

RESOLUTION NO. 06-58

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIDGECREST APPROVING VARIANCE VAR-06-01, (OVERTURNING PLANNING COMMISSION DECISION)

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

SECTION 1. PLANNING COMMISSION DENIAL

On March 14, 2006, March 28, 2006 and April 11, 2006 the Planning Commission duly and regularly reviewed a request for a variance from a 5' side yard setback to a 2' side yard setback for a garage at 320 N. Helena Street in an R-1 zone on a 7475 sq. ft. lot. (APN 067-084-16) Applicant: Eloy Rodriguez. On April 11, 2006 the Planning Commission denied the requested Variance because the Commission was unable to make the findings necessary to approve a Variance.

SECTION 2. CITY COUNCIL FINDINGS TO OVERTURN PLANNING COMMISSION ACTION

The City Council has considered the evidence and overturned the Planning Commission action upon this application as set forth herein:

1. 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.
2. 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.
3. 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.
4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.
5. 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.

SECTION 3. CONDITIONAL APPROVAL

The proposed variance from a 5' side yard setback to a 2' side yard setback for a garage at 320 N. Helena Street is hereby approved subject to the following conditions:

NOTE: These conditions must be met within 6 months (February 2, 2007), or as stipulated in the conditions, unless a written request for an extension of time is received and approved before the expiration date.

COMMUNITY DEVELOPMENT

"The below conditions have been satisfied" By _____ Date _____

1. The applicant shall comply with all applicable federal, state, county, and local regulations.
2. The applicant shall acquire all necessary permits prior to continuing construction.
3. The applicant shall install rain gutters on the garage roof line to prevent water from dripping onto the fence and the neighbor's yard. Water shall drain away from the neighboring property.
4. The applicant shall install fire rated walls per the Building Code on all walls within 36" of the property line. There shall be no openings within walls less than 36" from the property line.
5. The applicant shall pay double building permit fees.

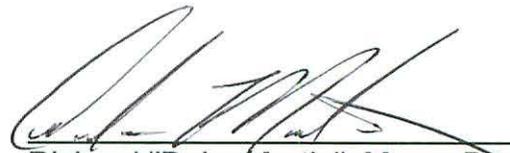
APPROVED AND ADOPTED this 3rd day of August, 2006 by the following vote:

AYES: Mayor Pro Tem Martin, Council Members Clark, Morgan, and Carter

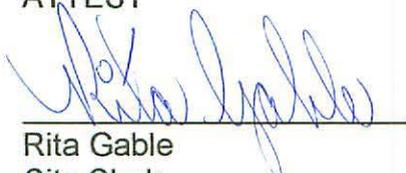
NOES: None

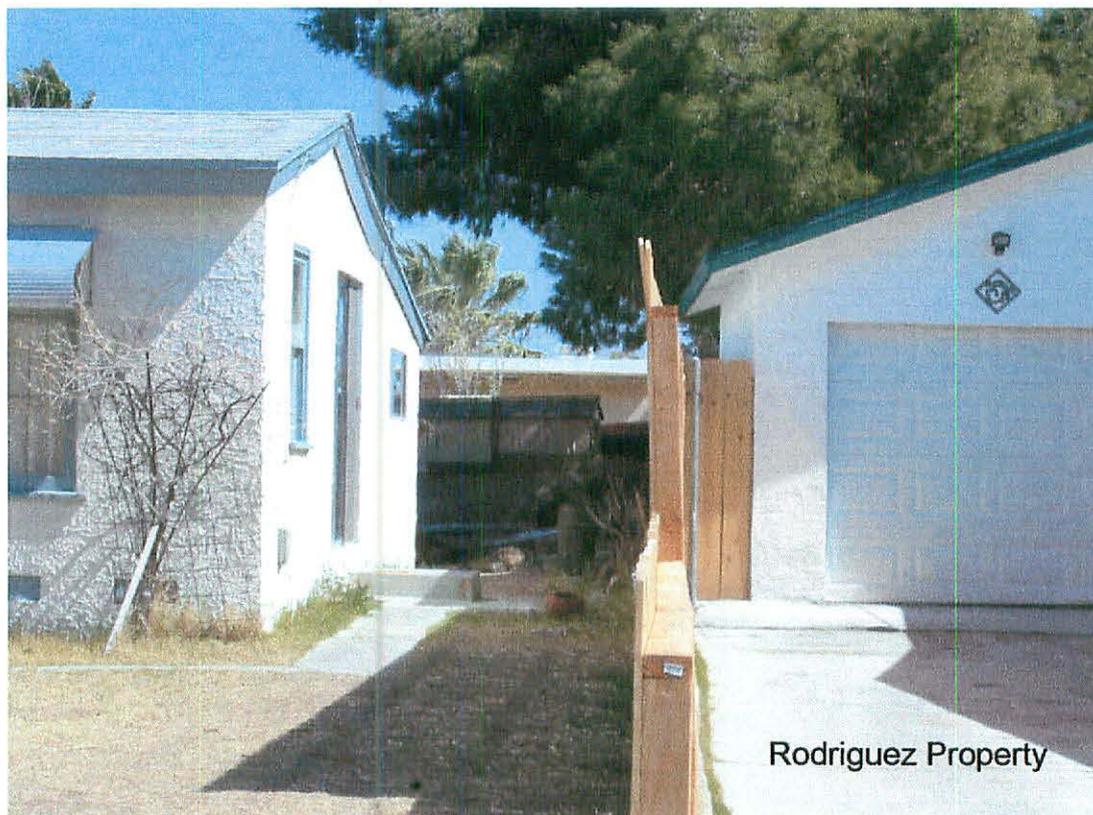
ABSENT: Mayor Holloway

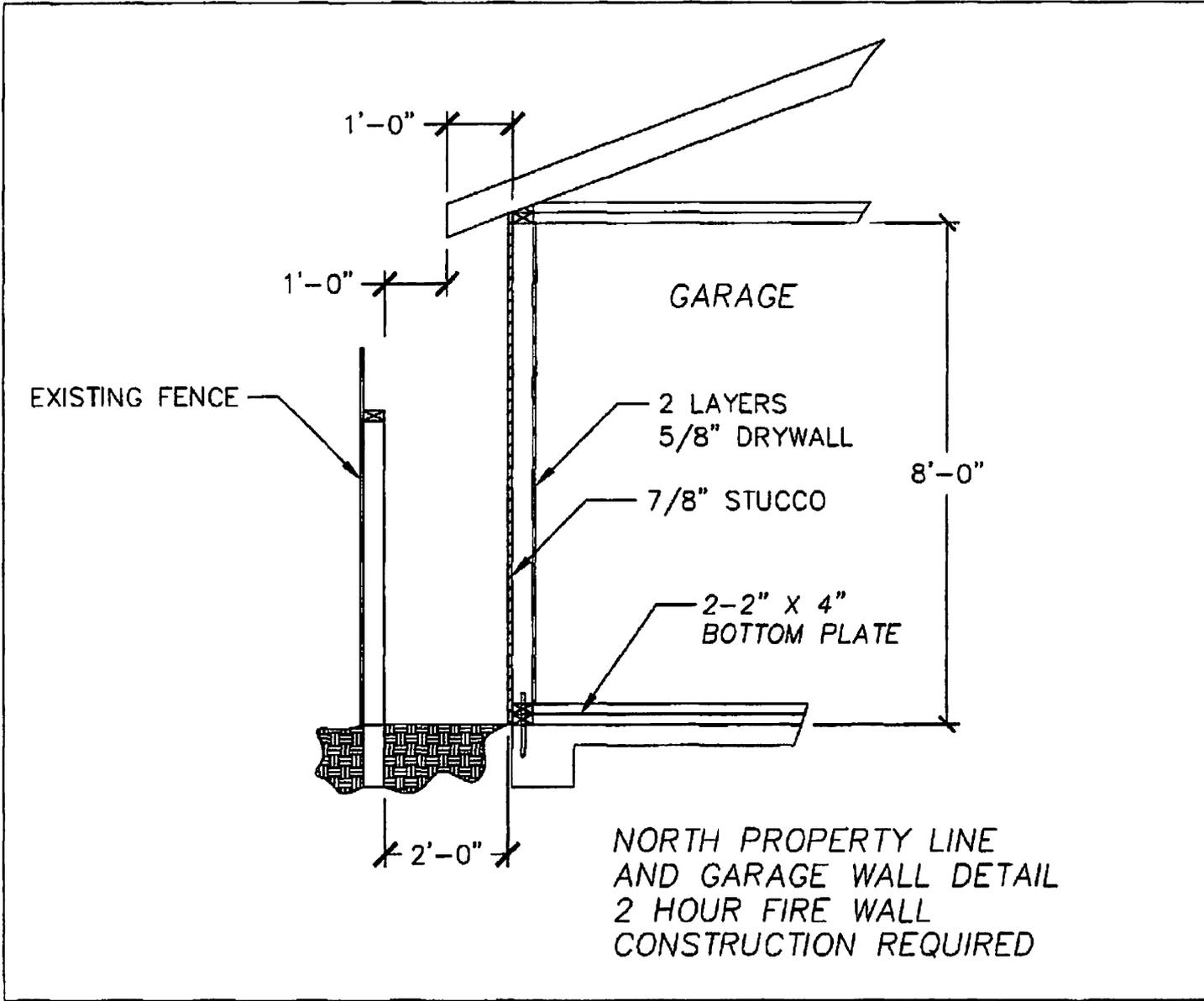
ABSTAIN: None


Richard "Duke Martin", Mayor Pro-Tem

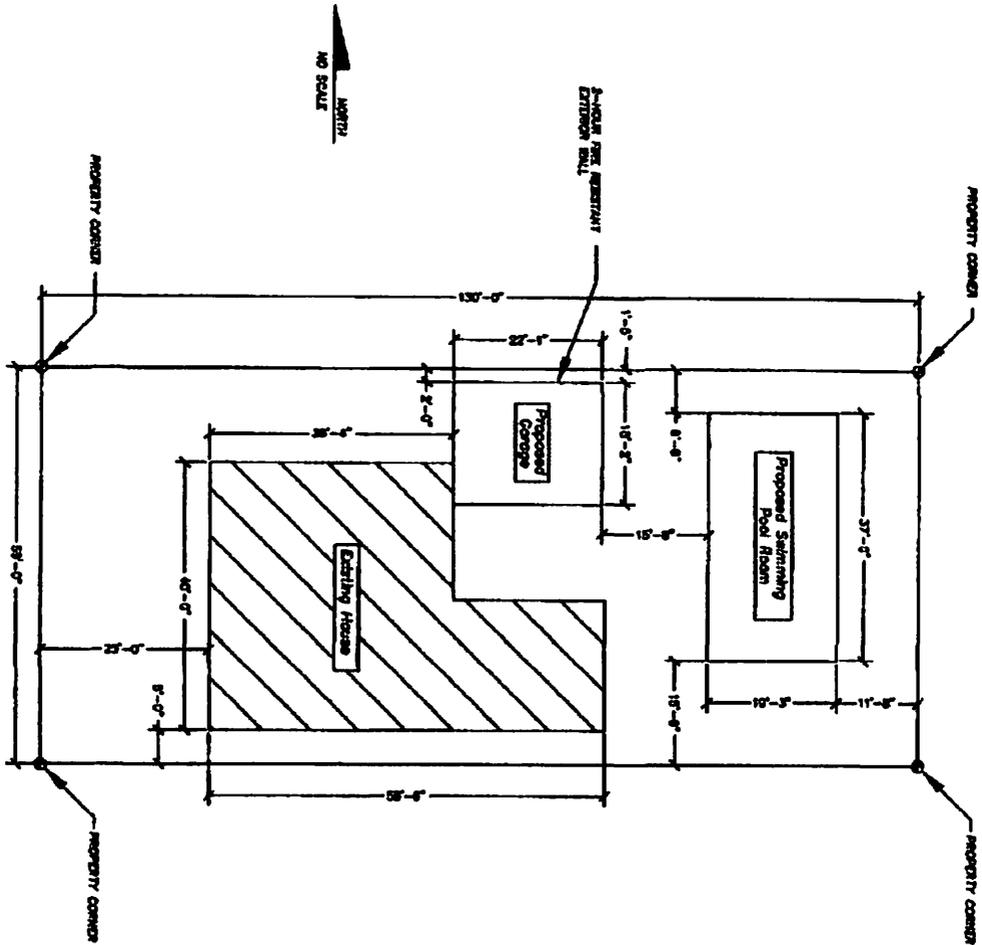
ATTEST


Rita Gable
City Clerk





<p>prepared by B.J. Tucker & Associates Civil Engineering - Surveying Member American Society of Civil Engineers P.O. Box 63, Invermore California, 93327 Telephone: 760-377-1383 FAX: 760-377-3381</p>	<p>prepared for Mr. Eloy Rodriguez 320 North Melrose Invermore, CA 93325 (760) 793-4317</p>
<p>Date: 12 Feb. 2008</p>	<p>Scale: 1/2" = 1'</p>
<p>Drawn: A. Cole</p>	<p>Job No. 057815.1E</p>
<p>Sheet: 1</p>	<p>of: 1</p>



PLOT PLAN
 LOT 108 EXACT 1836
 320 NORTH MOLINA
 CITY OF SACRAMENTO, COUNTY OF YUBA

Date of this plan Made this plan Drawn by and the engineer Scale 1" = 5'	prepared for Mr. Eloy Rodriguez 320 North Molina Sacramento, CA 95835 (916) 783-6377	prepared by B.J. Yucker & Associates Civil Engineering - Surveying Member American Society of Civil Engineers P.O. Box 53, Sacramento, California 95837 Telephone: 782-377-3381 Fax: 782-377-3382
	Date of this plan Made this plan Drawn by and the engineer Scale 1" = 5'	

