



County of Fresno

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

November 29, 2018

Linda Dineen
2985 E. Willis Avenue
Fresno CA 93726

Dear Applicant:

Subject: Resolution No. 12748 - Variance Application No. 4051

On November 8, 2018, 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 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: November 8, 2018
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12748 - VARIANCE APPLICATION NO. 4051

APPLICANT: Linda Dineen

OWNER: Keith & Renece Duggan

REQUEST: Allow a 14-foot front-yard setback (20-foot minimum required) for the proposed construction of an approximately 324 square-foot addition to the existing garage on a 7,405 square-foot parcel in the R-1(m) (Single-Family Residential, 6,000 square-foot minimum parcel size, Mountain Overlay) Zone District.

LOCATION: The project site is located on the north side of Cascade Avenue, at its intersection with Lakeview Avenue, within the unincorporated community of Shaver Lake (44354 Cascade Avenue) (SUP. DIST. 5) (APN 120-301-10).

PLANNING COMMISSION ACTION:

At its hearing of November 8, 2018, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Abrahamian and seconded by Commissioner Lawson to determine the required Findings of Fact for approval of a Variance could be made recommending approval of Variance Application No. 4051, subject to the Conditions listed in Exhibit B. In making the approval motion, the Commissioner stated that with regard to Findings 1 and 2, the site topography and limited access constitute an exceptional circumstance, and given the off-street parking requirement, having additional covered parking on the subject parcel fulfills a substantial property right of the owner.

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Abrahamian, Lawson, Burgess, Chatha, Delahay, Ede, Eubanks, Hill 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
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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. 4051

Staff: The Fresno County Planning Commission considered the Staff Report dated November 8, 2018, and heard a summary presentation by staff.

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

- There is additional space for parking on the rear of the lot, but there is no access to the rear of the lot; gaining vehicular access from the front of the property could impact the existing septic system.
- Within the Shaver Lake Point Subdivision the roads are narrow and the property line is located approximately 15 feet from the road edge.
- Many of the other properties in the vicinity have structures that are encroaching into the setback area and in some cases over the property line.
- A carport would not provide adequate protection from inclement weather.
- The property has a one-car garage, whereas many other properties in the area have two or three-car garages.

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. 4051
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	Development shall be in substantial compliance with the site plan, floor plan and elevations, as approved by the Planning Commission.

Conditions of Approval reference required Conditions for the project.

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	Plans related to construction of the project shall be submitted to the Development Services and Capital Projects Division of the Fresno County Department of Public Works and Planning for review and approval in order to acquire building and installation permits, and necessary inspections.
2.	It is recommended that the Applicant consider having the existing septic tank pumped, and have the tank and drain field evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years. The evaluation may indicate the need for repairs, additions, or require the proper destruction of the system. According to the site plan provided by the Applicant, the addition of the garage does not encroach into the setbacks for the existing septic system and the designated 100-percent future expansion or replacement area for the septic system.
3.	Any additional runoff generated by the proposed development cannot be drained across property lines and must be retained on site or disposed of per County Standards.
4.	A Grading Permit or Voucher shall be required for any grading activity associated with this proposal.
5.	Plans, permits and inspections will be required for all existing and proposed improvements on the subject property.
6.	This proposed development shall comply with California Code of Regulations Title 24-Fire Code; additionally, this 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.