



# Inter Office Memo

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**ATTENTION: FOR FINAL ACTION OR  
MODIFICATION TO OR ADDITION OF  
CONDITIONS, SEE FINAL BOARD OF  
SUPERVISORS' ACTION SUMMARY  
MINUTES**

DATE: October 26, 2023

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 13013 — VARIANCE NO. 4145

APPLICANT: Rosemary and Juan Cordero Jr.

OWNER: Nick Sahota

REQUEST: Allow the creation of a two acre parcel from an existing 16.30-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located east side of S. Fowler Avenue, 615-feet south of E. Rose Avenue, approximately 2.6 miles west from the nearest city limits of the City of Selma (APN: 385-031-69) (11624 S. Fowler Ave.) (Sup. Dist. 4).

## PLANNING COMMISSION ACTION:

At its first hearing of March 9, 2023, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Carver and seconded by Commissioner Arabian to continue the hearing to a date uncertain as to allow the Applicant and Staff to determine if other alternatives excluding a Variance are feasible to allow the owner to create additional homes for their family.

This motion passed on the following vote:

VOTING:      Yes:            Commissioners Carver, Arabian, Abrahamian, Ewell, Hill, and Zante  
  
                  No:            None  
  
                  Absent:        Commissioners Chatha and Woolf  
  
                  Abstain:       None

At its subsequent hearing of October 26, 2023, the Commission considered the Staff Report and testimony (summarized in Exhibit A). A motion was made by Commissioner Arabian and seconded by Commissioner Quist to deny Variance Application No. 4145 based on the analysis of the required findings in the Staff Report and direct the Secretary to prepare a Resolution documenting the Commission's action.

This motion was passed on the following vote:

VOTING:      Yes:            Commissioners Arabian, Quist, Abrahamian, Carver, Woolf, and Zante  
  
                  No:            None  
  
                  Absent:        Commissioners Chatha, Ewell and Hill  
  
                  Abstain:       None

STEVEN E. WHITE, DIRECTOR  
Department of Public Works and Planning  
Secretary-Fresno County Planning Commission

By:



Chris W. Motta, Manager  
Development Services and Capital Projects Division

CM:er:jp

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EXHIBIT A

Variance Application No. 4145

**Public Hearing dated March 9, 2023**

- Staff: The Fresno County Planning Commission considered the Staff Report dated March 9, 2023 and heard a summary presentation by staff.
- Representative: The applicants disagreed with the Staff's recommendation. They stated the variance findings could be made and offered the following information to clarify the intended use:
- The unusual circumstance is based on the existing parcel is already substandard, which was allowed in 1960's.
  - The parcel is not economical for farming as it is substandard in size.
  - Other alternatives such as applying for a secondary residence (DRA) are not as desirable as creating a separate parcel. Our desire is to separate the subject parcel to be given to our family.
  - In support of Finding No. 1 there is an unusual circumstance as it is surrounded by many substandard parcels of which do not conform to the twenty-acre minimum parcel size.
  - Finding No. 2 can be made due to the surrounding property members from the same zoning classification having one-acre and two-acre parcels.
  - Finding No. 4 conforms to the General Plan as the subdivided land will continue to be used for agricultural purposes. With the subdivision in place, the parcels will continue to operate in an agricultural capacity.
- Others: No individuals presented information in support of or in opposition to the proposal.
- Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

**Continued Hearing dated October 26, 2023**

- Staff: The Fresno County Planning Commission considered the Staff Report dated October 26th, 2023, and heard a summary presentation by staff.
- Representative: The applicants disagreed with the Staff's recommendation. They stated the stated variance findings could be made and offered the following information to clarify the intended use:

RESOLUTION NO. 13013

- Finding No. 1 can be made as there is unusual circumstance as an assessor's parcel initiated by the previous owner in the 1980s (finalized in 2021) created parcels not conforming to the twenty-acre parcel size minimum requirements.
- Finding No. 2 can be made as we will retire soon and wish to provide our heirs with our legacy. Subdividing our parcel is the most expedient way to gift this newly created parcel to our family.
- Finding No. 4 can be made as the larger parcel will still be used for farming.

Others: No other individuals presented information in support of or in opposition to the proposal.

Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

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EXHIBIT "B"

ATTACHMENT  
TO  
AGENDA ITEM

FISCAL IMPACT STATEMENT

Variance Application No. 4145

Listed below are the fees collected for the land use applications involved in this Agenda Item:

Variance Application:	\$ 6,049.00 <sup>1</sup>
Environmental Review:	259.00 <sup>2</sup>
Pre- Application Credit	(247.00) <sup>3</sup>
Health Department Review:	<u>365.00<sup>4</sup></u>
<b>Total Fees Collected</b>	<b>\$ <u>6,460.00</u></b>

<sup>1</sup> Includes project routing, coordination with reviewing agencies, preparation and incorporation of analysis into Staff Report.

<sup>2</sup> Review proposal to provide appropriate California Environmental Quality Act (CEQA) evaluation.

<sup>3</sup> Pre-Application Credit granted if application filed within 6-month timeframe

<sup>4</sup>Review of proposal by the Department of Public Health, Environmental Health Division to provide comments.