



Inter Office Memo

DATE: December 8, 2016

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12612 - VARIANCE APPLICATION NO. 4002

APPLICANT: Steven W. Mendrin

OWNER: Darlene Mendrin Living Trust

REQUEST: Allow the creation of a 22-acre parcel and a 12.25-acre parcel (minimum 20 acres required) from an existing 34.25-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject property is located at the northwest corner of McKinley Avenue and Humboldt Avenue, approximately three miles northwest of the City of Kerman (1750 N. Humboldt Avenue) (Sup. Dist. 1) (APN 015-091-80S).

PLANNING COMMISSION ACTION:

At its hearing of October 20, 2016, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Commissioner Borba and seconded by Commissioner Egan to continue the item to the December 8, 2016 hearing to allow modifications to the project based on Commissioners' concerns with the proposed 2-acre parcel and comments from the Applicant.

This motion passed on the following vote:

VOTING: Yes: Commissioners Borba, Egan, Chatha, Pagel, Woolf

No: Commissioners Abrahamian, Eubanks, Mendes

Absent: Commissioner Lawson

Abstain: None

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At its hearing of December 8, 2016, the Commission considered the Addendum Staff Report, revised project, and testimony (summarized in Exhibit A).

A motion was made by Commissioner Abrahamian and seconded by Commissioner Chatha to adopt the recommended Findings for approval of a Variance, and approve Variance No. 4002, subject to the Conditions listed in Exhibit B.

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Abrahamian, Chatha, Borba, Egan, Eubanks, Lawson, Mendes, Pagel
	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:
1. The Commission's action is final unless an appeal is filed with the Clerk to the Board of Supervisors within 15 days of the Planning Commission's action.
 2. 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. 4002

Public Hearing dated October 20, 2016

- Staff: The Fresno County Planning Commission considered the Staff Report dated October 20, 2016, and heard a summary presentation by staff.
- Applicant: The Applicant did not concur with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:
- We thought that since the shop and the house had a separate Assessor's Parcel Number (APN), it was a separate legal parcel and we are requesting a variance to separate them from the rest of the property.
 - The house is 90 years old; the shop is more than 60 years old; I would like to keep the shop if we sell the rest of the farming parcel because I also farm other properties.
 - There will be no change in the farming operations due to the proposed parcel split.
 - There are more than 35 parcels within three-quarters of a mile with 10 acres or less in size.
 - It is necessary to use the road to cross the canal and farm the land on the opposite side of the canal, which presents a unique burden.
- 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.

Public Hearing dated December 8, 2016

- Staff: The Fresno County Planning Commission considered the Addendum Staff Report and revised proposal dated December 8, 2016, and heard a summary presentation by staff.
- Applicant: The Applicant concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:
- The project was revised to reflect a two-parcel split instead of the original three-parcel split proposed on October 20, 2016.

RESOLUTION NO. 12612

- The proposal now consists of a request for a 22-acre and a 12.25-acre parcel.

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.

CMM:ksn

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**Variance Application No. 4002
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	Development of the property shall be in accordance with the Site Plan approved by the Planning Commission.

Conditions of Approval reference required Conditions for the project.

Notes

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 a 22-acre and a 12.25-acre parcel.
2.	Pre-Certificate of Compliance (PCOC) 3110 shall be released prior to completion of the Mapping Procedure.
3.	Setbacks for additional structures should be based on an ultimate right-of-way of 30 feet for Humboldt Avenue.
4.	On-site turnarounds are required for vehicles leaving the site to enter the Arterial in a forward motion so that vehicles do not back out onto the roadway. No new access points are allowed without prior approval, and any existing driveway shall be utilized.
5.	10-foot by 10-foot corner cutoffs shall be improved for sight distance purposes at the exiting driveways onto Humboldt Avenue and McKinley Avenue.
6.	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(s).
7.	An Encroachment Permit shall be required from the Road Maintenance and Operations Division for any work performed within a County right-of-way.
8.	A grading permit or voucher may be required for any grading proposed with this application.



County of Fresno

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

December 27, 2016

Steven W. Mendrin
18720 W. McKinley
Kerman CA 93630

Dear Applicant:

Subject: Resolution No. 12612 - Variance Application No. 4002

On December 8, 2016, 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 a maximum of two one-year extensions of time. 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 cmonfette@co.fresno.ca.us or 559-600-4245.

Sincerely,

Christina Monfette, Planner
Development Services Division

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Enclosure