



## Inter Office Memo

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DATE: October 20, 2016  
TO: Board of Supervisors  
FROM: Planning Commission  
SUBJECT: RESOLUTION NO. 12603 - VARIANCE APPLICATION NO. 3990 and  
DIRECTOR REVIEW AND APPROVAL NO. 4454

APPLICANT/  
OWNER: Vern Pletz

REQUEST: Allow the creation of three parcels (minimum 20 acres in size where minimum 40 acres is required) from an existing 63.65-acre parcel and allow an existing residence to remain as a permanent second residence on one of the resulting parcels in the AE-40 (Exclusive Agricultural, 40-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the east side of N. Madsen Avenue alignment approximately 3,665 feet north of its intersection with Tollhouse Road and 5.2 miles east of the nearest city limits of the City of Clovis (11214, 11268, 11272 N. Madsen Avenue, Clovis) (SUP. DIST. 5) (APN 150-031-27).

### 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 Abrahamian and seconded by Commissioner Egan to adopt the required Findings for approval of a Variance and required findings for a Director Review and Approval citing that Variance Findings 1 and 2 could be made due to existing improvements on the property and stating Finding 4 could be made based on no present or past farming activities which have occurred on the property, and move to approve Variance No. 3990 and Director Review and Approval No. 4454, subject to the Conditions listed in Exhibit B with the removal of Condition No. 5 prohibiting single-family residential development on the proposed 20.01-acre parcel (Parcel 3)



EXHIBIT A

Variance Application No. 3990  
Director Review and Approval No. 4454

- Staff: The Fresno County Planning Commission considered the Staff Report dated October 20, 2016, and heard a summary presentation by staff. Staff also corrected for the record the fact that the proposed parcels did not need waiver for road frontage requirement due to size.
- 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 owners have owned the property for the past 26 years.
  - The property has not been farmed by the current or previous owners for over 50 years.
  - The existing single-family residences on the property are served by a paved private road.
  - The property is within Sierra-North Regional Plan and is designated for a maximum density of one unit per two acres.
  - Our proposal meets Finding No. 1 in that the property is developed with three single family residences, a paved road, water wells and mature landscaping; the proposal involves no physical changes except for the creation of three parcels.
  - Our proposal meets Finding No. 2 in that several parcels in the immediate vicinity are 20 acres in size.
  - Our proposal meets Finding No. 4 in that the property has not been farmed in many years, is located in an area designated for future non-agricultural uses, and is surrounded by 20-acre parcels.
  - We have provided seven letters of support from adjacent property owners.
  - The project is consistent with the General Plan and will have no significant impact on the neighborhood.
- 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.

**Variance Application (VA) No. 3990/Director Review and Approval No. 4454  
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	Development shall be in accordance with the Site Plans, Floor Plans, and Elevation Drawings (Exhibit 5 & Exhibit 8) as approved by the Commission.
2.	The proposed second residence shall be substantially the same as the unit depicted in the architectural drawings submitted by the Applicants.
3.	No additions shall be allowed to the proposed second residence identified as a 2,647 square-foot structure, and in event of destruction, one of the two homes on Parcel 1 cannot exceed 2,000 square feet. This requirement shall be stipulated in a Covenant between the County and the Applicants and recorded with the County Recorder's office.  Note: Our Department will prepare the Covenant upon receipt of the standard Processing Fee, which is currently \$243.50.
4.	A Covenant running with the land between the County and the owner shall be recorded requiring that one of the dwelling units shall be occupied by the property owners or another owner of record.  Note: Our Department will prepare the Covenant upon receipt of the standard Processing Fee, which is currently \$243.50.

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.	Plans, permits and inspections may be required for the existing structures that may be impacted by the Variance, including retaining walls and other site improvements.
2.	Building permits are required for existing improvements on the property, which include two storage buildings, one barn/shed, one garage, one shed, and 15 shed structures. Contact the Building and Safety Section of the Fresno County Department of Public Works and Planning at (559) 600-4540 for permits and inspections.
3.	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 22.77-acre, a 20.87-acre and a 20.01-acre parcel. The Map shall comply with the requirements of Title 17.72 and may include dedication, acquisition of access easement, roadway improvements, and roadway maintenance.
4.	Per the Road Maintenance and Operations Division of the Fresno County Department of Public Works and Planning: <ul style="list-style-type: none"> <li>• The access easement provided for the new parcels shall be a minimum of 60 feet wide and would have to cross a parcel that is not a part of this Variance Application and shall be acquired prior to approval of a parcel map.</li> <li>• The access easement shall be improved to a standard necessary to meet the needs of the users and to a standard acceptable to the fire district serving the area.</li> </ul>

**Notes**

- The users of the access easement should sign a covenant agreeing to maintain their proportionate share of the access easement to the appropriate standards.
- If a gate is provided on the private road, it shall include a Knox box or other appropriate means of access as approved by the fire district serving the area.

Note: These requirements will be satisfied through recordation of a parcel map to create three parcels subsequent to the approval of the Variance. The Applicants may apply for an exception request from the road standards through the parcel map process.

5. It is recommended that the Applicants consider having the existing septic tank pumped, and have the tank 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 system.

6. According to FEMA, FIRM Panel 1070H, portions of the subject parcel are in Flood Zone A, which is subject to flooding from the one-percent-chance storm. Any development within the area identified as Zone A must comply with the County Flood Hazard Ordinance (Title 15.48).

7. The USGS Quad map shows that the Dry Creek Canal is near the northwesterly property line of the subject parcel and Sales Creek is near the southeasterly property line of the subject parcel. Any improvements constructed near the canal shall be coordinated with the owners of the canal.

8. The subject parcel is located within the State Responsibility Area (SRA). Any future developments shall be in accordance with the applicable SRA Fire Safe Regulations as they apply to driveway construction and access.

9. A Grading Permit or Voucher shall be required for any grading proposed with the subject applications.

EA:ksn

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# County of Fresno

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

January 3, 2017

Vern Pletz  
7636 N. Ingram Avenue #101  
Fresno CA 93711

Dear Applicant:

Subject: Resolution No. 12603 - Variance Application No. 3990 and Director Review and Approval No. 4454

On October 20, 2016, the Fresno County Planning Commission approved your above-referenced projects 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 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 [eahmad@co.fresno.ca.us](mailto:eahmad@co.fresno.ca.us) or 559-600-4204.

Sincerely,

Ejaz Ahmad, Planner  
Development Services Division

EJ:ksn

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Enclosure