

RESOLUTION NO. 1475

RESOLUTION APPROVING A VARIANCE FOR A MID-BLOCK CROSSING IN THE
MEADOWS SUBDIVISION – PART 2.

WHEREAS, KLM Investments, Inc. (“KLM”), is the owner of that certain parcel of real estate generally referred to as the Meadows Subdivision; and

WHEREAS, KLM has submitted a preliminary plat for the Meadows Subdivision – Part 2, West Branch, Iowa; and

WHEREAS, in accordance with the City’s subdivision regulations, no block may be more than one thousand three hundred twenty (1,320) feet or less than two hundred eighty (280) feet in length between the centerlines of intersecting streets, except where, in the opinion of the City, extraordinary conditions unquestionably justify a departure from these limits; and

WHEREAS, also in accordance with the City’s subdivision regulations, in blocks over seven hundred (700) feet in length, the City may require at or near the middle of the block a public highway or easement of not less than ten (10) feet in width for use by pedestrians and/or as an easement for public utilities; and

WHEREAS, the City’s subdivision regulations also state that in the case of a particular proposed subdivision, it can be shown that strict compliance with the requirements of this chapter would result in extraordinary hardship to the subdivider, because of unusual topography or other conditions, the Council may vary, modify or waive the requirements so that substantial justice may be done and the public interest secured. Provided, however, such variance, modification or waiver will not have the effect of nullifying the intent and purpose of this chapter. In no case shall any variance or modification be more than minimum easing of the requirements, and in no instance shall it be in conflict with any zoning ordinance and such variances and waivers may be granted only by the affirmative vote of three-fourths (3/4) of the members of the Council, and must conform to Zoning Ordinance and State Code regarding granting of variances by the Board of Adjustment; and

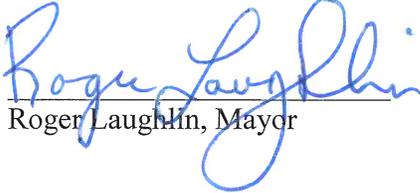
WHEREAS, KLM Investments, Inc. is requesting a variance to allow them not to install a mid-block crossing on Sullivan Street; and

WHEREAS, it is now necessary for the City Council to formally approve said variance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Branch, Iowa, that the aforementioned variance be and the same is hereby approved.

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Passed and approved this 6th day of June, 2016.



Roger Laughlin, Mayor

ATTEST:



Matt Muckler, City Administrator/Clerk