



**TOWN OF SOUTHERN SHORES**  
**TOWN COUNCIL REGULAR MEETING**

5375 N. Virginia Dare Trail, Southern Shores, NC 27949

Phone 252-261-2394 / Fax 252-255-0876

[www.southernshores-nc.gov](http://www.southernshores-nc.gov)

**PITTS CENTER**

**Tuesday, February 07, 2023 at 5:30 PM**

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## **AGENDA**

### **Call Meeting to Order**

Pledge of Allegiance

Moment of Silence

### **Amendments to / Approval of Agenda**

#### **Consent Agenda**

1. Minute Approval-emailed
2. Budget Amendments
3. Approval of SUP-22-01 Order

#### **Presentations**

4. The Wall that Heals-Presentation by Wally Overman and Patty O'Sullivan

#### **Staff Reports**

Deputy Town Manager/Planning Director

Monthly Permit Reports

Planning Board Update

Police Chief

Fire Chief

Town Manager

Juniper/Trinitie Culvert Update

Beach Nourishment Update

Request for Budget Discussion at February Workshop Meeting

Town Attorney

#### **General Public Comment (Limit: 3 minutes per speaker.)**

#### **Old Business**

#### **New Business**

5. Planning Board Appointment
6. Public Hearing ZTA-23-01-a Zoning Text Amendment application submitted by the Town of Southern Shores to amend Town Code Section 36-57, Definition of Specific Terms and Words.
7. Martin's Point ETJ Transfer Discussion

#### **General Public Comment (Limit: 3 minutes per speaker.)**

#### **Council Business**

#### **Closed Session**

8. Closed Session - N.C.G.S. § 143-318.11(a)(5) and N.C.G.S. § 143-318.11(a)(3)

#### **Adjourn**

**Town of Southern Shores  
Budget Amendment Number # 16**

[illegible]

Explanation: Insurance premiums increased for workers comp and property liability. This is a result of increased salaries for employees and equipment and vehicles added. For the supplies line, this is for a new file cabinet for the Finance Officer's office and bank fees.

Recommended By:

Approved By: Town Council

Cliff Ogburn, Town Manager

Elizabeth Morey, Mayor

Date \_\_\_\_\_

**Town of Southern Shores  
Budget Amendment Number # 17**

[illegible]

Explanation: Cost of beautification project at Public Works building. This is the cost of trees, supplies and gate.

Recommended By:

Cliff Ogburn, Town Manager

Approved By: Town Council

Elizabeth Morey, Mayor

Date \_\_\_\_\_

**Town of Southern Shores  
Budget Amendment Number # 18**

[illegible]

Explanation: Cost of sign to place at the Triangle.

Recommended By:

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Cliff Ogburn, Town Manager

Approved By: Town Council

Elizabeth Morey, Mayor

Date \_\_\_\_\_

**Town of Southern Shores  
Budget Amendment Number # 19**

Sanitation Increases			Sanitation Decreases		
Account Number	Description	Amount	Account Number	Description	Amount
40-32900	<b>Revenues</b> Interest Income	\$1,000			
52-50121	<b>Expenditures</b> Misc.	\$1,000			
TOTAL			TOTAL		\$ -

Explanation: Cost of replacement lids for trash cans.

Recommended By:

Cliff Ogburn, Town Manager

Approved By: Town Council

Elizabeth Morey, Mayor

Date \_\_\_\_\_

**Town of Southern Shores  
Budget Amendment Number # 20**

<b>Planning Increases</b>			<b>Planning Decreases</b>		
<u>Account Number</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
40-32900	<b><u>Revenues</u></b> Interest Income	\$3,500			
52-50121	<b><u>Expenditures</u></b> Misc.	\$3,500			
TOTAL			TOTAL		\$ -

Explanation: Cost to update Town Traffic Map

Recommended By:

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Cliff Ogburn, Town Manager

Approved By: Town Council

Elizabeth Morey, Mayor

Date \_\_\_\_\_



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## TOWN COUNCIL TOWN OF SOUTHERN SHORES, NORTH CAROLINA

### ORDER GRANTING SPECIAL USE PERMIT

The Town of Southern Shores Town Council (the “Council”) held a Public Hearing on January 3, 2023 to consider a Special Use Permit application submitted by Timmons Group, Kimberly D. Hamby (the “Applicant”) on behalf of Fire Service Real Estate, Inc. (the “Property Owner”) seeking a Special Use Permit to construct a new EMS/Fire Station on the parcel of property located at 28 E. Dogwood Trl. (the “Property”). The Council, having heard all of the evidence and arguments presented at the hearing makes the following FINDINGS OF FACT:

1. Proper notice was published in a legal advertisement placed in a newspaper having general circulation in Dare County.
2. Proper notice was mailed to the applicant and all property owners abutting and across the street from the Property using USPS Certified Mail.
3. Proper notice was posted on the Property.
4. The Property Owner owns the Property.
5. The Applicant seeks a Special Use Permit to construct an 8,756 sq. ft. EMS/Fire Station on the Property.
6. Fire Stations are a permitted use in the R-1, Low-density Residential District provided that a Special Use Permit is granted by the Town Council following a recommendation made by the Town Planning Board.
7. The Town Planning Board granted a Variance on December 1, 2022 to allow stormwater in the drainage area that contains the concrete apron off of E. Dogwood Trl. to be collected and stored in the retention area located at 29 E. Dogwood Trl. as it is today.

8. The Town Planning Board recommended approval of the Special Use Permit application at the December 19, 2022 Planning Board meeting with conditions.

Based on the above Findings of Fact, and considering the burdens of proof and persuasion being on the Applicant, the Council makes the following **CONCLUSIONS** pursuant to Town Code Sec. 36-300(5):

- a. The applicant has met the requirements of the applicable provisions of the Town Chapter pertaining to Zoning, Subdivision Chapter, and all other applicable Ordinances.
- b. That the use as proposed will conform with the Town's Land Use Plan, and will be compatible with the area in which it is to be located, if developed in accordance with the conditions specified in the Chapter and additionally required by the Town Council as authorized by the Chapter.
- c. That the use will not materially endanger the public health and safety if located where proposed and developed according to the plan submitted.
- d. That the use as proposed will not overburden the Town Volunteer Fire Department fire-fighting capabilities and the County water supply capacity to the Town, as said facilities and capabilities will exist on the completion date of the conditional use for which the application is made.

THEREFORE, based upon all of the foregoing the application for a Special Use Permit is **GRANTED** with the following conditions:

1. The following permit shall be issued prior to submittal of a Building Permit application:
  - a. Improvement Permit and Authorization to Construct a new wastewater collection, treatment and disposal system as issued by the Dare County Health Department.
2. A lighting plan shall be submitted with the Building Permit and Zoning Permit application.
3. The applicant must strictly abide by all requirements of the Town Code and must also strictly comply with all other applicable local, State, and Federal requirements.

Ordered this \_\_\_\_ day of \_\_\_\_\_, 2023

\_\_\_\_\_  
Elizabeth Morey, Mayor



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Sheila Kane, Secretary

NOTE: If you are dissatisfied with the decision of this Board, an appeal may be taken to the Superior Court of Dare County in accordance with Article 14 of Chapter 160D of the North Carolina General Statutes.



# BRINGING THE WALL THAT HEALS TO DARE COUNTY

WALL REPLICA AND MOBILE EDUCATION CENTER



## DARE COUNTY VETERANS ADVISORY COUNCIL

The Dare County Board of Commissioners created the Veterans Advisory Council in respectful recognition of the service and sacrifice of all Dare County Veterans as represented in all the branches of United States military service.

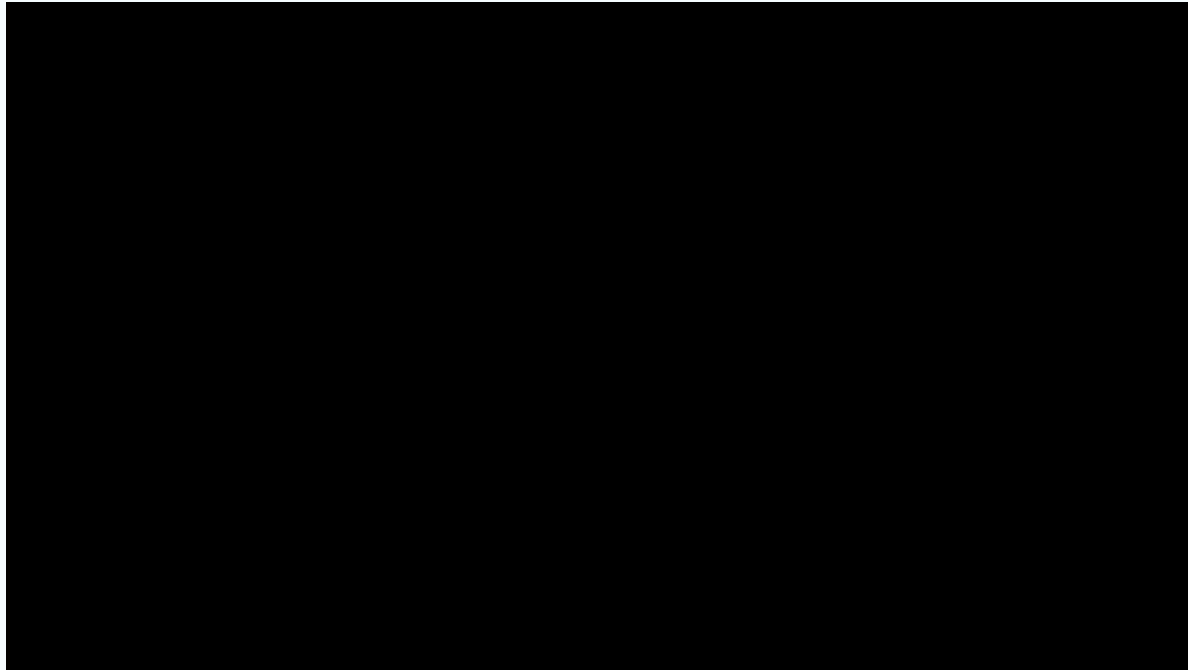
The Veterans Advisory Council helps Dare County Veterans by serving as a liaison with the community in coordinating services and activities benefiting Veterans and their families.



# THE WALL THAT HEALS

Item 4.

A VIDEO OVERVIEW



# WHY IS IT IMPORTANT TO BRING **THE WALL THAT HEALS** TO DARE COUNTY?

- Approximately 5,000 Veterans live in Dare County.
- Travel to D.C. may be difficult or impossible for some Vietnam Veterans.
- We anticipate as many as 1,000 visitors per day, including those from neighboring areas.
- Tours are available for school groups and clubs.





# THE WALL REPLICA

- The Wall That Heals is a three-quarter scale replica of the Vietnam Veterans Memorial in Washington, D.C.
- The replica is 375 feet in length and stands 7.5 feet high at its tallest point.
- More than 58,000 names are lit by LED lighting to provide readability day and night.



Item 4.



Images of the Wall That Heals.



# THE EDUCATION CENTER

- The 53-foot trailer that carries The Wall That Heals transforms to become a mobile Education Center.
- The exterior of the trailer features a timeline of “The War and The Wall” and provides additional information and artifacts from the Vietnam Veterans Memorial in Washington, D.C.



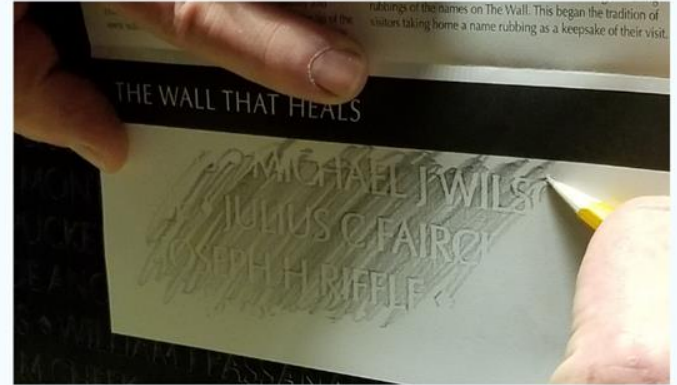
Images of the Education Center.





# OTHER FEATURES

- Information Tent – Additional literature and opportunity for visitors to take name rubbings of individual service member's names on The Wall.
- Hometown Heroes & In Memory Displays– Photos of service members who died during their service in the Vietnam War or after the war, due to a war-related injury or illness whose hometown was listed in Dare County.





# THE WALL THAT HEALS

Item 4.

## DATES

**November 15-19, 2023**

**November 14** – The Wall That Heals arrives in Dare County

**November 15** – Set up with soft opening at completion

First volunteer shift begins at 2 p.m.

Volunteer training is at 6 p.m.

**November 16** – Official opening day and ceremonies

*The Wall is open to the public 24 hours per day.*

**November 19** – Wall Breakdown at 2 p.m.

## STAFFING

- Six volunteers will staff the site during the day and three volunteers will staff the site at night.
- One Vietnam Veterans Memorial Fund project manager will be on site with the wall.



PATTY O'SULLIVAN, DARE COUNTY VETERAN SERVICES OFFICER

# THE WALL THAT HEALS

## LOGISTICS & ASSEMBLY

- The Wall will arrive at the Soundside Event Site in Nags Head on November 14, 2023 and set up will begin on November 15, 2023.
- The local sectors of the U.S. Coast Guard and the Army Recruitment Office have been recruited to assist with assembly and site set-up.



Angle	Overall Length (End to End)	Depth
100°	283'	119'
110°	303'	106'
120°	320'	93'
<b>125°</b>	<b>328'</b>	<b>85'</b>
130°	335'	78'
140°	348'	63'
150°	357'	48'
160°	364'	32'

Based on ideal angles and these measurements, the minimum space for just TheWall would be the following area.







# BRINGING THE WALL THAT HEALS TO DARE COUNTY

WALL REPLICA AND MOBILE EDUCATION CENTER



## AGENDA ITEM SUMMARY FORM

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**MEETING DATE:** February 7, 2023

**ITEM TITLE:** Planning Board Appointment

**ITEM SUMMARY:**

Planning Board member Lynda Burek resigned from the Town Planning Board on January 16, 2023. The term for her position began on July 1, 2022 and will end on June 30, 2025. Alternate member Jan Collins began serving as an alternate member on the Board on November 6, 2020 and is currently the first alternate. Ms. Collins has expressed an interest in filling the vacancy created by Ms. Burek's resignation. There currently are no applications on file from citizens interested in serving on the Town Planning Board.

**STAFF RECOMMENDATION:**

Appointment of Jan Collins as a regular member on the Town Planning Board.

**REQUESTED ACTION:**

Motion to appoint Jan Collins as a regular member on the Town Planning Board.

**SOUTHERN SHORES PLANNING BOARD**  
*BOARD MEMBER STATUS AS OF 1/31/2023*

[illegible]



## AGENDA ITEM SUMMARY FORM

**MEETING DATE:** February 7, 2023

**ITEM TITLE:** ZTA-23-01

**ITEM SUMMARY:**

In 2019, the N.C. General Assembly enacted North Carolina General Statutes Chapter 160D, Local Planning and Development Regulation, which consolidated and clarified former Chapters 160A and 153A that addressed development regulations for Municipalities and Counties. The Chapter became effective January 1, 2021 with the requirement that all Municipalities and Counties update their ordinances to be compliant with it by July 1, 2021. Due to the Town Code Update project, Town Staff chose to postpone amending the Town Code to be compliant with Chapter 160D until the amendments from the Town Code Update project were complete.

As a result of that postponement, and in an effort to bring the Town Code into compliance with Chapter 160D without making numerous amendments, the Town Council adopted Town Code Amendment TCA-21-05 on July 6, 2021 that clarified that the North Carolina General Statutes (in particular Chapter 160D) must be satisfied whenever the Town Code conflicts with, contradicts or is otherwise inconsistent with the North Carolina General Statutes. The next proposed amendment required under Chapter 160D is a Zoning Text Amendment (ZTA) that adds two definitions and revises two definitions in the Town Zoning Ordinance.

**STAFF RECOMMENDATION:**

Town Staff has determined that the proposed amendments are consistent with the Town's currently adopted Land Use Plan and Town Staff recommends approval of the proposed ZTA. The Town Planning Board recommended approval (5-1) of the application at the January 24, 2023 Special Planning Board meeting.

**REQUESTED ACTION:**

Motion to approve ZTA-23-01.

## STAFF REPORT

**To:** Southern Shores Town Council  
**Date:** February 7, 2023  
**Case:** ZTA-23-01  
**Prepared By:** Wes Haskett, Deputy Town Manager/Planning Director

### **GENERAL INFORMATION**

**Applicant:** Town of Southern Shores

**Requested Action:** Amendment of the Town Code by amending Section 36-57, Definition of specific terms and words

### **ANALYSIS**

In 2019, the N.C. General Assembly enacted North Carolina General Statutes Chapter 160D, Local Planning and Development Regulation, which consolidated and clarified former Chapters 160A and 153A that addressed development regulations for Municipalities and Counties. The Chapter became effective January 1, 2021 with the requirement that all Municipalities and Counties update their ordinances to be compliant with it by July 1, 2021. Due to the Town Code Update project, Town Staff chose to postpone amending the Town Code to be compliant with Chapter 160D until the amendments from the Town Code Update project were complete.

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### **RECOMMENDATION**

Town Staff has determined that the proposed amendments are consistent with the Town's currently adopted Land Use Plan and Town Staff recommends approval of the proposed ZTA. The Town Planning Board recommended approval (5-1) of the application at the January 24, 2023 Special Planning Board meeting.



# Town of Southern Shores

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Item 6.

## PLANNING BOARD GENERAL APPLICATION FORM TOWN OF SOUTHERN SHORES, NC 27949

**Date:** 1 / 6 / 23 **Filing Fee:** \$200 **Receipt No.** N/A **Application No.** ZTA-23-01

**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 Town of Southern Shores

Address: 5375 N. Virginia Dare Trl.  
Southern Shores, NC 27949

Phone (252) 261-2394 Email whaskett@southernshores-nc.gov

### Applicant's Representative (if any)

Name \_\_\_\_\_

Agent, Contractor, Other (Circle one)

Address \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

**Property Involved:** \_\_\_ Southern Shores \_\_\_ Martin's Point (Commercial only)

Address: \_\_\_\_\_ Zoning district \_\_\_\_\_

Section \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_ Lot size (sq.ft.) \_\_\_\_\_

**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 **X** \_\_\_ Zoning Ordinance

W. H. Hunt  
Signature

1-6-23  
Date

\* Attach supporting documentation.





## Town of Southern Shores

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ZTA-23-01

1-6-23

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 North Carolina General Assembly adopted 2019 N.C. Sess. Law 111 to clarify and change the land-use regulatory laws of the State, including the recodification of many existing land-use regulatory laws in a newly created N.C.G.S. Chap. 160D pursuant to 2019 N.C. Sess. Law 111, Part II; and

**WHEREAS**, the Town desires to amend its land-use and development ordinances to conform to N.C.G.S. Chap. 160D as provided in this ordinance amendment; 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 and Town Code of Ordinances 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. 36-57. Definition of specific terms and words.** Be amended as follows:

**Sec. 36-57. Definition of specific terms and words..**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

...

Bedroom means a room designated as sleeping or bedroom on the plans and permit application.

...

Building means any structure enclosed and isolated by exterior walls constructed or used for residence, business, industry or public purposes used or intended for supporting or sheltering any use or occupancy.

...

Dwelling means any building, structure, manufactured home, or mobile home, or part thereof, used and occupied for human habitation or intended to be so used, and includes any outhouses and appurtenances belonging thereto or usually enjoyed therewith. The term does not include any manufactured home, mobile home, or recreational vehicle, if used solely for a seasonal vacation purpose.

...

Dwelling unit means one or more rooms or living spaces connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease, and physically separated from any other rooms, living spaces or dwelling units which may be in the same structure, and containing a stove or stoves and/or an oven or ovens and sleeping facilities for a single family a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

...

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

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

**ARTICLE V. Severability.**

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

**ARTICLE VI. Effective Date.**

This ordinance amendment shall be in full force and effect from and after the \_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Elizabeth Morey, Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Town Attorney

Date adopted:

\_\_\_\_\_  
Motion to adopt by Councilmember:

\_\_\_\_\_  
Motion seconded by Councilmember:

Vote: \_\_AYES\_\_NAYS



## AGENDA ITEM SUMMARY FORM

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**MEETING DATE:** February 7, 2023

**ITEM TITLE:** Martin's Point ETJ Transfer Discussion

**ITEM SUMMARY:**

The Town currently exercises extraterritorial jurisdiction over the Martin's Point commercial properties. The properties consist of ten developed lots that are not within the Town's limits, but they are subject to the Town's land use regulations (zoning, flood, building code). John Finelli is a Martin's Point resident that serves as the ETJ Representative on the Town Planning Board and he is able to vote on matters pertaining to the Martin's Point ETJ area. Mr. Finelli is proposing a transfer of land use regulation (relinquishment) of the Martin's Point commercial properties back to Dare County (see attached letter).

The Town Planning Board discussed the proposal at the December 19, 2022 Planning Board meeting and voted unanimously to recommend approval of the transfer. Mr. Finelli and Town Staff are now seeking direction from the Town Council. If Council would like to move forward with the transfer, Town Staff will prepare an ordinance (including Town Code Amendments) for the Planning Board and Town Council to consider. The Town Council would need to hold a public hearing on the ordinance, following a recommendation from the Planning Board. If the ordinance is adopted by Council, the Town's development regulations and powers of enforcement that currently apply to the Martin's Point commercial properties would remain in effect until Dare County has adopted development regulations for the properties, or a period of 60 days has elapsed, whichever is sooner.

**STAFF RECOMMENDATION:**

Direct Town Staff to prepare an ordinance to relinquish extraterritorial jurisdiction over the Martin's Point commercial properties.

**REQUESTED ACTION:**

Motion direct Town Staff to prepare an ordinance to relinquish extraterritorial jurisdiction over the Martin's Point commercial properties.

January 19, 2023

To: Town Council Members:

From: John Finelli, ETJ Representative

Southern Shores has extra-territorial jurisdiction over the 10 commercial lots at the entrance to the Martin's Point subdivision, for planning and zoning purposes. I've been the County appointed ETJ Representative for this area for about 13 years, and have a seat on your planning board on matters pertaining to commercial zoning.

Shortly after Southern Shores incorporated in 1979, the Town exercised extra-territorial jurisdiction over Martin's Point and the surrounding waters. At that time, Martin's Point was under single ownership and unzoned. It's understandable that the Town would take such action since development in an unzoned area could adversely affect the Town. But as Martin's Point began development in 1982, it was clear that the Town no longer had architectural or zoning concerns. But the ETJ continued, and from the Martin's Point perspective, it was not a good relationship. Finally, after political pressure at the State level, the Town agreed to release the Martin's Point residential area from the ETJ in the year 2000. In my opinion, the commercial properties should have been transferred at the same time, but it didn't happen.

Last year, I had discussions with Wes Haskett, Andy Ward, Clif Ogburn and Mayor Morey about a possible transfer of these properties from the ETJ to Dare County for planning and zoning purposes. We seem to be in agreement that the interests of the Town and of Martin's Point might be best served if Dare County took over the planning and zoning responsibilities for the 10 properties in the Martin's Point commercial subdivision.

I was asked by the Mayor to conduct a survey of the property owners to see if they were in favor of the transfer or if they wanted to remain under Southern Shores for planning and zoning. So far, 60% have responded that they are in favor of the move to Dare County and none are opposed.

This matter was brought up for discussion at the Town's Planning Board meeting in December. I informed the Martin's Point property owners ahead of time. Only one of them attended the meeting, and no one spoke in opposition. Following the discussion, the Planning Board voted unanimously to forward the matter to Town Council with a positive recommendation for the transfer.

If the Town releases the commercial properties the only remaining area of the ETJ will be Jean Guite Creek. In my opinion this should remain. The powers granted to the Town by the State in this area are limited to zoning and the regulation of jet skis. At one time, the Town had a jet ski ordinance but has since rescinded it. That needs to remain an option, and the County has no interest in dividing Jean Guite Creek.

I would like for the Council to place this item on your meeting Agenda, and hopefully proceed with the transfer. I was hoping to address the Council at one of your meetings but I have a scheduling conflict as the Dare County Planning Board meets on the same dates, and I am chairman of that Board. But I'm available to discuss this at a workshop, by phone, or in person with each of you or 2 at a time.

The Chairman of the Dare County Board of Commissioners and the Dare County Planning Director are aware of my efforts and are supportive. But ultimately, it will be up to the Southern Shores Town Council to approve the transfer.

Thank you.

Sincerely,

John Finelli 261-8786  
ETJ Representative