



## Inter Office Memo

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DATE: October 12, 2017  
TO: Board of Supervisors  
FROM: Planning Commission  
SUBJECT: RESOLUTION NO. 12674 - VARIANCE APPLICATION NO. 4033

APPLICANT: Michael Van Groningen

OWNER: Michael Van Gronigen & Sarah Van Gronigen

REQUEST: Allow the creation of an approximately 1.72-acre parcel and an approximately 2.50-acre parcel from an existing 4.22-acre parcel, and allow reduced lot width, road frontage (165 feet minimum required for width and road frontage), and a waiver of the required 4 to 1 lot depth to width ratio, for the proposed 2.5-acre parcel, in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the south side of East Olive Avenue between North Armstrong Avenue and North Temperance Avenue, approximately 1,700 feet northeast of the nearest city limits of the City of Fresno (6811 East Olive Avenue) (SUP. DIST. 5) (APN 310-180-14).

### PLANNING COMMISSION ACTION:

At its hearing of October 12, 2017, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Abrahamian and seconded by Commissioner Lawson to determine that the required Variance Findings could be made, and approve Variance Application No. 4033 subject to the modified Conditions listed in Exhibit B, including the removal of Condition No. 3 requiring that the Applicant irrevocably offer additional right-of-way as part of the mapping process. In making its motion to approve, the Commission determined that the subject property is unique in the area and larger than most surrounding parcels, creating a substantial property right issue. Additionally, further division would make it consistent with the pattern of smaller parcel sizes in the immediate area, thus substantiating Findings 1 and 2. The Commission determined that Finding 4 could be made, as this request would constitute an exception to the General Plan policy restricting the creation of substandard lots because the subject parcel is already non-conforming in size, with no existing on-site agricultural operations.

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Abrahamian, Lawson, Borba, Delahay, Ede, Vallis and Woolf
	No:	None
	Absent:	Commissioners Chatha and Eubanks
	Abstain:	None

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

By:   
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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. 4033

- Staff: The Fresno County Planning Commission considered the Staff Report dated October 12, 2017, and heard a summary presentation by staff.
- Applicant: The Applicant did not concur with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:
- In support of Findings 1 and 2, it should be noted that on the south and north side of Olive Avenue, there are very few parcels that are equal to or of greater size in the area.
  - The parcel split would be in keeping with the current character of the surrounding area.
  - With regard to Finding 4, this parcel split would not be inconsistent with the General Plan, as it was already substandard in size at the time that it was rezoned to AE-20.
- 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. 4033  
Conditions of Approval and Project Notes**

<b>Conditions of Approval</b>	
1.	Development shall be in substantial compliance with the site plan, floor plan and elevations, as approved by the Planning Commission.
2.	Prior to recordation of the Parcel Map to create the two proposed parcels, the abandoned water well located between the existing single-family residence and swimming pool shall be properly destroyed under permit and inspection by the Fresno County Department of Public Health, Environmental Health Division. Please contact the Water Surveillance Program at (559) 600-3357 for more information. It is understood that the property owner is investigating (digging to locate the water well) to determine if it has already been properly destroyed; confirmation of the destruction is required. An inspection of the location by the Environmental Health Division is required.

Conditions of Approval reference required Conditions for the project.

<b>Notes</b>	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	Setbacks for any improvements shall be based the ultimate right-of-way of 84 feet for East Olive Avenue. For any proposed improvements within the County right-of-way, an encroachment permit shall be required from the Road Maintenance and Operations Division.
2.	Building permit records indicate that the two existing septic systems are connected to the residence, and both systems were installed prior to 1975. It is recommended that the Applicant/owner consider having the existing septic tanks pumped and inspected, and the drain fields evaluated by an appropriately-licensed contractor if they have not been serviced and/or maintained within the last five years. The evaluation may indicate the need for possible repairs, additions, or require the proper destruction of the system.
3.	Typically, any access driveway should be set back a minimum of ten feet from the property line, and if not already present, ten-foot by ten-foot corner cutoffs should be improved for sight distance purposes at the driveway(s) accessing East Olive Avenue.



# County of Fresno

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

November 27, 2017

Michael Van Groningen  
6811 E. Olive Avenue  
Fresno CA 93727

Dear Applicant:

Subject: Resolution No. 12674 - Variance Application No. 4033

On October 12, 2017, the Fresno County Planning Commission approved your above-referenced project with modified 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 [jshaw@co.fresno.ca.us](mailto:jshaw@co.fresno.ca.us) or 559-600-4207.

Sincerely,

Jeremy Shaw, Planner  
Development Services Division

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Enclosure