

MARIPOSA COUNTY ORDINANCE NO. 673

AN ORDINANCE REPEALING SECTION
17.18.050 ENTITLED "VARIANCE"
OF CHAPTER 17.18, ENTITLED, "SETBACK LINES"

WHEREAS, in order to bring the County Code into compliance with California State Statutes, Section 17.18.050 must be repealed in its entirety.

NOW THEREFORE, IT IS HEREBY ORDAINED BY THE MARIPOSA COUNTY BOARD OF SUPERVISORS as follows:

Section I: Section 17.18.050 entitled "Variance" of Chapter 17.18, entitled "Setback Lines" is repealed in its entirety.

Section II: Section 17.18.060 entitled "Violation--penalty" is renumbered 17.18.050.

Section III: This ordinance shall become effective thirty (30) days from the date of final passage, pursuant to Government Code Section 25123.


PASSED AND ADOPTED this 14th day of October, 1986 by the Mariposa County Board of Supervisors by the following vote:

AYES:	BARRICK, ERICKSON, RADANOVICH, TABER
NOES:	NONE
ABSENT:	DALTON
ABSTAINED:	NONE



BEVERLY BARRICK, Chairman
Mariposa County Board of Supervisors

ATTEST:



GERALD MC CARTHY, County Clerk and
Ex Officio Clerk of the Board

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



JEFFREY G. GREEN, County Counsel

17.16.020 Violation--Penalty. Any person, firm or corporation, whether as principal, agent, employee or otherwise, violating any provision of this article shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars, or by imprisonment in the county jail for a period of not more than six months, or by both such fine and imprisonment. Each day that violation of this article continues shall be considered a separate offense. (Ord. 180 §9, 1956).

Chapter 17.18

SETBACK LINES

Sections:

- 17.18.010 Definitions.
- 17.18.020 Exceptions.
- 17.18.030 Classification of roads.
- 17.18.040 Placement of buildings or installations.
- 17.18.050 Variance.
- 17.18.060 Violation--Penalty.

17.18.010 Definitions. "Building" and "installation" include all places of habitation, barns, places of business and wells or other structures which may be designated as permanent by the board of supervisors. (Ord. 198 §1, 1959).

17.18.020 Exceptions. Fences, corrals and cattle-chutes shall not be classified as buildings or installations. (Ord. 198 §2, 1959).

17.18.030 Classification of roads. Classification of roads as primary, secondary and other shall be as determined by the board of supervisors. (Ord. 198 §3, 1959).

17.18.040 Placement of buildings or installations. No building or installation shall be placed or erected closer than:

A. Fifty feet from the centerline of a forty-foot or fifty-foot existing or future local road;

B. Sixty-five feet from the centerline of a sixty-foot secondary road on a county major highway. (Ord. 469 §B(71), 1977: Ord. 198 §4, 1959).

17.18.050 Variance. Upon written application filed with the board of supervisors, or filed with the road commissioner and transmitted by him to the board of supervisors, and after hearing upon said written request before the board

of supervisors, the board may grant a variance or permit for the construction of buildings or installations, which would otherwise be prohibited under Section 17.08.040, upon such terms and conditions as the board shall impose; except that every such variance or permit shall contain a condition that the applicant or permittee named therein shall not be entitled to receive compensation from the county or its assigns for any building or installation constructed under the variance or permit in the event widening or realignment of a county road should require the removal or destruction, in whole or in part, of any such building or installation constructed in accordance with such variance or permit. (Ord. 198 §5, 1959).

17.18.060 Violation--Penalty. Violation of any provision of this chapter shall constitute an infraction and shall be punishable under Chapter 1.20, the general penalty provisions, of this code. (Ord. 469 §B(9)(part), 1977: Ord. 431 §2(part), 1976: Ord. 198 §6, 1959).

II. UNCLASSIFIED ZONE

Chapter 17.20

APPLICABILITY

Sections:

- 17.20.010 Applicability.
- 17.20.020 Unclassified zone.
- 17.20.030 County master plan.

17.20.010 Applicability. The provisions of this article shall not affect land use commenced prior to the effective date of the ordinance codified in this article. (Ord. 345 §4, 1971).

17.20.020 Unclassified zone. All land in the county situate outside Yosemite National Park, and which is not zoned by Mariposa County Ordinance No. 180, codified in Article I of this title, as amended, is established and shall be known as the unclassified zone. (Ord. 345 §1, 1971).

17.20.030 County master plan. A county master plan or general plan has been adopted. The planning commission and the board of supervisors have conducted in good faith, and are conducting in good faith, studies for the purposes of adopting countywide comprehensive zoning regulations and specific plans consistent with a master or general plan. (Ord. 345 §8, 1971).