

RESOLUTION NO.: 04-085

A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF EL PASO DE ROBLES  
TO APPROVE CONDITIONAL USE PERMIT 04-003  
(JEFFREY AND BRENDA HOFFERT)  
APN: (009-061-056)

WHEREAS, Section 21.16E.260 of the Municipal Code of the City of El Paso de Robles requires approval of a Conditional Use Permit for detached accessory buildings when the gross square footage of the building is greater than 50 percent of the main building, or when the height exceeds 15 feet, and

WHEREAS, Jeffrey and Brenda Hoffert have filed a Conditional Use Permit application for the construction of a new two story detached garage totaling 1,349 square feet for the property located at 75 Fresno Street, and

WHEREAS, the proposed garage is greater than the 50 percent of the home and is 25 feet high, and

WHEREAS, the Development Review Committee reviewed the proposal at their meeting on May 17, 2004, where they recommended that the Planning Commission approve the proposal, and

WHEREAS, a public hearing was conducted by the Planning Commission on July 13, 2004 to consider the facts as presented in the staff report prepared for this project, and to accept public testimony regarding this Conditional Use Permit request, and

WHEREAS, based upon the facts and analysis presented in the staff report, public testimony received and subject to the conditions of approval listed below, the Planning Commission finds that the establishment, maintenance or operation for the requested use or building applied for, will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, convenience and general welfare of the persons residing or working in the neighborhood of such proposed use, or be injurious or detrimental to property and improvements in the neighborhood or to the general welfare of the City.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of El Paso de Robles does hereby approve Conditional Use Permit 04-003 subject to the following conditions:

SITE SPECIFIC CONDITONS

1. The project shall be constructed so as to substantially conform with the following listed exhibits and conditions established by this resolution:

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
A	Site Plan
B	Garage and Craft Room Elevations

2. This Conditional Use Permit (CUP) authorizes the construction of a new two story garage totaling 1,349 square feet and 25 feet high on the property located at 75 Fresno Street, subject to the conditions of approval within this resolution.
3. Any condition imposed by the Planning Commission in granting this conditional use permit may be modified or eliminated, or new conditions may be added, provided that the Planning Commission shall first conduct a public hearing in the same manner as required for the granting of the original permit. No such modification shall be made unless the Commission finds that such modification is necessary to protect the public interest and/or neighboring properties, or, in the case of deletion of an existing condition, that such action is necessary to permit reasonable operation and use under the conditional use permit.
4. Any new lighting needs to be fully shielded.
5. Any new utilities shall be placed underground.

PASSED AND ADOPTED THIS 13<sup>th</sup> day of July 2004, by the following roll call vote:

AYES: Ferravanti, Flynn, Hamon, Johnson, Kemper, Mattke, Steinbeck

NOES:

ABSENT:

ABSTAIN:

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CHAIRMAN TOM FLYNN

ATTEST:

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ROBERT A. LATA, PLANNING COMMISSION SECRETARY

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