

RESOLUTION NO.: 02-038

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF EL PASO DE ROBLES
APPROVING WAIVER 02-003
(Vaughn)

APN: 009-072-034

WHEREAS, Waiver 02-003 has been filed by Don Vaughn for the waiver sidewalk for his property frontage along Fresno Street, and

WHEREAS, subject site is a vacant .58 acre parcel located at 70 Fresno Street, 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, at the location of where the sidewalk would need to be installed, there are topography constraints along the property frontage as well as two 10-inch oak trees that would be impacted, and

WHEREAS, a public hearing was conducted by the Planning Commission July 9, 2002, 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 02-003, waiving the requirement for sidewalk improvements for the subject site due to the topographical constraints of the site subject to the following conditions:

1. In conjunction with a building permit, concrete curb and gutter shall be installed along the property frontage at the location that would line up with the existing alignments of the lots

on either side of the subject property, in a manor to be approved by the City Engineer.

PASSED AND ADOPTED THIS 9th day of July 2002, by the following Roll Call Vote:

AYES: Ferravanti, Warnke, McCarthy, Steinbeck, Johnson, Calloway, Kemper

NOES: None

ABSENT: None

ABSTAIN: None

CHAIRMAN ED STEINBECK

ATTEST

ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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