



**BOARD OF ADJUSTMENT  
REGULAR MEETING (ELECTRONIC)  
THURSDAY, MARCH 4, 2021  
ASSEMBLY HALL  
395 MAGNOLIA ROAD  
PINEHURST, NORTH CAROLINA  
IMMEDIATELY FOLLOWING PLANNING & ZONING BOARD**

**Board Members Present:**  
Julia Latham, Chair\*  
Cyndie Burnett  
David Alzamora  
Jack Farrell  
Phillip Shumaker, Alternate\*

**Board Members Absent:**  
Jeremy Hooper

**Staff Present:**  
Alex Cameron, Senior Planner  
Peter Hughes, Senior Planner  
Kelly Brown, Clerk to the Board

There were no public attendees.

**I. Call to Order**

Ms. Latham called the meeting to order at 4:30 pm and confirmed a quorum was present. \*Ms. Latham and Mr. Shumaker participated remotely via Zoom meeting platform.

Ms. Burnett moved to seat Mr. Shumaker as a voting member of the Board. Seconded by Mr. Alzamora. Approved by a vote of 4-0.

**II. Approval of Minutes**

**A. 02-04-2021 Regular Meeting Minutes**

Ms. Burnett moved to approve the minutes of the February 4, 2021 regular meeting minutes. Seconded by Mr. Farrell. Approved by a vote of 5-0.

**III. Public Hearing**

**A. Public Hearing No. 1**

Mr. Alzamora moved to recess the regular meeting and move into Public Hearing No. 1. Seconded by Mr. Farrell. Approved by a vote of 5-0.

Senior Planner Peter Hughes was sworn into the public hearing. Mr. Farrell, Ms. Burnett, and Ms. Latham disclosed they conducted a site visit.

Mr. Hughes stated the purpose of the public hearing was to receive testimony for a variance request from Section 9.2a Tables of Dimensional Requirements for the property addressed as 70 Maple Road, further identified by Moore County PID # 00018218. This property is located within the R-10 (High Density Residential) Zoning District and the Local Historic Preservation Overlay District. Specifically, the applicant and owner, Jason Tanner, is requesting a variance from the 30' Minimum Front Yard Setback. Mr. Hughes provided background on the property from the staff report. He entered the following evidence into the record: staff report, presentation, application, applicant's materials, photos/site plans, and findings of fact.

Applicant Dan Degree of Step One Design was sworn into the public hearing. He stated according to the surveyor, the existing porch is 22.73' setback from the front property line and the proposed

porch is 22.6' setback from the front property line, which he believes is a mistake. The difference between the existing porch and proposed is 16" according to the architectural drawings submitted. Therefore, the surveyor setback should read 21.6' setback from the front property line for the proposed porch.

Upon questioning by Mr. Farrell, Mr. Hughes stated the existing non-conformity of the porch would be eliminated if the Board were to grant the variance. He stated the porch would no longer be non-conforming as it would not be encroaching with the newly approved setback.

Mr. Degre stated the homeowners are proposing to remove existing material from the front porch to expose original material – including cedar shingles, pine trim, and wood windows. He stated the homeowners would like to use new materials that match original materials. Mr. Degre stated they are proposing to add a small roof over the porch in order to make it usable.

Mr. Degre stated based on the architectural drawings submitted, the difference between the historic porch and the currently existing porch is 16 inches in depth, steps not included. Sixteen inches is the variance being requested, not 4'.

Mr. Farrell referred to Exhibit K and stated the photograph was taken from an angle and is misleading. Ms. Latham noted that there was no one present to authenticate Exhibit K. Property owner Jason Tanner, and girlfriend Rebecca Carpenter, were sworn into the public hearing. Ms. Carpenter stated she visited the Tufts Archive to investigate the history of the property, and took a picture of the photograph that was provided to her as Idlewild Cottage by the Archives. The Board agreed to allow Exhibit K as part of the evidence for the record.

Mr. Farrell and Ms. Burnett questioned the reference of lot 1604 in Exhibit B. Referring to Exhibit B, Mr. Hughes stated that lot 1604 is the subject property (prior to subdivision). Mr. Degre stated the subject property is lot 1603. Ms. Latham stated more evidence showing the outline of the property demonstrating the historic or original porch would be useful.

The Board and Staff discussed discrepancies in the dimensions of the variance request found in the evidence submitted and the lack of historical evidence supporting the fact that the proposed changes would return the property to a more original state.

Mr. Degre stated the hardship is to get the depth of porch back to the existing size. Mr. Farrell corrected Mr. Degre's statement to reflect the "original size". Mr. Degre agreed. Mr. Tanner stated the hardship is that the home is 115 years old. He stated today's standards are being imposed on a historic property. He stated they would like to make it a usable porch and make the home beautiful, doing justice to the home and neighborhood.

Ms. Burnett asked about the side porch, which, also, overlooks the street. Ms. Burnett questioned whether the owners have considered using the side porch. Mr. Tanner stated they will be removing the side porch as it is located in the driveway.

Upon questioning by Mr. Farrell, Mr. Hughes stated the porch could be expanded to the north without expanding the non-conformity. Mr. Degre stated there were two issues with this – it cannot be structurally attached in that way and it would still be too shallow to be comfortable. He stated it needed to be deeper in order to function.

Upon questioning by the Board, Mr. Hughes confirmed there are other lots in the Historic District that have non-conformities and are subject to current setback regulations.

Ms. Burnett asked if there were any other historical photographs of the property. Mr. Tanner stated they did not have any. The Board stated they could not consider other expansions of non-conformities as each variance is based on the individual property and request before them.

The Board discussed needing clarification as to the request and the current and proposed setbacks.

Mr. Shumaker moved to continue Public Hearing No. 1 until March 11<sup>th</sup>, 2021 at 04:00 PM to amend the application for the variance. Seconded by Mr. Farrell. Approved by a vote of 5-0.

**IV. Next Meeting Date**

**A. Regular Meeting on April 8, 2021** (If the Board has business to conduct)

**V. Motion to Adjourn**

Mr. Hooper moved to adjourn the meeting. Seconded by Mr. Alzamora. Approved by a vote of 5-0 at 6:10 pm.

Respectfully Submitted,



Kelly Brown  
Clerk to the Board &  
Planning Administrative Specialist  
Village of Pinehurst

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