



County of Fresno

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

November 30, 2017

Brent Nagao
12030 E. Rose Avenue
Selma CA 93662

Dear Applicant:

Subject: Resolution No. 12676 - Variance Application No. 4027

On October 26, 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 eahmad@co.fresno.ca.us or 559-600-4204.

Sincerely,

Ejaz Ahmad, Planner
Development Services Division

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Enclosure



Inter Office Memo

DATE: October 26, 2017
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12676 - VARIANCE APPLICATION NO. 4027

APPLICANT/
OWNER: Brent Nagao

REQUEST: Allow the creation of a 2.5-acre parcel from an existing 37.17-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject property is located on the northeast corner of S. Bethel and E. Rose Avenues approximately one mile east of the nearest city limits of the City of Selma (12030 E. Rose Avenue, Selma, CA) (SUP. DIST. 4) (APN 393-031-27S).

PLANNING COMMISSION ACTION:

At its hearing of October 26, 2017, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Woolf and seconded by Commissioner Eubanks to determine the required Findings could be made, stating that Findings 1, 2 and 4 could be made based on the fact that the single-family residence and related improvements existed on the property prior to the area-wide zone change restricting parcels to 20 acres, there are similar homesite-sized parcels in the vicinity, and no physical changes will occur to the on-site improvements or the farming, and approve Variance Application No. 4027, subject to the Conditions listed in Exhibit B.

RESOLUTION NO. 12676

This motion passed on the following vote:

VOTING: Yes: Commissioners Woolf, Eubanks, Abrahamian, Borba, Chatha,
Delahay, Ede and Lawson

 No: None

 Absent: Commissioner Vallis

 Abstain: None

STEVEN E. WHITE, DIRECTOR
Department of Public Works and Planning
Secretary-Fresno County Planning Commission

By: 

William M. Kettler, Manager
Development Services Division

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NOTE: 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. 4027

- Staff: The Fresno County Planning Commission considered the Staff Report dated October 26, 2017, and heard a summary presentation by staff.
- Applicant: The Applicant and his representative did not concur with Staff's recommendation. They described the project and offered the following information to clarify the intended use:
- My father built the single-family residence on the property after World War II, in the late 1940's and we are third generation farmers of this site.
 - The property went into a trust in 1992 after the establishment of the current zoning on the property.
 - The trust required equal sharing of all assets including the house among siblings; a mitigated settlement required that the farm be separated from the house.
 - We would like to retain the proposed 2.5-acre homesite parcel for our family and sell the farm and a Variance would not be required had the property not put into a trust.
 - We request retention of a homesite parcel similar to others in the neighborhood created by mapping procedures and Variance approvals.
 - Our neighbors have no objections to our Variance request.
- Others: No other individuals presented information in support of or in opposition to the application.
- Correspondence: Thirteen (13) letters were presented to the Planning Commission in support of the application, citing no objections to the Variance to allow the proposed division of land.
- No letters were presented to the Planning Commission in opposition to the application.

**Variance Application (VA) No. 4027
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	Development shall be in accordance with the Site Plan as approved by the 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.	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.
2.	Building permits shall be obtained for an office, three woodsheds, well pump shed and additions to the wood barn and barn. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540.
3.	If not already present, a 30-foot by 30-foot corner cut off shall be provided at the intersection of Rose and Bethel Avenues.
4.	The Applicant should consider having the existing septic tank pumped, and have the tank and leach 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(s).
5.	Driveways accessing the homesite parcel shall include turnaround capabilities so that no vehicle exiting the site shall have to back out into the roadway.
6.	An encroachment permit shall be obtained from the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning for any drive approach improvements within the County road right-of-way.
7.	Future development on the property shall require annexation to Community Facilities District No. 2010-01 of the Fresno County Fire Protection District and be subject to the requirements of the current Fire and Building Codes when a building permit or certificate of occupancy is sought.