

BEFORE
THE BOARD OF SUPERVISORS
OF THE COUNTY OF MADERA
STATE OF CALIFORNIA

| | | |
|------------------------|---|---------------------------------|
| In the Matter of |) | Resolution No.: 2022-_____ |
| |) | |
| TENTATIVE PARCEL MAP |) | A RESOLUTION DENYING THE APPEAL |
| (PM#4287) APPEAL |) | TO THE PLANNING COMMISSION'S |
| |) | DECISION TO APPROVE A TENTATIVE |
| MADERA COUNTY - MADERA |) | PARCEL MAP– DUSKIN AND MARA |
| _____ |) | FRANZ - MADERA |

WHEREAS, on _____ the Board of Supervisors considered the appeal by Duskin and Mara Franz and various surrounding property owners of the Planning Commission's decision to approve Tentative Parcel Map #4287 and the appeal by the applicant Fernando Garcia Cortez of the conditions of approval for Tentative Parcel Map #4287; and

WHEREAS, on August 2, 2022, the Planning Commission denied the appeal of Tentative Parcel Map (PM#4287) with the recommendation from Environmental Health to construct only one well that will be under a shared well agreement between the two subsequent parcels; and

WHEREAS, the findings set forth herein are based on the record in this matter, which consists of the report of the Planning Staff, materials contained in the Planning Commission file prepared for this project, the materials submitted to the Planning Commission and the Board of Supervisors, and testimony presented at the hearing, all of which have been considered by the Board.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Madera, State of California, that:

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1. The proposed project does not violate the spirit or intent of the Zoning Ordinance. The proposed parcel map complies with the existing general plan and zoning parcel size requirements. The RRS-2 zone district (Residential, Rural, Single Family, 2 Acre) and RR (Rural Residential) designations are compatible.

2. The proposed project is not contrary to the public health, safety, or general welfare. No activities from the proposed project are projected to have a significant impact on the public's health, safety, or general welfare. Conditions have been placed to mitigate any water and sewer related issues.

3. The proposed project is not hazardous, harmful, noxious, offensive, or a nuisance because of noise, dust, smoke, odor, glare, or similar, factors. The proposed parcel map is not projected to have any hazardous elements involved. By its' nature, the project will generate hazardous, harmful, noxious or offensive odors.

4. The proposed project will not cause a substantial, adverse effect upon the property values and general desirability of the surrounding properties. Due to the contiguous residential parcels within the region, the proposed parcel map will not have a negative effect on surrounding properties. Future development will include residential structures which are in line with the Valley Lake Ranchos subdivision.

5. The appeal by Duskin and Mara Franz and various surrounding property owners of the Planning Commission's decision to approve Tentative Parcel Map #4287 is denied.

6. The appeal by the applicant, Fernando Garcia Cortez of the condition to have no more than one well which would be under a shared well agreement between the two subsequent parcels created by Tentative Parcel Map #4287 is denied.

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The foregoing Resolution was adopted this ____ day of _____, 2022,
by the following vote:



Supervisor Frazier voted: _____
Supervisor Rogers voted: _____
Supervisor Poythress voted: _____
Supervisor Gonzalez voted: _____
Supervisor Wheeler voted: _____

Chairman, Board of Supervisors

ATTEST:

Clerk, Board of Supervisors

Approved as to Legal Form:
COUNTY COUNSEL

By: Dale E. Bacigalupi
Digitally signed by: Dale E. Bacigalupi
DN: CN = Dale E. Bacigalupi email = dbacigalupi@lozanosmith.com C = US O = Lozano Smith
Date: 2022.11.17 14:23:00 -08'00'