

WANDA C. SCOTT
REGISTER OF DEEDS

94 MAY -9 AM 10:33

BY: *Alan V. ...*
DEPUTY
WATAUGA COUNTY, NCReturn to:
Town of Boone
Planning & Inspections
1510 Blowing Rock Road
Boone, NC 28607

TOWN OF BOONE

SPECIAL USE PERMIT GRANTED

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: John Roten/Appalachian Fitness Center

PROPERTY LOCATION: 662 Highway 105 Extension

PARCEL IDENTIFICATION NUMBER: 2910-35-0440-000

PROPOSED USE OF PROPERTY: To operate a mixed use of existing Furniture and Audio Store with a new Commercial Recreation Facility called Appalachian Fitness Center.

MEETING DATE: April 21, 1994

Having heard all the evidence and arguments presented at the hearing, the Board finds that the application is complete, that the application complies with all the applicable requirements of the Boone Zoning Ordinance for the development proposed, and that therefore the application to make use of the above described property for the purpose indicated is hereby approved, subject to all applicable provisions of the Zoning Ordinance and the following conditions:

1. Street yard be provided upon completion of NCDOT improvements to Highway 105 Extension.
2. Perimeter plantings be provided around structure as required by the Town of Boone Zoning Ordinance.
3. Appropriate buffers be planted as required by the Town of Boone Zoning Ordinance with a variance recommended to be granted along the driveway between the applicants's building and Glenn's Auto Parts.
4. landscape Plan be submitted and reviewed by the Community Appearance Commission.
5. Cross easement be obtained to insure access along the driveway for the parking spaces marked 9-19 on the site plan.

6. Appropriate Zoning and Grading Permit Applications are to be made for improvements in the rear and improvements in the rear are to meet all Zoning Ordinance requirements and must be completed prior to issuance of a Certificate of Occupancy.

Lu Ann M. Greene
Lu Ann M. Greene, Admin. Clerk

George W. Bard
George W. Bard, Chairman

NORTH CAROLINA, WATAUGA COUNTY

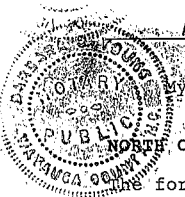
I, Barbara S. Young, a Notary Public of Watauga County, North Carolina, certify that Lu Ann M. Greene, Administrative Clerk in the Department of Planning and Inspections for the Town of Boone, personally appeared before me this day, and being duly sworn, stated that she knows the handwriting of George 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 5th day of May, 1994.

(OFFICIAL SEAL)

Barbara S. Young
NOTARY PUBLIC

My Commission Expires July 31, 1994.



NORTH CAROLINA, WATAUGA COUNTY

The foregoing certificate of Barbara S. Young, Watauga County, NC Notary Public is certified to be correct. This instrument was presented for registration and recorded in the office in Book 286, Page 283.

This 9th day of May, 1994, at 10:33 o'clock A m.

Wanda C. Scott
REGISTER OF DEEDS

by: Jan Howard Deputy

NOTE: Town of Boone Zoning Ordinance Section 15.4.5 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 15.4.4, whichever is later."