

RESOLUTION NO.: 02-058  
A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
APPROVING WAIVER 02-006  
(Schmitt)  
APN: 009-061-020

WHEREAS, Waiver 02-006 has been filed by Mr. and Mrs. Schmitt for the waiver of concrete curb, gutter and sidewalk for their property frontage along Ridgeview Drive, and

WHEREAS, the applicants have submitted plans for a 300 square foot addition to the existing 1,080 square foot single-family residence, and the valuation of the addition would exceed \$10,000, and

WHEREAS, based on Title 11 of the Municipal Code, when a property owner seeks a building permit with a valuation in excess of \$10,000, the property owner may be required to install street improvements where they are not already installed per City standards, and

WHEREAS, the standard for Ridgeview Drive would be the A-8 standard, which would require the installation of concrete curb, gutter and sidewalk, 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 concrete curb, gutter and sidewalk would need to be installed, there are topography constraints along the property frontage, and

WHEREAS, as recommended by the City Engineer, the proposed A-7 standard would consist of the installation of asphalt curb and swale, and would be the best situation to control drainage for this lot, and

WHEREAS, a public hearing was conducted by the Planning Commission September 10, 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 02-006, waiving the requirement for the installation of concrete curb, gutter and 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, asphalt curb and swale (City Standard A-7) 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 10<sup>th</sup> day of September 2002, by the following Roll Call Vote:

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

NOES: None

ABSENT: None

ABSTAIN: None

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CHAIRMAN ED STEINBECK

ATTEST

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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