



**PLANNING AND INSPECTIONS DEPARTMENT STAFF REPORT**

**To:** Zoning Board of Adjustment  
**From:** Michael Mandeville, Senior Planner  
**CC:** Alex Cameron, Planning and Inspections Director  
Pamela Graham, Planning Supervisor  
Maria Carpenter, Planner  
Shelby Grow, Administrative Specialist  
**Date:** December 29, 2023  
**Subject:** **Variance Request for 80 Carolina Vista (continued)**

**Applicant has attached additional information for review, otherwise Staff Report is unchanged.**

<b>Applicant:</b>	Calvin Burkley
<b>Owners:</b>	Resorts of Pinehurst
<b>Property Location:</b>	80 Carolina Vista
<b>Parcel Size:</b>	991,425.6 square feet or +/- 22.76 acres
<b>PID#</b>	00025808
<b>Zoning:</b>	H (Hotel)
<b>Fence Height:</b>	6 Feet
<b>Proposed Fence Height:</b>	8 Feet with interspersed columns up to 9’8”
<b>Land Use:</b>	Hotel

**Request and Background:**

This request is to increase the fence height from the PDO maximum of 6’ to 8’ with interspersed brick columns up to 9’8” along Highway 5. The location of the fence along Highway 5 is shown in the attached exhibit provided by the applicant. Additionally, this fence would vary from the fence design standards provided in Section 9.13.D(1-7) of the Village of Pinehurst PDO by adding specific trim to the top of the fence. While the PDO permits the solid wooden fence, the trim detail is not allowed by the PDO. According to the applicant, the trim detail was inspired by the historic trim detail is located on the upper floor of the Department Store Building in the heart of the Village.

Section 9.13.B(1) of the PDO states fences, walls, and similar structures not over six (6) feet in height may project into the rear or side setback provided the lot does not abut a golf course or a lake. Fences,

walls, and similar structures are prohibited in the rear setback if the lot abuts a golf course or lake. If the side yard does not abut a golf course or lake, fences, walls, and similar structures may be erected to a maximum height of six (6) feet. Such fence or wall shall not be built in or through a required buffer unless the fence or wall has been designed as an integral part of the buffer and approved as such. The property is further identified as Moore County PID Number 00025808. The existing structure (hotel) was built between 1899 – 1900.

Along with this report and attachments, Staff has included the following exhibits for review and consideration of the Board:

- Exhibit S-2 – Zoning Map
- Exhibit S-3 – Aerial Map

The applicant has submitted the following labeled exhibits for review and consideration by the Zoning Board of Adjustment:

- Exhibit A-1 – Application for Variance
- Exhibit A-2.1 – A 2.2 – Project Information
- Exhibit A-2.3 – Project Location
- Exhibit A-2.4 – Property Fence Concept
- Exhibit A-2.5 – Existing Fence
- Exhibit A-2.6 – Example of Fence Trim
- Exhibit A-3.1 – Existing Peak Hour Traffic
- Exhibit A-3.2 – Existing Peak Hour Traffic with 6-Foot-Tall Barrier
- Exhibit A-3.3 - Existing Peak Hour Traffic with 8-Foot-Tall Barrier
- Exhibit A-4.1 – A-4.11 – Pinehurst Traffic Noise Analysis Memo
- Exhibit A-5- Pinehurst Resort Fence Supplemental Narrative

**Variance and Evidentiary Hearing Process:**

The Variance Process is intended to provide relief from the zoning requirements of the Pinehurst Development Ordinance (PDO) only in those cases where strict application of a particular zoning requirement will create a practical difficulty or unnecessary hardship prohibiting the use of land in a manner otherwise allowed under the PDO. It is not intended that variances be granted merely to remove inconveniences or financial burdens that the zoning requirements of the PDO may impose on property owners in general. Rather, it is intended to provide relief where the zoning requirements of the PDO render the land difficult, unreasonable or impossible to use because of some unique attribute or aspect of the property itself, or some other factor unique to the property for which the variance is requested.

Requests for variances are quasi-judicial decisions of the Board, and therefore, require an evidentiary hearing. These decisions are quasi-judicial due to the fact the Board exercises judgement and discretion in applying the standards for review. The purpose of evidentiary hearings is to gather competent, relevant, factual evidence on the application and not solicit broad public opinion. The Chair is responsible for calling witnesses, swearing in all wishing to provide testimony, following established procedures, ensuring that witnesses present relevant evidence only, and limiting repetitious testimony. Typically, staff acts as the initial witness and, after being sworn in, will present basic information and background on the request as well as enter staff exhibits into the record. Staff does not make a case or argument for or against the application. The applicant and other witnesses will be sworn in and can provide factual testimony on the application to the Board. Board Members listen and ask relevant questions, assess the credibility of all testimony, remain impartial, and vote on the case. At the conclusion of the hearing, the Board shall make its decision based on the competent, material, and substantial evidence while adopting findings of fact with all standards of review.

**Standards of Review**

North Carolina General Statute 160D-705 and Section 5.1.5 of the PDO set forth the standards of review the Boards of Adjustment's must review when considering applications for variances. These are the only standards the Board shall consider when making a decision on variance requests. The Board shall not grant a variance unless and until it makes findings on if all of the following standards have been met:

- (1) 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;
- (2) 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. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability;
- (3) 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;

- (4) 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.

**Action by the Zoning Board of Adjustment:**

After conducting the public hearing, the Zoning Board of Adjustment may:

- (1) Have the authority to subpoena witnesses and may request additional information;
- (2) Continue the public hearing on the requested variance;
- (3) Grant the requested variance;
- (4) Deny the requested variance;
- (5) Grant the requested variance with conditions. The Board of Adjustment may attach appropriate conditions, provided that the conditions are reasonably related to the request.

Any approval or denial of the request shall be made by motion, accompanied by findings of fact that the variance meets or does not meet each of the Standards of Review, stating the reasons for such findings.

The Zoning Board of Adjustment shall not grant any variance unless there is a concurring vote of at least 4 of its 5 members.

Staff does not formulate a recommendation of a variance request as decisions are to be based solely on the testimony and evidence submitted at the quasi-judicial hearing. This report along with its attachments and material submitted by the applicant shall also be included as submitted evidence and made part of the record.



HISTORY, CHARM, AND SOUTHERN HOSPITALITY \_\_\_\_\_

**NOTICE OF PUBLIC HEARING  
VILLAGE OF PINEHURST**

**November 15, 2023**

**Dear Property Owner:**

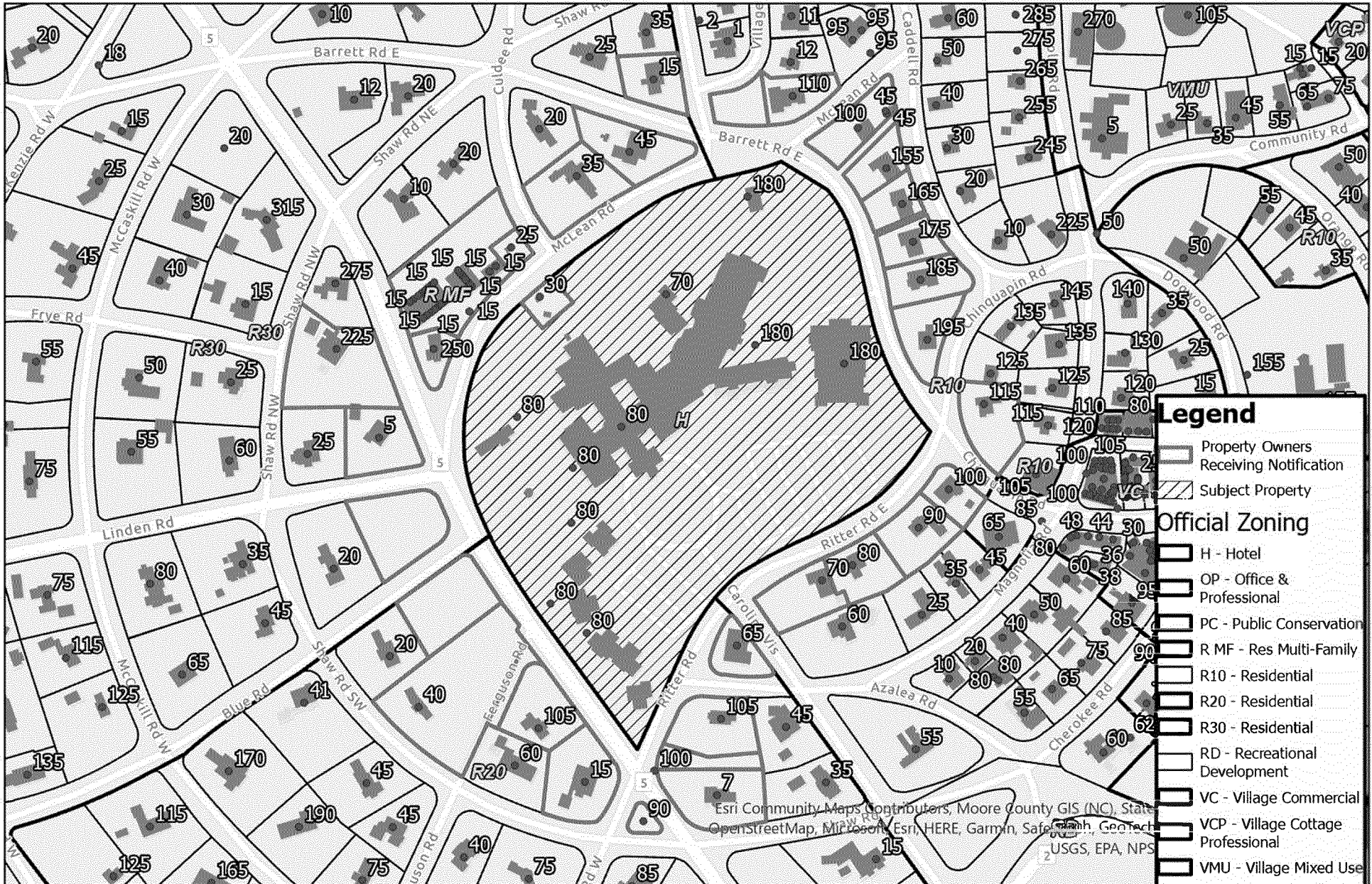
The Village of Pinehurst Board of Adjustment (BOA) will hold a Public Hearing on Thursday, December 7, 2023 at 4:30 PM, or immediately following the Planning & Zoning Board Meeting, in Village Assembly Hall 395 Magnolia Road, Pinehurst, NC. The meeting will be streamed in real-time on the Village's website, at <https://www.vopnc.org/our-government/live-stream>, for public viewing/listening and video-recorded for future reference.

*The purpose of the public hearing is to receive testimony for a variance request from Pinehurst Development Ordinance Section 9.13 Fences, Walls and Columns, Subsection (C), for the property addressed as 80 Carolina Vista, further identified by Moore County PID # 00025808. This property is located within the H (Hotel) Zoning District. Specifically, the owner, Resorts of Pinehurst, are requesting a variance to increase the fence height from 6' to 8' along Highway 5.*

As the owner of said property, an adjacent property owner, or as the applicant; you are receiving formal notification of this Public Hearing. Information on this request is available for public review at the Planning and Inspections Department, Village Hall, 395 Magnolia Road, Pinehurst, North Carolina, Monday through Friday from 8:30 AM to 5:00 PM with the exception of holidays. Information on this request will also be made available the week of the meeting on the Village of Pinehurst's Novus Agenda website at <https://pinehurst.novusagenda.com/agendapublic/>.

The applicant, the local government, and any person who would have standing to appeal the decision under PDO Section 4.1.3 shall have the right to participate as a party at the evidentiary hearing. Other witnesses may present competent, material, and substantial evidence that is not repetitive as allowed by the board. All persons wishing to participate will be required to provide sworn testimony during the public hearing limited to presenting factual evidence on the request and testimony be made a matter of record.

For more information, please call (910) 295- 2581.



**December 7, 2023**  
**Board of Adjustments**  
**80 Carolina Vista Variance Request**



Village of Pinehurst Disclaimer: It is understood that the data contained herein is subject to constant change and that its accuracy cannot be guaranteed. The maps have been created from information provided by various government and private sources at various levels of accuracy. The data is provided to you "as is" with no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness or completeness of any of the information provided herein. It is the responsibility of the user of the data to be aware of the data's limitations and to utilize the data in an appropriate manner. Any resale of this data is strictly prohibited in accordance with North Carolina General Statutes 132-10. Grid is based on North Carolina State Plane Coordinate System NAD83 (feet).

WHITFIELD, LYNDA H  
2802 SE DUNE DR., APT 1407  
STUART,FL,34996

BUNDER, JEFFREY  
20 SHAW RD SW  
PINEHURST,NC,28374

GOODING, ROBERT H & NANCY W  
3417 HORSESHOE BEND  
RALEIGH,NC,27613

GESTION MAGB INC  
2170 RENE LEVESQUE W ST202  
Montreal, Canada H3HT8

MCARTHUR, DANIEL L  
PO BOX 190  
PINEHURST,NC,28370

MOORE COUNTY  
PO BOX 905  
CARTHAGE,NC,28327-0905

ADKINS, KIRK S  
70 E CAROLINA VISTA  
PINEHURST,NC,28374

SPEGGEN, ELIZABETH A  
165 BARRETT RD E  
PINEHURST,NC,28374

MOORE COUNTY  
PO BOX 905  
CARTHAGE,NC,28327-0905

CORDELL, CHARLES L  
PO BOX 10  
PINEHURST,NC,28374-0010

KASPER, FREDERICK TRUSTEE  
8942 PERKINS DRIVE  
MENTOR,OH,44060

RICE, COREY JAMES  
PO BOX 3347  
PINEHURST,NC,28374

CORDELL, CHARLES L  
PO BOX 10  
PINEHURST,NC,28374-0010

PHILLIPS, RICK  
PO BOX 1867  
PINEHURST,NC,28370

MOORE, SUSAN S  
180 EDGEWATER PL  
PINEHURST,NC,28374

MOSSO, JOSEPH A JR &  
P O BOX 1593  
PINEHURST,NC,28370-1593

FOLEY, HUGH W &  
15 W RITTER ROAD  
PINEHURST,NC,28374

DEWEY, PAUL H & MICHELE K  
400 WATERS DR APT D305  
SOUTHERN PINES,NC,28387-2292

WELCH, KEEFER D & PATRICIA A  
45 MCLEAN RD  
PINEHURST,NC,28374

CONDON, BREEN O  
PO BOX 1870  
PINEHURST,NC,28370-1870

VILLAGE OF PINEHURST  
395 MAGNOLIA RD  
PINEHURST,NC,28374

CLOUGH, CHRISTIAN  
1506 PLEASANT VIEW RD  
COOPERSBURG,PA,18036

ROBERTS PROFESSIONAL SERVICES, LLC  
40 DALRYMPLE RD  
PINEHURST,NC,28374

HENDERSON, GREGORY B & BONNY B  
PO BOX 934  
PINEHURST,NC,28370

THIGPEN, FRANK C & LYNNE S  
PO BOX 1034  
PINEHURST,NC,28374-1034

HALL, BERTRAM B  
155 BARRETT ROAD  
PINEHURST,NC,28374

ADVANTAGE PG, INC  
6312 KINARD RD  
DURHAM,NC,27703

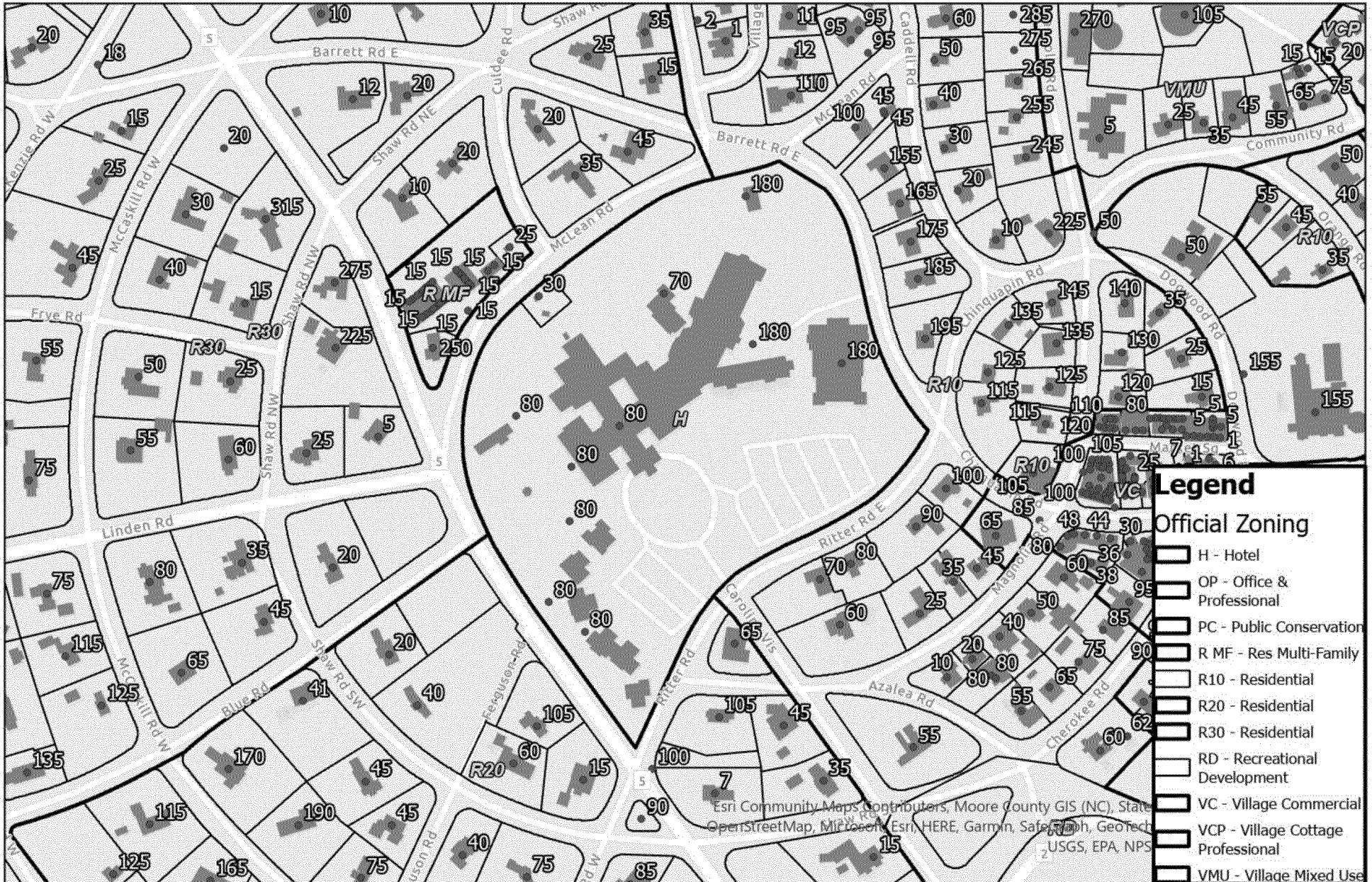
CLOUGH, CHRISTIAN  
1506 PLEASANT VIEW RD  
COOPERSBURG,PA,18036

RESORTS OF PINEHURST INC  
PO BOX 4000  
PINEHURST,NC,28374

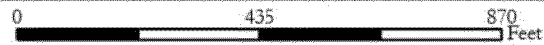
THOMPSON, JAMES W & THOMPSON, LYNNE C  
211 FOALING ROUND LANE  
CARTHAGE,NC,28327

# Zoning Map- 80 Carolina Vista

Exhibit S-2



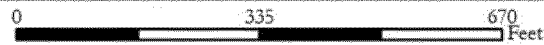
Esri Community Maps Contributors, Moore County GIS (NC), State  
 OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph, GeoFect  
 USGS, EPA, NPS



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## December 7, 2023 Board of Adjustments 80 Carolina Vista Variance Request





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**December 7, 2023**  
**Board of Adjustments**  
**80 Carolina Vista Variance Request**





**BOARD OF ADJUSTMENT  
REGULAR MEETING  
THURSDAY, FEBRUARY 01<sup>ST</sup>, 2024  
ASSEMBLY HALL  
395 MAGNOLIA ROAD  
PINEHURST, NORTH CAROLINA**

**04:00 PM or IMMEDIATELY FOLLOWING THE P&Z MEETING**

**Board Members Present:**

Thomas Schroeder, Chair  
Matt Jones, Vice-Chair  
Jeremy Hooper  
Carol Henry, Alt.

**Board Members Absent:**

Louise Mercuro, Alt.  
Bruce Hironimus, Alt.  
Sonja Rothstein  
Paul Roberts

**Staff Present:**

Alex Cameron, Planning Director  
Pamela Graham, Planning Supervisor  
Michael Mandeville, Senior Planner  
Maria Carpenter, Planner  
Shelby Grow, Clerk to the Board  
Paul Conners, IT Technician

Approximately 5 member(s) of the public were in attendance.

**I. Call to Order**

Mr. Schroeder called the February 01<sup>st</sup>, 2024 Regular Meeting to order at 04:10 PM.

The Board Members introduced themselves.

**II. Approval of Minutes**

**a. 01-04-2024 Regular Meeting Minutes**

Mr. Hooper moved to approve the minutes of the January 04<sup>th</sup>, 2024 Regular Meeting. Seconded by Mr. Jones. Approved by a vote of 4-0.

Mr. Jones moved to recess the Regular Meeting and re-enter the Public Hearing. Seconded by Mr. Hooper. Approved by a vote of 4-0.

**III. Public Hearing**

**a. PLN-2023-00473 (80 Carolina Vista Variance Request)**

*The purpose of the public hearing is to receive testimony for a variance request from Pinehurst Development Ordinance Section 9.13 Fences, Walls and Columns, Subsection (C), for the property addressed as 80 Carolina Vista, further identified by Moore County PID # 00025808. This property is located within the H (Hotel) Zoning District.*

Mr. Mandeville addressed the Board stating the applicant would like to continue the case until the next Public Hearing date due to Board Members being absent today.

Mr. Jones moved that the Board of Adjustment continue the Public Hearing to the next Regular Meeting date of March 7th, 2024. Seconded by Mr. Hooper. Approved by a vote of 4-0.

**IV. General Business**

None.

**V. Next Meeting Date**

**a. 03-07-2024 Regular Meeting**

**VI. Motion to Adjourn**

Mr. Hooper moved to adjourn the Regular Meeting. Seconded by Ms. Henry. Approved by a vote of 4-0 at 04:16 PM.

Respectfully Submitted,

Shelby Grow  
Clerk to the Board &  
Planning Administrative Specialist  
Village of Pinhurst

*A videotape of this meeting is located on the Village website: [www.vopnc.org](http://www.vopnc.org).*

The Village of Pinhurst 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.

PLN-2023-00473 - Carolina Fencing

Menu Help

File Date: [11/07/2023](#)

Application Status: [In Review](#)

Application Type: [Variance](#)

Application Detail: [Detail](#)

Description of Work: [See attached narrative](#)

Application Name: [Carolina Fencing](#)

Address: [80 Carolina Vista Dr. Pinehurst, NC 28374](#)

Owner Name: [Resorts of Pinehurst, Inc.](#)

Owner Address: [1 Carolina Vista, Pinehurst, NC 28374](#)

Parcel No: [00025808](#)

Contact Info:	Name	Organization Name	Contact Type	Contact Primary Address	Status
	<a href="#">Calvin Burkley</a>		Applicant		Active
	<a href="#">Bob Koontz</a>	<a href="#">Koontz Jones De...</a>	Contact		Active

Licensed Professionals Info:	Primary	License Number	License Type	Name	Business Name	Business License #
Job Value:	<a href="#">\$0.00</a>					
Total Fee Assessed:	<a href="#">\$500.00</a>					
Total Fee Invoiced:	<a href="#">\$500.00</a>					
Balance:	<a href="#">\$0.00</a>					

Custom Fields: PROJECT INFORMATION

Legal Basis for Application

[Owner of the Land Affected by the Variance](#)

Ordinance Text (Verbatim)

[\(C\) Fences and walls in non-residential zoning districts and/or on non-residential properties; except in the RD zoning district, fences and walls or similar structures not over six feet in height, may project into any required setback](#)

[Description of how the hardship did not result from actions taken by the applicant/owner](#)  
[See attached narrative](#)

General Description of Variance Request

[The applicant requests to increase the fence height from PDO maximum of 6' to 8' along Highway 5](#)

[Description of unnecessary hardship that would result from the strict application of the ordinance](#)  
[See attached narrative](#)

Ordinance Section Reference

[Section 9.13\(C\)](#)

[Description of how the hardship results from conditions that are peculiar to the property](#)  
[See attached narrative](#)

Workflow Status:	Task	Assigned To	Status	Status Date	Action By
	<a href="#">Appeal Filed</a>		Accepted	11/13/2023	Michael Mandeville
	<a href="#">Review for Completeness</a>	Alex Cameron	Complete	11/30/2023	Michael Mandeville
	<a href="#">Planning Review</a>	Alex Cameron	Complete	11/30/2023	Michael Mandeville
	<a href="#">BOA Notification</a>	Alex Cameron	Meeting Noti...	11/30/2023	Michael Mandeville
	<a href="#">Staff Report</a>	Alex Cameron	In Progress	11/30/2023	Michael Mandeville
	<a href="#">BOA Hearing</a>	Alex Cameron			

Condition Status:	Name	Short Comments	Status	Apply Date	Severity	Action By

Documents:	File Name	Document Group	Category	Description	Type	Document Status	Document Status Date
	<a href="#">Variance Application -...</a>	PLN_VAR	Other	-Application -Narra...	application/pdf	Uploaded	11/07/2023
	<a href="#">Variance Application s...</a>	PLN_VAR	Other	Signed application	application/pdf	Uploaded	11/07/2023
	<a href="#">Your application PLN-1...</a>	PLN	Email		application/octet-s...	Uploaded	11/30/2023
	<a href="#">Show all</a>						

Application Comments:	View ID	Comment	Date

Initiated by Product: ACA

Scheduled/Pending Inspections:	Inspection Type	Scheduled Date	Inspector	Status	Comments

Resulted Inspections:	Inspection Type	Inspection Date	Inspector	Status	Comments

Required Inspections:

**KOONTZJONESDesign**  
LAND PLANNING | LANDSCAPE ARCHITECTURE

October 9, 2023 – Updated November 29, 2023

Alex Cameron  
Planning Director  
Village of Pinehurst  
395 Magnolia Road  
Pinehurst, NC 28374

Re: Pinehurst Resort  
Fence Variance Request

Dear Mr. Cameron,

Pinehurst Resort requests a variance to modify the fence along Highway 5, which surrounds the Carolina Hotel, the hotel pool, and the hotel Villas. The Resort would like to increase the fence height to 8' with interspersed brick columns up to 9'8". Additionally, this fence would vary from the fence design standards provided in the Pinehurst Development Ordinance (PDO) by adding a specific trim detail at the top of the fence. While the PDO permits the solid wooden fence, the trim detail is not shown in the PDO. The trim detail was inspired by the historic fence detail located on the upper floor of the Department Store Building in the heart of the Village (see attached photographs). The following information demonstrates the hardship incurred by the Resort and justification for the variance based on the Pinehurst Development Ordinance (PDO) criteria.

- (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.

With the location of the Carolina Hotel, Hotel Villas, and Hotel pool directly adjacent to Highway 5, vehicular noise is a growing concern. The increased traffic and truck volume on Highway 5 is raising the noise levels throughout the day and evening hours. Pinehurst Resort would like to replace the existing fence with a taller, more solid fence with masonry columns to reduce the noise levels for the guests and visitors in this area. The trim detail at the top of the fence serves to break up the perceived height of the fence and add design interest, inspired by historic Village fencing.

- (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.

This is a unique request for this particular property. The hotel use is unique along the Highway 5 corridor. Special events occur in this area, including weddings, receptions, and other notable events. In addition, the hotel lodging is unique to this property along Highway 5.



- (C) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with the knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

The Resort facilities and events in this area have been in place for a significant time. There has been a fence in place in this area for many years. The increased traffic volume and noise are not a result of any actions taken by the applicant. The applicant is seeking the variance to mitigate the impacts of the increased traffic volume, which is out of their control.

- (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.

This variance request is consistent with the spirit of the ordinance and simply the result of increased traffic volumes on a primary transportation corridor within the Village. The increased fence height will have no negative impacts on public safety. It will protect the Resort experience for visitors, guests, and people attending special events in this particular area of the Resort. The fence will be upgraded from the existing fence and be visually appealing, in character with the Resort and historic Village. Trim detailing, while not consistent with the PDO, is consistent with design elements in other locations within the core Village. The fence design will still require the Historic District Commission's approval to determine whether the fence fits within the Village of Pinehurst Historic District.

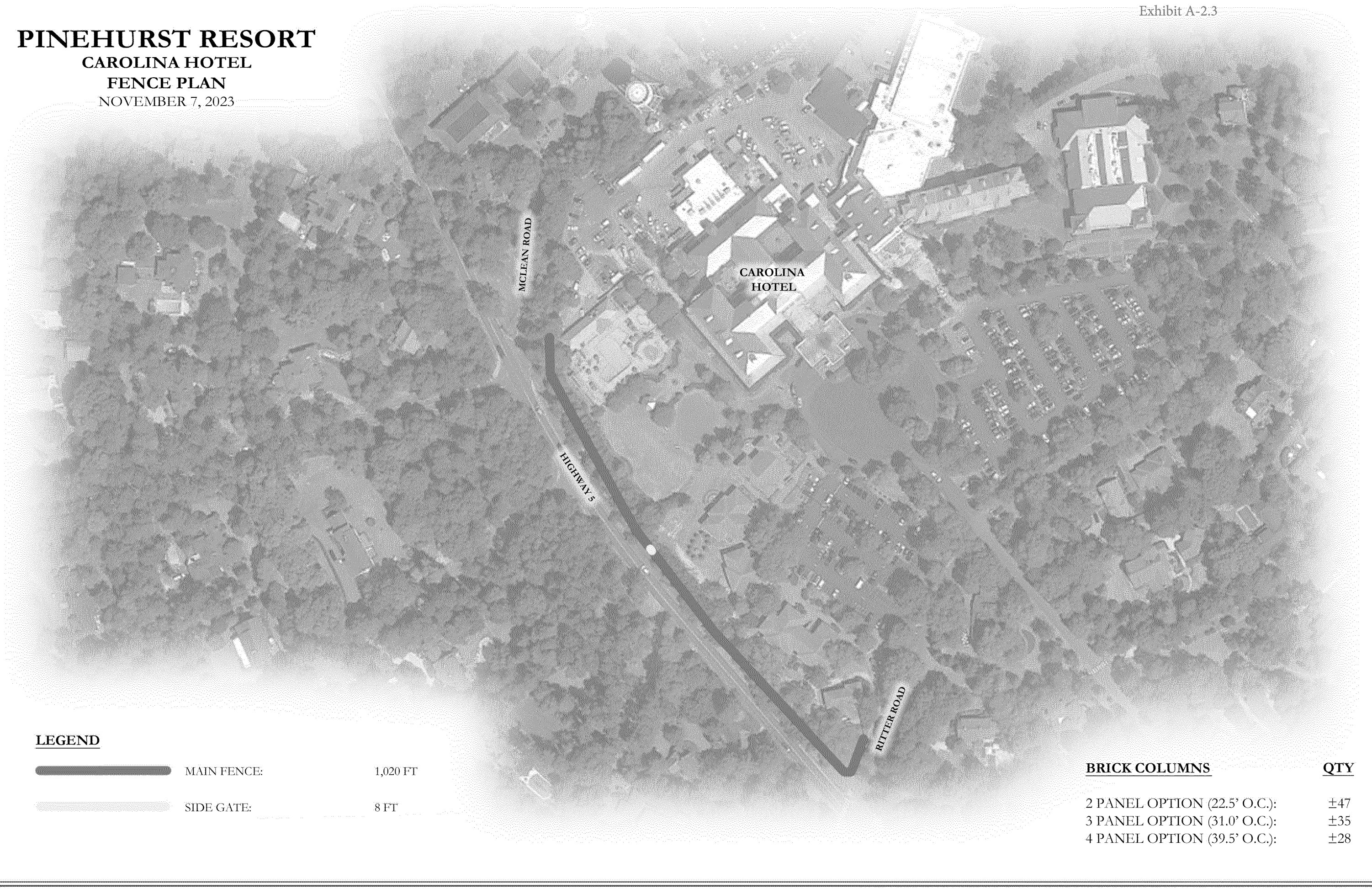
The above narrative is a justification for the increased fence height based on the PDO criteria for a variance. Pinehurst Resort appreciates your consideration of this variance request and the unique circumstances that have led to the request for additional fence height along Highway 5.

Best Regards,



A handwritten signature in black ink, appearing to read 'R. Koontz', is written over a light gray dotted rectangular background.

Robert Koontz, PLA

**PINEHURST RESORT**  
**CAROLINA HOTEL**  
**FENCE PLAN**  
NOVEMBER 7, 2023



**LEGEND**

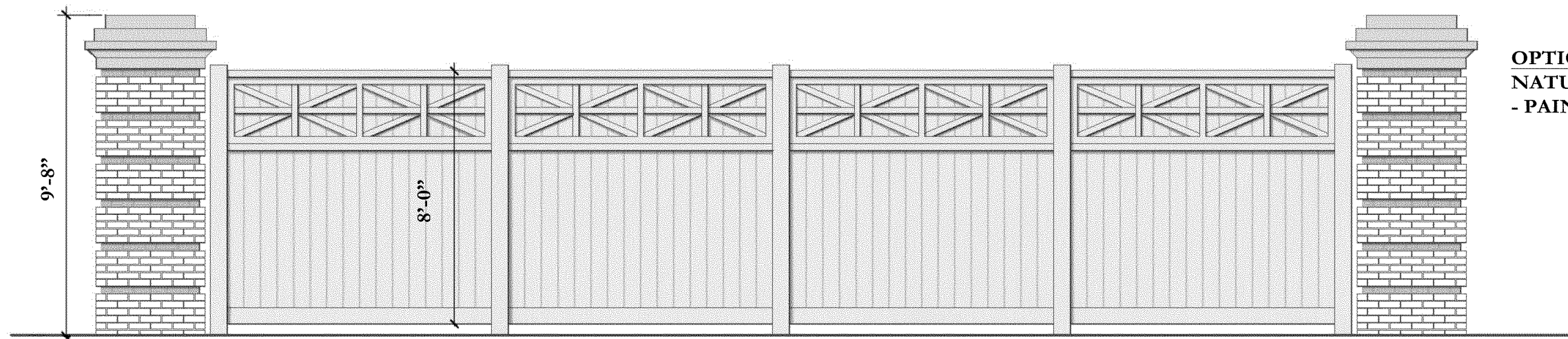
	MAIN FENCE:	1,020 FT
	SIDE GATE:	8 FT

<b>BRICK COLUMNS</b>	<b>QTY</b>
2 PANEL OPTION (22.5' O.C.):	±47
3 PANEL OPTION (31.0' O.C.):	±35
4 PANEL OPTION (39.5' O.C.):	±28

# PINEHURST RESORT

CAROLINA HOTEL  
PROPERTY FENCE CONCEPTS  
NOVEMBER 7, 2023

## CONCEPT B2 OPTION 1



**OPTION 1**  
**NATURAL WOOD FENCE**  
**- PAINTED OFF WHITE**

SCALE: 1/4" = 1'-0"





105

Pinehurst  
Dept. Store  
ESTAB. 1897

**PLN-2023-00473 - Carolina Fencing**

Menu Help

File Date: [11/07/2023](#)

Application Status: [In Review](#)

Application Type: [Variance](#)

Application Detail: [Detail](#)

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Owner Name: [Resorts of Pinehurst, Inc.](#)

Owner Address: [1 Carolina Vista, Pinehurst, NC 28374](#)

Parcel No: [00025808](#)

Contact Info:	Name	Organization Name	Contact Type	Contact Primary Address	Status
	<a href="#">Calvin Burkley</a>		Applicant		Active
	<a href="#">Bob Koontz</a>	<a href="#">Koontz Jones De...</a>	Contact		Active

Licensed Professionals Info:	Primary	License Number	License Type	Name	Business Name	Business License #
Job Value:	<a href="#">\$0.00</a>					
Total Fee Assessed:	<a href="#">\$500.00</a>					
Total Fee Invoiced:	<a href="#">\$500.00</a>					
Balance:	<a href="#">\$0.00</a>					

Custom Fields: **PROJECT INFORMATION**

**Legal Basis for Application**

[Owner of the Land Affected by the Variance](#)

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**Ordinance Section Reference**

[Section 9.13\(C\)](#)

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Workflow Status:	Task	Assigned To	Status	Status Date	Action By
	<a href="#">Appeal Filed</a>		Accepted	11/13/2023	Michael Mandeville
	<a href="#">Review for Completeness</a>	Alex Cameron	Complete	11/30/2023	Michael Mandeville
	<a href="#">Planning Review</a>	Alex Cameron	Complete	11/30/2023	Michael Mandeville
	<a href="#">BOA Notification</a>	Alex Cameron	Meeting Noti...	11/30/2023	Michael Mandeville
	<a href="#">Staff Report</a>	Alex Cameron	In Progress	11/30/2023	Michael Mandeville
	<a href="#">BOA Hearing</a>	Alex Cameron			

Condition Status:	Name	Short Comments	Status	Apply Date	Severity	Action By
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Documents:	File Name	Document Group	Category	Description	Type	Document Status	Document Status Date
	<a href="#">Variance Application -...</a>	PLN_VAR	Other	-Application -Narra...	application/pdf	Uploaded	11/07/2023
	<a href="#">Variance Application s...</a>	PLN_VAR	Other	Signed application	application/pdf	Uploaded	11/07/2023
	<a href="#">Your application PLN-1...</a>	PLN	Email		application/octet-s...	Uploaded	11/30/2023

[Show all](#)

Application Comments:	View ID	Comment	Date
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Initiated by Product: ACA

Scheduled/Pending Inspections:	Inspection Type	Scheduled Date	Inspector	Status	Comments
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Resulted Inspections:	Inspection Type	Inspection Date	Inspector	Status	Comments
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Required Inspections:

**KOONTZJONESDesign**  
LAND PLANNING | LANDSCAPE ARCHITECTURE

October 9, 2023 – Updated November 29, 2023

Alex Cameron  
Planning Director  
Village of Pinehurst  
395 Magnolia Road  
Pinehurst, NC 28374

Re: Pinehurst Resort  
Fence Variance Request

Dear Mr. Cameron,

Pinehurst Resort requests a variance to modify the fence along Highway 5, which surrounds the Carolina Hotel, the hotel pool, and the hotel Villas. The Resort would like to increase the fence height to 8' with interspersed brick columns up to 9'8". Additionally, this fence would vary from the fence design standards provided in the Pinehurst Development Ordinance (PDO) by adding a specific trim detail at the top of the fence. While the PDO permits the solid wooden fence, the trim detail is not shown in the PDO. The trim detail was inspired by the historic fence detail located on the upper floor of the Department Store Building in the heart of the Village (see attached photographs). The following information demonstrates the hardship incurred by the Resort and justification for the variance based on the Pinehurst Development Ordinance (PDO) criteria.

- (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.

With the location of the Carolina Hotel, Hotel Villas, and Hotel pool directly adjacent to Highway 5, vehicular noise is a growing concern. The increased traffic and truck volume on Highway 5 is raising the noise levels throughout the day and evening hours. Pinehurst Resort would like to replace the existing fence with a taller, more solid fence with masonry columns to reduce the noise levels for the guests and visitors in this area. The trim detail at the top of the fence serves to break up the perceived height of the fence and add design interest, inspired by historic Village fencing.

- (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.

This is a unique request for this particular property. The hotel use is unique along the Highway 5 corridor. Special events occur in this area, including weddings, receptions, and other notable events. In addition, the hotel lodging is unique to this property along Highway 5.



- (C) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with the knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.

The Resort facilities and events in this area have been in place for a significant time. There has been a fence in place in this area for many years. The increased traffic volume and noise are not a result of any actions taken by the applicant. The applicant is seeking the variance to mitigate the impacts of the increased traffic volume, which is out of their control.

- (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.

This variance request is consistent with the spirit of the ordinance and simply the result of increased traffic volumes on a primary transportation corridor within the Village. The increased fence height will have no negative impacts on public safety. It will protect the Resort experience for visitors, guests, and people attending special events in this particular area of the Resort. The fence will be upgraded from the existing fence and be visually appealing, in character with the Resort and historic Village. Trim detailing, while not consistent with the PDO, is consistent with design elements in other locations within the core Village. The fence design will still require the Historic District Commission's approval to determine whether the fence fits within the Village of Pinehurst Historic District.

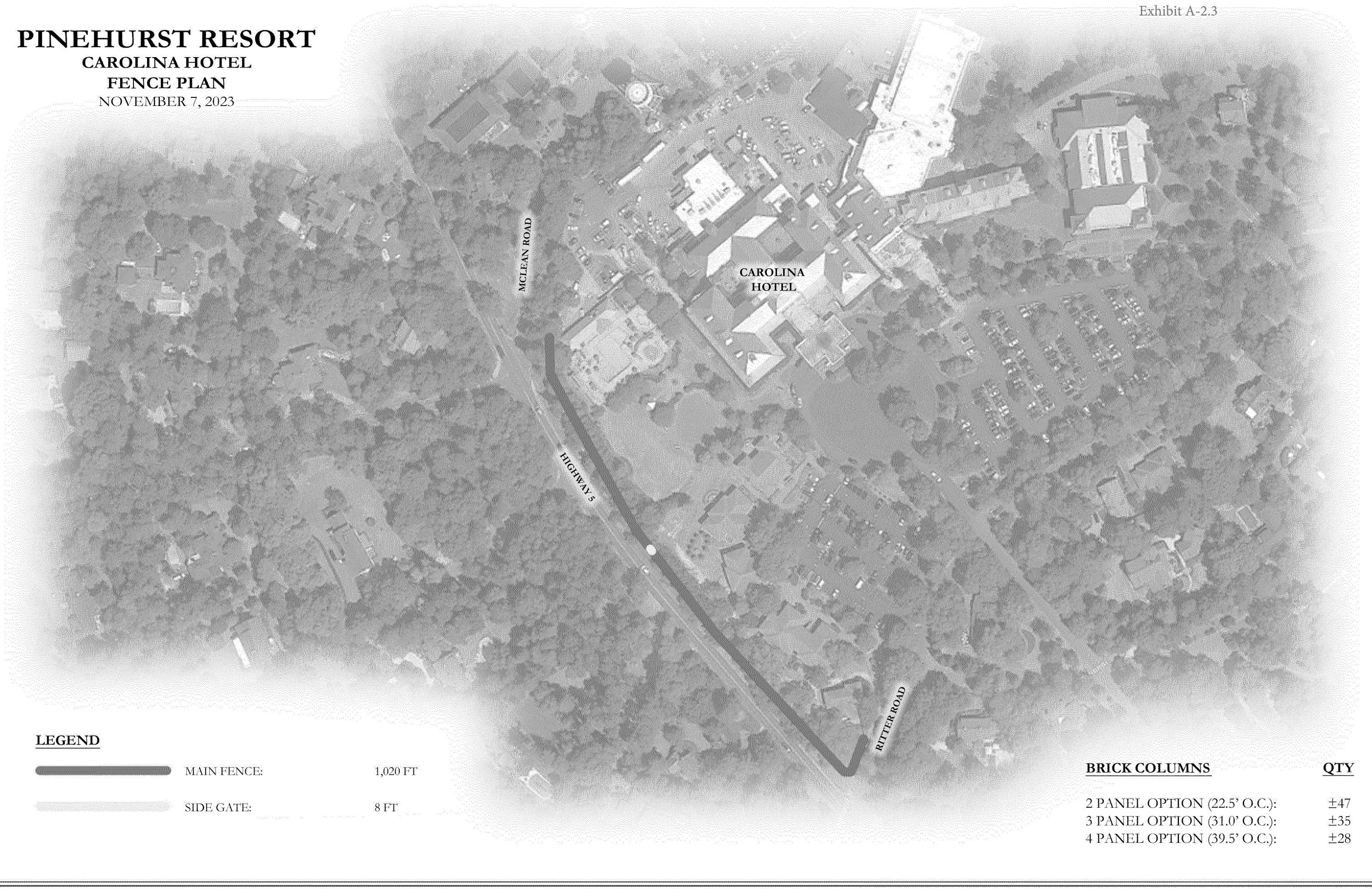
The above narrative is a justification for the increased fence height based on the PDO criteria for a variance. Pinehurst Resort appreciates your consideration of this variance request and the unique circumstances that have led to the request for additional fence height along Highway 5.

Best Regards,



A handwritten signature in black ink, appearing to read 'R. Koontz', is written over a light gray dotted rectangular background.

Robert Koontz, PLA

**PINEHURST RESORT**  
**CAROLINA HOTEL**  
**FENCE PLAN**  
NOVEMBER 7, 2023



**LEGEND**

	MAIN FENCE:	1,020 FT
	SIDE GATE:	8 FT

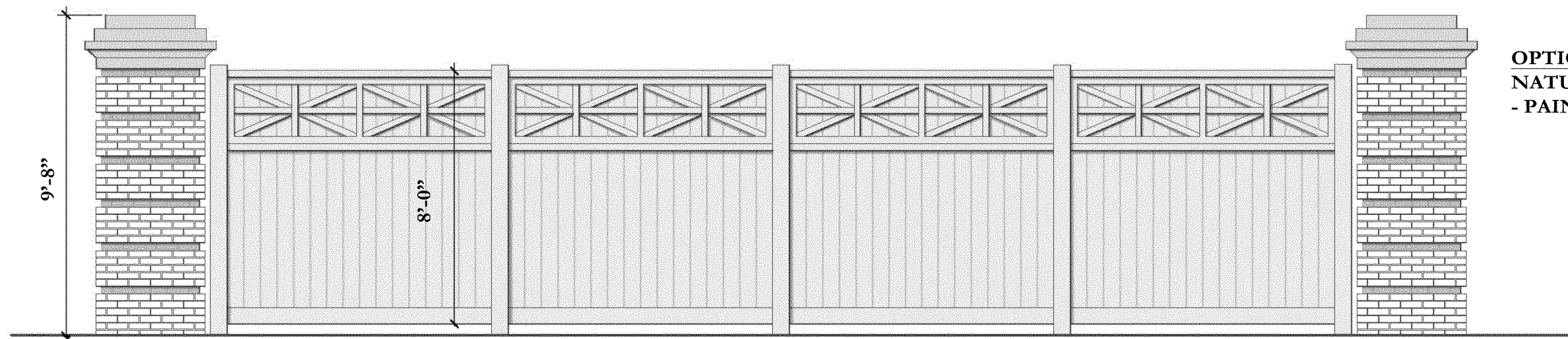
**BRICK COLUMNS**

	<b>QTY</b>
2 PANEL OPTION (22.5' O.C.):	±47
3 PANEL OPTION (31.0' O.C.):	±35
4 PANEL OPTION (39.5' O.C.):	±28

# PINEHURST RESORT

CAROLINA HOTEL  
PROPERTY FENCE CONCEPTS  
NOVEMBER 7, 2023

## CONCEPT B2 OPTION 1



**OPTION 1**  
**NATURAL WOOD FENCE**  
**- PAINTED OFF WHITE**

SCALE: 1/4" = 1'-0"





Pinehurst  
Dept. Store  
ESTAB. 1897

105