



Inter Office Memo

DATE: July 21, 2022

TO: Board of Supervisors

FROM: Planning Commission

SUBJECT: RESOLUTION NO. 12951– VARIANCE APPLICATION NO. 4083

APPLICANT: Harlow Dawson

OWNER: Mike Dawson

REQUEST: Allow for the creation of a two-acre parcel from an approximately 50-acre parcel in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

LOCATION: The subject property is located on the northeast corner of State Route 180 (W. Whitesbridge Avenue) and N. Dickenson Avenue, approximately four miles east of the City of Kerman (APN 025-071-62S) (9874 W. Whitesbridge Ave.) (Sup. Dist. 1).

PLANNING COMMISSION ACTION:

At its hearing of July 21, 2022, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Chairman Abrahamian and seconded by Vice Chair Hill to determine that the four required Variance Findings could be made, stating that Finding No. 1 could be made based on a railroad line running north of the property and the irregular-shaped parcel creating an exceptional circumstance. Finding No. 2 could be made based on the surrounding area having a land use pattern of substandard-sized parcels similar to the parcel size proposed by the Applicant, providing for a substantial property right. Finding No. 3 could be made, as described in the staff report. Finding No. 4 could be made as splitting off the proposed parcel allows the remainder to be used for agricultural purposes consistent with the intent of the agricultural land use designation.


Based on the ability to make all four of the required Variance Findings, a motion was made to approve Variance No. 4083 subject to the Conditions of Approval and Project Notes listed in Exhibit B.

RESOLUTION NO. 12951

This motion passed on the following vote:

VOTING:	Yes:	Commissioners Abrahamian, Hill, Arabian, Carver, Chatha, Ewell, and Zante
	No:	None
	Absent:	Commissioner Woolf
	Abstain:	None

STEVEN E. WHITE, DIRECTOR
Department of Public Works and Planning
Secretary-Fresno County Planning Commission

By:  _____
William Kettler, Manager
Development Services and Capital Projects Division

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NOTE: The approval of this project will expire one year from the date of approval unless a mapping application is filed in accordance with the requirements of the County Ordinance. 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.

Attachments

EXHIBIT A

Variance Application No. 4083

- Staff: The Fresno County Planning Commission considered the Staff Report dated July 21, 2022 and heard a summary presentation by staff.
- Applicant: The applicant disagreed with the Staff's recommendation. He stated the variance findings could be made and offered the following information to clarify the intended use:
- My father has health-related reasons preventing the ability to farm.
 - The farm has been in the family for four generations; it is our intent to split the parcel for financing purposes.
 - There is no intention to further build upon the property.
- Others: The property owner also spoke in favor of the application stating that the intent is to subdivide the parcel for financial reasons. This would allow for the remaining portion of the land to be sold for agricultural purposes.
- No individuals presented information 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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EXHIBIT B
Initial Study No. 7794
Variance Application No. 4083
Conditions of Approval and Project Notes

Conditions of Approval	
1.	Development of the property shall be in accordance with the Site Plan approved by the Planning Commission to allow the mapping procedure.
2.	Formal plan submittal, permit application, and inspections required for additions constructed existing structures after 1958.

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	<p>The Development Engineering Section of the Department of Public Works and Planning provide the following comments:</p> <ul style="list-style-type: none"> A. Typically, an access driveway should be set back a minimum of 10 feet from the side yard property line. B. If not already present, 10-foot by 10-foot corner cutoffs should be provided for sight distance purposes at all driveways onto State Route 180 (W. Whitesbridge Avenue). C. 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. Onsite retention is required. D. A grading permit or voucher is required for any grading work that has been done without a permit.
2.	<p>The Fresno Irrigation District provide the following comments:</p> <ul style="list-style-type: none"> A. Fresno Irrigation District's (FID) active Houghton No. 78 runs westerly, traverses the north side of the subject property and crosses Dickenson Avenue just northwest of the subject property and will not be impacted by the parcel creation. However, should any construction, current or future, take place as a result of the parcel creation and/or if any street and/or utility improvements are required along Dickenson Avenue or in the vicinity of this facility, FID requires it review and approve all plans. B. FID's active Gordon No. 89 runs southerly along the north and east side of Dickenson Avenue and crosses Whitesbridge Avenue due just southwest of the subject property, within multiple exclusive easements and will not be impacted by the parcel creation. However, should any construction, current or future, take place as a result of the parcel creation and/or if any street and/or utility improvements are required along

EXHIBIT B

Notes

	<p>Dickenson Avenue, Whitesbridge Avenue, or in the vicinity of this facility, FID requires it review and approve all plans.</p> <p>C. For information purposes, FID's active Rolinda High No. 90 runs southerly, along the northwest portion of the subject property, crossing Dickenson Avenue. Should any future construction take place as a result of the parcel creation and/or utility improvements are required along Dickenson Avenue or in the vicinity of this facility, FID requires it review and approve all plans.</p>
3.	<p>The Road Maintenance and Operations Division provide the following comments:</p> <p>A. Dickenson Avenue as a Collector in the County's General Plan requires 84 feet of road right-of-way. Currently, Dickenson Avenue has a total right-of-way of 60 feet, 30 feet on each side of the section line. An additional 12 feet of right-of-way is required from the west side of the parcel.</p> <p>B. Turnaround facilities shall be provided on parcels having direct access to Collectors so that vehicles do not back out onto the roadway.</p> <p>C. An encroachment permit from the Fresno County Road Maintenance and Operations Division is required for any work in the County road right-of-way such as construction of driveways to serve the new parcel. Such work shall be reviewed for compliance with County standards.</p>
4.	<p>It is recommended that the Applicant consider having the existing septic tanks pumped and have the tank and leach lines evaluated by an appropriately licensed contractor if it has 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.</p>
5.	<p>If the Variance is approved, a mapping procedure will be required for parcel creation.</p>



County of Fresno

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

October 11, 2022

Mike Dawson
1540 W. Sample Ave.
Fresno, CA 93710

Dear Mr. Dawson:

Subject: RESOLUTION NO. 12951 – VARIANCE APPLICATION NO. 4083

On July 21, 2022, the Fresno County Planning Commission approved your application to allow for the creation of a 2-acre parcel from an approximately 50-acre site in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

Since no appeal was filed with the Clerk of the Board of Supervisors within 15 days, the Planning Commission's decision is final.

If you have any questions regarding the information in this letter, please contact me at eracusin@fresnocountyca.gov or (559) 600-4245.

Sincerely,

Elliot Racusin, Planner
Development Services Division

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Enclosure