



CITY OF MIDDLETON Planning and Zoning Commission

In Re:

Watson Amended Development Agreement
March 16, 2018 Application
April 9, 2018 Hearing

**Findings of Fact,
Conclusions of Law,
and Recommendation**

SUMMARY OF THE REQUEST

A request by Robert Watson to amend that certain Development Agreement filed as instrument No. 2012-047137 in records of Canyon County, Idaho.

FINDINGS OF FACT

1. **APPLICANT:** The applicant is Robert Watson.
2. **APPLICATION:** The application was received and accepted by the City on March 16, 2018.
3. **NOTICE OF PUBLIC HEARING:** Notice of the public hearing before the Planning and Zoning Commission was published, mailed and posted as follows:

Published notice Idaho Press Tribune:	March 24, 2018
Letters mailed to property owners within 300':	March 23, 2018
Letters mailed to agencies providing services:	March 23, 2018
Property posted:	March 30, 2018

4. **APPLICABLE CODES AND STANDARDS:** The ordinances and standards used in evaluating the application are:
 - Idaho Code Title 67, Chapter 65
 - Middleton City Code, Title 5, Chapters 2, 3 and 4
 - Middleton City Code, Title 6, Chapters 1, 2, 3, 4 & 7



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5. The applicant submitted a development agreement amendment on March 16, 2018. This development agreement is to amend the development agreement recorded as 2012-047137 on October 24, 2012 to include the terms in this amended development agreement.
6. Concerns from citizens attending both public meetings included the following: legal authority to enter in to this development agreement, setbacks, and compliance with the Comprehensive Plan and City Code.

CONCLUSIONS OF LAW

Notice of the application and public hearing was given according to law. The Planning and Zoning Commission's public hearing was conducted according to law, and the City has kept a record of the application and related documents.

RECOMMENDATION

The Planning and Zoning Commission recommends that City Council not approve the proposed amended development agreement.

WRITTEN DECISION APPROVED ON: April 17th, 2018



Lary Sisson, Chairman
Planning and Zoning Commission

Attest:



Randall Falkner
Planning and Zoning Official