



Inter Office Memo

DATE: December 8, 2016
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 12615 - VARIANCE APPLICATION NO. 3994

APPLICANT/
OWNER:

Charles Ram

REQUEST:

Allow creation of a 1.4-acre parcel, a 4.5-acre parcel and a 5.5-acre parcel from an existing 1.38-acre parcel and an existing 10.41-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION:

The subject property is located on the west side of Russell Avenue, between Althea and Nees Avenues, approximately nine miles west of the nearest city limits of the City of Firebaugh (10409 N. Russell Avenue, 10453 N. Russell Avenue, 10501 N. Russell Avenue, 10513 N. Russell Avenue) (Sup. Dist. 1) (APNs 004-120-20s, 004-120-21s).

PLANNING COMMISSION ACTION:

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

A motion was made by Commissioner Mendes and seconded by Commissioner Chatha to adopt the required Findings for approval of a Variance, stating that Finding 1 can be made due to the unique layout of the existing property and the existing commercial operation located thereon, and Finding 2 can be made because the requested Variance will facilitate the separation of a commercial operation from a residence, and approve Variance No. 3994, subject to the Conditions listed in Exhibit B.

EXHIBIT A

Variance Application No. 3994

- Staff: The Fresno County Planning Commission considered the Staff Report dated December 8, 2016, and heard a summary presentation by staff.
- Applicant: The Applicant disagreed with Staff's recommendation. He described the proposal and offered the following information to show an ability to make all Findings necessary for the granting of a Variance:
- The existing agricultural irrigation business located on the subject property is family owned and operated.
 - Family members live in the existing houses located on the subject property.
 - The requested Variance is necessary to separate the existing agricultural irrigation business from the existing houses for inheritance purposes.
- 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 (VA) No. 3994
Conditions 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.	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 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.
3.	There are no permit records for the six personal storage buildings located on the proposed 1.4-acre parcel. As such, construction plans for the unpermitted improvements shall be submitted to the Department of Public Works and Planning for review and approval, and any required building permits shall be obtained for the unpermitted improvements prior to recordation of the Parcel Map that is required to effect the parcelization.
4.	Building permit records indicate that the existing septic systems located on the proposed parcels were installed prior to 1993. 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.
5.	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.



County of Fresno

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

December 30, 2016

Charles Ram
10409 N. Russell Avenue
Firebaugh CA 93622

Dear Applicant:

Subject: Resolution No. 12615 - Variance Application No. 3994

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 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 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 dchambers@co.fresno.ca.us or 559-600-4205.

Sincerely,

Derek Chambers, Planner
Development Services Division

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Enclosure