



# CITY OF EAGLE

660 E. Civic Lane, Eagle, ID 83616  
Phone #: (208) 939-0227 Fax #: (208) 938-3854

## VARIANCE APPLICATION TITLE 8

FILE NO.:	_____	FEE:	_____
CROSS REF. FILES:	_____		

APPLICANT: \_\_\_\_\_ PHONE: \_\_\_\_\_  
 Owner     Purchaser

APPLICANT ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

APPLICANTE EMAIL: \_\_\_\_\_

OWNER: \_\_\_\_\_ PHONE: \_\_\_\_\_

OWNER ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

OWNER EMAIL: \_\_\_\_\_

REPRESENTED BY: \_\_\_\_\_ PHONE: \_\_\_\_\_  
(IF DIFFERENT FROM ABOVE)

REPRESENTATIVE ADDRESS: \_\_\_\_\_  
\_\_\_\_\_

REPRESENTATIVE EMAIL: \_\_\_\_\_

ADDRESS OF PROPERTY: \_\_\_\_\_  
DISTANCE FROM MAJOR CROSS STREET: \_\_\_\_\_

PARCEL NO.: \_\_\_\_\_

(APPLICANT TO VERIFY WITH ADA COUNTY ASSESSOR'S OFFICE)

# Application Submittal Requirements

	Applicant Use		Staff Use
1.	<input type="checkbox"/>	Legal description of property.	<input type="checkbox"/>
2.	<input type="checkbox"/>	Copy of Deed.	<input type="checkbox"/>
3.	<input type="checkbox"/>	If the applicant is not the owner provide a notarized statement from the owner stating the applicant is authorized to submit this application.	<input type="checkbox"/>
4.	<input type="checkbox"/>	Names and addresses of all adjoining owners of property and residents within three hundred feet (300') of the external boundaries of the land being considered as shown on record in the County Assessor's Office. The addresses shall be submitted to the City on two sets of address labels including a map showing the addresses in relation to the land being considered.	<input type="checkbox"/>
5.	<input type="checkbox"/>	One (1) 8 1/2" x 11" vicinity map.	<input type="checkbox"/>
6.	<input type="checkbox"/>	A written statement describing the existing use and existing zone classification.	<input type="checkbox"/>
7.	<input type="checkbox"/>	<p>A written statement of justification addressing the nature of and reason for the variance. Include in the justification letter information demonstrating that the requested variance conforms to the following standards:</p> <ol style="list-style-type: none"> <li>1. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district;</li> <li>2. That a literal interpretation of the provisions of this title would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this title;</li> <li>3. That special conditions and circumstances do not result from the actions of the applicant; and</li> <li>4. That granting the variance requested will not confer on the applicant any special privilege that is denied by this title to other lands, structures or buildings in the same district.</li> </ol>	<input type="checkbox"/>

## POSTING REQUIREMENTS OF THE CITY OF EAGLE EAGLE CITY ORDINANCE #312 2/10/98 (ECC 8-7-8)

Posted Notice: Except as noted within this paragraph, any time notice is required, the land being considered shall be posted not less than ten (10) days prior to the Planning and Zoning Commission hearing and again not less than ten (10) days prior to the City Council hearing. Except as noted herein, posting of the property must be in substantial compliance with the following requirements:

1. Signage Requirements:
  - a. The sign(s) shall consist of 4' x 4' plywood or other hard surface mounted on two (2) 4" x 4" posts in such a manner that it is perpendicular to the roadway along which the sign is posted and the bottom of the sign is at least three-feet (3') above the ground.
  - b. Centered at the top of the 4' x 4' sign board(s) in six-inch letters shall be the words "Public Notice". In addition, each sign will inform the public of the name of the applicant, and if applicable, the proposed development, the date, time, place, and nature of the public hearing and a summary of the proposal to be considered. Each sign shall be painted white and the letters shall be painted black and shall appear on both sides. An example of this sign is set forth in the attached illustration.

Size = 6 inches-----  
 Size = 2 inches-----  
 Size = 1.5 inches-----  
 Size = 1.5 inches-----

**PUBLIC HEARING NOTICE**

Eagle Planning and Zoning Commission

THE CITY OF EAGLE will hold a public hearing on May 9, 1999, at 7:00 P.M. at Eagle City Hall.

PURPOSE: Annexation and Zoning- You-Name-It Subdivision- Zoning R-4, Subdivision Preliminary Plat, 7.66 acres, 29 lots, single family dwelling, 1 lot open space/drainage w/ landscaped entryway.

Size = 1.5 inches-----

Size = 1.5 inches-----

LOCATION: SW corner of Second St. and State St.

APPLICATION BY: Average citizen, USA, Inc.

- c. In lieu of the above conditions, for conditional use permit applications made pursuant to Eagle City Code Section 8-3-2(E) (Mobile Home - temporary living quarters) of this Title only, the sign shall consist of one (1) 11" x 17" sign on paper or other material and lettering sufficient to inform the public of the name of the applicant, and, if applicable, the proposed development, the date, time, place, and nature of the public hearing and a summary of the proposal to be considered.
- 2. The sign(s) shall be posted on the land being considered along each roadway that is adjacent to it. The signs shall be located on the property outside of the public right-of-way, if they can be so located and remain clearly visible from the roadway; otherwise, the consent of the owner of the right-of-way must be obtained and the sign(s) located therein. Except as noted herein, if the land being considered consists of more than one parcel of record, a sign must be located upon each parcel. The Zoning Administrator, upon finding that adequate notice will be provided, may not require all signs to comply with the size requirements of Subsection 1 above. In the event that the land being considered includes properties with 500-feet or more of road frontage, a sign shall be placed on each end of the property roadway frontage. If this property includes a corner lot, three signs shall be posted, one on the corner and one on each end of the property roadway frontages.
- 3. The applicant shall submit a certification to the City Clerk no later than seven (7) days prior to the hearing as to what, where, and when sign(s) were posted. Unless the certification is received by such date, the hearing will be canceled.
- 4. No later than three (3) days after the noticed hearing and any continuation thereof, sign(s) must be removed. A penalty of \$25.00 per day shall be imposed against each applicant for late removal of the signs.

**NOTE:**

**IF THE CITY COUNCIL OR THE ZONING ADMINISTRATOR DETERMINE THAT ADDITIONAL AND/OR REVISED INFORMATION IS NEEDED, AND /OR IF OTHER UNFORSEEN CIRCUMSTANCES ARISE, ANY DATES OUTLINED FOR PROCESSING MAY BE RESCHEDULED BY THE CITY.**

APPLICANT/REPRESENTATIVE MUST ATTEND THE CITY COUNCIL MEETING.

Eagle City Code Section 1-7-4 (A) states, "Fee Schedule Established: The city clerk or their designee, at the time of the filing of a land use application, petition, or receipt of an area of impact referral, shall collect the fee and/or deposit established by resolution of the city council together with a deposit for any direct costs incurred by the city to review such requests by architects, engineers, attorneys, or other professionals necessary to enable the city to process said application, petition, or referral in an informed manner." Direct costs, as underlined in 1-7-4 (A) above, shall be required to be paid by the applicant in a time frame to be determined by the City Policy for Collection and Enforcement of Deposits and Fees for Land Use Action as approved and adopted by the Eagle City Council.

**NOTE: The processing of an application shall be delayed or stopped if deposit balances and direct costs are not reimbursed as required in accordance with the adopted policy.**

**The City does not guarantee acquisition of public services provided by any agency. The developer, property owner and/or applicant of this Variance application does hereby release and indemnify and hold harmless the City of Eagle from any and all claims, cost, damages, etc., from any individual or organization regarding the acquisition of services which are not affiliated with the City, including but not limited to, central water service, sanitary sewer service, access to public roads and fire protection.**

**"Regulatory Taking Notice: Applicant has the right, pursuant to section 67-8003, Idaho Code, to request a regulatory taking analysis."**

Signature of Applicant/Representative \_\_\_\_\_ Date \_\_\_\_\_

Printed name of Applicant/Representative \_\_\_\_\_ Date \_\_\_\_\_

Signature of receipt by City staff \_\_\_\_\_ Date \_\_\_\_\_