MARIPOSA COUNTY RESOLUTION NO. 81-115

A RESOLUTION ADOPTING FINDINGS OF FACT
ON APPEAL OF USE PERMIT NO. 114

RESOLVED BY THE Board of Supervisors of Mariposa County, a
political subdivision of the State of California, as follows:

WHEREAS Use Permit No. 114 came before the Board of Supervi-
sors for public hearing on May 25, 1981, and further review oc-
curred on June 9, 1981, and a noticed public hearing was held with
all parties and the general public given an opportunity to present
evidence and testimony, and a record was made of all proceedings;
and

WHEREAS the Mariposa County Planning Commission granted Use
Permit No. 114 on April 9, 1981, with conditions;

NOW THEREFORE it is hereby resolved by the Board of Supervi-
sors of Mariposa County that the following findings of fact are
adopted:

1. Appellants have presented substantial evidence that
the use permitted under Use Permit No. 114 will result in substan-
tial increases in noise and traffic and thereby cause undesirable
and unsafe conditions in the surrounding residential neighborhood
and upon the intersection of the adjoining State highway and County
streets.

2. Appellants have presented substantial evidence of
strong public opposition by residents and owners of property near
to and adjoining the project site based upon impacts of noise and
traffic as well as other environmental factors.

3. The mitigation measures proposed to remedy the noise
and traffic impacts of this project are insufficient and beyond the
control of the applicant and the County.

4. The applicant has failed to rebut the evidence presented by appellants with substantial evidence that such impacts upon traffic and noise in the area can or will be successfully mitigated.

5. The Board of Supervisors of Mariposa County finds that the appeal should be and hereby is granted and Use Permit No. 114 is hereby denied.

PASSED AND ADOPTED by the Board of Supervisors of Mariposa County this 23rd day of June, 1981, by the following vote:

AYES: Taber, Dalton, Moffitt

NOES: Erickson

ABSENT: (District One Vacant)

ABSTAINED: None

WILLIAM H. MOFFITT, Chairman
Board of Supervisors

ATTEST:

ELLEN BRONSON, County Clerk and
Ex Officio Clerk of the Board

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

RICHARD K. DENHALTER, County Counsel