



Inter Office Memo

DATE: October 20, 2016

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12604 - VARIANCE APPLICATION NO. 4012

APPLICANT: Susanne Bateman

OWNER: Thomas & Susanne Brocks, Trustees

REQUEST: Allow the creation of a 2.74-acre parcel without public road frontage and a 2.43-acre parcel without public road frontage and depth-to-width ratio greater than four-to-one from an existing 5.17-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The project site is located west of Auberry Road between Reno Avenue and Garrone Avenue approximately 0.8 miles northeast of the City of Fresno (12517 N. Auberry Road) (Sup. Dist. 5) (APN 580-010-30S).

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 Pagel to adopt the required Findings for approval of a Variance, stating that Findings 1 and 2 could be made due to the characteristics of the surrounding development which consists of substandard-sized parcels under 20 acres in size, and that Finding 4 could be made because the subject parcel has never been farmed and dividing it would not violate the spirit of the General Plan, and approve Variance No. 4012, subject to the Conditions listed in Exhibit B.

EXHIBIT A

Variance Application No. 4012

- Staff: The Fresno County Planning Commission considered the Staff Report dated October 20, 2016, and heard a summary presentation by staff.
- Applicant: The Applicant's representative disagreed with the Staff Report and staff's recommendation. He described the project and offered the following information to clarify the intended use:
- There has been a significant change in the surrounding area to a more residential nature such that the resulting parcels would be similar in size to what is common in the area.
 - The private section of Garrone Avenue serving the proposed parcels will be designed to have turnarounds and will have limited traffic so as to not require 60 feet of right-of-way but will still satisfy concerns related to fire safety and access.
 - A number of mature eucalyptus trees would be harmed by requiring the roadway to be developed to the County-standard width.
 - The existing homes on the subject parcel have been there for a long time, and the property owners have no interest in further developing or adding additional houses.
 - The subject property has never been in use for agricultural purposes.
- Others: One individual presented information in opposition to the application, stating that allowing the Variance would change the character and feel of the area and further set precedent for additional smaller parcels in the area.
- Correspondence: Ten letters in support of the project which had been collected by the Applicant were presented to the Planning Commission. One letter in opposition to the proposal was submitted, stating that no extenuating circumstances for the proposed Variance had been demonstrated and that granting the Variance would not be good planning practice.

**Variance Application (VA) No. 4012
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	
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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 2.74-acre parcel and a 2.43-acre parcel. The Map shall comply with the requirements of Title 17.72.
2.	The property is subject to a covenant to maintain the private road to a standard acceptable to the owners or acceptable to the Director of the Department of Public Works and Planning.
3.	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.
4.	Any future development should be done in accordance with the applicable State Responsibility Area (SRA) Fire Safe Regulations.
5.	A Grading Permit or Voucher may be required for any grading proposed with this application.
6.	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

November 7, 2016

Susanne Bateman
12514 N. Auberry Road
Clovis CA 93619

Dear Applicant:

Subject: Resolution No. 12604 - Variance Application No. 4012

On October 20, 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 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 dbrannick@co.fresno.ca.us or 559-600-4297.

Sincerely,

Daniel Brannick, Planner
Development Services Division

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Enclosure