HIGHWAY DISTRICT No.4
15435 HIGHWAY 44
CALDWELL, IDAHO 83607

TELEPHONE 208.454.8135
FAX 208.454.2008

HIGHWAY DISTRICT NO. 4
Application for Variance HSDP § 214

Application Information:

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 15435 Hwy 44, Caldwell, ID, 83607.

5. Applicant, if a natural person, must be over the age of 18. Applicant must be, if not a natural person, an entity in good standing in the State of Idaho; a registered trust; or agent.

ATTACH CERTIFICATE OF SECRETARY OF STATE IN THE EVENT THE APPLICANT IS A LEGAL ENTITY: CERTIFICATE OF SECRETARY OF STATE ATTACHED: _____
TRUST REGISTRATION OR AGENT STATEMENT: _____

HIGHWAY DISTRICT No.4
15435 HIGHWAY 44
CALDWELL, IDAHO 83607

TELEPHONE 208.454.8135
FAX 208.454.2008

Application for Variance HSDP § 214

To: Work Director and Commissioners Highway District No.4

Applicant: _____ **Date:** _____
Address: _____ **Phone:** _____
_____ **Email:** _____

Information to Applicant: In accordance with Section 214.01 of the Highway Standards and Development Procedures for the Highway Districts of Canyon County, Idaho [March 2002 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.

Variances are not intended to allow something done that others do not have a permitted right to do. 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 214.03 of the Highway Standards and Development Procedures for the Highway Districts of Canyon County, Idaho [March 2002 edition] the same provides:

Duration of Approval: The use or construction permitted under the terms of any variance shall be commenced within a six 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 month period, the Highway District, upon request of the applicant, may extend the variance for up to an additional six months from the original date of approval.

APPLICATION INFORMATION:

Description of Right of Way which is subject to the requested variance [Use this space or attach the specific description of subject Right of Way]:_____
_____
_____

Identify the Section in Highway Standards and or Development Procedures from which the applicant seeks a variance [Identify the section number and standard in this space.]:_____
_____
_____
_____
_____

Description of requested variance [Use this space or attach a narrative which includes a complete description of proposed variance]: _____

State what undue hardship will result if the application is not granted because of the following:

What are the special characteristics applicable to the site? _____

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

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

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? _____

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

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

I do hereby certify to the Commissioners of the HIGHWAY DISTRICT NO.4 that I am the applicant or a duly authorized agent for the applicant and that the statements and representations here in are true and correct. This __day of _____, 20____.

_____
Applicant's Signature

THIS SIDE OF FORM FOR HIGHWAY DISTRICT USE ONLY

HIGHWAY DISTRICT NO. 4 ACTIONS:

Date received: _____
Filing Fee: _____/ Paid _____ [Highway District Secretary to initial and date fee paid]

Work Director or designee recommendation to Highway District Commissioners:
Reviewed by Work Director or designee: _____

Denial _____ Approval _____ Approval Subject to Conditions _____

Recommended Wording for order granting variance including recommended conditions: _____
_____
_____

Basis for recommendation: _____
_____

Applicant notified of meeting of Highway District Commissioners when matter to be considered:
Notification Sent: _____ [date] by: _____ Applicant Appeared: _____ Did Not Appear: _____

Action of Board of Highway District Commissioners:

Denial _____ Approval _____ Approval Subject toConditions _____:

Basis for Decision: _____
_____

In the event the Application is approved a PERMIT/LICENSE FOR THE USE OF RIGHT-OF-WAY FOR Approved purposes to be drafted and approve and entered into by the applicant and the Commissioners.

Dated: _____ Signed _____
Chairman, Highway District No. 4

Original Permit/License Agreement prepared and signed by Applicant and Approved by Board of Commissioners: _____ [Initialed by Secretary when completed]

Original Permit/License together with this Applications form is retained in the official Records of the Highway District No. 4 by Secretary and a copy provided to applicant and anyone demanding notice of the decisions.

Signed: _____
Secretary Highway District No. 4