

RESOLUTION NO.: 03-032

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING WAIVER 03-002
FOR 609 SHANNON HILL DRIVE
(Jones)

APN: 009-431-048

WHEREAS, Waiver 03-002 has been filed by Brian Jones for the waiver of curb and gutter improvements for street frontage at 609 Shannon Hill Drive, and

WHEREAS, Section 11.12.030.D of the Municipal Code, states that, in the event the construction of sidewalk is not feasible due to street locations, hardship due to fire or acts of God, topography or other physical factors, the Planning Commission, after hearing the recommendation of the City Engineer, may waive, or modify the provisions of the chapters that apply to sidewalks, curb, gutters and driveway aprons, upon applications of the owner of the property or other persons to whom this chapter may apply, and

WHEREAS, the topographical conditions at 609 Shannon Hill Drive, including location of the existing street paving and retaining wall on adjacent property, are such that curb and gutter installation would be inconsistent with and detrimental to existing conditions, and

WHEREAS, the City Engineer has inspected 609 Shannon Hill Drive and recommends that the Planning Commission waive the provisions of Section 11.12.030, based on topography and physical factors inherent to this particular property, and allow the applicant to forgo the installation of required City-standard curb and gutter, and

WHEREAS, a public hearing was conducted by the Planning Commission on April 22, 2003, to consider the facts as presented in the staff report prepared for the project, and to accept public testimony regarding this requested waiver, and

NOW, THEREFORE, BE IT RESOLVED, that based upon the facts and analysis presented in the staff report, and the provisions for waivers set out in Section 11.12.030.D of the Municipal Code, the Planning Commission of the City of El Paso de Robles does hereby approve Waiver 03-002, waiving the requirement for public improvements for the subject site due to the topography and physical constraints of the site.

PASSED AND ADOPTED THIS 22nd day of April, 2003, by the following Roll Call Vote:

AYES: Flynn, Ferravanti, Warnke, Johnson, Calloway, Kemper

NOES: None

ABSENT: None

ABSTAIN: Steinbeck

CHAIRMAN RON JOHNSON

ATTEST:

ROBERT A. LATA, PLANNING COMMISSION SECRETARY