



Planning & Development Services

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MAY 09 2016

DEVELOPMENT
SERVICES

Application for Appeal

Fee: \$ 180.00

I (we) DevCo, LLC, hereby appeal the decision of the Boise City:

- ☒ Planning & Zoning Commission ☐ Hearing Examiner ☐ Design Review Committee
☐ Historic Preservation Commission ☐ Planning Director

File Number: CAR16-00002, PUD16-00005, SUB16-00006

Address: 4824 W. Fairview Ave, Boise, ID 83706

Specific Action Being Appealed: The decision of the planning and zoning commission denying applicant's PUD 16-00005.

Grounds for Appeal

1. The decision is in violation of constitutional, state, or city law.
2. The review body's decision exceeds its statutory authority.
3. The decision is made upon unlawful procedure.
4. The decision is arbitrary, capricious or an abuse of discretion because it was made without rational basis, or in disregard of the facts and circumstances presented and not supported by substantial evidence.

Appeal Contact Person: Deborah E. Nelson

Address: Givens Pursley LLP, 601 W Bannock St. Boise, ID 83702

Home Phone: _____ Work Phone: (208) 388-1215

Appeals

- ☐ Appeal of an Administrative Decision to the Planning & Zoning Commission or Design Review Committee (non-refundable fee).
☐ Appeal of a Design Review Committee Decision to the Planning & Zoning Commission.*
☒ Appeal of a Planning & Zoning or Historic Preservation Commission decision to City Council.*
☐ Appeal of a Hearing Examiner decision to City Council.*

* Portion of fee is refundable if appeal is successful.

Notes

1. If the reasons for the appeal are resolved prior to the appeal hearing, please contact the Planning Staff at 384-3830.
2. The only topics which may be discussed during the appeal hearing are the specific reasons for the appeal as stated in the application.
3. Neighborhood groups are encouraged to elect a spokesperson for appeals that are supported by numerous residents of the project to avoid a duplication of testimony.
4. Section 11-3-7.2 of the Zoning Ordinance provides that an appeal to Council may not be withdrawn without the consent of Council.

Signature of Appellant/Representative:  Date: 5-9-16

For Staff Use Only:

If the appellant is not the applicant, the applicant must be contacted immediately following the acceptance of this appeal.

Applicant contacted on May 9, 2016 by _____ ☒ Appeal is by applicant

Suezann Yorita

From: Suezann Yorita
Sent: Monday, May 09, 2016 4:28 PM
To: Planning & Zoning
Subject: APPEAL REC'D 5-9-2016 PUD16-00005

We, DevCo, LLC, hereby appeal the decision of the Boise City Planning & Zoning Commission.

File #: PUD16-00005, CAR16-00002, SUB16-00006

Action being appealed: The decision of the planning and zoning commission denying applicant's PUD16-00005.

Grounds for appeal:

1. The decision is in violation of constitutional, state or city aw.
2. The review board's decision exceeds its statutory authority.
3. The decision is made upon unlawful procedure.
4. The decision is arbitrary, capricious or an abuse of discretion because it was made without rational basis, or in disregard of the facts and circumstances presented and not supported by substantial evidence.

Analyst: Susan Riggs



Suezann Yorita
PDS Receptionist

Planning & Development Services
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