



**BOARD OF ADJUSTMENT
REGULAR MEETING
THURSDAY, December 4th, 2025
ASSEMBLY HALL
395 MAGNOLIA ROAD
PINEHURST, NORTH CAROLINA
04:00 PM or IMMEDIATELY FOLLOWING THE P&Z MEETING**

Board Members Present:

Matt Jones
Devin Macfarlane
Bruce Hironimus
Bill Colmer
Ed Krogulski

Staff Present:

Alex Cameron, Planning & Inspections
Director
Michael Mandeville, Senior Planner
Maria Klein, Senior Planner

Approximately 2 members of the public were in attendance.

I. Call to Order

Mr. Jones called December 4th, 2025, meeting to order at 5:47 PM.

A quorum was confirmed by Mr. Jones.

Mr. Jones stated due to the absence of a Ms. Mercurio, Mr. Krogulski would need to be seated.

Mr. Macfarlane moved to have Mr. Krogulski seated as voting member of the Board of Adjustment. Seconded by Mr. Hironimus. Approved by a vote of 4-0.

II. Approval of Minutes

Mr. Colmer moved to approve the minutes of August 7th, 2025, Regular Meeting. Seconded by Mr. Hironimus. Approved by a vote of 5-0.

III. Public Hearing

Mr. Hironimus moved to recess the Regular Meeting and enter the Public Hearing. Seconded by Mr. Colmer. Approved by a vote of 5-0.

Mr. Jones gave a brief overview of the procedures and requirements for a quasi-judicial hearing and confirmed no board members had engaged in any ex-parte communication.

Mr. Mandeville was sworn into the Public Hearing and testified as follows.

A. 35 Salem Drive (PLN-2025-00125)

The purpose of the public hearing is to receive testimony for a variance request from Pinehurst Development Ordinance Section 9.2a Table of Dimensional Requirements for the property which is located at 35 Salem Drive, further identified by Moore County PID #00019828. The property is located within the R-10 Zoning District. Specifically, the applicant, Brian Allard, is requesting a variance to reduce the rear yard setback for an accessory building from 10' to the 5' requirement for a storage shed.

Mr. Mandeville provided an overview of the variance request. He explained that a permit for an accessory structure (storage shed) with no dimension greater than 12 feet was issued in August 2024, which requires a 5-foot rear setback. During the final inspection, the structure was found to exceed the 12-foot maximum, reclassifying it as an accessory building that must meet a 10-foot setback. The structure was measured at 6.1 feet from the rear property line, resulting in a 3.9-foot encroachment. Staff informed the applicant of the setback issue and reviewed available compliance options. The applicant applied for a variance request on November 7th, 2025.

Mr. Jones asked if any Board members had questions for Staff.

Mr. Colmer inquired if both length and width dimensions were exceeded. Mr. Mandeville confirmed both dimensions exceeded the limit of 2 5/8 inches.

Brian and Darcy Allard, applicants were sworn into the public hearing.

Mr. Allard stated that he acted in good faith and did not intend for the shed to exceed the permitted size. He confirmed that he calculated all measurements to ensure compliance and noted the shed sits on a raised platform to protect from water and snow. Mr. Allard stated he spoke with the concrete contractor and informed him was building a 12x12 shed. The contractor poured the slab, after which Mr. Allard began building the shed. He emphasized that the overage was unintentional and resulted from construction material, including sheathing and trim boards, which caused the final dimensions to slightly exceed the permitted size.

Mr. Cameron noted that any structure measuring 12x12 feet or less must meet architectural compatibility requirements with the principal or existing structure.

He also mentioned that Mr. Allard has been very amendable since the overage was discovered.

The Board, along with Mr. and Mrs. Allard, discussed the lot's topography and the flow of stormwater drainage.

Mr. Jones opened the public hearing for public comment.

Randy Murzyn, 40 Salem Drive stated he has no objections to the project and believes Mr. Allrad has done a commendable job constructing the structure.

The Board entered deliberation and reviewed the four conditions used to evaluate and approve a variance.

Mr. Hironimus moved the Board of Adjustment to approve the variance request at 35 Salem Drive.

- A. Unnecessary hardship would result from the strict application of the ordinance. It would require the owner to demolish and rebuild the entire structure and relocate.**
- B. The hardship results from conditions that are peculiar to the property. The topography in that neighborhood is vulnerable to stormwater runoff frequently. This is common to that neighborhood and that particular property.**
- C. The hardship did not result from actions taken by the applicant or the property owner. The owner intended to conform with the requirements currently in place in the Village of Pinehurst. The contractor made an error, which the owners are now dealing with.**
- 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. The applicant attempted to comply and went through the appropriate building process. It would be unfair to be adjudicated differently.**

Seconded by Mr. Colmer. Approved by a vote of 4-1. Mr. Jones voted against. Mr. Colmer moved to close the Public Hearing and re-enter the Regular Meeting. Seconded by Mr. Macfarlane. Approved by a vote of 5-0.

IV. Next Meeting Date

- A. 01-08-2026 Regular Meeting (If Board Has Business to Conduct)**

V. Motion to Adjourn

Mr. Colmer moved to adjourn the Regular Meeting at 6:40 PM. Seconded by Mr. Macfarlane. Approved by a vote of 5-0.

Respectfully Submitted,



Jeanann Dawson
Clerk to the Board &
Planning Administrative Specialist
Village of Pinehurst

A recording of this meeting is 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.