RESOLUTION NO. 1579

A RESOLUTION APPROVING A VARIANCE FOR STREET WIDTH IN THE MEADOWS SUBDIVISION - PART 3

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 3, West Branch, Iowa; and

WHEREAS, in accordance with the City's subdivision regulations, street right-of-way widths for collector streets are 66 feet wide with 34-feet of pavement and 5-foot sidewalks; and

WHEREAS, KLM Investments, Inc. is requesting a variance to allow them to install Dawson Drive as a 31-foot wide street; 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, 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 20th day of March, 2017.

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Roger Laughlin, Mayor

ATTEST:

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Matt Muckler, City Administrator/Clerk