

BEFORE THE CITY COUNCIL
GARDEN CITY, ADA COUNTY, IDAHO

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| In the Matter of:)) Extension Request) Address: 112 W. 42 nd Street) Garden City, Ada County, Idaho) _____) | CUPFY2022-0009 FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECISION |
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THIS MATTER, came before the Garden City Council for consideration on May 8, 2023. 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 requestor is Asmir Alic.
2. The property owner of record is Alic Properties LLC.
3. The location of the project is:
 - a. 112 W. 42nd Street; Ada County Assessor parcel number(s) R2734510330; described as LOT 4 BLK D FAIRVIEW ACRES SUB NO 2
2. The application was approved on April 20, 2022.
3. The request was submitted in writing on April 6, 2023 (paid for on April 27, 2023).
4. The City Council considered this extension request on May 8, 2023.
5. The record contains:
 - a. Applicant request.
 - b. Record documents for CUPFY2022-0009
6. The following standards in the Garden City Code apply to this proposal:

| Standards | Compliant | Conclusions |
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| GCC 8-6A-8 Expiration of Approvals | Yes | 1. Good Cause exists for the request: <u>Explanation:</u> Good cause for the request exists. There have been staffing and time constraints outside of the applicant's |

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| | | <p>control.</p> <p>2. The application and or applicable regulations have not changed.</p> <p><u>Explanation:</u> There has not been a substantial change in the application. There have not been changes to regulations that directly 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 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:</p> <p><u>Explanation:</u> There are no current known code compliance violations at the 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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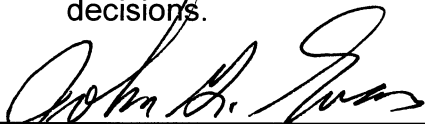
CONCLUSIONS OF LAW

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 of the building permit.

1. This approval is for a one-year extension to April 20, 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.



5-8-2023

Mayor, John G. Evans

Date