

ORDINANCE #98-1

AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AND ZONING MAP OF THE VILLAGE OF PINEHURST TO ZONE LAND IDENTIFIED BY THE MOORE COUNTY TAX ASSESSOR AS LRK# 49988, LOCATED IN THE VICINITY OF HIGHWAY 5 AND LINDEN ROAD TO R-15.

THAT WHEREAS, the Village Council of the Village of Pinehurst adopted the Pinehurst Development Ordinance on October 23, 1995, for the purpose of regulating planning and development in the Village of Pinehurst and the extraterritorial area over which it has jurisdiction; and

WHEREAS, said Ordinance has been amended from time to time as circumstances and the best interests of the community have required; and

WHEREAS, the Village Council of the Village of Pinehurst held a Public Hearing at 4:00 p.m. on December 15, 1997, in the Meeting Room of the Pinehurst Village Hall, Pinehurst, North Carolina after due notice in The Pilot, a newspaper in Southern Pines, North Carolina, with general circulation in the Village of Pinehurst and its extraterritorial jurisdiction, for the purpose of considering proposed zoning changes, at which time all interested citizens, residents and property owners in the Village of Pinehurst and its extraterritorial jurisdiction were given an opportunity to be heard as to whether they favored or opposed the proposed zoning change, and there appeared to be no objections raised; and

WHEREAS, the Planning and Zoning Board has recommended that the Village Council amend the Development Ordinance of the Village of Pinehurst as described in Section 1 below; and

WHEREAS, the Village Council, after considering all of the facts and circumstances surrounding the proposed change, and the property involved, have determined that it is in the best interest of the Village of Pinehurst and the extraterritorial jurisdiction that the Pinehurst Development Ordinance and Map be further amended, making the change as requested;

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the Village Council of the Village of Pinehurst, North Carolina in special session assembled on the 26th day of January, 1998, as follows:

SECTION 1. That the Pinehurst Development Ordinance of the Village of Pinehurst, and its extraterritorial zoning jurisdiction be and the same hereby is amended as follows:

That the Official Zoning Map of the Village of Pinehurst is hereby amended to zone the land located in the vicinity of Highway 5 and Linden Road, identified by the Moore County Tax Assessor as LRK# 49988, to R-15, as shown on the Map identified as ZM0897, prepared by the Pinehurst Planning and Inspections Department, Village of Pinehurst, North Carolina, dated October 29, 1997, and hereby incorporated by reference as a part of this Ordinance, in accordance with the conditions recommended by the Planning and Zoning Board.

SECTION 2. That this Ordinance Amendment shall be and remain in full force and effect from and after the date of its adoption.

SECTION 3. Adopted this 26th day of January, 1998.

(Municipal Seal)

VILLAGE OF PINEHURST
VILLAGE COUNCIL

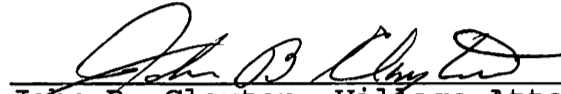
Attest:

By:


Virginia F. Fallon, Mayor


Mary H. McGraw, Village Clerk

Approved as to form:


John B. Clayton, Village Attorney

**ZM0897: GOING PROPERTY
AMENDMENT TO THE ZONING MAP
REPORT TO THE VILLAGE COUNCIL
PUBLIC HEARING: DECEMBER 15, 1997**

Prepared by the Pinehurst Planning and Inspections Dept.

Request

The applicant is seeking to amend the Official Zoning Map of the Village of Pinehurst. More specifically, the applicant is seeking to assign zoning of R15 to a 15,000 square foot lot. This lot has not been assigned zoning because it was thought to be within the corporate limits of Aberdeen. Research done in the Town of Aberdeen found that the land is not within the corporate limits of Aberdeen, but rather in the extraterritorial jurisdiction of Pinehurst. In accordance with Section 7.1 of the Pinehurst Development Ordinance, the Village Council has the authority to amend the Official Zoning Map. The Planning and Zoning Board reviews petitions and makes recommendations to the Village Council on requests for rezoning.

Project Profile

| | |
|-------------------|--|
| Project Number | ZM0997 |
| Property Owner | Going, Lindsey and Alice 1772 N.C. Highway 5 Aberdeen, NC 28315 |
| Property Location | Northside Linden Road, Westside Highway 5 |
| Moore County LRK | 49988 |
| Current Zoning | None Assigned |
| Proposed Zoning | R15: The purpose of this district is for land where the principal use of land is for low density residential purposes. |

Permitted Uses:

- Single Family Dwellings
- Open Space Land
- Resource Conservation Facilities
- Roadside Stands (subject to conditions)
- Accessory Uses

Permitted Subject to a Minor Special Use Permit

- Community Center
- Parks
- Public Safety Stations
- Public Utility Facilities

Permitted Subject to a Major Special Use Permit

- Churches
- Outdoor Recreation Facility
- Recreation Area
- Schools

Dimensional Criteria (Residential 15 District)

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| Minimum Lot Area | 15,000 sqft. |
| Minimum Lot Width at Setback Line | 75 ft. (corner lot - add 10 feet) |
| Minimum Front Yard Setback | 30 ft. |
| Minimum Side Yard Setback | 15 ft. (corner lot - add 5 feet for street side yard) |
| Minimum Rear Yard Setback | 30 ft. |
| Maximum Building Height | 35 ft. |
| Minimum Building Size | 1,800 sqft. |
| Minimum Building Size on First Floor | 1,500 sqft. |
| Minimum Accessory Building Setback from Property Line | Same as principal building setbacks. |
| Minimum Accessory Building Setback from R-O-W | No accessory buildings are permitted in the front yard setback. |
| Lakefront / Golf Course Setback | 60 ft. |
| Maximum Impervious Surface | 25 % |

Project Analysis

The subject property is 15,000 square feet and contains a single family dwelling. The proposed R15 zoning best describes what already exists. Zoning to south is R5. Zoning in all other directions is controlled by the Town of Aberdeen.

Planning and Zoning Board Recommendation

At their meeting of November 13, 1997, the Planning and Zoning Board voted to recommend amending the map as requested.

COMMISSIONERS
GARY C. KUNCE
FAY M. HONEYCUTT
PAT ANN McMURRAY
GEORGE McNEILL
HELMs

Town of Aberdeen

JOHN T. HAWTHORNE, MAYOR

NANCY M. MATTHEWS, TOWN CLERK



September 25, 1997

Mrs. Barbara McCormick
Moore County Tax Appraisal
P.O. Box 457
Carthage, NC 28327

Dear Mrs. McCormick:

Thank you for the information that you faxed me regarding the property owned by Mr. Lindsay & Mrs. Alice Going (property is identified as PIN #855116836905, LRK #49988, and Tax Map reference 09, 17, 1, 47A). Based on the information you sent me, and on an investigation of Aberdeen annexation files, the above-mentioned property is not located in the corporate limits of the Town of Aberdeen. Please make the appropriate changes in Mr. & Mrs. Going's tax bill. If I can answer any questions, please give me a call at 944-7024.

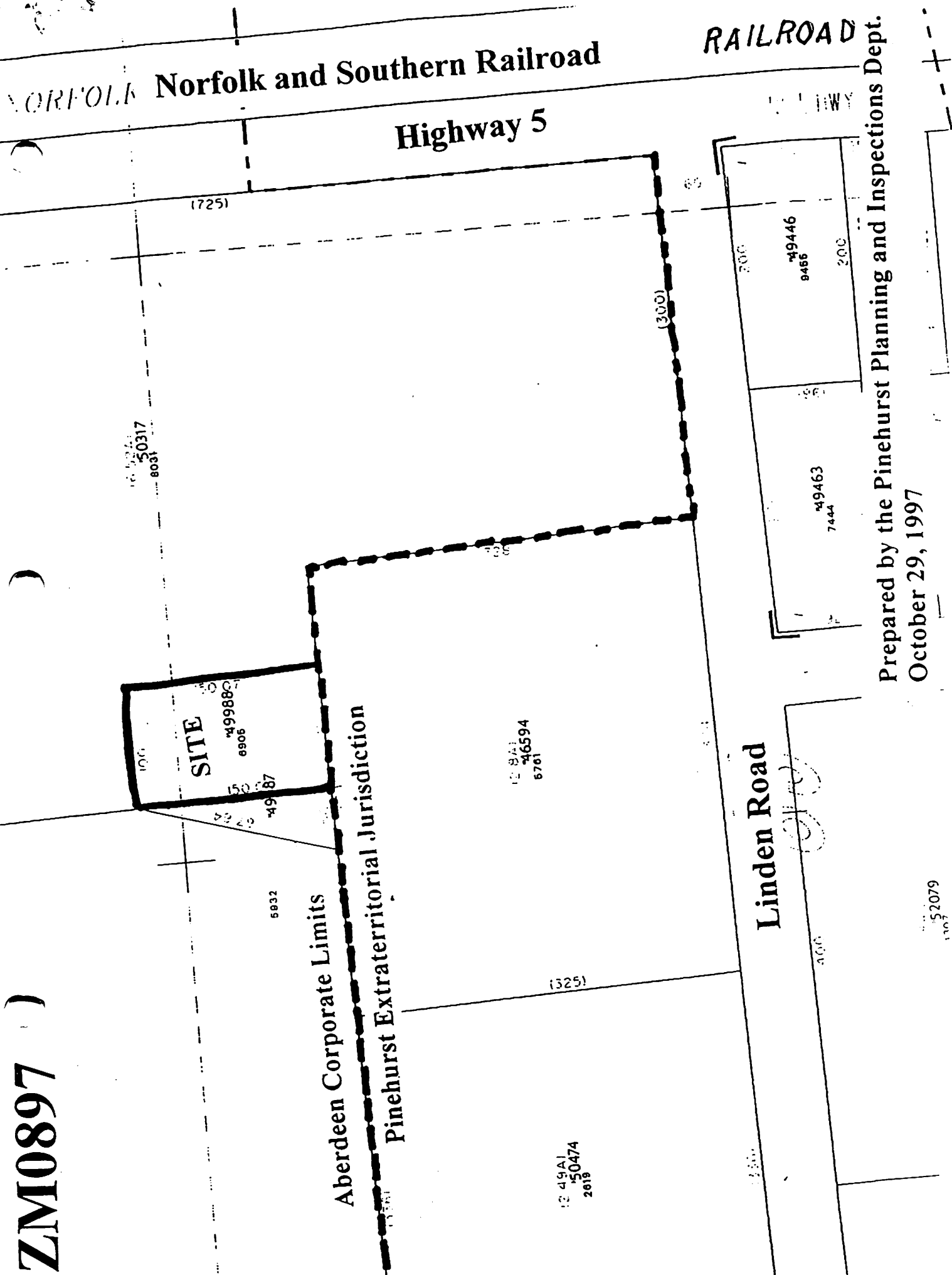
Sincerely,

Barry W. Baker
Town Planner

cc: Mrs. Glenda Clendenin, Director, Moore County Board of Elections
Ms. Hope Sullivan, Planning Director, Village of Pinchurst Planning Department

how long?

ZM0897



Prepared by the Pinehurst Planning and Inspections Dept.
October 29, 1997