

**GUILFORD COUNTY
BOARD OF ADJUSTMENT
JANUARY 7, 2020**

The Guilford County Board of Adjustment met in regular session on January 7, 2020 in the Blue Room, Old Guilford County Courthouse, 301 W. Market Street, North Carolina, 27401, commencing at 6:00 p.m.

MEMBERS PRESENT: Bob Lawler, Ditra Miller, Willie Johnson and Larry Standley

MEMBERS ABSENT:

STAFF PRESENT: Matt Talbott, Rhonitta Hayes, and Kaye Graybeal -- Planning & Development Department

Roll Call of attendees was taken.

Chair Lawler welcomed everyone to the meeting and explained the policies and procedures of the Guilford County Board of Adjustment.

AMENDMENTS TO AGENDA:

Staff recommended to table the election.

Mr. Johnson made a motion to approve the tabling of the election, seconded by Ms. Miller. The Board voted 4-0 in favor of the motion (Ayes: Lawler, Miller, Johnson, and Standley Nays: None).

APPROVAL OF MINUTES:

• **October 1, 2019 Minutes:**

Mr. Standley moved approval of the October 1, 2019 minutes as written, seconded by Mr. Johnson. The Board voted 4-0 in favor of the motion. (Ayes: Miller, Johnson, Standley and Lawler. Nays: None).

OLD BUSINESS:

None.

Swearing-in of staff and speakers:

Matt Talbott, Planning Department and the applicant(s), were sworn as to their testimony in the following matters.

NEW BUSINESS:

Evidentiary Hearing Items

CASE #19-11-GCPL-08991: Jan & Amanda Hilton are requesting a variance from the Guilford County

Development Ordinance 4-5.2 (A), which regulates the location of all accessory structures and buildings to be located behind the front building line of the principal structure. The applicants are seeking to build a new detached garage on the property which would be in front of the principal structure GUILFORD COUNTY PLANNING AND DEVELOPMENT 400 W Market Street Post Office Box 3427, Greensboro, North Carolina 27402 Telephone (336) 641-3334 Fax (336) 641-6988 (house). There is a single-family home and a garage on the property. The property is located at 7869 Sutter Road, Greensboro, NC 27455 being tax parcel #220009, in Center Grove Township. **(APPROVED)**

Matt Talbott stated that this CASE #19-11-GCPL-08991: Jan & Amanda Hilton are requesting a variance from the Guilford County Development Ordinance 4-5.2 (A), which regulates the location of all accessory structures and buildings to be located behind the front building line of the principal structure. The applicants are seeking to build a new detached garage on the property which would be in front of the principal structure. There is a single-family home and a garage on the property. The property is located at 7869 Sutter Road, Greensboro, NC 27455 being tax parcel #220009, in Center Grove Township.

Matt Talbott stated that it is currently zoned agricultural. It is located about 2800 feet from the intersection of Sutter Road and Highway 150 west. To the north, south and west is single-family residential. To the east is vacant. The surrounding uses are agricultural and single-family homes with varied setbacks. There are streams and steep topography on the property. The date of the application was November 16, 2019. The date of adjacent property owners was notified on December 23, 2019. The sign was posted on the property December 27, 2019. The date it was posted on the County website was December 23, 2019.

Chair Lawler asked if there were any restrictions on the number of garages? Matt Talbott stated that there was not.

In Support:

Speakers were sworn in.

Jan Hilton 7869 Sutter Road stated that he owns 13 Acres. Mr. Hilton stated that this location was really the only location he had on his property to do another accessory structure. Mr. Hilton stated that he does not want to tear down any woods. Mr. Hilton stated that it would be in keeping with the neighborhood. Mr. Hilton stated that he was at the dead end of Sutter Road. Mr. Hilton stated that the liked to preserve trees too.

Joe Hecker 7850 Sutter Road stated that he was in support of this request.

In Opposition:

None.

Seeing no other speakers, the Public Hearing was closed.

Discussion:

None

Motion:

Ms. Miller moved that the Guilford County Board of Adjustment, having held a hearing on January 7, 2020 to consider Case Number 19-11-GCPL-08991, submitted by **Jan and Amanda Hilton**, a request for a variance to use the property located at 7869 Sutter Road, Greensboro, NC 27455 being tax parcel #220009, 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: Condition of the property makes it the only logical place to building would be in front of the principle resident.
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: Due to the steep topography, creeks, and steep terrains this hardship does result to the peculiars of this particular property.
3. It is the Board's CONCLUSION that the hardship **does not** result from actions taken by the applicant or the property owner. This conclusion is based on the following FINDINGS OF FACT: The topography of the property all makes this not the property's owners' fault.
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: Neighbor mentioned that it would be an improvement to the neighborhood and the applicant will comply with the conditions of the ordinance.

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

Compliance with all local, state, and federal laws.

The motion was seconded by Mr. Johnson. The Board voted unanimously 4-0 in favor of the motion. (Ayes: Miller, Johnson, Lawler, and Standley. Nays: None.)

ADJOURNMENT:

There being no further business, the meeting adjourned at 6:24 p.m.

FH:jd/pr