

✓ Return to: Town of Boone
Planning & Inspections
1510 Blowing Rock Road
Boone, NC 28607

BK 0567 PG 609

Town of Boone



FILED
WANDA C. SCOTT
REGISTER OF DEEDS
00 MAY 11 PM 12:27
BY: *Nathaniel Burkett*
DEPUTY
WATAUGA COUNTY, NC

187723

TOWN OF BOONE

ORDER GRANTING A VARIANCE

On the date listed below, the Board of Adjustment for the Town of Boone met and held a public hearing to consider the following application:

APPLICANT: Town of Boone ABC Board

CASE NO.: 0001V

PROPERTY LOCATION: 2067 Blowing Rock Road

PARCEL IDENTIFICATION NUMBER(S): 2910-61-8005-000

MEETING DATE: Board of Adjustment - April 6, 2000

VARIANCE APPROVED: 9' encroachment of the 20' Hodges Street setback to allow an addition onto the existing building

A variance from the regulations of the Town of Boone Unified Development Ordinance may be granted by the Board of Adjustment if it finds that strict enforcement of the regulations would result in practical difficulties or unnecessary hardships to the applicant for the variance, and that, by granting the variance, the intent of this ordinance and the Comprehensive Plan will be observed, public safety and welfare secured, and substantial justice done. Such findings shall be based on all seven of the following determinations:

1. There are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the ordinance;
YES
2. That the hardship complained of is one suffered by the applicant rather than by neighbors or the general public;
YES
3. That the hardship relates to the applicant's property rather than to personal circumstances;
YES
4. That the hardship is peculiar to the applicant's property, rather than a hardship shared by the neighborhood or resulting from the existence of nonconforming situations in the vicinity;
YES

- 5. That the hardship is not the result of the applicant's own actions;
YES
- 6. That the variance will not substantially interfere with or injure the rights of others whose property would be affected by granting the variance; **YES**
- 7. That the variance will not result in a violation of the provisions of Article VIII by allowing the enlargement, extension, or greater permanence or intensity of a nonconforming use or feature;
YES

Therefore, on the basis of all the foregoing, **it is ordered** that the application for a **variance be granted** subject to the following conditions:

NO CONDITIONS STIPULATED

Ordered this the 3rd day of May, 2000.

Judy D. Ferguson
Judy D. Ferguson, Admin. Support Specialist

[Signature]
O.K. Webb, Chairman

NOTE: If you are dissatisfied with the decision of this Board, an appeal may be taken to the Superior Court of Watauga County within thirty (30) days after the date this order is served on you. See Section 106 of the Town of Boone Unified Development Ordinance.

Town of Boone UDO Section 114 states that:

“A decision by the Board of Adjustment on an application for appeal or for a Variance may be appealed to the Superior Court by an aggrieved party. Such appeal shall be in the nature of certiorari and must be filed within thirty (30) days of the filing of the decision in the office of the Planning Department or the delivery of the notice required in Subsection 113(a), whichever is later.”

NORTH CAROLINA
WATAUGA COUNTY

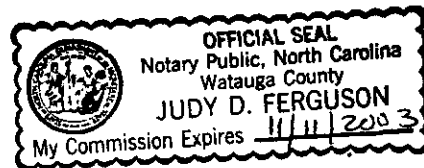
I, **Judy D. Ferguson**, a Notary Public of **Watauga County, North Carolina**, certify that **O.K. Webb, Chairman of the Board of Adjustment for the Town of Boone**, personally appeared before me and acknowledged, on behalf of **the Boone Board of Adjustment**, the due execution of the foregoing instrument.

Witness my hand and official seal, this the 3rd day of May, 2000.

(OFFICIAL SEAL)

Judy D. Ferguson
NOTARY PUBLIC

My commission expires: November 11, 2003



NORTH CAROLINA
WATAUGA COUNTY

The foregoing certificate of Judy D. Ferguson, Watauga County, NC,
Notary Public, is certified to be correct. This instrument was presented for registration and recorded in the
office in Book 567, Page 609.

This 11th day of May, 2000, at 12:27 o'clock pm.

Wanda C. Scott

REGISTER OF DEEDS

BY: Kathy S Burkitt Deputy