



BOARD OF ADJUSTMENT AGENDA

SEPTEMBER 27, 2018, 6:30PM, SFD COMMUNITY CENTER

1. Call to Order
2. Introductions
3. Consent Agenda
 - A. Approval of Agenda
 - B. Approval of January 28, 2016 minutes
4. New Business:
 - A. Election of Board Chair and Vice-Chair**
 - B. CASE 01-18-V:** This request is for a Variance to the Summerfield Development Ordinance Section 6-4.19(B) (Property Separation) for the property located at 4420 US Hwy 220 N in Bruce Township, Guilford County Tax Map #0146046, owned by L&M Holdings, LLC.
5. Other Business
6. Adjourn



TO: Board of Adjustment
FROM: Planning Director
DATE: September 27, 2018
RE: Variance Case 01-18-V

A. Action Requested by Board of Adjustment:

The Board is requested to conduct a Quasi-Judicial hearing to consider a variance to the Town of Summerfield Development Ordinance. A concurring vote of four-fifths of the board is required to grant a variance.

Per NCGS 160A-388 the Board of Adjustment shall vary provisions of the ordinance when unnecessary hardships would result from carrying out the strict letter of a zoning ordinance and upon showing of all of the following findings:

1. Unnecessary hardship would 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.
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.
3. 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.
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.

In order to grant a variance, the board shall make its decision based upon competent, material, and substantial evidence given by witnesses under oath. The decision shall include a written determination signed by the chair and filed with the clerk to the board.

Appropriate conditions may be imposed on any variance, provided the conditions are reasonably related to the variance, the zoning ordinance, and the Town of Summerfield Comprehensive Plan.

B. Application and Background

L&M Holdings, LLC has requested a variance to the Summerfield Development Ordinance Section 6-4.19(B) (Property Separation) for the property located at 4420 US Hwy 220 N in Bruce Township, Guilford County Tax Map #0146046.

Section 6-4.19(B) requires that establishments primarily engaged in the sale of alcoholic beverages must be separated from residentially zoned areas by 1,000 feet. The applicant is requesting a variance to allow such uses to lease space in a retail building currently under construction on the property.

E. Attachments

1. Completed variance application.
2. Aerial map of the subject property and adjacent properties.
3. Notice to abutting property owners.