



Inter Office Memo

DATE: June 8, 2017
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12652 - VARIANCE APPLICATION NO. 4004

APPLICANT/
OWNER:

Madeline Tyler Sheldon/Sheldon Family Trust

REQUEST:

Allow the creation of a 2.85-acre parcel from an existing 57.16-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION:

The subject parcel is located at the northeastern corner of the intersection of North Cornelia Avenue and West Whitesbridge Avenue, approximately one mile west of the nearest city limits of the City of Fresno (4770 W. Whitesbridge Avenue) (SUP. DIST. 1) (APN 326-080-19).

PLANNING COMMISSION ACTION:

At its hearing of June 8, 2017, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Mendes and seconded by Commissioner Ede to adopt the Mitigated Negative Declaration prepared for Initial Study No. 7174, adopt the required Findings for approval of a Variance, stating that Findings 1 and 2 could be made because the oranges, home, and barn are all more than 100 years old and that Finding 4 could be made because the small size of the parcel is similar to other parcels in the area, and approve Variance No. 4004, subject to the Conditions listed in Exhibit B.

This motion passed on the following vote:

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

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 the required mapping application to create the parcels is filed in accordance with the Parcel Map Ordinance. 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. 4004

- Staff: The Fresno County Planning Commission considered the Staff Report dated June 8, 2017, and heard a summary presentation by staff.
- Applicant: The Applicant's representative 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:
- The Applicant's family has owned the parcel since 1897, and her ancestors had worked on the farm prior to purchasing it.
 - There is significant sentimental value to the home because the Applicant's mother was born and died there.
 - The oranges are also 120 years old and must be included in a homesite parcel for the existing residence.
 - The agricultural portion of the property will be sold to a nearby farmer.
 - Approval of this variance request would result in no changes to the existing uses at the property.
 - The existence of the historical homesite provides an exceptional circumstance on the parcel and the applicant should have the right to create a homesite parcel.
 - The Applicant preferred not to arrange a life estate and not to lease the remainder of the parcel.
- Others: No other individuals presented information in support of or in opposition to the application.
- Correspondence: Three letters were presented to the Planning Commission in support of the application and no letters were presented in opposition.

**Variance Application No. 4004
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.	The Applicant shall pay the Cancellation Fee for the Williamson Act contract as determined by the County Assessor and certified by the Board of Supervisors for issuance of a Certificate of Cancellation by the Board. The Cancellation Fee shall be paid and a Certificate of Cancellation issued prior to completion of the mapping application to create the 2.85-acre homesite parcel.
3.	The segment of Cornelia Avenue that borders the property is classified as a Collector road on the Circulation Element of the General Plan; therefore, all new structures and improvements shall be set back a minimum of forty-two (42) feet from the centerline of Cornelia Avenue. The 42-foot half-road line shall establish the building setback line for future development including above-grade improvements requiring a building permit.

Conditions of Approval reference required Conditions for the project.

Notes

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 a 2.85-acre parcel and a 54.31-acre parcel.
2.	There are no permit history records for the 75-foot by 14-foot barn. The Applicant shall provide evidence that the barn was constructed with building permits. Otherwise, if the structure was constructed after March 4, 1958, plans, permits, and inspections will be required and must be resolved prior to a mapping procedure.
3.	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(s).
4.	Should this Variance include any improvements along Cornelia Avenue, or in the vicinity of Fresno Irrigation District's Hawn Canal No. 81 or Mortensen Canal No. 80, the Applicant shall submit plans to Fresno Irrigation District for review and approval.
5.	A grading permit or voucher may be required for any grading proposed with this application.
6.	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.
7.	The Applicant shall submit three sets of plans to the North Central Fire Protection District at the time of submittal to the Fresno County Planning Department.
8.	A minimum 20-foot by 20-foot corner cutoff should be provided at the intersection of Whitesbridge and Cornelia.



County of Fresno

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

June 26, 2017

Madeline Tyler Sheldon/Sheldon Family Trust
4770 W. Whitesbridge Road
Fresno CA 93706

Dear Applicant:

Subject: Resolution No. 12652 - Variance Application No. 4004

On June 8, 2017, the Fresno County Planning Commission approved your application 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 unless the required mapping application to create the parcels is filed in accordance with the Parcel Map Ordinance. 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 cmonfette@co.fresno.ca.us or 559-600-4245.

Sincerely,

Chrissy Monfette, Planner
Development Services Division

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Enclosure