

BEFORE THE CITY COUNCIL
GARDEN CITY, ADA COUNTY, IDAHO

In the Matter of:)	DSRFY2022-0016
)	
Extension Request)	FINDINGS OF FACT,
Address: 107 E. 40th St.)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho)	AND DECISION
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THIS MATTER, came before the Garden City Council for consideration on July 22, 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 application is for an extension of an approved design review for the construction of two new structures.
2. The applicant is Jeff Hatch.
3. The location of the project is:
 - a. 209 E. 34TH Street; Ada County Assessor parcel number(s) R2734541422; Described as LOT 30 BLK 34 FAIRVIEW ACRES SUB NO 05 #1420-S ; Property Owner of Record is HONDO REED LLC .
 - b. 211 E. 34th Street; Ada County Assessor parcel number(s) R2734541425; Described as LOT 29 BLK 34 FAIRVIEW ACRES SUB NO 05 #1420-B; Property Owner of Record is CASAALURA LLC.
 - c. 213 E 34th Street; Ada County Assessor parcel number(s) R2734541400; Described as LOT 28 BLK 34 FAIRVIEW ACRES SUB #5 VIN # IDFLT04A20053BF13 TITLE # 96970119; Property Owner of Record is AHLBERG WEST LLC.
 - d. 215 E. 34th Street; Ada County Assessor parcel number(s) R2734541395; Described as LOT 27 BLK 34 FAIRVIEW ACRES SUB #5 ; Property Owner of Record is HANNAH BALL.
4. The application was approved on October 11, 2022, for a two-year period.
5. On June 12, 2024, the applicant requested an extension in writing noting:
 - a. The 34th Street Qtr is comprised of several owners that have been working diligently with Idaho power and ACHD on site specific design needs. The conversations (design) with ACHD have changed and an updated sidewalk design will need to be completed. On the utility conversation with Idaho power we have discussed and discovered several issues that are still being

worked through, for example power poles we believed belonged to Idaho power are century links and some adjacent owners might still be using that service, we are investigating and diligently working through different ownerships and who needs what utility services on that lot and block.

6. The City Council considered request on July 22, 2024.

7. The record contains:

- a. Applicant request.
- b. Extension Decision.
- c. Record Materials for application DSRFY2022-0016

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

Standards: GCC 8-6A-8 Expiration of Approvals	Conclusions	Reasoned Statements
<ul style="list-style-type: none"> 1. Good Cause exists for the request. 2. The application and or applicable regulations have not changed. 3. There has not been change in the neighborhood, plans or policies that affect the compatibility of the project. 4. The property is compliant and has been compliant, or actively pursuing compliance with all city, state, and federal with codes and laws since the date of approval. 5. It is in the City's best interest to grant the extension. 	<p>The request meets the standards.</p>	<ul style="list-style-type: none"> 1. Good Cause exists for the request: <u>Explanation:</u> Good Cause does exist in that the project components are being worked through with ACHD and utility companies. 2. The application and or applicable city regulations have not changed. <u>Explanation:</u> The city regulations have changed but the application has not changed, therefore this requirement is met. 3. There has not been change in the neighborhood, plans or policies that affect the compatibility of the project: <u>Explanation:</u> There has not been change in the neighborhood, plans or policies that affect the compatibility of the project. 4. The property appears to be compliant with codes and laws:

		<p><u>Explanation:</u> There are no current open code enforcement cases at the subject property.</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>
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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.

1. This approval is for a **one-year** extension to **October 17, 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.



 Mayor, John G. Evans

7-22-2024

 Date