

**ORDINANCE #12-07:**

**AN ORDINANCE AMENDING THE OFFICIAL PINEHURST ZONING MAP AS IT PERTAINS TO THE REZONING OF CERTAIN LAND LOCATED AT 107 LINDEN TRAIL- LATHAM PROPERTY.**

**THAT WHEREAS,** the Village Council of the Village of Pinehurst adopted a new Pinehurst Development Ordinance and Map on the 24th day of May, 2005, 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 1:00 p.m. on February 28, 2012 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 rezoning of approximately 7.32 acres addressed as 107 Linden Trail, further defined as being Moore County LRK #'s 14471, 14472, 14473, 16104, 16257, 16929, 20295, 21619, 21662, 28229, 29692, 29883, and 20110056 from R-10 (Residential) to Conditional Use R-210 (Low Density Residential and Agricultural/Min. Lot Size of 5 acres), 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 rezoning; and

**WHEREAS,** the Planning and Zoning Board has recommended that the zoning map be amended; and

**WHEREAS,** the applicant has agreed to the following condition:

- Livestock production activities such as poultry, swine and cattle will not be permitted.

**WHEREAS,** the Village Council, after considering all of the facts and circumstances surrounding the proposed rezoning, have determined that it is in the best interests of the Village of Pinehurst and the extraterritorial jurisdiction that the Development Ordinance and Zoning Map be amended as recommended by the Planning and Zoning Board.

**NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED** by the Village Council of the Village of Pinehurst, North Carolina in session assembled on this 28<sup>th</sup> day of February, 2012 as follows:

**SECTION 1.** That the Pinehurst Zoning Map of the Village of Pinehurst and its extraterritorial zoning jurisdiction be and the same hereby is amended by rezoning of approximately 7.32 acres addressed as 107 Linden Trail, further defined as being Moore County LRK #'s 14471, 14472, 14473, 16104, 16257, 16929, 20295, 21619, 21662, 28229, 29692, 29883, and 20110056 from R-10 (Residential) to Conditional Use R-210 (Low Density Residential and Agricultural/Min. Lot Size of 5 acres).

**SECTION 2.** The rezoning map is attached hereto as exhibit A and made a part hereof, the same as if included verbatim.

**SECTION 3.** That simultaneous to the amendment to the zoning map a conditional use permit be issued for this site along with the agreed upon and approved condition attached to the site that livestock production activities such as poultry, swine and cattle will not be permitted.

**SECTION 4.** This Ordinance shall be and remain in full force and effect from and after the date of its adoption.

Adopted this 28<sup>th</sup> day of February, 2012.



Attest:

Linda S. Brown  
Linda S. Brown, Village Clerk

VILLAGE OF PINEHURST  
VILLAGE COUNCIL

By:

Nancy Roy Fiorillo  
Nancy Roy Fiorillo, Mayor

Approved as to Form:

Michael J. Newman  
Michael J. Newman, Village Attorney