

**ORDINANCE #10-50:**

**AN ORDINANCE AMENDING THE OFFICIAL PINEHURST ZONING MAP AS IT PERTAINS TO THE REZONING OF CERTAIN LAND LOCATED AT 1020 CHICKEN PLANT ROAD**

**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 September 28, 2010 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 32.5 acres of property addressed as 1020 Chicken Plant Road further defined as being Moore County LRK #'s 24540 & 17089, from R-210 (Residential) to Conditional Use R-30 (residential w/ a minimum lot size of 30,000 sq. ft.) , 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, David McAllister, has agreed to the following condition:

The general concept plan recommended by the Planning and Zoning Board and agreed upon by the applicant is part of the record and a condition of approval.

**WHEREAS**, the Village Council, after considering all of the facts and circumstances surrounding the proposed rezoning, have determined that it is in the best interest 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 12<sup>th</sup> day of October, 2010 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 approximately 32.5 acres of property addressed as 1020 Chicken Plant Road further defined as being Moore County LRK #'s 24540 & 17089, from R-210 (Residential) to Conditional Use R-30 (residential w/ a minimum lot size of 30,000 sq. ft.).

**SECTION 2.** The development of and future subdivision of said property will be in accordance with site layout map presented as part of the CU-R-30 (conditional use R-30) rezoning request and limit the future development to 27 lots. Said map is attached hereto as Exhibit A and made a part hereof, the same as if included verbatim.

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

Adopted this 12<sup>th</sup> day of October, 2010.

(Municipal Seal)



VILLAGE OF PINEHURST  
VILLAGE COUNCIL

By: \_\_\_\_\_

*Virginia F. Fallon*

Virginia F. Fallon, Mayor

Attest:

*Linda S. Brown*

Linda S. Brown, Village Clerk

Approved as to Form: \_\_\_\_\_

*Michael J. Newman*

Michael J. Newman, Village Attorney