



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 2 April 8, 2021

SUBJECT: Variance Application No. 4100

DESCRIPTION: Allow the reduction side-yard setback to 8-feet (20-feet required) in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the east side of Peach Avenue, approximately 560-feet south of the intersection of Peach Avenue and North Avenue. (APN: 331-080-42S) (3102 S. Peach Avenue, Fresno, CA 93725)

**OWNER/
APPLICANT:** Anselma Botello

STAFF CONTACT: Ethan Davis, Planner
(559) 600-9669

David Randall, Senior Planner
(559) 600-4052

RECOMMENDATION:

- Deny Variance Application No. 4100; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Site Plans and Detail Drawings

6. Applicant's Variance Findings

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Industrial	No Change
Zoning	AL-20 (Limited Agricultural, 20-acre minimum parcel size)	No Change
Parcel Size	1.86-acres	No Change
Structural Improvements	Single Family Residence	Change to existing Residence
Nearest Residence	Approximately 170 feet	Approximately 170 feet
Operational Features	Single Family residence	No Change

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: N

ENVIRONMENTAL ANALYSIS:

It has been determined pursuant to Section 15061(b) of the California Environmental Quality Act (CEQA) guidelines, that the proposed project will not have a significant effect on the environment and is not subject to CEQA.

PUBLIC NOTICE:

Notices were sent to 36 property owners within 1320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

There was no public correspondence received.

PROCEDURAL CONSIDERATIONS:

A Variance may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission.

The decision of the Planning Commission on a Variance Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

Findings 1: *There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification; and*

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front: 50-feet Side: 15-feet	Front: 50 feet Side: 8'-6"-feet	N

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
	Rear: 20-feet	Rear: 20-feet	
Parking	One covered parking space	No Change	Y
Lot Coverage	30% lot coverage	No Change	Y
Space Between Buildings	6-feet	N/A	Y
Wall Requirements	6-feet	No Change	Y
Septic Replacement Area	Septic	N/A	Y
Water Well Separation	Private Well	N/A	Y

Reviewing Agency/Department Comments Finding 1:

There were no comments from reviewing agencies or County Departments regarding the project other than advisory statements about required regulations that have been noted under the Projects Notes section of Exhibit 1.

Finding 1 Analysis:

In support of Finding 1, the Applicant states that the home was built close to the northern portion of the property to provide adequate distancing from the surrounding businesses in the area. The carport that is within the setback is used for housing equipment that is used to maintain the property and does not cause any harm to the surrounding uses. According to the applicant the property can't be sold while the violation exists. The variance is to abate that violation so the applicant can sell their property. They have stated they are at an age where they are no longer able to maintain the property.

A consideration in addressing Variance applications is whether there are alternatives available that would avoid the need for the Variances. Alternatives for the carport would be demolishing said addition and removing it from the setback and construct covered parking, needed to comply with the ordinance, on the eastern or southern portion of the home.

There is not anything exceptional or extraordinary about the property that does not generally apply to other properties in the area.

Recommended Conditions of Approval:

None

Conclusion Finding 1:

Based on the above analysis that the situation is not exceptional or extraordinary, Finding 1 cannot be made.

Finding 2: *Such Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.*

Reviewing Agency/Department Comments Finding 2:

There were no comments from reviewing agencies or County Departments regarding the project other than advisory statements about required regulations that have been noted under the Projects Notes section of Exhibit 1.

Analysis Finding 2:

In support of Finding 2, the Applicant states that in order for the residence to be conducive, the residence must be as far north as possible to avoid the trucking operation on the adjacent parcel to the south. The carport within the setback is used to cover the equipment that is required to maintain the property. Additionally, the owner is looking to sell the property as she is at an age where she is unable to manage the property, fixing the violation would allow her to sell the property.

In regard to Finding 2, staff does agree that positioning the carport within the setback is a substantial property right possessed by other properties with the same zoning in the area. The carport could be located in various other locations not within the setback.

Recommended Conditions of Approval:

None

Conclusion Finding 2:

Based on the above analysis, the situation does not involve a property right enjoyed by other properties in the area, Finding 2 cannot be made.

Finding 3: *That the proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof*

Reviewing Agency/Department Comments:

There were no other comments from reviewing agencies or County Departments regarding the project other than advisory statements about required regulations that have been noted under the Projects Notes section of Exhibit 1.

Analysis Finding 3:

In support of Finding 3, the Applicant states that the carport has existed for over a decade and has not been materially detrimental to the public welfare or injurious to the property and improvement in the vicinity which the property is located.

In analyzing this proposal. Staff considered the intent of restrictions of yard setbacks. A primary purpose of the setback standard is to protect the aesthetic character of an area by providing an offset of structures from the adjacent properties. Given the built environment and mature

landscaping surrounding the neighborhood, the proposed Variance would not adversely impact the neighborhood.

Recommended Conditions of Approval:

None.

Conclusion Finding 3:

Staff believes that there will be no significant adverse impacts on neighboring properties, Finding 3 can be made.

Finding 4: *That the proposed development is consistent with the General Plan*

Reviewing Agency Comments Finding 4:

The Policy Planning Section of Public Works and Planning determined there are no General Plan issues with the existing carport within the required side-yard setback. The property is within the Roosevelt Community plan and is designated as General Industrial, future uses in the area may impact the residential use of the property.

No other comments specific to General Plan Policy were expressed by reviewing agencies or County Departments.

Analysis Finding 4:

In support of Finding 4, the Applicant states that the proposed addition is not contrary to the objectives of the Fresno County General Plan. The Applicant states that the granting of this Variance would be in accordance with the objectives of the General Plan.

Staff notes that there are no General Plan policies specifically pertinent to the proposed reduction in setback requirement.

Recommended Conditions of Approval:

None.

Conclusion Finding 4:

As the General Plan does not address side-yard setbacks, Finding 4 can be made.

PUBLIC COMMENT:

None.

SUMMARY CONCLUSION:

As the requested Variance is not a unique situation and a substantial property right that has been afforded to other properties in the area, staff believes Findings 1 and 2 cannot be made and recommends denial of Variance No. 4100.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Denial Action)

- Move to determine that the required Findings cannot be made (as stipulated by Staff) and move to deny Variance Application No. 4100; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action

Alternative Motion (Approval Action)

- Move to determine the required Findings can be made (state basis for making the findings) and move to approve Variance Application No. 4100, subject to the Conditions of Approval listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action

Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

ED:im

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**Variance Application No. 4100
(Including Conditions of Approval and Project Notes)**

Conditions of Approval	
1.	Development shall be in accordance with the site plan as approved by the Planning Commission.
2.	Plans, permits and inspections will be required to remedy the violation.

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
3.	Development will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.

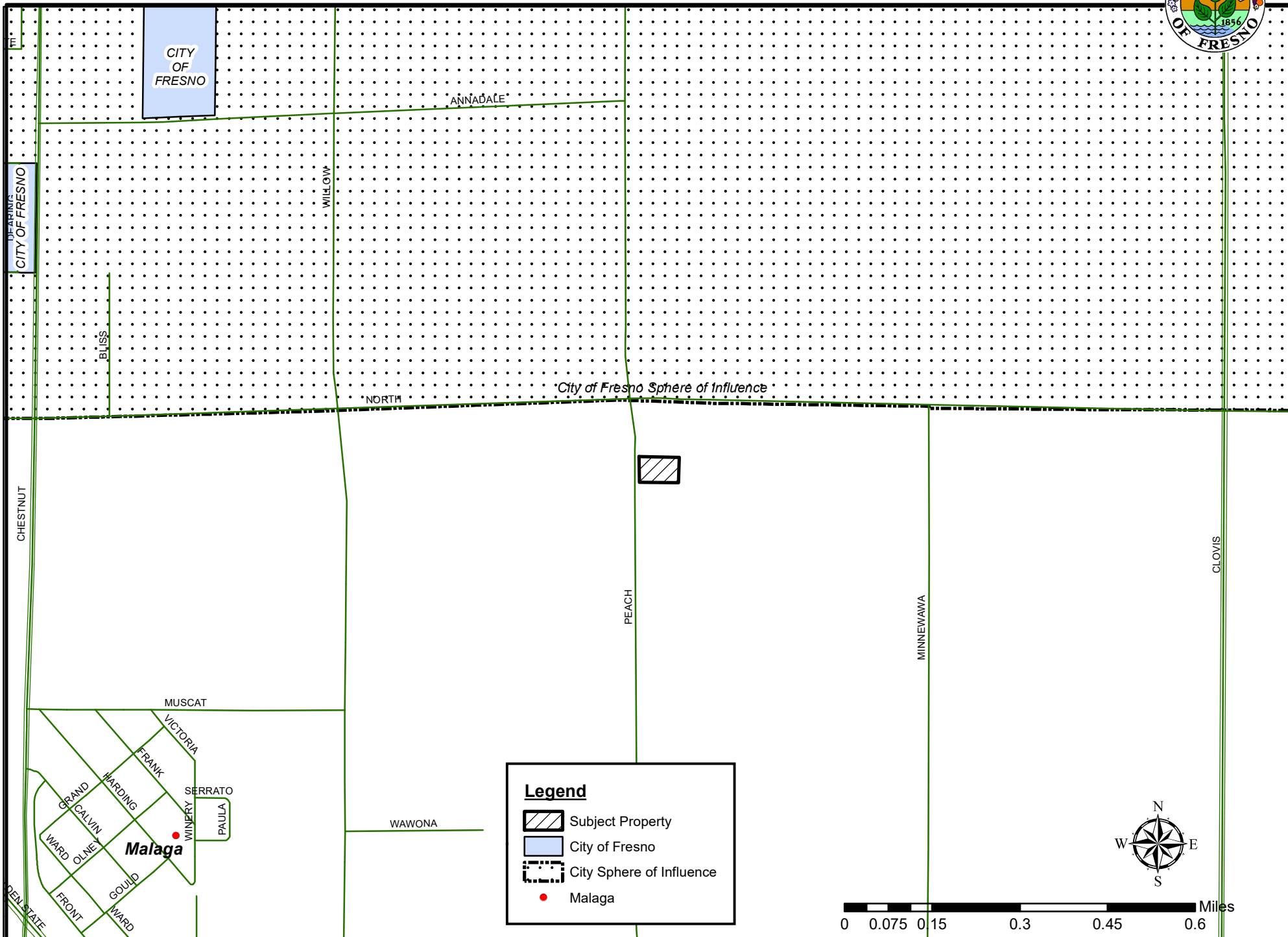
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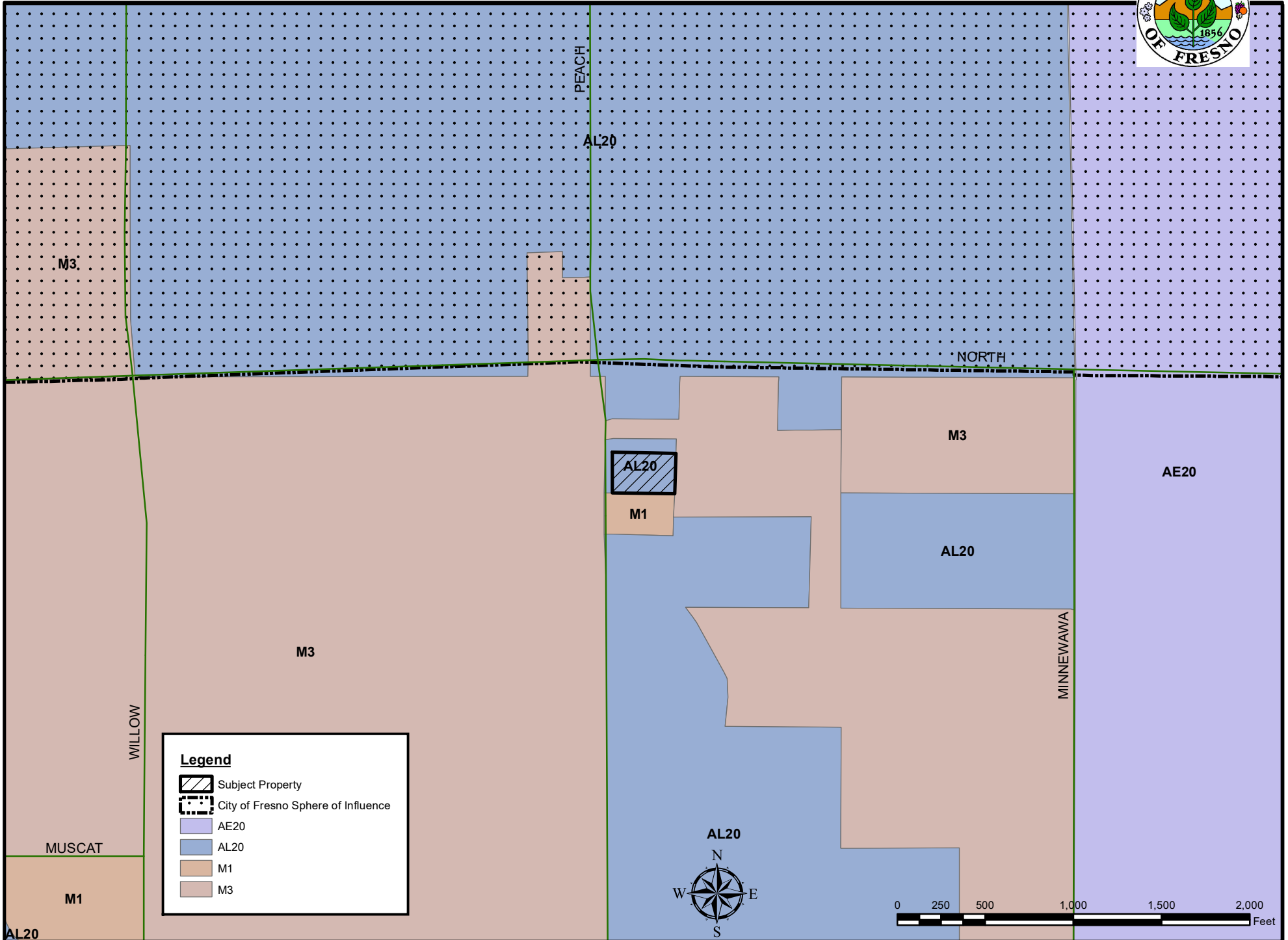
LOCATION MAP



VA 4100

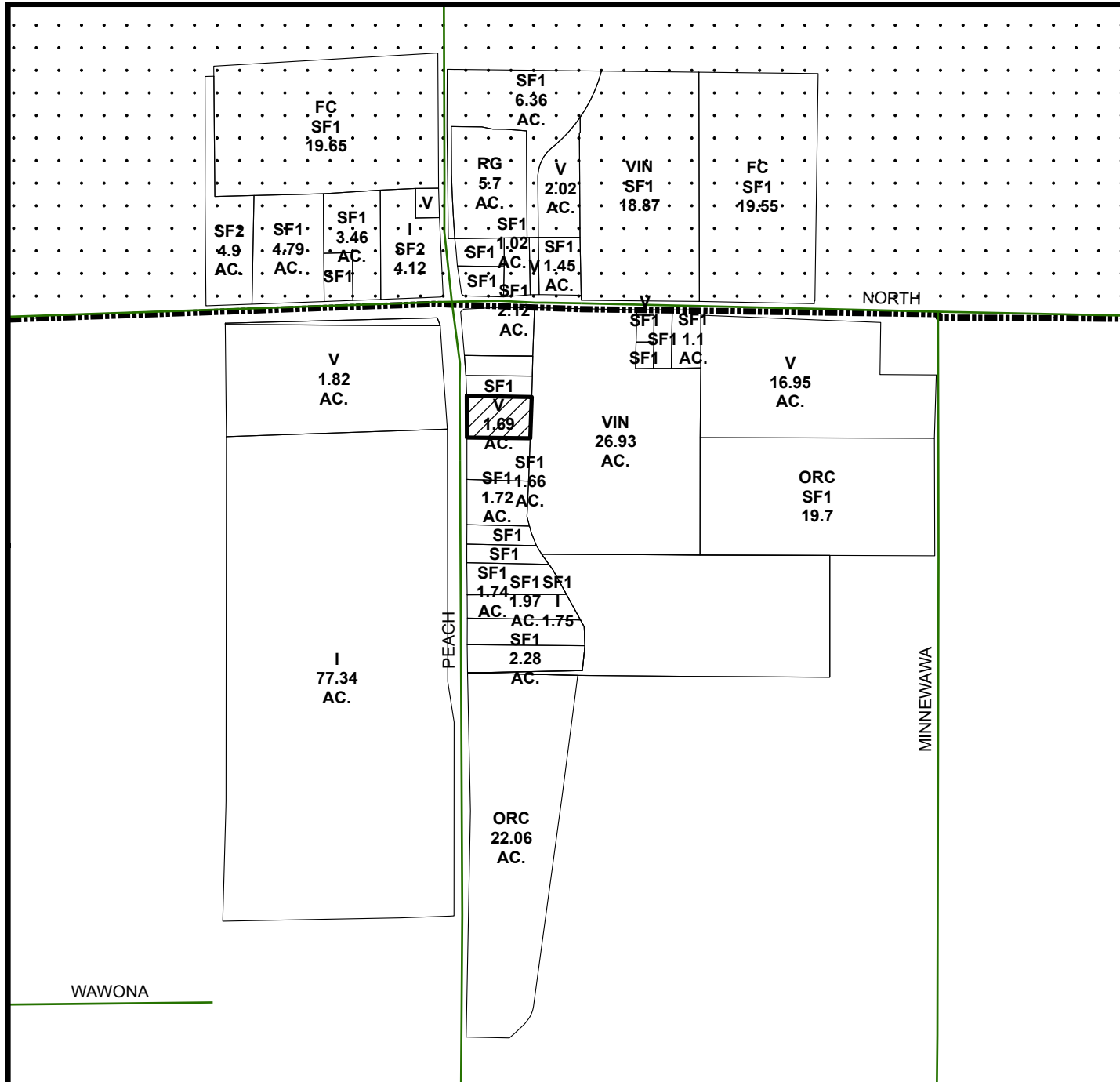


EXISTING ZONING MAP





VA 4100

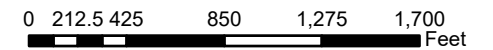
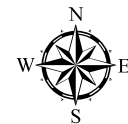
EXISTING LAND USE MAP



LEGEND	
FC	FIELD CROP
I	INDUSTRIAL
ORC	ORCHARD
RG	RESIDENTIAL GROUP FACIL
SF#	SINGLE FAMILY RESIDENCE
V	VACANT
VIN	VINEYARD

LEGEND:

-  Subject Property
-  City of Fresno Sphere of Influence



Department of Public Works and Planning
Development Services Division

GENERAL NOTES

- PROVIDE CONSTRUCTION SITE ADDRESS AS PER APPROVED STANDARD.
- JOB CARD REQUIRED TO BE AVAILABLE FOR SIGNATURE AT JOB SITE.
- LOCATE AND EXPOSE ALL PROPERTY CORNERS AND STRONG PROPERTY LINES PRIOR TO THE FOUNDATION INSPECTION.
- WATER CLOSET COMPARTMENTS MUST BE A MINIMUM 30" IN WIDTH WITH 24" CLEAR IN FRONT OF THE WATER CLOSET. INSTALL ONLY LOW FLOW, PER FLUSH.
- LOT DRAINAGE: PROVIDE A 5% SLOPE AWAY FROM THE BUILDING FOR A MINIMUM OF 10'. SLOPE 1% IN THE REMAINDER OF THE LOT FROM REAR OF THE PROPERTY TO THE STREET. NO ON-SITE WATER RETENTION. NO DRAINAGE TO ADJACENT PROPERTY.
- ANY VERTICAL CUT AND FILL DIFFERENTIAL IN EXCESS OF 12" BETWEEN ADJACENT PROPERTIES BY AN APPROVED RETAINING WALL. WOOD RETAINING WALLS SHALL SHOULD NOT BE USED TO RETAIN MORE THAN 24" OF SOIL. THE GRADE DIFFERENTIAL BETWEEN ADJACENT PROPERTIES MAY BE RELIEVED BY A SLOPE NOT TO EXCEED TWO HORIZONTAL TO ONE VERTICAL ON THE LOW PROPERTY IF APPROVED BY THE OWNER OF SAID PROPERTY IN A FORM OF A RECORDED EASEMENT OR COVENANT RUNNING WITH THE LAND AS APPROVED BY THE CITY ATTORNEY.
- INSTALL 2X FIREBLOCKING WHERE VERTICAL SHAFTS IN STUD WALLS EXCEED 10', AT FLOOR LEVELS, CEILING COVES AND SHAFTS.
- FINGER JOINTED STUDS ARE NOT ALLOWED IN STRUCTURAL WALLS (BEARING OR SHEAR) WITHOUT ENGINEERING ANALYSIS OR ICBO APPROVAL TO SUBSTANTIATE EQUIVALENCY.
- IN EACH ROOM WITH A WATER CLOSET AND THE KITCHEN, PROVIDE AT LEAST ONE FLUORESCENT FIXTURE. IF MORE THAN ONE FIXTURE IS LOCATED IN THE ROOM, THE FLUORESCENT MUST BE SWITCHED AT THE ENTRANCE. BATHROOM FLUORESCENT FIXTURES MAY BE LOCATED IN ADJACENT ROOMS WITH COMPLIMENTARY PLUMBING FIXTURES. INCANDESCENT AND FLUORESCENT FIXTURES ARE NOT TO BE SWITCHED TOGETHER.
- COMBUSTIBLE MATERIALS SHALL NOT BE PLACED WITHIN 2" OF FIREPLACES, SMOKE CHAMBER OR CHIMNEY WALLS. HEARTHES SHALL BE A MINIMUM OF 4 INCHES THICK OF NON-COMBUSTIBLE MATERIALS AND SHALL BE SUPPORTED BY NON-COMBUSTIBLE MATERIAL.
- PROVIDE NAME, MAKE, MODEL AND ICC NUMBER OF EACH SMOKE DETECTOR.
- AN EXHAUST FAN WITH CAPACITY OF 50 CFM INTERMITTENT OR 25 CFM CONTINUOUS IN PRIVATE BATHROOMS IS REQUIRED PER CMG TABLE 4-4.
- PROVIDE DRYER VENT TO THE OUTSIDE OF THE BUILDING WITH BACKDRAFT DAMPER. THE LENGTHS OF DRYER VENTS SHALL NOT EXCEED A TOTAL COMBINED HORIZONTAL AND VERTICAL LENGTHS OF 14 FEET, INCLUDING TWO 90 DEGREE ELBOWS. TWO FEET SHALL BE DEDUCTED FOR EACH 90 DEGREE ELBOW IN EXCESS OF TWO. FLEX DUCT CONNECTERS SHALL BE CONCEALED WITHIN CONSTRUCTION.
- FLEXIBLE FACTORY-MADE AIR DUCTS SHALL BE SUPPORTED WITH 28 GAUGE X 1-1/2 INCH GALVANIZED IRON STRAPS AT MAXIMUM 4 FEET ON CENTER UNLESS OTHERWISE REQUIRED BY MANUFACTURER'S FIELD INSTALLATION INSTRUCTIONS.
- ANY WORK TO BE PERFORMED WITHIN THE CITY RIGHT OF WAY MAY REQUIRE AN ENCROACHMENT PERMIT FROM THE ENGINEERING DEPARTMENT. THE WORK TO BE DONE WITHIN THE RIGHT OF WAY MUST BE COMPLETED PRIOR TO RECEIVING AN OCCUPANCY PERMIT. ANY EXISTING IMPROVEMENTS THAT ARE DAMAGED BY CONSTRUCTION IN PROGRESS, DELIVERY OF MATERIAL OR BY ANY OTHER MEANS, MUST BE REPAIRED PRIOR TO OCCUPANCY. CONTACT THE ENGINEERING DEPARTMENT AT
- SEWER CONNECTIONS SHALL BE INSTALLED TO CITY STANDARDS.
- WATER SERVICE CONNECTIONS SHALL BE INSTALLED TO CITY STANDARDS.
- PROVIDE WATER METER TO CITY STANDARDS.
- APPROVED NUMBERS AND ADDRESS SIGNS COMPLYING WITH STANDARDS APPROVED BY THE FIRE MARSHALL AND THE BUILDING OFFICIAL SHALL BE PROVIDED FOR ALL NEW BUILDINGS AND FOR EXISTING BUILDINGS; WHEN A BUILDING IS ADDED, REMODELED, ALTERED, ENLARGED, OR REDUCED IN AREA SUCH ADDITION, REMODEL, ALTERATION, ENLARGEMENT OR REDUCTION IN AREA HAS A PERMIT VALUE OF \$1000 OR MORE. APPROVED NUMBERS AND STREET NAME SIGNS COMPLYING WITH STANDARDS APPROVED BY THE FIRE MARSHALL AND BUILDING OFFICIAL SHALL BE PROVIDED FOR CONSTRUCTION SITES PRIOR TO THE FIRST INSPECTION.
- PROVIDE CONSTRUCTION SITE ADDRESS; APPROVED NUMBERS OR ADDRESS SIGNS SHALL BE PROVIDED FOR THE CONSTRUCTION SITES. THEY SHALL BE PAINTED ON THE FACE OF THE CURB ON THE FRONT SIDE OF THE LOT PRIOR TO THE FIRST INSPECTION. CURB NUMBERS SHALL BE A MINIMUM OF THREE INCHES (4") IN HEIGHT AND HAVE A CONTRASTING OR REFLECTIVE BACKGROUND AND PERMANENTLY PAINTED ON THE CURB FACE. TEMPORARY STREET NAMES SHALL BE PAINTED ON THE CURBS OF ALL STREETS AT THE STREET INTERSECTIONS. IN THE EVENT THAT NO CURB EXISTS, TEMPORARY CONSTRUCTION SITE ADDRESS SIGNS AND TEMPORARY STREET NAME SIGNS SHALL BE POSTED AT A HEIGHT BETWEEN 48" AND 12". SUCH TEMPORARY SIGNS SHALL BE WEATHER RESISTANT ON APPROVED MATERIAL. ALL NUMBERS AND NAME SIGNS SHALL BE MAINTAINED TO THE SATISFACTION OF THE FIRE MARSHALL AND THE BUILDING OFFICIAL.
- LOT SHALL BE DRAINED FROM REAR TO FRONT TO AN APPROVED DRAINAGE SYSTEM. INSTALLATION OF OBSTRUCTIONS, I.E. BLOCK OR WOOD FENCES, ROCKS, LANDSCAPING, MOUNDS, ETC. CAN NOT BLOCK FLOW.

BUILDING USE	BUILDING AREA	TYPE OF CONST.	ALLOWABLE AREA	OCCUPANCY	OCCUPANT LOAD	BUILDING HT.
(E) S.F.R.	1365 SQ. FT.	5B	40%	R3/U	<10	<30
(E) CARPORT	660 SQ. FT.		80,500 SQ. FT.			
(E) FRONT PORCH	273 SQ. FT.					
TOTAL SQ. FT.	2298 SQ. FT.		32,200 SQ. FT.			

NOTE:
CONTRACTOR TO PROVIDE TO BUILDING DIVISION A COMPLETED CEC FORM CF-6R PRIOR TO THE REQUEST FOR A FINAL INSPECTION. IT IS UNDERSTOOD THAT NO FINAL INSPECTION WILL BE MADE UNTIL THIS FORM IS SUBMITTED.

NOTE:
SPECIAL INSPECTION IS REQUIRED BY THE GEOTECHNICAL ENGINEER FOR COMPLIANCE WITH THE GEOTECHNICAL REPORT. THE SPECIAL INSPECTION REPORT SHALL BE SUBMITTED TO THE COUNTY OF FRESNO BUILDING DEPARTMENT PRIOR TO THE FOUNDATION INSPECTION. (NOTE IF REQUIRED BY THE COUNTY OF FRESNO)

NOTE:
SWALE
5% - 10'

THE GENERAL CONTRACTOR SHALL COMPLY TO THE FOLLOWING BUILDING CODES. 2014 NATIONAL ELECTRICAL CODE. THE EXISTING 2013 CALIFORNIA BUILDING STANDARDS CODE WILL EXPIRE DECEMBER 31, 2016. THE EXISTING 2013 CALIFORNIA BUILDING STANDARDS CODE CONTAINS THE 2012 MODEL CODES (INTERNATIONAL AND UNIFORM CODES), 2011 NATIONAL ELECTRICAL CODE, AND 2013 CALIFORNIA ENERGY EFFICIENCY STANDARDS.

NOTE:
THE FIRE SPRINKLER LAYOUT AND DETAILS SHALL BE DESIGNED IN ACCORDANCE WITH THE NFPA 13D OR CRC SECTION R310.1 (R313.1); R313.2), REVIEWED AND APPROVED BY THE APPLICABLE FIRE MARSHALL PRIOR TO PERMIT. THE FIRE SPRINKLER SYSTEM SHALL BE INSTALLED BY A LICENSED FIRE SPRINKLER CONTRACTOR OR OWNER EMPLOYEES, AND SHALL BE INSPECTED AND APPROVED BY THE APPROPRIATE FIRE MARSHALL PRIOR TO APPROVAL OF OCCUPANCY OF THE BUILDING. (B&P CODE-CONTRACTOR LICENSE LAW, SECTION 1026)

PROPERTY DESCRIPTION
APN 331-080-42
LOT 3 THRIFTY ACERS.
TRACK 1228
PLAT BOOK 15, PAGE 71

SHEET INDEX

A1 - SITE PLAN
A2 - FLOOR PLAN
A3 - FOUNDATION PLAN
A4 - BRACE WALL PLAN
A5 - ROOF PLAN
A6 - ELECTRICAL PLAN
A7 - PLUMBING PLAN
A8 - MECHANICAL PLAN
A9 - ELEVATIONS
A10 - CROSS SECTION
A11 - CAL. GREEN CODES
A12 - NAILING SCHEDULE
A13 - ICC - ES REPORT

STRUCTURAL DESIGN INFORMATION (CBC 1603.1)

BUILDING CODE	2014 CALIFORNIA BUILDING CODE		
BASE WIND SPEED	110 MPH		
EXPOSURE CATEGORY	EXPOSURE "C"		
ICE	NO		
GROUND SNOW LOAD	0		
BUILDING CATEGORY	II		
SOIL SITE CLASS	CLASS 'D'		
BUILDING LOCATION	3102 S PEACH AVE		
LATITUDE	36.569942		
LONGITUDE	-119.620914		
SDS	0.541	FA	1.3
SS	0.624	FV	1.888
SDI	.0322		
SEISMIC DESIGN CATEGORY	SDC D		
SOIL BEARING CAPACITY	1500 PSF		
CONCRETE STRENGTH	2500 PSI		
ROOF DEAD LOAD	10 PSF		
ROOF LIVE LOAD	20 PSF		
FLOOR LIVE LOAD	SLAB ON GRADE		
CLIMATE ZONE	13		
GROUND SNOW LOAD	0		
WIND SPEED	SPEED MPH	110 MPH	
	TOPO EFFECTS	C	
SUBJECT TO DAMAGE	WEATHERING	NEG.	
	FROST LINE DESIGN	12"	
	TERMITES	YES	
WINTER DESIGN TEMP.	27 DEGREES		
ICE BARRIER UNDERLAYMENT	NO		
FLOOR HAZARDS	NO		
AIR FREEZING INDEX	1500		
MEAN ANNUAL TEMP	58 DEGREES		

- SITE PLAN NOTES:**
- JOB CARD TO BE AVAILABLE FOR SIGNATURE AT JOB SITE
 - PROVIDE A DIMENSIONED COPY OF THE SITE PLAN, FLOOR PLAN AND ELEVATION PLAN FOR THE COUNTY ASSESSORS OFFICE.
 - PROVIDE A CERTIFICATE OF COMPLIANCE OR OTHER CERTIFICATE OF FEES PAID FROM SCHOOL DISTRICT HAVING JURISDICTION OVER THE SITE FOR THE PROPOSED CONSTRUCTION.
 - PROJECT ADDRESS TO BE POSTED AT JOB SITE W/ 4" HIGH NUMBERS W/ 1/2" MIN. STROKE. MOUNTED ON A CONTRASTING BACKGROUND CLEARLY VISIBLE FROM THE STREET.
 - SURFACE WATER SHALL BE DRAINED AWAY FROM THE BUILDING FOR THE FIRST 10' BY AT LEAST 5% GRADE THE OVERALL. LOT DRAINAGE MUST BE NOT LESS THAN 5%.

NOTE:
THE AUTOMATIC FIRE SPRINKLERS TO BE SHOWN AND NOTED UNDER SEPARATE REVIEW AND BE SEPARATE SUBMITTAL BY LOCAL FIRE DEPARTMENT

- NOTE:**
- VERIFY LOCATION OF UTILITY STUBS WITH SERVICE PROVIDER.
 - NO CHANGES OR ALTERATION SHALL BE MADE TO PLANS UNLESS AUTHORIZED BY DESIGNER.
 - FINISHED FLOOR ELEVATION IS TO BE ABOVE THE CROWN OF THE STREET.
 - PROVIDE A 5% SLOPE AWAY FROM THE PROPOSED BUILDING FOR A MIN. OF 10'.
- DEFERRED APPROVAL ITEMS:**
- FABRICATION OF TRUSSES SHALL NOT BEG. SHALL BE RECALCULATED AND DRAWINGS HAVE BEEN REVIEWED AND APPROVED BY THE DESIGNER AND BUILDING OFFICIALS.

NOTE:
IF (E) SEPTIC TANK OR LEACH LINE DON'T MEET COUNTY OF FRESNO CODE REQUIREMENTS OF 50 FT. FROM SEPTIC TANK TO WATER WELL & 100' TO LEACH LINE, EITHER SHALL BE RELOCATED TO MEET REQ. CODES.

AS-BUILT

NOTE:
(E) 500 GAL. L.P. GAS TANK TO BE RELOCATED TO MEET COUNTY OF FRESNO CODE REQ. 10 FT. FROM P/L & 10 FT. FROM DWELLING

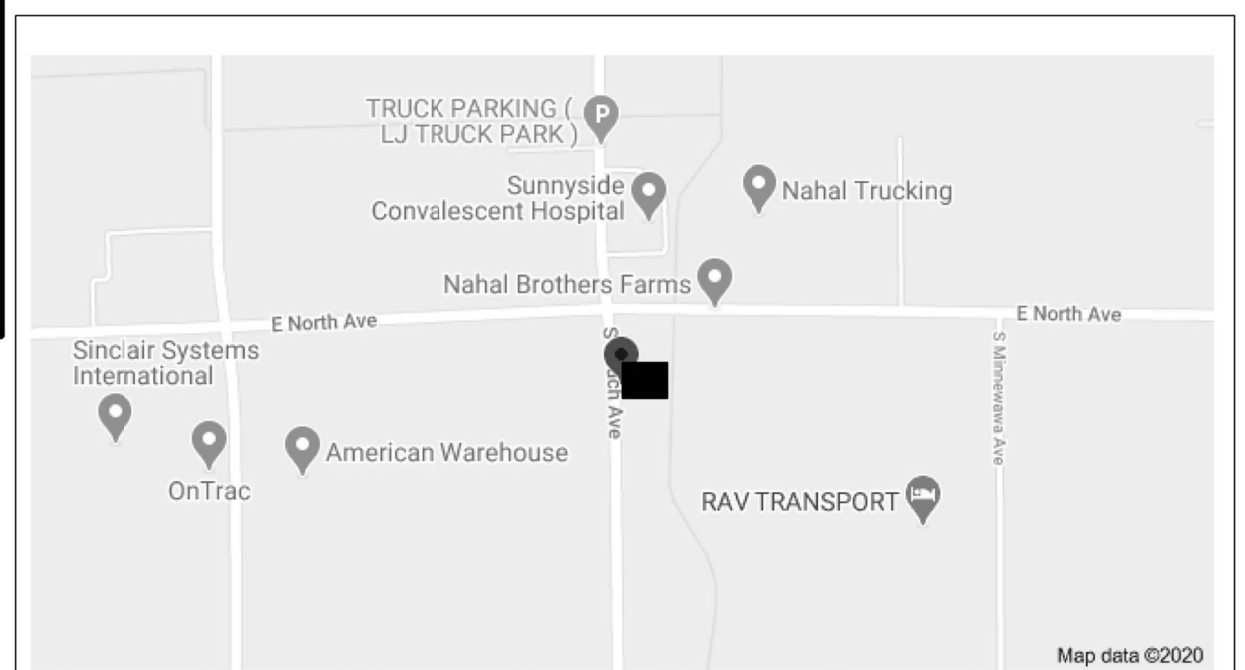
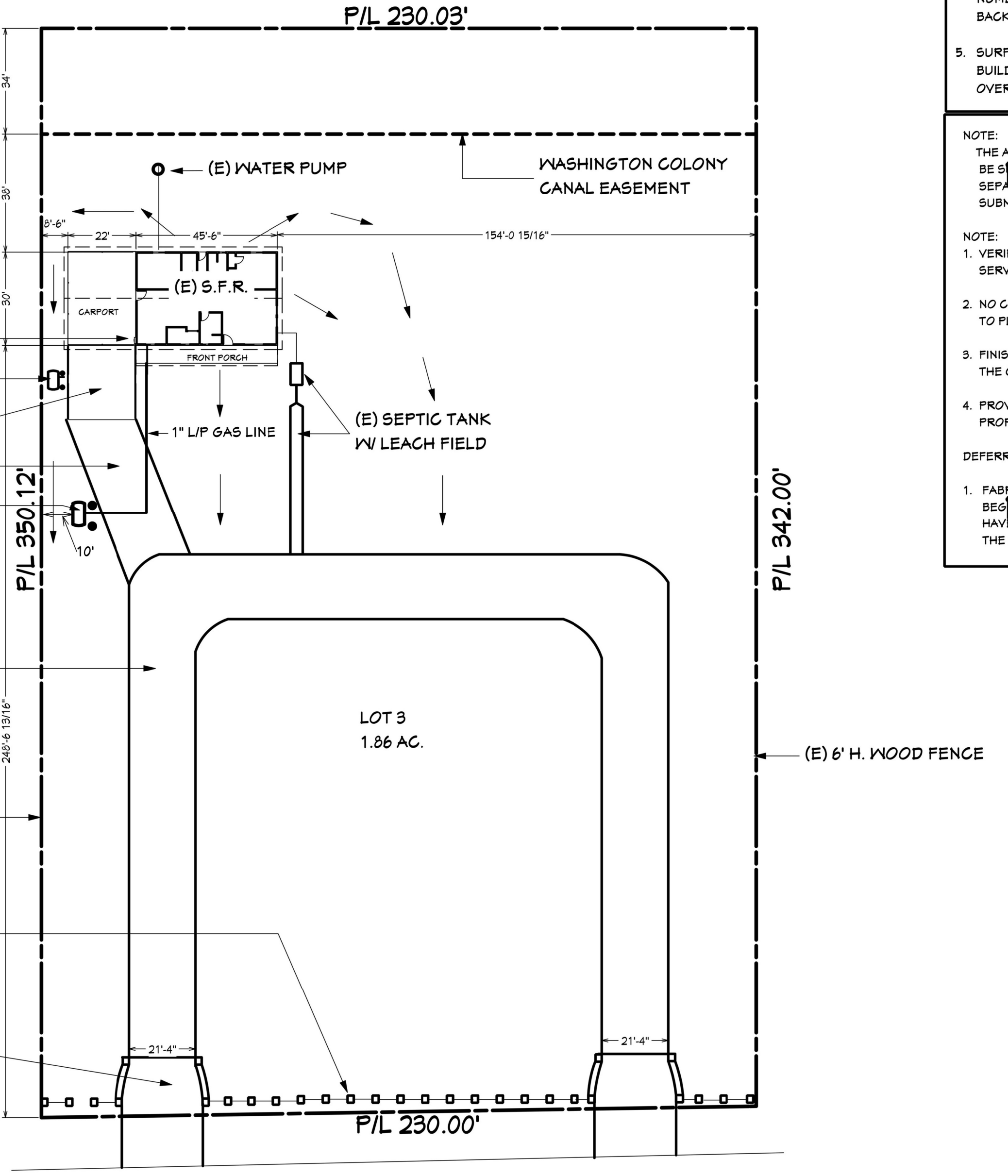
(E) CN. LANDING
(N) L.P. GAS TANK LOCATION

DIRT DRIVE WAY

(E) 6' H. WOOD FENCE

(E) BRICK PIER & WROUGHT IRON FENCE

(E) DRIVE APPROACH W/ ROLLING METAL GATE



VICINITY MAP

THESE DRAWING ARE THE PROPRIETARY WORK PRODUCT AND PROPERTY OF (FELIPE AGUILAR). DEVELOPED FOR THE EXCLUSIVE USE OF (FELIPE AGUILAR). USE OF THESE DRAWINGS AND CONCEPTS CONTAIN THEREIN WITHOUT THE WRITTEN PERMISSION OF (FELIPE AGUILAR) IS PROHIBITED AND MAY SUBJECT YOU FOR A CLAIM FOR DAMAGES FROM FELIPE AGUILAR.

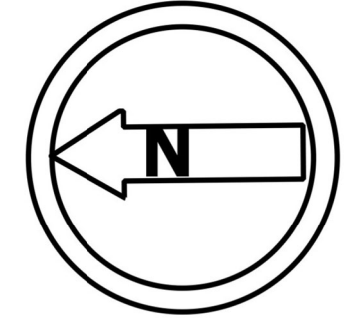
TO THE BEST OF MY KNOWLEDGE THESE PLANS ARE DRAWN TO COMPLY WITH OWNERS AND/OR BUILDERS SPECIFICATIONS AND ANY CHANGES MADE ON THEM AFTER PRINTS ARE MADE WILL BE DONE AT THE OWNER'S EXPENSE AND RESPONSIBILITY. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AN ENCLOSED DRAWINGS. FELIPE AGUILAR IS NOT LIABLE FOR ERRORS ONCE CONSTRUCTION HAS BEGUN. WHILE EVERY EFFORT HAS BEEN MADE IN THE PREPARATION OF THIS PLAN TO AVOID MISTAKES. THE MAKER CANNOT GUARANTEE AGAINST HUMAN ERROR. THE CONTRACTOR OF THE JOB MUST CHECK ALL DIMENSIONS AND OTHER DETAILS PRIOR TO CONSTRUCTION AND BE SOLELY RESPONSIBLE THEREAFTER.

- NOTES:**
- A CHEMICAL TOILET IS REQUIRED ON SITE DURING CONSTRUCTION.
 - CHANGES FROM APPROVED PLANS DURING CONSTRUCTION SHALL CAUSE CONSTRUCTION TO BE SUSPENDED UNTIL SUCH TIME AS THE PLANS CAN BE AMENDED BY THE DESIGNER AND SUBMITTED TO THE CITY FOR REVIEW AND APPROVAL.
 - THE CONSTRUCTION WASTE MANAGEMENT PLAN MUST FINALIZED PRIOR TO CERTIFICATE OF OCCUPANCY.

3102 PEACH

SITE PLAN

1" = 30' 0" SCALE



FELIPE AGUILAR

BUILDING DEPT. APPROVAL	PLANNING DEPT. APPROVAL
DATE:	9/18/2020
SCALE:	
SHEET:	A1

REVISION TABLE

NUMBER	DATE	REVISION BY	DESCRIPTION

OWNER:
MR. & MRS. BOTELLO
3102 S PEACH AVE
FRESNO CA 93725
(559) 287-1074

(E) 1365 SQ.FT. S. F. R. AND A 660 CARPORT & A 273 SQ. FT. FRONT PORCH

DRAWINGS PROVIDED BY:
FELIPE AGUILAR
8561 S DE LA CRUZ
PARLIER, CA 93648
(559) 455-7421
felipeaguiar@gmail.com

Anselma Botello
3963 Twain Avenue
Clovis, CA 93619

February 9, 2021

To Whom It May Concern:

Re: Variance for Side Yard Setback Reduction
Pre-Application Review No. 20-00062

My residence is located at 3102 S. Peach Avenue, Fresno California 93725 on the lot with the assessor's parcel number 331-080.42S. The parcel is 1.86 acres in the AL20 zoning. On the adjacent North side of the property is an existing residence and on the adjacent South side of the property is AZ Transportation Truck Parking.

In order to secure continued use of my rights of ownership to the aforementioned property, I understand a variance is required. Therefore, the required four findings for the approval of a variance are as follows:

1. Finding number one: The residence is built on the far Northeast corner of the lot so as to maximize the distance from the truck parking business on the adjacent South side and place it in closer proximity to the adjacent residence on the North side of the property. The attached porch is used to house large equipment needed to maintain the property. Given the nature of the property and the need to house equipment, as well as the need for the residence to have adequate distancing from the adjacent business, extraordinary circumstances are applicable to the property in question.
2. Finding number two: In order for my property to be conducive to a place of residence, i.e., free of the business noise and traffic on the adjacent South side, the home needs to remain where built which exceeds the zoning's requirement for side yard setback. In addition, the attached residence porch is essential for the equipment necessary for property upkeep. Therefore, a variance is needed for the preservation and enjoyment of my substantial property right.
3. Finding number 3: The attached porch on the residence has been in existence for almost a decade and has not been materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located. A 6-foot fence surrounds the property and the porch is over eight feet from the adjacent residential property's back yard; it is significantly removed from the neighboring residence.
4. Finding number 4: The granting of this requested variance would not be contrary to the objectives of the Fresno County general plan as this property, as built, would continue to be used as a residence in which its occupants could both reside and maintain within its agricultural setting.

Please consider the additional information with regard to the requested variance to allow a reduction of side yard setbacks:

- My husband died unexpectedly in 2013. He was a licensed contractor and constructed the building on this property. Although he began the permit process, he died before it was completed. I was not aware my property lacked permits until I put it up for sale.
- I have had to put this property up for sale as I am a senior and with the Covid19 pandemic, I have not been able to work. I am currently on unemployment and social security. Also contributing to my need to sell is that my elderly sister, aged 82, lives with me and the upkeep of this property is not manageable for two senior citizens. Without the necessary permits, I am not able to sell this property. This has placed a significant hardship on us.

I hereby ask that you consider all the information in this letter and grant the requested variance.

Sincerely,



Anselma Botello