DEPARTMENT: Planning  BY: Duane Hall  PHONE: 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes X No ___)

Resolution denying the appeal and upholding the Planning Commission’s finding that APN 15-030-02 and APN 15-030-03 have been illegally divided in violation of the Subdivision Map Act and the County Subdivision Ordinance and the Commission’s actions to record Notices of Violation on the parcels and to revoke the certificates of development previously recorded on the parcels. The Planning Commission’s action was based on the legal advice of County Counsel and the evidence available to the Commission.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

No previous Board action.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

ALTERNATIVES: (1) Continue matter for further discussion; (2) Direct staff to provide additional information; (3) Uphold the appeal.

NEGATIVE ACTION would result in the appeal being upheld and the Planning Commission’s action being overturned.

COSTS:

(X) 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:

A. Memo to Board
B. Appeal letter
C. Planning Commission Resolution No. 92-10
D. Planning Commission Minutes
E. Materials submitted at Commission hearing
F. Memo to Commission dated 7/9/92
G. Planning Commission Staff Report

CLERK’S USE ONLY:
Res. No.: 413    Ord. No. 
Vote - Ayes: 4   Noes: 1    Absent: 0    Abstained: 0
Approved: ( ) Denied: ( )
Minute Order Attached: ( ) 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
By: County of Mariposa, State of California
Deputy

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

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

Comment: 

A.O. Initials: 

Action Form Revised 5/92
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: TONY LASHBROOK, PLANNING DIRECTOR
FROM: MARGIE WILLIAMS, CLERK OF THE BOARD
RE: PUBLIC HEARING/DAVIS

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on August 18, 1992

ACTION AND VOTE:

10:36 a.m. Tony Lashbrook, Planning Director; PUBLIC HEARING to Consider Appeal of Planning Commission's Findings that APN 15-030-02 and APN 15-030-03 have been Illegally Divided in Violation of the Subdivision Map Act and the County Subdivision Ordinance, and the Commission's Actions to Record Notices of Violation on Parcels, and to Revoke Certificates of Development Previously Recorded on the Parcels; Davis, Appellant
BOARD ACTION: Duane Hall/Associate Planner, provided staff report. Tony Lashbrook responded to questions by the Board. Persons speaking in support of appeal: Thomas Davis/appellant. Persons speaking in opposition to appeal: Martha Chernoff and John Patrickson. (M)Punte (who passed the gavel), (S)Radanovich, Res. 92-444 adopted denying the appeal and upholding the Planning Commission's findings based on testimony presented/Ayes: Punta, Erickson, Radanovich; Excused: Baggett, Taber.

cc: File