



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 3 April 27, 2017

SUBJECT: Variance Application No. 4015

Allow the creation of an 8.66-acre parcel and an 8.67-acre parcel from an existing 17.24-acre parcel in the AE-20(c) (Exclusive Agricultural, 20-acre minimum parcel size, Conditional) Zone District.

LOCATION: The subject property is located on the west side of Smith Avenue, approximately 550 feet south of its intersection with Rainbow Route, approximately two miles northeast of the nearest city limits of the City of Sanger (198 and 204 S. Rainbow Avenue, Sanger, CA 93657) (SUP. DIST. 5) (APN 333-021-68).

**OWNERS/
APPLICANTS:** Kathryn T. Yamamoto
Rix R. Hathaway

STAFF CONTACT: Ejaz Ahmad, Planner
(559) 600-4207

Chris Motta, Principal Planner
(559) 600-4227

RECOMMENDATION:

- Deny Variance No. 4015; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Proposed Parcel Configuration (Site Plan)
6. Approved Variances within one Mile Radius
7. Applicant's Statement of Variance Findings
8. Public Correspondence

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture – Kings River Regional Plan	No change
Zoning	AE-20(c) (Exclusive Agricultural, 20-acre minimum parcel size, Conditional)	No change
Parcel Size	17.24 acres	Parcel A: 8.67 acres Parcel B: 8.66 acres
Project Site	<ul style="list-style-type: none"> • 1,254 square-foot single-family residence with septic system • 840 square-foot Outbuilding 1 • 2,352 square-foot single-family residence with septic system • 594 square-foot Outbuilding 2 • Water well 	Parcel A: 8.67 acres Parcel B: 8.66 acres
Structural Improvements	<ul style="list-style-type: none"> • 1,254 square-foot single-family residence with septic system • 840 square-foot Outbuilding 1 • 2,352 square-foot single-family residence with septic system • 594 square-foot Outbuilding 2 	Parcel A: No change Parcel B: No change
Nearest Residence	150 feet north	No change
Surrounding Development	Single-family residences, orchards	No change
Operational Features	N/A	N/A
Employees	N/A	N/A
Customers	N/A	N/A
Traffic Trips	Residential	N/A
Lighting	Residential	No change
Hours of Operation	N/A	N/A

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: N

ENVIRONMENTAL ANALYSIS:

It has been determined pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA) guidelines that the proposed project will not have a significant effect on the environment and is not subject to CEQA.

PUBLIC NOTICE:

Notices were sent to 18 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

A Variance may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission.

The decision of the Planning Commission on a Variance Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

BACKGROUND INFORMATION:

This application involves a parcel within the Kings River Regional Plan located on the south side of Rainbow Avenue between S. Riverbend Avenue and Smith Avenue. The Kings River region extends from Pine Flat Dam to the Fresno-Tulare County boundary near Reedley and includes all lands within the river valley and within approximately one quarter-mile on each side.

County Records indicate that prior to October 23, 1984, the subject parcel was zoned AL-20 (Limited Agricultural, 20-acre minimum parcel size). Amendment Application (AA) No. 3383 was approved on October 23, 1984 (Ord. No. R-157-3383) and conditionally rezoned the parcel from the AL-20 Zone District to an AE-20(c) (Exclusive Agricultural, 20-acre minimum parcel size, Conditional). The conditional rezoning required that development on the property shall be limited to the uses allowed in the AL-20 Zone District and be subject to the procedural requirements of said district with the exception that two dwelling units shall be allowed as a matter of right. The subject 17.24-acre parcel is currently developed with two single-family residences and related improvements with access through a paved private road (Smith Avenue). The subject parcel is not in farming operation and is less than the 20-acre minimum parcel size required in the AE-20 Zone District. The proposal would create two sub-standard parcels from an existing substandard parcel and allow the property owners to each possess a separate legal parcel for sale.

Building permit records show that the two residences were constructed in 1984 and 1987. According to the Applicant, the residences were originally occupied by two siblings and later were sold to the current unrelated owners (tenants-in-common). The current owners (Applicants) intend to subdivide the subject parcel such that the proposed Parcel A with a 1,254 square-foot single-family residence will become an 8.67-acre separate legal parcel, and the proposed Parcel B with a 2,352 square-foot single-family residence will become an 8.66-acre separate legal parcel. The subdivision will provide the ability for each property owner to sell, lease or finance their own parcel without encumbering the other property owner. Should this Variance be approved, a subsequent Parcel Map Application would be required to create the parcels.

In addition to the subject application, there have been four variance applications pertaining to lot size requirements filed within a one-mile radius of the subject properties (Exhibit 6). Although there is a history of variance requests within proximity of the subject property, each variance request is considered on its own merit, based upon physical circumstances. The following table provides a brief summary of other variances (VA) applications and final actions.

Application/Request	Staff Recommendation	Final Action	Date
VA No. 3881 – Allow the creation of two 4.9-acre parcels and a 5.2-acre parcel from an existing 15-acre parcel in the RC-40 Zone District.	Denial	Approved by Planning Commission	June 10, 2010
VA No. 3883 – Allow the creation of two parcels less than the minimum required parcel size allowed in the RC-40 and AL-20 Zone District.	Denial	Approved by Planning Commission	July 17, 2008
VA No. 3584 – Allow the creation of a 1.20-acre parcel from an existing 21.5-acre parcel in the AE-20 Zone District.	Commission’s discretion	Approved by Planning Commission	August 7, 1997
VA No. 2995 - Allow the creation of a 0.52-acre parcel from an existing 29.32-acre parcel in the AE-20 Zone District.	Approval	Approved by Planning Commission	April 24, 1986

ANALYSIS/DISCUSSION:

Finding 1: There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification; and

Finding 2: Such Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.

	Current Standard:	Proposed Operation:	Is Standard Met (y/n):
Setbacks	Front: 35 feet Side: 20 feet Rear: 20 feet	No change to the existing setbacks	Parcel A: Yes Parcel B: Yes
Parking	No requirements for residential development	N/A	N/A
Lot Coverage	No requirement	N/A	N/A
Separation Between Buildings	No animal or fowl pen, coop, stable, barn, or corral	N/A	N/A

	Current Standard:	Proposed Operation:	Is Standard Met (y/n):
	shall be located within 40 feet of any dwelling or other building used for human habitation.		
Wall Requirements	Height of perimeter fence or wall shall be determined by the Board in relation to the danger or hazard involved (Section 855-H)	Parcel A: No change Parcel B: No change	N/A
Septic Replacement Area	100 percent of the existing system	No change	Yes
Water Well Separation	Building sewer/septic tank: 50 feet; disposal field: 100 feet; seepage pit/cesspool: 150 feet	No change	Yes

Reviewing Agencies/Department Comments:

Zoning Section of the Fresno County Department of Public Works and Planning: The AE-20 Zone District requires a minimum parcel size of 20 acres. A Variance is required to waive this requirement in order to create parcels less than 20-acres in size.

Analysis:

In support of Finding 1, the Applicant's findings state that: 1) the property is already a substandard size parcel restricted in size due to the location of Sanger Cemetery and a neighboring parcel; and 2) the site has unique natural, geographic topography which has resulted in one home being on an open area and the other home being within forested, brush area. The Applicant regards these as extraordinary conditions that justify the creation of lots with less than the 20-acre minimum lot size.

In support of Finding 2, the Applicant's findings state that the subject Variance is necessary for the enjoyment and property rights of the tenants-in-common (co-owners) to each possess their undivided one-half of the said parcel as separate parcels, independently take out loans, sell, or leave an inheritance to an heir without encumbering the other property owner. The Applicant further points out that prior tenants-in-common (co-owners) were siblings, whereas the current tenants-in-common (co-owners) are unrelated.

In order to make Findings 1 and 2, an extraordinary circumstance relating to the property that does not apply to other properties in the same zone classification and the preservation of a substantial property right must be demonstrated.

With regard to Finding 1, aerial photographs show that the subject parcel is located within Kings River area, an attractive riverine environment which consists of open fields, natural woodlands and riparian vegetation. The subject parcel and the abutting parcels consist of open fields and clusters of forest-like landscaping stretching through several parcels. The Sanger Cemetery

abuts the property to the north; rural homesites ranging from five acres to 19.5 acres in size with no farming abuts the property to the north, south and west; and a county-owned property (park) abuts the property to the east. Farmlands planted in orchards are located further to the north and south of the property. The property fronts on a private road (Smith Avenue).

The parcel is located within the Kings River Region and is devoid of farming as are most other parcels in the immediate vicinity.

As noted above, the Applicant has made several points in support of Finding 1. However, upon analyzing the site aerial photo, the proposed parcelization (Site Plan) and comments from the reviewing agencies, staff was unable to identify any unique physical circumstances that apply to the subject parcel and do not apply to other parcels in the area. Staff notes that there are no physical circumstances or constraints such as elevation changes, rock outcroppings, or wetlands that create significant hardships for the Applicant that are applicable to the property itself to justify the need for this Variance. The Applicant's justification in reference to the surrounding development and the site's existing landscaping features are not a physical characteristics demonstrating circumstances which merit the requested parcel configuration proposed by the Variance request, and as such does not support meeting Finding 1. The existing landscaping features of the subject property (natural woodland) are no different than the landscaping features of other properties in the immediate vicinity of the proposal. The subject property and the surrounding properties within the Kings River area contain a mix of wooded and non-wooded areas on a topography which is flat. Staff also believes the proposal does not give validity to the loss of substantial property right to support meeting Finding 2, basing subdivision of the parcel to cease co-ownership in the same real property in that denial of this Variance request would not necessarily deprive the Applicants of any right enjoyed by other property owners having to have similar circumstances in the AE-20 Zone District since all property owners in said District are subject to the same development standards.

In reference to the above discussion, the following facts should also be considered:

The subject parcel is currently zoned AE-20(c) (Exclusive Agricultural, 20-acre minimum parcel size, Conditional) in the County Ordinance and is devoid of any farming activities. Several other parcels in the immediate vicinity of the proposal ranging from 2.3 acres to five acres or more in size are also devoid of farming and developed with single-family homes. The proposed 8.67-acre parcel and 8.66-acre parcel are comparable in size and use to the parcels in the area.

The subject parcel is served by a private road (Smith Avenue) which connects to a public road (Rainbow Route) to the north of the proposal. The existing residences on the property are presently served by a single-access drive off of Smith Avenue. Should this Variance be approved, the proposed Parcel A with Resident 1 will continue to utilize the existing access drive and the proposed Parcel B with Resident 2 will be provided with a separate access drive off of Smith Avenue as shown on the Site Plan (Exhibit 5). The proposal will have no impact on Smith Avenue or Rainbow Route which will continue to provide access to the parcel.

A consideration in addressing Findings 1 and 2 is whether there are alternatives available that would avoid the need for the Variance. Logically, this Variance would not be necessary if each owner (tenant-in-common) continues to maintain his/her separate and undivided interest in the same real property, but that is opposite of what the property owners desire by filing this Variance application. They essentially want to dissolve tenancy in common. Given the circumstances described by the Applicant in "Applicant's Findings" (Exhibit 7), there appears to be no other alternative that would meet the Applicant's desire to create an 8.67-acre parcel and an 8.66-acre parcel from an existing 17.24-acre parcel and meet the lot size required of the AE-20 Zone District.

Based on the above analysis and considering the lack of an exceptional or clear physical circumstance warranting the proposed parcel configuration and loss of a substantial property right, staff believes Findings 1 and 2 cannot be made.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Findings 1 and 2 cannot be made.

Finding 3: The granting of a Variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:
North	26.4 acres 5.02 acres	Cemetery Single-Family Residence	AL-20 RC-40	170 feet
East	120 acres	County	RC-40	N/A
South	19.55 acres	Single-Family Residence	AL-20	425 feet
West	17.62 acres	Single-Family Residence	RC-40	940 feet

Reviewing Agencies/Department Comments:

Development Engineering Section of the Fresno County Department of Public Works and Planning: Smith Road is a private road. County records indicate that there is a 30-foot right-of-way along Smith Road. According to U.S.G.S. Quad Maps, there are existing natural drainage channels adjacent to or running through the subject parcel. According to FEMA, FIRM Panel 2160H, portions of the subject parcel are in flood Zone A which is subject to flooding from the one-percent-chance storm. Any development within the area identified as Zone A shall comply with the County Flood Hazard Ordinance. Any additional runoff generated by the proposed development of this site shall be retained or disposed of per County Standards. A grading permit or voucher shall be required for any grading that maybe proposed with this application.

Fresno County Department of Public Health, Environmental Health Division: Building permit records indicate that the existing sewage and disposal systems were installed in 1979 and 1984. 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.

Zoning Section of the Fresno County Department of Public Works and Planning: A mapping procedure shall be required upon approval of this Variance.

The aforementioned requirements have been included as Project Notes.

Design Division, Road Maintenance and Operations Division, Building and Safety Section, and Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning; Fresno County Fire Protection District; Kings River Water District: No comments.

Analysis:

In support of Finding 3, the Applicant’s Findings state that because the property would remain in the same use, it would not be materially detrimental to surrounding properties.

As noted above, the subject parcel and the abutting parcels are devoid of farming activities and are developed with single-family dwellings and related improvements. Although the project area contains some scenic qualities due to abundance of mature landscaping, no distinctive scenic vista or scenic resources exist in the vicinity of the proposal. If approved, no change to the existing improvements on the resulting parcels would occur, as they will remain in residential use without any foreseeable impact on surrounding properties.

The subject parcel is zoned AE-20 in the County Ordinance and gains access from Smith Avenue (private road). The parcel is exempt from public road frontage requirements of the zone district which requires no public road frontage for parcels greater than five acres in size. The proposed parcels are 8.66 acres and 8.67 acres in size and therefore require no public road frontage. Also, as mentioned earlier, the prior conditional rezoning (AA No. 3383) required that the property development shall be limited to the uses allowed in the AL-20 Zone District with the exception that two residences will be allowed by right. The current AL-20 Zone District standards allow one residence by right and one residence through Director Review and Approval (DRA). To clarify and address the zoning condition and avoid unintentional increases in density, a new condition would require that one additional residence could be allowed on each of the proposed Parcel A and Parcel B through Director Review and Approval (Exhibit 5), provided a DRA application is filed with the County and approved by the Director of the Development Services Division.

Staff would like to note that additional homes on the proposed parcels are not incompatible with the existing residential uses in the vicinity of the proposal. Given the nature of potential future residential development and the surrounding residential land uses, staff believes that the Variance will not have detrimental effects on property and improvements in the vicinity if granted, with the included mandatory Project Notes. Finding 3 can be made.

Recommended Conditions of Approval:

None

Conclusion:

Finding 3 can be made.

Finding 4: The granting of such a Variance will not be contrary to the objectives of the General Plan.

Relevant Policies:	Consistency/Considerations:
Policy LU-A.6: The County shall maintain twenty (20) acres as the minimum permitted parcel size in areas designated Agriculture, except as provided in Policy LU-A.9.	The subject property is zoned AE-20, with a 20-acre minimum parcel size. The subject Variance request proposing to create an 8.67-acre parcel and an 8.66-acre parcel that are less than 20 acres in the AE-20 Zone District

Relevant Policies:	Consistency/Considerations:
	is inconsistent with this policy. The proposal does not qualify for an exception under Policy LU-A.9. The proposed parcels do not constitute a financing parcel or gift lot, nor were they owned by the property owner prior to the date the policies were implemented.
<p>Policy LU-A. 7: The County shall generally deny requests to create parcels less than the minimum size specified in Policy LU-A.6 based on concerns that these parcels are less viable economic farming units, and that the resultant increase in residential density increases the potential for conflict with normal agricultural practices on adjacent parcels. Evidence that the affected parcel may be an uneconomic farming unit due to its current size, soil conditions, or other factors shall not alone be considered a sufficient basis to grant an exception. The decision-making body shall consider the negative incremental and cumulative effects such land divisions have on the agricultural community.</p>	<p>As noted above, the creation of two parcels less than 20 acres in the AE-20 Zone District would be inconsistent with Policy LU-A.7 and set a precedent for parcelization of farmland into smaller size parcels which are economically less viable farming units and could potentially allow two single-family homes through discretionary approvals on the proposed parcels. Such increase in residential density in the area may conflict with normal agricultural practices on adjacent properties. Planning Commission's action on this application will be final unless appealed to the Board of Supervisors. Staff recommends denial of the subject Variance based on the inability to make Findings 1, 2, and 4.</p>
<p>General Plan Policy PF-C.17: The County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation. The evaluation shall include the following: a determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question. If surface water is proposed, it must come from a reliable source. If groundwater is proposed, a hydrological investigation may be required. If the land in question lies in an area of limited groundwater, a hydrologic investigation shall be required.</p>	<p>The project site is not in a low-water area of Fresno County and utilizes an on-site water well to provide water to the existing improvements. The Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning reviewed the proposal and expressed no water-related concerns for existing or future improvements on the property. The proposal is consistent with this Policy.</p>

Reviewing Agencies/Department Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: The subject parcel is not subject to a Williamson Act Contract. The Agriculture and Land Use Element of the General Plan maintains 20 acres as the minimum parcel size in areas designated for Agriculture. Policies LU-A.6 and LU-A.7 state that the County shall generally deny requests to create parcels less than the minimum size specified in areas designated Agriculture and Policy PF-C.17 states that adequate water supply shall be provided for the proposal.

Analysis:

In support of Finding 4, the Applicant states that granting of this Variance will not be contrary to the objectives of the General Plan (Policy L-A.6 and Policy LU-A.7) because it has not been the minimum 20-acre parcel size for many years.

The subject property is designated Agriculture in the County-adopted Kings River Regional Plan. The Kings River Regional Plan is part of the Fresno County General Plan and requires that policies in Section 204-02 (Agriculture) of the General Plan shall apply in those areas designated for Agriculture by the Kings River Regional Plan.

General Plan Policies LU-A.6 and LU-A.7 require a minimum parcel size of 20 acres as a means of encouraging continued agricultural production and minimizing the amount of land converted to non-agricultural uses. The subject proposal would create 8.66-acre and 8.67-acre homesite parcels (from an existing 17.24-acre parcel) which are less than the minimum parcel size required in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. As such, the proposal is inconsistent with Policies LU-A.6 and LU-A.7.

The proposal, however, is consistent with General Plan Policy PF-C.17 for adequate and sustainable water supply. The subject parcel is not located in a water-short area and no concerns related to water quantity were expressed by the Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning. Also, no impact on mineral resources would occur from this proposal. Pursuant to the Fresno County General Plan Background Report and Figure 7-10, the property is located in Mineral Resources Zone (MRZ) 3 which is defined as areas containing mineral deposits of unevaluated significance. A large-scale mining operation is located east of the proposal, but approval of the Variance should have no impact on that operation or the MRZ3 zone.

Recommended Conditions of Approval:

None

Conclusion:

Finding 4 cannot be made.

PUBLIC COMMENT:

Staff received ten letters of support from property owners in the vicinity of the subject proposal. The letters express no concerns with the proposal and are supportive of the parcel subdivision between two residences that existed on the property for decades.

CONCLUSION:

Staff believes the required Findings 1, 2, and 4 for granting the Variance cannot be made based on the factors cited in the analysis. Staff therefore recommends denial of Variance No. 4015.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Denial Action)

- Move to determine the required Findings cannot be made and move to deny Variance No. 4015; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Approval Action)

- Move to determine that the required Findings can be made (state basis for making the Findings) and move to approve Variance No. 4015; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

EA:ksn

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**Variance Application (VA) No. 4015
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	Development shall be in accordance with the Site Plan (Exhibit 5) as approved by the Commission.
2.	Each parcel shall be limited to one residence by right with the ability of the owner of each newly created parcel to apply for a Director Review and Approval to seek approval of a second residence, per Section 816.2 of Fresno County Zoning Ordinance. This condition shall also be noted on any resulting map as part of a subsequent mapping application.

Conditions of Approval reference recommended Conditions for the project.

Notes

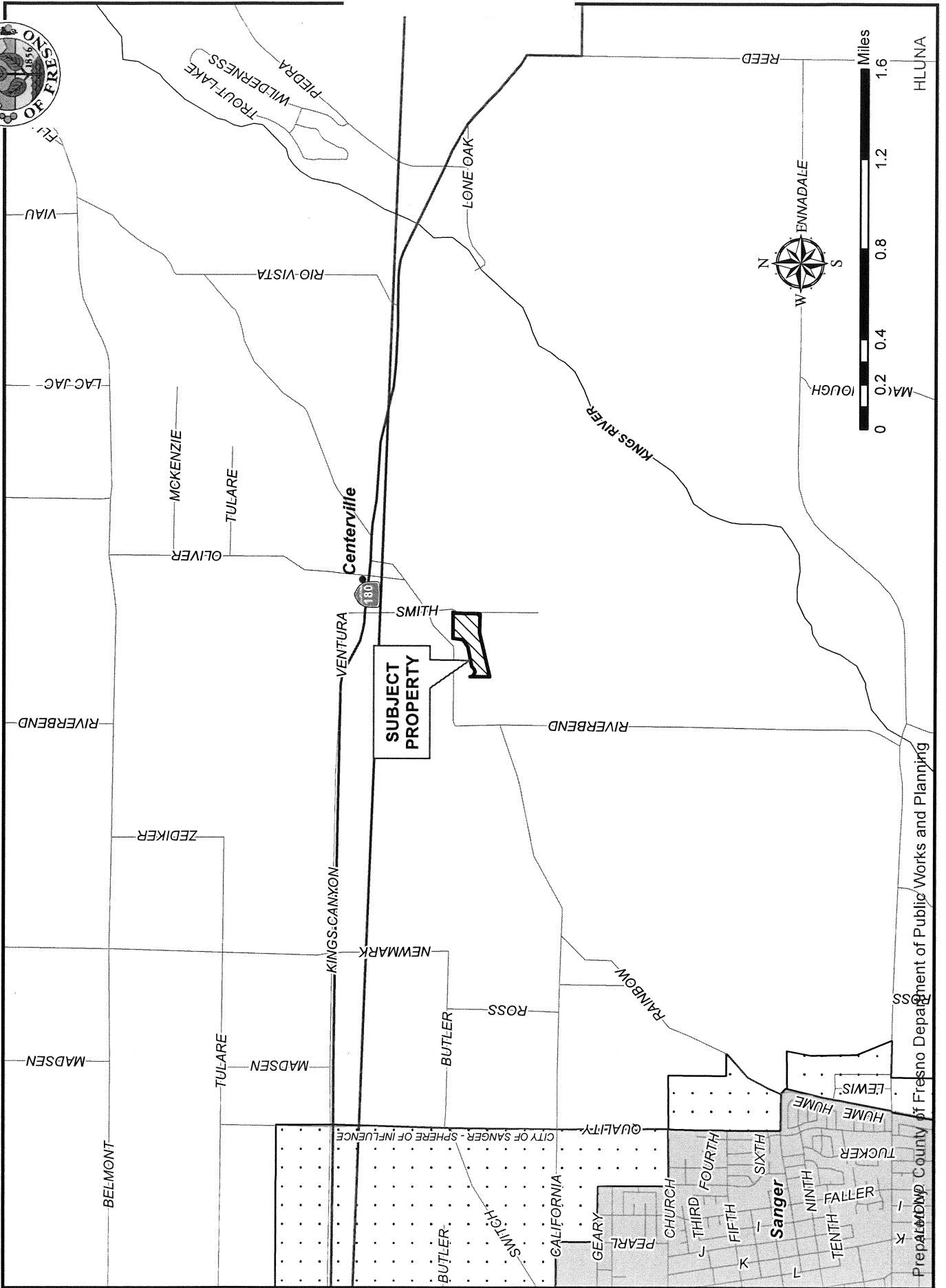
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.

1.	Division of the subject property is subject to the provisions of the Fresno County Parcel Map Ordinance (Ordinance Code 17.72) and may include requirements for access, roadway construction, and maintenance. Deviation from standards may be approved through a subdivision exception request during the processing of the required mapping application.
2.	According to FEMA, FIRM Panel 2160H, portions of the subject parcel are in flood Zone A which is subject to flooding from the one-percent-chance storm. Any development within the area identified as Zone A shall comply with the County Flood Hazard Ordinance.
3.	Any additional runoff generated by the proposed development of this site shall be retained or disposed of per County Standards
4.	A grading permit or voucher is required for any grading that maybe proposed with this application.
5.	Per the Fresno County Department of Public Health, Environmental Health Division, building permit records indicate that the existing sewage and disposal systems were installed in 1979 and 1984. 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 possible repairs, additions, or require the proper destruction of the system.
6.	The subject parcel is located within the State Responsibility Area (SRA). Any future developments shall be in accordance with the applicable SRA Fire Safe Regulations as they apply to driveway construction and access.

EXHIBIT 2

LOCATION MAP

VA 4015



VA 4015
STR 7 - 14/23

EXISTING ZONING MAP

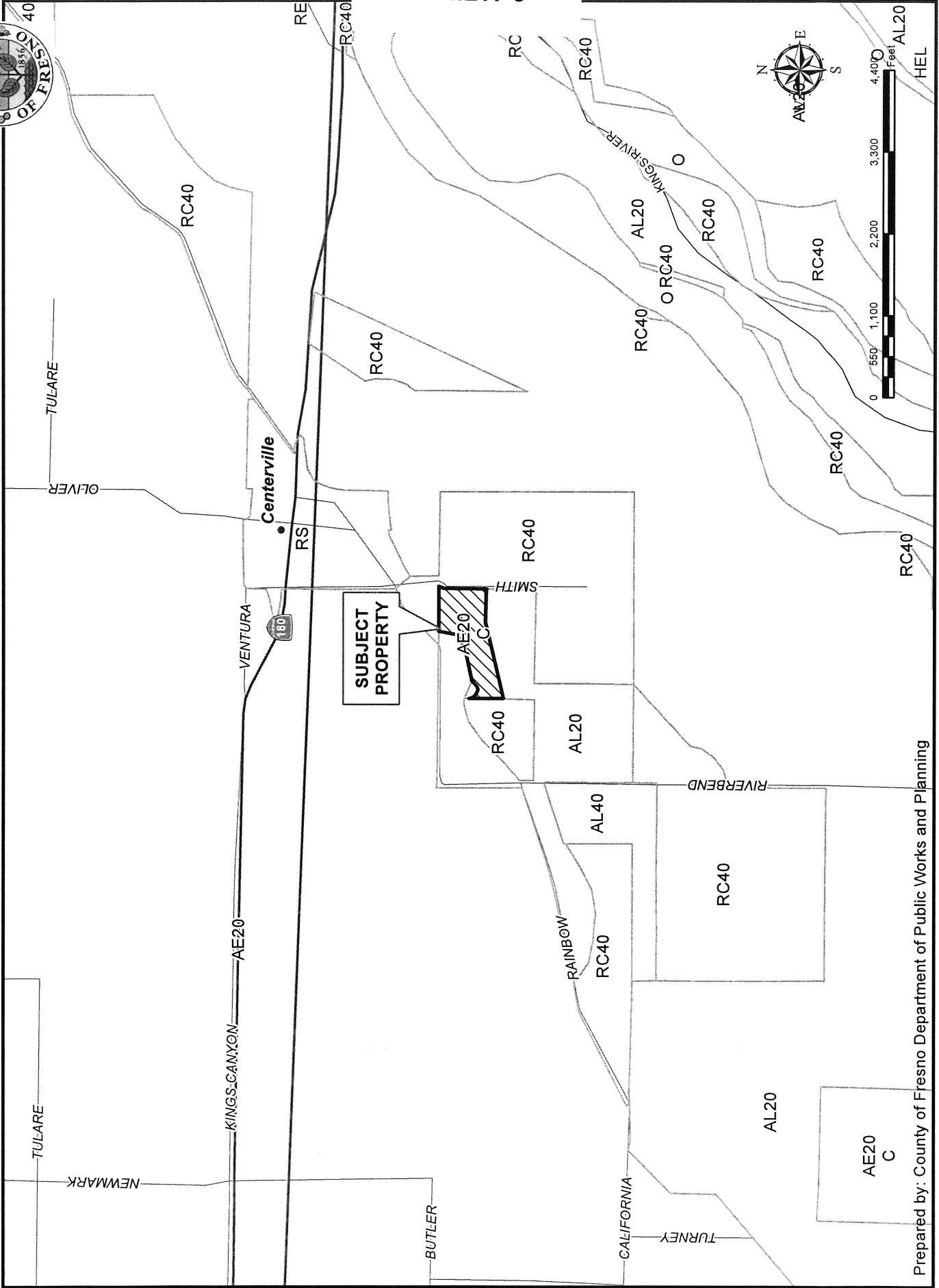


EXHIBIT 3

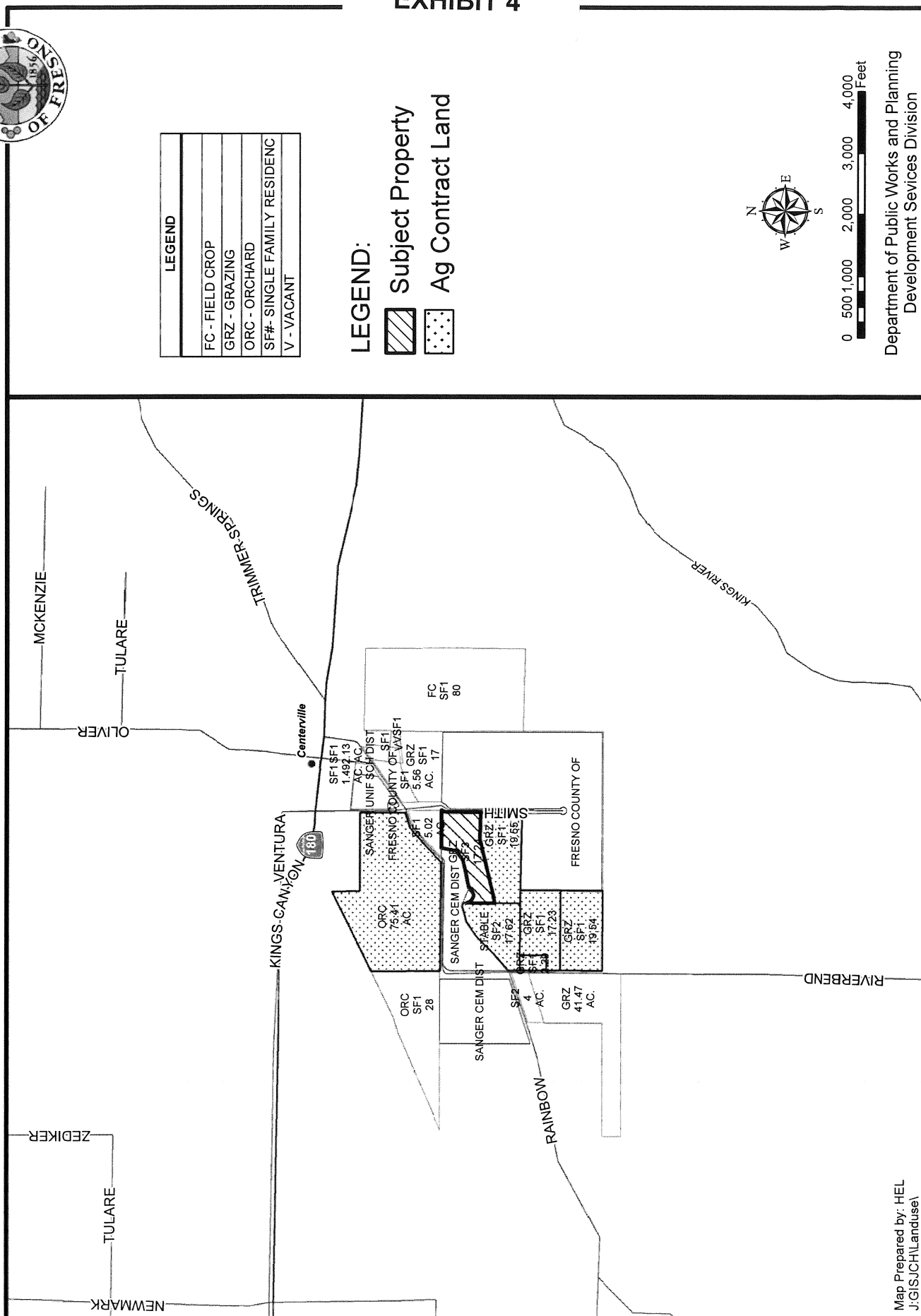
Prepared by: County of Fresno Department of Public Works and Planning

EXHIBIT 4



EXISTING LAND USE MAP

VA 4015

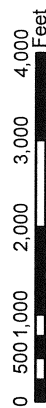
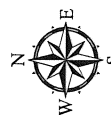


LEGEND	
[Blank box]	FC - FIELD CROP
[Blank box]	GRZ - GRAZING
[Blank box]	ORC - ORCHARD
[Blank box]	SF# - SINGLE FAMILY RESIDENC
[Blank box]	V - VACANT

LEGEND:

[Hatched box] Subject Property

[Dotted box] Ag Contract Land



Department of Public Works and Planning
Development Services Division

Map Prepared by: HEL
J:GIS\CH\Landuse\

EXHIBIT 5

SITE PLAN

No. _____

BEING A PORTION OF THE SOUTHEAST 1/4 OF SECTION 7, T. 14 S., R. 23 E., MD. 6M. IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

RECEIVED
COUNTY OF FRESNO

OCT 25 2016

DEPARTMENT OF PUBLIC WORKS
DEVELOPMENT SERVICES DIVISION
VA 4615

LEGEND:

- SECTION LINE
- RIGHT OF WAY
- ORIGINAL PROPERTY LINE
- PROPOSED NEW BOUNDARY LINE
- STRUCTURES
- DOMESTIC WPTI
- PROPANE TANK
- SEPTIC

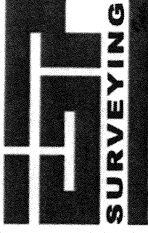
(R-1) RECORD DATA PER PARCEL MAP NO. 1776, IN BK 11 OF PM AT PG. 05, F.C.R.

RECORD OWNER:

APN: 333-021-68
KATHY YAMAMOTO

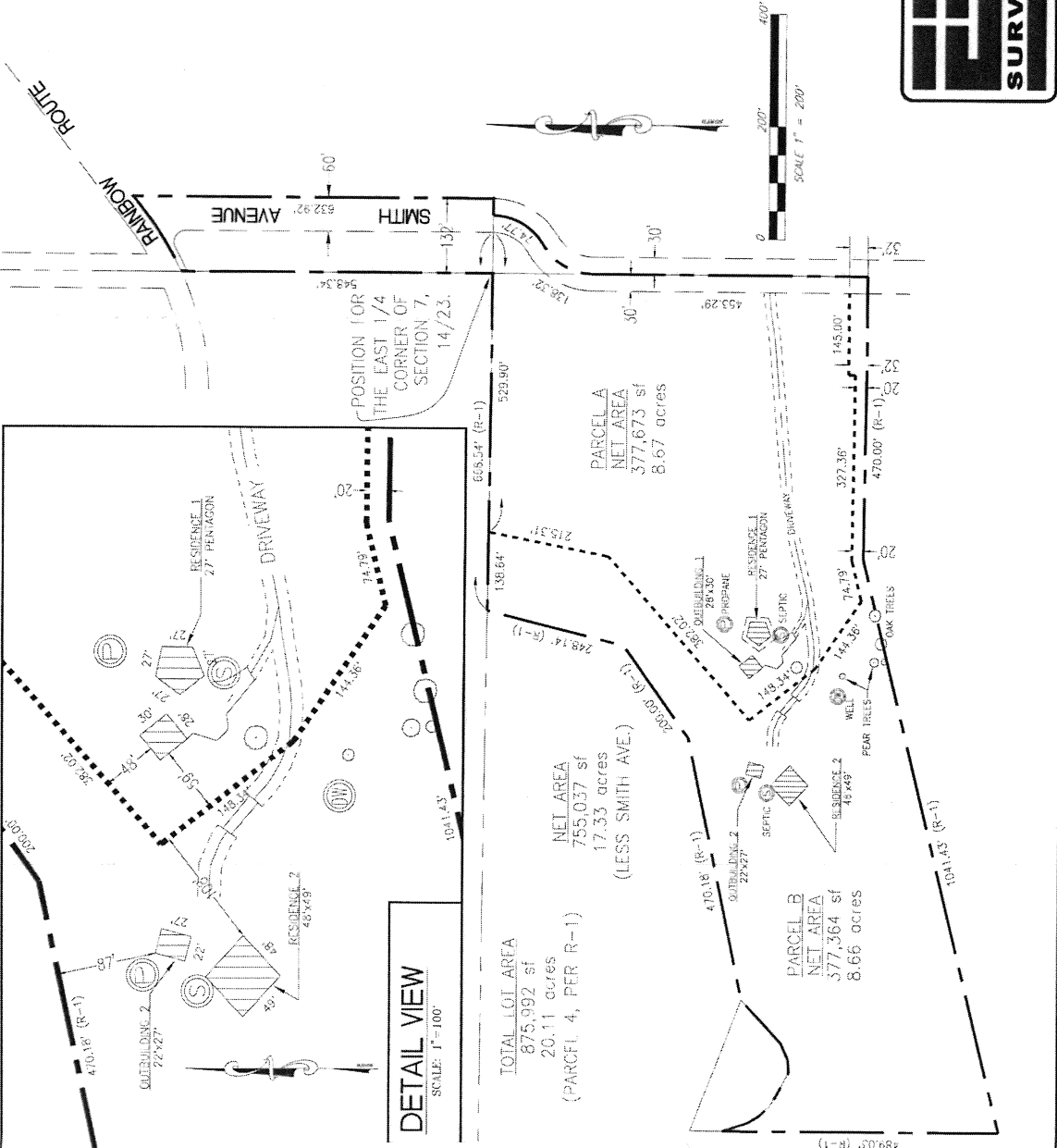
PROPERTY ADDRESS:

198 S. Rainbow Avenue
Sanger, CA 93267

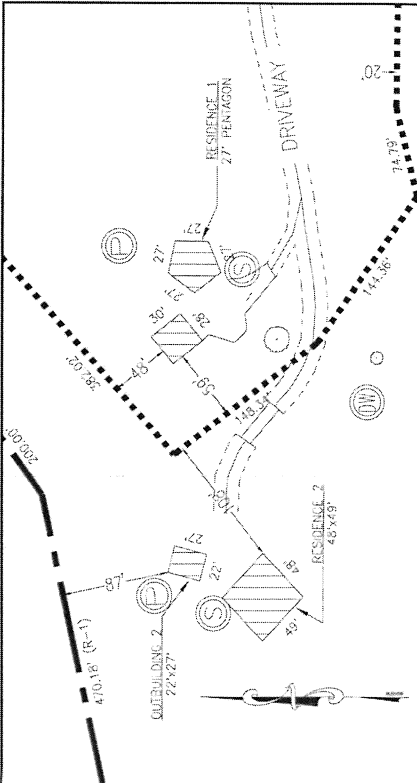


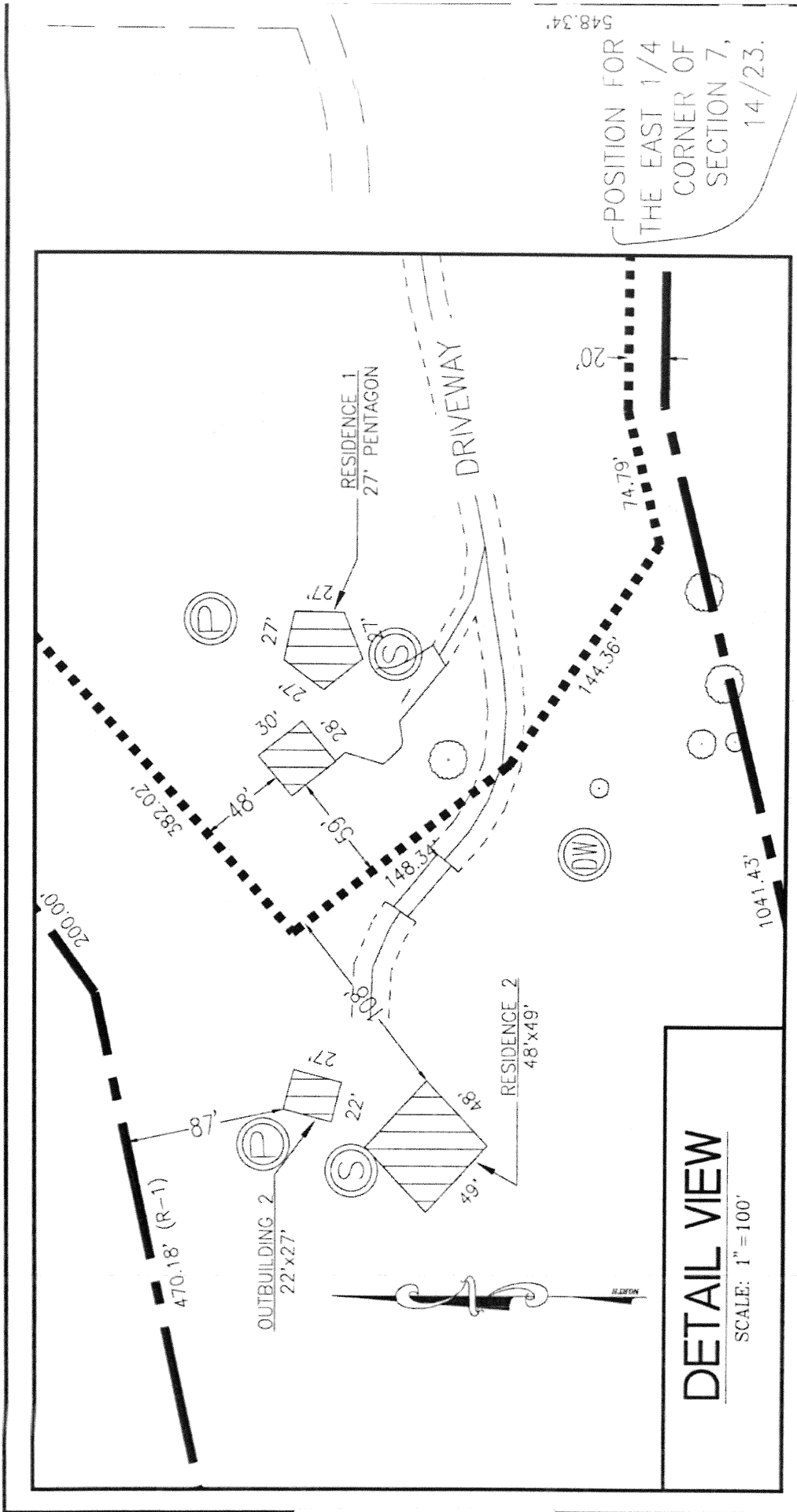
5654 South Elm Ave.
Fresno, CA 93706
Tel. 559.442.0883
Fax 559.442.0884
www.espi.com

DATE OF SURVEY	09/09/2016
ESP JOB NO.	16056
DRAWN BY	PSE
REVISION DATE	8/25/2016
REV. 6	10/03/2016
REV. F.M.A.	10/13/2016



DETAIL VIEW
SCALE: 1" = 100'





POSITION FOR
 THE EAST 1/4
 CORNER OF
 SECTION 7,
 14/23.
 548.34'

DETAIL VIEW
 SCALE: 1" = 100'



APPROVED VARIANCES WITHIN A ONE MILE RADIUS

VA 4015

EXHIBIT 6

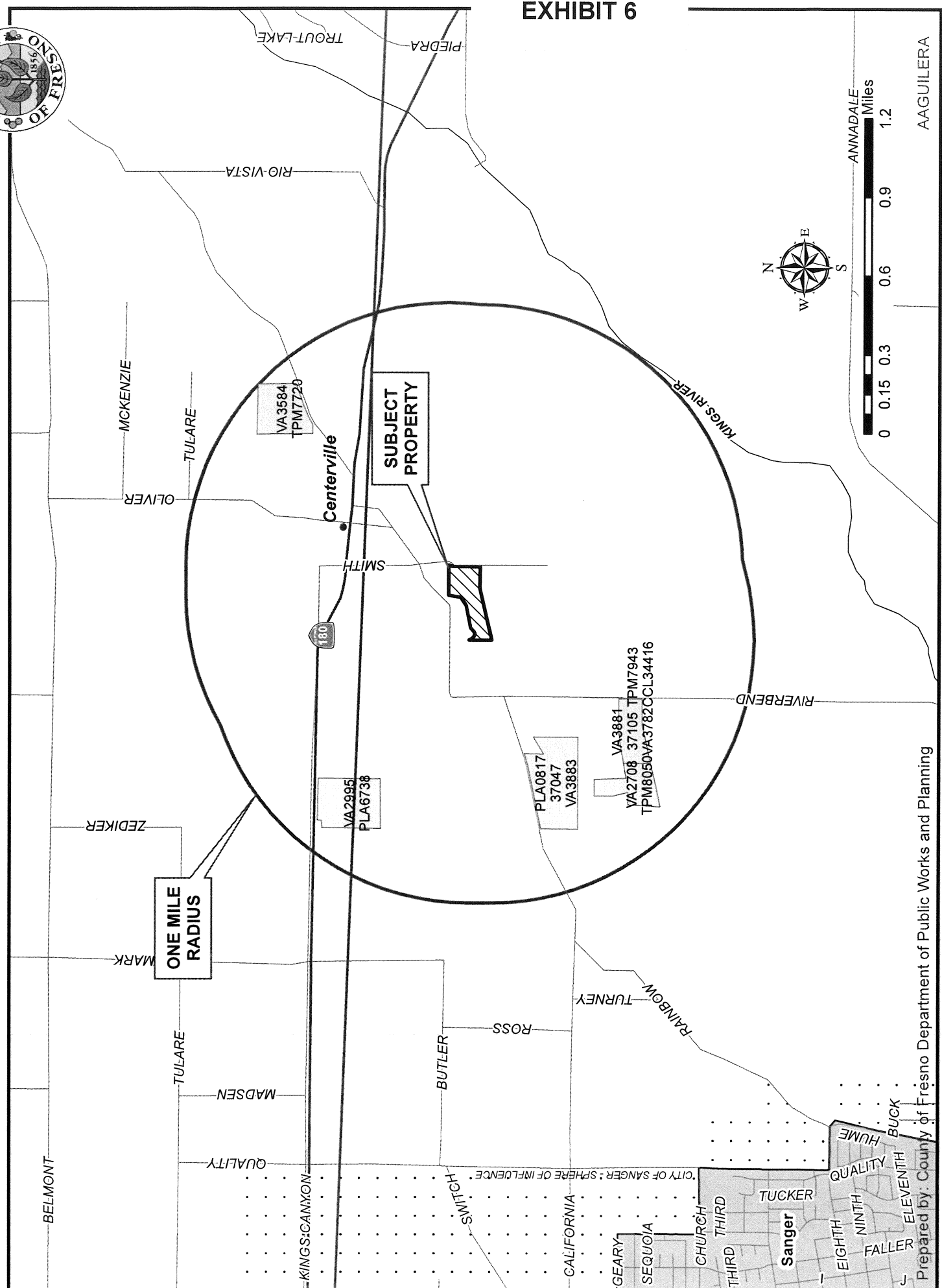


EXHIBIT 7

REQUIRED FINDINGS of FACT EXISTING FOR THE GRANTING OF A VARIANCE APPLICATION

1. The current property is already a substandard sized parcel in an AE-20 (Exclusive Agriculture, 20 acre minimum parcel size, conditional) Zone District. It is surrounded by the Sanger Cemetery and a smaller parcel located on Rainbow Rt. which is adjacent to this parcel making it an extraordinary condition.
There is a natural, geographic topography where one home is on more open space and the other home is within the forested, brush area which is another unique aspect of this piece of property.
2. This variance is necessary for the enjoyment and property rights of the tenants-in-common to each possess their undivided ½ of the said parcel as separate parcels. For 30 years there have been two homes on the property because two previous tenants-in-common were siblings. These siblings no longer live on the property. The current property owners are unrelated. A variance for two separate parcels would allow each property owner to independently take out loans, sell, or leave an inheritance to an heir without encumbering the other property owner.
3. There will be no adverse effect on the environment, no material detriment to the public welfare, and no injury to property in the vicinity as no further changes will be made other than a division of the parcel into two separate parcels, each with a home on it.
4. The granting of this variance will not be contrary to the objectives of the General Plan (Policy LU-A.6 and LU-A.7) because it has **not** been the minimum twenty (20) acre parcel size for many years. Most recently the Sanger Cemetery purchased a ½ acre parcel which reduced the parcel size further.

VA 4015
RECEIVED
COUNTY OF FRESNO

OCT 24 2016

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

Respectfully submitted:

Kathryn Yamamoto

Parcel No. 333-021-23

EXHIBIT 8

April 14, 2017

To: Fresno County Planning Commission

RE: Variance 4015 for Kathy Yamamoto

We would like the Planning Commission Board to know that our neighbor, Kathy Yamamoto, has informed us of her proposal to divide the parcel, APN 333-021-68 from its current 17.33 acres into two parcels of 8.67 and 8.66 acres.

We have no dispute with this division of land.

We have known Kathy + Rix since 1978, when our family sold the parcel above to them. They have always maintained two separate homes of different address in that 39 years. This variance makes sense.

Sincerely,

*George + Susan Urbach
192 S. Rainbow Rt.
Sanger Ca 93657*

April 14, 2017

To: Fresno County Planning Commission

RE: Variance 4015 for Kathy Yamamoto

I would like the Planning Commission Board to know that our neighbor, Kathy Yamamoto, has informed us of her proposal to divide the parcel, APN 333-021-68 from its current 17.33 acres into two parcels of 8.67 and 8.66 acres.

I have no dispute with this division of land.

Sincerely,

Alex Valoshin
354 S. Smith Ave
Sanger Ca. 93657

April 14, 2017

To: Fresno County Planning Commission

RE: Variance 4015 for Kathy Yamamoto

We would like the Planning Commission Board to know that our neighbor, Kathy Yamamoto, has informed us of her proposal to divide the parcel, APN 333-021-68 from its current 17.33 acres into two parcels of 8.67 and 8.66 acres.

We have no dispute with this division of land.

Sincerely,

Barbara Oliver
95 S. Oliver Ave.
Sanger, CA 93657

April 14, 2017

To: Fresno County Planning Commission

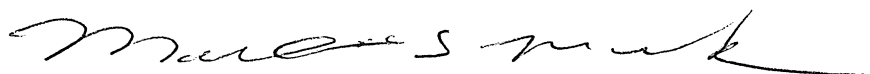
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We have no dispute with this division of land.

MATTHEW MCNAB
784 S RIVERBEND
SANGER CA 93657
(559) 259-8306

Sincerely,



April 14, 2017

To: Fresno County Planning Commission

RE: Variance 4015 for Kathy Yamamoto

We would like the Planning Commission Board to know that our neighbor, Kathy Yamamoto, has informed us of her proposal to divide the parcel, APN 333-021-68 from its current 17.33 acres into two parcels of 8.67 and 8.66 acres.

We have no dispute with this division of land.

Sincerely,

Sam Angelo
682 S. Riverbend.
Sanger, CA

April 14, 2017


To: Fresno County Planning Commission

RE: Variance 4015 for Kathy Yamamoto

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We have no dispute with this division of land.

Sincerely,


298 S. Rainbow
Sanger CA 93657

April 14, 2017

To: Fresno County Planning Commission

RE: Variance 4015 for Kathy Yamamoto

We would like the Planning Commission Board to know that our neighbor, Kathy Yamamoto, has informed us of her proposal to divide the parcel, APN 333-021-68 from its current 17.33 acres into two parcels of 8.67 and 8.66 acres.

We have no dispute with this division of land.

Terri Weaver
135 S. Oliver Ave
Sanger CA 93657

Sincerely,

Terri Weaver

April 14, 2017

To: Fresno County Planning Commission

RE: Variance 4015 for Kathy Yamamoto

We would like the Planning Commission Board to know that our neighbor, Kathy Yamamoto, has informed us of her proposal to divide the parcel, APN 333-021-68 from its current 17.33 acres into two parcels of 8.67 and 8.66 acres.

We have no dispute with this division of land.

Sincerely,

Janeve Smith
700 S. Rainbow
Sanger, CA 93657

April 14, 2017

To: Fresno County Planning Commission

RE: Variance 4015 for Kathy Yamamoto

We would like the Planning Commission Board to know that our neighbor, Kathy Yamamoto, has informed us of her proposal to divide the parcel, APN 333-021-68 from its current 17.33 acres into two parcels of 8.67 and 8.66 acres.

We have no dispute with this division of land.

Sincerely,

Jylina Cortez
15355 E. Annadale
Sanger Ca. 93657

April 14, 2017

To: Fresno County Planning Commission

RE: Variance 4015 for Kathy Yamamoto

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We have no dispute with this division of land.

Sincerely,

Leon Polkownikow
188 S. RAINBOW AVE
FAIRFAX, CAL. 93657