

BEFORE THE CITY COUNCIL
GARDEN CITY, ADA COUNTY, IDAHO

In the Matter of:)) Extension Request) Address: 305 E 45 th Street) Garden City, Ada County, Idaho) _____)	SUBFY2021-0008 FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION
--	---

THIS MATTER came before the Garden City Council for consideration on January 23, 2023. 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 Richard Wilmont with Chrysalis Architecture.
2. The property owner of record is 304 E. 45th ST Garden City LLC.
3. The location of the project is 304 E. 45th Street; Taxing Parcel Number: R4265400051; Property is described as Lots 01-04 of the Iota Subdivision #0020-0040-0060-0080-C.
4. The application was approved for one year by City Council on January 10, 2022.
5. The city received a one-year extension request in writing on January 04, 2023, noting:
 - a. The applicant is actively addressing the requirements of the approval.
6. The City Council considered request on January 23, 2023.
7. The record contains:
 - b. Written request.
 - c. Record materials for file SUBFY2022-0008.
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	1. Good Cause exists for the request:

		<p><u>Explanation:</u> Good Cause does exist in that the applicant is actively addressing the requirements for approval.</p> <p>2. The application and or applicable city regulations have not changed.</p> <p><u>Explanation:</u> There have been no changes to code that specifically affect 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> 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>
--	--	---

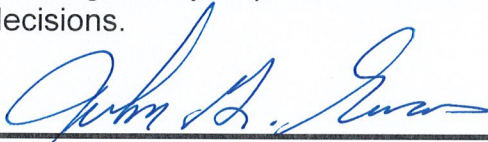
CONCLUSIONS OF LAW

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 subdivision.

1. The new expiration date is January 10, 2024.
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.



1-23-23

Mayor, John G. Evans

Date