



For Office Use
Date Received 3-31-26
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Employee Initials JD

Request for Variance or to Vacate Property Application

APP No. 2026 - 01

1. **Applicant(s)** *Please Print or Type

Name(s) SHYANE MONTGOMERY

Address 451 W MARKET ST

City Albion State ID Zip 83311

Contact Information- Phone 435-881-0280 Email Shyane21@gmail.com

2. **Owner (if different from applicants)**

Name(s) "

Address _____

City _____ State _____ Zip _____

3. **Subject Property Information**

Street Address 451 W MARKET ST

Legal Description (or attach a legal description)

4. **Nature of Variance or Property Vacation:**

Describe the nature of the Variance or Vacation being requested and the provisions of the Zoning

Ordinance affected:

I would like to have the road on my property dissolved

Provide a written narrative statement regarding the following provisions of Albion City Code

Section 5-1-12-2:

- A. That the granting of the variance or vacation will not be in conflict with the intent of the City's Comprehensive Plan and will not affect a change in zoning.

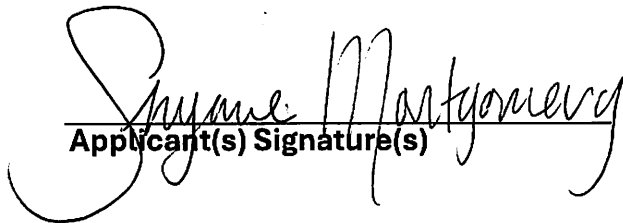
- B. That because of exceptional or extraordinary circumstances or conditions applicable to the subject property, or the intended use thereof, which do not apply generally to the property or class of use in the district, a denial of the relief sought will result in:
- a. Undue loss in value of the property;
 - b. Inability to preserve property rights of the property owner; and
 - c. The prevention of reasonable enjoyment of any property right of owner.
- C. The granting of the relief will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements of other property owners, or the quiet enjoyment of such property improvements.

5. Provide a Site Plan of the property with all existing structures, easements, and roadways being shown.

6. Submit \$100.00 fee.

The foregoing and attached information in this Application for a Variance in the City of Albion, Idaho, is true and accurate to the best of my knowledge and belief.

Dated this 28 day of Jan, 20 20.


Applicant(s) Signature(s)

February 9 ,2026

To whom it may concern:

Request for Vacation of Unconstructed City Right-of-Way
451 W. Market Street, Albion, Idaho

A. Consistency with the Comprehensive Plan

The requested vacation of the platted city right-of-way located on the property at 451 W. Market Street will not conflict with the City of Albion Comprehensive Plan and will not result in any change of zoning or land use classification.

The right-of-way has never been constructed or used as a public roadway and does not serve a transportation, circulation, or access function within the community. Vacating this unused designation aligns the public record with the actual physical conditions of the property without altering neighborhood character, density, or development patterns.

B. Exceptional or Extraordinary Circumstances

This parcel is uniquely affected by a platted public right-of-way that was never developed into an actual roadway. The designation exists on paper only and serves no current public purpose.

Because the area remains designated as public right-of-way yet has never been constructed or maintained as a roadway, it has become overgrown and neglected. The unclear responsibility for maintenance has prevented proper stewardship and improvement.

Denial of this request would continue to burden this parcel with a nonfunctional public designation that limits responsible care and improvement of the land.

C. Public Health, Safety, and Welfare

Vacating this unused right-of-way provides a clear public benefit.

The area does not function as a roadway and does not provide public access or circulation. However, it has become overgrown and unmanaged due to its status as public right-of-way. This condition contributes to:

- Accumulation of weeds and vegetation
- Reduced visibility
- Potential harboring of debris or nuisance conditions
- An appearance inconsistent with a well-maintained residential environment

Because maintenance responsibility is unclear under its current designation, the area remains mis-stewarded and presents avoidable safety and aesthetic concerns.

Approval of this request will:

- Allow full responsibility for maintenance and improvement to be assumed by the property owner
- Eliminate overgrowth and unmanaged vegetation
- Improve neighborhood appearance and property stewardship
- Reduce potential municipal liability associated with an unused but publicly designated right-of-way

Vacating the roadway will not impair access to neighboring properties, nor will it impact utilities or emergency services.

For these reasons, approval of this request promotes public health, safety, welfare, and responsible land management.

Shyane Montgomery

