MARIPOSA COUNTY RESOLUTION NO. 85-292

A RESOLUTION UPHELDING APPEAL OF PLANNING STAFF DETERMINATION ON MEL-O-DEE MOTEL, LOUSTALOT, APPLICANT

WHEREAS, the Mariposa County Planning Department, on or about March 25, 1985, made a determination that Appellants had not operated a "Motel" at their premises located at 5509 Highway 140, Mariposa, California, commonly known as the "Mel-O-Dee Motel", for a period of four years and the premises therefore did not qualify as a "grandfathered use" (prior non-conforming use) as a "Motel" in Mariposa County; and that a Use Permit would be required in order for Appellants to operate the premises as a "Motel"; and,

WHEREAS, on or about July 22, 1985, George S. Logan, Esquire, filed a written Notice of Appeal for and on behalf of Appellants regarding the determination of the Planning Department as above described; and,

WHEREAS, a Public Appeal Hearing was held by the Mariposa County Board of Supervisors on Tuesday, September 10, 1985; and,

WHEREAS, Appellants produced both oral and written testimony regarding the usage of the "Mel-O-Dee Motel" from the date of purchase in 1979, to the present; and,

WHEREAS, based upon the evidence presented, the Mariposa County Board of Supervisors finds as follows:

IT IS HEREBY RESOLVED that based upon the usage of the "Mel-O-Dee Motel" by the Appellants from date of purchase to the present, that the usage conforms to the definition of "hotel" as
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defined in Section 17.22.020 of the Mariposa County Code.

BE IT FURTHER RESOLVED that Appellants are entitled to
operate seven (7) units at the "Mel-O-Dee Motel" as a "grand-
fathered use" (prior non-conforming use) as a "Hotel" pursuant to
Section 17.20.020 of the Mariposa County Code without the
requirement of a Use Permit.

PASSED AND ADOPTED by the Mariposa County Board of
Supervisors, a political subdivision of the State of California,
this 10th day of September, 1985, by the following vote:

AYES: BARRICK, DALTON, ERICKSON, RADANOVICH, TABER

NOES: NONE

ABSENT: NONE

ABSTAINED: NONE

EUGENE R. DALTON, Jr., Chairman
Mariposa County Board of Supervisors

ATTEST:

GERALD MC CARthy, County Clerk and
Ex officio Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

JEFFREY G. GREEN, County Counsel