



County of Fresno

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

April 29, 2019

Gail Zack
7317 W. Fairmont Avenue
Fresno CA 93723

Dear Applicant:

Subject: Resolution No. 12771 - Director Review and Approval Application No. 4564

On April 11, 2019, the Fresno County Planning Commission denied your project. A copy of the Planning Commission Resolution is enclosed.

If you have any questions regarding the information in this letter please contact me at 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

DATE: April 11, 2019
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12771 - DIRECTOR REVIEW AND APPROVAL
APPLICATION NO. 4564

APPLICANT/
OWNER: Gail Zack

REQUEST: Allow the construction of a 1,068 square-foot conventional home as a permanent second residence, with a 2,486 square-foot conventional dwelling to remain as a primary residence on a 2.00-acre parcel in the R-R (Rural Residential, two-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the south side of West Fairmont Avenue at its intersection with North Tisha Avenue, approximately one quarter-mile north of the nearest city limits and within the Sphere of Influence of the City of Fresno (7317 West Fairmont Avenue) (Sup. Dist. 1) (APN 512-060-14).

PLANNING COMMISSION ACTION:

At its hearing of April 11, 2019, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Lawson and seconded by Commissioner Burgess to determine that the required findings for a Director Review and Approval could not be made, stating that Finding 1 could not be made due to the limited septic capacity and that the use of the same well presents potential conflicts for future development, and Finding 3 could not be made because adverse effects on surrounding properties evidenced by the substantial opposition from the neighboring property owners; and to deny Director Review and Approval No. 4564.

RESOLUTION # 12771

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Lawson, Burgess, Abrahamian, Chatha, Delahay, Ede and Eubanks
	No:	Commissioner Vallis
	Absent:	Commissioner Hill
	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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EXHIBIT A

Director Review and Approval Application No. 4564

Staff: The Fresno County Planning Commission considered the Staff Report dated April 11, 2019, 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 and offered the following information to clarify the intended use:

- The proposed second residence will be occupied by a family member of the Applicant; it is a two-bedroom dwelling.
- The existing driveway on the west side of the property will provide access to the proposed second residence; it will be served by the existing water well and septic system.
- We have obtained copies of the community Covenants, Conditions and Restrictions, which do not have any restrictions on the addition of a second residence.
- Workers will use the existing driveway and park on-site during construction.
- We will enlarge the existing flood control basin to accommodate additional storm water runoff from the proposed second dwelling.

Others: One individual representing neighboring property owners presented information in opposition to the application. Concerns raised included:

- The Covenants, Conditions and Restrictions on our properties allow for a guest house and not a second residence.
- We do not oppose a guest house provided it is not used as a rental.
- We feel that the approval of this application will set a precedent for more second residence applications in the future.

Correspondence: Twelve letters were presented to the Planning Commission in opposition to the application expressing concerns with traffic congestion, groundwater availability, change in neighborhood character, increased population density, increases in crime, and pedestrian safety.