

ORDINANCE #12-28:

AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE TO ADD SECTION 10.2.1.3 SR-18 (j) (2) (f) FENCES AND WALLS IN RESIDENTIAL ZONING DISTRICTS AND/OR ON RESIDENTIAL PROPERTIES.

THAT WHEREAS, the Village Council of the Village of Pinehurst adopted a new Pinehurst Development Ordinance 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 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 August 21, 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 proposed amendments to the Pinehurst Development Ordinance, 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 amendments; and

WHEREAS, the Planning and Zoning Board has recommended that the Village Council add Section 10.2.1.3 SR-18 (j) (2) (f) Fences and Walls in Residential Zoning Districts and/or on Residential Properties to the Pinehurst Development Ordinance; and

WHEREAS, the Village Council, after considering all of the facts and circumstances surrounding the proposed amendments to 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 and that it is consistent with the 2010 Comprehensive Plan that the Pinehurst Development Ordinance 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 21st day of August, 2012, 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 adding Section 10.2.1.3 SR-18 (j) (2) (f) Fences and Walls in Residential Zoning Districts and/or on Residential Properties:

10.2.1.3 Special Requirements to the Table of Permitted and Special Uses

SR-18. Accessory Uses and Structures, Fences

18(j) Fences and Walls

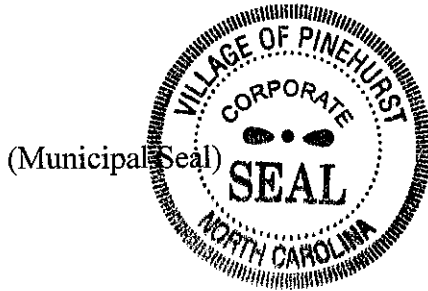
(2) Fences and Walls in Residential Zoning Districts and/or on Residential Properties:

(f) Fences located within the R-210 zoning district may construct a split rail type fence not to exceed five (5) feet in height in the front yard. If an adjacent property is zoned as a more dense residential zoning district (R-30, R-20, R-15, R-10, R-8, R-5 or R-MF), a thirty (30) foot setback shall be required for the fence in the front yard if the fence exceeds (3) three and a (1/2) half feet in height unless separated by a public or private street right-of-way.

SECTION 2. That all ordinances or sections thereof in conflict herewith are hereby repealed and declared null and void from and after the date of adoption of this ordinance.

SECTION 3. That this Ordinance shall be and remain in full force and effect from and after the date of its adoption.

Adopted this 21st day of August, 2012.



VILLAGE OF PINEHURST
VILLAGE COUNCIL

By: Nancy Roy Fiorillo
Nancy Roy Fiorillo, Mayor

Attest:

Linda S. Brown
Linda S. Brown, Village Clerk

Approved as to Form:

Michael J. Newman
Michael J. Newman, Village Attorney