MARIPOSA COUNTY  
BOARD OF SUPERVISORS  
DEPARTMENT: PLANNING  
BY: TONY LASHBROOK  
DATE: Feb. 29, 1992  
PHONE: 966-5151

AGENDA  
ACTION FORM  
AGENDA ITEM NO: 9

RECOMMENDED ACTION AND JUSTIFICATION:  
(POLICY ITEM  
YES  NO)
Adoption of a resolution denying the appeal and upholding the Planning Director's determination that the expansion of the restaurant and the addition of on-sale beer and wine in conjunction with food service is not an expansion or intensification of the existing non-conforming use at the Triangle Market property (APN 15-120-21)

BACKGROUND AND HISTORY OF BOARD ACTIONS:
None - Board considered an applicant appeal of a Planning Director's determination on this property in 1989.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
1. Approve appeal determining that the addition of on-sale beer and wine in conjunction with food service is an intensification of a non-conforming restaurant use or that the restaurant use is more intensive than an existing convenience/liquor store.
2. Approve appeal and allow use based upon conditions that were not identified by the Planning Director.

COSTS:  (X) Not Applicable
A. Budgeted current FY   $_______
B. Total anticipated costs $_______
C. Required add'l funding $_______
D. Source:

SOURCE:  ( ) 4/5ths Vote Required
A. Internal transfers   $_______
B. Total Anticipated Costs $_______
C. Reserve for Contingency $_______
D. Description:
Balance in Reserve for Contingency if approved: $_______

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:
1. Appeal
2. Planning Director's Determinations
3. Site Plan
4. Building Inspection Report
5. Original Use Permit

CLERK'S USE ONLY:  
Res. No.: 92-191
Ord. No.: 
Vote - Ayes: _____  Noes: _____
Absent: _____  Abstained: _____
( ) Approved  ( ) Denied
(-X) Minutes Order Attached

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

Date:  ATTEST: MARGIE WILLIAMS
County of Mariposa, State of CA
By: Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:  
This item on agenda as:

K Recommended
N Not Recommended
F For Policy Determination
S Submitted With Comment
R Returned for Further Action

Comment:

A.O. Initials:  

Action Form Revised 12/89
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: TONY LASHBROOK, PLANNING DIRECTOR

FROM: MARGIE WILLIAMS, CLERK OF THE BOARD

RE: PUBLIC HEARING REGARDING
BEER/WINE SERVICE AT TRIANGLE MARKET

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on February 25, 1992

ACTION AND VOTE:

Tony Lashbrook, Planning Director;
PUBLIC HEARING, Appeal of Planning Director's
Determination Concerning Proposed Expansion of
Restaurant and Addition of On-Sale Beer and Wine
Service for Triangle Market Property; Kwalwasser,
Applicant; Heitzmann, et al, Appellants

BOARD ACTION: Chairperson Punte explained the hearing
procedures. Supervisor Radanovich excused himself from
the hearing due to a possible conflict of interest
connected with his winery business. Tony presented
staff report. Public input was provided by: Bob
Kirchner/on behalf of appellants, presented appeal;
Steve Mason; Robert Ritz; Merle Wood; Charlotte
Heitzmann/representing Marina Jaramillo and for
herself; Helen Kwalwasser/applicant; Doug Kanarowski;
Martha Chernoff; David Kanarowski; Elaine Seymour; and
Jack Lyons. Bob Kirchner presented rebuttal and Helen
Kwalwasser responded. (M)Taber, (S)Baggett, Res.
92-101 adopted upholding appeal based on evidence
presented, finding that the configuration of the
facility and the proposed use of alcohol with food
service, as well as the proposed expansion of hours,
and the provision of entertainment, constitutes an
intensification of use/Ayes: Baggett, Punte, Erickson,
Taber; Excused: Radanovich. Hearing was closed.

cc: File