

BEFORE THE CITY COUNCIL  
GARDEN CITY, ADA COUNTY, IDAHO

In the Matter of:	)	CUPFY2022-0012
	)	
Second Extension Request	)	FINDINGS OF FACT,
Address: 8529 W State St.	)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho	)	AND DECISION
_____	)	

THIS MATTER came before the Garden City Council for consideration on May 13, 2024. 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 applicant is Chase Hiday.
2. The property owner of record is Gunner, LLC
3. The location of the project is 8529 W State St.; Ada County Assessor parcel number(s) R8123251888; PAR #1888 NEAR CTR OF LOT 11 STEINS SUB R/S 5363
4. Conditional Use Permit, file, CUPFY2022-0012 was approved April 20, 2022, for the use of Equipment Rental, Sale, and Service defined by Garden City Code 8-7A-1 as "The use of a site for the sale, rental or servicing of tools, trucks, tractors, construction equipment, agricultural implements, or similar industrial equipment." This approval is valid for one year.
5. The City Council approved an extension on March 27, 2023.
6. On April 26, 2024, a formal extension request, for a second extension request was submitted in writing noting:
  - a. Acquiring the property next door helped solve some of the issues we were running into with the sidewalks. We acquired the property in December, we have designed the sidewalk for both property frontages and are getting them approved through ITD. They are scheduled to be installed in June.
7. The record contains:
  - a. Written request.
  - b. Record materials for CUPFY2022-0012.

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

Standards	Compliant	Conclusions
<p><b>GCC 8-6A-8 Expiration of Approvals</b></p>	<p>Yes</p>	<p>1. Good Cause exists for the request:</p> <p><u>Explanation:</u> Good Cause does exist in that the applicant has been working toward sidewalk compliance. The sidewalks are scheduled to be installed in June 2024.</p> <p>2. The application and or applicable city regulations have not changed.</p> <p><u>Explanation:</u> There have been changes to Title 8. However, the changes do not affect the standards that apply to this application.</p> <p>3. There has not been change in the neighborhood, plans or policies that affect the compatibility of the project:</p> <p><u>Explanation:</u> There has not been change in the neighborhood, plans, or policies that affect the compatibility of the project.</p> <p>4. The property appears to be compliant with codes and laws:</p> <p><u>Explanation:</u> The applicant is attempting to make their property conforming by this extension request.</p> <p>5. It is in the City's best interest to grant the extension:</p> <p><u>Explanation:</u> It is in the City's best interest to grant the extension.</p>

## 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 **April 22, 2025**.
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.



May 13, 2024

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Mayor, John G. Evans

Date