



Inter Office Memo

ATTENTION: FOR FINAL ACTION OR MODIFICATION TO OR ADDITION OF CONDITIONS, SEE FINAL BOARD OF SUPERVISORS' ACTION SUMMARY MINUTES.

DATE: February 15, 2018
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12694 - VARIANCE APPLICATION NO. 4039

APPLICANT/

OWNER: Iulia Vorobchevici

REQUEST: Allow the creation of two five-acre parcels from an existing 10-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the south side of East Reno Avenue approximately 700 feet west of Auberry Road, and approximately one mile northeast of the nearest city limits of the City of Fresno (12789 Auberry Road) (SUP. DIST. 5) (APN 580-010-24).

PLANNING COMMISSION ACTION:

At its hearing of February 15, 2018, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Abrahamian and seconded by Commissioner Woolf to determine the required findings could be made, stating that with regard to Findings 1 and 2 the property is unique in size compared to surrounding other properties in that it is too small to be economically viable farmland, and approval of the Variance preserves a property right associated with this property size in that other 5-acre properties have been permitted in the area, and with regard to Finding 4, although the area is designated agriculture in the General Plan, the current level of development is not consistent with that designation, and recommend approval of Variance Application No. 4039, subject to the Conditions listed in Exhibit B.

EXHIBIT A

Variance Application No. 4039

- Staff: The Fresno County Planning Commission considered the Staff Report dated February 15, 2018, and heard a summary presentation by staff.
- Applicant: The Applicant's representative did not concur with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:
- The map presented here does not accurately depict the existing residential density of the area.
 - We believe the findings can be made; the proposal is consistent with surrounding development; and similar parcel sizes have been previously granted to other property owners.
 - Regarding Finding 4, the proposal is consistent with the General Plan due to the fact that smaller parcel sizes are not economically viable farming units.
- Others: Staff clarified a road improvement condition of approval, by stating:
- The condition is written so that the property owner would have to improve the road from their property frontage to Auberry Road across the entire width of the road; but there are two additional applicants who have undertaken similar variance processes on which the same condition for road improvement was placed.
 - The paved width of the road is currently approximately 20 to 24 feet in width and is in complete disrepair.
- No additional speakers spoke in favor or in opposition to the request.
- Correspondence: One letter was presented to the Planning Commission in opposition to the application.

EXHIBIT B

Variance Application (VA) No. 4039
Conditions of Approval and Project Notes

Conditions of Approval	
1.	Development shall be in accordance with the Site Plan (Exhibit 6) as approved by the Commission.
2.	Prior to approval of the mapping application associated with approval of this Variance, the Applicant shall provide certification to the Department of Public Works and Planning that East Reno Avenue has been improved to not less than the A-15 County Road Improvement Standard across the frontages of proposed Parcel 1 and Parcel 2 to Auberry Road. NOTE: Procedures for development to the A-15 County Improvement Standard are referenced in the mandatory notes below.
3.	Prior to approval of the mapping application associated with approval of this Variance, the Developer shall have provided for the maintenance of the segment of East Reno Avenue extending across the frontages of proposed Parcel 1 and proposed Parcel 2 to Auberry Road by a County Service Area or other method acceptable to the Director of the Fresno County Department of Public Works & Planning. NOTE: Procedures for initiating annexation are referenced in the mandatory notes described below.

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.	Division of the subject property is subject to the provisions of the Fresno County Parcel Map Ordinance. A Parcel Map Application shall be filed to create the two proposed five-acre parcels. The Map shall comply with the requirements of Title 17.72.
2.	The approval of this project will expire one year from the date of approval unless the required mapping application to create the parcels is filed in substantial compliance with the Conditions and Project Notes and in accordance with the Parcel Map Ordinance.
3.	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.
4.	If not already present, a ten-foot by ten-foot corner cutoff should be improved for sight distance purposes at any existing or proposed driveway accessing East Reno Avenue.
5.	A Grading Permit or Voucher shall be required for any grading activity associated with this proposal. Storm water runoff due to this development shall be retained on the property being developed in accordance with Fresno County standards. Ponds in excess of 18" in depth shall be fenced.

Notes

6.	As the subject parcel is located in an area defined as being water-short, any future development on the proposed parcels will require that a well yield certification be performed and approved prior to the issuance of Building Permits.
7.	Building permit records indicate the existing septic system for 12789 Auberry Road (Primary Residence) was installed in November 2014. It is recommended that the Applicant consider having the existing septic tanks pumped, and have the tanks 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 systems.
8.	The subject property is located within the California Department of Forestry "State Responsibility Area" (SRA) boundary and therefore, is subject to standards relating to building setbacks, driveway construction, gating, display of street address, disposal of flammable vegetation, water supply facilities for fire protection, and roofing materials. Any future development shall be in accordance with the applicable SRA Fire Safe Regulations.
9.	To pursue annexation to County Service Area (CSA) 35, Zone AJ, applicable fees and an engineer's report will be required. For more information, contact the Resources Division of the Department of Public Works and Planning at (559) 600-4259.
10.	To meet the A-15 County Improvement Standard, improvement plans must be submitted for review and approval by the Department of Public Works and Planning, Road Maintenance & Operations Division, along with a letter from the Developer's engineer confirming that construction engineering and surveying will be provided to permit construction, in accordance with the approved plan. It also requires payment of an Inspection (Grading Permit) Fee and that the construction is inspected by the County.



County of Fresno
Board of Supervisors
Minute Order

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May 1, 2018

Present: 5 - Vice Chairman Andreas Borgeas, Supervisor Nathan Magsig, Supervisor Buddy Mendes, Supervisor Brian Pacheco, and Chairman Sal Quintero

Agenda No. 17.

Public Works & Planning

File ID: 18-0411

Re: Consider and approve: Final Map for Tract 4968 located in Millerton New Town community, near intersection of Millerton Road and Marina Drive, Friant, CA; agreements between County of Fresno and developer of the subdivision, JPJ, INCORPORATED, necessary to ensure completion of subdivision improvements; accept dedication of easements for public use, and groundwater beneath subdivision; accept offer of relinquishment of direct vehicular rights; accept offer of dedication of outlots; place following securities on file: Performance and Maintenance Surety Bond in amount of \$2,600,000, Labor and Materials Surety Bond in amount of \$1,300,000, and Monumentation Bond in amount of \$5,000; authorize Director of Department of Public Works and Planning to allow reduction of financial securities as provided for in Subdivision Agreement; a determination that foregoing actions are exempt from California Environmental Quality Act, Public Resources Code section 21000, et seq

A MOTION WAS MADE BY SUPERVISOR MAGSIG, SECONDED BY VICE CHAIRMAN BERGEAS, THAT THIS MATTER BE APPROVED AS RECOMMENDED. THE MOTION CARRIED BY THE FOLLOWING VOTE:

Ayes: 5 - Borgeas, Magsig, Mendes, Pacheco, and Quintero

Agreement No. 18-236, Agreement No. 18-237, Agreement No. 18-238, Agreement No. 18-239, Agreement No. 18-240