



City of Victor, Idaho Variance Application

Permit #: VAR _____

Date Received: _____

IWORQ #: _____

Unit 101, 10 South Main St. | PO Box 122 Victor, ID 83455 | Ph: 208-787-2940 | Fax: 208-787-2357 | www.victorcityidaho.com

Variations can only be approved if they are related to the zoning requirements of the Land Development Code, more specifically, relating to lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space, height of buildings, or other ordinance provision affecting the size or shape of a structure, the placement of the structure upon lots, or the size of lots.

OWNER: _____ **PHONE:** _____

***APPLICANT:** _____ **PHONE:** _____

* If the applicant is someone other than the owner, a notarized statement authorizing applicant to act as an agent for the owner must accompany this application.

APPLICANT MAILING ADDRESS: _____

APPLICANT EMAIL ADDRESS: _____

PROPERTY ADDRESS: _____

PARCEL NUMBER(S): _____ **CURRENT ZONE:** _____

ARE ANY OTHER APPLICATIONS BEING SUBMITTED CONCURRENTLY? YES/NO _____

IF YES, WHAT APPLICATIONS: _____

DESCRIPTION OF VARIANCE REQUEST: _____

APPLICATION SUBMITTAL REQUIREMENTS

- WARRANTY DEED**
- NOTARIZED AUTHORIZATION LETTER FROM PROPERTY OWNER** *(If applicable)*
- ALL PLANS/STUDIES IDENTIFIED DURING PRE-APPLICATION MEETING**
- SITE PLAN AS IDENTIFIED DURING PRE-APPLICATION MEETING**
- NARRATIVE STATEMENT CONTAINING THE FOLLOWING:**
 - Description of the existing use of property.
 - Description on the standard you are looking to vary.
 - Identification of how this application meets the approval criteria outlined in the Land Development Code Ch.14.7.13.B.
- ANY OTHER INFORMATION REQUESTED BY THE ADMINISTRATOR TO DETERMINE IF THE PROPOSED APPLICATION MEET THE INTENT AND REQUIREMENTS OF THE VICTOR LAND DEVELOPMENT ORDINANCE.**

EVALUATION CRITERIA

The approval or denial of the Variance Application shall be based upon the following standards and criteria, which can be found in the Land Development Code Art 14.7.13.B.

1. A literal interpretation of the provisions of this Code would effectively deprive the applicant of rights commonly enjoyed by other properties of the zoning district in which the property is located;
2. Granting the requested variance will not confer upon the property of the applicant any special privileges that are denied to other properties of the zoning district in which the property is located;
3. The requested variance will be in harmony with the purpose and intent of this Code and will not be injurious to the neighborhood or to the general welfare;
4. The special circumstances are not the result of the actions of the applicant;
5. The variance requested is the minimum variance that will make possible the proposed use of the land, building, or structure;
6. The variance does not permit a use of land, buildings or structures, which is not permitted by right in the zoning district; and
7. The variance does not reduce the lot size below the minimum lot size allowed in the zoning district.
8. If applicable, all variances requested in the Trail Creek Flood Damage Prevention Overlay conform with the requirements of Title 11: Flood Control.

REVIEW AND APPROVAL PROCESS

The process for a Variance is outline in the Land Development Code Art. 14.7.13.

1. Upon determination of a complete application, the Administrator will schedule the Development Review Committee (DRC) meeting with internal and external agencies.
2. Following the DRC meeting the Administrator will certify the application as compliant and will schedule it for the next available Planning and Zoning Commission Public Hearing. After an application has been certified no material changes can be made to the application.
3. The Planning and Zoning Commission will conduct a public hearing and review the application in accordance with the required approval criteria, and voting to approve, approve with modification, or deny the variance request.

APPEAL

Applicants or affected property owners unsatisfied with the Commission's decision based on the identified criteria for approval, may submit in writing an appeal identifying the specific criteria that were not met along with the associated fee no more than 14 days after the written decision of the Commission's decision is delivered. The appeal will be heard by the Council. Decisions of the Council are final. Applicants or affected property owners shall have no more than 14 days after the written decision is delivered to request reconsideration by the Council. If still not satisfied with a decision of the Council, one may pursue appeals to District Court within 28 days of the written decision being delivered.

ACCEPTANCE

The Planning & Zoning Administrator reserves the right to decline acceptance this application until all required information and the application fee have been submitted.

The Planning & Zoning Administrator reserve the right to take photographs and/or videos of the property under consideration as deemed necessary as an addendum to the file.

Under penalty of law I hereby certify that I have read and understand this application and state that the information herein is correct. I swear (affirm) that any information which may hereafter be given by me in hearings before the Victor Planning & Zoning Commission of the City Council shall be truthful and correct.

APPLICANT'S SIGNATURE: _____ **DATE** _____

OWNER'S SIGNATURE: _____ **DATE** _____

OFFICE USE ONLY

FEE - \$745.00 *(Additional fees may be billed for direct charges, such as review by contracted specialist. Etc.)*

RECEIPT #: _____ DATE RECEIVED: _____ RECEIVED BY: _____