



PLANNING AND DEVELOPMENT SERVICES

BOISE CITY HALL: 150 N. CAPITOL BLVD | MAIL: PO BOX 500, BOISE ID 83701-0500

CITYOFBOISE.ORG/PDS | P: 208-608-7100 | F: 208-384-3753 | TTY/TTD: 800-377-3529

VARIANCE APPLICATIONS

Approval Criteria

- There is either a hardship associated with the property itself or an exceptional circumstance relating to the intended use of the property that is not generally applicable in the district;
- Granting of the variance will not be in conflict with the Comprehensive Plan and will not effect a change in zoning; and,
- Granting of the variance 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 thereof.

Required Documents

Applications can be submitted online or in-person. Details for this application can be found online at: <https://www.cityofboise.org/departments/planning-and-development-services/planning-and-zoning/applications/planning-and-zoning/122-variance/>

- Letter of Explanation
- Affidavit of Legal Interest
- Site Plan and/or Landscape Plan
- Building Elevations
- Floor Plans
- Colored and Labeled Photos
- Pre-Application Form
- **Administrative Review Only:** Proof of neighbor notification, adjacent property owners and occupants, including across streets and alleys confirming they have no objections to the proposed variance. All statements should include an attached description of the variance requested.
- Neighborhood Meeting Documents
 - » Notice Letter
 - » List of Notified Citizens
 - » Sign-in Sheet from Neighborhood Meeting
- **Electronic copies of all submittal documents**

Steps for Applying

1. Pre-Application Meeting

Pre-application meetings are held Thursday mornings. Email zoninginfo@cityofboise.org or call 608-7100 to schedule. **Please provide the following prior to scheduling:**

- Description of project
- Site plan
- Description of the current and proposed uses

This meeting is required per Boise City Code and must be held **prior** to noticing and holding a neighborhood meeting. It is intended to provide the applicant information about the development review process. If you would like to discuss your project before submittal, contact a planner at 608-7100.

At the end of the meeting, you'll receive a completed Pre-Application Conference Form, which is required in your submittal packet. The pre-application meeting is valid for up to six months.

2. Neighborhood Meeting

This meeting is **required** to allow neighbors become aware of your request prior to a public hearing. Specific requirements are on the back of this form.

3. Submit Application

Applications can be submitted in person or online at any time for Administrative Variances. Hearing Level Variances must be submitted by the cut-off date. Submittal dates are online at: <https://www.cityofboise.org/departments/planning-and-development-services/planning-and-zoning/cut-off-dates-and-public-hearing-schedule/>

4. Review Period

A case number will be assigned and a planner will review your request. Administrative Variances are reviewed within 3 weeks. Hearing Level Variances are reviewed within 6-8 weeks.

5. Appeal Period

There is a 10-day appeal period after a decision is rendered.

Administrative Variances

Requests for relief from the following may be considered under the administrative process:

- a. Fence or wall height
- b. Sign standards, as defined in Section 11-03-04.14.C(7c)
- c. Any variance in a residential zone that is not associated with a project requiring conditional use approval.
- d. Dimensional standards in non-residential zones, including setbacks that vary no more than 35% from the zone standard.

A list of ***ALL owners and residents*** of adjacent properties (including across streets or alleys) indicating no objection to the variance shall accompany the application. The application will be reviewed and a decision made within 21 days.

P&Z Commission Variances

P&Z Commission applications submitted by the last Tuesday of the month typically take 6-8 weeks to review and will be heard by the P&Z Commission on the first or second Monday of the month.

Neighborhood Meeting Requirements

Applicants must hold a meeting to allow the public to review the proposed project.

- Meetings must be held no more than 6 months or less than 12 days prior to submitting the application.
- Meetings must be held within 2 miles of the project site.
- Meetings must be held Monday through Thursday (excluding holidays), between 6 - 8 p.m.
- A notice must be sent or delivered to only adjacent neighbors, including across the streets and alleys.
 - The list of persons within the required radius can be created for you by the City for a small fee. Find the neighborhood meeting list application at: cityofboise.org/neighborhood-meeting-list.
 - Template notice letters (shown to the right) can be found at cityofboise.org/devreview.
 - Mailed notices must be postmarked at least 10 days prior to the meeting.
 - Hand-deliveries must occur at least 10 days prior to the meeting.
 - Prepare a sign-in sheet for the neighborhood meeting.
- Submit a copy of the notice letter, the list of who the letter was sent, and the sign-in sheet from the neighborhood meeting with your application submittal documents.

Sample Neighborhood Meeting Notice

MM/DD/YYYY

Dear Resident,

Prior to submittal of a development application, Boise City Code requires a meeting between the applicant and neighbors. This is your notice to meet and review (*briefly label proposed project here*).

This is not a public hearing, and public officials will not be present. If you have questions regarding meeting requirements, please contact the Boise City Planning & Development Services Department.

Purpose

To review (*list development proposal info*)

When

(*Date and time of meeting*)

Where

(*Location/address of meeting location*)

Project Description

This project is located at (*include address*), parcel number (*include parcel number*). This proposed project is (*provide a detailed description of the development proposal. Include an additional page for a site plan or drawings of the project*).

If you have questions about the meeting or proposed development project, please contact (*list the contact person on behalf of the proposed development (this should not be City Staff or the PDS Department), address and phone number of the applicant or applicant's representative*).

Please note: To track attendance and certify that a meeting was held, a sign-in sheet will be present at this meeting. The applicant will submit this sign-in sheet with their application, which will then be used to notify you of when the application was submitted.

To provide feedback regarding this meeting, you can submit your comments to zoninginfo@cityofboise.org. To learn more about the planning process, please visit: www.cityofboise.org/devreview where you can review information about neighborhood meetings and the planning review process.

Sincerely,

(Signed)