

AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO TEXT AMENDMENTS TO SECTIONS 13.1.4c, 13.3.1.c4 AND 14.1.10e.

THAT WHEREAS, the Village Council of Pinehurst adopted a new Pinehurst Development Ordinance and Map on the 23rd day of October, 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 and Map may be amended from time to time as circumstances and the best interests of the Community have required; and

WHEREAS, A Public Hearing was held at 4:00 P.M. on July 20, 1998, in the Assembly Hall 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 ordinance text 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 text changes; and

WHEREAS, the Planning and Zoning Board has recommended that the Village Council amend the Pinehurst Development Ordinance, Section 13.1.4c, requiring that swimming pools be constructed only in the building envelope in the side or rear yard; Section 13.3.1.c4, to allow a temporary use to be located closer than 200 feet to a dwelling and Section 14.1.10e, to make provisions for temporary fences in the RD Zoning District.

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

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED, by the Village Council of the Village of Pinehurst, North Carolina in Regular Session assembled on the 20th day of July, 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 by requiring that swimming pools be constructed only in the building envelope in the side or rear yard; amend Section 13.3.1.c4, to allow a temporary use to be located closer than 200 feet to a dwelling and Section 14.1.10e, to make provisions for temporary fences in the RD Zoning District.

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

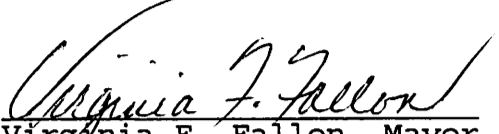
SECTION 3. Adopted this 20th day of July, 1998.

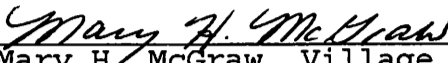
(Municipal Seal)

VILLAGE OF PINEHURST
VILLAGE COUNCIL

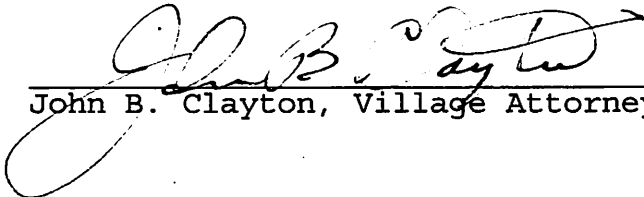
Attest:

By:


Virginia F. Fallon, Mayor


Mary H. McGraw, Village Clerk

Approved as to form:


John B. Clayton, Village Attorney

Temporary Fencing (proposed text)

(Approved by Village Council, July 20, 1998.)

Add 14.1.10.e Fencing for a Temporary Use

Fencing for a Temporary Use is allowed when such fencing is necessary to secure a site provided that such fencing is not erected more than two weeks prior to commencement of the event and is removed within seven days following the completion of the event. However, the Planning Director is authorized to allow fencing to be erected earlier than two weeks prior to the commencement of the event or removed later than seven days following the completion of the event provided (1) such fencing does not abut a residence, and (2) the applicant has provided in writing clear evidence that additional time is needed. Such fencing shall not exceed a height of six feet unless such fencing is used to screen a "work area," such as a catering facility, from abutting properties or rights-of-way. In cases where the fencing is used to screen a "work area," such fencing shall not exceed a height of eight feet. If an eight foot tall chain link fencing is used, such fencing shall have a green mesh cover to further screen the "work area." If chain link fencing is used and such fencing abuts a residence, residentially zoned land, or a right-of-way, such fencing must have a green or brown vinyl coating. At the discretion of the Planning Director, the fence may be required to be setback from the property line, particularly if the fencing abuts a residence or residentially zoned land. At no point shall a setback encroach beyond the golf course out-of-bounds lines. If the fence is erected prior to an allowed date or not removed by the specified date, the Village reserves the right to enter onto the premises and remove the fence at the expense of the property

owner. Temporary fencing may be erected only upon receiving a temporary fence permit from the Planning Director. The Planning Director shall issue such a permit only after the Police and Fire Chiefs have reviewed the application and found that the proposal has adequate provisions for emergency access and egress so as to ensure health, welfare, and safety for the general public. Such fence permit shall be issued only if a Temporary Use Permit has been issued.