

MARIPOSA COUNTY RESOLUTION NO. 89-638

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2 A RESOLUTION UPHOLDING AN APPEAL OF THE PLANNING DIRECTOR'S
3 DETERMINATION REGARDING A ZONING VIOLATION AT THE TRIANGLE
4 STORE, HELEN KWALWASSER, APPELLANT.

5 WHEREAS, the Planning Director made a determination
6 that the operation of an automotive repair business occurring
7 on APN 15-120-21, property commonly referred to as the Triangle
8 Store, was in violation of Section 17.148 of the Mariposa County
9 Code, and

10 WHEREAS, the property owner appealed the Planning
11 Director's determination to the Board of Supervisors, and

12 WHEREAS, the appellant provided information in support
13 of her appeal at the public hearing held by the Board of
14 Supervisors.

15 NOW THEREFORE, BE IT RESOLVED that the Mariposa County
16 Board of Supervisors upholds the appeal and finds that the
17 operation of an auto repair business in the 800+ sq. ft.
18 converted pole barn on the property is in compliance with the
19 Mariposa County Zoning Code.

20 BE IT FURTHER RESOLVED that this determination is
21 based upon a finding that the automotive repair use is an
22 existing non-conforming use in conformance with Section
23 17.08.020 of County Code. The non-conforming status of the use
24 was evidenced by the Board's review of a 1988 Tax Return
25 indicating that an automotive repair business had been operated
26 on this property prior to the adoption of the current zoning
27 ordinance.

28 PASSED AND ADOPTED by the Mariposa County Board of

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Supervisors this 19th day of December, 1989 by the following
vote:

AYES: BAGGETT, PUNTE, ERICKSON, RADANOVICH, TABER
NOES: NONE
EXCUSED: NONE
ABSTAINED: NONE

Gertrude R. Taber
GERTRUDE R. TABER, Chairman
Mariposa County Board of Supervisors

ATTEST:
Margie Williams
MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
Jeffrey G. Green
JEFFREY G. GREEN, County Counsel