

MINUTES OF MEETING
WEST COUNTY BOARD OF ZONING ADJUSTMENTS
JANUARY 14, 2009
(APPROVED JANUARY 28, 2009)

The Regular Meeting was held at the hour of 6:00 p.m. in the Alameda County Building, 224 West Winton Avenue, Hayward, California.

FIELD TRIP: 1:00 p.m.

1. **FRANK PHAM / MILL LIQUORS & DELI, PLN-2008-00054** – Conditional Use Permit application to allow off-site alcohol sales as part of a grocery store use, in an ACBD - TA (Ashland Cherryland Business District Specific - Transit Access) District located at 15984 East 14th Street, north east side, approximately 500 feet south west of 159th Avenue, unincorporated Ashland area of Alameda County, bearing Assessor's Parcel Number: 080-0057-035-00. **Staff Planner: Howard Lee.**
2. **DANTON GARNHART, PLN-2008-00072** - Variance application to allow expansion of a non-conforming use with the addition of a second story to one unit on a property with seven units where one single family dwelling is allowed, in R-1 (Single Family Residence) District, located at 1143 Grove Way, south east side, approximately 77 feet north Birch Street, unincorporated Cherryland area of Alameda County, bearing Assessor's Parcel Number: 428-0011-111-01. **Staff Planner: Damien Curry.**
3. **MAX MORRIS, PLN-2008-00073** - Conditional Use Permit application to allow continued operation of an automotive repair facility, in an ACBD-R-C1 (Ashland Cherryland Business District Specific – Residential – Commercial) District, located at 186 East Lewelling Boulevard, corner northwest of Ashland Avenue, unincorporated San Lorenzo area of Alameda County, bearing Assessor's Parcel Number: 413-0019-004-02. **Staff Planner: Damien Curry.**

MEMBERS EXCUSED: Chair; Dawn Clark-Montenegro; Vice Chair, Kathy Gil; Members, Jewell Spalding and Ineda Adesanya.

MEMBERS PRESENT: None.

OTHERS PRESENT: None.

FIELD TRIP: The Field Trip was cancelled. Members visited properties on an individual basis.

REGULAR MEETING: 6:00 p.m.

MEMBERS PRESENT: Chair, Dawn Clark-Montenegro; Vice Chair, Kathy Gil; Members, Jewell Spalding and Ineda Adesanya.

MEMBERS EXCUSED: Ineda Adesanya.

OTHERS PRESENT: Phil Sawrey-Kubicek, Senior Planner; County Counsel, Andrea Weddle; Yvonne Bea Grundy, Recording Secretary.

There were approximately 21 people in the audience.

CALL TO ORDER: The meeting was called to order by the Chair at 6:00 p.m.

Neighborhood Preservation Ordinance Abatement Hearing

1. ISRAEL & SARA CASTRO, 695 Hampton Road, Hayward, CA 94541

In violation of Alameda County Ordinance Sections 6.65.030 A (1) and M (1).

1. Unlawful outdoor storage of tires, car parts, batteries, rubbish and debris in the driveway).

Member Spalding motioned to uphold the staff recommendation. Declare the property a public nuisance, and require abatement to be completed in 10 days. The Vice Chair seconded the motion. Motion carried 3/0.

2. SHER & SHAJAHAN KHAN, 20443 Meekland Avenue, Hayward, CA 94541

In violation of Alameda County Ordinance Sections 6.65.030 I (1).

1. Front yard concrete paving exceeds the maximum 50% allowed; A 60 foot wide lot, with 45 feet of it paved with recently installed concrete. Approximately 15 feet of the recently poured concrete (or its equivalent of the existing concrete) needs to be removed.

The Vice Chair motioned to uphold the staff recommendation. Declare the property a public nuisance, and require abatement to be completed in 10 days. Member Spalding seconded the motion. Motion carried 3/0.

3. PAUL RUBIO, 16858 Genevieve Place, Hayward, CA 94541

In violation of Alameda County Ordinance Sections 6.65.030 D (1) and M (1).

1. Overgrown weeds and vegetation in the front yard facing Lewelling Boulevard.

Member Spalding motioned to uphold the staff recommendation. Declare the property a public nuisance, and require abatement to be completed in 10 days. The Vice Chair seconded the motion. Motion carried 3/0.

4. AMERICAN HOME MORTGAGE SERVICING INC., 1418 – 150th Avenue, San Leandro, CA 94578

In violation of Alameda County Ordinance Sections 6.65.030 A (1) and M (1).

1. Unlawful outdoor storage of trash, debris, a mattress and car parts.

The Vice Chair motioned to uphold the staff recommendation. Declare the property a public nuisance, and require abatement to be completed in 10 days. Member Spalding seconded the motion. Motion carried 3/0.

5. CHEUK & JULIAN FUNG, 997 Grant Avenue, San Lorenzo, CA 94580

In violation of Alameda County Ordinance Section 6.65.030 G (1) and M (1).

1. Dilapidated fence.

Member Spalding motioned to uphold the staff recommendation. Declare the property a public nuisance, require abatement to be completed in 10 days. The Vice Chair seconded the motion. Motion carried 3/0.

6. GUILLERMO RAMIREZ, 606 Elgin Street, San Lorenzo 94580

In violation of Alameda County Ordinance Sections 6.65.030 A (1) and M (1).

1. Unlawful outdoor storage of tires and other debris including scrap wood and other material.

The Vice Chair motioned to uphold the staff recommendation. Declare the property a public nuisance, and require abatement to be completed in 10 days. Member Spalding seconded the motion. Motion carried 3/0.

The Chair called a brief recess at 6:17 p.m. The Hearing re-convened at 6:22 p.m.

ANNOUNCEMENTS BY THE CHAIR: The Chair made no special announcements.

OPEN FORUM: Open forum is provided for any members of the public wishing to speak on an item not listed on the agenda. Each speaker is limited to three (3) minutes.

Ms. Annie Bradford a resident of San Leandro asked what specific efforts were being mounted in response to the increased presence graffiti in the area. Member Spalding informed Ms. Bradford about the Graffiti Abatement Program, and Alameda County Code Enforcement. Staff added that a recent combined task force which included Code Enforcement and the Sheriff's Department had been deployed to specifically address graffiti.

CONSENT CALENDAR:

1. **GUADALUPE LOZA/FRED FULCHER, CONDITIONAL USE PERMIT, C-8271**– Application to allow continued operation of a mobile outdoor business (Catering Truck), in a PD-ZU-1487 (Planned Development, 1487th Zoning Unit) District, located at 691 West A Street, north side, corner, northwest of Royal Avenue, unincorporated Hayward area of Alameda County, bearing Assessor's Parcel Number: 0432-0016-035-00. (Continued from February 11, April 14, April 28, May 26, July 14, September 8, October 13, 2004, March 23, June 22, October 12, December 14, 2005, March 22, May 24, September 13 and November 15, 2006, March 28, July 11, August 8 and September 12, 2007; January 9, April 23, August 28, September 24, October 8, December 10 and 17, 2008; to be continued to February 25, 2009). **Staff Planner: Christine Greene.**
2. **ROBERT NAVARRO, CONDITIONAL USE PERMIT, C-8727** – Application to allow sales and installation of car audio, stereo systems and window tinting in a P-D (Planned Development) ZU-1487 (1487th Zoning Unit) District, located at 691 West A Street, north side, corner north west of Royal Avenue, unincorporated Cherryland area of Alameda County, designated Assessor's Parcel Number: 432-0016-035-00. (Continued from August 27, October 8, December 10 and 17, 2008; to be continued to February 25, 2009). **Staff Planner: Christine Greene.**
3. **ANIL SINGH / BILL LANE, CONDITIONAL USE PERMIT, C-8737** – Application to allow the expansion of an auto repair facility in the CN District (Commercial Neighborhood) District. Applicant requests an existing two car canopy and a 40 foot container unit be allowed to remain on the subject property, the subject parcel contains approximately 0.24 acres and is located at 19592 Center Street, east side, corner of Edwards Lane and Center Street, unincorporated, Castro Valley area of Alameda County, designated Assessor's Parcel Number: 084C-1062-024-00. (Continued from May 28, June 25, July 9, September 10, October 8, December 10 and 17, 2008; to be continued to January 28, 2009). **Staff Planner: Jeff Bonekemper.**
4. **DARYL DWAYNE MANGRUM – VARIANCE, V-12123, PLN- S-2173** - Application to reduce the front yard setback from 30 feet to 20 feet for the

construction of a new single family dwelling in an "A" (Agricultural) District, located at the 4.7 mile marker on Palomares Road, south of Palo Verde Road, unincorporated Castro Valley area of Alameda County, bearing Assessor's Parcel Numbers: 085A-4100-009-28 and 085A-4100-009-30. (Continued from October 22, November 12, December 10 and 17, 2008; to be continued to January 28 2009). **Staff Planner: Jana Beatty.**

Member Spalding motioned to accept the Consent Calendar as submitted. The Vice Chair seconded the motion. Motion carried 3/0.

REGULAR CALENDAR

1. **T-MOBILE / HARD, CONDITIONAL USE PERMIT, C-8734** – Application proposal to replace an existing 25 foot light pole with a new 35 foot pole with lights and four concealed antennas. A new equipment enclosure is also proposed to be located nearby. The subject parcel contains approximately 0.91 acres and is zoned R-1-CSU-RV (Single Family Residence, Conditional Secondary Unit, RV Parking) District, located at 18988 Lake Chabot Road, east side, north east of Keith Avenue, unincorporated Castro Valley area of Alameda County, designated Assessor's Parcel Number: 084D-1305-012-00. (Continued from July 9, September 10, November 5, 2008). **Staff Planner: Jeff Bonekemper.**

Staff recommended a continuance. The application was reviewed at the Castro Valley Municipal Advisory Council on January 26, 2009. The Council Members requested additional documentation not provided in the staff report. Staff will provide further information in the next report. Board questions regarding the applications were as follows:

- Is there a zoning distinction between cell towers in open space and/or park area
- If so are there different permit requirements
- Is C-8734 considered a new application

Staff confirmed the application was a new permit. The Zoning Classification is R-1 (Single Family Residence) District. Placement within a park or open space does not change Zoning requirements.

The Vice Chair motioned to continue C-8734 to the January 28, 2009 Hearing. Member Spalding seconded the motion. Motion carried 3/0.

FRANK PHAM / MILL LIQUORS & DELI, PLN-2008-00054 – Conditional Use Permit application to allow off-site alcohol sales as part of a grocery store use, in an ACBD - TA (Ashland Cherryland Business District Specific - Transit Access) District located at 15984 East 14th Street, north east side, approximately 500 feet south west of 159th Avenue, unincorporated Ashland area of Alameda County, bearing Assessor's Parcel Number: 080-0057-035-00. **Staff Planner: Howard Lee.**

Staff reviewed the application. A map of alcohol outlets within 500 feet of the location was also distributed. There are two alcohol outlets in the vicinity not listed in the original staff report. Club Zamora is within 500 feet of Mill Liquors. Town & Country Liquor is approximately 1,000 feet from Mill Liquors. Referral responses from the Alameda County Sheriff's Department, and the Ashland Association were also distributed. The staff recommendation was denial. Initial Board questions were as follows:

- Can staff provide additional comments regarding the determination that the “use is required”
- When did the current owner purchase the store
- What is the break down of violation by type of Sheriff’s Calls for Service regarding prostitution, arrest for misdemeanor warrants, etc.
- What percentage of Sheriff service calls are attributed to present vs. the prior owner
- Is the local Walgreen’s considered an alcohol outlet
- Is the nearby gas station on East 14th Street considered an alcohol outlet
- How many Census Tracts are located in the vicinity
- Was the liquor license for Mill Liquors for on-site, or off-site alcohol sales
- Has the Alcoholic Beverage Control License been revoked
- Would the ABC License be re-instated if the CUP is approved
- Is alcohol currently for sale in the store

The present owner purchased the store in 2002. All service calls to the Sheriff’s Department are attributed to the present owner. The Sheriff’s report does not break down the number of violations by type. Further details can be obtained from the Sheriff’s Department. Staff believed the gas station was approximately 1,000 feet away. The station would be considered an outlet if they sell alcohol. However it is outside of the 500 foot distance stated in the Board of Supervisors Policy Statement. Staff confirmed there are other Census Tracts in the vicinity. There is possibility the gas station is located within an adjoining Tract. Census Tract #4339 which includes Mill Liquors contains 3 off-sale licenses, 5 are allowed. Information regarding the total number of off-site and on-site liquor licenses in adjoining Census Tracts was not available at the hearing. Staff can follow-up. The Applicant’s Alcoholic Beverage Control License was revoked in 2007. Staff did not observe alcohol displayed at the site. The photographs in the staff report that show alcohol on display were supplied by the Applicant. Public testimony was opened.

The Applicant, Mr. Frank Pham told the Board that he only spoke, a little English. This is his first experience testifying at a public hearing. He lost his liquor license last year. He was told that he must go through the Planning Department to obtain a license to sell alcohol to everyone. Board Members had the following questions for the Applicant:

- Is the ABC License still in effect
- Is alcohol currently being sold at the store
- Is alcohol currently being stored on the premises
- What type of liquor license had been issued
- Did someone at the store sell alcohol to a minor or an undercover police officer
- What are the details regarding an assault on a Peace Officer
- What are the details regarding prostitution activity in the Sheriff’s Report
- Does the store sell adult magazines
- Does the store sell drug paraphernalia

Mr. Pham said the ABC License revoked last year was, Type #21. His daughter unknowingly sold a bottle of beer to a Vietnamese customer. She did not realize the customer was a minor. Alcoholic Beverage Control told him his license would be revoked. He must then wait a year to bring his permit application, before the BZA. Mr. Pham has not sold alcohol since last year. Currently he sells groceries. If he cannot regain his license to sell alcohol, he may have to file bankruptcy. He still has expenses to meet. Member Spalding pointed out that he could sell other items, not just alcohol. Mr. Pham continued his testimony. He was unaware of any prostitution, and did not understand the Board’s question regarding an assault on a Police Officer. He acknowledged that he was arrested because last year because his 22 year old

daughter unknowingly sold alcohol to a minor. She has only been in the United States for 2 years and was unaware of the rules. Mr. Pham left the sales counter for a 10 minute meal break, during which time his daughter mistakenly made the sale. Mr. Pham was unsure if his daughter asked for identification. He did not believe the sale was to an undercover officer.

Mrs. Pham then came to the podium. She said the photographs shown in the staff report were taken 2 years ago.

Mr. Pham then returned to testify. He said he was instructed by ABC to pull alcohol from his shelves when his license was revoked. He would then need to wait 1 year to re-apply. Member Spalding asked Mr. Pham if he understood that the BZA was not Alcoholic Beverage Control Board. She also asked if Mr. Pham had been issued a written statement from ABC. Mr. Pham said he had a paper issued by ABC. However the document was not present at the hearing. Mrs. Pham confirmed they received notification from ABC that a 1 year waiting period was required. Staff explained that the Applicant had re-submitted a license request to ABC. Alcoholic Beverage Control will not consider license issuance until there is an approved CUP. If the BZA approves the use permit, the finding would then be forwarded to ABC. Alcoholic Beverage Control is a separate agency, and would make an independent decision. County Counsel added that Zoning Ordinance compliance is a pre condition of license issuance. Mr. Pham told the Board adult magazines and movies were for sale at the store. The magazines and videos are covered. These items were in the inventory when he purchased the store. There is no drug paraphernalia for sale.

Diamond Jones did not believe Mill Liquors should be given a liquor license. The store helps youth obtain alcohol. This is something the community does not need. It may lead to young people ending up in Juvenile Hall. Member Spalding asked Ms. Jones if she walked to school, and what grade she was in. Ms. Jones confirmed she did walk to school. She is in the 8th Grade.

Representative of the Youth Leadership Counsel, Jenei Peterson was present. Ms. Peterson was not in favor of the store obtaining a liquor license. She personally knows youth that have purchased alcohol and tobacco products from Mill Liquors. The kids were not asked for ID. There are two many liquor stores in the vicinity. She made the Board aware of an additional liquor store, not listed in the staff report. John's Liquor is directly across the street from Town & Country Liquor. The store is also close to the Edendale Middle School. If the permit for Mill Liquors is approved, there will be 5 stores within 1,000 feet of one another. The concentration of liquor stores within the community is too high. When Mill Liquors had their license, they did not act responsibly. Mill Liquors should not be permitted to regain their license. The Vice Chair asked if the any of the alcohol and tobacco sales had taken place recently. Member Spalding asked the proximity of the store to local schools. Ms. Peterson confirmed the sales had occurred prior to revocation of the liquor license. Ms. Peterson is a student at San Lorenzo High School. The High School is the greatest distance from the store. The Ashland, Edendale Middle Schools, and the Hillside Elementary School are not in the direct path of the store. However they are all nearby.

Dametria Jones did not believe Mill Liquors deserved to get their license back. Once the license is renewed kids will return to buy cigarettes and alcohol. They know the store sells to minors.

Deja Marie is a Member of Edendale Youth Leadership Council. She is a 7th Grader. Ms. Marie was not in favor Mill Liquors obtaining a new liquor license. School children know they can get unhealthy products at the store. The Chair asked if Deja if she had gone into the store; also the proximity of the store to the school. She told the Board she had not been in the store. Mills Liquors is a 5 minute walk from the elementary school.

Ms. Hillary Bass does not live in the Ashland Community. However she has served Ashland for the past 5 years as a Youth Development Coordinator. Her role within the Community Activist Program is to

advocate for youth that live in unincorporated County. Ms. Bass knows a lot of young people. Mill Liquors is one the main locations where illegal sales of alcohol occur. Ms. Bass does not wish anything negative on the small business. She wants the store to identify alternate products they can sell. This would allow the store, and the community to thrive. Young people should not have to be surrounded by liquor, just to purchase snacks. She requested the liquor license not be issued. Member Spalding asked if the Youth Program was coordinated through the County. Ms. Bass said the Program serves all of Alameda County, except Oakland and Berkeley. Her specific role is to target the unincorporated Communities. Her position was created in part due to the lack of the activities for youth. They tend to just wander around. When school lets out, the streets are full. Many students head toward that area. There are 2,000 students at San Lorenzo High School, 800 at Edendale Middle School, and hundreds at Hillside. All of the kids live in, and walk the area. These are products they should not be exposed to at such and early age. The concentration of unhealthy products is already too high.

Alfredo Coria, a Prevention Specialist of Comm Pre was present. Mr. Coria clarified Mill Liquors is located on Census Tract #4339. Although Tract #4339 is not over concentrated, the Tract is adjacent to Census Tracts #4338, #4340 which contain alcohol outlets. He submitted a letter from Comm Pre in opposition to the application. Mr. Coria also presented a map. The use application conflicts with the Alameda County Alcohol Policy Statement. The Policy Statement states, a minimum distance of 500 feet between alcohol outlet and other sensitive uses. Such as, schools, churches and parks. The Light House Christian Church and Preschool Academy is located 482 feet from Mill Liquors & Deli. Club Zamora is 410 feet from Mills Liquors. Town & County Liquor and Cigarettes for Less are within 1,000 feet from the application site. The second reason Comm Pre is opposed to the application is the establishment does not meet the required finding of public need, and necessity. The store is located in a high crime area. Thirdly the establishment has a consistent history of violations with the Sheriff's Department, County Code Enforcement, Environmental Health, and Alcoholic Beverage Control. Recently the County and local residents have made tremendous efforts to improve the Ashland area. The City Walk Condominiums are 140 feet away. Hayward Area Recreation Department will be constructing a Teen Center down the street. Further sales of alcohol will not enhance the area, only cause more problems. The California Healthy Kids Survey showed 85% of 9th and 11th graders in San Lorenzo School District said it was easy to obtain alcohol in their community. Mr. Coria said the goal of the Community should be to reduce percentages. The County should calculate the cost to investigate violations versus the businesses contribution in taxes. Member Spalding stated that although Census Tract #4339 was not specifically over concentrated. This could be a mischaracterization, due to the physical boundary lines of adjoining Tracts #4338, #4340. Information solely on Census Tract #4339 may not be sufficient to form a complete opinion. She asked Mr. Coria for his opinion. Mr. Coria agreed with Member Spalding's analysis. In addition the use is not required by public convenience and necessity, as referenced in Section #1 of the County Alcohol Policy. Comm Pre is also opposed to the permit because the minimum requirement of a 500 feet distance to churches and schools as stated in Section #2 cannot be met.

A Board Member of the Cherryland Association, Ms. Ingrid Moller was present. The Association voted unanimously to recommend denial of the application. The area is saturated with alcohol outlets. Many at risk youth, live in the area. They don't need further exposure to alcohol.

Mrs. Erica Campisi visited the site. She passed additional outlets along the way. She told the Board, the owner of Mill Liquors had been sited for acts of prostitution in front of the store, assault on a Peace Officer, and the sale of alcohol to a minor. Mrs. Campisi did not believe a use permit should be issued to the store.

Ms. Annie Bradford told the Board she is a property owner at the Sunrise Condominiums, approximately 102 feet from the site. The location is also near the City Walk Condos. The store has a past history. The liquor license was suspended on November 14, 2007. The store was also sited for display of adult

materials in view of minors. Ms. Bradford believed alcohol sales would increase gang activity and loitering. If the use permit were granted the neighborhood would deteriorate. Children from San Lorenzo High School and Edendale Middle School patronize the store. Many kids pass by the store, and hang out smoking in front. Ms. Bradford personally witnessed the sale of tobacco to what appeared to be a minor. After the transaction she asked the clerk if they had asked for I.D. The clerk acknowledged they had not. There are 8 to 10 stores that sell alcohol in the vicinity. There are enough liquor stores in the area. If the permit is approved, new home sales would be affected, and the crime rate would increase. Ms. Bass pleaded with the Board not to approve the permit. She acknowledged crime exists in the neighborhood, but increased alcohol sales will further increase crime. Ms. Bradford volunteers in the neighborhood. She picks up garbage and bottles. The redevelopment area does not need any more problems. Ms. Bass has been in the store. She saw the new application for a liquor license displayed. She immediately called to protest. Ms. Bass did not observe alcohol for sale more recently, but heard that alcohol could be obtained at the site. She did not notice if adult material was visible. However she saw a violation posted on the internet. The store had violations for display of adult material.

Mr. Robert Campisi said, in the past he played an instrumental role on the Community Development Advisory Board. He asked the Board to deny the use permit. Progress has been slow but the County has done a lot of work to improve the area. Phase II of the East 14th Improvement Project has just begun. Merchants should consider factors other than the profit margin on alcohol. Mr. Campisi asked the Board not to issue a use permit until Mill Liquors can prove they can abide by rules, regulations, and applicable laws. Member Spalding asked his thoughts regarding Tentative Finding #2. Mr. Campisi believed a basis for an affirmative position regarding Tentative Finding #2, should be based on past performance. A use permit should be issued only when the merchant is willing to accept all terms and conditions, and has the ability to comply. Regarding, Tentative Finding #1, the use is not required by the public. If a person wanting alcohol cannot make it 500 feet to next alcohol outlet. They have a problem.

Mr. Pham returned to address the Board. He apologized for the difficulty communicating. Mr. Pham asked for a continuance to obtain translation assistance. There are other businesses in the area that have sold alcohol to minors, in addition to other violations. However he was not proficient enough in English to provide further information. Mr. Pham's native language is Vietnamese. During the application process his daughter had assisted to some extent. However she no longer lives in the area. County Counsel told the Board they should strongly consider the continuance request if the Applicant was uncomfortable with the situation. This will allow the Applicant through a translator, a fair opportunity to understand the testimony and respond accordingly. The Chair thanked the members of the audience who volunteered to assist Mr. Pham during the hearing.

Member Spalding asked staff to provide a copy of the Hearing Record to assist Mr. Pham in preparation for the next meeting. Staff confirmed a recording of the Hearing could be obtained the next day. A copy of Meeting Minutes can be obtained after January 28, 2009. County Counsel said a list of translators was probably available through the County. Staff will conduct further research. A February 11, 2009 hearing date should allow sufficient time to prepare, and arrange translation services. Mr. Pham agreed. Public testimony was closed.

The Board asked staff to complete the following tasks and incorporate findings into the next staff presentation:

Obtain Census Tract information from adjoining areas

Revisit the proposed need for the use given the current community conditions, and proximity of alcohol outlets in adjoining Census Tracts

Query the Sheriff's Department regarding criteria for alcohol sales combined with grocery sales

Member Spalding motioned to continue Application, PLN-2008-00054 to February 11, 2009. The Vice Chair seconded the motion. Motion carried 3/0.

APPROVAL OF MINUTES: The Vice Chair motioned to accept the Minutes of October 8, 2008 as submitted. Member Spalding seconded the motion. Motion carried 3/0.

Member Spalding motioned to accept the Minutes of December 17, 2008 as submitted. The Vice Chair seconded the motion. Motion carried 3/0.

The Chair continued the Minutes of October 22nd, November 5th and November 12th, 2008. A voting quorum of Members present on the aforementioned dates was not present at the Hearing.

STAFF COMMENTS & CORRESPONDENCE: Staff made no announcements.

BOARD'S ANNOUNCEMENTS, COMMENTS AND REPORTS: Member Spalding asked that staff attach materials submitted at the hearing to the Mill Liquors updated staff report.

ADJOURNMENT: There being no further business, the hearing adjourned at 8:00 p.m.

ALBERT LOPEZ - SECRETARY
WEST COUNTY BOARD OF ZONING ADJUSTMENTS