

**ORDINANCE #06-30:**

**AN ORDINANCE AMENDING THE PINEHURST DEVELOPMENT ORDINANCE AS IT PERTAINS TO CHAPTER 10, SECTION 10.2.6.3.1(a) BUILDING DESIGN (SIMILAR EXTERIOR DESIGN).**

**THAT WHEREAS,** the Village Council of the Village of Pinehurst adopted a new Pinehurst Development Ordinance on the 24<sup>th</sup> 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 September 26, 2006 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 Pinehurst Development 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 amendments; and

**WHEREAS,** the Planning and Zoning Board has recommended that the Village Council amend Chapter 10, Section 10.2.6.3(a) of the Pinehurst Development Ordinance; and

**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 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 24<sup>th</sup> day of October, 2006, 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 the following text amendment to Chapter 10:

**10.2.6.3.1 Building Design**

- (a) Homes located within 500 feet measured along curb line including around corners and street intersections or within 500 feet across open golf course property or a body of water shall not share similar exterior designs. **This provision shall not apply to homes being constructed within planned single family residential subdivisions in which the intent of the development and the development approval was to construct homes of similar exterior design, including color. In these developments homes shall be required to be constructed according to the requirements of the development approval by the village;**

**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.

SECTION 4. Adopted this 24<sup>th</sup> day of October, 2006.

(Municipal Seal)



VILLAGE OF PINEHURST  
VILLAGE COUNCIL

A handwritten signature in black ink, appearing to read "Steven J. Smith", is written over a horizontal line.

By: Steven J. Smith, Mayor

Attest:

A handwritten signature in black ink, appearing to read "Linda S. Brown", is written over a horizontal line.

Linda S. Brown, Village Clerk

Approved as to form:

A handwritten signature in black ink, appearing to read "Michael J. Newman", is written over a horizontal line.

Michael J. Newman, Village Attorney