



Inter Office Memo

DATE: December 14, 2017
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12686 - VARIANCE APPLICATION NO. 4034

APPLICANT/

OWNER: Hardip Batth

REQUEST: Allow a 4-foot side-yard setback (10 feet required) for a previously constructed residence in the R-1-B(c) (Single-Family Residential, 12,500 square-foot minimum parcel size) Zone District.

LOCATION: The project site is located on the north end of Rose of Sharon Lane (cul-de-sac), north of its intersection with Brighton Crest Road, within the Brighton Crest Development (21875 Rose of Sharon Lane) (SUP. DIST. 5) (APN 300-470-05S).

PLANNING COMMISSION ACTION:


At its hearing of December 14, 2017, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Chatha and seconded by Commissioner Abrahamian to adopt the recommended Findings of Fact in the Staff Report, and approve Variance Application No. 4034, subject to the Conditions listed in Exhibit B.

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Chatha, Abrahamian, Borba, Delahay, Ede and Eubanks
	No:	None
	Absent:	Commissioners Lawson, Vallis 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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- NOTE:
1. The Commission's action is final unless an appeal is filed with the Clerk to the Board of Supervisors within 15 days of the Planning Commission's action.
 2. The approval of this project will expire one year from the date of approval unless a determination is made that substantial development has occurred. 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.

Attachments

EXHIBIT A

Variance Application No. 4034

Staff: The Fresno County Planning Commission considered the Staff Report dated December 14, 2017, and heard a summary presentation by staff.

Applicant: The Applicant concurred with the Staff Report and the recommended Conditions. She described the project and offered the following information to clarify the intended use:

- The residence was initially constructed within the setback and the residence has not been modified.
- The Applicant is the third owner of the home and she became aware of the setback problem after purchasing the residence.
- The Applicant simply wishes to legally rectify an existing property line setback deficit.

Others: No other individuals presented information in support of or in opposition to the application.

Correspondence: No letters were presented to the Planning Commission in support of or in opposition to the application.

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**Variance Application No. 4034
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	Development shall be in accordance with the Site Plan approved by the Planning Commission.

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.	Rose of Sharon Lane is a private road and is not County maintained.
2.	According to FEMA, FIRM Panel 1035H, the parcel is not subject to flooding.
3.	The subject property receives water and sewer service from County Service Area No. 34, Zone "A."

EXHIBIT B



County of Fresno

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

January 3, 2018

Hardip Batth
21875 Rose of Sharon
Friant CA 93626

Dear Applicant:

Subject: Resolution No. 12686 - Variance Application No. 4034

On December 14, 2017, the Fresno County Planning Commission approved your above-referenced project with Conditions. A copy of the Planning Commission Resolution is enclosed.

Since no appeal was filed with the Clerk to the Board of Supervisors within 15 days, the Planning Commission's decision is final.

The approval of this project will expire one year from the date of approval. When circumstances beyond the control of the Applicant do not permit compliance with this time limit, the Commission may grant an extension not to exceed one additional year. Application for such extension must be filed with the Department of Public Works and Planning before the expiration of the Variance.

If you have any questions regarding the information in this letter please contact me at mmollring@co.fresno.ca.us or 559-600-4569.

Sincerely,

Marianne Mollring, Senior Planner
Development Services and Capital Projects Division

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Enclosure