



Fremont County  
 Planning & Building Department  
 125 N. Bridge St. Suite 1  
 St. Anthony, ID 83445  
 (208)624-4643 Office  
 (208)624-1320 Fax

**APPEAL/VARIANCE  
 APPLICATION  
 CLASS II**

Permit # \_\_\_\_\_  
 RA: \_\_\_\_\_  
 Date: \_\_\_\_\_

Of Commission to Board Fee \$750: \_\_\_\_\_  
 Of Administrator to Commission Fee \$495: \_\_\_\_\_  
 Plus notification fees: \_\_\_\_\_

**THIS FORM MUST BE FILLED OUT COMPLETELY**

**SUBMITTAL:** The review process will require 7-10 working days.

**SECTION 1: OWNER INFORMATION**

**OWNERS:**

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_

**APPLICANT:**

Name \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Fax \_\_\_\_\_  
 Email: \_\_\_\_\_

I consent to this application and allow planning & building staff to enter the property for site inspections related to this application.

I certify information is correct to the best of my knowledge.

Signature : (Owner) \_\_\_\_\_ Date: \_\_\_\_\_

Signature (Applicant) \_\_\_\_\_ Date: \_\_\_\_\_

**SECTION 2: PROPERTY DETAILS**

**Legal Description:** Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_  
**Parcel Number** \_\_\_\_\_ **Site Address:** \_\_\_\_\_  
**Owner Name:** \_\_\_\_\_ **Telephone:** (\_\_\_\_) \_\_\_\_\_  
**Address:** \_\_\_\_\_  
**City:** \_\_\_\_\_ **State:** \_\_\_\_\_ **Zip:** \_\_\_\_\_

**SECTION 3: ADDITIONAL REQUIREMENTS**

- Detailed letter** by the applicant describing the request or project.
- Meets and bounds legal description** of the property including a Microsoft Word electronic word document to be provided at the time of acceptance.
- Parcel Map.** Available from the Assessor's office.
- Warranty deed** or evidence of the proprietary interest.

## Chapter III of the FCDC

**M. Appeals.** Any decision of the administrator or commission may be appealed using the procedure described here. A notice of appeal must be filed within 10 days after the administrator's notice of the decision being appealed. Appeals from decisions of the administrator are heard by the commission. Appeals from decisions of the commission are heard by the board.

1. The appellant shall file a properly completed notice of appeal, the required supporting materials, and the required appeal fee with the administrator. If a notice of appeal alleges that a decision of the administrator or commission constitutes a taking of property without just compensation, the administrator shall direct the appeal to the county attorney.
2. The county attorney shall review the allegation that a decision of the administrator or commission constitutes a taking of property without just compensation. This review shall be based on the Idaho Attorney General's checklist (Appendix E) and other information the county attorney deems relevant, including the property rights policy of the plan.
3. The administrator shall place a hearing on the appeal on the agenda of the next regular commission or board meeting for which the attorney's review (if relevant) and notice requirements can be met, and at which time will permit its proper consideration. Notice requirements for an appeal shall be the same as for the original permit application.
4. The commission or board shall conduct a hearing on the appeal following the procedure established in III.O. No appeal shall be heard if the appellant or a representative and, when the appellant is not the developer, the developer or a representative is not present.
5. The commission or board shall determine whether the decision being appealed is in compliance with the comprehensive plan and this ordinance, and affirm, modify, or overturn that decision accordingly. Where a taking of property without just compensation is alleged, the commission or board shall also consider the county attorney's review of the decision, as provided by III.M.2.
6. The administrator shall notify the appellant and interested parties of the commission's or board's decision within 10 days

**SECTION 4: ADDITIONAL REQUIREMENTS**

**Specific Action Being Appealed:** \_\_\_\_\_

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\_\_\_\_\_

**Grounds for Appeal:**

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**OFFICE USE ONLY**

PERMIT: RECEIVED BY: DATE: \_\_\_\_\_

PERMIT APPROVED BY: DATE: \_\_\_\_\_

COMMENTS: