



Fremont County  
 Planning & Building Department  
 125 North Bridge St. Suite 1  
 St. Anthony, ID 83445  
 (208)624-4643 Office  
 (208)624-1320 Fax

**CLASS II PERMIT**

**VARIANCE**

Proper fee paid which varies with type of Variance

Permit # \_\_\_\_\_  
 RA: \_\_\_\_\_  
 Date: \_\_\_/\_\_\_/\_\_\_

**SUBMITTALS:**

- Detailed letter by the applicant describing the request or project.
- Meets and bounds legal description of the property including a Microsoft Word® electronic word document to be provided at the time of acceptance.
- Parcel Map. Available from the Assessor's office.
- Warranty deed or evidence of the proprietary interest.

**SITE INFORMATION:**

Location: Quarter: \_\_\_\_\_ Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_ Total Acres \_\_\_\_\_  
 Site Address (Maybe issued if a Building Permit is applied) \_\_\_\_\_  
 Tax Parcel Number(s): \_\_\_\_\_ District \_\_\_\_\_ Assessor's Categories \_\_\_\_\_

**OWNERS:**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_

**APPLICANT:**

Name \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_

I consent to this on-site review and allow Planning and Building Staff to enter the property for site inspections related to this application.

I certify information is correct to the best of my knowledge.

\_\_\_\_\_  
**Signature: (Owner)**

\_\_\_\_\_  
**Signature: (Applicant)**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Date**

**Specific Action of Variance Being Requested:** \_\_\_\_\_

---

---

---

**Grounds for Variance:**

---

---

---

---

---

---

---

---

---

---

**Chapter III of the FCDC**

**N. Variances.** Variances are intended to provide relief for landowners who, due to some unique physical characteristic of their property that is beyond their control, would have no beneficial use of the property if this ordinance is strictly enforced. Applications for variances shall follow the procedure described here. Applications for variances may be combined and processed simultaneously with applications for Class II permits.

1. The developer shall file a properly completed application form, the required supporting materials, and the required appeal fee with the administrator.
2. The administrator shall place a hearing on the variance on the agenda of the next regular commission meeting for which the notice requirements can be met and at which time will allow its proper consideration. Notice requirements for a variance shall be the same as for a Class II permit, and Class II permit and variance hearings may be combined where appropriate. Where such a combination is made, the hearing notice shall specifically describe the proposed variance, including a citation of the sections of this ordinance from which a variance is requested.
3. The commission shall conduct a hearing on the proposed variance following the procedure established in III.O. No application for a variance shall be reviewed if the developer or a representative is not present.
4. The commission shall approve a variance only upon finding that:
  - a. the need for a variance results from physical limitations unique to the lot or parcel on which the variance is requested;
  - b. failure to approve the variance will result in undue hardship because no reasonable conforming use of the lot or parcel is possible without a variance;
  - c. the alleged hardship has not been created by action of the owner or occupants;
  - d. approval of the variance will not create a nuisance, result in potential harm to adjoining properties or the neighborhood, or have adverse affect on the implementation of the comprehensive plan; and
  - e. the variance approved is the minimum relief from the requirements of this ordinance necessary to permit a reasonable conforming use.
  - f. Additional findings are required for variance in the Airport and Floodplain Overlay Zoning Districts: see Chapters X and XI.
  - g. Conditions may be attached to the approval of any variance, as provided in III.J.
5. The administrator shall notify the developer and interested parties of the commission’s decision within 10 days.
6. The commission’s decision may be appealed to the board using the appeals procedure of III.M. A notice of any such appeal shall be filed with the administrator within 10 days after notice of the decision has been issued. Developers proceed at their own risk during this appeal period.