

**PINEHURST VILLAGE COUNCIL**  
**AGENDA FOR REGULAR MEETING OF May 25, 2010**  
**395 MAGNOLIA ROAD**  
**ASSEMBLY HALL**  
**PINEHURST, NORTH CAROLINA**  
**1:00 P.M.**

1. Call to Order.
2. Invocation and Pledge of Allegiance.
3. Presentations.
4. **Action**: Motion to Approve Consent Agenda.  
**All items listed below are considered routine or have been discussed at length in previous meetings and will be enacted by one motion. No separate discussion will be held unless requested by a member of the Village Council.**
  - A. Approval of Draft Minutes:  
Work Sessions of April 13 and 27, 2010  
Regular Meeting of April 27, 2010  
Closed Sessions of April 13 and 27, 2010
  - B. Public Safety Reports:  
Police Department  
Fire Department
  - C. Scheduling of Regular Meeting for Tuesday, June 22, 2010 at 1:00 p.m.

**End of Consent Agenda.**

5. **Action**: Motion to Receive Budget Amendments Report to Council for the Period April 15, 2010 to May 15, 2010.
6. **Action**: Motion to Recess Regular Meeting and Enter Into a Public Hearing.
7. **Public Hearing # 1**: Official text amendment to the Pinehurst Development Ordinance Section 10.2.1 Table of Permitted and Special Uses, allowing Bed & Breakfast Inn as a major special use in the R30 (Residential) zoning district. This proposal also includes a text amendment to the Pinehurst Development Ordinance Section 10.2.1.3 Special Requirements (SR) to the Table of Permitted and Special Uses, SR-9, adding additional requirements for Bed and Breakfast Inns including that it shall be located in the historic preservation overlay district and have access to a major road thoroughfare. The applicant is Gregory Owen, property owner.
8. **Public Hearing # 2**: Official text amendment to the Pinehurst Development Ordinance Section 10.2.1 Table of Permitted and Special Uses, Farmers' Market change to allow as a permitted use in the PC (Public Conservation) and VC (Village Center) zoning district. This proposal also includes a text amendment to the Pinehurst Development Ordinance Section 10.2.1.3, Special Requirements (SR) to the Table of Permitted and Special Uses, amending SR-25(h), Farmers' Market. This amendment to the special requirement section will allow farmers' markets in the PC (Public Conservation) and VC (Village Center) zoning districts and allow the use within existing developed areas as the special requirements for farmers' markets. The Village of Pinehurst is the applicant.
9. **Public Hearing # 3**: Official text amendment to the Pinehurst Development Ordinance Section 3.6.3 (c) Nonconforming Structures. This amendment would allow legal nonconforming duplexes that are located within the Historic Preservation Overlay District to be rebuilt if they are destroyed. The applicant is Beverly Pasternak.
10. **Public Hearing # 4**: Official Zoning Map Amendment. The Village of Pinehurst recently completed the annexation of the Pinewild Area, which has necessitated extending Village of Pinehurst Zoning over those properties that had previously been zoned by Moore County. This request is to rezone ± .14 acres of property located at the western extent of the Pinewild Development on the northern side of the railroad right of way.

This property is owned by Moore County and is currently zoned Moore County RA-20 (residential & agricultural). The proposed map amendment would change the zoning of the property to Village of Pinehurst PC (public conservation). The applicant is the Village of Pinehurst. The property is further defined as being Moore County LRK # 98000245.

11. **Public Hearing # 5:** Official Zoning Map Amendment. The Village of Pinehurst recently completed the annexation of the Pinewild Area, which has necessitated extending Village of Pinehurst Zoning over those properties that had previously been zoned by Moore County. This request is to rezone multiple properties of land totaling ± 10.4 acres of land located in the western extent of the Pinewild Development. These properties are owned by Pinewild Project Limited Partners and are currently zoned Moore County RA-20 (residential & agricultural). The proposed map amendment would change the zoning of the property to Village of Pinehurst R-20 (single family residential). The applicant is the Village of Pinehurst. The properties are further defined as being all or a portion thereof Moore County LRK #'s 25103 and 25253.
12. **Public Hearing # 6:** Official Zoning Map Amendment. The Village of Pinehurst recently completed the annexation of the Pinewild Area, which has necessitated extending Village of Pinehurst Zoning over those properties that had previously been zoned by Moore County. This request is to rezone land totaling ± 9.6 acres located in the western extent of the Pinewild Development. This property is owned by Pinewild Project Limited Partners and are currently zoned Moore County RA-20 (residential & agricultural). The proposed map amendment would change the zoning of the property to Village of Pinehurst RD (Recreation Development). The applicant is the Village of Pinehurst. The properties are further defined as being all or a portion thereof Moore County LRK #25256.
13. **Public Hearing # 7:** Official Zoning Map Amendment. The Village of Pinehurst recently completed the annexation of the Pinewild Area, which has necessitated extending Village of Pinehurst Zoning over those properties that had previously been zoned by Moore County. This request is to rezone multiple properties of land totaling ± 52.75 acres of land located in the western extent of the Pinewild Development. These properties are owned by multiple private entities and are currently zoned Moore County RA-20 (residential & agricultural). The proposed map amendment would change the zoning of the property to Village of Pinehurst R-30 (Single Family Residential). The applicant is the Village of Pinehurst. The properties are further defined as being all or portion thereof Moore County LRK #'s 96000444, 10000208, 10000210, 10000273, 10000272, 10000271, 10000270, 10000269, 10000274, 10000268, 991399, 991400, 991401, 991402, 991414, 991415, 991416, 991426, 991427, 991428, 991413, 991412, 991411, 991410, 10000267, 10000266, 10000265, 10000264, 10000262, 10000260, 10000259, 10000258, 10000256, 10000255, 10000254, 10000253, 10002240, 10000246, 10000297, 10000296, 10000290, 10000289, 10000288, 10000287, 10000286, 10000285, 10000284, 10000283, 10000282, 10000281, 10000280, 10000279, 10000278, 10000277, 10000276, 10000275, 10000305, 10000303, 10000302, 10000300, 10000299, 10000298 and Railroad Right of way.
14. **Action:** Motion to Adjourn Public Hearing and Re-Enter Regular Meeting.
15. **Action:** Motion to Adopt Memo- Director of Planning and Inspections Andrea Correll- dated April 27, 2010- Ordinance #10-20 Is Consistent With the 2003 Comprehensive Long-Range Plan.
16. **Action:** Motion to Adopt Ordinance #10-20: An Ordinance Amending The Pinehurst Development Ordinance As It Pertains To Single Family Process Changes.
17. **Action:** Motion to Adopt Memo- Director of Planning and Inspections Andrea Correll- dated April 27, 2010- Ordinance #10-21 Is Consistent With the 2003 Comprehensive Long-Range Plan.
18. **Action:** Motion to Adopt Ordinance #10-21: An Ordinance Amending The Pinehurst Development Ordinance As It Pertains To Section 10.2.1.3 SR-25 (a) (1) (a) Special Requirements to the Table of Permitted and Special Uses, "Temporary Uses and Structures." 19. **Action:** Motion to Adopt Memo- Director of Planning and Inspections Andrea Correll- dated April 27, 2010- Ordinance #10-22 Is Consistent With the 2003 Comprehensive Long-Range Plan.
19. **Action:** Motion to adopt memo- Director of Planning and Inspections Andrea Correll- dated April 27, 2010- Ordinance #10-22 is consistent with the 2003 Comprehensive Long Range Plan.

20. **Action**: Motion to Adopt Ordinance #10-22: An Ordinance Amending The Pinehurst Development Ordinance As It Pertains To Section 10.2.2.2 (a) Table of Dimensional Requirements and Note (10) and Section 10.2.12.27 Green Neighborhood Regulations.
21. Other Business.
22. Comments from Attendees.
23. **Action**: Motion to Adjourn.

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VILLAGE COUNCIL REGULAR MEETING  
May 25, 2010**

**ASSEMBLY HALL – VILLAGE HALL  
395 MAGNOLIA ROAD  
PINEHURST, N. C.  
1:00 P.M.**

The Village Council of the Village of Pinehurst held a Regular Meeting on Tuesday, May 25, 2010, at 1:00 p.m. in the Assembly Hall of the Pinehurst Village Hall, 395 Magnolia Road, Pinehurst, North Carolina with the following in attendance:

The Honorable Virginia F. Fallon, Mayor  
The Honorable Joan M. Thurman, Mayor Pro-Tem  
The Honorable Nancy Roy Fiorillo  
The Honorable Douglas A. Lapins  
The Honorable Mark W. Parson  
Mr. Andrew M. Wilkison, Village Manager  
Ms. Linda S. Brown, Village Clerk  
And approximately 50 persons in the audience.

**1. CALL TO ORDER.**

Mayor Virginia F. Fallon called the meeting to order.

**2. INVOCATION AND PLEDGE OF ALLEGIANCE.**

Village Manager Andy Wilkison led in an invocation followed by the Pledge of Allegiance to the American flag led by Mayor Fallon.

**3. PRESENTATION.**

Councilmember Lapins presented a Resolution and a paperweight bearing the emblem of the Pinehurst Centennial to Mr. William D. Seibert honoring his service as a member of the Community Appearance Commission. (Copy of Resolution #10-13 is in the 2010 Resolution Book.)

**4. APPROVAL OF CONSENT AGENDA.**

**All items listed below were considered routine or had been discussed at length in previous meetings and were enacted by one motion. No separate discussion was held except on request by a member of the Village Council.**

- A. Approval of Minutes of:
  - Work Session of April 13 and 27, 2010
  - Regular Meeting of April 27, 2010
  - Closed Sessions of April 13 and 27, 2010
- B. Public Safety Reports- Police and Fire Departments.
- C. Scheduling of Regular Meeting for Tuesday, June 22, 2010 at 1:00 p.m.

**End of Consent Agenda.**

Councilmember Thurman moved to approve all the items listed and considered routine on the Consent Agenda. The motion was seconded by Councilmember Fiorillo and the Consent Agenda was unanimously approved.

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**5. BUDGET AMENDMENTS REPORT TO COUNCIL.**

Councilmember Lapins moved to receive the Budget Amendments Report to Council for the period April 15, 2010 to May 15, 2010. The motion was seconded by Councilmember Thurman and carried unanimously.

**6. RECESS REGULAR MEETING AND ENTER INTO A PUBLIC HEARING.**

Councilmember Fiorillo moved to recess the Regular Meeting and enter into a Public Hearing on Planning and Zoning and Other Matters. The motion was seconded by Councilmember Lapins and carried unanimously.

**7. PUBLIC HEARING #1: Official text amendment to the Pinehurst Development Ordinance Section 10.2.1 Table of Permitted and Special Uses, allowing Bed & Breakfast Inn as a major special use in the R30 (Residential) zoning district. This proposal also includes a text amendment to the Pinehurst Development Ordinance Section 10.2.1.3 Special Requirements (SR) to the Table of Permitted and Special Uses, SR-9, adding additional requirements for Bed and Breakfast Inns including that it shall be located in the historic preservation overlay district and have access to a major road thoroughfare. The applicant is Gregory Owen, property owner.**

Comments:

**Director of Planning and Inspections Andrea Correll** introduced the Public Hearing and entered into the record a statement that the proposed amendments to the Pinehurst Development Ordinance are consistent with the 2003 Comprehensive Long-Range Village Plan. (Copy of the Comprehensive Plan Consistency Statement dated May 25, 2010 is in the Minute File.)

**Ms. Correll** explained that there are major differences in notification requirements for a rezoning and a text amendment. A rezoning requires letters to be sent to adjacent property owners and the property to be posted with signs announcing the proposed rezoning. A text amendment does not require posting or letters since the amendment could possibly affect thousands of people in the municipality.

**Sam Shelby**, Pinehurst resident, noted that Pinehurst is now over 100 years old, and when something happens contrary to what has gotten us to where we are today, it deserves looking at. He suggested that we need to resolve this without bloodshed. Is there another way to do this? Let's keep our conversation cordial. (A letter submitted prior to the meeting from Mr. and Mrs. Shelby dated May 24, 2010 and designated "document #2" opposing the change is in the Minute File.)

**Charles Vallone**, Pinehurst resident, addressed some issues for neighbors who live next to a bed and breakfast:

- transient cars and strangers- hard to tell who belongs there
- noise- people checking in and out at all hours
- traffic- people pulling in neighbor's driveways because they missed the B&B driveway
- re-sale- most people prefer to live beside a residence not a business

(Document # 3 submitted by Mr. Vallone is in the Minute File.)

**Mr. Vallone** challenged the work of the Planning and Inspections Department concerning this matter saying that proper procedure was not followed. (Document #4 submitted by Mr. Vallone is in the Minute File.)

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**Director of Planning and Inspections Andrea Correll** refuted Mr. Vallone's statements noting that the Pinehurst Development Ordinance references Mr. Vallone quoted refer to a rezoning. This issue is a text amendment.

**Richard Kull**, Pinehurst resident, stated that the consequences of battles fought before Council in the past are that we have a beautiful town. Citizen input has maintained and protected ambience. He referenced other major projects that did not happen- Genesis project and single family residences on the harness track property. This question of allowing B&B's in residential zoning areas is a game changer too that would affect the ambience of Pinehurst. Please deny this request and change the Pinehurst Development Ordinance so it will not come up again.

**James Buck**, Pinehurst resident, concurs with Mr. Vallone's statements. This special amendment would benefit Mr. Owen, not the Village of Pinehurst. Reason does not demand that Council give approval, this will make Pinehurst a lesser place.

**Tom Shannon**, Pinehurst resident, opposes B&B's. He does not see the need.

**Stuart Mills, Pinehurst resident**, asked if Council could wait to take action on this until they can review their thoughts.

**Mayor Fallon** answered that Council will not take action today.

**Mr. Mills** pointed out that this will affect noise, traffic, etc. This neighborhood is not declining and does not need turning around. The owners have not kept up this property as the other neighbors have. Let's not reward bad behavior. Sometimes "no" is the correct answer.

**Colin McKenzie**, Pinehurst resident, reminded Council that the last time this issue came up he was just going off the Planning and Zoning Board to join the Village Council. The owner says this will be a 5 star facility, but you don't just announce that you are a 5 star facility. You have to meet stringent regulations and be awarded the title. The owners have had the property up for sale for quite some time and that prospective buyers have said they will turn it into something else or demolish the buildings and build four smaller homes. This sounds like a threat to me and someone looking for a tax break. The Council has tried to preserve the older larger homes in the Old Town District, but this is not the way to do it. It is not the job of the Council to save every bad investment by cutting corners in our ordinances and regulations. Hold the line, just like you did on the Traditions property. (Document # 6 submitted by Mr. McKenzie is in the Minute File.)

**Wink Kenney**, Pinehurst resident and real estate broker, stated that he opposes the text amendment because it will have a negative impact on surrounding property values. The current owner knew the zoning was for single family.

**Brian Deaton**, Pinehurst resident, stated that when he was on the Community Appearance Commission one of their objectives was that new or rehabbed structures would complement the neighbors. Consider what this change would do to the neighborhood; this would not fit in.

**Mr. Deaton** asked if a zoning change or a text amendment, would both have to come before Council for approval? We need assurance that the power still resides with the Council.

**Mayor Fallon** replied that both would come before Council.

**Mr. Deaton** requested that if the amendment were approved that Council make it a permanent requirement that the owner must reside on the property, even if the property changes hands.

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**Freida Powers**, Pinehurst resident, stated that before they purchased their house on Linden Road they called Raleigh to see if there was a possibility that the road would be widened. The folks in Raleigh said Pinehurst would not let that happen. Pinehurst should make sure this does not happen either- no businesses in residential zoning.

**Linda McVay**, Pinehurst resident, stated that the idea of a B&B is the opposite of everything Pinehurst represents. Please preserve the special qualities that make Pinehurst so admired. (Document # 5 submitted by Ms. McVay is in the Minute File.)

**Garland Pierce**, Pinehurst resident, said a house next to him has been rented by the night for years. Most who come are men who play golf, go visit the pubs and Pure Gold, and then come to sit on the porch and talk. He has had to move to the other side of his house and close windows. Pinehurst zoning cannot prevent this, but it can prevent B&B's.

**Richard Fredrick** signed incorrectly. He will speak during agenda item 16.

**Chuck Cordell** left before his name was called.

**Greg Owen**, Pinehurst resident and text amendment applicant, stated that he would like to address the concerns about the B&B. He does not want to downgrade Pinehurst; his wife and he thought this would be a good idea for something to do now that he is retired. He realizes the house is not up to Pinehurst standards, but he worked out of town and was not available to do the work. He is already working on the house to make it look better. He wants to run advertisements in golf magazines and bring in upscale clientele. He feels there are a small number of people who can pay a 4 star price, and he will not be bringing in frat boys.

**Mr. Owen** explained that no neighbor is closer than 100 feet. He is not looking for a bail out, he wants to build the house to Pinehurst standards. He has worked extensively inside the house, the landscaping has noise buffering trees. He feels he can mitigate all objections.

**Joe Raddigan**, Southern Pines resident who owns Knollwood House, finds that rental of houses to golfers is unregulated and some problems need to be addressed.

**Colin Bently** stated that this is spot zoning. How can it be called a text amendment?

**Nancy Shannon**, Pinehurst resident, asked why would someone stay at a B&B when the same money would get more amenities at the Carolina?

**Councilmember Lapins** explained that what to do with Maryhurst is not the question. The question is: do we allow B&B in the Historic Section?

**Director of Planning and Inspections Andrea Correll** noted that Village staff did not initiate the process. They received an application and had to act on it.

**Chuck Vallone** apologized for his comments that staff did not follow correct procedure, but he still feels the Planner should not have accepted the application.

**Brian Deaton** added that the nature and character of Old Town is residential and he would like to keep it that way.

**Freida Powers** added that if Council does approve B&B's they must not negatively impact the neighborhood and the owner must live there.

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8. **PUBLIC HEARING #2: Official text amendment to the Pinehurst Development Ordinance Section 10.2.1 Table of Permitted and Special Uses, Farmers' Market change to allow as a permitted use in the PC (Public Conservation) and VC (Village Center) zoning district. This proposal also includes a text amendment to the Pinehurst Development Ordinance Section 10.2.1.3, Special Requirements (SR) to the Table of Permitted and Special Uses, amending SR-25(h), Farmers' Market. This amendment to the special requirement section will allow farmers' markets in the PC (Public Conservation) and VC (Village Center) zoning districts and allow the use within existing developed areas as the special requirements for farmers' markets. The Village of Pinehurst is the applicant.**

Comments:

**Director of Planning and Inspections Andrea Correll** introduced the Public Hearing and entered into the record a statement that the proposed amendments to the Pinehurst Development Ordinance are consistent with the 2003 Comprehensive Long-Range Village Plan. (Copy of the Comprehensive Plan Consistency Statement dated May 25, 2010 is in the Minute File.)

9. **PUBLIC HEARING #3: Official text amendment to the Pinehurst Development Ordinance Section 3.6.3 (c) Nonconforming Structures. This amendment would allow legal nonconforming duplexes that are located within the Historic Preservation Overlay District to be rebuilt if they are destroyed. The applicant is Beverly Pasternak.**

Comments:

**Director of Planning and Inspections Andrea Correll** introduced the Public Hearing and entered into the record a statement that the proposed amendments to the Pinehurst Development Ordinance are consistent with the 2003 Comprehensive Long-Range Village Plan. (Copy of the Comprehensive Plan Consistency Statement dated May 25, 2010 is in the Minute File.)

**Doug Middaugh, Pinehurst resident**, submitted a letter do Council expressing his firm opposition to the amendment noting that a non-conforming residence outside the Historic District is not allowed to be rebuilt if destroyed to a greater extent than 50%. He questioned why a nonconforming residence inside the Historic District should be treated any differently. (Copy of Mr. Middaugh's letter dated May 23, 2010 and designated "document #1" is in the Minute File.)

**Andrew Pasternak, Pinehurst resident**, told Council he did not know he had a problem with his duplex until he decided to sell it. The bank told him buyers could not get a loan unless Village ordinances allowed the duplex to be rebuilt as a duplex if it was destroyed. The ordinance now requires a single family residence to replace a duplex.

10. **PUBLIC HEARING #4: Official Zoning Map Amendment. The Village of Pinehurst recently completed the annexation of the Pinewild Area, which has necessitated extending Village of Pinehurst Zoning over those properties that had previously been zoned by Moore County. This request is to rezone ± .14 acres of property located at the western extent of the Pinewild Development on the northern side of the railroad right of way. This property is owned by Moore County and is currently zoned Moore County RA-20 (residential & agricultural). The proposed map amendment would change the zoning of the property to Village of Pinehurst PC (public conservation). The applicant is the Village of Pinehurst. The property is further defined a being Moore County LRK # 98000245.**

Comments:

**Director of Planning and Inspections Andrea Correll** introduced the Public Hearing and entered into the record a statement that the proposed amendments to the Pinehurst Development Ordinance are



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consistent with the 2003 Comprehensive Long-Range Village Plan. (Copy of the Comprehensive Plan Consistency Statement dated May 25, 2010 is in the Minute File.)

11. **PUBLIC HEARING #5: Official Zoning Map Amendment.** The Village of Pinehurst recently completed the annexation of the Pinewild Area, which has necessitated extending Village of Pinehurst Zoning over those properties that had previously been zoned by Moore County. This request is to rezone multiple properties of land totaling  $\pm$  10.4 acres of land located in the western extent of the Pinewild Development. These properties are owned by Pinewild Project Limited Partners and are currently zoned Moore County RA-20 (residential & agricultural). The proposed map amendment would change the zoning of the property to Village of Pinehurst R-20 (single family residential). The applicant is the Village of Pinehurst. The properties are further defined as being all or a portion thereof Moore County LRK #'s 25103 and 25253.

Comments:

**Director of Planning and Inspections Andrea Correll** introduced the Public Hearing and entered into the record a statement that the proposed amendments to the Pinehurst Development Ordinance are consistent with the 2003 Comprehensive Long-Range Village Plan. (Copy of the Comprehensive Plan Consistency Statement dated May 25, 2010 is in the Minute File.)

12. **PUBLIC HEARING #6: Official Zoning Map Amendment.** The Village of Pinehurst recently completed the annexation of the Pinewild Area, which has necessitated extending Village of Pinehurst Zoning over those properties that had previously been zoned by Moore County. This request is to rezone land totaling  $\pm$  9.6 acres located in the western extent of the Pinewild Development. This property is owned by Pinewild Project Limited Partners and are currently zoned Moore County RA-20 (residential & agricultural). The proposed map amendment would change the zoning of the property to Village of Pinehurst RD (Recreation Development). The applicant is the Village of Pinehurst. The properties are further defined as being all or a portion thereof Moore County LRK #25256.

Comments:

**Director of Planning and Inspections Andrea Correll** introduced the Public Hearing and entered into the record a statement that the proposed amendments to the Pinehurst Development Ordinance are consistent with the 2003 Comprehensive Long-Range Village Plan. (Copy of the Comprehensive Plan Consistency Statement dated May 25, 2010 is in the Minute File.)

13. **PUBLIC HEARING #7: Official Zoning Map Amendment.** The Village of Pinehurst recently completed the annexation of the Pinewild Area, which has necessitated extending Village of Pinehurst Zoning over those properties that had previously been zoned by Moore County. This request is to rezone multiple properties of land totaling  $\pm$  52.75 acres of land located in the western extent of the Pinewild Development. These properties are owned by multiple private entities and are currently zoned Moore County RA-20 (residential & agricultural). The proposed map amendment would change the zoning of the property to Village of Pinehurst R-30 (Single Family Residential). The applicant is the Village of Pinehurst. The properties are further defined as being all or portion thereof Moore County LRK #'s 96000444, 10000208, 10000210, 10000273, 10000272, 10000271, 10000270, 10000269, 10000274, 10000268, 991399, 991400, 991401, 991402, 991414, 991415, 991416, 991426, 991427, 991428, 991413, 991412, 991411, 991410, 10000267, 10000266, 10000265, 10000264, 10000262, 10000260, 10000259, 10000258, 10000256, 10000255, 10000254, 10000253, 10002240, 10000246, 10000297, 10000296, 10000290, 10000289, 10000288, 10000287, 10000286, 10000285, 10000284, 10000283, 10000282, 10000281, 10000280, 10000279, 10000278, 10000277, 10000276, 10000275, 10000305, 10000303, 10000302, 10000300, 10000299, 10000298 and Railroad Right of way.

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Comments:

**Director of Planning and Inspections Andrea Correll** introduced the Public Hearing and entered into the record a statement that the proposed amendments to the Pinehurst Development Ordinance are consistent with the 2003 Comprehensive Long-Range Village Plan. (Copy of the Comprehensive Plan Consistency Statement dated May 25, 2010 is in the Minute File.)

**14. RE-ENTER REGULAR MEETING.**

There being no further discussion, Councilmember Parson moved to adjourn the Public Hearing and re-enter the Regular Meeting. Councilmember Lapins seconded the motion and it carried unanimously.

**15. MEMO- DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL-ORDINANCE #10-20 IS CONSISTENT WITH THE 2003 COMPREHENSIVE LONG-RANGE PLAN.**

Councilmember Thurman moved to adopt the memo prepared by Director of Planning and Inspections Andrea Correll, and dated April 27, 2010 as the Council statement that draft ordinance 10-20 is consistent with the Village of Pinehurst's 2003 Comprehensive Long-Range Plan. Councilmember Lapins seconded the motion, which was unanimously approved by a vote of 5-0. (Copy of the memo is found in the Minute File.)

**16. ORDINANCE #10-20: AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SINGLE FAMILY PROCESS CHANGES.**

The Manager explained the need for the Ordinance #10-20.

**Richard Fredrick** requested that Council approve this ordinance. He wants to install a pool in his side yard but current set back requirements prevent it.

By consensus Council decided to amend this ordinance by excluding items #3 and # 4 concerning front and rear yard setbacks. Council will consider these portions again and take action at a later date.

Upon the motion of Councilmember Lapins, seconded by Councilmember Thurman, Ordinance #10-20 was unanimously approved as amended by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

**17. MEMO- DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL-ORDINANCE #10-21 IS CONSISTENT WITH THE 2003 COMPREHENSIVE LONG-RANGE PLAN.**

Councilmember Fiorillo moved to adopt the memo prepared by Director of Planning and Inspections Andrea Correll, and dated April 27, 2010 as the Council statement that draft ordinance 10-21 is consistent with the Village of Pinehurst's 2003 Comprehensive Long-Range Plan. Councilmember Thurman seconded the motion, which was unanimously approved by a vote of 5-0. (Copy of the memo is found in the Minute File.)

**18. ORDINANCE #10-21: AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 10.2.1.3 SR-25 (A) (1) (A) SPECIAL REQUIREMENTS TO THE TABLE OF PERMITTED AND SPECIAL USES, "TEMPORARY STRUCTURES."**

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The Manager explained the need for the Ordinance #10-21. Upon the motion of Councilmember Parson, seconded by Councilmember Lapins, Ordinance #10-21 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

19. **MEMO- DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL- ORDINANCE #10-22 IS CONSISTENT WITH THE 2003 COMPREHENSIVE LONG-RANGE PLAN.**

By consensus, Council decided to table Ordinance 10-22 until the June meeting, thus no vote was taken on this memo.

20. **ORDINANCE #10-22: AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 10.2.2.2 (A) TABLE OF DIMENSIONAL REQUIREMENTS AND NOTE (10) AND SECTION 10.2.12.27 GREEN NEIGHBORHOOD REGULATIONS.**

By consensus, Council decided to table this ordinance until the June meeting.

21. **OTHER BUSINESS.**

- **MEMO- DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL- ORDINANCE #10-23 IS CONSISTENT WITH THE 2003 COMPREHENSIVE LONG-RANGE PLAN.**

Councilmember Thurman moved to adopt the memo prepared by Director of Planning and Instructions Andrea Correll, and dated April 27, 2010 as the Council statement that draft ordinance 10-23 is consistent with the Village of Pinehurst's 2003 Comprehensive Long-Range Plan. Councilmember Fiorillo seconded the motion, which was unanimously approved by a vote of 5-0. (Copy of the memo is found in the Minute File.)

- **ORDINANCE #10-23: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AS IT PERTAINS TO THE REZONING OF CERTAIN LAND LOCATED IN THE PINEWILD DEVELOPMENT TO PUBLIC CONSERVATION (PC) ZONING.**

The Manager explained the need for the Ordinance #10-23. Upon the motion of Councilmember Lapins, seconded by Councilmember Parson, Ordinance #10-23 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

- **MEMO- DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL- ORDINANCE #10-24 IS CONSISTENT WITH THE 2003 COMPREHENSIVE LONG-RANGE PLAN.**

Councilmember Fiorillo moved to adopt the memo prepared by Director of Planning and Instructions Andrea Correll, and dated April 27, 2010 as the Council statement that draft ordinance 10-24 is consistent with the Village of Pinehurst's 2003 Comprehensive Long-Range Plan. Councilmember Lapins seconded the motion, which was unanimously approved by a vote of 5-0. (Copy of the memo is found in the Minute File.)

- **ORDINANCE #10-24: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AS IT PERTAINS TO THE REZONING OF CERTAIN LAND LOCATED**

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**IN THE PINEWILD DEVELOPMENT TO SINGLE FAMILY RESIDENTIAL (R-20) ZONING.**

The Manager explained the need for the Ordinance #10-24. Upon the motion of Councilmember Parson, seconded by Councilmember Lapins, Ordinance #10-24 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

➤ **MEMO- DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL- ORDINANCE #10-25 IS CONSISTENT WITH THE 2003 COMPREHENSIVE LONG-RANGE PLAN.**

Councilmember Thurman moved to adopt the memo prepared by Director of Planning and Instructions Andrea Correll, and dated April 27, 2010 as the Council statement that draft ordinance 10-25 is consistent with the Village of Pinehurst's 2003 Comprehensive Long-Range Plan. Councilmember Fiorillo seconded the motion, which was unanimously approved by a vote of 5-0. (Copy of the memo is found in the Minute File.)

➤ **ORDINANCE #10-25: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AS IT PERTAINS TO THE REZONING OF CERTAIN LAND LOCATED IN THE PINEWILD DEVELOPMENT TO RECREATION DEVELOPMENT (RD) ZONING.**

The Manager explained the need for the Ordinance #10-25. Upon the motion of Councilmember Lapins, seconded by Councilmember Parson, Ordinance #10-25 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

➤ **MEMO- DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL- ORDINANCE #10-26 IS CONSISTENT WITH THE 2003 COMPREHENSIVE LONG-RANGE PLAN.**

Councilmember Fiorillo moved to adopt the memo prepared by Director of Planning and Instructions Andrea Correll, and dated April 27, 2010 as the Council statement that draft ordinance 10-26 is consistent with the Village of Pinehurst's 2003 Comprehensive Long-Range Plan. Councilmember Thurman seconded the motion, which was unanimously approved by a vote of 5-0. (Copy of the memo is found in the Minute File.)

➤ **ORDINANCE #10-26: AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP AS IT PERTAINS TO THE REZONING OF CERTAIN LAND LOCATED IN THE PINEWILD DEVELOPMENT TO SINGLE FAMILY RESIDENTIAL (R-30) ZONING.**

The Manager explained the need for the Ordinance #10-26. Upon the motion of Councilmember Parson, seconded by Councilmember Lapins, Ordinance #10-26 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

➤ **MEMO- DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL- ORDINANCE #10-27 IS CONSISTENT WITH THE 2003 COMPREHENSIVE LONG-RANGE PLAN.**

Councilmember Thurman moved to adopt the memo prepared by Director of Planning and Instructions Andrea Correll, and dated April 27, 2010 as the Council statement that

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draft ordinance 10-27 is consistent with the Village of Pinehurst's 2003 Comprehensive Long-Range Plan. Councilmember Lapins seconded the motion, which was unanimously approved by a vote of 5-0. (Copy of the memo is found in the Minute File.)

- **ORDINANCE #10-27: AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 10.2.1 TABLE OF PERMITTED AND SPECIAL USES AND SECTION 10.2.1.3 SR-25 (h) TO ALLOW FARMERS' MARKETS AS A PERMITTED USE IN PC AND VC ZONING.**

The Manager explained the need for the Ordinance #10-27. Upon the motion of Councilmember Lapins, seconded by Councilmember Parson, Ordinance #10-27 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

- **MEMO- DIRECTOR OF PLANNING AND INSPECTIONS ANDREA CORRELL- ORDINANCE #10-28 IS CONSISTENT WITH THE 2003 COMPREHENSIVE LONG-RANGE PLAN.**

Councilmember Fiorillo moved to adopt the memo prepared by Director of Planning and Instructions Andrea Correll, and dated April 27, 2010 as the Council statement that draft ordinance 10-28 is consistent with the Village of Pinehurst's 2003 Comprehensive Long-Range Plan. Councilmember Thurman seconded the motion, which was unanimously approved by a vote of 5-0. (Copy of the memo is found in the Minute File.)

- **ORDINANCE #10-28: AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO SECTION 3.6.3 (c) NONCONFORMING STRUCTURES.**

The Manager explained the need for the Ordinance #10-28. Upon the motion of Councilmember Parson, seconded by Councilmember Lapins, Ordinance #10-28 was unanimously approved by a vote of 5-0. (Copy of the ordinance is found in the Ordinance Book and in the Minute File.)

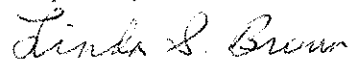
**22. COMMENTS FROM ATTENDEES.**

There were none.

**23. ADJOURNMENT.**

Councilmember Lapins moved to adjourn the Regular Meeting. The motion was seconded by Councilmember Parson and carried unanimously. The Regular Meeting adjourned at 3:00 p.m.

Respectfully Submitted,



Linda S. Brown, CMC  
Village Clerk