



County of Fresno

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

January 11, 2022

Raymond D. Johnson
1011 E. Niles Ave.
Fresno, CA 93720

Dear Mr. Johnson:

Subject: Resolution No. 12902 - Variance Application No. 4110

On September 9, 2021, the Fresno County Planning Commission approved your application 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 unless the required mapping application to create the parcels is filed in accordance with the Parcel Map Ordinance. 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

JS:cwm:im

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Enclosure



Inter Office Memo

DATE: September 9, 2021
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12903 - VARIANCE APPLICATION NO. 4110

APPLICANT/
OWNER: Raymond D. Johnson

REQUEST: Allow a waiver of the minimum lot size requirement in order to allow the creation of a 0.88-acre parcel from an existing 20.88-acre parcel, in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the east side of S. James Road between W. Martin Road and W. Masters Avenue, approximately one and one half-mile southwest of the unincorporated community of Tranquillity and approximately four miles west of the City of San Joaquin (7802 S. James Road) (APN: 030-210-80) (Sup. Dist. 1).

PLANNING COMMISSION ACTION:

At its hearing of September 9, 2021, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Chairman Abrahamian and seconded by Commissioner Carver to determine that the required Variance findings could be made and approve Variance No. 4110, stating in their motion to approve that Findings 1 and 2 could be made because there were exceptional circumstances and a substantial property right due to the considerable length of time the property had remained under ownership of the same family and that the property could have been divided by other means prior to adoption of the current zoning. Regarding Finding 3, there would be no detrimental impacts to adjacent properties because the residential density would not increase, and regarding Finding 4, the 20-acre balance of the property would remain in agricultural production, consistent with General Plan objectives. The Commission's motion to approve is subject to the conditions listed in attached Exhibit B, with inclusion of an additional condition that the applicant record a document incorporating the provisions of the County Right-to-Farm Notice, prior to approving of the required mapping procedure.

RESOLUTION NO. 12903

This motion passed on the following vote:

VOTING: Yes: Commissioners Abrahamian, Carver, Ede, Ewell, and Hill
 No: Commissioner Chatha
 Absent: Commissioners Eubanks and Woolf
 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

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NOTES:

Variance No. 4110 shall become void one year from the date of approval unless the required mapping application to create the parcels authorized by said Variance is filed in accordance with the Parcel Map Ordinance. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension of the Variance 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. In the case of a Variance for which a tentative map has been timely filed, expiration of said Variance shall be concurrent with the expiration date of the tentative map and may be extended in the same manner as said map.

EXHIBIT A

Variance Application No. 4110

- Staff: The Fresno County Planning Commission considered the Staff Report dated September 9, 2021 and heard a summary presentation by staff.
- Applicant: The Applicant disagreed with the Staff's recommendation for the land use request. He described the project and offered the following information to clarify the intended use:
- The residence was established on the property in 1973 and we have developed the agricultural operation through the planting of almond orchards in 2013.
 - The agricultural operation is managed by a family member.
 - No one in the family is able to reside on the property currently, and the residence is currently occupied by renters, who have expressed interest in purchasing the property.
 - The property did not meet the criteria for any other procedure to create the residential parcel, and the Variance to create the smaller parcel was our only option to separate the farming operation from the residential use.
 - The property has been in the family since 1953.
 - We believe that the 20-acre balance of the property will remain in agricultural production.
- Others: No other individual presented information in support of or in opposition to the application.
- Correspondence: None