

BEFORE THE CITY COUNCIL
GARDEN CITY, ADA COUNTY, IDAHO

In the Matter of:)	SUBFY2020-06
)	
Extension Request)	FINDINGS OF FACT,
Address: 6515 State Street)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho)	AND DECISION
_____)	

THIS MATTER, came before the Garden City Council for consideration on April 11, 2022. The City Council reviewed the request. Based on the evidence presented, pursuant to Garden City Code § 8-6-A. 8 the City Council makes the following Findings of Fact, Conclusions of Law, and Decision:

FINDINGS OF FACT

1. The requestor is Robert Taunton representing BPCP River Club LLC.
2. The property owner of record is BPCP River Club LLC.
3. The location of the project is Street Address: 6515 W. State Street, Garden City, Idaho.
4. The property is described as a parcel of land being a re-subdivision of a portion of Lot 70, Block 1 of "The Amended Plat of a Portion of Lot 1, and all of Lots 2, 3, 4, 5 and 6, Block 1 of The Plantation No. 2" (Subdivision), located in Government Lot 2 in the Southwest Quarter of Section 30, Township 4 North, Range 2 East, Boise Meridian, Garden City, Ada County, Idaho.
5. The preliminary plat was approved for one year by City Council on July 27, 2020.
6. On June 14, 2021, Garden City Council granted a one-year extension to July 27, 2022.
7. The city received a second one-year extension request in writing on March 24, 2022, noting cause related to:
 - a. The applicant is waiting for the official LOMR determination from FEMA.
8. The City Council considered request on April 11, 2022.
9. The record contains:
 - a. Applicant request.

b. Record documents for SUBFY2020-06

10. The following standards in the Garden City Code apply to this proposal:

Standards	Compliant	Conclusions
GCC 8-5B-6 Term of Subdivision Permit	N/A	Not applicable with an extension approval.
GCC 8-6A-8 Expiration of Approvals	Yes	<p>1. Good Cause exists for the request:</p> <p><u>Explanation:</u> Good cause for the request exists. The applicant has been diligently working on the subdivision. However, the applicant has little to no control of the timing regarding the required FEMA process.</p> <p>2. The application and or applicable city regulations have not changed.</p> <p><u>Explanation:</u> The applicable city regulations have not changed.</p> <p>3. There has not been change in the neighborhood, plans or policies that affect the compatibility of the project:</p> <p>There has not been change in the neighborhood, plans or policies that affect the compatibility of the project.</p> <p>4. The subject property is compliant and has been compliant, or actively pursuing compliance with all city, state and federal codes and laws since the date of application:</p> <p>There are no known code enforcement issues at this location.</p> <p>5. It is in the City's best interest to grant the extension:</p>

		It is in the City's best interest to grant the extension.
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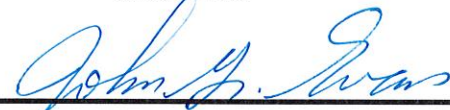
CONCLUSIONS OF LAW

The City Council reviewed the application with regard to Garden City Code, Title 8, and concludes the application **does** meet the standards of approval under G.C.C. § 8-6-A.8.

DECISION

WHEREFORE, based upon the foregoing Findings of Fact and Conclusions of Law contained herein, the Garden City Council does hereby **Approve** this request for an extension of the building permit.

1. This approval is for a one-year extension to July 27, 2023.
2. Final decisions may be subject to judicial review pursuant to the Idaho Administrative Procedures Act, Chapter 65 Title 67 Idaho Code.
3. A takings analysis pursuant to Idaho Code may be requested on certain final decisions.



Mayor, John G. Evans

4-15-22

Date

