

# CITY OF HAYDEN LAKE

P.O. Box 418  
9393 N. Strahorn Road  
Hayden Lake, ID 83835  
772-2161

## VARIANCE APPLICATION

(setback and other subdivision or zoning regulations)

### BACKGROUND

Under State Law the City Council has limited authority to grant variances. Variances may only be granted in the case of exceptional physical conditions, where such strict application would result in practical difficulties or unnecessary hardship that would deprive the owner of the reasonable use of the land or building. These physical conditions must be peculiar to your land only and not be conditions that apply generally to land in your neighborhood or the city. The physical characteristics must be the result of topography or special condition of the site and not caused by or manipulated by man. Lot size or orientation alone, for example, will not give sufficient reason to grant a variance, but the steepness of a lot or the location of rock outcroppings or ledges may be grounds for granting a variance. The City Council cannot grant a variance because your lot is too small or your buildings are located too close to a lot line. If the answer you provide to question No. 4 on page 4 below is "none", then the City Council does not have any legal basis upon which to grant a variance.

### DEADLINE FOR SUBMITTALS

The completed form and documents must be submitted to the City Clerk not later than twenty-five (25) days prior to the date of a regular City Council meeting where a public hearing to consider the variance request can be set. The completed application shall be deemed accepted for the twenty-five (25) day processing period as of the date when all maps are and information have been filed, checked and accepted as complete by the City Clerk, as noted below.

### FEES

The applicant shall pay to the City a fee of \$100.00. The applicant shall also pay the estimated costs to reimburse the City for the cost of all services provided by the City Engineer, City Attorney and other City Officials as well as other direct costs associated with processing the application including costs of mailing and publishing notices.

Date Application and Fee Received: \_\_\_\_\_, 20\_\_\_\_,  
by City Clerk: \_\_\_\_\_  
Date Application Accepted as Complete: \_\_\_\_\_, 20\_\_\_\_,  
by City Clerk: \_\_\_\_\_

Please type or print the following required information:

**APPLICANT:**

Name of Applicant: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

**Filing Capacity:**

\_\_\_\_\_ 1. Recorded property owner as of \_\_\_\_\_  
(date)

\_\_\_\_\_ 2. Purchasing (under contract) as of \_\_\_\_\_  
(date)

\_\_\_\_\_ 3. The Lessee or Renter as of \_\_\_\_\_  
(date)

\_\_\_\_\_ 4. The authorized agent of any of the foregoing, duly authorized in writing.  
(Written authorization must be attached to the application)

**Architect, Engineer and/or other professional assisting with application:**

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

**PROPERTY:**

**Legal description of property:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

The application shall contain and be accompanied by the following information:

- (1) An accurate scale drawing of the site including any affected adjacent property and showing the location of all existing and proposed structures, the maximum dimensions of all existing and proposed buildings, streets, easements, property lines, setbacks, driveways, pedestrian walkways, off-street parking and off-street loading facilities and landscaped areas, buffering or other similar elements of site design.
- (2) A physical description of all buildings and architectural drawing(s) of all proposed buildings showing height, dimensions, design, exterior finish and other appropriate aspects of the building.
- (3) An ownership list prepared by a person or entity with appropriate expertise in the preparation of ownership lists, including a title company, or a list obtained through the County Assessor's office, and shall list the boundaries of the property described in the application, using the last known name and address of such owners as shown of the latest adopted tax roll of the County. The list shall also include a list of residents for property that is not owner occupied. Both lists will identify property owners and residents within the subject property and within a radius of three hundred feet (300') from the external boundaries of the property described in the application.

The application shall also include a narrative describing the request, stating :

1. The current requirements or regulation that apply to the property from which the variance is being requested: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. The exact nature of the variance being requested: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
3. What, if any, detrimental effect the request would have on adjacent property and improvements: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. What physical characteristics of the property are different from other property in

the City: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Why the physical characteristics of the property cause an undue hardship: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Why the variance is necessary to preserve the enjoyment of a substantial property right of the applicant: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. Why it would be in the best interest of the City to approve this request for a variance: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. What special conditions or contingencies should be applied to approval of this variance: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

9. Any other justification you feel is important and should be considered by the Council: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**CERTIFICATION**

\_\_\_\_\_, being first duly sworn, deposes and says that \_\_\_\_\_  
is the applicant in this application and knows the contents thereof to be true to \_\_\_\_\_  
knowledge.

Signed: \_\_\_\_\_

SUBSCRIBED and SWORN to before me this \_\_\_\_\_ day of  
\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Idaho  
Residing at \_\_\_\_\_  
Commission Expires: \_\_\_\_\_

I have read and consent to the filing of this application as the owner of record of  
the area being considered in this application.

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone #: \_\_\_\_\_

Signature: \_\_\_\_\_

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