



County of Fresno

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

June 4, 2018

Mary L. Couto
4870 W. Davis Avenue
Riverdale CA 93656

Dear Applicant:

Subject: Resolution No. 12716 - Variance Application No. 4044

On May 17, 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 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: May 17, 2018
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12716 - VARIANCE APPLICATION NO. 4044

APPLICANT/
OWNER: Mary L. Couto

REQUEST: Allow the creation of a 2.08-acre parcel and a 133.43-acre parcel from existing 22.1-acre and 111-acre parcels in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the north side of W. Davis Avenue on the northeast corner of its intersection with S. Cornelia Avenue, approximately 15 miles southwest of the nearest city limits of the City of Selma (4870 W. Davis Avenue) (SUP. DIST. 4) (APN: 053-070-61S, -58S).

PLANNING COMMISSION ACTION:

At its hearing of May 17, 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 approve Variance Application No. 4044, subject to the Conditions of Approval in Exhibit B, after determining that the Variance Findings could be made. Findings 1 and 2 could be made based on a unique hardship to the property owner, in that she had lived on the large agricultural parcel for 38 years and circumstances no longer allowed her to farm the land. Finding 4 could be made based on the intent of the General Plan to preserve agricultural land, as the remainder of the owner's parcel would be merged with the parcel to the north, enabling it to once again be utilized as productive agricultural land.

EXHIBIT A

Variance Application No. 4044

Staff: The Fresno County Planning Commission considered the Staff Report dated May 17, 2018, and heard a summary presentation by staff.

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

- The Applicant has lived on this property for approximately 38 years and intends to continue to reside on the proposed 2.08-acre parcel should the Variance be approved.
- The remainder parcel will be combined with the parcel to the north to continue farming operations.
- There will be a shared well agreement for the two properties, and the existing unpermitted mobile home will be removed.

The Applicant offered the following additional information to support the Variance:

- The death of my family members have left me unable to continue operating the existing dairy, which has left the majority of my land unused in the past few years.
- I am financially unable to keep the entirety of the parcel, but wish to live in my home for the remainder of my life.

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. 4044
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.
2.	A separate permitted water well shall be established and connected to each of the individual residences on the two proposed parcels prior to recordation of a subsequent mapping action or Lot Line Adjustment to authorize the proposed parcelization. Should the property owners desire to retain the shared water well to serve the two existing single-family residences, a Shared Well Agreement shall be required to be completed and approved by the Development Engineering Section of the Fresno County Department of Public Works and Planning prior to recordation of a subsequent mapping action or Lot Line Adjustment to authorize the proposed parcelization.
3.	Within 90 days from the effective date of approval of this Variance application, the existing manufactured home located on Parcel 2 and identified for removal on the approved site plan shall be removed. Certification of removal and certification that proper demolition and/or abandonment of any unutilized septic systems associated with the unit shall be established by special inspection (subject to a special inspection fee) by the Building & Safety Section of the Development Services and Capital Projects Division of the Department of Public Works and Planning. These certifications of removal must be confirmed prior to the acceptance of any subsequent mapping application associated with the Variance.

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.	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.	There are no permit records for two sheds on the site plan. If these sheds are greater than 120 square feet, they will require permits prior to the acceptance of any subsequent mapping application unless the owner can show that they are pre-1958 structures or that permits have been issued and the structures have been inspected.
4.	Contact the Building & Safety Section of the Department of Public Works and Planning at (559) 600-4540 regarding requirements for submitting removal plans for the mobile home, obtaining permits, and scheduling a special inspection. The special inspection fee is currently \$140.00, and this fee will be due prior to the scheduling of an inspection.