



GUILFORD COUNTY PLANNING AND DEVELOPMENT

BOARD OF ADJUSTMENT AGENDA

Carolyn Q. Coleman Conference Room
First Floor, Old Guilford County Courthouse
301 W Market St, Greensboro, NC 27401

May 5, 2026

Regular Meeting

6:00 PM

I. Roll Call

II. Agenda Amendments

III. Approval of Minutes: March 3, 2026

IV. Rules and Procedures

V. Old Business

A. VARIANCE CASE #26-01-BOA-00001: 5305 MOCKINGBIRD RD, GREENSBORO, NC 27406

Pursuant to N.C.G.S. 160D-406(j), approve Order(s) Granting a Variance with respect to the application submitted by Kris Youngblood for the property at 5305 Mockingbird Road (Guilford County Tax Parcel #134112 in Fentress Township), as heard and decided by the Board of Adjustment on March 3, 2026.

VI. New Business

Evidentiary Hearing Item(s)

A. VARIANCE CASE #26-02-BOA-00003: 6522 HAYWORTH SPRINGS RD JAMESTOWN, NC 27282

Oscar Moreno Bahena is requesting two variances from Unified Development Ordinance (UDO) Subsection 4.2.2.B, which requires a 40 ft. minimum setback from front property lines abutting local or collector streets and a 30 ft. minimum rear setback for properties zoned RS-40. Located at 6522 Hayworth Springs Rd, Jamestown, NC 27282 (Guilford County Tax Parcel #161302 in Jamestown Township), the subject property comprises 0.26 acres and is zoned RS-40-MH, Residential – Manufactured Housing Overlay.



GUILFORD COUNTY PLANNING AND DEVELOPMENT

The applicant is seeking the following variances:

1. A 15 ft. variance to allow a 25 ft. front setback in order to permit placement of a manufactured home on the property, in accordance with the submitted site plan.
2. A 9 ft. variance to allow a 21 ft. rear setback in order to permit placement of a manufactured home on the property, in accordance with the submitted site plan.

Information for **VARIANCE CASE #26-02-BOA-00003** can be viewed by scrolling to the May 5, 2026, regular meeting agenda and packet at <https://www.guilfordcountync.gov/government/departments-and-agencies/planning-and-development/boards-and-commissions/board-adjustment>.

B. VARIANCE CASE #26-04-BOA-00004: 4200 OAKCLIFFE RD, GREENSBORO, NC 27406

Christopher and Wendy Harr are requesting a variance from Unified Development Ordinance (UDO) Subsection 4.2.2.B, which requires a 15 ft. minimum side setback for properties zoned RS-40. Located at 4200 Oakcliffe Road, Greensboro, NC 27406 (Guilford County Tax Parcel #124886 in Clay Township), the subject property comprises 0.57 acres and is zoned RS-40, Residential.

The applicants are seeking a 9 ft. variance to allow a 6 ft. side setback in order to permit construction of a detached garage on the property, in accordance with the submitted sketch plan.

Information for **VARIANCE CASE #26-04-BOA-00004** can be viewed by scrolling to the May 5, 2026, regular meeting agenda and packet at <https://www.guilfordcountync.gov/government/departments-and-agencies/planning-and-development/boards-and-commissions/board-adjustment>.

VII. Other Business

A. Election of 2026 Officers

VIII. Adjournment

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**GUILFORD COUNTY
BOARD OF ADJUSTMENT
MEETING MINUTES**

John H. McAdoo Conference Room
Third Floor, Truist Building
201 W Market St, Greensboro, NC 27401

March 3, 2026

Call to Order

6:00 p.m.

Chair Miller called the meeting to order at 6:00 p.m. and welcomed everyone to the meeting. She asked staff to call the roll for those members present at the meeting.

I. Roll Call

Mr. Moss called the roll for attendance at this meeting:

Present: Ditra Miller, Chair; Franklin Havens; Carey Campbell; Ronasia Dougherty, Alternate

Absent: Willie Johnson, Vice Chair; Joshua Scott

The following Guilford County staff members were also present: Jason Hardin, Planning and Development Deputy Director; Avery Tew, Senior Planner; Troy Moss, Planner I; and Matthew Mason, Attorney.

II. Agenda Amendments

None.

III. Approval of Minutes: October 7, 2025

Mr. Havens moved to approve the October 7, 2025, minutes, as submitted. The motion was seconded by Mr. Campbell. The Board voted unanimously, 4-0, in favor of the motion. (Ayes: Miller, Havens, Campbell, Dougherty. Nays: None.)

IV. Rules and Procedures

Chair Miller explained the Rules and Procedures followed by the Board of Adjustment.

Chair Miller stated that there was a variance case on the agenda for tonight's meeting. She pointed out that there were only four members of the Board present at the meeting, so the applicant has the option of continuing this case until the next meeting. The applicant, Kris Youngblood, stated that he would like to go ahead and have the case heard tonight.

V. Old Business

None.

VI. New Business

Evidentiary Hearing Item(s)

At this time, Chair Miller swore in or affirmed all individuals who intended to speak or provide testimony on the variance case on the meeting agenda.

A. VARIANCE CASE #26-01-BOA-00001: 5305 MOCKINGBIRD RD, GREENSBORO, NC 27406 (TWO VARIANCES – GRANTED)

Kris Youngblood is requesting two variances from Guilford County Unified Development Ordinance (UDO) Subsection 4.2.2.B, which requires a 15 ft. minimum side setback for properties zoned Residential-40, RS-40. Located at 5305 Mockingbird Rd, Greensboro, NC 27406 (Guilford County Tax Parcel #134112 in Fentress Township), the subject property comprises 0.52 acres and is zoned RS-40, Residential.

The applicant is seeking the following variances:

1. A 12 ft. variance to allow a 3 ft. side setback in order to permit construction of an attached garage, in accordance with the submitted site plan.
2. A 5 ft. variance to allow a 10 ft. side setback in order to permit construction of a screened porch and a heated addition to the existing home, in accordance with the submitted site plan.

Mr. Tew summarized the case and explained that the applicant was proposing various additions to the home, some of which would encroach into the required side setback. The proposed additions would require two variances because different additions would encroach into the setback to different extents. The surrounding area is predominantly residential. Topography on site slopes moderately downward toward the lake to the east of the property. Mr. Tew noted that adjacent property owners had been notified and a hearing notification sign had been posted on the subject property, in addition to the legal notice published on the County's legal notices website.

Chair Miller asked that anyone wishing to speak in favor of the application to come forward.

Kris Youngblood, applicant, stated that with strict application of the Ordinance, a two-car garage would not be possible on this property. There would be no other way to place a shelter for vehicles on the property, based on the placement of the house on the property and its proximity to the property lines. The hardship results from conditions that are particular to the property and from the unique characteristics of the property, including the lot width, existing house placement, and site constraints such as the steep grade on the sides of the house through the rear of the property. No other location for the proposed garage and addition are feasible because of the well in front of the house, the septic in the rear. Any other location also would not allow functional access, safe circulation, or be compatible with the architectural design of the house. The hardship did not result from actions taken by the property owner because the house is as-is on a pre-existing lot and is not a result of any actions taken or created by the homeowner. 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, in that the requested variance is the minimum relief necessary to allow for the proposed reasonable and customary residential improvement. The proposed additions are consistent with other homes in the area and will not alter the residential character of the neighborhood, impair adjacent properties, or create safety or drainage issues. They plan to capture and divert all water runoff. The proposed additions will not interfere with neighbors' enjoyment of light and privacy. Finally,

it will further improve safety by allowing for off-street parking in the garage, as opposed to parking on the street.

Chair Miller asked how long Mr. Youngblood had owned the property. Mr. Youngblood responded that he has owned the property since the fall of 2022 or 2023.

Chair Miller asked how many cars Mr. Youngblood needed to park elsewhere due to the lack of an enclosed garage. Mr. Youngblood responded that he owns three cars. He currently has to park one or two of them uncovered in the driveway.

Chair Miller asked how the proposed heated addition would be used? Mr. Youngblood responded that the heated addition would take the place of the existing carport. It would be enclosed and turned into an office.

Lee Comer, 1706 Madison Avenue, Greensboro, NC 27403, stated that she is the general contractor for this project. She had been working on an interior renovation of the first floor and basement of the home. When the homeowner expressed interest in adding storage and a garage, she started looking at options, which she felt were very limited. She had contacted a consultant to advise them on the septic and well location. Based on that information, she felt the only option they had was for the garage to come out in front of the house. They had looked at neighboring properties to determine how they had handled similar situations, which informed their strategy. In the back yard, there was no option to move the septic lines or tank, which prevented construction of a garage in the back yard. A detached garage would also not work. Some of the neighbors had built similar L-shaped additions. She felt that this was the only option that would enable the homeowner to meet his needs for a living space.

Chair Miller asked how close the additions would be to the neighboring house? Ms. Comer thought it was about 15 ft. Mr. Youngblood added that the house sits at an angle to the property line, so it was difficult to estimate. Ms. Comer said that if the concern was privacy or water runoff, they had addressed those concerns with the neighboring property owner, who had nothing but supportive things to say. She pointed out that there were several nearby homes with similar setups, so this would be in character with the neighborhood.

Mr. Mason asked how many bedrooms and bathrooms currently exist in the home? Mr. Youngblood responded that there were three bedrooms and three bathrooms.

Chair Miller asked if there had been any complaints or comments from neighbors? Mr. Tew responded that staff had not been contacted about the case.

There being no other speakers, Chair Miller closed the evidentiary hearing by acclamation.

Chair Miller moved that the Guilford County Board of Adjustment, having held a duly-noticed hearing on March 3, 2026, to consider Case #26-01-BOA-00001, submitted by Kris Youngblood, grant a 12 ft. variance to allow a 3 ft. side setback in order to permit construction of an attached garage, in accordance with the submitted site plan, with respect to the property located at 5305 Mockingbird Road, Greensboro, NC 27406, being Tax Parcel #134112, in a manner not permissible under the literal terms of the Ordinance, and having heard all the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACT and draws the following CONCLUSIONS:

1. It is the Board's CONCLUSION that unnecessary hardship **will** 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. This conclusion is based on the following FINDINGS OF FACT: **With strict application of the Ordinance, a two-car garage would not be possible on the property, and there would be no other way to shelter vehicles or storage.**
2. It is the Board's CONCLUSION that the hardship **does** 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. This conclusion is based on the following FINDINGS OF FACT: **Hardship results from the unique characteristics of the lot, including its width, existing house placement, and site constraints such as the steep grade from the sides of the house through the rear of the property. No other locations for the garage addition are feasible because of the well in the front of the house and the septic system in the rear, and/or would not allow functional access, safe circulation, and be compatible with the architectural design of the home.**
3. It is the Board's CONCLUSION that the hardship **does not** result from actions taken by the applicants or the property owners. 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. This conclusion is based on the following FINDINGS OF FACT: **The house as is sits on the pre-existing lot and is not a result of actions taken by or created by the homeowner.**
4. It is the Board's CONCLUSION that 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 conclusion is based on the following FINDINGS OF FACT: **The requested variance is the minimum relief necessary to allow for this reasonable and customary residential improvement that is consistent with other homes in the area. It will not alter the residential character of the neighborhood, impair adjacent properties, or create a safety or drainage issue. The applicant plans to capture and divert all water runoff. The variance will not interfere with neighbors' enjoyment of light or privacy. It will further improve public safety by allowing parking in the garage versus parking on the street.**

Therefore, on the basis of all the foregoing, Chair Miller moved that a 12 ft. variance to allow a 3 ft. side setback in order to permit construction of an attached garage, in accordance with the submitted site plan, be granted subject to the following: compliance with all local, state and federal laws. The motion was seconded by Mr. Campbell. The Board voted unanimously, 4-0, in favor of the motion. (Ayes: Miller, Havens, Campbell, Dougherty. Nays: None.)

Chair Miller reopened the evidentiary hearing so that Board members could ask additional questions of the applicant and witness(es).

Mr. Campbell asked if the applicant had any additional information concerning the variance for the screened porch and heated addition. Ms. Comer responded that the hardships

faced by the applicant were essentially the same for both variances. Given the footprint and layout of the house, they were not proposing to change where the kitchen, living space, or bedrooms were located within the house. To construct a laundry room and office on the other side of the house would create a very odd flow within the house. You would have to pass through a bedroom to get to the addition. By modernizing the home, it will allow Mr. Youngblood to age in place at this home.

Ms. Comer stated that, with respect to the 5 ft. variance to construct the heated addition and covered porch, Mr. Youngblood would face a hardship as a result of strict application of the Ordinance in that he would not be able to add an addition to his home where it makes logical sense to do so. This is the result of the same conditions that are unique to the property and similarly was not caused by Mr. Youngblood's actions. Finally, this variance would also not jeopardize safety. She was very conscious when deciding where to place windows to preserve privacy.

Chair Miller closed the evidentiary hearing by acclamation.

Mr. Campbell moved that the Guilford County Board of Adjustment, having held a duly-noticed hearing on March 3, 2026, to consider Case #26-01-BOA-00001, submitted by Kris Youngblood, grant a 5 ft. variance to allow a 10 ft. side setback in order to permit construction of a screened porch and heated addition, in accordance with the submitted site plan, with respect to the property located at 5305 Mockingbird Road, Greensboro, NC 27406, being Tax Parcel #134112, in a manner not permissible under the literal terms of the Ordinance, and having heard all the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACT and draws the following CONCLUSIONS:

1. It is the Board's CONCLUSION that unnecessary hardship **will** 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. This conclusion is based on the following FINDINGS OF FACT: **Bringing the building up to code and modernizing the design of the home will enable the homeowner to age in place. Strict application of the Ordinance would prevent addition of the needed office, half-bathroom, laundry/mudroom, and screened porch. The requested variance is the only way to enable the proposed addition.**
2. It is the Board's CONCLUSION that the hardship **does** 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. This conclusion is based on the following FINDINGS OF FACT: **Hardship results from the unique characteristics of the lot, including its width, existing house placement, and site constraints such as the steep grade from the sides of the house through the rear of the property. No other locations for the needed office, half-bathroom, laundry/mudroom, and screened porch are feasible because of the well in the front of the house and the septic system in the rear, and/or would not allow functional access, safe circulation, and be compatible with the architectural design of the home.**

3. It is the Board's CONCLUSION that the hardship **does not** result from actions taken by the applicants or the property owners. 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. This conclusion is based on the following FINDINGS OF FACT: **The house as is sits on the pre-existing lot and is not a result of actions taken by or created by the homeowner.**
4. It is the Board's CONCLUSION that 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 conclusion is based on the following FINDINGS OF FACT: **The requested variance is the minimum relief necessary to allow for this reasonable and customary residential improvement that is consistent with other homes in the area. It will not alter the residential character of the neighborhood or impair adjacent properties. The variance will not interfere with neighbors' enjoyment of light or privacy. It will further improve public safety by allowing the heated square footage needed for the office, half-bathroom, laundry/mudroom, and screened porch, in addition to the attached two-car garage with storage area in front of the existing carport, thus creating a larger, safer indoor environment for the residents and their property.**

Therefore, on the basis of all the foregoing, Mr. Campbell moved that a 5 ft. variance to allow a 10 ft. side setback in order to permit construction of a screened porch and heated addition to the existing home, in accordance with the submitted site plan, be granted subject to the following: compliance with all local, state and federal laws. The motion was seconded by Chair Miller. The Board voted unanimously, 4-0, in favor of the motion. (Ayes: Miller, Havens, Campbell, Dougherty. Nays: None.)

VII. Other Business

Election of 2026 Officers

Chair Miller noted that two regular members were absent from this meeting. She moved to reschedule the Election of 2026 Officers agenda item to the April 7, 2026, regular meeting. The motion was seconded by Mr. Havens. The Board voted unanimously, 4-0, in favor of the motion. (Ayes: Miller, Havens, Campbell, Dougherty. Nays: None.)

VIII. Adjournment

There being no further business before the Board, Chair Miller adjourned the meeting by acclamation at 6:57 p.m.

The next regular meeting of the Guilford County Board of Adjustment is scheduled for April 7, 2026, at 6:00 p.m. in the Carolyn Q. Coleman Conference Room, located on the first floor of the Old Guilford County Courthouse, 301 W Market St, Greensboro, NC 27402.

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**GUILFORD COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
400 W. Market St.
P. O. Box 3427
Greensboro, NC 27402
(336) 641-3334**

**GRANTING OF A VARIANCE
(SIDE SETBACK – PORCH AND HEATED ADDITION)**

The Guilford County Board of Adjustment (“the Board”), held a duly-noticed hearing on **Tuesday, March 3, 2026**, to consider **Case #26-01-BOA-00001**, a Variance Application submitted by **Kris Youngblood**, seeking a variance from the provisions of Unified Development Ordinance (UDO) Section 4.2.2.B to use the property located at **5305 Mockingbird Rd, Greensboro, NC 27406** (being Tax Parcel **#134112** in Fentress Township) in a manner not permissible under the literal terms of the ordinance.

The application sought a 5 ft. variance to allow a 10 ft. side setback in order to permit construction of a screened porch and a heated addition to the existing home, in accordance with the submitted site plan.

Having considered all of the evidence and arguments presented at the hearing, the Board, based upon competent, material, and substantial evidence, upon motion duly made and seconded, and by unanimous vote, four (4) to zero (0), makes the following FINDINGS OF FACT¹ and draws the following CONCLUSIONS:

- 1) The Board concludes that unnecessary hardship **would** result from the strict application of the UDO, based on the following findings of fact:

Bringing the building up to code and modernizing the design of the home will enable the homeowner to age in place. Strict application of the Ordinance would prevent addition of the needed office, half-bathroom, laundry/mudroom, and screened porch. The requested variance is the only way to enable the proposed addition.

- 2) The Board concludes that the hardship **does** result from conditions that are peculiar to the property, such as location, size, or topography, based on the following findings of fact:

Hardship results from the unique characteristics of the lot, including its width, existing house placement, and site constraints such as the steep grade from the sides of the house through the rear of the property. No other locations for the needed office, half-bathroom, laundry/mudroom, and screened porch are feasible because of the well in the front of the house and the septic system in the rear, and/or would not allow functional access, safe circulation, and be compatible with the architectural design of the home.

- 3) The Board concludes that the hardship **does not** result from actions taken by the Applicant, the property owner, based on the following findings of fact:

The house as is sits on the pre-existing lot and is not a result of actions taken by or created by the homeowner.

- 4) The Board concludes that 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, based on the following findings of fact:

The requested variance is the minimum relief necessary to allow for this reasonable and customary residential improvement that is consistent with other homes in the area. It will not alter the residential character of the neighborhood or impair adjacent properties. The variance will not interfere with neighbors' enjoyment of light or privacy. It will further improve public safety by allowing the heated square footage needed for the office, half-bathroom, laundry/mudroom, and screened porch, in addition to the attached two-car garage with storage area in front of the existing carport, thus creating a larger, safer indoor environment for the residents and their property.

¹ The Board has made all factual findings herein by the greater weight of the evidence, placing the burden of proof on the Applicant.

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the Application for the described variance from the literal terms of UDO Section 4.2.2.B with respect to the Property is **GRANTED** as follows, subject to compliance with all local, state, and federal laws:

- 1. A 5 ft. variance to allow a 10 ft. side setback in order to permit construction of a screened porch and a heated addition to the existing home, in accordance with the submitted site plan.

ORDER APPROVED BY THE GUILFORD COUNTY BOARD OF ADJUSTMENT ON this the ___ day of May, 2026, as follows (N.C. Gen. Stat. 160D-406(i)):

Ditra Miller, Chair Approved Not Approved _____
Signature

Willie Johnson, Vice Chair Approved Not Approved _____
Signature

Franklin Havens, Member Approved Not Approved _____
Signature

Carey Campbell, Member Approved Not Approved _____
Signature

Joshua Scott, Member Approved Not Approved _____
Signature

Larry Standley, Alternate Approved Not Approved _____
Signature

Ronasia Dougherty, Alternate Approved Not Approved _____
Signature

Dr. LaToya Gathers, Alternate Approved Not Approved _____
Signature

SO ORDERED, this the ___ day of May, 2026.

Ditra Miller, Chair
Guilford County Board of Adjustment

Witness

STATE OF NORTH CAROLINA
COUNTY OF FORSYTH

I certify that Avery Tew personally appeared before me this day and certified to me under oath or by affirmation that he is not a grantee or beneficiary of the transaction, and that Avery Tew witnessed/recognizes the signatures of Ditra Miller, Franklin Havens, Carey Campbell, and Joshua Scott, and that the signatures are genuine.

Date: _____

Jessie H. Baptist, Notary Public

My commission expires: _____

Official Seal



**GUILFORD COUNTY
DEPARTMENT OF PLANNING & DEVELOPMENT
400 W. Market St.
P. O. Box 3427
Greensboro, NC 27402
(336) 641-3334**

**GRANTING OF A VARIANCE
(SIDE SETBACK – GARAGE)**

The Guilford County Board of Adjustment (“the Board”), held a duly-noticed hearing on **Tuesday, March 3, 2026**, to consider **Case #26-01-BOA-00001**, a Variance Application submitted by **Kris Youngblood**, seeking a variance from the provisions of Unified Development Ordinance (UDO) Section 4.2.2.B to use the property located at **5305 Mockingbird Rd, Greensboro, NC 27406** (being Tax Parcel **#134112** in Fentress Township) in a manner not permissible under the literal terms of the ordinance.

The application sought a 12 ft. variance to allow a 3 ft. side setback in order to permit construction of an attached garage, in accordance with the submitted site plan.

Having considered all of the evidence and arguments presented at the hearing, the Board, based upon competent, material, and substantial evidence, upon motion duly made and seconded, and by unanimous vote, four (4) to zero (0), makes the following FINDINGS OF FACT¹ and draws the following CONCLUSIONS:

- 1) The Board concludes that unnecessary hardship **would** result from the strict application of the UDO, based on the following findings of fact:

With strict application of the Ordinance, a two-car garage, which is a reasonable expectation and need for a residence of this size (3 bedrooms, 3 bathrooms) in this location, would not be possible on the property, and there would be no other way to shelter vehicles or storage.

- 2) The Board concludes that the hardship **does** result from conditions that are peculiar to the property, such as location, size, or topography, based on the following findings of fact:

Hardship results from the unique characteristics of the lot, including its width, existing house placement, and site constraints such as the steep grade from the sides of the house through the rear of the property. No other locations for the garage addition are feasible because of the well in the front of the house and the septic system in the rear, and/or would not allow functional access, safe circulation, and be compatible with the architectural design of the home.

- 3) The Board concludes that the hardship **does not** result from actions taken by the Applicant, the property owner, based on the following findings of fact:

The house as is sits on the pre-existing lot and is not a result of actions taken by or created by the homeowner.

- 4) The Board concludes that 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, based on the following findings of fact:

The requested variance is the minimum relief necessary to allow for this reasonable and customary residential improvement that is consistent with other homes in the area. It will not alter the residential character of the neighborhood, impair adjacent properties, or create a safety or drainage issue. The applicant plans to capture and divert all water runoff. The variance will not interfere with neighbors' enjoyment of light or privacy. It will further improve public safety by allowing parking in the garage versus parking on the street.

¹ The Board has made all factual findings herein by the greater weight of the evidence, placing the burden of proof on the Applicant.

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the Application for the described variance from the literal terms of UDO Section 4.2.2.B with respect to the Property is **GRANTED** as follows, subject to compliance with all local, state, and federal laws:

1. A 12 ft. variance to allow a 3 ft. side setback in order to permit construction of an attached garage, in accordance with the submitted site plan.

ORDER APPROVED BY THE GUILFORD COUNTY BOARD OF ADJUSTMENT ON this the ___ day of April, 2026, as follows (N.C. Gen. Stat. 160D-406(i)):

Ditra Miller, Chair	<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	_____	Signature
Willie Johnson, Vice-Chair	<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	_____	Signature
Franklin Havens, Member	<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	_____	Signature
Carey Campbell, Member	<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	_____	Signature
Joshua Scott, Member	<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	_____	Signature
Larry Standley, Alternate	<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	_____	Signature
Ronasia Dougherty, Alternate	<input type="checkbox"/> Approved <input type="checkbox"/> Not Approved	_____	Signature

SO ORDERED, this the ___ day of April, 2026.

Ditra Miller, Chair
Guilford County Board of Adjustment

Witness

STATE OF NORTH CAROLINA
COUNTY OF FORSYTH

I certify that Avery Tew personally appeared before me this day and certified to me under oath or by affirmation that he is not a grantee or beneficiary of the transaction, and that Avery Tew witnessed/recognizes the signatures of Ditra Miller, Franklin Havens, Carey Campbell, and Ronasia Dougherty, and that the signatures are genuine.

Date: _____

Jessie H. Baptist, Notary Public

My commission expires: _____

Official Seal

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GUILFORD COUNTY
PLANNING AND DEVELOPMENT

Board of Adjustment
Variance Application

Date Submitted: 02/27/2026 Fee \$426.00 Receipt # RSL-031854-2026 Case Number 26-02-BOA-00003
(includes \$26 recording fee)

PROPERTY INFORMATION

Address 6522 Hayworth Springs Rd City Sumestown State NC Zip Code 27248
Tax Parcel # 161302 Zoning: RS-40-MH
Plat Book & Page 8997 17-13 Deed Book & Page 8997-1878 Township JAMESTOWN

OWNER INFORMATION

Name Oscar Moreno Bahena Phone Number 336 507-9338
Address 7418 Chaseford Rd City Liberty State NC Zip Code 27298
Email Omoreno783@gmail.com
Owner Signature Oscar Moreno Bahena
I certify that all information presented by me in this application is accurate to the best of my knowledge, information, and belief.

APPLICANT INFORMATION – *If not property owner, a notarized statement of permission is required from the property owner.*

Name Sume us applicant Phone Number _____
Address _____ City _____ State _____ Zip Code _____
Email _____
Applicant Signature Oscar Moreno Bahena
I certify that all information presented by me in this application is accurate to the best of my knowledge, information, and belief.

TO THE GUILFORD COUNTY BOARD OF ADJUSTMENT:

I, Oscar Moreno Bahena, hereby petition the Board of Adjustment for a VARIANCE from the literal provisions of the Development Ordinance because, under the interpretation given to me by the Enforcement Officer, I am prohibited from using the parcel of land described above in a manner shown by the plot plan attached. I request a variance from the following provisions of the ordinance (cite section numbers):

40ft front setback to 25ft (15ft front setback variance) and 30ft rear setback to 21ft (9ft rear setback variance). (4.2.2.B)

If the plot plan does not adequately reveal the nature of the variance, the request is more fully described below:



GUILFORD COUNTY
PLANNING AND DEVELOPMENT

Board of Adjustment
Variance Application

FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the state enabling act, the Board is required to reach four conclusions before it may issue a variance: (1) that unnecessary hardship would result from the strict application of the ordinance; (2) that the hardship results from conditions that are peculiar to the property; (3) that the hardship did not result from actions taken by the applicant or the property owner; and (4) that 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.

In the spaces provided with the conclusions below, indicate competent, material and substantial evidence that you intend to show and the arguments that you intend to make to convince the Board that it can properly reach these four conclusions.

- 1) Unnecessary hardship would result from the strict application of the ordinance.

Unable to set new home on site. This site had an older home that has to be demolish. Meeting new setbacks and maintaining the septic and well setbacks is going to be nearly impossible.

- 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).

THE EXISTING HOUSE THAT WAS ON THIS LOT COULD NOT MEET THE REQUIREMENTS

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

THIS LOT WAS CREATED PRIOR TO THE ZONING TO RS40MA & WHEN THE ZONING WAS DONE, IT MADE SEVERAL LOTS NON CONFORMING, IN SIZE & SETBACK REQ^s

- 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.

THE VARIANCE THAT IS BEING ASKED FOR WOULD STILL BE IN COMPLIANCE WITH MOST OF THE NEIGHBORHOOD.

- Notes:
- No NCGS Monuments found within 2000' of property.
 - This project is not located within a special flood hazard area.
 - Area calculated by coordinate geometry.
 - All lines surveyed by Jerry C Callicutt are indicated by bold lines. All lines not surveyed by Jerry C Callicutt are indicated by dashed lines.
 - No attempt was made by this survey to locate all underground utilities nor any other easements that would be revealed by a title search.
 - Deeds and plats referenced (Guilford Co. registry):
Deeds:
DB 8997 PG 1878
Plats
PB 17 PG 13
 - Guilford County Parcel: 161302

LINE	BEARING	DISTANCE	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
L1	S 48° 26' 37" W	172.88	172.88	S 64° 23' 24" W	32° 34' 15"
C1	195.87	111.35	109.85		

DDC Investments LLC
DB: 2728 Pg: 1373
Parcel 161050

S 85° 26' 20" E 146.13
21.8'
S 85° 34' 57" E 199.88
199.88
S 04° 42' 06" W 68.81
20.0'

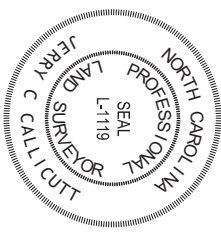
Randy E. Hughes
DB: 6647 Pg: 1517
PB: 17 Pg: 13
Parcel 161303

Wrennovation LLC
DB: 7595 Pg: 3006
PB: 17 Pg: 13
Parcel 161317

30' Rear Setback
0.287 Acres
12,503 sqft
Tract II
DB: 8997 Pg: 1878
Balance of Lot 186
PB: 17 Pg: 13
40' Front Setback
15' Side Setback

Proposed House

Hayworth Springs Rd.
50' Public R/W



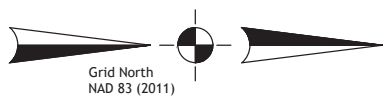
I, Jerry C Callicutt, Professional Land Surveyor, certify that:
This survey is of an existing parcel or parcels of land and does not create a new street or change an existing street.

I, Jerry C Callicutt, certify that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 8997, page 1878 or other reference source _____); that the boundaries not surveyed are indicated as drawn from information in Book See, page Notes or other reference source _____; 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 NCGS 56. 1600).
This the _____ day of _____, 2026.
Seal

Professional Land Surveyor _____

Legend

- Property Line
- Computed Property Line
- Right of Way Line
- Easement Line
- The Lines
- Old Plat Book Line
- Existing Iron Rod/Pipe
- NIR
- Point Not Set/Computed Point
- Well



THIS SURVEY IS NOT SUBJECT TO GS 47-30 AND IS NOT TO BE USED FOR RECORDING

Site Plan For:
Oscar Moreno Bahena
Jamestown Township Guilford County
North Carolina February 25, 2026
Scale: 1" = 30 US Survey Feet



Jerry C. Callicutt PLS
3618 Sainsbury Lane
Greensboro, NC 27409
336 706-9239

Job #: 6522HayworthSprings



Environmental Health Division Water Quality Section

400 W Market St.
Greensboro, NC 27401
(336) 641-7613

February 27, 2026

Permit #: 26-02-SAHR-00049

Oscar Bahena
7418 Chaseford RD
Liberty, NC 27298

Ref: 6522 HAYWORTH SPRINGS RD JAMESTOWN, NC 27282

Dear Oscar Bahena,

On February 17, 2026 a representative from this office visited your property for the purpose of inspecting a proposed improvement, as referenced above. The inspection verifies that the location of the improvement meets the minimum guidelines set forth in the rules and regulations.

The information has been forwarded to the Guilford County Planning and Development Office. Please contact them to find out when you may pick up the Building Permit.

If you have any questions regarding this matter, please contact this office at 336-641-7613 between the hours of 8:00 a.m. and 9:00 a.m., Monday through Friday.

This letter is to approve a switch-out from an existing SFR to a new double-wide SFR.

Sincerely,

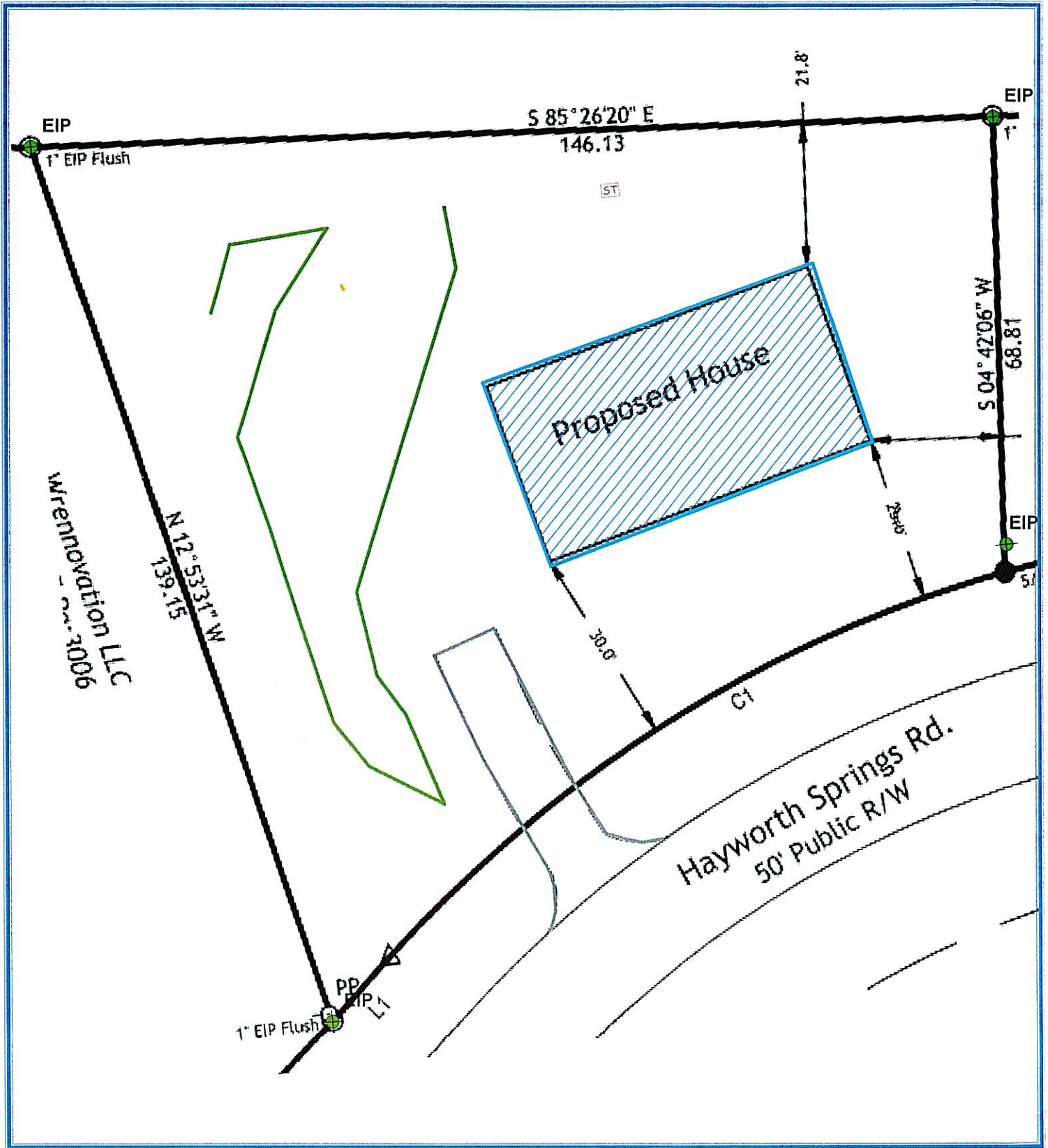
Matthew Skintz, REHS

Environmental Health Specialist

CC: Water Quality Unit Manager
Property File



Diagram



Address: 6522 Hayworth Springs Road

Permit #: 26-02-SAHR-00049

Issuer's Initials: MJS

Date: 2/27/2026



1 in = 20 ft

DISCLAIMER:

The data shown in this map is for public use. Guilford County makes no warranty to its accuracy; all data sets and maps are for geographical representation only. Page 2 of 2

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Summary

Oscar Moreno Bahena is requesting two variances from Unified Development Ordinance (UDO) Subsection 4.2.2.B, which requires a 40 ft. minimum setback from front property lines abutting local or collector streets and a 30 ft. minimum rear setback for properties zoned RS-40. Located at 6522 Hayworth Springs Rd, Jamestown, NC 27282 (Guilford County Tax Parcel #161302 in Jamestown Township), the subject property comprises 0.26 acres and is zoned RS-40-MH, Residential – Manufactured Housing Overlay.

The applicant is seeking the following variances:

1. A 15 ft. variance to allow a 25 ft. front setback in order to permit placement of a manufactured home on the property, in accordance with the submitted site plan.
2. A 9 ft. variance to allow a 21 ft. rear setback in order to permit placement of a manufactured home on the property, in accordance with the submitted site plan.

Property Information

- a. **Applicant(s)/Property Owner(s):** Oscar Moreno Bahena
- b. **Property Location:** 6522 Hayworth Springs Rd, Jamestown, NC 27282
- c. **Legal Description:** Part of Lot 186, Section 2 in Plat Book 17, Page 13 (see Deed Book 8997, Page 1878)
- d. **Zoning:** RS-40-MH, Residential – Manufactured Housing Overlay
 - i. Street setback: 40 ft.
 - ii. Side setback: 15 ft.
 - iii. Rear setback: 30 ft.

Character of the Area

- a. **Existing Land Use(s) on Property:** Vacant
- b. **Surrounding Uses:**
 - i. North: Undeveloped
 - ii. South: Residential; Place of Worship
 - iii. East: Residential
 - iv. West: Residential
- c. **Topographic and Stormwater Features:**
 - i. Topography: Ranges from nearly level to gently sloping per USGS maps.
 - ii. Regulated Floodplain: No regulated floodplain on site per FIRM map #3710782000J with effective date 6/18/2007.
 - iii. Wetlands: No mapped wetlands on site per the National Wetlands Inventory.
 - iv. Streams: No mapped streams on site per USGS/NRCS maps of Guilford County.
 - v. Watershed: The site lies within the Lower Randleman Lake WS-IV, GWA.



Variance Standards

Guilford County UDO Subsection 3.5.W.4.e(2): Grounds for Variance

- (a) The variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure. The fact that property may be utilized for greater profit, however, will not be considered adequate to justify the granting of a variance.
- (b) Neither the nonconforming use of lands, buildings or structures in the same zoning district, nor the permitted use of lands, buildings or structures in other zoning districts shall be considered as grounds for the issuance of a variance. Furthermore, mere financial hardship does not constitute grounds for the granting of a variance.
- (c) A variance may be granted where a building permit has been issued and, due to unintentional error of the Planning and Development Director in determining the location of the structure on the property, there is a minimal violation of the dimensional requirements, provided that such relief may be granted without substantially impairing the purpose and intent of this Ordinance.

Guilford County UDO Subsection 3.5.W.4.e(3): Findings of Fact

- (a) A variance may be granted by the Board of Adjustment if evidence presented by the applicant persuades it to reach the following findings of fact:
 - (i.) Unnecessary hardship would result from the strict application of the regulation. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
 - (ii.) 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 reasonable accommodation under the Federal Fair Housing Act for persons with disability.
 - (iii.) 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.
 - (iv.) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.



Application Timeline

Date of variance application:
February 27, 2026

Date adjacent property owner(s) notified:
April 23, 2026

Date sign posted on subject property:
April 23, 2026

Date legal notice posted on County website:
April 24, 2026

Date of hearing:
May 5, 2026

DRAFT



Sign Posting Photos

Subject Property



Across from Subject Property



Facing West

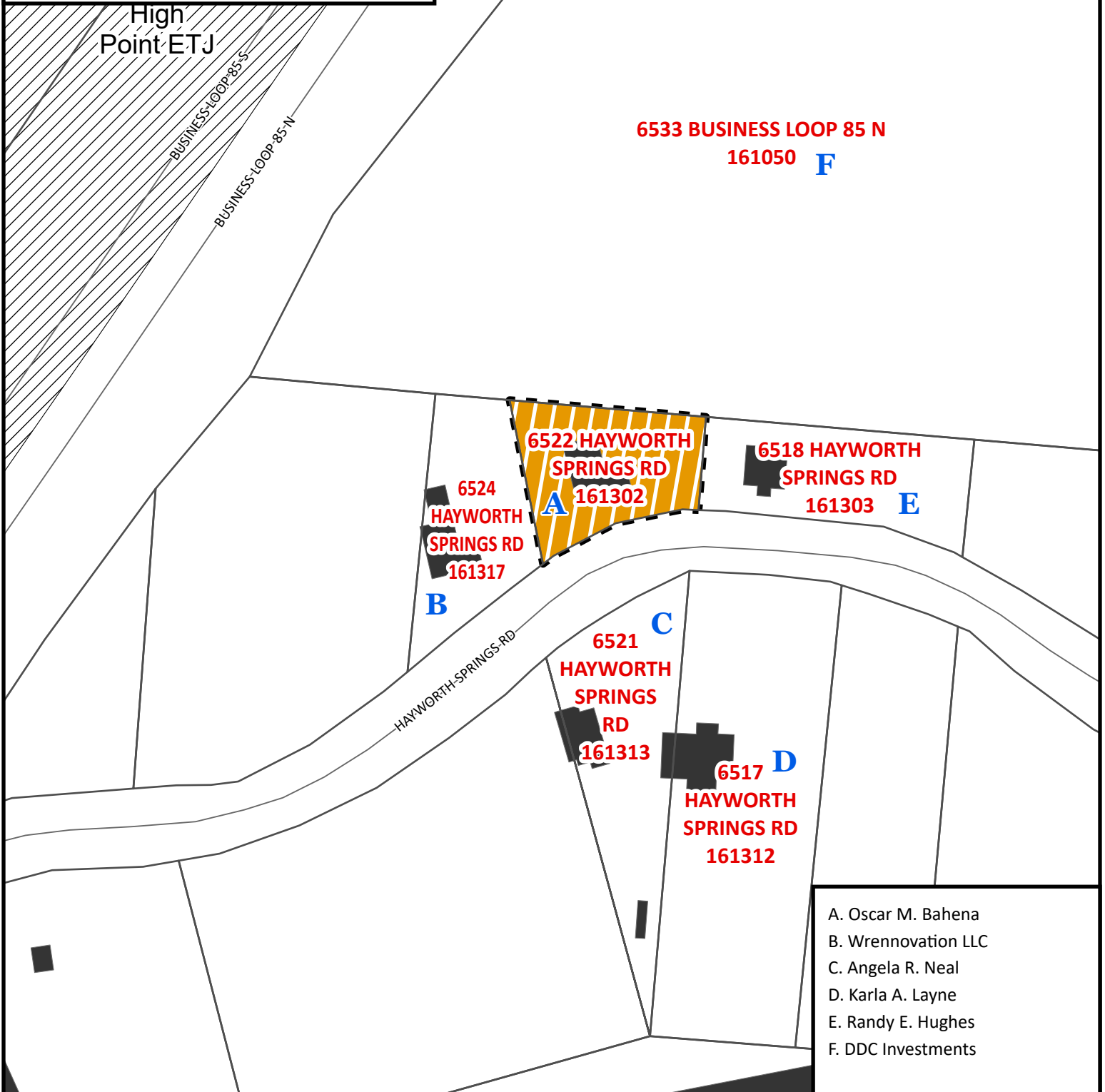


Facing East



Adjacent Properties Map

Variance: 6522 Hayworth Springs Rd
+/- 0.26 Acres



- A. Oscar M. Bahena
- B. Wrennovation LLC
- C. Angela R. Neal
- D. Karla A. Layne
- E. Randy E. Hughes
- F. DDC Investments



Planning & Development
Department

Jurisdiction:

GUILFORD COUNTY

Case Number:

26-02-BOA-00003

Case Area:

Parcel(s) - 161302
6522 Hayworth Springs Rd



Scale: 1" = 100'

Aerial Map

Variance: 6522 Hayworth
Springs Rd
+/- 0.26 Acres



Planning & Development
Department

Jurisdiction:

GUILFORD COUNTY

Case Number:

26-02-BOA-00003

Case Area:

Parcel(s) - 161302
6522 Hayworth Springs Rd



Scale: 1" = 200'



**GUILFORD COUNTY BOARD OF ADJUSTMENT
ORDER GRANTING A VARIANCE**

**CASE #26-02-BOA-00003
VARIANCE 1 (15 ft. - Front) WORKSHEET**

The Guilford County Board of Adjustment, having held a hearing on May 5, 2026, to consider Case #26-02-BOA-00003, submitted by Oscar Moreno Bahena, Variance 1: A request for a 15 ft. variance to allow a 25 ft. front setback in order to permit placement of a manufactured home on the property, in accordance with the submitted site plan, located at 6522 Hayworth Springs Rd, Jamestown, NC 27282, being Tax Parcel #161302, in a manner not permissible under the literal terms of the Ordinance, and having heard all of the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACTS and draws the following CONCLUSIONS:

- 1. It is the Board's CONCLUSION that unnecessary hardship **will** result from the strict application of the Ordinance. This conclusion is based on the following FINDINGS of FACT:

- 2. It is the Board's CONCLUSION that the hardship **does** result from conditions that are peculiar to the property, such as location, size or topography. This conclusion is based on the following FINDINGS OF FACT:

- 3. It is the Board's CONCLUSION that the hardship **does not** result from actions taken by the applicants or the property owners. This conclusion is based on the following FINDINGS OF FACT:

- 4. It is the Board's CONCLUSION that 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 conclusion is based on the following FINDINGS OF FACT:

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a VARIANCE be **GRANTED** subject to the following:

- 1. Compliance with all local, state and federal laws.



**GUILFORD COUNTY BOARD OF ADJUSTMENT
ORDER DENYING A VARIANCE**

**CASE #26-02-BOA-00003
VARIANCE 1 (15 ft. – Front) WORKSHEET**

The Guilford County Board of Adjustment, having held a hearing on May 5, 2026, to consider Case #26-02-BOA-00003, submitted by Oscar Moreno Bahena, Variance 1: A request for a 15 ft. variance to allow a 25 ft. front setback in order to permit placement of a manufactured home on the property, in accordance with the submitted site plan, located at 6522 Hayworth Springs Rd, Jamestown, NC 27282, being Tax Parcel #161302, in a manner not permissible under the literal terms of the Ordinance, and having heard all of the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACTS and draws the following CONCLUSIONS:

- 1. It is the Board’s CONCLUSION that unnecessary hardship **will not** result from the strict application of the Ordinance. This conclusion is based on the following FINDINGS OF FACT:

- 2. It is the Board’s CONCLUSION that the hardship **does not** result from conditions that are peculiar to the property, such as location, size or topography. This conclusion is based on the following FINDINGS OF FACT:

- 3. It is the Board’s CONCLUSION that the hardship **does** result from actions taken by the applicants or the property owners. This conclusion is based on the following FINDINGS OF FACT:

- 4. It is the Board’s CONCLUSION that the requested variance **is not** consistent with the spirit, purpose and intent of the Ordinance, such that public safety is secured and substantial justice is achieved. This conclusion is based on the following FINDINGS OF FACT:

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a VARIANCE be **DENIED**.



**GUILFORD COUNTY BOARD OF ADJUSTMENT
ORDER GRANTING A VARIANCE**

**CASE #26-02-BOA-00003
VARIANCE 2 (9 ft. - Rear) WORKSHEET**

The Guilford County Board of Adjustment, having held a hearing on May 5, 2026, to consider Case #26-02-BOA-00003, submitted by Oscar Moreno Bahena, Variance 2: A request for a 9 ft. variance to allow a 21 ft. rear setback in order to permit placement of a manufactured home on the property, in accordance with the submitted site plan, located at 6522 Hayworth Springs Rd, Jamestown, NC 27282, being Tax Parcel #161302, in a manner not permissible under the literal terms of the Ordinance, and having heard all of the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACTS and draws the following CONCLUSIONS:

- 1. It is the Board's CONCLUSION that unnecessary hardship **will** result from the strict application of the Ordinance. This conclusion is based on the following FINDINGS of FACT:

- 2. It is the Board's CONCLUSION that the hardship **does** result from conditions that are peculiar to the property, such as location, size or topography. This conclusion is based on the following FINDINGS OF FACT:

- 3. It is the Board's CONCLUSION that the hardship **does not** result from actions taken by the applicants or the property owners. This conclusion is based on the following FINDINGS OF FACT:

- 4. It is the Board's CONCLUSION that 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 conclusion is based on the following FINDINGS OF FACT:

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a VARIANCE be **GRANTED** subject to the following:

- 1. Compliance with all local, state and federal laws.



**GUILFORD COUNTY BOARD OF ADJUSTMENT
ORDER DENYING A VARIANCE**

**CASE #26-02-BOA-00003
VARIANCE 2 (9 ft. - Rear) WORKSHEET**

The Guilford County Board of Adjustment, having held a hearing on May 5, 2026, to consider Case #26-02-BOA-00003, submitted by Oscar Moreno Bahena, Variance 2: A request for a 9 ft. variance to allow a 21 ft. rear setback in order to permit placement of a manufactured home on the property, in accordance with the submitted site plan, located at 6522 Hayworth Springs Rd, Jamestown, NC 27282, being Tax Parcel #161302, in a manner not permissible under the literal terms of the Ordinance, and having heard all of the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACTS and draws the following CONCLUSIONS:

- 1. It is the Board's CONCLUSION that unnecessary hardship **will not** result from the strict application of the Ordinance. This conclusion is based on the following FINDINGS OF FACT:

- 2. It is the Board's CONCLUSION that the hardship **does not** result from conditions that are peculiar to the property, such as location, size or topography. This conclusion is based on the following FINDINGS OF FACT:

- 3. It is the Board's CONCLUSION that the hardship **does** result from actions taken by the applicants or the property owners. This conclusion is based on the following FINDINGS OF FACT:

- 4. It is the Board's CONCLUSION that the requested variance **is not** consistent with the spirit, purpose and intent of the Ordinance, such that public safety is secured and substantial justice is achieved. This conclusion is based on the following FINDINGS OF FACT:

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a VARIANCE be **DENIED**.

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**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Board of Adjustment
Variance Application**

Date Submitted: 4/6/26 Fee **\$426.00** Receipt # REL-037723-2026 Case Number 26-04-BOA-00004
(includes \$26 recording fee)

PROPERTY INFORMATION

Address 4200 Oakcliffe Rd City Greensboro State NC Zip Code 27406
Tax Parcel # 124886 Zoning: RS-40
Plat Book & Page 54-13 Deed Book & Page 008741-02322 Township Greensboro Clay ⁰⁰

OWNER INFORMATION

Name Christopher & Wendy Harr Phone Number 336-840-5423
Address 4200 Oakcliffe Rd City Greensboro State NC Zip Code 27406
Email charr82@gmail.com

Owner Signature Christopher Harr Digitally signed by Christopher Harr
Date: 2026.04.03 15:09:58 -04'00'

I certify that all information presented by me in this application is accurate to the best of my knowledge, information, and belief.

APPLICANT INFORMATION – If not property owner, a notarized statement of permission is required from the property owner.

Name Christopher Harr Phone Number 336-840-5423
Address 4200 Oakcliffe Rd City Greensboro State NC Zip Code 27406
Email charr82@gmail.com

Applicant Signature Christopher Harr Digitally signed by Christopher Harr
Date: 2026.04.03 15:10:08 -04'00'

I certify that all information presented by me in this application is accurate to the best of my knowledge, information, and belief.

TO THE GUILFORD COUNTY BOARD OF ADJUSTMENT:

I, Christopher Harr, hereby petition the Board of Adjustment for a VARIANCE from the literal provisions of the Development Ordinance because, under the interpretation given to me by the Enforcement Officer, I am prohibited from using the parcel of land described above in a manner shown by the plot plan attached. I request a variance from the following provisions of the ordinance (cite section numbers):

Article 4-5, 4-5.1 ⁰⁰ 4.2.2.B - Side Setback requirement ⁰⁰ From 15' to 6'

If the plot plan does not adequately reveal the nature of the variance, the request is more fully described below: (9' variance)

This variance request is to allow for a 24'x30' accessory structure to be placed as close as 6' of the side property line. The current ordinance will allow for a 24'x25' (600 sq/ft) accessory structure to be placed as close as 5'. Our request puts us over the 600 sq/ft limit and would require us to meet a RS-40 primary structure (house) setback of 15' from the side property line. We would like a variance to this ordinance to allow for an accessory structure to be increased to 24'x30' (720 sq/ft) and placed as close as 6' to the left side property line (as facing house), in accordance with the submitted plot plan.





GUILFORD COUNTY PLANNING AND DEVELOPMENT

Board of Adjustment Variance Application

FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE

The Board of Adjustment does not have unlimited discretion in deciding whether to grant a variance. Under the state enabling act, the Board is required to reach four conclusions before it may issue a variance: (1) that unnecessary hardship would result from the strict application of the ordinance; (2) that the hardship results from conditions that are peculiar to the property; (3) that the hardship did not result from actions taken by the applicant or the property owner; and (4) that 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.

In the spaces provided with the conclusions below, indicate competent, material and substantial evidence that you intend to show and the arguments that you intend to make to convince the Board that it can properly reach these four conclusions.

- 1) Unnecessary hardship would result from the strict application of the ordinance.

Strict application of the 15' primary structure setback creates an unnecessary hardship because it forces the entry into the new garage door to circumvent an existing heat pump (between current driveway and house), as well as the corner of the house that would then overlap the garage door entry making it near impossible to utilize the full width of the garage door when navigating the driveway in and out of the garage. In turn this would prohibit a 24'x30' garage which seems like a reasonable use for a 40,000+ sq/ft RS-40 property. Additionally, this location could potentially conflict with NC Residential Code R302.1 in regards to separation from primary structure for fire protection.

- 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.)

This property contains a combination of unique set of circumstances that are not common to the general public. Due to it backing up to a golf course, the utility easement that is commonly shared by rear neighbors, encumbers this property by 30' in the rear as opposed to 15' by much of the community. The shape of the lot reduces by 23' front to rear, creating the most space for an accessory structure in the back of the property (if it wasn't for the utility easement). Additionally, the placement of the house does not utilize the full extent of the 40' minimum front setback requirement, but rather has been located 65' into the lot which limits the rear buildable area behind the house to 20' instead of 45' as would be the shortest distance when accounting for the 30' utility easement at the rear. The combination of these factors seem to be peculiar to the property and create very limiting circumstances for a RS-40 property.

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

All factors relevant to the property and the hardships that are presented did not arise from actions take by the current homeowners. These hardships arise from how the development/division of the neighborhood was laid out and the location where others chose how the house was to be positioned on the lot.

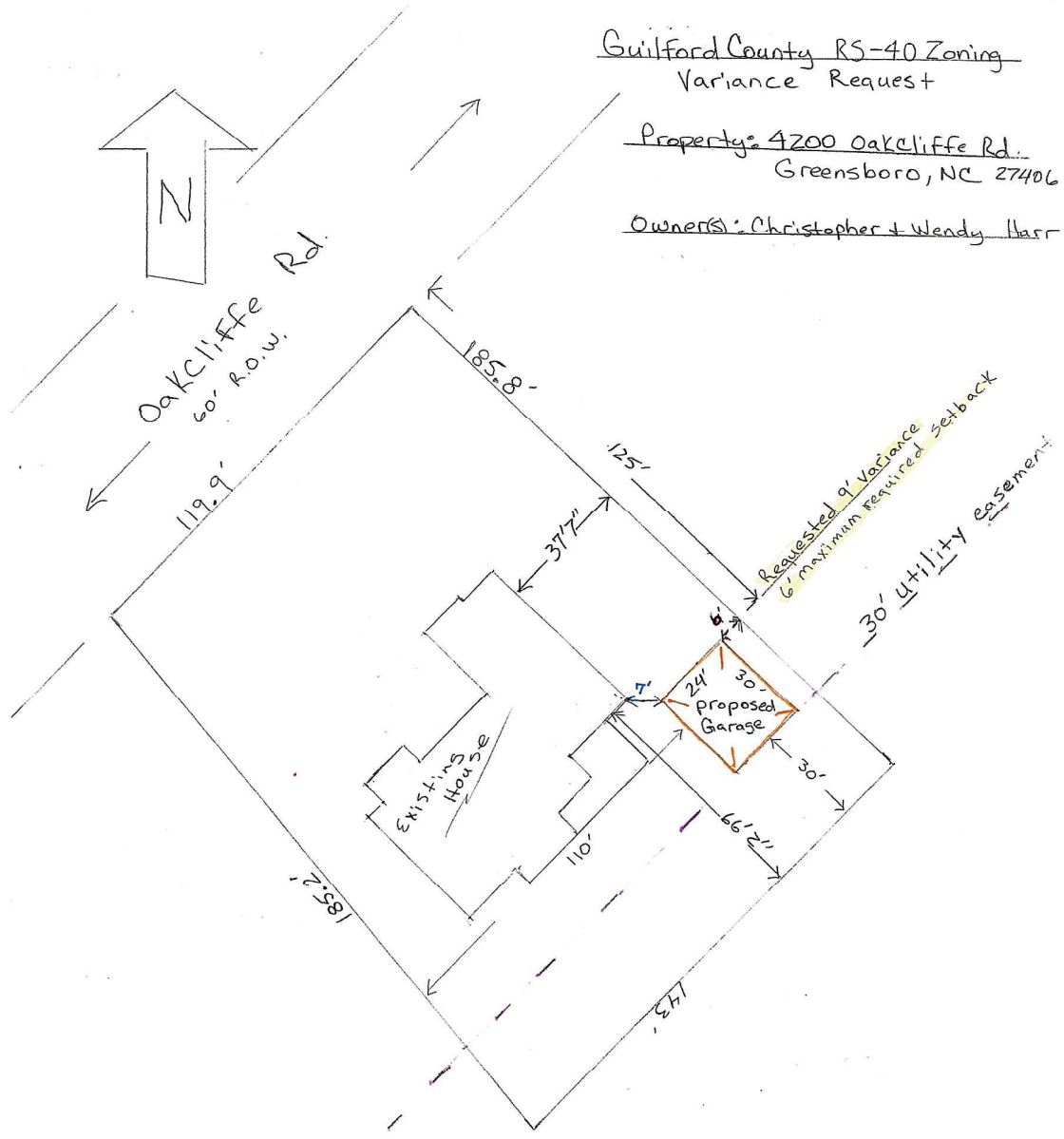
- 4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.

The garage for which this variance is being requested is for personal storage or vehicles, which is a standard use for a residential lot, thereby maintaining the residential spirit of the ordinance. The garage size (720 sq/ft) is only slightly above the 600 sq/ft threshold that allows for a 5' setback, so the requested variance is the minimum necessary to allow reasonable use of our land. The requested variance takes into account public safety by addressing the location of the existing HVAC system as well as fire concerns for location of the accessory structure in relation to the primary structure.

Guilford County RS-40 Zoning
Variance Request

Property: 4200 Oakcliffe Rd.
Greensboro, NC 27406

Owner(s): Christopher + Wendy Harr



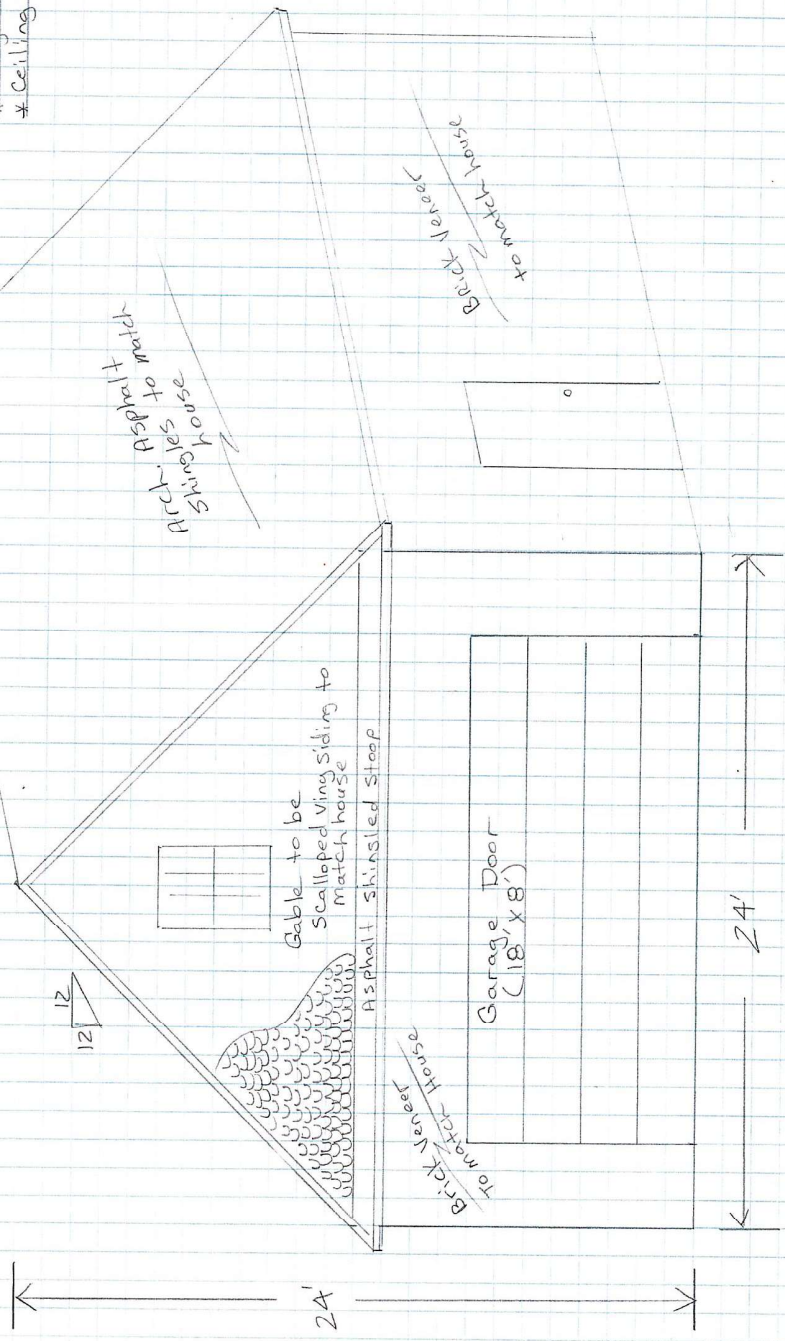
SCALE: 1" = 30'

Detached Accessory Structure

SCALE: 1/4" = 1'

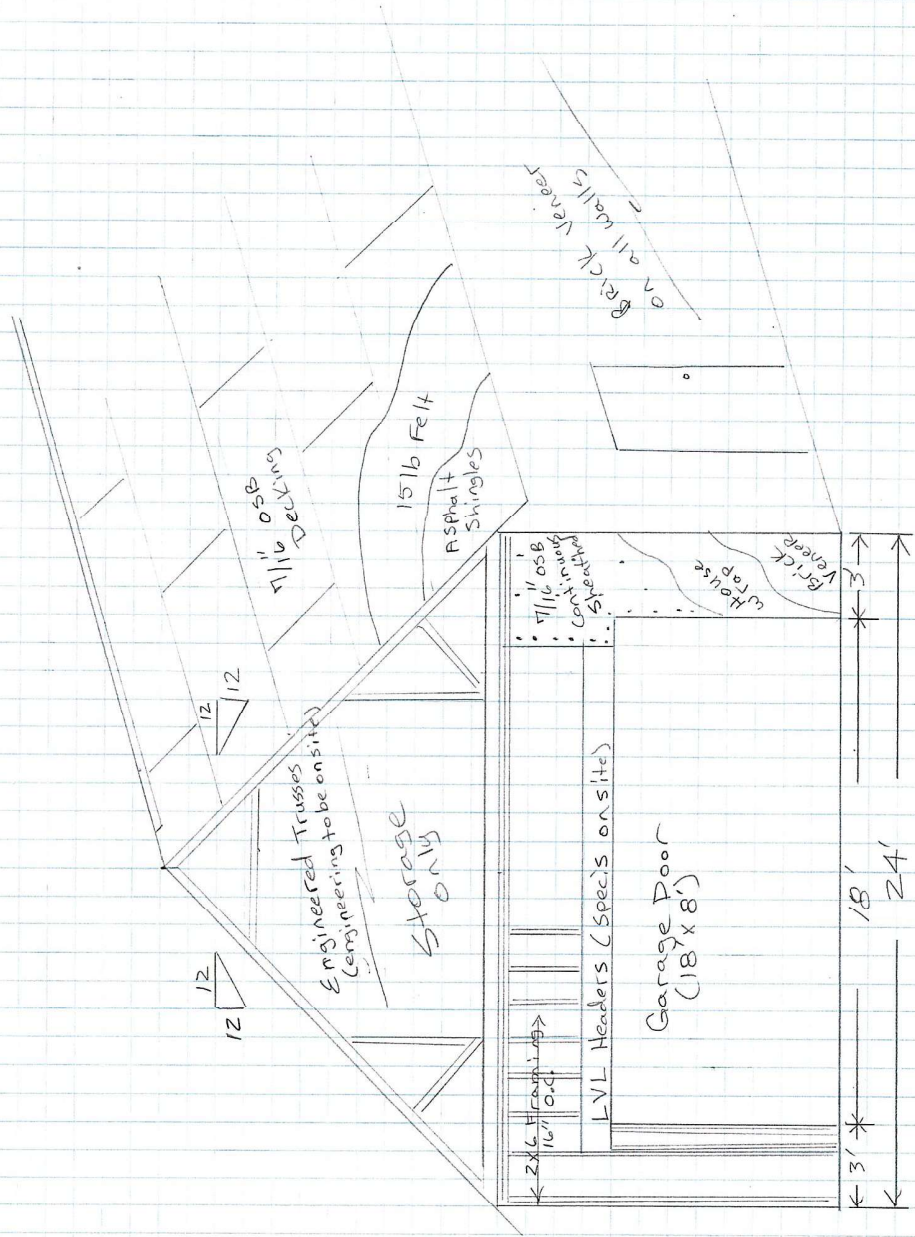
(24' x 30')

- Notes:
- * Wall Framing: 2"x6" on 16" Centers
 - * Sheathing: 7/16" OSB Continuous
 - * Roof System: Engineered Loft Truss
 - * Roof Decking: 7/16" OSB
 - * Roof Pitch: 12:12
 - * Roofing: Asphalt Shingles (match house)
 - * Veneer: Brick Walls; scalloped vinyl gables
 - * Vented Soffit (to match house)
 - * Ridge Vent
 - * Ceiling: 12'

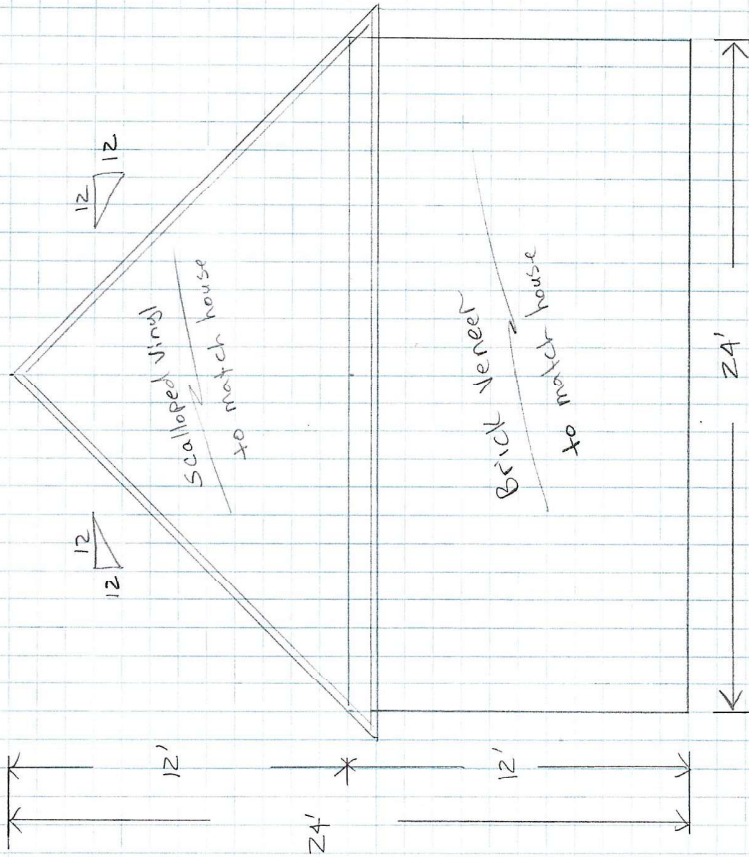


Name: Chris Wendel Harr
 Address: 4200 Oakcliffe Rd
 Greensboro, NC 27406
 By: Don Cable
 Phone: 336-688-4774

Structural Framing
SCALE: 1/4" = 1'



Rear Elevation
SCALE: 1/4" = 1'



Right Elevation
SCALE: 1/4" = 1'

Asphalt Shingles
to match house

Brick Veneer
to match house

30'

Left Elevation
SCALE: 1/4" = 1'

Asphalt Shingles
to match house

Brick Veneer
to match house

30'

24'

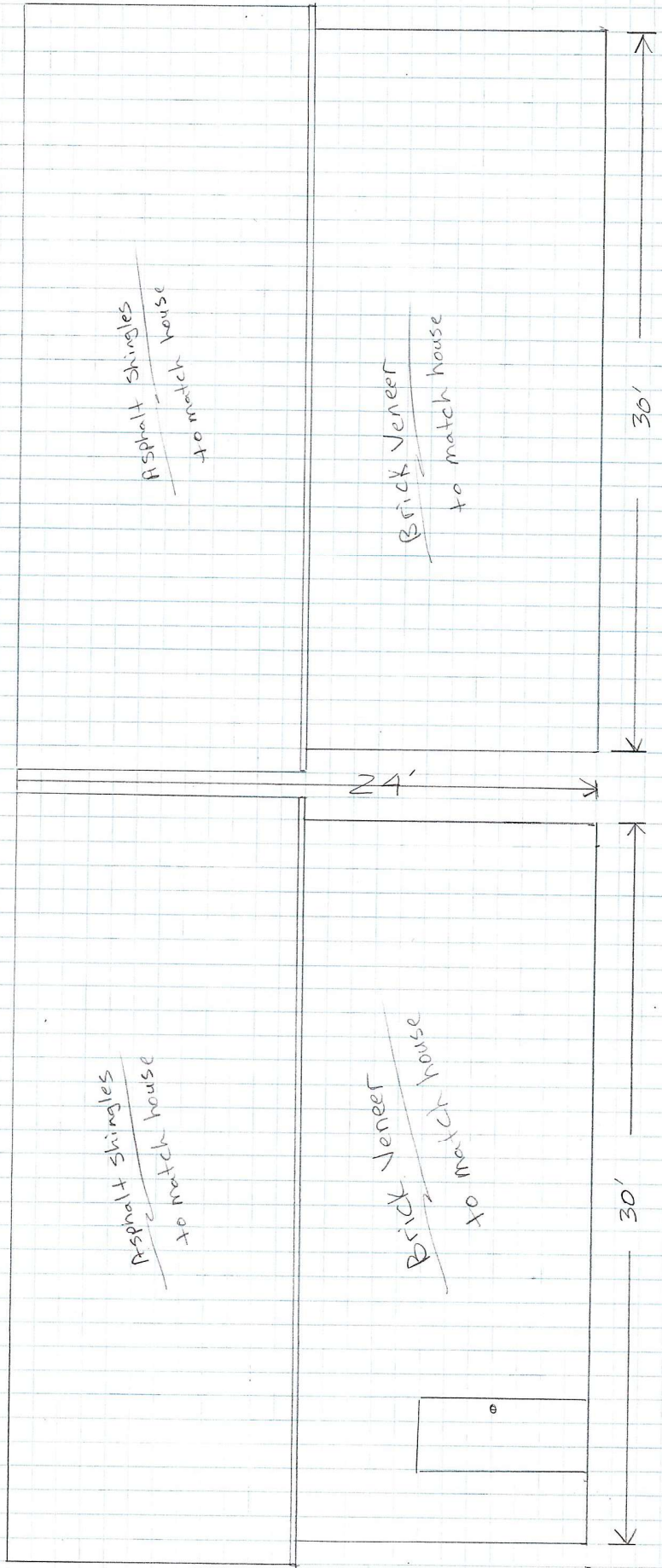


Exhibit C



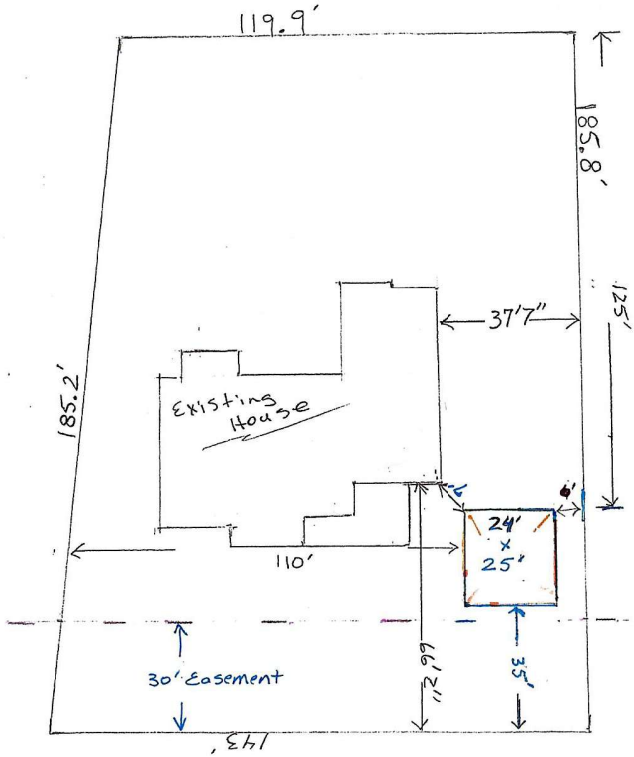
Disclaimer: While every effort is made to keep information provided over the internet accurate and up-to-date, Guilford County does not certify the authenticity or accuracy of such information. No warranties, express or implied, are provided for the records and/or mapping data herein, or for their use or interpretation by the User.

Map Scale
1 inch = 25 feet
3/31/2026

Exhibit D

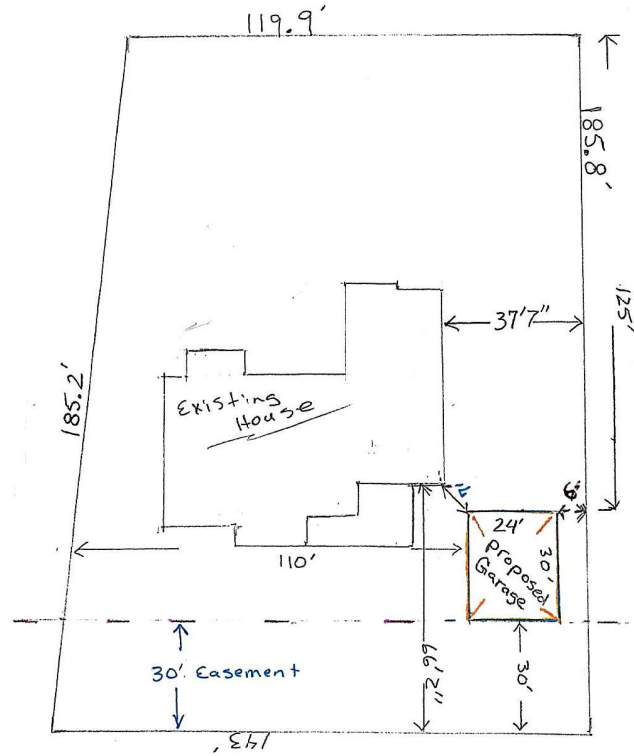
Side by Side Comparison
SCALE: 1"=30'

Allowable w/ Ordinance



Notes: * Could be as close as 5' to neighbor
* Same view from front

Allowable w/ Variance



Notes: * Less intrusive towards neighbor
* Same view from front
* Meets all other primary structure setbacks
* Appears to be consistent with spirit, purpose, and intent of ordinance, such that public safety is secured, and substantial justice is achieved.

ATTACHMENT



ATTACHMENT



ATTACHMENT



ATTACHMENT





Summary

Christopher and Wendy Harr are requesting a variance from Unified Development Ordinance (UDO) Subsection 4.2.2.B, which requires a 15 ft. minimum side setback for properties zoned RS-40. Located at 4200 Oakcliffe Road, Greensboro, NC 27406 (Guilford County Tax Parcel #124886 in Clay Township), the subject property comprises 0.57 acres and is zoned RS-40, Residential.

The applicant is seeking a 9 ft. variance to allow a 6 ft. side setback in order to permit construction of a detached garage on the property, in accordance with the submitted sketch plan.

Property Information

- a. **Applicant(s)/Property Owner(s):** Christopher Lee Harr and Wendy Marie Harr
- b. **Property Location:** 4200 Oakcliffe Road, Greensboro, NC 27406
- c. **Legal Description:** Lot 3, Block D, Section 2-A of Forest Oaks Country Club in Plat Book 54, Page 13 (see Deed Book 8741, Page 2322)
- d. **Zoning:** RS-40, Residential
 - i. Street setback: 40 ft.
 - ii. Side setback: 15 ft.
 - iii. Rear setback: 30 ft.

Character of the Area

- a. **Existing Land Use(s) on Property:** Single-family, detached dwelling
- b. **Surrounding Uses:**
 - i. North: Residential (Forest Oaks Country Club)
 - ii. South: Golf course (Forest Oaks Country Club)
 - iii. East: Residential (Forest Oaks Country Club)
 - iv. West: Residential (Forest Oaks Country Club)
- c. **Topographic and Stormwater Features:**
 - i. Topography: Topography on site is gently sloping per NCRS Web Soil Survey.
 - ii. Regulated Floodplain: There is no regulated floodplain on site per the effective FIRM.
 - iii. Wetlands: There are no mapped wetlands on site per the National Wetlands Inventory.
 - iv. Streams: There are no mapped streams on site per USGS Topo Quad and Soil Survey Map of Guilford County.
 - v. Watershed: The site is located in the Lake Mackintosh (Big Alamance Creek) WS-IV, General Watershed Area.



Variance Standards

Guilford County UDO Subsection 3.5.W.4.e(2): Grounds for Variance

- (a) The variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure. The fact that property may be utilized for greater profit, however, will not be considered adequate to justify the granting of a variance.
- (b) Neither the nonconforming use of lands, buildings or structures in the same zoning district, nor the permitted use of lands, buildings or structures in other zoning districts shall be considered as grounds for the issuance of a variance. Furthermore, mere financial hardship does not constitute grounds for the granting of a variance.
- (c) A variance may be granted where a building permit has been issued and, due to unintentional error of the Planning and Development Director in determining the location of the structure on the property, there is a minimal violation of the dimensional requirements, provided that such relief may be granted without substantially impairing the purpose and intent of this Ordinance.

Guilford County UDO Subsection 3.5.W.4.e(3): Findings of Fact

- (a) A variance may be granted by the Board of Adjustment if evidence presented by the applicant persuades it to reach the following findings of fact:
 - (i.) Unnecessary hardship would result from the strict application of the regulation. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
 - (ii.) 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 reasonable accommodation under the Federal Fair Housing Act for persons with disability.
 - (iii.) 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.
 - (iv.) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.



Application Timeline

Date of variance application:
April 6, 2026

Date adjacent property owner(s) notified:
April 23, 2026

Date sign posted on subject property:
April 23, 2026

Date legal notice posted on County website:
April 24, 2026

Date of hearing:
May 5, 2026

DRAFT



Sign Posting Photos

Subject Property



Across from Subject Property



Facing Northeast

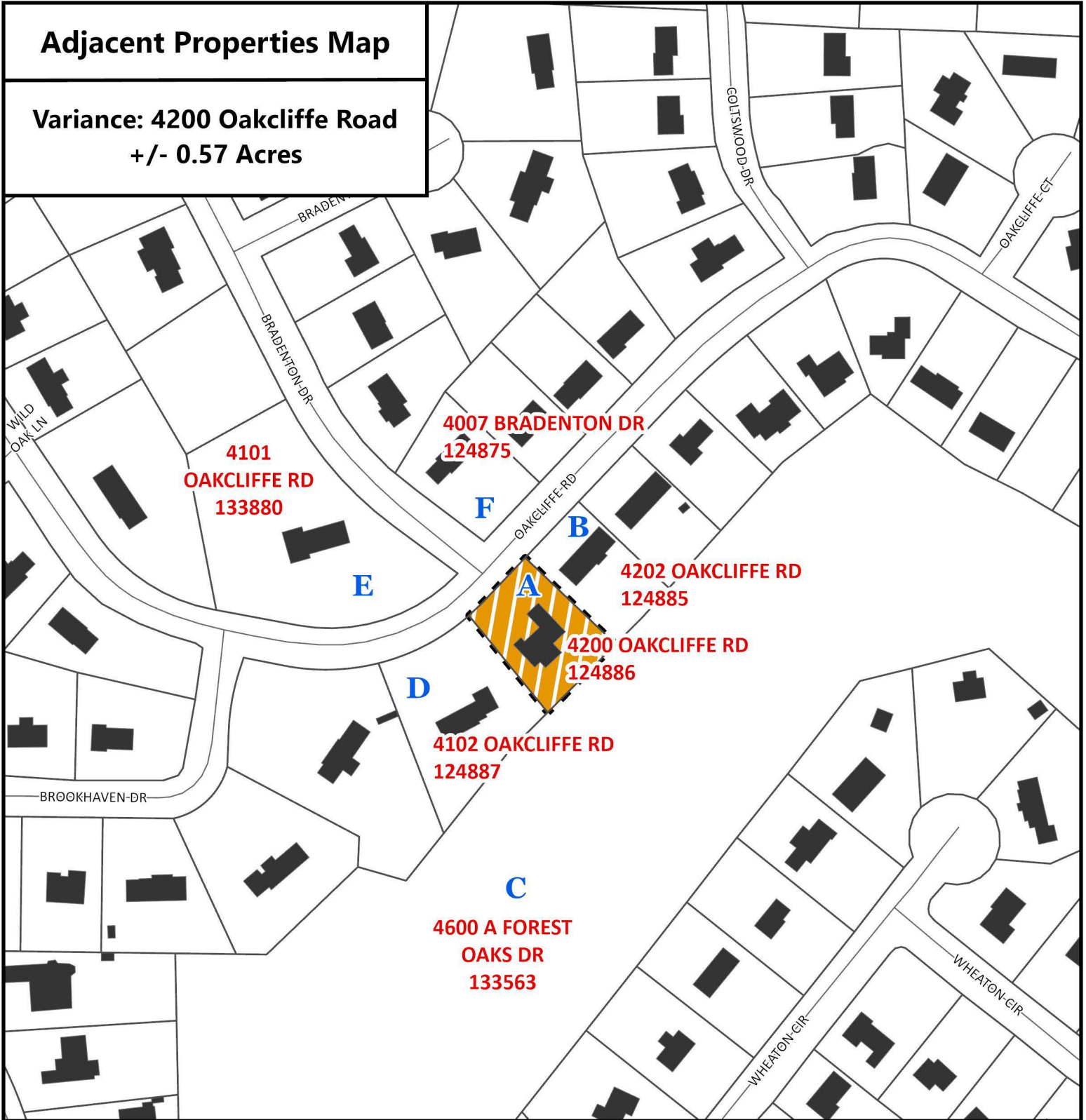


Facing Southwest



Adjacent Properties Map

**Variance: 4200 Oakcliffe Road
+/- 0.57 Acres**



A. HARR, CHRISTOPHER LEE;
HARR, WENDY MARIE
B. CECIL, SARAH

C. STANDARD INDUSTRIAL MAINTENANCE
COMPANY INC
D. MICHAELS, DAVID BRUCE;
MICHAELS, NANCY P

E. BAKER, DAVID L; BAKER, JOYCE E
F. PELOQUIN, JASON; THOMAS, CAROLYN



Planning & Development
Department

Jurisdiction:

GUILFORD COUNTY

Case Number:

26-04-BOA-00004

Case Area:

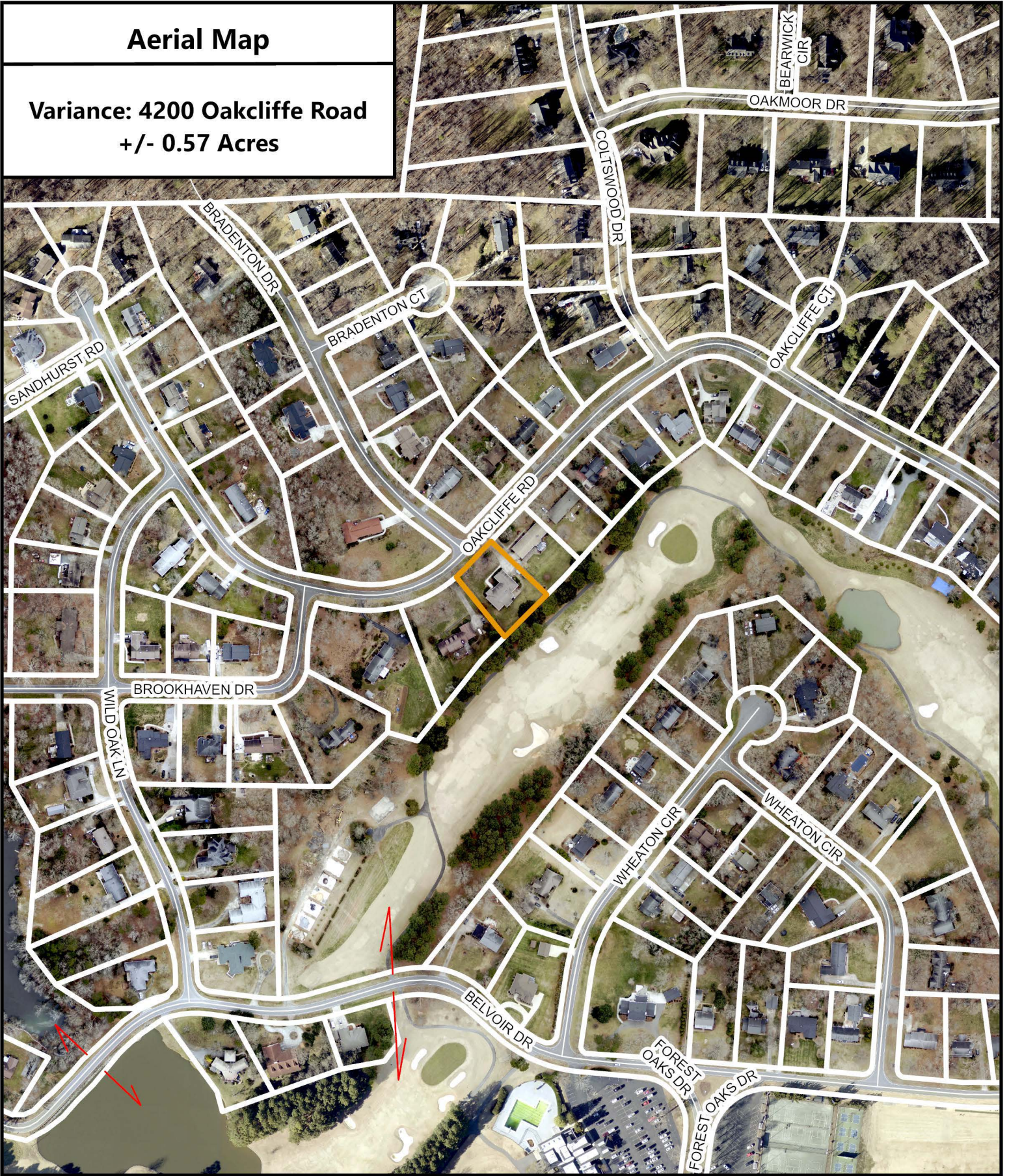
Parcel(s) - 124886
4200 Oakcliffe Rd



Scale: 1" = 200'

Aerial Map

Variance: 4200 Oakcliffe Road
+/- 0.57 Acres



Planning & Development
Department

Jurisdiction:

GUILFORD COUNTY

Case Number:

26-04-BOA-00004

Case Area:

Parcel(s) - 124886
4200 Oakcliffe Rd



Scale: 1" = 300'



**GUILFORD COUNTY BOARD OF ADJUSTMENT
ORDER GRANTING A VARIANCE**

**CASE #26-04-BOA-00004
VARIANCE WORKSHEET**

The Guilford County Board of Adjustment, having held a hearing on **May 5, 2026**, to consider Case #**26-04-BOA-00004**, submitted by **Christopher and Wendy Harr**, a request for a 9 ft. variance to allow a 6 ft. side setback in order to permit construction of a detached garage on the property, in accordance with the submitted sketch plan, located at **4200 Oakcliffe Rd, Greensboro, NC 27406**, being Tax Parcel #**124886**, in a manner not permissible under the literal terms of the Ordinance, and having heard all of the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACTS and draws the following CONCLUSIONS:

- 1. It is the Board's CONCLUSION that unnecessary hardship **will** result from the strict application of the Ordinance. This conclusion is based on the following FINDINGS OF FACT:

- 2. It is the Board's CONCLUSION that the hardship **does** result from conditions that are peculiar to the property, such as location, size or topography. This conclusion is based on the following FINDINGS OF FACT:

- 3. It is the Board's CONCLUSION that the hardship **does not** result from actions taken by the applicants or the property owners. This conclusion is based on the following FINDINGS OF FACT:

- 4. It is the Board's CONCLUSION that 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 conclusion is based on the following FINDINGS OF FACT:

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a VARIANCE be **GRANTED** subject to the following:

- 1. Compliance with all local, state and federal laws.



**GUILFORD COUNTY BOARD OF ADJUSTMENT
ORDER DENYING A VARIANCE**

**CASE #26-04-BOA-00004
VARIANCE WORKSHEET**

The Guilford County Board of Adjustment, having held a hearing on **May 5, 2026**, to consider Case #**26-04-BOA-00004**, submitted by **Christopher and Wendy Harr**, a request for a 9 ft. variance to allow a 6 ft. side setback in order to permit construction of a detached garage on the property, in accordance with the submitted sketch plan, located at **4200 Oakcliffe Rd, Greensboro, NC 27406**, being Tax Parcel #**124886**, in a manner not permissible under the literal terms of the Ordinance, and having heard all of the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACTS and draws the following CONCLUSIONS:

- 1. It is the Board's CONCLUSION that unnecessary hardship **will not** result from the strict application of the Ordinance. This conclusion is based on the following FINDINGS OF FACT:

- 2. It is the Board's CONCLUSION that the hardship **does not** result from conditions that are peculiar to the property, such as location, size or topography. This conclusion is based on the following FINDINGS OF FACT:

- 3. It is the Board's CONCLUSION that the hardship **does** result from actions taken by the applicants or the property owners. This conclusion is based on the following FINDINGS OF FACT:

- 4. It is the Board's CONCLUSION that the requested variance **is not** consistent with the spirit, purpose and intent of the Ordinance, such that public safety is secured and substantial justice is achieved. This conclusion is based on the following FINDINGS OF FACT:

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a VARIANCE be **DENIED**.