



RESOLUTION No. 18-021

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION MAKING FINDINGS, ACCEPTING THE APPEAL FILED BY JOHANNA FINNEY, CYNTHIA PIERCE, ALEX GIRON, LISA REINHARDT, SHAWN BLUE, RYAN MCVAY, KRSNA BRYANT, GOVINDA BRYANT, MATT KING, DOROTHY SULLIVAN AND DON RIVENES FROM THE DECISION OF THE ZONING ADMINISTRATOR ADOPTING MITIGATED NEGATIVE DECLARATION (EIS17-0022) AND APPROVING CONDITIONAL USE PERMIT (CUP17-0015) FOR THE CONSTRUCTION AND INSTALLATION OF AN UNMANNED 130-FOOT MONO-PINE TELECOMMUNICATIONS TOWER AND EQUIPMENT FACILITY (PLN17-0073) LOCATED AT 19406 BURNING BUSH ROAD (APN 34-090-03); AND SCHEDULING THE APPEAL FOR A PUBLIC HEARING

WHEREAS, on November 29, 2017, the Zoning Administrator considered and adopted Mitigated Negative Declaration (EIS17-0022) and approved Conditional Use Permit (CUP17-0015) for the construction and installation of an unmanned 130-foot mono-pine telecommunications tower and equipment facility (PLN17-0073) located at 19406 Burning Bush Road (APN 34-090-03); and

WHEREAS, pursuant to Sections L-II 5.12.D of the Nevada County Land Use and Development Code, the Zoning Administrator's approval of the Application is appealable to the Board of Supervisors within 10 days after the date of the decision; and

WHEREAS, on December 11, 2017, Appellant Johanna Finney, Cynthia Pierce, Alex Giron, Lisa Reinhardt, Shawn Blue, Ryan McVay, Krsna Bryant, Govinda Bryant, Matt King, Dorothy Sullivan, and Don Rivenes filed a timely appeal of the Zoning Administrator's decision.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Board of Supervisors of the County of Nevada that:

1. Appellants are interested parties who have standing to appeal the Zoning Administrators adoption on Mitigated Negative Declaration (EIS17-0022) and approval of the application for a Conditional Use Permit (CUP17-0015) for the construction and installation of an unmanned 130-foot mono-pine telecommunications tower and equipment facility (PLN17-0073) located at 19406 Burning Bush Road (APN 34-090-03); and
2. Appellant's appeals of the Zoning Administrator's approval of the application was timely filed and satisfies the minimum requirements set forth in Section L-II 5.12.F of the Nevada County Land Use and Development Code; and
3. Appellant's appeals of the Zoning Administrator's adoption on Mitigated Negative Declaration (EIS17-0022) and approval of the application for a Conditional Use Permit (CUP17-0015) is hereby accepted by the Board of Supervisors and the Clerk of the Board is directed to schedule a Public Hearing on this appeal on February 13, 2018 at 10:30 am. at the Nevada County Board Chambers at 950 Maidu Avenue, Nevada City, CA 95959.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 9th day of January, 2018, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Hank Weston and Richard Anderson

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER
Clerk of the Board of Supervisors

By:  _____

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Edward Scofield, Chair