



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

WHEREAS, The Town's Board of Adjustment has considered and approved a request for a variance to maximum height of lighted wall signage on hotels; and

WHEREAS, the Board of Adjustment found evidence to support that the repair of existing signage on the Nags Head Inn was beneficial to the surrounding properties, and that the Town regulations requiring full elimination of a nonconformity when a sign needed to be replaced or repaired from storm damage created an un-necessary hardship; and

WHEREAS, The Land Use Plan States that the Town:

- Desires to build an economy based on family tourism; and
- Desires to promote architecture in the Nags Head image; and
- Works to support local business owners; and

WHEREAS, the Planning Board finds that the existing nonconforming signage on hotels greater than 35' in height has diminished the goals of the Land Use Plan; and

WHEREAS, the Planning Board and Board of Commissioners therefore find 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 and recommends adoption;

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 48-325(e), General Provisions**, be amended as follows:

Option C:

(e) No light fixture, including signs, shall exceed 35 feet in height, except as specified in sections 48-325(f) or 48-328(e)(6). Where existing nonconforming light fixtures, including signs exist, such light fixtures and sign may be replaced provided there is no increase in the degree of nonconformity.

PART II. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.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 7th day of August 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: August 7, 2013
Motion to adopt by Commissioner _____
Motion seconded by Commissioner _____
Vote: _____ AYES _____ NAYS