

**FROM THE MINUTES OF FEBRUARY 14, 2008**

**14. SPECIAL USE PERMITS (Public Hearing)**

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b. **S07-0025/Swan Cove Wedding Gardens:** Determination as to whether a special use permit can be processed for the requested use in the Estate Residential Five-acre (RE-5) Zone District. The property, identified by Assessor's Parcel Number 070-210-02, consisting of 7.71 acres, is located on the west side of Ponderosa Road, approximately 1.5 miles north of the intersection with Meder Road, in the **Shingle Springs area**, Supervisorial District IV. Applicants: CORENE BECKER and RANEL GOSLING.

Pierre Rivas recommended the Commission find a wedding facility is not a use authorized by the Zoning Ordinance in the RE-5 Zone District; and direct staff to refund the applicant the applicable processing fees. Paula Frantz, County Counsel, explained the request before the Commission today.

Commissioner Knight asked about the approved business license. Mr. Rivas said the license was approved for bridal consulting only.

Ranel Gosling gave some background information on their business.

Commissioner Mathews commented he does not know where the 12 weddings came from. Mr. Rivas explained it could have come from the Winery Ordinance.

Mr. Rivas asked who resides on the property. Ms. Gosling replied it is her father.

Ms. Frantz said the question is whether a wedding facility is the type of business that should be considered as a home occupation. Ms. Gosling's father commented weddings would only be held on weekends.

Maria Brugger gave the Commission her written comments. Their special use permit application states every day of the year. She presented two maps, one showing the subject parcel and the surrounding parcels, and the other map was the zoning map with the same parcels indicated. Mrs. Brugger asked that the Commission uphold the recommendation of the staff and that the County not accept any further applications of this type.

Art Marinaccio, resident approximately one third mile from the subject property, said with a home occupation you need to look at the number of people using the site. He agreed with the staff recommendation and asked that the Commission see that the application fee is returned to the applicants.

Art Quillan, resident in the area, said this type of use does affect their standard of living. He asked that this be denied and that the application fees be returned. This sets a dangerous precedent.

Randall Wright has heard a lot of noise from this site at 11:00 PM. He asked that the Commission deny the request.

Brett Norberry, property owner immediately due east of the applicant's, stated he feels bad for the Goslings, but they are devastated by this application. The easement is only one vehicle wide. The road cannot be widened. The issued today should be this application. Ms. Frantz said staff is asking for an overall decision that weddings are not an appropriate home occupation. If the Commission does not feel it is an appropriate use, this request would not be accepted as well as any future applications for such a use. Mr. Norberry feels this type of use in this zone district should be rejected.

Ms. Gosling feels the concerns of the neighbors are noise. They would be willing to hold weddings only with no receptions or music.

Commissioner Knight said he is all for home occupations, but the use should not change the residential character of the area. He concurs with staff's recommendation.

There was no further input.

**MOTION: COMMISSIONER KNIGHT, SECONDED BY COMMISSIONER MAC CREACY AND UNANIMOUSLY CARRIED, IT WAS MOVED TO FIND THAT A WEDDING FACILITY IS NOT A USE AUTHORIZED BY THE ZONING ORDINANCE IN THE ESTATE RESIDENTIAL FIVE-ACRE (RE-5) ZONE DISTRICT AND THE SPECIAL USE PERMIT APPLICATION SHOULD NOT HAVE BEEN ACCEPTED FOR CONSIDERATION; FURTHER, STAFF WAS DIRECTED TO REFUND THE APPLICANT APPLICABLE APPLICATION FEES.**

After the motion, Ms. Frantz said as this is a determination; the wedding facility cannot be operated. If the decision is appealed and the Board makes a different determination, the use permit would be processed.

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