



**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT  
BOARD OF ADJUSTMENT**

**REGULAR MEETING AGENDA**

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

**October 6, 2026**

6:00 PM

**I. Roll Call**

**II. Agenda Amendments**

**III. Approval of Minutes: September 1, 2026**

**IV. Rules and Procedures**

**V. Old Business**

**A. ORDER(S) DENYING A VARIANCE CASE #26-07-BOA-00009: 2904 CROMWELL ROAD, GREENSBORO, NC 27407**

Pursuant to N.C.G.S. 160D-406(j), approve Order(s) Denying a Variance with respect to the application submitted by Ana Karen Navarro Serna for the property at 2904 Cromwell Road, Greensboro, NC 27407 (Guilford County Tax Parcel #151120 in Friendship Township), as heard and decided by the Board of Adjustment on September 1, 2026.

**B. ORDER(S) GRANTING A VARIANCE CASE #26-07-BOA-00010: 5623 BURLINGTON ROAD, MCLEANSVILLE, NC 27301**

Pursuant to N.C.G.S. 160D-406(j), approve Order(s) Granting a Variance with respect to the application submitted by Gladys Adriana Barrera Flores for the property at 5623 Burlington Road, McLeansville, NC 27301 (Guilford County Tax Parcel #117491 in Jefferson Township), as heard and decided by the Board of Adjustment on September 1, 2026.

**C. ORDER(S) GRANTING A VARIANCE CASE #26-07-BOA-00011: 3222 FORSYTH DRIVE, GREENSBORO, NC 27407**

Pursuant to N.C.G.S. 160D-406(j), approve Order(s) Granting a Variance with respect to the application submitted by Karen and Joseph Bolyard for the property at 3222 Forsyth Drive, Greensboro, NC 27407 (Guilford County Tax Parcel #155641 in Jamestown Township), as heard and decided by the Board of Adjustment on September 1, 2026.

## VI. New Business

### Evidentiary Hearing Item(s)

#### **A. APPEAL OF ZONING NOTICE OF VIOLATION CASE #26-06-BOA-00007: 4900 BEAVERDALE DRIVE, GREENSBORO, NC 27406**

David S. Pokela, Attorney, on behalf of property owners Patricia Crump, Shawna Crump, and Christine Crump, submitted an appeal on June 24, 2026, regarding a Notice of Violation dated May 1, 2026, for a Kennels or Pet Grooming business operating on the subject property located in the RS-40 zoning district (ref. Zoning Violation Case #26-05-ZNCE-00038). The property is located at 4900 Beaverdale Drive, Greensboro, NC 27406 (Guilford County Tax Parcel #121121 in Clay Township), and comprises approximately 1.02 acres.

The following violations of the Guilford County Unified Development Ordinance (UDO) were identified in the issued Notice of Violation:

- Subsection 10.03.A(1) – Any failure to comply with a requirement, prohibition, or limitation imposed by the provisions of this Ordinance, or the terms and conditions of any permit or other authorization granted pursuant to this Ordinance, shall constitute a violation of this Ordinance.
- Subsection 10.03.B(1) – Occupy, develop, or use any land or structure without first obtaining all appropriate permits or development approvals and complying with such terms and conditions.
- Subsection 10.03.B(9) – Through any act or omission, fail to comply with any other provisions, procedures, or standards as required by this Ordinance.

The following options to remedy the aforementioned violation(s) were listed in the issued Notice of Violation:

- Rezone the property to a zoning district that permits Kennels or Pet Grooming as a use, and then obtain subsequent Site Plan approval; or
- Obtain a Home Occupation Permit by making application and meeting the requirements necessary to obtain permit approval; or
- Permanently cease use of the property for Kennels or Pet Grooming, as currently required.

Information for **APPEAL OF ZONING NOTICE OF VIOLATION CASE #26-06-BOA-00007** can be viewed by scrolling to the October 6, 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 #26-08-BOA-00012: 630 HARPER CATE COURT  
GREENSBORO, NC 27455**

Patrick Daly Jr. and April Daly are requesting a variance from Unified Development Ordinance (UDO) Subsection 4.2.2.B, which requires a 30-ft minimum setback from the rear property line for accessory structures greater than 600 square feet on properties zoned RS-40. The subject property is located at 630 Harper Cate Court (Guilford County Tax Parcel #239420 in Center Grove Township), and comprises 1.47 acres.

The applicants are seeking a 14-ft. variance to allow a 16-ft. rear setback in order to permit construction of an accessory structure (swimming pool) on the property, in accordance with the submitted sketch plan.

Information for **VARIANCE CASE #26-08-BOA-00012** can be viewed by scrolling to the October 6, 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. 2027 Board of Adjustment Meeting and Submittal Schedule**

**VIII. Adjournment**

*Information may be obtained for any of the aforementioned cases by contacting the Guilford County Planning and Development Department at 336.641.3334 or visiting the Guilford County Planning and Development Department at 400 West Market Street, Greensboro, NC 27401.*

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**GUILFORD COUNTY  
BOARD OF ADJUSTMENT  
REGULAR MEETING MINUTES**

Old County Courthouse – Carolyn Q. Coleman Conference Room  
301 W. Market Street, Greensboro, NC 27401

**September 1, 2026**

**6:00 PM**

**Call to Order**

Chair Johnson called the meeting to order at 6:00 p.m. and asked staff to call the roll.

**I. Roll Call**

The following members were in attendance at this meeting:

Willie Johnson, Chair; Carey Campbell, Vice Chair; Joshua Scott; Larry Standley; and Nicole Goodman, Alternate

The following members were absent from this meeting:

Ms. Ronasia Dougherty, Alternate; Ms. LaToya Gathers, Alternate

The following Guilford County staff members were also present:

Jason Hardin, Planning and Development Deputy Director; Oliver Bass, Planning and Zoning Manager; Samantha Lockwood, Senior Planner; Troy Moss, Planner I; Joel Almquist, Zoning and Land Use Compliance Officer.

**II. Agenda Amendment**

Chair Johnson asked if there were any amendments to the agenda.

Mr. Hardin asked if the board would remove the Appeal of Zoning Notice of Violation Case #26-06-BOA-00007, Item A under New Business, from the agenda. A cancellation notice was sent out at the request of the appellant's attorney.

Mr. Standley moved to remove item A, Appeal of Zoning Notice of Violation Case #26-06-BOA-00007, from the agenda, seconded by Ms. Goodman. The Board voted unanimously, 5-0, in favor of the motion. (Ayes: Johnson, Campbell, Scott, Standley, and Goodman. Nays: None)

**III. Approval of Minutes: August 4, 2026**

Ms. Goodman moved to approve the minutes of the August 4, 2026, regular meeting. Mr. Standley seconded the motion. The Board voted unanimously, 5-0, in favor of the motion. (Ayes: Johnson, Campbell, Scott, Standley, and Goodman. Nays: None)

#### IV. Rules and Procedures

Chair Johnson read the Rules and Procedures followed by the Guilford County Board of Adjustment.

#### V. Old Business

None.

#### VI. New Business

##### Evidentiary Hearing Item(s)

At this time, Chair Johnson swore in or affirmed all individuals who intended to speak or provide testimony in relation to the evidentiary hearings on the agenda.

##### **A. APPEAL OF ZONING NOTICE OF VIOLATION CASE #26-06-BOA-00007: 4900 BEAVERDALE DRIVE, GREENSBORO, NC, 27406**

The Appeal of Zoning Notice of Violation Case #26-06-BOA-00007: 4900 Beavertdale Dr., Greensboro, NC 27406, was canceled and will be rescheduled for a later date with proper notice.

##### **B. VARIANCE CASE #26-07-BOA-00009: 2904 CROMWELL ROAD, GREENSBORO, NC 27407**

Oliver Bass, Planning and Zoning Manager: Good evening, Mr. Chair, members of the Board of Adjustment. My name is Oliver Bass. I'm with the Guilford County Planning and Development Department, and I will present the case for the requested variance, case number 26-07-BOA-00009. In summary, Anna Karen Navarro Serna is requesting two variances from the Unified Development Ordinance, subsection 4.2.2.B, which requires a 30-foot minimum interior rear setback from the property line and a 15-foot minimum interior side yard setback from the property line for an accessory structure greater than 600 square feet in size on property zoned RS-40. The map here shows you the general location of the property in question.

On August 20th, staff posted signs on the subject property, noticing the public hearing. Mr. Bass showed pictures of the posted notice sign from four separate angles. You can see, as noted on the pictures, the signs, were posted on August 20, 2026. We also mailed notices to the adjacent property owners as indicated by the lettered parcels on the adjacent property map. The subject property is zoned RS-40. It's a single-family residential zoning district. You can see this is the table from section 4.2.2.B, which was referenced earlier in my report. You have highlighted the minimum interior setbacks of 15 feet and the minimum rear yard setback of 30 feet. Note that footnote three is the portion that requires structures to be located in front of the principal structure when the lot is a minimum of two acres and the subject parcel contains 0.65 acres. The building is located in the top-right corner of the sketch plan, where the Applicant is requesting a 27-foot variance from the rear setback and a 12-foot variance from the side-yard setback. Now I'll go into briefly the site chronology.

On November 24, 2025, Elaine Nolan, a building inspector with the Inspections Department, performed an initial inspection in response to a complaint regarding a building located at the rear of the property. The building was determined to have been constructed without the required building permit.

At this time, Mr. Bass showed pictures of the subject building to the variance request. The inspector issued a stop-work order due to the unpermitted construction of the reference structure, which is the subject of the proposed variance request. On December 5, 2025, Elaine Nolan notified the Planning Department that the building could not be permitted in the existing location and requested a zoning enforcement case be opened to address the issue. On January 22, 2026, Avery Tew, former Senior Planner, performed an initial inspection and observed a structure at the rear of the subject property located in the RS-40 zoning district that appeared to encroach into the required rear yard and side yard setback.

On January 30, 2026, Avery Tew mailed an initial notice to the property owners describing the observed violation and provided an opportunity to work with staff to ensure zoning compliance with the UDO. On June 15, 2026, Elaine Nolan mailed an initial notice to the property owner for code case 25-11-BLCE-00095, citing the stop work order posted on November 24th, 2025, provided a compliance date of July 16, 2026, to either file for a variance, a demolition permit, or a building permit for the subject structure. On July 17, 2026, Serna, the property owner, filed an application for the two noted variances with the Planning Department under Variance Case 26-07-BOA-00009, which is the subject of this evidentiary hearing.

General property information about this property. The owner of the property is Anna Karen Navarro Serna. The property is located at 2904 Cromwell Road, Greensboro, North Carolina 27407, recorded in plat book 8, page 35. The zoning is RS-40 - residential. The minimum street setback is 40 feet. The minimum interior side yard setback is 15 feet, and the minimum interior rear yard setback is 30 feet. There are two active code cases. One is 25-11-BLCE-00095. A stop-work order was posted, as mentioned previously, on November 24, 2025. An initial notice was mailed to the property owner from the Inspections Department for building a freestanding structure without the required permit on June 15th, 2026. A zoning case was opened on the subject property, Case Number 25-12-ZNCE-00167. An initial notice was mailed on January 30, 2026, citing a rear and right-side yard setback zoning violation for an unpermitted accessory structure. The subject property is used for a single-family residential dwelling, as are the surrounding properties to the south, north, east, and west. For the topographic and stormwater features, the topography at the subject parcel is nearly level to gently sloping. There is no regulated floodplain on site per the FIRM panel. No mapped wetlands on site per the National Wetlands Inventory. No mapped streams are shown on USGS or NRCS maps of Guilford County.

The site lies within the Lower Randleman Lake WS4 General Watershed Area. We'll briefly go over the standards for granting a variance per Guilford County UDO Subsection 3.5.W.4.E, paragraph 2, grounds for a variance.



- A) The variance requested is the minimum variance that will make possible the reasonable use of a land, building or structure, the fact that the property may be utilized for greater profit, will not be considered adequate to justify the granting of a variance.
- B) Neither the non-conforming 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 department and 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, paragraph three describes the findings of fact:

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 will 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. Hardship 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 as necessary and appropriate to make reasonable accommodations 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 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 regulations such that the public safety is secured, substantial justice is achieved.

And, just to give you information on the application timeline, the date the variance application was submitted was July 17, 2026. Adjacent property owners were notified on August 20, 2026. The notice sign was posted on the subject property on August 20, 2026. The legal notice was posted on the County website on August 21, 2026. That concludes the staff report.

Chair Johnson: I have a couple of questions. The reason you discovered it was a drive-by discovery rather than another landowner calling?

Mr. Hardin: So, that was actually done by the Inspections Department and not the Planning Department. We don't have anyone here from Inspections to testify to the initial investigation.

Chair Johnson: Also, the land side of the building is showing the lot location. That one would suffice. Land in the rear of that has no egress or regress. They don't own that lot, do they?

Mr. Bass: To my knowledge, they do not own that. That's a separate property owner.

Mr. Hardin: The subject property is the one labeled orange on the map. The one to the rear is not part of this case.

Mr. Bass: Yes. Well, this is the location of the building in question.

Mr. Standley: Can you point out the picture of the building on the rear property line?

Mr. Bass: Yes. So, this is the building and they presented a sketch plan that illustrates the variance that they are requesting. In the rear yard, they're requesting a 27-foot variance. To the side yard, they requested a 12-foot variance, which would allow the building to be located three feet from the property line.

Mr. Standley: Is the building on the far right existing?

Mr. Bass: Those are existing.

Mr. Standley: You have a picture of that? I want to see a picture of that building.

Chair Johnson: The white building where the dog was standing.

Mr. Bass: Yes. That appears to be the picture to the left of the property line.

Mr. Standley: But the only reason for the variance is that you're doing something else on the property and you wouldn't make the existing building okay with those current regulations, correct?

Mr. Bass: Correct. Generally, when you want to build a building, you would have to go through a building permitting process where they would verify the minimum setback. They would need a variance based on the case if they wanted to encroach into the minimum setback. This case happens to be in response to an existing building that was built without a building permit, so it did not go through that vetting process.

Mr. Standley: What is in the building at the rear of the property?

Mr. Bass: What is in it? I don't know the interior. I can't testify to that.

Mr. Hardin: Just to be clear, everyone's on the same page. That is the subject building of the variance. Mr. Hardin points to the building identified on the provided sketch plan as the subject of the variance request. The ones to the back left on the sketch plan are not the subject of the variance.

Chair Johnson: This house is the subject of the variance?

Mr. Bass: Yes, that's an accessory building.

Chair Johnson: Only one property or what?

Mr. Hardin: Yes, sir. Correct. So, this is an accessory building that's to the back right of the principal structure, which is the house. That building is the one that's up to the top right of this sketch.

Mr. Scott: We are going to hear from the applicants as well, right?

Mr. Bass: Yes, sir.

Chair Johnson: Okay. We'll call you.

Mr. Scott: Thank you, Mr. Bass.

Chair Johnson: Will the applicant for this please come forward? Anyone speaking for or against? Are you speaking about this property?

Mr. Hardin: This is the interpreter, Jose Mora Hernandez of Language Line Solutions.

Jose Mora Hernandez: Yes. I'm the interpreter.

Attorney Roberts: He will be translating.

Chair Johnson: Oh, that's right. She'll be using the translator.

Ana Karen Navarro Serna, Applicant and Property Owner of 2904 Cromwell Road, speaking with interpretation from Jose Mora Hernandez with Language Line Solutions: Yes. I'm requesting a variance. My ex-partner built that storage unit. Unfortunately, he did it without a permit, so I'm looking for the variance because I don't have the financial means to be able to move it or move it somewhere else.

Chair Johnson: What was the intent of putting it there?

Ms. Serna: It was to store things that I couldn't use inside the house or heavy equipment that I needed to put in that storage unit. And since I have four kids, they also use it to do exercise activities.

Mr. Scott: When the first notice was mailed out on January 30th, why didn't you respond?

Ms. Serna: I contacted one of the persons. I'm not sure how to pronounce her name, but I was going through my divorce process and things sort of piled up and I couldn't really do everything in time.

Mr. Scott: Okay. Now, considering that her ex-husband, I'm not sure what the title is, but considering that he built it, have we had any sort of professional inspections, anything to ensure the quality and the compliance of the structure itself?

Ms. Serna: To be honest, I'm not sure because I was out of the house around that time. I was about two years out of the house. So when I came back, the storage unit was built.

Mr. Scott: Is there any chance the structure itself can be modified to comply with the requirements without moving it?

Mr. Serna: Financially, at this moment, I'm not able to, since I went through my divorce process and I'm still trying to get back on my feet, but I'm sure it's possible. Personally, I'm not able to.

Ms. Serna: And one of the things that I also didn't really do much about this is because when I was going through my divorce process, I didn't really know if the house was going to stay with me or it was going to be to my ex-husband.

Chair Johnson: Okay. We may call you back, but we're going to listen to the opponents.

Mr. Hardin: Mr. Chair, could you turn your microphone back on?

Chair Johnson: Right. Ready to speak. We are speaking against, I'm assuming, not for.

Lynn Anderson, 4921 Hackamore Road: My name is Lynn Anderson. This is Lydia Elisor, and I'd like to go back to the pictures like this. And if you go back to this. Lydia is her. She owns this lot. I own this lot, this lot. And I spoke to Mr. Woody, who owns this lot, this lot, and this lot. And we just got the letter this past Monday, and he was out of town. He's in Florida, and I called him. Okay, sorry. I apologize. He was not able to make it to the meeting, but our problem with this is that, if you look at it, this drawing is really kind of blurry, but if you look at the drawings up close, I went to the GIS on Friday and printed these off. If you blow it up, you can see that the house is actually crossing over the line, and this one is too. It comes onto my land. The line's not on here, but it starts right about up here. So, it's connected to my land where they've got a building here, a driveway, another little shed, a shed back here, lumber, and there's a big truck back here, a truck here. All this is on Lydia's land, and my land is here. We can't get road access from this part. Okay? My parents died. My dad died in 2019, and our kids of the family inherited these lots.

My granddad and my dad bought the land and plotted it, and so we got the remaining lots that never sold. But over time, my dad really didn't do anything with the land at that time, and the state came along and bought back half. Can't see it in this picture, but here. This lot right here, right here is the back of that lot, and this is the back of this lot. And my brothers own that lot. All of it was one piece at one time. So, all of us, there's six of us, we all inherited pieces of it. But over time, with the state moving the roads, and this is the other side, this girl, this is the plotted road. It's on the other side of that lot. So, it's made it really hard for us to access the land. We put it on the market in 2021, and we actually got an offer. It's eight acres, and we tried to sell it, and right at closing, the guy backed off because he said, "Well, what's going on with this lot back here that Lydia owns? It's got all these buildings encroaching on the land. They're over the edge of the land.

Those buildings were already built onto our land." And he said, "Well, we don't want to deal with that because we have trouble getting to the land, plus you've got a neighbor encroaching on your land." And on the other side where the plotted road is, that lot used to be turned this way, and I don't know, my dad went to a lawyer and he tried to get the guy to explain to him why the lot changed. I've been down to the state, spoke to a guy at the state, and he's passed me down to three new people.

I've hired a lawyer, and we took it off the market for a while because we had trouble with the access. During that time, a gentleman bought this piece of land. This was a road, this is the plotted road that goes down into our land.

I tried to buy the land from this gentleman. I tried to buy this lot. He didn't want to sell it. That's his right. And this girl, she inherited the house from her mother, and so I'm sure she doesn't want to sell her house either. But if you can see, her garage is over the line, and this guy's stuff is all back here. I finally got the state to agree to let us go into the land, so we put it back on the market because the state said we can't say you can't get into the land. So, in 2021, and again in 2024, we put it back on the market at the end of the year, and we ran into the same problem. The developers didn't want to buy it with these two big problems with them using our land here. It's coming over the edge of the land. If you blow it all up as far as you can go on the GIS, you can see where the buildings are already built over the line or right on the line, and they're not supposed to do that. So, nobody wants to deal with us in buying those lots. So, she called the realtor, and when she found out they were for sale, she offered quite a bit lower than what we were asking for the lot. And we said, "Please come back with another offer," and she never did. So, we sent her a letter saying, "We're trying to sell this lot. We can't sell our property with your stuff on it and these buildings, so could you do something?" We never heard from her. That was last fall in December, like September of 25, we wrote her and asked her, "If you want to buy it, please make another offer. We'd be happy to sell it to you because that's causing ours to not go forward. We're having a real struggle getting this property sold because none of us are going to build on it.

There is a highway and a railroad track that's enclosed it over the years. So, we have a hardship. We have a real hardship trying to sell this property. We're trying to be done with my dad's estate and settle this and move on. And so we don't want her to be able to build on the building because it's causing us not to be able to sell. We have asked her to remove the stuff that's showing up there. If you blow it up, you can see the vehicles and the shed and the lumber and whatever that is clearly not only cross the line, but almost to the back of the lot. So, that is our request. Thank you.

Chair Johnson: I have a question here. And on the GIS, that grid line. It looks like an encroachment, but it's not.

Ms. Anderson: That's true, because I went to the zoning department and the mapping department, and they each gave me a different explanation as to why her lot was different. And so, I agree with you, you can't exactly go by the map, but that's why they put the three feet or whatever it is around so that the lines are clearer. I'm just saying that it looks like the property's actually over the line, and so whenever we try to put it on the market, it causes a problem. We asked her to move them.

Mr. Hardin: Chair, if I may, the buildings on the left side of the property, back in the corner, just to reorient the Board, those are not the subject of this request. The back right corner is the subject building.

Ms. Anderson: But they are both. The ones on the left definitely are.

Chair Johnson: Okay. That's what my question was going to bring to the survey. Yes. And it does not show an encroachment.

Mr. Hardin: According to the survey provided by the Applicant, the structure on the western side is 1.87 feet from the property line at the rear. And then the furthest one to the rear to the left shows 2.45 feet from the side property line.

Chair Johnson: So, there's no encroachment.

Ms. Anderson: I thought he stated that it was on the left side. There's definitely encroachment. They're not asking about that one. They're showing that they see the driveway. It's clearly over the line in this one, but she's asking about this one.

Ms. Elisor: That up there, the top is actually concrete there. And then you got all those other things.-

Mr. Hardin: That's not the subject of tonight's hearing. That is a separate matter involving the other structures on the property.

Chair Johnson: Is anyone else here to speak for or against this particular case?

Mr. Standley: Is there room to move that structure in compliance without a variance?

Chair Johnson: It is attached to the ground.

Ms. Serna: I may not have money right now, but since I heard she might want to sell the lot, or is trying to sell the lot, now that I know the house is under my name, I might be able to get some type of equity loan. Maybe I might be able to move something out in order to resolve this issue. That will be an option as well.

Chair Johnson: Okay. We can't say the same here, but that may be one method of resolving it, but we can't get into that. As it exists is what we're going to have to make a decision. I don't know where the legal room is, but we will have to make decisions while you're here. Okay? So, you're not going to have anything else that they wish you to. Okay, thank you.

To the guest speakers, do you have anything else you want to add since they spoke? Come back up if you would. You didn't speak before, so state your name. And you own the property behind.

Lydia Ellisor, 1107 New Garden Road: I did want to point out that we're talking about 0.65 acres, which is more than half an acre. So, it's important to us that we can be able to sell our property at full value. That's why I'm just pointing out that's a lot.

Chair Johnson: Anyway, y'all can discuss that, whatever. We don't have any decision-making on that.

Ms. Ellisor: Right. I'm just saying that would be inconvenient for us if nothing else.

Chair Johnson: Exchange telephone numbers or something, but we can't discuss that. All right. Does the Board have any questions for either one?

Mr. Hardin: This is the conclusion. Mr. Chair, if there's no one else to speak, if you would close the evidentiary hearing.

Chair Johnson: We're going to close the hearing for this particular case. The case number 26-07-BOA-00009. We are closing that case, and we're going to make a decision on it. Okay? Question. Do you review all the cases or make decisions afterward, or do we have to make a decision after each case?

Attorney Roberts: I recommend that you make a decision after each case very openly and then make a decision.

Chair Johnson: Make sure I just want to know how to proceed. Thank you. All right. Board members, we will discuss this amongst ourselves. It has to be open. Okay? Everybody has to hear what we're talking about.

Mr. Scott: So, I think immediately what kind of sticks out is the idea of the self-created hardship, trying to substantiate whether or not there's a hardship here. So, there's a very specific guideline that suggests self-created hardship is not one that would qualify. So, the idea is that, although I empathize with the information that the Applicant is going through, it also seems to have sort of a slight issue. Kind of totally ignoring non-responses. Even the actual application itself is submitted a day after the deadline. I'm not making a hard decision here, but I'm saying: how would we get over, how do we get past the self-created hardship, and then determine or substantiate that being that we can say qualifies?

Chair Johnson: And I'm thinking that she was not present for two years when this building was constructed. So, now ownership is through a court decision, a divorce decision. So, she didn't create her land ownership. She was probably not there when it was constructed, while she was away.

Mr. Scott: So, the idea, though, is that it's considered one until that divorce takes place. So now she's the owner of the property, but the idea is the hardship. I'm trying to figure out how we get beyond the self-created hardship. You're essentially saying that because of Gary, her responsibility originally because she was sharing that responsibility? The viewpoints?

Ms. Goodman: I'm sorry, I'm with you. It's a self-created hardship. And I understand that she might not have built the building, and she might not even know what was taking place or anything. But again, they were very careful. The husband tried to build. And then some things were sent to whoever was dwelling at the home at that time, the husband or the wife. No one did anything. No one answered. I too noticed that the application wasn't done until the day after every. So, there was ample time. There was more than one opportunity to take care of the house and you realized there was letters, there was opportunity. So, unfortunately, it's a self-created hardship. Obviously, that seems unfair, but.

Chair Johnson: All right. Does anyone else on the Board have anything?

Mr. Standley: I agree with you. I don't think she had total control of anything. Is she still, use a better word, stuck with what was done because the property was partially in her name the whole time?

I don't think we'll be doing anything constructive by approving a variance for this. We still got a mess on our hands. It was created by the property owner.

Chair Johnson: If the two landowners can come to a decision, is that calendar date we could advance this in the future or discuss it? Give them my opportunity to solve it.

Attorney Roberts: I mean, it's at the pleasure of the Board whether you wish to continue this. The evidentiary portion of the hearing's already been closed, so we would essentially just be putting off the decision.

Chair Johnson: At least we have discussed the fact of purchasing the real property incorporated into the existing property and to take away the fact that the structure is too close to the line.

Mr. Hardin: One thing, just keep the discussion centered. The variance request is for one building specifically. Any other building is separate from the request.

Chair Johnson: I guess my question is: is the building in violation, and does tearing down/movement of the building have to take place within a certain time period?

Mr. Hardin: That would be handled by the Inspections Department. So, if the variance were denied, they would move forward with enforcement.

Chair Johnson: In actuality, it is in violation.

Attorney Roberts: To your point, Mr. Chair, your question about ownership of the parcels is an existing structure; it will travel with the parcel. So, another purpose of the parcel behind it or beside it, there are still two separate parcels.

Chair Johnson: It would have to be surveyed into each other after the purchase.

Attorney Roberts: Well, and the evidence is not before you regardless. So, what you're looking at is that is the building on this property, the hardship that it would cause to deny or grant the variance. And I would recommend taking a look at the findings of fact that you'll need to make as well in your consideration and discussion. There are also two variances that you're looking at. So, you're looking at the 27-foot in the rear as well as the 12-foot on the side. So, there'll be two separate motions.

Mr. Standley: I suggest that everybody look at the findings of fact and determine whether or not you make the findings.

Chair Johnson: Anyone want to make a motion? Just trying to gather information on the property.

Mr. Scott: Someone spoke in regard to the property on the right side. Anyone spoke that owned one of the parcels on the right with the 12-foot variance? Spoke on that side? Did you make any contact or anything with the property?



Mr. Hardin: They would've been sent a notice just like the other properties.

Chair Johnson: This is a discovery on a complaint by neighboring property, but we did hear from the neighbors tonight. I mean, adjacent property owners. I don't know if they live there or not. But that's okay. I guess if you're speaking about the property.

Mr. Standley: Are we now required to make a motion?

Attorney Roberts: To either grant or deny. We need a motion for each request.

Mr. Standley: Did you have five minutes to go over this? Five minutes to ourselves.

Attorney Roberts: If there's any deliberation occurring, if you could say it into the microphone, please.

Mr. Scott: We're once again going over the lot three, A3 of subsection 3.5. And again, it's essentially going to be arguing as far as findings of fact is the hardship did not present. Would be able to say that the hardship did not result from actions taken by the Applicant or the property owner. They're not able to say.

Mr. Standley: I think number two is also a problem. As far as we know, nothing peculiar about that piece of the property. You are located a few feet away from that and still be. Okay. I don't see anything peculiar about that.

Attorney Roberts: Was there a question?

Mr. Scott: I'm not sure if I can ask this, but do we have any precedent on issues such as someone that's raised their own hardship? Is there any precedent on how we typically decide?

Jason Hardin: Each quasi-judicial hearing is an entity of its own. No precedent is set by the board's decision.

Mr. Standley: Yeah, strange that it's two separate things. One variance vote between the property and the side of the property, one thing.

Chair Johnson: Either side of the property.

Mr. Standley: Yeah, but instead of having two votes, that one's okay and that one's not. You're doing one thing saying it's okay or it's not okay. The whole thing. You can combine it into one action. The agenda is presented at two variances.

Attorney Roberts: It's two separate variances for one subject building.

Mr. Standley: I understand that. So, you got it on your only agenda as one action item.

Mr. Hardin: It's one item, but there's two variances.

Attorney Roberts: One evidentiary hearing.

Chair Johnson: Yeah, we have to sign off on two decisions.

Vice-Chair Campbell: Can you deny one and grant the other?

Chair Johnson: You can if that's your finding. If you all want to make a motion on, we can.

Vice-Chair Campbell: You deny one, grant the other, grant one and deny the other?

Chair Johnson: Why not? I mean, that's what I would agree.

Attorney Roberts: If that's how you evaluated the evidence, yes.

Mr. Scott: That sounds great, but it's sort of the same issue applies to both sides, both variances and create hardship concept. Talking about the structure itself, I'm calling it self-created hardship. So, for both variances, really the same rules apply. The only difference is that the variance on the 12-foot side, from my understanding, there was not someone here to specifically speak in regard to that. The person who that property is encroaching upon is not here to speak. Whereas the back end, the 27 feet, there are, and she is here to speak. Also, we should clarify that the people that spoke after the Applicant, it would be an undue hardship to not be able to sell the property. That is pretty taxing. I could imagine as finding out that you can't sell your property because there's an encroachment on the back end.

Chair Johnson: It's not an encroachment.

Attorney Roberts: The survey does not show that there's an encroachment for this particular building on this property, and we are looking at this particular building on this property.

Mr. Standley: It's still a violation of the setback requirements, is it not?

Attorney Roberts: This particular building, that's why they need a variance. Yes.

Mr. Standley: There was no permit. It looks like too close to the property lines. It's not over the property line, but too close to it.

Mr. Hardin: They're requesting variances to encroach into the setbacks.

Mr. Standley: As a matter of fact, it really doesn't matter. It's still a violation either way.

Chair Johnson: Variance for both sides. It's unacceptable. Either way, yes, it is right now as it says it's in violation. Sure it is. Two motions, I should say.

Ms. Goodman: I would like to make a motion that due to owner -

Chair Johnson: Which variance?

Ms. Goodman: Sorry. I would like to make a motion on the 27-foot variance on the 12-foot variance.

Chair Johnson: You have to do them separately.

Attorney Roberts: For everyone in the room, there are worksheets in the packet. We're just instructing Ms. Goodman that she can work through the template to grant or deny.

Nicole Goodman moved that the Guilford County Board of Adjustment, having held a hearing on September 1, 2026, to consider case number 26-07-BOA-0009 submitted by Anna Karen Navarro Serna. Variance 1 is a request for a 27-foot variance to allow a three-foot interior rear setback. In order to permit placement of an accessory structure on the property in accordance with the submitted sketch plan located at 2904 Cromwell Road, Greensboro, North Carolina, Tax Parcel 151120, in a manner that is not permissible under the terms of the ordinance and having heard all of the evidence and arguments presented at the hearing, the Board makes the following findings of fact 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:

The structure was built without the required permits and without following any other policies and procedures for building on the property.

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:

This is something that the family chose to do without following any of the proper procedures. Once they were notified, no one stepped up and took any responsibility for the notices that were placed or that were sent to them.

3. It is the Board's conclusion that the hardship **does** result from actions taken by the Applicant or the property owner. This conclusion is based on the following findings of fact:

Although Ms. Anna Karen Serna was not the one who constructed the building or decided that the building would go up. But again, they were a married couple and therefore still responsible. So, she didn't build it. I understand that, but they did not follow the proper policies and procedures.

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.

There is no evidence that the building presents a safety hazard; however, granting the variance will adversely affect neighboring properties due to its close proximity.

Therefore, on the basis of all the foregoing, it is ordered that the application for a variance be **denied**.

This motion also directs staff to draft and propose an order reflecting findings and conclusions, as may be consistent with Board's decision and supported by evidence and the law for the Board's consideration at its next meeting, seconded by Mr. Scott. The Board voted unanimously, 5-0, in favor of the motion to deny the requested variance. (Ayes: Johnson, Campbell, Scott, Standley, and Goodman. Nays: None)

Mr. Standley: If you have the same findings of fact, you requested the thing under the different numbers, the same findings of fact.

Attorney Roberts: Let's take a motion on this one first. The motion's already here. Let's take a vote on it.

Chair Johnson: The Board has denied the 27-foot variance. Now we need to make a motion on the 12-foot variance of that same property.

Attorney Roberts: To address Mr. Stanley's question, if the Board so chooses to incorporate the findings of fact from the 27-foot variance to whichever motion, if you choose to refer to them to deny the 12-foot as well.

Chair Johnson: So, we still have to make a finding.

Attorney Roberts: Yes, but if you so wish and you think that the findings of fact are the same, you can incorporate them.

Chair Johnson: That is what you were saying. Okay. All right. We have to make a motion on the same property. The property is case number 26-07-BOA-0009. We are now speaking in terms of voting in terms of the 12-foot variance.

Vice-Chair Campbell: I make a motion that on the 12-foot variance that we'd like to make a motion that you give 12-foot variance that same findings of fact.

Attorney Roberts: If you could talk through the motion again and where you're basing the following findings of fact, you can incorporate.

Vice-Chair Campbell moved that the Guilford County Board of Adjustment having held a hearing on September 1, 2026, to consider Variance Case 26-07-BOA-00009 submitted by Anna Karen Navarro Serna, a request for a 12 ft. variance to allow a 3-foot interior side setback in order to permit placement of an accessory structure on the property, in accordance with the submitted sketch plan, on property located at 2904 Cromwell Road, Parcel 151120, 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 not** result from the strict application of the Ordinance. This conclusion is based on the following findings of fact: The structure was built without the required permits and without following any other policies and procedures for building on the property.

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:

This is something that the family chose to do without following any of the proper procedures. Once they were notified, no one stepped up and took any responsibility for the notices that were placed or that were sent to them.

3. It is the Board's conclusion that the hardship **does** result from actions taken by the Applicant or the property owner. This conclusion is based on the following findings of fact:

Although Ms. Anna Karen Serna was not the one who constructed the building or decided that the building would go up, they were a married couple and therefore what one does is what the other one does. So, she didn't build it. I understand that, but they did not follow the proper policies and procedures.

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.

There is no evidence that the building presents a safety hazard. However, granting the variance will adversely affect neighboring properties.

Therefore, on the basis of all the foregoing, it is ordered that the application for a variance be **denied**.

This motion also directs staff to draft a proposed order reflecting the Board's findings and conclusions. Such findings and conclusions shall be consistent with the Board's decision, the evidence, and the law for the Board's consideration at this next meeting. Mr. Scott seconded the motion to deny the request. The Board voted unanimously, 5-0, to deny the requested variance. (Ayes: Johnson, Campbell, Scott, Standley, and Goodman. Nays: None)

Chair Johnson: All right. You will receive a letter. You will receive a letter in reference to our decision.

Oliver Bass: You'll receive a written notice of the decision of the Board.

Chair Johnson: You'll receive a written notice from the county planning department in reference to our decision tonight. Okay? I don't know how many days it will be. Anyway, you'll receive a letter in reference to our decision tonight.

Mr. Hardin: And any appeal would be submitted to the Superior Court within 30 days of approval of the written Order.

Chair Johnson: Any decision to appeal, I should say, you will have to appeal to the Superior Court. Okay.

Attorney Roberts: The Clerk to the Board can call the next case if you'd like, Mr. Chair.

Chair Johnson: Yes, please call the next case.

**C. VARIANCE CASE #26-07-BOA-00010: 5623 BURLINGTON ROAD, MCLEANSVILLE, NC 27301**

Mr. Hardin: Next case is variance case number 26-07-BOA-00010 located at 5623 Burlington Road, McLeansville, NC 27301. If staff could please present the staff report.

Mr. Bass: My name is Oliver Bass, Guilford County Planning Department. I will be presenting the staff report for Variance Case 26-07-BOA-00010. The slides show that the property was noticed on August 20th. A sign was posted on the subject property on August 20th, 2026. Notice was mailed to adjacent property owners on August 20th, 2026. Gladys Adriana Barrera Flores is requesting two variances from the Unified Development Ordinance, Subsection 4.2.2.B requires:

1. A property to comprise at least two acres in order to place an accessory structure in front of the principal structure in the RS-40 zoning district; and
2. Requires a 50-foot minimum street setback from the front property line along a major thoroughfare, which includes Burlington Road.

The requested variances pertain to the existing unpermitted structure in front of the principal structure, referenced in code violation case 26-07-BLCE-00042, as shown on the submitted sketch plan.

This is the existing structure, and this is the location of the unpermitted carport that was built on the property within 34.77 feet of the front property line. So again, the Applicant is seeking the following variances:

1. A variance to allow an accessory structure to be placed in front of the principal structure on a property that comprises less than two acres in accordance with the submitted sketch plan; and
2. A 16-foot variance to allow a 34-foot front street setback to permit placement of an accessory structure on the property in accordance with the submitted sketch plan.

The following is a history of the site chronology. On July 16, 2026, William Wood, Inspection Field Supervisor with the Guilford County Inspections Department, conducted an initial investigation on the subject property and placed a stop-work order for building a freestanding structure without the required permits. The reference structure is the subject of the proposed variance request.

On July 28, 2026, Gladys Adriana Barrera Flores, property owner, filed an application with the Planning Department for the requested variance to the minimum street setback on a major thoroughfare and the placement of an accessory structure in front of the principal structure in the RS-40 District under Variance case 26-07-BOA-00010, which is the subject of this evidentiary hearing. The property owner is Gladys Adriana Barrera Flores. The property is located at 5623 Burlington Road, McLeansville, North Carolina 27301. Recorded on plat book 20, page 59 in the Guilford County Register of Deeds.

Zoning is RS-40 residential. Minimum street setback on a major thoroughfare is 50 feet. Minimum side yard setback is 15 feet. Minimum rear yard setback is 30 feet. There is an active building code violation case 26-07-BLCE-00042, and a stop-work order was posted on the site on July 16, 2026, for building a freestanding structure without a required permit. You can see the building in question on the slide. The building footprint is generally consistent with the locations of structures on adjacent properties. The Applicant is proposing to place the structure to the right of the principal building and in front of it. It is a detached accessory building. Existing land use of the site is a single-family residential dwelling. The surrounding use to the north is a Publix Distribution Center located in the City of Greensboro; To the east, it's a single-family detached dwelling. To the west, it's a single-family detached dwelling. Regarding topography and stormwater features, the subject parcel ranges from nearly level to sloping. No regulated floodplain on the site. No mapped wetlands or streams are located on the site, and the site is located within the Mackintosh WS4 general watershed area. Reviewing the standards for granting a variance.

Mr. Hardin: Mr. Bass, no need to cover these again, as they were discussed previously.

Mr. Bass: That would conclude the staff report.

Chair Johnson: I have a question, if you don't mind. This property is far as 40. I don't quite understand why a 50 setback is required because it's on a major thoroughfare.

Mr. Bass: Generally, major thoroughfares are among the busiest streets within the community. Local collectors generally do not carry the same volume of traffic as major thoroughfares. To accommodate the higher traffic volumes and speeds associated with major thoroughfares and highways, additional setbacks are required.

Mr. Standley: How much of a setback would this structure have? How much of a setback would the proposed structure have?

Mr. Bass: The Applicant is requesting a 16-foot setback variance, which would allow a minimum 34-foot setback. So, they'll be decreasing the 50-foot setback down to 34 feet.

Chair Johnson: As it exists in its present form, the setback is 34 feet rather than 50 feet.

Mr. Bass: Correct. Based on the sketch plan, they're proposing a 34-foot setback.

Mr. Hardin: To be clear, there are two variances in place here. The first one is that you place it in front of the principal structure, which Mr. Bass said is required in the front of the principal structure. That's the first thing. The second one is the actual encroachment into the required setback.

Chair Johnson: Does any member of the Board have any questions?

Mr. Standley: How far out in front of the house is the structure? Only the space between the house and the accessory building.

Mr. Bass: Five feet in front of the main structure. It's only five feet.

Chair Johnson: Okay. Let me ask you a question, if the structure found is still in its existing form, but you said that it's unfinished? Well, that's maybe asking the wrong picture.

Attorney Roberts: It's a question for the Applicant.

Chair Johnson: I'm trying to discover. So, the county looks at this as a permanent structure, even though in its existing form, it's on blocks.

Mr. Hardin: The Inspections Department found this building in violation of the building code. They made the determination that a building permit is required for this structure and issued a stop work order due to building without a permit.

Chair Johnson: They did not have a permit either. Okay.

Mr. Standley: The blocks for the piers back here.

Chair Johnson: There could be blocks.

Mr. Bass: Based on the photos.

Chair Johnson: Maybe asking the wrong person the question.

Mr. Hardin: We cannot testify to the support structure based on appearances alone.

Chair Johnson: Is that your conclusion? Okay. May call you back. Okay. All right, the Applicant for the case.

Gladys Adriana Barrera Flores, applicant and property owner of 5623 Burlington Road: Hello everyone. My name is Gladys Barrera. So, as Mr. Oliver mentioned, I am requesting two variances. The first one is for the placement of the structure building in front of the principal building. The second one is the 16-foot setback from the street. I did not have a permit because I was under the assumption that I did not need a permit because it's an open structure. And, of course, at this point, I realized that that was wrong. And so after another inspector issued a stop-work order, I went ahead and filed everything to get all the documents and everything to file for the permit and everything else. But one of the reasons why we placed the carport in front of the building is because on the back of the property, we have a well and we have a septic system. So, the septic lines run all through the back of the property and that's the reason why we decided to build the carport in front of the principal building.

Mr. Standley: Okay. Are the cars currently being parked in about the same place?

Ms. Barrera: Right now, under the carport. Before that, they were parked in the same place. There was no structure there.

Chair Johnson: So, your plan is not to enclose this. It's going to be a free-standing shelter.

Ms. Barrera: The structure was almost done. It's just a few details that we didn't get to finish because of the stop-work order, but it's pretty much the way it looks now. That's how it's going to be. We just needed to finish the shingles on top.



Chair Johnson: Does anyone else on the Board have any questions for the Applicant? Is anyone here to speak for or against the request?

Chair Johnson: Okay. We just have to still come up if you're able to get up there and sign your name and sign your name. And were you in that room for the swearing in portion? You came in later. Okay.

Mr. Hardin: Mr. Chairman, this gentleman entered after everyone was sworn, so you would need to swear him in to give testimony.

Chair Johnson: Okay. I was thinking this. All right. State your name, please.

Mr. Thomas Miles: My name is Thomas Miles. I live two doors down from their property at 5627 Burlington Road.

Chair Johnson: No testimony yet. Do you swear or affirm to tell the truth, the whole truth, and nothing but the truth about this matter?

Mr. Miles: I do.

Chair Johnson: Thank you. Go ahead then.

Mr. Miles: Can you put the map of the neighborhood back up? As you can see, this is their property. This is my property here. I've lived at this place for about 25 years now, and the previous owners of that property were a real eyesore. We had problems with drug addiction, the police stopping there numerous times during the week, trying to make arrests, and chasing them through our property. And the family that lives there now bought the home. They did a lot of work to improve the property and to be good neighbors. When I lost my leg, their son came over and mowed my lawn for me a couple of times, which was a great blessing for my wife and me. They have always treated us with kindness and respect. I know that they didn't follow the law, but I think that they are good citizens that represent the community well. I would like to see them be able to have protection for their vehicles. As they said, they were parked in the same place before, but now they have a roof over their head, and vehicles.

Chair Johnson: Does anyone have any questions for Mr. Miles?

Chair Johnson: Okay. Well, if you'll call this case, please tell me the case.

Mr. Hardin: Mr. Chair, would you mind asking if there's anyone else here to speak?

Chair Johnson: Anyone else here to speak for or against the Applicant for the property? We will close the evidentiary hearing for Case 26-07-BOA-00010. Now we can discuss it and offer a motion. I know that there's no obstruction of view or anything from the structure. It's going to be a non-wall-bearing structure. It's only there to protect vehicles. Got a question for the attorney. Can I mention what we've done in the past for these kinds of structures?

Attorney Roberts: You can, but you are not to consider it when making a decision based on the evidence that you heard.

Chair Johnson: It can't be entered, but it seemed like the major violation here comes from the major thoroughfare rule, rather than the general RS-40 rule, which is 40 feet from the edge of the standard street, but it's still 34 feet away from the street, I think. Anyway, I may be discussing what we need to discuss in the findings of fact. Does anyone else want to discuss anything at this time?

Mr. Scott: I think a few things. First, the Applicant's effort to come into compliance is notable. She responded pretty much immediately, a few weeks after she got the stop order. There also appear to be significant physical constraints on the yard. And when it refers to the septic unit and other things on the property, they're kind of forcing this to be the only sort of place that she can build a structure like this. I just wanted to add that.

Chair Johnson: Yeah, the cars were already parked there. I don't know if it was gravel or dirt, but nothing changed but putting the roof on some stilts.

Mr. Standley: I'll make a motion. Through talking, I have a motion.

Chair Johnson: Any further discussion? Does anyone want to inject anything else?

Mr. Standley moved that the Guilford County Board of Adjustment, having held an evidentiary hearing on September 1st, 2026, to consider Case Number 26-07-BOA-00010, submitted by Gladys Adriana Barrera Flores, to allow an accessory structure to be placed in front of the principal structure on a property that comprises less than 2 acres, in accordance with the submitted sketch plan, located at 5623 Burlington Road, McLeansville, NC 27301, Tax Parcel #117491, 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 fact and draws the following conclusions:

1. It is the Board's conclusion that unnecessary hardship **will result** in the strict application of the Ordinance. This conclusion is based on the following findings of fact:

The construction of the carport is located generally in the only place that can be put on the property. In the rear of the property, you have the well and septic tank. It's got to be done in this general area. It is close to the setback required.

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:

The topography and the possibility of placing the structure is restricted by the well and septic tank in the back. It is the only place they could put it. The applicant considered other places where it could be done.

3. It is the Board's conclusion that the hardship **does not** result from action taken by the applicant or the property owner. This conclusion is based on the following findings of fact:

The house, well, and septic system infrastructure were installed by previous owners, prior to their acquisition of the property. The required Environmental Health Department setbacks from the well and septic lines are fixed, addressing preexisting environmental constraints.

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. This conclusion is based on the following findings of fact:

The requested variance will maintain a sufficient front setback and allow the property owner reasonable use of the property.

Therefore, on the basis of the foregoing, it is ordered that the application for a variance to allow an accessory structure to be placed in front of the principal structure on a property that comprises less than 2 acres **be granted**, in accordance with the submitted sketch plan.

This motion also directs staff to draft a proposed Order reflecting these findings and conclusions, consistent with the Board's decision and supported by the evidence and the law, for the Board's consideration at the next meeting, seconded by Mr. Scott. The Board voted unanimously, 5-0, in favor of the motion. (Ayes: Johnson, Campbell, Scott, Standley, and Goodman. Nays: None)

Attorney Roberts: Can we hear a motion for the setback variance, please?

Chair Johnson: Now we need a motion on the setback portion of it, of the application.

Mr. Standley: Setback on the second part is to the right side of it.

Attorney Roberts: The setback is from the front.

Mr. Hardin: The front setback from the street.

Chair Johnson: The building is setback 34 feet from the street is next motion. We need to say that either aye or nay on that one.

Attorney Roberts: The 16-foot setback.

Mr. Hardin: The 16-foot variance. With a 34-foot front setback.

Mr. Standley: Where is the setback?

Mr. Hardin: The setback is from the street; it is the front setback based on the orientation of the house.

Mr. Bass: Would be from the front property line.

Mr. Hardin: Correct. 34 feet from the front property line to the front end of the structure.

Mr. Standley: Is this the same item?

Mr. Scott: Same one. It's the second variance. I'm sorry; I have it now.

Mr. Standley moved that the Guilford County Board of Adjustment, having held an evidentiary hearing on September 1, 2026, to consider case 26-07-BOA-00010, submitted by Gladys Adriana Barrera Flores, A request for a 16-foot variance to allow a 34 ft. front street setback to permit placement of an accessory structure on the property, in accordance with the submitted sketch plan, located at 5623 Burlington Road, McLeansville NC, 27301, being Tax Parcel #117491, 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 Fact and draws the following conclusion:

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:

The construction of the carport is located generally in the only place that can be put on the property. In the rear of the property, you have the well and septic tank. It's got to be done in this general area. It is close to the setback required.

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 upon the following findings of fact:

The topography and the possibility of placing the structure is restricted by the well and septic tank in the back. It is the only place they could put it. The applicant considered other places where it could be done.

3. It is the Board's conclusion that the hardship **does not** result from action taken by the applicant or property owner. This conclusion is based upon the following findings of fact.

The house, well, and septic system infrastructure were installed by previous owners, prior to their acquisition of the property. The required Environmental Health Department setbacks from the well and septic lines are fixed, addressing preexisting environmental constraints.

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 that substantial justice is achieved. This conclusion is based upon the following findings of fact:

The requested variance will maintain a sufficient front setback and allow the property owner reasonable use of the property.

Therefore, on the basis of all the foregoing, it is ordered that the applicant's request for a 16 ft. variance to allow a 34-foot front street setback to permit placement of an accessory structure on the property, in accordance with the submitted sketch plan **be granted**.

This motion also directs staff to draft the proposed Order reflecting the findings and conclusions, such findings and conclusions also as may be consistent with the Board's decision supported by the evidence and the law for the Board to consider at the next meeting, seconded by Ms. Goodman. The Board voted unanimously, 5-0, in favor of the motion. (Ayes: Johnson, Campbell, Scott, Standley, and Goodman. Nays: None)

Chair Johnson: You will receive a letter from the county in reference to our decision.

Attorney Roberts: Once you receive the Order, there are 30 days to appeal the decision to the Superior Court, should you so desire, but your variance was granted. Thank you.

Chair Johnson: I want to say that please for clarity, we only have about two or three meetings a year, so if it look like we're stumbling through this, we are. So yeah, at the best, we would be 12 times what we don't have, about two or three meetings a year.

Attorney Roberts: If we could have the clerk call the next case.

Chair Johnson: Okay. Mr. Hardin

**D. VARIANCE CASE #26-07-BOA-00011: 3222 FORSYTH DRIVE, GREENSBORO, NC 27407**

Mr. Hardin: Yes, sir. This is Variance Case Number 26-07-BOA-00011 located at 3222 Forsyth Drive, Greensboro, North Carolina 27407. And if staff could please present the staff report.

Ms. Lockwood: Evening, Chair and members of the Board. My name is Samantha Lockwood. I'm a Senior Planner for the Planning and Development Department. To start tonight, this is the public notice sign placed on the property for 26-07-BOA-00011. And this was placed on August 20th, 2026. And then here are four photos showing the sign from different directions. This is the adjacent property owner map, and the lettered properties were sent public notice letters. So, for a summary of the case, Karen and Joseph Bolyard are requesting a variance from Unified Development Ordinance Subsection 4.2.4.B, which requires a 30-foot minimum setback from the rear property line for properties zoned RS-20. These requirements are shown here on the screen.

The subject property is located at 3222 Forsyth Drive, Greensboro, NC 27407, and that's Guilford County Tax Parcel #155641 in Jamestown Township. It comprises 1.17 acres. This is the submitted sketch plan. The Applicant is seeking a 21-foot variance to allow a nine-foot rear setback in order to permit construction of an accessory structure, which is a swimming pool, on the property in accordance with the submitted sketch plan. And this is a second zoomed-in sketch plan of the pool and the property lines. The existing land use on the property is residential, and the surrounding uses to the north, south, and east are all single-family detached dwellings. And then the surrounding use to the west is also residential, but it is a golf course.

Here we have the current zoning map; all properties shown are zoned RS-20 with a little bit of RS-40 at the bottom. This is the vicinity of the area. And then in terms of topography, the subject parcel has varying slopes from nearly level to gently sloping and strongly sloping to moderately steep, and the property has no regulated floodplain mapped wetlands nor mapped streams on the property. And that concludes the staff presentation for this case.

Ms. Goodman: Thank you.

Mr. Hardin: Are there any questions of the planning staff?

Chair Johnson: The area that we are here considering, if you will, what are we considering, the swimming pool area?

Ms. Lockwood: So, the requested variance itself is a 21-foot variance to allow a nine-foot rear setback. The RS-20 district has a requirement of a 30-foot minimum setback, and so the nine feet, that is the line here.

Chair Johnson: And you said that's the golf course above it?

Ms. Lockwood: Correct. Yes, sir. That is the golf course to the top of the sketch plan.

Chair Johnson: Okay. Okay. There's no residential property in contact with it. Okay. All right. So, Mr. Isaacson, you're representing them. Okay. Sign your name up there if you will.

Attorney Marc Isaacson: Good evening, Mr. Chairman and members of the Board. My name is Marc Isaacson. My address is 804 Green Valley Road in Greensboro. I have some materials to hand up to the Board if I may approach. Attorney Isaacson then distributed handouts to the Board.

Chair Johnson: You all want to pass them out, or okay, go ahead.

Attorney Isaacson: Mr. Standley, if I could just hand these to you and you can hand them down, please. One for the staff. We've had a long agenda, so I'll try to be brief, but we're certainly available for questions. With me this evening are Mr. and Mrs. Bolyard, the property owners. As you noted, this property adjoins the Sedgefield Golf Course.

As the staff indicated, this is a request for a variance from the rear setback for a proposed swimming pool and patio, and that is shown on the sketch here and also on the one that's the first attachment in your materials.

I think what might be helpful for the Board, and if so inclined to make a motion to approve, is for me to go through the packet attached to the application, but to reference those would be attachments.

The first test is whether an unnecessary hardship would result from the strict application of the Ordinance. The subject property is located on a golf course and is consistent with other residences in the area. The property owner's desire is to improve the property by adding an in-ground swimming pool with related improvements such as a patio and gathering area for family and friends. There's a reference here to the Ordinance.

The Guilford County UDO defines a structure to include a number of things, but a swimming pool is included as a structure under the Ordinance. As a swimming pool is treated as a structure under the Ordinance, it must meet the setback standards in the Ordinance. So, the strict application to the proposed swimming pool would prohibit its installation and thereby creating unnecessary hardship.

Secondly, if you'll flip to the second item, second page that I handed you, we'll go through that reading. The second test is that the hardship results from conditions that are peculiar to the property, such as location and size. Here, I would submit that the hardship results primarily from the unique configuration of the subject property in that the rear property line juts in significantly from the ordinary property line with the adjoining golf course. You can see this on the sketch here and the one before you, where that property line really juts in like a V toward the house, toward the property. That really pinches in the developable or buildable area for this particular parcel, which is unique. The result of this unique configuration is that the area in which any structure or improvement may be built on this lot is extremely limited. Accordingly, we would submit that this lot meets the test under the ordinance that the hardship is the result of conditions that are peculiar to the property, such as, to quote the Ordinance, location, size, or topography. I would note for the Board's attention that on this particular attachment, the second page that I handed out, we have drawn a straight line across the back of the property, and you'll see that if that line were straight across and did not jut in, it would be 30 feet of distance.

So, we would not be here requesting a variance if this line were created, had been created by the recorded plat, and you'll see that in a moment. This variance would not be necessary for them to build the swimming pool. Also, on this sketch, I would point out to the Board that there are certain trees on the top right part of the property that are very old, and that is one reason that the swimming pool is located in the middle, the center of the property, where it's proposed. The swimming pool contractor, the owners hired to design and lay it out, proposed this.

Third test, if you'll switch to the third page that I handed out, is that the hardship did not result from actions taken by the Applicant or the property owner. And here, this property was platted on July 8th, 1938, and the recorded plat is in your materials, and I've highlighted down here at the bottom right the lots that create that V shape. So for whatever reason, the engineer who laid it out in 1938 thought that that was the appropriate location of the property lines and the way to organize the layout of the properties. And I would submit to the Board that that is a very unique configuration of a lot. Accordingly, I would submit the hardship did not result from actions taken by the Applicant. That was in existence long before they acquired this property.

Lastly, if you'll switch to the next page, the aerial photograph.

Mr. Standley: Before we move on, quick question.

Attorney Isaacson: Sure.

Mr. Standley: Top of that property. It looks like that was where the Ts were.

Attorney Isaacson: I'm sorry, what?

Mr. Standley: Is that where the Ts were?

Attorney Isaacson: Let's see. Are you on the aerial photograph?

Mr. Standley: Look at this one.

Attorney Isaacson: Oh, that. Okay. Well, I think maybe the next page will tell you - Right there. Yeah, the next page will tell you a little better on the aerial photograph. I will give you a pretty good overview of the way the golf course adjoins the property. That is the second green. That said, it's covered. I think this was taken in the winter, so they had covered the green to protect it from freezing. But do you see that? Yes, darker rectangular area.

Chair Johnson: It's not a solid structure. That's just a cover

Attorney Isaacson: Cover on the green to protect it from freezing weather. This is the second hole on the Sedgefield Golf Course.

Mr. Standley: If they had not angled in like that, you'd have a lot more balls on the property.

Attorney Isaacson: Well, depends on who's playing the course, I guess. We've just had a golf tournament out there, as y'all may know, the Wyndham tournament, if that's what it's still called. The last test, and I want to draw the Board's attention to this aerial photograph the staff took. The last test is 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.

I would submit that the requested variance is consistent with the spirit, purpose, and intent of the Ordinance in that the use of this residential property will be consistent with many nearby residences that have swimming pools between the residence and the rear property line, and would be located in an area of the property behind the residence where access to the pool will be on a level surface to help ensure the safety of the members of the family and their guests who will utilize the swimming pool for its intended purpose. And I would note for the Board's attention that if you count them up, you'll see that two at the bottom, two on the side, and one at the top- those homes do have swimming pools. And so, I think I would submit that our request is very consistent with the harmony with the practice in the area of having swimming pools in the rear yards of the residences. Finally, I submit that substantial justice will be achieved and that this is consistent with the intent and purpose of the Ordinance because the setback standard, as the Chairman may have already noted, is intended to protect the adjoining homeowner from the impact of the use of the property. Well, here we have a golf course, recreational use, and no homeowner directly behind the property. So, this would, I think, facilitate that use and be consistent with it. Finally, your final handout is that we did send out a letter to our neighbors.

Mr. and Mrs. Bolyard sent out a letter explaining the request to arrive before the staff notice, the purpose and intent of our request, the location of the swimming pool in the backyard, and inviting those with questions or concerns to contact them. To date, we have received a handful of emails and no opposition to this request. I understand someone from Sedgefield Country Club, our neighbor, is here to speak, but we are not aware of any opposition to this request. So, I hope the Board will agree that we did a little homework to inform our neighbors and invite discussion, and that we acted in good faith. I know the hour is getting a little late, so I won't belabor the point, but I believe, I guess, to submit to the Board that we have met the tests or the hardship factors that are outlined in the Ordinance.



This is a reasonable and appropriate request for the property given the context, the circumstances, and the surrounding properties; it would be consistent with the area. With that, open to questions.

Chair Johnson: All righty. So are you going to speak in favor or -

Wes Rowe, 3201 Forsyth Dr.: Yeah, I'm Wes Rowe. I'm the GM of Sedgefield Country Club. I'm in favor of it.

Chair Johnson: Come over and appear.

Attorney Roberts: Mr. Johnson, do you have any questions, or does the Board have any questions for Mr. Isaacson or the Applicant?

Chair Johnson: No, not at this time.

Attorney Isaacson: Okay. Thank you.

Attorney Roberts: Do any members of the Board have questions?

Chair Johnson: Does anyone have any questions? Okay.

Wes Rowe: As I said earlier, I'm Wes Rowe. I'm the general manager of Sedgefield Country Club. I did receive the notice from the Bolyards and shared it with our ownership group and got just some feedback from them before we shared any feedback with the Bolyards as far as our decision on whether or not we were going to support this. I did just want to put this on record on behalf of the club along with the ownership group. We have reviewed the variance requests and have no objection to the proposed variance provided the improvements do not adversely affect drainage on the Sedgefield Country Club property, interfere with golf course operations, or result in the club being required to provide additional accommodations such as netting, tree retention, or other ball protection measures as a result of the variance. That's it.

Chair Johnson: Anyone have any questions for. Sorry, I keep saying your name, but –

Wes Rowe: Oh, Wes Rowe. Wes Rowe.

Chair Johnson: Wes Rowe.

Wes Rowe: That's it.

Chair Johnson: Alright. Anyone have any questions? All right. Thank you.

Attorney Roberts: Is there anyone here in opposition to the application?

Chair Johnson: No opposition. Okay. Yeah, we need to close this. What's the property number again? Okay. 26-07-BOA-00011. Close the evidentiary hearing for that case. And Board, we will discuss and make a decision and entertain a motion, I should say.

Ms. Goodman: I make a motion that the Guilford County Board of Adjustment, having held a hearing on September the 1st, 2026, to consider case 26-07-BOA-00011 submitted by Karen and Joseph Bolyard, a request for a 21-foot variance to allow a nine-foot rear setback in order to permit placement of an accessory structure, meaning a swimming pool on the property, **be approved**. In accordance with the findings of fact, the Board draws this conclusion.

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:

This request is consistent with other pools and structures in the area that have been permitted before.

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:

The property is uniquely shaped in relation to the golf course; it takes away from some of the buildable area. If the property line were going straight across, we wouldn't even be here tonight. So, it does kind of take away from their build a little bit. And like I said, if the rear property line was a straight line, we wouldn't even be here tonight.

3. It is the Board's conclusion that the hardship **does not** result from actions taken by the Applicant or the property owner. This conclusion is based on the following findings of fact:

The land was already carved out long before they ever even knew that they were going to buy that house. So, before they even bought that property, the land was already uniquely shaped like it is. So, it's not anything that the Bolyards did.

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:

That the use of the property will be consistent with those around it. The pool will be in the back, so there's no safety issue. The setback is intended to protect the homeowners as well as the golf course.

This motion also directs staff to draft the proposed Order reflecting the findings and conclusions, such findings and conclusions also as may be consistent with the Board's decision supported by the evidence and the law, for the Board to consider at the next meeting, seconded by Vice Chair Campbell. The Board voted unanimously, 5-0, in favor of the motion. (Ayes: Johnson, Campbell, Scott, Standley, and Goodman. Nays: None)

## VII. Other Business

None.

**VIII. Adjournment**

There being no further business before the Board, Chair Johnson adjourned the meeting by acclamation at 8:40 p.m.

***The next regular meeting of the Guilford County Board of Adjustment is scheduled for October 6, 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 27401.***

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

### **ORDER DENYING A VARIANCE (SIDE SETBACK)**

The Guilford County Board of Adjustment ("the Board") held a duly-noticed hearing on **Tuesday, September 1, 2026**, to consider **Case #26-07-BOA-00009**, a Variance Application submitted by **Ana Karen Navarro Serne**, seeking a variance from the provisions of Unified Development Ordinance (UDO) Section 4.2.2.B to use the property located at **2904 Cromwell Road** (being Tax Parcel **#151120** in Friendship 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. interior side setback in order to permit placement of an accessory structure on the property, in accordance with the submitted sketch 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, five (5) to zero (0), makes the following FINDINGS OF FACT<sup>1</sup> and draws the following CONCLUSIONS:

---

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

- 1) The Board concludes that unnecessary hardship **would not** result from the strict application of the UDO, based on the following findings of fact:

The structure was built without the required permits and without following any other policies and procedures for building on the property. The Applicant failed to cite conditions with respect to size, shape, topography, or other physical conditions of the property that would constitute an unnecessary hardship for granting a variance. The Board finds that hardship based solely on the financial burden of relocating the structure to an approved location does not constitute an unnecessary hardship.

- 2) The Board concludes that the hardship **does not** result from conditions that are peculiar to the property, such as location, size, or topography, based on the following findings of fact:

The structure was built without following proper permitting procedures. The applicant failed to provide sufficient evidence for the Board to find a physical hardship unique to the subject property with respect to size, shape, or topography that would constitute an unnecessary hardship eligible for granting a variance for an accessory building in the location shown on the submitted sketch plan.

- 3) The Board concludes that the hardship **does** result from actions taken by the Applicant, and the property owner, based on the following findings of fact:

The Applicant presented sworn testimony that the structure was built by their husband without securing the required permits for an accessory building or structure. Although Ms. Ana Karen Navarro Serne may not have constructed the building, as an owner of record at the time of construction, she is still jointly responsible for maintaining the property in compliance with the Unified Development Ordinance.

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

Granting the requested variance in accordance with the submitted sketch plan would adversely affect neighboring properties based on the structure's close proximity to the rear and side property lines. The Applicant did not provide competent, material, and substantial evidence conveying that the structure at the proposed location will not adversely impact the property value of adjacent properties.

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 **DENIED**.

ORDER APPROVED BY THE GUILFORD COUNTY BOARD OF ADJUSTMENT ON this the \_\_\_\_ day of October 6, 2026, as follows (N.C. Gen. Stat. 160D-406(i)):

Mr. Willie Johnson, Chair    ☐ Approved   ☐ Not Approved    \_\_\_\_\_  
Signature

Carey Campbell, Vice Chair   ☐ Approved   ☐ Not Approved    \_\_\_\_\_  
Signature

Joshua Scott, Member        ☐ Approved   ☐ Not Approved    \_\_\_\_\_  
Signature

Larry Standley, Member      ☐ Approved   ☐ Not Approved    \_\_\_\_\_  
Signature

Dr. LaToya Gathers, Member   ☐ Approved   ☐ Not Approved    \_\_\_\_\_  
Signature

Ronasia Dougherty, Alternate   ☐ Approved   ☐ Not Approved    \_\_\_\_\_  
Signature

Nicole Goodman, Alternate    ☐ Approved   ☐ Not Approved    \_\_\_\_\_  
Signature

Jeff McClintock, Alternate     ☐ Approved   ☐ Not Approved    \_\_\_\_\_  
Signature

SO ORDERED, this the \_\_\_\_ day of October, 2026.

\_\_\_\_\_  
Willie Johnson, Chair  
Guilford County Board of Adjustment

\_\_\_\_\_  
Witness



STATE OF NORTH CAROLINA  
COUNTY OF FORSYTH

I certify that Oliver Bass 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 Oliver Bass witnessed/recognizes the signatures of Willie Johnson, Larry Standley, Carey Campbell, Joshua Scott, and Dr. LaToya Gathers, 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**

### **ORDER DENYING A VARIANCE (REAR SETBACK)**

The Guilford County Board of Adjustment ("the Board") held a duly-noticed hearing on **Tuesday, September 1, 2026**, to consider **Case #26-07-BOA-00009**, a Variance Application submitted by **Ana Karen Navarro Serne**, seeking a variance from the provisions of Unified Development Ordinance (UDO) Section 4.2.2.B to use the property located at **2904 Cromwell Road** (being Tax Parcel **#151120**) in Friendship Township) in a manner not permissible under the literal terms of the ordinance.

The application sought a 27-foot variance to allow a three-foot interior rear setback. In order to permit placement of accessory structure on the property in accordance with submitted sketch 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, five (5) to zero (0), makes the following FINDINGS OF FACT<sup>1</sup> and draws the following CONCLUSIONS:

---

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

- 1) The Board concludes that unnecessary hardship **would not** result from the strict application of the UDO, based on the following findings of fact:

The structure was built without the required permits and without following any other policies and procedures for building on the property. The Applicant failed to cite conditions with respect to size, shape, topography, or other physical conditions of the property that would constitute an unnecessary hardship for granting a variance. The Board finds that hardship based solely on the financial burden of relocating the structure to an approved location does not constitute an unnecessary hardship.

- 2) The Board concludes that the hardship **does not** result from conditions that are peculiar to the property, such as location, size, or topography, based on the following findings of fact:

The structure was built without following proper permitting procedures. The applicant failed to provide sufficient, credible, material, and substantial evidence for the Board to find a physical hardship unique to the subject property with respect to size, shape, or topography that would constitute an unnecessary hardship eligible for granting a variance for an accessory building in the location shown on the submitted sketch plan.

- 3) The Board concludes that the hardship **does** result from actions taken by the Applicant, and the property owner, based on the following findings of fact:

The Applicant presented sworn testimony that the structure was built by their husband without securing the required permits for an accessory building or structure. Although Ms. Ana Karen Navarro Serne may not have constructed the building, as an owner of record at the time of construction, she is still jointly responsible for maintaining the property in compliance with the Unified Development Ordinance.

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

Granting the requested variance in accordance with the submitted sketch plan would adversely affect neighboring properties based on the structure's close proximity to the rear and side property lines. The Applicant did not provide competent, material, and substantial evidence that the structure at the proposed location will not adversely impact the property value of adjacent properties.

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 **DENIED**.

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

Willie Johnson, Chair      ☐ Approved ☐ Not Approved      \_\_\_\_\_  
Signature

Carey Campbell, Vice Chair ☐ Approved ☐ Not Approved      \_\_\_\_\_  
Signature

Larry Standley, Member      ☐ Approved ☐ Not Approved      \_\_\_\_\_  
Signature

Joshua Scott, Member      ☐ Approved ☐ Not Approved      \_\_\_\_\_  
Signature

Dr. LaToya Gathers, Member ☐ Approved ☐ Not Approved      \_\_\_\_\_  
Signature

Ronasia Dougherty, Alternate ☐ Approved ☐ Not Approved      \_\_\_\_\_  
Signature

Nicole Goodman, Alternate ☐ Approved ☐ Not Approved      \_\_\_\_\_  
Signature

Jeff McClintock, Alternate      ☐ Approved ☐ Not Approved      \_\_\_\_\_  
Signature

SO ORDERED, this the \_\_\_\_ day of October, 2026.

\_\_\_\_\_  
Willie Johnson, Chair  
Guilford County Board of Adjustment

\_\_\_\_\_  
Witness

STATE OF NORTH CAROLINA  
COUNTY OF FORSYTH

I certify that Oliver Bass 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 Oliver Bass witnessed/recognizes the signatures of Willie Johnson, Carey Campbell, Joshua Scott, Larry Standley, and Dr. LaToya Gathers, and that the signatures are genuine.

Date: \_\_\_\_\_

\_\_\_\_\_  
Jessie H. Baptist, Notary Public

My commission expires: \_\_\_\_\_

Official Seal

***(Insert Color Paper)***

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

**ORDER GRANTING A VARIANCE  
(Accessory Structure Placement in Front of Principal Structure)**

The Guilford County Board of Adjustment (“the Board”) held a duly-noticed hearing on **Tuesday, September 1, 2026**, to consider **Case #26-07-BOA-00010** a Variance Application submitted by **Gladys Adriana Barrera Flores**, seeking a variance from the provisions of Unified Development Ordinance (UDO) Section 4.2.2.B to use the property located at **5623 Burlington Road** (being Tax Parcel **#117491** in Friendship Township) in a manner not permissible under the literal terms of the ordinance.

The application sought a variance to allow an accessory structure to be placed in front of the principal structure on a property that comprises less than 2 acres, in accordance with the submitted sketch 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, five (5) to zero (0), makes the following FINDINGS OF FACT<sup>1</sup> and draws the following CONCLUSIONS:

---

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



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

The accessory structure is located in the only likely place it can be placed on the property due to the presence of a well and septic facilities located to the rear of the dwelling.

- 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:

The topography of the subject property is restricted by the well and septic tank location to the rear of the dwelling. The proposed location is the most likely fit due to the topography restrictions on the subject property.

- 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, well, and septic system infrastructure were installed by previous owners, prior to their acquisition of the property. The required Environmental Health Department setbacks from the well and septic lines are preexisting development constraints.

- 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 will maintain a sufficient setback from the front property line and secure substantial justice to allow use of the property consistent with other properties in the greater surrounding area.

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 variance to allow an accessory structure to be placed in front of the principal structure on a property that comprises less than 2 acres, in accordance with the submitted sketch plan.

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ORDER APPROVED BY THE GUILFORD COUNTY BOARD OF ADJUSTMENT ON this the \_\_\_\_ day of October 6, 2026, as follows (N.C. Gen. Stat. 160D-406(i)):

Willie Johnson, Chair      ☐ Approved ☐ Not Approved      \_\_\_\_\_  
Signature

Carey Campbell, Vice Chair ☐ Approved ☐ Not Approved      \_\_\_\_\_  
Signature

Joshua Scott, Member      ☐ Approved ☐ Not Approved      \_\_\_\_\_  
Signature

Larry Standley, Member      ☐ Approved ☐ Not Approved      \_\_\_\_\_  
Signature

Dr. LaToya Gathers, Member ☐ Approved ☐ Not Approved      \_\_\_\_\_  
Signature

Ronasia Dougherty, Alternate ☐ Approved ☐ Not Approved      \_\_\_\_\_  
Signature

Nicole Goodman, Alternate ☐ Approved ☐ Not Approved      \_\_\_\_\_  
Signature

Jeff McClintock, Alternate      ☐ Approved ☐ Not Approved      \_\_\_\_\_  
Signature

SO ORDERED, this the \_\_\_\_ day of October, 2026.

\_\_\_\_\_  
Willie Johnson, Chair  
Guilford County Board of Adjustment

\_\_\_\_\_  
Witness

STATE OF NORTH CAROLINA  
COUNTY OF FORSYTH

I certify that Oliver Bass 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 Oliver Bass witnessed/recognizes the signatures of Willie Johnson, Larry Standley, Carey Campbell, Joshua Scott, and Dr. LaToya Gathers, 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**

### **ORDER GRANTING A VARIANCE (Front Setback)**

The Guilford County Board of Adjustment ("the Board") held a duly-noticed hearing on **Tuesday, September 1, 2026**, to consider **Case #26-07-BOA-00010** a Variance Application submitted by **Gladys Adriana Barrera Flores**, seeking a variance from the provisions of Unified Development Ordinance (UDO) Section 4.2.2.B to use the property located at **5623 Burlington Road** (being Tax Parcel **#117491** in Friendship Township) in a manner not permissible under the literal terms of the ordinance.

The application sought a variance to allow a 16 ft. variance to allow a 34 ft. front street setback in order to permit placement of an accessory structure on the property, in accordance with the submitted sketch 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, five (5) to zero (0), makes the following FINDINGS OF FACT<sup>1</sup> and draws the following CONCLUSIONS:

---

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

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

The accessory structure is located in the most likely location on the property to be approved, given the presence of a well and septic facilities located to the rear of the dwelling.

- 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:

The topography of the subject property is restricted by the well and septic tank location to the rear of the dwelling, as shown in documentation provided by the applicant. The proposed location is the most likely fit due to the cited restrictions on the subject property.

- 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, well, and septic system infrastructure were installed by previous owners, prior to their acquisition of the property. The required Environmental Health Department setbacks from the well and septic lines are preexisting development constraints.

- 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 will maintain a sufficient setback from the front property line and secure substantial justice to allow use of the property consistent with other properties in the greater surrounding area.

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 16 ft. variance to allow a 34 ft. front street setback in order to permit placement of an accessory structure on the property, in accordance with the submitted sketch plan.

(INTENTIONALLY LEFT BLANK)

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

Willie Johnson, Chair      ☐ Approved   ☐ Not Approved      \_\_\_\_\_  
Signature

Carey Campbell, Vice Chair   ☐ Approved   ☐ Not Approved      \_\_\_\_\_  
Signature

Joshua Scott, Member      ☐ Approved   ☐ Not Approved      \_\_\_\_\_  
Signature

Larry Standley, Member      ☐ Approved   ☐ Not Approved      \_\_\_\_\_  
Signature

Dr. LaToya Gathers, Member   ☐ Approved   ☐ Not Approved      \_\_\_\_\_  
Signature

Ronasia Dougherty, Alternate   ☐ Approved   ☐ Not Approved      \_\_\_\_\_  
Signature

Nicole Goodman, Alternate   ☐ Approved   ☐ Not Approved      \_\_\_\_\_  
Signature

Jeff McClintock, Alternate      ☐ Approved   ☐ Not Approved      \_\_\_\_\_  
Signature

SO ORDERED, this the \_\_\_\_ day of October, 2026.

\_\_\_\_\_  
Willie Johnson, Chair  
Guilford County Board of Adjustment

\_\_\_\_\_  
Witness

STATE OF NORTH CAROLINA  
COUNTY OF FORSYTH

I certify that Oliver Bass 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 Oliver Bass witnessed/recognizes the signatures of Willie Johnson, Larry Standley, Carey Campbell, Joshua Scott, and Dr. LaToya Gathers, and that the signatures are genuine.

Date: \_\_\_\_\_

\_\_\_\_\_  
Jessie H. Baptist, Notary Public

My commission expires: \_\_\_\_\_

Official Seal

***(Insert Color Paper)***



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

### **ORDER GRANTING A VARIANCE**

The Guilford County Board of Adjustment ("the Board"), held a duly-noticed hearing on **Tuesday, September 1, 2026**, to consider **Case #26-07-BOA-00011**, a Variance Application submitted by **Karen and Joseph Bolyard**, seeking a variance from the provisions of Unified Development Ordinance (UDO) Section 4.2.4.B to use the property located at **3222 Forsyth Drive, Greensboro, NC 27407** (being Tax Parcel **#155641** in Jamestown Township) in a manner not permissible under the literal terms of the ordinance.

The application sought a 21 ft. variance to allow a 9 ft. rear setback in order to permit construction of an accessory structure (swimming pool) on the property, in accordance with the submitted sketch 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, five (5) to zero (0), makes the following FINDINGS OF FACT<sup>1</sup> and draws the following CONCLUSIONS:

---

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

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

This proposed pool addition is in harmony with properties in the surrounding neighborhood, where pools and other structures currently exist at the rear of the main dwelling. This variance allows the property owners to use their property in a manner consistent with nearby properties that have the same zoning designation.

- 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:

The shape and configuration of the rear property line are unique to this property. Due to the concave nature of the rear property line, buildable area is lost in the rear portion of the lot. The Board agrees that if the rear property line ran parallel to the lot's front property line, as with other properties in the surrounding area, a variance may not be required for the placement of this accessory structure.

- 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 property was originally platted in 1938, and the related parcels were combined in 1992. The Board agrees that the actions which gave this lot its unique shape occurred prior to the current owners' purchasing the property, and therefore, the unique shape was not a result of any actions taken by the Applicant.

- 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:

This requested variance allows for the property to be used in a manner consistent with other properties in the adjacent area. Additionally, the pool will be located at the rear of the house, thereby reducing safety concerns.

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 4.2.4.B with respect to the Property is **GRANTED** as follows, subject to compliance with all local, state, and federal laws:

1. A 21 ft. variance to allow a 9 ft. rear setback in order to permit construction of an accessory structure (swimming pool) on the property, in accordance with the submitted sketch plan

(INTENTIONALLY LEFT BLANK)

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

|                              |                                                                         |           |
|------------------------------|-------------------------------------------------------------------------|-----------|
| Willie Johnson, Chair        | <input type="checkbox"/> Approved <input type="checkbox"/> Not Approved | _____     |
|                              |                                                                         | Signature |
| Carey Campbell, Vice Chair   | <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, Member       | <input type="checkbox"/> Approved <input type="checkbox"/> Not Approved | _____     |
|                              |                                                                         | Signature |
| Dr. LaToya Gathers, Member   | <input type="checkbox"/> Approved <input type="checkbox"/> Not Approve  | _____     |
|                              |                                                                         | Signature |
| Nicole Goodman, Alternate    | <input type="checkbox"/> Approved <input type="checkbox"/> Not Approved | _____     |
|                              |                                                                         | Signature |
| Ronasia Dougherty, Alternate | <input type="checkbox"/> Approved <input type="checkbox"/> Not Approved | _____     |
|                              |                                                                         | Signature |
| Jeff McClintock, Alternate   | <input type="checkbox"/> Approved <input type="checkbox"/> Not Approved | _____     |
|                              |                                                                         | Signature |

SO ORDERED, this the \_\_\_\_ day of October, 2026.

\_\_\_\_\_  
Willie Johnson, Chair  
Guilford County Board of Adjustment

\_\_\_\_\_  
Witness

STATE OF NORTH CAROLINA  
COUNTY OF FORSYTH

I certify that Oliver Bass 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 Oliver Bass witnessed/recognizes the signatures of Willie Johnson, Carey Campbell, Joshua Scott, Larry Standley, and Dr. LaToya Gathers, and that the signatures are genuine.

Date: \_\_\_\_\_

\_\_\_\_\_  
Jessie H. Baptist, Notary Public

My commission expires: \_\_\_\_\_

Official Seal

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## **Summary**

David S. Pokela, Attorney, on behalf of the property owners Patricia Crump, Shawna Crump, and Christine Crump, submitted an appeal (Exhibit 11) on June 24, 2026, regarding a Notice of Violation dated May 1, 2026 (Exhibit 1), for a Kennel or Pet Grooming business operating on the subject property located in the RS-40 zoning district (ref. zoning violation Case #26-05-ZNCE-00038). The property is located at 4900 Beaverdale Drive, Greensboro, NC, 27406 (Guilford County Tax Parcel #121121 in Clay Township), and comprises approximately 1.02 acres.

### **SITE CHRONOLOGY (PER STAFF RECORDS & ACCOUNTS)**

On Friday, May 1, 2026, Joel Almquist, Zoning Compliance Officer, received a complaint that the residents of 4900 Beaverdale Road are operating a business from their property that provided daily care and overnight boarding for dogs. Using the Guilford County online GIS system, Mr. Almquist checked and verified the property zoning designation as RS-40, which is a zoning "district primarily intended to accommodate single-family residential detached dwellings" per Guilford County Unified Development Ordinance (UDO) Subsection 4.2.2 (Exhibit 14). Use of property for "Kennels or Pet Grooming" is prohibited in the RS-40 zoning district per UDO Table 4.3-1 (Exhibit 16).

On Tuesday, May 5, 2026, Mr. Almquist drove to 4900 Beaverdale Road to investigate the business operation complaint. Mr. Almquist did not observe any physical evidence from the front and northern side of the property to corroborate the complaint. Mr. Almquist then conducted an internet search of the property address on Google Maps which showed a business titled "Got Dogs?" as listed at the property (Exhibit 6). Utilizing the North Carolina Secretary of State Business Registration search website, Mr. Almquist found the 2023 creation filing Articles of Organization Limited Liability for Got Dogs? LLC (Exhibit 13) registered in the name of Shawna Crump, one of the owners of record for the property at 4900 Beaverdale Rd (Exhibit 12). A subsequent internet search for "Got Dogs" led Mr. Almquist to gotdogs.net (Exhibit 4), an active business website for Got Dogs?, a business providing daycare, boarding, and training of dogs in the Greensboro area, owned and operated by Shawna Crump. A link to facebook.com connected to the Got Dogs? Facebook page (Exhibit 5), which also listed the business address as 4900 Beaverdale Road, Greensboro, NC 27406.

On Thursday, May 7, 2026, Mr. Almquist mailed a Courtesy Notice (Exhibit 2) via first class mail to the owners of record at 4900 Beaverdale Road: Patricia Crump, Shawna M. Crump, and Christine E. Crump. The notice indicated that a complaint had been received regarding the subject property. The notice described the nature of the complaint as a operating a commercial business on property zoned RS-40 residential, and further indicated that "Kennels or Pet Grooming" is not a permitted use under UDO Subsection 4.3. The notice included a request to contact Mr. Almquist no later than Friday, May 22, 2026, "so that we may discuss your current and intended uses for this property, and what actions may be necessary to ensure compliance with the UDO."





## GUILFORD COUNTY PLANNING AND DEVELOPMENT

## Board of Adjustment Staff Report for Appeal Case #26-06-BOA-00007

On Tuesday, May 12, 2026, property owner Shawna Crump called Mr. Almquist in response to the Courtesy Notice. Ms. Crump confirmed that she operates a canine daycare and boarding business at the 4900 Beaverdale Road residence, and that she had spoken with former Senior Planner Avery Tew in July of 2025. Ms. Crump alleged that Mr. Tew had given her assurance that she would be allowed to operate her business provided she obtained a Home Occupation Permit.

Ms. Crump stated that this alleged assurance was the basis for purchasing the 4900 Beaverdale Road property, because she bought it with the intent of operating her Kennel business. Mr. Almquist thanked Ms. Crump for responding to the Courtesy Notice and requested time to investigate her claim. Mr. Almquist searched the County permitting system and found no evidence of a Home Occupation Permit application or the issuance of said permit for Ms. Crump or her business.

Mr. Almquist then met with Mr. Tew and was unable to corroborate Ms. Crump's allegation of assurances made. Mr. Almquist and Mr. Tew then met with Planning and Zoning Manager Oliver Bass for further guidance. Mr. Bass made the determination that the business is a prohibited commercial activity on property with an RS-40 zoning designation. Mr. Bass also noted that as currently operated, the business would likely not qualify for a Home Occupation Permit based on activity not being conducted entirely within the dwelling as defined in the UDO, Subsection 12 (Exhibit 15). Mr. Bass' recommendation was to have Ms. Crump apply to rezone the property to a designation that allows kennels as a use type, or for Ms. Crump to appeal the issuance of any Notice of Violation (NOV) that Mr. Almquist would potentially issue if the business is still operating at 4900 Beaverdale Road after the Courtesy Letter deadline of May 22, 2026. Mr. Almquist phoned Ms. Crump and relayed these findings to her and then connected her with Senior Planner Samantha Lockwood to discuss rezoning options. Ms. Crump called Ms. Lockwood on the afternoon of Tuesday, May 12. Ms. Crump explained the context of the situation and her previous staff interactions. Ms. Lockwood referred her to Mr. Bass to discuss the case and her options.

On Wednesday, May 13, 2026, Ms. Crump spoke on the phone with Mr. Bass to discuss her options. Mr. Bass informed Ms. Crump that she would need to first secure proper zoning and then submit a site plan for review and approval to establish a commercial kennel operation at the site. They further discussed the rezoning application process along with the possible appeal process if a Notice of Violation was issued.

On Tuesday, May 26, 2026, Mr. Almquist mailed a Notice of Violation letter (Exhibit 1) via registered and first-class mail to the owners of record at 4900 Beaverdale Road. The contents of the NOV identified kennels as an unpermitted land use in the RS-40 zoning district; outlined the specific violations that are subject to enforcement within the UDO; provided remedy options to the property owners; set a deadline of Thursday, June 25, 2026, to bring the site into compliance with the UDO; and stated the owners' right to appeal the NOV within thirty (30) days of receipt.

On Sunday, June 21, 2026, Ms. Shawna Crump emailed Mr. Almquist to state that she had retained an attorney and intended to appeal the NOV.



## GUILFORD COUNTY PLANNING AND DEVELOPMENT

## Board of Adjustment Staff Report for Appeal Case #26-06-BOA-00007

On Monday, June 22, 2026, Mr. Almquist responded to Ms. Crump's email dated June 21, 2026, to acknowledge receipt of her intent to appeal, and make her aware that a Planner will reach out to her with instructions for the formal appeal process.

On Wednesday, June 24, 2026, Ms. Shawna Crump's legal representative, David Pokela, emailed and hand delivered a notice of appeal letter (Exhibit 11) and a check for the submission fee.

As stated in the May 26, 2026, Notice of Violation letter, the identified prohibited use at this site is "Kennels or Pet Grooming" on property zoned RS-40, Residential, per Article II, Section 15-56, Subsection 4.3.A(1) of the UDO." This use results in the following General and Specific violations of the UDO:

- Subsection 10.03.A(1) – Any failure to comply with a requirement, prohibition, or limitation imposed by the provisions of this Ordinance, or the terms and conditions of any permit or other authorization granted pursuant to this Ordinance, shall constitute a violation of this Ordinance.
- Subsection 10.03.B(1) – Occupy, develop, or use any land or structure without first obtaining all appropriate permits or development approvals and complying with such terms and conditions.
- Subsection 10.03.B(9) – Through any act or omission, fail to comply with any other provisions, procedures, or standards as required by this Ordinance.

The options to remedy the violation(s) are listed as:

- Rezone the property to zoning district that permits *Kennels or Pet Grooming* as a use, and then obtain subsequent Site Plan approval; or
- Obtain a Home Occupation Permit by making application and meeting the requirements necessary to obtain permit approval; or
- Permanently cease use of the property for *Kennels or Pet Grooming*, as currently required.

### Property Information

- a. **Applicant(s)/Property Owner(s):** Patricia L Crump; Shawna M Crump; Christine E Crump
- b. **Property Location:** 4900 Beaverdale Dr., Greensboro, NC 27406
- c. **Legal Description:** 40-41 S2 PB 51-82 BEAVERDALE AC PL:51-82
- d. **Deed Book and Page Number:** 008979-02793
- e. **Zoning:** RS-40, Residential
  - i. Street Setback: Local or Collector – Front or Side: 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: Single-Family, Detached - Residential
  - ii. South: Single-Family, Detached - Residential
  - iii. East: Single-Family, Detached - Residential
  - iv. West: Single-Family, Detached – Residential
- c. **Topographic and Stormwater Features:**
  - i. Topography: Per the USDA-NRCS Web Soil Survey, the topography at parcel 121121 is nearly level to gently sloping and strongly sloping to moderately steep.
  - ii. Regulated Floodplain: There is no SFHA per the effective FIRM
  - iii. Wetlands: There are no mapped wetlands on the National Wetland Inventory
  - iv. Streams: There are no mapped streams per USGS Topo Quad or Soil Survey Maps
  - v. Water Supply Watershed: Lake Mackintosh WS-IV, General Watershed Area

## **Attached Exhibits**

- 1. Notice of Violation
- 2. Courtesy Notice
- 3. Oblique Photo of Rear Yard
- 4. Business Website
- 5. Business Facebook Page
- 6. Business Advertisement
- 7. Aerial Map
- 8. Adjacent Properties Photo
- 9. Zoning Map
- 10. Topographic Map
- 11. Appeal Letter
- 12. Deed of Ownership
- 13. Secretary of State's Office Registration
- 14. RS-40 Residential District Ordinance Subsection
- 15. Home Occupation Ordinance Definition
- 16. Permitted Use Table



## **Application Timeline**

Date of appeal application:  
June 24, 2026

Date adjacent property owner(s) notified:  
September 24, 2026

Date sign posted on subject property:  
September 24, 2026

Date legal notice posted on County website:  
September 25, 2026

Date of hearing:  
October 6, 2026





# GUILFORD COUNTY PLANNING AND DEVELOPMENT

Board of Adjustment  
Staff Report for Appeal  
Case #26-06-BOA-00007

## Sign Posting Photos

**Subject Property**



**Across from Subject Property**



**Facing Northeast**



**Facing Southwest**







# GUILFORD COUNTY PLANNING AND DEVELOPMENT

Board of Adjustment  
Staff Report for Appeal  
Case #26-06-BOA-00007

## Sign Posting Photos

**Subject Property**



**Across from Subject Property**



**Facing Southeast**



**Facing Northwest**





**EXHIBIT 1**

**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT**

**NOTICE OF VIOLATION  
Via Registered Mail and First-Class Mail**

May 26, 2026

Case #26-05-ZNCE-00038

Patricia Crump  
Shawna M. Crump  
Christine E. Crump  
4900 Beaverdale Dr  
Greensboro, NC 27406

Pursuant to Guilford County Unified Development Ordinance (UDO) Article II, Section 15-56, Subsection 10.04.B, you are hereby notified that the violation listed below has been identified on the property located at **4900 Beaverdale Dr, Greensboro, NC 27406** (Guilford County Tax Parcel #121121).

**Nature of Violation:**

- Unpermitted use, *Kennels or Pet Grooming*, on property zoned RS-40, Residential, per Article II, Section 15-56, Subsection 4.3.A(1) of the UDO.

Using the property in this way creates the following violations:

**UDO Subsection 10.03.A: General Violations**

- 10.03.A(1) – Any failure to comply with a requirement, prohibition, or limitation imposed by the provisions of this Ordinance, or the terms and conditions of any permit or other authorization granted pursuant to this Ordinance, shall constitute a violation of this Ordinance.

**UDO Subsection 10.03.B: Specific Violations**

It shall be a violation of this Ordinance to undertake any activity contrary to the provisions of this Ordinance, including but not limited to any of the following:

- 10.03.B(1) – Occupy, develop, or use any land or structure without first obtaining all appropriate permits or development approvals and complying with such terms and conditions.
- 10.03.B(9) – Through any act or omission, fail to comply with any other provisions, procedures, or standards as required by this Ordinance.

400 W Market Street  
Post Office Box 34273427, Greensboro North Carolina 27402  
Telephone (336) 641-3334 Fax (336) 641-3255



# EXHIBIT 1

## GUILFORD COUNTY PLANNING AND DEVELOPMENT

You may remedy the violation(s) by:

- Rezone the property to zoning district that permits *Kennels or Pet Grooming* as a use, and then obtain subsequent Site Plan approval; or
- Obtain a Home Occupation Permit by making application and meeting the requirements necessary to obtain permit approval; or
- Permanently cease use of the property for *Kennels or Pet Grooming*, as currently required.

For information regarding submitting an application to request Rezoning and/or a Home Occupation Permit, please contact the Guilford County Planning and Development Department at 336-641-3334.

The identified violation(s) must be corrected no later than **Thursday, June 25, 2026**, to avoid further enforcement action. If you have not remedied the violation(s) by this deadline additional enforcement action may be taken, including but not limited to one or more of the following: Injunction, Civil Penalties, Permit Denial, or Other Equitable Relief.

If you believe your property is not in violation of the UDO as indicated above, you may appeal this decision in writing to the Guilford County Board of Adjustment within thirty (30) days following receipt of this Notice of Violation. The Guilford County Board of Adjustments shall hear any appeal within a reasonable time, and it may affirm, modify, or revoke this Notice of Violation. In the absence of an appeal, the remedies and penalties sought by the Zoning Compliance Officer concerning this Notice of Violation shall be final.

Please do not hesitate to reach out or visit our office if you have questions or wish to discuss the violation(s) and possible remedies. You may contact me directly using the information below or call the Guilford County Planning and Development Department main number at 336-641-3334.

Sincerely,

Joel Almquist, Zoning Compliance Officer  
Guilford County Planning and Development  
336-641-3154  
[jalmquist@guilfordcountync.gov](mailto:jalmquist@guilfordcountync.gov)





**EXHIBIT 2**

## GUILFORD COUNTY PLANNING AND DEVELOPMENT

### COURTESY NOTICE Via First-Class Mail

May 7, 2026

Case #26-05-ZNCE-00038

Patricia Crump  
Shawna M. Crump  
Christine E. Crump  
4900 Beaverdale Dr  
Greensboro, NC 27406

This letter is being sent to you based on a complaint received by our office regarding your property at **4900 Beaverdale Dr** (Greensboro Tax Parcel #121121).

#### Nature of Complaint

- Operating a commercial business on property zoned RS-40, Residential.

This property is zoned RS-40, Residential, which is a zoning designation primarily intended to accommodate single-family residential detached dwellings. It is not permitted to use property that is zoned RS-40 for *Business, Professional, or Personal Services*, including *Kennels or Pet Grooming* under the Guilford County Unified Development Ordinance (UDO), Article II, Sect. 15-56, Subsect. 4.3.

Please contact me no later than **Friday, May 22, 2026** so that we may discuss your current and intended uses for this property, and what actions may be necessary to ensure compliance with the UDO.

Sincerely,

Joel Almquist, Zoning Compliance Officer  
Guilford County Planning and Development  
336-641-3154  
[jalmquist@guilfordcountync.gov](mailto:jalmquist@guilfordcountync.gov)

400 W Market Street  
Post Office Box 34273427, Greensboro North Carolina 27402  
Telephone (336) 641-3334 Fax (336) 641-3255



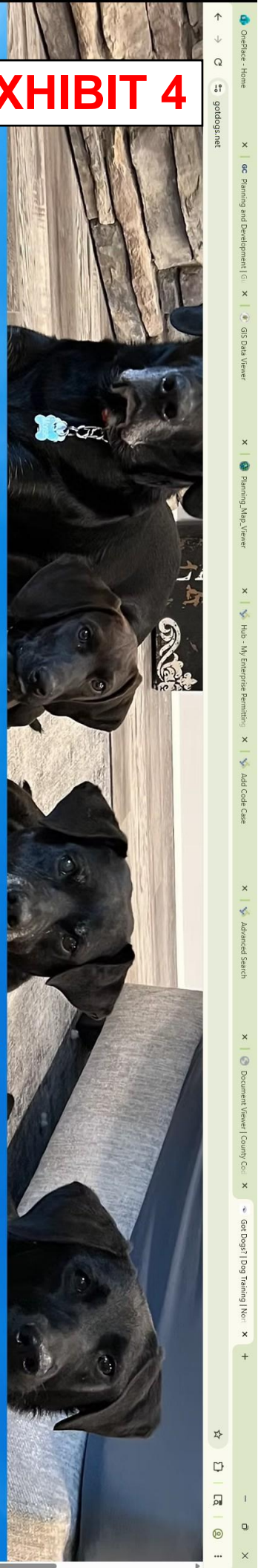
# 4900 Beaverdale

**EXHIBIT 3**





# EXHIBIT 4



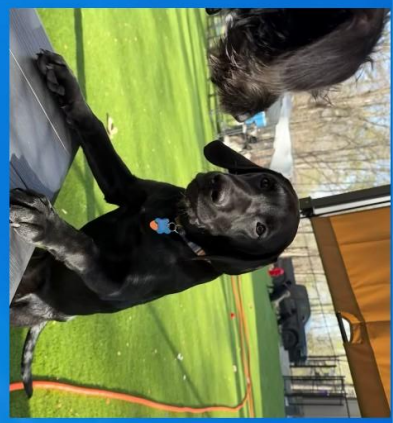
Now open for  
Daycare and  
Boarding!!

Licensed by The State of North Carolina  
Department of Agriculture and fully insured.





# EXHIBIT 4



## Servicing Greensboro, North Carolina and the surrounding areas

Shawna Crump  
(315) 408-3803  
[goddogsnc@gmail.com](mailto:goddogsnc@gmail.com)

Check us out on Social Media  
d f @

Send us a message  
and we'll get back to you shortly.

First name

Enter your first name

Email \*

Enter your email

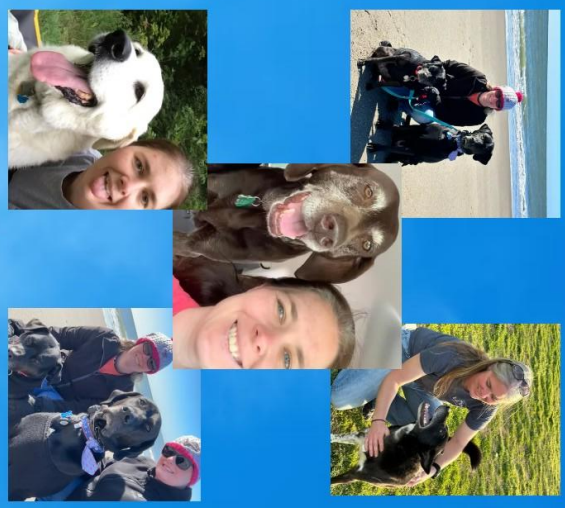
Subject

e.g., Support

Write a message

Enter text here

# EXHIBIT 4



## Meet the owner

Shawna Crump - CC PDT

I am originally from upstate New York, and moved to Vermont after college to become a Police Officer. After a career in law enforcement, I decided to move to North Carolina and pursue my lifelong dream of working with dogs.

I initially took a kennel position at a dog training facility and before I knew it, I was helping the trainers and then training dogs myself.

I am Certified Professional Dog Trainer. I have been caring for dogs all my life and I am also certified in pet first aid and CPR. Got Dogs? is 1 of only 3 home based boarding facilities in Greensboro that is licensed by the State of North Carolina.

In my free time, I enjoy spending time with my family. I have 3 rescue dogs. We all enjoy going hiking, taking trips to the beach, and who could refuse snuggle time with a 4 legged, wet nosed, wagging tailed love bug?



# EXHIBIT 4



The rate for overnight boarding is \$40 per dog, per night. Dogs must be picked up by 12 noon on the day of pickup unless other arrangements have been approved and paid in advance. Dogs picked up after 12 noon, without prior approval will incur a daycare fee for the day.

## Common questions about boarding

- Q: Where will my dog sleep?  
A: During the night, for safety, all dogs will be crated in the kennel room
- Q: Is the kennel temperature controlled?  
A: Yes! there is heat and air conditioner in the kennel room for comfort year round.
- Q: What vaccinations is my dog required to have to come?  
A: Rabies, Distemper and Bordetella. They also need to be current on Flea, Tick and Heartworm medications
- Q: Will my dog be in a crate the whole time?  
A: Absolutely not! They will spend most of their time out in the play yard interacting with other dogs and humans
- Q: Can I bring my dogs things with him/her?  
A: Yes! Your dog should be comfortable. You may bring a blanket or something they like to sleep with as long as he/she is not a chewer.
- Q: Should I bring their food?  
A: Yes! To alleviate tummy upset, please bring your dogs food. It should be pre packed in zippy bags by meal if possible. (We do not keep house food on hand)
- Q: What if my dog needs medication?  
A: Bring it! medication must be in the original bottle or packaging and instructions provided.
- If you have other questions please reach out to me and ask!



# EXHIBIT 5

OverPace - Home

OC Planning and Development

GIS Data Viewer

Planning, Map, Viewer

Hub - My Enterprise Permitt

Add Code Case

Advanced Search

Document Viewer County C

Reviews | GOT DOGS?

Facebook

Facebook

Search Facebook

Got Dogs?

Details

Not yet rated (0 Reviews)

4900 Beaverdale Drive, Greensboro, NC, United States, 27406

Links

gottedogs.net

Services

Specialties

Dog training · Dog daycare · Dog boarding

Education

Catch Canine Trainers Academy

Class of 2024

Contact info

(315) 408-3803

gottedogsnc@gmail.com

Got Dogs?

Photos

See all photos

gottedogs

G

THINK TO MAKE TWO DOGS IN THE SAME SPACE

Are you heading out of town? Are you looking for a spot your dog can burn some energy while you're working? A clean space that is licensed by the state... See more

But A Good Time (Rear

Shawna Cump · Follow

Feb 26 ·



Are you heading out of town? Are you looking for a spot your dog can burn some energy while you're working? A clean space that is licensed by the state... See more

But A Good Time (Rear



4900 Beaverdale Dr

4900 Beaverdale Dr, Greensboro, NC 27406

godogs.net

(315) 408-3803

2886-99F Greensboro, North Carolina

Identifies as women-owned

Suggest an edit

Add missing information

Add hours

Photos & videos

All

Latest 28 days ago

By owner

Review summary

5.0

68 reviews

"Small, in home, affordable, licensed facility."

"Shawn's communication is excellent, and the facility is a warm and friendly space."

Get app

Tomorrow's high To break record

EXHIBIT 6

Google Maps

313 PM 7/15/2025

EXHIBIT 6



**Appeal Area:  
+/- 1.02 Acres**

**EXHIBIT 7**



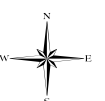
Planning & Development  
Department

Jurisdiction:  
GUILFORD COUNTY

Case Number:  
26-06-BOA-00007

Case Area:  
Parcel(s) - 121121

4900 Beaverdale Dr



Scale: 1" = 50'



**Appeal Area:  
+/- 1.02 Acres**

**EXHIBIT 7**

BEVERDALE DR

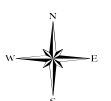


Planning & Development  
Department

Jurisdiction:  
GUILFORD COUNTY

Case Number:  
26-06-BOA-00007

Case Area:  
Parcel(s) - 121121  
4900 Beaverdale Dr

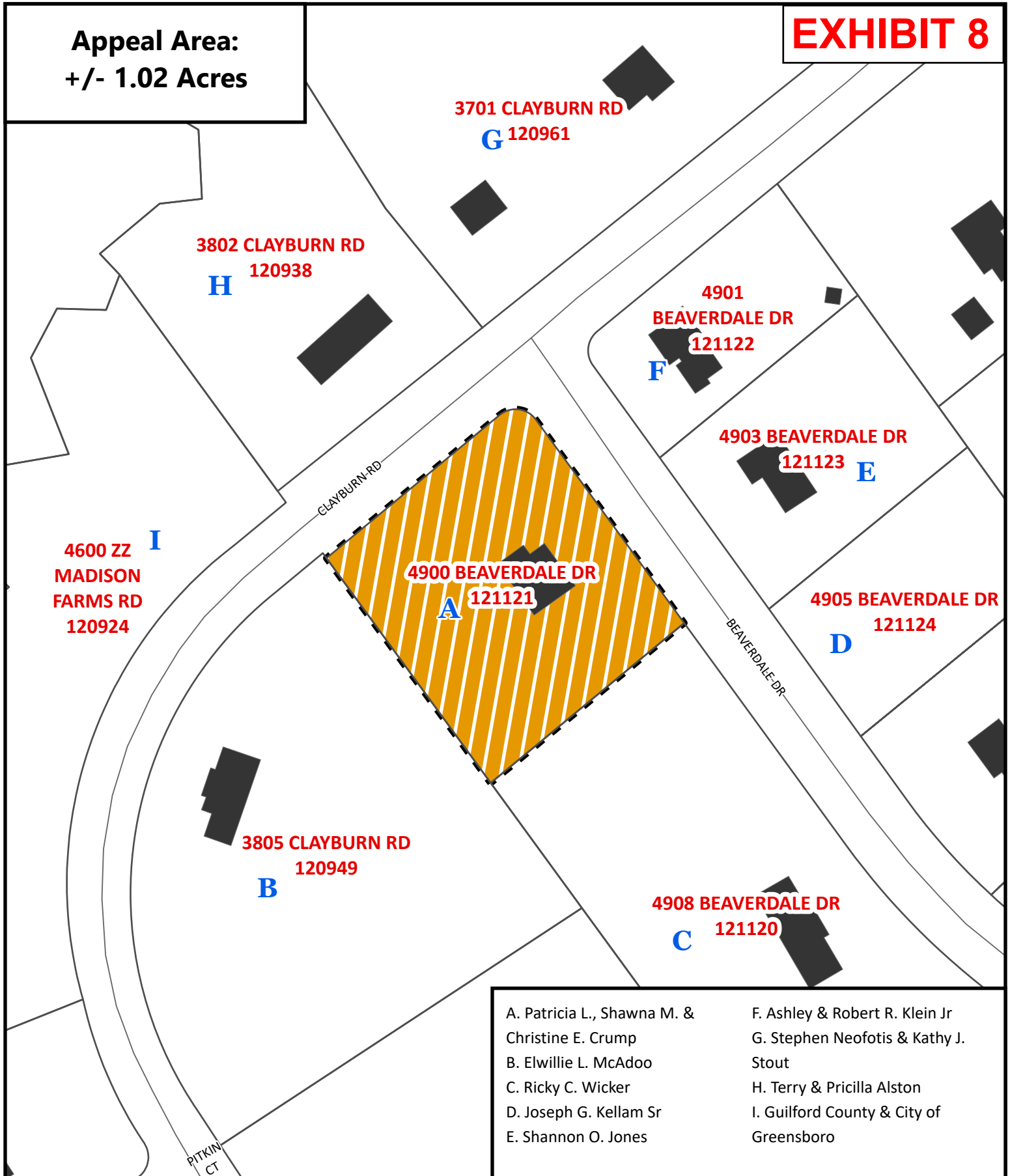


Scale: 1" = 25'



# EXHIBIT 8

**Appeal Area:**  
**+/- 1.02 Acres**



A. Patricia L., Shawna M. &  
Christine E. Crump  
B. Elwillie L. McAdoo  
C. Ricky C. Wicker  
D. Joseph G. Kellam Sr  
E. Shannon O. Jones

F. Ashley & Robert R. Klein Jr  
G. Stephen Neofotis & Kathy J.  
Stout  
H. Terry & Pricilla Alston  
I. Guilford County & City of  
Greensboro



Planning & Development  
Department

## Jurisdiction:

GUILFORD COUNTY

## Case Number:

26-06-BOA-00007

## Case Area:

Parcel(s) - 121121

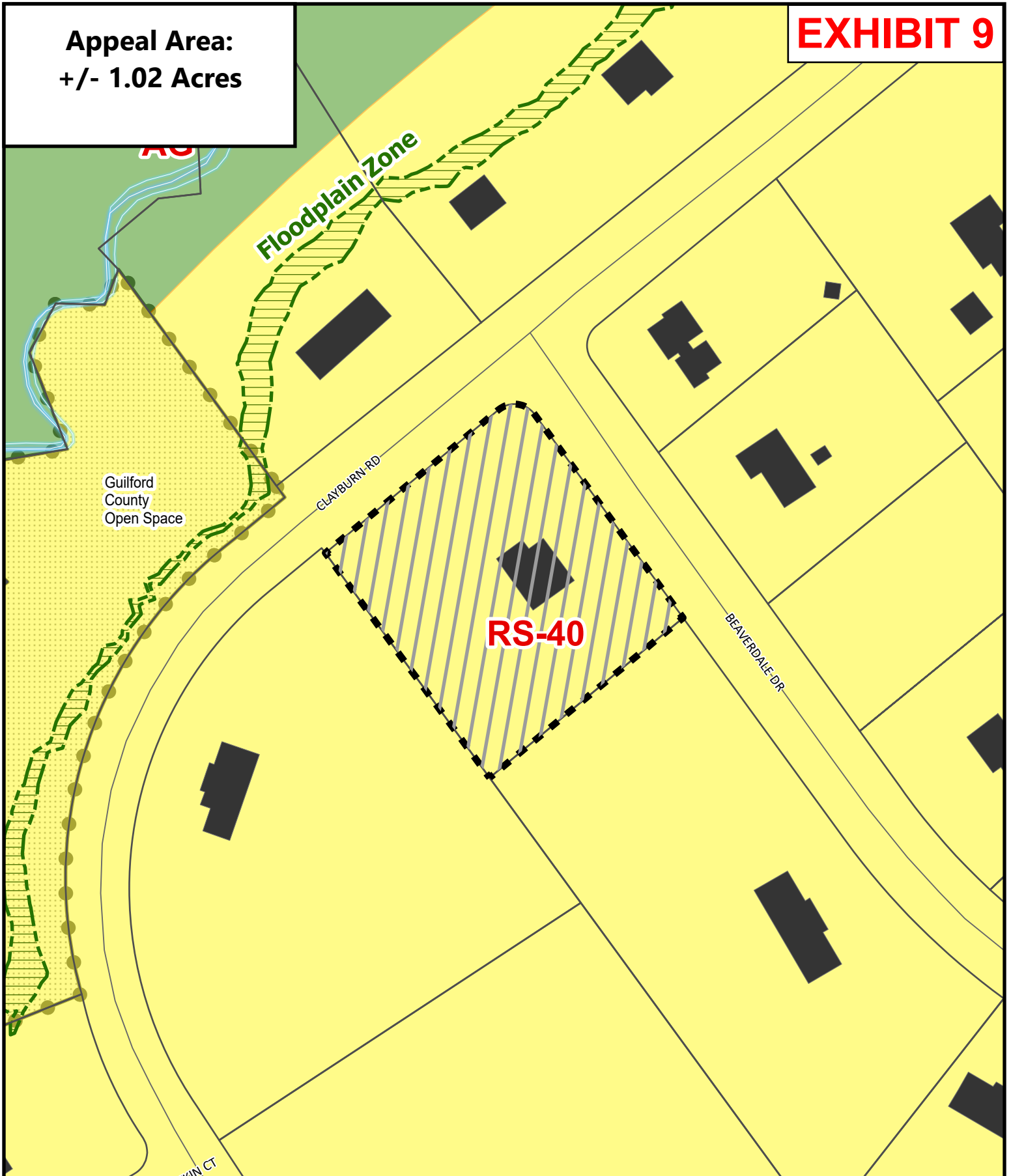
4900 Beaverdale Dr



Scale: 1" = 100'

# EXHIBIT 9

Appeal Area:  
+/- 1.02 Acres

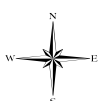


Planning & Development  
Department

Jurisdiction:  
GUILFORD COUNTY

Case Number:  
26-06-BOA-00007

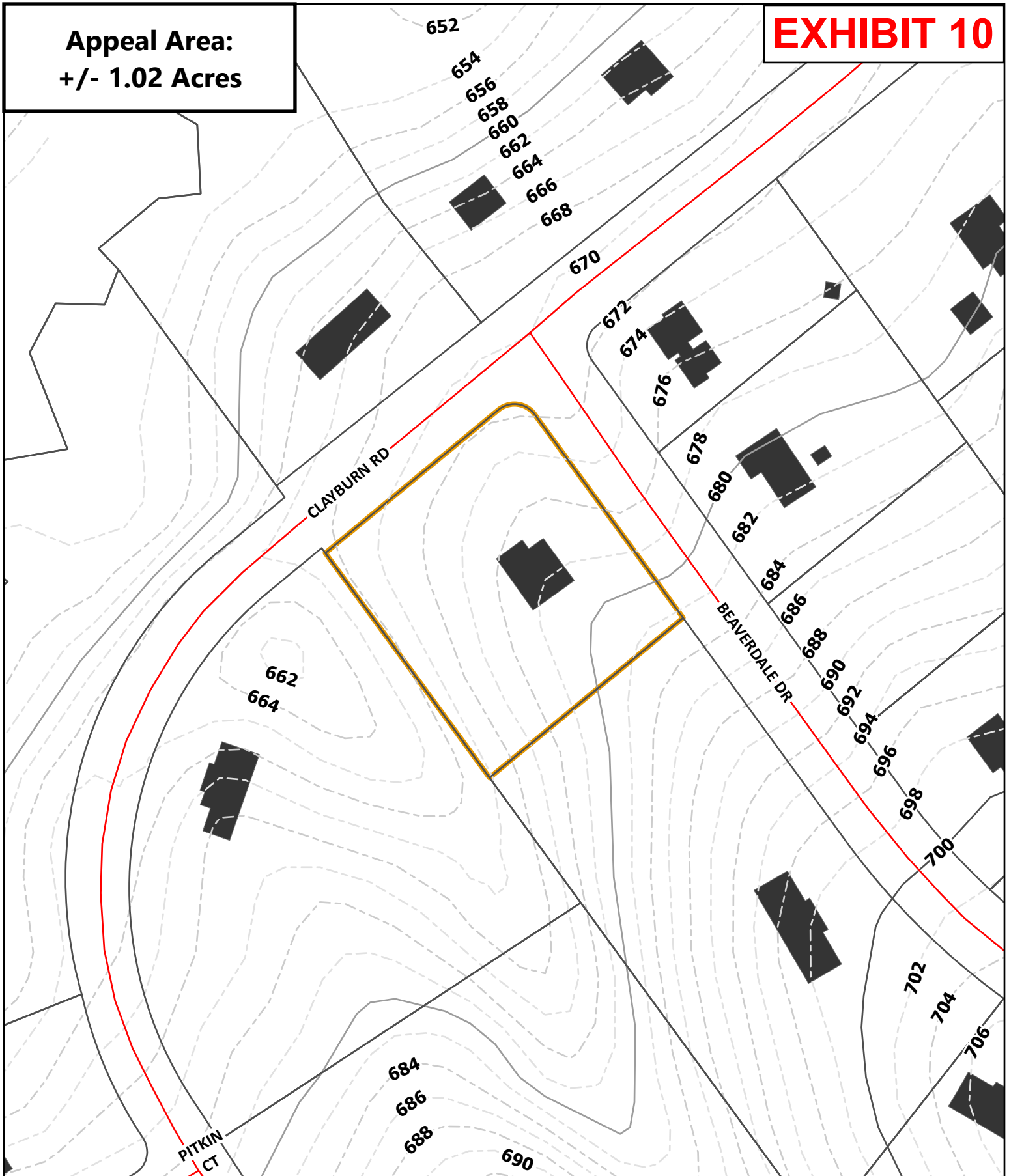
Case Area:  
Parcel(s) - 121121  
4900 Beaverdale Dr



Scale: 1" = 100'

**Appeal Area:  
+/- 1.02 Acres**

# EXHIBIT 10

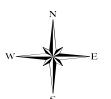


Planning & Development  
Department

Jurisdiction:  
GUILFORD COUNTY

Case Number:  
26-06-BOA-00007

Case Area:  
Parcel(s) - 121121  
4900 Beaverdale Dr



Scale: 1" = 100'



June 24, 2026

**David S. Pokela**  
Shareholder  
Admitted in NC

**Via Hand Delivery**

The Honorable Guilford County Board of Adjustment  
c/o Guilford County Planning and Development  
400 W. Market Street, 5<sup>th</sup> Floor  
Greensboro, NC 27402

Attention: J. Leslie Bell, Joel Almquist, Troy Bass, Jason Hardin and Ashton Roberts

Re: Notice of Appeal to the Honorable Guilford County Board of  
Adjustment (Case # 26-05-ZNCE-00038)

Dear Guilford County Board of Adjustment (c/o Guilford County Planning and  
Development):

This firm represents Patricia Crump, Shawna Crump and Christine Crump (collectively, “Appellants”) in connection with the May 26, 2026 Notice of Violation related to Case # 26-05-ZNCE-00038 (the “NOV”)<sup>1</sup> and the property located at 4900 Beaverdale Drive, Greensboro, NC 27406, which property is referred to as Guilford County Tax Parcel #121121 (the “Property”). This letter constitutes Appellants formal written Notice of Appeal to the Honorable Guilford County Board of Adjustment, and Appellants hereby appeal the NOV. In connection with this appeal, Appellants hereby tender an appeal fee of \$250.00.<sup>2</sup>

The following sets forth: (i) a general summary of the nature, bases and grounds for this appeal; and (ii) a request that certified copies of certain versions of the Guilford County Unified Development Ordinance be provided to the undersigned prior to any hearing on this appeal.

---

<sup>1</sup> A true and accurate copy of the NOV is attached hereto as **Exhibit A** and is incorporated herein by reference.

<sup>2</sup> This appeal is submitted pursuant to, and in reliance upon, the June 23, 2026 email from Troy Moss to Shawna Crump, a true and accurate of which email is attached hereto as **Exhibit B** and is incorporated herein by reference.

June 24, 2026  
Page 2

The nature, bases and grounds for this appeal<sup>3</sup> are generally as follows:

Pursuant to a deed recorded on October 16, 2025 in Book 8979, Page 2793, Guilford County Registry, Appellants acquired the Property. Prior to acquiring the Property, Appellant Shawna Crump spoke with Avery Tew, a representative of the Guilford County Planning and Development department, and that telephone call occurred on or about July 24, 2025. In that call, Ms. Crump explained to Mr. Tew that Appellants were interested in acquiring the Property and using it for dog boarding and daycare with indoor boarding and an outdoor fenced-in area for dogs. In that same call, Mr. Tew stated that such a use was permitted in connection with Appellants obtaining a home occupation permit. Appellants now understand that Mr. Tew erred in making his representations because a home occupation permit actually is not available under the circumstances as explained to Mr. Tew.

In reliance upon the representations of Mr. Tew, as a representative of the Guilford County Planning and Development department, Appellants: (i) expended substantial and material sums of money in acquiring the Property; (ii) entered into a promissory note and executed a deed of trust in order to acquire the Property; and (iii) expended substantial and material sums of money in order to upfit the Property for the purpose of using the Property for dog boarding and daycare with indoor boarding and an outdoor fenced-in area for dogs. Appellants would not have taken the immediately foregoing actions but for the representation of Mr. Tew, as a representative of the Guilford County Planning and Development department, that the use of the Property for dog boarding and daycare with indoor boarding and an outdoor fenced-in area for dogs was permitted in connection with Appellants obtaining a home occupation permit. Appellants relied upon Mr. Tew's erroneous representation to their extreme detriment and prejudice.

<sup>3</sup> Pursuant to N.C. Gen. Stat. § 160D-406(e), “[t]he appellant shall not be limited at the hearing to matters stated in a notice of appeal.”

June 24, 2026  
Page 3

Based upon the following, there is no violation of the UDO based upon the doctrine of laches.<sup>4</sup> As recognized in the leading treatise on North Carolina zoning and land use:

If a local government makes affirmative assurances to a person regarding development regulations and then waits an unreasonable time after discovering that those assurances were incorrect to take action to remedy the error, and **if that delay works a considerable disadvantage to the person**, the courts may use the equitable doctrine of laches to limit enforcement of the regulations.

Owens, David W., *Land Use Law in North Carolina*, p. 415 (4<sup>th</sup> ed. 2023) (emphasis added). North Carolina courts recognize that “the delay . . . depends upon the facts and circumstances of each case.” *Timber Integrated Investments, LLC v. Welch*, 234 N.C. App. 667, 763 S.E.2d 17 (2014) (emphasis added). Importantly, North Carolina courts also recognize:

Lapse of time is not . . . the controlling or most important element to be considered in determining whether laches is available as a defense. **The question is primarily whether the delay in acting results in an inequity to the one against whom the claim is asserted based upon. . . some change in the condition or relations of the property or the parties.**

*McRorie v. Query*, 32 N.C. App. 311, 323, 232 S.E.2d 312, 320 (1977) (emphasis added) (internal quotations omitted). Courts have stated that “[t]he period of time that constitutes an ‘unreasonable delay’ can range from **one month** to many years.” *IAC/InterActiveCorp v. O’Brien*, 26 A.3d 174, 177 (Del. 2011) (emphasis added) (also stating “[t]he length of the delay is less important than the reasons for it.”); *Battelle Energy Alliance, LLC v. Southfork Security, Inc.*, 3 F.Supp.3d 852, 863 (D.Idaho 2014) (“The period of time that constitutes an ‘unreasonable

<sup>4</sup> Appellants alternatively rely upon estoppel, quasi-estoppel/good faith reliance, and/or common law vested rights.



June 24, 2026  
Page 4

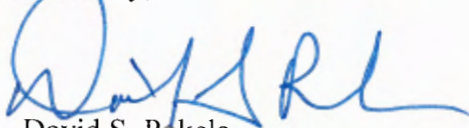
delay' can range from one month to many years." (emphasis added)); *see Grand Canyon Trust v. Tucson Power Co.*, 391 F.3d 979, 988 (9<sup>th</sup> Cir. 2004) ("a brief unexcused delay that causes sufficient prejudice to the defendant is a proper ground for invocation of the doctrine").

Based upon the foregoing, the doctrine of laches precludes a determination that Appellants are in violation of the UDO. As a result, the NOV must be reversed.

**Request for Certified Copies of the Unified Development Ordinance:** Appellants hereby request of Guilford County/the Guilford County Planning and Development department that certified copies of Guilford County's Unified Development Ordinance be provided to the undersigned prior to any hearing on the appeal of Appellants. The certified copies of Guilford County's Unified Development Ordinance that are requested are as follows: (i) the version of the UDO effective as of July 24, 2025; (ii) the version of the UDO effective as of October 16, 2025; and (iii) the version of the UDO effective as of May 26, 2026.

Based upon the foregoing, Appellants respectfully request that the NOV be reversed and that it be determined that Appellants are not in violation of the UDO. Thank you for your consideration of the appeal of Appellants.

Sincerely,



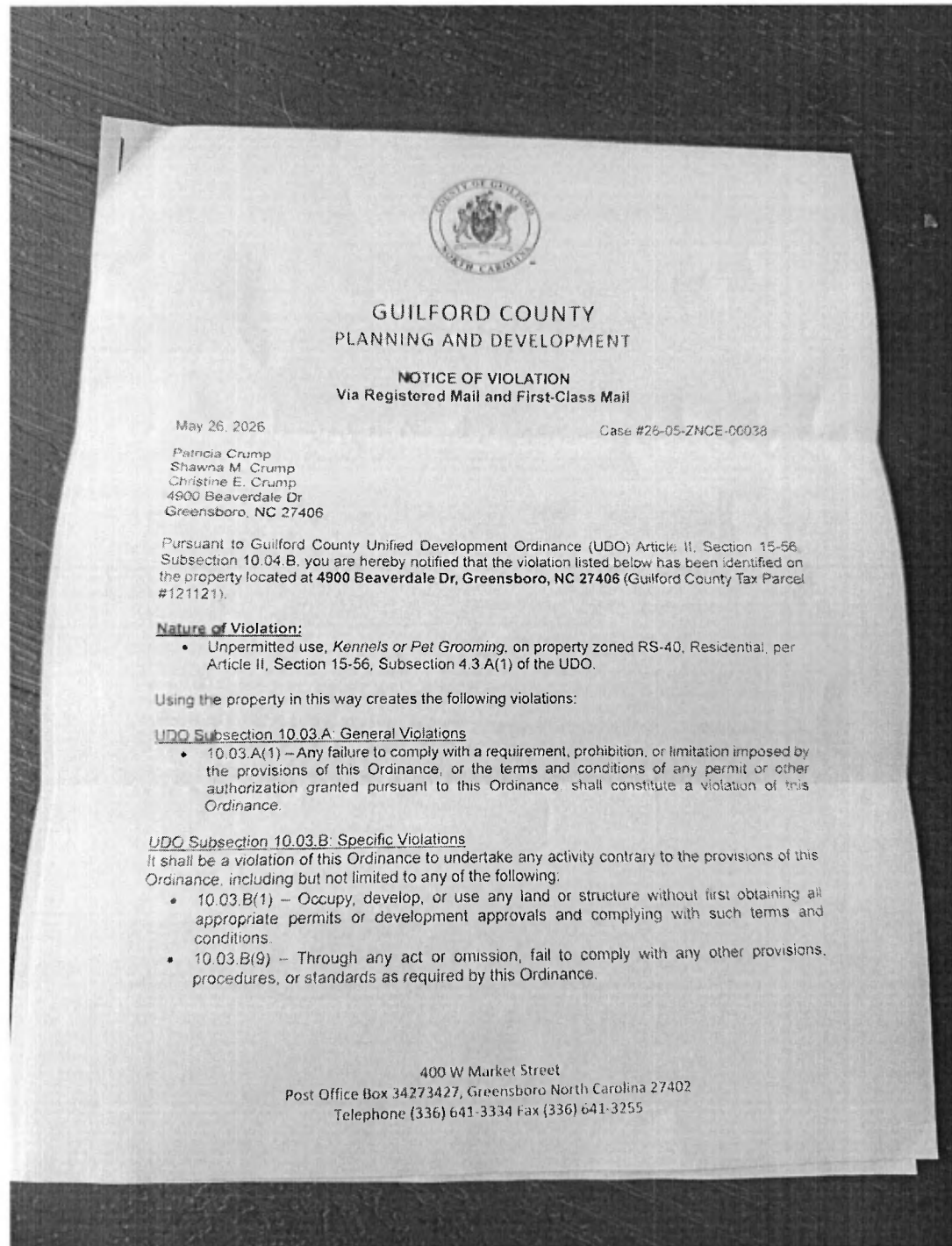
David S. Pokela

DAS/lep

Enclosure

cc: Shawna M. Crump  
Patricia Crump  
Christine E. Crump

**EXHIBIT A**





**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT**

You may remedy the violation(s) by:

- Rezone the property to zoning district that permits *Kennels or Pet Grooming* as a use, and then obtain subsequent Site Plan approval; or
- Obtain a Home Occupation Permit by making application and meeting the requirements necessary to obtain permit approval; or
- Permanently cease use of the property for *Kennels or Pet Grooming*, as currently required.

For information regarding submitting an application to request Rezoning and/or a Home Occupation Permit, please contact the Guilford County Planning and Development Department at 336-641-3334.

The identified violation(s) must be corrected no later than **Thursday, June 25, 2026**, to avoid further enforcement action. If you have not remedied the violation(s) by this deadline additional enforcement action may be taken, including but not limited to one or more of the following: Injunction, Civil Penalties, Permit Denial, or Other Equitable Relief.

If you believe your property is not in violation of the UDO as indicated above, you may appeal this decision in writing to the Guilford County Board of Adjustment within thirty (30) days following receipt of this Notice of Violation. The Guilford County Board of Adjustments shall hear any appeal within a reasonable time, and it may affirm, modify, or revoke this Notice of Violation. In the absence of an appeal, the remedies and penalties sought by the Zoning Compliance Officer concerning this Notice of Violation shall be final.

Please do not hesitate to reach out or visit our office if you have questions or wish to discuss the violation(s) and possible remedies. You may contact me directly using the information below or call the Guilford County Planning and Development Department main number at 336-641-3334.

Sincerely,

A handwritten signature in dark ink, appearing to read "Joel Almquist", is positioned above the typed name.

Joel Almquist, Zoning Compliance Officer  
Guilford County Planning and Development  
336-641-3154  
[jalmquist@guilfordcountync.gov](mailto:jalmquist@guilfordcountync.gov)

400 W Market Street  
Post Office Box 34273427, Greensboro North Carolina 27402  
Telephone (336) 641-3334 Fax (336) 641-3255

June 24, 2026  
Page 7

## EXHIBIT B

From: Troy Moss <[tmoss2@guilfordcountync.gov](mailto:tmoss2@guilfordcountync.gov)>  
Date: June 23, 2026 at 10:26:56 EDT  
To: [crumpsm6611@gmail.com](mailto:crumpsm6611@gmail.com)  
Cc: Joel Almquist <[jalmquist@guilfordcountync.gov](mailto:jalmquist@guilfordcountync.gov)>  
Subject: Re: Appeal - Got Dogs?

Good morning Ms. Crump,

My name is Troy Moss with the Guilford County Planning Department. I have been informed that you intend to appeal a Notice of Violation and that you plan to be represented by legal counsel during the appeal process.

To formally initiate the appeal, we ask that your attorney submit a letter outlining the nature and basis of the appeal. Upon receipt of that letter, I will prepare the case for consideration by the Board of Adjustment at the next available meeting.

Please note that a \$250 appeal fee is required as part of the application process.

If you have any questions regarding the appeal procedure, please feel free to contact me.



**Troy Moss**  
Planner I  
Planning & Development Dept  
Guilford County Government

336-641-4222  
[tmoss2@guilfordcountync.gov](mailto:tmoss2@guilfordcountync.gov) | [www.guilfordcountync.gov](http://www.guilfordcountync.gov)





**EXHIBIT 12****BK: R 8979****PG: 2793 - 2794**

RECORDED:

10/16/2025

11:13:17 AM

DEPUTY-HP

BY: SETH B PARRISH

2025048555

**GUILFORD COUNTY, NC**

JEFF L. THIGPEN

REGISTER OF DEEDS

NC FEE \$26.00

STATE OF NC

REAL ESTATE

EXTX \$800.00

**NORTH CAROLINA GENERAL WARRANTY DEED**

Excise Tax: \$ 800.00

Parcel Identifier No. 121121 Verified by \_\_\_\_\_ County on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

By: \_\_\_\_\_

Mail/Box to: Grantee: \_\_\_\_\_This instrument was prepared by: Donato Law, PC, 2016-A New Garden Road, Greensboro, NC 27410Brief description for the Index: LOT 40-41, SEC 2, Beaverdale AcresTHIS DEED made this 16th day of October, 2025, by and between

GRANTOR

Melissa A. Caudle  
fka Melissa Ann Schmidt & spouse  
Jason Caudle

Mailing Address:

5409 Rock Valley Dr,

Trinity, NC 27370

Enter in appropriate block for each Grantor and Grantee: name, mailing address, and, if appropriate, character of entity, e.g. corporation or partnership.

GRANTEE

Patricia L. Crump & spouse  
Shawna M. Crump AND  
Christine E. Crump, married  
As Joint Tenants with Right of Survivorship  
Property & Mailing Address:  
4900 Beaverdale Drive  
Greensboro, NC 27406

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.

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 that certain lot, parcel of land or condominium unit situated in the City of Greensboro, Clay Township, Guilford County, North Carolina and more particularly described as follows:

BEING ALL OF LOTS 40 AND 41, SECTION 2, BEAVERDALE ACRES AS PER PLA? THEREOF RECORD IN PLAT BOOK 51, PAGE 82, IN THE OFFICE OF THE REGISTER OF DEEDS OF GUILFORD COUNTY, NORTH CAROLINA.

Parcel ID # 121121

Property Address: 4900 Beaverdale Drive, Greensboro, NC 27406

Submitted electronically by "Donato Law, PC"  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Guilford County Register of Deeds.

Page 1 of 2

**EXHIBIT 12**

The property hereinabove described was acquired by Grantor by instrument recorded in Book 8716 page 1586.  
All or a portion of the property herein conveyed X includes or     does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Book 51 page 82.

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, other than the following exceptions:

All easements, rights-of-way, and restrictions of record or visible upon the described property, and to ad va lorem taxes for the current year.

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

|                                |                                           |
|--------------------------------|-------------------------------------------|
| _____                          | <u>Melissa A. Caudle</u> (SEAL)           |
| By: _____                      | Print/Type Name: <u>Melissa A. Caudle</u> |
| Print/Type Name & Title: _____ | <u>Jason Caudle</u> (SEAL)                |
| By: _____                      | Print/Type Name: <u>Jason Caudle</u>      |
| Print/Type Name & Title: _____ | _____ (SEAL)                              |
| By: _____                      | Print/Type Name: _____                    |
| Print/Type Name & Title: _____ | _____ (SEAL)                              |
| By: _____                      | Print/Type Name: _____                    |

State of North Carolina - County or City of Guilford

I, the undersigned Notary Public of the County or City of Guilford and State aforesaid, certify that Melissa A. Caudle and spouse, Jason Caudle personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 16th day of October, 2025.

My Commission Expires: March 25, 2028  
(Affix Seal)

Anthony P. Donato Notary Public  
Notary's Printed or Typed Name

State of \_\_\_\_\_ - County or City of \_\_\_\_\_

I, the undersigned Notary Public of the County or City of \_\_\_\_\_ and State aforesaid, certify that \_\_\_\_\_ personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_  
(Affix Seal)

\_\_\_\_\_  
Notary's Printed or Typed Name

State of \_\_\_\_\_ - County or City of \_\_\_\_\_

I, the undersigned Notary Public of the County or City of \_\_\_\_\_ and State aforesaid, certify that \_\_\_\_\_ personally came before me this day and acknowledged that \_\_\_\_\_ he is the \_\_\_\_\_ of \_\_\_\_\_, a North Carolina or \_\_\_\_\_ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, \_\_\_\_\_ he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

My Commission Expires: \_\_\_\_\_  
(Affix Seal)

\_\_\_\_\_  
Notary's Printed or Typed Name



**SOSID: 2670680**  
**Date Filed: 7/19/2023 9:52:00 AM**  
**Elaine F. Marshall**  
**North Carolina Secretary of State**  
**C2023 192 02292**

# EXHIBIT 13

1. The name of the limited liability company is: Got Dogs? LLC  
(See Item 1 of the Instructions for appropriate entity designation)
2. The name and address of each person executing these articles of organization is as follows: (State whether each person is executing these articles of organization in the capacity of a member, organizer or both by checking all applicable boxes.) **Note: This document must be signed by all persons listed.**

Raleigh, NC 27626-0622  
Form L-01

The mailing address, if different from the street address, of the principal office of the company is:

Number and Street: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ County: \_\_\_\_\_

b. ☒ The limited liability company does not have a principal office.

7. Any other provisions which the limited liability company elects to include (e.g., the purpose of the entity) are attached.

8. **(Optional):** Listing of Company Officials (See instructions on the importance of listing the company officials in the creation document.

| Name         | Title         | Business Address                       |
|--------------|---------------|----------------------------------------|
| Shawna Crump | Owner Manager | 708 Brookdale Dr Thomasville NC, 27360 |
|              |               |                                        |

9. **(Optional):** Please provide a business e-mail address: Privacy Redaction  
The Secretary of State's Office will e-mail the business automatically at the address provided above at no cost when a document is filed. The e-mail provided will not be viewable on the website. For more information on why this service is offered, please see the instructions for this document.

10. These articles will be effective upon filing, unless a future date is specified:

This is the 11th day of July, 2023.

\_\_\_\_\_  
Shawna Crump

Signature

\_\_\_\_\_  
Shawna Crump Member/Organizer

Type or Print Name and Title

The below space to be used if more than one organizer or member is listed in Item #2 above.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Type or Print Name and Title

\_\_\_\_\_  
Type or Print Name and Title

**NOTE:**

1. Filing fee is \$125. This document must be filed with the Secretary of State.

**EXHIBIT 13**

**EXHIBIT 14****4.2.2 RS-40 – RESIDENTIAL****A. Intent**

This RS-40 district is primarily intended to accommodate single-family residential detached dwellings on lots in areas without access to public water and sewer services. The minimum lot size of this district is 40,000 square feet. Conservation subdivisions may be developed in this district.



Typical Lot Pattern



Typical Building Form

**B. Lot Standards****Dimensional Requirements - RS-40**

| Standard                                   | Dimension | Cluster Development Option                                                                                                                                                                                    | Note |
|--------------------------------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|
| Min. Lot Size (ft. <sup>2</sup> )          | 40,000    | For cluster development on properties meeting the minimum tract size requirements set forth in <a href="#">Subsec. 8</a> and zoned RS-40, see the dimensional/lot requirements for the RS-30 zoning district. |      |
| <b>Min Lot Width (ft.) @ Building Line</b> |           |                                                                                                                                                                                                               |      |
| Interior Lot (ft.)                         | 150       |                                                                                                                                                                                                               |      |
| Corner Lot (ft.)                           | 150       |                                                                                                                                                                                                               |      |
| Min. Street Frontage (ft.)                 | 50        |                                                                                                                                                                                                               |      |
| <b>Min Street Setback (ft.)</b>            |           |                                                                                                                                                                                                               | [1]  |
| Local or Collector – Front or Side         | 40        |                                                                                                                                                                                                               |      |

**C. References**

|                     |                            |
|---------------------|----------------------------|
| Cluster Development | <a href="#">Subsec. 8</a>  |
| Fences              | <a href="#">Subsec. 6</a>  |
| Environmental       | <a href="#">Subsec. 9</a>  |
| Lighting            | <a href="#">Subsec. 6</a>  |
| Nonconformities     | <a href="#">Subsec. 11</a> |
| Permitted Uses      | <a href="#">Subsec. 4</a>  |
| Subdivisions        | <a href="#">Subsec. 8</a>  |



## GUILFORD COUNTY CODE

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### CHAPTER 15 - PLANNING AND DEVELOPMENT

---

FOOTNOTE(S):

--- (1) ---

**Cross reference**— Administration, ch. 2; buildings and building regulations, ch. 6; parks and recreation, ch. 13.

**State Law reference**— Meetings of public bodies open to the public, G.S. 143-318.10; power of county to levy property taxes for planning and development, G.S. 153A-149(c)(26); planning and regulation of development, G.S. 153A-320 et seq.; regional planning commissions, G.S. 153A-391 et seq.

### ARTICLE II. - RELATED ORDINANCES

---

#### Sec. 15-56 Unified Development Ordinance

---

(File No. 2020-432, 11/19/2020; File No. Ord. of 1-20-22(1), 01/20/2022)

#### Subsec. 12 – Definitions

##### 12.04 DEFINITIONS

##### GENERAL

**HOME OCCUPATION.** Any use conducted entirely within a dwelling and carried on by the occupants thereof, which use is incidental and secondary to the use of the dwelling for residential purposes and does not change the character thereof.





# EXHIBIT 16

**TABLE 4.3-1 PERMITTED USE SCHEDULE**

X = Prohibited in the WCA. For details on prohibited uses in the WCA, see Article 9 - Environmental Regulations  
For PUD Zoning Districts (PD-R, PD-M & RPD) - Refer to Section 4.4

P = Use by Right

D = Individual Development Standards Apply - See Article 5

S = Individual Development Standards Apply per Article 5 & Special Use Permit Required per Section 3.5.Q

Z = Overlay Zoning Required

"\*" = Additional District Requirements, See Section 4.5 or 4.6

| Use Category                | Use Type                                           | WCA Prohibited | Residential |    |    |    |   |   |   |   |    |    |   | Institutional | Commercial |   |   |   |   |   | Industrial |   |   |
|-----------------------------|----------------------------------------------------|----------------|-------------|----|----|----|---|---|---|---|----|----|---|---------------|------------|---|---|---|---|---|------------|---|---|
|                             |                                                    |                | A           | R  | R  | R  | R | R | R | R | R  | R  | R | P             | L          | M | N | L | G | H | C          | L | H |
|                             |                                                    |                | G           | S  | S  | S  | S | S | S | M | M  | M  | I | O             | X          | B | B | B | B | P | I          | I |   |
|                             |                                                    |                |             | 40 | 30 | 20 | 3 | 5 | 7 | 8 | 18 | 26 |   |               | U          | * | * | * | * | * | *          | * |   |
|                             | Animal Services (Livestock)                        |                | P           |    |    |    |   |   |   |   |    |    |   |               |            |   |   |   |   | P | P          |   |   |
|                             | Animal Services (Other)                            |                | P           |    |    |    |   |   |   |   |    |    |   | D             |            | D | D | D | P | P |            |   |   |
|                             | Horticultural Specialties                          |                | P           |    |    |    |   |   |   |   |    |    |   |               |            |   |   | P | P | P |            |   |   |
| Household Living            | Single-Family Detached Dwelling                    |                | P           | P  | P  | P  | P | P | P | P | P  |    | P | P             | P          |   |   |   |   |   |            |   |   |
|                             | Two-Family Dwelling (Twin Home or Duplex)          |                | P           |    |    |    |   |   | P | P | P  |    | P | P             | P          |   |   |   |   |   |            |   |   |
|                             | Townhouse Dwelling                                 |                |             |    |    |    |   |   | P | P | P  |    |   | P             | P          | P |   |   |   |   |            |   |   |
|                             | Caretaker Dwelling (Accessory)                     |                | D           |    |    |    |   |   |   |   |    | D  | D | D             | D          | D | D | D | D | D |            |   |   |
|                             | Multifamily Dwelling (including Condominium)*      |                |             |    |    |    |   |   | P | P | P  |    |   | P             | P          | P | P | P |   |   |            |   |   |
|                             | Family Care Facility                               |                | P           | P  | P  | P  | P | P | P | P | P  | P  | P | P             | P          | P |   |   |   |   |            |   |   |
|                             | Home Occupation                                    |                | D           | D  | D  | D  | D | D | D | D | D  |    | D | D             | D          |   |   |   |   |   |            |   |   |
|                             | Mfgr.(HUD)/Mobile Home Dwelling (Class A & B)      |                | P           | Z  | Z  |    |   |   |   |   | Z  | Z  |   |               |            |   |   |   |   |   |            |   |   |
|                             | Mfgr.(HUD)/Mobile Home Dwelling Park               |                |             |    |    |    |   |   |   | S | S  | S  |   |               |            |   |   |   |   |   |            |   |   |
|                             | Accessory Apartments/ Dwelling Units               |                | D           | D  | D  | D  | D | D | D | D | D  | D  |   | D             | D          |   |   |   |   |   |            |   |   |
|                             | Subdivision (Minor) - Residential                  |                | P           | P  | P  | P  | P | P | P | P | P  | P  |   | P             | P          | P |   |   |   |   |            |   |   |
|                             | Subdivision (Major) - Residential (6 or more lots) |                |             | P  | P  | P  | P | P | P | P | P  | P  |   | P             | P          | P |   |   |   |   |            |   |   |
|                             | Tiny House Developments                            |                |             |    |    |    |   |   |   | D | D  | D  |   |               |            |   |   |   |   |   |            |   |   |
|                             | Temporary Family Healthcare Structures             |                | D           | D  | D  | D  | D | D | D | D | D  | D  |   | D             | D          | D |   |   |   |   |            |   |   |
| Group Living/Social Service | Boarding House, 3 - 8 Residents                    |                | S           |    |    |    |   |   |   | P | P  |    | P | P             |            |   |   |   |   |   |            |   |   |
|                             | Rooming House, 9 or More Residents                 |                |             |    |    |    |   |   |   | S | S  |    | S | P             |            |   |   |   |   |   |            |   |   |



# EXHIBIT 16

**TABLE 4.3-1 PERMITTED USE SCHEDULE**

X = Prohibited in the WCA. For details on prohibited uses in the WCA, see Article 9 - Environmental Regulations  
For PUD Zoning Districts (PD-R, PD-M & RPD) - Refer to Section 4.4

P = Use by Right

D = Individual Development Standards Apply - See Article 5

S = Individual Development Standards Apply per Article 5 & Special Use Permit Required per Section 3.5.Q

Z = Overlay Zoning Required

"\*" = Additional District Requirements, See Section 4.5 or 4.6

| Use Category                                        | Use Type                                                                         | WCA<br>Prohibited | Residential |    |    |   |   |   |   |    |    |   | Institutional | Commercial |   |   |   |   |   | Industrial |   |   |   |
|-----------------------------------------------------|----------------------------------------------------------------------------------|-------------------|-------------|----|----|---|---|---|---|----|----|---|---------------|------------|---|---|---|---|---|------------|---|---|---|
|                                                     |                                                                                  |                   | A           | R  | R  | R | R | R | R | R  | R  | R | R             | P          | L | M | N | L | G | H          | C | L | H |
|                                                     |                                                                                  |                   | G           | S  | S  | S | S | S | S | M  | M  | M | I             | O          | X | B | B | B | B | P          | I | I |   |
|                                                     |                                                                                  |                   | 40          | 30 | 20 | 3 | 5 | 7 | 8 | 18 | 26 |   |               | U          | * | * | * | * | * | *          | * |   |   |
|                                                     | Hospital                                                                         |                   |             |    |    |   |   |   |   |    |    | P |               | P          |   |   | P | P |   |            |   |   |   |
| Business,<br>Professional, and<br>Personal Services | Office (General)                                                                 |                   |             |    |    |   |   |   |   |    |    |   | P             | P          | P | P | P | P | P | P          |   |   |   |
|                                                     | Medical or Professional Office                                                   |                   |             |    |    |   |   |   |   |    |    |   | P             | P          | P | P | P | P | P | P          |   |   |   |
|                                                     | Personal Service                                                                 |                   |             |    |    |   |   |   |   |    |    |   | P             | P          | P | P | P | P | P | P          |   |   |   |
|                                                     | Advertising, Outdoor Services                                                    |                   |             |    |    |   |   |   |   |    |    |   |               |            |   |   | D | D | P | P          | P |   |   |
|                                                     | Bank or Finance without Drive-through                                            |                   |             |    |    |   |   |   |   |    |    |   |               | D          |   | P | P | P | D | P          |   |   |   |
|                                                     | Rural Residential Occupation                                                     |                   | S           |    |    |   |   |   |   |    |    |   |               |            |   |   |   |   |   |            |   |   |   |
|                                                     | Bank or Finance with Drive- through                                              |                   |             |    |    |   |   |   |   |    |    |   |               | P          |   | P | P | P | P | P          |   |   |   |
|                                                     | Boat Repair                                                                      | X                 |             |    |    |   |   |   |   |    |    |   |               |            |   |   | P | P |   | P          | P |   |   |
|                                                     | Building Maintenance Services                                                    |                   |             |    |    |   |   |   |   |    |    |   |               |            |   |   | P | P |   | P          | P |   |   |
|                                                     | Furniture Stripping or Refinishing (including Secondary or Accessory Operations) | X                 |             |    |    |   |   |   |   |    |    |   |               |            |   |   |   | P | P |            | P | P |   |
|                                                     | Insurance Agency (Carriers and On-Site Claims Inspections)                       |                   |             |    |    |   |   |   |   |    |    |   |               |            | P |   | P | P | P | P          | P |   |   |
|                                                     | Kennels or Pet Grooming                                                          |                   | P           |    |    |   |   |   |   |    |    |   |               |            | D |   | D | D | D | D          | P | P |   |
|                                                     | Landscape and Horticultural Services                                             | X                 | S           |    |    |   |   |   |   |    |    |   |               |            |   |   |   |   | P |            | P | P |   |
|                                                     | Laundromat or Dry Cleaner                                                        | X                 |             |    |    |   |   |   |   |    |    |   |               |            |   | P | P | P | P |            |   |   |   |
|                                                     | Motion Picture Production                                                        |                   |             |    |    |   |   |   |   |    |    |   |               |            |   |   |   | P | P | P          | P |   |   |
|                                                     | Pest or Termite Control Services                                                 | X                 |             |    |    |   |   |   |   |    |    |   |               |            |   |   |   | P | P |            | P | P |   |
|                                                     | Payday Loan Services                                                             |                   |             |    |    |   |   |   |   |    |    |   |               |            |   |   |   |   | P |            |   |   |   |



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**GUILFORD COUNTY  
PLANNING AND DEVELOPMENT**

**Board of Adjustment  
Variance Application**

Date Submitted: 8/20/2026  
Revised 9/14/2026  
Revised 9/21/2026

Fee **\$426.00** Receipt # REC-037168-2026  
(includes \$26 recording fee)

Case Number 26-08-BOA-00012

**PROPERTY INFORMATION**

Address 630 Harper Cate Court City Greensboro State NC Zip Code 27455  
Tax Parcel # 239420 Zoning: RS-40  
Plat Book & Page 215-146 Deed Book & Page 009057-01243 Township 10-Center Grove

**OWNER INFORMATION**

Name Patrick Daly Jr. and April Daly Phone Number (434)770-5449  
Address 630 Harper Cate Court City Greensboro State NC Zip Code 27455  
Email patrickdaly25@gmail.com

Owner Signature Patrick Daly Jr. April Daly  
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 Patrick Daly Jr. and April Daly Phone Number (434)770-5449  
Address 630 Harper Cate Court City Greensboro State NC Zip Code 27455  
Email patrickdaly25@gmail.com

Applicant Signature Patrick Daly Jr. April Daly  
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, Patrick Daly Jr. and April Daly, 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):

RS-40 with Ordinance no. of 4.2.2. B

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

As shown on the plot plan, this is to request a 14' feet variance to reduce the required rear setback in the RS- 40 zoning district from 30 feet to 16 feet, pursuant to Ordinance Section 4.2.2 B





**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.

Due to the size of the pool being greater than 600 square feet (882 s.f. as designed), the rear setback requirement is 30'. If the pool is less than 600 square feet, which isn't possible, then the rear setback is 5'. The 8' depth of the pool requires the pool to be larger than 600 s.f. to adhere to the IBC code with North Carolina Revisions

- 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 Applicant's initial work around was to move the pool for compliance; however, this wasn't possible due to proximity to the well on the property and angle of repose structural requirements as for distance from the home's foundation. The Applicant's ask is for a 16' rear setback in lieu of 30'. The Applicant's opinion is that, with all property nuances involved, there should be consideration for a setback in between 5' and 30'. The Applicant would also add that the adjoining rear property is a large parcel, the back side of which isn't buildable for any future development due to a storm water easement/creekbed

- 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).

The Applicant just purchased the property, which is new construction, and had no knowledge as to property line setbacks for the pool, angle of repose requirements, left side drainage easement, and well setbacks. These items were not part of the due diligence or disclosures during the purchase of the home.

- 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.

To reiterate, the Applicant isn't asking for a 5' setback that could be achieved with a non-compliant pool size. The Applicant is asking to meet in the middle based on the above-mentioned site conditions





## GUILFORD COUNTY PLANNING AND DEVELOPMENT

## Board of Adjustment Variance Application

### **BOARD OF ADJUSTMENT CHECKLIST**

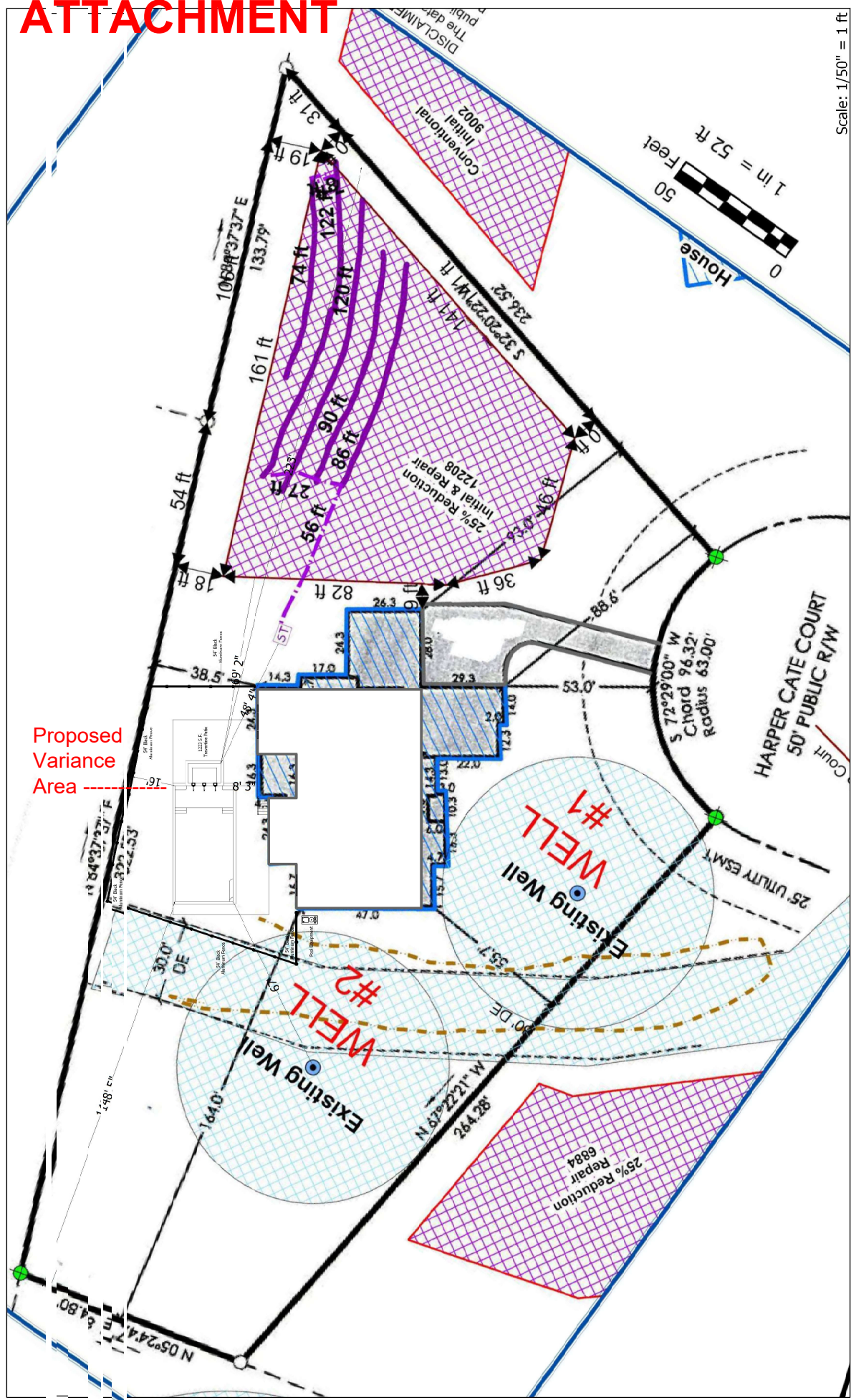
The following is a list of materials and information which you must submit in order to have your case presented at the Board of Adjustment meeting. Failure to comply with all of the following may result in the case being delayed. Refer to the Meeting Schedule below for submittal deadlines and meeting dates.

1. Completed application.
2. Required fee paid.
3. Site/Plot Plan drawn to scale showing the property as it exists and with any proposed additions, structures, buildings, driveways, well, septic system, and abutting streets.
4. Written statement outlining the request and any information you wish to present to the Board for their consideration, optional.
5. Provide a minimum of 4, maximum of 6 photographs showing the area affected by your appeal. Graphics or architectural sketches may be used to fill this requirement. Additional information may be provided at the hearing.
6. If applicable, approval from the Guilford County Environmental Health Division, contact them at 336-641-7613.

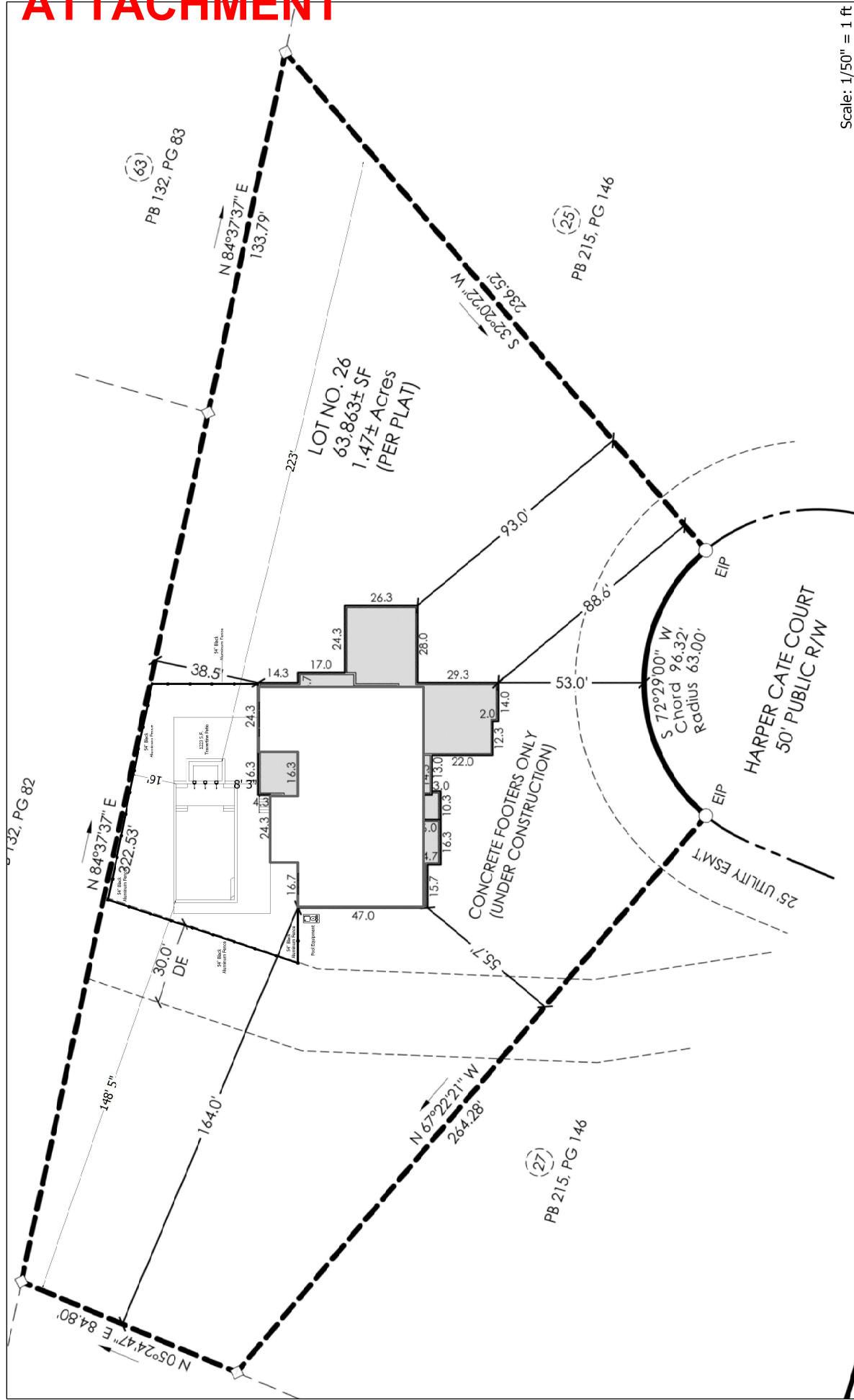
Refer to the Guilford County Meeting Schedule for BOA meeting dates.



**ATTACHMENT**



Scale:  $1/50'' = 1 \text{ ft}$





# ATTACHMENT





**ATTACHMENT**





# ATTACHMENT





# ATTACHMENT





# ATTACHMENT





# ATTACHMENT





# ATTACHMENT





## Environmental Health Division Water Quality Section

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

# ATTACHMENT

**July 31, 2026**

**Permit #:** 26-07-SAHR-00297

BRIANNA RODRIQUEZ

2261 Market Street STE 10301 San Francisco, CA

**Ref:** 630 HARPER CATE CT GREENSBORO, NC 27455

21' x 42' in-ground swimming pool addition approved based on site plan and field marking. Setbacks to well and septic maintained, no sign of septic malfunction at time of inspection.

Dear BRIANNA RODRIQUEZ,

On July 31, 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 Inspections Department. 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.

Sincerely,

*Anna Casper, REHS-I*

Environmental Health Specialist

CC: Water Quality Unit Manager  
Property File





## Summary

Patrick Daly Jr. and April Daly are requesting a variance from Unified Development Ordinance (UDO) Subsection 4.2.2.B, which requires a 30-ft minimum setback from the rear property line for accessory structures greater than 600 square feet on properties zoned RS-40. The subject property is located at 630 Harper Cate Court (Guilford County Tax Parcel #239420 in Center Grove Township), and comprises 1.47 acres.

The applicants are seeking a 14-ft. variance to allow a 16-ft. rear setback in order to permit construction of an accessory structure (swimming pool) on the property, in accordance with the submitted sketch plan.

## Property Information

- a. **Applicant(s)/Property Owner(s):** Patrick Leslie Daly Jr. and April Patterson Daly
- b. **Property Location:** 630 Harper Cate Court, Greensboro, NC 27455
- c. **Legal Description:** Plat Book 215, Page 146; Lions Gate Subdivision (see Deed Book 9057, Page 1243)
- 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 - Single-Family, Detached Dwelling
  - ii. South: Vacant – RS-40 Zoned Property
  - iii. East: Vacant – RS-40 Zoned Property
  - iv. West: Residential - Single-Family, Detached Dwelling (Town of Summerfield)
- c. **Topographic and Stormwater Features:**
  - i. Topography: Per the USDA-NRCS Web Soil Survey, the topography at the subject parcel is strongly sloping to moderately steep.
  - ii. Regulated Floodplain: There is no regulated floodplain on the property per the Flood Insurance Rate Map.
  - iii. Wetlands: There are no mapped wetlands on the property per the National Wetlands Inventory.
  - iv. Streams: There are no mapped streams on the property per the USGS Topo Quad and NRCS Soil Survey Maps of Guilford County.



## GUILFORD COUNTY PLANNING AND DEVELOPMENT

Board of Adjustment  
Staff Report for Variance  
Case #26-08-BOA-00012

- v. Water Supply Watershed: Greensboro (Reedy Fork) Watershed WS-III, 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 disabilities.
  - (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:  
August 20, 2026

Date adjacent property owner(s) notified:  
September 24, 2026

Date sign posted on subject property:  
September 24, 2026

Date legal notice posted on County website:  
September 25, 2026

Date of hearing:  
October 6, 2026



# GUILFORD COUNTY PLANNING AND DEVELOPMENT

Board of Adjustment  
Staff Report for Variance  
Case #26-08-BOA-00012

## Sign Posting Photos

Subject Property



Across from Subject Property



Facing West



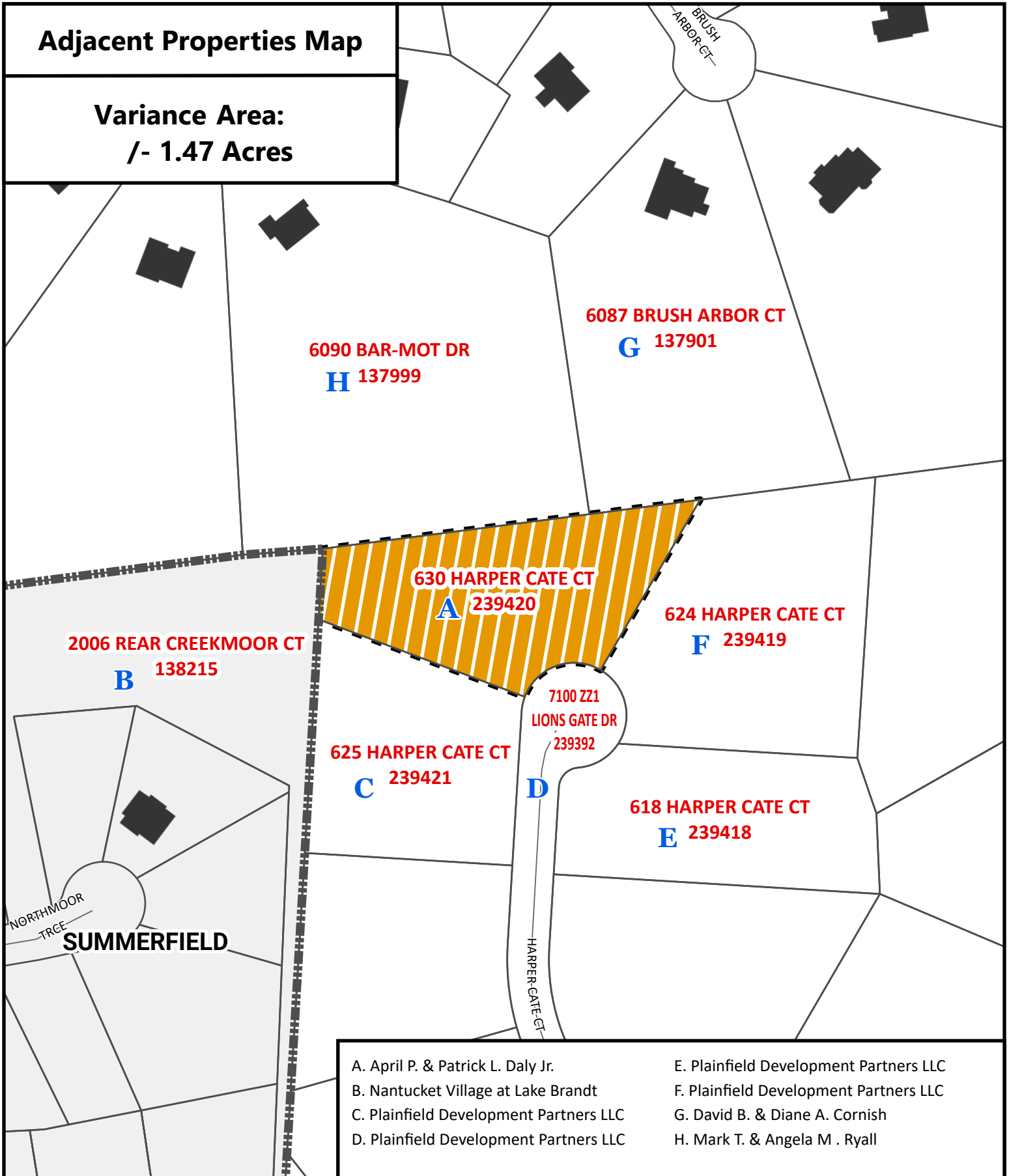
Facing East





# Adjacent Properties Map

**Variance Area:  
/- 1.47 Acres**



Planning & Development  
Department

## Jurisdiction:

GUILFORD COUNTY

## Case Number:

26-08-BOA-00012

## Case Area:

Parcel(s) - 239420

630 Harper Cate Ct



Scale: 1" = 150'



# Aerial Map

Variance Area:  
+/- 1.47 Acres

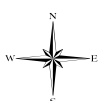


Planning & Development  
Department

Jurisdiction:  
GUILFORD COUNTY

Case Number:  
26-08-BOA-00012

Case Area:  
Parcel(s) - 239420  
630 Harper Cate Ct

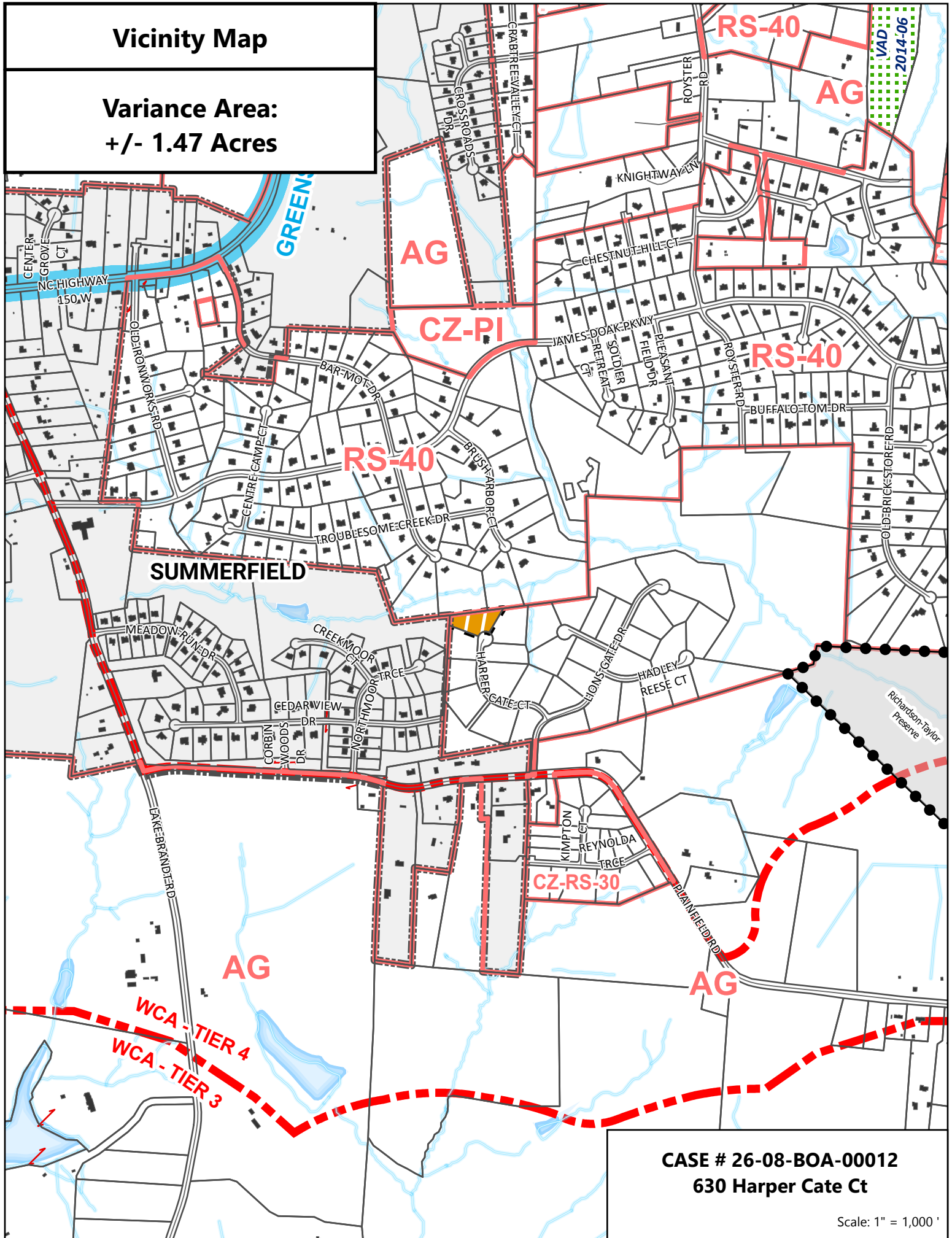


Scale: 1" = 100 '



# Vicinity Map

Variance Area:  
+/- 1.47 Acres



CASE # 26-08-BOA-00012  
630 Harper Gate Ct

Scale: 1" = 1,000'

# Current Zoning Map

Variance Area:  
+/- 1.47 Acres

**RS-40**

**SUMMERFIELD**

NORTHMOOR  
TRCE

BRUSH  
ARBOR CT

HARPER CATE CT

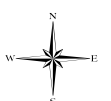


Planning & Development  
Department

Jurisdiction:  
GUILFORD COUNTY

Case Number:  
26-08-BOA-00012

Case Area:  
Parcel(s) - 239420  
630 Harper Cate Ct

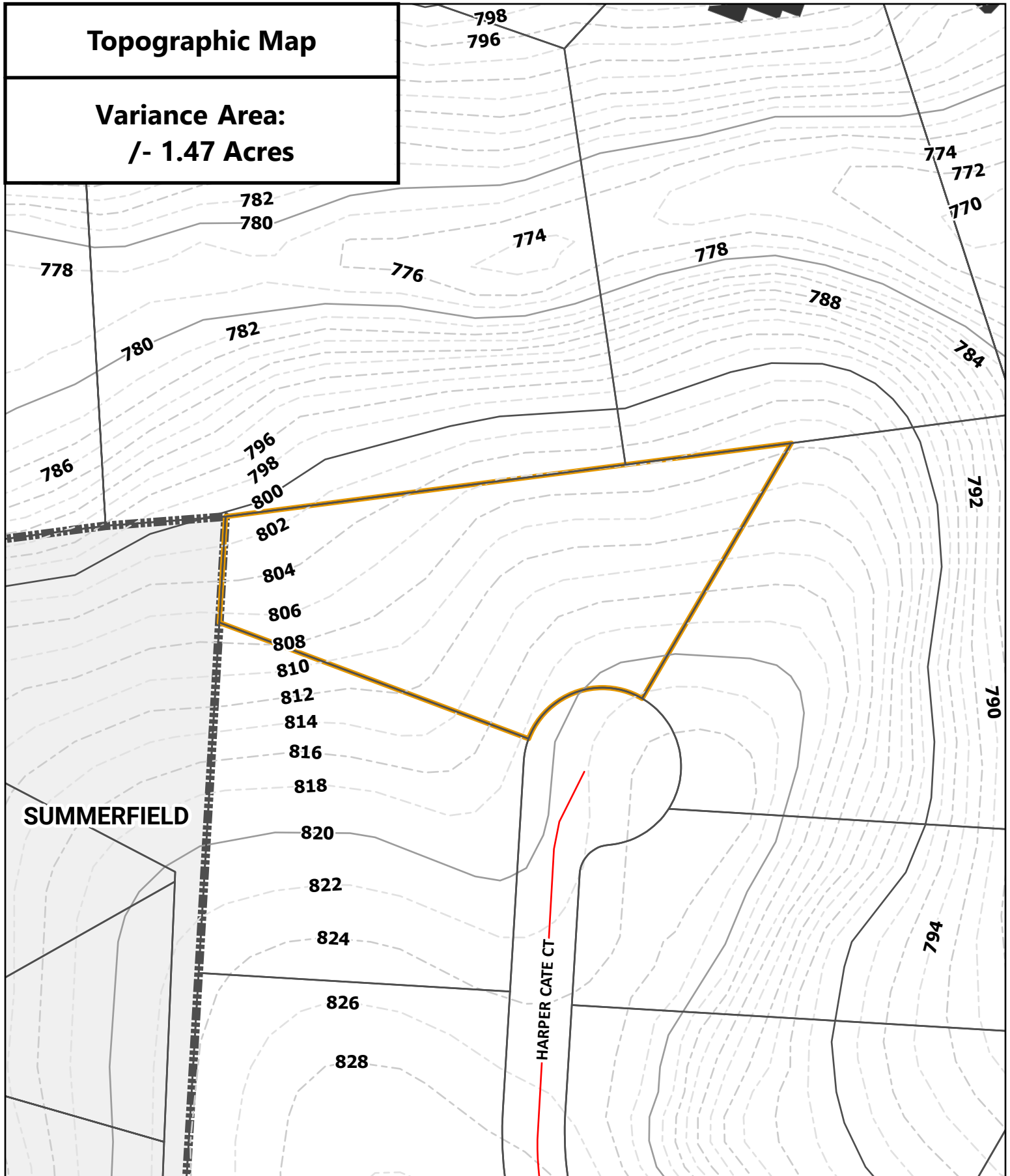


Scale: 1" = 150'



# Topographic Map

Variance Area:  
/- 1.47 Acres

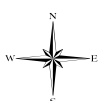


Planning & Development  
Department

Jurisdiction:  
GUILFORD COUNTY

Case Number:  
26-08-BOA-00012

Case Area:  
Parcel(s) - 239420  
630 Harper Cate Ct



Scale: 1" = 100'



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

**CASE #26-08-BOA-00012  
VARIANCE WORKSHEET**

The Guilford County Board of Adjustment, having held a hearing on **October 6, 2026**, to consider Case **#26-08-BOA-00012**, submitted by **Patrick Daly Jr. and April Daly**, a request for a 14 ft. variance to allow a 16 ft. minimum rear setback in order to permit construction of an accessory structure (swimming pool), on the property located at **630 Harper Cate Court**, being Tax Parcel **#239420**, 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 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. This conclusion is based on the following FINDINGS OF FACT:  
  

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- 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:  
  

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- 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:  
  

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- 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:  
  

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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.  
  

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This motion also directs staff to draft a proposed order reflecting these findings and conclusions and such other findings and conclusions as may be consistent with the Board’s decision and supported by the evidence and the law, for the Board’s consideration at its next meeting.



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

**CASE #26-08-BOA-00012  
VARIANCE WORKSHEET**

The Guilford County Board of Adjustment, having held a hearing on **October 6, 2026**, to consider Case **#26-08-BOA-00012**, submitted by **Patrick Daly Jr. and April Daly**, a request for a 14 ft. variance to allow a 16 ft. minimum rear setback in order to permit construction of an accessory structure (swimming pool), on the property located at **630 Harper Cate Court**, being Tax Parcel **#239420**, 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 FACT 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:  
  

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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:  
  

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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:  
  

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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:  
  

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

This motion also directs staff to draft a proposed order reflecting these findings and conclusions and such other findings and conclusions as may be consistent with the Board's decision and supported by the evidence and the law, for the Board's consideration at its next meeting.

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## **GUILFORD COUNTY PLANNING AND DEVELOPMENT**

## **Board of Adjustment 2027 Meeting Schedule**

### **BOARD OF ADJUSTMENT Regular Meeting Schedule**

Carolyn Q. Coleman Conference Room  
First Floor, Old County Courthouse  
301 W. Market St., Greensboro, N.C. 27401  
6:00 P.M.

| <b>Application Submittal Dates</b><br>(Due by Noon) | <b>Meeting Dates</b><br>(1 <sup>st</sup> Tuesday of the Month) |
|-----------------------------------------------------|----------------------------------------------------------------|
| November 30, 2026                                   | January 5, 2027                                                |
| January 4, 2027                                     | February 2                                                     |
| February 1                                          | March 2                                                        |
| March 1                                             | April 6                                                        |
| April 5                                             | May 4                                                          |
| May 3                                               | June 1                                                         |
| May 28*                                             | July 6                                                         |
| July 2*                                             | August 3                                                       |
| August 2                                            | September 7                                                    |
| September 3*                                        | October 5                                                      |
| October 1*                                          | November 1*                                                    |
| November 1                                          | December 7                                                     |
| December 2                                          | January 4, 2028                                                |

\*Date adjusted due to holiday

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