

M I N U T E S

CALL TO ORDER

Planning Director Al McGreehan called the meeting to order at 11:10 a.m.

1. APPROVAL OF MINUTES – January 21, 2010 meeting

The meeting minutes of January 21, 2010 were approved by the Planning Director.

2. PUBLIC COMMUNICATION - None.

3. CONTINUED PUBLIC HEARING – None.

4. PUBLIC HEARING

Item determined exempt from environmental review:

- a. Luther Use Permit (PL10-00002) Application proposing to replace a previous existing nonconforming land use [a ±480 sq. ft. residential garage] that was destroyed by a falling tree on commercial zoned property located at 5374 Black Olive Drive, Paradise, AP No. 052-231-003.**

Asst. Community Development Director Craig Baker reviewed the project application for which staff is recommending conditional approval.

The hearing was opened to the public. Appearing:

1. Joy Luther, Applicant. Ms. Luther acknowledged receipt of a copy of the staff report and concurred with the proposed project conditions.

The hearing was closed to the public.

The Planning Director proclaimed the adoption of the required findings listed below, and approved the Ray and Joy Luther use permit application (PL10-00002) subject to the following conditions of approval:

FINDINGS

- a. Find that, **as conditioned**, approval of the Luther use permit can be found to be consistent with the provisions of the Town of Paradise zoning ordinance as required because material evidence of record exists demonstrating that the original garage

structure existed previously that it was lawfully established via issuance of a Town of Paradise building permit.

- b. Find that, **as conditioned**, approval of the Luther use permit can be found to be consistent with the goals and land use policies of the current 1994 Paradise General Plan because project approval would promote the replacement of a legal nonconforming structure for which evidence of record exists to demonstrate that it was lawfully established in its previous location.

GENERAL CONDITIONS OF USE PERMIT APPROVAL

1. If any land use for which a use permit is granted is not established with three years of use permit issuance, the use permit may become subject to revocation by the Town of Paradise.
2. Meet the requirements of the Town regarding the issuance of a building permit, compliance with all applicable construction codes and the scheduling of a final inspection prior to expiration of such building permit.
3. The proposed single-story garage shall be established in the same location as the previously-existing garage and shall be designed and constructed such that it does not exceed +480 square feet in floor area.
4. The proposed garage structure shall be painted the same color as the existing single-family dwelling on the site and shall be constructed with the same color roofing material as the existing single-family dwelling on the site.

It was announced that the decision of the Planning Director can be appealed within seven days of the decision date.

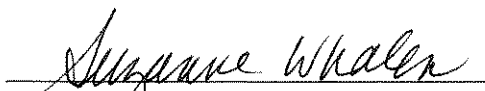
5. **OTHER BUSINESS** – None.

6. **ADJOURNMENT**

The Planning Director adjourned the meeting at 11:20 a.m.


Planning Director

ATTEST:


Planning Secretary