

RESOLUTION NO. 02-129

A RESOLUTION OF THE RIDGECREST CITY COUNCIL APPROVING VARIANCE 01-31; A REQUEST FOR A VARIANCE TO SIGN HEIGHT RESTRICTIONS FROM 20' TO ALLOW A 32' POLE SIGN AT 269 SOUTH CHINA LAKE BOULEVARD, APN 478-103-7 AND 8, DESERT MOTORS, APPLICANT

THE CITY COUNCIL OF THE CITY OF RIDGECREST RESOLVES as follows:

SECTION 1. Findings

On October 2, 2002, the City Council held a continued public and considered the appeal for Variance 01-31: a request for a variance to sign height restrictions from 20' to allow a 32' pole sign at 269 South China Lake Blvd., AP# 478-103-7 and 8, Desert Motors, applicant.

The City Council considered the evidence and testimony of the public hearing and approved the application as set forth herein:

- a. That strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of the zoning ordinance.
- b. That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property which do not apply generally to other properties classified in the same zoning district of the city.
- c. That strict or literal interpretation and enforcement of the specified regulations would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district.
- d. That the granting of the variance would not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.

- e. That the granting of the variance will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Ridgecrest as follows:

1. Planning Commission Resolutions 02-01 and 02-11 are hereby overruled and the findings are reversed.
2. Variance 01-31 is granted subject to an executed agreement for removal or modification of the sign without compensation for conformance with the sign ordinance at a period five (5) years from the adoption of this resolution.

APPROVED AND ADOPTED this 6th day of November 2002, by the following vote:

AYES: Mayor Morgan, Council Members Carter, Holloway, and Martin

NOES: None

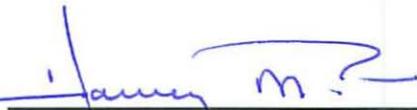
ABSTAIN: None

ABSENT: Council Member Rollins



Steven P. Morgan, Mayor

ATTEST:



Harvey M. Rose
City Clerk