

GOLDEN GATE HIGHWAY DISTRICT NO. 3

Application for Variance Permit

HSDP § 2140

[This is a 4-page form]

Information to Applicant:

1. The Applicant must complete this form and pay the filing fee before the Highway District will process this form.
2. All relevant information and attachments must be supplied. Please mark non- applicable portions of the application form "N.A." The information on the application for completeness shall be determined by the Secretary of the Highway District, which shall include a determination of the application/s fee/s. No application shall be considered filed by the Highway District unless the application form is completed, and the application/s fee/s has been received by the Highway District's Secretary/Treasurer.
3. This form includes relevant initial routing information which is completed by Highway District staff.
4. All applications provided in this form are filed with the Secretary of the Highway District at the administrative office located at 500 Golden Gate Ave., Wilder, Idaho 83676.
5. Applicant, if a natural person, must be over the age of 18.
6. In the event the Applicant is a legal entity, attach Certificate of Secretary of State: [Applicant must be, if not a natural person, an entity in good standing in the State of Idaho; or a registered trust.] Certificate of Secretary of State attached: _____
Trust registration statement attached: _____

TO: Director of Highways and Commissioners
Golden Gate Highway District No. 3

Applicant: _____

Address: _____

Phone: _____ Cell: _____

Fax: _____ E-mail: _____

Date: _____

Information to Applicant: In accordance with Section 2140.010 of the *Highway Standards and Development Procedures for the Association of Canyon County Highway Districts [ACCHD] Manual* [current edition] the same provides:

Purpose: The Highway District may grant variances in order to prevent or to lessen such practical difficulties and unnecessary physical hardships as would result from a literal interpretation and enforcement in certain of the regulations prescribed by these Standards.

A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon showing 1) undue hardship because of special characteristics applicable to the site, and 2) the variance is not in conflict with public interest. Hardships must result from special site characteristics, from geographic, topographic or other physical conditions, or from population densities, existing street locations or traffic conditions.

The purpose of a variance is to provide fair treatment and to see that individuals are not penalized because of site characteristics beyond their control.

In accordance with Section 2140.030 of the *Highway Standards and Development Procedures for the Association of Canyon County Highway Districts [ACCHD] Manual* [current edition], the same provides:

Duration of Approval: The use or construction permitted under the terms of any variance shall be commenced within a six (6) month period. If such use or construction has not commenced within such time period, the variance shall no longer be valid. Prior to the expiration of the six (6) month period, the District, upon request of the applicant, may extend the variance for up to an additional six (6) months from the original date of approval. No additional extensions will be allowed.

APPLICATION INFORMATION AND ALLEGATIONS:

1. Describe the subject real property for which this application appertains. [Attach legal description]

2. Describe the nature of the ownership interest of the applicant of the subject real property. [Attach deed or other written evidence of ownership interest]

3. Identify name and address of any other owners of subject real property: (Other owners shall join or consent to application and attach consents to this application or herein explain why their consent is not required):

4. Identify the section number in *Highway Standards and Development Procedures for the Association of Canyon County Highway Districts [ACCHD] Manual* [current edition] from which the applicant seeks a variance:

5. State the Highway District Standard and, in specific terms, state the variance requested:
[Use this space to set forth the language of the desired order.]

COMPLETE THIS PART IF THIS IS AN APPLICATION UNDER SECTION HSDP § 2140.020 (A)
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[NOTE: If this is an application for location of fences, walls or hedges based upon substitute plan under section 2140.020 (B) of *Highway Standards and Development Procedures for the Association of Canyon County Highway Districts [ACCHD] Manual* [current edition], go directly to end of this application and do NOT fill out any other portions of this application.]

What undue hardship will result if the application is not granted because of the following?

- 1) Special characteristics applicable to the site:

- 2) Why will the granting of the variance not be detrimental to the public health, safety or welfare or be materially injurious to properties or improvements in the vicinity?

- 3) Why would the literal interpretation and enforcement of the *Highway Standard and Development Procedures* result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of those standards or procedures?

- 4) What are the extraordinary site characteristics applicable to the property involved or to the intended use of the property which do not apply generally to other properties?

- 5) Why would a literal interpretation and enforcement of the standards deprive the applicant of privileges enjoyed by the owners of other properties?

- 6) Why will the granting of the requested variance not constitute a grant of special privilege inconsistent with the limitations on other properties?

