



**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE TOWN OF NAGS HEAD, NORTH CAROLINA**

WHEREAS, The Town of Nags Head finds that there are multiple subdivisions which were platted in 50' lots within the C-2 and CR Districts which became nonconforming when a 60' minimum lot width was adopted; and

WHEREAS, the dimensional requirements for minimum lot size and setbacks in the C-2 and C-R Districts have successfully provided a development pattern which would not be changed with a reduction in minimum lot width from 50 feet to 60 feet; and

WHEREAS, the Town has reviewed and approved several subdivision variance requests to allow for the development of 50' lots within the last two years so that property owners would not be harmed by the 60' lot width requirement; and

WHEREAS, the Town finds that a reduction in the minimum lot width for the C2 and CR District would not alter the character of the neighborhoods along South Virginia Dare Trail from how they are developed now and would therefore be consistent with the existing land use; and

WHEREAS, the Town finds that these text amendments are consistent with the goals, objectives and policies of the Town's adopted Land Use Plan, and that this action is reasonable and in the public interest;

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Nags Head, North Carolina, that Chapter 48, Zoning, of the Code of Ordinances shall be amended as follows:

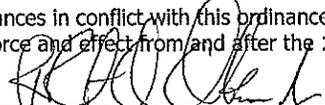
PART I. That **Section 48-405, - CR commercial residential district (b) (1) and Section 48-407 C2 General Commercial District (b)(4)** be amended as follows:

Single-family dwelling units and duplexes, subject to dimensional requirements of R-3 district. except for minimum lot width. Single-family dwellings and duplexes containing five bedrooms shall be subject to the applicable requirements specified in section 48-370.

PART II. That Section 48-405 CR Commercial Residential District **(d) and Section 48-407 C2 General Commercial District (d)** be amended as follows:

(3) The minimum lot width shall be 60 feet 50 feet.

PART III. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. This ordinance shall be in full force and effect from and after the 15th day of **May 2013.**


Robert O. Oakes, Jr., Mayor
Town of Nags Head

ATTEST:


Carolyn F. Morris, Town Clerk

APPROVED AS TO FORM:

John Leidy, Town Attorney

Date adopted: May 15, 2013 (Second Reading)

Motion to adopt by Commissioner _____
Motion seconded by Commissioner _____
Vote: _____ AYES _____ NAYS

