

Mono County Community Development Department

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Planning Division

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Conditions of Approval

Minor Variance by Director 23-001/ Connaughton

1. Project shall comply with all Mono County requirements including, but not limited to, Building Division, Public Works, and Environmental Health requirements.
2. An additional 3.5' feet of height is permitted and shall be measured from natural grade or finished grade, whichever is more restrictive.
3. If any of these conditions are violated, this permit and all rights hereunder may be revoked in accordance with Section 32.080 of the Mono County General Plan, Land Development Regulations.
4. Appeal. The Minor Variance by Director shall become effective 10 days following the issuance of the Director's decision. During the 15-day period, an appeal may be filed in accordance with Chapter 47. If an appeal is filed, the permit will not be issued until the appeal is considered and a decision is rendered by the Planning Commission.
5. Termination. A variance shall terminate and all rights granted therein shall lapse, and the property affected thereby shall be subject to all of the provisions and regulations applicable to the land use designation in which such property is classified at the time of such abandonment, when any of the following occur: A. There is a failure to commence the exercise of such rights as determined by the Director within two years from the date of approval thereof or as specified in the conditions. If applicable, time shall be tolled during litigation. Exercise of rights shall mean substantial construction or physical alteration of property in reliance with the terms of the variance; or B. There is discontinuance for a continuous period of two years, as determined by the Director, of the exercise of the rights granted; or C. No extension is granted as provided in Section 33.070.
6. Extensions. If there is a failure to exercise the rights of the variance within two years (or as specified in the conditions) of the date of approval, the applicant may apply for an extension for an additional one year. Only one extension may be granted. Any request for extension shall be filed at least 60 days prior to the date of expiration and shall be accompanied by the appropriate fee. Upon receipt of the request for extension, the Planning Division shall review the application to determine the extent of review necessary and schedule it for public hearing. Conditions of approval for the variance may be modified or expanded, including revision of the proposal, if deemed necessary. The Planning Division may also recommend that the Commission deny the request for extension. Exception to this provision is permitted for those variances approved concurrently with a tentative parcel or tract map; in those cases the approval period(s) shall be the same as for the tentative map.

7. Revocation. The Commission may revoke the rights granted by a variance and the property affected thereby shall be subject to all of the provisions and regulations of land use designations and development requirements applicable as of the effective date of revocation. Such revocation shall include the failure to comply with any condition contained in the variance or the violation by the owner or tenant of any provision of this General Plan pertaining to the premises for which such variance was granted. Before the Commission shall consider revocation of any variance, the Commission shall hold a public hearing thereon after giving written notice thereof to the permittee at least 10 days in advance of such hearing. The decision of the Commission may be appealed to the Board of Supervisors in accordance with Section 47, Appeals, and shall be accompanied by the appropriate filing fee.