DEPARTMENT: Planning

BY: Tim Evans

PHONE: 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes _ No XX)

Approve the request for a partial waiver of application fees for General Plan/Zoning Amendment Application No. 93-1. This recommendation is based on waiver provisions adopted by the Board (Resolution No. 92-524) for Planning Department application which states waivers may be granted in situations which the Board considers equitable and in the public interest. It is staff’s opinion that the grant of the waiver would be equitable in this case because 3 of the four parcels involved in this amendment were substantially substandard within the land use classification and zone and were added to the application based upon staff’s recommendation. The total amount of the fee waiver is $448.15.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

This is a request for amendment to the General Plan Land Use Map and Zoning Ordinance Map to change the land use classification on 25.86 acres consisting of three existing non-conforming parcels containing 4.75, 4.31 and 11.73 acres each and a proposed 5.07 acre parcel (a portion of an existing 57.93 acre parcel) from the Mountain General Land Use Classification (40 acre minimum parcel size requirement) to the Rural Residential Land Use Classification (2 1/2 acre minimum parcel size requirement). Amendment to the General Plan Land Use Map and Zoning Ordinance Map will bring the three existing non-conforming parcels into compliance in an area of the County which is located adjacent to the Rural Residential Zoning Designation.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Continue matter.
2. Request additional information from the applicant and/or staff.
3. Approve the request.
4. Deny the partial fee waiver request; applicant will be required to pay the full fee.

COSTS: ( ) Not Applicable

A. Budgeted current FY $ 
B. Total anticipated costs $ 
C. Required additional funding $ 
D. Internal transfers $ 

SOURCE: ( ) 4/5ths Vote Required

A. Unanticipated revenues $ 
B. Reserve for contingencies $ 
C. Source description: 
Balance in Reserve for Contingencies, if approved: $ 

SPECIAL INSTRUCTIONS: List the attachments and number the pages consecutively:

Maps and request for fee waiver attached.

CLERK’S USE ONLY:
Res. No.: 9/25-1
Ord. No. ______________
Vote at risk of _______________
Aes _____ Yees _____ Absent: ______
Approved: _______ Abstained: ______
( ) Minute Order Attached ( ) Denied
( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: __________

ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: __________

Deputy

ADMINISTRATIVE OFFICER’S RECOMMENDATION:

This item on agenda as:

______ Recommended
______ Not Recommended
______ For Policy Determination
______ Submitted with Comment
______ Returned for Further Action

Comment: ________________________

ADMINISTRATIVE OFFICER’S INITIALS: ________________________

Action Form Revised 5/92
January 7, 1993

Tony Lashbrook  
Mariposa County Planning Dept.

Dear Mr. Lashbrook,

I have lived in my house for 8 years at 5553 Parker Drive which is located on my father's property. Because of the divorce of my parents I really need to get the property on which the house sits in mine and my wife's names. I have been paying property tax on the house and it has its own A.P.N. number from the County Assessor.

I understand that in order to accomplish this I must apply for a zoning change. The zoning of the parcel I would like to create is Mountain General. There are three other parcels of 4 to 11 acres also zoned M.G. that adjoin the new proposed parcel. These parcels also adjoin a 5 acre parcel that is zoned Rural Residential (proper zoning) which is next to a 1 acre + or - subdivision zoned R.R.

The owners of the adjoining 3 parcels have no objection to the creating of my parcel and the rezoning of all four parcels to the proper zoning of R.R.

If at all possible, I would request that the County split the fees for this.

I would hope that the County can go along with this request for it is extremely important to me and my family to be able to obtain title to the land where my home is located.

Thank you very much.

Sincerely,

Jerry K. Red