



00097

Variance
(Revised 04/01/19)**Variance Information**

The variance process administered by the Zoning Board of Adjustment is intended to provide relief from the zoning requirements of the Pinehurst Development Ordinance (PDO) in those cases where strict application of a particular zoning requirement will create an unnecessary hardship prohibiting the use of land in a manner otherwise allowed. It is not intended that variances be granted merely to remove inconveniences or financial burdens that zoning requirements may impose on property owners in general. Rather, it is intended to provide relief where the zoning requirements render the land difficult or impossible to use because of some unique physical attribute of the property itself, or some other factor unique to the property for which the variance is requested. Please refer to Section 5.1 of the PDO for the requirements of a variance.

When unnecessary hardships would result from carrying out the strict letter of this ordinance, the Board of Adjustment shall vary any of the provisions of this ordinance upon a showing of all of the following:

- (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.

An application for a variance may be filed only by the owner of the land affected by the variance; an agent or contract purchaser specifically authorized by the owner to file such application; or any unit of government which is not the owner of the lot but proposes to acquire the lot by purchase, gift, or condemnation. Where an agent, or contract purchaser files the application, the agent, or contract purchaser shall provide the Village with written documentation that the owner of the property has authorized the filing of the application.

This application must be completed in full and submitted with the associated fee listed in the Village's Fees and Charges Schedule, which can be accessed at www.vopnc.org.

Property Address	
Street Address	80 ROCKLAND LANE
City, State, Zip Code	PINEHURST NC 28374
Parcel ID #	LOT No 140, UNIT 11, PHASE 2





Variance
(Revised 04/01/19)

Owner Information			
Name	GEORGE & KATHY GREENWOOD	Home Phone #	518-494-5125
Street Address	PO Box 329	Mobile Phone #	516-492-1482
City, State, Zip Code	CHESTERTOWN NY 12817	Business Phone #	516-204-3360
Email	GNK GREENWOOD@GMAIL.COM		

Applicant (SAME)			
Name		Other Phone #	
Email		Street Address	
Mobile Phone #		City, State, Zip Code	

General Information

Legal Basis for Application	☐ Agent or Contract Purchaser Authorized by the Property Owner ☐ Government Agency Proposing to Acquire Land Affected by the Variance ☒ Owner of the Land Affected by the Variance
General Description of Variance Request	OWNER IS REQUESTING A CHANGE IN SETBACK REQUIREMENTS ON SOUTH SIDE OF PROPERTY FROM GOLF COURSE TO 15 FEET
Ordinance Section Reference	SECTION 5.1 PDO
Ordinance Text (Verbatim)	TABLE 9.2a R-10 GOLF COURSE SETBACK 30'



Variance
(Revised 04/01/19)

Description of unnecessary hardship that would result from the strict application of the ordinance	The restrictions of the current setback severely hampers the construction of a planned Carolina room at the end of the house. Without the variance, reasonable use of this space for its intended purpose (view of golf course) cannot be attained and the aesthetics for the home and surrounding community would be lacking.
Description of how the hardship results from conditions that are peculiar to the property, such as location, size, or topography	The particular size and shape of the property is peculiar to this building lot. Having two golf course setbacks severely restricts the use of this property and is not commonly found in the surrounding neighborhood.
Description of how the hardship did not result from actions taken by the applicant or the property owner	The hardship occurs as a result of insufficient space to build a comparable residential home in this neighborhood. The design cannot be fully realized without the additional lot footage of a 15' setback on the southerly end.
Explanation of how 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 being submitted in good faith to allow the owner to construct the room that would make it a functional part of the premise. No neighbors are impacted, Pinehurst Resort has provided a "no objection" letter, the property beyond the lot is golf course and can't be built on for further residential housing. There is no impact to public safety.

Required Documents

☐ Written authorization of the property owner (If not filed by owner)

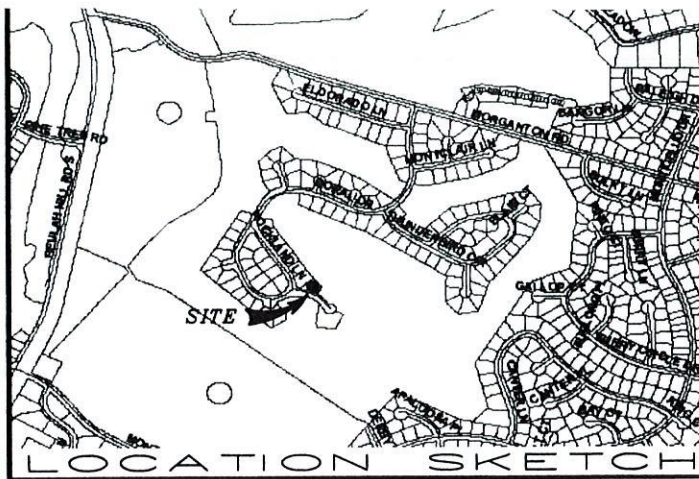
Certification

I hereby certify that the information contained in this application is accurate and complete. I also confirm that I have read and understand the criteria that must be met in order to receive approval for a variance.

Applicant Signature: _____

Charles P. Purnell

Date: 11/4/19
11/4/19



I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION SHOWN HEREON; THAT THE RATIO OF PRECISION OR POSITIONAL ACCURACY IS 1/10,000+; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56. 1600).

THIS DOCUMENT ORIGINALLY ISSUED AND SEALED BY
C. D. WENTLAND, PLS NO. 4312, ON OCTOBER 4, 2019.
THIS MEDIA SHOULD NOT BE CONSIDERED A CERTIFIED DOCUMENT.

C. D. WENTLAND, PLS NO. 4312

DATE: 10/04/2019.

SUBJECT PROPERTY IS ZONED "R10".

NOTES:
SUBJECT PROPERTY IS NOT LOCATED IN A
FEMA DESIGNATED FLOOD ZONE OR IN A
DESIGNATED WATERSHED AREA.

LRK# 29761

TOPOGRAPHIC SURVEY FOR
GEORGE W. GREENWOOD
& WIFE
KATHELEEN M. GREENWOOD
LOT NO. 140, PHASE 2, UNIT 11
PINEHURST, INCORPORATED
XMINERAL SPRINGS TOWNSHIP, MOORE COUNTY,
PINEHURST, NORTH CAROLINA
OCTOBER 4, 2019 -*- SCALE 1"=20'
CHRISTOPHER WENTLAND, PLS
LAND SURVEYING-LAND PLANNING
PINEHURST, NORTH CAROLINA

20' 10' 0' 20' 40'

- UNLESS OTHERWISE DENOTED.
- = EXISTING IRON STAKE
 - = EXISTING CONCRETE MONUMENT
 - = SET CONCRETE MONUMENT
 - = SET IRON STAKE
 - ~ = SQUARE FOOTAGE
 - ▲ = POWER SERVICE STUB
 - = SEWER SERVICE STUB
 - = TELEPHONE SERVICE STUB
 - = CABLE TV SERVICE STUB
 - = WATER METER
 - = FIRE HYDRANT
 - ⌵ = UTILITY POLE
 - ⊙ = BURIED PROPANE TANK
 - ⊕ = SANITARY SEWER MANHOLE
 - - - X - - - = FENCE

⊗ = PINE TREE W/SIZE NOTED

⊗ = DOGWOOD TREE

⊗ = HOLLY TREE

ROCKLAND LANE
(PUBLIC)

MAG. NAIL SET
IN CL INTERSECTION

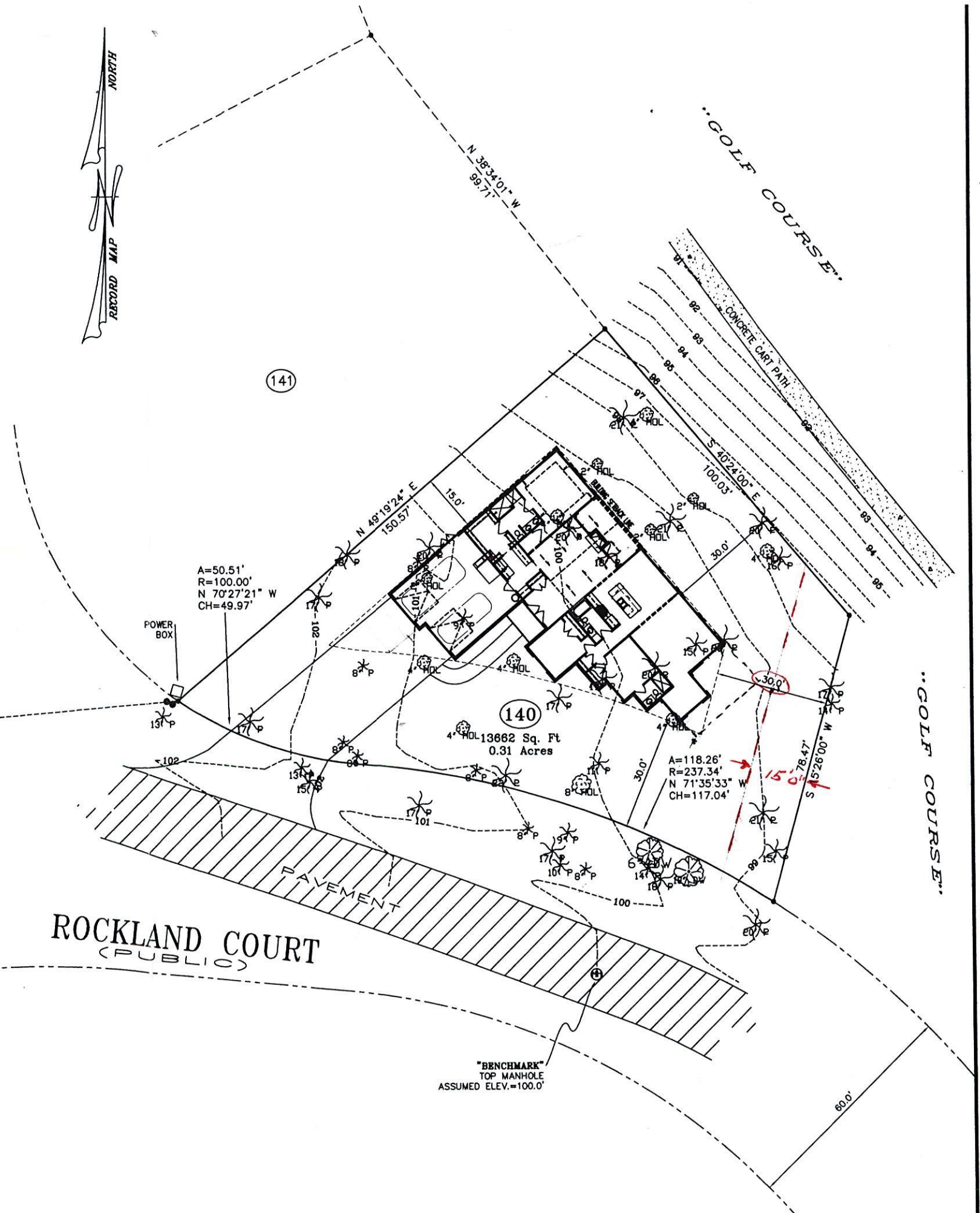
ROCKLAND COURT
(PUBLIC)

"BENCHMARK"
TOP MANHOLE
ASSUMED ELEV.=100.0'

REFERENCE:
MAP BOOK 11, PAGE 17-19
MOORE COUNTY REGISTRY

ACREAGE DETERMINED
BY COORDINATE METHOD.

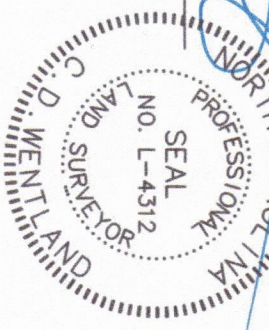
NOT INTENDED TO BE PREPARED
FOR RECORDATION IN ACCORDANCE
WITH G. S. 47-30 AS AMENDED.





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C. D. WENTLAND, PLS NO. 4312
DATE: 10/04/2019.



SUBJECT PROPERTY IS ZONED "R10".

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LRK # 29761

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MOORE COUNTY REGISTRY

ACREAGE DETERMINED
BY COORDINATE METHOD.
NOT INTENDED TO BE PREPARED
FOR RECORDATION IN ACCORDANCE
WITH G. S. 47-30 AS AMENDED.

UNLESS OTHERWISE DENOTED,
● = EXISTING IRON STAKE
■ = EXISTING CONCRETE MONUMENT
○ = SET IRON STAKE
□ = SQUARE FOOTAGE
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● = GAS SERVICE STUB
● = WATER METER
● = FIRE HYDRANT
○ = UTILITY POLE
● = BURIED PROPANE TANK
● = SANITARY SEWER MANHOLE
— x — x — = FENCE
P = PINE TREE W/SIZE NOTED
D = DOGWOOD TREE
H = HOLLY TREE



ROCKLAND LANE
(PUBLIC)

ROCKLAND COURT
(PUBLIC)

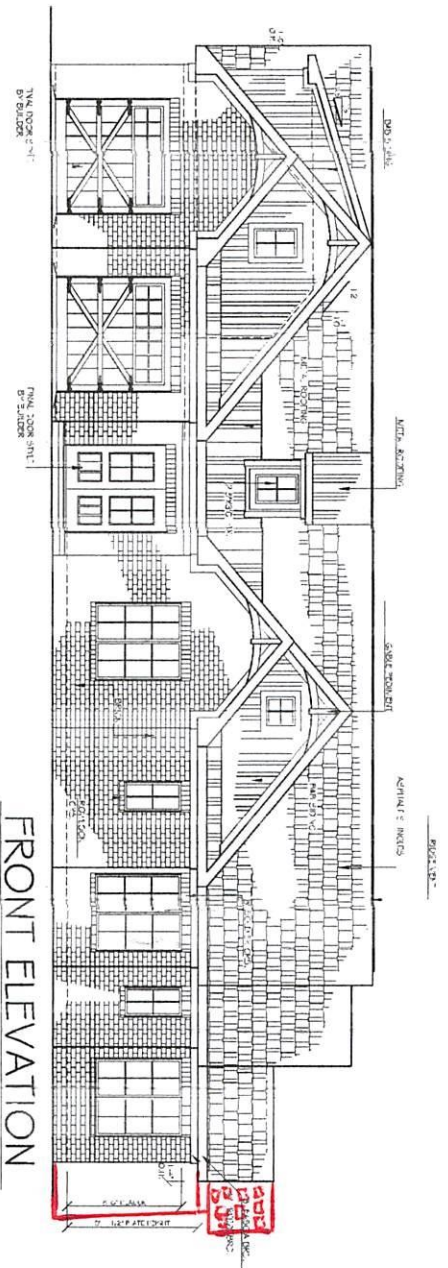
TOPOGRAPHIC SURVEY FOR
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XMINERAL SPRINGS TOWNSHIP, MOORE COUNTY,
PINEHURST, NORTH CAROLINA
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20' 10' 0' 20' 40'

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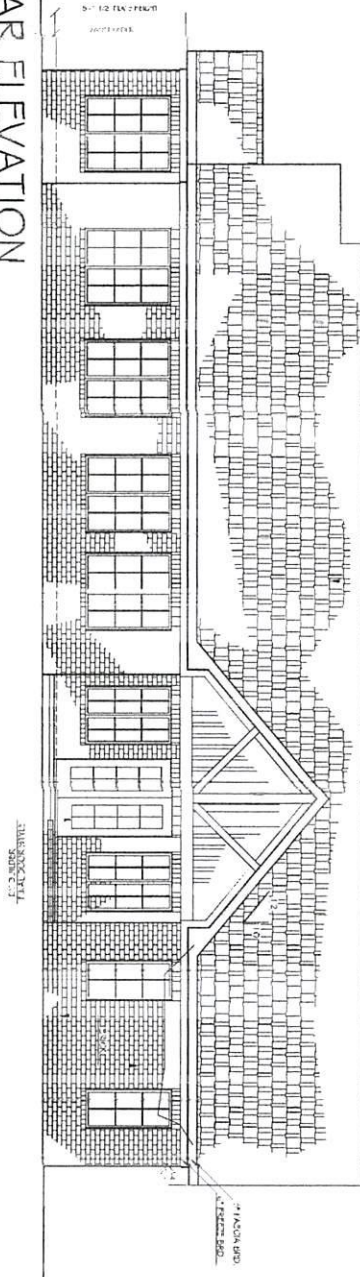
"GOLF COURSE"

"GOLF COURSE"



FRONT ELEVATION

REAR ELEVATION



PRELIMINARY #2--NOT FOR CONSTRUCTION



Mr. George W. Greenwald
Mrs. Kathleen M. Greenwald
Pittsboro, NC 28574

- Notes:
- 1) ALL FINAL MATERIALS ARE TO BE CHOSEN BY HOME OWNER AND/OR BUILDER.
 - 2) FINAL NUMBER OF EXTERIOR STEPS WILL BE DECIDED ON CONSTRUCTION SITE
 - 3) CONTRACTOR MUST VERIFY ALL MEASUREMENTS AND DETAILS BEFORE CONSTRUCTION BEGINS. ALL WORK MUST MEET OR EXCEED BUILDING CODES.
 - 4) DESIGNER ASSUMES NO RESPONSIBILITY FOR CHANGES MADE TO THESE PLANS BY OTHERS, DURING CONSTRUCTION.
 - 5) FOR SECURITY PURPOSES PLANS SHOULD BE REVIEWED BY A STRUCTURAL ENGINEER BEFORE CONSTRUCTION COMMENCES.

Exclude Totals:

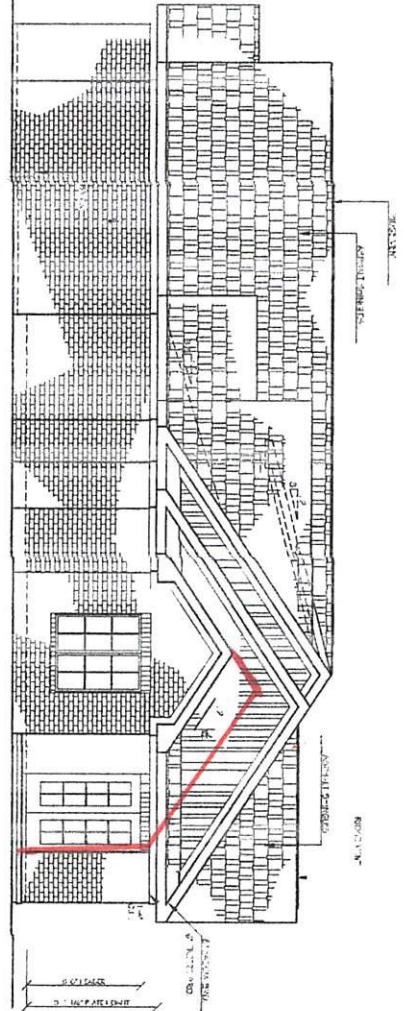
1ST FLOOR 2237 SQ. FT.
2ND FLOOR 2237 SQ. FT.
GARAGE 504 SQ. FT.
FRONT PORCH 52 SQ. FT.
COVERED PATIO 126 SQ. FT.

TOTAL TOTAL 2556 SQ. FT.
TOTAL UNDER FLOOR 3375 SQ. FT.
ALL NUMBERS ARE TO FRAME

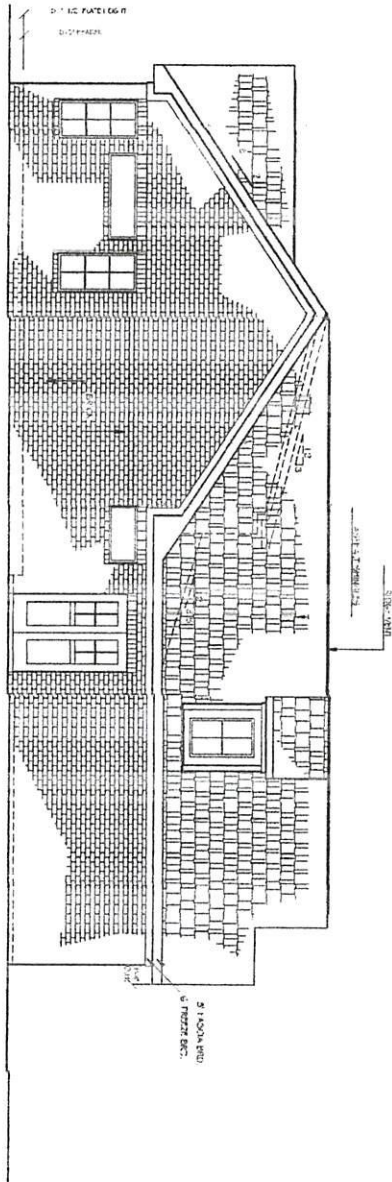
EIA C-2 / 19
Drawing By: C-16 / 19
EIA C-2 / 19

Street Name: 14th St
Street: ELEVATION
Street Number:

RIGHT SIDE ELEVATION



LEFT SIDE ELEVATION



PRELIMINARY #2--NOT FOR CONSTRUCTION



Mr. George W. Greenwald
Architect
100 Rockland Ct.
Fayetteville, NC 28534

- NOTES:
- 1) ALL FINAL MATERIALS ARE TO BE CHOSEN BY HOME OWNER AND/OR BUILDER.
 - 2) FINAL NUMBER OF EXTERIOR STEPS WILL BE DECIDED ON CONSTRUCTION SITE.
 - 3) CONTRACTOR MUST VERIFY ALL MEASUREMENTS AND DETAILS BEFORE CONSTRUCTION BEGINS. ALL WORK MUST MEET OR EXCEED BUILDING CODES.
 - 4) DESIGNER ASSUMES NO RESPONSIBILITY FOR CHANGES MADE TO THESE PLANS BY OTHERS, DURING CONSTRUCTION.
 - 5) FOR SECURITY PURPOSES PLANS SHOULD BE REVIEWED BY A STRUCTURAL ENGINEER BEFORE CONSTRUCTION COMMENCES.

FOOTING TOTAL: 2237 HIG. 50.42 FT.
SECOND FLOOR: 3449 HIG. 50.42 FT.
GARAGE: 604 SQUARE FT.
TOTAL: 180 SQUARE FT.

SHED TOTAL: 3586 HIG. 50.42 FT.
TOTAL UNDER ROOF: 3375 SQUARE FT.
ALL NUMBERS ARE TO FRAME

EIA: C-2 119
Drawing By: C-2 119
EIA: C-2 119

5. est. Name: 147-119
5. est. Number: 147-119
5. est. Number: 147-119

This architectural floor plan depicts a single-story residence with the following features and annotations:

- Rooms and Dimensions:**
 - Master Bedroom (11'0" x 12'0") with an attached Master Bedroom Dressing (10'0" x 12'0") and a Walk-In Closet (W.I.C.).
 - Bedroom #3 (9'0" x 11'0") with a Walk-In Closet (W.I.C.).
 - Bedroom #4 (9'0" x 11'0") with a Walk-In Closet (W.I.C.).
 - Bath (5'0" x 7'0").
 - Office (9'0" x 12'0").
 - Kitchen (10'0" x 12'0") with an adjacent Eating Area (7'0" x 7'0").
 - Carolina Room (10'0" x 12'0").
 - 2-Car Garage (12'0" x 20'0").
 - Porch (9'0" x 12'0").
 - Front Porch (10'0" x 12'0").
 - Conceded Patio (10'0" x 12'0").
 - Patio on Gravel (10'0" x 12'0").
- Handwritten Annotations:**
 - "30' Road Set Back" written vertically on the left side of the plan.
 - A red dashed line with arrows pointing to it, labeled "30' SETBACK" in red, indicating a required setback from the property line.
- Other Details:**
 - Dimensions for various walls and openings are provided throughout the plan.
 - Room numbers and names are clearly labeled.
 - The plan includes structural elements like doors, windows, and stairs.

PRELIMINARY #2--NOT FOR CONSTRUCTION

Notes:

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- 3) CONTRACTOR MUST VERIFY ALL MEASUREMENTS AND DETAILS BEFORE CONSTRUCTION BEGINS. ALL WORK MUST MEET OR EXCEED BUILDING CODES.
- 4) DESIGNER ASSUMES NO RESPONSIBILITY FOR CHANGES MADE TO THESE PLANS BY OTHERS. DURING CONSTRUCTION
- 5) FOR SECURITY PURPOSES PLANS SHOULD BE REVIEWED BY A STRUCTURAL ENGINEER BEFORE CONSTRUCTION COMMENCES.

Client:
Mr. George W. Greenwald
Mrs. Katharine M. Greenwald
80 Rockland Ct.
Pinehurst, NC 28374

Octage Totals:

2ND FLOOR 2237 HTG. 50 SQ. ARE FT
SECOND FLOOR 349 HTG. 50 SQ. ARE FT
GARAGE 604 SQ. ARE FT.
FRONT PORCH 52 SQ. ARE FT.
COVERED PATIO 126 SQ. ARE FT.

- ² AT ² D TOTAL	2586 HIG. SQUARE FT.
TOTAL UNDER FLOOR	3379 SQUARE FT.

6:2:19 EJA

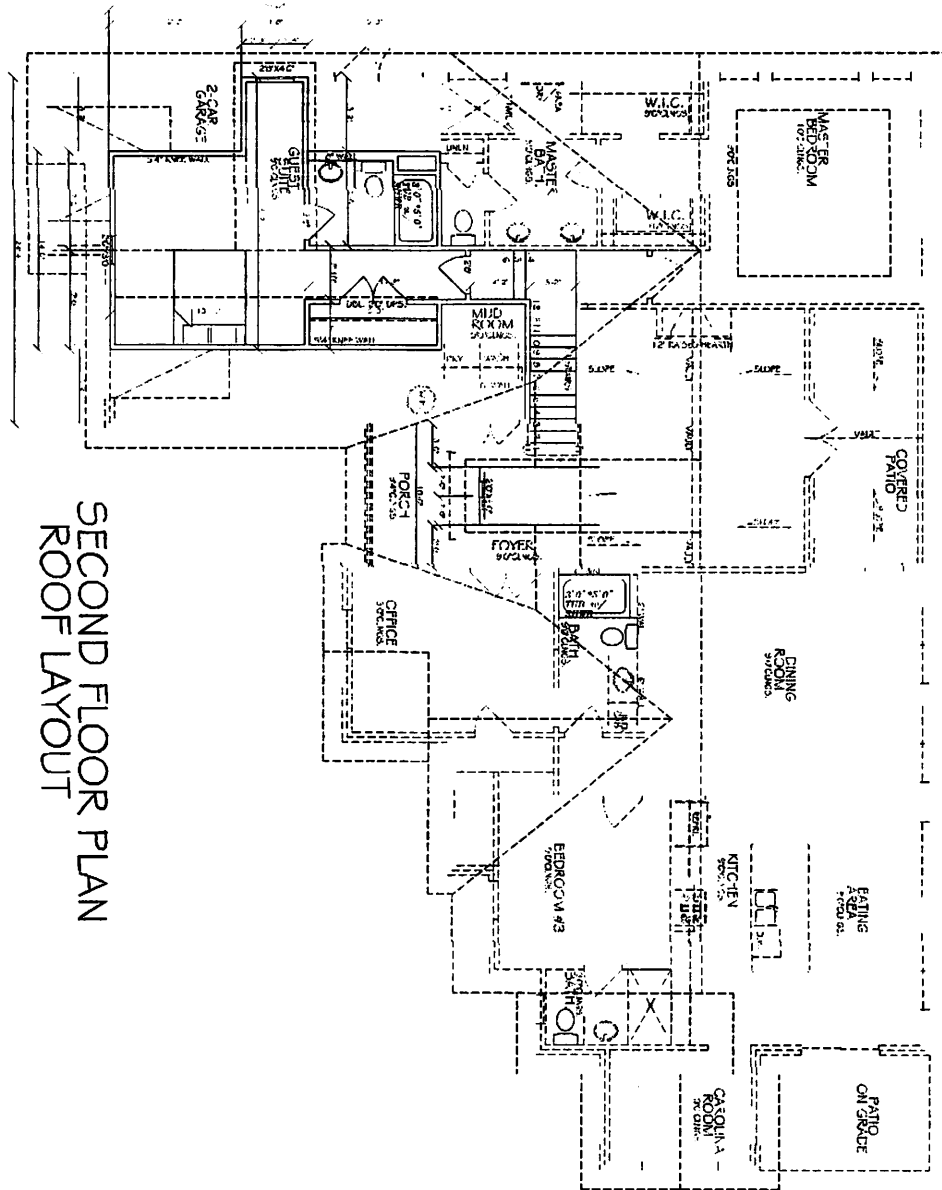
Drafting By:
EJA
C16/19

66719

Street Name: 1/4" x 3"

Scale: FIRST FLOOR PLAN

Sheet Number:



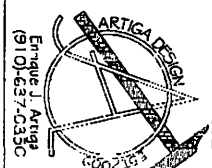
SECOND FLOOR PLAN ROOF LAYOUT

PRELIMINARY #2--NOT FOR CONSTRUCTION

Notes:

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Client:
Mr. George H. Sherman
Mrs. Kimberly H. Sherman
Pawcatuck, CT 06374



Summary Totals:

1st Floor 2,337 sq. ft.
2nd Floor 3,497 sq. ft.
Front Porch 52 sq. ft.
Covered Patio 128 sq. ft.

GRAND TOTAL 5,932 sq. ft.
TOTAL UNDER ROOF 3,570 sq. ft.

ALL NUMBERS ARE "O" FRAME

EIA

02/19

Working By:

CJA/19

EIA

02/19

Sheet Name:

1st Floor - 1st

Scale: 1/8" = 1'-0"

3/20/10 F.0377

ROOF LAYOUT

Sheet Number:

2 of 4



VIEW FROM SOUTH LINE OF PROPERTY TO GOLF COURSE
(10TH TEE BOX - 90 YARDS +/-)



VIEW FROM ROAD SETBACK LOOKING WEST TO GOLF COURSE
AT SOUTH END OF PROPERTY



VIEW DOWN ROCKLAND COURT LOOKING SOUTH



NEIGHBOR ON #1 ROCKLAND COURT AT SOUTH END

3



VIEW LOOKING NORTH FROM GOLF COURSE CART PATH
(NEAREST NEIGHBOR HOUSE IN BACKGROUND)



VIEW FROM SOUTH END OF LOT LOOKING NORTH
(VARIANCE AREA)

(X)



VIEW LOOKING AT LOT FROM ROAD - #70 ROCKLAND LANE
ON LEFT



VIEW FROM CORNER OF PROPERTY TO #395 DURAL PLACE
75 YARDS

⑤



#1 ROCKLAND COURT - 117 YARDS



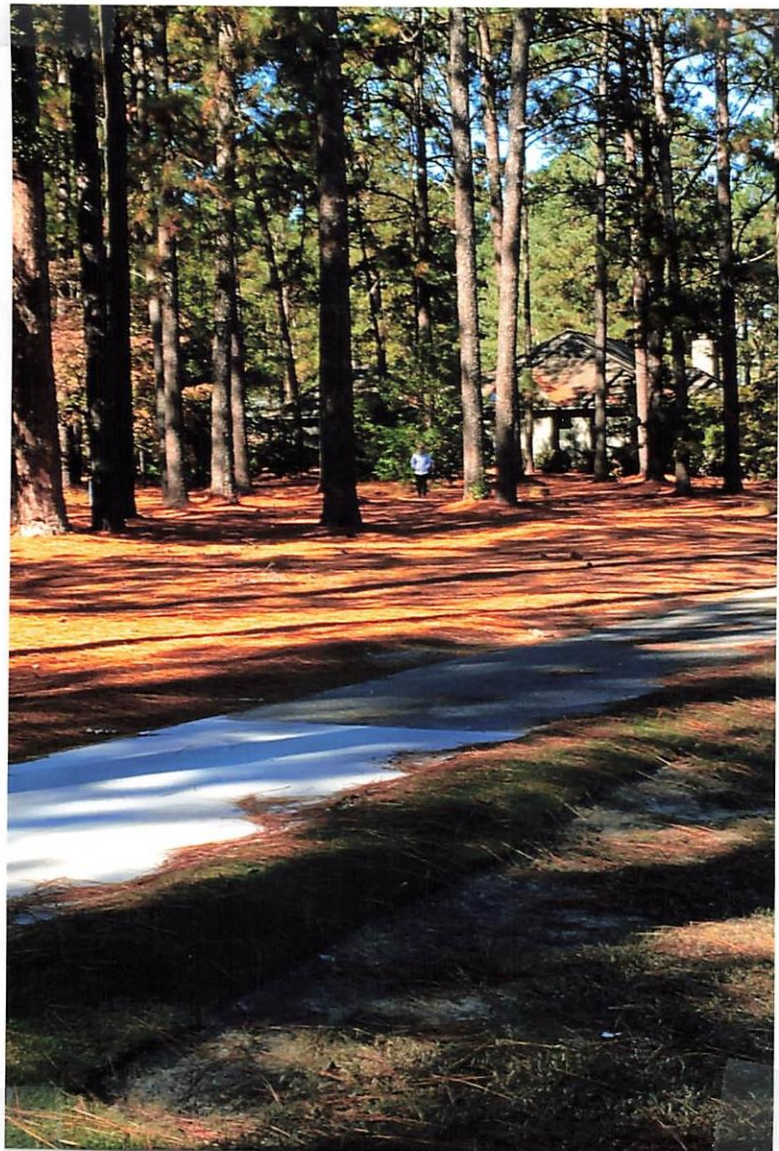
#65 ROCKLAND LANE - 50 YARDS

6



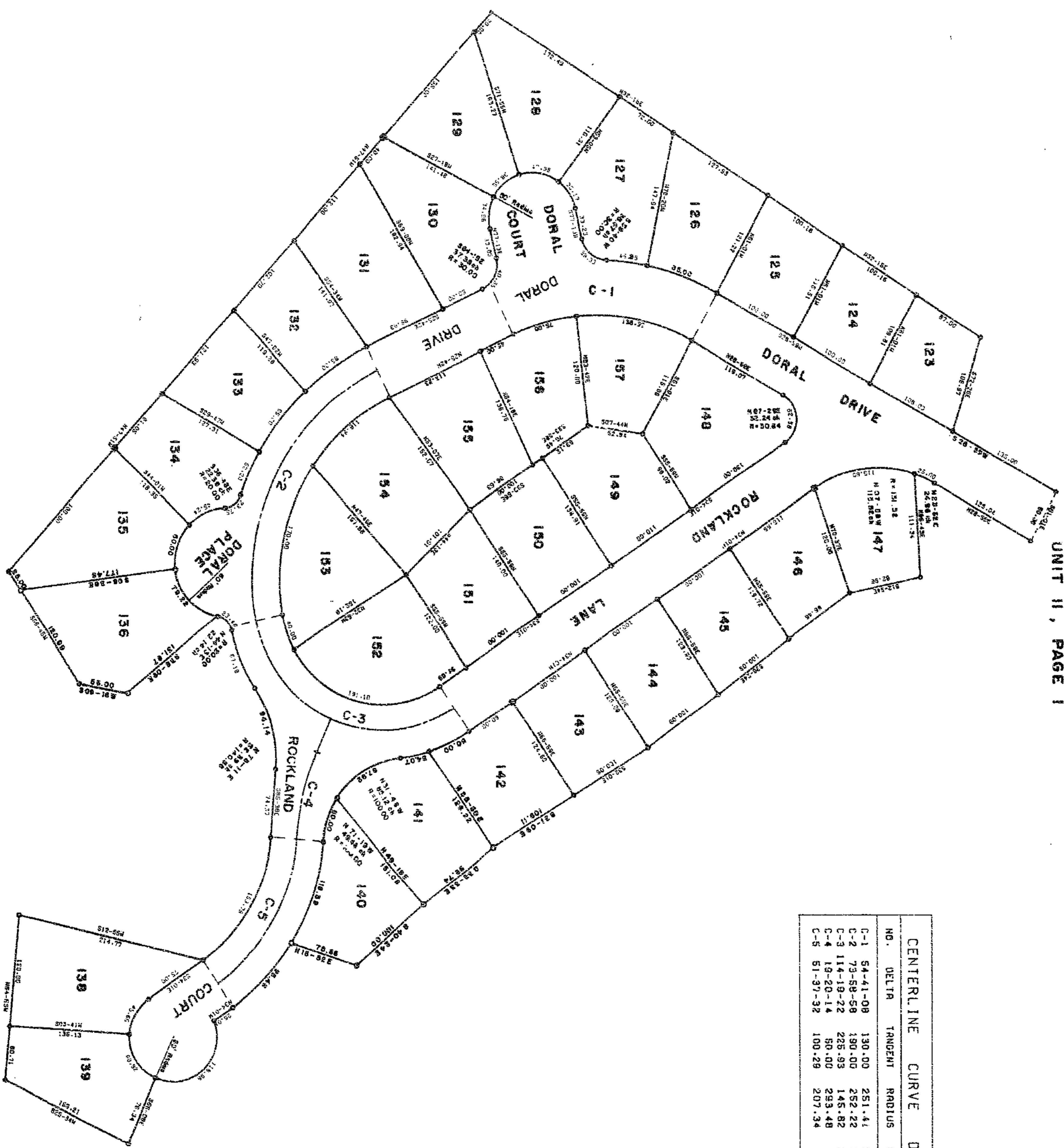
VIEW FROM PROPERTY STAKE
LOOKING SOUTH TO 10TH TEE
90 YARDS

VIEW LOOKING NORTH
FROM EDGE OF CART PATH
NEAR 10TH TEE



Plat for subdivision 1:00 P
Moore, 21 19 73, in the
Records of Deeds Office of Moore
County, North Carolina
Book 105 p 30
in Book
105 p 30
1973
Moore, 21 19 73, in the
Records of Deeds
Office of Moore
County, North Carolina
Book 105 p 30
in Book
105 p 30
1973

NOTARY PUBLIC, MOORE COUNTY, N.C.
My Comm. Expires December 27, 1977
Philip M. Hylke
Notary Public
Moore County, N.C.
My Comm. Expires December 27, 1977



CENTERLINE CURVE DATA				
NO.	DELTA	TANGENT	RADIUS	LENGTH
C-1	54-41-08	130.00	251.41	239.95
C-2	73-58-58	130.00	252.42	323.67
C-3	114-19-22	225.93	146.82	290.95
C-4	12-50-14	50.00	293.48	99.05
C-5	51-37-32	100.29	207.34	186.82



NORTH CAROLINA MOORE COUNTY

1. ROBT B. GILMORE, CERTIFY THAT UNDER
MY DIRECTION AND SUPERVISION THIS MAP
WAS DRAWN FROM AN ACTUAL FIELD LAND
SURVEY, THAT THE ERROR OF CLOSURE ON ALL
LOTS SHOWN IS NO LESS THAN 1 / 5000,
THAT THIS MAP WAS PREPARED IN ACCORDANCE
WITH G. S. 47-30 AS AMENDED.

WITNESS MY HAND AND SEAL THIS 4th DAY
OF June, A.D., 1973.

Philip M. Hylke
LAND SURVEYOR
REGISTRATION NUMBER 11402

SHOWN TO AND SUBSCRIBED BEFORE ME, THIS
4th DAY OF June, A.D., 1973.

Philip M. Hylke
NOTARY PUBLIC
MY COMMISSION EXPIRES December 27, 1977

PINEHURST, INCORPORATED RESERVES UNTO
ITSELF, ITS SUCCESSORS AND ASSIGNS, ALL
RIGHTS, TITLE AND INTEREST IN AND TO THE
STREETS, ROADS, ALLEYS, PARKS, OPEN
SPACES AND ALL OTHER AREAS SHOWN ON THIS
PLAT, IT BEING THE EXPRESS INTENTION OF
PINEHURST, INCORPORATED NOT TO DEDICATE
THE SAME TO THE PUBLIC, OR FOR PUBLIC
PURPOSES, OR TO THE OWNERS OF PROPERTY
SHOWN ON THIS PLAT, EXCEPT THAT THE SAID
OWNERS OF PROPERTY AND THEIR GUESTS
SHALL HAVE A PERPETUAL RIGHT OF USE AND
INGRESS AND EGRESS ON AND ACROSS THE
SAID PRIVATE STREETS, ROADS, AND ALLEYS,
THE SAID STREETS, ROADS, ALLEYS, PARKS,
OPEN SPACES AND ALL OTHER AREAS SHOWN ON
THIS PLAT SHALL REMAIN THE SOLE AND
EXCLUSIVE PROPERTY OF PINEHURST,
INCORPORATED, ITS SUCCESSORS AND
ASSIGNS, TO BE CONTROLLED, MAINTAINED
AND REGULATED AS PINEHURST, INCORPORATED
SHALL, IN ITS SOLE DISCRETION, DETERMINE.

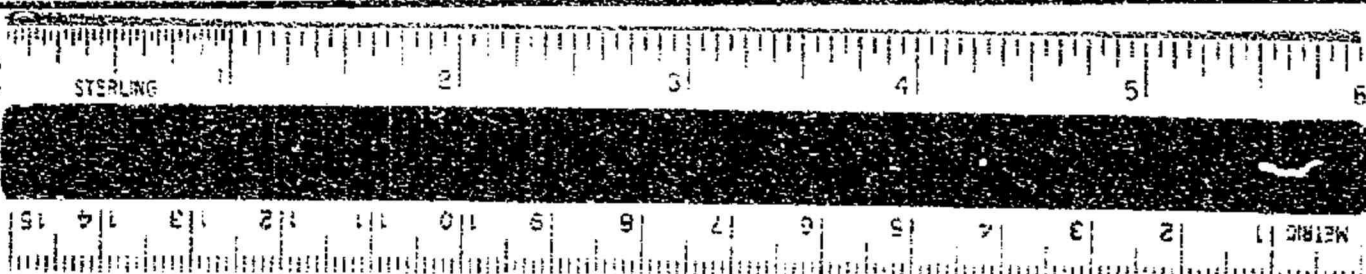
NOTES . . .

1. ALL RIGHT OF WAYS ARE 60 FEET UNLESS
OTHERWISE NOTED.
2. ALL CUL-DE-SAC ROADS ARE 30 FEET
UNLESS OTHERWISE NOTED.
3. ALL BEARINGS SHOWN REFER TO THE NORTH
CAROLINA STATE COORDINATE GRID SYSTEM

LEGEND . . .
— DENOTES IRON PIPE
— DENOTES CONCRETE MONUMENT
— CONTROL CORNER

PINEHURST, INCORPORATED
MOORE COUNTY, NORTH CAROLINA
MINERAL SPRINGS TOWNSHIP
PHASE 2, UNIT II
PAGE 3 OF 3 PAGES
SCALE 1" = 100'
JUNE 1973

MOORE, GARDNER & ASSOCIATES, INC.
CONSULTING ENGINEERS
RHEEBURG, NORTH CAROLINA





Date August 27, 2019

NORTH & SOUTH
MEN'S AMATEUR
SINCE 1901

NORTH & SOUTH
WOMEN'S AMATEUR
SINCE 1903

PGA CHAMPIONSHIP
1936

RYDER CUP MATCHES
1951

U.S. AMATEUR CHAMPIONSHIP
1962 AND 2008

WORLD OPEN/
HALL OF FAME CLASSIC
1973-1982

U.S. WOMEN'S
AMATEUR CHAMPIONSHIP
1989

THE TOUR CHAMPIONSHIP
1991 AND 1992

U.S. SENIOR
OPEN CHAMPIONSHIP
1994

U.S. OPEN CHAMPIONSHIP
1999 AND 2005

U.S. OPEN AND
U.S. WOMEN'S OPEN
CHAMPIONSHIPS
2011

Attention: Zoning Board of Adjustment, Village of Pinehurst, N.C.

Subject: Variance Request
80 Rockland Lane (Lot 140, Unit 11)
Pinehurst, N.C.

To Whom It May Concern:

I have personally viewed the above mentioned lot and have determined that Pinehurst Resort would have no objection if a variance should be granted. It has been determined that decreasing the setback from 30' to 15' on the right side of the lot (facing the lot from the street) would have no detrimental effect on the golf course property.

Best Regards,

Bob Farren
Director of Golf Course & Ground Management
Pinehurst Resort
Pinehurst, N.C. 28374



HISTORY, CHARM, AND SOUTHERN HOSPITALITY

**FINDINGS OF FACT OF THE ZONING BOARD OF ADJUSTMENT
OF THE VILLAGE OF PINEHURST, NORTH CAROLINA**

VARIANCE FOR 80 ROCKLAND LN.

December 5, 2019

**George and Kathleen Greenwood
PO Box 329
Chestertown, NY 12817**

RE: Variance request from section 9.2a Tables of Dimensional Requirements for the property at 80 Rockland Lane, further identified by Moore County PID # 00019256. This property is located within the R-10 (High Density Residential) Zoning District. Specifically, the applicant and owners, George and Kathleen Greenwood are requesting a variance from the 30' Golf Course Setback to allow for a 15' Golf Course Setback.

Dear Mr. and Mrs. Greenwood,

This letters serves as the written decision of the Board of Adjustment for the Village of Pinehurst for the variance request referenced above. This memorandum is to inform you that the Village of Pinehurst Zoning Board of Adjustment held a public hearing on **December 5, 2019** where the board considered all evidence submitted by the parties and voted to **approve/deny** the variance request for property at **80 Rockland Lane** with the following required findings of fact and conclusions of law:

- (A) Unnecessary hardship would **result/not 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; (Board Findings)



- (B) The hardship **results/does not result** 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; (Board Findings)

- (C) The hardship **did/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; (Board Findings)

- (D) The requested variance **is/is not** consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved. (Board Findings)



HISTORY, CHARM, AND SOUTHERN HOSPITALITY_____

Conditions (If imposed by the Board):

The foregoing Findings of Fact and Conclusions of Law are to be based on the Official Record in the proceeding that is made up of the official transcripts and any documentary evidence submitted within the course of the proceeding.

Any person aggrieved by the decision of the Board of Adjustment may appeal to Superior Court; the appeal should be filed with the Court within 30 days after the Board's decision is filed in the office of the Planning and Inspections Department. You may contact the Planning Department to request a copy of the filed decision. If appealed, Superior Court shall review the record and shall have the power to affirm or reverse the Board's decision or remand the case back to the Board of Adjustment for further review and/or findings.

This is the *5th* day of *December 2019*.

Julia Latham
Chair of the Board of Adjustment

Ruling filed with the Village of Pinehurst:

DATE

Kelly Brown
Clerk to the Zoning Board of Adjustment

Cc: Alex Cameron



2020 BOARD OF ADJUSTMENT AND PLANNING AND ZONING BOARD MEETING SCHEDULES

BOARD/COMMITTEE	FREQUENCY	LOCATION	TIME	DATES	
BOARD OF ADJUSTMENT	As Needed	Assembly Hall	After P&Z Regular Meetings	Held on an as-needed basis and will be announced.	
PLANNING AND ZONING BOARD	1 st Thursday	Assembly Hall	4:00 PM	1/2/20 2/6/20 3/5/20 4/2/20 5/7/20 6/4/20	7/2/20 8/6/20 9/3/20 10/1/20 11/5/20 12/3/20



**BOARD OF ADJUSTMENT
THURSDAY, NOVEMBER 7, 2019
ASSEMBLY HALL
395 MAGNOLIA RD.
PINEHURST, NORTH CAROLINA
4:30 PM**

IMMEDIATELY FOLLOWING PLANNING & ZONING BOARD MEETING

Board Members Sitting:

Julia Latham, Chair
Leo Santowasso, Vice-Chair
Joel Shriberg
Cyndie Burnett
David Kelley

BOA Members Not Sitting:

Phillip Shumaker, Alternate
Paul Roberts, Alternate
Jeramy Hooper, Alternate
Sonja Rothstein, Alternate

Staff in Attendance:

Alex Cameron, Senior Planner
Darryn Burich, Planning and Inspections Director
Kelly Brown, Administrative Assistant

I. Call to Order

Ms. Latham confirmed that a quorum was present and called the meeting to order at 4:41 pm.

II. Approval of Minutes

- July 11, 2019 Regular Meeting Minutes

Upon a motion by Mr. Santowasso and seconded by Mr. Shriberg, the Board approved the July 11, 2019 regular meeting minutes as corrected by a vote of 4-0.

Mr. Kelley abstained as he was not in attendance during the July 11, 2019 BOA meeting.

III. General Business

a. Review and Consider Adoption of the Revised Rules of Procedure

Senior Planner Alex Cameron presented revisions to the Rules of Procedure based on feedback from the Board at the July 11th meeting. He stated the revisions included (1) removing the office of the secretary, and (2) removing the requirement to give public notice through a newspaper legal ad.

Ms. Burnett recommended striking the word “section” from paragraph D(2) on page six of the Rules of Procedure.

Upon motion by Ms. Burnett and seconded by Mr. Santowasso, the Board unanimously adopted the Rules of Procedure as amended by a vote of 5-0.

IV. Next Meeting Date

December 5, 2019 (If the Board has business to conduct)

Mr. Cameron stated that the Board would have business to conduct.

V. Motion to Adjourn

Upon a motion by Mr. Santowasso and seconded by Mr. Kelley, the Board unanimously approved to adjourn the regular meeting at 4:50 pm by a vote of 5-0.

Respectfully Submitted,

Kelly Brown
Administrative Assistant
Village of Pinehurst

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

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.



PLANNING AND INSPECTIONS DEPARTMENT STAFF REPORT

To: Zoning Board of Adjustment
From: Alex Cameron, Senior Planner
CC: Darryn Burich, Planning and Inspections Director
Kelly Brown, Administrative Specialist
Date: November 21, 2019
Subject: Variance Request for 80 Rockland Lane

Applicant:	George and Kathleen Greenwood
Owners:	George and Kathleen Greenwood
Property Location:	80 Rockland Ln.
Zoning:	R-10 (High Density Residential)
Golf Course Setback:	30'
Proposed Setback:	15'
Current Land Use:	Vacant
Proposed Land Use:	Single Family Residence
PID#	00019256

Request and Background:

This request is to vary the 30' minimum golf course setback from the property line in the R-10 Zoning District and allow for a 15' minimum golf course setback. The 30' golf course setback is applicable to this property due to the fact that the golf course borders the property on two sides. The proposed 15' setback would be consistent with the side setback requirement of the R-10 Zoning District and be consistent with the setback on the opposite side of the property. The applicant indicates, with the submitted material, that this proposed setback would allow for an expansion to the proposed footprint of a new single family home. The property is approximately .316 acres in size or 13,662 square feet and is currently vacant. Records from the Moore County Register of Deeds indicate that the property was purchased by the current owner in September of 2019.

The subject lot is part of a subdivision by Pinehurst, Inc. in 1973 as indicated on a map recorded with the Moore County Register of Deeds in Map Book 11, Page 19 and is shown as lot 140 of Phase 2, Unit II (attached.) The property is one of last few remaining vacant lots of the original subdivision. The subject property is adjacent to Pinehurst Resort Course No. 1 which is zoned RD (Recreational

Development District.) The subject property is also adjacent to one existing single family residence that was built around 1988. The other single family residences nearby, which are also part of the original subdivision, are all zoned R-10. Most of the existing residences appear to have been built anywhere between the mid 1980's and early 1990's (see attached maps.)

The applicant has submitted an application, existing survey with current R-10 setbacks shown, proposed 15' setback shown on existing survey, proposed floor plans for a new single family home, elevations for the new single family home, photos of the property and a letter from the Director of Golf Course & Ground Management from Pinehurst Resort for review and consideration by the Zoning Board of Adjustment.

Variance Process:

The Variance Process is intended to provide relief from the zoning requirements of the Pinehurst Development Ordinance (PDO) 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 or impossible to use because of some unique physical attribute of the property itself, or some other factor unique to the property for which the variance is requested.

Action by the Zoning Board of Adjustment:

In considering the application, the Zoning Board of Adjustment shall review the application materials, the general purpose and standards set forth in this Section for the granting of variances, and all testimony and evidence received by the Zoning Board of Adjustment at the public hearing;

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) Conduct an additional public hearing on the application;
- (4) Grant the requested variance;
- (5) Deny the requested variance;
- (6) Grant the requested variance with conditions. In granting any variance, the Zoning 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 by resolution, accompanied by written findings of fact that the variance meets or does not meet each of the standards set forth in Standards of Review below, 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 memo along with material submitted by the applicant shall also be included as submitted evidence and made part of the record.

Standards of Review

The Zoning Board of Adjustment shall not grant a variance unless and until it makes the following findings:

- (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;
- (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.

Attachments

- Area Zoning Map
- Aerial Map



Area Zoning Map

80 Rockland Ln

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).
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11/20/2019

Aerial Map 80 Rockland Ln Variance Request

