



# County of Fresno

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

December 3, 2019

Tim Hall  
8376 N. Shallot Way  
Fresno CA 93720

Dear Applicant:

Subject: Resolution No. 12805 - Variance Application No. 4071

On November 14, 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. 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 [tkobayashi@fresnocountyca.gov](mailto:tkobayashi@fresnocountyca.gov) or 559-600-4224.

Sincerely,

Thomas Kobayashi, Planner  
Development Services and Capital Projects Division

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Enclosure



## Inter Office Memo

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DATE: November 14, 2019

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12805 - VARIANCE APPLICATION NO. 4071

APPLICANT: Tim Hall

OWNER: Levon Zekian

REQUEST: Allow construction of a 35-foot 8-inch-tall single-family residence (35-foot maximum allowed) with an 18-foot 8-inch front-yard setback (20-foot minimum required), 8-foot 8-inch rear-yard setback (20-foot minimum required), and total lot coverage of 48% (35% maximum allowed) on a 0.21-acre parcel in the R-1-B(c) (Single-Family Residential, 12,500 square-foot minimum parcel size, Conditional) Zone District.

LOCATION: The subject parcel is located on the west side of Sunset Rock Road, approximately 254 feet northwest of its nearest intersection with Weldon Corral, located within the unincorporated community of Shaver Lake (39492 Sunset Rock Road) (Sup. Dist. 5) (APN 136-390-09).

### PLANNING COMMISSION ACTION:

At its hearing of November 14, 2019, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Chairman Abrahamian and seconded by Vice-Chairman Lawson to determine the required Findings of Fact could be made, stating that Finding 1 could be made because of the unique shape of the parcel, the view, presence of rock and design, and Finding 2 could be made due to the owner needing a large home for his family. Based on the ability to make all four required findings, a motion was made to approve Variance No. 4071, subject to the Conditions listed in Exhibit B.

This motion passed on the following vote:


VOTING:     Yes:           Commissioners Abrahamian, Lawson, Chatha, Delahay, Ede, Hill  
                                and Vallis

                  No:           None

                  Absent:       Commissioners Burgess and Eubanks

                  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. 4071

- Staff: The Fresno County Planning Commission considered the Staff Report dated November 14, 2019, and heard a summary presentation by staff.
- Applicant: The Applicant 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 property owner intends to build a 4,900 square foot custom home for his family; the parcels in this tract are smaller than normal; and we had to consider the rock outcroppings on the lot in the design of the residence.
  - The design of the rear portion of the residence was challenging because the rear windows had to be shaded so that the proposed residence could meet building code energy conservation standards; the encroaching patio will provide the needed shade coverage.
  - The proposed front-yard setback encroachment is for a small awning, which is a design feature that will add to the attractiveness of the residence.
  - The additional eight inches of building height is needed because the roof is pitched to shed the snow.
- Others: One individual spoke in support of the application and provided additional information regarding the proposal stating that the front yard awning will protect the window from snow, and the pitch of the roof is designed to better-handle the snow load.
- 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. 4071  
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.
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.	The proposed residence will be subject to building permits. A will-serve letter/clearance from the Fresno County Department of Public Works and Planning, Resources Division will be required for sewer and water service.
2.	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 of Section 6730.2 of the Professional Engineers Act.
3.	<p>The project shall comply with California Code of Regulations Title 24 – Fire Code. Prior to receiving Fresno County Fire Protection District (FCFPD) conditions of approval for the project, the Applicant must submit construction plans to the Fresno County Department of Public Works and Planning for review. It is the Applicant's responsibility to deliver a minimum of three sets of plans to FCFPD.</p> <ul style="list-style-type: none"> <li>• Project/Development including: Single-Family Residential (SFR) property of three or more lots, Multi-Family Residential (MFR) property, Commercial property, Industrial property, and/or Office property shall annex into Community Facilities District No. 2010-01 of FCFPD.</li> <li>• Project/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.</li> </ul>
4.	The builder must meet the standard in the California Fire Code and California Building Code related to reduced setback, and the wall construction requirements must meet California Building Code Table 602 for fire wall requirements based off zero setback for exterior walls due to reduced minimum setbacks on the subject parcel.