



FENCE VARIANCE APPLICATION

Hayden Lake Building Department
9393 North Strahorn Road
Hayden Lake, ID 83835
208-772-2161
deputyclerk@cityofhaydenlake.us

BACKGROUND

Variations to allow fences to be built and maintained at a height greater than otherwise allowed under city regulations may only be granted where strict application of the fence regulations would result in practical difficulties or hardship to a property owner and the variance is not detrimental to the public interest. The City Council will not grant a variance in fence height when the new fence will create a sight distance hazard. Before the City Council will consider a request to vary the height of a fence, the applicant must provide all adjoining neighbors notice of the request in writing. The written notice must be mailed or delivered at least 10 days before the City Council meeting at which the request is to be heard. The written notice must clearly describe the fence variance that is being requested, including the location of the fence, the proposed building materials to be used and the reasons why the request is being made. The written notice must also inform the neighbors of the date that the City Council will consider the request and that they are invited to provide comment in writing or in person to the City Council at the meeting. Once the notice has been given, and not later than the day before the scheduled City Council meeting, the applicant shall provide to the City Clerk a copy of the written notice that was provided to the neighbors and the applicant shall complete an affidavit for the City Clerk confirming that notice was provided as required to all neighbors identified as part of this application. If any neighbor does not receive notice and brings a complaint against the fence, the City Council may revoke the permit.

SUBMITTALS

The completed form and documents must be submitted to the City Clerk not later than twenty-five (25) days prior to the date of a regular City Council meeting where the request for a fence variance can be heard by the City Council. The completed application shall be deemed accepted for the twenty-five (25) day processing period as of the date when all maps and information have been filed, checked and accepted as complete by the City Clerk, as noted below. **This item will not be set for Council consideration until the application is complete and accepted.**

FEES

At the time the application is filed the applicant shall pay to the City a fee of \$50.00. The applicant shall also pay the estimated costs to reimburse the City for any and all costs incurred to mail or publish notice of the requested variance and reimburse the City for the services of the City Engineer, City Attorney and other City Officials required to process the application.

<i>FOR OFFICE USE ONLY</i>	
Application Fee: \$ _____	Publication Fee: \$ _____
Mailer Fee: \$ _____	Total Amount Paid \$ _____
Cash ____ Money Order ____ Check # _____	
Date: _____	Employee: _____



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Please type or print the following required information:

APPLICANT:

Name of Applicant: _____
Mailing Address: _____
Telephone Number: _____

Filing Capacity:

- _____ 1. Recorded property owner as of _____ (date)
- _____ 2. Purchasing (under contract) as of _____ (date)
- _____ 3. The Lessee or Renter as of _____ (date)
- _____ 4. The authorized agent of any of the foregoing, duly authorized in writing. (Written authorization must be attached to the application)

Architect, Engineer and/or other professional assisting with application:

Name: _____
Mailing Address: _____
Telephone Number: _____

Legal description of property:

The application shall contain and be accompanied by the following information:

- (1) An accurate scale drawing of the site including any affected adjacent property and showing streets, property lines and the location of all existing structures located within 10' of the fence.
- (2) A physical description of and location of the proposed fence showing height, building material and other appropriate aspects of the fence.
- (3) A list, prepared by the applicant, of the names and addresses of all property owners adjoining the applicant's property including property that may be separated by a street or road.



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The application shall also include a narrative describing the request, stating:

1. The exact nature of the fence being requested: _____

2. What, if any, detrimental effect the fence would have on adjacent property and improvements:

3. Why the fence is necessary:

4. Why it would be in the best interest of the city to approve this request for a fence variance:

5. What special conditions or contingencies should be applied to approval of this variance:

9. Any other justification you feel is important and should be considered by the Council:



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CERTIFICATION

_____, being first duly sworn, deposes and says that _____ is the applicant in this application and knows the contents thereof to be true to _____ knowledge.

Signed: _____

SUBSCRIBED and SWORN to before me this ____ day of _____, 20__.

Notary Public in and for the State of Idaho

Residing at _____

Commission Expires: _____

I have read and consent to the filing of this application as the owner of record of the area being considered in this application.

Name: _____

Address: _____

Phone #: _____

Signature: _____

Date Application & fees Received: _____, 20__,

by City Clerk: _____

Date Application Accepted as Complete: _____, 20__,

by City Clerk: _____