

DEPARTMENT: PLANNING

BY: SARAH WILLIAMS

PHONE: 966-5151

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

Adoption of a resolution denying the appeal and upholding the Planning Director's determination that the proposed 400 horsepower diesel-fueled generator will constitute a public or private nuisance and may be objectionable by reason of noise, odor and/or smoke, that the proposed generator is an intensification of the existing non-conforming computer testing facility, and that the proposed 8,000 gallon above-ground fuel storage tank is an intensification of the existing non-conforming use. The Planning Director's determination is based on the discussion contained in the project Staff Report.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

NONE

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

ALTERNATIVES: 1. continue matter for further discussion; 2) Adopt resolution upholding appeal (approving installation of 400 horsepower generator and 8,000 gallon fuel storage tank).

NEGATIVE ACTION will result in the Planning Director's determination being upheld.

COSTS: (XX) Not Applicable
A. Budgeted current FY \$ _____
B. Total anticipated costs \$ _____
C. Required Add'l funding \$ _____
D. Source: _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:
1. Staff Report
2. Appeal Letter
3. Planning Director's Letter describing determination
4. Pertinent Sections from Zoning Ordinance

SOURCE: () 4/5ths Vote Required
A. Internal transfers \$ _____
B. Unanticipated revenues \$ _____
C. Reserve for contingency \$ _____
D. Description: _____

Balance in Reserve for Contingencies, if approved: \$ _____

CLERK'S USE ONLY:

Res. No.: 91-567
Ord. No.: _____
Vote - Ayes: _____ Noes: _____
Absent: _____ Abstained: _____
() Approved () Denied
(X) Minute Order Attached

ADMINISTRATIVE OFFICER'S

RECOMMENDATION:
This item on agenda as:
 Recommended
 Not Recommended
 For Policy Determination
 Submitted with Comment
 Returned for Further Action

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

Date: _____

ATTEST: MARGIE WILLIAMS
Clerk of the Board of Supervisors
County of Mariposa, State of CA
By: _____
Deputy

Comment: _____

A.O. Initials: 

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: TONY LASHBROOK, PLANNING DIRECTOR
FROM: MARGIE WILLIAMS, CLERK OF THE BOARD *mw*
RE: APPEAL HEARING - CKC LABORATORIES/KENDALL

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on November 26, 1991

ACTION AND VOTE:

2:05 p.m. PUBLIC HEARING, to Consider Appeal of Planning Director's Determination Regarding Expansion of Non-Conforming Use on APN 15-114-008/CKC Laboratories; Kendall, Applicants/ Appellents (Continued from 11/12/91)
BOARD ACTION: Sarah Williams, Associate Planner, presented staff report; and Tony Lashbrook, Planning Director, provided input. Public input was provided by: Chris Kendall/Applicant-Appellant, Craig Townsend, and Ralph Trefney, who also provided a sound test. (M)Baggett, (S)Punte, Res. 91-567 adopted upholding appeal: 1) finding fuel tank is not an intensification of use and applicants need to comply with regulations for 6,000 tank; 2) generator to be allowed to be installed based on manufacturers representation, with the understanding that it be tested and meet specifications required by the County; and 3) the generator is not to be operated commercially or on any basis until certification is complete and it meets County requirements and is acceptable to the Planning Director/Ayes: Unanimous.

cc: File