

FROM THE MINUTES OF DECEMBER 14, 2006

12. NON-CONFORMING USE DETERMINATION (Public Hearing)

a. Determination of non-conforming use for the PACIFIC HOUSE AUTOMOTIVE REPAIR facility located on property, identified by Assessor's Parcel Number 009-140-19, along the north side of Peavine Ridge Road, approximately one-third mile east of the intersection of U.S. Highway 50 and Peavine Ridge Road, in the Pacific House area.

Staff: Michael Baron recommended conditional approval. Gene Long, owner of the facility, gave the Commission some background information on this operation. He asked that the fee for the site plan review be waived. Peter Maurer said the Department would be willing to waive the \$300 fee.

No further input was received.

MOTION: COMMISSIONER MACHADO, SECONDED BY COMMISSIONER MAC CREADY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO TAKE THE FOLLOWING ACTION (Commissioner Chaloupka amended the motion to include the lift as part of the non-conforming use. Commissioners Machado and Mac Cready accepted the modification as part of the motion.):

1. Find that the automotive repair facility is a legal non-conforming use based on the testimony and exhibits provided by the property owner and letters submitted by nearby property owners and that the lift is part of the non-conforming use.
2. Require the owner to submit a complete site plan review application ~~and pay all applicable fees~~ within 60 days of this hearing.
3. The site plan shall note location of all automotive operations, i.e. bays, storage, trash enclosures, offices, parking, and locations of residential buildings and all other structures on the site.
4. Require property owner to correct all ~~building code violations~~ items listed on the Notice to Correct dated March 17, 2006, within a timeframe consistent with Code Enforcement procedures and policies.
5. Require the removal of junk cars and buses within a timeframe that is consistent with the policies and procedures required by Vehicle Abatement.

This action can be appealed to the Board of Supervisors within ten working days.