



Inter Office Memo

DATE: April 13, 2017
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12641 - CLASSIFIED CONDITIONAL USE PERMIT
APPLICATION NO. 3557

APPLICANT/
OWNER:

Ann L. Buchanan-Philpott

REQUEST:

Allow swimming lessons in conjunction with a single-family residence on a 10,470 square-foot parcel in the R-1-B(nb) (Single-Family Residential, 12,500 square-foot minimum parcel size, Neighborhood Beautification Overlay) Zone District.

LOCATION:

The subject parcel is located on the north side of East Sierra Madre Avenue, approximately 300 feet east of its intersection with Maroa Avenue, approximately 350 feet southwest of the nearest city limits of the City of Fresno (1003 East Sierra Madre Avenue) (SUP. DIST. 2) (APN 425-081-08).

PLANNING COMMISSION ACTION:

At its hearing of April 13, 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 adopt the required Findings for approval of a Conditional Use Permit, and approve Classified Conditional Use Permit (CUP) No. 3557, subject to the Conditions listed in Exhibit B, including an additional condition that swimming classes be limited to no more than seven (7) students during one session.

RESOLUTION NO. 12641

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Abrahamian, Lawson, Borba, Chatha, Ede, Mendes and Vallis
	No:	None
	Absent:	Commissioners Eubanks 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 Division

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Attachments

EXHIBIT A

Classified Conditional Use Permit Application No. 3557

Staff: The Fresno County Planning Commission considered the Staff Report dated April 13, 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:

- I thought when the previous permit expired, swimming lessons could continue unless there was opposition from my neighbors.
- The Health Department continued to inspect the pool during the intervening time between the expiration of the prior use permit and the current application.
- There is plenty of parking along the front of my property; myself and my assistant use the driveway.
- My neighbors to the east and west have indicated that they are not in opposition to parking in front of their residences during lessons.
- I would be agreeable to a limit of seven students per class session as a Condition of Approval.

Others: A representative of the Department of Public Health, Environmental Health Division presented information to the Commission clarifying the Permitting process, annual inspection procedures and compliance with public swimming pool code.

Two speakers spoke in support of the application, one of which was a neighbor.

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

**Conditional Use Permit Application No. 3557
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	The proposed operation shall be in substantial compliance with the approved site plan and operational statement as approved by the Planning Commission.
2.	Classes shall be scheduled with a minimum of 15 minutes between sessions to avoid traffic and parking conflicts related to arrival and departure times of the students.
3.	Class size shall be limited to a maximum of seven (7) students during each class session.
4.	To meet the requirements of a large-group swimming lessons operation, based upon review of the Fresno County Department of Public Health, Environmental Health Division, the facility shall comply with the following: <ol style="list-style-type: none"> a. Prior to opening for swim lessons each year, the facility shall have an Environmental Health pool facility inspection. b. The three entry gates into the swimming pool area shall be self-closing and self-latching. Additionally, the door from the garage to the pool area shall be a self-closing door. c. All required safety and capacity signs shall be posted during the May through July swim lesson season. d. During the swim season (May through July), a shepherds crook (reaching pole) and ring buoy with attached throw line shall be readily available and easily accessible within the pool area. e. The pool and pool area shall be maintained in accordance with the California Health and Safety Code and in a manner approved by the Public Health Department, Environmental Health Division. f. The owner/operator shall measure chlorine and pH levels of the pool water at least once every two hours during the period that swim lessons are being offered, with the first measurement being taken prior to the first swim lesson each day. An accurate record of the pool chemical readings shall be maintained and kept available for inspection. g. If the facility changes ownership and the new owners wish to continue providing swim lessons to the public, the residential pool facility will be required to comply with all public pool facility construction standards. h. Swimming lessons shall be limited to weekdays, Monday through Thursday, between the hours of 9:00 AM and 5:00 PM, and Friday, between the hours of 9:00 AM and 12:00 PM.

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. If approved, plans, permits and inspections will be required, including, but not limited to: a pool barrier, pool accessibility, including parking and path of travel; and bathroom and pool drain anti-entrapment requirements.



County of Fresno

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

May 1, 2017

Ann L. Buchanan-Philpott
1003 E. Sierra Madre
Fresno CA 93704

Dear Applicant:

Subject: Resolution No. 12641 – Classified Conditional Use Permit Application No. 3557

On April 13, 2017, the Fresno County Planning Commission approved your Classified Conditional Use Permit 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.

If you have any questions regarding the information in this letter please contact me at jshaw@co.fresno.ca.us or 559-600-4207.

Sincerely,

Jeremy Shaw, Planner
Development Services Division

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Enclosure