



Inter Office Memo

DATE: March 30, 2017
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12640 – INITIAL STUDY APPLICATION NO. 7077 and
VARIANCE APPLICATION NO. 3987

APPLICANT: George Tavares

OWNER: Richard & Jeanne Bargamian/George Tavares

REQUEST: Allow creation of a 2.00-acre parcel and a 2.50-acre parcel from an existing 18.76-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject property is located on the southwest corner of North Avenue and Blythe Avenue, approximately one quarter-mile east of the nearest city limits of the City of Fresno (4417 W. North Avenue, 3035 S. Blythe Avenue) (SUP. DIST. 1) (APNs 327-220-27, 327-220-43).

PLANNING COMMISSION ACTION:

At its hearing of March 30, 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 Negative Declaration prepared for the project, and adopt the required Findings for approval of a Variance, stating that Findings 1 and 2 can be made due to the history of continuous family ownership of the subject property, including the existing family-owned residences and family farming operations located thereon, and Finding 4 can be made because the requested Variance will separate residences from a farming operation, thereby making a more viable farming operation, and approve Variance No. 3994, subject to the Conditions listed in Exhibit B.

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Abrahamian, Lawson, Borba, Chatha, Eubanks, Hill and Mendes
	No:	None
	Absent:	Commissioner 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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NOTE: The approval of this Variance 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. 3987

Staff: The Fresno County Planning Commission considered the Staff Report dated March 30, 2017, and heard a summary presentation by staff.

Applicant: The Applicant's representative did not concur with the Staff Report. He described the project and offered the following information:

- What staff believes is a third house on the subject property is actually an old abandoned milk barn.
- The Zoning Ordinances concerning Variances do not state that an extraordinary circumstance has to be a physical characteristic.
- The Agricultural Land Conservation Committee (ALCC) has already recommended approval of the required Williamson Act Contract Cancellation.

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. 3987
Condition of Approval and Project Notes**

Condition of Approval	
1.	Division of the subject property shall be in accordance with the Site Plan approved by the Planning 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. A Parcel Map Application shall be filed to create the proposed parcels. For more information, contact the Department of Public Works and Planning, Development Engineering Section at (559) 600-4022.
2.	No building permit records are available for the existing septic system serving the single-family residence identified as 3035 S. Blythe Avenue, nor the existing septic system serving the single-family residence identified as 4417 W. North Avenue. It is recommended that the Applicant consider having the existing septic tanks pumped and leach 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 possible repairs, additions, or require the proper destruction of the systems.
3.	The proposed parcelization shall comply with the California Code of Regulations Title 24 – Fire Code, and County-approved Site Plans shall be submitted to the Fire District for review and approval prior to recordation of the Parcel Map that is required to effect the parcelization.
4.	There are no permit records for the single-family residence identified as 3035 S. Blythe Avenue. The Applicant shall provide evidence that the single-family residence identified as 3035 S. Blythe Avenue was constructed with building permits; otherwise, construction plans for the single-family residence shall be submitted to the Department of Public Works and Planning for review and approval in order to obtain the building permits required for the single-family residence.
5.	There are no permit records for the seven barns located on the subject property. The Applicant shall provide evidence that the seven barns located on the subject property were constructed with building permits or provide evidence that the existing barns were constructed prior to March 1, 1958, which is the time that building permits became required in Fresno County; otherwise, construction plans for the barns shall be submitted to the Department of Public Works and Planning for review and approval in order to obtain the building permits required for the barns.



County of Fresno

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

May 18, 2017

George Tavares
4417 W. North Avenue
Fresno CA 93706

Dear Applicant:

Subject: Resolution No. 12640 – Initial Study Application No. 7077 and Variance Application No. 3987

On March 30, 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 dchambers@co.fresno.ca.us or 559-600-4205.

Sincerely,

Derek Chambers, Planner
Development Services Division

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Enclosure