



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 6 February 16, 2017

SUBJECT: Variance Application No. 4001

Allow the creation of two 2.39-acre parcels (20 acres required) from an existing 4.78-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the northeastern corner of the intersection of North McCall Avenue and East McKinley Avenue, approximately 1.6 miles northwest of the nearest city limits of the City of Clovis (SUP. DIST. 5) (APN 309-220-39).

OWNER/APPLICANT: Ethel Baxter

STAFF CONTACT: Christina Monfette, Planner
(559) 600-4245

Chris Motta, Principal Planner
(559) 600-4227

RECOMMENDATION:

- Deny Variance No. 4001; 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. Variance Applications within One Mile
6. Site Plan and Detail
7. Applicant's Findings
8. Public Comment

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size)	No change
Parcel Size	4.78 acres	Two parcels measuring 2.39 acres
Project Site	4.78-acre parcel (No improvements)	Two parcels measuring 2.39 acres (no improvements)
Structural Improvements	None	None
Nearest Residence	50 feet north of existing property line	No change

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: *Review for Exemption* 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 36 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:

Prior to 1965, the subject parcel was zoned Interim RA (Single-Family Residential, Agricultural, 36,000 square-foot minimum parcel size). On September 21, 1965, the parcel was rezoned to AE-5 (Exclusive Agricultural, 5-acre minimum parcel size) as part of Amendment No. 1426. On March 8, 1977, the parcel was rezoned to its current AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District by Amendment No. 2898.

On July 12, 2016, the Applicant submitted the subject application to allow the creation of three parcels from the subject 4.78-acre parcel. Review of that proposal by the Environmental Health

Division identified concerns with the density of individual on-site wastewater disposal systems and on-site wells. During that time, five letters of support for the application were submitted to staff. On October 10, 2016, the Applicant revised this application to reflect the current proposal to allow the creation of two parcels from the subject 4.78-acre parcel. While the public comment letters reference the original project proposal, the revised proposal is less intensive and therefore, those letters are included as Exhibit 8 in support of this application.

In addition to the subject application, there have been sixteen other Variance (VA) applications within a mile of the subject property. Of those variances, three were withdrawn by the applicants, two related to the waiving or reduction of public road frontage, one related to a reduction in setback requirements, and the remaining ten are detailed in the following table as relevant to this application:

Application	Request	Date of Action	Final Action
VA No. 2710	Allow a property line adjustment between three nonconforming parcels	PC: 6/10/1982	Approval
VA No. 2864	Allow the creation of a 1.5-acre parcel (20 acres required)	PC: 10/18/1984	Approval
VA No. 3064	Allow the creation of two parcels (7.98-acres and 1.81-acres) from a 9.79-acre parcel	PC: 1/22/87 BOS: 2/10/87	Approval
VA No. 3222	Allow the creation of a 5.56-acre parcel (20 acres minimum)	PC: 9/21/1989	Approval
VA No. 3397	Allow the creation of a 1.22-acre parcel and a 3.57-acre parcel from an existing 3.79-acre parcel (20 acres required)	PC: 2/18/1993	Approval
VA No. 3421	Allow the creation of a 6.39-acre parcel, a 6.50-acre parcel, and two 4-acre parcels (20 acres minimum), with the 4-acre parcels having no public road frontage (165 feet required)	PC: 8/12/93 BOS: 9/21/93	Approval
VA No. 3459	Allow for the creation of two 4.75-acre parcels and one 12.75-acre parcel (20 acres required) with the two 4.75-acre parcels having no public road frontage (165 feet required) from an existing 22.25-acre parcel of land.	PC: 11/17/1994	Approval
VA No. 3531	Allow the creation of two 2.00-acre parcels, a 4.00-acre parcel and a 12.36-acre parcel without public road frontage from a 20.36-acre parcel of land in the AE-20 (Exclusive Agriculture, 20-acre minimum parcel size) District.	PC: 10/17/1996	Approval

VA No. 3728	Allow the creation of two 2.5-acre parcels, a 5-acre parcel and a 10-acre parcel (20 acres required) from an existing 20-acre parcel of land	PC: 5/9/2002	Approval
VA No. 3734	Allow a 4.30-acre parcel (20 acres minimum required) as the result of a lot line adjustment	PC: 7/7/2005	Approval

Although there is a history of variances approved in proximity to this request, each Variance application must be weighed on its own merits.

ANALYSIS/DISCUSSION:

Findings 1 and 2: 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

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	<u>AE-20 Zone District:</u> Front: 35 feet Side: 20 feet Rear: 20 feet	No development	N/A
Parking	N/A	N/A	N/A
Lot Coverage	No requirement	N/A	N/A
Separation Between Buildings	N/A	N/A	N/A
Wall Requirements	N/A	N/A	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:

Department of Public Health, Environmental Health Division: In the case of this application, it appears the proposed parcels can accommodate the sewage disposal systems and expansion areas, meeting the mandatory setback requirements as established in the California Well Standards Ordinance and California Plumbing Code.

At such time as the Applicant/owner or future property owner decides to construct a water well, the water well contractor selected by the Applicant 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. Only those persons with a valid C-57 contractors' license may construct wells.

No other comments specific to Findings 1 and 2 were expressed by reviewing Agencies or Departments.

Analysis:

In support of Finding 1, the Applicant's Findings state that the site is not currently developed and has been vacant for decades, unlike the adjoining properties that share the same zoning designation. The purpose of the Variance is to allow for the creation of two 2.39-acre parcels which will be used for single-family dwellings.

In support of Finding 2, the Applicant's Findings state that the reduction in parcel size is necessary to more efficiently use the parcels. The intent of the Variance is to create/adjust the existing parcel line configuration to be more in line with the uses of the subject parcel.

Most of the parcels northeast of the intersection of McCall and McKinley Avenues are between three and five acres in size. Parcels southeast of the intersection are between six and seventeen acres. These parcels were generally created prior to 1977, when the area was zoned AE-5 (Exclusive Agricultural, 5-acre minimum parcel size). West of McCall is a small cluster of parcels between one and a half and three acres in size, which are zoned Rural Residential. Variance requests consider parcels that are under identical zoning classification, and therefore these parcels were not considered as part of the analysis. Farther from the intersection, the parcel sizes tend to increase, growing more consistent with the AE-20 zoning.

Staff does not concur with the Applicant's finding that the lack of development on the parcel creates an exceptional circumstance. The subject parcel is typical of other parcels north of McKinley Avenue in both size and shape. Staff could not identify any physical circumstances, such as a natural river, rock formation, or grove of mature trees that has restricted development of the parcel. The subject parcel and most of the parcels northeast of the intersection have been designated as Farmland of Local Importance by the Fresno County Important Farmlands 2014 map.

The current owner of this parcel also applied for Variance No. 3397 to allow the creation of two lots with less than 20 acres (1.22 acres and 3.57 acres) on the parcel directly north of the subject parcel. On February 18, 1993, that Variance was approved by the Commission "subject to a statement indicating the Commission's intent that the variance not be considered a precedent for other variance requests for substandard parcels." While each Variance must be considered on its own merits, due to the proximity of this application, staff believes this information had relevance to the Commission.

A consideration in addressing Variance applications is whether there are alternatives available that would avoid the need for a Variance. As part of the findings, the Applicant states that the intention is to create two parcels which will be used for a single-family dwelling. In this case, the Applicant could place two homes on the existing parcel subject to approval of a Director Review and Approval. Such approvals include a covenant requiring that a property owner of record reside in one of the homes and would not allow the Applicant to sell one of the homes or give it to a family member. Additionally, second residences are subject to size restrictions on the second residence. There are no options available to the Applicant to create additional legal parcels without approval of a Variance. The approval of this Variance would not alleviate any conditions on the property which are currently preventing development on the parcel.

Staff was unable to identify any unique or exceptional circumstances on the property and could not identify an impacted property right of the Applicant. Findings 1 and 2 cannot be made.

Recommended Conditions of Approval:

None.

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	1.13 acres	Residential	AE-20	50 feet
East	3.6 acres	Residential	AE-20	75 feet
South	14.71 acres	Single-family residence/ Field Crops	AE-20	200 feet
West	1.98 acres 1.98 acres 1.98 acres 1.63 acres	Residential Residential Residential Residential	RR (Rural Residential)	205 feet 210 feet 205 feet 165 feet

*Measured from nearest property line

Reviewing Agencies/Department Comments:

Building Safety and Plan Check Sections of the Fresno County Department of Public Works and Planning: No comment.

Development Engineering Section of the Fresno County Department of Public Works and Planning: McCall Avenue is classified as an Arterial with an existing 52-foot right-of-way east of the section line along the parcel frontage, per Plat Book. The minimum width for an Arterial road right-of-way east of the section line is 53 feet.

McCall Avenue is classified as a Local and maintained by the County. Records indicate this section of McCall Avenue from McKinley Avenue to Princeton Avenue has an Average Daily Traffic (ADT) of 3,200, pavement width of 32.3 feet, a structural section of 0.25-foot asphalt concrete (AC)/0.35-foot asphalt base/0.55-foot asphalt surface, and is in poor condition.

McKinley Avenue is a Local with an existing 30-foot right-of-way north of the section line along the parcel frontage, per Plat Book. The minimum width for a Local road right-of-way north of the section line is 30 feet. McKinley Avenue is a County-maintained road. Records indicate this section of McKinley Avenue from McCall Avenue to Del Rey Avenue has an ADT of 1,700, pavement width of 25 feet, a structural section of 0.30-foot AC, and is in very good condition.

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.

If not already present, ten-foot by ten-foot corner cutoffs should be improved for sight distance purposes at the exiting driveways at McKinley Avenue. If not already present, thirty-foot by thirty-foot corner cutoffs should be improved for sight distance purposes at the exiting driveways at McCall Avenue.

According to U.S.G.S. Quad Maps, there are existing natural drainage channels traversing the subject parcel. According to FEMA, FIRM Panel 1615H, portions of the subject parcel are in Flood Zone X, which indicates areas which are subject to a 0.2% annual flood chance, areas of 1% annual-chance flood with average depths of less than one foot, or with drainage areas less than one square mile.

Any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards. A grading permit or voucher is required for any grading that may be proposed with this application.

Fresno County Fire Protection District: Fresno County Fire Protection District (FCFPD) has received notice of this project, and has not identified any significant concerns. FCFPD has no comment for this project at this time. If future development is sought, the project/development shall annex to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. The project/development also will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.

Fresno Irrigation District (FID): FID does not own, operate, or maintain any facilities located on the subject property.

For informational purposes, a privately-owned canal known as the City of Clovis Recycled Water Outfall No. 915 traverses the west side of the subject property. FID's records indicate that the canal is active and should be treated as such. Should any improvements be necessary in the vicinity of the canal, FID recommends the Applicant contact the owner of the canal to discuss any right-of-way issues that may affect said canal.

FID's Fresno Canal No. 3 runs westerly and crosses McCall Avenue approximately 1,000 feet south of the subject property. Should this project include any street or utility improvements along McCall Avenue or in the vicinity of the canal, FID requires it review and approve all plans.

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: McCall Avenue is classified as an Arterial in the County's General Plan requiring an ultimate right-of-way of 106 feet, 53 feet on each side of the section line. Currently there is a 30-foot half right-of-way across the parcel frontage. An additional 23 feet of right-of-way should be irrevocably offered on the final parcel map. A twenty-foot by twenty-foot corner cutoff for the McCall/McKinley intersection should also be irrevocably offered on the final map. McKinley Avenue currently has a 60-foot right-of-way. No additional dedications are needed along this frontage.

Access restrictions would apply to the parcels fronting on McCall Avenue. Each parcel shall construct a circular drive or provide an on-site turnaround such that no vehicle exiting the new lots would have to back out into McCall Avenue.

Any work proposed within the County road right-of-way would require that the Applicant first obtain an encroachment permit from this Division.

Zoning Section of the Fresno County Department of Public Works and Planning: No comment.

Analysis:

In support of Finding 3, the Applicant states that nothing within the existing parcel or adjacent property is going to change in terms of uses or operation. This is simply adjusting existing lot lines to follow the existing operation more accurately than previous lot lines. As a result, since it is anticipated that the proposed property configuration is going to be in line with and accommodate the existing uses, this adjustment will have no adverse effect on the abutting or neighboring properties.

In regard to Finding 3, the approval of this Variance would allow for two homes to be built by right on the subject parcel. Staff would like to clarify that there is no current development on the property. The Applicant is referring to the separation of the future use of the parcels.

Comments from the Road Maintenance and Operations Division identify some concerns with access from the proposed parcels to McKinley and McCall Avenues. With adherence to the requirements to improve corners for sight distance purposes and to include on-site turnarounds, staff believes that the increase to traffic will not cause adverse impacts on neighboring properties. Additionally, the Applicant will be requested (through a Condition of Approval) to make irrevocable offers of right-of-way across the frontage of the homesite to bring McCall Avenue to its full width.

The addition of traffic trips from the additional permitted home would not be significant and Finding 3 can be made.

Recommended Conditions of Approval:

See Recommended Conditions of Approval attached as Exhibit 1.

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:
<p>General Plan 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 Policies LU-A.9, LUA.10, and LU-A.11. The County may require parcel sizes larger than twenty (20) acres based on zoning, local agricultural conditions, and to help ensure the viability of agricultural operations.</p>	<p>The Applicant is requesting a Variance from the 20-acre minimum parcel size requirement and does not qualify under Policies LU-A.9, LUA.10, and LU-A.11 for an exception.</p>
<p>General Plan Policy LU-A.7: 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>The minimum parcel size for the subject parcel is 20 acres. While the subject parcel is already substandard in size and not a viable economic farming unit, this policy does not consider that an exception. The application is not consistent with Policy LU-A.7.</p>
<p>General Plan Policy LU-A.9: The County may allow creation of homesite parcels smaller than the minimum parcel size required by Policy LU-A.6 if the parcel involved in the division is at least twenty (20) acres in size, subject to the following criteria:</p> <ol style="list-style-type: none"> a. The minimum lot size shall be sixty thousand (60,000) square feet of gross area, except that a lesser area shall be permitted when the owner submits evidence satisfactory to the Health Officer that the soils meet the Water Quality Control Board Guidelines for liquid waste disposal, but in no event shall the lot be less than one (1) gross acre; and b. One of the following conditions exists: <ol style="list-style-type: none"> 1. A lot less than twenty (20) acres is required for financing construction of a residence to be owned and occupied by the owner of abutting property; or 2. The lot or lots to be created are intended for use by persons involved in the farming operation and related to the owner by adoption, blood, or marriage within the second degree of consanguinity; there is only one (1) lot per related person; and there is no more than one (1) gift lot per twenty (20) acres; or 3. The present owner owned the property prior to the date these policies were implemented and wishes to retain his/her homesite and sell the remaining acreage for agricultural purposes. 	<p>The subject parcel is 4.78 acres, where this policy requires the original parcel to be at least 20 acres. The project is not consistent with this policy.</p> <ol style="list-style-type: none"> 1. The parcel is not being created as a financing parcel. 2. The parcel is not being created as a gift deed. 3. The present owners (Arlie Baxter and Ethel Baxter) were granted ownership of the property in 1992. The AE-20 Zone District was adopted for the area in 1977.

Relevant Policies:	Consistency/Considerations:
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 project is not in a low-water area. The Water/Geology/Natural Resources Section did not identify any concerns with water quantity.
General Plan Policy PF-D.6: The County shall permit individual on-site sewage disposal systems on parcels that have the area, soils, and other characteristics that permit installation of such disposal facilities without threatening surface or groundwater quality or posing any other health hazards and where community sewer service is not available and cannot be provided.	Review by the Fresno County Department of Public Health, Environmental Health Division has determined that the soils of the parcels are adequate to support individual on-site sewage disposal systems.

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.

Water/Geology/Natural Resources Section of the Fresno County Department of Public Works and Planning: No comments.

Analysis:

In support of Finding 4, the Applicant states that the proposed adjustment is allowable under the current County Code (which requires a Variance). The proposed adjustment will not affect the existing use of the site, which is already consistent with the General Plan.

Staff does not concur with the Applicant’s interpretation of the County Code. The creation of parcels with less than 20 acres where 20 acres is the minimum parcel size is not allowed by the current code, which is why a Variance is required. The Applicant is seeking an exemption from those requirements.

Goal LU-A from the General Plan is “to promote the long-term conservation of productive and potentially-productive agricultural lands and to accommodate agricultural-support services and agriculturally-related activities that support the viability of agriculture and further the County’s economic development goals.” The abovementioned policies support that goal and relate to this application.

Policy LU-A.6 identifies the minimum parcel size for parcels which are designated for Agriculture, such as the subject parcel, and also identifies those policies which provide for exceptions from that requirement (Policies LU-A.9 through LU-A.11). As discussed under the “Consistency/Considerations” heading from the table above, the application does not qualify for any of the exemptions that would allow the creation of a parcel with less than 20 acres where 20 acres is the minimum parcel size.

The text of Policies LU-A.10 and LU-A.11 are not included because they outline exceptions specifically for the creation of an agricultural commercial center (LU-A.10) and the extraction of oil, gas, or mineral resources (LU-A.11). As such, this application does not qualify for an exception under those policies.

Policy LU-A.7 restricts the creation of parcels with less than the required acreage for the Zone District. Specifically, it notes that evidence that the parcel is already not an economic farming unit is not a basis for granting an exception. Therefore, while staff concurs that the subject parcel is not likely to be economically viable, the application is inconsistent with this policy.

Dividing this parcel will allow two homes to be built by right on that property and up to four homes to be built with the approval of Director Review and Approval Applications, representing a possible increase to residential densities. Policy LU-A.7 notes that the creation of such parcels have the potential to conflict with agricultural uses on adjacent parcels and directs the decision-making body to consider the negative incremental impacts of granting such variances.

The subject parcel is not under a Williamson Act Contract; however, this does not make the proposal more consistent with the General Plan. The parcel does not qualify for a Williamson Act Contract due to its size.

Finding 4 cannot be made.

Recommended Conditions of Approval:

None.

Conclusion:

Finding 4 cannot be made.

PUBLIC COMMENT:

Five letters of support were received in support of the application. In general, these letters did not object to the request to split the subject parcel (4.78 acres) into three parcels, each approximately 1.5 acres in size with more than 200 feet of frontage per parcel. As discussed in the Background section of this report, these letters were received prior to the Applicant's revision to split the subject parcel into only two separate parcels.

CONCLUSION:

Staff believes the required Findings for granting the Variance cannot be made based on Staff's inability to make Findings 1, 2, and 4. Staff therefore recommends denial of Variance No. 4001.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Denial Action)

- Move to determine the required Findings cannot be made and move to deny Variance No. 4001; 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. 4001, subject to the Conditions and Project Notes attached as Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

CMM:ksn

G:\4360Devs&PIn\PROJSEC\PROJDOCS\VA\4000-4099\4001\SR\VA4001 SR.docx

**Variance Application No. 4013
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	Development of the property shall be in accordance with the Site Plan approved by the Planning Commission.
2.	As a Condition of Approval of the Parcel Map, the Applicant shall irrevocably offer 23 feet of right-of-way on McCall Avenue and a ten-foot by ten-foot corner cut-off at the McCall/McKinley intersection.

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. A Parcel Map Application shall be filed to create two 2.39-acre parcels.
2.	At such time the Applicant/owner or future property owner decides to construct a water well, the water well contractor selected by the Applicant 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. Please be advised that only those persons with a valid C-57 contractor's license may construct wells. For more information, contact the Water Surveillance Program at (559) 600-3357.
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, ten-foot by ten-foot corner cutoffs should be improved for sight distance purposes at the exiting driveways at McKinley Avenue. If not already present, thirty-foot by thirty-foot corner cutoffs should be improved for sight distance purposes at the exiting driveways at McCall Avenue.
5.	If future development is sought, the project/development shall annex to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District. The project/development also will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.
6.	A grading permit or voucher may be required for any grading proposed with this application.
7.	Any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards.

Notes

8.

For informational purposes, a privately-owned canal known as the City of Clovis Recycled Water Outfall No. 915 traverses the west side of the subject property. Fresno Irrigation District (FID)'s records indicate that the canal is active and should be treated as such. Should any improvements be necessary in the vicinity of the canal, FID recommends the Applicant contact the owner of the canal to discuss any right-of-way issues that may affect said canal.

FID's Fresno Canal No. 3 runs westerly and crosses McCall Avenue approximately 1,000 feet south of the subject property. Should this project include any street or utility improvements along McCall Avenue or in the vicinity of the canal, FID requires it review and approve all plans.

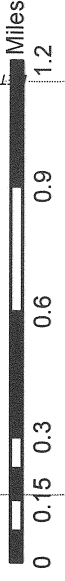
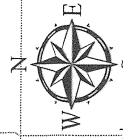
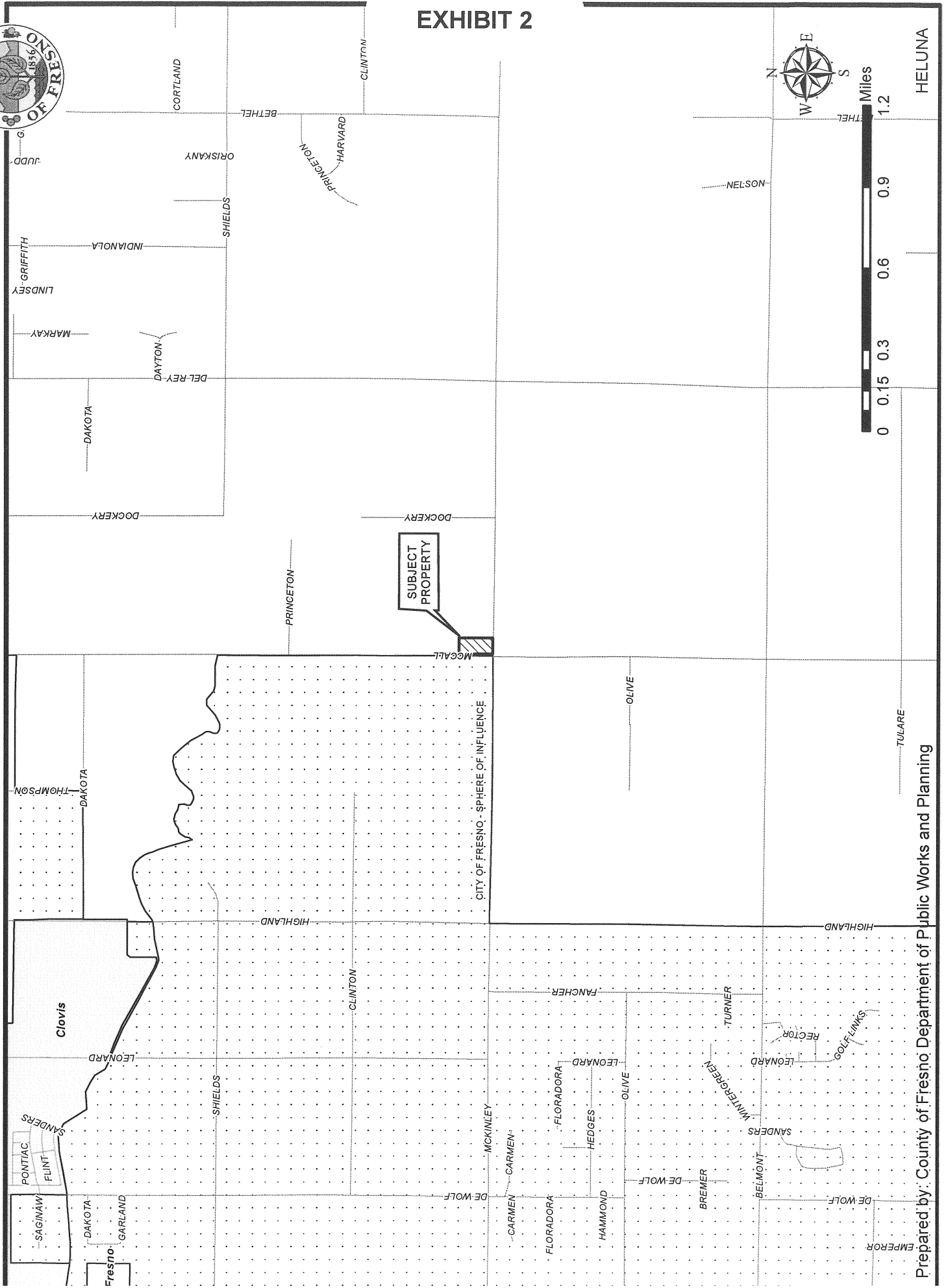
CMM:ksn
G:\4360Devs&PIn\PROJSEC\PROJDOCS\IVA\4000-4099\4001\SR\IVA4001 Conditions & PN (Ex 1).docx



LOCATION MAP

EXHIBIT 2

VA4001



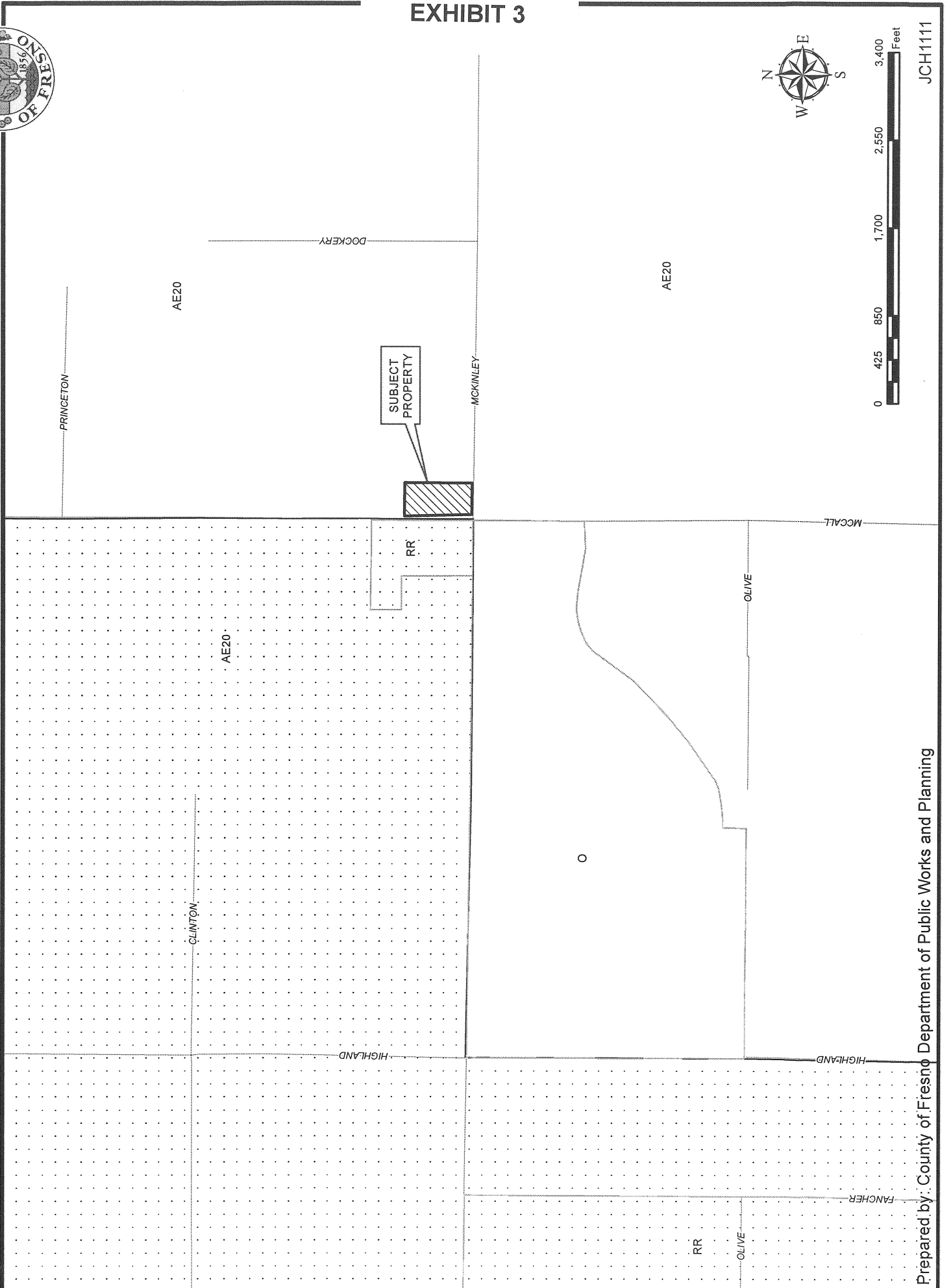
EXISTING ZONING MAP



EXHIBIT 3



JCH1111



EXISTING LAND USE MAP

VA4001



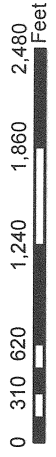
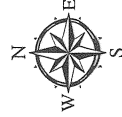
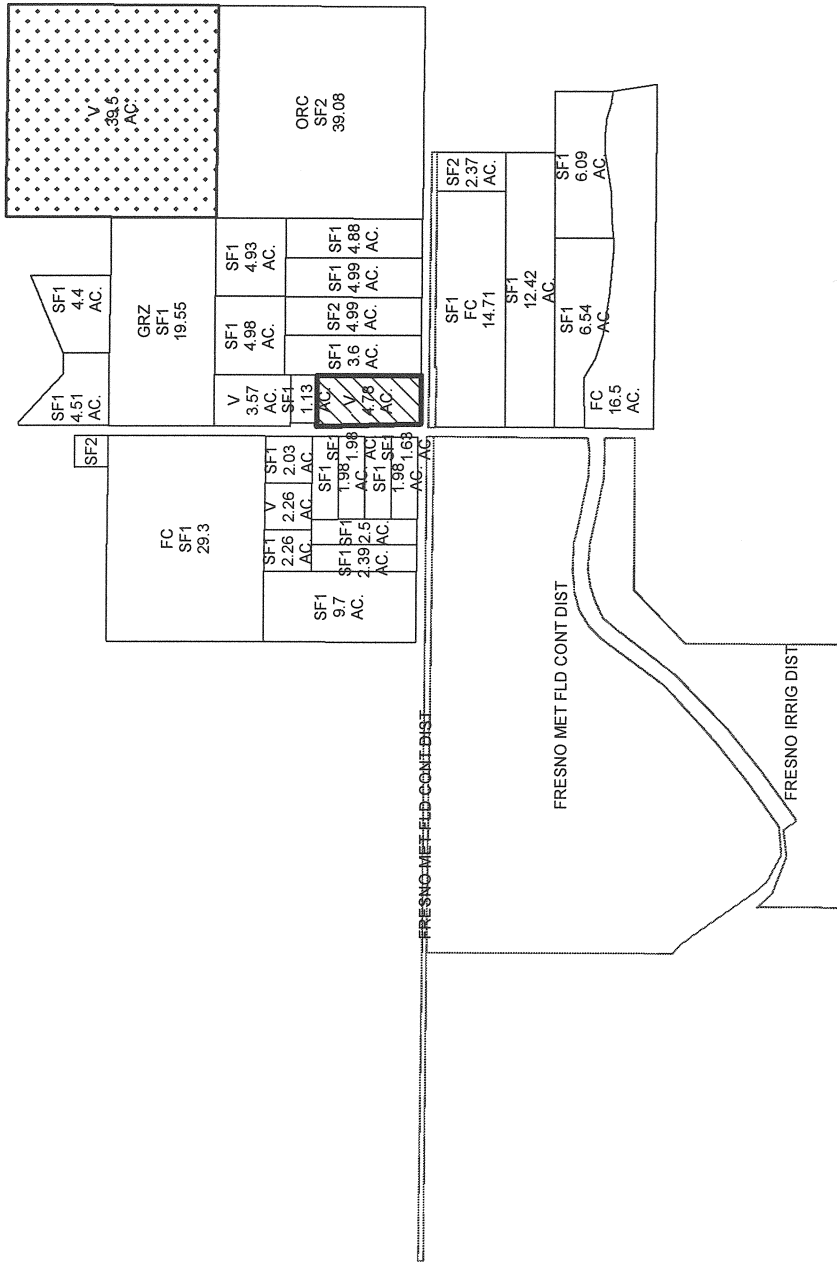
EXHIBIT 4

LEGEND:

- FC - FIELD CROP
- GRZ - GRAZING
- ORC - ORCHARD
- SF# - SINGLE FAMILY RESIDENCE
- V - VACANT

LEGEND:

-  Subject Property
-  Ag Contract Land

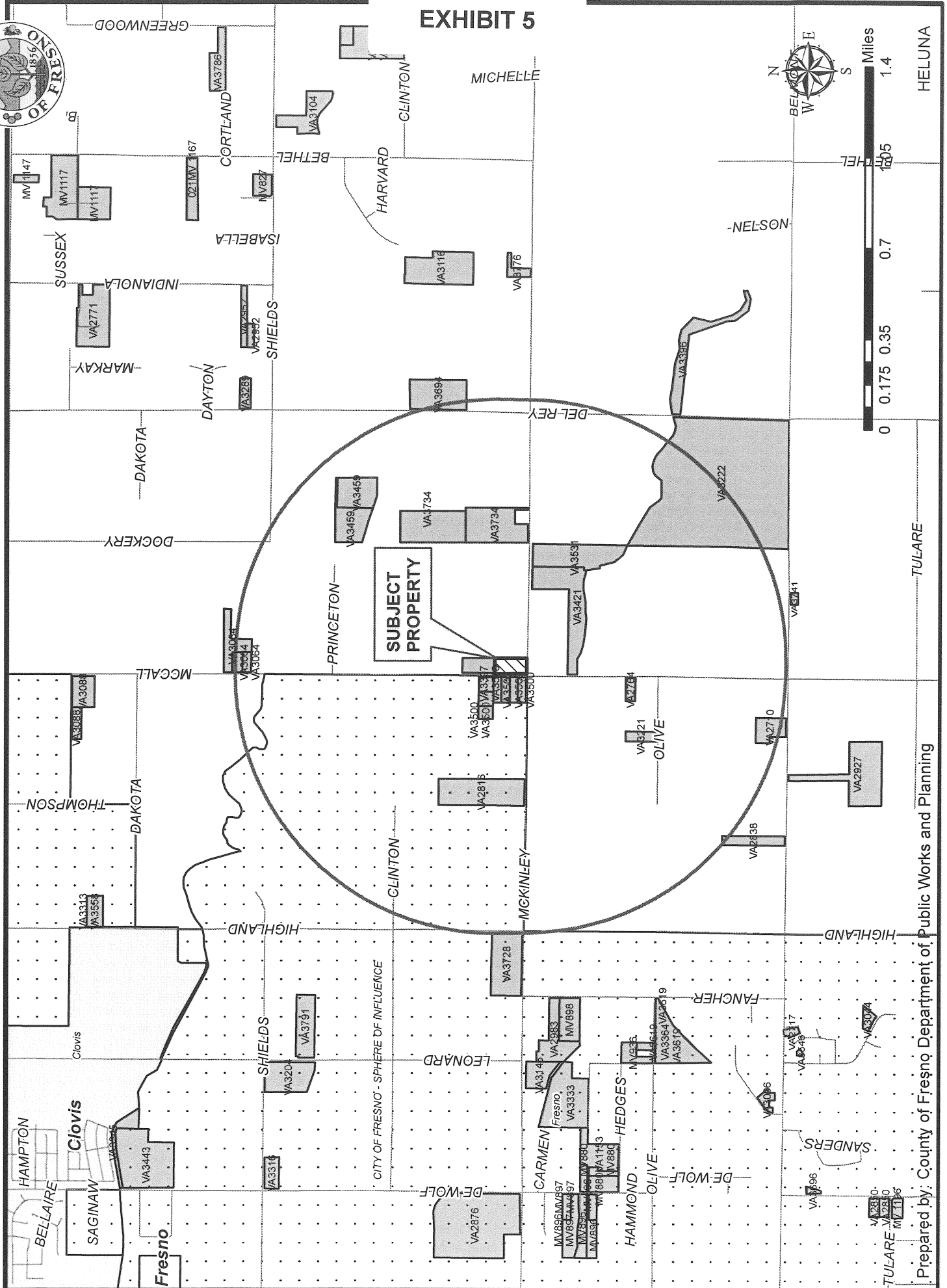


Department of Public Works and Planning
Development Services Division

APPROVED VARIANCES WITHIN ONE MILE RADIUS



EXHIBIT 5



TENTATIVE PARCEL MAP No. 2016-XX

BEING A PORTION OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 13 SOUTH, RANGE 22 EAST, MOUNTAIN VIEW AND MENDOTA, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAN APN: 300-220-38

FRESNO COUNTY, CALIFORNIA
SURVEYED AND PLATTED IN MAY 2016
CONSISTING OF ONE SHEET

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:
THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 13 SOUTH, RANGE 22 EAST, MOUNTAIN VIEW AND MENDOTA, IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAN APN: 300-220-38

NOTES:

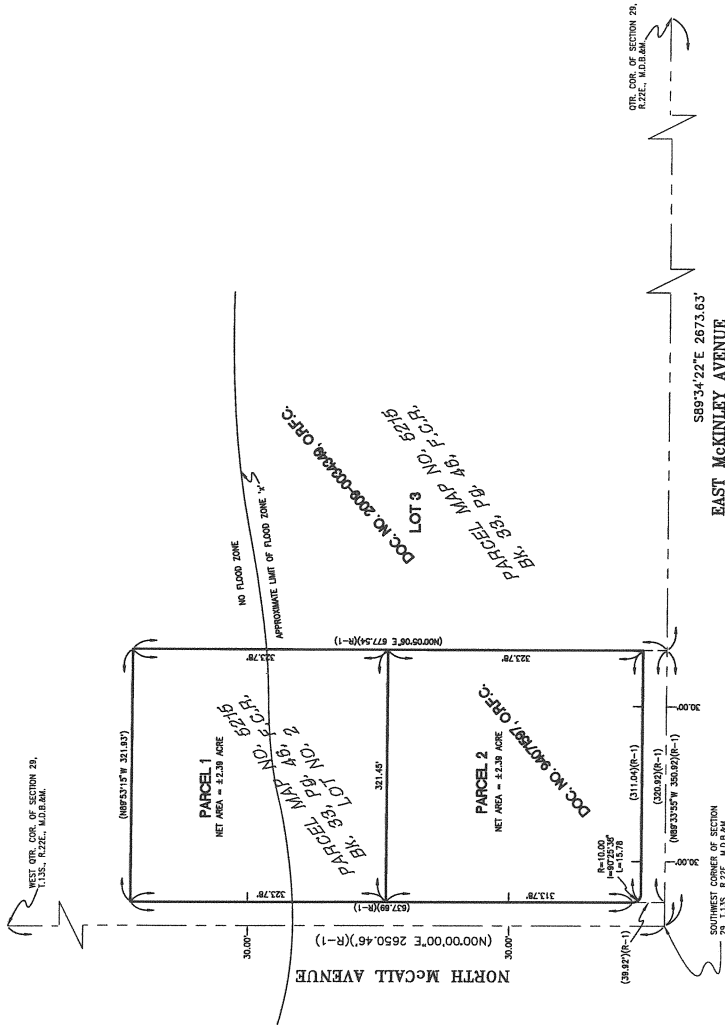
SITE AREA: 4.39 ACRES
SOURCE OF WATER: WELL
METHOD OF SEWAGE: SEPTIC

LEGAL OWNERS:

ETHEL M. AND ABILE BAXTER
2727 NORTH STREET
SELMA, CA 93862

PROPERTY INFORMATION:

APN: 300-220-38
EXISTING ZONING: AE-20
SITE ADDRESS: 1000 N. MC CALL AVE. SELMA, CA 93807
EXISTING USE: AGRICULTURE



LEGEND

- FRESNO COUNTY RECORD
- FRESNO COUNTY RECORD
- IMAGINE SECTION LINE
- IMAGINE SECTION LINE
- IMAGINE RIGHT OF WAY LINE
- IMAGINE RIGHT OF WAY LINE

(R-1) PER PARCEL MAP NO. 2016 RECORDED IN BOOK 33, PAGE 46 OF PARCEL MAPS, F.C.L.

NOTE: DIMENSIONS NOT DIMENSIONED ARE CALCULATED



**CENTRAL VALLEY
ENGINEERING AND SURVEYING**

1115 UNIVERSITY AVENUE, SUITE 100, SELMA, CA 93862
WWW.CVES.COM Email: info@cves.com

DATE OF SURVEY	5/24/15
DRAWN BY	TRISHA
CHECKED BY	ALAN HOTA
DRAWING NAME	TPM
DATE	10/10/18
REVISION	

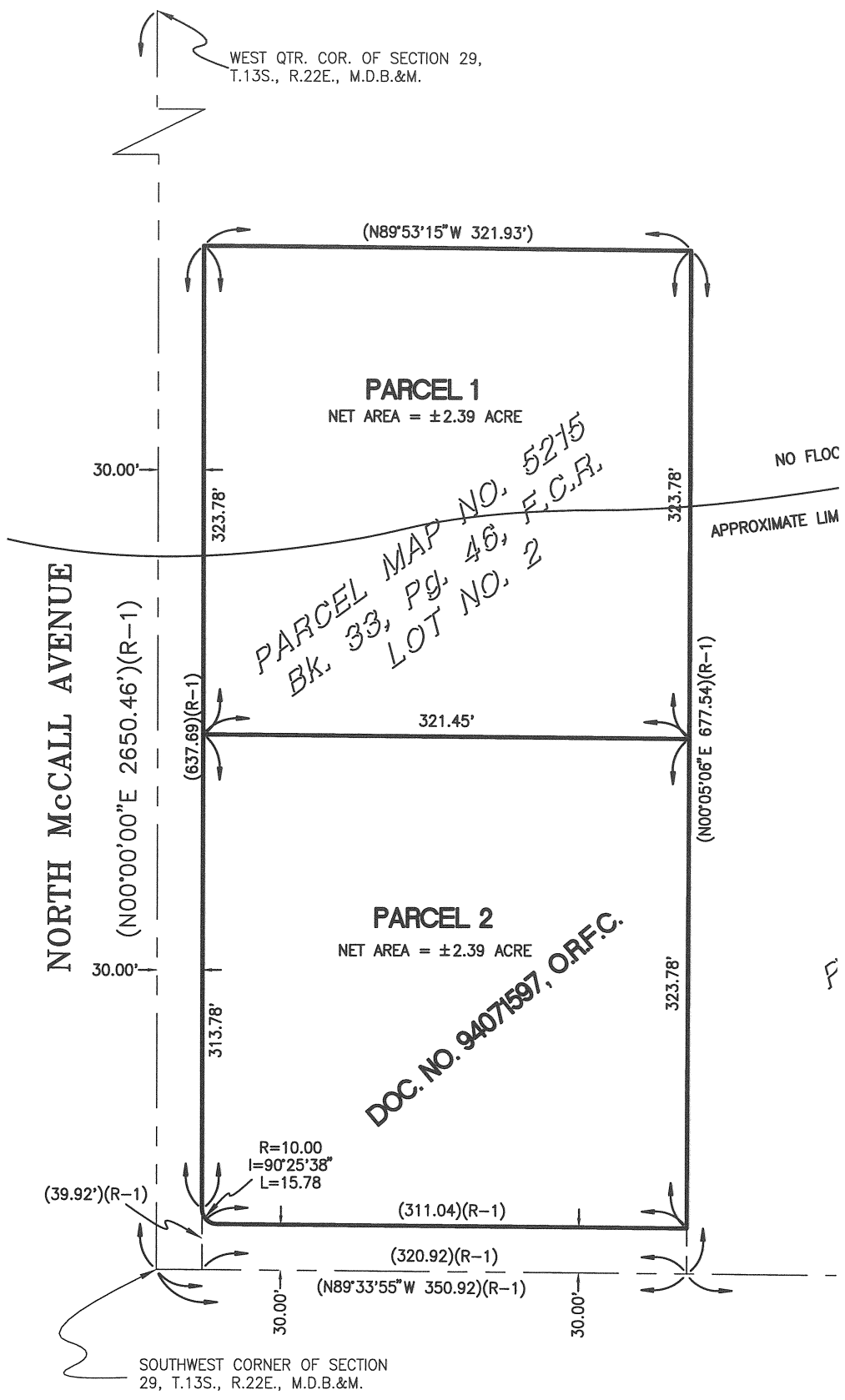


EXHIBIT 7

November 23, 2016

These are the following Variance Findings:

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

The site is currently not developed; it's been vacated for decades. Unlike the adjoining properties which share the same zoning designation. The purpose of the variance is to allow for the creation of two 2.39 acre parcels which will be used for single family dwelling. The intent of the variances is to create/adjust the existing parcel line configuration, to be more in line with the uses of said parcels.

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.

The purpose of the variances is to allow for the creation of two 2.39 acre parcels which will be used for single family dwelling. The reduction in parcel size is necessary to more efficiently use of the parcels. The intent of the variances is to create/adjust the existing parcel line configuration, to be more in line with the uses of subject parcel.

3. The granting of the 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.

The purpose of the variances is to allow for the creation of two 2.39 acre parcels which will be used for single family dwelling. The intent of the variance is to create/adjust the existing parcel line configuration, to be more in line with the uses of said parcels. Nothing within the existing parcel or adjacent property is going to change in terms of uses or operation. This is simply adjusting existing lot lines to follow the existing operation more accurately than the previous lot lines. As a result since it is anticipated that the proposed property configuration is going to be in line and accommodate the existing uses, this adjustment will have no adverse effect on the abutting or neighboring properties. It is actually anticipated that the proposed adjustment will have a beneficial impact on the neighboring properties, as it will adjust the lot lines along the current site uses.

4. The granting of such variance will not be contrary to the objectives of the Fresno County General Plan.

The proposed adjustment is allowable under the current county code (which requires a variance). The proposed adjustment will not affect the existing use of the site, which is already consistent with the General Plan.

If you have any questions, please do not hesitate to contact me at (559) 891-1984

Sincerely,

Ethel Baxter, owner

EXHIBIT 8

Dear Sirs;

To whom this may concern:

Re: APN 309-220-39 and request for a Variance to split subject parcel into 3 parcels approximately 1.5 acres in size:

I am a nearby property owner and do not oppose this requested Variance to split the subject parcel (4.78 acres) into 3 parcels which will be approximately 1.5 acres in size with 200 foot plus feet of frontage per parcel.

Owner: Elaine Sylvia

Assessors Parcel Number:

Date & Signature:

Elaine Sylvia 7-26-16
2004 N. McCally
Sunny CA 93657

309 - 220 - 46

Dear Sirs;

To whom this may concern:

Re: APN 309-220-39 and request for a Variance to split subject parcel into 3 parcels approximately 1.5 acres in size:

I am a nearby property owner and do not oppose this requested Variance to split the subject parcel (4.78 acres) into 3 parcels which will be approximately 1.5 acres in size with 200 foot plus feet of frontage per parcel.

Owner: Tom Copeland

Assessors Parcel Number: 2105 N. McCall Ave

Date & Signature: J. C. 7-23-16

309-220-39

Dear Sirs;

To whom this may concern:

Re: APN 309-220-39 and request for a Variance to split subject parcel into 3 parcels approximately 1.5 acres in size:

I am a nearby property owner and do not oppose this requested Variance to split the subject parcel (4.78 acres) into 3 parcels which will be approximately 1.5 acres in size with 200 foot plus feet of frontage per parcel.

Owner:

Linda Josie Becerra

Assessors Parcel Number:

2035 N. McCall Ave. Sanger, CA.

Date & Signature:

7/30/16

309-220-39

Dear Sirs;

To whom this may concern:

Re: APN 309-220-39 and request for a Variance to split subject parcel into 3 parcels approximately 1.5 acres in size:

I am a nearby property owner and do not oppose this requested Variance to split the subject parcel (4.78 acres) into 3 parcels which will be approximately 1.5 acres in size with 200 foot plus feet of frontage per parcel.

Owner: Cohen Van Noy

Assessors Parcel Number:

12013 E. McKinley

Date & Signature:

7/30/2016 X Al Van

Addendum: Rural Residential only

Dear Sirs;


To whom this may concern:

Re: APN 309-220-39 and request for a Variance to split subject parcel into 3 parcels approximately 1.5 acres in size:

I am a nearby property owner and do not oppose this requested Variance to split the subject parcel (4.78 acres) into 3 parcels which will be approximately 1.5 acres in size with 200 foot plus feet of frontage per parcel.

Owner:

Assessors Parcel Number:

Date & Signature: 7-26-16
Kliff A. Justesen
2073 N. McCall Ave
Sanger, CA.
93657
559-~~941~~ 456-0890


309 220-39