
STATE OF CALIFORNIA
COUNTY OF MARIPOSA
PLANNING COMMISSION

Resolution
No. 2004-43

A resolution approving Request for Amended Conditions No. 2004-184, amending conditions of approval for Land Division Application No. 2002-516, Larry & Patricia Oakander, applicant. Assessor Parcel Number 015-350-062.

WHEREAS an application seeking to amend conditions of approval for Land Division Application #2002-516 was received on September 16, 2004 from Larry and Patricia Oakander for a property located at 5520 Parker Drive, in the Ponderosa Basin Subdivision area, also known as Assessor Parcel Number 015-350-062; 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 the 5th day of November 2004; 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 was 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 Staff Report and related documents, testimony presented by the public concerning the application, and the comments of the applicant, and

WHEREAS the Planning Commission made changes to Amended Conditions #2004-184 conditions of approval #22 of Land Division Application #2002-516, with said changes being shown in underlined italicized text for new text and strikethrough type for deleted text, as shown below, and

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

BE IT THEREFORE FURTHER RESOLVED THAT the Planning Commission of the County of Mariposa does hereby approve Request for Amended Conditions #2004-184, amending conditions of approval #22 of Land Division Application #2002-516 as stated:

22. A 75 foot building buffer shall be located on the map along the east border of Parcel D, extending to the southeast edge of the Remainder. The location of the easements shall be approved by the Planning Director prior to recordation of the parcel map. A statement shall be recorded in Official Records concurrently with the Parcel Map and referenced on the parcel map as follows:

"A restricted building setback of 75 feet exists along the east boundary of Parcel D extending along the east boundary of the Remainder due to the steep topography and the heavy fuel loading along the adjoining Sierra National Forest. No residential structures, garages or barns shall be constructed within the building buffer. Fencing, utilities, a well house and other small outbuildings may be constructed within the building setback subject to approval by the Planning Director. This building buffer shall be in perpetuity and shall restrict the use of the land within the easement. Dwelling(s) on Parcel D will utilize fire resistant materials, as approved by the California Department of Forestry and Fire Prevention, including but not limited to: fire resistant roofing, fire resistant siding, sheetrock of no less than 5/8" thickness throughout any dwelling, and any other construction such as decks, patios, etc. will use fire resistant materials."


ON MOTION BY Commissioner Denise Ludington, seconded by Commissioner Skip Skyrud, this resolution is duly passed and adopted this November 5, 2004 by the following vote:

AYES: Commissioners Ludington, Rudzik, Crain, Skyrud, and Turpin


NOES: None

EXCUSED: None

ABSTAIN: None


Susan Taber Crain, Chair
Mariposa County Planning Commission

Attest:


Tracy Gauthier, Secretary to the
Mariposa County Planning Commission