

1 MARIPOSA COUNTY RESOLUTION NO. 81-169

2 A RESOLUTION ADOPTING FINDINGS OF
3 FACT ON APPEAL OF USE PERMIT No. 152

4 BE IT HEREBY RESOLVED by the Board of Supervisors of Mariposa
5 County, a political subdivision of the State of California, as
6 follows:

7 WHEREAS, Use Permit Application No. 152 came before the Board
8 of Supervisors on August 25, 1981 and September 1, 1981, at which
9 times a noticed public hearing was held, with all parties and the
10 general public given an opportunity to present evidence and testi-
11 mony, and a record was made of all proceedings; and

12 WHEREAS, the Mariposa County Planning Commission adopted its
13 Resolution No. 81-28 denying Use Permit No. 152 on or about July 9,
14 1981;

15 NOW THEREFORE IT IS HEREBY RESOLVED by the Board of Supervi-
16 sors of Mariposa County that the following findings of fact are
17 adopted for Use Permit Application No. 152:

18 1. The findings of fact adopted by the Mariposa County Plan-
19 ning Commission in its Resolution No. 81-28, attached hereto as
20 Exhibit A and incorporated by reference, herein, are hereby adopted
21 by the Board of Supervisors.

22 2. Appellant has failed to present substantial evidence sup-
23 porting any basis for reversal of the decision of the Planning
24 Commission to deny this use permit.

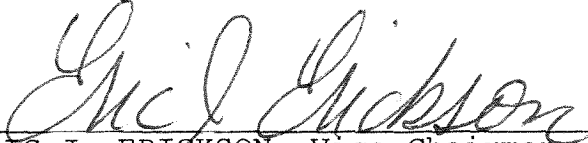
25 3. The Board of Supervisors of Mariposa County finds that
26 Use Permit No. 152 was and should be properly denied and the appeal
27 is therefore denied.

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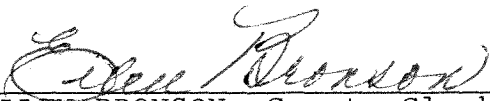
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1 PASSED AND DEOPTED this 8th day of September, 1981,
2 by the Board of Supervisors of Mariposa County, by the following
3 vote:

4 AYES: Taber, Dalton, Erickson
5 NOES: Barrick
6 EXCUSED: Moffitt
7 ABSTAINED: None

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10 ERIC J. ERICKSON, Vice-Chairman
Board of Supervisors

11 ATTEST:

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

15 APPROVED AS TO FORM AND
16 LEGAL SUFFICIENCY:

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19 RICHARD K. DENHALTER, County Counsel
9/5/81

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MARIPOSA COUNTY PLANNING COMMISSION

STATE OF CALIFORNIA

RESOLUTION NO. 81-28

A resolution acting to deny Use Permit No. 152, Vernon Moye, Applicant, a proposed real estate sales office.

WHEREAS, Use Permit No. 152 was duly considered at a public hearing held to consider the merits of the project; and

WHEREAS, at said public hearing the Commission received and evaluated public input; and

WHEREAS, the Commission evaluated said use with regards to consistency with Mountain General Land Use Designation and its appropriatness for the area.

THEREFORE, BE IT RESOLVED, that Use Permit No. 152 is hereby denied on the grounds that all of the findings, as required by Section 3.403 (c) of the Accepted Land Use Element, cannot be made for the subject use permit. On this basis the following findings are made:

1. The use is inconsistent with the adopted General Plan and Accepted Land Use Element Update.
2. The use does not promote and compliment the goals, policies and standards of the General Plan.
3. The use does not contribute to the orderly development of the area.
4. The use is inappropriate to the location, the lot and the neighborhood.

BE IT FURTHER RESOLVED, that in accordance with Section 15075 (b) of the California Administrative Code (CEQA Guidelines) all further environmental review is terminated.

PASSED AND ADOPTED this 9th day of July, 1981 by the Mariposa County Planning Commission by the following vote:

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AYES: Bittner, Martini, Grammer, Sharp, Simpson, Kendrick

NOES: None

NOT VOTING: None

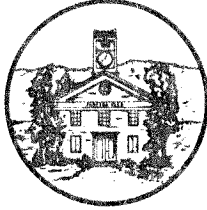
EXCUSED: Stovall

Roger Grammer
ROGER GRAMMER, Chairman
Mariposa County Planning Commission

ATTEST:

Betty Crisp
BETTY CRISP Secretary
Mariposa County Planning Commission

OFFICE OF



The County Counsel

RICHARD K. DENHALTER
COUNTY COUNSEL
(209) 966.3625

COURTHOUSE
P. O. BOX 1966
MARIPOSA, CALIFORNIA 95338

. F. Dana Walton
. Attorney at Law
. General Delivery
Mariposa, CA 95338


RE: NOTICE OF DECISION AND FINDINGS OF FACT/USE PERMIT NO. 152

To Whom It May Concern:

This is to inform you that the Board of Supervisors of Mariposa County has reached a final decision on the matter set forth above. The decision and findings of fact of the Board of Supervisors are contained in the attached document, which became final on the date specified therein.

NOTICE IS HEREBY GIVEN that, in the event judicial review is intended, the time within which judicial review of this decision must be sought is governed by Section 1094.6 of the Code of Civil Procedure.

Very truly yours,


Richard K. Denhalter
County Counsel