



# TOWN OF SOUTHERN SHORES

"A Town of Volunteers"

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**Ordinance No. 2004-10-01**

**AN ORDINANCE OF THE  
SOUTHERN SHORES TOWN COUNCIL RELATING TO  
AMENDING THE ZONING ORDINANCE RELATING TO LOT COVERAGE  
AND SCHOOL FACILITY HEIGHT**

Dare County, North Carolina

Be It Ordained by the Southern Shores Town Council as follows:

**Article I: Purpose**

The purpose of this Ordinance is to amend the Zoning Ordinance of Southern Shores, Dare County, North Carolina, which was originally adopted by the Town Council on July 7, 1981 and subsequently amended.

**Article II. Construction**

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Town Code language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Language of the adopted Town Code shall be shown in italics (*italics*).

**Article III. Amend Section 4.04, Southern Shores Zoning Ordinance –  
Computation of Required Space**

Section 4.04 of the Southern Shores Town Zoning Ordinance is hereby amended to read as follows:

*No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Ordinance, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building except as specifically allowed by this Ordinance.*

All lots created shall have all of the minimum square footage contiguous to all other minimum square footage within the same lot. No street or road right-of-way, body of water, may separate one area of a lot from another area of the same lot. No recombination of two or more lots shall create a lot where the minimum square footage is not contiguous to all other minimum square footage.

*Ord. No. 2004-10-01-Lot Coverage and School Facilities*

*v.11-17-2004*

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**Article IV. School Height Regulations Amended**

Section One. Section 7.04D (R-1 Low Density Residential) is hereby amended to read as follows:

*D. Dimensional Requirements for R-1 Low Density Residential Districts*

1. *Minimum lot size*
  - a. *For all uses other than Country Club 20,000 square feet*
  - b. *Country Club 150 acres*
2. *Minimum lot width 100 feet (measured at building setback line)*
3. *Minimum front yard (setback) 25 feet*
4. *Minimum side yard (setback) 15 feet; an additional 5-foot side yard adjacent to the street is required for a corner lot. Fifteen (15) feet for swimming pools.*
5. *Minimum rear yard (setback) 25 feet*
6. *Maximum allowable lot coverage 30%, except Town-owned facilities and fire stations; 85% for Town-owned facilities and fire stations; and 40% for school facilities* *In the case of an oceanfront lot, only that area landward of the first line of stable natural vegetation (as defined by CAMA) shall be used for calculating lot coverage.*
7. *Height:*

*For uses other than country club and school facilities:*

<i>HEIGHT, TOP PLATE;</i>	<i>26 feet</i>
<i>HEIGHT, MAXIMUM</i>	<i>35 feet</i>

*b. For country club use – principal building only:*

<i>HEIGHT, TOP PLATE;</i>	<i>56 feet</i>
<i>HEIGHT, MAXIMUM</i>	<i>65 feet</i>

*c. For school facilities*

<i>HEIGHT, TOP PLATE;</i>	<i>45 feet</i>
<i>HEIGHT, MAXIMUM</i>	<i>55 feet</i>

8. *Minimum living space for residential uses 1,000 square feet of enclosed living space.*

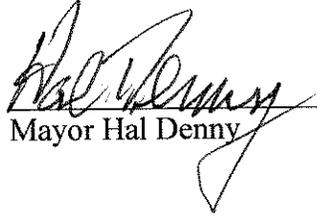
**Article V. Severability**

If any words, phrases, language, section or other portion of this Ordinance is held invalid by a court of competent jurisdiction, then all remaining words, phrases, language, section or other portion of this Ordinance shall remain in full force and effect.

**Article VI: Effective Date**

This Ordinance is effective immediately upon adoption.

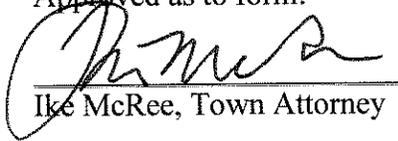
Adopted this the 17<sup>th</sup> day of November 2004.

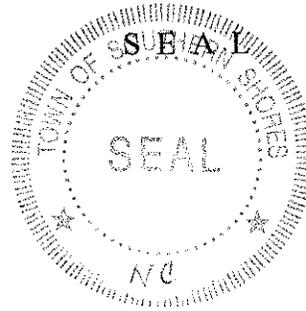
  
Mayor Hal Denny

ATTEST:

  
Carrie Gordin, Town Clerk

Approved as to form:

  
Ike McRee, Town Attorney



Date Introduced: 10/05/2004

Date Revised: 10/19/2004

Dates of Publication: October 14 and October 21, 2004-Coastland Times

Date(s) of Public Hearing(s): November 3, 2004