

RESOLUTION NO. 1492

RESOLUTION APPROVING A VARIANCE FOR STREET GRADES IN LYNCH HEIGHTS
SUBDIVISION.

WHEREAS, Lynch's Plumbing, Inc., is the owner of that certain parcel of real estate generally referred to as Lynch Heights Subdivision; and

WHEREAS, Lynch's Plumbing, Inc. has submitted a preliminary plat for Lynch Heights Subdivision, West Branch, Iowa; and

WHEREAS, in accordance with the City's subdivision regulations, street grades, whenever feasible, shall not exceed five percent (5%), with due allowance for reasonable vertical curves; 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, Lynch's Plumbing, Inc. is requesting a variance for a street grade of 9.7% on Ohrt 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.

Passed and approved this 27th day of June, 2016.


Roger Laughlin, Mayor

ATTEST:


Matt Muckler, City Administrator/Clerk