



County of Fresno

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

June 25, 2021

Sean Odom
7337 N. First Street, Suite 110
Fresno, CA 93720

Dear Sean Odom:

Subject: Resolution No. 12868 - Variance Application No. 4092

On January 28, 2021 the Fresno County Planning Commission approved your above-referenced project with Conditions. 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.

The approval of this project will expire one year from the date of approval. 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.

If you have any questions regarding the information in this letter, please contact me at thdavis@fresnocountyca.gov or 559-600-9669.

Sincerely,

Ethan Davis, Planner
Development Services and Capital Projects Division

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Enclosure



Inter Office Memo

DATE: January 28, 2021
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12868 - VARIANCE APPLICATION NO. 4092

APPLICANT: GMA Engineering

OWNER: Tessengerlo Kerley, Inc

REQUEST: Waive the building height requirements to permit a 75-foot tall loading bucket elevator for an existing agricultural chemical operation in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the south side of Central Avenue between Sunnyside Avenue and Clovis Avenue (APN:331-050-03) (5427 E. Central Avenue) (Sup. Dist. 4).

PLANNING COMMISSION ACTION:

At its hearing of January 28, 2021, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Hill and seconded by Commissioner Chatha to adopt the recommended Findings of Fact for approval of Variance No. 4092, subject to the Conditions listed in Exhibit B.

This motion passed on the following vote:

- VOTING: Yes: Commissioners Abrahamian, Burgess, Chatha, Ede, Eubanks, Hill, and Woolf
- No: None
- Absent: Commissioners Carver, Lawson
- Abstain: None

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

By: 
 William M. Kettler, Manager
 Development Services and Capital Projects Division

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NOTE: 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.

Attachments

EXHIBIT A

Variance Application No. 4092

- Staff: The Fresno County Planning Commission considered the Staff Report dated January 28, 2021 and heard a summary presentation by staff.
- Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. He described the project indicating that the purpose for the Variance is to allow a new loading bucket on the site.
- Others: No other individuals presented information in support of or in opposition to the application.
- Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

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**Variance Application (VA) No. 4092
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	A site Plan Review application shall be submitted for approval by the Director of the Department of Public Works and Planning, in accordance with Section 874 of the Fresno County Zoning Ordinance. Items to be addressed under the site plan review may include, but are limited to, design of parking and circulation, driveway, access, grading, drainage, fire protection and lighting.
2.	Development and operation of the use shall be conducted in accordance with the site plan, elevation drawing, and operational statement approved by the Commission.
3.	All Conditional Use Permits Nos. 2828, 2638, 2341 and 3274 shall remain in full force and effect.
4.	All outdoor lighting shall be hooded and directed as to not shine towards adjacent properties and public streets.

Conditions of Approval reference required Conditions for the project.

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	
2.	The approval will become void, unless there has been substantial development within one year of the effective date of this approval.
3.	All abandoned water wells and septic systems on the subject parcel or resultant parcels shall be properly destroyed by an appropriately licensed contractor, subject to permits and inspections by the Fresno County Department of Public Works and Planning and the Fresno County Department of Public Health.
4.	Prior to destruction of agricultural wells, a sample of the uppermost fluid in the well column shall be checked for lubricating oil. The presence of oil staining around the well may indicate the use of lubricating oil to maintain the well pump. Should lubricating oil be found in the well, the oil shall be removed from the well prior to placement of fill material for destruction. The oily water removed from the well must be handled in accordance with federal, state and local government requirements. Contact the Water Surveillance Program at (559) 600-3357 for more information.
5.	Should any underground storage tank(s) be found during development, the Applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Certified Unified Program Agency at (559) 600-3271 for more information.
6.	A Grading Permit or Voucher shall be required for any grading that has been done without a permit and any grading associated with future development of the existing and proposed parcel(s).
7.	Any additional runoff generated by development of the proposed parcels cannot be drained across property lines and must be retained or disposed of per County standards.

Notes	
8.	An encroachment permit from the Fresno County Road Maintenance and Operations Division will be required for any work proposed within the County road right-of-way.
9.	Fresno Irrigation District: District Briggs – Ventral Avenue Branch No. 10 pipelines runs along the north side of the Central Avenue at the intersection of Sunnyside Avenue. Any street improvements in the vicinity of pipeline crossing would require FID approval.
10.	The applicant shall contact San Joaquin Valley Air Pollution Control District (Air District) to identify and District Rules, regulations, or permits applicable to this proposal.

ED:
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