



**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

September 1, 2026

6:00 PM

- I. Roll Call**
- II. Agenda Amendments**
- III. Approval of Minutes: August 4, 2026**
- IV. Rules and Procedures**
- V. Old Business**

None

- 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.



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- 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 on 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 the **APPEAL OF ZONING NOTICE OF VIOLATION CASE #26-06-BOA-00007** can be viewed by scrolling to the September 1, 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 #26-07-BOA-00009: 2904 CROMWELL ROAD, GREENSBORO, NC 27407

Ana Karen Navarro Serna is requesting two variances from Unified Development Ordinance (UDO) Subsection 4.2.2.B, which requires 1) a 30 ft. minimum interior rear setback from the property line and 2) a 15 ft. minimum interior side setback from the property line for accessory structures greater than 600 sq. ft. in size on property zoned RS-40. The requested variance(s) will apply to the existing, unpermitted accessory structure (ref. code case 25-12-ZNCE-00164) located at the right-rear corner of the property, as shown on the submitted sketch plan. The subject property is located at 2904 Cromwell Rd., Greensboro, NC 27407 (Guilford County Tax Parcel #151120 in Friendship Township), and comprises 0.65 acres.

The applicant is seeking the following variances:

1. A 27 ft. variance to allow a 3 ft. interior rear setback in order to permit placement of an accessory structure on the property, in accordance with the submitted sketch plan.
2. 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.



GUILFORD COUNTY PLANNING AND DEVELOPMENT BOARD OF ADJUSTMENT

Information for **VARIANCE CASE #26-07-BOA-00009** can be viewed by scrolling to the September 1, 2026, regular meeting agenda and packet at <https://www.guilfordcountync.gov/government/departments-and-agencies/planning-and-development/boards-and-commissions/board-adjustment>.

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

Gladys Adriana Barrera Flores is requesting two variances from Unified Development Ordinance (UDO) Subsection 4.2.2.B, which requires 1) a 50 ft. minimum street setback from the front property line along a major thoroughfare, and 2) Subsection 4.2.2.B.(Footnote 3) that requires a property be comprised of at least 2 acres in order to place an accessory structure in front of the principal structure in the RS-40 zoning district. The requested variances pertain to the existing, unpermitted accessory structure located in front of the principal structure (ref. code case #26-07-BLCE-00042), as shown on the submitted sketch plan. The subject property is located at 5623 Burlington Rd., McLeansville, NC 27301 (Guilford County Tax Parcel #117491 in Jefferson Township), and comprises 0.46 acres.

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 2 acres, in accordance with the submitted sketch plan.
2. 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.

Information for **VARIANCE CASE #26-07-BOA-00010** can be viewed by scrolling to the September 1, 2026, regular meeting agenda and packet at <https://www.guilfordcountync.gov/government/departments-and-agencies/planning-and-development/boards-and-commissions/board-adjustment>.

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

Karen and Joseph Bolyard are requesting a variance from Unified Development Ordinance (UDO) Subsection 4.2.4.B, which requires a 30 ft. minimum setback from the rear property line for accessory structures in the RS-20 zoning district.

The subject property is located at 3222 Forsyth Drive, Greensboro, NC 27407 (Guilford County Tax Parcel #155641 in Jamestown Township), and comprises 1.17 acres.



GUILFORD COUNTY PLANNING AND DEVELOPMENT BOARD OF ADJUSTMENT

The applicant is seeking 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.

Information for **VARIANCE CASE #26-07-BOA-00011** can be viewed by scrolling to the September 1, 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

None

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

August 4, 2026

6:00 PM

Call to Order

Vice Chair Johnson called the meeting to order at 6:00 p.m. He asked staff to call the roll for those present.

I. Roll Call

The following members were in attendance at this meeting:

Willie Johnson, Vice Chair; Larry Standley; Carey Campbell; Dr. La Toya Gathers, Alternate; Nicole Goodman, Alternate;

The following members were absent from this meeting:

Joshua Scott

The following Guilford County staff members were in attendance, in person, for this meeting:

Ashton Roberts, Deputy County Attorney; Jason Hardin, Planning and Development Deputy Director; Samantha Lockwood, Senior Planner; and Amira Yassin-Fort, Planning Technician.

II. Agenda Amendments

Vice Chair Johnson asked staff if there were any agenda amendments. Mr. Hardin confirmed that there were none.

III. Approval of Minutes: July 7, 2026

Dr. Gathers moved to approve the July 7, 2026, minutes, seconded by Mr. Standley. The Board voted unanimously, 5-0, in favor of the motion. (Ayes: Johnson, Campbell, Gathers, Goodman, Standley. Nays: None.)

IV. Rules and Procedure

Vice Chair Johnson noted that the rules and procedures did not need to be read aloud for the current meeting as there was no new business.

V. Old Business**A. ORDER AFFIRMING SOLID WASTE CITATION CASE #25-05-BOA-00006: 4426 GREEN LAKE CT, GREENSBORO, NC 27407**

Pursuant to N.C.G.S. 160D-406(j), approve the Order Affirming Solid Waste Citation in the matter of property owners Harvey Junior Bartley and Luz Rocio Bartley's appeal of the Solid Waste Citation outlined in violation case #26-03-SWCE-00041 dated May 1, 2026, and heard by the Board of Adjustment on July 7, 2026.

Senior Planner Samantha Lockwood reported that the draft order affirmed the solid waste citation #26-03-SWCE-0004 issued against Harvey Junior Bartley for the property located at 4426 Green Lake Court. The order also upholds the \$1,000 civil penalty assessed by the citation. The order was prepared to reflect the findings and decisions that the Board made at its July 7, 2026, meeting related to the appeal filed by Harvey Junior Bartley by and through his counsel of record, Kenneth M Johnson. The order was presented to the Board for a vote.

Anyone who was not present at the July 7, 2026, meeting was asked to confirm that they were able to read the meeting minutes prior to voting.

Ms. Goodman verbally affirmed that she had read the meeting minutes and was prepared to vote.

Dr. Gathers moved to approve the Order for case #25-05-BOA-0006, as written, seconded by Mr. Standley. The Board voted unanimously, 5-0, in favor of the motion. (Ayes: Johnson, Campbell, Gathers, Goodman, Standley. Nays: None.)

The adopted Order was then passed around and signed by the Board Members.

VI. New Business

None.

VII. Other Business**A. Officer Election: Chair**

Mr. Hardin stated that Franklin Havens, former chair, had resigned due to personal reasons and was no longer serving on the Board. A new Chair was needed to serve the term. Anyone was invited to nominate themselves or someone else. He noted that only regular members were eligible.

Mr. Campbell moved to nominate Willie Johnson for the position of Chair, seconded by Dr. Gathers. The Board voted unanimously, 5-0, in favor of the motion. (Ayes: Campbell, Gathers, Goodman, Johnson, Standley. Nays: None.)

Chair Johnson opened discussion for appointment of a new Vice Chair and asked for any nominations. Mr. Campbell responded that he would like to serve as the Vice Chair.

Mr. Campbell moved to nominate himself for the position of Vice Chair, seconded by Dr. Gathers. The Board voted unanimously, 5-0, in favor of the motion. (Ayes: Johnson, Campbell, Gathers, Goodman, Standley. Nays: None.)

VIII. Adjournment

There being no further business before the Board, Chair Johnson adjourned the meeting at 6:14 p.m. by acclamation.

The next regular meeting of the Guilford County Board of Adjustment is scheduled for September 1, 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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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:
August 20, 2026

Date sign posted on subject property:
August 20, 2026

Date legal notice posted on County website:
August 21, 2026

Date of hearing:
September 1, 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.



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



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

4900 Beaverdale

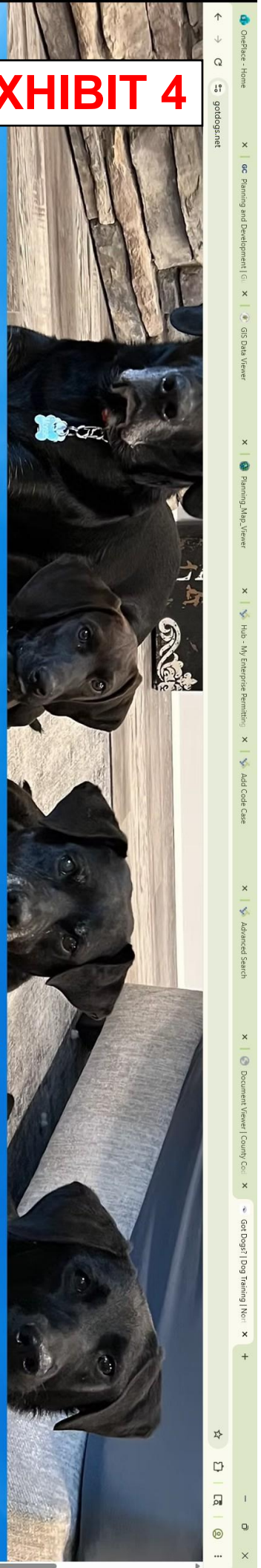
EXHIBIT 3



© All EagleView Technology Corporation

02/25/2026

EXHIBIT 4

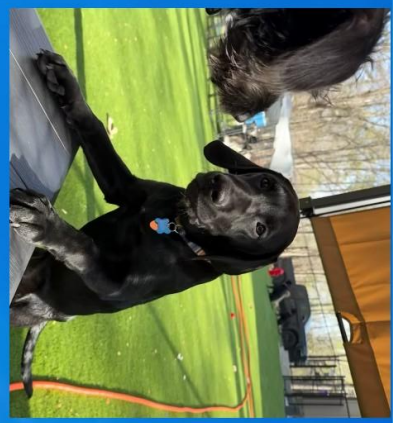


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Daycare and
Boarding!!

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Department of Agriculture and fully insured.



EXHIBIT 4



Servicing Greensboro, North Carolina and the surrounding areas

Shawna Crump
(315)408-3803
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

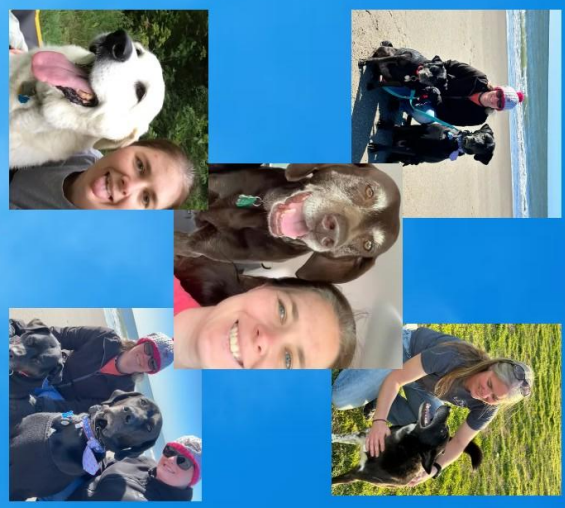
e.g., Support

Write a message

Enter text here

Send

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 conditioning 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

gotdogs.net

Services

Specialties

Dog training · Dog daycare · Dog boarding

Education

Catch Canine Trainers Academy

Class of 2024

Contact info

(315) 408-3803

gotdogscnc@gmail.com

Got Dogs?

Photos

See all photos

Privacy · Consumer Health Privacy · Terms · Advertising · Ad Choices · Cookies · More

Shawna Cump · Follow

Feb 26 · 🌐

1

Write a comment...

1

2

3

4

5

6

7

8

9

10

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

THINK TO MAKE TWO DOGS BE THE SAME ONE

gotDogG

G

100% Sunny

87°F

1:02 PM

5/18/2025

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 professional."

Get app

Restaurants

Hotels

Things to do

Transit

Parking

Pharmacies

ATMs

EXHIBIT 6

Google Maps

313 PM 7/15/2025

EXHIBIT 6

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

EXHIBIT 7



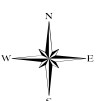
Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

Case Number:
26-06-BOA-00007

Case Area:
Parcel(s) - 121121

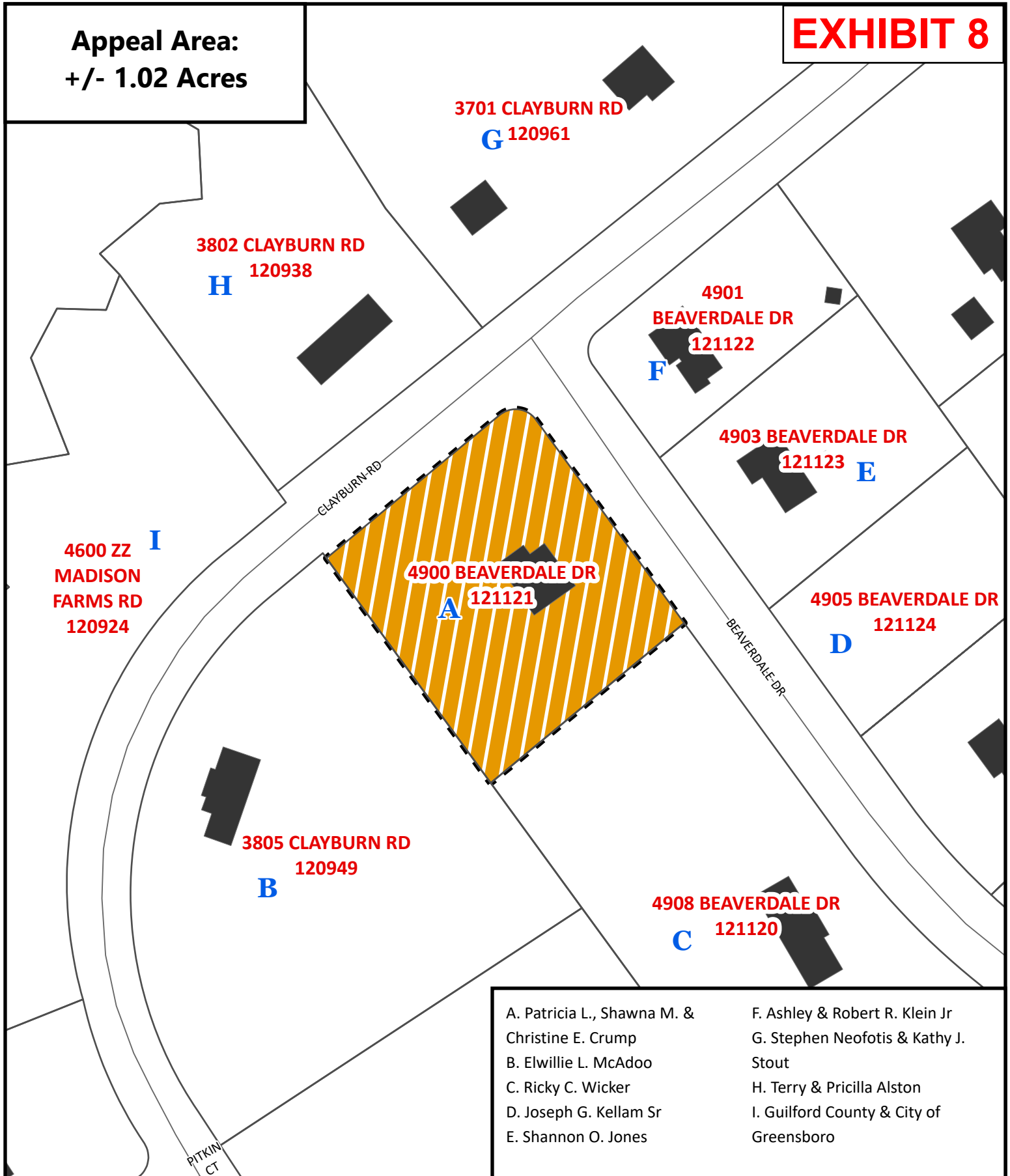
4900 Beaverdale Dr



Scale: 1" = 50'

EXHIBIT 8

Appeal Area:
+/- 1.02 Acres



Planning & Development
Department

Jurisdiction:

GUILFORD COUNTY

Case Number:

26-06-BOA-00007

Case Area:

Parcel(s) - 121121

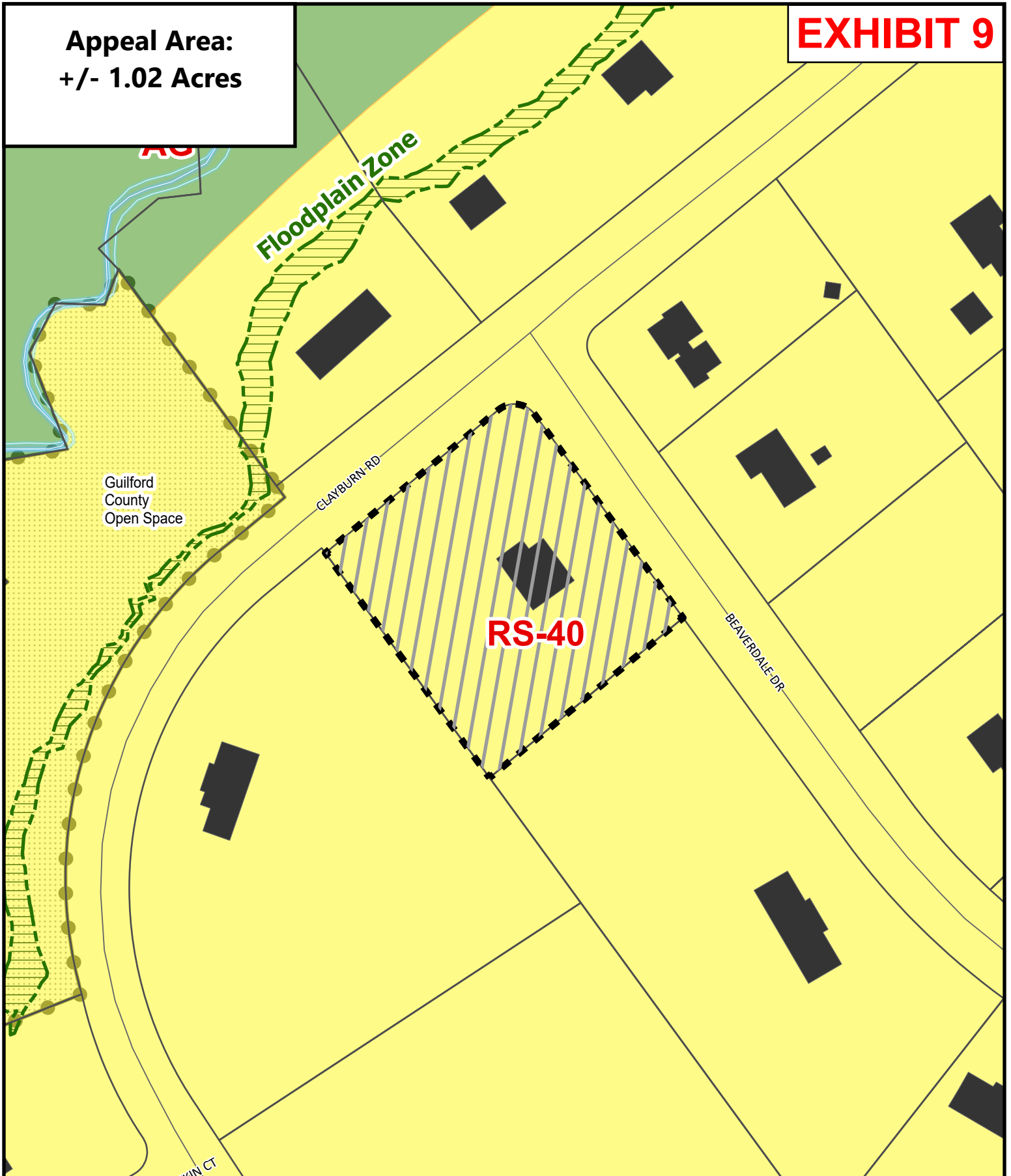
4900 Beaverdale Dr



Scale: 1" = 100 '

EXHIBIT 9

Appeal Area:
+/- 1.02 Acres

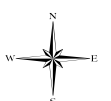


Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

Case Number:
26-06-BOA-00007

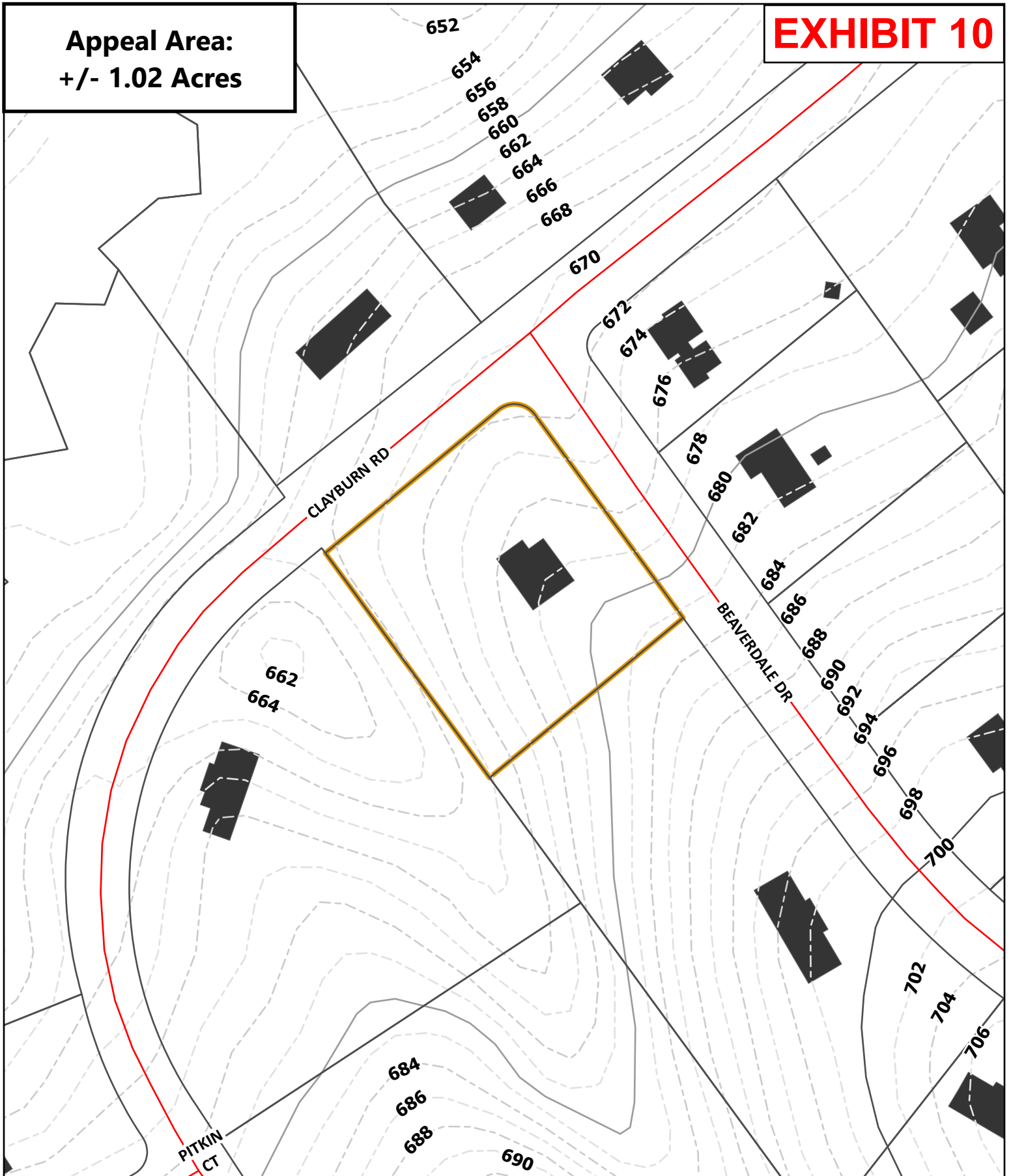
Case Area:
Parcel(s) - 121121
4900 Beaverdale Dr



Scale: 1" = 100'

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

EXHIBIT 10

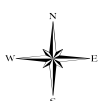


Planning & Development
Department

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, 5th 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”)¹ 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 \$250.00.²

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.

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

² 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 appeal³ 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.

³ 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.⁴ 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 (4th 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

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

June 24, 2026
Page 4

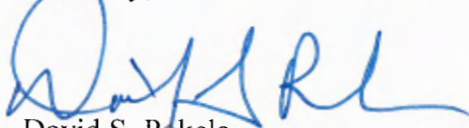
delay' can range from one month to many years." (emphasis added)); *see Grand Canyon Trust v. Tucson Power Co.*, 391 F.3d 979, 988 (9th Cir. 2004) ("a brief unexcused delay that causes sufficient prejudice to the defendant is a proper ground for invocation of the doctrine").

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,



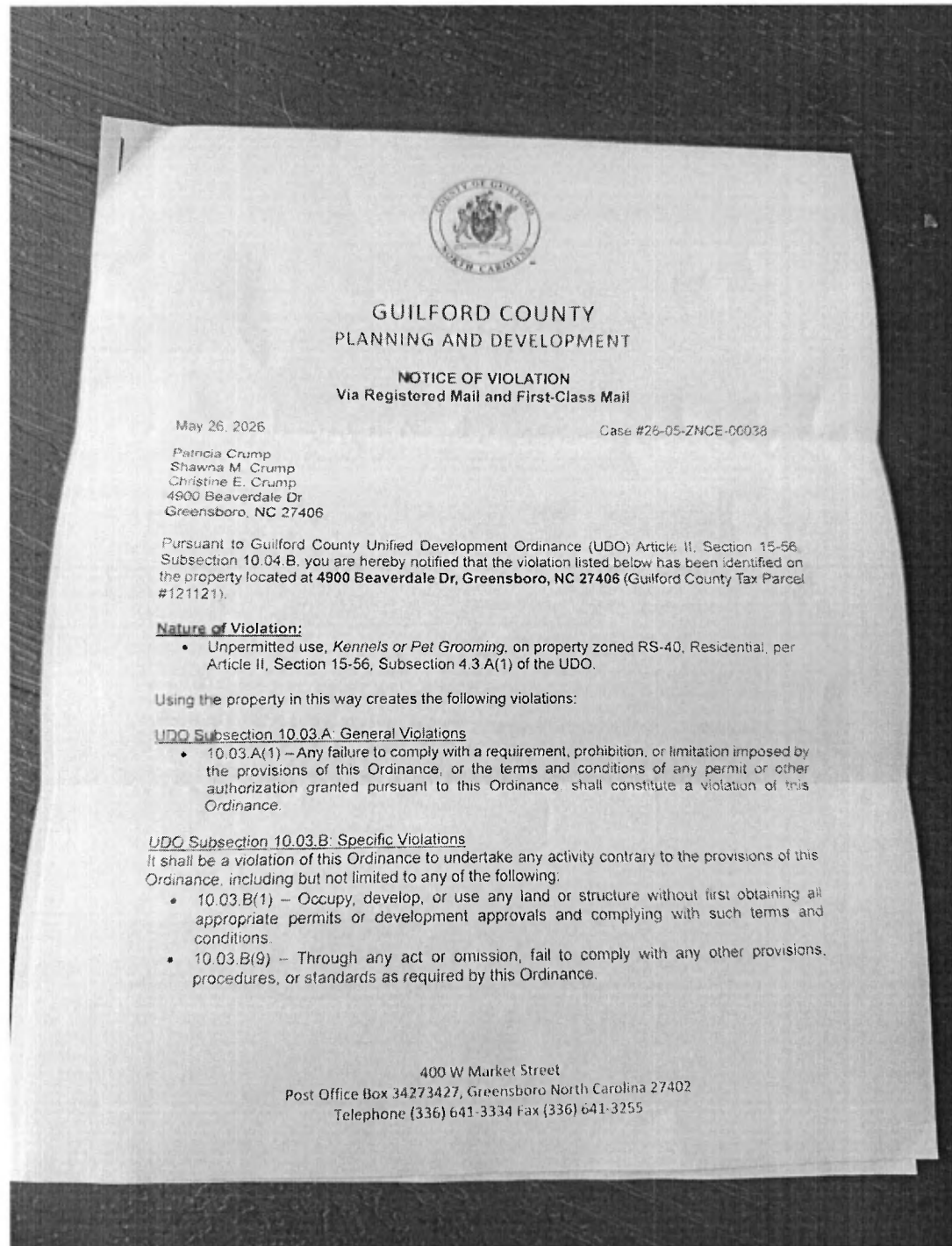
David S. Pokela

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

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>
Date: June 23, 2026 at 10:26:56 EDT
To: crumpsm6611@gmail.com
Cc: Joel Almquist <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 | 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

[illegible]

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. ²)	40,000	For cluster development on properties meeting the minimum tract size requirements set forth in Subsec. 8 and zoned RS-40, see the dimensional/lot requirements for the RS-30 zoning district.	
Min Lot Width (ft.) @ Building Line			
Interior Lot (ft.)	150		
Corner Lot (ft.)	150		
Min. Street Frontage (ft.)	50		
Min Street Setback (ft.)			[1]
Local or Collector – Front or Side	40		

C. References

Cluster Development	Subsec. 8
Fences	Subsec. 6
Environmental	Subsec. 9
Lighting	Subsec. 6
Nonconformities	Subsec. 11
Permitted Uses	Subsec. 4
Subdivisions	Subsec. 8



GUILFORD COUNTY CODE

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	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	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	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	P						
	Home Occupation		D	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 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, Professional, and 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: 7/17/2026 Fee \$426.00 Receipt # REC-038969-2024 Case Number 26-07-BOA-00009
REV. 8/14/26 (includes \$26 recording fee)

PROPERTY INFORMATION

Address 2904 Cromwell Rd City Greensboro State NC Zip Code 27407
Tax Parcel # 151120 Zoning: RS-40
Plat Book & Page 8-35 Deed Book & Page 7598-241 Township Friendship.

OWNER INFORMATION

Name Ana Karen Navarro Serna Phone Number 336 690 3878
Address 2904 Cromwell Rd City Greensboro State NC Zip Code 27407
Email Karennavarro3@icloud.com.

Owner Signature Ana Navarro

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 _____ Phone Number _____
Address _____ City _____ State _____ Zip Code _____
Email _____

Applicant Signature _____

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, Ana Karen Navarro Serna, 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):

4.2.2-B

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

Requesting a 27 Foot Variance from rear set back and
a 12 Foot Variance from Side setback to keep
The existing structure. Show as 1 story frame on the
Attached Plot Plan.

AN: 8-14-26.



GUILFORD COUNTY
PLANNING AND DEVELOPMENT

Board of Adjustment
Variance Application

FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE

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

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

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

strict application of the ordinance would create an unnecessary hardship because it would require the demolition of an existing structure that has been safely used and maintained. Demolishing the building would create a significant financial burden and eliminate a functional structure that can continue to be used without negatively affecting neighboring properties. Granting the variance would allow the property to remain productive while avoiding unnecessary waste and hardship.

- 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.)

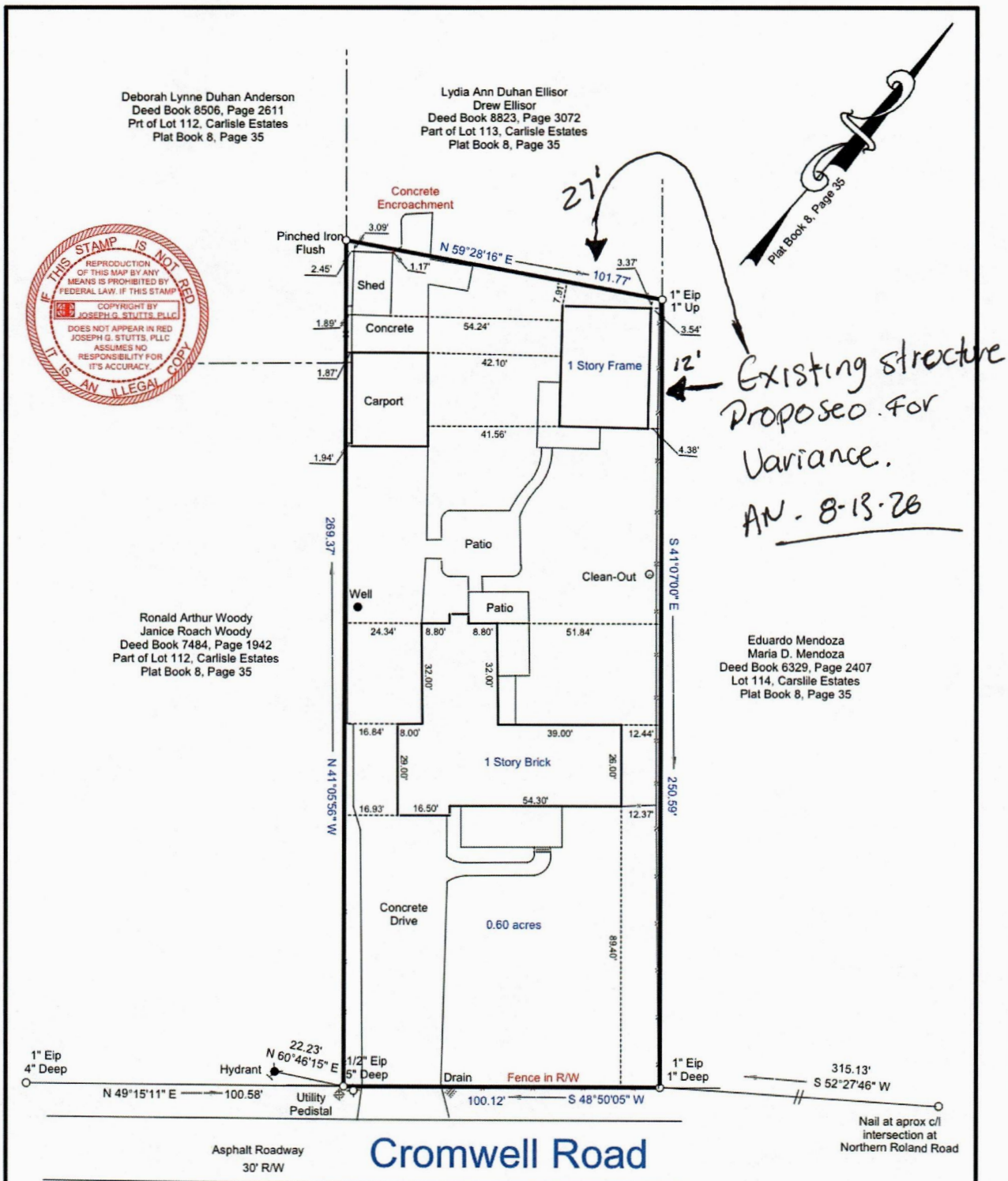
The hardship is due to the unique characteristics of this property, including the location and placement of the existing building in relation to the property boundaries. The structure was built under circumstances that are specific to this property, and strict enforcement of the current ordinance would require removal of an otherwise usable building. These conditions are unique to this property and are not generally shared by surrounding properties.

- 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 hardship was not created by the current owner. The existing building was already constructed in its current location, and the current owner did not intentionally create the condition that requires this variance. The request is made in good faith to preserve the existing structure rather than create a new nonconforming situation.

- 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.

Granting this variance will not negatively affect public safety, neighboring properties, or the character of the surrounding area. The existing building has been maintained and does not interfere with the use or enjoyment of nearby properties. Approving this request will achieve substantial justice by allowing the structure while remaining consistent with the overall purpose of the zoning ordinance.



Map of Survey For:
Ana Karen Navarro
2904 Cromwell Road
Part of Lot 113
Carlisle Estates
Plat Book 8, Page 35
Morehead Township
Guilford County
Greensboro, N.C.
Tax Parcel: 151120
Deed Book 7598, Page 241

Revised 5.11.2026 - add additional dimensions

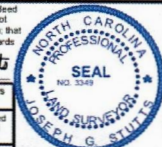
I certify that this map was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book (see), Page (file block) or other reference source (NA), that the boundaries not surveyed are indicated as drawn from information in Book (NA), Page (NA) or other reference source (NA); that the precision or positional accuracy is 1"=10,000'; and that this map meets the requirements of The Standards of Practice for Land Surveying in North Carolina (21 NCAC 56.1600).

This 11th day of May 2026, Professional Land Surveyor

LEGEND:
--- Existing Iron Pipe Found
--- Right of Way
--- Concrete
--- Easement
--- Property Line
--- Power Line
--- Fence Line
--- Line not Surveyed

This property is subject to any easements, agreements, or rights - of - ways of record prior to this date and not visible at the time of inspection.
This property has not been evaluated for special flood hazard areas as determined by the Department of Housing and Urban Development. For flood boundaries contact the Federal Emergency Management Agency.

Title Search Performed By Others: _____
Drawn by: JGS



Hilltop Road	
Roland Road	
Cromwell Road	
Site	

Location Map: Not To Scale



Joseph G. Stutts, PLLC
PROFESSIONAL LAND SURVEYORS
303 East Bessemer Avenue
Greensboro, North Carolina 27401
Phone: (336) 273-3930 Fax: (336) 273-7476

DATE: 4.13.2026 SCALE: 1"= 30'

ATTACHMENT



ATTACHMENT



ATTACHMENT





ATTACHMENT



ATTACHMENT





GUILFORD COUNTY PLANNING AND DEVELOPMENT

Board of Adjustment
Staff Report for Variance
Case #26-07-BOA-00009

Summary

Ana Karen Navarro Serna is requesting two variances from Unified Development Ordinance (UDO) Subsection 4.2.2.B, which requires 1) a 30 ft. minimum interior rear setback from the property line and 2) a 15 ft. minimum interior side setback from the property line for accessory structures greater than 600 sq. ft. in size on property zoned RS-40. The requested variance(s) will apply to the existing, unpermitted accessory structure (ref. code case 25-12-ZNCE-00164) located at the right-rear corner of the property, as shown on the submitted sketch plan. The subject property is located at 2904 Cromwell Rd., Greensboro, NC 27407 (Guilford County Tax Parcel #151120 in Friendship Township), and comprises 0.65 acres.

The applicant is seeking the following variances:

1. A 27 ft. variance to allow a 3 ft. interior rear setback in order to permit placement of an accessory structure on the property, in accordance with the submitted sketch plan.
2. 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.

Site Chronology

On 11/24/2025, Elaine Nolan, Building Inspector with the Guilford County Inspections Department performed an initial inspection on a complaint regarding a building located at the back of the property which was determined to have been built without a required building permit. The Inspector issued a Stop Work Order due to unpermitted construction of the referenced structure which is the subject of the proposed variance request.

On 12/05/2025, Elaine Nolan notified the Planning Department that the building could not be permitted in the existing location and requested that a zoning enforcement case be opened to address the issue.

On 1/22/2026, 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 and/or side setbacks.

On 1/30/26, Avery Tew mailed an Initial Notice to the property owner describing the observed violation and provided an opportunity to work with staff to ensure zoning compliance with the UDO.

On 6/15/2026, Elaine Nolan mailed an Initial Notice to the property owner for Code Case 25-11-BLCE-00095, citing the Stop Work Order posted on 11/24/2025, and provided a compliance date of 7/16/2026, to file for a variance, demo permit, or a building permit for the subject structure.

On 7/17/2026, Ana Karen Navarro 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.



GUILFORD COUNTY PLANNING AND DEVELOPMENT

Board of Adjustment
Staff Report for Variance
Case #26-07-BOA-00009

Property Information

- a. **Applicant(s)/Property Owner(s):** Ana Karen Navarro Serna
- b. **Property Location:** 2904 Cromwell Rd., Greensboro, NC 27407
- c. **Legal Description:** Plat Book 8, Page 35 (see Deed Book 7598, Page 241)
- d. **Zoning:** RS-40 – Residential
 - i. Street setback: 40 ft.
 - ii. Side setback (interior): 15 ft.
 - iii. Rear setback (interior): 30 ft.
- e. **Active Code Cases:**
 - i. 25-11-BLCE-00095: Stop Worker Order posted 11/24/25; Initial Notice mailed to property owner from Inspections Department for building a freestanding structure without a required permit on 6/15/26.
 - ii. 25-12-ZNCE-00164: Initial Notice mailed 1/30/26, citing rear and right-side setback zoning violation for an unpermitted accessory structure.

Character of the Area

- a. **Existing Land Use(s) on Property:** Single-family, detached dwelling
- b. **Surrounding Uses:**
 - i. North: Single-family, detached dwelling - Residential
 - ii. South: Single-family, detached dwelling - Residential
 - iii. East: Single-family, detached dwelling - Residential
 - iv. West: Single-family, detached dwelling - Residential
- c. **Topographic and Stormwater Features:**
 - i. Topography: Per the USDA-NRCS Web Soil Survey, the topography at the subject parcel is nearly level to gently sloping.
 - ii. Floodplain: No regulated floodplain on site per the FIRM panel.
 - iii. Wetlands: No mapped wetlands on site per the National Wetlands Inventory.
 - iv. Streams: No mapped streams on site per USGS/NRCS maps of Guilford County.
 - v. Watershed: The site lies within the Lower Randleman Lake WS-IV, GWA.

Variance Standards

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

- (a) The variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure. The fact that property may be utilized for greater profit, however, will not be considered adequate to justify the granting of a variance.



GUILFORD COUNTY PLANNING AND DEVELOPMENT

Board of Adjustment Staff Report for Variance Case #26-07-BOA-00009

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

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

- (a) A variance may be granted by the Board of Adjustment if evidence presented by the applicant persuades it to reach the following findings of fact:
 - (i.) Unnecessary hardship would result from the strict application of the regulation. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
 - (ii.) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make reasonable accommodation under the Federal Fair Housing Act for persons with disability.
 - (iii.) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
 - (iv.) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.



GUILFORD COUNTY PLANNING AND DEVELOPMENT

Board of Adjustment
Staff Report for Variance
Case #26-07-BOA-00009

Application Timeline

Date of variance application:
July 17, 2026

Date adjacent property owner(s) notified:
August 20, 2026

Date sign posted on subject property:
August 20, 2026

Date legal notice posted on County website:
August 21, 2026

Date of hearing:
September 1, 2026



GUILFORD COUNTY PLANNING AND DEVELOPMENT

Board of Adjustment
Staff Report for Variance
Case #26-07-BOA-00009

Sign Posting Photos

Subject Property



Across from Subject Property



Facing Northwest

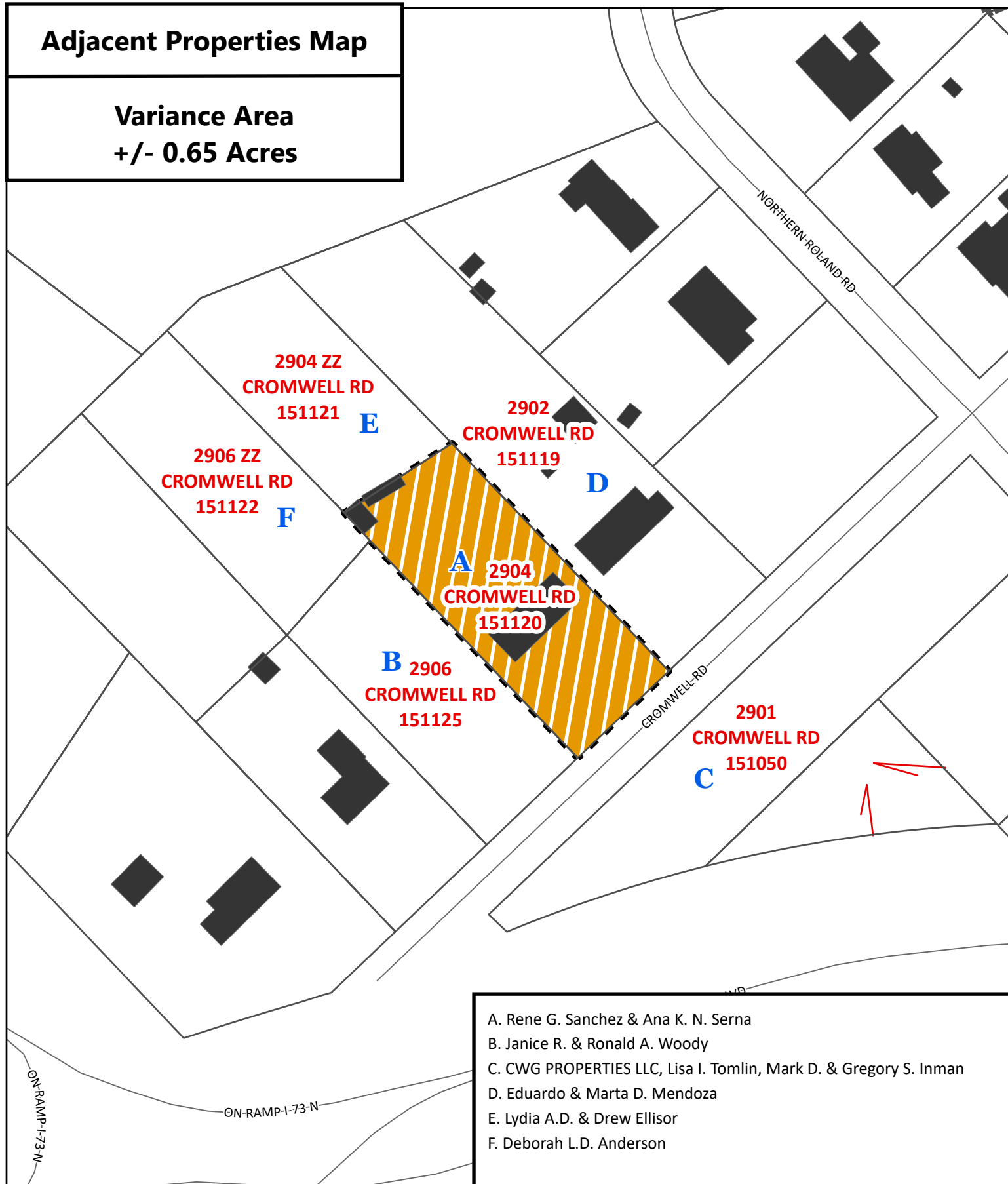


Facing Southeast



Adjacent Properties Map

Variance Area
+/- 0.65 Acres



A. Rene G. Sanchez & Ana K. N. Serna
B. Janice R. & Ronald A. Woody
C. CWG PROPERTIES LLC, Lisa I. Tomlin, Mark D. & Gregory S. Inman
D. Eduardo & Marta D. Mendoza
E. Lydia A.D. & Drew Ellisor
F. Deborah L.D. Anderson



Planning & Development
Department

Jurisdiction:

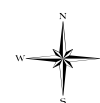
GUILFORD COUNTY

Case Number:

26-07-BOA-00009

Case Area:

Parcel(s) - 151120
2904 Cromwell Rd



Scale: 1" = 100 '

Aerial Map

Variance Area
+/- 0.65 Acres



Planning & Development
Department

Jurisdiction:

GUILFORD COUNTY

Case Number:

26-07-BOA-00009

Case Area:

Parcel(s) - 151120

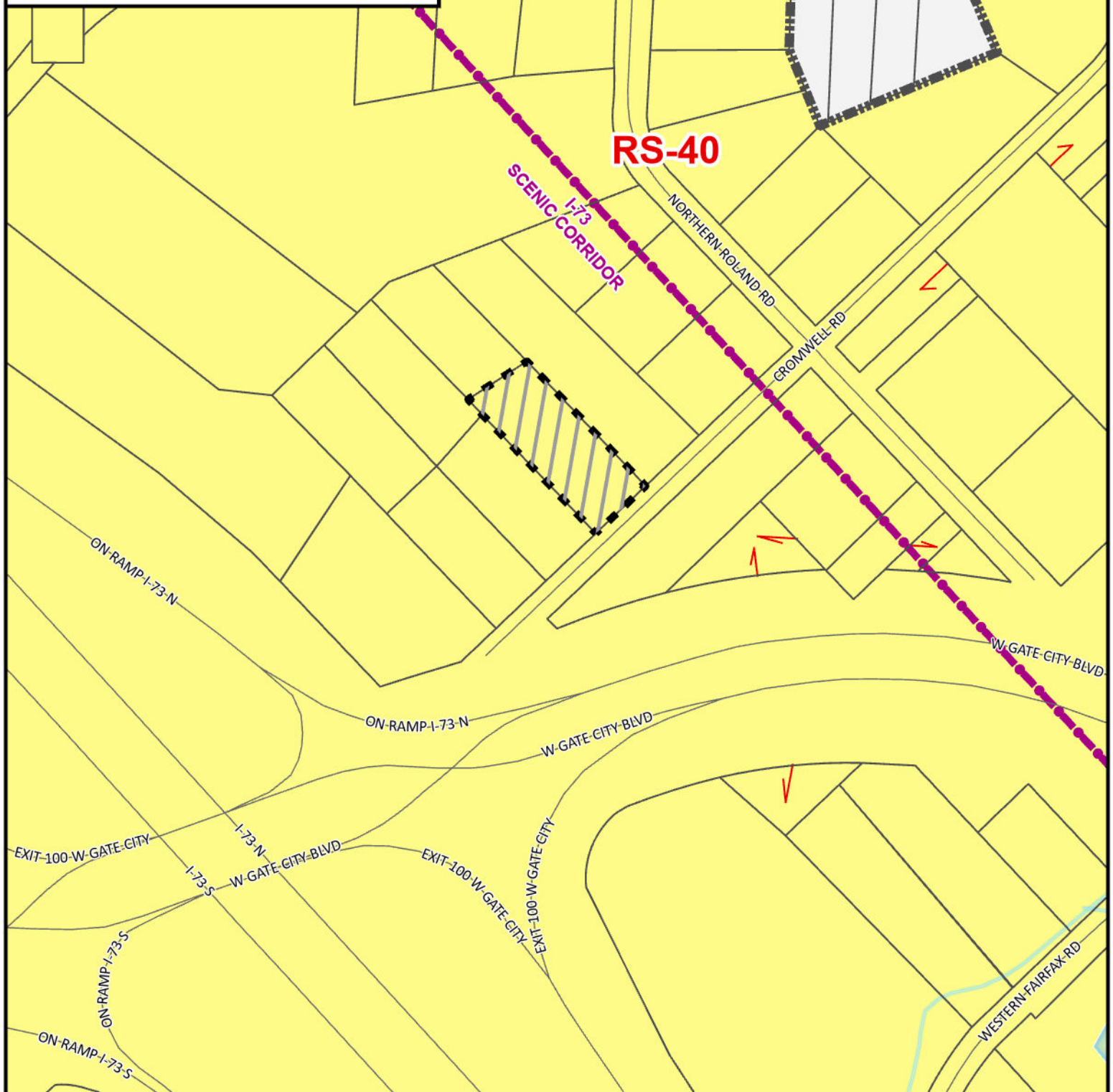
2904 Cromwell Rd



Scale: 1" = 100'

Current Zoning Map

Variance Area
+/- 0.65 Acres



Planning & Development
Department

Jurisdiction:

GUILFORD COUNTY

Case Number:

26-07-BOA-00009

Case Area:

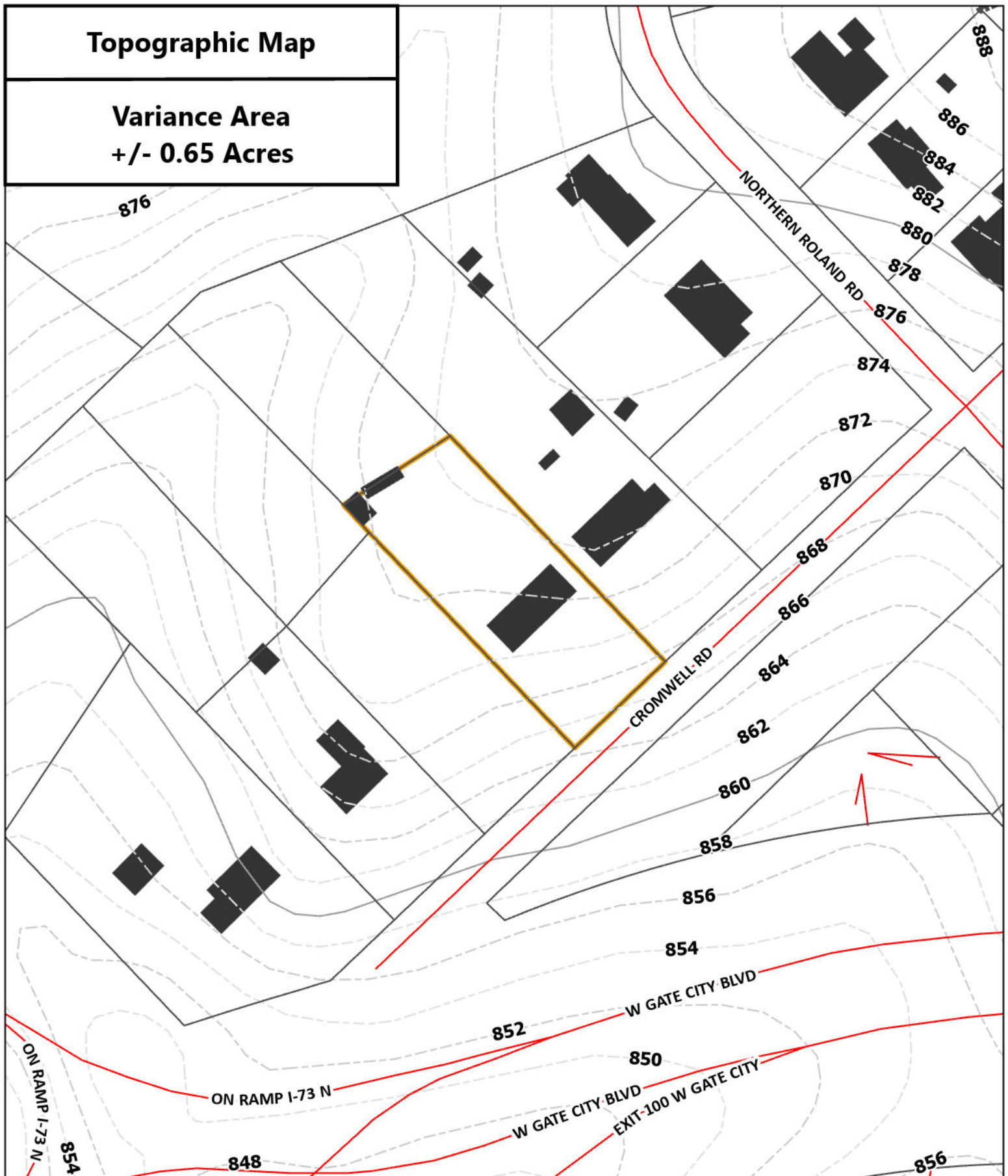
Parcel(s) - 151120
2904 Cromwell Rd



Scale: 1" = 200'

Topographic Map

Variance Area
+/- 0.65 Acres



Planning & Development
Department

Jurisdiction:

GUILFORD COUNTY

Case Number:

26-07-BOA-00009

Case Area:

Parcel(s) - 151120
2904 Cromwell Rd



Scale: 1" = 100'



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

**CASE #26-07-BOA-00009
VARIANCE 1 (27 ft. - Rear) WORKSHEET**

The Guilford County Board of Adjustment, having held a hearing on **September 1, 2026**, to consider Case **#26-07-BOA-00009**, submitted by **Ana Karen Navarro Serna**, Variance 1: A request for a 27 ft. variance to allow a 3 ft. 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, NC 27407**, being Tax Parcel **#151120**, in a manner not permissible under the literal terms of the Ordinance, and having heard all of the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACTS and draws the following CONCLUSIONS:

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

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

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

4. It is the Board's CONCLUSION that the requested variance **is** consistent with the spirit, purpose and intent of the Ordinance, such that public safety is secured and substantial justice is achieved. This conclusion is based on the following FINDINGS OF FACT:

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

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



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

**CASE #26-07-BOA-00009
VARIANCE 1 (27 ft. – Rear) WORKSHEET**

The Guilford County Board of Adjustment, having held a hearing on **September 1, 2026**, to consider Case **#26-07-BOA-00009**, submitted by **Ana Karen Navarro Serna**, Variance 1: A request for a 27 ft. variance to allow a 3 ft. 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, NC 27407**, being Tax Parcel **#151120**, in a manner not permissible under the literal terms of the Ordinance, and having heard all of the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACTS and draws the following CONCLUSIONS:

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

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

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

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

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



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

**CASE #26-07-BOA-00009
VARIANCE 2 (12 ft. - Side) WORKSHEET**

The Guilford County Board of Adjustment, having held a hearing on **September 1, 2026**, to consider Case **#26-07-BOA-00009**, submitted by **Ana Karen Navarro Serna**, Variance 2: A request for 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, located at **2904 Cromwell Road, Greensboro, NC 27407**, being Tax Parcel **#151120**, in a manner not permissible under the literal terms of the Ordinance, and having heard all of the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACTS and draws the following CONCLUSIONS:

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

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

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

4. It is the Board's CONCLUSION that the requested variance **is** consistent with the spirit, purpose and intent of the Ordinance, such that public safety is secured and substantial justice is achieved. This conclusion is based on the following FINDINGS OF FACT:

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

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



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

**CASE #26-07-BOA-00009
VARIANCE 2 (12 ft. - Side) WORKSHEET**

The Guilford County Board of Adjustment, having held a hearing on **September 1, 2026**, to consider Case **#26-07-BOA-00009**, submitted by **Ana Karen Navarro Serna**, Variance 2: A request for 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, located at **2904 Cromwell Road, Greensboro, NC 27407**, being Tax Parcel **#151120**, in a manner not permissible under the literal terms of the Ordinance, and having heard all of the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACTS and draws the following CONCLUSIONS:

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

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

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

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

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

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**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Board of Adjustment
Variance Application**

Date Submitted: 7/27/2026 Fee \$426.00 Receipt # AEC-036274-2026 Case Number 26-07-BOA-00010
Revised 8/13/2026 (includes \$26 recording fee)

PROPERTY INFORMATION

Address 5623 Burlington Rd City McLeansville State NC Zip Code 27301
Tax Parcel # 117491 Zoning: RS-40
Plat Book & Page 20-59 Deed Book & Page 007741-01802 Township 05-Jefferson

OWNER INFORMATION

Name Gladys Adriana Barrera Flores Phone Number 336 314-3239
Address 5623 Burlington Rd City McLeansville State NC Zip Code 27301
Email Gladysbarr90@gmail.com
Owner Signature Gladys Barrera
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 _____ Phone Number _____
Address _____ City _____ State _____ Zip Code _____
Email _____
Applicant Signature _____
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, Gladys A. Barrera Flores, 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):

4.2.2.B

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

Requesting a variance from Section 4.2.2.B to allow for the placement of an accessory structure forward of the principle building line on a lot less than 2 acres and within the require front street setback of 50 ft on a major thoroughfare. The requested distance for the front street setback will be 16 ft.



GUILFORD COUNTY
PLANNING AND DEVELOPMENT

Board of Adjustment
Variance Application

FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE

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

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

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

Strict application of the ordinance would result in unnecessary hardship due to the physical location of the property's existing well and and septic system infrastructure, and a mature, large-growth canopy tree situated in the center of the rear yard.

- 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 carport cannot physically sit within the required side setbacks. Furthermore, placement in the rear yard is unsuitable because it would conflict with mandatory environmental health regulations. The carport must maintain a 25-foot clearance from the well and a 5-foot clearance from the septic tank. Rear placement would require clear cutting the established canopy tree, also vehicles to drive directly over septic lines, risking damage to the septic system.

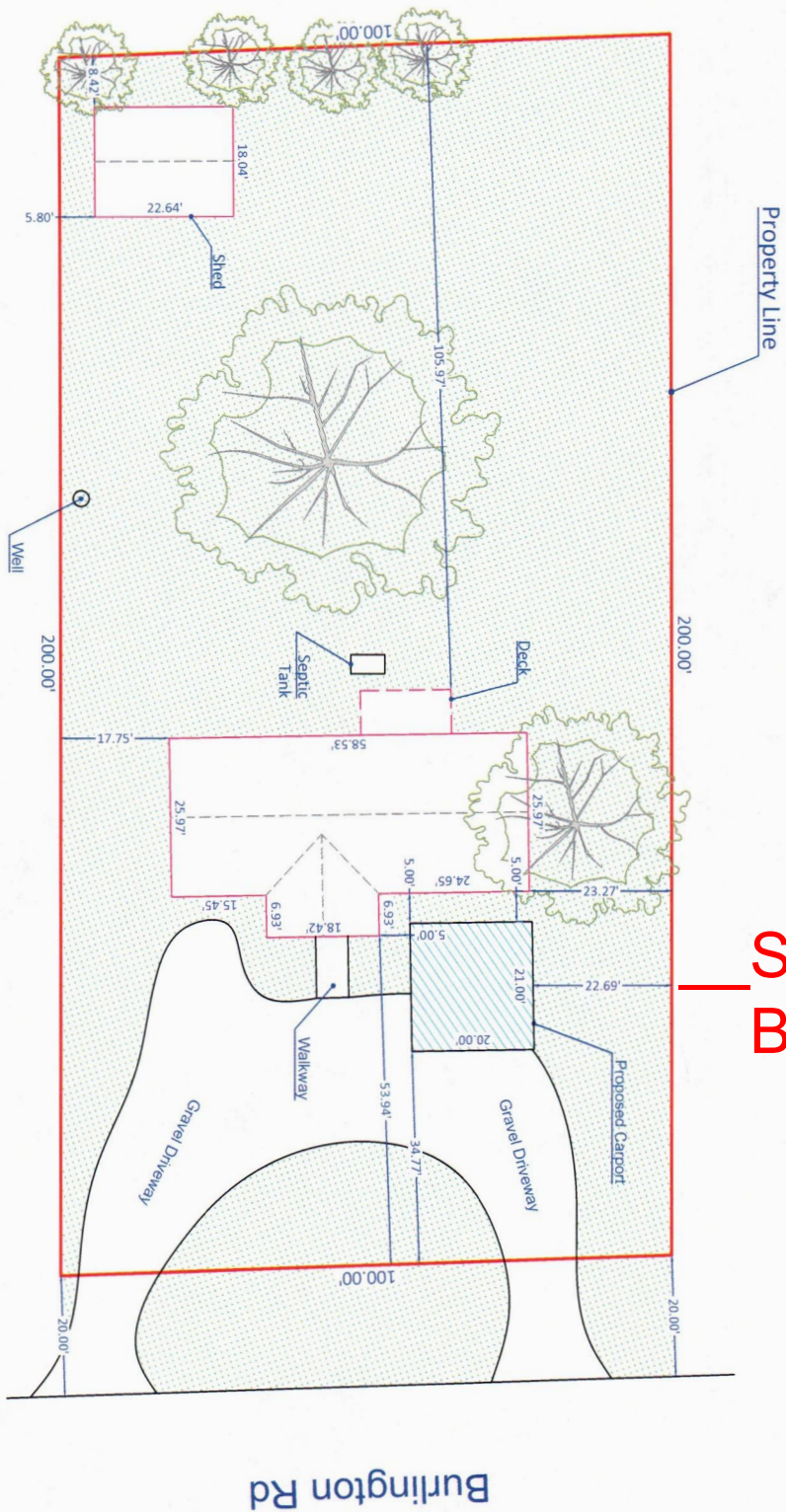
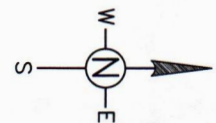
- 3) The hardship did not result from actions taken by the applicant or the property owner. (The act of purchasing property knowing that circumstances exist that may justify the granting of a variance is not regarded as a self-created hardship.)

The house, well, and septic system infrastructure were installed by previous owners/builders prior to my acquisition of the property. The required environmental health department setbacks from the well and septic lines are fixed, pre-existing 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.

The requested variance aligns with the core intent of side^{and rear} setbacks ordinances by preserving open space, maintaining neighbor privacy, and avoiding visual nuisance. The proposed location remains entirely within my property boundaries, ensuring no encroachment. Granting this request provides me the ^{same} reasonable right to protect my vehicles that other property owners have, without compromising the neighbors' character, public safety or environmental health.

SITE PLAN



SUBJECT
BUILDING

Parcel No. (APN) 0117491
Land Use RESIDENTIAL
MOBILE / MANUFACTURED HOME
Lot Area 20,038 SF (0.46 ACRES)
ADDRESS: 5623 Burlington Rd
McLeansville, NC 27301
Scale: 1"=20'

THIS IS NOT A LEGAL SURVEY, NOR IS IT INTENDED TO BE OR REPLACE ONE
This work product represents only generalized locations of
features, objects or boundaries and should not be relied upon
as being legally authoritative for the precise location of any
feature, object or boundary.

ATTACHMENT

To whom it may concern,

My name is Gladys Barrera. I am writing to formally explain the site constraints regarding my request to build a carport at 5623 Burlington Rd, Mcleansville, NC 27301. After a thorough assessment of the property's layout and the applicable health and safety regulations, I have determined that the front of the property is the only viable location for this structure.

My request to place the carport in the front of the home is necessitated by the following physical and regulatory limitations.

The side of the property does not provide sufficient space to accommodate a carport structure while maintaining required setbacks and access. The rear of the property contains a private well. Per environmental health and safety regulations, no permanent structures may be placed within 25-foot radius of the well. There's also a septic system in the rear of the property. To comply with environmental health and safety regulations I am required to maintain a 5-foot clearance from the septic system. I've been advised to refrain from driving over septic lines, to prevent damage to the septic system, and potentially cause a public safety hazard.

The rear of the property is also obstructed by a mature canopy tree situated in the center of the back yard.

Given this constraints, the rear of the property is unsuitable for building a carport. The front of the property is the only viable location that allows for the necessary structural setbacks while ensuring the safety of the home's water and waste systems.

The proposed location remains entirely within my property boundaries without compromising the neighbor's character, public safety, and environmental health. I am committed to comply with all other applicable building codes.

Thank you for your time and for considering these site-specific challenges.

Sincerely,



Gladys Barrera

336 - 314 - 3239

Guilford County, NC



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

Map Scale
1 inch = 12 feet
7/20/2026

ATTACHMENT

Home Picture



© All EagleView Technology Corporation

02/25/2026

An aerial photograph of a residential lot. The lot contains a house with a chimney, a detached garage labeled "10x26", and another smaller building labeled "8x14". A well is indicated by a circle and the word "Well". Handwritten numbers "100'" are present near the top and bottom right of the lot. Printed text at the bottom left includes "GUILFORD COUNTY PLANNING & DEV.", "PERMIT # 16-03 GCEP D1494", "ZONING BS-HO", "MIN. LOT WIDTH 150'", "MIN. SETBACKS 40' 15' 3' R", "FRONT SIDE STREET SIDE YARD REAR", "APPROVED BY DATE 3-30-10 [signature]". A road labeled "BURLINGTON RD" runs along the bottom edge. On the far left margin, vertical text reads "SUN LAKE DR".

Map Scale
1 inch = 50 feet
11/25/2015

5623 Burlington Rd

ATTACHMENT



ATTACHMENT

ADDRESS (PRINT)

Subd: _____ Sec: _____ Lot: _____

[illegible]



GUILFORD COUNTY PLANNING AND DEVELOPMENT

Board of Adjustment
Staff Report for Variance
Case #26-07-BOA-00010

Summary

Gladys Adriana Barrera Flores is requesting two variances from Unified Development Ordinance (UDO) Subsection 4.2.2.B, which requires, 1) a property be comprised of at least 2 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 ft. minimum street setback from the front property line along a major thoroughfare. The requested variances pertain to the existing, unpermitted accessory structure located in front of the principal structure (ref. code case #26-07-BLCE-00042), as shown on the submitted sketch plan. The subject property is located at 5623 Burlington Rd., McLeansville, NC 27301 (Guilford County Tax Parcel #117491 in Jefferson Township), and comprises 0.46 acres.

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 2 acres, in accordance with the submitted sketch plan.
2. 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.

Site Chronology

On 7/16/2026, William Wood, Inspections 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 permit. The referenced structure is the subject of the proposed variance request.

On 7/28/2026, Gladys Adriana Barrera Flores, the 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.

Property Information

- a. **Applicant(s)/Property Owner(s):** Gladys Adriana Barrera Flores
- b. **Property Location:** 5623 Burlington Rd., McLeansville, NC 27301
- c. **Legal Description:** Plat Book 20, Page 59 (see Deed Book 7741, Page 1802)
- d. **Zoning:** RS-40 – Residential
 - i. Street setback (major thoroughfare): 50 ft.
 - ii. Side setback: 15 ft.
 - iii. Rear setback: 30 ft.



GUILFORD COUNTY PLANNING AND DEVELOPMENT

Board of Adjustment
Staff Report for Variance
Case #26-07-BOA-00010

e. Active Code Cases

- i. 26-07-BLCE-00042: A Stop Work Order was posted 7/16/26 for building a freestanding structure without a required permit.

Character of the Area

a. Existing Land Use(s) on Property: Single-Family, Residential Dwelling

b. Surrounding Uses:

- i. North: Single-family, detached dwelling - Residential
- ii. South: Industrial (Publix Distribution Center, Greensboro)
- iii. East: Single-family, detached dwelling - Residential
- iv. West: Single-family, detached dwelling - Residential

c. Topographic and Stormwater Features:

- i. Topography: Per the USDA-NRCS Web Soil Survey, the topography at parcel 117491 ranges from nearly level to gently sloping.
- ii. Floodplain: No regulated floodplain on site per the Flood Insurance Rate Map.
- iii. Wetlands: No mapped wetlands on site per the National Wetlands Inventory.
- iv. Streams: No mapped streams on site per the USGS and NRCS maps of Guilford County.
- v. Water Supply Watershed: Lake Mackintosh WS-IV, GWA.

Variance Standards

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

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

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

- (a) A variance may be granted by the Board of Adjustment if evidence presented by the applicant persuades it to reach the following findings of fact:



GUILFORD COUNTY PLANNING AND DEVELOPMENT

Board of Adjustment
Staff Report for Variance
Case #26-07-BOA-00010

- (i.) Unnecessary hardship would result from the strict application of the regulation. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
- (ii.) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make reasonable accommodation under the Federal Fair Housing Act for persons with disability.
- (iii.) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
- (iv.) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.



Application Timeline

Date of variance application:
July 27, 2026

Date adjacent property owner(s) notified:
August 20, 2026

Date sign posted on subject property:
August 20, 2026

Date legal notice posted on County website:
August 21, 2026

Date of hearing:
September 1, 2026



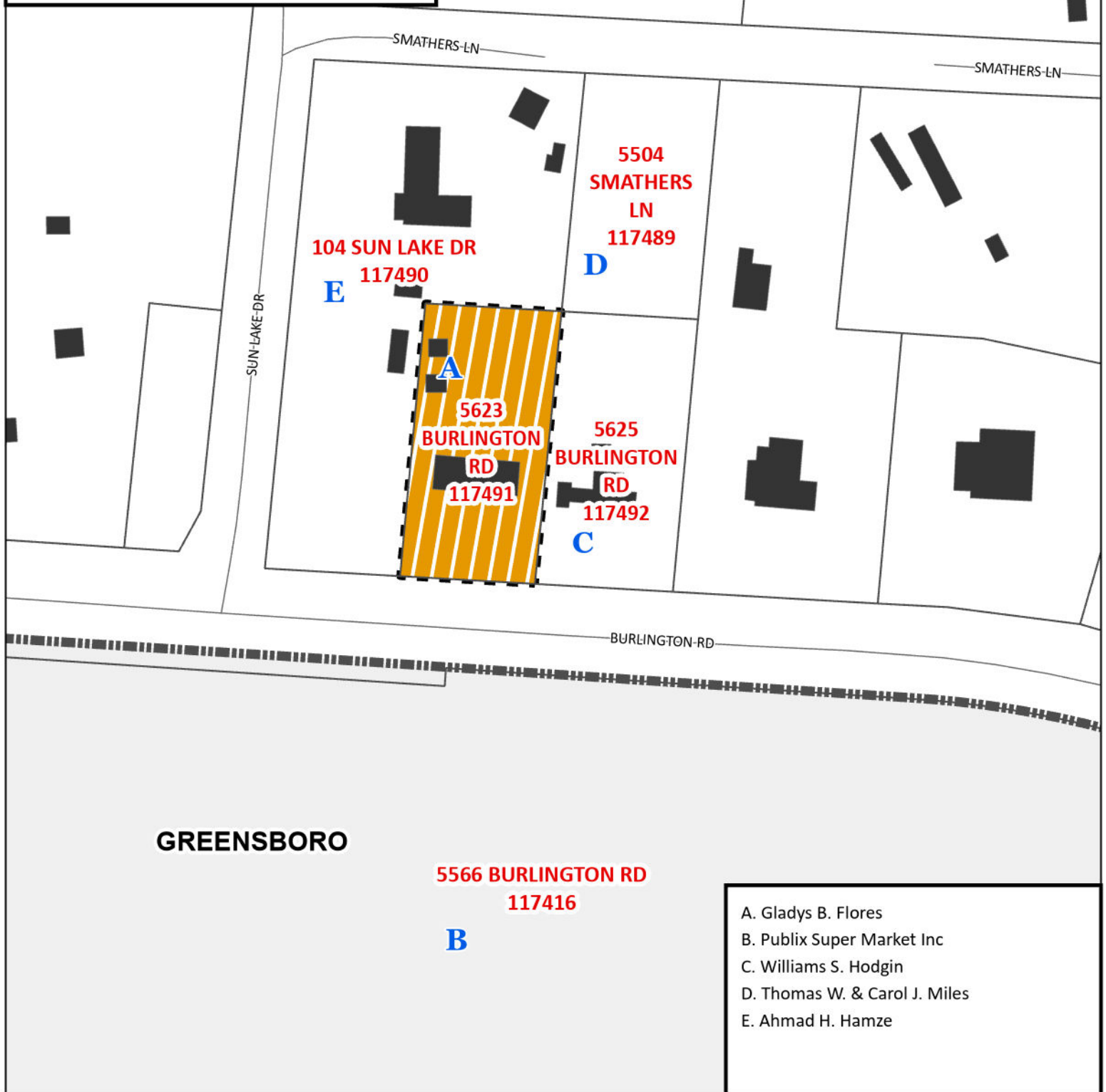
Board of Adjustment
Staff Report for Variance
Case #26-07-BOA-00010

Subject Property



Adjacent Properties Map

Variance Area
+/- 0.46 Acres



- A. Gladys B. Flores
- B. Publix Super Market Inc
- C. Williams S. Hodgins
- D. Thomas W. & Carol J. Miles
- E. Ahmad H. Hamze



Planning & Development
Department

Jurisdiction:

GUILFORD COUNTY

Case Number:

26-07-BOA-00010

Case Area:

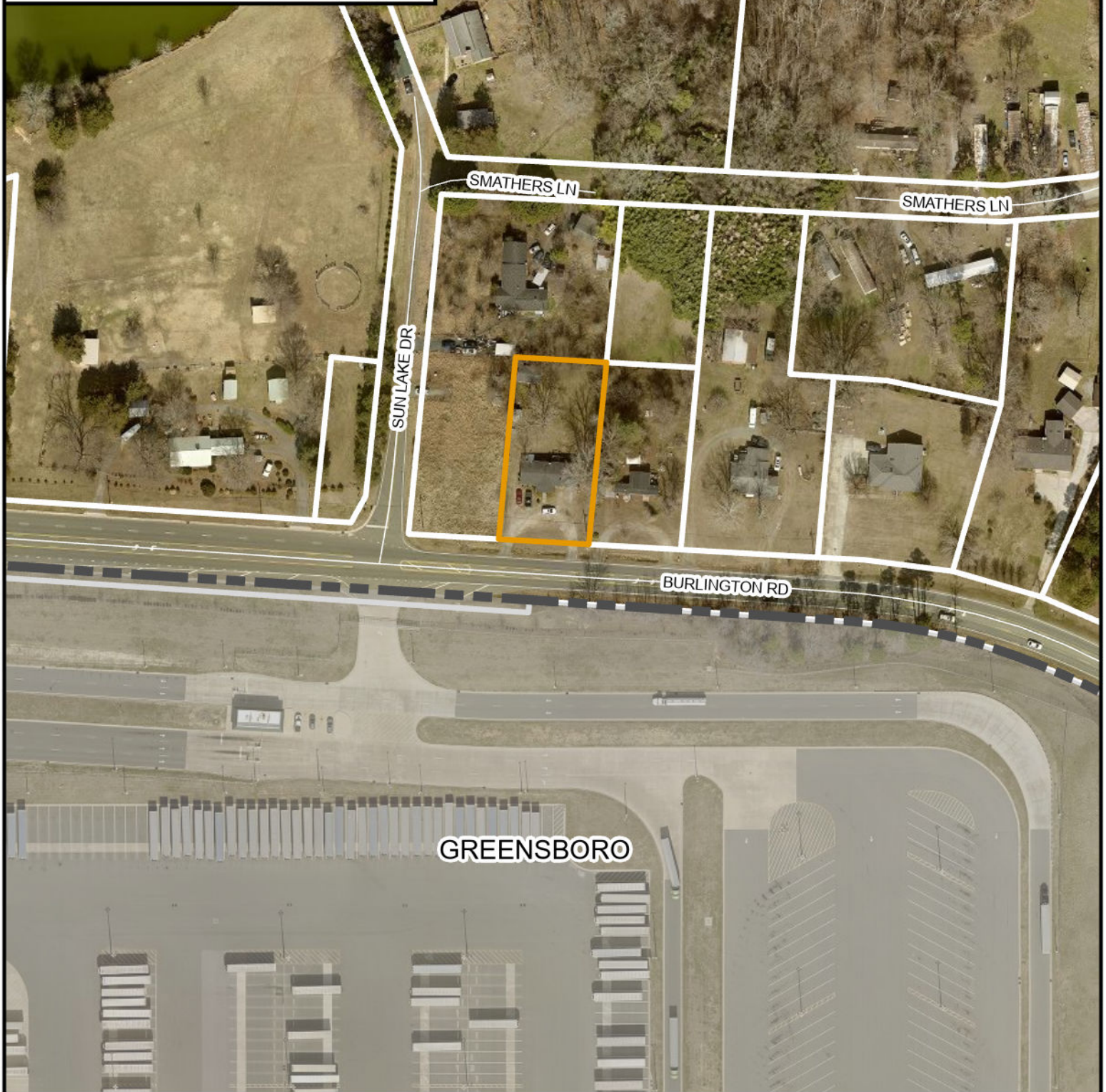
Parcel(s) - 117491
5623 Burlington Rd



Scale: 1" = 100'

Aerial Map

Variance Area
+/- 0.46 Acres



Planning & Development
Department

Jurisdiction:

GUILFORD COUNTY

Case Number:

26-07-BOA-00010

Case Area:

Parcel(s) - 117491
5623 Burlington Rd



Scale: 1" = 150'

Current Zoning Map

Variance Area
+/- 0.46 Acres

AG

RS-40

SMATHERS LN

SMATHERS LN

SUN LAKE DR

BURLINGTON RD

GREENSBORO



Planning & Development
Department

Jurisdiction:

GUILFORD COUNTY

Case Number:

26-07-BOA-00010

Case Area:

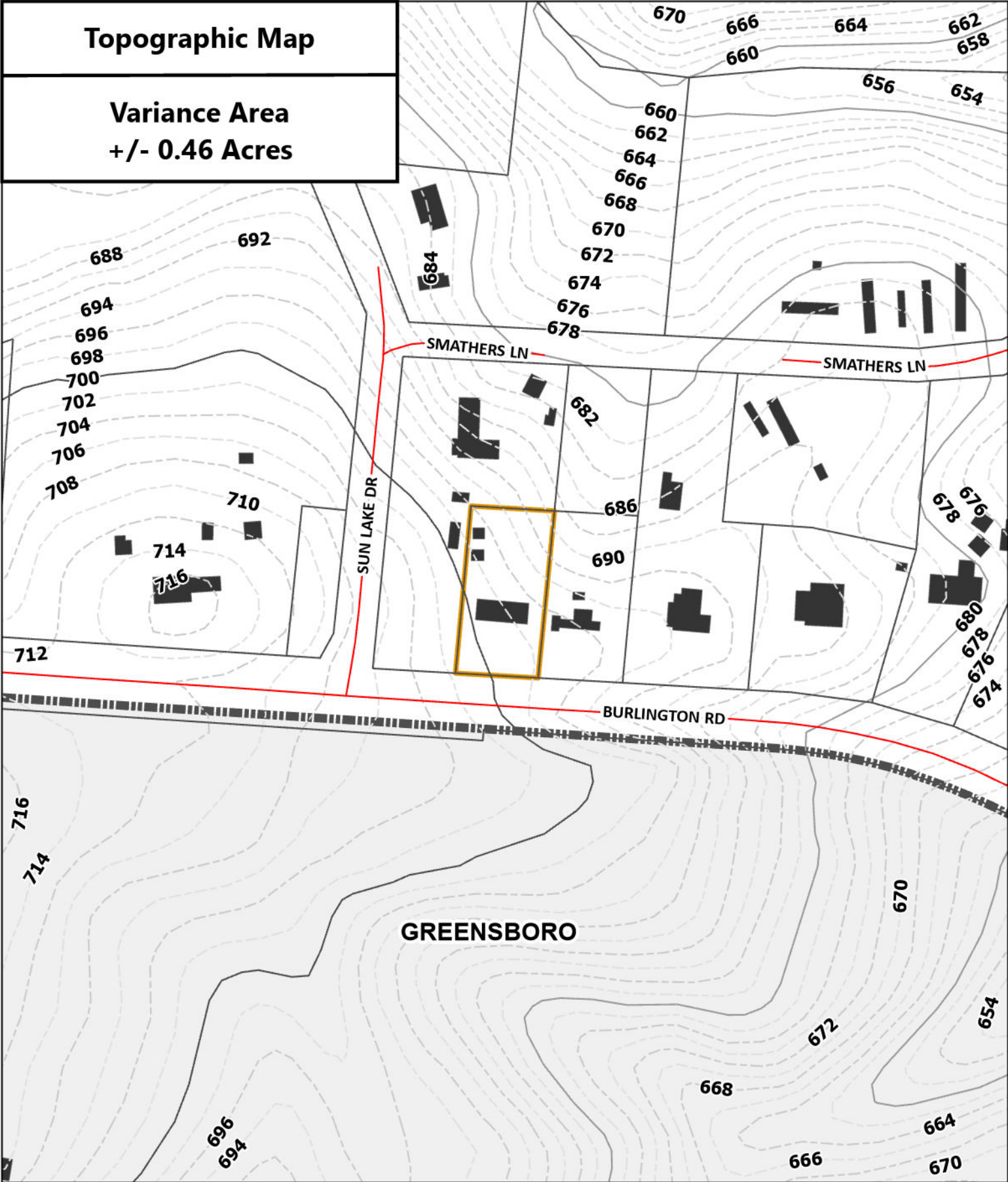
Parcel(s) - 117491
5623 Burlington Rd



Scale: 1" = 150'

Topographic Map

**Variance Area
+/- 0.46 Acres**



Jurisdiction:
GUILFORD COUNTY

GUILFORD COUNTY

Case Number:

26-07-BOA-00010

26-07-BOA-00010

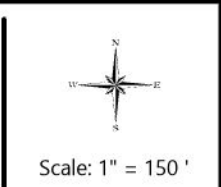
Case Area:

Parcel(s) - 117491

5623 Burlington Rd

Parcel(s) - 117491

5623 Burlington Rd



Scale: 1" = 150'



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

**CASE #26-07-BOA-00010
VARIANCE 1 (Accessory Placement) WORKSHEET**

The Guilford County Board of Adjustment, having held a hearing on **September 1, 2026**, to consider Case **#26-07-BOA-00010**, submitted by **Gladys Adriana Barrera Flores**: A request 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, in accordance with the submitted sketch plan, located at **5623 Burlington Rd., 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 FACTS and draws the following CONCLUSIONS:

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

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

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

4. It is the Board's CONCLUSION that the requested variance **is** consistent with the spirit, purpose and intent of the Ordinance, such that public safety is secured and substantial justice is achieved. This conclusion is based on the following FINDINGS OF FACT:

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

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



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

**CASE #26-07-BOA-00010
VARIANCE 1 (Accessory Placement) WORKSHEET**

The Guilford County Board of Adjustment, having held a hearing on **September 1, 2026**, to consider Case **#26-07-BOA-00010**, submitted by **Gladys Adriana Barrera Flores**: A request 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, in accordance with the submitted sketch plan, located at **5623 Burlington Rd., 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 FACTS and draws the following CONCLUSIONS:

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

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

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

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

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



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

**CASE #26-07-BOA-00010
VARIANCE 2 (16 ft. - Front) WORKSHEET**

The Guilford County Board of Adjustment, having held a hearing on **September 1, 2026**, to consider Case **#26-07-BOA-00010**, submitted by **Gladys Adriana Barrera Flores**: A request for 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, located at **5623 Burlington Rd, 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 FACTS and draws the following CONCLUSIONS:

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

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

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

4. It is the Board's CONCLUSION that the requested variance **is** consistent with the spirit, purpose and intent of the Ordinance, such that public safety is secured and substantial justice is achieved. This conclusion is based on the following FINDINGS OF FACT:

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

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



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

**CASE #26-07-BOA-00010
VARIANCE 2 (16 ft. – Front) WORKSHEET**

The Guilford County Board of Adjustment, having held a hearing on September 1, 2026, to consider Case #26-07-BOA-00010, submitted by Gladys Adriana Barrera Flores: A request for 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, located at 5623 Burlington Rd., Greensboro, 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 FACTS and draws the following CONCLUSIONS:

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

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

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

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

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

(Insert Color Paper)

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**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Board of Adjustment
Variance Application**

Date Submitted: 7/31/2026 Fee **\$426.00** Receipt # REC-036432-2026 Case Number 26-07-BOA-00011
Revised: 8/6/2026 (includes \$26 recording fee)

PROPERTY INFORMATION

Address 3222 Forsyth Road City Greensboro State NC Zip Code 27407
Tax Parcel # 155641 Zoning: RS-20
Plat Book & Page 107 45 Deed Book & Page 009046 01975 Township Jamestown

OWNER INFORMATION

Name Karen and Joseph Bolyard Phone Number 3362 024 477
Address 3222 Forsyth Road City Greensboro State NC Zip Code 27407
Email karen@karenbolyard.com

Owner Signature Karen Bolyard
Karen Bolyard (Jul 30, 2026 10:25:28 EDT)

Joseph Bolyard

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 _____ Phone Number _____
Address _____ City _____ State _____ Zip Code _____
Email _____

Applicant Signature _____
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, Karen and Joseph Bolyard, 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):

4.2.4.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 for this property, the Applicant is requesting a variance of 21 feet into a 30 foot rear setback requirement due to the unique configuration of the subject property.



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.

See Attached.

- 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.)

See Attached.

- 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.)

See Attached.

- 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.

See Attached.

ATTACHMENT

SUPPLEMENT TO APPLICATION FOR VARIANCE FOR 3222 FORSYTH ROAD

FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE

1. UNNECESSARY HARDSHIP WOULD RESULT FROM 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 owners desire to improve their property by adding an in-ground swimming pool with related improvements such as a patio and gathering area for family and friends. The Guilford County Unified Development Ordinance (Section 12.04) defines a "structure" to include, "Anything constructed, installed, or portable, the use of which requires a location on a parcel of land. This includes a fixed or movable building which can be used for residential, commercial, agricultural, or other purposes, either temporarily or permanently. "Structure" also includes, but is not limited to, swimming pools, tennis courts, signs, sewage treatment plants, sheds, barns and similar accessory construction." As a swimming pool is treated as a "structure" under the ordinance, it must meet the set-back standards in the ordinance. Strict application of the ordinance to the proposed swimming pool would prohibit the installation of the pool and patio, thereby creating an unnecessary hardship.

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 hardship results primarily from the unique configuration of the subject property in that the rear property line juts in significantly from the ordinary boundary line with the adjoining golf course. 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, this lot meets the test under the ordinance that the hardship is the result of conditions that are peculiar to the property, "such as location, size or topography."

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 subject property was configured as shown by plat recorded by the developer of the Sedgefield Country Club community and was recorded on July 8, 1938. See Plat Book 11, Page 29 of Guilford County Register of Deeds (attached). The unique configuration of the subject property was designed and intended to accommodate

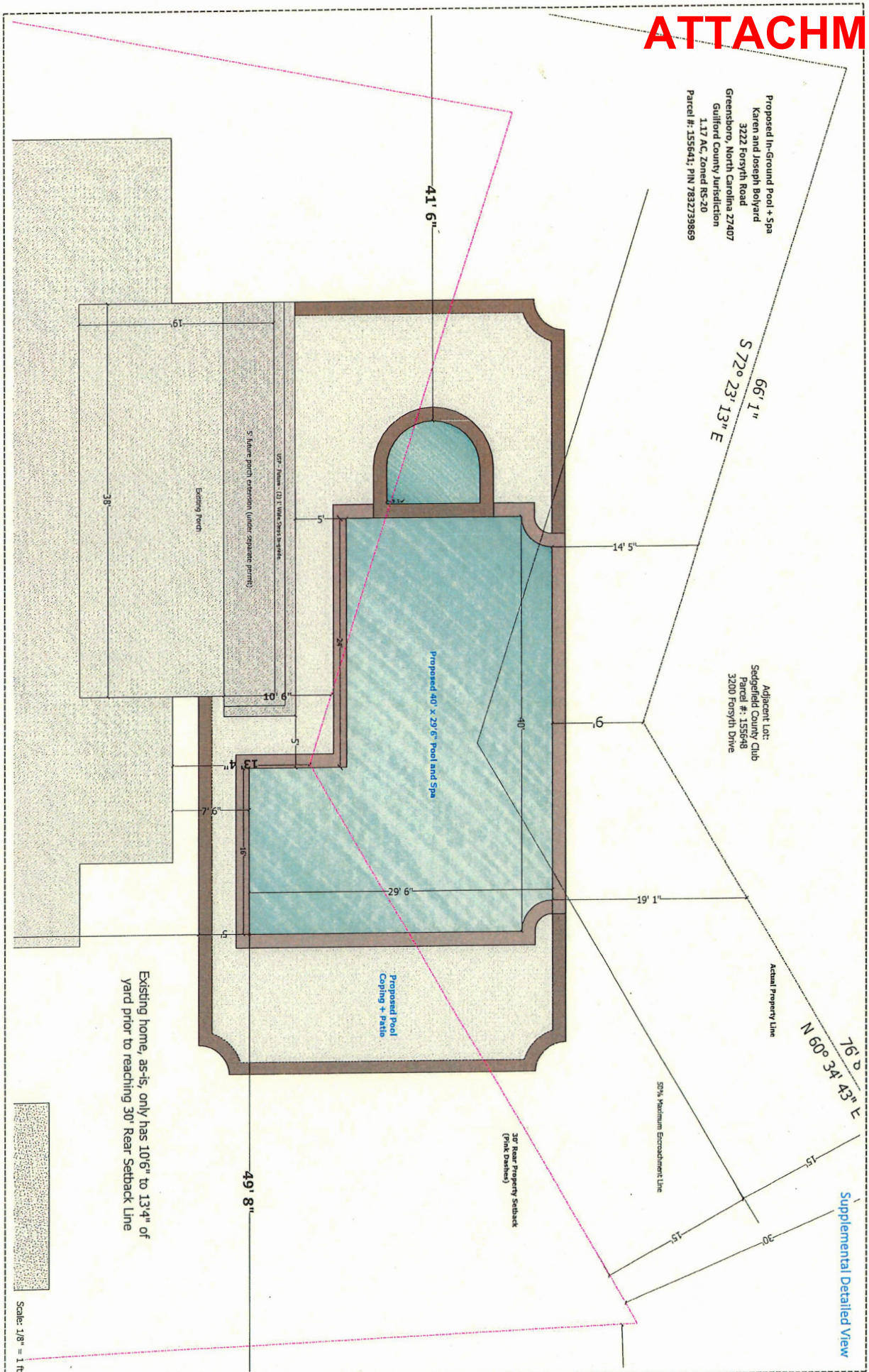
ATTACHMENT

the golf course and the topography of the land to allow adequate space for the golf course and for drainage. Accordingly, the hardship did not result from actions taken by the Applicant.

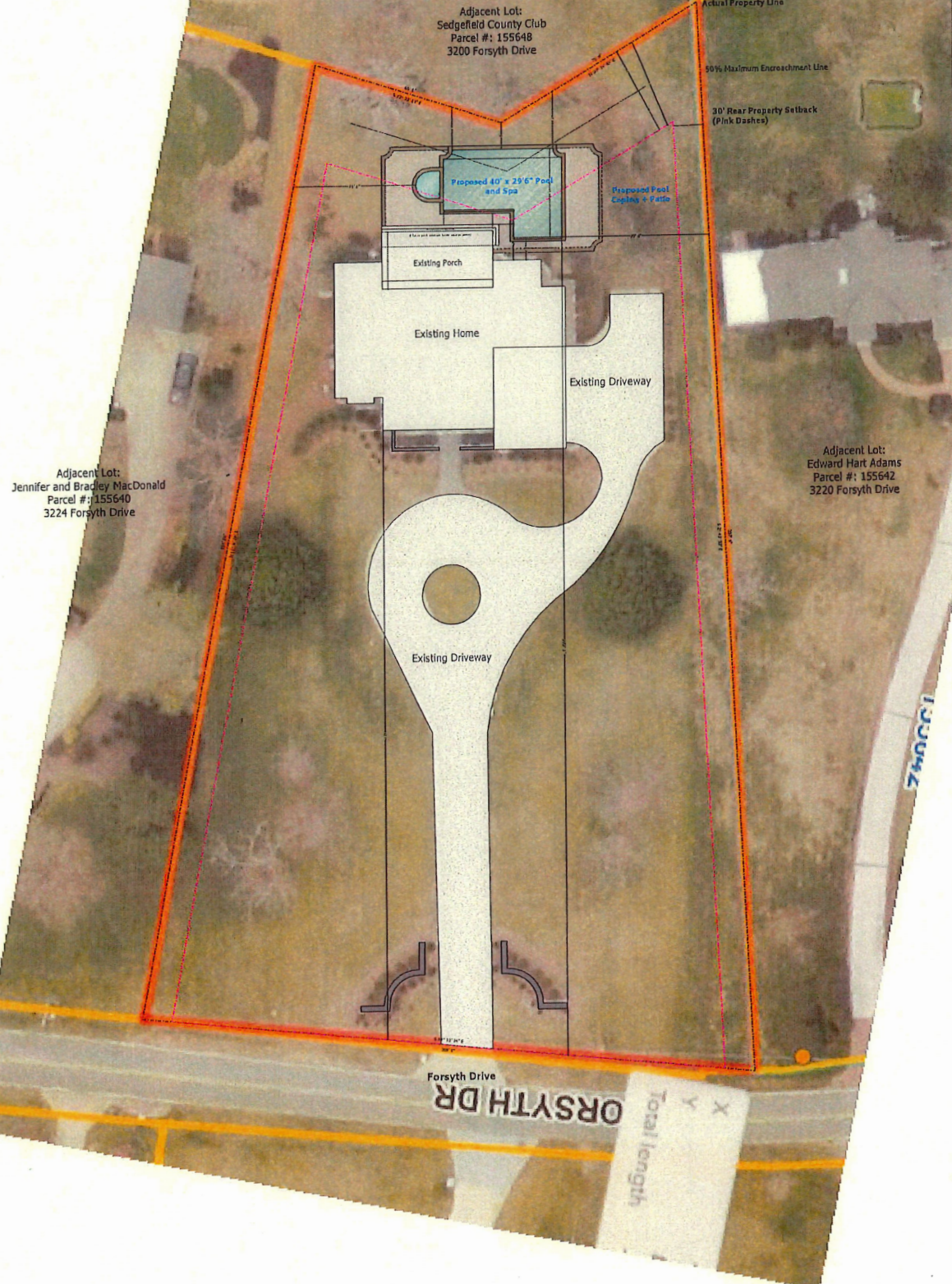
4. THE REQUESTED VARIANCE IS CONSISTENT WITH THE SPIRIT, PURPOSE, AND INTENT OF THE ORDINANCE, SUCH THAT PUBLIC SAFETY IS SECURED, AND SUBSTANTIAL JUSTICE IS ACHIEVED.

The requested variance is consistent with the spirit, purpose and intent of the ordinance in that 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 will be located in an area of the property behind the residence where access to the pool will be on level surface and will help ensure safety for the members the family and their guests who will utilize the swimming pool for its intended purpose. Substantial justice will be achieved and is consistent with the intent and purpose of the ordinance because the setback standard is intended to protect an adjoining homeowner from the impact of the use of the subject property. Whereas, the subject property adjoins a golf course with active use on a daily basis and similar swimming pools at residences in the immediate area.

ATTACHMENT



Proposed In-Ground Pool + Spa
 Karen and Joseph Bolyard
 3222 Forsyth Road
 Greensboro, North Carolina 27407
 Guilford County Jurisdiction
 1.17 AC, Zoned RS-20
 Parcel #: 155641; PIN 7832739869





GUILFORD COUNTY PLANNING AND DEVELOPMENT

Board of Adjustment Staff Report for Variance Case #26-07-BOA-00011

Summary

Karen and Joseph Bolyard are requesting a variance from Unified Development Ordinance (UDO) Subsection 4.2.4.B, which requires a 30 ft. minimum setback from the rear property line for properties zoned RS-20. The subject property is located at 3222 Forsyth Drive, Greensboro, NC 27407 (Guilford County Tax Parcel #155641 in Jamestown Township), and comprises 1.17 acres.

The applicant is seeking 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.

Property Information

- a. **Applicant(s)/Property Owner(s):** Karen and Joseph Bolyard
- b. **Property Location:** 3222 Forsyth Drive, Greensboro, NC 27407
- c. **Legal Description:** Plat Book 107, Page 45 (see Deed Book 9046, Page 1975)
- d. **Zoning:** RS-20 – Residential
 - i. Street setback: 35 ft.
 - ii. Side setback: 10 ft.
 - iii. Rear setback: 30 ft.

Character of the Area

- a. **Existing Land Use(s) on Property:** Residential
- b. **Surrounding Uses:**
 - i. North: Single-family, detached dwelling - Residential
 - ii. South: Single-family, detached dwelling - Residential
 - iii. East: Single-family, detached dwelling - Residential
 - iv. West: Golf Course - Residential
- c. **Topographic and Stormwater Features:**
 - i. Topography: Per the USDA-NRCS Web Soil Survey, the topography at the subject parcel has varying slopes from nearly level to gently sloping and strongly sloping to moderately steep.
 - ii. Floodplain: No regulated floodplain on site per the Flood Insurance Rate Map.
 - iii. Wetlands: No mapped wetlands on site per the National Wetlands Inventory.
 - iv. Streams: No mapped streams on site per the USGS and NRCS maps of Guilford County.
 - v. Watershed: Lower Randleman Lake WS-IV, General Watershed Area.



Variance Standards

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

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

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

- (a) A variance may be granted by the Board of Adjustment if evidence presented by the applicant persuades it to reach the following findings of fact:
 - (i.) Unnecessary hardship would result from the strict application of the regulation. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
 - (ii.) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make reasonable accommodation under the Federal Fair Housing Act for persons with disability.
 - (iii.) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
 - (iv.) The requested variance is consistent with the spirit, purpose, and intent of the regulation, such that public safety is secured and substantial justice is achieved.



Application Timeline

Date of variance application:
July 31, 2026

Date adjacent property owner(s) notified:
August 20, 2026

Date sign posted on subject property:
August 20, 2026

Date legal notice posted on County website:
August 21, 2026

Date of hearing:
September 1, 2026



GUILFORD COUNTY PLANNING AND DEVELOPMENT

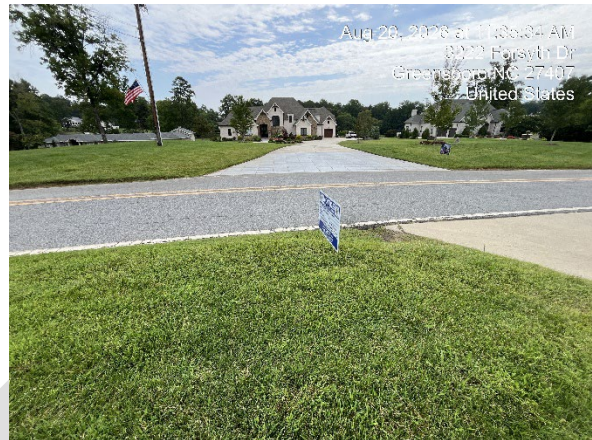
Board of Adjustment
Staff Report for Variance
Case #26-07-BOA-00011

Sign Posting Photos

Subject Property



Across from Subject Property



Facing North

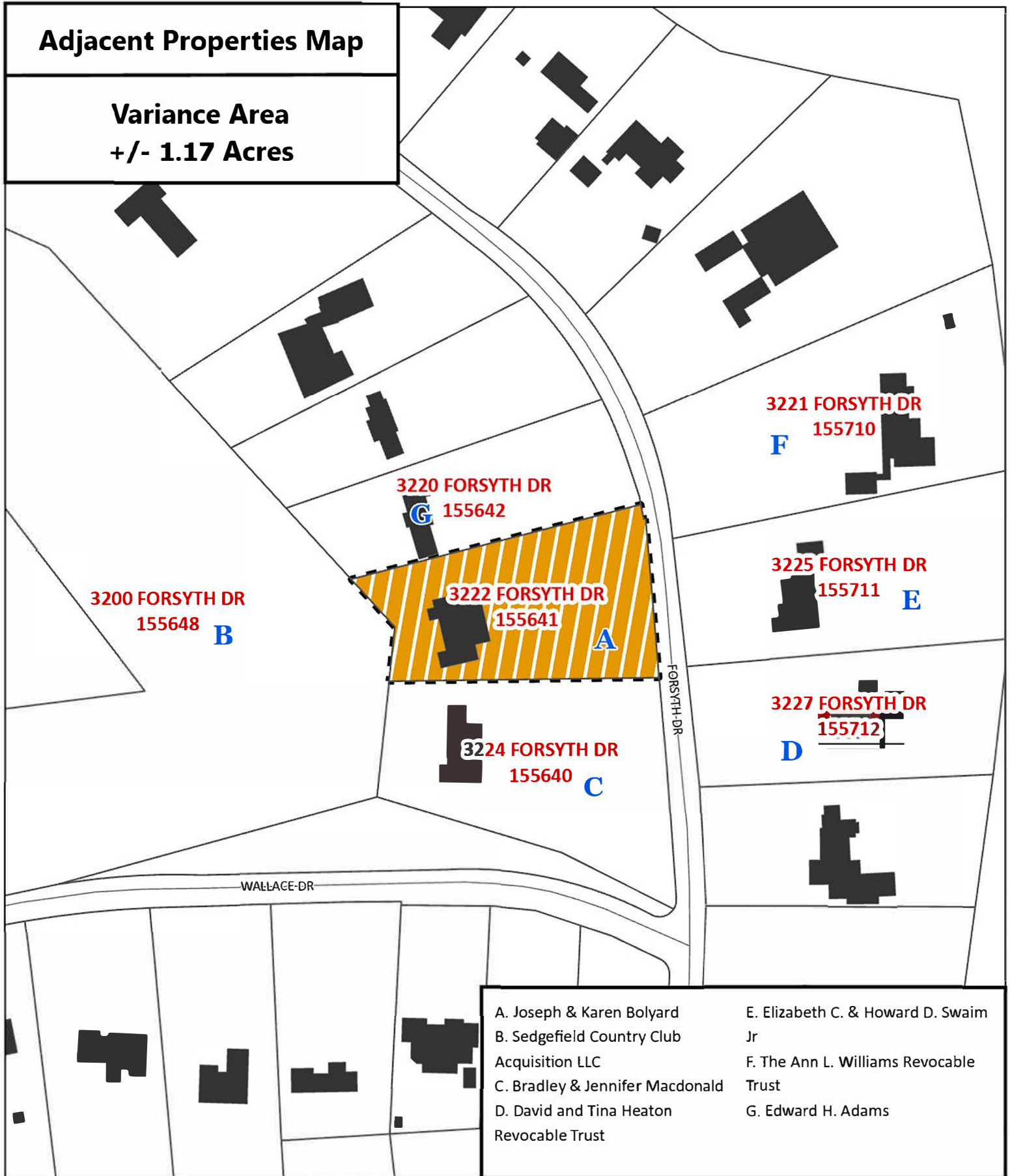


Facing South



Adjacent Properties Map

Variance Area
+/- 1.17 Acres



Planning & Development
Department

Jurisdiction:

GUILFORD COUNTY

Case Number:

26-07-BOA-00011

Case Area:

Parcel(s) - 155641
3222 Forsyth Dr



Scale: 1" = 150'

Aerial Map

Variance Area
+/- 1.17 Acres



Planning & Development
Department

Jurisdiction:

GUILFORD COUNTY

Case Number:

26-07-BOA-00011

Case Area:

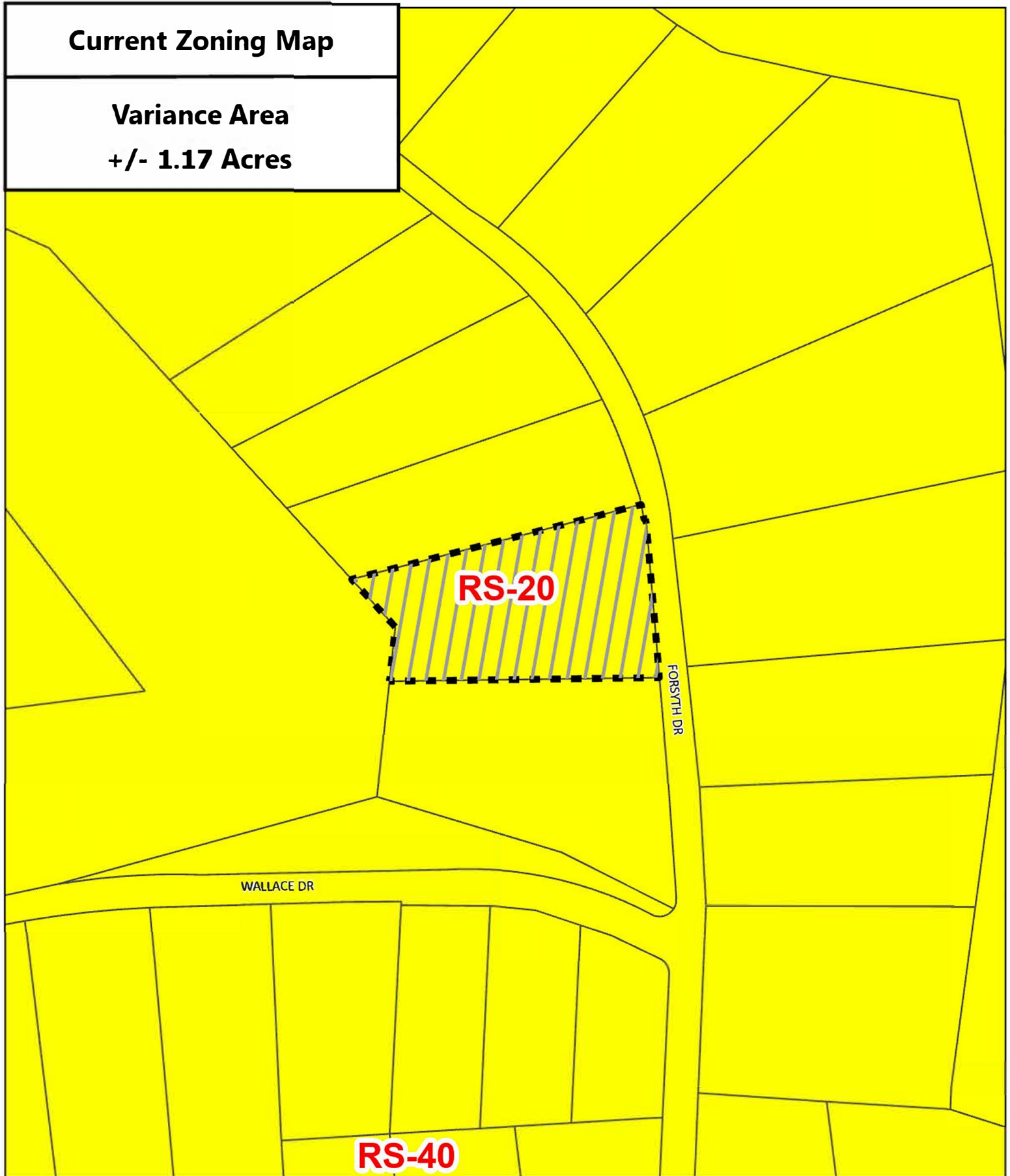
Parcel(s) - 155641
3222 Forsyth Dr



Scale: 1" = 150'

Current Zoning Map

Variance Area
+/- 1.17 Acres



Planning & Development
Department

Jurisdiction:

GUILFORD COUNTY

Case Number:

26-07-BOA-00011

Case Area:

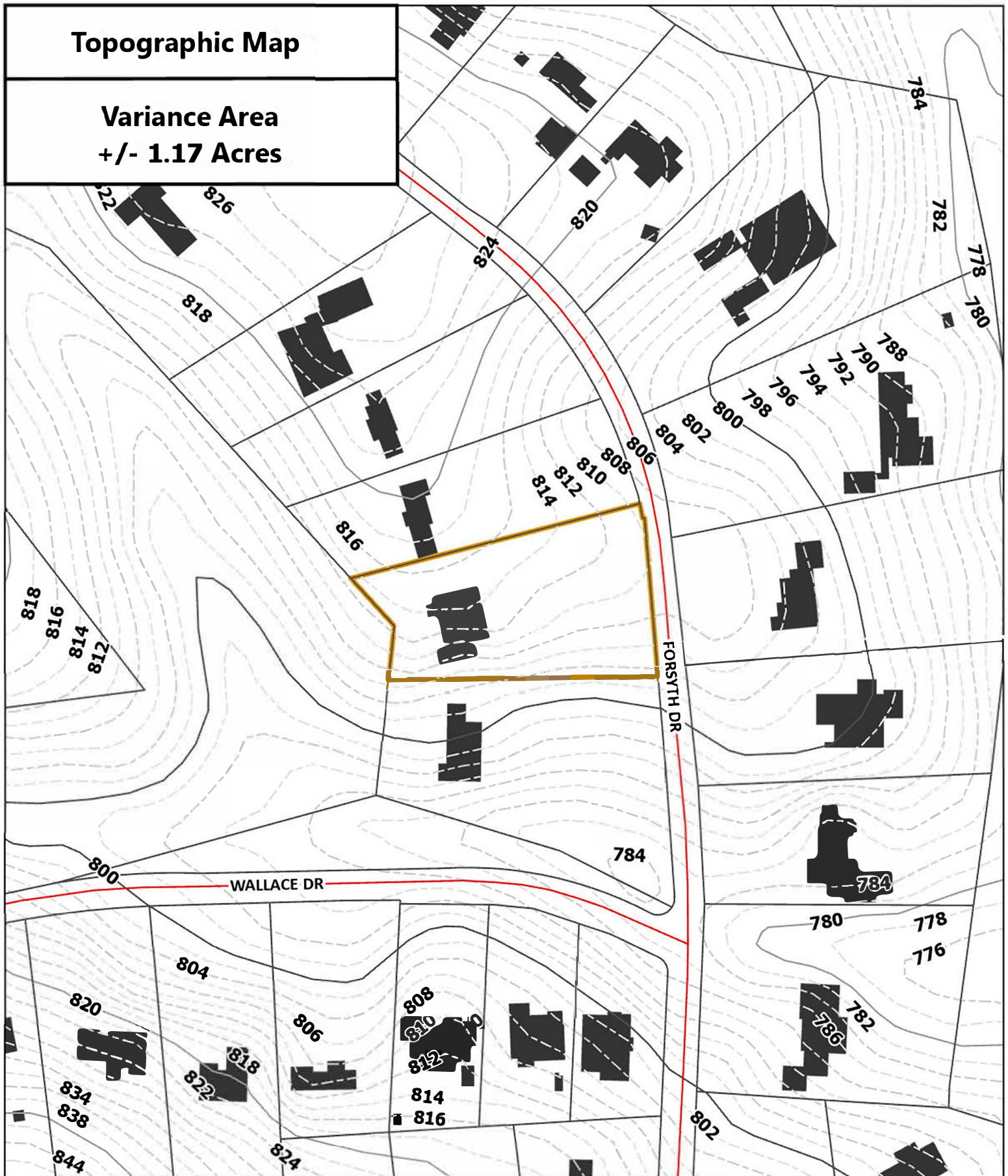
Parcel(s) - 155641
3222 Forsyth Dr



Scale: 1" = 150'

Topographic Map

Variance Area
+/- 1.17 Acres



Planning & Development
Department

Jurisdiction:

GUILFORD COUNTY

Case Number:

26-07-BOA-00011

Case Area:

Parcel(s) - 155641
3222 Forsyth Dr



Scale: 1" = 150'



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

**CASE #26-07-BOA-00011
VARIANCE WORKSHEET**

The Guilford County Board of Adjustment, having held a hearing on **September 1, 2026**, to consider Case **#26-07-BOA-00011**, submitted by **Karen and Joseph Bolyard**, a request for a 21 ft. variance to allow a 9 ft. rear setback in order to permit placement of an accessory structure (swimming pool) on the property, in accordance with the submitted sketch plan, located at **3222 Forsyth Rd., Greensboro, NC 27407**, being Tax Parcel **#155641**, in a manner not permissible under the literal terms of the Ordinance, and having heard all of the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACTS and draws the following CONCLUSIONS:

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

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

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

4. It is the Board's CONCLUSION that the requested variance **is** consistent with the spirit, purpose and intent of the Ordinance, such that public safety is secured and substantial justice is achieved. This conclusion is based on the following FINDINGS OF FACT:

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

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



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

**CASE #26-07-BOA-00011
VARIANCE WORKSHEET**

The Guilford County Board of Adjustment, having held a hearing on **September 1, 2026**, to consider Case #**26-07-BOA-00011**, submitted by **Karen and Joseph Bolyard**, a request for a 21 ft. variance to allow a 9 ft. rear setback in order to permit placement of an accessory structure (swimming pool) on the property, in accordance with the submitted sketch plan, located at **3222 Forsyth Rd., Greensboro, NC 27407**, being Tax Parcel #**155641**, in a manner not permissible under the literal terms of the Ordinance, and having heard all of the evidence and arguments presented at the hearing, makes the following FINDINGS OF FACTS and draws the following CONCLUSIONS:

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

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

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

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

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

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