

**GUILFORD COUNTY  
BOARD OF ADJUSTMENT  
NOVEMBER 5, 2013**

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The Guilford County Board of Adjustment met in regular session on November 5, 2013, at 6:06 p.m., in the Blue Room of the Old Guilford County Courthouse, Greensboro, North Carolina.

**MEMBERS PRESENT:** Ditra Miller, Chair; Robert Lawler, Jr.; Randall Crum; Willie Johnson; and Frank Havens.

**STAFF PRESENT:** Tiffany Burch and Carrie Spencer, Planning Department.

Roll Call of attendees was taken.

**HEARING OF CASE:**

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**Case No. 13-10-GCPL-04540:** John Travis Seawell is requesting a variance to allow for the construction of an 18 x 22 (396 square feet) carport to be attached to the existing single family residence. Reference the Guilford County Development Ordinance Table 4-4-1 (A). Dimensional Requirements. (10 feet is required). The property is located at 6501 McLeansville Road, McLeansville, North Carolina 27301. Tax parcel #0113380 in the Madison Township and is zoned RS30. **(GRANTED)**

Ms. Burch presented the case history.

Staff and speakers were sworn as to their testimony during the proceedings.

Chair Miller asked if there was anyone wishing to speak in support of this case.

Anita Wilson, 6503 McLeansville Road, lives next door to her son, John Travis Seawell, who resides at the subject property, 6501 McLeansville Road. The side of her son's house sits 25 feet from the property line. In order to accommodate a two-car carport, there has to be at least 22 feet. Therefore, she is asking for a variance of 7 feet. She stated the hardship is that there is no other place on the property to build a carport. The well was built 18 feet from the house and the septic tank is 6 feet from the front of the house. There are four acres but the house was built right on the property line and therefore, there is no other place to locate the carport.

Members reviewed engineering plans, maps, and photographs provided by the applicant.

Responding to questions, Ms. Wilson explained that she lived in the subject property until 1990. Her son currently lives in the property. He plans to marry and move into another house and Ms. Wilson would like to return to the subject property. She explained her need for the attached open carport.

Ms. Wilson stated that she has not received any feedback from the property owner at 6415 McLeansville Road.

There was no one speaking in opposition to the request.

*inter office*

GUILFORD PLANNING DEPT  
INTEROFFICE  
400 W MARKET ST 5TH  
GREENSBORO, NC 27401

Mr. Havens pointed out that this case would have been viewed differently if brought before the Board prior to October 1, 2013 when the guidelines changed. The guidelines were more restrictive and less subjective prior to the change and therefore, the Board currently has more latitude in this case. Although there is an adjacent property owner, there is no adjacent structure within close proximity to the property line. The subject house was built in 1967 by another owner who obviously did not need a carport at that time. Mr. Havens was more supportive of the application because there is not an adjacent structure within 10 feet of the property line. The same owner has owned the adjacent property for some time and has made no move toward further development. Basically, Ms. Wilson will be encroaching on a stand of trees.

Mr. Lawler moved approval of a variance to allow for the construction of an 18 x 22 foot (396 square feet) carport to be attached to an existing single family dwelling, **Case No. 13-10-GCPL-04540**, for the property located at 6501 McLeansville Road because the hardship results from the condition of the particular property in question; the hardship does not result from actions by the applicant or the property owner; 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; and the actual hardship that would result is that the property owner would not be able to use her property to her satisfaction; seconded by Mr. Havens. The Board voted 5-0 in favor of the motion. (Ayes: Miller, Lawler, Havens, Johnson, Crum. Nays: None.)

#### **APPROVAL OF AUGUST 6, 2013 MEETING MINUTES:**

Mr. Crum moved approval of the August 6, 2013 meeting minutes as written, seconded by Mr. Havens. The Board voted 4-0-1 in favor of the motion. (Ayes: Lawler, Crum, Johnson, Havens. Nays: None. Abstain: Miller.) Chair Miller noted that she was not present at the August 6, 2013 meeting and therefore, she abstained from the vote.

#### **APPROVAL OF SEPTEMBER 3, 2013 MINUTES:**

Mr. Crum moved approval of the September 3, 2013 meeting minutes as written, seconded by Mr. Lawler. The Board voted unanimously 5-0 in favor of the motion. (Ayes: Miller, Lawler, Crum, Johnson, Havens. Nays: None.)

#### **NEW BUSINESS:**

Staff conducted a training session on statutory changes that affect the Board.

The Board is comfortable with the sample script prepared by staff with the exception that the affirmation will read: "Do you swear or affirm to tell the truth, the whole truth, and nothing but the truth?" The secretary will administer the oath.

Chair Miller asked for some changes that would help make meetings more efficient. The following changes were suggested: (1) remove the table from the center, (2) appoint a timekeeper from among the Board members for each meeting, and (3) have alternate members seated in the audience during meetings.

Staff went over statutory changes which are incorporated into the sample script along with the sample motion given to Board members.

**ADJOURNMENT:**

There being no further business before the Board, the meeting adjourned at 7:34 p.m.

Respectfully submitted,

  
Ditra Miller, Chairman

  
Tiffany Burch, Board Secretary