



## Inter Office Memo

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DATE: April 27, 2017  
TO: Board of Supervisors  
FROM: Planning Commission  
SUBJECT: RESOLUTION NO. 12644 - VARIANCE APPLICATION NO. 4015

**APPLICANT/  
OWNER:**

Judith Lee

**REQUEST:**

Allow the creation of an 8.66-acre parcel and an 8.67-acre parcel from an existing 17.24-acre parcel in the AE-20(c) (Exclusive Agricultural, 20-acre minimum parcel size, Conditional) Zone District.

**LOCATION:**

The subject property is located on the west side of Smith Avenue, approximately 550 feet south of its intersection with Rainbow Route, approximately two miles northeast of the nearest city limits of the City of Sanger (198 and 204 S. Rainbow Avenue, Sanger, CA 93657) (SUP. DIST. 5) (APN 333-021-68).

**PLANNING COMMISSION ACTION:**

At its hearing of April 27, 2017, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Abrahamian and seconded by Commissioner Eubanks to adopt the required Findings for approval of a Variance stating that Findings 1, 2 and 4 could be made based on the natural, geographical features of the parcel which is developed with single-family residences, that neither owners desire to build additional homes on the proposed parcels, and the parcel is non-viable for agricultural purposes, and make a motion to approve Variance No. 4010 subject to the Conditions listed in Exhibit B with further stipulation that Condition No. 2 be amended to state that one additional residence could be allowed on each new parcel through an approved Director Review and Approval application.



EXHIBIT A

Variance Application No. 4015

Staff: The Fresno County Planning Commission considered the Staff Report dated April 27, 2017, and heard a summary presentation by staff.

Applicant: The Applicant did not concur with the Staff Report and the recommended Conditions. She described the project and offered the following information to clarify the intended use:

- I have provided updated project Findings to clarify the original Findings submitted with the application.
- The property is currently held in name by two individuals; previously, it was held in the name of two couples (husband/wife).
- With regard to Finding 1, our property is different from other properties in the vicinity due to its location and geographical features; most AE-20-zoned parcels which are farmed are located north of Rainbow Route.
- With regard to Finding 2, we purchased the property with two homes; since we are no longer related, the proposed subdivision will allow us to take out a loan or sell the properties separately.
- We defaulted on the property taxes in 2010 due to our failure to pay shared property taxes on time.
- With regard to Finding 4, our property has always been smaller than the required 20 acres for the AE-20 zone district.
- We have no intention of constructing additional homes on the proposed parcels; I would prefer to sell the property.

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.

EJ:  
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**Variance Application (VA) No. 4015  
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	Development shall be in accordance with the Site Plan (Exhibit 5) as approved by the Commission.
2.	Notwithstanding the conditional zoning applicable to each parcel to be permitted by VA No. 4015, each parcel shall be limited to one residence by right, with the ability of the owner of each newly-created parcel to apply for a Director Review and Approval to seek approval of a second residence, per Section 816.2 of the Fresno County Zoning Ordinance. This condition shall also be noted on any resulting map as part of a subsequent mapping application.

Conditions of Approval reference required Conditions for the project.

Notes	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
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. Deviation from standards may be approved through a subdivision exception request during the processing of the required mapping application.
2.	According to FEMA, FIRM Panel 2160H, portions of the subject parcel are in Flood Zone A which is subject to flooding from the one-percent-chance storm. Any development within the area identified as Zone A shall comply with the County Flood Hazard Ordinance.
3.	Any additional runoff generated by the proposed development of this site shall be retained or disposed of per County Standards.
4.	A grading permit or voucher is required for any grading that maybe proposed with this application.
5.	Per the Fresno County Department of Public Health, Environmental Health Division, building permit records indicate that the existing sewage and disposal systems were installed in 1979 and 1984. 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.
6.	The subject parcel is located within the State Responsibility Area (SRA). Any future developments shall be in accordance with the applicable SRA Fire Safe Regulations as they apply to driveway construction and access.



# County of Fresno

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

June 15, 2017

Kathryn Yamamoto  
198 S. Rainbow  
Sanger CA 93657

Dear Applicant:

Subject: Resolution No. 12644 - Variance Application No. 4015

On April 27, 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](mailto:eahmad@co.fresno.ca.us) or 559-600-4204.

Sincerely,

Ejaz Ahmad, Planner  
Development Services Division

EJ:ksn  
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Enclosure