



## FLOODPLAIN VARIANCE APPLICATION

The planning staff is available to discuss this application and answer questions. Once a complete application is received, it will be reviewed by the Planning Administrator or their designee and then scheduled for a public hearing with the Teton County Board of County Commissioners, who will make the final decision at a public hearing. It is recommended that the applicant review Title 12 of the Teton County Code. Application materials may be viewed on the Teton County Idaho website at [www.tetoncountyidaho.gov](http://www.tetoncountyidaho.gov).

*To expedite the review of your application, please be sure to address each of the following items*

### SECTION I: PERSONAL AND PROPERTY RELATED DATA

**Owner:** \_\_\_\_\_

**Applicant:** \_\_\_\_\_ E-mail : \_\_\_\_\_

Phone: (    ) \_\_\_\_\_ Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

**Engineering Firm:** \_\_\_\_\_ Contact Person: \_\_\_\_\_ Phone: (    ) \_\_\_\_\_

Address: \_\_\_\_\_ E-mail: \_\_\_\_\_

### Location and Zoning District:

Address: \_\_\_\_\_ Parcel Number: \_\_\_\_\_

Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_ Total Acreage: \_\_\_\_\_

Present Zoning District: \_\_\_\_\_ Requested Zoning District: \_\_\_\_\_

- Latest Recorded Deed to the Property
- Affidavit of Legal Interest
- Fee in accordance with current fee schedule

I, the undersigned, have reviewed the attached information and found it to be correct. I also understand that the items listed below are required for my application to be considered complete and for it to be scheduled on the agenda for the Board of County Commissioners public hearing.

• Applicant Signature: \_\_\_\_\_ Date: \_\_\_\_\_

I, the undersigned, am the owner of the referenced property and do hereby give my permission to \_\_\_\_\_ to be my agent and represent me in the matters of this application. I have read the attached information regarding the application and property and find it to be correct.

• Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*Fees are non-refundable.*

## **SECTION II: CRITERIA FOR RECOMMENDATIONS AND DECISIONS**

A variance is a grant of relief by the governing body from a requirement of Title 12.

1. Attach a site plan of the property under consideration, drawn to scale showing:
  - Perimeter, dimensions and topography of the property;
  - The names and locations of all streets bordering the property;
  - The location of all easements or rights-of-way;
  - The location and dimensions of present and proposed structures;
  - The distance from all structures to the property lines.
  - Contiguous lots and existing structures on those lots.
  - The mapped flood hazard zones from the effective FIRM, and the floodway.
2. Narrative explaining the basis for the Variance request.
3. Criteria for Variances:
  - (1) Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a small or irregularly shaped lot contiguous to and surrounded by lots with existing structures constructed below the base flood level. As the lot size increases the technical justification required for issuing the variance increases.
  - (2) Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.
  - (3) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  - (4) Variances may be issued upon;
    - (a) A showing by the applicant of good and sufficient cause;
    - (b) A determination that failure to grant the variance would result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws and ordinances.
  - (5) Variances pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods.
  - (6) The granting of the specified variance will not be detrimental to the public welfare or injurious to other property in the area in which the property is situated;
  - (7) Such variances will not violate the provisions of Idaho Code; and
  - (8) The requested variance is not a result of the actions of the applicant.
  - (9) The variance will not have the effect of nullifying the interest and purpose of Teton County Code or the Comprehensive Plan.

## **SECTION III: SPECIFIC REQUIREMENTS FOR PUBLIC HEARING AND NOTICE**

Notification is required in accordance with Title 12 VI. A. (3). Notice shall be provided by mail to property owners adjoining the land being considered, and any additional area that may be impacted by the proposed change. At least fifteen (15) days prior to the hearing, notice of the time, date and place and a summary of the plan to be discussed shall be published in the paper of general circulation within the jurisdiction. This procedure will be completed by the planning staff.

## **SECTION IV: STAFF SUMMARY ANALYSIS, REASONING AND FACT FINDING**

## **SECTION V: BOARD OF COUNTY COMMISSIONER ACTION**