

RESOLUTION NO. 1153

RESOLUTION DIRECTING THE FILING OF A WRIT OF CERTIORARI REGARDING THE DECISION OF THE BOARD OF ADJUSTMENT FOR 203 RIDGE VIEW DRIVE.

WHEREAS, the Owners of 203 Ridge View Drive applied for a variance to locate a retaining wall in a required side yard; and

WHEREAS, the Board of Adjustment of the City of West Branch, Iowa, granted the variance by a 3-2 vote; and

WHEREAS, the Zoning and Building Administrator believes that the Board of Adjustment had no authority to grant said variance; and

WHEREAS, the Zoning and Building Official may appeal said decision to the Iowa District Court.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of West Branch, Iowa, that the City Administrator and City Attorney are directed to file a Writ of Certiorari challenging the Board of Adjustment decision regarding 203 Ridge View Drive as unlawful.

\* \* \* \* \*

Passed and approved this 21<sup>st</sup> day of October, 2013.

\_\_\_\_\_  
Mark Worrell, Mayor

ATTEST:

\_\_\_\_\_  
Matt Muckler, City Administrator/Clerk