

IN THE SUPREME COURT OF NORTH CAROLINA

No. 603A01

FILED: 7 MARCH 2002

CAPITAL OUTDOOR, INC.,
Petitioner

v.

GUILFORD COUNTY BOARD OF ADJUSTMENT,
Respondent

Appeal pursuant to N.C.G.S. § 7A-30(2) from the decision of a divided panel of the Court of Appeals, 146 N.C. App. 388, 552 S.E.2d 265 (2001), reversing and remanding a judgment filed 27 April 2000 by Johnson (Marcus L.), J., in Superior Court, Guilford County. Heard in the Supreme Court 13 February 2002.

Waller, Stroud, Stewart & Araneda, LLP, by Betty S. Waller, for petitioner-appellee.

Guilford County Attorney's Office, by Jonathan V. Maxwell, County Attorney, and Mercedes O. Chut, Deputy County Attorney, for respondent-appellant.

PER CURIAM.

For the reasons stated in the dissenting opinion, we reverse the decision of the Court of Appeals as to the standard of review and remand the case to that court for consideration of the other assignments of error on the merits.

REVERSED.