

**PLANNING COMMISSION
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 07029

A.P. # 131-054-004-000

FINDINGS AND DECISION

In the matter of
Dolan Development Partners
(AKA Loan Exchange Group, Inc.) (CE020302)

for an **appeal** of the Code Enforcement Manager's direction that violations relative to the operation of wrecking yards on Parcel D, Dolan Industrial Park, be abated. The property is located at 516 Dolan Road, Moss Landing, North County Land Use Plan, Coastal Zone, and came on regularly for hearing before the Planning Commission on June 27, 2007.

Said Planning Commission, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

- 1. FINDING:** On September 14, 2005 the Planning Commission, at the conclusion of an extensive public hearing process, denied the application of Dolan Development Partners to allow the continuing operation dismantling business on Parcel D, Dolan Industrial Park. The applicants subsequently appealed that decision to the Board of Supervisors.

EVIDENCE: Planning Commission Resolution #05051 denying the application of Dolan Development Partners based on the findings and evidence set forth in that resolution.

EVIDENCE: Administrative Record of PLN030504 including all application materials, correspondence, documents, resolutions and records of public hearings before the Planning Commission.
- 2. FINDING:** On January 10, 2006 the Board of Supervisors denied the appeal of Dolan Development Partners to the decision of the Planning Commission denying PLN030504.

EVIDENCE: Board of Supervisors Resolution #06-017 denying the appeal of Dolan Development Partners based on the findings and evidence set forth in that resolution.

EVIDENCE: Administrative Record PLN030504 including all application materials, correspondence, documents, resolutions and records of public hearings before the Board of Supervisors.

3. **FINDING:** Dolan Development Partners were ordered to cease operation of dismantling yards on Parcel D due to a lack of valid permits by letters dated November 15, 2006, January 17, 2007 and February 2, 2007.
- EVIDENCE:** Letters of William Dunn, Code Enforcement Manager dated November 17, 2006 and February 2, 2007.
- EVIDENCE:** Letter from Deputy County Counsel Irv Grant dated January 17, 2007.
- EVIDENCE:** Administrative Record of PLN030504 and CE020302 including all application materials, correspondence, documents, resolutions and records of public hearings before the Planning Commission.
4. **FINDING:** On February 21, 2007 Dolan Development Partners/Loan Exchange Group Inc. appealed the decision of William Dunn Code Enforcement Manager to the Planning Commission.
- EVIDENCE:** Dolan Development/Loan Exchange Group Notice of Appeal dated February 21, 2007.
5. **FINDING:** The Planning Commission heard the appeal at public hearing on June 27, 2007. At that time, the Planning Commission heard presentations from County staff, the appellants and others on the relative merits of the appeal.
- EVIDENCE:** Administrative Record of PLN030504 and CE020302 including all application materials, correspondence, documents, resolutions and records of public hearings before the Planning Commission.
6. **FINDING:** After the close of the public hearing, the Planning Commission found that:
- a. There is no valid permit for the continuing operation of the dismantling operations on Parcel D of the Dolan Industrial Park.
 - b. The appellants have been afforded ample time to file new applications for the continuing use of Parcel D for auto dismantling operations. To date, no such application has been filed nor does such an application appear to be imminent.
 - c. The road and water system agreements that are essential to considering permits for the continuing use of Parcel D for auto dismantling have not been completed and there is no reason to believe such agreements will be completed.
 - d. The auto dismantling operations on Parcel D are continuing to operate without benefits of valid permits and the conditions of previous permits have not been met.
 - e. The time allowed by the County for the appellants to correct the violations has been exceptionally generous.
 - f. The order of William Dunn is appropriate given that the permit Dolan Development Partners has been expired June 14, 2000, and that the permit for continuing operation was denied by the Board of Supervisors on January 10, 2006.
- EVIDENCE:** Administrative Record of PLN030504 and CE020302 including all application materials, correspondence, documents, resolutions and records of public hearings before the Planning Commission.

DECISION

NOW THEREFORE BE IT RESOLVED based on the forgoing findings and evidence that the Planning Commission hereby **denies the appeal** of Dolan Development Partners, AKA Loan Exchange Group, Inc. thereby upholding the order of William Dunn, Code Enforcement Manager to quit operations at all businesses on the property and to not import any vehicles or vehicle parts to Parcel D and to initiate a cleanup and removal process to be concluded within 30 days.

PASSED AND ADOPTED this 27th day of June, 2007, by the following vote:

AYES: Errea, Brown, Isakson, Padilla, Ottone, Diehl, Sanchez, Salazar, Vandever
NOES: None
ABSENT: Rochester

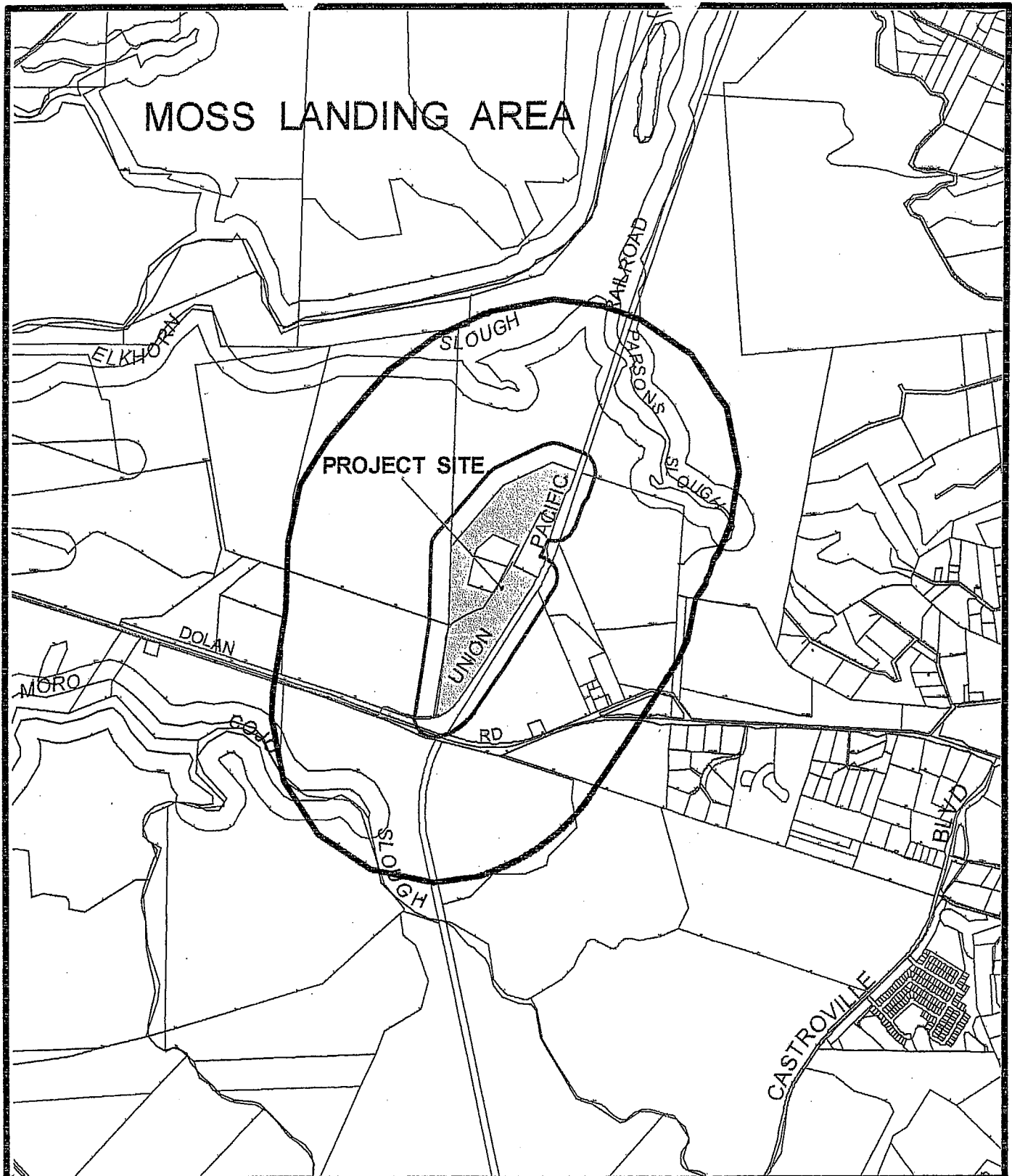


MIKE NOVO, SECRETARY

Copy of this decision mailed to applicant on JUL 24 2007

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE AUG - 3 2007


This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.




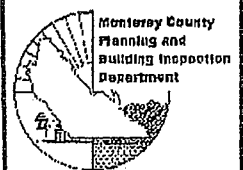
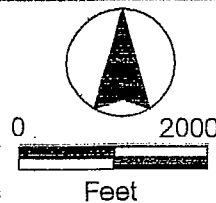
APPLICANT: DOLAN DEVELOPMENT PARTNERS LTD

APN: 131-054-004-000

FILE# PLN 030504

 300' Limit

 2500 Limit



PLANNER: LEE