



**BOARD OF ADJUSTMENT
MAY 2, 2019
ASSEMBLY HALL
395 MAGNOLIA RD.
PINEHURST, NORTH CAROLINA
5:30 PM**

The Board of Adjustment held a Meeting at 5:30 p.m., Thursday, May 2, 2019, in the Assembly Hall, at 395 Magnolia Road, Pinehurst, North Carolina. The following Board members were in attendance:

Leo Santowasso, Vice Chair
Cyndie Burnett, BOA Alternate
Jeramy Hooper, BOA Alternate
David Kelley, BOA Member
Joel Shriberg, BOA Member

BOA Member Absent:

Julia Latham, Chair
Mike Marsh, BOA Member

Staff in Attendance:

Alex Cameron, Senior Planner
Gwendy Hutchinson, Planning Administrative Assistant

There were ten attendees, including staff.

I. Call to Order

Vice Chair Santowasso confirmed that a quorum was present and called the meeting to order.

Leo Santowasso stated that Chairwoman Latham could not attend and as Vice Chair he would take over as Chair for the meeting. Vice Chair Santowasso stated that the Board would need to appoint Cyndie Burnett and Jeramy Hooper as regular Board members for this meeting.

Upon a motion by David Kelley, and seconded by Joel Shriberg the Board unanimously approved appointing Cyndie Burnett and Jeramy Hooper as regular members of the Board.

II. Approval of Minutes

April 4, 2019 Draft Minutes

Upon a motion by David Kelley and seconded by Joel Shriberg, the Board unanimously approved the April 4, 2019 Draft Minutes.

III. Public Hearing #1

Upon a motion by David Kelley, and seconded by Jeramy Hooper, the Board unanimously voted to recess the regular meeting and to enter into Public Hearing #1.

Sworn in:

The following were sworn in: Alex Cameron, Senior Planner; John Birath, AIA Moore County Schools; Brent Covington, Ratio Architects, Inc. and Joel Tew, resident at 215 Everette Road.

The purpose of the public hearing is to receive testimony for a variance request from section 9.2a Tables of Dimensional Requirements for the property at 100 Dundee Road, further identified by Moore County PID # 00024884. This property is located within the R-10 (High Density Residential) Zoning District. Specifically, the owners Moore County Board of Education, is requesting a variance from the 35' Maximum Building Height to allow for the construction of a new elementary school.

Alex Cameron, Senior Planner, read portions of the staff report into the record. Alex Cameron, Senior Planner, confirmed that adjacent property owners were notified and the property was properly posted.

Leo Santowasso asked if any of the Board members concerns about their ability to participate in discussion of this hearing, Leo also asked if any member had any ex parte communication with the applicant. The Board unanimously stated that they were able to participate.

Leo Santowasso informed the applicants and those in the audience that all testimony should be factual and pertinent to this application. Opinions will be discarded unless you are a professional.

John Birath, AIA Moore County Schools and Brent Covington, Architect at Ratio, Inc. were present to answer any questions or address any concerns of the Board.

Upon a motion by David Kelley, and seconded by Cyndie Burnett, the Board unanimously voted to close Public Hearing #1 and re-enter into the regular meeting.

David Kelley mad a motion to approve the variance request for the property at 100 Dundee Road for the maximum building height to be 44'10" and to adopt the following required findings of fact:

- A. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property;
- B. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance;
- C. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that

may justify the granting of a variance shall not be regarded as a self-created hardship;

- D. The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

Cyndie Burnett seconded the motion. Vice Chair Santowasso polled the Board

<i>Ms. Burnett</i>	<i>Yes</i>
<i>Mr. Hooper</i>	<i>Yes</i>
<i>Mr. Shriberg</i>	<i>Yes</i>
<i>Mr. Kelley</i>	<i>Yes</i>
<i>Mr. Santowasso</i>	<i>Yes</i>

The Board unanimously approved the request for a variance at 100 Dundee Road with no conditions.

IV. General Business

Alex Cameron, Senior Planner, informed the Board that they would have business and need to meet on June 6, 2019.

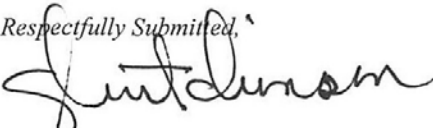
V. Next Meeting Date

June 6, 2019

VI. Motion to Adjourn

Upon a motion by David Kelley and seconded by Cyndie Burnett, the board unanimously approved the motion to adjourn. The meeting adjourned at 6:45 p.m.

A recording and videotape of this meeting are located on the Village website: www.vopnc.org.

Respectfully Submitted,


Gwendy Hutchinson
Planning Administrative Assistant
Village of Pinehurst

The Village of Pinehurst is a charming, vibrant community which reflects our rich history and traditions. Mission: Promote, enhance, and sustain the quality of life for residents, businesses, and visitors. Values: Service, Initiative, Teamwork, and Improvement.