MARIPOSA COUNTY RESOLUTION NO. 80-155

A RESOLUTION ADOPTING FINDINGS OF FACT ON LAND DIVISION APPLICATION NO. 925

WHEREAS Land Division Application (LDA) 925 came before the Board of Supervisors on September 2, 1980; and

WHEREAS a noticed public hearing was held and evidence and testimony received, all parties having an opportunity to present their positions and evidence before the Board of Supervisors, and a record was made of the proceedings thereon; and

WHEREAS the Mariposa County Planning Commission approved LDA 925 on or about July 24, 1980, and the matter was appealed by Mr. Frank Long;

NOW THEREFORE IT IS RESOLVED by the Board of Supervisors of Mariposa County that the following findings of fact are adopted:

1. The project is in conformance with the overall intent and policies of the General Plan, in addition to the Land Use and Open Space Elements, the Circulation Element, the Safety Element, and the Noise Element.

2. All road easements shall be 60 ft. wide, non-exclusive.

3. Non-revocable offers of dedication are required for all road easements. Such offers shall specifically state that they are for "public road and utility purposes".

4. For purposes of public health, safety, welfare, and orderly development the easement road from Old Highway to Parcel B shall be improved to a Class 2B Standard prior to recordation of the Parcel Map.

5. Covenants for the maintenance of all easement roads shall be filed in accordance with Resolution No. 78-38.
6. The County Sanitarian has no objections.

7. A public hearing has been held, and a Negative Declaration accepted on this project in accordance with Resolution No. 79-23.

8. Developer agrees that a declaration of Deed Restrictions shall be recorded in the office of the Mariposa County Recorder prior to the sale of any newly created lot located on the REAL PROPERTY, and shall include the following condition: "By contractual agreement and covenant with the Mariposa County Unified School District, Declarants have agreed and covenanted that the contribution hereafter specified will be paid to the Mariposa County Unified School District prior to and as a condition precedent to (1) the first sale or transfer of ownership of any lot on the real property, or (2) the first issuance of a building or mobile home installation permit; whichever occurs first. In the 1979-80 school year the contribution shall be Five Hundred Dollars ($500.00). The contribution shall be increased each school year by ten percent (10%) over the prior school year or in an amount equal to the increase in the consumer price or similar cost of living index as determined by the United States Government, whichever is lesser". The above quoted condition shall also appear on the face of the parcel map and affected parcels designated.

9. Prior to commencement of road construction, applicant to contact Road Department for recommendations and requirements.

10. Encroachment permits are required for access to County road.

11. The appellant has failed to demonstrate adequate justification for a reversal of the Planning Commission approval of LDA 925 and the findings of the Planning Commission.

12. The Board of Supervisors of Mariposa County finds that LDA 925 was properly approved and the appeal is therefore denied.

PASSED AND ADOPTED this ___ day of __________, 1930, by the Mariposa County Board of Supervisors, by the following vote:
AYES: Clark, Moffitt, Erickson

NOES: None

ABSENT: Taber, Dalton

ABSTAINED: None

ERIC J. ERICKSON, Chairman
Board of Supervisors

ATTEST:

Ellen Bronson, County Clerk, Ex Officio
Clerk of the Board

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

RICHARD K. DEMPSTER, County Counsel