BOARD OF ADJUSTMENT
REGULAR MEETING
THURSDAY, JULY 07TH, 2022
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
04:30 PM or IMMEDIATELY FOLLOWING THE P&Z MEETING

Board Members Present:	**Board Members Absent:**	**Staff Present:**
David Alzamora, Chair		Darryn Burich, Planning Director
Jeramy Hooper		Alfred Cassidy, Senior Planner
Phillip Shumaker		Maria Carpenter, Planner
Jack Farrell		Shannon Konstantinou, Clerk to the Board
Julia Latham		

Approximately 2 member(s) of the public in attendance.

I. Call to Order

Mr. Alzamora called the meeting to order at 06:50 PM, confirmed a quorum was present, and explained the purpose of this meeting.

II. Approval of Minutes

A. 06-02-2021 Regular Meeting Minutes

Mr. Farrell moved to approve with revisions the minutes of the June 02nd, 2022 Regular Meeting. Revisions: page 5, paragraph 2 to read "Mr. Alzamora stated, based on his experience as a closing attorney, specifics about setbacks and encroachments are not information *that would be discussed* at the time of closing." Seconded by Mr. Hooper. Approved by a vote of 5-0.

III. General Business

None

IV. Next Meeting Date

A. 08-04-2022 Regular Meeting (If Board Has Business to Conduct)

V. Motion to Adjourn

Mr. Shumaker moved to adjourn the Regular Meeting. Seconded by Ms. Latham. Approved by a vote of 5-0 at 06:53 PM.

Respectfully Submitted,

Shannon Konstantinou
Clerk to the Board &

DRAFT

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.

DRAFT

EXHIBIT A-1.1

Variance

Fee: $500

(Revised 09/2019)

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 contact 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/Home/ShowDocument?id=10100.

Property Address	
Street Address	[redacted]
City, State, Zip Code	[redacted]
Parcel ID #	[redacted]

EXHIBIT A-1.2

Variance

Fee: $500

(Revised 09/2019)

Owner Information			
Name	[redacted]	Home Phone #	
Street Address	[redacted]	Mobile Phone #	[redacted]
City, State, Zip Code	[redacted]	Business Phone #	
Email	[redacted]		

Applicant			
Name	[redacted]	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 ☐ [redacted]Owner of the Land Affected by the Variance
General Description of Variance Request	[redacted]
Ordinance Section Reference	[redacted]
Ordinance Text (Verbatim)	[redacted]

EXHIBIT A-1.3

Variance
Fee: $500
(Revised 09/2019)

Description of unnecessary hardship that would result from the strict application of the ordinance	[redacted]
Description of how the hardship results from conditions that are peculiar to the property, such as location, size, or topography	[redacted]
Description of how the hardship did not result from actions taken by the applicant or the property owner	[redacted]
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	[redacted]

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: [redacted] Date: [redacted]

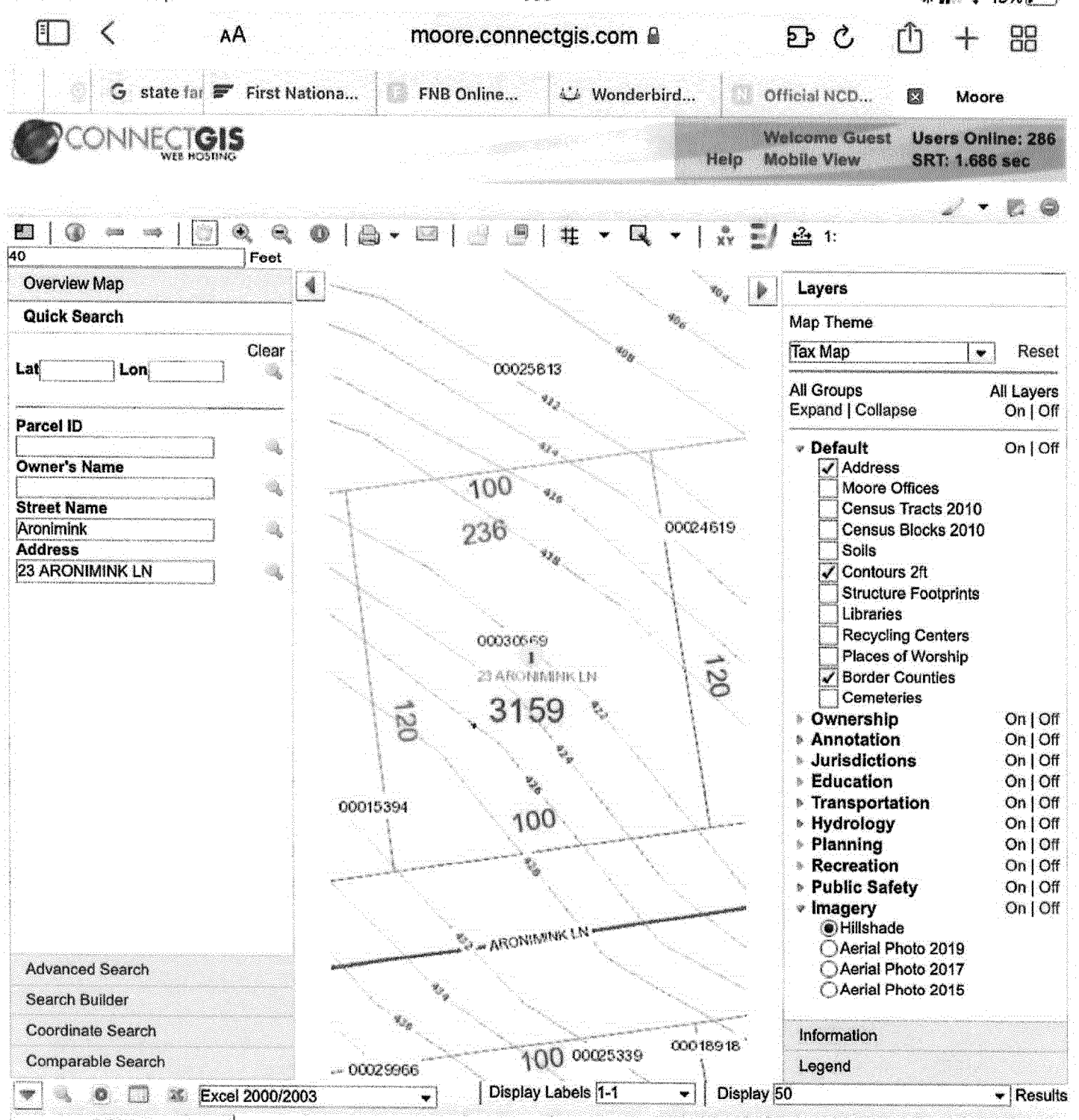
EXHIBIT A-2.1

Attachment 1. View of back of my house from golf course showing slope of my lot and adjacent lots



EXHIBIT A-2.2

Attachment 2 - Slope lines of uphill neighbor



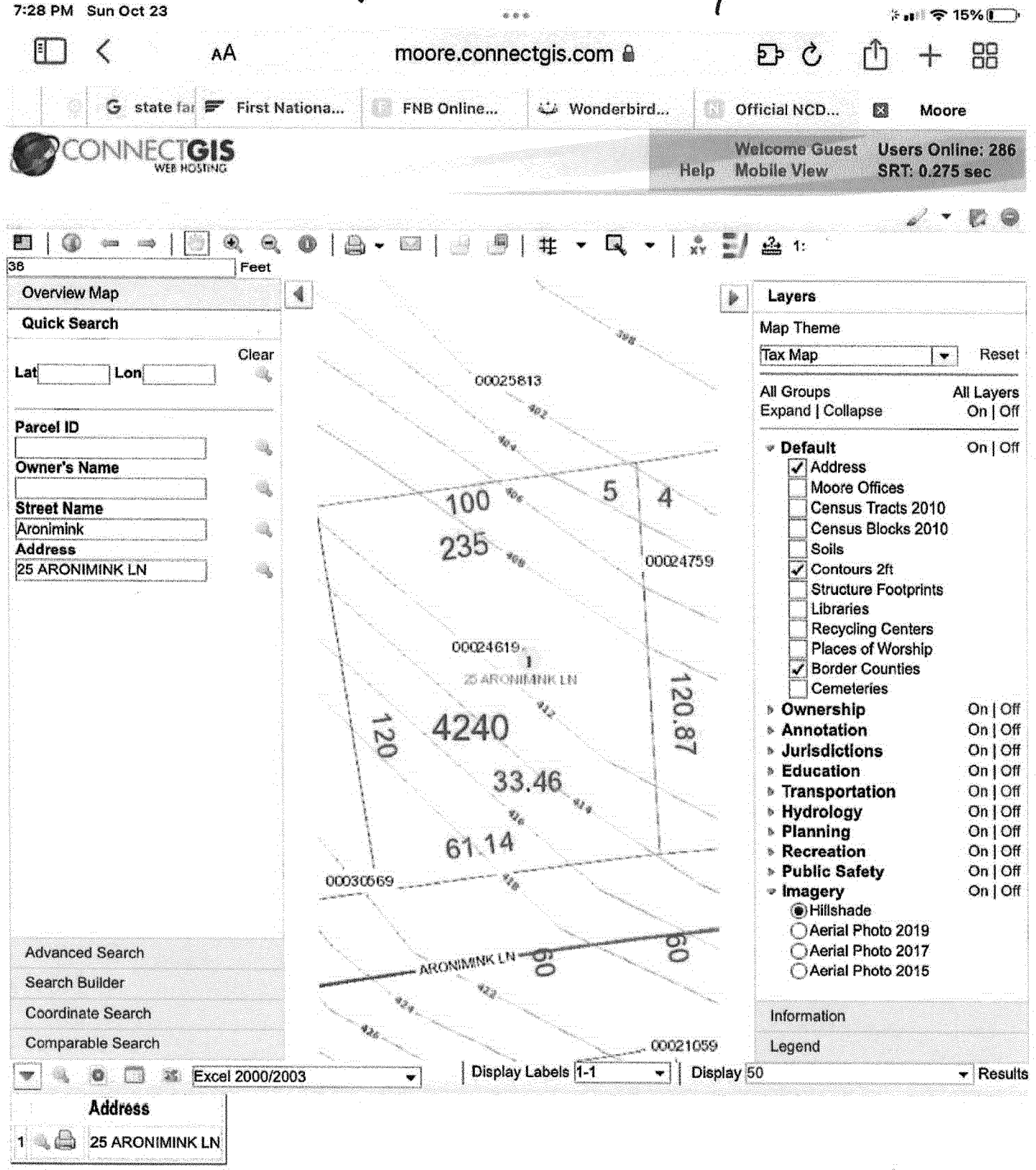
uphill Neighbor

23 Aronimink Lane

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EXHIBIT A-2.3

Attachment 2 - Slope lines of my lot.



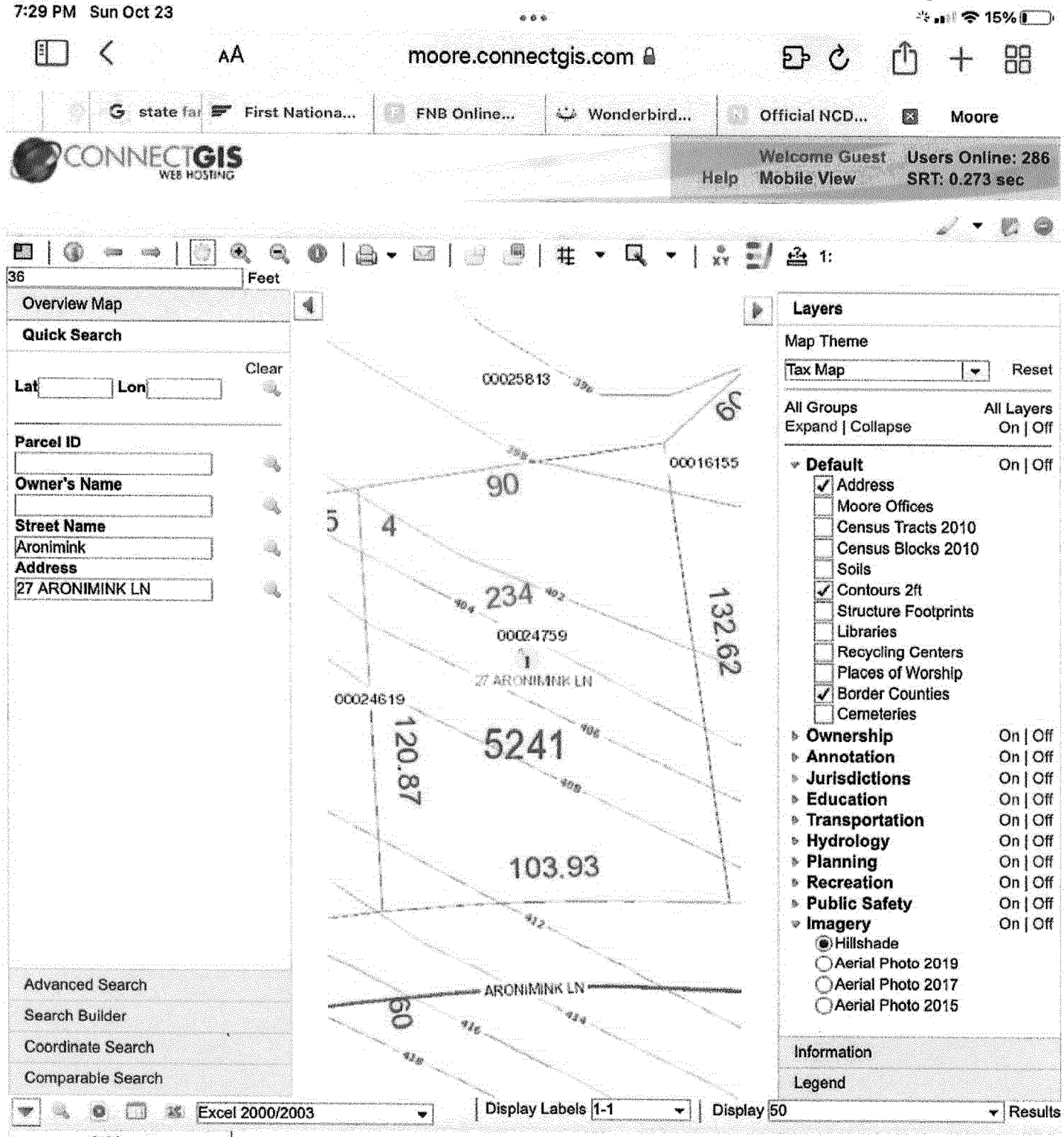
Me

25 Aronomink Lane

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EXHIBIT A-2.4

Attachment 2 - Slope lines of downhill neighbor



Downhill neighbor

27 Aronimink Ln

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EXHIBIT A-2.5

Attachment 3- Engineer Letter

September 6, 2022

Mark Stewart
Stewart Construction
150 McDonald Street
West End, NC 27376
(910) 673-1929

Tower Engineering Professionals
326 Tryon Road
Raleigh, NC 27603
(919) 661-6351
hbcheek@tepgroup.net

Subject: **Engineering Letter**

Site Designation: **Review of Retaining Wall**

Site Data: **25 Aronimink Ln, Pinehurst, Moore County, NC 28374**

Dear Mark,

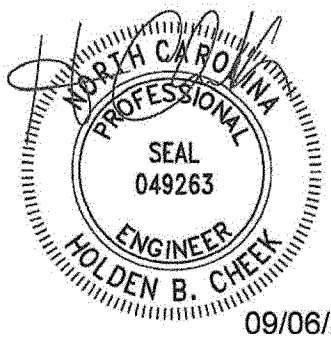
Tower Engineering Professionals is pleased to subm it this **"Engineering Letter"** to review the as built configuration of the retaining wall.

Upon review, the retaining wall is sufficient per the current building code, 2018 North Carolina Building Code (2015 IBC).

We at *Tower Engineering Professionals* appreciate the opportunity of providing our continuing professional services to you. If you have any questions or need further assistance on this or any other projects, please give us a call.

Respectfully submitted by:

Holden B. Cheek, P.E.



09/06/2022

Attachment 4 - Blue Circle is location of retaining wall. Not visible from Golf Course

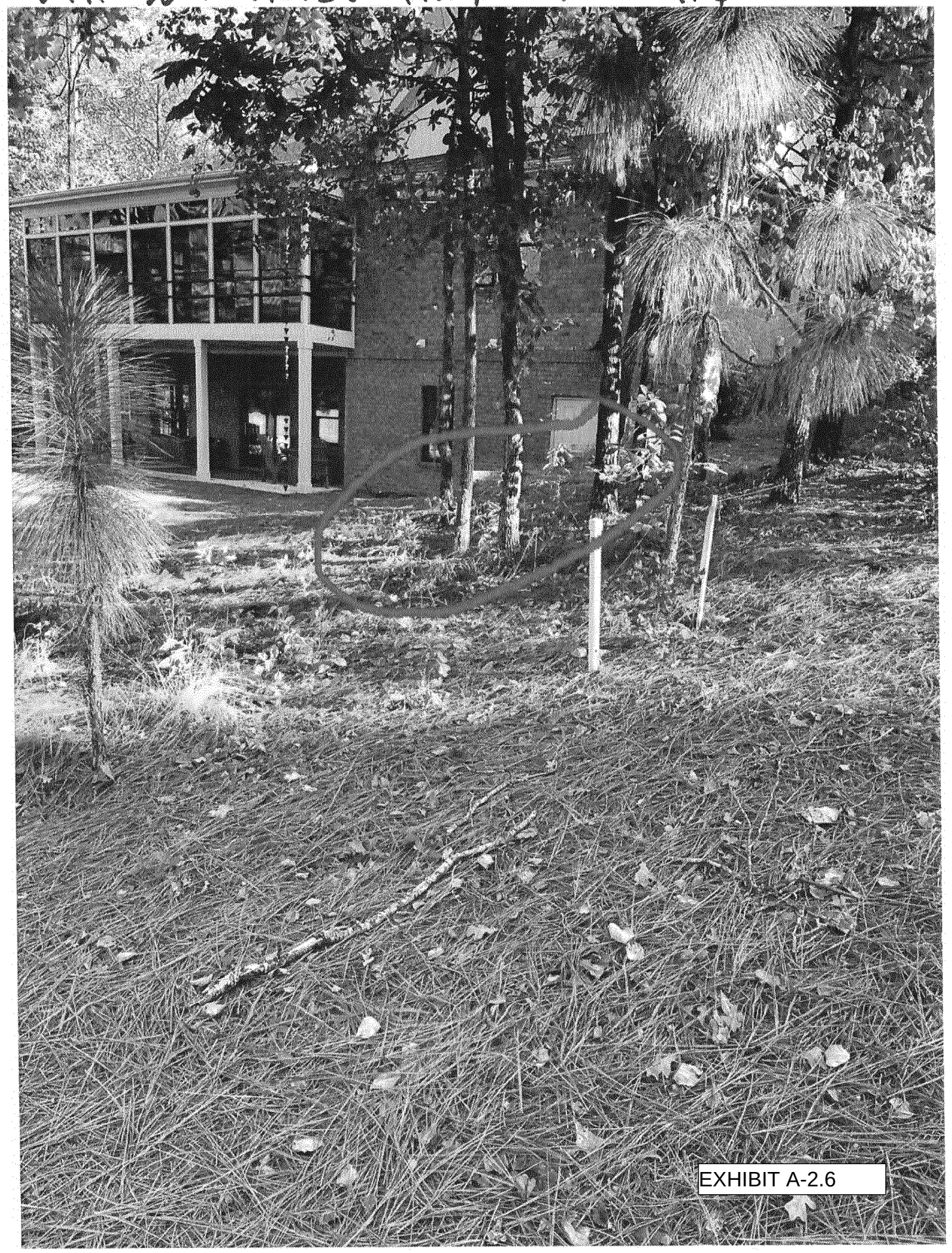


EXHIBIT A-2.6

EXHIBIT A-2.7

EXHIBIT S-1.1

1895
VILLAGE OF
PINEHURST

PLANNING AND INSPECTIONS DEPARTMENT STAFF REPORT

To: Zoning Board of Adjustment
From: Alex Cameron, Planning Supervisor
CC: Darryn Burich, Planning and Inspections Director
Alfred Cassidy, Senior Planner
Maria Carpenter, Planner
Kelly Brown, Planning and Zoning Specialist
Shannon Konstantinou, Administrative Specialist
Date: November 22, 2022
Subject: **Variance Request for 11 Shenecossett Lane**

Applicant:	Goneau Construction
Owners:	John and Mary McEachern
Property Location:	11 Shenecossett Ln.
Parcel Size:	13,184 square feet or +/- 0.3 acres
PID#	00014624
Zoning:	R-10 (High Density Residential)
Setback:	Golf Course = 30 Feet Retaining Walls >36" = accessory structure setback
Proposed Setback:	7.5 to 14.7 feet (constructed wall location)
Land Use:	Single Family Residential

Request and Background:

This request is to vary dimensional criteria for retaining walls in the Pinehurst Development Ordinance (PDO). This request would vary the 30' minimum golf course setback from the property line in the R-10 Zoning District to allow for a retaining wall depicted on the survey included with the agenda packet by the applicant (EXHIBIT A-3.2). The 30'minimum golf course setback is applied due to the fact that the golf course borders the rear lot line of the subject property (see attached map). Additionally, Section 9.13 (F) of the PDO does not allow retaining walls over 36 inches to encroach into the rear and side setback for accessory structures (10' for the R-10 Zoning District and 30' for accessory structure setback from the golf course).

EXHIBIT S-1.2

The subject lot (#3) was created as part of the "*Pinehill*" subdivision in September of 1984 as indicated on Plat Cabinet 3 Slide 32 on file with the Moore County Register of Deeds. Records from the Moore County Tax Department and Register of Deeds indicate that the property was purchased by the current owner in June of 2015.

The rear of the subject property borders hole number 15 for Pinehurst Resort Course No. 6 which is zoned RD (Recreational Development District). The surrounding lots along Shenecossett Lane were also created as part of the original subdivision, border golf course property, and include single family homes all built from the early 1990's to present.

The property is approximately 13,184 square feet in area or .30 acres in size which meets the minimum lot size of the R-10 Zoning District. Prior to construction, the vacant lot had approximately 14 feet of elevation change increasing in height from the front of the lot abutting Shenecossett Lane to the rear fronting the golf course. See attached maps.

In July of this year, Planning and Inspections staff approved an application for a new single-family home on the vacant lot for Goneau Construction. The development was approved per the documents included with the application. The approved site plan is included with the agenda packet material and labeled EXHIBIT A-3.1. The subsequent grading to allow for the approved development of the site left a fairly significant grade or elevation difference at the rear of the lot measuring over four feet.

A retaining wall was not approved as part of the application and was discovered after staff performed scheduled inspections at the site. Staff contacted the applicant to discuss the rules regarding retaining walls. After obtaining a survey it was determined that the retaining wall was constructed not in compliance with the requirements of the PDO. Since that time, the contractor has brought in fill to bring the overall height of the wall and grade change down. The finished height of the retaining wall varies from 20 to 40 inches as depicted on the final as-built survey labeled EXHIBIT A-3.2.

During construction of the site, there were periods of erosion and drainage issues on the site. Staff was called to investigate and followed up with the contractor. The applicant/contractor has indicated that the retaining wall was also constructed to alleviate issues with runoff on the property post construction.

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

- Exhibit S-2 – Original Subdivision Plat for Phase 2 Unit 11 Lot 102
- Exhibit S-3 – Deed of Ownership

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 – Owner Authorization
- Exhibit A-3.1 & A-3.2 – Approved Site Plan & Final As-built Survey
- Exhibit A-4 – Photos of the constructed wall

EXHIBIT S-1.3

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 use 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.

EXHIBIT S-1.5

Aerial Map with 2 Foot Contour



0 85 170 Feet

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).

11/23/2022

December 1, 2022
Board of Adjustment
Variance Request for 11 Shenecossett Lane

1895 Village of Pinehurst

N W E S

EXHIBIT S-1.6

1895 VILLAGE OF PINEHURST HISTORY, CHARM, AND SOUTHERN HOSPITALITY

NOTICE OF PUBLIC HEARING
VILLAGE OF PINEHURST

Dear Property Owner:

The Village of Pinehurst Board of Adjustment (BOA) will hold a Public Hearing on Thursday, December 1, 2022 at 4:30 PM or immediately following the Planning and Zoning Board meeting at 4:00 PM 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 Section 9.13 Fences, Walls and Columns (F) Retaining Walls & 9.2a Tables of Dimensional Requirements for the property addressed as 11 Shenecossett Lane, further identified by Moore County PID # 00014624. This property is located within the R-10 (High Density Residential) Zoning District. Specifically, the applicant, Goneau Construction, on behalf of the owners, is requesting the variance to allow for a retaining wall in the golf course setback.

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.

EXHIBIT S-1.7

Public Hearing Notification



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).

11/16/2022

December 1, 2022
Board of Adjustment
11 Shenecossett Ln Variance Request

1895 Village of Pinehurst

N W E S

EXHIBIT S-1.8

MCEACHERN, JOHN P
5892 DOWD DAIRY RD
ELIZABETHTOWN,NC,28337

ARNOLD, JOHN FLOYD &
12 SHENECOSSET LN
PINEHURST,NC,28374

PALACIOZ, JOHN
9 SHENECOSSETT LANE
PINEHURST,NC,28374

MCAULIFFE, LOIS R
13 SHENECOSSETT LN
PINEHURST,NC,28374

BREWSTER, JOHN H & PATRICIA J
8 SHENECOSSETT LN
PINEHURST,NC,28374

RESORTS OF PINEHURST
PO BOX 4000
PINEHURST,NC,28374

ALBRITTON, JEFFERY D TRUSTEE
626 SW PALMETTO COVE
PORT SAINT LUCIE,FL,34986

I HEREBY CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON WHICH WAS CONVEYED TO ME BY DEED RECORDED IN THE MOORE COUNTY REGISTER OF DEEDS OFFICE IN BOOK 522 AT PAGE 237 AND THAT I HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY FREE CONSENT, ESTABLISH MINIMUM BUILDING SETBACK LINES, AND AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED. FURTHER, I CERTIFY THAT THE LAND AS SHOWN HEREON IS WITHIN THE SUBDIVISION REGULATIONS JURISDICTION OF MOORE COUNTY.

Sept. 18, 1984
DATE

Lamar Beach - PRESIDENT
BEACH & BROWN, INC. OWNER

I HEREBY CERTIFY THAT THE WATER SUPPLY AND SEWAGE DISPOSAL SYSTEMS INSTALLED, OR PROPOSED FOR INSTALLATION, IN THE SUBDIVISION SHOWN HEREON, FULLY MEETS THE REQUIREMENTS OF THE NORTH CAROLINA BOARD OF HEALTH, THE MOORE COUNTY HEALTH DEPARTMENT, OR ANY OTHER OFFICIAL AGENCY HAVING JURISDICTION, AND ARE HEREBY APPROVED AS SHOWN.

9-24, 1984
DATE

E. Floyd Burns
COUNTY SANITATION OFFICER OR HIS AUTHORIZED REPRESENTATIVE

I HEREBY CERTIFY THAT STREETS, UTILITIES AND OTHER IMPROVEMENTS HAVE BEEN INSTALLED OR INSTALLATION IS ASSURED IN AN ACCEPTABLE MANNER AND ACCORDING TO COUNTY SPECIFICATIONS IN THE SUBDIVISION SHOWN HEREON, OR THAT A SECURITY BOND IN THE AMOUNT OF $_____ HAS BEEN POSTED WITH THE MOORE COUNTY PLANNING BOARD TO ASSURE COMPLETION OF ALL REQUIRED IMPROVEMENTS IN CASE OF DEFAULT.

24 Sept. 1, 1984
DATE

Carl C. Lamb
MOORE COUNTY ZONING ENFORCEMENT OFFICER

MOORE COUNTY,
NORTH CAROLINA

I, C. H. BLUE, REGISTERED LAND SURVEYOR CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION; THAT THIS PLAT IS PREPARED IN ACCORDANCE WITH G. S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 17TH DAY OF SEPTEMBER, 1984.

C. H. Blue
RLS NO. 642

NORTH CAROLINA REGISTERED SEAL No. L-642 LAND SURVEYOR C. H. BLUE

I, STEPHEN R. SHEFFIELD, A NOTARY PUBLIC OF THE COUNTY AND STATE AFORESAID DO HEREBY CERTIFY THAT C. H. BLUE, A REGISTERED LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME THIS DAY AND ACKNOWLEDGED THE EXECUTION OF THE FOREGOING INSTRUMENT. WITNESS MY HAND AND OFFICIAL STAMP OR SEAL, THIS 17TH DAY OF SEPTEMBER, 1984.
MY COMMISSION EXPIRES: 1-28-86

Stephen R. Sheffield
NOTARY PUBLIC

STEPHEN R. SHEFFIELD NOTARY PUBLIC MOORE COUNTY, N. C.

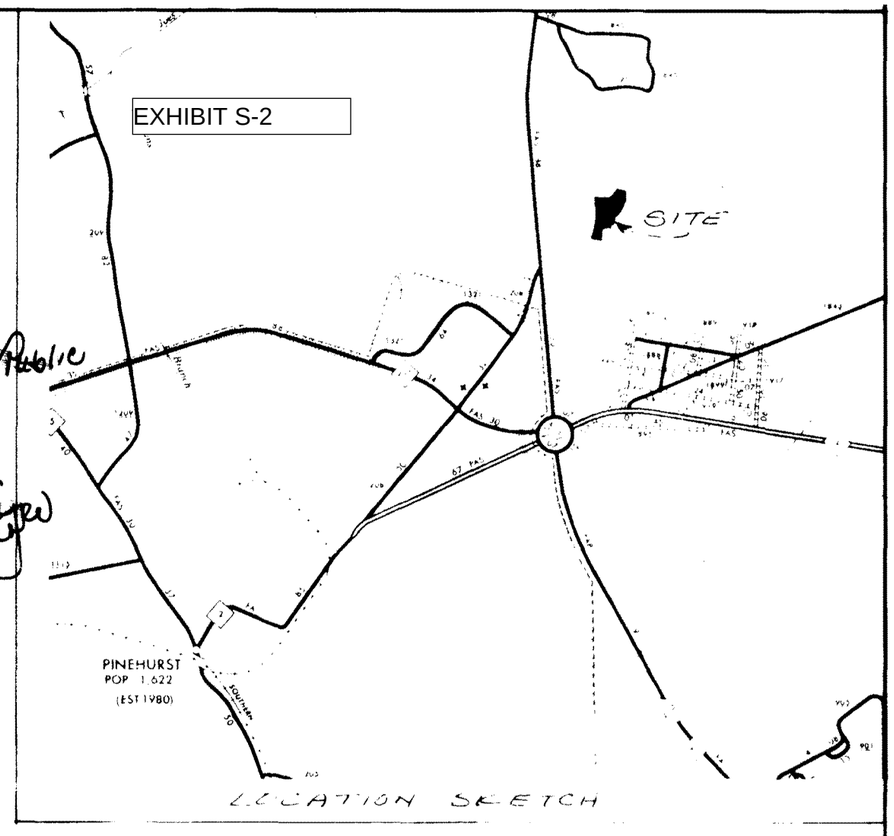
OWNERS ADDRESS
BEACH & BROWN, INC.
P.O. BOX 1144
SANFORD, N.C. 27330

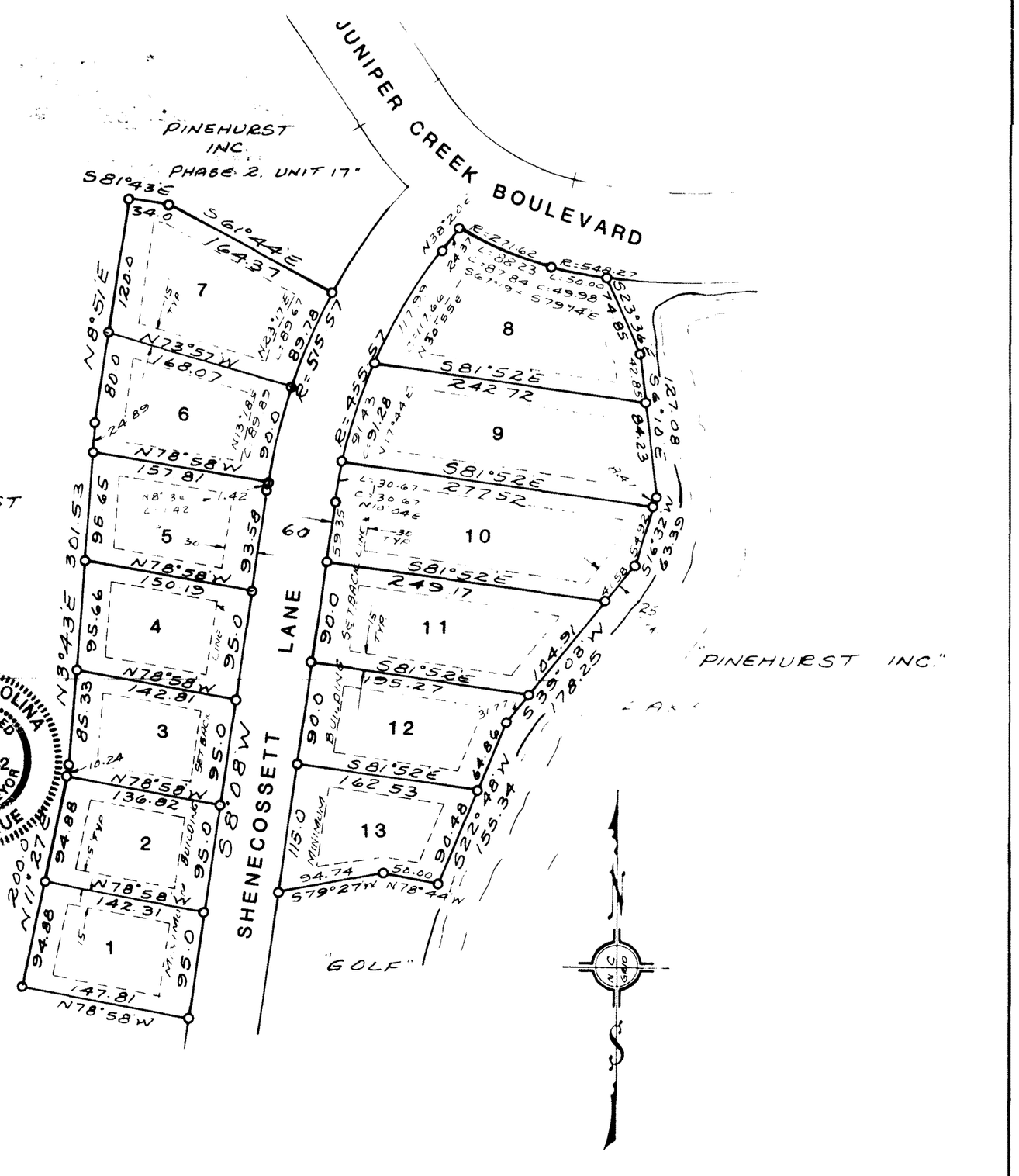
NO NEW ROADS CREATED BY THIS PLAT

PC BOOK 3 FILED SLIDE PAGE 32
SEP 24 4 02 PM '84

Stephen R. Sheffield, Notary Public
Moore
State of N.C.
My Commission Expires September 24 1984
Ann Gilmore
By Mary R Phillips Asst

EXHIBIT S-2





PINEHILL

PROPERTY OF

BEACH & BROWN, INC.

MINERAL SPRINGS TOWNSHIP, MOORE COUNTY, N. C.

JULY 30, 1984 ⊕ SCALE 1"-100'

C. H. BLUE AND ASSOCIATES

SOUTHERN PINES, N. C.

1"=100' 100 0 100 200 scale feet

C22

EXHIBIT S-3.1

FOR REGISTRATION REGISTER OF DEEDS
Judy D. Martin
Moore County, NC
June 26, 2015 04:51:56 PM
Book 4511 Page 90-91
FEE: $26.00
NC REVENUE STAMP: $110.00
INSTRUMENT # 2015008394



INSTRUMENT # 2015008394

This Instrument Prepared By:
H. Craig Phifer, III
Clarke, Phifer, Vaughn, Brenner & McNeill, PLLC
135 Applecross Road
Pinehurst, North Carolina 28374

STATE OF NORTH CAROLINA
COUNTY OF MOORE **GENERAL WARRANTY DEED**

THIS DEED, made this 22nd day of June, 2015 by **James J. Dougherty and wife, Pamela P. Dougherty**, of ~~9 Shenecossett Lane~~ 7 Buckingham Place, Pinehurst, NC 28374, ***GRANTOR***, to **John P. McEachern and wife, Mary P. McEachern** , ***GRANTEE***;

Tax Address: 129 Weir Point Drive, Manteo, NC 27954

WITNESSETH:

That said Grantor, for valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot, tract or parcel of land situate in Township, Moore County, North Carolina, and more particularly described as follows:

BEING all of Lot 3, as shown on a map entitled "Pinehill", prepared by C.H. Blue & Associates and recorded on September 24, 1984 in Plat Cabinet 3, Slide 32, of the Moore County Public Registry, to which map and its recordation reference is hereby made for a more complete, accurate and particular description of said lot.

This conveyance is made subject to: (i) utility easements of record; (ii) ad valorem taxes for the current year, which taxes shall be prorated as of the date of closing; and (iii) unviolated restrictive covenants of record that do not materially affect the value of the property.

The property hereinabove described was acquired by Grantor by instrument recorded in Book Moore County Registry, Carthage, North Carolina.

All or a portion of the property herein conveyed [ ] includes or [x] does not include the primary residence of a Grantor.

EXHIBIT S-3.2

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions noted herein.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal the day and year first above written.

James J. Dougherty (SEAL)
James J. Dougherty

Pamela P. Dougherty (SEAL)
Pamela P. Dougherty

==========

COUNTY OF MOORE
STATE OF NORTH CAROLINA

I certify that the following person(s) personally appeared before me this day and I have personal knowledge of the identity of the principal(s) or have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a [ ] driver's license or _____, or a credible witness has sworn to the identity of the principal(s); each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:
Name of Principal(s): **James J. Dougherty and Pamela P. Dougherty.**

Date: 6/24/2015

Notary Public

Homer Craig Phifer III
Printed or typed name of Notary Public

[OFFICIAL SEAL] HOMER CRAIG PHIFER III NOTARY PUBLIC MOORE COUNTY, NC My Comm. Expires Sept. 27, 2015

My Commission Expires: 27 Sept. 2015

EXHIBIT S-1.1

PLANNING AND INSPECTIONS DEPARTMENT STAFF REPORT

To: Zoning Board of Adjustment
From: Alex Cameron, Planning Supervisor
CC: Darryn Burich, Planning and Inspections Director
Alfred Cassidy, Senior Planner
Maria Carpenter, Planner
Kelly Brown, Planning and Zoning Specialist
Shannon Konstantinou, Administrative Specialist
Date: November 22, 2022
Subject: **Variance Request for 25 Aronimink Lane**

Applicant & Owner:	Teresa Johnes
Property Location:	25 Aronimink Ln.
Parcel Size:	11,690 square feet or +/- 0.27 acres
PID#	00024619
Zoning:	R-10 (High Density Residential)
Setback:	Golf Course = 30 Feet Retaining Walls >36" = accessory structure setback
Proposed Setback:	Approximately 15 Feet (constructed wall location)
Land Use:	Single Family Residential

Request and Background:

This request is to vary dimensional criteria for retaining walls in the Pinehurst Development Ordinance (PDO). This request would vary the 30' minimum golf course setback from the property line in the R-10 Zoning District to allow for a retaining wall depicted on the final as-built survey included with the agenda packet (EXHIBIT S-5). The 30'minimum golf course setback is applied due to the fact that the golf course borders the rear lot line of the subject property (see attached map). Additionally, Section 9.13 (F) of the PDO does not allow retaining walls over 36 inches to encroach into the rear and side setback for accessory structures (10' for the R-10 Zoning District and 30' for accessory structure setback from the golf course).

The subject lot (#235) was created as part of the "*Phase 2, Unit 17*" subdivision in May of 1979 for Pinehurst, Inc. as indicated on Plat Cabinet 1 Slide 1-5 on file with the Moore County Register of

Deeds. Records from the Moore County Tax Department and Register of Deeds indicate that the property was purchased by the current owner in December of 2020.

The rear of the subject property borders golf course hole number 17 for Pinehurst Resort Course No. 6 which is zoned RD (Recreational Development District). The surrounding lots along Aronimink Lane were also created as part of the original subdivision, border golf course property, and include single family homes all built from the 1990's to present.

The property is approximately 11,690 square feet in area or .27 acres in size which meets the minimum lot size of the R-10 Zoning District. Prior to construction, the vacant lot had approximately 29 feet of elevation change increasing in height from the front left corner (southwest) of the lot abutting Aronimink Lane to the right rear (northeast) fronting the golf course. See attached maps.

In September of this year, Planning and Inspections staff approved an application for a new single-family home on the vacant lot for the applicant Stewart Construction. The development was approved per the documents included with the application. The approved site plan (Exhibit S-4) is included with the agenda packet material. As indicated in this report and the supplemental material, there is significant grade or elevation differences across the lot.

A retaining wall was not approved as part of the application and was discovered after staff received the required final as-built survey in September (Exhibit S-5). Staff contacted the applicant to discuss the rules regarding retaining walls and that the retaining wall was not constructed in compliance with the requirements of the PDO. Since that time, the owner has submitted the application for a variance and additional material in an attempt to satisfy the burden of proof to meet the standards of review (see pages 3 & 4 of this report). The finished height of the retaining wall varies, and the applicant has a letter from a registered engineer that the wall meets the current North Carolina Building Code requirements (Exhibit A-2.5). The applicant has indicated that construction of the retaining wall was to alleviate issues with runoff on the property post construction.

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

- Exhibit S-2 – Original Subdivision Plat for Phase 2 Unit 17 Lot 235
- Exhibit S-3 – Deed of Ownership
- Exhibit S-4 – Approved Site Plan
- Exhibit S-5 – Final As-built Survey

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-2.1-2.4 – Photo and GIS Maps of Subject and Neighboring Properties
- Exhibit A-2.5 – Engineer Letter
- Exhibit A-2.6-2.7 – Photos of the Subject Area

EXHIBIT S-1.3

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 use 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.

EXHIBIT S-1.5

Aerial Map with 2 Foot Contour



0 105 210 Feet

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).

11/23/2022

December 1, 2022
Board of Adjustment
Variance Request for 25 Aronimink Lane

1895 VILLAGE OF PINEHURST

N W E S

EXHIBIT S-1.6

1895 VILLAGE OF PINEHURST

HISTORY, CHARM, AND SOUTHERN HOSPITALITY

NOTICE OF PUBLIC HEARING
VILLAGE OF PINEHURST

Dear Property Owner:

The Village of Pinehurst Board of Adjustment (BOA) will hold a Public Hearing on Thursday, December 1, 2022 at 4:30 PM or immediately following the Planning and Zoning Board meeting at 4:00 PM 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 Section 9.13 Fences, Walls and Columns (F) Retaining Walls & 9.2a Tables of Dimensional Requirements for the property addressed as 25 Aronimink Lane, further identified by Moore County PID # 00024619. This property is located within the R-10 (High Density Residential) Zoning District. Specifically, the applicant and owner, Teresa Johnes, is requesting the variance to allow for a retaining wall in the golf course setback.

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.

EXHIBIT S-1.7

Public Hearing Notification



0 155 310 Feet

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).

11/16/2022

December 1, 2022
Board of Adjustment
25 Aronimink Ln Variance Request

1895 Village of Pinehurst

N W E S

EXHIBIT S-1.8

RIEDELL, ROBERT H
18 ARONIMINK LN
PINEHURST,NC,28374

CONLEY, BRIAN
11911 JENNIFER WAY
HOLLYWOOD,FL,33026

JOHNES, TERESA ANN
50 GLEN ABBEY TRAIL
PINEHURST,NC,28374

ZEITLER, JOHN J
27 ARONIMINK LANE
PINEHURST,NC,28374-6808

KING, VINCENT F (HRS)
C/O PATRICIA E. KING
PINEHURST,NC,28370

RESORTS OF PINEHURST
PO BOX 4000
PINEHURST,NC,28374

POPE, NORMAN WARD & GLENNA B
23 ARONOMINK LN
PINEHURST,NC,28374

EXHIBIT S-2.1

PLAT OF
PHASE 2, UNIT 17

I, J.J. Slade, President of Pinehurst, Incorporated, hereby certify that Pinehurst, Incorporated, is the owner of the property shown and described hereon which was conveyed to Pinehurst, Incorporated, by deeds recorded in the Moore County register books 79 and 134 at pages 399 and 532; that Pinehurst, Incorporated, hereby adopts this plan of subdivision, and with its free consent does hereby establish the minimum building lines, streets, alleys, walks, riding trails, bicycle paths, parks, and other open spaces with the following exceptions:

Pinehurst, Incorporated, reserves unto itself, its successors and assigns, all rights, title, and interest in and to the streets, roads, alleys, parks and open spaces and areas shown on the plats, provided that owners of property shown on this plat, 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 and open spaces and areas shown on this plat shall remain the sole and exclusive property of Pinehurst, Inc., its successors and assigns, to be controlled, maintained and regulated as Pinehurst, Inc., shall, in its sole discretion determine, including the right at any time hereafter to dedicate and convey the streets and roads to any appropriate governmental body or to the public.

Further certified that the land as shown hereon is within the subdivision regulations jurisdiction of Moore County.

This 23 day of APRIL 1979

J.J. Slade, President
Pinehurst, Incorporated

Register of Deeds Office of Moore

Bonding Information

Roadway	$ 290,000
Wastewater	$ 363,000
Water	$ 198,000
Electric	$ 95,300

Above mentioned amenities will be constructed by Dec. 31, 1982

I hereby certify that streets, utilities, and other improvements have been installed in an acceptable manner and according to County specifications in the subdivision entitled Phase 2, Unit 17, or that a security bond in the amount of _____ has been posted with the Moore County Planning Board to assure completion of all required improvements in case of default.

This 8th day, of MAY 1979

Tony Caudle
Moore County Zoning
Enforcement Officer

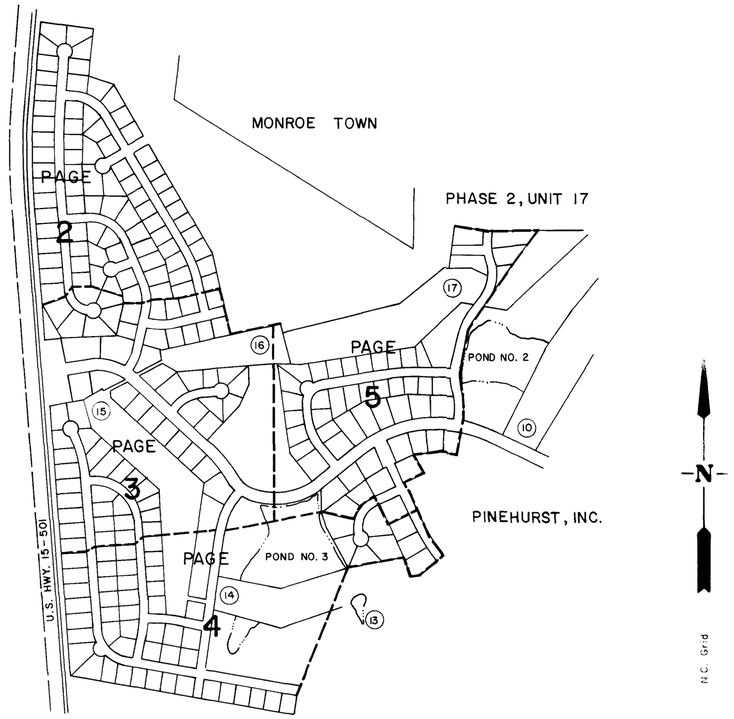
I hereby certify that water supply and sewage disposal utility systems installed, or proposed for installation, in the subdivision entitled Phase 2, Unit 17, fully meet the requirements of the North Carolina State Board of Health, the Moore County Health Department, or any other official agency having jurisdiction, and are hereby approved as shown.

This 8th day of J, 1979

County Sanitation Officer
or Authorized Representative

Attest:

Clerk _____



PINEHURST, INC.

Document Sheet for

PINEHURST, INCORPORATED

Moore County, North Carolina
Mineral Springs Twp. & McNeills Twp.
Plat of

PHASE 2, UNIT 17

Page 1 of 5 pages

Lots numbered 1 through 247 inclusive

MATHESON, HINTZ & ASSOCIATES
CONSULTING ENGINEERS AND LAND SURVEYORS
ASHEVILLE AIRPORT ROAD, FLETCHER, N.C.

STATE OF NORTH CAROLINA
COUNTY OF MOORE

I, Willard A. Hintz, certify that under my direction and supervision this plat, shown and described hereon, was computed and drawn within actual surveys by others of property lines and golf course boundaries; that the error of closure is calculated by latitudes and departures with an accuracy of at least 1:7500; that this plat was prepared in accordance with G.S. 47-30, as amended.

Witness my hand and seal this 20 day of April, 1979.

Willard A. Hintz
Registered Land Surveyor
Registration number L-1051

The undersigned, Howard C. Morgan, Steven K. Baker, and B. Charles Milner as Trustees in the State of North Carolina, (hereinafter referred to as Trustees) and Citibank, N.A., formerly known as First National City Bank acting as agent for itself and the First National Bank of Chicago, the Chase Manhattan Bank, N.A., Wells Fargo Bank, N.A., Crocker National Bank, First Pennsylvania Bank, N.A., First National State Bank of New Jersey, Wachovia Bank and Trust Co., N.A., herein referred to as Lenders, holders of that certain Mortgage, Deed of Trust and Security Agreement with Modification, Consolidation and Spreading Agreement dated as of December 20, 1978, and recorded in Mortgage Book 309, at Page 807, in the Office of the Register of Deeds of Moore County, North Carolina, do hereby in all things subordinate to said subdivision and dedication said Mortgage and Deed of Trust and do hereby confirm that we are the present Trustees and Owners of said Mortgage and Deed of Trust and have not assigned the same or any part thereof.

In Witness Whereof, Howard C. Morgan, Steven K. Baker, and B. Charles Milner, Trustees in and for the state of North Carolina under said Mortgage and Deed of Trust and Citibank, N.A., acting for itself and as agent for the Lenders hereinabove mentioned have caused this instrument to be duly executed and seal affixed hereto all as of the ____ day of _____

Citibank, N.A.
Agent

By: _____

Attest

(Seal)

Howard C. Morgan, Trustee

Steven K. Baker, Trustee

B. Charles Milner, Trustee

STATE OF NEW YORK
COUNTY OF NEW YORK

I, _____, a notary public, do hereby certify that personally came before me _____, who, being by me duly sworn, says that he is a Vice President of Citibank, N.A., a national banking association, and that the seal affixed to the foregoing instrument is the seal of said Bank and that said writing was signed and sealed by him in behalf of said Bank as agent, by its authority duly given; and the said _____ acknowledged the said writing to be the act and deed of said Bank. Witness my hand and seal this ____ day of _____ 1979.

Notary Public

STATE OF NEW YORK
COUNTY OF NEW YORK

I, _____, a notary public, do hereby certify that HOWARD C. MORGAN, STEVEN K. BAKER, and B. CHARLES MILNER, personally appeared before me this day and acknowledged the due execution of the foregoing instrument in their capacities as Trustees.

Witness my hand and seal this ____ day of _____ 1979.

Notary Public

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, THOMAS M. BEEBE, a notary public do hereby certify that WILLARD A. HINTZ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 20 day of APRIL 1979.

Thomas M. Beebe
Notary Public

My commission expires: 20 NOVEMBER 1982

EXHIBIT S-2.2



GENERAL NOTES

1- The right of way for Juniper Creek Boulevard is 80 feet.

2- All other rights of way are 60 feet unless otherwise noted.

3- All cul-de-sac radii are 50 feet unless otherwise noted.

4- All bearings shown refer to the North Carolina State Coordinate Grid System.

5- The minimum building setback lines for STANDARD LOTS are as follows:
- A- 30 feet from the front property line.
- B- 10 feet from the side property line.
- C- 20 feet from the rear property line.
- D- 20 feet from the side property line on corner lots.
- E- 30 feet from Golf Course.

5a- The minimum building setback for BOULEVARD LOTS (prefix "B") and for ESTATE LOTS (prefix "E") are as follows:
- A- 40 feet from the front property line.
- B- 15 feet from the side property line.
- C- 30 feet from the rear property line.
- D- 20 feet from the side property line on corner lots.
- E- All houses on BOULEVARD LOTS must face boulevard.

6- Utility easements common to all lots are as follows:
- A- Side lot lines - 5' easements either side of lot line for a total of 10 feet.
- B- Back lot lines - 10' easements either side of lot line for a total of 20 feet.
- C- Construction easements along any property line adjoining any portion of the extreme outside boundary of Pinehurst, Inc., or part of any lake, or golf course, shall be 30 feet.
- D- All other easements are as shown.

	CENTERLINE	CURVE	DATA	
NO.	DELTA	TANGENT	RADIUS	LENGTH
C-1	64-52-51	520.00	818.11	926.42
C-2	52-17-28	249.50	508.27	463.87
C-3	40-24-04	172.92	469.98	331.40
C-4	79-54-40	109.68	130.91	182.59
C-5	10-32-15	66.12	717.01	131.87
C-6	20-57-41	92.50	500.00	182.92
C-7	25-25-38	112.80	500.00	221.89
C-8	22-09-06	50.00	255.42	98.75
C-9	52-31-23	127.91	259.24	237.64
C-10	24-22-38	108.00	500.00	212.73
C-11	90-00-00	181.69	181.69	285.40

LEGEND

- Denotes concrete control monument.
- Denotes iron pin

PINEHURST INCORPORATED

Moore County, North Carolina
Mineral Springs and McNeills Townships
Plat of

PHASE 2, UNIT 17

Page 5 of 5 Pages

Scale: 1"=100' April, 1979

100 0 100 200 300

MATHESON, HINTZ & ASSOCIATES
CONSULTING ENGINEERS AND LAND SURVEYORS
ASHEVILLE AIRPORT ROAD, FLETCHER, N.C. 28732

EXHIBIT S-3.1

For Registration Register of Deeds
Judy D. Martin
Moore County, NC
Electronically Recorded
December 3, 2020 4:50:33 PM
Book: 5483 Page: 383 - 384 #Pages: 2
Fee: $26.00 NC Rev Stamp: $130.00
Instrument # 2020023955

This document prepared by:
Donnell G. Adams, Jr., Attorney
100 Market Square
Pinehurst, NC 28374

Revenue: $130.00

STATE OF NORTH CAROLINA
COUNTY OF MOORE **WARRANTY DEED**

THIS WARRANTY DEED is made this 5th day of November, 2020, by and between **CARRIE VALETE, and husband, JAMES VALETE,** of 4102 Farhills Dr., Champaign, IL 61822 ("Grantor"), and **TERESA ANN JOHNES,** of 50 Glen Abbey Trail Pinehurst NC 28374 ("Grantee").

WITNESSETH:

THAT the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all of that certain lot, tract, or parcel of land situated in or near the Village of Pinehurst, Mineral Springs Township, Moore County, North Carolina, and more particularly described as follows:

BEING all of Lot 235, Unit 17, Phase 2, of the property of Pinehurst, Incorporated, as shown on plat thereof recorded in the Office of the Register of Deeds of Moore County, North Carolina, in Plat Cabinet 2, Slides 1-5.

This conveyance is made subject to: (i) ad valorem taxes for the current year, which taxes shall be prorated at closing; (ii) utility easements of record; and (iii) restrictions enforceable against the property.

The property was conveyed to Grantor in instrument recorded in Book 4942, Page 216, Moore County Register of Deeds.

James Valete joins in this conveyance to relinquish any marital rights he may have acquired and does not join in any warranties herein set forth.

The property herein conveyed _____ includes or ✓ does not include the primary residence of a Grantor.

Submitted electronically by "Lorenz & Creed Law Firm PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Moore County Register of Deeds.

EXHIBIT S-3.2

TO HAVE AND TO HOLD the aforesaid lot, tract or parcel of land, and all privileges and appurtenances thereto belonging to the Grantee in fee simple, subject, however, to the exceptions, reservations and conditions hereinabove referred to;

AND the Grantor covenants with the Grantee, that the Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that the Grantor will warrant and defend the title against the lawful claims of all persons, subject however, to the exceptions, reservations and conditions hereinabove referred to.

The designations "Grantor" and "Grantee" as used herein shall include said parties and their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers by authority of its Board of Directors, on the day and year first above written.

C. Valete (SEAL)
CARRIE VALETE

J. E. Valete (SEAL)
JAMES VALETE

County of Champaign
State of IL

I certify that the following person(s) personally appeared before me this day, and (I have personal knowledge of the identity of the principal(s)) (I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a Illinois License); each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: CARRIE VALETE and husband, JAMES VALETE

Date: 11-12-20
(Notary Seal)

Thai L Caston
Notary Public

My Commission Expires: 4-8-23

OFFICIAL SEAL
THAI L. CASTON
Notary Public - State of Illinois
My Commission Expires 4/08/2023

LOT 235, PHASE 2, UNIT 17
PINEHURST, INC.

EXHIBIT S-4

MINERAL SPRINGS TWP., MOORE COUNTY, N.C.

OWNER: TERESA ANN JOHNES

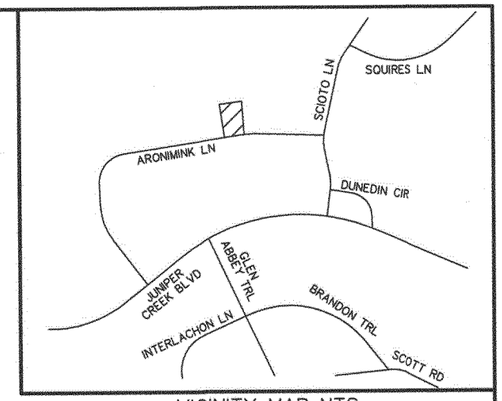
DEED REFERENCE: DEED BOOK 5483, PAGE 383

MAP REFERENCE: PLAT CABINET 2, SLIDE 5



CURVE	Arc	Delta Angle	Chord	Ch Bearing	Radius	Tangent
C1	33.49'	02°34'06"	33.48'	N 82°41'19"E	747.01'	16.75'
C2	103.96'	07°58'24"	103.87'	S 87°52'38"W	747.01'	52.06'

NORTH BY PLAT CABINET 2, SLIDE 5



VICINITY MAP NTS

DEVELOPMENT DATA
IMPERVIOUS SURFACE = 3870 SQ. FT. = 33.11 %

REVISIONS:
8/04/21 SITE PLAN

NOTE:
LOT 235 CONTAINS 11690 SQ. FT.
AREA BY COORDINATE METHOD
PROPERTY IS NOT IN A SPECIAL FLOOD HAZARD AREA ACCORDING TO MAP NUMBER 3710856300J OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY. EFFECTIVE DATE: OCTOBER 17, 2006
PIN 856315734240, PARID 00024619
ZONED RIO
TOPOGRAPHIC INFORMATION ON ASSUMED DATUM

NORTH CAROLINA PROFESSIONAL SEAL L-3031 LAND SURVEYOR BENNY L. BROWN

DISCLAIMER: SURVEYOR WAS NOT ENGAGED TO COMPLETE, NOR WERE THEY PROVIDED WITH, A CURRENT FULL SEARCH OF TITLE. THEREFORE, THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHT OF WAYS, OR RESTRICTIONS OF RECORD WITH THE MOORE COUNTY REGISTRY, WHETHER SHOWN HEREON, OR NOT.

CERTIFICATE OF SURVEY AND ACCURACY
I, BENNY L. BROWN, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, DEED DESCRIPTION RECORDED AS SHOWN ON MAP, THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56. 1600). THIS 4th DAY OF AUGUST, 2021

PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER L3031

© 2021 BENNY L. BROWN, ALL RIGHTS RESERVED

LEGEND

O	FIP	FOUND IRON PIPE
O	SIP	SET IRON PIPE
O	FCM	FOUND CONCRETE MONUMENT
O	SCMS	SET COTTON MILL SPINDLE
O	FMN	FOUND MAG NAIL
O	SMN	SET MAG NAIL
O	SCN	SET CONCRETE NAIL
O	CP	COMPUTED POINT
O	CBL	CABLEVISION EQUIPMENT
O	TP	TELEPHONE PEDESTAL
□	ET	ELECTRICAL TRANSFORMER
O	PP	POWER POLE
□	WM	WATER METER
O	SCO	SEWER CLEANOUT

20' 10' 0' 20' 40'

SURVEY FOR:
STEWART CONSTRUCTION
PO BOX 716
WEST END, NC 27376

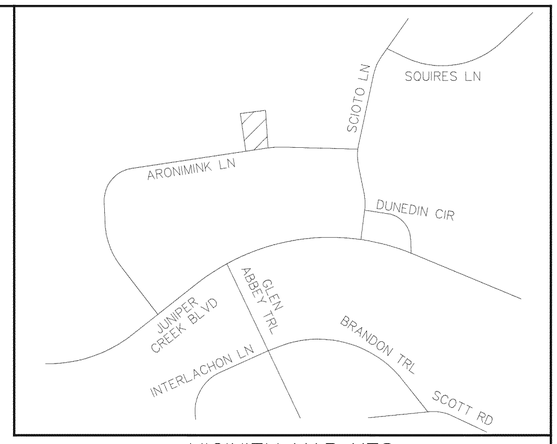
DATE 6/28/21
FILE NO. 15821
SCALE 1" = 20'

BENNY L. BROWN
Professional Surveyor
277 MACDOUGALL DRIVE
P.O. BOX 307
WEST END, N.C. 27376
(910) 673-1446

EXHIBIT S-5

NOTE:
LOT 235 CONTAINS 11690 SQ. FT.
AREA BY COORDINATE METHOD
PROPERTY IS NOT IN A SPECIAL FLOOD HAZARD AREA ACCORDING TO MAP NUMBER 3710856300J OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY. EFFECTIVE DATE: OCTOBER 17, 2006
PIN 856315734240, PARID 00024619
ZONED R10
RE-DRAWN FROM A SURVEY BY BENNY L. BROWN, DATED 6/28/21

NORTH BY PLAT CABINET 2, SLIDE 5



VICINITY MAP NTS



CURVE	Arc	Delta Angle	Chord	Ch Bearing	Radius	Tangent
C1	33.49'	02°34'06"	33.48'	N 82°41'19"E	747.01'	16.75'
C2	103.96'	07°58'24"	103.87'	S 87°52'38"W	747.01'	52.06'

DISCLAIMER: SURVEYOR WAS NOT ENGAGED TO COMPLETE, NOR WERE THEY PROVIDED WITH, A CURRENT FULL SEARCH OF TITLE. THEREFORE, THE PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHT OF WAYS, OR RESTRICTIONS OF RECORD WITH THE MOORE COUNTY REGISTRY, WHETHER SHOWN HEREON, OR NOT.

CERTIFICATE OF SURVEY AND ACCURACY
I, J. AARON BROWN, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION, DEED DESCRIPTION RECORDED AS SHOWN ON MAP, THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN BOOKS REFERENCED: THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56. 1600). THIS 22nd DAY OF SEPTEMBER, 2022

J. Aaron Brown
PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER L-5455

NORTH CAROLINA PROFESSIONAL SEAL L-5455 LAND SURVEYOR J AARON BROWN

LOT 235, PHASE 2, UNIT 17 PINEHURST, INC.

MINERAL SPRINGS TWP., MOORE COUNTY, N.C.
OWNER: TERESA ANN JOHNES
DEED REFERENCE: DEED BOOK 5483, PAGE 383
MAP REFERENCE: PLAT CABINET 2, SLIDE 5

© 2022 J. AARON BROWN, ALL RIGHTS RESERVED

20' 10' 0' 20' 40'

LEGEND

O	FIP	FOUND IRON PIPE
O	SIP	SET IRON PIPE
O	FCM	FOUND CONCRETE MONUMENT
O	SCMS	SET COTTON MILL SPINDLE
O	FMN	FOUND MAG NAIL
O	SMN	SET MAG NAIL
O	SCN	SET CONCRETE NAIL
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O	TP	TELEPHONE PEDESTAL
□	ET	ELECTRICAL TRANSFORMER
O	PP	POWER POLE
□	WM	WATER METER
O	SCO	SEWER CLEANOUT

SURVEY FOR:
STEWART CONSTRUCTION
PO BOX 716
WEST END, NC 27376

DATE 9/22/22
FILE NO. 15821
SCALE 1" = 20'

BROWN SURVEYORS, PLLC
277 MACDOUGALL DRIVE
P.O. BOX 307
WEST END, N.C. 27376
(910) 673-1446
aaron@brownsurveyorspllc.com
FIRM LICENSE: P-2552

Brown Surveyors, PLLC
ACCURACY PRECISION INTEGRITY

EXHIBIT A-1.1

Variance

Fee: $500

(Revised 09/2019)

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 contact 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/Home/ShowDocument?id=10100.

Property Address	
Street Address	11 Shenecossett Ln
City, State, Zip Code	Pinehurst, NC 28374
Parcel ID #	00014624

EXHIBIT A-1.2

Variance

Fee: $500

(Revised 09/2019)

Owner Information			
Name	John P and Mary P McEachern	Home Phone #	
Street Address	5892 Dowd Dairy Rd	Mobile Phone #	(910) 588-4011
City, State, Zip Code	Elizabethtown, NC 28337	Business Phone #	
Email	philmceachern1@gmail.com		

Applicant			
Name	Goneau Construction	Other Phone #	
Email	billy@goneauconstruction.com	Street Address	121 Emerald Necklace Ln
Mobile Phone #	(910) 690-4242	City, State, Zip Code	Pinehurst, NC 28374

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	Goneau Construction is requesting that we are able to keep the retaining wall in place at the 11 Shenecossett Ln, Pinehurst, NC.
Ordinance Section Reference	Section 9.13 Fences, Walls and Columns
Ordinance Text (Verbatim)	(F) Retaining Walls 1. Retaining walls higher than thirty-six (36) inches shall not encroach the front setback for primary structures or the rear and side setbacks for accessory structures. 2. No retaining wall shall be closer than five (5) feet to a property line or right of way line. 3. Retaining wall height shall be measured from the lowest ground elevation to the top of the wall.

EXHIBIT A-1.3

Variance

Fee: $500

(Revised 09/2019)

Description of unnecessary hardship that would result from the strict application of the ordinance	Excessive amounts of water drain from the cart path on the golf course onto the owner's property. This creates the potential for issues with the foundation and mold growth in the crawl space. The retaining wall is helping control the watershed by redirecting the overflow to the street (Shenecossett Ln) for effective drainage. This will help control erosion at 11 Shenecossett Ln.
Description of how the hardship results from conditions that are peculiar to the property, such as location, size, or topography	Elevated tee boxes and cart paths direct water onto the property. Water from the house on the left side is also directed onto the property at 11 Shenecossett. The natural hillside grade slopes within two (2) feet of the back of the house where the golf course set back line is located.
Description of how the hardship did not result from actions taken by the applicant or the property owner	The retaining wall is necessary due to the topography of the lot and surrounding properties. This includes controlling run off and erosion from the golf course. As the builder, we had to provide a means to control these issues. We are more than willing to provide bushes or shrubs to serve as a visual barrier.
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	The retaining wall has no affect on anyone other than the homeowner. Its purpose is to provide proper run off control to maintain the structural integrity of the home and lot. As residents of Pinehurst, it's important to the home-owners to maintain the level of standards that are essential to living here. During construction, the wall appeared to be sixty (60) inches above grade. After final grade is established on the house side of the wall, the grade will not exceed thirty (30) inches tall at its highest point. Also, the wall will only be visible to the homeowner. Not from the golf course.

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: _____ Date: 10/7/2022

Billy Hornbaker Superintendent
Goneau Construction

EXHIBIT A-2

GONEAU
construction | design | development

October 5, 2022

To Whom it May Concern:

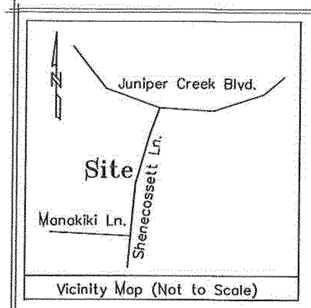
It has been brought to our attention that we need to apply for a variance regarding the retaining wall at 11 Shenecossett Ln, Pinehurst, NC 28374.

As the owners of this property, we give Goneau Construction permission to represent us in this matter.

With Gratitude,

Mary P. McEachern

John P and Mary P McEachern



Vicinity Map (Not to Scale)

EXHIBIT A-3.1

DESIGNER

GONEAU CONSTRUCTION | DESIGN | DEVELOPMENT
MARCEL O. GONEAU, AIBD PROFESSIONAL MEMBER
P.O. BOX 4389
PINEHURST, NC, 28374
PHONE: (800)695-4317 OR (910)585-0618
EMAIL: contact@goneauconstruction.com
WEBSITE: www.goneauconstruction.com

OWNER

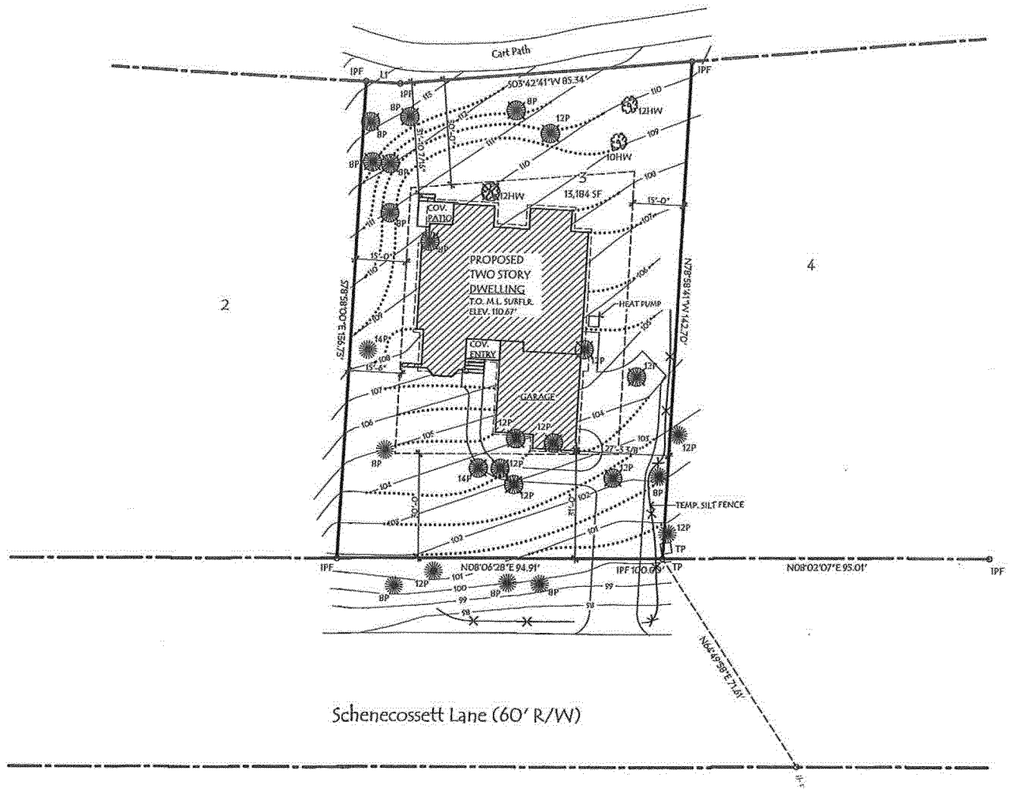
PHILIP & MARY McEACHERN
5892 DOWD DAIRY RD.
ELIZABETHTOWN, NC, 28337-1340

PHILIP McEACHERN
PHONE: (910)588-4011
EMAIL: philmceachern1@gmail.com

BUILDER

STRUCTURES CONSTRUCTION INC.
MARCEL O. GONEAU, AIBD PROFESSIONAL MEMBER
LICENSE No: 54285
PHONE: (800)695-4317 OR (910)585-0618
121 EMERALD NECKLACE LANE
PINEHURST, NC, 28574

GONEAU CONSTRUCTION | DESIGN | DEVELOPMENT
P.O. BOX 4389
PINEHURST, NC, 28374
PHONE: (800)695-4317 OR (910)585-0618
EMAIL: contact@goneauconstruction.com
WEBSITE: www.goneauconstruction.com



1 A1.1 SITE PLAN
SCALE: 1" = 20'

NOTE:
THIS DRAWING WAS GENERATED BASED ON A TOPOGRAPHIC SURVEY
COMPLETED ON 22 JUNE 2020 BY:
RYAN McBRYDE-LAND SURVEYING-PLANNING
LICENSE #: C-2680
P.O. BOX 1013
105-A PARKWAY DR.
ABERDEEN, NC 28315

SITE SUMMARY: TWO STORY DWELLING

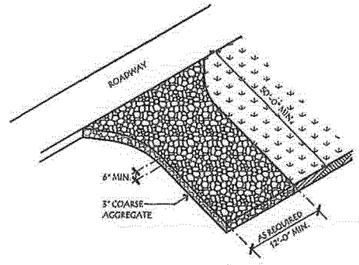
ZONING: R10

SETBACK REQUIREMENTS:

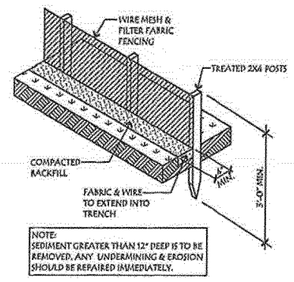
	TOWN NAME	ACTUAL
FRONT:	30'-0"	31'-0"
LEFT SIDE SIDE:	15'-0"	15'-6"
RIGHT SIDE SIDE:	15'-0"	27'-3 3/8"
REAR:	30'-0"	31'-10 7/16"

AREA CALCULATIONS:

HEATED:	MAIN LEVEL	= 1,850.00 S.F.
	UPPER LEVEL	= 895.00 S.F.
	TOTAL	= 2,745.00 S.F.
UNHEATED:	MAIN LEVEL	= 0.00 S.F.
	UPPER LEVEL	= 137.00 S.F.
	TOTAL	= 137.00 S.F.
GARAGE		= 622.00 S.F.
COVERED ENTRY		= 62.00 S.F.
ANY & ALL OTHER COVERED SPACES		= 36.00 S.F.
TOTAL BUILDING FOOTPRINT		= 2,570.00 S.F.
PATIO		= 43.00 S.F.
LOT AREA		= 13,184.00 S.F. or #0.30 ACRE
BUILDING COVERAGE		= #2,612.00 S.F. or 20%
IMPERVIOUS AREA		= 1,665.00 S.F. or 13%
AREA DISTURBED DURING CONSTRUCTION		= 7,510.00 S.F. or 57%



2 A1.1 TEMPORARY CONSTRUCTION ENTRANCE / EXIT
N.T.S.



NOTE:
SEDIMENT GREATER THAN 12" DEEP IS TO BE REMOVED. ANY UNDERMINING & EROSION SHOULD BE REPAIRED IMMEDIATELY.

3 A1.1 TEMPORARY SILT FENCE
N.T.S.

REVISION	DATE
1 N/A	N/A
2 N/A	N/A
3 N/A	N/A
4 N/A	N/A
5 N/A	N/A
6 N/A	N/A

PROFESSIONAL MEMBER
AMERICAN INSTITUTE OF BUILDING DESIGN

construction design development

GONEAU

GONEAU CONSTRUCTION | DESIGN | DEVELOPMENT ASSUMES NO LIABILITY FOR ANY HOME CONSTRUCTED FROM THIS PLAN, IT IS THE RESPONSIBILITY OF THE PURCHASER TO PERFORM THE FOLLOWING BEFORE ACTUAL CONSTRUCTION: 1) BUILDER, FROM THEIR OWN COPY OF THIS PLAN, SHALL VERIFY ALL DIMENSIONS PRIOR TO PROCEEDING WITH CONSTRUCTION. 2) CONTRACTOR MUST VERIFY COMPLIANCE WITH ALL LOCAL BUILDING CODES IN THE AREA WHERE THE HOME IS TO BE CONSTRUCTED. 3) PLANS IMPACT LOCATION ONLY. ENGINEERING ASPECTS SHOULD INCORPORATE ACTUAL SITE CONDITIONS AS DETERMINED BY A LICENSED ENGINEER. 4) ALL CONSTRUCTION DRAWINGS ARE FOR ONLY PROFESSIONAL DESIGNER, ARCHITECT, CONTRACTOR, OR STRUCTURAL ENGINEER. SHOULD ATTEMPT MODIFICATIONS, AS EVEN MINOR CHANGES IN ONE AREA OF THE HOUSE COULD LEAD TO MAJOR PROBLEMS IN ANOTHER AREA.

NEW PLANS FOR
PHILIP & MARY McEACHERN
"CUSTOM"

ADDRESS:
11 SHENECOSSETT LN.
PINEHURST, NC
28374

THESE DRAWING AND SPECIFICATIONS AS INSTRUMENTS OF SERVICE ARE AND SHALL REMAIN THE PROPERTY OF GONEAU CONSTRUCTION | DESIGN | DEVELOPMENT WHETHER THE PROJECT FOR WHICH THEY WERE INTENDED IS EXECUTED OR NOT, AND ARE NOT TO BE USED IN WHOLE OR IN PART FOR EXTENSIONS OF THIS PROJECT EXCEPT BY WRITTEN AGREEMENT WITH THE DESIGNER.

Site Plan

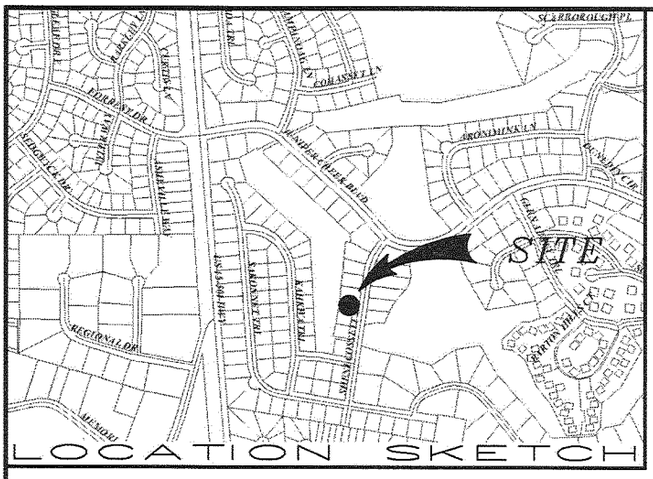
SHEET No:
A1.1

OF: TOTAL SHEETS

DATE: 05 MAR. 2021
SCALE: AS NOTED
DRAWN BY: ARP
CHECKED BY: MOG
JOB No: YEAR-PROJ. #

COPYRIGHT GONEAU CONSTRUCTION | DESIGN | DEVELOPMENT 2021-THIS DRAWING AND ITS REPRODUCTIONS ARE THE PROPERTY OF GONEAU CONSTRUCTION | DESIGN | DEVELOPMENT AND MAY NOT BE REPRODUCED, PUBLISHED, AND/OR USED IN ANY WAY WITHOUT THE WRITTEN PERMISSIONS FROM GONEAU CONSTRUCTION | DESIGN | DEVELOPMENT

EXHIBIT A-3.2



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).

FURTHER:

I HEREBY CERTIFY THAT THE PREMISES SHOWN AND DESCRIBED HEREON, DO NOT LIE IN A F.E.M.A. DESIGNATED FLOOD PLAIN AREA.

NORTH CAROLINA PROFESSIONAL SEAL NO. L-4312 LAND SURVEYOR C. D. WENTLAND

C. D. WENTLAND, PLS NO. 4312

DATE: 11/03/2022.

RET. WALL HEIGHTS

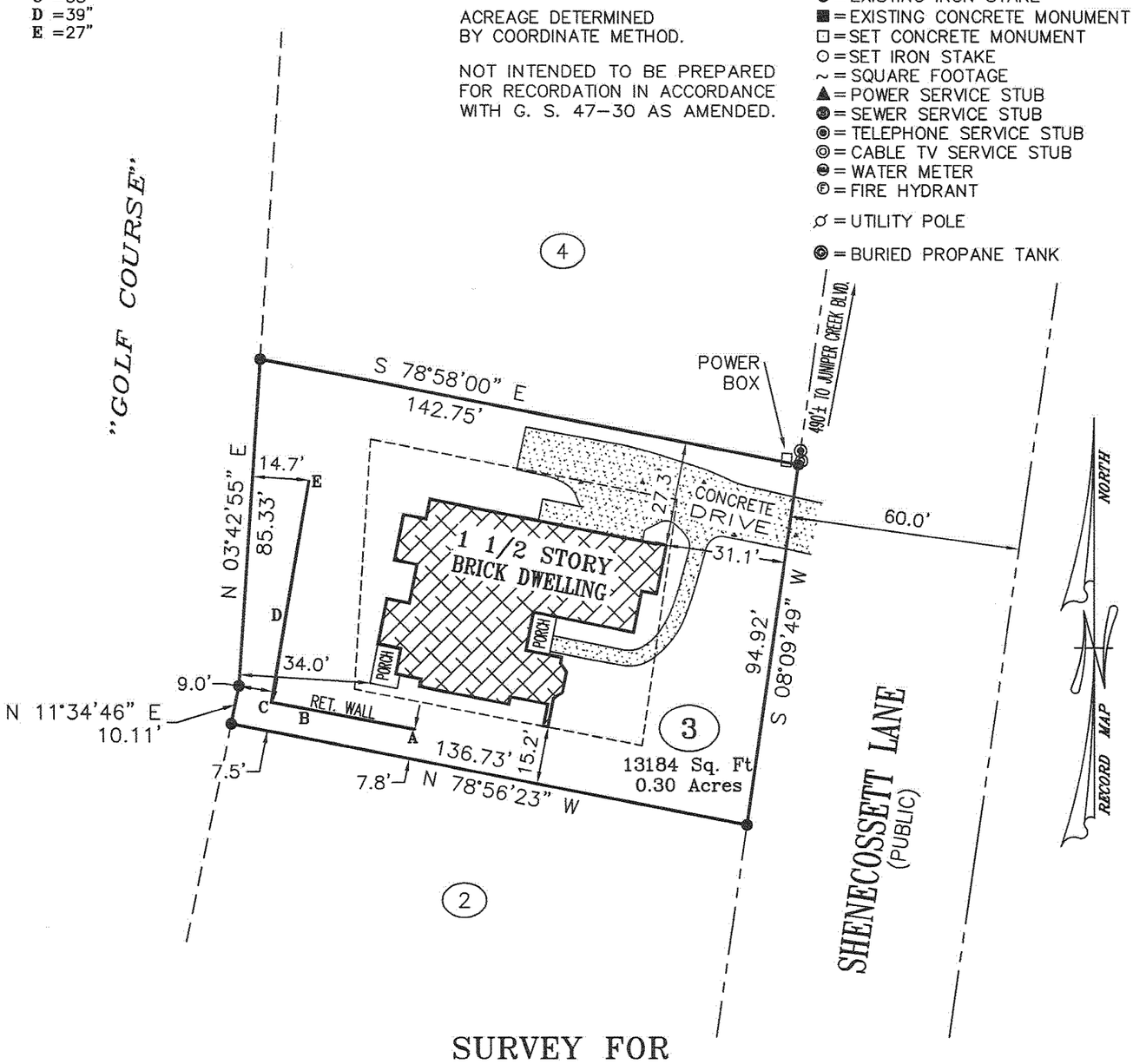
A =20"
B =40"
C =38"
D =39"
E =27"

REFERENCE:
PLAT CABINET 3, SLIDE 32
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 CONCRETE MONUMENT
○ = SET IRON STAKE
~ = SQUARE FOOTAGE
▲ = POWER SERVICE STUB
S = SEWER SERVICE STUB
T = TELEPHONE SERVICE STUB
C = CABLE TV SERVICE STUB
W = WATER METER
F = FIRE HYDRANT
⌀ = UTILITY POLE
◎ = BURIED PROPANE TANK



SURVEY FOR

PHILLIP & MARY McEACHERN

LOT NO. 3,

PINEHILL SUBDIVISION

MINERAL SPRINGS TOWNSHIP, MOORE COUNTY,
PINEHURST, NORTH CAROLINA
NOVEMBER 3, 2022 -*- SCALE 1"=40'

CHRISTOPHER WENTLAND, PLS
LAND SURVEYING-LAND PLANNING
PINEHURST, NORTH CAROLINA

0 40 80 120

EXHIBIT A-4.1

EXHIBIT A-4.2



EXHIBIT A-4.3