

**CITY OF MERIDIAN
FINDINGS OF FACT, CONCLUSIONS OF LAW,
DECISION, AND ORDER**



Date of Order: October 6, 2026
Case No.: VAR-2026-0002
Applicant: KB Homes
In the Matter of: Request for a variance from the R-8 dimensional standards to permit a 2-foot encroachment into the required 12-foot rear setback on Lot 15, Block 6 of Horse Meadows No. 3

Pursuant to testimony and evidence received regarding this matter at the public hearing before the City Council of the City of Meridian (the "City Council") on September 22, 2026, as to this matter, the City Council enters the following findings of fact, conclusions of law, decision, and order.

A. Findings of fact.

1. The facts pertaining to the Applicant's property (the "Property"), the Applicant's request, and the process are set forth in the staff report for Case No. VAR-2026-0002, which is incorporated herein by reference.
2. The Property is located within the incorporated area of the City of Meridian with an R-8 (Medium-Density Residential) zoning designation.
3. The Property is included in the Horse Meadows Subdivision #3 (aka Pivot Pointe) Final Plat (FP-2025-0012), which was approved by City Council on August 12, 2025. Prior to recordation of the Final Plat, City staff engaged with the applicant regarding concerns related to the configuration of Lot 15, Block 6.
4. Unified Development Code ("UDC") 11-2A-6 provides for dimensional standards for development in the R8 Residential District.
5. The Applicant is requesting a variance from the R-8 dimensional standards to permit a 2-foot encroachment into the required 12-foot rear setback on Lot 15, Block 6 of Horse Meadows No. 3.
6. Per UDC 11-5B-4, a variance may be granted if the City Council finds 1) the variance relieves an undue hardship because of characteristics of the site, and 2) the variance shall not be detrimental to the public health, safety, and welfare.
7. The City Council held a public hearing on September 22, 2026, and received testimony from the Applicant and the public concerning the proposed variance request.
8. The City Council finds, based on testimony received and information in the record, that the variance does not relieve an undue hardship because of characteristics of the site, and any undue hardship would only have been created due to decisions in lot configuration as recorded on the Final Plat. Furthermore, the applicant was aware of the constriction of the affected lot when the plat was approved.

B. Conclusions of law.

1. The City Council takes judicial notice of the Unified Development Code of the City of Meridian (“UDC”), codified at title 11, Meridian City Code; all current zoning maps; and the City of Meridian Comprehensive Plan.
2. The City Council takes judicial notice of the Local Land Use Planning Act (“LLUPA”), codified at chapter 65, title 67, Idaho Code, and in particular in § 67-6516 to provide as part of its zoning ordinance for the process of applications for variance permits.
3. The City of Meridian has duly exercised its authority of Idaho Code § 67-6516 by the enactment as part of its Unified Development Code, as set forth in UDC 11-5B-4.
4. The requirements for the processing of a variance request are set forth in Idaho Code § 67-6516 and Meridian City Code 11-5B-4.

C. Order. Pursuant to the above findings of fact and conclusions of law, the City Council hereby denies the Applicant’s request for a variance because the proposed variance does not relieve an undue hardship that was not otherwise created by purposeful lot configuration as demonstrated on the recorded Final Plat.

D. Final decision. Upon approval by majority vote of the City Council, this is a final decision of the governing body of the City of Meridian.

E. Judicial review. Pursuant to Idaho Code section 67-6521(1)(d), if this final decision concerns a matter enumerated in Idaho Code section 67-6521(1)(a), an affected person aggrieved by this final decision may, within twenty-eight (28) days after all remedies have been exhausted, including requesting reconsideration of this final decision as provided by Meridian City Code section 1-7-10, seek judicial review of this final decision as provided by chapter 52, title 67, Idaho Code. This notice is provided as a courtesy; the City of Meridian does not admit by this notice that this decision is subject to judicial review under LLUPA.

F. Notice of right to regulatory takings analysis. Pursuant to Idaho Code sections 67-6521(1)(d) and 67-8003, an owner of private property that is the subject of a final decision may submit a written request to the Meridian City Clerk for a regulatory takings analysis.

IT IS SO ORDERED by the City Council of the City of Meridian, Idaho, on this 6th day of October, 2026.

Robert E. Simison
Mayor

Attest:

Chris Johnson
City Clerk