



## DEVELOPMENT SERVICES DEPARTMENT

6015 Glenwood Street ■ Garden City, Idaho 83714  
Phone 208/472-2921 ■ Fax 208/472-2996 ■  
[www.gardencityidaho.org](http://www.gardencityidaho.org)

August 14, 2020

Dyan and Dustin Bevins  
606 E. 52<sup>nd</sup> St.  
Garden City Idaho 83714

Sent via e-mail to [dyan06@msn.com](mailto:dyan06@msn.com) and via USPS

Re: Determination of Completeness/Application Acceptance

Dear Dustin & Dyan Bevins,

This letter is to inform you that Conditional Use Permit application CUPFY2020 - 15 has been scheduled to be heard by the Planning and Zoning Commission on Wednesday, **August 19, 2020, at 6:30 p.m.** The hearing will be held in the City Council Chambers of Garden City Hall, 6015 N. Glenwood, Garden City, Idaho 83714 and/or zoom: <https://zoom.us/j/8188588340> or Phone In # **301-715-8592** please refer to the covid-19 tab on the [gardencityidaho.org](http://gardencityidaho.org) for up to date information related to location changes depending on circumstances related to Covid-19.

The materials that were submitted in conjunction with the application have been accepted. **The review to determine completeness was cursory. Per [GCC Table 8-6A-2](#) it appears that there is adequate information to conduct the review, however, the following additional information is needed:**

- Will Serve Letter
- Neighborhood Map

**If we do not receive this information by August 3<sup>rd</sup>, 2020, we will cease further action on this application.**

Between now and the scheduled hearing we will be sending notice to stakeholders requesting review of your project, providing legal notifications and reviewing your project for compliance with applicable regulations. Due to open meeting laws it is requested that the applicant does not contact the decision makers off the record. All documentation and comments should be submitted through staff at [planning@gardencityidaho.org](mailto:planning@gardencityidaho.org) or at the Public Hearing. **To avoid delays, we encourage you to provide all materials at least 8 days prior to the hearing so that they can be included in the record to be reviewed ahead of time.**

It is our goal to provide you with a draft report so that you may review it ahead of time. We appreciate feedback as to accuracy of information and willingness to adhere to any proposed conditions of approval.

Remaining requirements:

You are responsible for completing the following items prior to the scheduled hearing:

- The site shall be posted with a Public Hearing Notice sign by **NO LESS THAN 10 DAYS PRIOR TO THE HEARING DATE** in accordance with Garden City Code 8-6A-7. All dates and times may be on the same sign.
- An affidavit of property posting and photos of the sign **shall be submitted** in accordance with Garden City Code 8-6A-7 by **NO LESS THAN 7 DAYS PRIOR TO HEARING DATE.**
- Any outstanding fees must be paid.

**Failure to complete any of these requirements will result in the application being automatically continued to the next hearing. Repeated failures to complete these requirements may result in the application's denial. Applications that are denied cannot resubmit in substantially the same form for one year.**

What to expect at a hearing:

- You or your representative must be present at the hearing to represent the application. You may provide a presentation such as a Power Point. **Failure to be present at the hearing will result in the application being continued to the next hearing or denied in the case of repeated absences.**
- Your application may be moved to the consent agenda if:
  - You agree with the staff report and the draft decision; AND
  - If no members of the public wish to testify in opposition to your application; AND
  - A decision maker does not wish to hear the application.

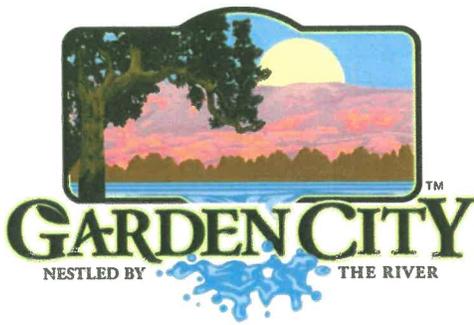
If any of the above criteria are not met, the public hearing will be held.

- If the public hearing is held, the hearing procedure will consist of:
  - The hearing item will be announced;
  - The applicant presents their proposal;
  - Staff presents the staff report;
  - Public testimony is taken on the application;
  - The applicant has an opportunity to provide rebuttal testimony;
  - Public testimony is closed, and the decision-making body deliberates and decides on the application.

\*Please provide a full account of your project during your presentation or proposal. The Chair of the meeting cannot accept questions and comments out of turn.

Please contact us at [planning@gardencityidaho.org](mailto:planning@gardencityidaho.org) or 208-472-2922 with any questions concerning your application.

Sincerely,  
Development Services Department



6015 Glenwood Street • Garden City, Idaho 83714  
Phone 208/472-2921 • Fax 208/472-2926 • www.gardencityidaho.org

## Affidavit of Property Posting

I, (name) Dyan Bevins do hereby attest that the property located at (site address) 403 E. 52nd St., Garden City, Idaho, was posted on (date) 8/2/2020. This posting was for (application number) CUPFY2020-15. The date of posting was no less than ten (10) days prior to the public hearing for which the application is to be heard in conformance with Section 8-6A-7 of the Garden City Code. The property was posted in compliance with Garden City standards of form, size, lettering, content, and placement for posting property for public notice.

*\*must submit clear and legible photos of the property posting with affidavit\**

BY: Dyan Bevins  
TITLE Property Owner

State of Idaho)  
                  )SS  
County of Ada)

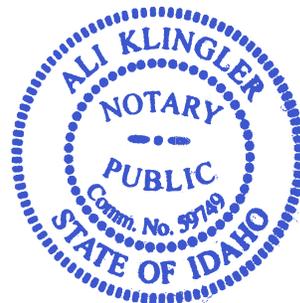
On this 4<sup>th</sup> day of August (month), 2020 (year), before me, the undersigned, a Notary Public in and for said State, personally appeared Dyan Bevins (person responsible for posting) known or identified to me to be the person whose name is subscribed to be the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Ali Klingler  
Notary Public for Idaho

Residing at Meridian, ID

Commission Expires: 6/4/24



FOSTER DARRYL L  
501 E 52ND ST  
GARDEN CITY, ID 83714-0000

HARRIS GORDON L  
11200 SWEET OLA HWY  
SWEET, ID 83670-0000

COOLEGE PETER L LIVING TRUST  
521 E 52ND ST  
GARDEN CITY, ID 83714-1448

PEACHEY GALEN L  
1176 E PRAIRIEFIRE ST  
MERIDIAN, ID 83646-0000

SOMERTON CARL H  
5165 N QUINELLA ST  
GARDEN CITY, ID 83714-1415

5111 ALWORTH LLC  
PO BOX 1661  
BOISE, ID 83701-1661

BEVINS DYAN  
606 E 52ND ST  
GARDEN CITY, ID 83714-0000

CDLR LLC  
411 E REMINGTON ST  
GARDEN CITY, ID 83714-0000

NESBIT GEORGE ALBERT III  
401 E 52ND ST  
GARDEN CITY, ID 83714-1446

INTERMOUNTAIN GAS CO  
PO BOX 5650  
BISMARCK, ND 58506-5650

LARSON BRAD L  
1875 W JANET CT  
EAGLE, ID 83616-0000

MEDINA JESUS I  
6232 PARK MEADOW WAY APT 102  
BOISE, ID 83713-0000

HALL JOHN B IV  
11131 W HICKORY DALE DR  
BOISE, ID 83712-0000

GARDEN CITY MOBILE ESTATES INC  
3784 N LANCER WAY  
BOISE, ID 83713-0000

THOMPSON CHARLES F  
502 E 52ND ST  
GARDEN CITY, ID 83714-0000

SANTERO ANDREA  
4001 S YORKTOWN WAY  
BOISE, ID 83706-0000

MELTON DENISE KAY  
410 E 52ND ST  
GARDEN CITY, ID 83714-1445

ADA COUNTY - TREASURERS OFFICE  
200 W FRONT ST  
BOISE, ID 83702-0000

GRIGGS DELAND K  
416 E 51ST ST  
GARDEN CITY, ID 83714-0000

MARTINET PAUL V  
403 LARKSPUR CT  
CALDWELL, ID 83605-0000

PHILLIPS REESE T II  
P.O. BOX 9751  
BOISE, ID 83707-0000

KEENEY ELISABETH A  
1654 HOWRY  
BOISE, ID 83706-0000

KEENEY ELISABETH  
1654 HOWRY ST  
BOISE, ID 83706-0000

BAILEY ELLEN M  
506 E 52ND ST  
GARDEN CITY, ID 83714-1447

SOLOMONS HOLDINGS LLC  
400 E 52ND ST  
GARDEN CITY, ID 83714-0000

COLLIER RITA E  
415 E 52ND ST  
GARDEN CITY, ID 83714-0000

HUCKSTEP WILLIAM D  
200 E 46TH PL  
GARDEN CITY, ID 83714-1446

HUCKSTEP TYLER J  
5151 N GIGGLE LN  
GARDEN CITY, ID 83714-0000

JUEL LINDA M HOLSMAN  
PO BOX 44344  
BOISE, ID 83711-0344

DAVIS JASON  
413 E 52ND ST  
GARDEN CITY, ID 83714-0000

# Idaho Statesman

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## AFFIDAVIT OF PUBLICATION

Account #	Ad Number	Identification	PO	Amount	Cols	Depth
264046	0004711501	LEGAL NOTICE OF PUBLIC HEARINGS PURSU	P&Z 07292020	\$70.16	1	6.33 In

**Attention:** Elizabeth

GARDEN CITY CITY OF  
6015 GLENWOOD ST  
GARDEN CITY, ID 837141347

### LEGAL NOTICE OF PUBLIC HEARINGS

PURSUANT TO ESTABLISHED PROCEDURE, NOTICE IS HEREBY GIVEN THAT THE GARDEN CITY PLANNING AND ZONING COMMISSION WILL HOLD A PUBLIC HEARING AT 6:30 P.M. WEDNESDAY, AUGUST 19, 2020 AT GARDEN CITY HALL, 6015 GLENWOOD STREET, GARDEN CITY, IDAHO OR TO VIEW THE MEETING REMOTELY, PLEASE FOLLOW THE LINK: [HTTPS://ZOOM.US/J/8188588340](https://zoom.us/j/8188588340) OR PHONE IN # 301-715-8592 TO CONSIDER A REQUEST FOR:

**CUPFY2020-15:** Dustin and Dyan Bevins are requesting a Conditional Use Permit (CUP) approval for a single-family residence at 403 E. 52nd Street, Garden City, Idaho, 83714; Ada County Parcel R7334160660. The 0.344 acre site is in the Medium Density Residential (R-3) zoning district, which requires a conditional use permit for less than 14 dwelling units per acre in Transit Oriented Development (TOD) locations of the Comprehensive plan. This property is located in the Mixed Use Residential and TOD designations of the Comprehensive Plan.

We are pleased to make reasonable accommodations for members of the public who are disabled or require special assistance. For those requiring special arrangements for any meeting, please contact our office at (208) 472-2921, at least 72 hours prior to the time of the meeting. Due to sunshine laws it is requested that the applicant and public do not contact the decision makers directly. All documentation and comments should be submitted through staff or at the Public Hearing.

**Publish 07/29/2020**

0004711501-01

VICTORIA RODELA, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in The Idaho Statesman, in conformity with Section 60-108, Idaho Code, as amended, for:

1 Insertions

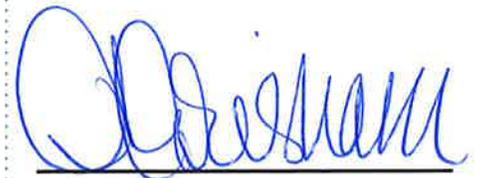
Beginning issue of: 07/29/2020

Ending issue of: 07/29/2020

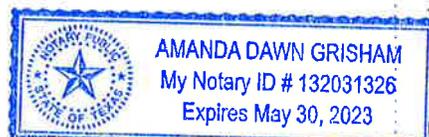


(Legals Clerk)

On this 29th day of July in the year of 2020 before me, a Notary Public, personally appeared before me Victoria Rodela known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.



Notary Public in and for the state of Texas, residing in Dallas County



Extra charge for lost or duplicate affidavits.  
Legal document please do not destroy!

## LEGAL NOTICE OF PUBLIC HEARINGS

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**Publish 07/29/2020**

**CITY OF GARDEN CITY  
PUBLIC HEARING NOTICE**

THERE WILL BE A PLANNING & ZONING COMMISSION HEARING  
ON WEDNESDAY, AUG. 19TH AT 6:30PM  
AT CITY HALL 6015 GLENWOOD

Purpose: Reduction in Density <sup>of <https://perm.wa.gov/></sup>  
Property Location: 403 E. 52<sup>nd</sup> St. 8188588340  
Application By: Dustin & Dyan Bevins  
Contact the city planner at 472-2921 with any questions

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Property Location: 403 E. 52<sup>nd</sup> St.

Application By: Dustin & Dyan Bevins

Design Architecture

Contact the city planner at 472-2921 with any questions



## DEVELOPMENT SERVICES DEPARTMENT

6015 Glenwood Street ■ Garden City, Idaho 83714 ■ [www.gardencityidaho.org](http://www.gardencityidaho.org)  
Phone 208/472-2921 ■ Fax 208/472-2996 ■ [planning@gardencityidaho.org](mailto:planning@gardencityidaho.org)

July 27, 2020

Dear Property Owner:

This is an Official Notice of a Public Hearing regarding a property near your own. You are invited to attend a public hearing of the Planning and Zoning Commission on **Wednesday, August 19, 2020 at 6:30pm** and offer your testimony for consideration at Garden City City Hall, 6015 N. Glenwood Street, Garden City, Idaho or to view the meeting remotely, please follow the link: <https://zoom.us/j/8188588340> or phone in # 301-715-8592. **Anyone who submits written or oral testimony has the right to appeal all or a portion of the decision.** Applicants or affected property owners shall have no more than fourteen (14) days after a final decision is rendered to request reconsideration by the final decision-maker. If you wish to offer testimony on this item and are unable to attend this meeting, you may submit your comments to the Garden City Development Services office and they will be entered in the public record on your behalf. *Due to sunshine laws we request that the applicant or public do not contact the decision makers directly. Please either submit your comments through staff or on the record at the public hearing. Auxiliary aids or services for persons with disabilities are available upon request. Please call Development Services three (3) or more days prior to this public meeting so that arrangements can be made.*

### APPLICATION:

**CUPFY2020-15:** Dustin and Dyan Bevins are requesting a Conditional Use Permit (CUP) approval for a single-family residence at 403 E. 52<sup>nd</sup> Street, Garden City, Idaho, 83714; Ada County Parcel R7334160660. The 0.344 acre site is in the Medium Density Residential (R-3) zoning district, which requires a conditional use permit for less than 14 dwelling units per acre in Transit Oriented Development (TOD) locations of the Comprehensive plan. This property is located in the Mixed Use Residential and TOD designations of the Comprehensive Plan.

The application materials can be found online at [www.gardencityidaho.org](http://www.gardencityidaho.org) in the correlating date of the hearing in the 'Calendar/Agendas' link on the home page. A staff report and draft decision document will also be available one week prior to the hearing.

### Public Hearing Written Testimony and Attendance

1. **Please make sure to submit all written testimony 7 days or more in advance so that it can be included as part of the record. You do not have to be physically present to have standing if you submit written testimony.**
2. **Attendance and testimony may be provided via internet. If you plan on attending via internet please make sure that you have a microphone and speakers. We have noticed that earphones seem to be the best option.**
3. **Call in is available if you do not have access to internet.**
4. **If you are interested in attending remotely please contact [planning@gardencityidaho.org](mailto:planning@gardencityidaho.org) or call 472-2921 at least one working day prior to the meeting and we will get you further instructions.**

### What to Expect at a Public Hearing:

Each application on the agenda will adhere to the following procedure:

1. The applicant will have the ability to represent the application (default 15 minute time limit).
2. A staff member will present the *Staff Report* (default 15 minute time limit).
3. The Chair will open the Public Hearing during which time you will have the ability to give testimony (default 3 minute time limit per person and up to 15 minutes time limit for spokesman in cases where spokesmen are pre-authorized by the chairman time limit).
4. The applicant will then be able to give rebuttal testimony.

5. Close of Public Hearing and discussion among decision making body.
6. The decision makers may approve, deny, continue for additional deliberations or make a recommendation to City Council.

**General Rules for Testimony:**

1. No person shall be permitted to testify or speak before the hearing agency at a public hearing unless such person has signed his name and written his contact address on sign-up sheets to be provided by the city. This requirement shall not apply to staff or technical witnesses directed by the Chairperson/Mayor to give evidence or information to the hearing agency.
2. No person shall be permitted to speak before the Committee/Council/Commission at a public hearing until such person is recognized by the chairperson.
3. Testimony should directly address the subject at hand.
4. Testimony should not be repetitious with other entries into the record.
5. Testimony should not be personally derogatory.
6. Testimony should comply with time restrictions established by the hearing agency.
7. If oral testimony fails to comply with the aforementioned standards, the chairperson may declare such testimony out of order and require it to cease.
8. All public hearing proceedings shall be recorded electronically and all persons speaking at such public hearings shall speak before a microphone in such a manner as will assure that the recorded testimony or remarks will be complete.

**Standards for Written Testimony:**

Written testimony and exhibits from the public to be admitted at a public hearing shall comply with the following standards:

1. Written testimony and exhibits must be submitted at least seven (7) calendar days prior to the date of the pertinent public hearing. This provision may be varied through notice to potential hearing participants.
2. Written testimony should include the signature and address of the submitter.
3. Written testimony should address the issue at hand.
4. Written testimony should not be personally derogatory.
5. If written testimony or an exhibit fails to comply with the aforementioned standards, the Chairperson/Mayor or Committee/Council/Commission may declare such testimony inadmissible.

If you wish to give testimony and cannot attend the public hearing please submit the following form, or any additional written testimony containing the following information below to Garden City Development Services no later than **seven (7) days prior to the hearing.** **You do not have to be physically present to have standing if you submit written testimony.**

**Garden City Development Services, 6015 N. Glenwood St., Garden City, Idaho 83714**

.....

**CUPFY2020-15 – Conditional Use**

Your Name \_\_\_\_\_ Date \_\_\_\_\_

Your Physical Address: \_\_\_\_\_

**(Please select)** I wish to be kept informed of any additional future meeting dates:

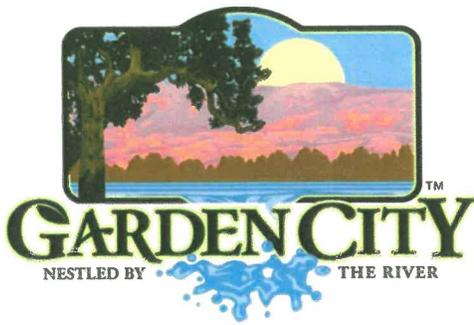
Yes       No Email: \_\_\_\_\_

**(Please select)** Regarding this application I:

Support the Application       Am Neutral       Oppose the Request

Comments: \_\_\_\_\_

Signature: \_\_\_\_\_



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Phone 208/472-2921 • Fax 208/472-2926 • www.gardencityidaho.org

## Affidavit of Property Posting

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*\*must submit clear and legible photos of the property posting with affidavit\**

BY: Dyan Bevins  
TITLE Property Owner

State of Idaho)  
                  )SS  
County of Ada)

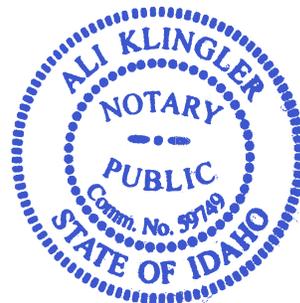
On this 4<sup>th</sup> day of August (month), 2020 (year), before me, the undersigned, a Notary Public in and for said State, personally appeared Dyan Bevins (person responsible for posting) known or identified to me to be the person whose name is subscribed to be the foregoing instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Ali Klingler  
Notary Public for Idaho

Residing at Meridian, ID

Commission Expires: 6/4/24



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or [https://zoom.us/j/](https://zoom.us/j/8188588340)

Property Location: 403 E. 52<sup>nd</sup> St.

8188588340

Application By: Dustin & Dyan Bevins

Design Architecture

Contact the city planner at 472-2921 with any questions

PARCEL	PRIMOWNER	ADDCONCAT	STATCONCAT
R7294240010	FOSTER DARRYL L	501 E 52ND ST	GARDEN CITY, ID 83714-0000
R7294240025	HARRIS GORDON L	11200 SWEET OLA HWY	SWEET, ID 83670-0000
R7294240005	COOLEGE PETER L LIVING TRUST	521 E 52ND ST	GARDEN CITY, ID 83714-1448
R7294240015	PEACHEY GALEN L	1176 E PRAIRIEFIRE ST	MERIDIAN, ID 83646-0000
R7294240020	SOMERTON CARL H	5165 N QUINELLA ST	GARDEN CITY, ID 83714-1415
R7334160242	5111 ALWORTH LLC	PO BOX 1661	BOISE, ID 83701-1661
R7334160660	BEVINS DYAN	606 E 52ND ST	GARDEN CITY, ID 83714-0000
R7334160911	CDLR LLC	411 E REMINGTON ST	GARDEN CITY, ID 83714-0000
R7334160670	NESBIT GEORGE ALBERT III	401 E 52ND ST	GARDEN CITY, ID 83714-1446
R7334160681	INTERMOUNTAIN GAS CO	PO BOX 5650	BISMARCK, ND 58506-5650
R7334160684	LARSON BRAD L	1875 W JANET CT	EAGLE, ID 83616-0000
R7334160685	MEDINA JESUS I	6232 PARK MEADOW WAY APT 102	BOISE, ID 83713-0000
R7334160686	HALL JOHN B IV	11131 W HICKORY DALE DR	BOISE, ID 83712-0000
R7334160861	GARDEN CITY MOBILE ESTATES INC	3784 N LANCER WAY	BOISE, ID 83713-0000
R7334160886	THOMPSON CHARLES F	502 E 52ND ST	GARDEN CITY, ID 83714-0000
R7334160897	SANTERO ANDREA	4001 S YORKTOWN WAY	BOISE, ID 83706-0000
R7334160901	MELTON DENISE KAY	410 E 52ND ST	GARDEN CITY, ID 83714-1445
R7334160261	ADA COUNTY - TREASURERS OFFICE	200 W FRONT ST	BOISE, ID 83702-0000
R7334160817	GRIGGS DELAND K	416 E 51ST ST	GARDEN CITY, ID 83714-0000
R7334160683	MARTINET PAUL V	403 LARKSPUR CT	CALDWELL, ID 83605-0000
R7334160687	PHILLIPS REESE T II	P.O. BOX 9751	BOISE, ID 83707-0000
R7334160815	KEENEY ELISABETH A	1654 HOWRY	BOISE, ID 83706-0000
R7334160823	KEENEY ELISABETH	1654 HOWRY ST	BOISE, ID 83706-0000
R7334160881	BAILEY ELLEN M	506 E 52ND ST	GARDEN CITY, ID 83714-1447
R7334161301	SOLOMONS HOLDINGS LLC	400 E 52ND ST	GARDEN CITY, ID 83714-0000
R7880770010	COLLIER RITA E	415 E 52ND ST	GARDEN CITY, ID 83714-0000
R7880770050	HUCKSTEP WILLIAM D	200 E 46TH PL	GARDEN CITY, ID 83714-1446
R7880770020	HUCKSTEP TYLER J	5151 N GIGGLE LN	GARDEN CITY, ID 83714-0000
R7880770030	JUEL LINDA M HOLSMAN	PO BOX 44344	BOISE, ID 83711-0344
R7880770040	DAVIS JASON	413 E 52ND ST	GARDEN CITY, ID 83714-0000