



County of Fresno

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

July 24, 2018

Elizabeth 'Jane' Gamble
PO Box 1079
Clovis CA 93613

Dear Applicant:

Subject: Resolution No. 12724 – Variance Application No. 4046

On June 28, 2018, the Fresno County Planning Commission approved your Variance with modified 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 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.

If you have any questions regarding the information in this letter please contact me at dacrider@co.fresno.ca.us or 559-600-9669.

Sincerely,

Danielle Crider, Planner
Development Services and Capital Projects Division

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Enclosure



Inter Office Memo

DATE: June 28, 2018

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12724 - VARIANCE APPLICATION NO. 4046

APPLICANT: Elizabeth 'Jane' Gamble

OWNER: Academy Ranch LLC

REQUEST: Allow the creation of a 2.02-acre parcel and a 49.28-acre parcel from existing 16.12-acre and 35.18-acre parcels in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the west side of N. Madsen Avenue on the northwest corner of its intersection with E. Belmont Avenue, approximately 2 miles northeast of the nearest city limits of the City of Sanger (1115, 1129 N. Madsen Avenue & 13728 E. Belmont Avenue) (SUP. DIST. 5) (APN: 309-100-35, -37).

PLANNING COMMISSION ACTION:


At its hearing of June 28, 2018, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Abrahamian and seconded by Commissioner Hill to adopt the required Findings of Fact for approval of a Variance, stating that Finding 1 and 2 can be made because of the unique physical character of the property and existing residence, and that Finding 4 can be made because the creation of the larger parcel will support continued agricultural cultivation; and approve Variance Application No. 4046, subject to the Conditions listed in Exhibit B, with an additional Condition of Approval requiring the property owner to enter into a covenant with the County of Fresno that restricts the 49.28-acre parcel to one residence by right.

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Abrahamian, Hill, Chatha, Delahay, Ede, Eubanks, Lawson and Vallis
	No:	None
	Absent:	Commissioner Burgess
	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. 4046

- Staff: The Fresno County Planning Commission considered the Staff Report dated June 28, 2018, and heard a summary presentation by staff.
- Applicant: The Applicant did not concur with the Staff Report or the recommended action. She described the project and offered the following information to clarify the intended use:
- I intend to plant mandarin oranges on the 14.10-acre portion of the 16.12-acre parcel to be merged with the 35.18-acre parcel as part of her family business, which is agriculture.
 - Since purchasing the property last year, I have cleared the existing debris and removed mobile home.
 - The existing residence is a very nice 5-bedroom home and I would like to be able to sell it to a family who would enjoy it.
 - A well will be constructed on the new 2.02-acre parcel to serve the home.
 - I offer to restrict residential development of the larger (49.28-acre) parcel to one by-right single-family residence so that the total number of residences allowed in the area would not be increased as a result of the variance.
- 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. 4046
Conditions of Approval and Project Notes

Conditions of Approval	
1.	Development shall be in substantial compliance with the site plan, as approved by the Planning Commission.
2.	A separate permitted water well shall be established and connected to the residence on the proposed 2.02-acre parcel prior to the final approval of the subsequent mapping action or Lot Line Adjustment to authorize the proposed parcelization.
3.	Permit records for the garage on the western parcel (13728 E. Belmont) were not located in our permit records. Structures over 120 square feet and within 6 feet of an existing residence, if built after March 1, 1958, require review, approval, permits, and inspections from the Zoning Section of the Fresno County Department of Public Works and Planning. Appropriate permits must be acquired for this structure within 90 days of the effective date of approval. Additionally, these permits must be acquired prior to the final approval of the subsequent mapping action or Lot Line Adjustment to authorize the proposed parcelization.
4.	A covenant will be entered into by the Applicant, with the County, limiting by-right residential development of the 49.28-acre parcel to one single-family residence. This covenant shall be recorded prior to final mapping approval and shall run with the land.

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.	In the case of this application, it appears the parcel can accommodate the sewage disposal systems and expansion areas, meeting the mandatory setback requirements as established in the California Plumbing Code and California Well Standards Ordinance. It is recommended that the Applicant consider having the existing septic tank pumped, and have the tank and drain fields evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years. The evaluation may indicate possible repairs, additions, or require the proper destruction of the system.
2.	At such time as the Applicant or future property owner(s) decide to construct a water well, the water well contractor will be required to apply for and obtain a Permit to Construct a Water Well from the Fresno County Department of Public Health, Environmental Health Division.
3.	Septic system density will be limited to one system per two acres. Any new development of less than two acres or secondary dwelling on less than four acres will require a nitrogen loading analysis by a qualified professional, demonstrating to the Department that the regional characteristics are such that an exception to the septic system density limit can be accommodated. The Department will refer any analysis to RWQCB for their concurrence and input. Supplemental treatment systems for nitrogen reduction will be referred to RWQCB for permitting.
4.	Existing residential properties are currently served by dirt approaches in the road right-of-way. If any improvements for these driveway approaches are proposed in the road right-of-way, an encroachment permit will be required.

Exhibit B