

TOWN OF BOONE

ORDER GRANTING A VARIANCE

62145

The Board of Adjustment for the Town of Boone held a public hearing on June 6, 1991 to consider application number #91-V-09 submitted by Sam and Jane Abdin. This request is for a variance to use property located on Hwy. 105, between Poplar Grove Road and Snaggy Mountain Road. The request is for an interior setback variance of 4 feet to construct an attached 18 x 28 foot garage to an existing structure.

A variance from the regulations of this 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. that strict compliance with the regulations allows no reasonable use of the applicants property; (yes) or /no/
2. that the hardship complained of is one suffered by the applicant rather than by neighbors or the general public; (yes) or /no/
3. that the hardship relates to the applicant's property rather than to personal circumstances; (yes) or /no/
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) or /no/
5. that the hardship is not the result of the applicant's own actions; (yes) or /no/
6. that the variance will not substantially interfere with or injure the rights of others whose property would be affected by granting of the variance; (yes) or /no/
7. that the variance will not result in a violation of the provisions of Article 14 by allowing the enlargement, expansion, extension, or greater permanence or intensity of a nonconforming use or feature; (yes) or /no/

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 6th day of June, 1991.

Janet B. Adams
Janet B. Adams, Administrative Assistant

George W. Bard
George W. Bard, Chairman

NORTH CAROLINA, WATAUGA COUNTY

I, **LuAnn M. Greene**, a Notary Public of **Watauga County, North Carolina**, certify that **Janet B. Adams**, Administrative Assistant to the Department of Planning and Inspections for the Town of Boone, personally appeared before me this day, and being duly sworn, stated that she knows the handwriting of **George Bard**, and that the signature of **George Bard** as a subscribing witness to the foregoing instrument is the signature of **George Bard**, Chairman of the **Boone Board of Adjustment**, and acknowledged, on behalf of **Boone Board of Adjustment**, the due execution of the foregoing instrument.

Witness my hand and official seal, this the 3rd day of July, 1990.



LuAnn M. Greene
NOTARY PUBLIC

My Commission Expires December 5, 1995.

NORTH CAROLINA, WATAUGA COUNTY

The foregoing certificate LuAnn M. Greene, Watauga County, N.C.
Notar(y)(ies) Public is (are) certified to be correct. This instrument was presented for registration and recorded in the office in Book 181, Page 454.

This 8th day of July, 1991, at 11:00 o'clock A m.

by Eva Lee Shaw Deputy Phyllis E. Foster
REGISTER OF DEEDS

NOTE: If you are dissatisfied with the decision of this Board, an appeal may be taken to the Superior Court of Watauga County within 30 days after the date this order is served on you. See Section 15.4.5 of the Town of Boone Zoning Ordinance.