" as seasonal rental accommodations in residential neighborhoods;

WHEREAS, the Town has no designated area for tourist accommodations, large capacity seasonal rental homes are interspersed among permanent residential housing;

WHEREAS, much desirable real estate in the Town currently is built with the oldest and smallest rental housing in the community, redevelopment of these lots in the near future is inevitable;

WHEREAS, the NC General Assembly has recently enacted legislation that defines Residential Property Constructed and/or Used for Vacation, Leisure, or Recreational Purposes in Senate Bill 974 amending the Vacation Rental Act (NCGS Chapter 42A) for the protection of tenants and landlords;

WHEREAS, the Town Council and Town Administration are concerned about the life-safety protections afforded when large numbers of persons (15 or more) who are not permanent residents, and thus are at risk during emergency situations because of this unfamiliarity, occupy large single family residences constructed under residential building codes;

WHEREAS, The NFPA 101 Life Safety Code recommends classification of residential occupancies with sleeping accommodations for greater than sixteen (16) people as "Hotels";

WHEREAS, the Council is concerned about the waste water treatment effects created when large numbers of persons (15 or more) occupy single family residential structures utilizing nominal septic treatment systems on this fragile barrier island;

WHEREAS, the Council is concerned about the capacity of Dare County water treatment and supply systems for household, commercial, and fire fighting uses given the proliferation of large single family residences designed to accommodate in excess of fourteen (14) persons, and given the age and unknown design limits of the current County-managed system;

WHEREAS, the Council does not want to issue a total moratorium on construction and thus deprive owners of the reasonable and rightful use of their property;

AND, WHEREAS, the Council seeks time to study the concerns listed herein in order to develop comprehensive solutions for these land uses which will preserve the single-family residential community reflected in our current Land Use Plan;

NOW, THEREFORE, The Town Council of the Town of Southern Shores does hereby ordain as follows:

The issuance of building permits for new construction or the remodeling of existing structures in Zoning Districts RS-1 (Single Family Residential District) and R-1 (Low-Density Residential District), as indicated on the Official Zoning Map, which would result in a structure with more than seven (7) bedrooms (including nominal bedrooms or areas used for sleeping), or where that new construction or remodeling permits occupancy by more than fourteen (14) persons, is prohibited.

Effective this 7th day of December, 1999, for a period of eight (8) months.

Adopted this the 7th day of DECEMBER, 1999.

Paul E. Sutherland
Mayor

ATTEST:

Cassie Gordon
Town Clerk

Approved as to Form:

Thomas L. Hill
Town Attorney



Town of Southern Shores

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Resolution 01-02-003

RESOLUTION

CORRECTING TYPOGRAPHICAL ERRORS FOUND IN RECORDS AUDIT OF THE TOWN OF SOUTHERN SHORES

WHEREAS, Town Council charged Jodi Hess to audit the Town's records including all past minutes, Town Code, and Zoning Ordinance over the past twenty years and in which was found various errors in the minutes of Town Council meetings; and

WHEREAS, Town Council desires to correct these errors;

BE IT RESOLVED, that at the regular monthly meeting of the Town Council held on February 6, 2001 Council hereby adopts corrections to minutes as follows:

Dec. 4, 1986. Minutes of November 3 were approved, vice Dec. 4.

May 5, 1992. Volunteer Luncheon is June 30, vice July 30.

Aug. 4, 1992. Item 4, to read: "the Planning Board would be ready for September meeting" vice August.

Aug. 2, 1994. Item 5a to read: "a rewrite of a definition of "docks" will be presented at the September meeting" vice August

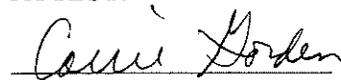
Feb. 23, 1999. Page 2, paragraph 6, second sentence to read: "changing their form of government from council/mayor to council/manager did return to the council/mayor form of government."

Dec. 2, 1999. Page 9, item 18, paragraph 5 to read: "Council did unanimously approve to bring these issues back to the table at the January meeting."

Adopted this 6th day of February 2001


Paul Sutherland, Mayor

ATTEST:


Carrie Gordin, Town Clerk

1999 Hurricane Debris Cleanup
Watch Standers

Ron Bates
Tom Charlton
George Chase
Tom Davidson
Hal Denny
Bill Fisher
Burnie Gould
Bob Hannan
Jake Hardie
Guy Hellwege
Charlie Hess
Frank Klahre
John Lee
David Little
Jack Meagher
Robin Morgan
Jim Morrison
Jim Pfizenmayer
Abe Shank
Larry Showalter
Al Smith
Ken Smith
Pat Storey
Paul Sutherland
Bob Van Zee
Larry Welker

Special Thanks to Bill Storey