



Inter Office Memo

DATE: January 12, 2017
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12620 - VARIANCE APPLICATION NO. 4014

OWNER/
APPLICANT: Andrew R. Casado

REQUEST: Allow the creation of a 5.0-acre parcel and a 14.68-acre parcel from an existing 19.68-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject property is located on the south side of Tulare Avenue between McCall Avenue and Del Rey Avenue, approximately 1.9 miles northwest of the City of Sanger (Address: 10315 E. Tulare Avenue) (Sup. Dist. 3) (APN 314-120-25S).

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 Abrahamian and seconded by Commissioner Mendes to adopt the required Variance Findings, stating that Findings 1 and 2 could be made based on the size and use of the property and that the parcel is unique due to the placement of the house, and that Finding 4 could be made because the resulting outcome would not be contrary to the General Plan, and approve Variance No. 4014, subject to the Conditions listed in Exhibit B.

RESOLUTION NO. 12620

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Abrahamian, Mendes, Chatha, Eubanks, Lawson and Woolf
	No:	Commissioners Borba and Pagel
	Absent:	None
	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 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. 4014

Staff: The Fresno County Planning Commission considered the Staff Report dated January 12, 2017, and heard a summary presentation by staff.

Applicant: The Applicant disagreed with the Staff Report and staff's recommendation. He described the proposal and offered the following information to clarify the intended use:

- The Applicant has lived at the property for approximately 20 years and intends to continue to reside on the proposed five-acre parcel should the proposal be approved.
- The subject proposal is being filed in part to facilitate transfer of the 14.68 acres to a neighboring property owner who will use the property for farming purposes, and sale of the property is pending on approval of the subject Variance and a subsequent Property Line Adjustment (PLA).
- The subject Variance was sought before a Property Line Adjustment (PLA) at the advice of the Applicant's surveyor, and a PLA application will be filed in the event the Variance is approved.

Others: One individual spoke in support of the application, reiterating the points expressed by the Applicant and providing additional information about the pending sale of the proposed 14.68-acre parcel to a neighboring property owner.

Correspondence: No letters in support of or in opposition to the proposal were submitted.

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**Variance Application (VA) No. 4014
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	Development shall be in accordance with the Site Plan as approved by the 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 (Ordinance Code Section 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.	A Grading Permit or Voucher may be required for any grading proposed with this application.
3.	It is recommended that the Applicant consider having the existing septic tank pumped, and have the tank and drain 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 system(s).

EXHIBIT B



County of Fresno

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

February 2, 2017

Andrew Casado
10315 E. Tulare Avenue
Sanger, CA 93657

Dear Applicant:

Subject: Resolution No. 12620 - Variance Application No. 4014

On January 12, 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 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 dbrannick@co.fresno.ca.us or 559-600-4297.

Sincerely,

Daniel Brannick, Planner
Development Services Division

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Enclosure