



# Inter Office Memo

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DATE: February 8, 2024  
TO: Board of Supervisors  
FROM: Planning Commission  
SUBJECT: RESOLUTION NO. 13029 — VARIANCE NO. 4141

APPLICANT: Dirk Poeschel

OWNER: W.M. Boos & Co.

REQUEST: Allow for the reduction of the minimum parcel size requirements to create a 2.30-acre and a 117.4-acre parcel from an existing 119.7-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the north-east corner of E. McKinley and Mendocino Avenue., approximately three miles north of the City of Sanger. (APN: 309-070-19) (13948 E. McKinley Ave.) (Sup Dist. 5).

## 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 Commissioner Arabian and seconded by Vice Chair Hill to adopt the required findings as all four findings could be made as recommended by staff as stated in Staff's report to the Commission, and approve Variance No. 4141 subject to the Conditions listed in Exhibit B.

This motion was passed on the following vote:

VOTING: Yes: Commissioners Arabian, Hill, Abrahamian, Quist, and Woolf  
No: None  
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, Manager  
Development Services and Capital Projects Division

NOTES:        The approval of this project will expire one year from the date of approval unless a determination is made that substantial development has occurred. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Variance.

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EXHIBIT A

Variance No. 4141

- Staff: The Fresno County Planning Commission considered the Staff Report dated February 8, 2024 and heard a summary presentation by staff.
- Representative: The applicants agreed with 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.
  - In support of Finding Nos. 1 and 2, the canal bisecting the property presents a unique circumstance of which make it difficult to farm.
  - Finding No. 3 can be made based on the recommendation by staff.
  - Finding No. 4 conforms with the intent of the General Plan as the parcel is not economical nor easily traversable due to the constraints the canal poses for the owner.
- Others: No individuals presented information in support of or in opposition to the proposal.
- Correspondence: Five letters of support were presented to the Planning Commission in support of the project. No letters in opposition to the project were presented.

EXHIBIT B  
 Variance (VA) No. 4141 & Initial Study No. 8324  
 Conditions of Approval and Project Notes

Conditions of Approval	
1.	Division of the subject parcels shall be in accordance with the site plan (Exhibit 5) as approved by the Planning Commission.
2.	The applicant shall pay the Cancellation Fee in the amount of \$29,125.00 as determined by the County Assessor and certified by the Board of Supervisors for issuance of a Certificate of Cancellation by the Board. The Cancellation Fee shall be paid, and a Certificate of Cancellation issued prior to recording the map to create the proposed 2.33-acre parcel.

Conditions of Approval reference required Conditions for the project.

Notes	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	Division of the subject property is subject to the provisions of the Fresno County Parcel Map Ordinance. A Parcel Map Application shall be filed to create the two proposed parcels. The Map shall comply with the requirements of Title 17.72.
2.	The approval of this Variance will expire one year from the date of approval unless the required mapping application to create the parcels is filed in substantial compliance with the Conditions and Project Notes and in accordance with the Parcel Map Ordinance.
3.	As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.
4.	Upon approval and acceptance of the Tentative Parcel Map and any Conditions imposed thereon, a Final Parcel Map shall be prepared and by a Professional Land Surveyor or Registered Civil Engineer authorized to practice Land Surveying, in accordance with the Professional Land Surveyors Act, the Subdivision Map Act and County Ordinance. Recordation of the Final Parcel Map shall take place within two years of the acceptance of the Tentative Parcel Map unless a Map extension is received prior to the expiration date of the approved Tentative Parcel Map. Failure to record the Final Parcel Map prior to the expiration of said Tentative Parcel Map may void the Parcel Map application.
5.	Prior to site development, all survey monumentation – Property Corners, Centerline Monumentation, Section Corners, County Benchmarks, Federal Benchmarks and Triangulation Stations, etc. - within the subject area shall be preserved in accordance with Section 8771 of the Professional Land Surveyors Act and Section 6730.2 of the Professional Engineers Act.
6.	Any existing or future entrance gate should be set back a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward.
7.	A grading permit/voucher is required for any future grading with this application.

EXHIBIT B