

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

_____ day _____, 2011

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

RESOLUTION DENYING A WAIVER OF BUILDING PERMIT FEES FOR PERMITS TO CORRECT UNPERMITTED WORK TO THREE STRUCTURES KNOWN AS THE DAIRY BARN, STUCCO BARN AND FIELDWORKER BATHROOMS ON PROPERTY LOCATED AT 10660 LOS OSOS VALLEY ROAD, SAN LUIS OBISPO, CA.

The following resolution is now offered and read:

WHEREAS, Sunny Acres Inc, and Dan DeVaul have requested a waiver of the building permit fees to correct unpermitted work to three structures; and

WHEREAS, the Department of Planning and Building (hereinafter referred to as the "Department") informed Sunny Acres, Inc. and Dan DeVaul that their request for waiver of building permit fees for the three structures must go before the Board of Supervisors of the County of San Luis Obispo (hereinafter referred to as the Board of Supervisors) as set forth in the Planning and Building Department Fee Ordinance, footnote 7; and

WHEREAS, a public hearing was duly noticed and conducted by the Board of Supervisors on January 17, 2012; and

WHEREAS, at said hearing, the Board of Supervisors heard and received all oral and written protests, objections, and evidence, which were made, presented, or filed, and all persons present were given the opportunity to hear and be heard in respect to any matter relating to said request; and

WHEREAS, the Board of Supervisors has duly considered the request and finds that the waiver of building permit fees should be denied subject to the findings set forth below.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, State of California, as follows:

1. That the recitals set forth hereinabove are true, correct and valid.
2. That the Board of Supervisors makes all of the findings of fact and determinations set forth in Exhibit A attached hereto and incorporated by reference herein as though set forth in full.
3. That the request by Sunny Acres, Inc. and Dan DeVaul is hereby denied as to a waiver of building permit fees to correct unpermitted work to three structures known as the dairy barn, stucco barn and fieldworker bathrooms based on the findings in Exhibit A.

Upon motion of Supervisor _____, seconded by Supervisor

_____, and on the following roll call vote, to wit:

AYES:

Exhibit A

FINDINGS

1. The building permits for which fee waivers are requested are for correcting violations for unpermitted construction.
2. Waiver of permit processing fees for permits to correct unpermitted work on the fieldworker bathrooms, dairy barn and stucco barn will not meet the criteria set forth in Footnote 7, paragraph a, of the Planning and Building Department fee schedule (Exhibit B) because correcting the unpermitted construction is not a project which is of obvious public benefit, available to the public at large, or to be used by more than residents of the immediate vicinity.
3. Waiver of permit processing fees for permits to correct unpermitted work on the fieldworker bathrooms, dairy barn and stucco barn will not have an obvious public benefit because the project is not part of an overall approved use that meets the criteria in Footnote 7, paragraph b, of the Planning and Building Department fee schedule (Exhibit B).