

# City of Deary, Idaho

FOR CITY USE ONLY
Date Received
Date Approved

## APPLICATION FOR VARIANCE

(Please type or print with dark ink)

A variance is a modification of the strict terms of the relevant regulations where such modifications will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship. A variance is a modification of the requirements of this title as to lot size, lot coverage, width, depth, front yard, side yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure or the placement of the structure upon lots, or the size of lots.

### GENERAL INFORMATION

**1. Applicant:**

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

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

Relation to affected property (please check one):

Owner \_\_\_\_\_ Purchaser \_\_\_\_\_ Lessee \_\_\_\_\_ Other (explain below)

\_\_\_\_\_

**2. Owner of Affected Property (if other than applicant)**

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

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

\_\_\_\_\_

**3. Location of Affected Property:**

\_\_\_\_\_

(street address)

This application must be filed with the City Clerk prior to the regular Planning & Zoning Commission meeting.

The following materials must be included in this application before it will be accepted:

- A plot plan containing the information specified in Question 3
- Names and addresses of property owners within three hundred feet (300') of the property

**City of Deary Code 17.04.240**

Applications for variances to the code shall be considered when they are not contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance will result in an unnecessary hardship because of the *physical characteristics* of the site. A variance shall not be considered a right or privilege and will only be granted to the applicant if hardship is proven and it is not in conflict with the public interest.

The applicant shall be required to provide proof of the following in their application:

1. What physical characteristic of the site exists to cause a hardship? (if not enough room attach additional sheet)

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2. What hardship has been caused and why does it impose undue burdens upon the property owner?

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3. Evidence that the owner, or previous owners, through their own actions did not cause the hardship.

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Upon receipt of any application the City Council may determine to hold a public hearing and in that event shall follow the notification and public hearing requirements specified in title 67, Idaho Code. It shall be the applicant's responsibility to collect and turn into the City as part of his/her application the names and addresses of all property owners within three hundred feet (300') of the property (excluding streets and alley) if such notification is required. The applicant shall reimburse the City any notification costs.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date