

WHEN RECORDED PLEASE MAIL TO:

THIS SPACE FOR RECORDER'S USE:

Mariposa County  
Planning Department  
P.O. Box 2039  
Mariposa, CA 95338-2039

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STATE OF CALIFORNIA  
COUNTY OF MARIPOSA  
PLANNING COMMISSION

Resolution  
No. 2005-3

**A resolution approving Variance Application No. 2004-201,  
Amanda Marrison, applicant. Assessor Parcel Number 013-260-  
007.**

WHEREAS an application for Variance No. 2004-201 was received on October 18, 2004 from Amanda Marrison for a property located at an unassigned address on Terrace View Lane in the Town of Mariposa, Lot No. 7 of the Terrace View Subdivision, also known as Assessor Parcel Number 013-260-007; and

WHEREAS the Planning Department circulated the application among trustee and responsible agencies, interested public organizations, and others as appropriate; and

WHEREAS a duly noticed public hearing was scheduled for January 21, 2005; and

WHEREAS the Planning Department prepared environmental documents in accordance with the California Environmental Quality Act and local administrative procedures; and

WHEREAS a Staff Report and Notice of Exemption were prepared pursuant to the California Government Code, Mariposa County Code, California Environmental Quality Act, and local administrative procedures; and

WHEREAS the Planning Commission did hold a public hearing on the noticed date and considered all of the information in the public record, including the Initial Study and Staff Report, testimony presented by the public concerning the application, and the comments of the applicant,

NOW THEREFORE, BE IT RESOLVED THAT the Planning Commission of the County of Mariposa does hereby approve a Notice of Exemption; and

BE IT THEREFORE FURTHER RESOLVED THAT the Planning Commission of the County of Mariposa does hereby approve Variance No. 2004-201; and

BE IT THEREFORE FURTHER RESOLVED THAT the project is approved based upon the findings set forth in Exhibit 1.

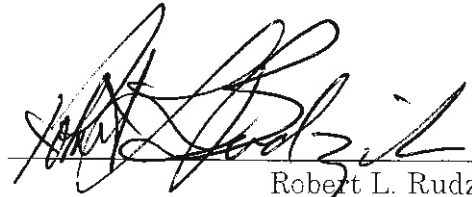
ON MOTION BY Commissioner Crain, seconded by Commissioner Skyrud, this resolution is duly passed and adopted this January 21, 2005 by the following vote:

AYES: Commissioners Rudzik, Crain, Skyrud, and Ross

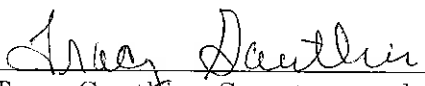
NOES:            None

EXCUSED:      Commissioner Ludington

ABSTAIN:      None

  
\_\_\_\_\_  
Robert L. Rudzik, Chair  
Mariposa County Planning Commission

Attest:

  
\_\_\_\_\_  
Tracy Gauthier, Secretary to the  
Mariposa County Planning Commission

## Exhibit 1--Project Findings for LDA No. 2004-167

1. **FINDING:** The site is physically suitable for the type and density of development.

**EVIDENCE:** Based on site inspection and the proposed division of the existing parcel into four parcels and a remainder that are all five acres or greater, the site is physically suited for low-density homes and appurtenant improvements such as septic systems provided that the conditions of approval regarding the septic systems and approved locations are met. The proposed project is located within the Mountain Home zone. The subdivision density is designed in accordance with the Mountain Home zone.

2. **FINDING:** The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

**EVIDENCE:** The Initial Study prepared for the project found that based on the approved project description, it would have a less than significant effect on the environment. According to the Department of Fish and Game's Natural Diversity Data Base and Areas of Special Biological Importance Map for Mariposa County, there are no special, rare, or endangered animal or plant species or wildlife resources located on the project site and the surrounding area that would be affected by approval of this project. The land is currently and will continue to be used primarily for residential purposes. The project may have an adverse impact on wildlife resources and potential habitat areas, and is therefore subject to the California Department of Fish and Game filing fees of (\$1,250) for a negative declaration as required by AB 3158 and a County Clerk fee of (\$25).

3. **FINDING:** The design of the subdivision or the proposed improvements is not likely to cause serious public health problems.

**EVIDENCE:** This land division and its subsequent use for low-density residential purposes are not likely to cause serious health problems. Future residential uses will be required to comply with all Building Code regulations and Health Department standards for the proper installation of wells and sewage disposal systems. The proper location and implementation of these improvements will ensure that serious health problems will not occur on the site.

4. **FINDING:** The proposed map is consistent with applicable general and specific plans as specified in Government Code Section 65451.

**EVIDENCE:** The land division is the initial step in the process to help accomplish the General Plan's Housing Element overall goal to "...provide an adequate supply of sound, affordable housing units in a safe and satisfying environment for

*the present and future residents of the County...*” The land division satisfies the following Housing Element Policy: *“to ensure that there are adequate sites and facilities available to support future housing needs.”* There is no specific plan governing this property.

5. **FINDING:** The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

**EVIDENCE:** The minimum parcel size proposed by the project is consistent with standards contained in the General Plan and the Zoning Ordinance. The land division’s design complies with the County Subdivision Ordinance’s maximum 4:1 length to width ratio for parcel configuration. The project site is not in an area governed by a Specific Plan.

6. **FINDING:** The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

**EVIDENCE:** The project will not conflict with any public easement. Affected utility companies have reviewed the proposed project and have not objected to the proposal.