

**Village of Pinehurst
Planning and Zoning Board
Agenda**

January 5, 2012

395 Magnolia Road Pinehurst NC 28374

- 1. Call to Order of the Regular Meeting (4:00pm)**
- 2. Approval of the December 1, 2011 Meeting Minutes**

Public Hearings:

The purpose of the public hearing is to consider an Official Zoning Map Amendment. This map amendment would rezone one parcel of land consisting of approximately 7.32 acres. This property is addressed as 107 Linden Trail. This property is currently zoned R-10 (Residential). The proposed map amendment would change the zoning of the property to Conditional Use R-210 (Low Density Residential and Agricultural/Min. Lot Size of 5 acres). The applicant and owner of the property is Julia Latham. The owner/ applicant has proposed the following condition be attached to this request: Livestock production activities such as poultry, swine and cattle will not be permitted. This property is further defined as being Moore County LRK #'s 14471, 14472, 14473, 16104, 16257, 16929, 20295, 21619, 21662, 28229, 29692, 29883, and 20110056.

3. General Discussion

Continue discussion of combining the Planning and Zoning Board and the Board of Adjustment.

4. Adjournment

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Call to Order of the Regular Meeting (4:00pm)

Chairman Percy Bennett called the meeting to order and welcomed Board members, staff, as well as, those in the audience. Chairman Bennett informed those in the audience that they will be given the opportunity to comment on the request for rezoning. Chairman Bennett stated that comments should be limited to 3-5 minutes and that duplication of comments should be avoided.

Board members present:

*Percy Bennett
Richard Ashton
Tom Campbell
Larry Cox
Byrd Gwinn
Kevin Hardt
Betty Sapp
Joel Shriberg
Jay Snyder*

Staff present:

Bruce Gould, Senior Planner and Gwendy Hutchinson, Planning and Administrative Assistant.

Approval of the December 1, 2011 Meeting Minutes

Tom Campbell made a motion to approve the December 1, 2011 as submitted; Betty Sapp seconded the motion, which was unanimously approved.

Chairman Bennett opened the Public Hearing.

Public Hearings:

The purpose of the public hearing is to consider an Official Zoning Map Amendment. This map amendment would rezone one parcel of land consisting of approximately 7.32 acres. This property is addressed as 107 Linden Trail. This property is currently zoned R-10 (Residential).

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The proposed map amendment would change the zoning of the property to Conditional Use R-210 (Low Density Residential and Agricultural/Min. Lot Size of 5 acres). The applicant and owner of the property is Julia Latham. The owner/ applicant has proposed the following condition be attached to this request: Livestock production activities such as poultry, swine and cattle will not be permitted. This property is further defined as being Moore County LRK #'s 14471, 14472, 14473, 16104, 16257, 16929, 20295, 21619, 21662, 28229, 29692, 29883, and 20110056.

The following signed up to speak: James Cameron, JoAnn Cameron and Mark Epstein, applicant.

Mark Epstein, applicant was present to answer any questions or address any concerns of the Board.

Bruce Gould, Senior Planner read the staff analysis into the record:

Analysis:

The surrounding residential properties are a mix of two zonings R-210 and R-10. The Pine Vista Dr. /Burning Tree Rd. / Forest Ln. area of Unit 12 abut the proposed rezoning to the East. To the west of the property are platted lots that are zoned R-10 and part of the Pineview Manor Subdivision. Although this is a platted subdivision the roads within it have never been improved and no utilities constructed. It is therefore sparsely developed and no developed lots are in the immediate vicinity of this rezoning. Property to the south is zoned R-210 and developed with single family homes on acreage including a new home being constructed by the applicant on the portion of their tract currently zoned R-210.

The purpose of this rezoning is to allow the applicant to pursue bringing the property into agricultural production. The application indicates that the applicant wishes to develop approximately 3 to 5 acres of land for light agricultural use to include the growing of vegetable crops, fruit trees and native berries. The need for the rezoning is to comply with zoning requirements that prohibit agricultural uses from the R-10 zoning district.

This property is located within the ETJ of Pinehurst and not within incorporated limits of Pinehurst.

Proposed Conditions:

The applicant has proposed the following conditions be attached to this rezoning petition;

The agricultural land use shall preclude any livestock production activities such as poultry, swine and cattle.

**horse farms would not be included in this prohibition as they are listed as a separate use in the PDO*

Recommendation:

The Planning Staff recommends approval of the rezoning request to conditional use R-210 with the above stated condition.

Comprehensive Plan Consistency Statement:

Page 37 of the Village of Pinehurst 2010 Comprehensive Long Range Plan says the following;

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Although the exact nature of the future cannot be determined with certainty, it is becoming more apparent that resource availability and utilization will be of greater importance than they have been in the past. To prepare for possible future events, Pinehurst should start implementing a variety of sustainability measures to preserve resources and maintain a healthy quality of life for future generations. Sustainability is generally thought of as activities that help create a livable community and meet the needs of present generations without compromising the ability of future generations to meet their needs.

The Village of Pinehurst should be a leader in sustainable practices.

Page 57 of the 2010 Comprehensive Plan indicates that the village should modify the Pinehurst Development Ordinance to encourage farming and hobby farms in appropriate areas of the ETJ.

Rezoning of this property to allow for 3-5 acres of light agricultural use for local consumption would be considered sustainable practice and is therefore deemed to be in accordance with the 2010 Comprehensive Plan. Achieving goals in accordance with the Comprehensive Plan is considered reasonable and in the best interest of the public.

After discussion, Kevin Hardt made a motion to approve the request to rezone +/- 7.32 acres currently zoned R-10 (Residential) to CU R-210 (Conditional Use Residential) with the proposed conditions set by the applicant that the agricultural land use shall preclude any livestock production activities such as poultry, swine and cattle. The rezoning request is recommended to Village Council as it is in accordance with the 2010 Comprehensive Long-Range Plan. Achieving goals in accordance with the Comprehensive Plan is considered reasonable and in the best interest of the public; Richard Ashton seconded the motion, which was unanimously approved.

Chairman Bennett closed the Public Hearing.

General Discussion

Continue discussion of combining the Planning and Zoning Board and the Board of Adjustment.

Bruce Gould led the discussion of combining the Planning and Zoning Board and the Board of Adjustment. Bruce and the Board members discussed possible scenarios for the combining of the Boards. Bruce is looking into training for the Boards from the School of Government and or from Consultant, Steve Davenport.

Several members of the current Board requested training manuals that had been used in the past. Staff will prepare these manuals and hand them out at the next Planning and Zoning meeting; February 2, 2012.

Adjournment

With no further discussion, Tom Campbell made a motion to adjourn the meeting; Betty Sapp seconded the motion, which was unanimously approved.

Submitted by,



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*Gwendy Hutchinson
Planning and Administrative Assistant
Village of Pinehurst*