

IN THE MATTER OF THE APPLICATION OF **Boyd Hyder**
Applicant,

To the

HENDERSON COUNTY BOARD OF ADJUSTMENT,
Permit Authority

ORDER AMENDING SPECIAL USE PERMIT SUP-12-04

The **HENDERSON COUNTY BOARD OF ADJUSTMENT** having held a quasi-judicial public hearing on July 25, 2012 to consider the application submitted by **Boyd Hyder** and the Variance request on August 29, 2012 have thus amended the July 25th Special Use Permit as follows:

FINDINGS OF FACT

1. A Special Use Permit was approved by this Board on July 25, 2012 and was vested to the site plan presented at the time of application.
2. A quasi-judicial public hearing was held by the Henderson County Board of Adjustment on variance request on August 29, 2012. The variance request was approved thus modifying the site plan.
3. A new site plan was submitted with the variance request dated July 23, 2012.

CONCLUSIONS

1. All parties, and all persons entitled to notice, have been given proper notice of this hearing and afforded the right to be heard.
2. All parties were properly sworn in before the Board of Adjustment and all evidence presented herein was under oath, and was not objected to by any party. All evidence relied upon in this Order was credible and reliable.
3. Henderson County Code 200A-323 grants the Board of Adjustment the jurisdiction to hear and make special use permit decisions and amend these orders.
4. The approved variance request modifies the site plan and thus the Special Use Permit must be amended.

Based on the foregoing **FINDINGS OF FACT** and **CONCLUSIONS** drawn, the **HENDERSON COUNTY BOARD OF ADJUSTMENT** deems the Special Use Permit to be **GRANTED**.

IT IS THEREFORE ORDERED by the **HENDERSON COUNTY BOARD OF ADJUSTMENT** as follows:

The Applicant's Amendment to the Special Use Permit has been GRANTED. The Order shall be amended :

- 1. Special Permit SUP-12-04 is amended to update and replace to the July 23, 2012 site plan.

ORDERED this the 29th day of August 2012

THE HENDERSON COUNTY BOARD OF AJUSTMENT

By: _____
Jim Phelps, Chairman

ATTEST:

Todd Taylor
Secretary to the Zoning Board of Adjustment

ACCEPTANCE BY APPLICANT

I, _____, Applicant, do hereby acknowledge receipt of this order which is the subject of this special use permit request. I further acknowledge that no work may be done pursuant to this permit except in accordance with all of its conditions and requirements and that this restriction shall be binding on the owner and his successors in interest.

This the _____ day of _____, 2012

_____, Applicant

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON COUNTY

I, _____, a Notary Public for said County and State, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the _____ of _____, 2012.

(Official Seal) _____
Notary Public

My Commission Expires _____