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Planning & Inspections
1510 Blowing Rock Road
Boone, NC 28607

Town of Boone



FILED
WANDA C. SCOTT
REGISTER OF DEEDS

96 DEC 18 AM 11:08
BY: *Kathy Burkett*
DEPUTY
WATAUGA COUNTY, NC

TR 0393 337

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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: GERALD ADAMS

PROPERTY LOCATION: 172 CARDINAL LANE

PARCEL IDENTIFICATION NUMBER(S): 2900-94-4319-000

MEETING DATE: OCTOBER 3, 1996

VARIANCE APPROVED: A 14 (fourteen) foot variance from the 14 (fourteen) foot setback requirement for construction of a deck and a 6 (six) foot variance from the 14 (fourteen) foot setback to construct a bedroom addition.

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 allow no reasonable use of the applicants property; **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**

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- 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 14 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 October, 1996.

Valerie A. Porreca
Valerie A. Porreca, Admin. Support Assistant

O. K. Webb
O. K. Webb, Chairman

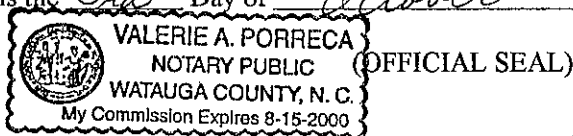
NOTE: If you are dissatisfied with the decision of this Board, an appeal may be taken to the Superior Court of Watauga County within thirty (30) days after the date this order is served on you. See Section 26.4.5 of the Town of Boone Zoning Ordinance.

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, which is later."

NORTH CAROLINA
WATAUGA COUNTY

I, Valerie A. Porreca, 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 October, 1996.



Valerie A. Porreca
NOTARY PUBLIC

My commission expires: Aug. 15, 2000.

**NORTH CAROLINA
WATAUGA COUNTY**

The foregoing certificate of Valerie A. Porreca, of Watauga County, NC
Notary Public, is certified to be correct. This instrument was presented for registration and recorded in the
office in Book 393, Page 337.

This 18th Day of December, 1996, at 11:08 O'clock AM.

Wanda C. Scott
REGISTER OF DEEDS

BY: Kathy Burkett Deputy