

Valley County Planning & Zoning Department

219 N. Main
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Phone 208-382-7115
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Variance Application

See Section 9-5H-10 Valley County Code

TO BE COMPLETED BY THE PLANNING AND ZONING DEPARTMENT		<input checked="" type="checkbox"/> Check # _____ or <input type="checkbox"/> Cash
FILE # <u>V-4-21</u>		FEE \$ <u>250</u>
ACCEPTED BY _____		
CROSS REFERENCE FILE(S): _____		DATE <u>9-2-2021</u>
PROPOSED USE: <u>setback from high-water line</u>		
<input type="checkbox"/> Shared Driveway	<input checked="" type="checkbox"/> Setback Variance	<input type="checkbox"/> Other

Applicant Name Devin and Jennifer Delaney

Applicant Signature *J Delaney Devin Delaney* Date 8/27/21

Mailing Address 1738 N. Henderson Ave
Meridian, ID 83646

Phone / Email Info [REDACTED]

Property Parcel Number Parcel # 30 RP002480000300

Parcel Physical Address 2434 Palladin Road Smiling Julie

Required Attachments

1. Proposed Site Plan
2. Narrative statement demonstrating:
 - That special conditions and circumstances exist which are not a result from any action of the Applicant, which are peculiar to the land use or structure involved, and which are not applicable to other similar or adjacent lands, uses, or structures.
 - That granting the variance requested will not result in any special privilege otherwise denied to other similar or adjacent lands, uses, and structures.

Pursuant to "Idaho Code", Section 67-6516 and Section 9-5H-10 of the Valley County Code, the Planning and Zoning Commission shall be empowered to grant variances relaxing or modifying the requirements of the Valley County Land Use and Development Ordinance with respect to lot size, setbacks, parking space, height of buildings, or other provisions of this Ordinance affecting the size or shape of a structure or the placement of the structure upon lots, and other land use requirements of this ordinance.

A variance may be granted if:

- the applicant can prove undue hardship is a result of characteristics of the site,
- that special conditions and circumstances exist which are not a result from any action of the applicant, which are peculiar to the land use or structure involved, and which are not applicable to other similar or adjacent lands, uses, or structures, and
- that granting the variance requested will not result in any special privilege otherwise denied to other similar or adjacent lands, uses, and structures.

In the case of the Planned Unit Development (PUD) involving variations from the requirements of this Ordinance, it shall not be necessary for the applicant to file a separate application for such variances.

Procedure:

- When an application has been submitted, it will be reviewed in order to determine compliance with application requirements. A hearing date will be scheduled only after an application has been accepted as complete or if applicant requests the hearing in writing.
- The fee set by resolution of the Board of County Commissioners shall accompany the variance application. The fee is \$250.00.
- An application for a variance shall be reviewed by the Administrator and the Planning & Zoning Commission in accordance with Valley County Code Section 9-5H-11. The Administrator shall post notice of the public hearing to the applicant, adjoining property owners, and the public in accordance with Section 9-5H-6B.
- A variance may be granted if the Planning & Zoning Commission makes specific findings of fact based directly on the particular evidence in the application which support conclusions that the above conditions have been met by the applicant.
- Within ten (10) days after a decision has been rendered, the Administrator or staff shall provide the applicant with written notice of the action by regular mail if so requested by the applicant.
- The Planning & Zoning Commission's decision shall be a recommendation to the Board of County Commissioners.
- The County Clerk, upon receipt of a recommendation from the Commission, shall set the item on the agenda of the Board at the earliest possible regular Board meeting.
- The Board shall consider and act upon the Commission's recommendations by following the procedures outlined in Valley County Code Section 9-5H-11.
- A permit for the variance may be issued by the Administrator or staff after approval of the Board of County Commissioners.
- Subject to Idaho Statute 55:22 Underground Facilities Damage Prevention.

RE: 2434 Palladin Road in Donnelly, Idaho

August 27th, 2021

To Whom it May Concern,

We are submitting a request of variance to be allowed to place our home closer to the creek located on the north side of our property. We are asking for a 13-foot easement to the creek for the following reasons.

First and foremost, we want our home to blend in with the surrounding landscape. Due to the size and shape of the structure, the current 30' setback from the creek located on the north side of the property, would require that the house sit up higher on the property. There are large boulders on the property that we'd like to keep, to maintain the natural beauty of the property itself. If left as is, the home would have to be raised to sit on top of the 2 large boulders. The variance request of a 13-foot easement to the highwater mark of the creek, would allow the structure to be placed further north towards the creek and lower on the property, to not block any views of potential structures on the property across the street. This would situate the home between the creek and the boulders. Lastly, with the pitch of our house, there would be no danger of snow falling into the creek, as the pitch is west to east. We'd like to keep the 20' setback from the road, keeping the driveway shorter.

Thank you for your consideration,

Devin and Jennifer Delaney

A handwritten signature in blue ink, appearing to read "D. Delaney". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

