



206 First Avenue South, Suite 310  
Hailey, Idaho 83333  
Land Use Services: 208-788-557  
FAX Number: 208-788-5576

**LAND USE & BUILDING SERVICES  
VARIANCE APPLICATION**

21-110

RECEIVED  
SEP 28 2021

As set forth in Chapter 30, Title 9 of the County Code, of Blaine County, Idaho

BLAINE COUNTY  
LAND USE & BUILDING SERVICES

Contact Information

- (1) Applicant/Agent Name: MICHAEL WINTHER  
Mailing Address: P.O. BOX 293 HAGERMAN, ID 83332  
Phone: 208-539-6498  
Email: billywinther@cableone.net
- (2) Owner Name: MICHAEL AND PATRICIA WINTHER  
Mailing Address: P.O. BOX 293 HAGERMAN, ID 83332  
Phone: 208-539-6498  
Email: billywinther@cableone.net

Project Information

- (3) General Size of Tract: \_\_\_\_\_  
Present Land Use: \_\_\_\_\_  
Existing Zoning: \_\_\_\_\_  
Overlay District(s): \_\_\_\_\_
- (4) Property Address: 105 MCKENZIE LN HAILEY, ID 83333
- (5) Requested Action: (i.e. variance from existing lot width, lot depth, and yard setback, height of building or parking variance).  
VARIANCE - WEST SIDE EXTENSION OF ROOF  
6 1/2' AND EXTENSION OF EAST SIDE INDENT WALLS  
TO BE EVEN WITH REST OF HOUSE
- (6) Required Minimum Setbacks: Front: \_\_\_\_\_ Side: \_\_\_\_\_ Rear: \_\_\_\_\_
- (7) Requested Setbacks: Front: \_\_\_\_\_ Side: \_\_\_\_\_ Rear: \_\_\_\_\_
- (8) Undue Hardship: What undue hardship shall occur if this variance is not granted?  
CONTINUED DETERIORATION OF BUILDING,  
UNHEALTHY AND UNSAFE CONDITIONS
- (9) Offsetting Impacts: Describe any impacts which would be created by granting the variance AND steps the applicant proposes to offset these impacts.  
I DO NOT SEE ANY IMPACTS THIS WOULD  
CAUSE BY GRANTING THIS VARIANCE
- (10) Neighboring Properties: Please itemize neighboring properties that currently intrude into County setbacks.  
105 MCKENZIE LN HAILEY, ID 83333



**Legal Information**

- (11) Legal Description: (Include section, township, range) SEC 4 T 2N  
R 18E B M
- (12) Parcel Number: RP - 000560010010
- (13) Status of Applicant: Is the applicant the owner of the property legally described above? Yes  or No   
If no, explain: \_\_\_\_\_
- (14) Adjacent Ownership: Does the applicant own property adjacent to the area proposed for development? Yes  or No   
If yes, explain: \_\_\_\_\_

**Additional Information**

- (15) Please provide the following:
- a) Legal description of subject property, if not included above.
  - b) Proof of ownership.
  - c) Septic Permit or a letter of approval from the South Central District Health.
  - d) Vicinity map which includes all lands within 1/2 mile of subject property.
  - e) Lot and parcel map. This map can be purchased in the Assessor's Office and the applicant shall include the names of surrounding landowners on it.
  - f) Names and addresses of surrounding landowners within 300' of the exterior boundary of subject property, including private road owners. Names and addresses are to be typed onto self-adhesive copier labels.
  - g) Three (3) copies of site and landscaping plan indicating the proposed location of the building envelope, any changes in present elevations due to grading, and the type and location of existing and proposed planting materials .
  - h) Three (3) copies of Building elevations and floor plan; description of building materials including roofing.
  - i) \$600 variance application fee plus current postage + .15¢ per surrounding land owner mailing fee. County Engineer fees may be assessed in addition to application fee. These fees will be billed by the Land Use office and are payable before the application is considered at public hearing.
  - j) Typed and complete responses to attached Criteria for Review.
  - k) A refundable "Notice" fee of \$50.00 for a Notice board to be posted on site of property being considered for at least 7 days prior to public hearing and returned by the applicant as soon as possible after the hearing.



**ACKNOWLEDGMENT**

(16) The undersigned certifies that (s)he is the owner of the subject property, or an authorized representative, that (s)he has filled in this application to the best of his/her knowledge, and that (s)he agrees to comply with all county codes and state laws, as amended, regulating properties in Blaine County, Idaho. The applicant agrees in the event of a dispute concerning the interpretation or enforcement of the variance permit, in which the County is the prevailing party, the applicant will pay reasonable attorney's fees and costs, including fees and costs of appeal for the County of Blaine.

(17) The undersigned grants permission to County Personnel to inspect any property which is the subject of this application until such time as all condition(s) of approval attached to the application(s) have been satisfied.

SIGNATURE OF OWNER/AUTHORIZED AGENT: M. W. Winter

DATE: 9-27-21

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**ADMINISTRATIVE RECORD**

Required Fee \$600.00 400.00 paid on 9/28/2021

Refundable Notice Board Fee \$50.00 paid on 9/28/2021

Surrounding Landowner Notices  
Current Postage + .15¢ ea x 7 = 490 paid on 9/28/2021

TOTAL 654.90 receipt # 520235

Date Application Certified \_\_\_\_\_

Hearing Date: \_\_\_\_\_

Commission Disposition \_\_\_\_\_

**Variance  
Criteria for Review**

As stated in 9-30-1 of Title 9, Blaine County Code: A "variance" is defined as a modification of the requirements in this Title regarding lot size, lot coverage, width, depth, front yard, side yard, rear yard, setbacks, parking space and location, height of buildings or other provisions affecting the size or shape of a structure or the placement of a structure upon lots or the size of lots.

A variance shall not be considered a right or special privilege, but may be granted to an applicant only upon a showing of undue hardship because of characteristics of the site and only when the variance will not conflict with the public interest. (Ord. 77-5, 3-28-77, eff. 4-7-77)

Pursuant to the directives established in the Blaine County Zoning Ordinance, an applicant for a variance shall present written responses to the variance criteria for review prior to certification of an application by the Administrator. These are the items the Commission shall consider when making a decision regarding the approval, denial or conditional approval regarding a variance application. Not all items have to be true for a variance to be granted.

Please type your explanation and respond to each criterion comprehensively:

A. Whether the granting of the variance will conflict with the public interest as expressed in the Blaine County Comprehensive Plan.

SEE ATTACHMENT

B. Whether there are exceptional conditions, creating an undue hardship, applicable only to the property involved or the intended use thereof, which do not apply generally to the property class of use in the zone or district.

SEE ATTACHMENT

C. Whether the granting of such relief will be detrimental to the public health, safety, or welfare.

SEE ATTACHMENT

D. Whether the owner can derive a reasonable use of his land without a variance.

SEE ATTACHMENT

E. Whether the Variance will effect a change in zoning.

SEE ATTACHMENT

F. Whether the variance will be injurious to the property or improvements of others.

SEE ATTACHMENT