

# MONO COUNTY PLANNING COMMISSION

PO Box 347  
Mammoth Lakes, CA 93546  
760.924.1800, fax 924.1801  
commdev@mono.ca.gov

PO Box 8  
Bridgeport, CA 93517  
760.932.5420, fax 932.5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

## SPECIAL MEETING AGENDA

January 16, 2020 – 10 a.m.

Town/County Conference Room, Minaret Village Mall, 437 Old Mammoth Road Ste 202, Mammoth Lakes

\***Videoconference:** Supervisors Chambers, County Courthouse, Bridgeport

Full agenda packets, plus associated materials distributed less than 72 hours prior to the meeting, will be available for public review at the Community Development offices in Bridgeport (Annex 1, 74 N. School St.) or Mammoth Lakes (Minaret Village Mall, above Giovanni's Pizzeria). Agenda packets are also posted online at [www.monocounty.ca.gov](http://www.monocounty.ca.gov) / boards & commissions / planning commission. For inclusion on the e-mail distribution list, interested persons can subscribe on the website.

*\*Agenda sequence (see note following agenda).*

### 1. CALL TO ORDER & PLEDGE OF ALLEGIANCE

2. **PUBLIC COMMENT:** Opportunity to address the Planning Commission on items not on the agenda

3. **MEETING MINUTES:** Review and adopt minutes of December 19, 2019

### 4. PUBLIC HEARING

#### **10:05 A.M.**

**A. CONDITIONAL USE PERMIT 19-013/LAMPSON** would allow off-site snow storage in compliance with General Plan Chapter 4.300. The site, located at 206 S. Crawford Ave. (APN 015-112-015) in June Lake with a land use designation of Mixed Use (MU), currently does not meet snow-storage requirements and is considered an existing non-conforming use. The project proposes to construct an additional structure, further decreasing the available snow storage area. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed.

*Staff: Michael Draper*

#### **10:25 A.M.**

**B. EXPANDED HOME OCCUPATION PERMIT 19-001/CAMPBELL** would allow welding fabrication including, but not limited to, equestrian panels, corral gates, and accessories with outdoor storage of materials and finished products at 646 Valley Road (APN 026-291-002) in Chalfant. The property is approximately 0.77 acres with a land use designation of Rural Mobile Home. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. *Staff: Jake Suppa*

5. **WORKSHOP:** None

### 6. REPORTS

#### **A. DIRECTOR**

#### **B. COMMISSIONERS**

***More on back...***

DISTRICT #1  
COMMISSIONER  
Patricia Robertson

DISTRICT #2  
COMMISSIONER  
Roberta Lagomarsini

DISTRICT #3  
COMMISSIONER  
Daniel Roberts

DISTRICT #4  
COMMISSIONER  
Scott Bush

DISTRICT #5  
COMMISSIONER  
Chris I. Lizza

## 7. INFORMATIONAL

## 8. ADJOURN to regular meeting February 20, 2020

**\*NOTE:** Although the Planning Commission generally strives to follow the agenda sequence, it reserves the right to take any agenda item – other than a noticed public hearing – in any order, and at any time after its meeting starts. The Planning Commission encourages public attendance and participation.

In compliance with the Americans with Disabilities Act, anyone who needs special assistance to attend this meeting can contact the Commission secretary at 760-924-1804 within 48 hours prior to the meeting to ensure accessibility (see 42 USCS 12132, 28CFR 35.130).

\*The public may participate in the meeting at the teleconference site, where attendees may address the Commission directly. Please be advised that Mono County does its best to ensure the reliability of videoconferencing but cannot guarantee that the system always works. If an agenda item is important to you, you might consider attending the meeting in Bridgeport.

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Commissioners may participate from a teleconference location. Interested persons may appear before the Commission to present testimony for public hearings, or prior to or at the hearing file written correspondence with the Commission secretary. Future court challenges to these items may be limited to those issues raised at the public hearing or provided in writing to the Mono County Planning Commission prior to or at the public hearing. Project proponents, agents or citizens who wish to speak are asked to be acknowledged by the Chair, print their names on the sign-in sheet, and address the Commission from the podium.

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## DRAFT MINUTES

December 19, 2019 – 10 a.m.

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**COMMISSIONERS:** Scott Bush, Roberta Lagomarsini (via video in Mammoth Lakes), Chris I. Lizza, Dan Roberts & Patricia Robertson (absent with new baby)

**STAFF:** Gerry Le Francois, principal planner; Michael Draper & Bentley Regehr, planning analysts; Garrett Higerd & Kalen Dodd, public works; Christy Milovich, assistant county counsel; CD Ritter, PC clerk

**GUEST:** Craig Tapley (via video in Mammoth Lakes)

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**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE:** Chair Scott Bush called the meeting to order at 10:00 am at the board chambers in Bridgeport, and attendees recited pledge of allegiance to the flag.

**2. PUBLIC COMMENT:** Bartshe Miller, Mono Lake Committee, submitted written comments on Tioga Inn project, to BOS last week. Coming up for formal review next year. Identified up to 70 unavoidable impacts. Comments offer alternatives to minimize impact to area so balanced project can emerge.

### 3. MINUTES

***MOTION:*** Adopt minutes of Nov. 21, 2019, as amended: Item 5: Lizza would like **Specific Plan** amendment (*Roberts/Lizza. Roll call: Lagomarsini, Roberts, Lizza, Bush. Ayes 4-0. Absent: Robertson.*)

### 4. PUBLIC HEARING

**A. VARIANCE 19-01/Stang.** Proposal to encroach upon the required stream setback distance of 30' at Dream Mountain Estates, June Lake (APN 016-270-005). The applicant proposes to construct a new single-family residence 16' from a stream on the property. The land use designation is Single-Family Residential (SFR). The parcel is currently vacant. The proposed house and garage area total 1,249 square feet (sf), or 14.8% of the total 8,401.5-sf lot area. An exemption in compliance with the California Environmental Quality Act (CEQA) is proposed for the project.

Michael Draper introduced project in June Lake requesting reduced stream setback. Meets all other required setbacks. Course of stream has changed over time. To make lot more buildable, have setback 16' from top of stream bank (cobble rock wall). Site visit to undeveloped property in May. Required findings were stated. Site accommodates SFR with modest building envelope. Another structure in 1984. Consistent with adjoining uses. Notified CDFW (California Department of Fish & Wildlife), which had no concerns. Require communication with property owner. Base flood elevation will be established. No detriment to adjacent residences. Encourages infill in subdivision of 23 lots. Level of development limits impact to riparian area. Flood-plain study would be required. Calls out specific creeks, this creek is tributary to Reversed Creek. Garage below residence. No ground-level patios. Conditions of approval were noted. New easement will allow cleaning and maintenance of channel.

Milovich: Reminded that applicants have less than full commission, could postpone hearing. Proceed under building code adopted Jan. 1, 2020. Not understand all new regulations.

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DISTRICT #1  
COMMISSIONER  
Patricia Robertson

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COMMISSIONER  
Scott Bush

DISTRICT #5  
COMMISSIONER  
Chris I. Lizza

Extravagant compared to current standards. If tabled, submit documents prior to year-end to be under current regime. Timing unfortunate. PC does not have discretion.

Tapley: Move forward with four commissioners. *Milovich: Commenter wanted postponement.*

Draper: Talked with DeWitt, wanted postponement. Followed noticing requirements.

Share stream bed? Stakes in May? *Draper: Placed by applicant, Criss and Draper thought stakes not accurate top of stream bank. DeWitt should have noticed something going on. Tapley placed stakes all over applicant property.*

Water flowing toward neighboring lot? *Draper: Flowing away from property.* Bush: Anything would be downstream, not onto his property. *Draper: If stream were dammed, could happen. Roof shed goes away from creek.*

Stream into culvert? *Draper: Yes, alongside road and eventually crosses.*

Tapley: All surface water. Culvert exists, allows driveway. Another culvert for other properties.

Other lots affected by creek now or later? *Milovich: P. 9 mentions DeWitt property, variance may have been prior.* Lagomarsini: Continuance request by DeWitt.

Other questions? *Lagomarsini: Inclined to move forward.* Bush: DeWitt could appeal to PC and BOS. *Le Francois: Could appeal if approved.* Roberts: No specific concerns, just options.

***MOTION:*** Move ahead (*Lagomarsini/Roberts. Roll call: Roberts/Bush/Lizza/Lagomarsini. Ayes: 4-0. Absent: Robertson.*)

Higerd: When Public Works became aware of easement on tract map, worked with CDD to grant new drainage easement to public to replace old one. At some point, drainage moved from original easement closer to perimeter of property. In keeping with allowing public access, new easement in location where drainage exists today: 10' either side of center line. Granted so clear out debris to maintain waterway.

Same kind of easement on other properties in this tract? *Higerd: Original affected several different parcels. Same blanket easement.* Lagomarsini: Change easements on other properties? *Higerd: Only property in question.*

**OPEN PUBLIC COMMENT:** Craig Tapley stated stream course changed when cobble was added to protect. Backfilled lots brought grade up. Looking at original 20' easement, just 10' either side.

Tapley: County's not looking at anything prior to 1990, not know setbacks when DeWitt built. Done best to design residence in FEMA flood zone D. No major event since January 1997. With design of structure concrete slab at grade for garage. Designed living area to be 11' above grade for second floor. 936 sf, roof slopes away from stream course. Could introduce stone. Conservative design, not asking for much except acted in due process.

Lizza: How long own property? *Tapley: Year and a half. Another client looked at moving stream but would work with Army Corps, Lahontan, etc. Footprint about 20% of lot coverage.*

**CLOSE PUBLIC COMMENT.**

**DISCUSSION:** Lizza: OK with setback. Would like to see good map of where creek runs through other properties to see impact. *Roberts: Consistent with other construction in area.* Draper showed map of adjacent properties.

Lagomarsini: Appropriate variance for site in subdivision.

Tapley: Culvert 49", runs over on 6, 7, and 8. Draper: Lot 9 vacant.

Is lot 8 30' from creek? *Draper: Residence set back far on property.*

***MOTION:*** Find that project is exempt from CEQA as a Categorical Exemption under CEQA guideline 15303 and direct staff to file a Notice of Exemption; adopt findings in staff report; and approve

Variance 19-001 to allow 16' setback from top of stream bank for SFR on APN 016-270-005.  
(Lizza/Lagomarsini. Roll call Lagomarsini, Lizza, Bush, Roberts. Ayes: 4-0. Absent: Robertson.)

**B. CONDITIONAL USE PERMIT 19-011/Heaton** for use of a residence as a transient rental at 24 W. Granite Ave. in June Lake (APN 015-103-005). The unit contains one bedroom and is allowed a maximum of four overnight guests. Property is designated Multi-Family Residential – High (MFR-H).

Bentley Regehr added slight change to staff report: 2-BD not 1-BD, occupancy increase from four to six. Two unpaved spaces would need paving, off-site parking prohibited. Discussed snow storage, not push into stream. Reduced 30' to 5', snow not in setback. All exterior lighting down-directed. Exempt under CEQA.

Bush: Who manages? *Regehr: Signage stating how managed.*

Lizza: MFR-H allows transient rentals. *Le Francois: Probably holdover from 1980s and '90s, language likely never changed. Maybe expected larger projects not SFR. VRBO came along, dealing with individual units.*

**OPEN PUBLIC COMMENT:** Connie Lear would manage traditional vacation home property. Leonard Avenue rentals rented prior with a year to get pavement done. Asking to pave first prior to rentals now. *Regehr: Bring up to code.*

Le Francois: In past PC deferred things like landscaping, or in this case paving. Can't pave unless temp 45-50 and rising. May be throwing money away. Requirement as SFR, should have been caught at building permit stage. Lot off paved street needs paved parking.

Paving under Variance 16-01? *Le Francois: Heaton bought red-tagged structure with illegal modifications, inherited headaches.* Roberts: Small garage exists. *Heaton: Was storage container.*

Milovich: PC can alter a condition.

Want to rent this season? *Heaton: Yes, wait till ready to pave in spring.*

Rent year-round? *Heaton: Just winters.*

Talking permeable or solid paving? *Regehr: Regular paving. Not up against lot coverage issue for permeable.* Lagomarsini: Option for permeable? *Le Francois: Allow pavers, turf stone, pervious concrete. If off hardened surface, translates to parking. Some type of hardening.* **CLOSE PUBLIC COMMENT.**

**DISCUSSION:** Lizza: Paving should have been done long ago, set June 30 deadline to pave. Roberts: *Could still be muddy and snowy.* Bush: Amend to July 31.

**MOTION:** Find that project qualifies as a Categorical Exemption under CEQA guideline 15301 and instruct staff to file a Notice of Exemption; make the interpretation the use of a single unit as a transit rental on a Multi-Family Residential – High (MFR-H) parcel is similar and not more obnoxious than use of four or more units as transient rentals on an MFR-H parcel; make the required findings in staff report; and approve Use Permit 19-011 subject to Conditions of Approval: Add to Condition 3 July 31, 2020, deadline for two paved parking spaces. (Roberts/Lagomarsini. Roll call: Lagomarsini, Lizza, Bush, Roberts. Ayes 4-0. Absent: Robertson.)

**5. WORKSHOP:** None

**6. REPORTS**

**A. DIRECTOR: Le Francois:** 1) Tioga Inn Specific Plan: Administrative draft, final subsequent EIR. 2) Head property: Building permit in fall, working on issues. Buildings to be delivered at spring thaw. Start as soon as possible.

**B. COMMISSIONERS:** None.

**7. INFORMATIONAL:** None.

**8. ADJOURN** to 11:15 a.m. to regular meeting January 16, 2020

*Prepared by CD Ritter, PC clerk*

# Mono County Community Development Department

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January 16, 2020

To: Mono County Planning Commission

From: Michael Draper, Planning Analyst

Re: Use Permit 19-013 / Lampson

### RECOMMENDATION

It is recommended the Planning Commission take the following actions:

1. Find that the project qualifies as a Categorical Exemption under CEQA guideline 15303 and instruct staff to file a Notice of Exemption;
3. Make the required findings as contained in the project staff report; and
4. Approve Use Permit 19-013 subject to Conditions of Approval.

--- OR ---

5. Find that the required findings cannot be made as contained in the project staff report; and
6. Deny Use Permit 19-013.

### BACKGROUND

The project, located at 206 South Crawford Avenue in June Lake (APN 015-112-015) and designated Mixed Use (MU), proposes to conduct off-site snow storage due to proposed new construction in order to meet Mono County General Plan (MCGP) standards for multifamily properties (three or more units). The applicant's goal is to construct an enclosure to house an above-ground "endless pool" with associated pool equipment. The pool is 7' x 14' and the enclosure would be 10' x 20' (200 square-feet (sf)).



The property is 5,000 sf and contains a 2,040 sf two-story multifamily structure; three two-car garage units on the primary level and three two-bedroom units on the second level. Each unit has

an uncovered deck on the second level. Two separate paved driveway landings provide access to the garages, a 20' x 24' (480' sf) landing along S. Crawford Avenue and a 35' x 10' (350' sf) landing along Alderman Street. Both roads are Class III, County maintained roads. There is also a paved walkway along the northern side of the building, approximately 3' x 30' (90' sf). Total existing lot coverage is 59.2% or 2,960 sf. At the time of construction, the property provided 571 sf for snow storage on the north side of the property. All yard setbacks are met.

## DISCUSSION

For June Lake, the roof snow load requirement is 95+ pounds per square foot, which equates to a snow storage requirement of 65% of the area from which snow is to be removed. For this project, snow needs to be removed from the driveway landings and walkway, a total of 920 sf, which results in 598 sf required for snow storage. During the time of construction, a 571 sf area was dedicated for snow storage which considered the 35' x 10' and 20' x 20' driveway landings. However, the addition of the north-side walkway (90' sf), and extending the 20' x 20' driveway landing to include an additional 80-sf area, increase the required area to 598 sf. Therefore, the current snow storage area is deficient by 27 sf based on as-built conditions and is considered an existing, non-conforming use.

The applicant is proposing to construct a new accessory structure that will further reduce existing snow storage and increase lot coverage. As a result, the applicant is proposing to contract for off-site snow storage, which can be approved only through a use permit.

Per Mono County General Plan Chapter 4.300;

*“Snow-storage areas are equal to a required percentage of the area from which the snow is to be removed (i.e., parking and access/roads areas). Snow storage is to be provided on site but **may be allowed off-site through the use permit process**. Snow loads shall be established by the Design Criteria utilized by the Mono County Building Division.”* (Emphasis added)

If off-site snow storage is granted for the purpose of constructing an accessory structure, the property may be over, or very close to, the allowed lot coverage standard for a Mixed Use property (60%) depending on how lot coverage is calculated. The existing structure is 2,040 sf, impervious vehicular areas total 750 sf, and impervious walkways total 170 sf, totaling 2,960 sf or 59.2% of the total 5,000-sf lot. With the addition of the 10' x 20' accessory structure, lot coverage will be 3,160 sf or 63.2%, including walkways.

However, the definition of “lot coverage” in the General Plan specifies only decks, structures, and areas devoted to vehicular traffic or parking are included in the calculation:

Mono County General Plan Chapter 2.730, “Lot coverage”;

*“Lot coverage means the percentage of a lot encumbered by **structures including decks and areas devoted to vehicular traffic or parking**. Specified requirements may be modified for substandard lots.”* (Emphasis added)

The question to consider is whether or not to include walkways/paths of travel in calculating lot coverage. Impervious walkway areas total 170 sf which, if excluded, results in a lot coverage of 2,990 sf or 59.8% with the construction of the pool. Past practice has included all impervious

surfaces, including walkways, in lot coverage calculations and is supported by the following General Plan policies:

Mono County General Plan Chapter 01.010 “Purpose and Intent”;

A. *The purpose of the Mono County Land Development Regulations is to regulate development as allowed by Government Code 65850, including the following:*

...

5. *The percentage of a lot that may be **occupied by impervious surfaces**; (Emphasis added)*

Mono County General Plan Chapter 02.1045, “Site disturbance”

*“Site disturbance” means the portion of a parcel that has been changed from its natural condition during the process of development, including but not limited to areas altered by structures, parking areas, roads and driveways, and graded areas. It does not include areas used for agricultural operations. Land that has been disturbed but that has subsequently been reclaimed or revegetated is not counted in the calculation of site disturbance. “Site disturbance” includes the **area considered as lot coverage (structures and impervious surfaces)**. Lot coverage and site disturbance are calculated using gross coverage/disturbance for parcels one acre or more in size; and net coverage/ disturbance for parcels under one acre in size. (Emphasis added)*



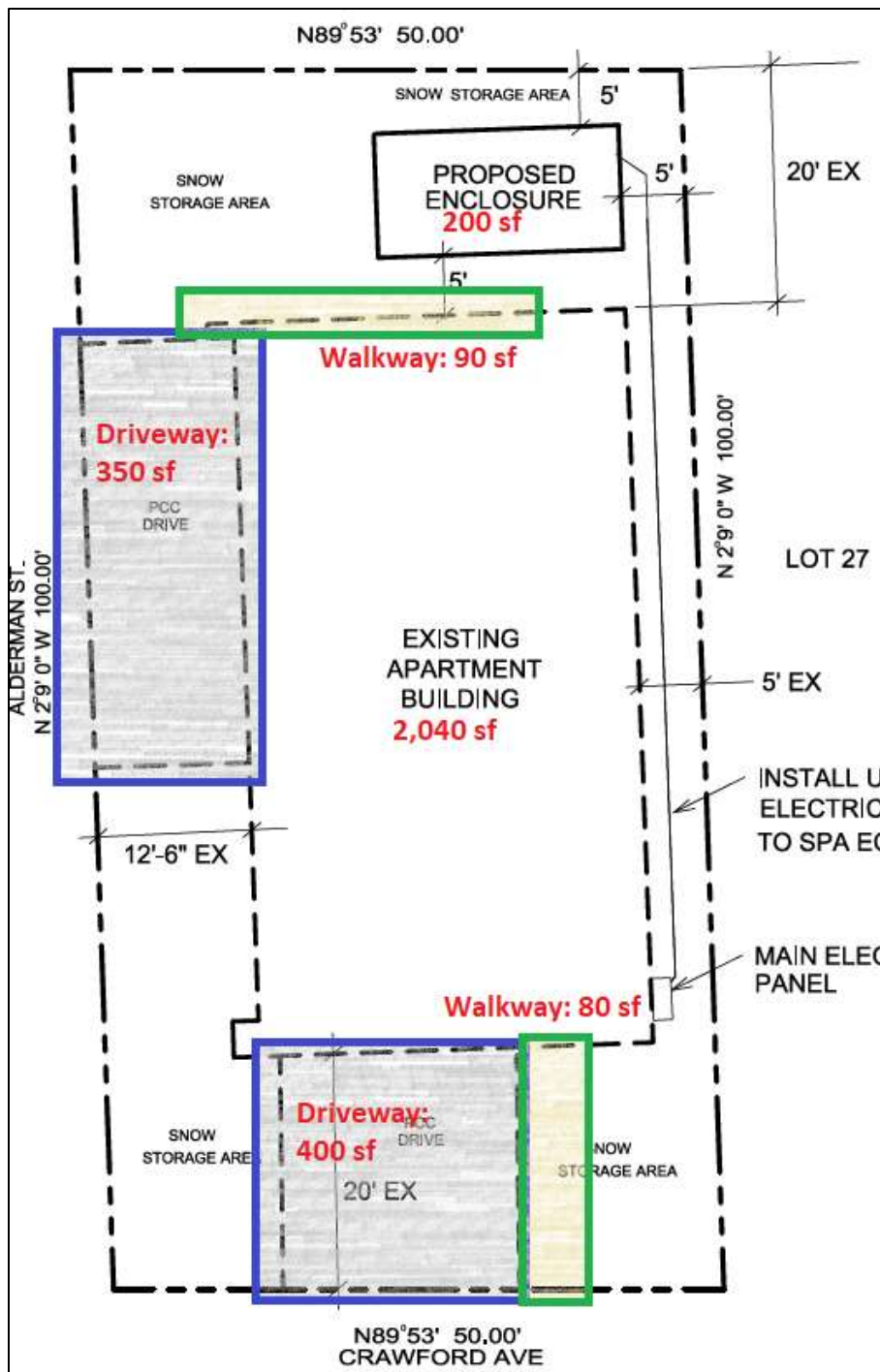


Figure 1. Impervious areas of the property

**LAND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE**

The LDTAC met on Nov. 18, 2019, to review and accept the application for processing.

**COMMENTS RECEIVED**

None at the time this report was written. Notice of the project was mailed to property owners within 300' feet of the site on Dec. 27, 2019. The project was also noticed in The Sheet newspaper on Jan. 4, 2020.

## **GENERAL PLAN CONSISTENCY**

The General Plan Land Use Designation for this property is Mixed Use (MU), which is intended to provide for a wide range of compatible resident- and visitor-oriented residential and commercial uses including business, professional, and retail uses; to provide for efficient use of land and increased opportunities for affordable housing; to provide a transition between intensive commercial uses and residential uses; and to be applied to areas with existing mixed-use development.

Permitted uses within the Mixed Use designation include single-family dwellings, duplexes and triplexes, manufactured homes, accessory buildings and uses, home occupations, and transitional and supportive housing. Uses subject to a Use Permit include conversion or expansion of existing operations and all previously stated uses if determined to be necessary by the Community Development director.

The property meets the intent of the Mixed Use designation by providing a permitted use (triplex dwelling), and the subsequent placement of an accessory structure on Mixed Use property may be permitted outright.

The Use Permit requirement is triggered by General Plan Chapter 4.300, "Snow Storage requirements" for snow storage off site.

The property does not meet current snow-storage requirement and is an existing nonconforming use. The property is currently below the maximum lot coverage; however, the purpose of off-site snow storage is to enable the construction of a new structure, which would increase lot coverage, potentially above the threshold depending on how lot coverage is calculated. To approve this project, the Planning Commission would need to make findings for the expansion of an existing nonconforming use and a conditional use permit (see analysis below).

The project is consistent with June Lake Area Plan policies contained in the Mono County General Plan Land Use Element. The sections below from the Mono County General Plan support triplex dwellings, off-site snow storage, and accessory structures.

### **Mono County Land Use Element, Countywide Land Use Policies**

Policy 1.I.3. Ensure that future development does not significantly impact governmental service providers.

### **Mono County Land Use Element, June Lake Issues/ Opportunities/ Constraints:**

3. The Loop's growth is inhibited by the surrounding natural environment, the lack of privately owned land, and the desire to maintain its unique, mountain village character. These conditions necessitate controlled expansion, infill and recycling of the existing built environment.

9. Land use plays a critical role in defining a community's appearance as well as protecting and maintaining the health and well-being of its citizens. Early land use practices allowed June Lake to develop with a minimum of capital improvements and a lack of regard for environmental constraints.

**Mono County Land Use Element, June Lake Polices:**

Objective 13.F. Protect existing and future property owners and minimize the possibility of future land ownership/use conflicts through the building and planning permit processes.

**CEQA COMPLIANCE**

The following CEQA Exemption is applicable to this project:

**15303. New Construction or Conversion of Small Structures**

Class 3 consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to:

(e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

**ALTERATIONS TO NONCONFORMING USES, BUILDINGS AND STRUCTURES.**

The following criteria shall be considered by staff during the review of any application to expand/alter a nonconforming use. Any alteration required by governmental or court action shall be exempt from these conditions and restrictions. Conditions affecting a nonconforming use shall apply to the existing use, land and structures and shall not be affected by ownership change.

*A. Alterations of the nonconforming use shall not be detrimental to the intent of the land use designations, objectives and policies, specified in this General Plan.*

The intent of the land use for this property is multifamily residential. Providing off-site snow storage and the addition of a pool will be not be detrimental to the intent, objectives, or policies. The alteration will be only for the benefit of the existing residents of the property.

*B. The granting of permission to alter the nonconforming use shall not be substantially detrimental to the public health, safety or welfare or injurious to the property or improvements in the vicinity or adversely impact the surrounding properties more than the existing nonconforming use.*

Provided snow removal and storage are conducted in such a way that adjacent properties, the street, and right of way are not impacted, the granting of off-site snow storage would not be detrimental.

Alternative finding: Granting permission for the construction of a pool with an accessory structure will further decrease snow storage which, depending on the actual operation and management of snow removal and off-site storage, has the potential to cause detrimental impacts to adjacent properties, the street, and right of way, particularly in high-snow years. In addition, lot coverage will be increased above the permitted 60% if all impervious surfaces are included in the calculation.

*C. The alteration shall not increase the intensity of the use-category of the land, building or structure.*

The multifamily residential use of the land will not increase in intensity by providing off-site snow storage, or with the addition of the pool or pool enclosure. The pool will be used by the existing residences and will not be of commercial use or open to the public.

*D. If the proposed alteration could generate public controversy, the Director shall refer the application to the Planning Commission for its consideration.*

This project is being considered by the Planning Commission.

### **USE PERMIT FINDINGS**

In accordance with Mono County General Plan, Chapter 32, Processing-Use Permits, the Planning Commission may issue a Use Permit after making certain findings.

Section 32.010, Required Findings:

1. *All applicable provisions of the Mono County General Plan are complied with, and the site of the proposed use is adequate in size and shape to accommodate the use and to accommodate all yards, walls and fences, parking, loading, landscaping and other required features because:*

The property is existing nonconforming for snow storage requirements. Contracting for snow removal will bring the property into conformance with current standards while accommodating a new accessory structure meeting all setbacks.

Alternative finding: If off-site snow storage is allowed for the purpose of constructing an accessory structure (and impervious walkways are included in the calculation of lot coverage) then maximum lot coverage exceeds the standard of 60%. The addition of an accessory structure will expand an existing nonconforming use, which may negatively impact adjacent properties, the street and right of way depending on daily snow management operations.

2. *The site for the proposed use related to streets and highways is adequate in width and type to carry the quantity and kind of traffic generated by the proposed use because:*

The proposal to contract for off-site snow removal will not increase traffic. Snow removal vehicles will access the property only after snowstorm events for a brief period of time. The surrounding streets are Class III, County roads, and are adequate in width and design to carry equipment typical of snow-removal services.

The proposal to construct an accessory structure for private use by property tenants will not increase traffic due to its private nature.

The proposal does not impact the existing parking for this property.

3. *The proposed use will not be detrimental to the public welfare or injurious to property or improvements in the area on which the property is located because:*

The property owner commits that snow shall be managed in such a way that adjacent properties, the street, and the right of way are not impacted.

Alternative finding: Contracting for off-site snow removal does not guarantee timely removal of snow and impacts are entirely dependent upon the daily operation and management of snow removal. The subject property is maximizing lot coverage and does

not meet existing snow-storage standards, and therefore the potential for snow management and storage to negatively impact adjacent properties, the street, and/or right of way increases.

4. *The proposed use is consistent with the map and text of the Mono County General Plan because:*

The General Plan allows properties with multifamily dwellings to contract for off-site snow storage provided a Use Permit is granted.

The MU LUD allows for accessory structures.

Alternative finding: The General Plan allows properties with multifamily dwellings to contract for off-site snow storage provided a Use Permit is granted, but it is existing non-conforming for snow storage and proposal would further reduce snow storage.

The MU LUD allows for accessory structures, however an accessory structure on this property results in lot coverage above General Plan standards if walkways are included in the calculation.

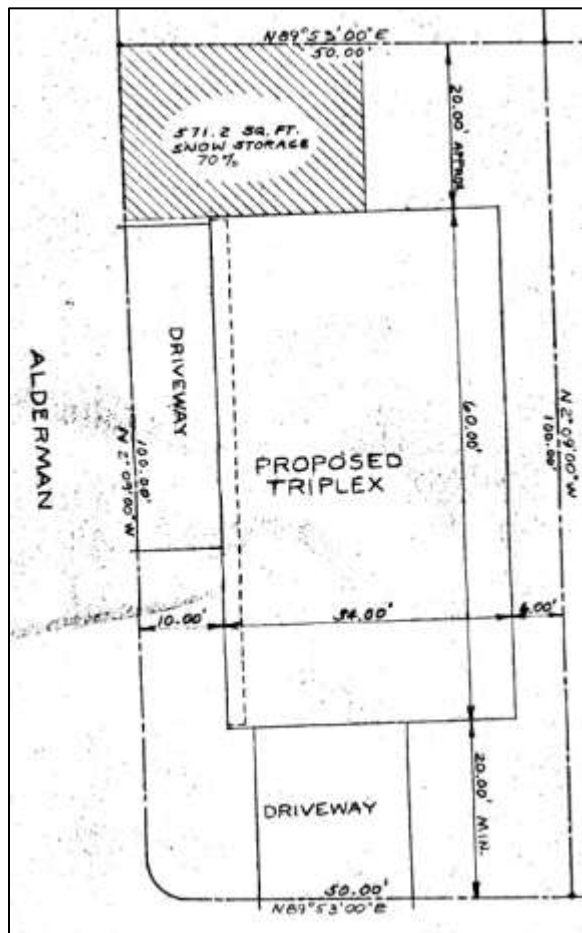


Figure 2. Original site plan, 1980

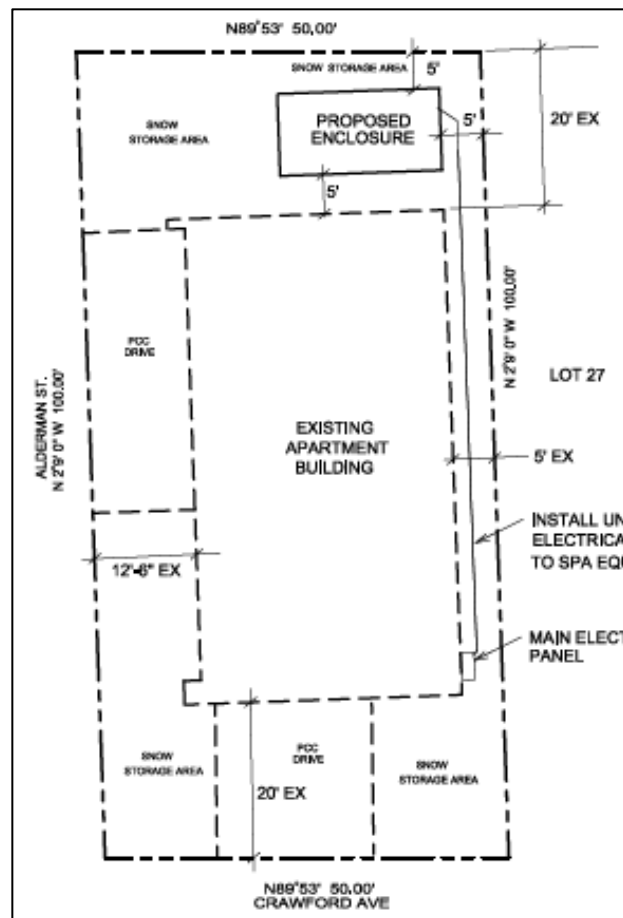


Figure 3. Proposed development site plan



Figure 4. Proposed pool location



Figure 5. Existing snow storage area



Figure 6. Alderman Street side



Figure 7. Corner of Alderman and S. Crawford



Figure 8. S. Crawford frontage



Figure 9. S. Crawford frontage (2)



This staff report has been reviewed by the Community Development director.

**ATTACHMENTS**

- Notice of Decision and Use Permit
- Public Hearing Notices

# MONO COUNTY

## Planning Division

### NOTICE OF DECISION & USE PERMIT

**USE PERMIT:** CUP 19-013

**APPLICANT:** Rebecca Buccowich

**ASSESSOR PARCEL NUMBER:** 015-112-015

**PROJECT TITLE:** Conditional Use Permit 19-013/Lampson

**PROJECT LOCATION:** 206 S. Crawford Avenue, June Lake, CA 93529

#### CONDITIONS OF APPROVAL

See attached Conditions of Approval

ANY AFFECTED PERSON, INCLUDING THE APPLICANT, NOT SATISFIED WITH THE DECISION OF THE COMMISSION, MAY WITHIN TEN (10) DAYS OF THE EFFECTIVE DATE OF THE DECISION, SUBMIT AN APPEAL IN WRITING TO THE MONO COUNTY BOARD OF SUPERVISORS.

THE APPEAL SHALL INCLUDE THE APPELLANT'S INTEREST IN THE SUBJECT PROPERTY, THE DECISION OR ACTION APPEALED, SPECIFIC REASONS WHY THE APPELLANT BELIEVES THE DECISION APPEALED SHOULD NOT BE UPHOLD AND SHALL BE ACCOMPANIED BY THE APPROPRIATE FILING FEE.

**DATE OF DECISION/USE PERMIT APPROVAL:** January 16, 2020

**EFFECTIVE DATE USE PERMIT:** January 31, 2020

This Use Permit shall become null and void in the event of failure to exercise the rights of the permit within one (1) year from the date of approval unless an extension is applied for at least 60 days prior to the expiration date.

Ongoing compliance with the above conditions is mandatory. Failure to comply constitutes grounds for revocation and the institution of proceedings to enjoin the subject use.

#### MONO COUNTY PLANNING COMMISSION

**DATED:** \_\_\_\_\_

cc:  Applicant  
 Public Works  
 Building  
 Compliance

**CONDITIONS OF APPROVAL**  
**Use Permit 19-013/Lampson**

- 1) The property owner shall maintain a contract for snow removal during winter months, from November 1 through April 1.
- 2) The property owner shall provide a valid copy of the snow-removal contract to the Community Development Department by November 1 each year.
- 3) Snow shall be removed from walkways, driveways, and paved landings of the building, and will not be stored on adjoining properties for any length of time.
- 4) Snow shall be managed in such a way that adjacent properties, the street, and the right of way are not impacted.
- 5) Future development shall meet requirements of the Mono County General Plan, Mono County Code, and project conditions.
- 6) Project is required to comply with any requirements of the June Lake Fire Protection District.
- 7) Project shall comply with all Mono County Building Division, Public Works, and Environmental Health requirements.
- 8) If any of these conditions are violated, this permit and all rights hereunder may be revoked in accordance with Section 32.080 of the Mono County General Plan, Land Development Regulations.
- 9) Termination: A use permit shall terminate and all rights granted therein shall lapse, and the property affected thereby shall be subject to all the provisions and regulations applicable to the land use designation in which such property is classified at the time of such abandonment, when any of the following occur:
  - a. There is a failure to commence the exercise of such rights, as determined by the Director, within two years from the date of approval thereof or as specified in the conditions. If applicable, time shall be tolled during litigation. Exercise of rights shall mean substantial construction or physical alteration of property in reliance with the terms of the use permit;
  - b. There is discontinuance for a continuous period of one year, as determined by the Director, of the exercise of the rights granted; and
  - c. No extension is granted as provided in Section 32.070.
- 10) Extension: If there is a failure to exercise the rights of the Use Permit within one year of the date of approval, the applicant may apply for an extension for an additional one year. Any request for extension shall be filed at least 60 days prior to the date of expiration and shall be accompanied by the appropriate fee. Upon receipt of the request for extension, the Planning Division shall review the application to determine the extent of review necessary. Conditions of Approval for the Use Permit may be modified or expanded, including revision of the proposal, if deemed necessary. The Planning Division may also deny the request for extension. Exception to this provision is permitted for those Use Permits approved concurrently with a tentative parcel or tract map; in those cases, the approval period(s) shall be the same as for the tentative map.

- 11) Revocation: The Commission may revoke the rights granted by a use permit and the property affected thereby shall be subject to all of the provisions and regulations of the Land Use Designations and Land Development Regulations applicable as of the effective date of revocation. Such revocation shall include the failure to comply with any condition contained in the use permit or the violation by the owner or tenant of any provision pertaining to the premises for which such use permit was granted. Before the Commission shall consider revocation of any permit, the Commission shall hold a public hearing thereon after giving written notice thereof to the permittee at least 10 days in advance of such hearing. The decision of the Commission may be appealed to the Board of Supervisors in accordance with Chapter 47, Appeals, and shall be accompanied by an appropriate filing fee.
- 12) Appeals: Appeals of any decision of the Planning Commission may be made to the Board of Supervisors by filing a written notice of appeal, on a form provided by the division, with the Community Development director within 10 calendar days following the Commission action. The Director will determine if the notice is timely and if so, will transmit it to the clerk of the Board of Supervisors to be set for public hearing as specified in Section 47.030.

# Mono County Community Development Department Planning Division

PO Box 347  
Mammoth Lakes, CA 93546  
760-924-1800, fax 924-1801  
commdev@mono.ca.gov

P0 Box 8  
Bridgeport, CA 93517  
760-932-5420, fax 932-5431  
[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Mono County Planning Commission will conduct a public hearing **Jan. 16, 2020**, in the Town/County Conference Room, Minaret Village Mall, Mammoth Lakes, CA (videoconference at Board of Supervisors Chambers, Mono County Courthouse, Bridgeport, CA) to consider the following: **10:05 a.m. CONDITIONAL USE PERMIT 19-013/Lampson** to allow off-site snow storage in compliance with General Plan Chapter 4.300. The site, located at 206 South Crawford Avenue (APN 015-112-015) in June Lake with a Land Use Designation of Mixed Use (MU), currently does not meet snow storage requirements and is considered an existing non-conforming use. The project proposes to construct an additional structure, further decreasing the available snow storage area. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. The project files are available for public review at the Community Development Department offices in Bridgeport and Mammoth Lakes.

INTERESTED PERSONS may appear before the Planning Commission to present testimony or, prior to or at the hearing, file written correspondence with: Secretary to the Planning Commission, PO Box 347, Mammoth Lakes, CA 93546. If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to Secretary to the Planning Commission at, or prior to, the public hearing.

For additional questions, please contact the Mono County Planning Division: Michael Draper, PO Box 347, Mammoth Lakes, CA 93546 (760) 924-1805, [mdraper@mono.ca.gov](mailto:mdraper@mono.ca.gov)

## Project Location



Project location: 206 South Crawford Avenue

Mono County Community Development Dept.  
PO Box 347  
Mammoth Lakes, CA 93546

«AssesseeName»  
«Mailing\_St»  
«Mailing\_City», «Mailing\_State» «Mailing\_Zip»

# MONO COUNTY PLANNING COMMISSION

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PO Box 347  
Mammoth Lakes, CA 93546  
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December 3, 2019

To: The Sheet

From: CD Ritter

Re: Legal Notice for **December 14** edition

Invoice: Jessica Workman, PO Box 347, Mammoth Lakes, CA 93546

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## NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that Mono County Planning Commission will conduct a public hearing Jan. 16, 2020, in the Town/County Conference Room, Minaret Village Mall, Mammoth Lakes, CA (videoconference at Board of Supervisors Chambers, Mono County Courthouse, Bridgeport, CA) to consider the following: **10:05 a.m. CONDITIONAL USE PERMIT 19-013/Lampson** to allow off-site snow storage in compliance with General Plan Chapter 4.300. The site, located at 206 South Crawford Avenue (APN 015-112-015) in June Lake with a Land Use Designation of Mixed Use (MU), currently does not meet snow storage requirements and is considered an existing non-conforming use. The project proposes to construct an additional structure, further decreasing the available snow storage area. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. The project files are available for public review at the Community Development Department offices in Bridgeport and Mammoth Lakes. INTERESTED PERSONS may appear before the Planning Commission to present testimony or, prior to or at the hearing, file written correspondence with: Secretary to the Planning Commission, PO Box 347, Mammoth Lakes, CA 93546. If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to Secretary to the Planning Commission at, or prior to, the public hearing. For additional questions, please contact the Mono County Planning Division: Michael Draper, PO Box 347, Mammoth Lakes, CA 93546 (760) 924-1805, mdraper@mono.ca.gov

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# Mono County Community Development Department

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## Planning Division

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[www.monocounty.ca.gov](http://www.monocounty.ca.gov)

January 16, 2020

To: Mono County Planning Commission

From: Jake Suppa, Code Analyst

Re: Expanded Home Occupation 19-001 / Campbell

### RECOMMENDATION

It is recommended the Planning Commission take the following actions:

1. Make the required findings as contained in the staff report;
2. Find that the project qualifies for CEQA guidelines' exemption 15301 and direct staff to file a Notice of Exemption; and
3. Approve Expanded Home Occupation Permit 19-001/Campbell, subject to the conditions of approval.

### BACKGROUND

The project is located at 646 Valley Rd. in Chalfant, CA (APN 026-291-002). The property is approximately 0.77 acres and has a land use designation of Rural Mobile Home (RMH). A complete application was received and accepted by the Land Development Technical Advisory Committee (LDTAC) on Dec. 2, 2019.

### PROJECT DESCRIPTION

The proposal is to allow welding fabrication of equestrian panels, corral gates, and accessories at the proponent's property within an accessory structure. The project meets many of the qualifications of the ministerial home occupation, but outdoor storage triggers an expanded home occupation permit for outdoor storage and delivery.





## GENERAL PLAN CONSISTENCY / STANDARDS

Section 02.590 of the General Plan defines Home Occupations as any use which can be carried on within a dwelling by the inhabitants thereof and which is clearly incidental and secondary to the residential use of the dwelling. In addition, Home Occupations are subject to compliance with the standards listed in the Mono County General Plan (§04.290) as described below. For outdoor storage as part of a home occupation, an Expanded Home Occupation permit is required by §04.290.I and subject to the findings in §4.290.J as described below.

- A. *The business is confined completely within the dwelling and ancillary structures, excepting two vehicles not to exceed one ton each;*

The parcel has a primary residence and an accessory garage. The welding fabrication will take place within the existing garage structure. Vehicles utilized for supplies and delivery consist of two personal vehicles not exceeding 1-ton capacity. There is a proposed 40'x40' outdoor storage area adjacent to Chidago Way; a 6' perimeter fence shields visibility from adjacent parcels.

- B. *Involves no sales of merchandise other than that produced on the premises or merchandise directly related to and incidental to the occupation; as long as no other violation of any other subsection occurs;*

The proposed business will control the supply chain of needed pipe tubing for fabrication of the products on site within the garage structure.

- C. *Is carried on by members of the family occupying the dwelling, with no other persons employed;*

The business will be operated by the applicants, Justin and Sarah Campbell, who occupy the dwelling.

- D. *Produces no evidence of its existence in the external appearance of the dwelling or premises, or in the creating of noise, odors, smoke or other nuisances to a greater degree than that normal for the neighborhood (i.e., no delivery trucks);*

There is a proposed 40'x40' outdoor storage area adjacent to Chidago Way; a 6' perimeter fence shields visibility from adjacent parcels. This outdoor storage may be approved under an Expanded Home Occupation permit per §04.290.I and subject to the findings under 04.290.J.

The welding fabrication will be contained to the garage structure. The use of oxy-acetylene welding torches and/or an argon/carbon dioxide mix welding torch and equipment produces minimal odor or noise. A will-serve letter shall be required by the Chalfant Fire Protection District to mitigate potential fire hazards, and the threshold of storage will be maintained at Environmental Health's C.U.P.A. (Certified Unified Program Agency) standards, at a threshold of 200 cubic feet.

- E. *Does not generate pedestrian or vehicular traffic beyond that normal in the neighborhood in which located;*

The pickup of materials and delivery of product will be handled by the owners, providing the average traffic normal to the property.

- F. *Requires no structural, electrical or plumbing alterations in the dwelling;*

The fabrication will be located within the existing accessory utility structure; any future work will require a building permit.

- G. *Involves no equipment other than that customarily used in dwellings;*

The style of welding equipment is available as customary equipment found on a premise and provides essential rural, agriculture services. An oxy-acetylene and/or carbon dioxide/argon gas supply will be used based on the type of flux used.

- H. *Involves no outdoor storage or advertising;*

A 40'x40' storage area is proposed for storage of tubing and completed materials prior to fabrication and delivery and may be approved under an expanded home occupation permit per §04.290.I and subject to the findings under 04.290.J.

- I. *Modifications to the above requirements (employees, signage, exterior storage, client visits) may be permitted with an Expanded Home Occupation Permit; and*

Exterior storage is proposed.

- J. *Expanded Home Occupation Permits require approval by the Planning Commission at a public hearing:*

*A. Proposed use is consistent with the General Plan;*

*The rural mobile-home land use designation (RMH) permits home occupations, and the Mono County General Plan provides for an Expanded Home Occupation permit, with a 300' noticing requirement and discretionary approval of the Planning Commission.*

As an existing residence, all development standards are met, such as parking, lot coverage, and setbacks. No signage is proposed.

The project is also consistent with the Tri-Valley Area land use policies:

*Policy 26.C.1. Allow for the continuation of growth in Chalfant in a manner that promotes and protects its rural and agricultural character.*

The proposed activity is a component to support the rural and agricultural character, providing a service to the equestrian community.

*Policy 26.D.5. Allow the continuation of home businesses in the area.*

The expanded home business within Chalfant offers an ability to enhance the rural economy with a business-specific niche for the equestrian community, which is consistent with Tri-Valley policy Action 26.C1.e., which permits small-scale agriculture and keeping of animals for personal use. The responsible keeping of animals has a need for corrals, gates, and accessories.

*B. Proposed use is compatible with the intent of the land use designation and is applicable throughout the county in that designation;*

The rural mobile-home land use intends to provide for development in rural areas within the county consistent with developed lifestyles when mixed uses are determined to be acceptable to the citizens of the RMH area. The RMH district is further intended for mixed uses such as single-family residences, mobile homes used as residences, small-scale agriculture and the keeping of fowl and animals for personal use.

The land-use of Rural Mobile Home (RMH) permits home occupations, and any land-use designation may pursue an expanded home occupation permit.

*C. That the use is capable of meeting the standards and requirements of that designation;*

The Rural Mobile Home L.U.D. permits Home Occupations, and the proposal meets many of the needed findings; however, the proposed 40'x40' outdoor storage is an expansion requiring further findings be met (see analysis above). The current disturbance is approximately 3000 sf, and the addition of 1600 sf of storage area expands disturbance to 14%; this meets the threshold of 40% lot coverage.

A code compliance case, notice of violation 2017/004, was issued for storage of inoperative vehicles, and was closed with valid documentation from the Department of Motor Vehicles. With this case closed, the applicants can pursue land-use entitlements.

*D. That the use will be similar to and not be more obnoxious to the general welfare than the uses listed within the designation.*

A Home Occupation is a permitted use for the Rural Mobile Home land use designation, and conforms to MCGP 4.290, Home Occupation, except for a 40'x40' outdoor storage that triggers an Expanded Home Occupation Permit. An Expanded Home Occupation Permit is approved through the findings analyzed above. Though the 6' side-yard fence creates a visual barrier of the storage area from the right of way, other elements are similar to permitted uses.

Further, small-scale agriculture is a permitted use in the Rural Mobile Home land use designation, and the proposed expanded home occupation supports the function of a rural and agricultural area, offering a niche of locally produced corrals, gates, and accessories for the equestrian community. The proposed storage of these implements, which are shielded by a privacy fence, are equivalent to the use of these items utilized for the animal's enclosures typical for animal husbandry.

Use of welding torches, flux, and alloy is typical to many residences within rural and agriculture areas; the C.U.P.A. (Certified Unified Program Agency) threshold for storage of gas tanks must be maintained under 200 cubic feet to remain within a residential application. Further, the fabrication will remain within the accessory structure, typical to personal use.

The activities occurring within the accessory structure are shielded from the public and adjacent residences and therefore are not more obnoxious to the general welfare than listed uses. The outdoor storage area is screened with no fabrication activity, and therefore is also not more obnoxious than listed uses.

### **PUBLIC HEARING NOTICE**

A hearing notice was published in the Jan. 4, 2020, issue of The Sheet (see Attachment B) and a public notice was mailed to surrounding property owners within 300 feet of the proposed project, and comments are included (Attachment C).

### **CEQA COMPLIANCE**

The project is consistent with a Class 1 California Environmental Quality Act (CEQA) exemption. Class 1 (15301) consists of operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

(c) A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet in floor area.

This staff report has been reviewed by the CDD director.

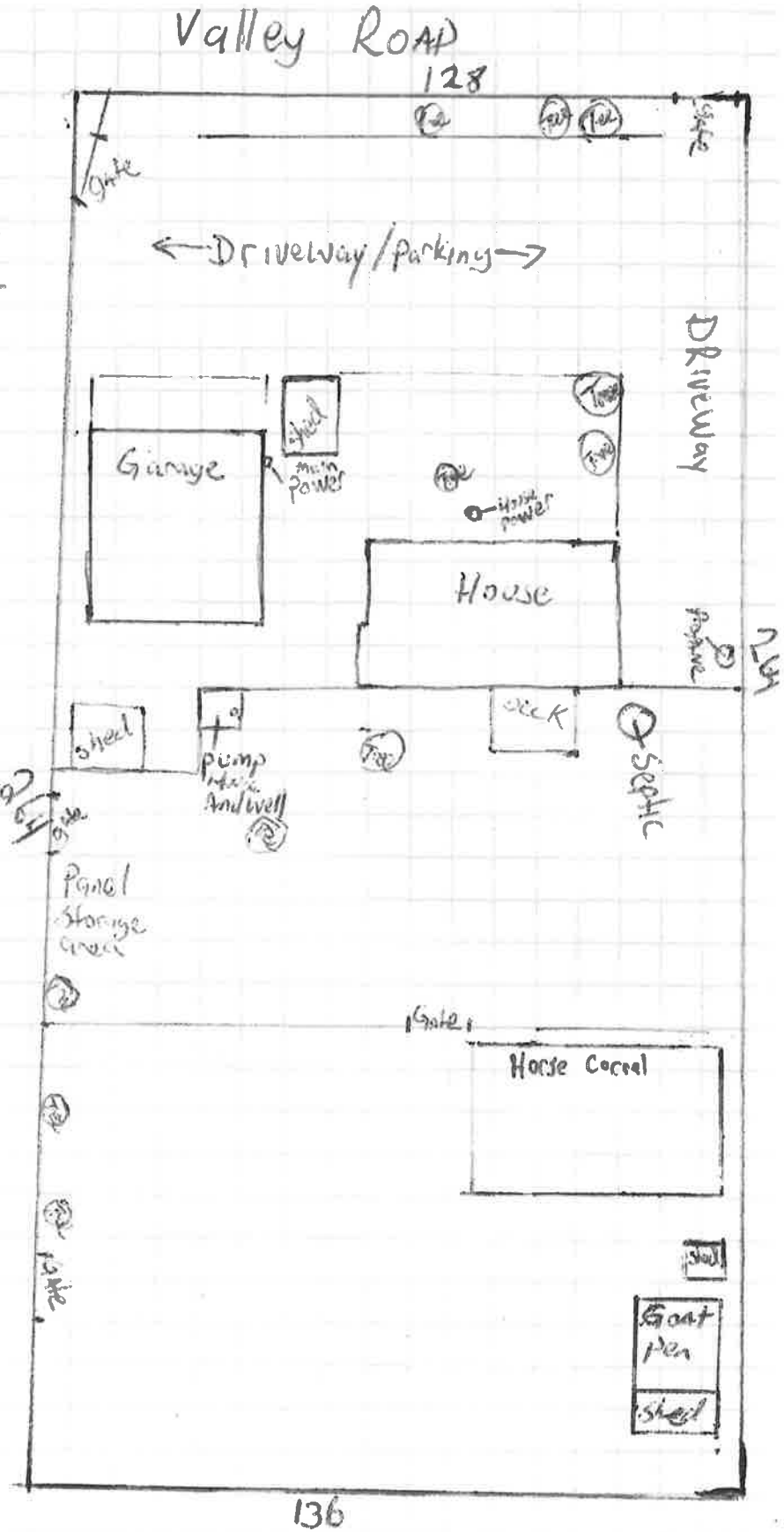
### **ATTACHMENTS**

- A: Site plan
- B: Public hearing notice
- C: Comment letter

## **CONDITIONS OF APPROVAL**

### Expanded Home Occupation 19-001/Campbell

1. All development shall meet requirements of the Mono County General Plan, Mono County Code, and project conditions.
2. Project shall be in substantial compliance with site plan as shown in Attachment A.
3. Project is required to comply with any requirements of the Chalfant Valley Fire Protection District.
4. The project is subject to Mono County Code Chapter 10.16 – Noise Regulations, which prohibits amplified music, loudspeakers, public address systems, and similar systems between 10:00 pm and 7:00 am.
5. Project shall comply with all Mono County Building Division, Public Works, and Environmental Health requirements, especially the C.U.P.A. thresholds of storage of hazardous materials at a limitation of 200 cubic feet.
6. The applicant shall acquire and keep an active Mono County business license.
7. If any of these conditions are violated, this permit and all rights hereunder may be revoked in accordance with Section 32.080 of the Mono County General Plan, Land Development Regulations.



SCALE  
1" = 18'

# PUBLIC NOTICES

## Notice of Public Hearing

NOTICE IS HEREBY GIVEN that Mono County Planning Commission will conduct a public hearing Jan. 16, 2020, in the Town/County Conference Room, Minaret Village Mall, 437 Old Mammoth Road Ste 202, Mammoth Lakes, CA (with videoconference at Board of Supervisors Chambers, Mono County Courthouse, Bridgeport, CA) to consider the following:

10:05 a.m. CONDITIONAL USE PERMIT 19-013/Lampson to allow off-site snow storage in compliance with General Plan Chapter 4.300. The site, located at 206 S. Crawford Ave. (APN 015-112-015) in June Lake with a land use designation of Mixed Use (MU), currently does not meet snow-storage requirements and is considered an existing non-conforming use. The project proposes to construct an additional structure, further decreasing the available snow storage area. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. The project files are available for public review at the Community Development Department offices in Bridgeport and Mammoth Lakes. For additional questions, contact the Mono County Planning Division: Michael Draper, PO Box 347, Mammoth Lakes, CA 93546 760-924-1805, mdraper@mono.ca.gov

10:25 a.m. EXPANDED HOME OCCUPATION PERMIT 19-001/Campbell to allow welding fabrication including, but not limited to, equestrian panels, corral gates, and accessories with outdoor storage of materials and finished products at 646 Valley Road (APN 026-291-002) in Chalfant.

The property is approximately 0.77 acres with a land use designation of Rural Mobile Home. In accordance with the California Environmental Quality Act, a Notice of Exemption will be filed. The project files are available for public review at the Community Development Department offices in Bridgeport and Mammoth Lakes.

INTERESTED PERSONS may appear before the Planning Commission to present testimony or, prior to or at the hearing, file written correspondence with: Secretary to the Planning Commission, PO Box 347, Mammoth Lakes, CA 93546. I

If you challenge the proposed action(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to Secretary to the Planning Commission at, or prior to, the public hearing. For additional questions, contact Mono County Code Enforcement: Jake Suppa, PO Box 8, Bridgeport, CA 93517, 760-932-5424, jsuppa@mono.ca.gov

TS #2020-0001

# ON

## Sleda



(Right): Kal first sledding but Vivi ma



Attachment C- Public Comment

1.)

“635 Valley Road Resident/Homeowner

I am not sure what information the county is looking for in regards to the public hearing and whether residents agree with this permit being requested, but this address has been investigated numerous times for code violations by the county. They have been instructed to clean up their yard and continue to keep the property in less than acceptable conditions. The review of your own county records should show there have been violations. They have stored broken down cars, railroad ties, tires, trash, etc. in the front yard. Allowing them to be given a permit to allow a welding and fabrication business will not only create more unacceptable conditions, but will also increase your code violation complaints. They have proven to be a chronic code violators. To allow this permit to go through would be an irresponsible decision by the Mono County Planning Division.

If you need any further information you can contact myself or Bob Davison at 760-873-7176. Bob Davison is also a current resident at 635 Valley Road.

Thank you and I am hopeful that this permit is not allowed.

Denise Beck.”