



Elmore County Land Use & Building Department

520 East 2nd South Street
Mountain Home, ID 83647
Phone: (208) 587-2142 Fax: (208) 587-2120

Application for a Variance

Fee: \$400.00

This application must comply with the process and standards of Title 7 Chapter 3 **Section 7-3-13** or the Elmore County Zoning and Development Ordinance and Idaho code **Section 67-6516**. This application must be typed or filled out in ink. The Land Use & Building Department does not accept faxed applications. Please attach and reference additional sheets of paper if necessary.

Applicant:

Name Phone/Fax/Email

Street Address City, State, Zip

Property Owner:

Name Phone/Fax/Email

Street Address City, State, Zip

Legal Description of property: _____

Common Directions from a known point: _____

Current Zoning? _____

Is the property located within an Area of City Impact? Y / N If so, which one? _____

Is the property located within a Fire District? Y / N If so, which one? _____

Is the property located within an Area of Critical Concern? Y / N

Is the property located within a Flood Zone? Y / N

State the precise nature of the variance request: _____

What is intended to be done with the property? _____

What special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district?

Why will a literal interpretation of the provisions of this ordinance deprive you of rights commonly enjoyed by other properties in the same district under the terms of this ordinance?

What special conditions or circumstances exist that was not a result of your actions?

Why will granting of this variance not confer on you any special privilege that is denied by ordinance to other lands, structures, or building in the same district?

Agency Comments & Signatures

Notes for agency signatures.

1. It is recommended that applicants set up appointments with the following agencies once the application is complete with all required information.
2. Agency signature does not guarantee any future approvals.
3. Agencies may attach additional sheets of paper for comment and/or conditions if necessary.
4. Agencies may have additional comments and/or conditions at a later time.

• Central District Health (or other Sewer District) Sewer Permit (580-6003) Date
Comment: _____

• Roadway Jurisdiction (MHHD 587-3211) (GFHD 366-7744) (AHD 864-2115) Date
Comment: _____

• Fire District (MHRFD 587-2117) (Oasis 796-2115) (GFFD 366-2689) (BGRFD 834-2511) (AFD 2182) Date
Comments: _____

• Assessor's Office (Verify Legal Description) (ext. 247) Date
Comments: _____

• Treasurer's Office (Verify Tax Status) (ext. 501) Date
Comments: _____

NOTICE TO APPLICANT

A neighborhood meeting must be conducted prior to submitting application. Requirements for neighborhood meetings are outlined in Elmore County Zoning and Development Ordinance Title 7 Chapter 3 Section 7-3-3.

The Planning and Zoning Commission shall hold a public hearing on a Variance application. The public hearing(s) will only be scheduled once the application is complete. The Land Use and Building Department has the discretion to schedule the hearing agencies and department staff has adequate time to review the applications.

The Land Use & Building Department will mail public hearing notices to the property owners or purchasers of records and to any other agencies that may have an interest in the proposal. A Notice of Public Hearing will be published in the Mountain Home News at least 15-days prior to the public hearing. The Land Use & Building Department will post notice of the hearing on the premises not less than seven (7) days prior to the hearing. The applicant will be given notice of the hearing and must be present.

Section 7-3-13: Variances:

Certain uses may require additional variance requirements in other sections of the Ordinance.

A. Process:

- 1. The applicant shall complete a pre-application conference with the Director prior to submittal of an application for a variance; and***

2. *An application and fees shall be submitted to the Director on forms provided by the Department; and*
3. *The Commission and Board shall both conduct public hearings in accordance with Idaho Statute and this Ordinance and apply the standard listed in subsection B of this section and the findings listed in subsection C of this section to review the variance.*

B. Standard: The variance shall comply with Idaho Statute § 67-6516.

C. Required Findings: In order to grant a variance, the Board shall make the following findings:

1. *The variance shall not grant a right or special privilege that is not otherwise allowed in the base zone; and*
2. *The variance relieves an undue hardship due to characteristics of the site; and*
3. *The variance shall not be detrimental to the public health, safety, and welfare.*

The use or construction permitted by the approval of a zoning permit that is a part of this application must be commenced within a 12-month period. If such use or construction has not commenced within that period the variance may not be valid. Prior to the expiration of the 12-month period, the applicant may request from the Planning and Zoning Commission an extension from the original date of approval.

The applicant hereby agrees to pay the fee established by the Board and agrees to pay any additional fees. _____ (initial). (Examples of additional fees include but not limited to County Engineer and County Surveyor).

The applicant also verifies that the application is complete and all information contained herein is true and correct. _____ (initial).

The applicant understands there could be a delay in a decision should the applicant or a representative not be present at the public hearing to answer any possible questions or to clarify information submitted.

Property Owner Signature **Date**

Applicant Signature **Date**

For Administrative Use Only

File Number: VAR-_____

Fee: \$400.00 _____ Date Paid: _____

Receipt Number: _____

Date Accepted: _____ By: _____