

BK: R 7569
PG: 744-745
RECORDED:
01-28-2014
11:32:33 AM
BY: HSIAO-WEI AHERON
DEPUTY-GB



2014004219
GUILFORD COUNTY, NC
JEFF L. THIGPEN
REGISTER OF DEEDS

NC FEE \$26.00

**GUILFORD COUNTY
BOARD OF ADJUSTMENT
DECEMBER 3, 2013**

The Guilford County Board of Adjustment met in regular session on December 3, 2013, at 6:00 p.m., in the Blue Room of the Old Guilford County Courthouse, Greensboro, North Carolina.

MEMBERS PRESENT: Ditra Miller, Chair; Frank Havens; Randall Crum; and Larry Standley.

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

Roll Call of attendees was taken.

HEARING OF CASE:

A
2
Case No. 13-11-GCPL-05264: Rosalino and Norma Matto are requesting a variance of 7 feet to allow for the construction of an 18 feet, 6 inches by 26 feet, 9 inches carport over the existing driveway to be extended in front of the house. Reference the Guilford County Development Ordinance Table 4-4-1(A) Dimensional Requirements – (15 feet is required). The property is located at 4210 Crane Avenue, Greensboro, North Carolina, 27407. Tax parcel #0140663 in the Morehead Township. The property is zoned RS-40. **(GRANTED)**

Chair Miller explained that persons requesting a variance are entitled to have their case heard by five voting members. There are four members present and therefore, the applicant may request to have the case continued until there are five voting members present. Norma Matto, applicant, indicated that she would like to proceed with the four voting members present.

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.

Norma Matto, 4210 Crane Avenue, and her husband have owned this single-family property since 1994. They would like to build an open attached carport on top of the existing concrete driveway. When the contractor looked into the necessary permits it became apparent that a variance would be needed. The variance is for the distance from the principle structure to the property line on the side. Zoning was different when the house was built. At that time the required distance was only 10 feet but the current RS-40 zoning requires 15 feet. The principle structure conformed to the 10 feet requirement when they purchased the house in 1994. When the property was rezoned to RS-40, the structure became non-confirming. The applicants are requesting a variance of 7 feet from the property line.

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

Responding to questions, Ms. Matto and her husband, Rosalino Matto, 4210 Crane Avenue, confirmed that the house is 10 feet from the property line per the 1994 survey. The neighbor's fence is located 16 feet from the Matto's house. The roof overhang of the carport will be facing



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

the street. The carport will take up the width of the concrete pad. They have received no objections from neighbors to the construction of the carport or the variance request.

There was no one speaking in opposition to the request.

In the matter of **Case #13-11-GCPL-05264**, Mr. Standley moved approval of a variance for property located at 4210 Crane Avenue, Greensboro, North Carolina 27407, because without the variance the owners would not be able to build any type of structure to shield their cars or park their other vehicles under; if they moved the carport any further it would cause a need to move the septic tank; the hardship isn't caused by things that contribute to the property; the property line is so close to the house and the septic tank does interfere with the installation of the carport; the hardship does not result from actions by the applicants, in fact, the construction of the carport would have been allowed under the previous zoning but not in the current zoning; and 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, seconded by Mr. Havens. The Board voted 4-0 in favor of the motion. (Ayes: Miller, Crum, Havens, Standley. Nays: None.)

Case #13-10-GCPL-04981 John D. Joyce is requesting a variance to allow for an existing garage 24 feet by 28 feet to remain at 8 feet from the property. Reference the Guilford County Development Ordinance Table 4-4-1(A) Dimensional Requirements – (15 feet is required). The property is located at 5224 Sweetwater Court, Greensboro, North Carolina 27407. Tax parcel #041646 in the Sumner Township. The property is zoned RS-40.
(CONTINUED UNTIL NEXT MEETING)

Ms. Burch presented the case history.

There was no one present to speak on this case.

Ms. Spencer reviewed options available to the Commission in the applicant's absence.

Following discussion, Mr. Standley moved to continue the case until the next meeting, seconded by Mr. Havens. The Commission voted 4-0 in favor of the motion. (Ayes: Miller, Crum, Havens, Standley. Nays: None.)


APPROVAL OF NOVEMBER 5, 2013 MEETING MINUTES:

Mr. Havens moved approval of the November 5, 2013 meeting minutes as written, seconded by Mr. Crum. The Commission voted by acclamation in favor of motion.

ADJOURNMENT:

There being no further business before the Board, the meeting adjourned at 6:34 p.m.

Respectfully submitted,


Ditra Miller, Chairman


Tiffany Burch, Board Secretary