



County of Fresno

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

April 15, 2019

Larry Rompal
PO Box 11811
Fresno CA 93775

Dear Applicant:

Subject: Resolution No. 12766 - Variance Application No. 4061

On March 28, 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 or 559-600-4224.

Sincerely,

Thomas Kobayashi, Planner
Development Services and Capital Projects Division

TK:ksn
G:\4360Devs&Pln\PROJSEC\PROJDOCS\VA\4000-4099\4061\RESOLUTION\VA 4061 Reso.docx

Enclosure



Inter Office Memo

DATE: March 28, 2019

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12766 - VARIANCE APPLICATION NO. 4061

APPLICANT: Larry Rompal

OWNER: Larry S. & Shelly R. Rompal, Trustees

REQUEST: Waive the required six (6)-foot-high solid masonry wall (abutting residential zoning) to allow a six (6)-foot-high chain-link fence with privacy inserts on a 3.57-acre lot in the M-1(c) (Light Manufacturing, Conditional) Zone District.

LOCATION: The subject parcel is located south of Dudley Avenue approximately 1,072 feet west of its nearest intersection with Marks Avenue, westerly adjacent to the city limits of the City of Fresno (Sup. Dist. 1) (APN 449-110-23).

PLANNING COMMISSION ACTION:

At its hearing of March 28, 2019, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Lawson and seconded by Commissioner Ede to determine the required findings could be made, adopt the required Findings of Fact for approval of a Variance, and approve Variance No. 4061, stating that Finding 1 could be made because the property is unique in configuration; Finding 2 could be made because there is a property right involved as adjacent industrial properties were not required to construct a wall; and Finding 3 could be made because the privacy fence will reduce noise and dust. The Conditions of Approval are listed in Exhibit B.

RESOLUTION NO. 12766

This motion passed on the following vote:

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

WMK:ksn
G:\4360Devs&Pin\PROJSEC\PROJDOCS\VA\4000-4099\4061\RESOLUTION\VA 4061 Reso.docx

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. 4061

Staff: The Fresno County Planning Commission considered the Staff Report dated March 28, 2019, and heard a summary presentation by staff.

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

- We proceeded with the Amendment Application and General Plan Amendment application last year; a Variance application was not submitted at that time due to cost concerns.
- We have letters of support from the three adjacent property owners.
- Access from Dudley Avenue is for emergency access only.
- Industrial properties to the south that share a property line with residential parcels were not developed with the masonry wall requirement and currently have chain-link fencing without privacy slats.
- A chain-link fence with privacy slats will provide sufficient screening from dust and noise.

Others: No other individuals presented information in support of or in opposition to the application.

Correspondence: Three letters were presented to the Planning Commission in support of the application. No letters were presented to the Planning Commission in opposition to the application.

TK:ksn
G:\4360Devs&PIn\PROJSEC\PROJDOCS\VA\4000-4099\4061\RESOLUTION\VA 4061 Reso.docx

**Variance Application No. 4061
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	Development of the property shall be in accordance with the Site Plan and Elevations approved by the Planning Commission.
2.	All previously-approved Conditions of Approval and Projects Notes regarding General Plan Amendment (GPA) No. 551 and Amendment Application (AA) No. 3823 will still apply to the subject property.

Conditions of Approval reference required Conditions for the project.

Notes	
<p>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</p>	
1.	<p>The Development Engineering Section of the Development Services and Capital Projects Division has reviewed the subject application and requires that:</p> <ul style="list-style-type: none"> • Typically, any access driveway should be set back a minimum of 10 feet from the property line. • Any work done within the 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. • Typically, any existing or proposed entrance gate should be set back a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward. • For any unpaved or gravel surface access roads, the first 100 feet off of the edge of the road right-of-way must be graded and asphalt concrete paved or treated with dust palliative. • 10-foot x 10-foot corner cutoffs should be improved for sight distance purposes at the exiting driveway onto Dudley Avenue. • The project is located within the FMFCD Boundary and Drainage Zone District UU3. FMFCD should be consulted regarding their requirements for any future off-site improvements and driveway placement relative to the property line. • Typically, if the subject property is within the City Sphere of Influence (SOI), the City of Fresno should be consulted regarding their requirements for any future off-site improvements and driveway placement relative to the property line. • A grading permit or voucher may be required for any grading proposed with this application.
2.	Screening shall be set back from the street fronting property line to match the beginning of the adjoining residential side yards. This will ensure adequate sight distance for vehicles exiting the project site.
3.	The fencing along the side yard should not obstruct the driveway visibility of the adjacent parcels. The side-yard fencing should stop at a point 20 feet behind the right-of-way line.
4.	Any work within the road right-of-way will require an encroachment permit from the Road Maintenance and Operations Division.
5.	<p>The Department of Public Health, Environmental Health Division has reviewed the subject application and will require that:</p> <ul style="list-style-type: none"> • Storage of trucks shall be prohibited on the subject parcel. • The subject parcel shall be limited to a contractor storage yard and the owner(s) of the subject parcel shall execute a Cross-Access Agreement to ensure vehicular access to the subject parcel from the southerly-adjacent parcel identified as APN 449-110-12. • Vehicular access to the subject parcel from Dudley Avenue shall be for emergency vehicles only. • The operations on the subject parcel shall comply with the Fresno County Noise Ordinance.

Notes

6.	<p>For informational purposes, Fresno Irrigation District's active Victoria Colony – E. Br. No. 43 runs southerly and crosses Dudley Avenue approximately 650 feet west of the subject property. Should this project or any future project on the subject property require any street and/or utility improvements along Dudley Avenue or in the vicinity of this facility, FID requires it review and approve all plans.</p>
7.	<p>Future development that disturbs more than one acre shall require compliance with the National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges of Storm Water Associated with Construction Activity. Should compliance with the NPDES General Permit for Discharges of Storm Water Associated with Construction Activity be required, before construction begins, the developer must submit to the State Water Resources Control Board a Notice of Intent to comply with said permit, a Storm Water Pollution Prevention Plan (SWPPP), a site plan and appropriate fees. The SWPPP must include descriptions of measures taken to prevent or eliminate unauthorized non-storm water discharges, and best management practices (BMP) implemented to prevent pollutants from discharging with storm water into waters of the United States.</p>
8.	<p>Due to the subject parcel being located within the Fresno Metropolitan Flood Control District (FMFCD) Drainage Area UU, future development shall require payment of an FMFCD Drainage Fee, the amount of which will be determined at the time the new development is proposed.</p>