



Inter Office Memo

DATE: July 21, 2016

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12582 - VARIANCE APPLICATION NO. 3993

APPLICANT/:

OWNER: Paula and John Wolf

REQUEST: Allow the creation of a 2.2-acre parcel without public road frontage in the RR (Rural Residential, two-acre minimum parcel size) Zone District (165 feet of road frontage required).

LOCATION: The project site is located off a private access easement approximately 280 feet southeast of the intersection of North Nelson and East Santa Ana Avenues, approximately 2.6 miles east of the city limits of Clovis (Sup. Dist. 5) (APN 308-081-09).

PLANNING COMMISSION ACTION:

At its hearing of July 21, 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 adopt the required Findings for approval of a Variance, and approve Variance Application No. 3993, subject to the Conditions listed in Exhibit B.

EXHIBIT A

Variance Application No. 3993

- Staff: The Fresno County Planning Commission considered the Staff Report dated July 21, 2016, and heard a summary presentation by staff.
- Applicant: The Applicant's representative concurred with the Staff Report and the recommended Conditions. He described the project and offered the following information to clarify the intended use:
- The owner intends to convey the home to his daughter.
 - The required road standard would require the Applicant to extend the existing paved road by 3 feet across the entire quarter-mile of the road.
 - The fire department had no concerns regarding the proposal.
 - Provisions for the access drive will be included as an easement on the deeds for the parcel.
 - The Applicant may apply for an exception from the A-15 standard as part of the subsequent mapping application to split the parcels.
- Others: No other individuals presented information in support of or in opposition to the application.
- Correspondence: Two letters were presented to the Planning Commission in support of the application. No letters were presented to the Planning Commission in opposition to the application.

**Variance Application (VA) No. 3993
Conditions of Approval and Project Notes**

| Condition of Approval | |
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| 1. | Development shall be in accordance with the Site Plan, as approved by the Commission. |
| 2. | A 60-foot-wide, non-exclusive private road easement from a public road shall be provided to all parcels being created. The alignment design shall provide for grades not exceeding the requirements of the A-15 Improvement Standard and a minimum centerline curve radius of 125 feet, except the minimum radius may be 75 feet when grade is in excess of ten percent. It will be the duty of the Registered Civil Engineer to attest to compliance with this condition. <i>Note: The applicant may apply for an exception request to this Standard as part of a subsequent mapping application.</i> |
| 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. | County Zoning staff has identified several structures near the access drive which are not currently permitted. Prior to completion of the mapping procedure, the Applicant shall obtain permits for these structures, provide proof that permits were obtained or that the structures were built prior to March 1, 1958, or remove the structures from the property. |
| 2. | PCOC 2842 shall be released prior to completion of the mapping application. |
| 3. | The easement shall be constructed to a standard not less than that required by the A-15 County Improvement Standard (18 feet wide). |
| 4. | The Improvement Standard requires that improvement plans for the easement be submitted for review and approval by the Department of Public Works and Planning, Development Services Division, along with a letter from the Developer's engineer confirming that construction engineering and surveying will be provided to permit construction, in accordance with the approved plan. It also requires payment of an Inspection (Grading Permit) Fee and that the construction be inspected by the County. |
| 5. | According to FEMA, FIRM Panel 1615H, portions of the subject property are found to be within Flood Zone AE and the Floodway Area is in Flood Zone AE. The floodway is the channel of a stream, plus any adjacent floodplain areas, that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights, per FEMA FIRM legend. Flood Zone AE and Floodway Areas in Flood Zone AE are subject to flooding from the 1% chance storm. No net import of fill shall be allowed within the flood zone. Any work within the designated flood zones shall conform to provisions established in Chapter 15.48 Flood Hazard Areas of Fresno County Ordinance. |

Notes

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| 6. | 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. |
| 7. | A grading permit or voucher is required for any grading proposed with this application. |
| 8. | Fresno Irrigation District (FID)'s active Enterprise No. 109 Canal runs westerly and crosses Shaw Avenue approximately 1,700 feet north of the subject property. Should this project include any street and or utility improvements along Shaw Avenue or in the canal, FID requires it review and approve all plans. |
| 9. | FID's active Grey Colony Canal runs southerly approximately 1,100 feet southeast of the subject property. Should this project include any improvements along or in the vicinity of the canal, FID requires it review and approve all plans. |
| 10. | A privately-owned pipeline, Nelson No. 109, runs southerly approximately 600 feet north of the subject property. FID does not own, operate, or maintain this private pipeline. FID's records indicate that the pipeline is active and will need to be treated as such. FID can supply the County with a list of known users for this private line upon request. |
| 11. | 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. |



County of Fresno

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

August 8, 2016

Paula & John Wolf
4672 N. Nelson Avenue
Sanger CA 93657

Dear Applicant:

Subject: Resolution No. 12582 - Variance Application No. 3993

On July 21, 2016, the Fresno County Planning Commission approved your application 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 a determination is made that substantial development has occurred. 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.

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