



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 4 August 25, 2016

SUBJECT: Variance Application No. 3963

Allow a zero-foot rear-yard setback (20-foot required) and an increase in lot coverage (52% proposed where limited to 40% by ordinance) for a proposed addition to an existing single-family residence. The property is a 6,526 square-foot parcel in the R-1(m) (Single-Family Residential, 6,000 square-foot minimum parcel size, Mountain Overlay) Zone District

LOCATION: The project site is located on the south side of Lakeview Drive, opposite its intersection with Plaza Avenue, within the unincorporated community of Shaver Lake (44423 Lakeview Avenue) (SUP. DIST. 5) (APN 120-313-20).

OWNERS: Tom and Grace Vorhees

APPLICANT: Harold Graham

STAFF CONTACT: Christina Monfette, Planner
(559) 600-4245

Chris Motta, Principal Planner
(559) 600-4227

RECOMMENDATION:

- Deny Variance No. 3963; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Variance Map

6. Site Plan and Detail
7. Floor Plans and Elevations
8. Applicant's Submitted Findings
9. Public Comment

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Mountain Residential	No change
Zoning	R-1(m) (Single-Family Residential, 6,000 square-foot minimum parcel size, Mountain Overlay)	No change
Parcel Size	6,494 square feet	No change
Project Site	N/A	N/A
Structural Improvements	Single-family residence, well, accessory structures, Liquefied Petroleum Gas (LPG) tank	No change
Nearest Residence	50 feet east of the residence	10 feet east of the addition
Surrounding Development	North: Residential East: Residential South: Residential West: Recreational	No change
Operational Features	N/A	N/A
Employees	N/A	N/A
Customers	N/A	N/A
Traffic Trips	Residential	No change
Lighting	Residential	No change
Hours of Operation	N/A	N/A

EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: N

ENVIRONMENTAL ANALYSIS:

It has been determined pursuant to Section 15305 of the California Environmental Quality Act (CEQA) guidelines that the proposed project will not have a significant effect on the environment and is not subject to CEQA.

PUBLIC NOTICE:

Notices were sent to 150 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PROCEDURAL CONSIDERATIONS:

A Variance (VA) may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Section 877-A are made by the Planning Commission.

The decision of the Planning Commission on a Variance Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

BACKGROUND INFORMATION:

The subject 0.14-acre parcel was created as lot number 20 of the Shaver Lake Point Subdivision in April of 1946. The parcel west of the subject property is dedicated for public use of Shaver Lake to the south, and the parcels north and west are improved with single-family residences. Homes within this subdivision are primarily used as vacation homes. In 1967, the entire subdivision was rezoned from A-1 (Agricultural) to its current R-1 (Single-Family Residential) zoning.

Pursuant to the Fresno County Zoning Ordinance, Section 826.5(E)(4), development of the property is limited to 40% coverage and must meet a rear-yard setback standard of 20 feet. The purpose of this application is to request relief from these requirements and permit 53% lot coverage with a zero-foot rear-yard setback. One single-family residence has been built on the property and the subject of this Variance applies to an addition proposed to that existing home.

The R-1 Zone District has a height restriction for buildings of 25 feet. The proposed addition has a height of 34 feet, 8 inches, which is permitted under Ordinance Section 850.A.5-D.1.c, which allows a building height of up to 35 feet where sprinklers are installed, or where there are community fire protection facilities capable of providing water delivery. The Fresno County Fire Protection District reviewed the request and determined that the existing water service in the area is sufficient to provide water delivery and therefore, buildings in the area may be up to 35 feet in height.

Since this application contains two requests (allowance for a rear-yard setback encroachment and allowance for excessive lot coverage), the Planning Commission, at its discretion, could deny both requests as recommended, approve both requests, or approve one request and deny the other.

On December 2, 2015, a violation was issued for the remodel and alteration of a single-family residence without permits. Approval of the Variance is not necessary in order for the Applicant to correct this violation; however, the Planning Commission’s decision on this application will

determine the scope of the renovations.

In addition to the subject application, there have been thirteen other Variance applications within a mile of the subject property. Of those applications, one Variance was denied, one applied to a public facility, two proposed reduced side-yard setbacks, four proposed reduced front-yard setbacks, and the remaining five applications are detailed in the following table as relevant to the current request:

Application/Request	Date of Action	Staff Recommendation	Final Action
VA No.3007: Allow a 13-foot front-yard setback and a 9-foot rear-yard setback	2/18/1986	Approval	Approved by Planning Commission
VA No. 3804: Allow a three-foot front-yard setback and permit 42% lot coverage	2/17/2005	Approval	Approved by Planning Commission
VA No. 3937: Allow a zero-foot rear-yard setback and 55.2% total lot coverage	12/13/2012	Denial	Approved by Planning Commission
VA No. 3953: Allow 57% lot coverage	2/20/2014	Approval	Approved by Planning Commission
VA No. 3988: Allow a single-family residence with 53.7% lot coverage and a zero-foot rear-yard setback	4/28/2016	Denial	Approved by Planning Commission

In addition to the variance requests that have been acted on by the Planning Commission, Shaver Lake Point has a history of minor variances that were approved by the Director. Of the eight minor variances approved, five requested minor increases in lot coverage, one approved excessive building height, and the others requested minor reductions in setback requirements.

Although there is a history of variance requests within proximity of the subject parcel, each variance request is considered on its own merit, based on unique site conditions and circumstances.

Findings 1 and 2: There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification; and

Such variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front (north): 20 feet	Front: 28 feet, 10 inches	Yes

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
	Rear (south): 20 feet Side (east and west): 5 feet	Rear: 4 feet, 1 inch East: 5 feet West: 5 feet	No Yes Yes
Parking	N/A	N/A	N/A
Lot Coverage	40%	52%	No
Space Between Buildings	Six feet between main and accessory structures	N/A	N/A
Wall Requirements	N/A	N/A	N/A
Septic Replacement Area	100 percent	No change	N/A
Water Well Separation	Septic tank: 50 feet; Disposal field: 100 feet; Seepage pit: 150 feet	No change	N/A

Reviewing Agency/Department Comments Regarding Site Adequacy:

Building and Safety/Plan Check Sections of the Fresno County Department of Public Works and Planning: If approved, plans, permits, and inspections are required including site development based upon the California Codes in effect at the time of plan check submittal.

Design Division of the Fresno County Department of Public Works and Planning: No comments; no Traffic Impact Study is required.

Development Engineering Division of the Fresno County Department of Public Works and Planning: Lakeview Avenue is classified as a Local with an approximate 20-foot right-of-way south of the centerline along the parcel frontage, per Plat Book. The minimum width for a Local road right-of-way south of the centerline is 30 feet. Lakeview Avenue is a County-maintained road. Records indicate this section of Lakeview Avenue from Cascade Avenue to Plaza Avenue has an Average Daily Traffic (ADT) of 200, a road width of 17.6 feet, structural section of 0.08 inches Asphalt Concrete (AC) and is in good condition, while the section from Cascade Avenue to the end of the maintained road has an ADT of 200, a road width of 19 feet, structural section 0.08 inches AC and is in good condition.

Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division. If not already present, ten-foot by ten-foot corner cutoffs should be improved for sight distance purposes at the exiting driveway onto Lakeview Avenue.

According to FEMA, FIRM Panel 0450H, the parcel is not subject to flooding from the 1%-chance storm. According to U.S.G.S. Quad Maps, there are no existing natural drainage channels adjacent to or running through the parcel.

Typically, any additional runoff generated by the proposed development of this site cannot be drained across property lines and must be retained or disposed of per County Standards. Because the subject parcel is located within the SRA (State Responsibility Areas) boundary, any future development shall be in accordance with the applicable SRA Fire Safe Regulations as they apply to driveway construction and access. A grading permit or voucher is required for any grading proposed with this application.

Department of Public Health, Environmental Health Division: This Division has reviewed the requested Variance and revised sewage disposal system design report submitted by Lyle Brewer Engineering (dated June 23, 2016). The subject design is unique in that there is an existing house and septic system. The on-site wastewater treatment system (septic system) shall be installed in accordance with California Well Standards, California Plumbing Code and the engineered system as approved.

This entire parcel lies within 200 feet of Shaver Lake, resulting in an inability to meet the 200-foot leach field setback as stated in the California Regional Water Quality Control Board Basin Plan; however, it can meet the 100-foot water body setback mandated by the California Plumbing Code. Based upon the site plan provided with the proposed design, a small area outside the 100-foot lake setback is available for sewage disposal.

California Plumbing Code Appendix H prohibits pavement, concrete, or any other material that can reduce or inhibit possible evaporation of sewage effluent over disposal fields. Therefore, the leach line and reserve area shall not be paved over.

The leach line absorption capacity is based on a four-bedroom residence; therefore, the new residence shall have at a maximum four bedrooms. Paving over (or covering with concrete) the leach lines is prohibited as per California Plumbing Code. The leach lines shall maintain setbacks as per California Plumbing Code: 8 feet from footings and foundations; 5 feet from property lines; 100 feet from the high water line of Shaver Lake.

With the limitations of this lot, no cut banks or retaining walls shall be created that may adversely affect the sewage disposal area. Leach lines are required to maintain a setback distance of four times the height of cut banks.

Fresno County Fire Protection District: FCFPD has performed a preliminary review of the project, and has not identified any significant concerns with the overall proposal. The project shall comply with California Code of Regulations Title 24-Fire Code. Prior to receiving FCFPD conditions of approval for the subject application, plans must be submitted to the County of Fresno Public Works and Planning for review. It is the Applicant's responsibility to deliver a minimum of three sets of plans to FCFPD.

The subject project may be subject to joining Community Facilities District (CFD) No 2010-01. Before plans are submitted to the Fresno County Fire Protection District, the Applicant must fill out the Fire Permit Application to submit with the plans. A determination will be made and information provided to the Applicant on how to join the CFD based on the application.

Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: No comments.

Southern California Edison (SCE): The Applicant must not encroach on SCE property during construction. If encroachment cannot be avoided, the Applicant shall contact SCE in advance of any work.

Zoning Section of the Fresno County Department of Public Works and Planning: All proposed additions and structures require permits. The current remodeling of the existing home requires permitting to correct Violation No. 15-108491.

Analysis:

In support of Findings 1 and 2, the Applicant states that the lot is both irregular in shape and nonconforming to the R-1 zoning requirement of 100-foot minimum depth, resulting in limited buildable space. The westerly adjacent lot is preserved for public use. The lot's value relies predominantly on its view of and access to Shaver Lake. The location of the residence on the eastern lot extends two stories high and fifteen feet into the required 20-foot rear-yard setback.

In regard to Findings 1 and 2, staff concurs with the Applicant that the subject property is irregular in shape and substandard in depth for the R-1 (m) District. However, of the 170 parcels that comprise the Shaver Lake Point subdivision, 53 parcels fall short of the standard depth requirements. Twelve of those parcels have rear yards that abut Shaver Lake, as the subject parcel does.

Two parcels within the subdivision have been dedicated for public use. One such parcel is directly west of and adjacent to the subject parcel. In general, these parcels are more severely nonconforming than the residential lots. Since the two parcels are provided for public access, they do not factor into the analysis of the property owner's position as it relates to Finding 2.

Approval of a variance application is intended to correct the deficit of a property right of the Applicant. In this case, the Applicant intends to build a two-story addition and deck on the subject parcel. The entirety of the deck is east of the proposed addition, next to the existing two-story residence on the eastern lot. The stated deficit relates to the view of the lake. Staff did not identify any rock outcroppings, stands of trees, wetlands, or easements which present a significant hardship for the Applicant.

Due to the configuration of the parcels along the natural curve of Shaver Lake's shoreline, the parcel to the east extends approximately 20 feet further south than the subject parcel. Staff does not consider this to create an exceptional situation for the Applicant, since all homes that have frontage on the lake are affected by the irregular shoreline. A stretch of land that is owned by Southern California Edison (SCE) provides for a linear rear parcel line for lakeside homeowners.

A consideration in addressing variance applications is whether there are alternatives that would avoid the need for the variance. In this case, the Applicant could choose to build a smaller addition, which would meet the 20-foot rear-yard setback. This would reduce the usable space within the addition and on the deck from what was proposed, but such improvements would be permitted by right, or with the approval of a minor variance for limited encroachments or lot coverage.

Recommended Conditions of Approval:

See recommended Conditions of Approval attached as Exhibit 1.

Conclusion:

Findings 1 and 2 cannot be made.

Finding 3: The granting of a Variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located.

Surrounding Parcels (from east to west)				
	Size:	Use:	Zoning:	Nearest Residence:
North	0.22 acres	Residential	R-1	150 feet
South	Shaver Lake	Recreational	RC-40	None
East	0.13 acres	Residential	R-1	75 feet
West	0.1 acres	Recreational	R-1	None

Reviewing Agency/Department Comments:

No comments specific to land use compatibility were expressed by reviewing Agencies or Departments.

Analysis:

In support of Finding 3, the Applicant states that the granting of the Variance will increase property values by permitting a substantial improvement to the property and enhancing the resident’s view of Shaver Lake and the aesthetic character of the neighborhood.

Staff notes that financial concerns are not a motivating factor in the determination of a variance. Staff does not concur that the improvements will not affect the viewshed of the recreational parcel to the west of the subject parcel. The configuration of the shoreline is such that the entirety of the recreational parcel is north of the 20-foot rear-yard setback required by the zone district. Additional improvements beyond that line would block some of the eastern view of the lake. In this case, there is a length of SCE land that runs between the lake and the rear property lines of the parcels within the subdivision which is reserved for backyard use and provides a partial viewshed that may not be encroached; however, the majority of the lake lies east of the public parcel, beyond the proposed addition. It is unknown if the proposed addition would affect this viewshed more than the existing trees but replacing them with a man-made structure would be considered an adverse impact on the otherwise natural view from that parcel.

In analyzing this proposal, staff considered the intent of the restrictions on setbacks and lot coverage. A primary purpose of the setback standard is to protect the aesthetic character of an area by providing an offset of structures from the adjacent properties. Similarly, limitations imposed on lot coverage are to allow consistency between residential developments and the look of homes in a neighborhood.

In this case, the development would be to the rear and side of the existing property. There is no encroachment into the side-yard setbacks proposed as part of this application; however, the proposed addition will represent a complete buildout of the parcel between the required side-yard setbacks.

The proposed two-story addition is planned for the east side of the property, which has the potential to affect the row of trees that currently screens the subject parcel from the one adjacent. That property has also been built out to the side-yard setbacks and so there would be only ten feet separating the two homes from one another. This may create a privacy concern if the Applicant is unable to retain the trees during construction. Staff would like to note that both homes meet the required 5-foot setbacks of the Zone District. However, based on the requirement to place the septic system beyond the 100-foot high water mark for Shaver Lake and the proposed buildout to the rear property line, there are few other possible configurations which could accommodate the proposed addition.

Recommended Conditions of Approval:

None

Conclusion:

Finding 3 cannot be made.

Finding 4: That the proposed development is consistent with the General Plan.

Reviewing Agency Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: This section has reviewed the application and determined that there are no General Plan or Williamson Act issues with the application.

Analysis:

In support of Finding 4, the applicant states that the two-story addition is planned for the east side of the parcel adjacent to the neighboring two-story residence, leaving the westerly portion of the existing one-story single-family residence as it is. This preserves the existing panorama view facilitated by the adjacent westerly lot already preserved for public use. The design of the single-family residence enhances and reflects the mountain character while at the same time improving and protecting the panoramic view of Shaver Lake consistent with the relevant policy objectives in Shaver Lake Community Plan Section 609-03.5.00.

Staff notes that the Fresno County General Plan does not include any policies that relate to lot coverage in areas designated as Rural Residential. The General Plan includes policies relating to the use and sizes of parcels, but does not include guidance on required setbacks. The proposal is therefore consistent with the General Plan.

The Shaver Lake Community Plan Section 609-03 defines environmental resource policies to address conservation and open space, noise, scenic highways, and aesthetics issues. Specifically, Section 5 outlines three policies: Aesthetic standards should be developed in order to maintain the mountain character and to minimize adverse impacts on the natural setting; new

residential and commercial development shall reflect the mountain character of the area; and outstanding scenic views and panoramas should be preserved wherever possible.

Staff believes that the design of the house is consistent with other homes in the Shaver Lake Point area. The Applicant's stated purpose is to recapture the viewshed of the lake from their home, which remains consistent with this policy. No reviewing agency expressed concern that the proposal would be in violation of any relevant policies.

Based on this analysis, Staff is able to make Finding 4.

Recommended Conditions of Approval:

None

Conclusion:

Finding 4 can be made.

PUBLIC COMMENT:

Two letters were received in opposition to the application.

CONCLUSION:

Based on the factors cited in the analysis, staff believes the required Findings for granting the Variance cannot be made. Staff therefore recommends denial of Variance No. 3963.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Denial Action)

- Move to determine that the required Findings cannot be made and move to deny Variance No. 3963; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Approval Action)

- Move to determine the required Findings can be made (state basis for making the Findings) and move to approve Variance No. 3963, subject to the Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

CMM:
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**Variance Application No. 3963
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	Development of the property shall be in accordance with the revised Site Plan approved by the Planning Commission to allow for 52 percent lot coverage and a zero-foot rear yard setback.
2.	<p>The sewage disposal system shall be installed in accordance with the Engineered Design prepared by Lyle Brewer Engineering, or as otherwise approved by the Fresno County Department of Public Health, Environmental Health Division. The sewage disposal system shall be further limited by the following:</p> <ul style="list-style-type: none"> • The new residence shall have at a maximum four bedrooms. • The leach lines shall maintain setbacks as per the California Plumbing Code: 8 feet from footings and foundations; 5 feet from property lines; 100 feet from the high water line of Shaver Lake. • The leach line and reserve area shall NOT be paved over. • No cut banks or retaining walls shall be created that may adversely affect the sewage disposal area. Leach lines are required to maintain a setback distance of four times the height of cut banks.

Conditions of Approval reference recommended Conditions for the project.

EXHIBIT 1

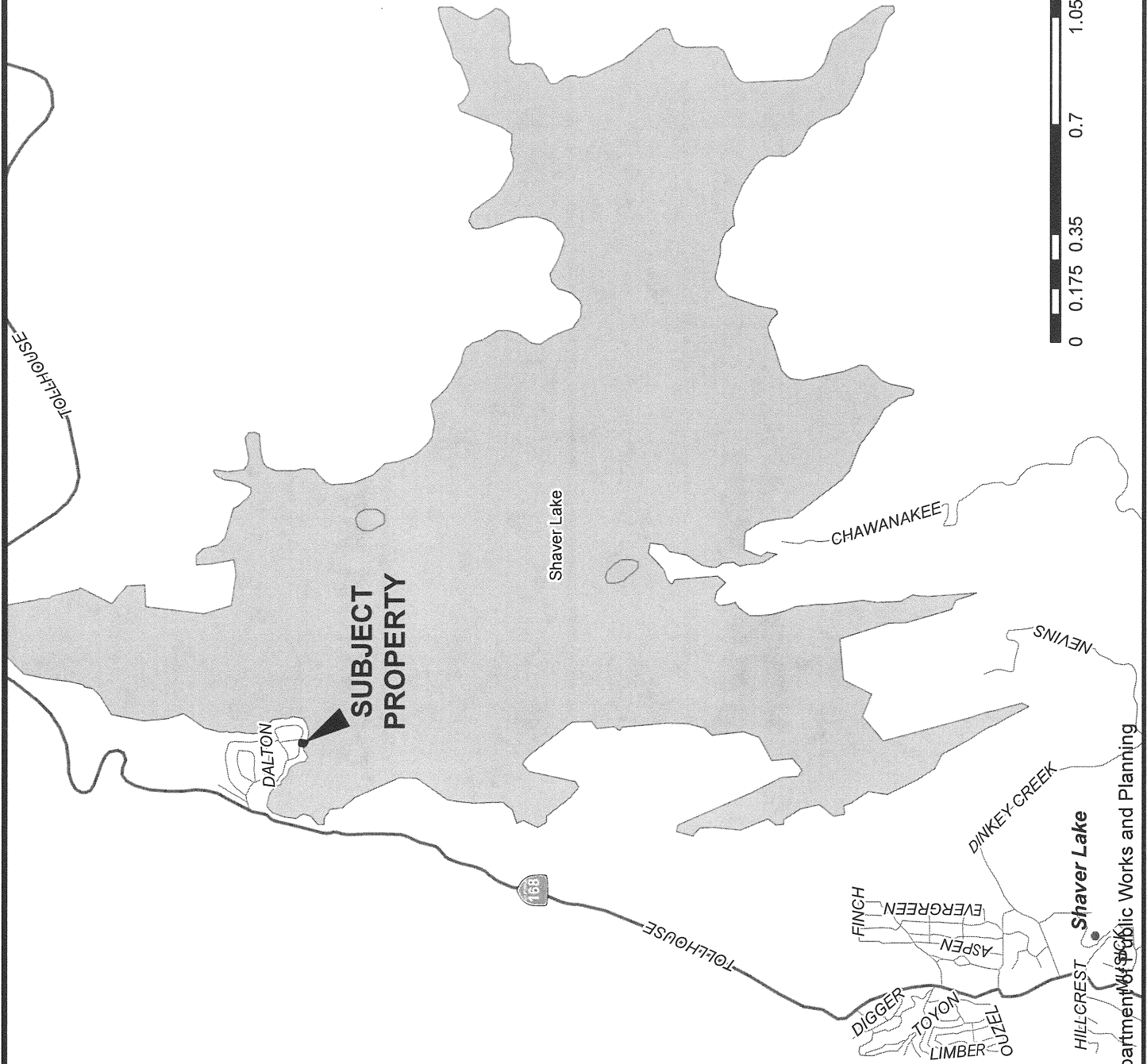
Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	Plans, permits, and inspections are required including site development based upon the California Codes in effect at the time of plan check submittal.
2.	The project shall not encroach on Southern California Edison property (Shaver Lake) in any way, including during construction. In the event that development requires relocation of facilities on the subject property held by Southern California Edison, which facilities exist by right of easement or otherwise, the owner/developer shall bear the cost of such relocation and provide Southern California Edison with suitable replacement rights. Such costs and replacement rights are required prior to the performance of the relocation.
3.	Any work done within the right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division.
4.	If not already present, ten-foot by ten-foot corner cutoffs should be improved for sight distance purposes at the exiting driveway onto Lakeview Avenue.
5.	The project shall comply with California Code of Regulations Title 24-Fire Code and may be subject to joining Community Facilities District (CFD) No 2010-01. Before plans are submitted to the Fresno County Fire Protection District, the Applicant must fill out the Fire Permit Application to submit with the plans. A determination will be made and information provided to the Applicant on how to join the CFD based on the application.



EXHIBIT 2

LOCATION MAP

VA 3963

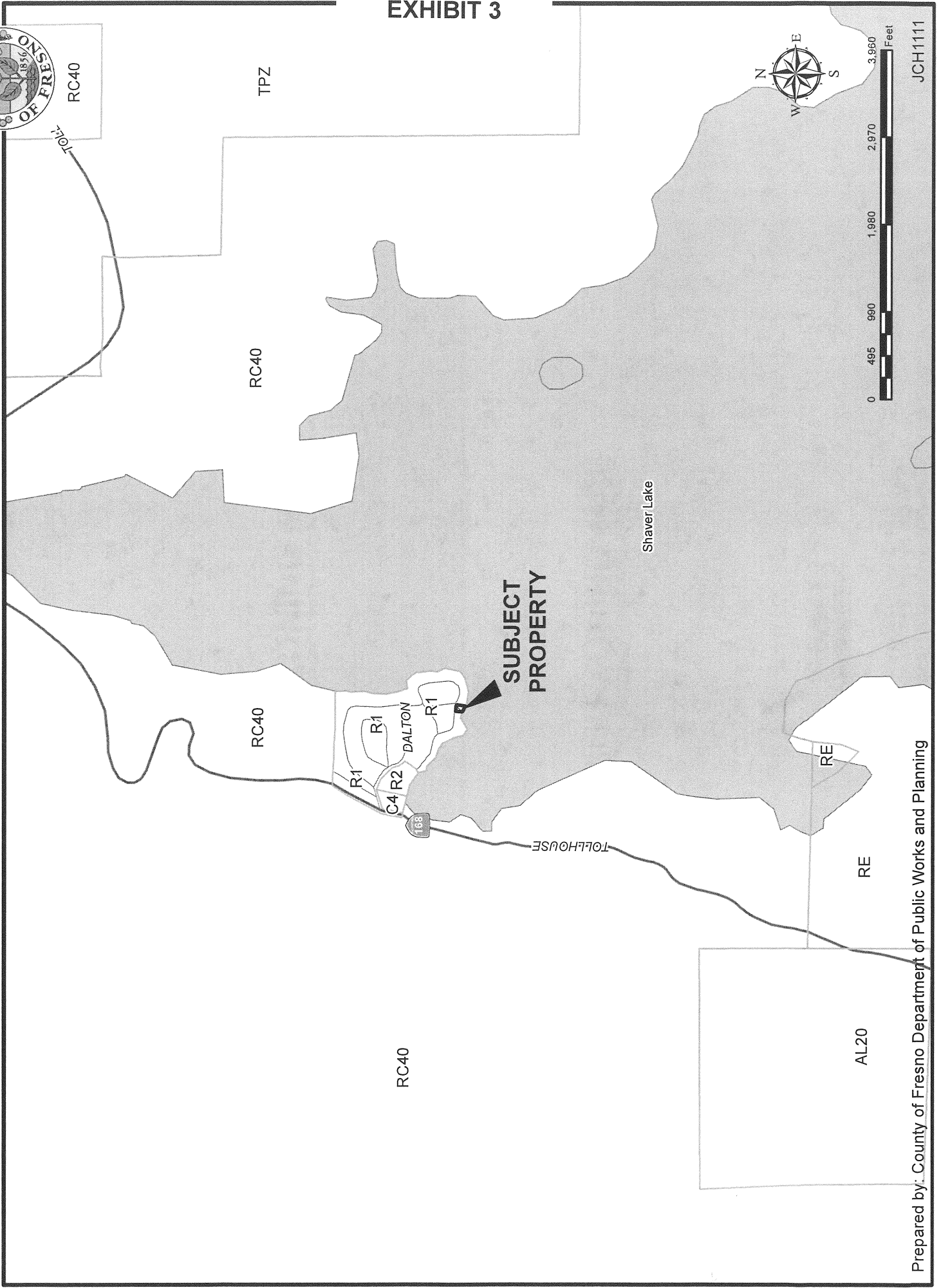


JCH1111

EXISTING ZONING MAP



EXHIBIT 3

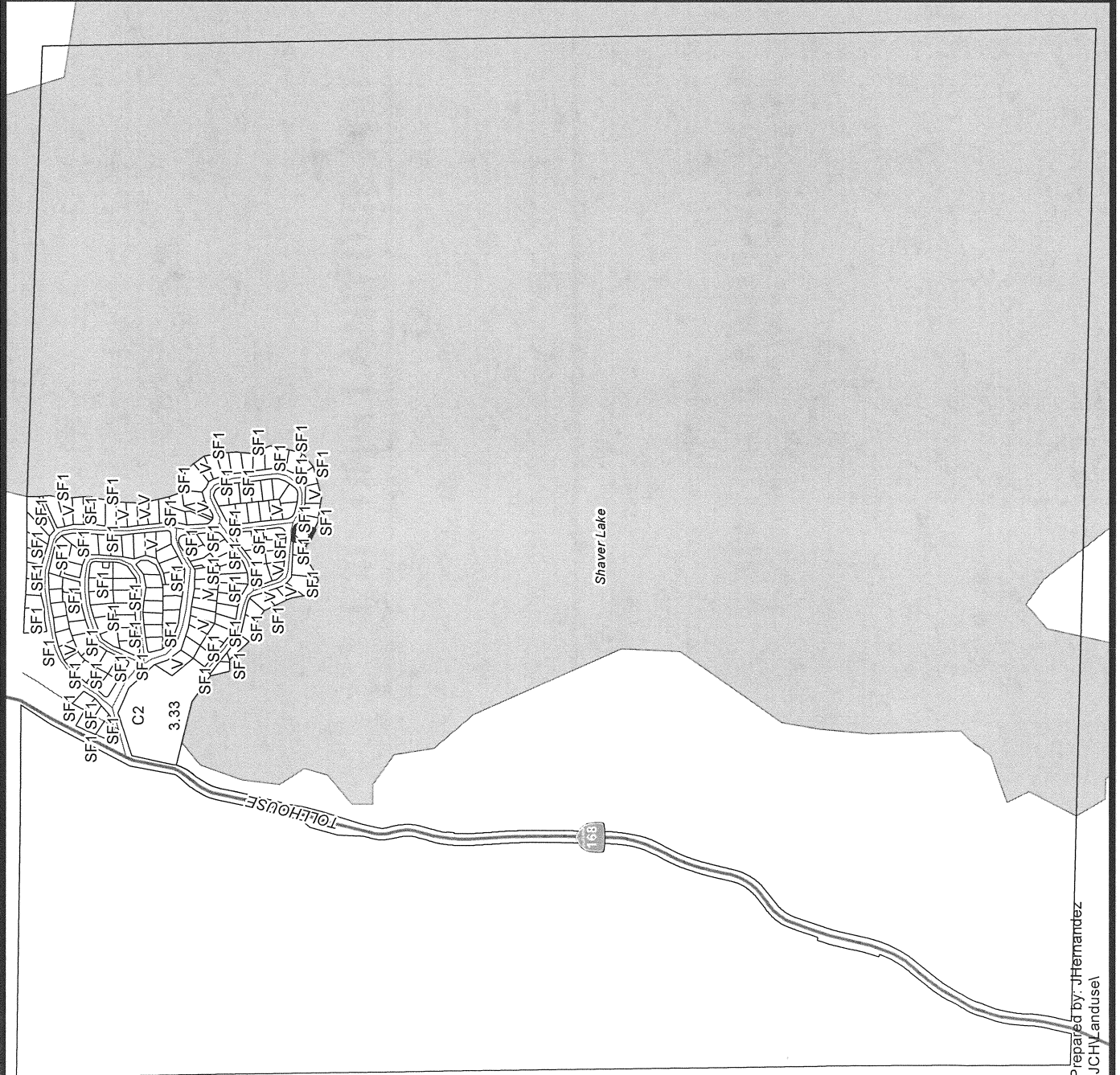


EXISTING LAND USE MAP

VA 3963



EXHIBIT 4

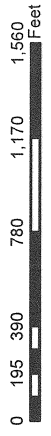
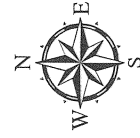


LEGEND

- C# - COMMERCIAL
- SF#- SINGLE FAMILY RESIDENCE
- V - VACANT

LEGEND:

-  Subject Property



Department of Public Works and Planning
Development Services Division

EXHIBIT 5

VARIANCE MAP
SHAVER LAKE POINT

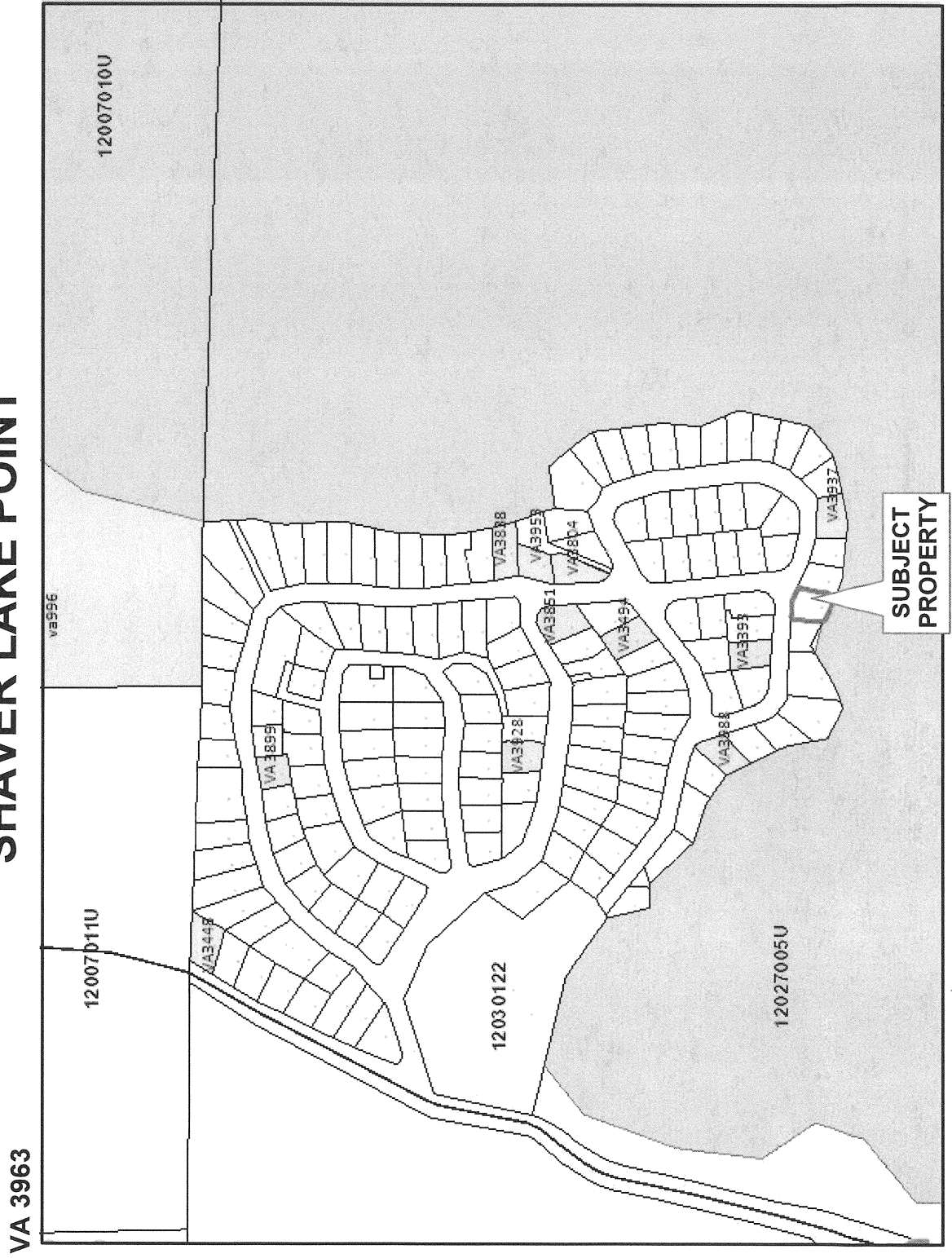
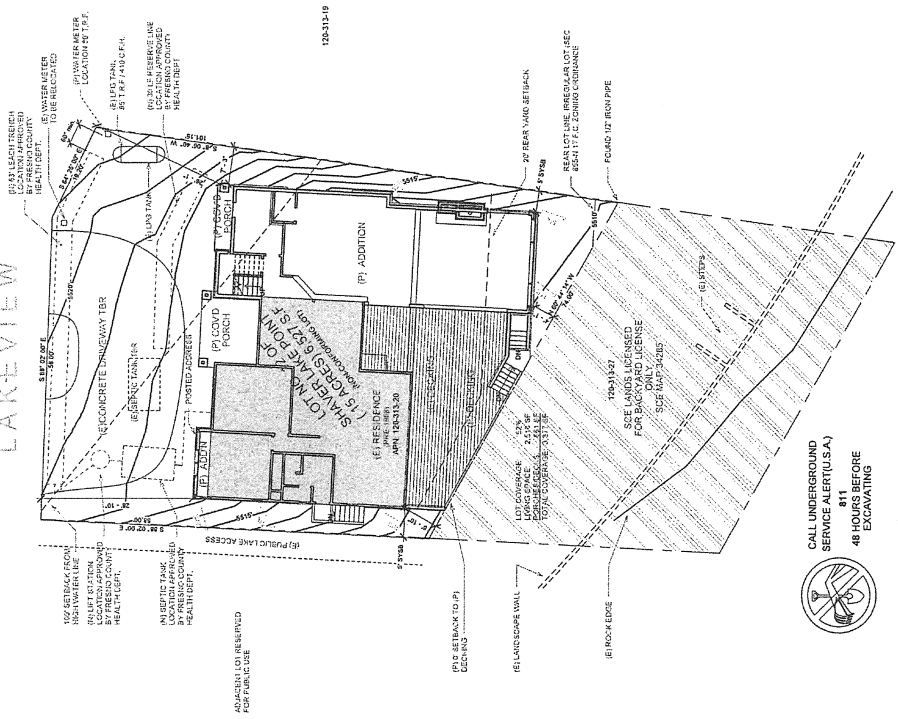


EXHIBIT 6

REVISED COPY

RECEIVED
 COUNTY OF FRESNO
 AUG 01 2016
 DEPARTMENT OF PUBLIC WORKS
 AND PLANNING
 DEVELOPMENT SERVICES DIVISION
 V4 5963

LAKEVIEW



1 Site Plan
 1" = 10'-0"

GROUND DISTURBANCE: IN 5' V-D 5' C 4' M 1' 0' Maximum Height
 EARTHWORK QUANTITIES IN THIS PLAN ARE FOR INFORMATION ONLY.
 CONTRACTORS ARE TO PERFORM THEIR OWN QUANTITY TAKE OFF.

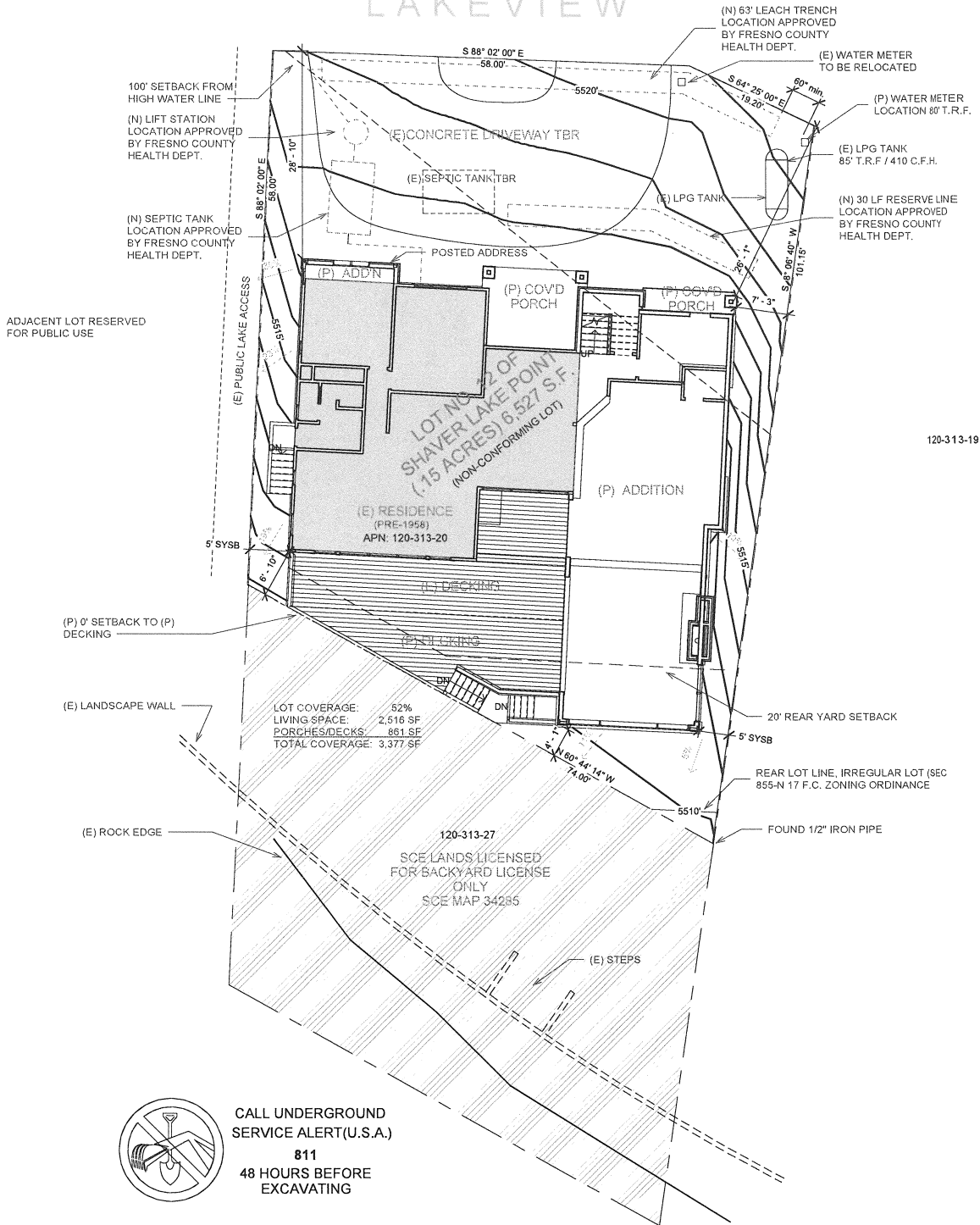
SITE PLAN

PRELIMINARY: 08/01/2014	REVISIONAL: 08/07/2014
PROJECT NAME: Vorhees Addition	
PLANNING - Design - Civil Drafting - BIM HAROLD GIGAHAM 2408 BERECLOLANE, GILROY, CA 95021 PH: 950.829.8292 FAX: 950.829.0272	
PROJECT ENGINEER: Integrated Design Engineering ALOYSIUS GUNNEWECH Professional Civil Engineer No. 000047 Exp. 08/30/2016 Ph: 950.933.0728 Fax: 950.933.0711	



C1

LAKEVIEW



LOT COVERAGE: 52%
 LIVING SPACE: 2,516 SF
 PORCHES/DECKS: 861 SF
 TOTAL COVERAGE: 3,377 SF

120-313-27
 SCE LANDS LICENSED
 FOR BACKYARD LICENSE
 ONLY
 SCE MAP 34285



CALL UNDERGROUND
 SERVICE ALERT (U.S.A.)
 811
 48 HOURS BEFORE
 EXCAVATING

① Site Plan
 1" = 10'-0"

GROUND DISTURBANCE: No Yes Cut: cubic yds. 40 Maximum Height 3'
 Fill: cubic yds. _____ Maximum Height _____

EARTHWORK QUANTITIES IN THIS PLAN ARE FOR INFORMATION ONLY.
 CONTRACTORS ARE TO PERFORM THEIR OWN QUANTITY TAKE OFFS.

Vorhees

A1



Integrated Design Engineering
 ALOYSIUS GUNNEBECH
 Professional Civil Engineer
 9011 N. Blacker Ave., Fresno, CA 93720
 or (559) 433-8753 FAX (559) 433-8111

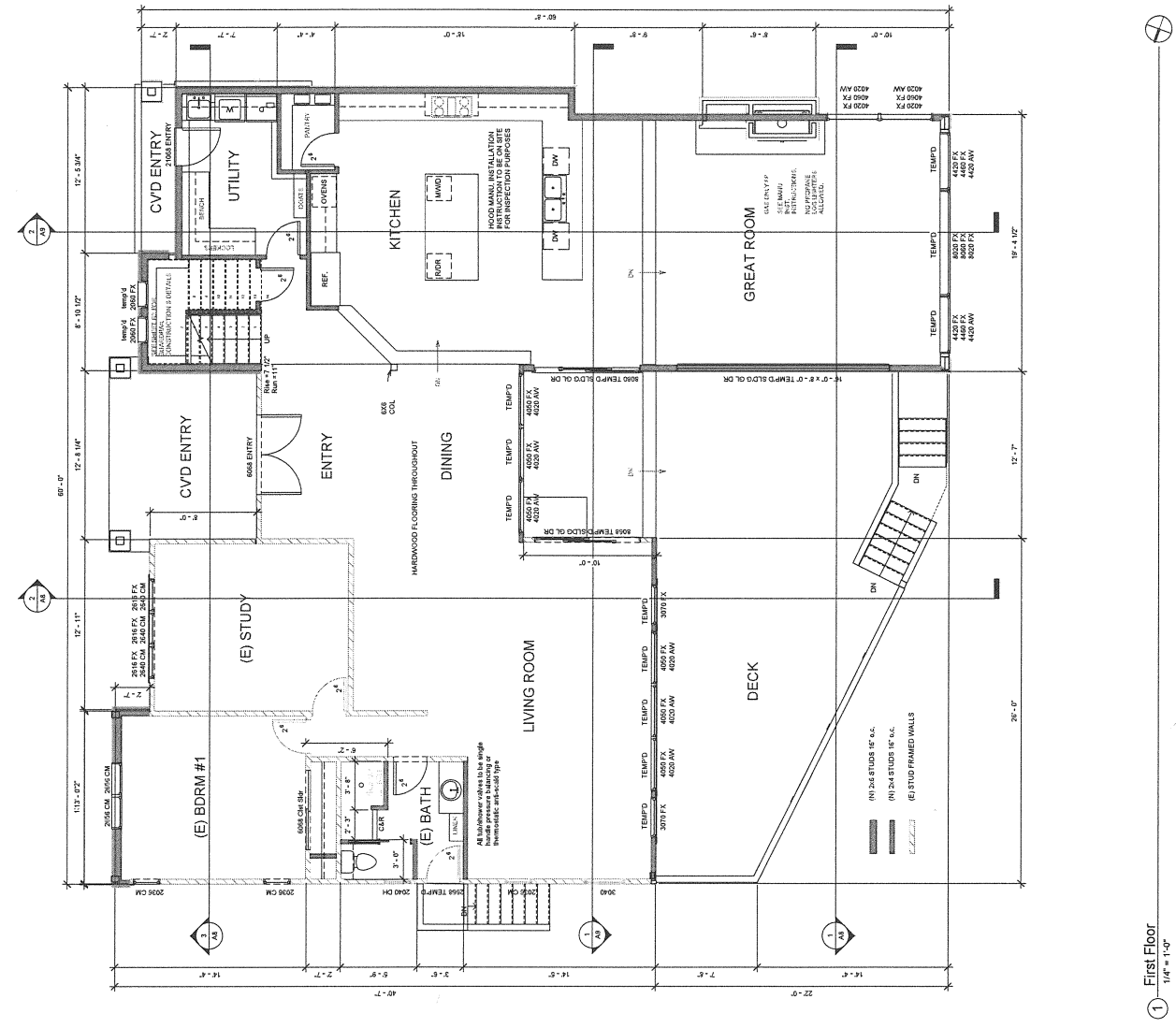
LOWER FLOOR PLAN
 Planning - Design - Civil Drafting - BIM
 HAROLD GRAHAM
 2460 ESCALANTE, GARDENA, CA 90241
 PH: (562) 543-2722 FAX: (562) 543-2723
 PROJECT NO: 08012014
 SHEET NO: 08012014
 SHEET TITLE: 08012014
 REVISIONS


Discussions

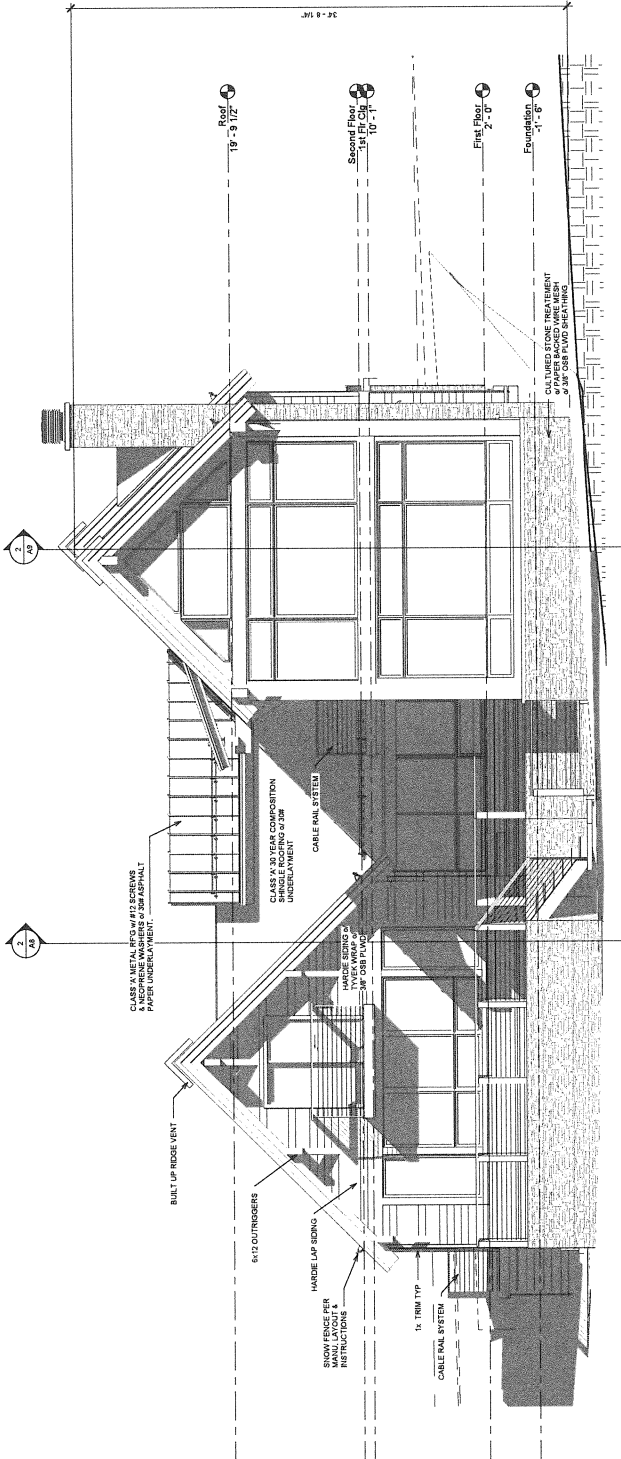
1. Verify the accuracy of the survey data and existing conditions shown on the site plan and floor plan.
2. Verify the accuracy of the existing building structure shown on the site plan and floor plan.
3. Verify the accuracy of the existing utility lines shown on the site plan and floor plan.
4. Verify the accuracy of the existing site conditions shown on the site plan and floor plan.
5. Verify the accuracy of the existing site conditions shown on the site plan and floor plan.
6. Verify the accuracy of the existing site conditions shown on the site plan and floor plan.
7. Verify the accuracy of the existing site conditions shown on the site plan and floor plan.
8. Verify the accuracy of the existing site conditions shown on the site plan and floor plan.
9. Verify the accuracy of the existing site conditions shown on the site plan and floor plan.
10. Verify the accuracy of the existing site conditions shown on the site plan and floor plan.

Window Schedule			
Type	Width	Height	Count
2020 CM	2'-0"	8'-0"	3
2020 FX	2'-0"	8'-0"	2
2020 CM	2'-0"	7'-0"	1
2036 CM	2'-0"	3'-6"	3
2036 FX	2'-0"	3'-6"	3
2040 DH	2'-0"	4'-0"	2
2040 FX	2'-0"	4'-0"	2
2316 FX	2'-3"	1'-6"	3
2346 CM	2'-3"	4'-6"	3
2516 FX	2'-6"	1'-6"	3
2540 CM	2'-6"	4'-0"	3
2550 CM	2'-6"	5'-6"	2
3040 CM	3'-0"	4'-0"	4
3070 FX	3'-0"	7'-6"	2
3070 FX	3'-0"	5'-0"	2
4020 FX	4'-0"	1'-11"	10
4020 FX	4'-0"	1'-11"	2
4020 FX	4'-0"	5'-0"	6
4020 FX	4'-0"	6'-0"	4
4020 FX	4'-4"	1'-10"	4
4020 FX	4'-4"	5'-10"	4
4020 FX	4'-4"	5'-10"	4
8038 FX	7'-2"	3'-6"	3
8038 FX	7'-2"	3'-11"	1
8038 FX	9'-0"	5'-10"	2

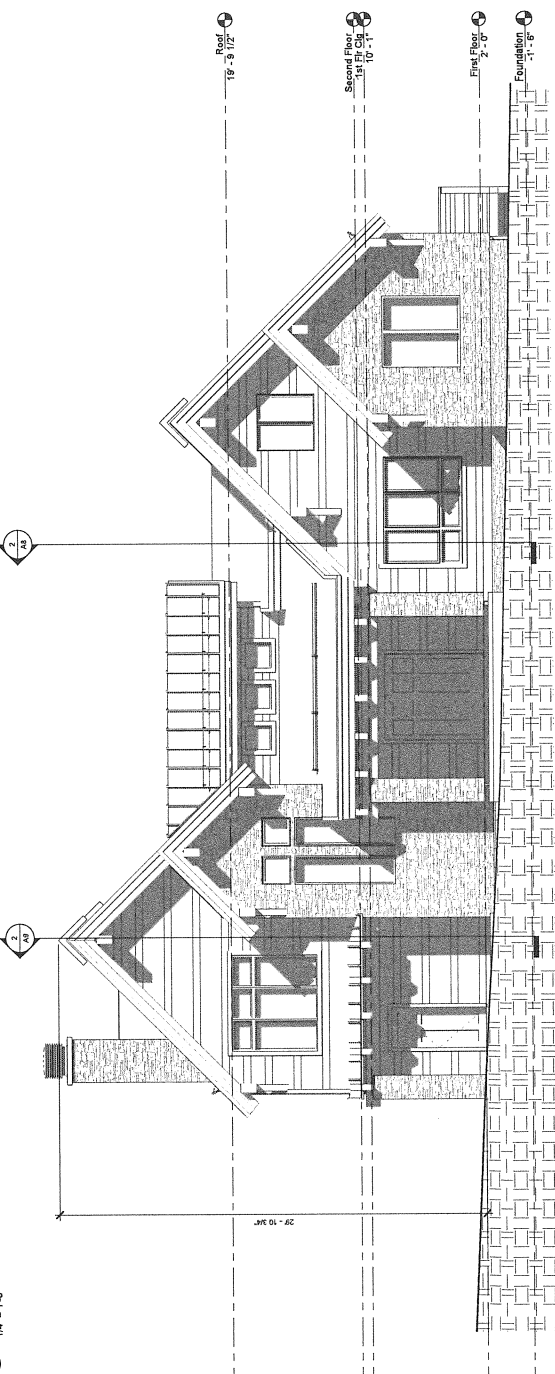
Door Schedule			
Count	Door Size	Width	Height
4	2468 INT	2'-4"	8'-8"
2	2468 POCKET	2'-4"	8'-8"
10	2568	2'-6"	6'-6"
1	2568 TEMP	2'-6"	6'-6"
2	3068	4'-0"	7'-0"
1	3068 CM Slu	6'-0"	7'-0"
1	3068 ENTRY	6'-0"	7'-0"
1	3068 TEMP Slu	6'-0"	7'-0"
1	3068 TEMP Slu	6'-0"	7'-0"
1	3068 TEMP Slu	6'-0"	7'-0"
1	3068 TEMP Slu	6'-0"	7'-0"
1	3068 TEMP Slu	6'-0"	7'-0"
1	3068 TEMP Slu	6'-0"	7'-0"
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1	3068 TEMP Slu	6'-0"	7'-0"
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1	3068 TEMP Slu	6'-0"	7'-0"
1	3068 TEMP Slu	6'-0"	7'-0"
1	3068 TEMP Slu	6'-0"	7'-0"
1	3068 TEMP Slu	6'-0"	7'-0"



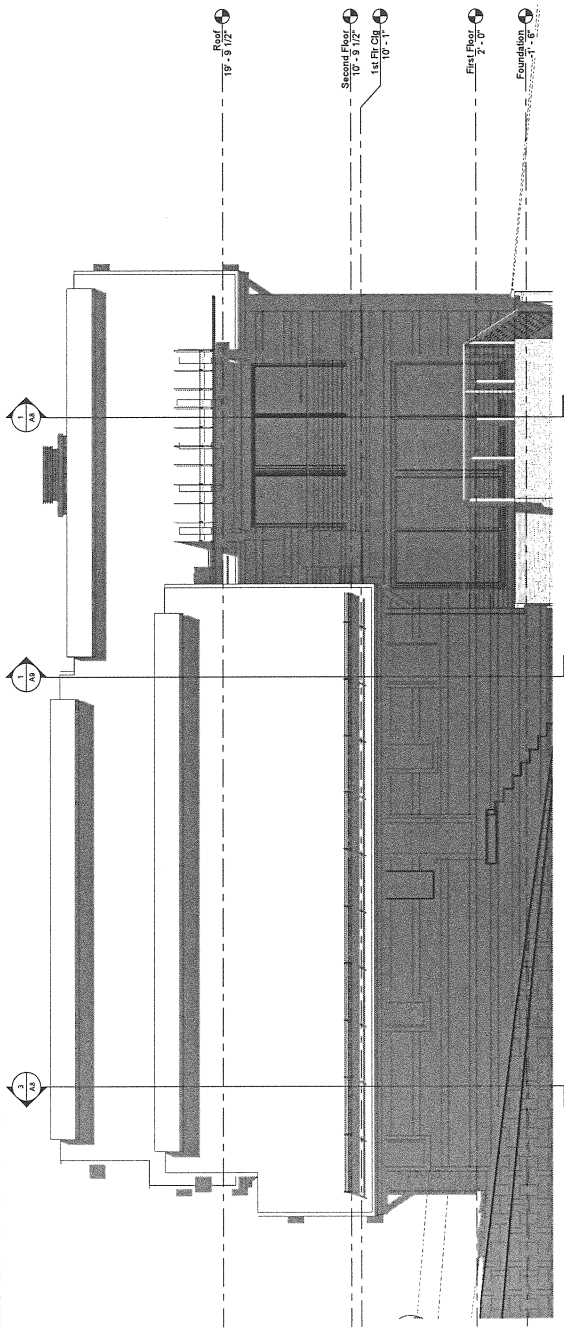
ELEVATIONS		PROJECT NO. 06012014	DATE 08/01/2014
Planning - Design - Cad Drafting - BIM HAROLD GRAHAM 249 ESCALON AVE. GLOVIS, CA 95811 PH: 916-299-8702 FAX: 916-299-8702		Integrated Design Engineering ALOYSIUS GUNNEVEICH Professional Civil Engineer 9041 N. Bieder Ave. Fresno, CA 93720 off: (559) 433-9765 FAX: (559) 570-0111	
			
Vorhees Addition		A6	



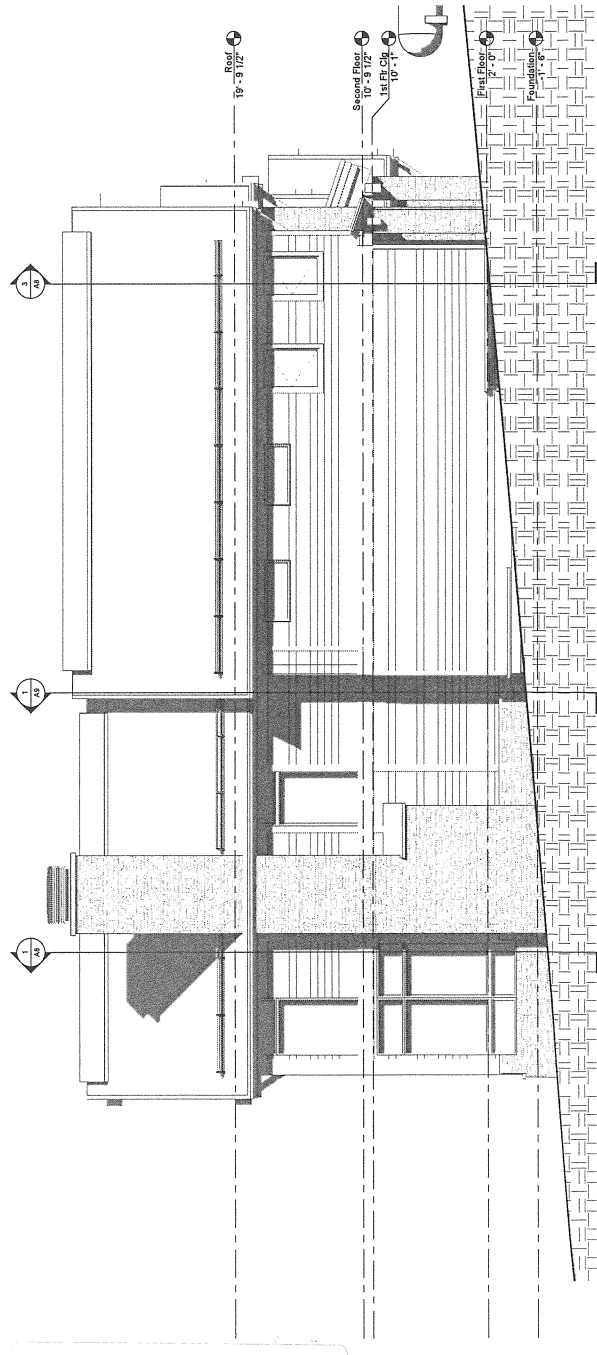
① SOUTH ELEVATION
1/4" = 1'-0"



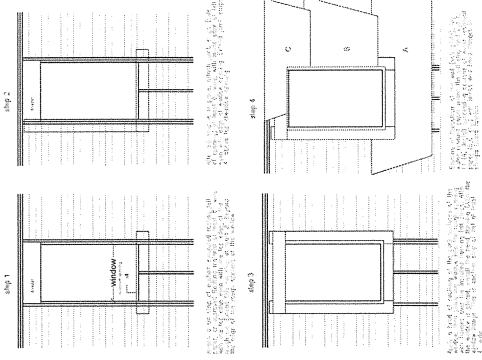
② NORTH ELEVATION
1/4" = 1'-0"



1 WEST ELEVATION
1/4" = 1'-0"



2 EAST ELEVATION
1/4" = 1'-0"



WINDOW FLASHING DETAILS

ALL WINDOW FLASHING ASSEMBLIES MUST BE AS SHOWN. ALL WINDOW FLASHING ASSEMBLIES MUST BE CERTIFIED BY CEC. ALL WINDOW FLASHING ASSEMBLIES MUST BE INSTALLED IN ACCORDANCE WITH THE CEC APPROVED WINDOW FLASHING ASSEMBLY LIST. ALL WINDOW FLASHING ASSEMBLIES MUST BE INSTALLED IN ACCORDANCE WITH THE CEC APPROVED WINDOW FLASHING ASSEMBLY LIST. ALL WINDOW FLASHING ASSEMBLIES MUST BE INSTALLED IN ACCORDANCE WITH THE CEC APPROVED WINDOW FLASHING ASSEMBLY LIST.

ELEVATIONS		A7	
PROJECT NAME	Vorhees Addition	DATE	06/01/2014
PLANNING - DESIGN - CAD DRAWING - BIM		DESIGNER	HAROLD GRAHAM
244 ESCALANTE AVENUE SUITE 101		PHONE	(925) 438-3175
1000 ESCALANTE AVENUE SUITE 101		FAX	(925) 438-3175
PROJECT ENGINEER		REGISTERED ENGINEER	ALYSIUS GUNNEWEGH
		PROFESSIONAL CIVIL ENGINEER	
		5041 N. BUCKLEY AVENUE	FREMONT, CA 94520
		OFF: (925) 438-3175	FAX: (925) 438-3175



EXHIBIT 8

To:

Fresno County
Department of Public Works and Planning
Development Services Division
2220 Tulare St., 6th Floor
Fresno, CA 93721

Subject Property:

44423 Lakeview
Shaver Lake, CA 93664
APN: 120-313-20

VA 3963
RECEIVED
COUNTY OF FRESNO

JUL 02 2014

DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

Re:

Variance Findings

1. Lot size is both irregular in shape, and non-conforming to R-1 zoning requirement of 100' minimum depth resulting in limited buildable space.
The westerly adjacent lot is preserved for public use.
2. This lot's value and the enjoyment of its residents relies predominantly on its view of and access to, Shaver Lake. The SFR location on the easterly adjacent lot, extends two stories high and 15' into the required 20' rear yard setback. This restricts the south-easterly view of Shaver Lake.
Approval of this VA would recapture much of that view.
Many neighboring lots have been granted a VA for both additional lot coverage and rear yard encroachment up to the rear property line.
3. The granting of this VA will increase property values by permitting a substantial improvement to an existing SFR thereby enhancing both the resident's view of Shaver Lake as well as the aesthetic character of the neighborhood.
The proposed encroachment into the rear yard setback and the additional lot coverage in this VA are similar and less than those of surrounding residences.
For these reasons the granting of this VA will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located.
4. The 2 story addition is planned for the east side of the parcel adjacent the neighboring 2 story residence leaving the westerly portion of the existing one-story SFR as is. This preserves the existing panorama view facilitated by the adjacent westerly lot already preserved for public use. The design of the SFR in this VA enhances and reflects the mountain character while at the same time improving and protecting the panoramic view of Shaver Lake consistent with the relevant policy objectives in Shaver Lake Community Plan Section 609-03:5.00.

EXHIBIT 9

WANGER JONES HELSLEY PC
ATTORNEYS

OLIVER W. WANGER
TIMOTHY JONES*
MICHAEL S. HELSLEY
PATRICK D. TOOLE
SCOTT D. LAIRD
JOHN P. KINSEY
KURT F. VOTE
TROY T. EWELL
PETER M. JONES**
JAY A. CHRISTOFFERSON**
MARISA L. BALCH
JENA M. HARLOS***
JOSIAH M. PRENDERGAST
MICAELA L. NEAL
CAMERON M. PEYTON
DYLAN J. CROSBY

265 E. RIVER PARK CIRCLE, SUITE 310
FRESNO, CALIFORNIA 93720

MAILING ADDRESS
POST OFFICE BOX 28340
FRESNO, CALIFORNIA 93729

TELEPHONE
(559) 233-4800

FAX
(559) 233-9333



OFFICE ADMINISTRATOR
LYNN M. HOFFMAN

Writer's E-Mail Address:
jkinsey@wjhatorneys.com

Website:
www.wjhatorneys.com

RECEIVED
DEC 17 2015

Fresno County
Dept. of Public Works & Planning
Administration

* Also admitted in Washington
** Of Counsel
*** Also admitted in Wisconsin

REQUEST FOR SPECIAL NOTICE

December 16, 2015

VA 3963
RECEIVED
DEC 17 2015

VIA UNITED STATES MAIL

Alan Weaver
Director, Public Works and Planning
COUNTY OF FRESNO
2220 Tulare Street, 6th Floor
Fresno, CA 93721

Bernice E. Seidel
Clerk to the Board of Supervisors
COUNTY OF FRESNO
2281 Tulare Street, #301
Hall of Records
Fresno, CA 93721-2198

FRESNO COUNTY
DEPT. OF
PUBLIC WORKS & PLANNING

Re: Request for Special Notice
44423 Lake View Avenue, Shaver Lake, California

Dear Mr. Weaver and Ms. Seidel:

Through this letter, I am requesting special notice of: (1) any and all applications or requests made to the County of Fresno to construct, develop, modify, improve, rehabilitate, repair, or expand any residential structure located at 44423 Lake View Avenue, Shaver Lake, California (the "Subject Property"); and (2) any and all actions proposed to be taken by the County relating to the construction, development, modification, improvement, rehabilitation, repair, or expansion of any residential structure on the Subject Property.

This request includes, but is not limited to, notice of any public meetings or hearings in connection with the above requests, or any environmental review performed in connection therewith under the California Environmental Quality Act, Public Resources Code, § 21000, et seq. ("CEQA"). This request also includes, but is not limited to, any meetings or hearings by the Board of Supervisors or the Planning Commission where any such item is discussed, or any other consideration of any such item by the Department of Public Works and Planning.

{7654/002/00590442.DOCX}

WANGER JONES HELSLEY PC

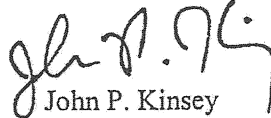
Alan Weaver
Bernice E. Seidel
December 16, 2015
Page 2

The notices and information should be directed to me, as follows:

John P. Kinsey, Esq.
WANGER JONES HELSLEY PC
265 E. River Park Circle, Suite 310
Fresno, California, 93270
Office: (559) 233-4800
Facsimile: (559) 233-9330

Please contact me if you have any questions or concerns or need any additional information. Thank you in advance for your assistance and cooperation in this matter.

Very truly yours,


John P. Kinsey

LEWIS C.
NELSON
AND SONS, INC

CONTRACTORS AND BUILDERS SINCE 1928

RECEIVED
OCT 19 2015

FRESNO COUNTY
DEPT. OF
PUBLIC WORKS & PLANNING

E-MAILED
10/15/15 @ 10:25 am
AK

October 15, 2015

Sent Via Email bsholars@co.fresno.ca.gov & US Mail

Department of Public Works & Planning
Attn: Briza Sholars, Planner III
2220 Tulare Street
Fresno, Ca. 93721

Subject: 44423 Lakeview, Shaver Lake, California/VA-3963 and Activities Related
to New Construction

Dear Ms. Scholars:

Thank you very much for forwarding your correspondence with the Property Owner of 44423 Lakeview and you information regarding the setback issues with construction at that site.

I am confirming the County that Mr. Dwight Nelson is the owner of the property adjacent to the East, which is 44437 Lakeview. As such Mr. Nelson has interest in any further activities regarding the seeking of variances and/or construction or expansion and related matters regarding the property at 44423 Lakeview.

As such, we advise the County to honor Mr. Nelson's rights as the property owner and forward any new correspondence or updates regarding variance and/or construction activities at 44423 Lakeview, Shaver Lake, California.

Respectfully yours,

NELSON PROPERTIES



Michael Lewison

ML/dm

Exhibit 9 - Page 3

Monfette, Christina

From: Janet Tingley <thatsomegoodeatin@sbcglobal.net>
Sent: Tuesday, August 16, 2016 3:31 PM
To: Monfette, Christina
Subject: Re: Variance Application No. 3963

I am against both the rear setback as well as the increase in lot coverage. As a neighbor at 44342 Dalton, I enjoy walking the area at the point on Lakeview Ave. I feel that all setbacks and the size of the house (40% by ordinance) should be maintained to assure lake views for other property owners. The character and feel of the neighborhood is being affected by allowing such variances to take place. I feel that limiting views to others in the neighborhood is an exclusionary action that should not be allowed to take place. Thank you for considering my request.

Janet Tingley
4630 Nogales Ave.
Atascadero, Ca. 93422

Sent from my iPhone