



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 4 October 27, 2022

SUBJECT: Director Review and Approval Application No. 4714

Allow approximately 1,168 square feet of aggregate area for accessory buildings in the required side yards, where a maximum of 500 square feet of aggregate area are allowed; to accommodate an existing detached storage building and two proposed detached garages, on a 0.78-acre parcel in the R-1-B(nb)(Single Family Residential, 12,500 square-foot minimum parcel size, Neighborhood Beautification Overlay) Zone District.

LOCATION: The subject property is located on the north side of E. Fairmont Avenue, approximately 430 feet east of its intersection with N. Wishon Avenue, and approximately 980 feet east-southeast of the nearest city limits of the City of Fresno (APN: 425-070-20) (777 E. Fairmont Ave.) (Sup. Dist. 2).

OWNER: Reyna Reyes

APPLICANT: Jeffrey T Roberts

STAFF CONTACT: Jeremy Shaw, Planner
(559) 600-4207

David Randall, Senior Planner
(559) 600-4052

RECOMMENDATION:

1. Approve Director Review and Approval No. 4714 with recommended Findings and Conditions; and
2. Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Conditions of Approval and Project Notes
2. Location Map
3. Zoning Map
4. Land Use Map
5. Site Plan
6. Letters of feedback
7. Letters of Opposition

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Low Density Residential in the County adopted Fig Garden Neighborhood Plan	No change
Zoning	R-1-B(nb)(Single Family Residential, 12,500 square-foot minimum parcel size, Neighborhood Beautification Overlay) Zone District.	No change
Parcel Size	0.78 acres	No change
Project Site	See above	No change
Structural Improvements	2,980 square-foot single-family dwelling with attached garage, a 600 square-foot detached garage, and a 1,440 square-foot detached storage building, located 6 feet from the east side property line.	Addition of two detached garage/storage buildings to be located within 3 feet of the east and west side property lines adding 896 square feet of encroachment area along with and existing storage building with 272 feet of encroachment area for a total of 1,168 square feet of encroachment into the side yard setback areas on the east and west sides of the property.
Nearest Residence	20 feet east	No change

Criteria	Existing	Proposed
Surrounding Development	Low density residential and commercial	No change
Operational Features	Residential	No change
Employees	N/A	No change
Customers	N/A	No change
Traffic Trips	N/A	No change
Lighting	Residential	No change
Hours of Operation	N/A	No change

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

ENVIRONMENTAL ANALYSIS:

It has been determined pursuant to Section 15305(b) – Minor Alterations in Land Use Limitations, 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.

Section 15305(b): Issuance of minor encroachment permits; of the State of California Environmental Quality Act Guidelines (CEQA) that this proposal is categorically exempt from CEQA requirements. Class 5 consists of minor alterations in land use limitations in areas with an average slope of less than 20 percent, which do not result in any changes in land use or density, including but not limited to:

- a) Minor lot line adjustments, side yard, and set back variances not resulting in the creation of any new parcel;
- b) Issuance of minor encroachment permits;
- c) Reversion to acreage in accordance with the Subdivision Map Act.

PUBLIC NOTICE:

Notices were sent to 73 property owners within 600 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PUBLIC COMMENT:

Staff received eight pieces of correspondence in opposition to the project, attached as Exhibit 7. Concerns raised in the correspondence include setback encroachments placing building close to the property line, lot coverage exceedance, negative effects on aesthetic of neighborhood, additional property access from rear yard, non-residential use (storage in a residential zone district).

PROCEDURAL CONSIDERATIONS:

A Director Review and Approval application may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Section 873-F are made by the Planning Commission.

The decision of the Planning Commission on a Director Review and Approval application is final, unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

BACKGROUND INFORMATION:

The subject parcel is improved with an approximately 2,980 square-foot single-family dwelling with detached garage and detached storage building. The current application proposes to allow an increase in aggregate area for accessory buildings of approximately 1,168 square feet where a maximum of 500 square feet are allowed, to allow for the addition of two detached garages to be constructed 3 feet from the side property lines, and an existing detached storage building located 6 feet from the side property line. The applicant indicates that the garages are for his personal boat and trailer and a vehicle. The 3 foot setback reduction is needed to increase the area to facilitate maneuvering the trailers.

Finding 1: That the site of the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by this Division, to adjust said use with land and uses in the neighborhood.

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	Front: 35 feet Side: 10 feet Rear: 20 feet	Front (south): 70 feet Side(west): 3 feet Side (east): 3 feet Rear (north): 20 feet Note: No change to the required setbacks is proposed, only an increase in aggregate area for accessory buildings in the required yard areas, which is an exception to the setbacks only applicable to non-residential accessory buildings, in accordance with the provisions of the R-1-A District; Section 822.5-E.1.b of the County Zoning Ordinance.	Yes
Parking	There shall be at least one (1) parking space in a garage or carport for every		

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
	dwelling unit. These spaces shall be on the same lot with the main building which they are intended to serve and located to the rear of the required front yard, except for hillside lots.		
Lot Coverage	35 percent of the total lot area (11,892 square feet) Existing structures at approximately 3,580 square feet in area.	Addition of approximately 4,432 square feet of building area. Lot coverage will comprise approximately 8,012 square feet or approximately 23.6 percent of total lot area	Yes
Space Between Buildings	<ol style="list-style-type: none"> 1. Accessory buildings shall be a minimum of 6 feet from the main building. Accessory buildings connected to the main building by a breezeway. 2. Where an accessory building is used for garage purposes and where said garage is located within the area defined by the projection of the side lines of any main building, and where vehicular access to said garage faces any main building and falls entirely or in part, within said area, the garage shall not be less than 25 feet from the main building. 	Existing storage building is located approximately 47 feet east of the existing dwelling; and proposed garage on the west side of the property is located approximately 35 feet north of the existing dwelling	Yes
Wall Requirements	<p>Permitted Fences, Hedges and Walls:</p> <ol style="list-style-type: none"> a. Fences, hedges and walls, not greater than six (6) feet in height, shall be permitted on or within all rear and side property lines on 	N/A	N/A

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
	<p>interior lots and on or to the rear of all front yard setback lines.</p> <p>b. No fence, wall or hedge over three (3) feet in height shall be permitted in any required front yard, or in the required side yard on the street side of a reversed corner lot.</p> <p>c. Fences or structures over six (6) feet in height to enclose tennis courts or other game areas shall be permitted to the rear of the required front yard subject to Director Review and Approval. The review shall include consideration of the effects of mass, noise, and lighting upon surrounding residences.</p>		
Septic Replacement Area	N/A	N/A	N/A
Water Well Separation	N/A	N/A	N/A

Reviewing Agency/Department Comments Regarding Site Adequacy:

Development Engineering: The proposed reduced site yard setback of less than five feet poses a potential drainage problem which should be addressed. Any additional storm water runoff generated by the proposed improvements should not drain onto adjacent properties.

No other comments specific to the adequacy of the site were expressed by reviewing Agencies or Departments.

Finding 1 Analysis:

There have not been any constraints in the size and shape of the parcel that would prohibit the use of the property as proposed.

Recommended Conditions of Approval:

None

Finding 1 Conclusion:

Finding 1 can be made, the parcel is adequate in size and shape to accommodate the proposed additional accessory buildings with the approval of the increase in the maximum allowed aggregate area. Normal building codes, drainage requirements etc. can be adhered to.

Finding 2: That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.

		Existing Conditions	Proposed Operation
Private Road	No	N/A	N/A
Public Road Frontage	Yes	Fairmont Avenue	No change
Direct Access to Public Road	Yes	Fairmont Avenue	No change
Road ADT		200 Vehicles per day	No change
Road Classification		Local Road	No change
Road Width		60-foot right-of-way 18 feet paved width	No change
Road Surface		Asphalt/concrete – poor condition	No change
Traffic Trips		Residential	No change
Traffic Impact Study (TIS) Prepared	No	A traffic study was not required for this project	N/A
Road Improvements Required		No road improvements required	No change

Reviewing Agency/Department Comments Regarding Adequacy of Streets and Highways:

Road Maintenance and Operations:

Fairmont Avenue is a County maintained road with an existing and ultimate right-of-way width of 60 feet, as per the General Plan.

No other comments specific to the adequacy of streets and highways were expressed by reviewing Agencies or Departments.

Finding 2 Analysis:

This application proposes to allow an increase in the maximum allowable aggregate area of encroachment for accessory buildings in required yards. Review by County Road Maintenance and Operations indicates that E. Fairmont Avenue has adequate right-of-way and paved width, consistent with its local road designation in the County’s General Plan, and there were no concerns with this proposal creating the need for any modification of the existing roadway.

Recommended Conditions of Approval:

None.

Finding 2 Conclusion:

Finding 2 can be made, based on the above information. The proposed increase in allowable aggregate area is not anticipated to result in an increase in traffic, and E. Fairmont Avenue has been determined to be adequate in width and pavement type to accommodate the proposal.

Finding 3: That the proposed use will have no adverse effect on abutting property and surrounding neighborhood or the permitted use thereof.

Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:*
North	1.45 acres	Commercial	CP3	Nearest structure approximately 60 feet
South	1.0 acres	Residential	R-1-B	Approximately 65 feet
East	1.0 acres	Residential	R-1-B	Approximately 10 feet
West	1.0 acres	Residential	R-1-B	Approximately 20 feet

*Distances measured from subject property boundaries using web based aerial imagery application measurement tool.

Reviewing Agency/Department Comments:

No comments relevant to impacts on adjacent property.

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

Finding 3 Analysis:

Some property owners in the vicinity have expressed subject concurs about the proposal (see Exhibit 7), the proposal to allow an increase in aggregate area for accessory buildings would not result in any objectively detrimental impacts on surrounding properties.

Recommended Conditions of Approval:

None.

Finding 3 Conclusion:

Finding 3 can be made. Based on the above information, the proposal will not have a substantive adverse effect upon surrounding properties.

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

Relevant Policies:	Consistency/Considerations:
<p>General Plan Policy LU-G.1: <i>The County acknowledges that the cities have primary responsibility for planning within their LAFCo-adopted spheres of influence and are responsible for urban development and the provision of urban services within their spheres of influence.</i></p>	<p>The City of Fresno was provided and opportunity to review and comment on this proposal, and did not return any comments.</p>

Reviewing Agency Comments:

No comments specific to General Plan Policy were expressed by reviewing Agencies or Departments.

Finding 4 Analysis:

There are no General Plan policies or Fig Garden Neighborhood Plan policies which specifically address building setbacks, or encroachments.

Recommended Conditions of Approval:

None

Finding 4 Conclusion:

Finding 4 can be made, as there are no policies relevant to the proposal to conflict with.

CONCLUSION:

Based on the factors cited in the analysis, staff believes the required Findings for granting the Director Review and Approval can be made, and therefore recommends approval of Director Review and Approval Application No. 4714, subject to the recommended Conditions.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Approval Action)

- Move to determine the required Findings can be made and move to approve Director Review and Approval Application No. 4714, subject to the Mitigation Measures, Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Director Review and Approval Application No. 4714; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Mitigation Measures, Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

JS:jp

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EXHIBIT 1

**Director Review and Approval
Application (DRA) No. 4714
Conditions of Approval and Project
Notes**

Conditions of Approval	
1.	Development shall be in accordance with the approved site plan, floor plan, and elevations.

Conditions of Approval reference recommended 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.	Any additional stormwater runoff generated by the proposed improvements shall not drain onto adjacent properties, and must be contained on site, in accordance with County standards, or conveyed to FMFCD off site drainage facilities.
2.	The subject property is located within the Fresno Metropolitan Flood Control District (FMFCD) Drainage Zone and Boundary; written clearance from FMFCD shall be required prior to the County issuing a grading permit/voucher for the proposed work. It is the applicant's responsibility to initiate contact with FMFCD and obtain the required clearance.
3.	Fresno Metropolitan Flood Control District: FMFCD records indicate that there may not be continuous curb and gutter to convey runoff to the Master Plan inlet located at Wishon and Alamos Avenues. The developer/owner shall be required to provide documentation and/or improvements satisfactory to the County of Fresno to allow for conveyance of storm water to the inlet location.
4.	An encroachment permit from the Fresno County Road Maintenance and Operations Division will be required for any work proposed within the County Road right-of-way.
5.	Project/Developments will be subject to the requirements of the current Fire Code and Building Code when a building permit or certificate of occupancy is sought.
6.	A grading permit or voucher is required for any grading proposed with this application.

EXHIBIT 1

LOCATION MAP

DRA 4714

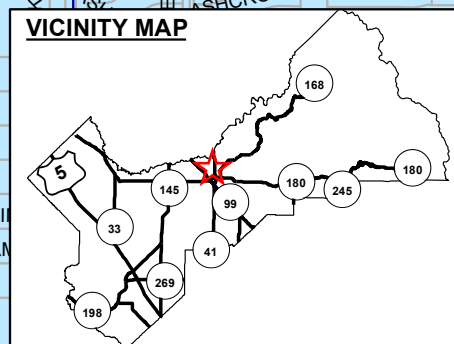
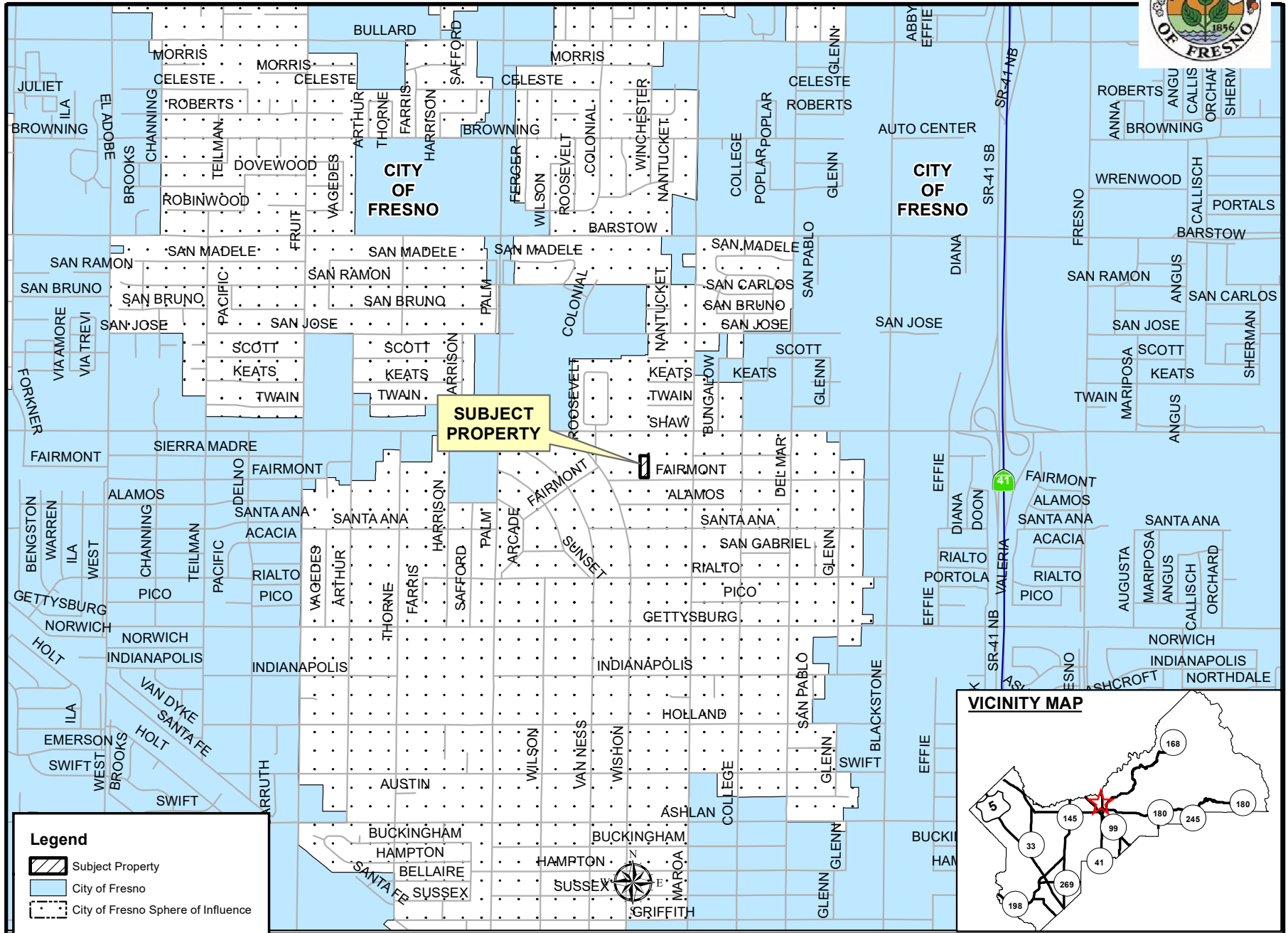
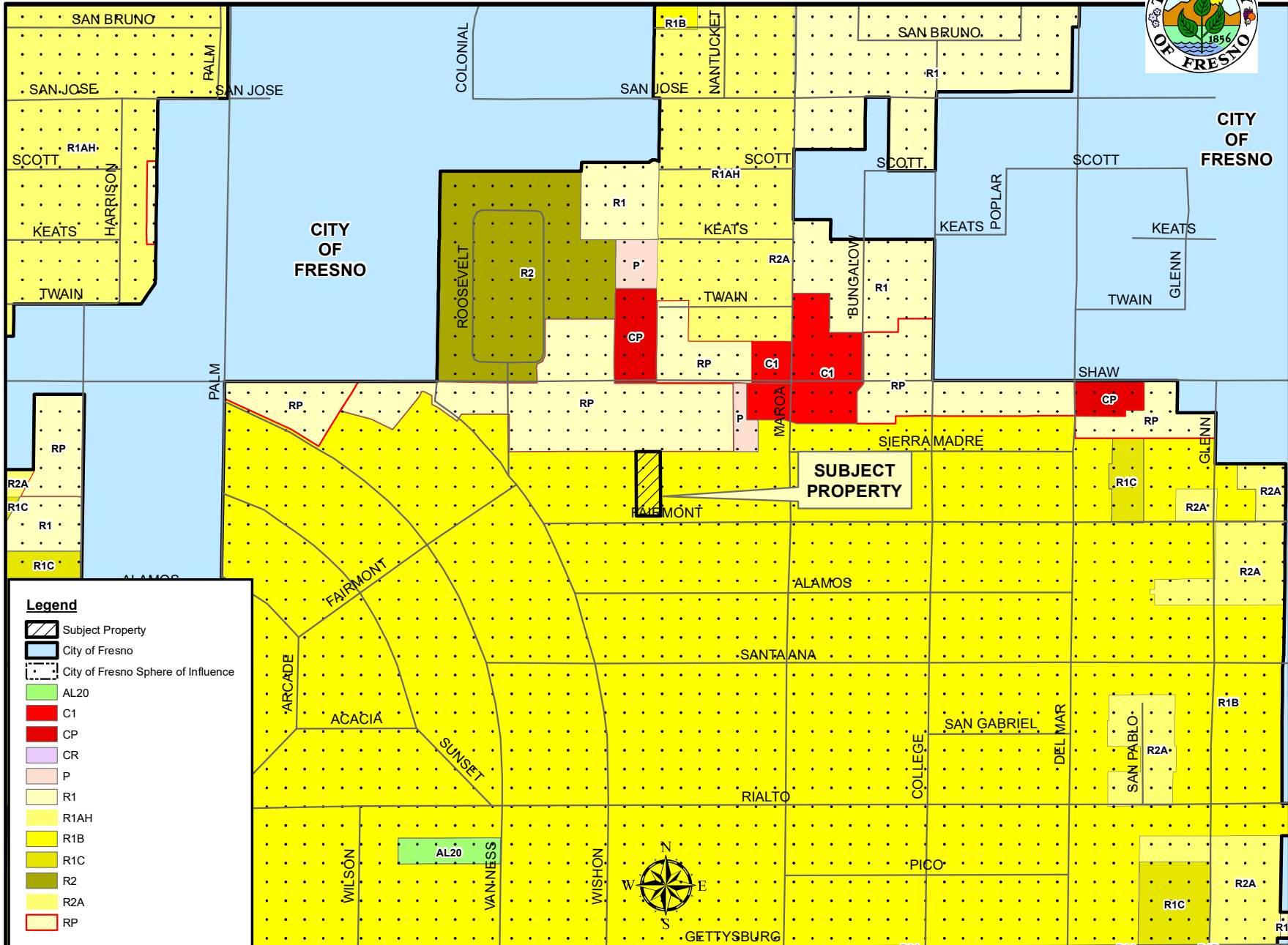


EXHIBIT 2

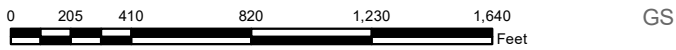
DRA 4714
STR 16-13/20

EXISTING ZONING MAP



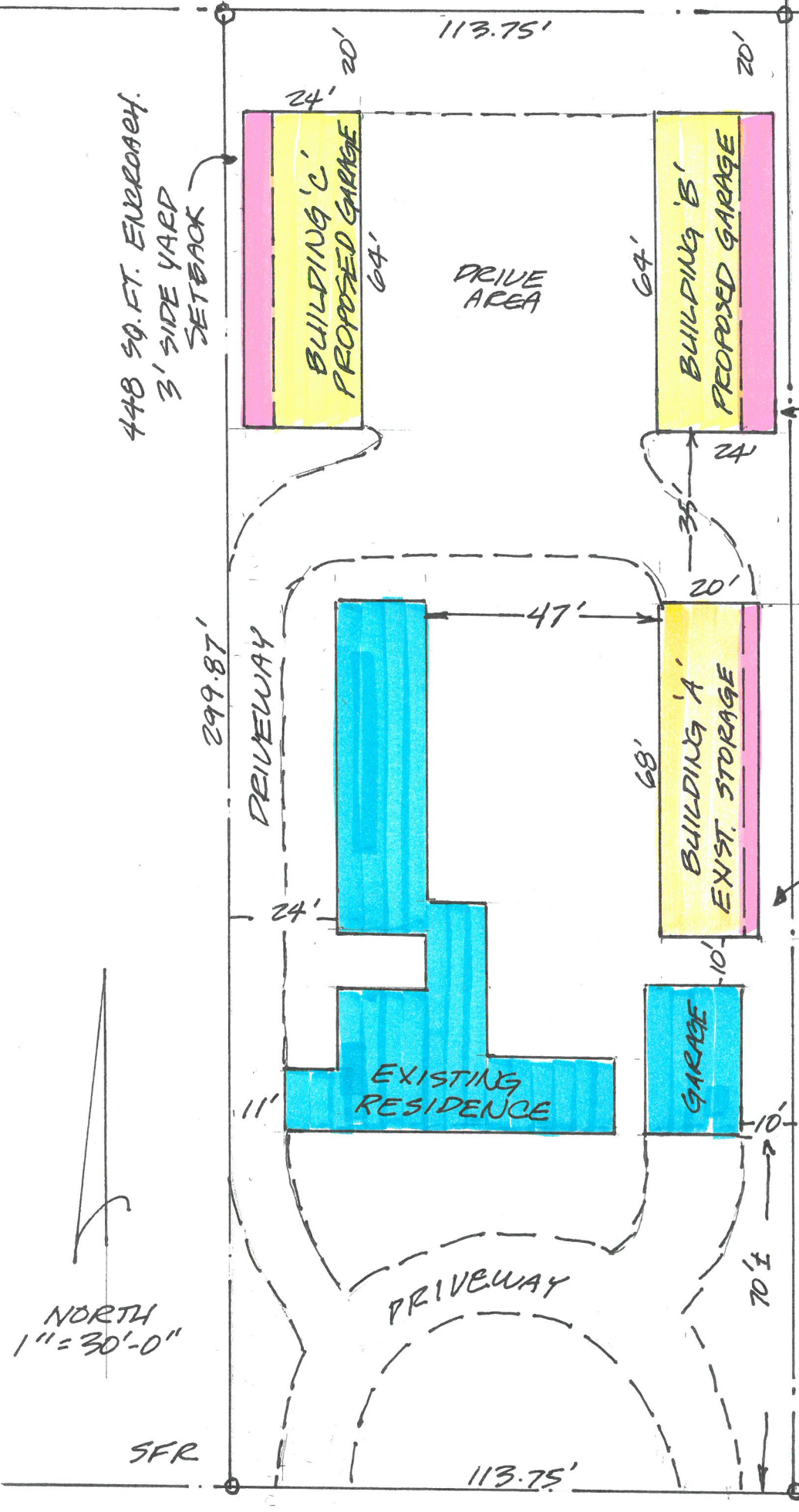
Legend

- Subject Property
- City of Fresno
- City of Fresno Sphere of Influence
- AL20
- C1
- CP
- CR
- P
- R1
- R1AH
- R1B
- R1C
- R2
- R2A
- RP



EXISTING OFFICE COMPLEX

EXISTING OFFICE COMPLEX



PROPOSED SITE PLAN

APN 425-070-20
 777 E. FAIRMONT AVE.
 FRESNO, CALIF. 93704
 8-11-2022

NOTES:

1. TOTAL ENCROACHMENT AREA:
 (1,168 SQ. FT / 500 SQ FT ALLOWED)
2. PROPOSED BUILDINGS (GARAGES)
 ARE SET BACK 215' FROM STREET
3. SIDEYARD REQUIRED IN R-1-B
 ZONE DISTRICT IS 10'

JEFF ROBERTS (559) 288-0688

E. FAIRMONT AVE.

30'
30'

60'

2

EXHIBIT 6

From: [Debra Kratzer](#)
To: [Shaw, Jeremy](#)
Subject: DRA application No.4714
Date: Wednesday, August 31, 2022 11:41:11 PM

CAUTION!!! - EXTERNAL EMAIL - THINK BEFORE YOU CLICK

What are the long-term consequences to the historic Old Fig Garden district if this plan is approved? Would builders/developers be able to pack in houses tighter and closer together? Could lots be opened up to commercial use? Subdivision? Rezone?

The current building codes and regulations that allow homeowners here to create livable, breathable spaces to accommodate growing families, add workshops, artist studios, mother-in-law cottages, etc. are a major reason to live here. This plan which includes a 3-foot setback is inconsistent with those standards.

Also, re the gate in the cinderblock wall allowing Shaw access, is that to be a permanent fixture? Would that not create a security breach that could make it easier for someone to gain access to the backyards of those of us who live along Fairmont as crime rates have risen in this area?

Whatever decisions are made that could jeopardize historic Old Fig neighborhoods overall should be carefully scrutinized with the focus on an egalitarian mindset...what's best for the overall good? Anything else could set a dangerous precedent that might erode and compromise that which makes our historic district unique.

Debra Kratzer
789 E. Fairmont
Fresno, Ca. 93704
(559) 917-4881

From: [Jim Kratzer](#)
To: [Shaw, Jeremy](#)
Subject: DRA Application No. 4714 Request for comments
Date: Thursday, September 01, 2022 2:58:16 PM

CAUTION!!! - EXTERNAL EMAIL - THINK BEFORE YOU CLICK

September 1, 2022

To: Ricky Vang and Jeremy Shaw

From: James Kratzer

I am writing in opposition to DRA Application No. 4714.

First, to set the stage a little bit. I do not know you. Your predecessor as planner. Thomas Kobayashi, was helpful in 2020 when the assault upon our neighborhood was DRA Application No. 4616 by the same actors: Jeffrey Roberts, Reyna Reyes, Assemi Group. I am hoping you can be similarly helpful and understanding. I do not have a background in land use. I am not even an amateur. By contrast, our assailants are seasoned professionals. I beg your indulgence.

The application for DRA 4616 was withdrawn 10/12/2020. It did not involve any side yard setback issues. I naively assumed I could count on the County to notify me if any activities at 777 East Fairmont would affect me and that I did not need to monitor that myself. Imagine my surprise when I discovered from DRA Application No. 4714 that the building already under construction involved an encroachment of 272 sq ft, being built four feet too close to the property line (according to information provided by the applicants.)

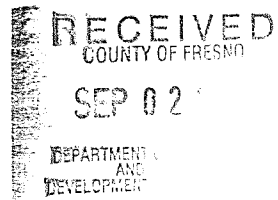
I do believe that any encroachments along our property line do in fact affect me and my family. I am not happy that this happened without my knowledge. Have there been or will there be any further activities at 777 East Fairmont that will affect me and my family? I am opposed to any encroachments. I am opposed to the further encroachments that cause the Application for DRA 4616.

I would be happy to discuss this and any other issues with you anytime.

Thank you.

Sincerely,

James Kratzer



Peter and Lynn Baldwin's opposition letter

1 message

Lynn Baldwin <lbaldwin37@hotmail.com>
To: "lisak@csufresno.edu" <lisak@csufresno.edu>

Fri, Sep 2, 2022 at 2:26 PM

I give Lisa Kao permission to deliver my letter to your office. (lb)

County of Fresno, Department of public works and planning
development services and Capital projects division

Re: opposition to DRA Application number 4714

Our family lives at 820 East Fairmont which is a couple houses down from the proposed oversized outlining building project at 777 East Fairmont Avenue. We would like to be on record as opposing this flagrant and total disregard of our Fig Garden community's regulations and Building codes on a single-family lot. Those who live in Fig Garden are aware of our neighborhood's wish to preserve this historic Fresno neighborhood. We don't agree with the proposed Application for oversized buildings that are totally out of compliance and inappropriate for our neighborhood's. I understand Mr. Roberts, the boyfriend of the owner has worked with the planning commission for many years and knows the ins and outs of getting around regulations and building codes, however, Our historical community will not roll over and allow him to disrupt and cause discord in our neighborhood's. We hope the planning commission reviews and supports our Fig Garden historical building codes in our area and does not make an exception for An individual.

Thank you for your time in this important matter.

Best regards,
Lynn and Peter Baldwin
820 East Fairmont Avenue

From: [Ken boyajian](#)
To: [Shaw, Jeremy](#)
Subject: Application No.4714
Date: Thursday, September 01, 2022 2:07:34 PM

CAUTION!!! - EXTERNAL EMAIL - THINK BEFORE YOU CLICK

Mr. Shaw:

My name is Kenneth Boyajian owner along with my spouse of a near by residence of the applicate @ 4897 N. Wishon Avenue, Fresno, CA 93704.

I see no reason to allow Two-Three warehouse accessory buildings to be build on a residential lot with amended set backs that will encroach on their adjoining neighbors.

This proposal provides no additional values to our neighborhood; however, in my opinion lessons our neighborhood's overall beauty.

Please contact me with any questions, etc.

Best regards,

Kenneth J. Boyajian
4897 N Wishon Avenue
Fresno, CA 93704
559 284-1835

Sent from my iPhone

Zetta A. Hadden, LCSW

731 E Fairmont Ave
Fresno, CA 93704
559-281-2873

August 30, 2022

Jeremy Shaw, Planner
Development Services and Capital Projects Division

Re: application No. 4714 -777 E Fairmont Ave 93704
APN 425-070-20

Mr. Shaw,

I am writing to express my concern about the addition of two proposed accessory buildings that are six times the size of the allowable 500 sq. feet.

When the initial plan was presented to the neighborhood in May 2020, Ms. Reyes and Mr. Roberts showed on their site plan the construction of a single garage on the North end of their property with an East -West orientation with door openings facing South. As a result, to opposition to the construction of a 1,700 accessory building, Ms. Reyes and Mr. Roberts declined to build the 1,700 accessory building and chose to add on to the existing home instead. To facilitate the construction of this home addition and the addition to the existing garage Ms. Reyes and Mr. Roberts apparently entered into an agreement with their employer Mr. Assemi, the owner of the office complex due North to 777 E Fairmont Ave, to open the cement block wall between the two properties and create a gate to enter and exit 777 E Fairmont Ave.

This gate now necessitates the change in orientation of the initial proposed garage site, and it also facilitates the access that Mr. Roberts claims will be for his car collection. My fear is that it also facilitates later garage renovation into two 1,500 sq ft single family homes once inspections are finished and permits to occupy have been issued. The gate allows tenants to enter and exit thru the office complex on Shaw Ave and any modifications to the garage structures can surreptitiously be done since they are not visible from Fairmont Ave and concealed by the existing residence.

To the best of my knowledge there is nothing your department can do to prevent Ms. Reyes and Mr. Roberts from unlawfully making modifications that would allow for potential rental units in the future on this property. Unless some assurance can be given to keep the neighborhood density from changing, I oppose this current iteration of garage orientation and request that if Ms. Reyes and Mr. Roberts want additional garage storage, they permanently close the gate opening between the office complex and 777 E Fairmont, and position the garage structure back to the original East -West orientation with 6 bay openings facing south toward their home.

This modification I am asking for will allow them to properly store his antique car collection and make it less likely that they will pursue any building renovation to the facilitate tenants since they and their privacy would be impacted by tenant additions. Thank you for providing consideration to my concerns and the concerns expressed by my neighbors.

Sincerely,

A handwritten signature in cursive script, appearing to read "Zetta Hadden".

Zetta Hadden

9/01/2022

County of Fresno
Department of Public Works and Planning
Development Services and Capital Projects Division
RE: Director Review and Approval Application No. 4714

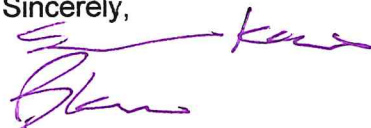
RECEIVED
COUNTY OF FRESNO
SEP 02 2022
DEPARTMENT OF PUBLIC WORKS
AND PLANNING
DEVELOPMENT SERVICES DIVISION

We live within the same block (within 600 ft. of our residence per the Notice of Application from Planner Jeremy Shaw), and on the same side of the street as this proposed project. **We are writing to let it be known that we strongly oppose approval of DRA application No. 4714.**

A few reasons:

- There is precedent with the applicant Reyna Reyes and/or Jeff Roberts not being transparent with the neighborhood regarding their plans to develop this property. Attached please see the copy of our letter from 2020 regarding DRA application No. 4616. It is difficult not to imagine that this current DRA request (No. 4714) would be just another method to inch towards their original building intentions and goals represented in DRA application No 4616.
 - o Therefore, I believe that their current plans will ultimately lead to a negative impact on our neighborhood, and would represent a precedent-establishing degradation of the intent of **Section 824 "R-1-B" Single Family Residential District** which includes a preamble that states: "*All regulations for this District are deemed to be necessary for the protection of the quality of the residential environment and for the securing of the health, safety and general welfare of the residents.*"
- The Notice of Application letter we received from Jeremy Shaw (see attached) states that there is a maximum of 500 square feet of aggregate area for accessory buildings allowed, and yet there is already a 1,360 square foot accessory building currently under construction. If this represents a construction project that needed a DRA to proceed, how is this OK? If this is indeed what is happening, it represents another example of not following the building approval requirements, and not being transparent with the neighborhood.
- We are aware that the Fig Garden Homeowner's Association (FGHA) will be submitting a response against this project moving forward.
- We are aware that the neighborhood homeowners are united in opposition.
- We are aware that Jeff Roberts and Reyna Reyes are working together to develop this property. Jeff Roberts' history with compliance with zoning regulations creates concern and distrust that has not been alleviated by their collective actions in relationship to the development of this property.

Sincerely,



Elizabeth and Brian Kao

841 F Fairmont Ave.

Fresno, CA 93704

Dear Director White:

There may be times when approving a doubling of the aggregate area for building accessory buildings is warranted: the request made in DRA 4714 does not constitute such a case and we urge you to reject the application.

Our reasons for urging you to reject this request are related directly to the zoning principles and quality-of-life concerns that undergird those principles, pertaining to this single-family residence zone area (R-1-B(nb) Single Family Residential 12,500 square-foot minimum parcel size, Neighborhood Beautification Overlay Zone District):

- **Approval of this request would clear the way to construct a total of 5,500 ft.² of warehouse/storage/“garage” space in a residential single-family residential neighborhood** that has no other warehouse/storage space like this. (The 5,500 square-feet cited here rests on the numbers provided in the request itself as summarized in the DRA notice that we received in the mail and confirmed August 24 in a phone call to your department. Google Earth images show no other warehouse/storage/garage space of these dimensions in the neighborhood.)
- **Such an expansion of warehouse/storage space in this single-family neighborhood area changes the character of the neighborhood;** approval would constitute a tacit rezoning of the neighborhood. We want this neighborhood to remain a quiet and secure neighborhood of single-family residences, as it is currently zoned.
- **Approval would not only harm the neighborhood now but set an unfortunate precedent for the future of the neighborhood.** If this is to remain a beautiful, quiet, and inviting neighborhood of single-family residences, a warehouse/storage project of this scale and scope should not be allowed to gain a foothold.
- In addition to being a neighborhood of single residence dwellings, this is a beautification overlay area: yet this project has already resulted in the removal of many large, mature trees from the property, replacing them with bare earth and cement (images available on Google Earth). **No argument can be made that the proposed project to build 5,500 square-feet of warehouse/storage facilities either maintains or enhances the beauty of this single-family residence neighborhood.**

We would like to comment in closing that there is no animosity behind our request that you reject this DRA—for 20 years now we have maintained excellent relations with all our neighbors on this block of Fairmont Avenue. Rather, we urge you to turn back this request based on the way that this project will have a clearly deleterious effect on the neighborhood and the families who live here now and in the future.

Thank you for your consideration,
David Lorey and Laura Meyer
770 E. Fairmont Ave.
(559)301-4804

From: [Dean Alexander](#)
To: [Shaw, Jeremy](#)
Subject: Re: DRA 4714/ Request for comments
Date: Friday, September 16, 2022 5:48:59 PM
Attachments: [image001.png](#)

Hi Jeremy, thank you for allowing the Fig Garden Homeowner Association to provide comment after our meeting on Wednesday September 14th. Our Board has discussed the 777 E. Fairmont Ave project. At our board meeting several neighbors expressed concerns about the project. After discussion, the Fig Garden Homeowner Association can not support the project. We feel that the reduction of side yard setbacks will impact the adjacent residents and is not warranted for this project.

Dean Alexander
President
Fig Garden Homeowners Association

On Fri, Sep 2, 2022 at 8:12 AM Shaw, Jeremy <jshaw@fresnocountyca.gov> wrote:

Good morning Mr. Alexander,

We can accept your comments following the HOA board meeting, that's not a problem, please let me know if you think comments will be delayed beyond the end of that week, 9/16.

Thank you.

Sincerely,



Jeremy Shaw | **Planner**
Department of Public Works and Planning |
Development Services and Capital Projects Division
2220 Tulare St. 6th Floor Fresno, CA 93721
Main Office: (559) 600-4230 Direct: (559) 600-4207

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From: Dean Alexander <dalex215@gmail.com>
Sent: Thursday, September 01, 2022 4:02 PM
To: Shaw, Jeremy <jshaw@fresnocountyca.gov>
Subject: Re: DRA 4714/ Request for comments

CAUTION!!! - EXTERNAL EMAIL - THINK BEFORE YOU CLICK

Hi Jeremy, We would like to have responded to the proposed development, but our next Fig Garden Homeowner Association board meeting is not until September 14th and we would have to vote to make an appropriate response. Please let me know if you would like to receive a response after our next meeting. I know it is past the deadline to respond and we understand that the response may not be taken into consideration.

Thank You

Dean Alexander

President

Fig Garden Homeowners Association

On Wed, Aug 17, 2022 at 3:26 PM Shaw, Jeremy <jshaw@fresnocountyca.gov> wrote:

Deadline: **August 30, 2022**

Good afternoon,

The Department of Public Works and Planning, Development Services and Capital Projects Division is reviewing the subject application to allow approximately 1,168 square feet of aggregate area for accessory buildings in required yards, where a maximum of 500 square feet are allowed; comprised of a two proposed 1,536 square-foot garages, and an existing 1,360 square-foot storage building (currently under construction) on a 0.78-acre (34,100 square-foot) parcel in the R-1-B(nb)(Single Family Residential, 12,500 square-foot minimum parcel size, Neighborhood Beautification Overlay) Zone District.

The subject parcel is located on the north side of E. Fairmont Avenue, approximately 430 feet east of its intersection with N. Wishon Avenue, and 980 feet east-southeast of the nearest city limits of the City of Fresno (APN 425-070-20) (777 E. Fairmont Ave.) (Sup. Dist. 2).

You may use the following link to view the application materials:

<http://www.co.fresno.ca.us/ProjectReview> (if you do not see this application listed, hit the refresh button near the upper left corner of your browser).

We must have your comments by **August 31, 2022**. Any comments received after this date may not be used.

If you do not have comments, please provide a “NO COMMENT” response to our office by the above deadline (e-mail is also acceptable; see email address below).

Thank you.

Sincerely,



Jeremy Shaw | **Planner**

Department of Public Works and Planning |

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