

MARIPOSA COUNTY  
BOARD OF SUPERVISORS

AGENDA  
ACTION FORM

DATE: July 28, 1992  
AGENDA ITEM NO.:

DEPARTMENT: Planning and Building 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 14-340-04 has 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. This recommendation is based on the attached legal opinion of County Counsel addressing the issues raised by the appellant.

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 actions 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:

- 1. Memo from County Counsel
- 2. Letters of Appeal from R. Moser
- 3. Letter from Affected Property Owner
- 4. Planning Commission Resolution No. 92-7
- 5. Planning Commission Minutes of 6/19/92
- 6. Planning Commission Staff Report Packet

CLERK'S USE ONLY:  
Res. No.: 92-408 Ord. No. \_\_\_\_\_  
Vote - Ayes: 5 Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_ 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: 

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

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

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THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on July 28, 1992

ACTION AND VOTE:

10:34 a.m. Tony Lashbrook, Planning Director;  
PUBLIC HEARING to Consider Appeal of Planning  
Commission's Decision on Subdivision Violation of the  
Subdivision Map Act and the County Subdivision  
Ordinance on Division of APN 14-340-04 into Five  
Parcels/Konopacki, Property Owners, Appellants  
BOARD ACTION: Tony presented staff report.  
Presentation on behalf of appellant: Attorney Richard  
Moser, representing Ed and Janice Konopacki; and Ken  
Melton, representing Stan Konopacki. Persons speaking  
in opposition to the appellant: Samuel Chernoff,  
Martha Chernoff, Sue Distaso, Gene Bower, Linda Bower,  
and Michael Distaso. There was no rebuttal by  
appellant. Public portion of hearing was reopened for  
Ed Konopacki to respond to questions by the Board.  
Input was provided by Linda Bower and Jan Babcock.  
Board commenced deliberations. (M)Taber,  
(S)Radanovich, Res. 92-408 adopted denying appeal and  
upholding the Planning Commission's decision/Ayes:  
Unanimous.

cc: File