

BEFORE THE CITY COUNCIL
GARDEN CITY, ADA COUNTY, IDAHO

In the Matter of:)	PUDFY2021-0001
)	
Extension Request)	FINDINGS OF FACT,
Address: 116, 118 and E 33 rd St)	CONCLUSIONS OF LAW
Garden City, Ada County, Idaho)	AND DECISION
_____)	

THIS MATTER came before the Garden City Council for consideration on September 26, 2022, The City Council reviewed the request. Based on the evidence presented, pursuant to Garden City Code § 8-6-A. 8 and 8-5B-6, the City Council makes the following Findings of Fact, Conclusions of Law, and Decision:

FINDINGS OF FACT

1. The requestor is Jeff Hatch.
2. The property owner is Tommy Lee Johnson with THS Custom Homes, LLC
3. The location of the project is:
 - a. 116 E. 33rd Street; Ada County Parcel Number R2734541190; Described as LOT 9 BLK 33 FAIRVIEW ACRES SUB NO 5
 - b. 118 E. 33rd Street; Ada County Parcel Number R2734541200; Described as LOT 10 BLK 33 FAIRVIEW ACRES SUB NO 5
 - c. E. 33rd Street; Ada County Parcel Number R2734541210; Described as LOT 11 BLK 33 FAIRVIEW ACRES SUB NO 5
4. The application was approved for one year by City Council on September 13, 2021.
5. The City received a one-year extension request in writing on September 7, 2022, noting:
 - a. The pandemic has created a shortage of material necessary to start and complete in a timely manner. Labor shortages, HVAC products are impossible to get, and delays in the subdividing process.
6. The City Council considered the request on September 26, 2022.
7. The record contains:
 - a. Written request for extension.

8. 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 does exist in that there have been a shortage of materials and labor.</p> <p>2. The application and or applicable city regulations have not changed.</p> <p><u>Explanation:</u> Garden City Code 8-3C Surel Mitchell Work-Live-Create has been repealed.</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> 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>

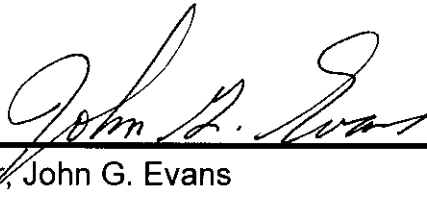
CONCLUSIONS OF LAW

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. The extension is valid for one year to September 13, 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.



September 26, 2022

Mayor, John G. Evans