



County of Fresno

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

September 9, 2019

Duane & Karen Soares Living Trust
3637 S. Valentine Avenue
Fresno Ca 93706

Dear Applicant:

Subject: Resolution No. 12792 - Variance Application No. 4038

On August 8, 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 cmonfette@fresnocountyca.gov or 559-600-4245.

Sincerely,

Chrissy Monfette, Planner
Development Services and Capital Projects Division

CMM:ksn
G:\4360Devs&Plan\PROJSEC\PROJDOCS\IVA\4000-4099\4038\RESOLUTION\VA 4038 Reso.docx

Enclosure



Inter Office Memo

DATE: August 8, 2019
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12792 - VARIANCE APPLICATION NO. 4038

APPLICANT/
OWNER:

Duane & Karen Soares Living Trust

REQUEST:

Allow the creation of a 2.50-acre homesite parcel from an existing 39.10-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District where a minimum of 20 acres is required.

LOCATION:

The project site is located on the east side of S. Valentine Avenue, between W. Muscat and W. Central Avenues, addressed as 3637 S. Valentine Avenue, Fresno, CA 93706 (APNs: 327-061-47 and -46; Previously: 327-061-27S) (SUP. DIST. 4).

PLANNING COMMISSION ACTION:

At its hearing of August 8, 2019, the Commission considered the Staff Report and testimony (summarized in Exhibit A).


A motion was made by Chairman Abrahamian and seconded by Commissioner Eubanks to determine the required Findings of Fact could be made, stating that Finding 1 could be made because the Applicant's family owned the parcel prior to the implementation of AE-20 Zoning in the area, Finding 2 could be made because the Applicant's grandmother, who originally purchased the property, would have had the right to a homesite parcel if it had not been sold to her grandson, and Finding 4 can be made because an agreement has been reached with a neighbor to continue farming the larger parcel. Based on the ability to make all four required findings, a motion was made to approve Variance No. 4038, subject to the Conditions listed in Exhibit B.

RESOLUTION NO. 12792

This motion passed on the following vote:

| | | |
|---------|----------|---|
| VOTING: | Yes: | Commissioners Abrahamian, Eubanks, Burgess, Chatha, Delahay, Ede, Hill, Lawson and Vallis |
| | No: | None |
| | Absent: | None |
| | 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

WMK:ksn
G:\4360Devs&Pln\PROJSEC\PROJDOCS\VA\4000-4099\4038\RESOLUTION\VA 4038 Reso.docx

NOTE: 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.

Attachments

EXHIBIT A

Variance Application No. 4038

- Staff: The Fresno County Planning Commission considered the Staff Report dated August 8, 2019, and heard a summary presentation by staff.
- Applicant: The Applicant did not concur with the Staff Report and the recommended Conditions of Approval. He described the project and offered the following information to clarify the intended use:
- This parcel was purchased by my maternal grandparents in 1948.
 - The residential area has been historically used as a homesite for this parcel.
 - I purchased the property in 2004, but it has been our primary residence since 1997.
 - We have reached an agreement with a neighboring property owner to continue farming the agricultural portion of the parcel.
- 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.

CMM:ksn
G:\4360Devs&PIn\PROJSEC\PROJDOCS\VA\4000-4099\4038\RESOLUTION\VA 4038 Reso.docx

**Initial Study Application No. 7385 and Variance Application No. 4038
Conditions of Approval and Project Notes**

| Conditions of Approval | |
|------------------------|--|
| 1. | Division of the property shall be in conformance with the Site Plan (Exhibit 5) approved by the Commission. |
| 2. | Prior to the approval of the mapping application, the Applicant shall remove or obtain permits for all structures which were built after March 1, 1958, including the shade structures shown on application photos. |
| 3. | Prior to approval of the mapping application, if it is determined that a Fresno Irrigation District-owned stand and/or structure is located on the subject parcel, the Applicant shall provide an easement to the Fresno Irrigation District in the underlying area. |

| Notes | |
|--|---|
| The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant. | |
| 1. | Division of the subject property is subject to the provisions of the Fresno County Parcel Map Ordinance. For more information, contact the Department of Public Works and Planning, Development Engineering Section at (559) 600-4022. |
| 2. | This Variance will become void unless there has been substantial development within one year of the effective date of approval. |
| 3. | No records are available for the existing septic systems. It is recommended that the property owner consider having the septic tanks pumped and leach fields evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years. Such inspection may indicate possible repairs or additions, or require the proper destruction of the systems. |
| 4. | If not already present, ten-foot by ten-foot corner cutoffs should be improved for sight distance purposes at the exiting driveway onto South Valentine Avenue. |

EXHIBIT B