



# Town of Southern Shores

"A Town of Volunteers"

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Ordinance #

01-10-016

## AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE TOWN OF SOUTHERN SHORES

### ARTICLE VII. SCHEDULE OF DISTRICT REGULATIONS

**WHEREAS** as shown in the history of the Town of Southern Shores as described by the developer Mr. David Stick, the Town of Southern Shores was established as a planned community of single family homes and the majority of its citizens, as indicated by a survey conducted by the Southern Shores Civic Association, continue to express their desire to preserve the single family home atmosphere of the town.

**WHEREAS** homes of large capacity, designed to serve short term vacation needs of multi-family groups, are inconsistent in a residential neighborhood occupied by single families, some on a year-round basis and are not desired as shown by various citizens' petitions, letters and e-mails.

**WHEREAS** significant health and safety issues may arise when large numbers of people are housed in structures designed for single family occupancy. A survey has indicated that almost half of the rental homes advertised for rent in Southern Shores have advertised for occupancy of more than the designed septic system capacity.

**WHEREAS** the impact on our neighboring surface waters (canals, Guinguite Creek, Atlantic Ocean and Currituck Sound) of large volume septic systems, especially those that are failing, are over utilized, under engineered or undersized.

**WHEREAS** the National Fire Protection Association (NFPA) Code 101 defines structures designed for occupancy by more than sixteen (16) persons as hotels or rooming houses which are subject to more stringent regulations than single family homes in regard to fire safety, such as sprinkler systems, multiple exits, signage and lighting.

**WHEREAS** the Town Council desires to protect the health, safety and welfare of its citizens, preserve the quality of life and preserve the property values and character of residential neighborhoods.

**NOW, THEREFORE BE IT ORDAINED** by the Town Council of the Town of Southern Shores that the Zoning Ordinances of the Town of Southern Shores be amended as follows:

**PART I.** Article III. Interpretation and Definition of Terms, Section 3.02 Definition of Specific Terms and Words is amended by adding the following definition of "Dwelling, Large Home":

"Any home containing more than seven (7) bedrooms (or rooms that could be considered as bedrooms using the Dare County criteria for determining septic system design) or septic system capacity for more than fourteen (14) people".

**Part II.** Article VII Schedule of District Regulations Section 7.01 RS-1 Single Family Residential District, B. Permitted Uses,

1. Change to read, "Detached single-family dwelling consisting of no more than seven (7) bedrooms or septic system capacity for more than fourteen (14) people."

Section 7.02 RS-8 Multi-Family Residential District, B. Permitted Uses,

Add, "9. Dwellings shall consist of no more than seven (7) bedrooms or septic system capacity for more than fourteen (14) people."

Section 7.03 RS-10 Multi-Family residential District, B. Permitted Uses,

Add, "1. Dwellings shall consist of no more than seven (7) bedrooms or septic system capacity for more than fourteen (14) people."

Section 7.04 R-1 Low Density Residential District, B. Permitted Uses,

1. Change to read, "Detached single-family dwelling consisting of no more than seven (7) bedrooms or septic system capacity for more than fourteen (14) people."

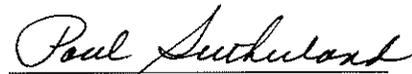
**PART III.** Article VII Schedule of District Regulations, Section 7.10 General Commercial District B. Permitted Uses is amended by adding:

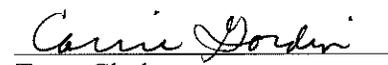
"9. Dwelling, Large Home"

**PART IV.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**PART V.** This ordinance shall be in full force and effect from and after the 2nd day of October 2001.

ATTEST:

  
Mayor

  
Town Clerk

Date: 10/2/01  
Vote: 5 Ayes 0 Noes

Approved as to form:

  
Town Attorney