



GUILFORD COUNTY PLANNING AND DEVELOPMENT

BOARD OF ADJUSTMENT AGENDA

Carolyn Q. Coleman Conference Room
First Floor, Old Guilford County Courthouse
301 W. Market Street, Greensboro, N.C. 27401
September 2, 2025

Regular Meeting

6:00 PM

A. Roll Call

B. Agenda Amendments

C. Approval of Minutes: May 6, 2025

D. Rules and Procedures

E. Old Business

F. New Business

Evidentiary Hearing Item(s)

Swearing in of staff and those speaking on the case

Case #25-05-BOA-00016

3 Chowan Road, Greensboro, NC 27407

Robert and Catherine McGee are requesting a variance from UDO Section 4.2.4.B, which requires a minimum rear setback of 30 feet for properties zoned RS-20. Located at 3 Chowan Road (Guilford County Tax Parcel #155460 in Jamestown Township), the subject property comprises approximately 1.47 acres and is zoned RS-20, Residential. The applicant is seeking a 6-foot 10-inch variance to allow a minimum rear setback of 23 feet 2 inches in order to permit construction of a covered porch.

G. Other Business

2026 Board of Adjustment Meeting Schedule

H. Adjournment

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

Carolyn Q. Coleman Conference Room
First Floor, Old Guilford County Courthouse
301 W. Market Street, Greensboro, N.C. 27401

May 6, 2025

Regular Meeting**6:00 PM**

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

A. Roll Call

The following members were in attendance at this meeting:

Dirtra Miller, Chair; Willie Johnson, Vice Chair; Franklin Havens; Cory Randolph

The following members were not in attendance:

Carey Campbell

The following alternate member was not in attendance:

Larry Standley

The following staff members were in attendance:

Avery Tew, Senior Planner; Troy Moss, Planning Technician; Matthew Mason,
Chief Deputy County Attorney

B. Agenda Amendments

None

C. Approval of Minutes: March 4, 2025

Mr. Johnson moved to approve the March 4, 2025, meeting minutes, as submitted, seconded by Mr. Randolph. The Board voted unanimously in favor of the motion.

D. Rules and Procedures

Chair Miller noted that it was not necessary to explain the Board's Rules of Procedure because there were no new cases and no one from the public was present for the meeting.

E. Old Business**Case #25-01-BOA-00013 (2010 Trosper Road, Greensboro, NC 27455)**

Pursuant to N.C.G.S. 160D-406(j), approve **Order Granting a Variance** with respect to the subject property located at 2010 Trosper Road (Guilford County Tax Parcel #137485 in Center Grove Township), owned by Selden P. Morris, as heard and decided by the Board of Adjustment on March 4, 2025.

Mr. Johnson moved to approve the Order as written and submitted to the Board. The motion was seconded by Mr. Havens. The Board voted unanimously in favor of the motion. (Ayes: Miller, Johnson, Havens, Randolph. Nays: None.)

Case #25-01-BOA-00014 (4809 Edinborough Road, Greensboro, NC 27406)

Pursuant to N.C.G.S. 160D-406(j), approve **Order Denying a Variance** with respect to the subject property located at 4809 Edinborough Road (Guilford County Tax Parcel #133984 in Fentress Township), owned by James and Jean Elms, as heard and decided by the Board of Adjustment on March 4, 2025.

Mr. Randolph moved to approve the Order as written and submitted to the Board. The motion was seconded by Mr. Johnson. The Board voted unanimously in favor of the motion. (Ayes: Miller, Johnson, Havens, Randolph. Nays: None.)

F. New Business

None

G. Other Business

None

H. Adjournment

There being no further business before the Board, the meeting adjourned at 6:05 p.m.

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**GUILFORD COUNTY
PLANNING AND DEVELOPMENT**

**Board of Adjustment
Variance Application**

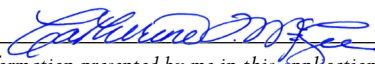
Date Submitted: 8-15-25 (amended) REC-027435-
7-23-25 Fee \$**426.00** Receipt # 2025 Case Number 25-08-BOA-00016
(includes \$26 recording fee)

PROPERTY INFORMATION

Address 3 Chowan Road City Greensboro State NC Zip Code 27407
Tax Parcel # 155460 Zoning: RS-20
Plat Book & Page 56-87 Deed Book & Page 004717-00136 Township Jamestown

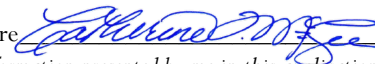
OWNER INFORMATION

Name Robert S. McGee Jr & Catherine T McGee Phone Number 336-558-8337
Address 3 Chowan Road City Greensboro State NC Zip Code 27407
Email ctmcgee1@gmail.com

Owner Signature 
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 Robert S. McGee Jr & Catherine T McGee Phone Number 336-558-8337
Address 3 Chowan Road City Greensboro State NC Zip Code 27407
Email ctmccgee1@gmail.com

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, Catherine T. McGee, 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):

UDO 4.2.4.B Lot Standards - Min. Interior Rear Yard Setback

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

We are requesting a variance of approximately 6 feet 10 inches from the 30' rear setback behind our home to permit replacement of the current patio with a new covered porch, as shown on the attached Site Plan.



GUILFORD COUNTY PLANNING AND DEVELOPMENT

Board of Adjustment Variance Application

FACTORS RELEVANT TO THE ISSUANCE OF A VARIANCE

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

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

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

Strict application of the 30' setback would cause unnecessary hardship, as it would prevent building a porch of suitable size for its intended use. In particular, we would like to include a stone fireplace. A small 6' 10" variance would permit construction of the porch as designed, giving the family a more functional and attractive space that can be used year round.

- 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 topography of the lot, including a triangular shape, a steep downward slope, and a meandering creek in front (see attached Site Plan), made it necessary to locate the home toward the back of the lot (between the creek in the front and the golf course in the back). For the same reasons, the only location for the new covered porch is behind the house, which requires the requested small variance.

- 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.)

We did not consider a covered porch when we built the home 20+ years ago. Our builder, Gary Jobe, gave special attention to selecting the best location for the house on its complicated lot, and we believe our choices were the best and most reasonable at that time. 20 years later, a covered porch is more suitable than the current small patio, and we hope the Board will support our request to extend just a few feet into the adjoining setback to make that possible.

- 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 would cover a small portion of a wooded area between the golf course and the home. The small 6'10" setback we are requesting can be accommodated without any impact on neighboring properties or public safety. The end result will be improved functionality for our family and an improved view for our neighbors and the Club's golfing members (See attached Elevations)



Lot Front with Creek



Rear of Lot



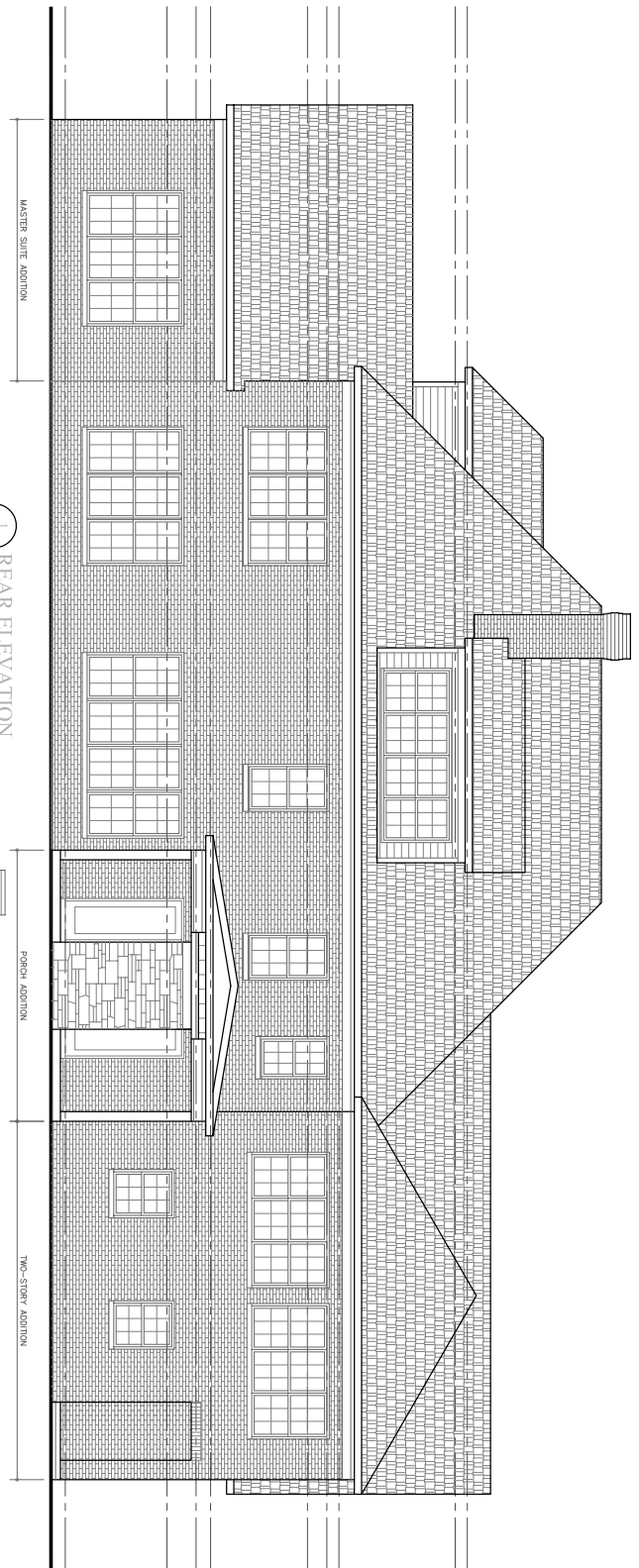
Rear of Lot (2)



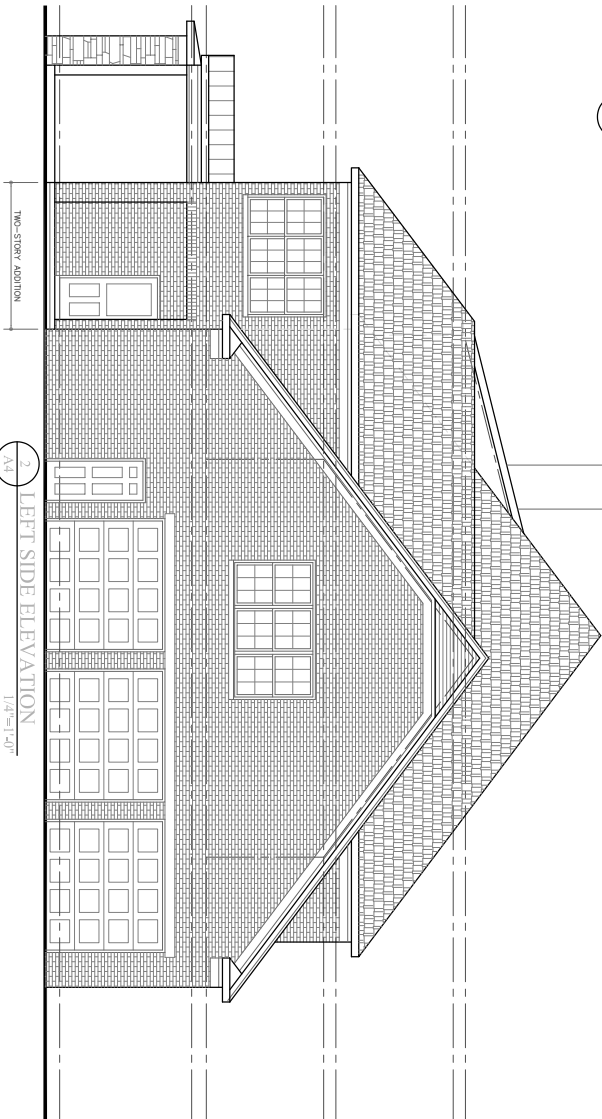
Rear of Lot with Patio



Rear of Lot Side View



1 REAR ELEVATION
1/4" = 1'-0"



2 LEFT SIDE ELEVATION
1/4" = 1'-0"



Stephen H. Jobe
ARCHITECT
www.sjlobe.com
336-294-9301

Member
American Institute of Architects

McGee Residence Addition & Renovation Chowan Road Greensboro, North Carolina



Date: 6/2/25
Elevations

Sheet No.
A4

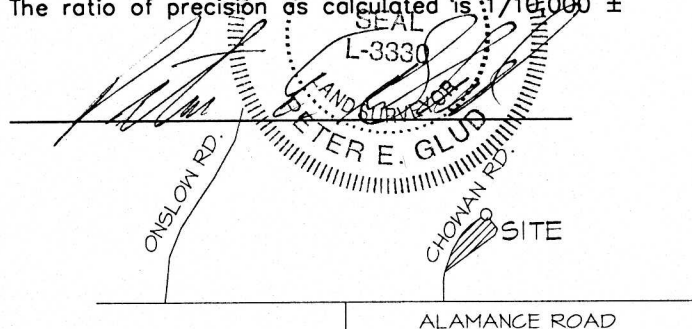
I certify that on the date of this drawing, I surveyed the property shown on this map; that the property lines and location of all structures are as shown; that no structure located on this property encroaches on any adjacent property; and that no structure on adjacent property encroaches on the premises surveyed, except as shown

This property is not located in a special flood hazard area as determined by the Department of Housing and Urban Development.

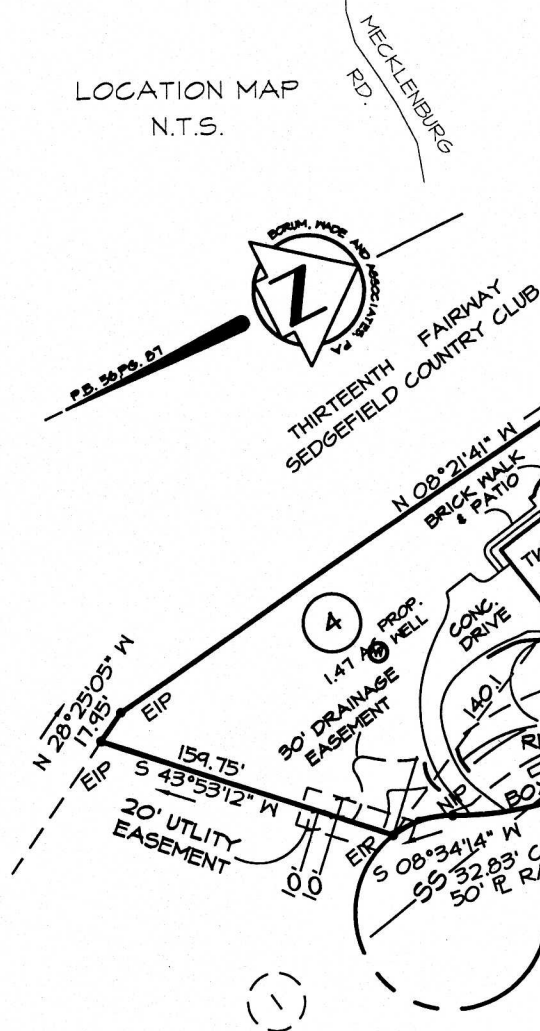
The ratio of precision as calculated is $1/10,000 \pm$

ALAMANCE ROAD

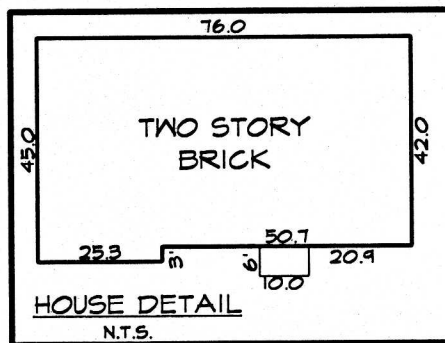
50' R/W (PUBLIC)



LOCATION MAP
N.T.S.



CHOWAN ROAD
50' R/W (PUBLIC)



NOT FOR RECORDING

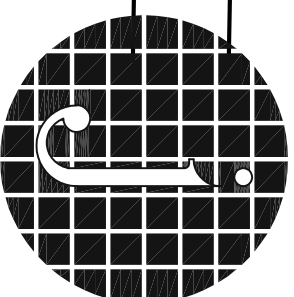
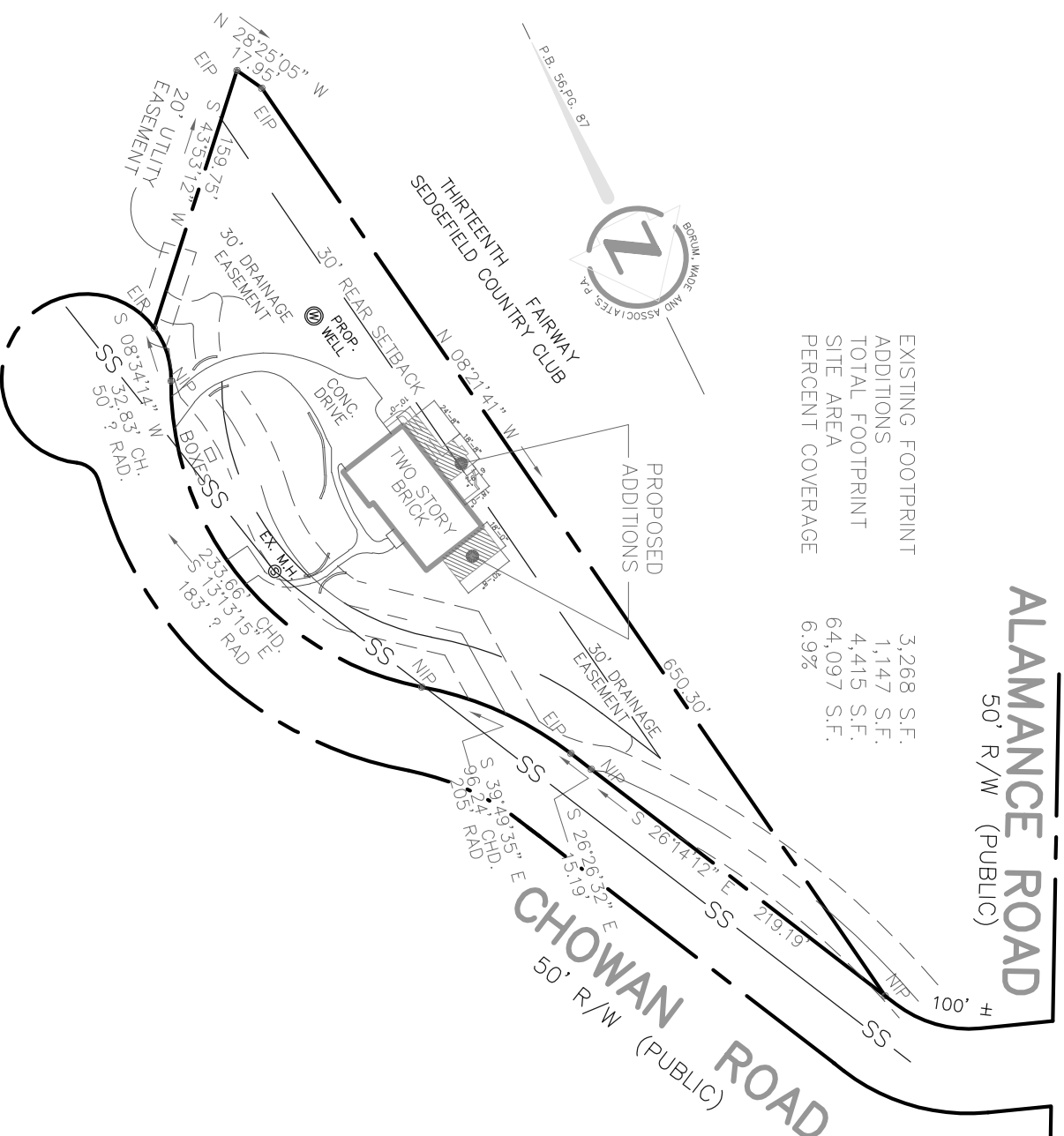
SURVEY FOR
ROBERT S. McGEE, JR.
CATHERINE S. McGEE
3 CHOWAN ROAD
GREENSBORO, NORTH CAROLINA

BORUM, WADE AND ASSOCIATES, P.A.
ENGINEERS - PLANNERS - SURVEYORS
405-D PARKWAY GREENSBORO, NC
PHONES: 275-0471 ~ 272-3115
SCALE: 1=100' DATE: MAY 7, 1999
LOT # 4 PHASE MAP
OF E.K. THROWER SEC
PLAT BOOK 56 PAGE 87
DEED BOOK PAGE
TAX PARCEL # 3-183-K-822-E8

ALAMANCE ROAD

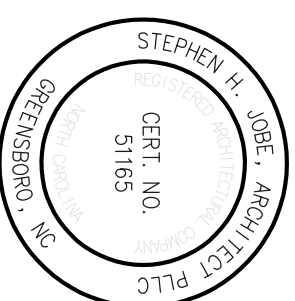
50' R/W (PUBLIC)

EXISTING FOOTPRINT 3,268 S.F.
 ADDITIONS 1,147 S.F.
 TOTAL FOOTPRINT 4,415 S.F.
 SITE AREA 64,097 S.F.
 PERCENT COVERAGE 6.9%



Stephen H. Jobe
 ARCHITECT
www.shjobe.com
 336-294-9301

Member:
 American Institute of Architects



Additions for the
 McGee Residence
 6 Chowan Road
 Greensboro, N.C.
 Guilford County

SIGNED:

EDWARD B. STOUT CERTIFY THAT
UNDER MY DIRECTION AND SUPERVISION THIS MAP WAS
DRAWN FROM AN ACTUAL FIELD LAND SURVEY MADE BY ME
2753

SIGNED _____
 LICENSED ENGINEER NO. 2897
 SUBSCRIBED AND SWORN TO BEFORE ME THIS 9 DAY

~~APPROVED BY THE PLANNING BOARD OF THE CITY~~

GUILFORD COUNTY, NORTH CAROLINA

GUILFORD COUNTY, NORTH CAROLINA

WHEN-GRAB OF ADJACENT PROPERTY DOES NOT COMPO TO THE STREET-OWN: AN EASEMENT IS EFFECTIVE FOR T NUMBER OF BLOWING STORMS FROM STREET GRN

APPROVED BY THE BOARD OF COMMISSIONERS OF GUILF COUNTY, N. C. ON THE 3rd DAY OF July

One

⑤ 709'1"

OF 6.11 ACRES.

THIS BEING A DIVISION OF TRACT 29A -
SEDFIELD - PART OF SECTION 4 - SHEET "B"
AS RECORDED IN PLAT BOOK 11, PAGE 26.

JAMESTOWN TOWNSHIP

SCALE : 1" = 100'

□

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STAFF REPORT: VARIANCE CASE #25-05-BOA-00016

I. Summary

Robert and Catherine McGee are requesting a variance from UDO Section 4.2.4.B, which requires a minimum rear setback of 30 feet for properties zoned RS-20. Located at 3 Chowan Road (Guilford County Tax Parcel #155460 in Jamestown Township), the subject property comprises approximately 1.47 acres and is zoned RS-20, Residential. The applicant is seeking a 6-foot 10-inch variance to allow a minimum rear setback of 23 feet 2 inches in order to permit construction of a covered porch.

District Description: RS-20, Residential

The RS-20 zoning district is intended for low to moderate density single-family detached dwellings with a minimum lot size of 20,000 sq. ft. Development shall be characterized by walkable suburban-style neighborhoods on local streets. Compact development, including conservation subdivisions, are allowed

II. Property Specifics

- a. Applicant(s)/Property Owner(s):** Robert and Catherine McGee
- b. Property Location:** 3 Chowan Road, Greensboro, NC 27407
- c. Legal Description:** Lot 4 on Plat Book 56, Page 87
- d. Zoning:** RS-20, Residential
 - i. Street setback: 35 feet
 - ii. Side setback: 10 feet
 - iii. Rear setback: 30 feet

III. Character of the Area

- a. Existing Land Use(s) on Property:** Single-family detached dwelling
- b. Surrounding Uses:**
 - i. North: Residential (golf course community)
 - ii. South: Residential (golf course community)
 - iii. East: Residential (golf course community)
 - iv. West: Residential (golf course community)
- c. Topographic and Stormwater Features:** There is a mapped/buffered stream on site per US Geological Survey and Soil Conservation Service Maps. There is no regulated floodplain on site per Flood Insurance Rate Map 3710783200J, effective 6/18/2007. There is a wetland on site per the National Wetlands Inventory. Slopes on site are moderate to steep.

Date of variance application:
August 1, 2025

Date adjacent property owner(s) notified:
August 21, 2025

Date sign posted on the subject property:
August 21, 2025

Date posted on County website:
August 22, 2025

Date of hearing:
September 2, 2025

DRAFT

Findings of Facts

Guilford County Development Ordinance Sec. 3.5 (W)

Granting of Variance: A variance may be granted by the Board if evidence presented by the applicant persuades it to reach the following conclusions:

- 1) There are practical difficulties or unnecessary hardships that would result in the way of carrying out the strict letter of this Ordinance. The Board may reach this conclusion if it finds that:
 - a) 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;
 - b) 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;
 - c) 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; and
 - d) 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.

Subject Posting



Across from Subject



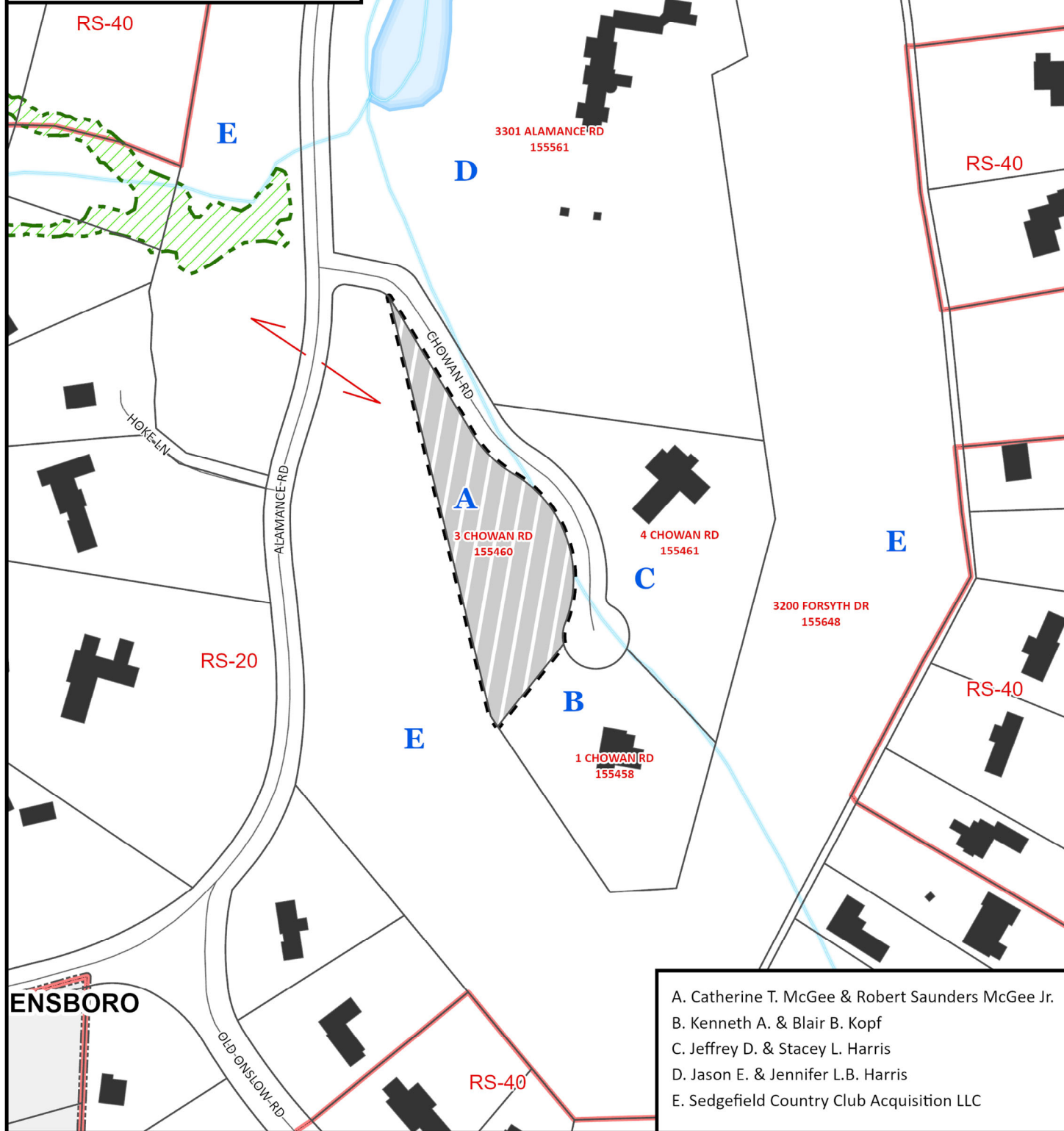
North



South



**Variance: 3 Chowan Rd
+/- 1.47 Acres**



Planning & Development
Department

Jurisdiction:

GUILFORD COUNTY

Case Number:

25-05-BOA-00016

Case Area:

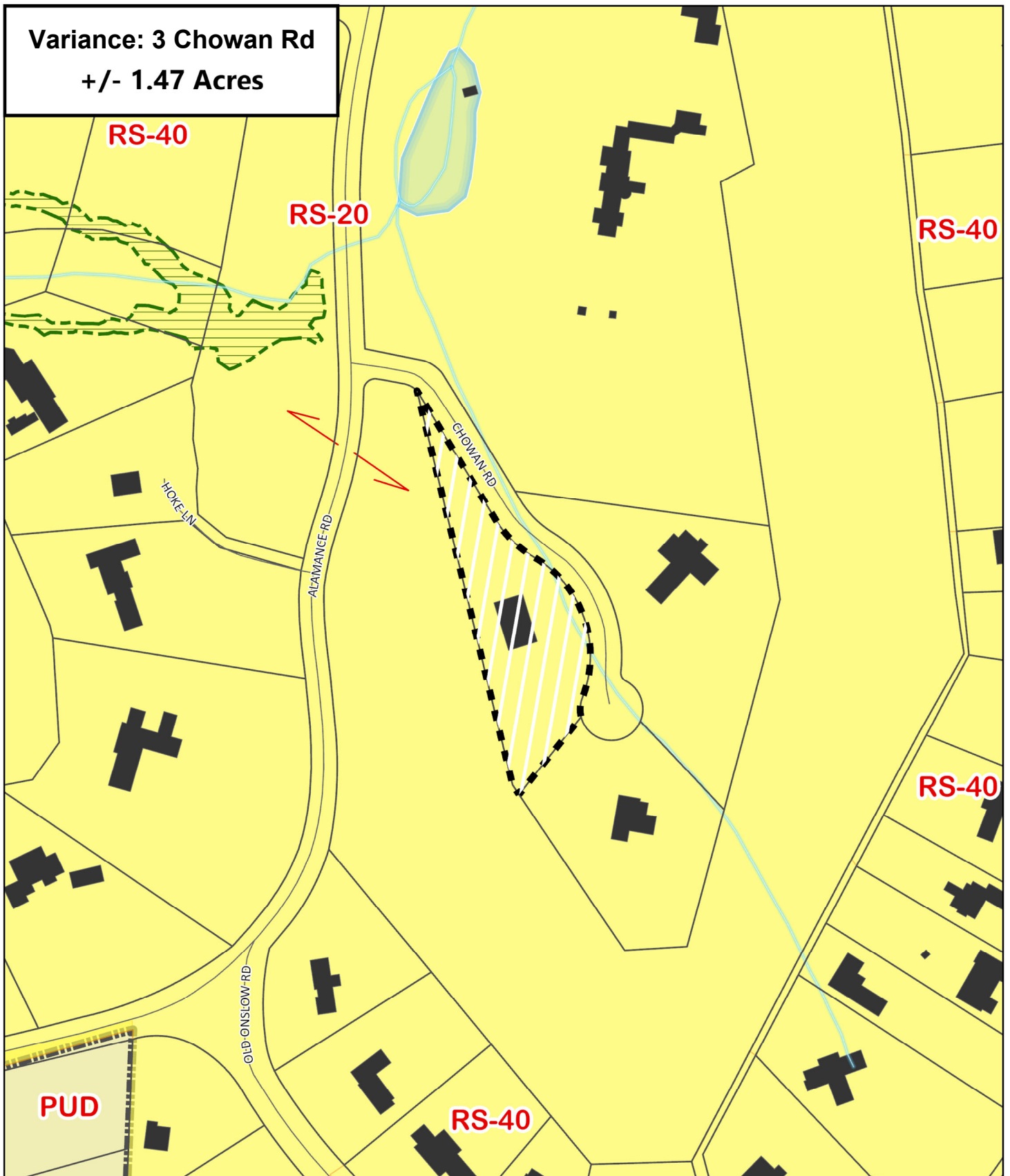
Parcel(s) - 155460

3 Chowan Rd



Scale: 1" = 200'

**Variance: 3 Chowan Rd
+/- 1.47 Acres**



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

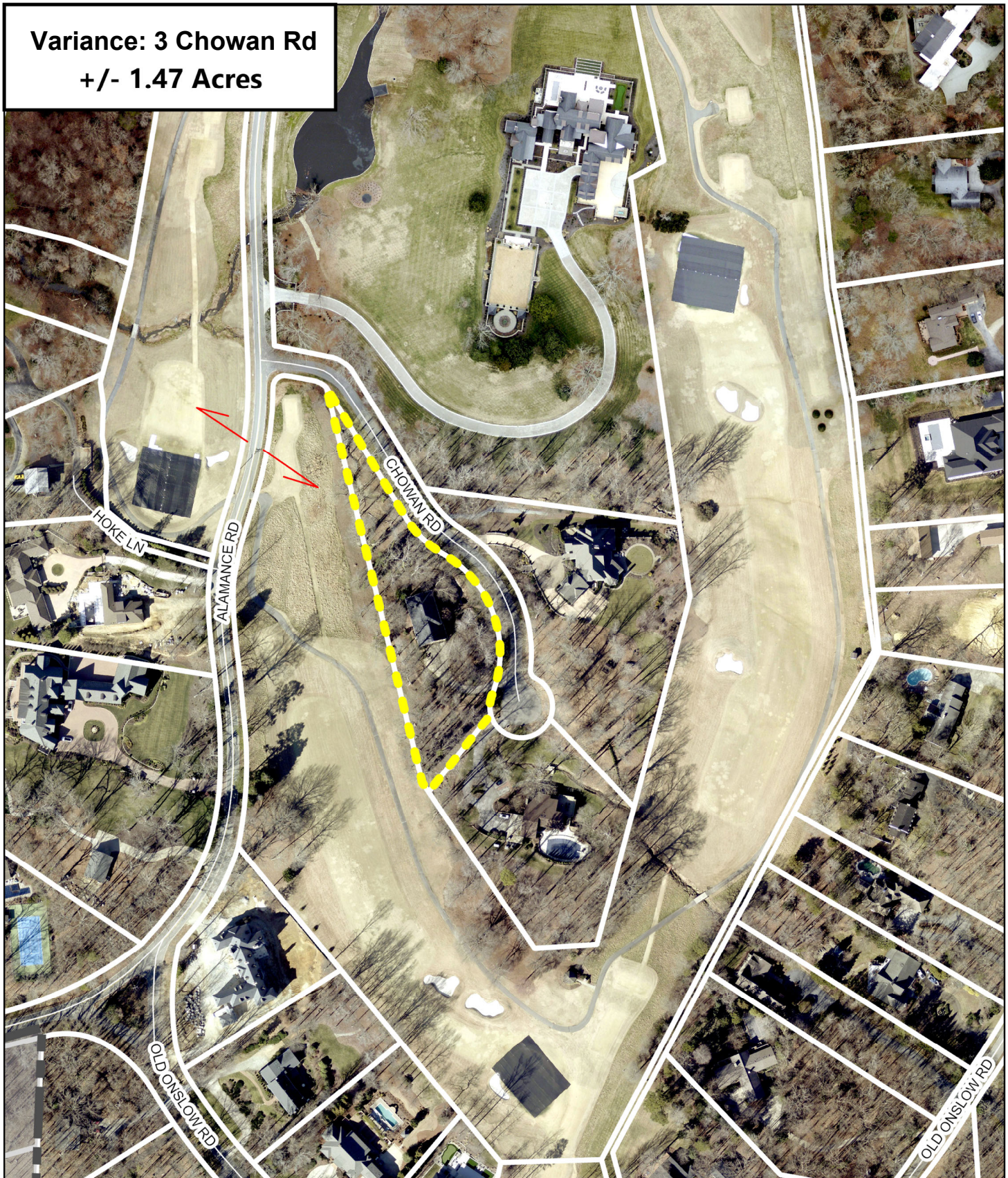
Case Number:
25-05-BOA-00016

Case Area:
Parcel(s) - 155460
3 Chowan Rd



Scale: 1" = 200'

**Variance: 3 Chowan Rd
+/- 1.47 Acres**



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

Case Number:
25-05-BOA-00016

Case Area:
Parcel(s) - 155460
3 Chowan Rd



Scale: 1" = 200'

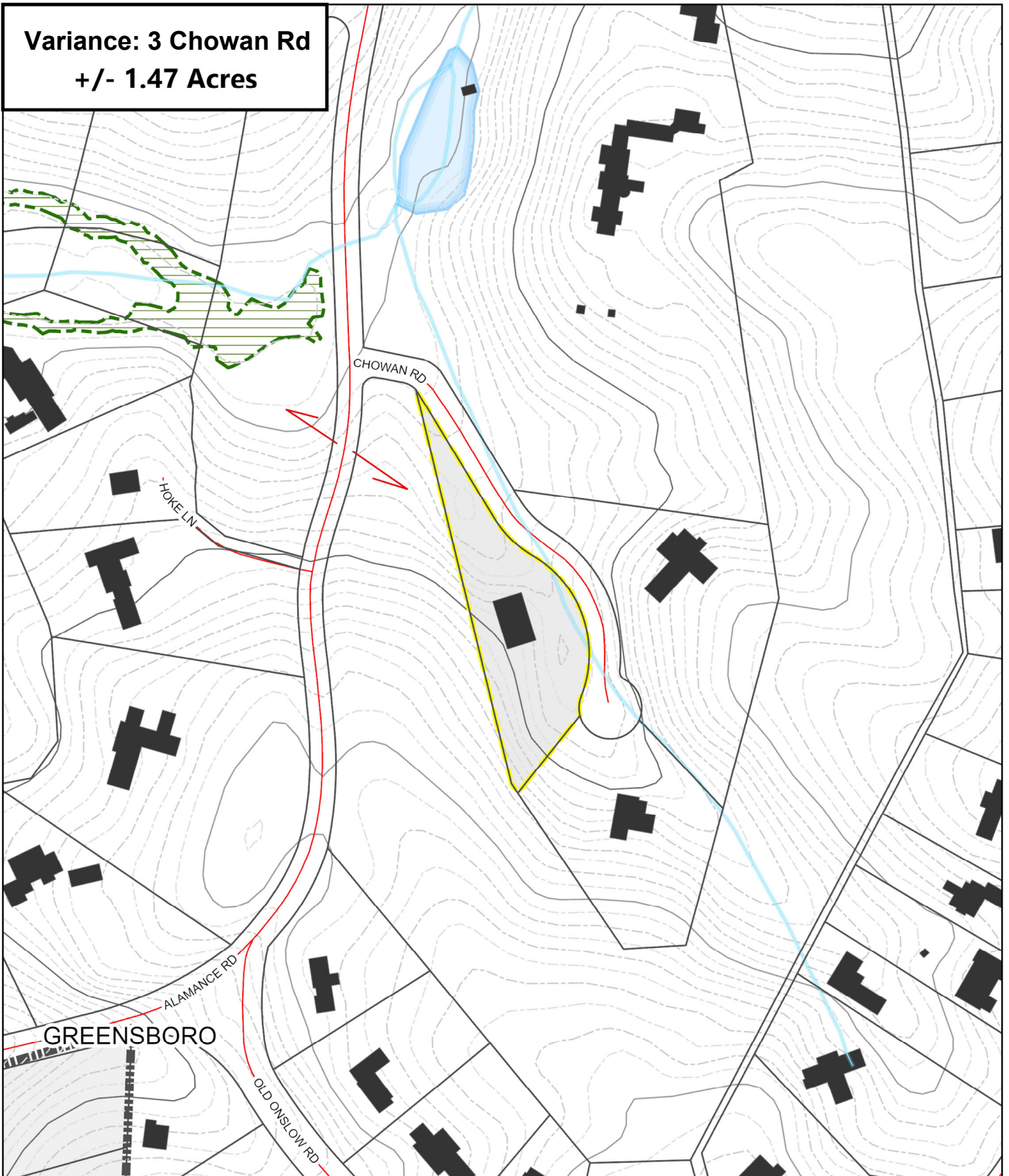
**Variance: 3 Chowan Rd
+/- 1.47 Acres**

**CASE # 25-05-BOA-00016
3 Chowan Rd**

Scale: 1" = 800'

Scale: 1" = 800 '

**Variance: 3 Chowan Rd
+/- 1.47 Acres**



Planning & Development
Department

Jurisdiction:
GUILFORD COUNTY

Case Number:
25-05-BOA-00016

Case Area:
Parcel(s) - 155460
3 Chowan Rd



Scale: 1" = 200'

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

The Guilford County Board of Adjustment, having held a hearing on September 2, 2025, to consider Case #25-05-BOA-00016, submitted by Robert and Catherine McGee, a request for a variance to use the property located at 3 Chowan Road, being Tax Parcel #155460, 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. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property. This conclusion is based on the following FINDINGS OF FACT:

2. It is the Board's CONCLUSION that the hardship **does** result from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. This conclusion is based on the following FINDINGS OF FACT:

3. It is the Board's CONCLUSION that the hardship **does not** result from actions taken by the applicants or the property owners. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship. This conclusion is based on the following FINDINGS OF FACT:

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

The Guilford County Board of Adjustment, having held a hearing on **September 2, 2025**, to consider Case #**25-05-BOA-00016**, submitted by **Robert and Catherine McGee**, a request for a variance to use the property located at **3 Chowan Road**, being Tax Parcel #**155460**, 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. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property. This conclusion is based on the following FINDINGS OF FACT:

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. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. This conclusion is based on the following FINDINGS OF FACT:

3. It is the Board's CONCLUSION that the hardship **does** result from actions taken by the applicants or the property owners. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship. This conclusion is based on the following FINDINGS OF FACT:

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** subject to the following:

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

(Insert Color Paper)



GUILFORD COUNTY PLANNING AND DEVELOPMENT

Board of Adjustment 2026 Meeting Schedule

BOARD OF ADJUSTMENT Regular Meeting Schedule

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

Application Submittal Dates (Due by Noon)	Meeting Dates (1 st Tuesday of the Month)
December 1, 2025	January 6, 2026
January 5, 2026	February 3
February 2	March 3
March 2	April 7
April 6	May 5
May 4	June 2
June 1	July 7
July 6	August 4
August 3	September 1
August 31	October 6
October 2*	November 2*
November 2	December 1
November 30	January 5, 2027

*Date adjusted due to holiday

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