



## Inter Office Memo

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**ATTENTION: FOR FINAL ACTION OR MODIFICATION TO OR ADDITION OF CONDITIONS, SEE FINAL BOARD OF SUPERVISORS' ACTION SUMMARY MINUTES.**

DATE: January 12, 2017  
TO: Board of Supervisors  
FROM: Planning Commission  
SUBJECT: RESOLUTION NO. 12617 - VARIANCE APPLICATION NO. 4013

APPLICANT: Grupo Citrica  
OWNER: El Ebanito Ranch, LLC

REQUEST: Allow the creation of a 2-acre parcel and an 11.82-acre parcel (minimum 20 acres required) from an existing 13.82-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located on the east side of South Cove Avenue, approximately 375 feet southeast of its intersection with E. Lincoln Avenue, approximately 1.4 miles northwest of the nearest city limits of the City of Orange Cove (SUP. DIST. 4) (APN 373-061-26).

### PLANNING COMMISSION ACTION:

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

A motion was made by Commissioner Woolf and seconded by Commissioner Chatha to deny Variance No. 4013, pursuant to the staff report recommendation.

The motion failed on a tie vote:

VOTING: Yes: Commissioners Woolf, Chatha, Borba, Pagel  
No: Commissioners Abrahamian, Eubanks, Lawson, Mendes  
Absent: None  
Abstain: None

RESOLUTION NO. 12617

A second motion was then made by Commissioner Abrahamian and seconded by Chairman Mendes to adopt the required Findings for approval of a Variance, stating that Findings 1 and 2 could be made because the existing parcel is already less than 20 acres in size, and that Finding four could be made with the inclusion of a condition restricting additional residential development on the proposed parcels. The motion to approve Variance No. 4013 was made subject to the Conditions of approval as listed in the Planning Commission Staff Report, with the additional condition restricting residential development.

This motion failed on a tie vote constituting a technical denial of the Variance:

VOTING:	Yes:	Commissioners Abrahamian, Mendes, Eubanks, Lawson
	No:	Commissioners Borba, Chatha, Pagel, Woolf
	Absent:	None
	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

WMK:ksn:cwm  
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NOTES: 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 Application.

Attachments

RESOLUTION NO. 12617

EXHIBIT A

Variance Application No. 4013

- Staff: The Fresno County Planning Commission considered the Staff Report dated January 12, 2017, and heard a summary presentation by staff.
- Applicant: The Applicant's representative did not concur with the Staff Report and Staff's recommendation. He described the project and offered the following information to clarify the intended use:
- The holding company is Grupo Citrica; however, the owner of the property is El Ebanito Ranch, LLC.
  - The ownership of the property changed three years ago and at that time, the vineyard was in poor condition; the Applicant rehabilitated the area as part of their agricultural business plan.
  - There will be no net decrease in agriculture because the Applicant has an agreement to farm the agricultural land which is proposed as part of the homesite parcel.
  - There are no improvements proposed as part of this application.
  - There are no homes on the adjacent 60-acre property, which is also owned by the Applicant, and they are willing to sign a covenant restricting the construction of a home on that property and the proposed homesite in order to address the increase in residential densities.
  - There were no objections from the neighbors.
  - The Applicant has planted approximately four acres of land in the area that was previously railroad right-of-way, which shows a net increase in productive agricultural land when considering the acreage removed as part of the homesite.
  - The purpose of this Variance is to allow one of the principals of the company to own the home separate from the company.
- Others: No other individuals presented information in support of or in opposition to the application.
- Correspondence: Four letters were presented to the Planning Commission in support of this application and none were presented in opposition to the application.

EXHIBIT "B"

ATTACHMENT  
TO  
AGENDA ITEM

FISCAL IMPACT STATEMENT

Variance Application No. 4013

Listed below are the fees collected for the land use applications involved in this Agenda Item:

Variance Application:	\$ 6,049.00 <sup>1</sup>
Health Department Review:	365.00 <sup>2</sup>
Preliminary Environmental Review:	<u>259.00<sup>3</sup></u>
<b>Total Fees Collected</b>	<b>\$ <u>6,673.00</u></b>

<sup>1</sup> Includes project routing, coordination with reviewing agencies, preparation and incorporation of analysis into Staff Report.
<sup>2</sup> Review of proposal by the Department of Public Health, Environmental Health Division to provide comments.
<sup>3</sup> Review proposal to provide appropriate California Environmental Quality Act (CEQA) Exemption and include documentation for project file.