

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

DATE: August 18, 1992
AGENDA ITEM NO.: 5

DEPARTMENT: Planning

BY: Duane Hall

PHONE: 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes___ No_X)

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.: 92-444 Ord. No. _____
Vote - Ayes: 3 Noes: _____
Absent: Burgess, Kelly Abstained: _____
Approved: _____ () Denied _____
(X) 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
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: _____
A.O. Initials: [Signature]

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: TONY LASHBROOK, PLANNING DIRECTOR
FROM: MARGIE WILLIAMS, CLERK OF THE BOARD *mw*
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: Punte, Erickson, Radanovich; Excused:
Baggett, Taber.

cc: File