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MARIPOSA COUNTY RESOLUTION No. 81-245

A RESOLUTION ADOPTING FINDINGS OF FACT
ON THE APPEAL OF USE PERMIT No. 155

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

WHEREAS, Use Permit Application No. 155 came before the Board of Supervisors on appeal of Mariposa County Planning Commission Resolution No. 81-36, dated September 10, 1981, granting Use Permit No. 155; and

WHEREAS, a noticed public hearing was held on November 3rd and 10th, 1981, with all parties and the general public given notice and an opportunity to present evidence and testimony, and a record was made of all proceedings;

NOW THEREFORE IT IS HEREBY RESOLVED by the Board of Supervisors of Mariposa County that the following findings of fact are adopted with respect to Use Permit Application No. 155:

1. Allowance of a commercial/industrial use in the nature of a sawmill within this primarily residential neighborhood would result in the creation of a nuisance that would be detrimental to the health, safety, peace, comfort and general welfare of persons residing in the neighborhood. This type of business is inappropriate for this primarily residential neighborhood.

2. There is substantial evidence that proposed use permit conditions would not be effective to eliminate the nuisance and detrimental impacts of the proposed use. Applicant has disregarded restrictions, requirements and conditions prior to this hearing, including the on-site construction and operation of the proposed

1 sawmill without a permit, and there is no indication that he would
2 comply willingly with the restrictions and conditions recommended
3 for the use permit in the Planning Commission Resolution No. 81-36.
4 There is substantial evidence that the proposed use permit would
5 create an unacceptable level of demand for enforcement and monitor-
6 ing of conditions and restrictions by County agencies.

7 3. The Board of Supervisors of Mariposa County finds
8 that Mariposa Planning Commission Resolution No. 81-36 and the de-
9 cision to grant Use Permit No. 155 should be, and hereby are, re-
10 versed, and the appeal is decided in favor of appellants. USE
11 PERMIT No. 155 IS HEREBY REVOKED.

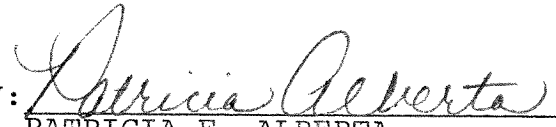
12 PASSED AND ADOPTED this 8th day of December, 1981,
13 by the Board of Supervisors of Mariposa County by the following
14 vote:

15 AYES: Taber, Moffitt
16 NOES: None
17 ABSTAIN: Barrick (Pursuant to rule No. 5-D, Res. No. 81-211)
18 EXCUSED: Dalton, Erickson


19 WILLIAM H. MOFFITT, Chairman
20 Board of Supervisors

21 ATTEST:

22 ELLEN BRONSON
23 ELLEN BRONSON, County Clerk and
24 Ex Officio Clerk of the Board

25 BY: 
26 PATRICIA E. ALBERTA
27 Clerk of the Board

28 APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


RICHARD K. DENHALTER, County Counsel