

**Chapter 12-08**

**PERMITS**

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**Section 12-08-01 PERMITS FOR CERTAIN ZONES**

Permits shall be obtained for the following zones:

- A. Zones A and B: For change of use of land or a building/structure, or the erection or alteration of a building/structure, or for the growth of a tree, over thirty five feet (35') in height.
- B. Zone H: For change of use of land or a building/structure, or the erection or alteration of a building/structure.
- C. Zone J:
  - 1. For the establishment, improvement or alteration of any airport as defined herein.
  - 2. For change of use, or the erection or alteration, of a building/structure of a vertical height above the ground of seventy five feet (75') or more in any zone within the District; provided, nevertheless, a special use permit shall be required where the height is less than seventy five feet (75') if the object extends into height limits prescribed in Section 6.0/12-6-0 hereof.

**Section 12-08-02 RELATIONSHIP TO FEDERAL REGULATIONS**

Any permit applied for which covers any instance provided for in the aviation regulations and laws of the United States shall be accompanied by a letter of approval from the Administrator of the Federal Aviation Administration.

**Section 12-08-03 EXPIRATION OF PERMITS**

Any permit granted hereunder shall expire if the change of use or construction allowed thereby has not been commenced or completed within one year after issuance of permit. The time for commencing or completing such use or construction may be extended for additional periods of one year upon proper application showing good cause therefor.

**Section 12-08-04 PROCEDURE FOR APPLICATION FOR PERMIT**

Any person required to procure a permit, other than special use, shall complete and submit an application to the Administrator upon a form prescribed by the Commission accompanied by a filing fee of twenty five dollars (\$25.00). The application shall not be deemed accepted for filing until all

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information has been submitted. Within fifteen (15) days from date of filing application the Administrator shall either cause a permit to be issued with or without conditions necessitated by the circumstances, or notify the applicant in writing of his decision and the reasons for denial, or refer any application to the Commission for approval or denial. If an application is referred to the Commission, the Commission shall render a decision within fifteen (15) days from date of referral and in the event of a denial, the applicant shall be notified in writing of such and the reasons therefor. Prior to the issuance of a permit, the applicant shall pay the Administrator the costs required for notary and recording fees for the recording of a copy of the permit with the County Recorder.

### **Section 12-08-05 APPEALS FROM DECISION OF ADMINISTRATOR**

A decision of the Administrator may be appealed to the Commission within ten (10) days from the date of the receipt of his decision by filing written notice of such appeal with the Administrator.

### **Section 12-08-06 ACTION BY COMMISSION**

Within ten (10) days after receipt of an appeal, the Administrator shall establish a date for hearing such appeal and shall notify the appealing party in writing. The Commission in reviewing the decision of the Administrator may either overrule or sustain, or amend or modify by imposing additional or different conditions and limitations, the decision of the Administrator. The applicant shall be notified in writing within five (5) days from the date of the decision or determination of the Commission.(Ord. 3601; 9-23-74)