



# County of Fresno

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

January 6, 2020

RookSpire Inc.  
4644 W. Jennifer #104  
Fresno CA 93722

Dear Applicant:

Subject: Resolution No. 12808 - Variance Application No. 4043

On December 12, 2019, 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 unless the required mapping application to create the parcels is filed in accordance with the Parcel Map Ordinance. 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 [jshaw@fresnocountyca.gov](mailto:jshaw@fresnocountyca.gov) or 559-600-4207.

Sincerely,

Jeremy Shaw, Planner  
Development Services and Capital Projects Division

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Enclosure



## Inter Office Memo

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DATE: December 12, 2019

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12808 - VARIANCE APPLICATION NO. 4043

APPLICANT: RookSpire Inc.

OWNER: Jose and Pedro Rivera

REQUEST: Allow the creation of two five-acre parcels (20-acre minimum required) from an existing 10-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located approximately 675 feet west of South Grantland Avenue, between West Manning Avenue and West Springfield Avenue, approximately three quarter-miles west of the unincorporated community of Raisin City (9237 and 9241 South Grantland Avenue) (SUP. DIST. 1) (APN 035-360-40S).

### PLANNING COMMISSION ACTION:

At its hearing of December 12, 2019, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Chairman Abrahamian and seconded by Commissioner Lawson to determine the required Findings of Fact for approval of the Variance could be made, stating that Finding 1 could be made because the parcel is already substandard in size which creates a unique situation, Finding 2 could be made because the existence of smaller parcels in the vicinity creates a substantial property right, and Finding 4 could be made because the property will continue its present agricultural use. Based on the ability to make all four required findings, a motion was made to approve Variance No. 4043, subject to the Conditions listed in Exhibit B.



EXHIBIT A

Variance Application No. 4043

Staff: The Fresno County Planning Commission considered the Staff Report dated December 12, 2019 and heard a summary presentation by staff.

Applicant: The Applicant's representative did not concur with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:

- The subject parcel is zoned AE-20; however, the parcel was substandard at the time it was purchased by the current owners.
- The two property owners are aging, and they desire to create individual parcels to convey to their heirs.

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 No. 4043  
Conditions of Approval and Project Notes**

<b>Conditions of Approval</b>	
1.	Development of the property shall be in accordance with the Site Plan approved by the Planning Commission.
2.	Prior to final map recordation, the Applicant shall remove or obtain permits for any structures over 120 square feet on the site which do not have permits.

Conditions of Approval reference required Conditions for the project.

<b>Notes</b>	
<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 5.00-acre parcels from an existing 10-acre parcel.
2.	Any work done within the County right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.
3.	Building permit records indicate the existing septic systems were installed in 1987 and 2000. It is recommended that the Applicant consider having the existing septic tanks pumped and have the tanks and leach fields evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system(s).
4.	The project will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.
5.	A grading permit or voucher may be required for any grading proposed with this application.

EXHIBIT B

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