



# County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING  
STEVEN E. WHITE, DIRECTOR

March 22, 2024

Silvester Arias  
P.O. BOX 7620  
Fresno, CA 93747

Dear Applicant:

Subject: Resolution No. 13027 – Variance No. 4157

On February 8, 2024 the Fresno County Planning Commission Denied your above-referenced project. A copy of the Planning Commission Resolution is enclosed.

Since no appeal was filed with the Clerk to the Board of Supervisors within 15 days, the Planning Commission's decision is final.

If you have any questions regarding the information in this letter please contact Elliot Racusin at [eracusin@fresnocountyca.gov](mailto:eracusin@fresnocountyca.gov) or 559-600-4245.

Sincerely,

A handwritten signature in cursive script that reads 'Elliot Racusin'.

Elliot Racusin, Planner  
Development Services and Capital Projects Division

ER:jp  
G:\4360Devs&Pln\PROJSEC\PROJDOCS\VA\4100-4199\4157\Resolution\Reso Letter.doc

Enclosure





# Inter Office Memo

---

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

DATE: February 8, 2024  
TO: Board of Supervisors  
FROM: Planning Commission  
SUBJECT: RESOLUTION NO. 13027 — VARIANCE NO. 4157

APPLICANT: Jose Leon-Barraza

OWNER: Silvestre Arias

REQUEST: Allow the creation of a 2.5-acre parcel and a 17.5-acre parcel from an existing 20-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. Temperance Avenue, 0.17-miles south of E. Jensen Avenue, approximately 0.63-miles southwest from the nearest city limits of the City of Fresno (APN: 316-062-02) (2250 S. Temperance Ave.) (Sup. Dist. 4).

**PLANNING COMMISSION ACTION:**

At its hearing on February 8, 2024, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Chairman Abrahamian and seconded by Commissioner Arabian to adopt the required findings stating Finding Nos. 1, 2 and 4 could be made based on the extraordinary circumstances, property right and adherence to the General Plan to subdivide the parcel for purposes of creating additional homes for family members to continue to cultivate the family farm and approve Variance No. 4157.



The motion failed on a vote of two to three:

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

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

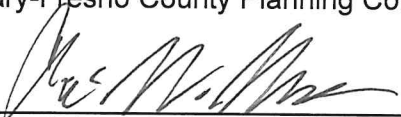
By:   
Chris W. Motta, Division Manager  
Development Services and Capital Projects Division



EXHIBIT A

Variance No. 4157

Staff: The Fresno County Planning Commission considered the Staff Report dated February 8, 2024 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:

- In support of findings one and two, we want to create a second parcel to have up to four homes to be given to my family (through the Director Review and Approval process).
- Simply having a secondary home would not be sufficient to house all my sons and their respective families; creating a separate parcel would achieve such goals.
- There is growth expected to occur in the near future as the property is near an elementary and high school.
- Finding No. 4 can be made as the larger subdivided portion of land will continue to be used for agricultural purposes.

Others: One other individual presented information in support of the project stating the area is in transition to be more developed in line with the City of Fresno.

No individuals presented testimony in opposition to the proposal.

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

CM:er:jp:cwm

G:\4360Devs&Pln\PROJSEC\PROJDOCS\VA\4100-4199\4157\Resolution\VA 4157 Resolution.doc





EXHIBIT "B"

ATTACHMENT  
TO  
AGENDA ITEM

FISCAL IMPACT STATEMENT

Variance Application No. 4157

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>305.00<sup>4</sup></u>
<b>Total Fees Collected</b>	<b>\$ <u>6,366.00</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 (originally for a PCOC application).

