



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 5 July 18, 2024

SUBJECT: Variance No. 4162, Director Review and Approval No. 4757, and Environmental Review No. 8528

Variance to allow a reduction in the property development standards to allow a reduced lot width and road frontage of 53.2-foot (165-foot minimum), allow a lot depth-to-width ratio in excess of 4 to 1, and allow a reduction of the minimum required setbacks for a existing single family residence and existing accessory buildings and consider a Directors Review and Approval to allow two existing residences to remain on a proposed 1.86 parcel (APN: 373-111-28). Subject applications are necessary to allow a proposed Property Line Adjustment (PLA) 22-09 between an existing 1.86-acre parcel and a 153.1-acre parcel located within the AE-20 (Exclusive Agricultural, 20-acre minimum) Zone District.

LOCATION: The subject parcels are located on the east side of south Alta Ave, approximately 272 feet southeast from the intersection with Manning Ave, approximately 1.5-miles east from the City of Reedley. (APNs: 373-111-27 & 373-111-28) (9234 S. Alta Ave) (Sup. Dist. 4).

OWNERS: Roger L. Stevenson, Cotton Norton Stevenson Consulting
Gunnar Avinelis, Red Wolf Farms

APPLICANT: David Horn, Yamabe & Horn Engineering, Inc.

STAFF CONTACT: Alyce Alvarez, Planner
(559) 600-9669

David Randall, Senior Planner
(559) 600-4052

RECOMMENDATION:

- Deny Variance No. 4162 and Director Review and Approval No. 4757 based on the analysis of the required findings in the Staff Report; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Conditions of Approval and Project Notes
2. Location Map
3. Existing Zoning Map
4. Existing Land Use Map
5. Variances within one mile of subject parcel
6. Site Plan
7. Floor Plan
8. Photos
9. Applicant's Variance Findings

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agriculture	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District	No change
Parcel Size	Parcel 1: 1.86 acres Parcel 2: 153.1 acres	No change – PLA is for equal area of exchange
Project Site	See description under parcel size.	See proposed Parcel Sizes above.
Structural Improvements	Parcel 1: improved with a single-family residence Parcel 2: none	Adjust property lines to accommodate both existing homes, on the proposed 1.86-acres. The secondary 153.1-acre parcel will continue to be used to support agricultural operations.
Nearest Residence	200-feet west of the parcels	No change

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

ENVIRONMENTAL ANALYSIS:

It has been determined pursuant to Section 15305(a) of the California Environmental Quality Act (CEQA) guidelines: Minor Alterations in Land Use Limitations, that the proposed project will not have a significant effect on the environment and is not subject to CEQA.

PUBLIC NOTICE:

Notices were sent to 21 property owners within 1,320 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PUBLIC COMMENT:

No public comment was received as of the date of preparation of this report.

PROCEDURAL CONSIDERATIONS:

VARIANCE:

A Variance Application may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Section 860.5 are made by the Planning Commission.

The decision of the Planning Commission on a Variance Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission’s action.

DIRECTOR REVIEW AND APPROVAL:

Pursuant to the Zoning Ordinance, Section 846.5, a Director Review and Approval (DRA) Application may be approved only if four Findings specified within the ordinance are made by the Planning Commission.

BACKGROUND INFORMATION:

The applicants are seeking to have property lines adjusted between two properties so that a house existing on the larger parcel can be encompassed on the smaller lot. The existing 1.86-acre parcel contains a 2,352 square-foot single-family residence, detached two car garage, septic system, well, pool and gazebo. The 153.1-acre parcel is a farming operation with a 1,480 square -foot single-family residence, and two septic system. The two residences are currently connected by an unpermitted 235 square-foot enclosed breezeway that is crossing over the existing property lines. The applicants are seeking to have property lines adjusted between two properties so that the house existing on the larger house can be encompassed on the smaller lot.

The Variance Application and a DRA Application are necessary as the Property Line Adjustment (PLA) proposal entails deviation from property development standards as well as placing two existing homes on one substandard parcel.

County records indicate there have been two Variances requests within a one-mile radius of the parcel.

Application	Date of Action	Staff Recommendation	Final Action
VA 3425 Parcel Creation: <i>Allow the creation of a 2-acre parcel (20-acres required)</i>	July 23, 1993	Denial	PC Approved
VA 3672 Parcel Creation: <i>Allow the creation of 1.36-acre parcel (20-acres required)</i>	June 15, 2000	Denial	PC Denied BOS Approved

Variance No. 4162:

Finding 1: **There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification.**

	Current Standard:	Proposed Configuration:	Is Standard Met (y/n):
Setbacks	<u>AE-20</u> Front: 35 feet Side: 20 feet Rear: 20 feet	Side: minimum 17.5 feet	No
Parking	N/A	N/A	N/A
Lot Coverage	No requirement	N/A	N/A
Separation Between Buildings	No requirement for residential or accessory structures, excepting those used to house animals which must be located a minimum of 40 feet from any human-occupied building.	N/A	N/A
Wall Requirements	N/A	N/A	N/A
Septic Replacement Area	100 percent of the existing system	No change	N/A
Water Well Separation	Building sewer/septic tank: 50 feet Disposal field: 100 feet Seepage pit/cesspool: 150 feet	Any existing or proposed water wells will be required to meet minimum setbacks (separation) from proposed septic systems.	Yes

Reviewing Agency/Department Comments Regarding Site Adequacy:

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

Finding 1 Analysis:

In support of Finding 1, the applicant states that due to the Property Line Adjustment (PLA) requirement of the proposed parcel to match the area of the existing parcel, it would not be possible to meet the road frontage, depth-to-width lot ratio and required setbacks and have both existing homes on the same parcel without creating a flag lot to maintain the same area of existing parcel.

The assertion that the PLA requires the proposed parcel to match the area of the existing parcel is incorrect, there is no such requirement, it is a preference of the applicants. The PLA could be configured to provide the area necessary to meet all development standards including the setbacks, frontage requirements, and lot depth to width ratio.

The applicants are asking for permission to configure a lot that does follow the Zoning Ordinance development standards, that all other properties with the same zoning must follow, in order to meet their personal desires. There is not a unique physical feature or situation not common to other properties in the area with the same zoning. The development standards apply to all parcels in the general vicinity that are zoned AE-20.

Recommended Conditions of Approval:

None.

Finding 1 Conclusion:

Finding 1 cannot be made as there are no extraordinary features or circumstances relating specifically to the property that could not apply to other properties in the same zone classification.

Finding 2: **Such Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.**

Reviewing Agency/Department Comments:

No comments specific to the preservation of a substantial property right were expressed by reviewing Agencies or Departments.

Finding 2 Analysis:

In support of Finding 2, the applicant states that the variance is necessary to preserve the agricultural production of the existing parcels. If development standards are maintained, the adjusted area would either include their existing road access or a significant portion of the 158.1-acre parcel's crops which would cause hardship on that owner's operations. Additionally, both homes would not be able to be on the same parcel which would be detrimental to both owners.

With regard to Finding 2, the applicant must demonstrate they are denied a property right which is enjoyed by neighboring parcels under like conditions under the same zoning classification. The development standards are not depriving the owners of any right not enjoyed by other property owners in the AE-20 Zone District since all property owners are subject to the same development standards. All property owners have the same constraints and opportunities. A property owner has the right to develop their property, but not the right to have a development standard waived simply to meet their personal preference, such as wanting two existing homes to be on the same parcel due to building an unpermitted breezeway connecting them.

Variations can only be used to provide relief to preserve the “substantial property right” to be able to utilize a property for the intended use of the zoning. If regulations and unique physical attributes prohibit this property from realizing any reasonable use intended under the zoning, a variance would be appropriate to preserve the “substantial property right”. The purpose of the variance is to configure the existing parcel line configuration so that both existing homes would be on one parcel in a manner that is convenient to the applicant. The applicant enjoys the right to have residences on the parcels, continue agricultural operation and other uses allowed by the AE-20 Zone District. Those property rights are not constrained or in jeopardy.

Recommended Conditions of Approval:

None.

Finding 2 Conclusion:

Finding 2 cannot be made based on the above analysis as the property development standards does not, in this circumstance, create a situation where it creates a loss of a substantial property right of the applicant, which right is possessed by other property owners under like conditions.

Finding 3: *The granting of a variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located.*

Surrounding Parcels

	Size (acres):	Use:	Zoning:	Nearest Residence:
North:	18.15	Gas Station, Convenience store, fallow land	AE-20	460 feet
South:	19.55	Single Family Residence, crops	AE-20	260 feet
East:	19.56	Orchard, Single Family Residence	AE-20	384 feet
West:	16.79	Single Family Residence	AE-20	115 feet

Reviewing Agency/Department Comments:

Water and Natural Resources Division of the Fresno County Department of Public Works and Planning: The Water and Natural Resources Division has reviewed the attached applications and determined the proposal will have a less than significant impact on the existing water levels in the area. In addition, the subject parcel is not located within an area of the county defined as being a water short area.

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

Finding 3 Analysis:

The Applicant’s statement justifying the finding, indicates that the variance will not change what is currently occurring on the property, and verifies it is the intention of the applicant, if this

variance is approved, to continue to use the existing homes contained within the existing substandard parcel and the larger parcel will continue to be farmed.

Staff has noted that the subject property is in an area of both residential and agricultural uses, primarily orchards and row crops. Parcel sizes in the immediate vicinity range from one acre to 30 acres. The proposed property line adjustment would result in a minimal change to the configuration and size of both existing parcels which does not pose a significant detriment to the public.

Recommended Conditions of Approval:

Setbacks for new construction shall be based on the ultimate right-of-way.

Finding 3 Conclusion:

Finding 3 can be made, based on the above information and with adherence to the Conditions of Approval and requirements included as project notes the proposal will not have adverse effects upon surrounding properties.

Finding 4: The granting of such a variance will not be contrary to the objectives of the General Plan.

Relevant Policies:	Consistency/Considerations:
No applicable General Plan Policies were identified.	N/A

Reviewing Agency Comments:

Policy Planning Section of the Development Services Division: The subject parcels are enrolled in the Williamson Act Program under contract Nos. 4090 and 4089. AP 4090 spans 1.54 acres, rendering it a substandard parcel as per the Fresno County Interim Guidelines, which stipulate a minimum requirement of 20 acres for prime land parcels to remain under contract. Given that AP 4090 identified as APN 373-111-28 is substandard, the soil designation does not influence the retention of this parcel under contract. Consequently, Notice of Nonrenewal was necessitated. Additionally, a portion of AP 4089 is slated for amalgamation with AP 4090 identified as APN 373-111-27, thus mandating the recording of a partial Notice of Nonrenewal for the section to be merged with the substandard parcel identified as APN 373-111-28.

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

Finding 4 Analysis:

In support of Finding 4, the applicant's findings assert that the purpose of the property line adjustment to modify property lines will not adversely affect the production of agriculture as it will not reduce agricultural production or its intensity. Accordingly, there will be no change in land available for agricultural production, as the quantity of land being transferred is less than one tenth of an acre. Additionally, the applicant has fulfilled the requirements regarding the Williamson Act Program contracts Nos. 4090 and 4089 as required by Fresno County Policy Planning Section.

Staff concurs with the applicant's statement that the project would not be contrary to the objectives of the General Plan. There are no new parcels being created, only an adjustment of

property lines. If the Variance is approved, the net result would be a negligible area of productive farmland; and would not substantially hinder the potential for continued agricultural use of the property.

Finding 4 Conclusion:

Finding 4 can be made as the variance will not be contrary to the objectives of the General Plan.

DIRECTOR REVIEW AND APPROVAL No. 4757:

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.**

Reviewing Agencies/Department Comments Regarding Site Adequacy:

Department of Public Health, Environmental Health Division: Septic system density will be limited to one system per two acres. Any new development of less than two acres or secondary dwelling will require a nitrogen loading analysis by a qualified professional, demonstrating to the Department of Public Works and Planning (Department) that the regional characteristics are such that an exception to the septic system density limit can be accommodated.

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

Recommended Conditions of Approval:

None.

Finding 1 Analysis & Conclusion:

Finding 1 can be made with the adherence to the aforementioned requirements included as mandatory Project Notes staff believes that the lot line adjustments are adequate in size and shape to accommodate the proposed use. A Nitrogen Loading Analysis was completed, concluding that the calculated average concentration of total nitrogen in the groundwater is 14mg/l based on owned parcel area. A calculated average concentration of Total Nitrogen concentration of 10.0 mg/l, which meets the EPA threshold of 10.0 mg/l for drinking water, can be determined with the inclusion of a .87 open acreage adjacent to the subject parcel in a regional evaluation.

Finding 2: **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	Alta Avenue	No change

		Existing Conditions	Proposed Operation
Direct Access to Public Road	Yes	Alta Avenue Manning Avenue	No change
Road ADT		Alta Avenue: 5100 Manning Avenue: 6100	No change
Road Classification		Alta Avenue: Arterial Road Manning Avenue: Arterial Road	No change
Road Width		Alta Avenue: 41' Manning Avenue: 32.7'	No change
Road Surface		Paved	No change
Traffic Trips		Residential	No Change
Traffic Impact Analysis (TIA) Prepared	No	N/A	N/A
Road Improvements		None	None

Reviewing Agencies/Department Comments:

Road Maintenance and Operations Section of the Fresno County Department of Public Works and Planning: Manning Avenue currently has 60' of existing road right-of-way and an ultimate right-of-way of 106' per the Fresno County General Plan. An additional 23' of road right-of-way along the subject parcel must be dedicated or irrevocably offered to meet the ultimate right-of-way for Manning Ave. Any setbacks for new construction must be based on the ultimate road right-of-way for Manning Ave. Alta Avenue currently has 80' of existing road right-of-way (30' east of the section line) and an ultimate right-of-way of 106' per the Fresno County General Plan. An additional 23' of road right-of-way along the subject parcel must be dedicated or irrevocably offered to meet the ultimate right-of-way for Alta Ave. Any setbacks for new construction must be based on the ultimate road right-of-way for Alta Ave.

Finding 2 Analysis & Conclusion:

Finding 2 can be made based on Staff's determination and with the adherence to the aforementioned requirements included as mandatory Conditions of Approval that the streets are adequate to accommodate the proposed use.

Finding 3: **The proposed use will not be detrimental to the character of the development in the immediate neighborhood or the public health, safety, and general welfare;.**

Reviewing Agencies/Department Comments:

None.

Building Sizes:

Size of Existing Primary House	Size of Proposed House (2,000 feet max):
1,412 square feet	1,248 square feet

Surrounding Properties:

	Size (acres):	Use:	Zoning:
North:	18.15	Gas Station, Convenience store, fallow land	AE-20
South:	19.55	Single Family Residence, crops	AE-20
East:	19.56	Orchard	AE-20
West:	16.79	Single Family Residence	AE-20

Approximate distances to nearest neighboring residences (in feet)

	Primary Residence	Secondary Residence
North	1,312	1,350
East	2,555	2,595
South	1,164	1,202
West	570	584
There are approximately 37 feet between the primary and proposed secondary residence.		

Finding 3 Analysis & Conclusion:

According to site and aerial photographs, the subject property is in an area of agricultural land use. Pictures of the existing primary residence and floor plans for the existing secondary residential unit show that the two units are complementary and compatible with surrounding land uses. No concerns were expressed by any reviewing agency.

Finding 3 can be made with the adherence to the requirements included as Conditions of Approval and mandatory Project Notes, staff believes that the proposal will not have an adverse effect upon surrounding properties.

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

Relevant Policies:	Consistency/Considerations:
Policy LU-H.4 – <i>The County shall allow second dwellings, not to be sold as a separate unit, subject to a discretionary permit in areas designated for low, medium, and medium high density residential use, rural residential use, and agricultural or rangeland use. The second dwelling shall be clearly subordinate in size to the primary dwelling.</i>	Both residential units are located on land that is designated Agricultural in the Fresno County General Plan. The primary residence is 1,412 square feet and the secondary residence is 1,248 square feet.
Policy PF-C.17 – <i>The County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation. The evaluation shall include the following:</i>	The subject property is not located in a low-water area. The parcels are adequate to support both residences.

Relevant Policies:	Consistency/Considerations:
<p>a. <i>A determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question. If surface water is proposed, it must come from a reliable source and the supply must be made “firm” by water banking or other suitable arrangement. If groundwater is proposed, a hydrogeologic investigation may be required to confirm the availability of water in amounts necessary to meet project demand. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required.</i></p> <p>b. <i>A determination of the impact that use of the proposed water supply will have on other water users in Fresno County. If use of surface water is proposed, its use must not have a significant negative impact on agriculture or other water users within Fresno County. If use of groundwater is proposed, a hydrogeologic investigation may be required. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required. Should the investigation determine that significant pumping-related physical impacts will extend beyond the boundary of the property in question, those impacts shall be mitigated.</i></p> <p>c. <i>A determination that the proposed water supply is sustainable or that there is an acceptable plan to achieve sustainability. The plan must be structured such that it is economically, environmentally, and technically feasible. In addition, its implementation must occur prior to long-term and/or irreversible physical impacts, or significant economic hardship, to surrounding water users.</i></p>	

Reviewing Agencies/Department Comments:

Policy Planning Section of the Fresno County Department of Public Works and Planning: AP 4090 Contract spans 1.54 acres, rendering it a substandard parcel as per the Fresno County Interim Guidelines, which stipulate a minimum requirement of 20 acres for prime land parcels to remain under contract. Given that AP 4090 identified as APN 373-111-28 is substandard, the soil designation does not influence the retention of this parcel under contract. Consequently, Notice of Nonrenewal is necessitated.

Finding 4 Recommended Conditions of Approval:

None

Finding 4 Analysis & Conclusion:

Finding 4 can be made as the proposed allowance is consistent with the General Plan. Per the Policy Planning Section, the Notices of Nonrenewal required for the aforementioned contracts have been recorded.

DRA No. 4757 CONCLUSION:

In as much as the Variance is not recommended for approval and the DRA is dependent upon the Variance being approved, Staff cannot recommend approval of the DRA.

If Variance 4162 were to be approved, the analysis of the DRA above indicates all findings can be made and the Staff would then recommend approval of the DRA.

SUMMARY CONCLUSION:

Finding 1 and 2 for granting a Variance cannot be made because the situation is not unique nor does it protect a property right enjoyed by properties in the surrounding area.

The application is based on the applicant's personal desire to connect two homes that were built on separate parcels and illegally connected by an enclosed breezeway.

Based on the factors cited the required Findings for granting the Variance Application cannot be made as there are no exceptional or extraordinary circumstances or conditions applicable to the property and the variance is not necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity.

The Findings for granting the Director Review and Approval Application cannot be made without the Variance being approved.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Denial Action)

- Move to determine that the required Findings cannot be made based on the information in the Staff Report and move to approve Variance No. 4149 and DRA No. 4734, subject to the Conditions and Project Notes attached as Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Approval Action)

- Move to determine the required Findings can be made (stating the basis for making the findings) and move to Approve Variance No. 4149 and DRA No. 4734; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

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EXHIBIT 1

Variance No. 4162, Director Review and Approval No. 4757 and Environmental Review No. 8528
 Conditions of Approval and Project Notes

Conditions of Approval	
1.	The second dwelling until shall not exceed 2,000 square feet in size.

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.	Prior to issuance of a building permit, 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.
2.	<p>Environmental Health Division</p> <p>Septic system density will be limited to one system per two acres. Any new development of less than two acres or secondary dwelling required a nitrogen loading analysis (NLA) by a qualified professional. The applicant shall abide by the approved NLA.</p> <ul style="list-style-type: none"> • It is recommended that the applicant consider having the existing septic tanks pumped and have the tanks 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 • Any new sewage disposal system proposal shall be installed under permit and inspection by the Department of Public Works and Planning Building and Safety Section. Contact Department of Public Works and Planning at (559) 600-4540 for more information. It is the responsibility of the property owner, the property buyer, the engineer, and/or the sewage disposal system contractor to confirm required setbacks, separations, and other special requirements or conditions which may affect the placement, location, and construction of the sewage disposal system. • At such time the applicant or property owner(s) decides to construct a water well, the water well contractor selected by the applicant will be required to apply for and obtain a Permit to Construct a Water Well from the Fresno County Department of Community Health, Environmental Health Division. Please be advised that only those persons with a valid C-57 contractor's license may construct wells. For more information, contact the Water Surveillance Program at (559) 600-3357. • If any underground storage tank(s) are found during construction, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.

EXHIBIT 1

Notes	
	<ul style="list-style-type: none"> As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor. If any abandoned underground storage tank(s) are found within the project area, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.
3.	<p>Development Engineering</p> <ul style="list-style-type: none"> According to the U.S.G.S. Quad Map, California Vineyard Ditch is near the eastern property line of the subject property. Any future improvements constructed within or near a ditch should be coordinated with the owners of the ditch/appropriate agency. The end of curbed/taper edge of any existing or future proposed access driveway approach should be set back a minimum of 5' from the property line. Any existing or future proposed entrance gate should be set back a minimum of 20' from the road right-of-way line or the length of the longest truck entering the site, and shall not swing outward. A minimum of 10'x10' corner cut-off should be improved for sight distance purposes at any existing or future driveway accessing Alta Avenue, Manning Avenue, North Avenue and Springfield Avenue if not already present. Any work done within the County road right-of-way to construct a new driveway or improve an existing driveway will require an Encroachment Permit from the Road Maintenance and Operations Division. A grading permit/voucher may be required for any grading that has been done without a permit and any future grading with this application.
4.	<p>Roads Maintenance and Operations</p> <ul style="list-style-type: none"> Manning Avenue currently has 60' of existing road right-of-way and an ultimate right-of-way of 106' per the Fresno County General Plan. An additional 23' of road right-of-way along the subject parcel must be dedicated or irrevocably offered to meet the ultimate right-of-way for Manning Ave. Any setbacks for new construction must be based on the ultimate road right-of-way for Manning Ave. Alta Avenue currently has 80' of existing road right-of-way (30' east of the section line) and an ultimate right-of-way of 106' per the Fresno County General Plan. An additional 23' of road right-of-way along the subject parcel must be dedicated or irrevocably offered to meet the ultimate right-of-way for Alta Ave. Any setbacks for new construction must be based on the ultimate road right-of-way for Alta Ave.

Legend



Subject Property

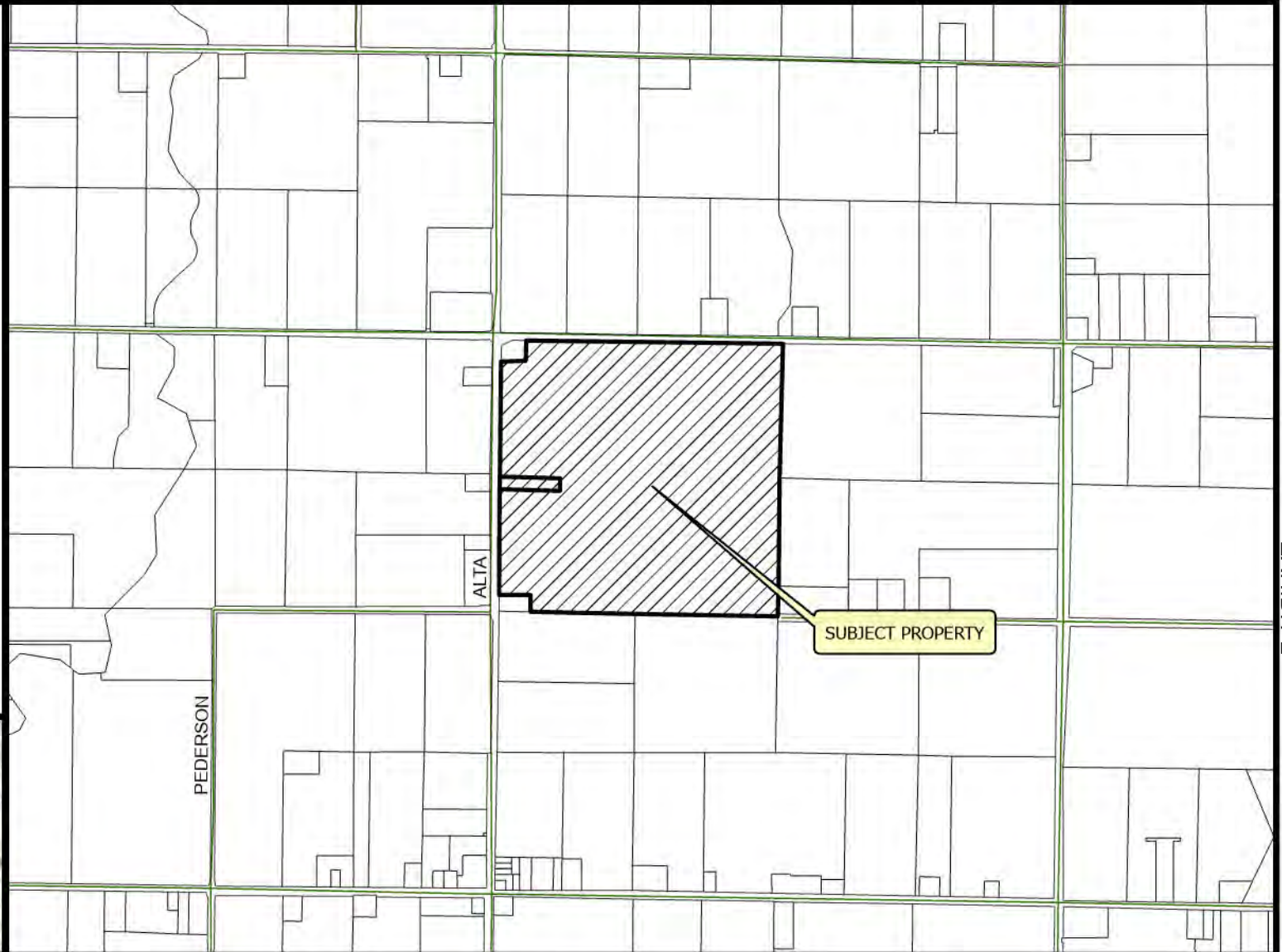
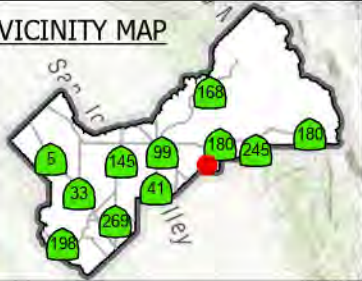


EXHIBIT 2

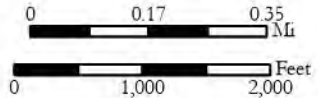
VICINITY MAP






LOCATION MAP

VA 4162 & DRA 4757 | 2024

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
Person Prepared by : mayang
On Date : 1/9/2024



Legend

-  Subject Property
-  AC
-  AE20

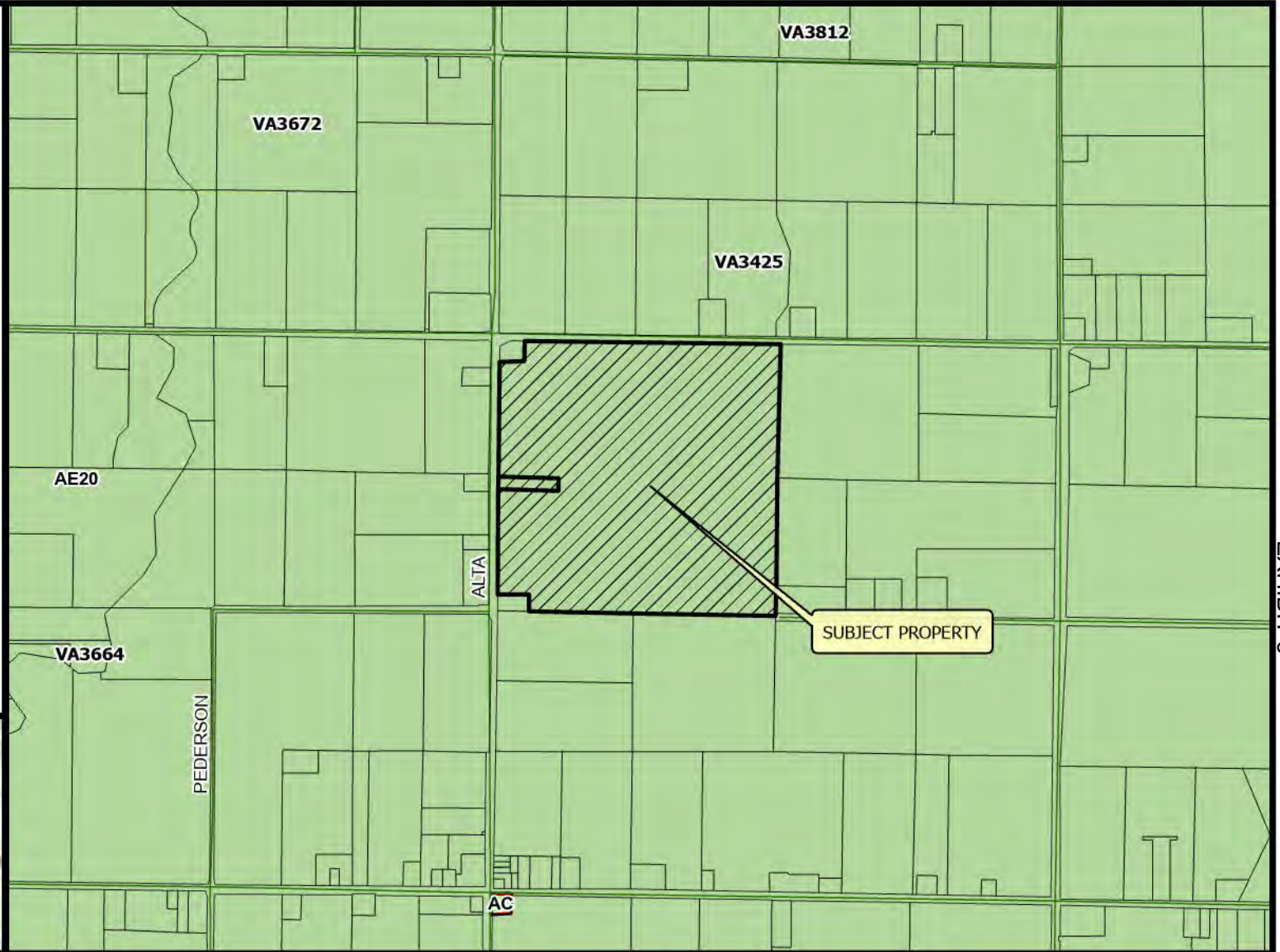
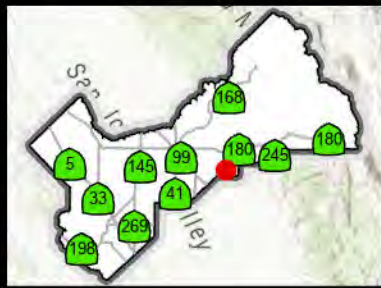


EXHIBIT 3

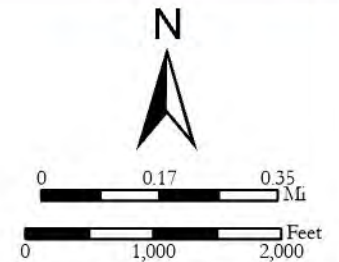


Existing Zoning Map



VA 4162 & DRA 4757
 STR 29 - 15S / 24E

2024

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
 Person Prepared by : mayang
 On Date : 1/2/2024



LEGEND:

-  Subject Property
-  Ag Contract Land

SF# - SINGLE FAMILY RESIDENCE
V - VACANT
ORC - ORCHARD
VIN - VINEYARD
FC - FIELD CROP
CP# - OFFICE COMM./PROF
C - COMMERCIAL
PAH - PACKING HOUSE

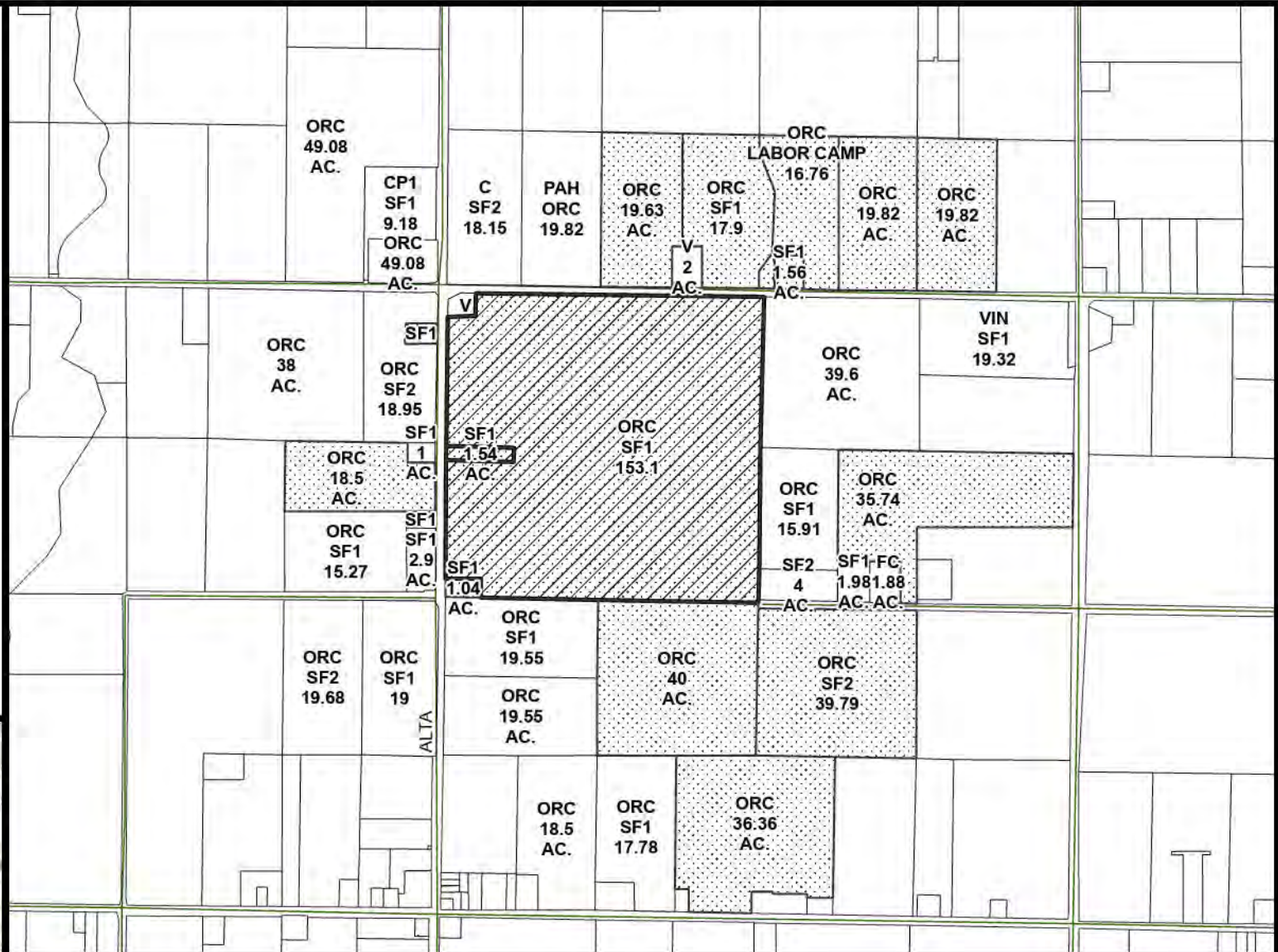


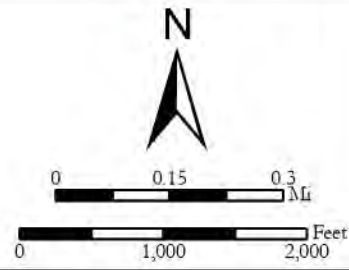
EXHIBIT 4






Existing Land Use Map

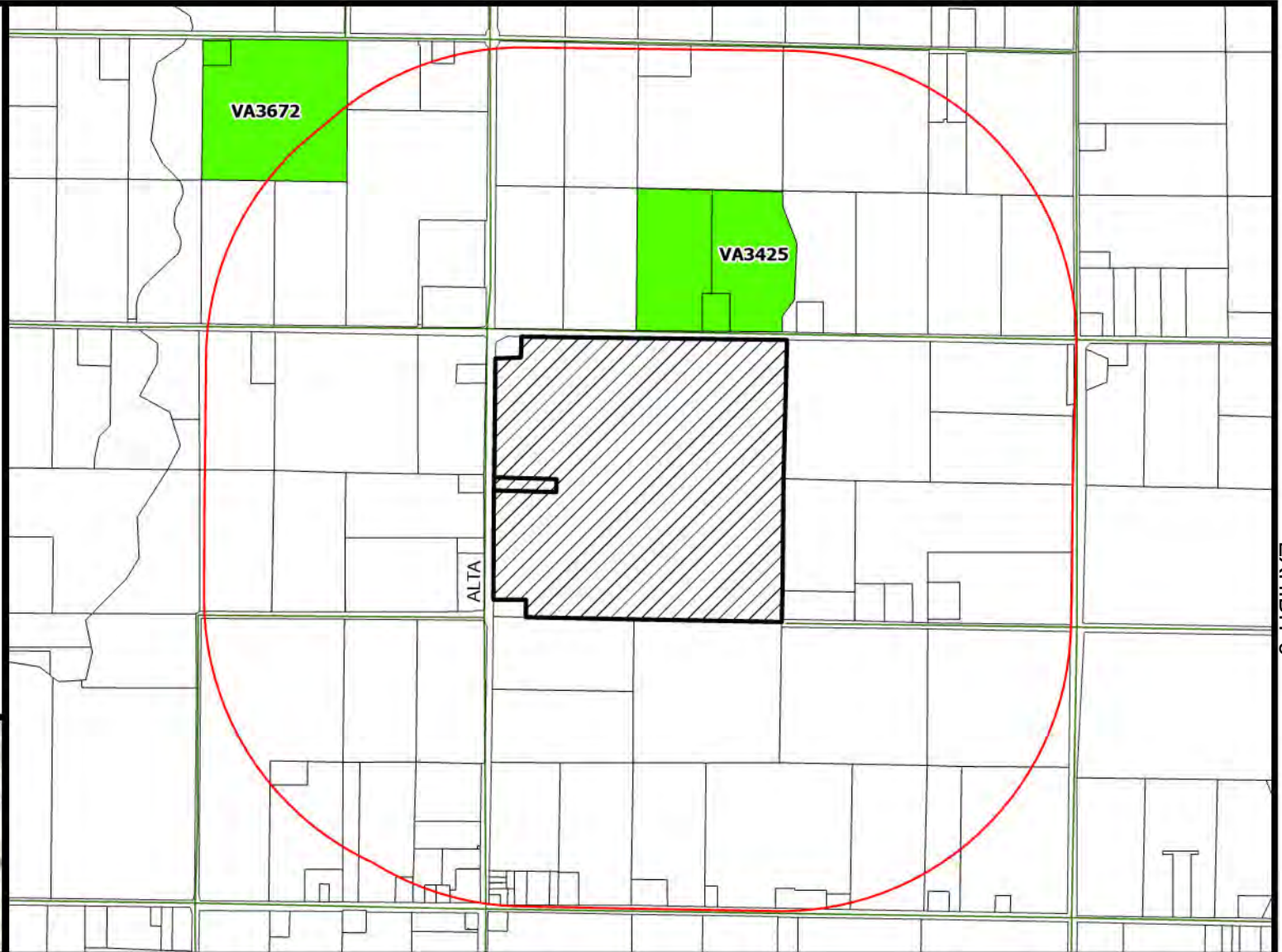
VA 4162 & DRA 4757 | 2024

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
 Person Prepared by : mayang
 On Date : 1/9/2024



Legend

-  Half Mile Buffer
-  Subject Property
-  VA Permits

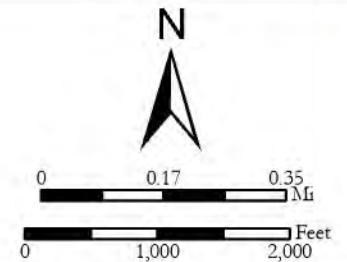


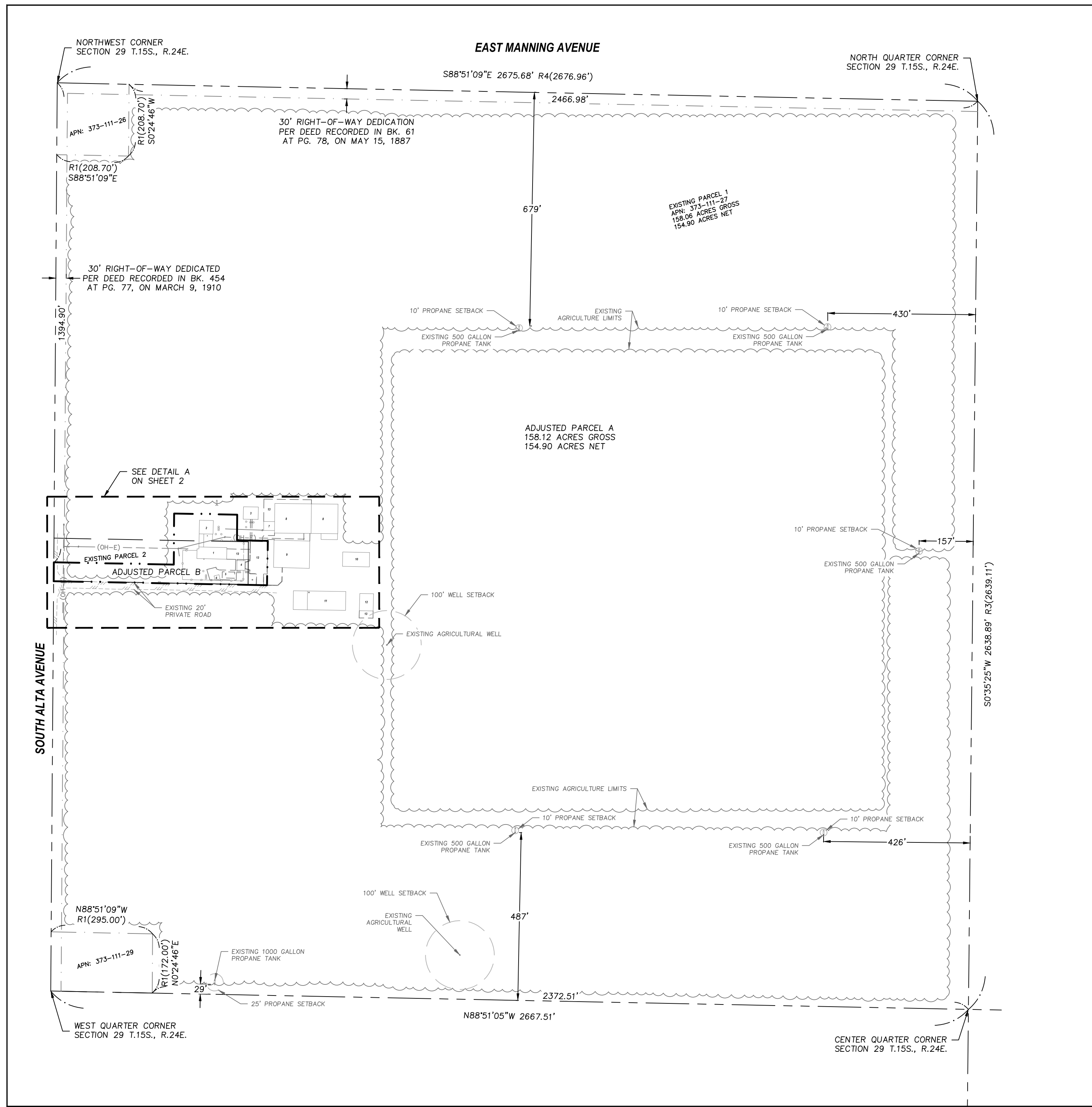
Proximity Map

VA 4162

2024

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
 Person Prepared by : mayang
 On Date : 6/25/2024



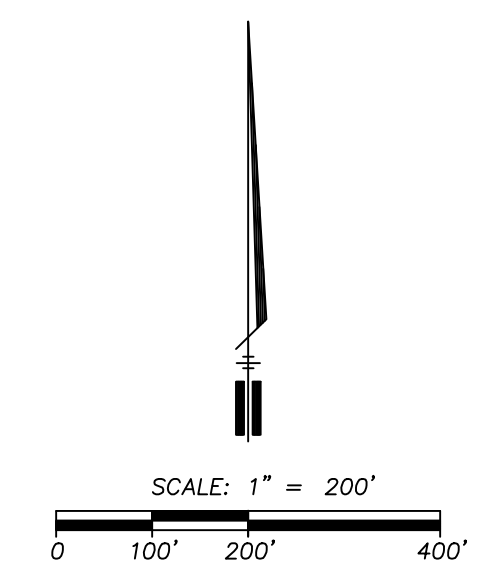


- LEGEND:**
- PROPOSED ADJUSTED PROPERTY LINE
 - EXISTING SECTION LINE
 - EXISTING PROPERTY / RIGHT-OF-WAY LINE
 - PROPERTY LINE TO BE REMOVED
 - EXISTING EDGE OF ROADWAY
 - (OH-E) --- EXISTING OVERHEAD LINES
 - EXISTING STRUCTURE
 - [G] EXISTING GAS METER
 - [W] EXISTING WATER WELL
 - [*] EXISTING BOLLARD
 - [PP] EXISTING POWER POLE
 - R1() RECORD DATA PER DOCUMENT NO. 2017-0116139 RECORDED ON 09/14/2017 O.R.F.C.
 - R2() RECORD DATA PER PARCEL MAP NO. 4379, RECORDED IN BK. 28 OF PARCEL MAPS AT PAGE 77, F.C.R.
 - R3() RECORD DATA PER PARCEL MAP NO. 3693, RECORDED IN BK. 24 OF PARCEL MAPS AT PAGE 19, F.C.R.
 - R4() RECORD DATA PER RECORD OF SURVEY, RECORDED IN BK. 2 OF RECORD OF SURVEYS AT PAGE 30, F.C.R.
 - F.C.R. FRESNO COUNTY RECORDS
 - O.R.F.C. OFFICIAL RECORDS FRESNO COUNTY

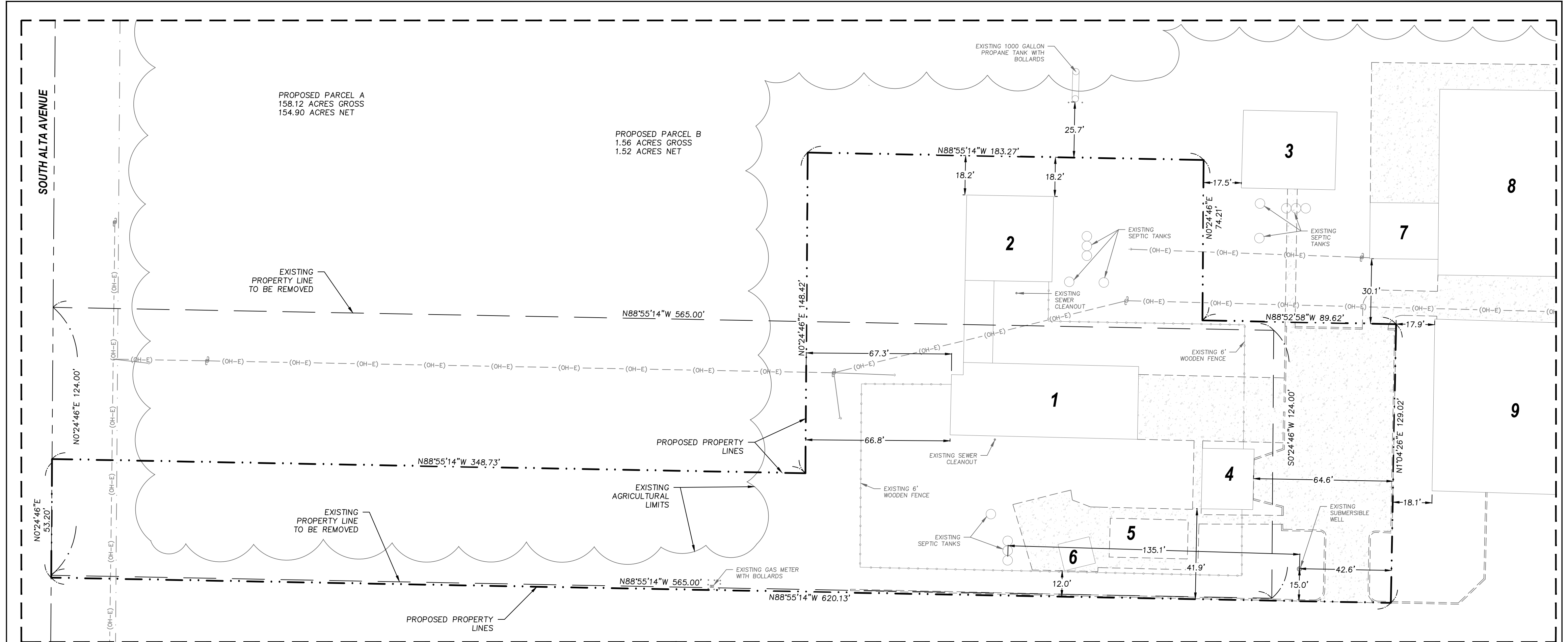
BASIS OF BEARINGS:

GPS (GLOBAL POSITION SYSTEM) BASED WGS 84 (WORLD GEODETIC SYSTEM OF 1984) GEODETIC (SEE SURVEYORS NOTE). THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 29, T.15S., R.24E., MOUNT DIABLO BASE AND MERIDIAN.

TAKEN TO BE N0°24'46"E



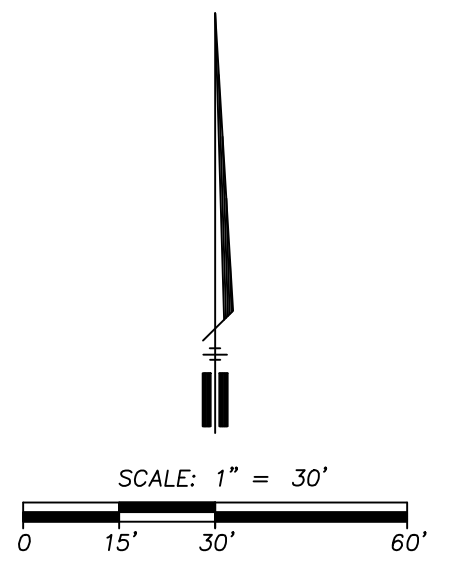
PROJECT TITLE		SITE PLAN	
SHEET DESCRIPTION		S. ALTA AVENUE & E. MANNING AVENUE	
	Date:	04/10/23	
	Scale:	As Noted	
	YH Job No.:	21-314	
	Sheet No.:	1	
	of _____ Sheets	3	
<p>Yamabe & Horn Engineering, Inc. CIVIL ENGINEERS • LAND SURVEYORS 2985 N. BURL AVENUE SUITE 101 FRESNO, CA 93727 TEL: (559) 244-3123 WEBSITE: YANDHENG.COM</p>			



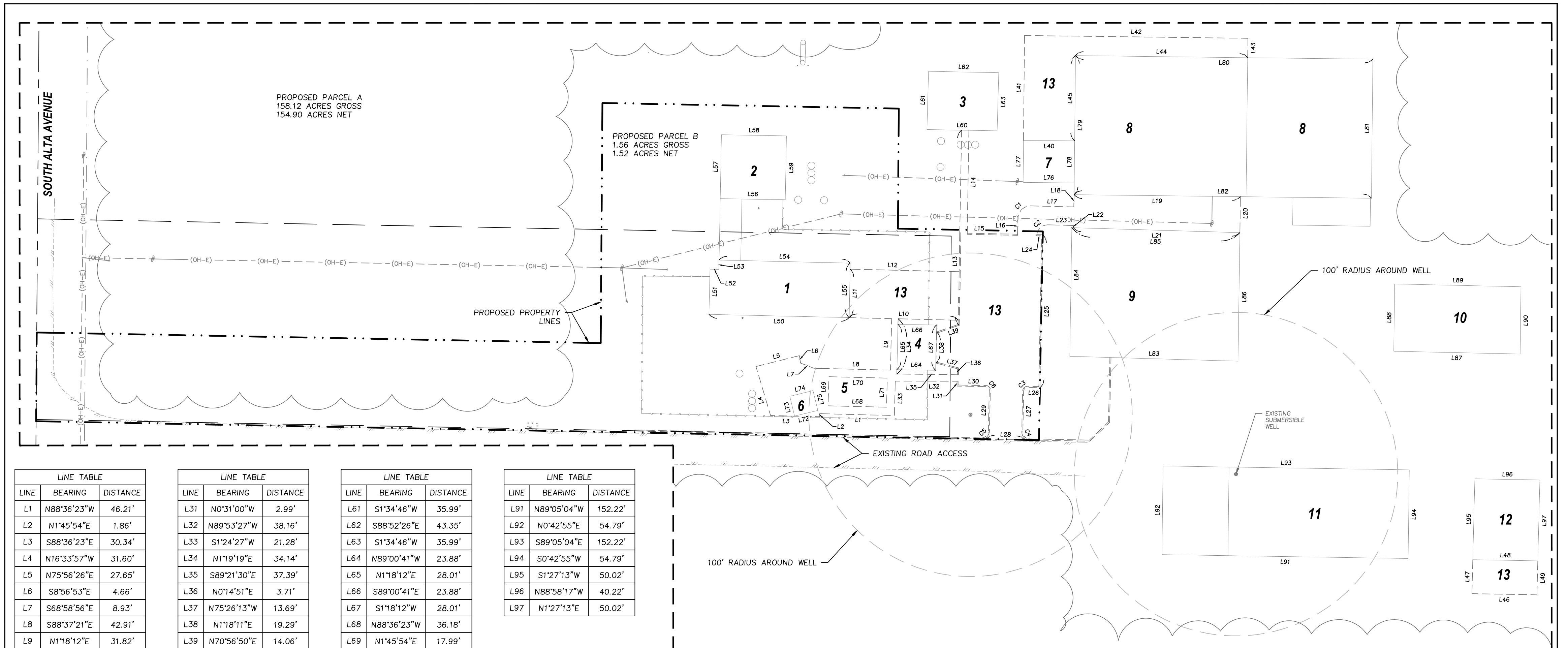
1	(E) MAIN HOUSE 3 BEDROOMS	SINGLE STORY
2	(E) GUEST HOUSE 3 BEDROOMS	SINGLE STORY
3	(E) OFFICE	SINGLE STORY
4	(E) 2 CAR GARAGE	SINGLE STORY
5	(E) SWIMMING POOL	GROUND LEVEL
6	(E) POOL GAZEBO	SINGLE STORY
7	(E) RESTROOM	SINGLE STORY
8	(E) PACKING SHED	TWO STORY
9	(E) STORAGE BUILDING	TWO STORY
10	(E) POLE BARN	TWO STORY

LEGEND:

- PROPOSED ADJUSTED PROPERTY LINE
- EXISTING SECTION LINE
- EXISTING PROPERTY / RIGHT-OF-WAY LINE
- PROPERTY LINE TO BE REMOVED
- EXISTING EDGE OF ROADWAY
- EXISTING OVERHEAD LINES
- EXISTING STRUCTURE
- EXISTING WOOD FENCE
- EXISTING CONCRETE AREA
- EXISTING GAS METER
- EXISTING WATER WELL
- EXISTING BOLLARD
- EXISTING POWER POLE



PROJECT TITLE		SITE PLAN	
SHEET DESCRIPTION		S. ALTA AVENUE & E. MANNING AVENUE	
	Date: 04/10/23	<p>Yamabe & Horn Engineering, Inc. CIVIL ENGINEERS • LAND SURVEYORS 2985 N. BURL AVENUE SUITE 101 FRESNO, CA 93727 TEL: (559) 244-3123 WEBSITE: YANDHENG.R.COM</p>	Scale: As Noted
	YH Job No. 21-314		Sheet No. 2
	of 3 Sheets		



LINE	BEARING	DISTANCE
L1	N88°36'23"W	46.21'
L2	N1°45'54"E	1.86'
L3	S88°36'23"E	30.34'
L4	N16°33'57"W	31.60'
L5	N75°56'26"E	27.65'
L6	S8°56'53"E	4.66'
L7	S68°58'56"E	8.93'
L8	S88°37'21"E	42.91'
L9	N1°18'12"E	31.82'
L10	S88°39'03"E	67.43'
L11	N1°04'47"E	30.00'
L12	S88°39'03"E	67.48'
L13	N0°42'14"E	120.61'
L14	S0°55'07"W	63.62'
L15	S88°52'58"E	31.13'
L16	N1°23'13"E	9.87'
L17	S88°36'47"E	26.85'
L18	S1°23'13"W	7.58'
L19	S89°19'15"E	102.79'
L20	N0°40'45"E	22.22'
L21	N88°20'04"W	103.05'
L22	N1°23'13"E	1.40'
L23	S88°36'47"E	14.88'
L24	S88°45'31"E	3.05'
L25	S1°04'26"W	94.60'
L26	N88°07'35"W	7.65'
L27	S1°03'08"W	24.67'
L28	S88°39'11"E	23.65'
L29	S1°16'42"W	24.70'
L30	S88°51'28"E	17.76'

LINE	BEARING	DISTANCE
L31	N0°31'00"W	2.99'
L32	N89°53'27"W	38.16'
L33	S1°24'27"W	21.28'
L34	N1°19'19"E	34.14'
L35	S89°21'30"E	37.39'
L36	N0°14'51"E	3.71'
L37	N75°26'13"W	13.69'
L38	N1°18'11"E	19.29'
L39	N70°56'50"E	14.06'
L40	N90°00'00"W	31.63'
L41	N0°34'18"E	64.83'
L42	S89°17'31"E	138.14'
L43	S0°00'00"E	12.00'
L44	N89°17'31"W	106.48'
L45	S0°34'18"W	52.75'
L46	S88°58'17"E	40.22'
L47	N1°27'13"E	21.00'
L48	S88°58'17"E	40.22'
L49	N1°27'13"E	21.00'
L50	S88°39'03"E	86.70'
L51	S1°20'57"W	27.90'
L52	S88°55'13"E	5.46'
L53	S1°04'47"W	5.77'
L54	S88°39'03"E	81.11'
L55	S1°04'47"W	33.70'
L56	S88°59'50"E	40.22'
L57	N1°04'47"E	39.51'
L58	S88°59'50"E	40.22'
L59	S1°04'47"W	39.51'
L60	S88°52'26"E	43.35'

LINE	BEARING	DISTANCE
L61	S1°34'46"W	35.99'
L62	S88°52'26"E	43.35'
L63	S1°34'46"W	35.99'
L64	N89°00'41"W	23.88'
L65	N1°18'12"E	28.01'
L66	S89°00'41"E	23.88'
L67	S1°18'12"W	28.01'
L68	N88°36'23"W	36.18'
L69	N1°45'54"E	17.99'
L70	S88°37'21"E	36.07'
L71	S1°24'27"W	18.00'
L72	N76°15'48"E	14.80'
L73	S13°40'51"E	12.59'
L74	S76°15'48"W	14.80'
L75	N13°40'51"W	12.59'
L76	S89°25'42"E	31.64'
L77	N0°34'18"E	25.98'
L78	N0°34'18"E	25.98'
L79	N0°34'18"E	86.00'
L80	S89°19'15"E	183.86'
L81	N0°34'18"E	86.00'
L82	S89°19'15"E	183.86'
L83	S88°20'13"E	104.00'
L84	S0°52'54"W	79.49'
L85	S88°20'13"E	104.00'
L86	S0°52'54"W	79.49'
L87	S88°43'28"E	78.16'
L88	S0°43'09"W	41.59'
L89	N88°43'28"W	78.16'
L90	N0°43'09"E	41.59'

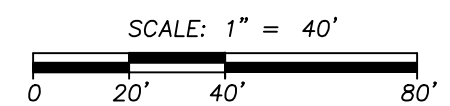
LINE	BEARING	DISTANCE
L91	N89°05'04"W	152.22'
L92	N0°42'55"E	54.79'
L93	S89°05'04"E	152.22'
L94	S0°42'55"W	54.79'
L95	S1°27'13"W	50.02'
L96	N88°58'17"W	40.22'
L97	N1°27'13"E	50.02'

CURVE	RADIUS	DELTA	LENGTH
C1	7.84'	87°39'15"	12.00'
C2	6.96'	89°18'37"	10.85'
C3	2.41'	88°26'06"	3.72'
C4	4.23'	96°36'21"	7.13'
C5	4.43'	90°00'08"	6.96'
C6	2.06'	102°01'17"	3.66'

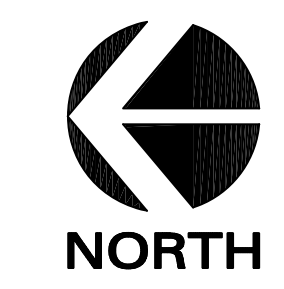
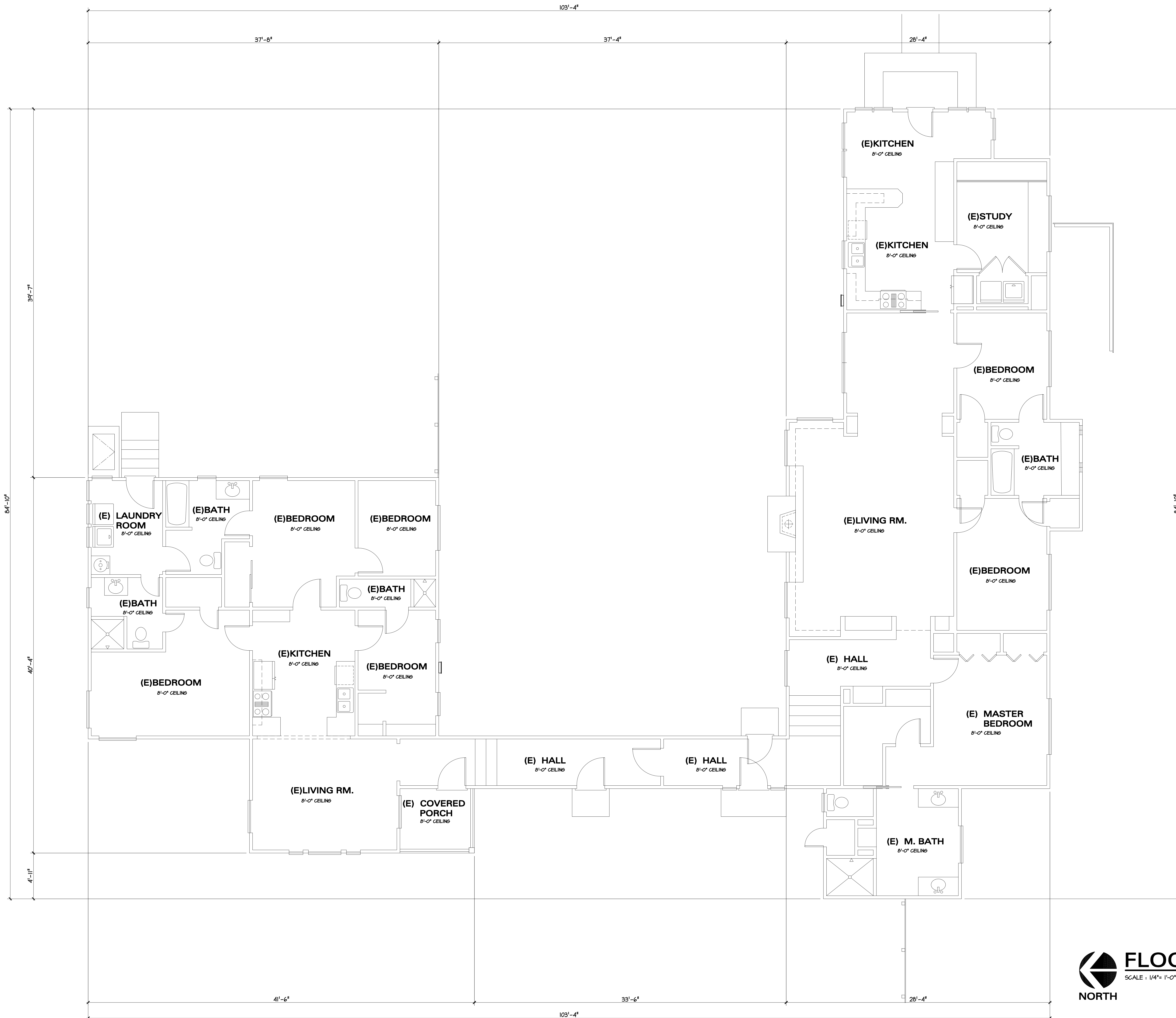
10	(E) POLE BARN	TWO STORY
11	(E) SHOP	TWO STORY
12	(E) FERTIGATION BUILDING	TWO STORY
13	(E) IMPERVIOUS CONCRETE AREA	GROUND LEVEL

LEGEND:

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- G --- EXISTING GAS METER
- W --- EXISTING WATER WELL
- ⊗ --- EXISTING BOLLARD
- ⊕ --- EXISTING POWER POLE



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	Sheet No.:	3	
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<p>Yamabe & Horn Engineering, Inc. CIVIL ENGINEERS • LAND SURVEYORS 2985 N. BURL AVENUE SUITE 101 FRESNO, CA 93727 TEL: (559) 244-3123 WEBSITE: YANDHENG.COM</p>			

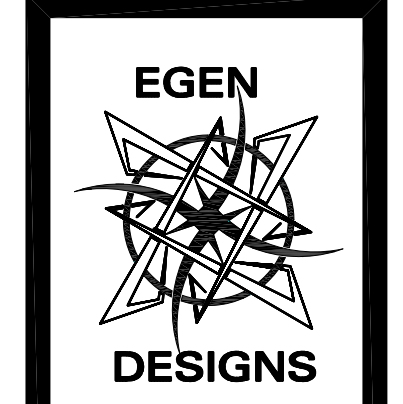


FLOOR PLAN

SCALE : 1/4" = 1'-0"

EXISTING LIVING AREA:	
HOUSE A:	2,060 SQ. FT.
HOUSE B:	1,254 SQ. FT.
ENCLOSED BREEZENAY:	235 SQ. FT.
COVERED PORCH:	55 SQ. FT.
TOTAL:	3,604 SQ. FT.

REVISIONS :



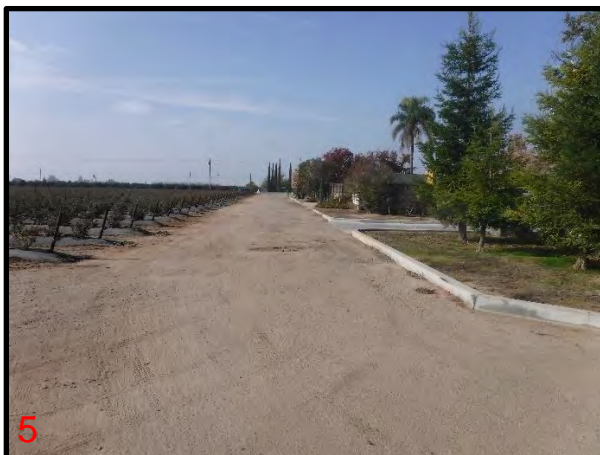
DRAWN BY :
M. H.
JOB NUMBER :
23-01TD
DATE :
01/22/2023

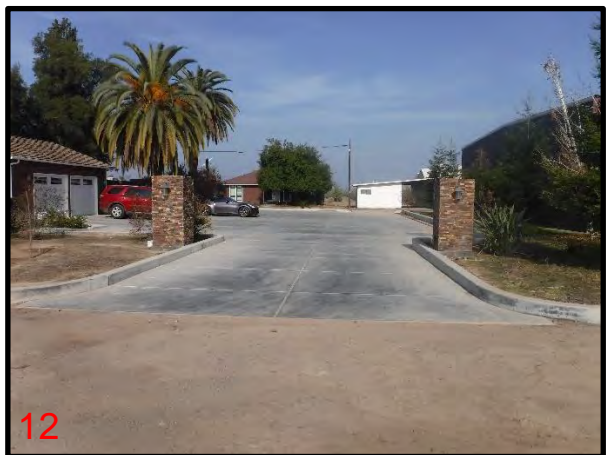
**STEVENSON RESIDENCES
EXISTING FLOOR PLAN**
6814 NORTH FRESNO STREET, SUITE #103
STEVENSON, CALIFORNIA 95378
PHONE : (925) 433-7798
FAX : (925) 433-7798
EMAIL : EGENDESIGNS@GMAIL.COM

**STEVENSON RESIDENCES
REEDLEY, CALIFORNIA
EGEN DESIGNS COMMERCIAL / RESIDENTIAL DESIGN**

SHEET NO.
A-2
OF

EXHIBIT 8

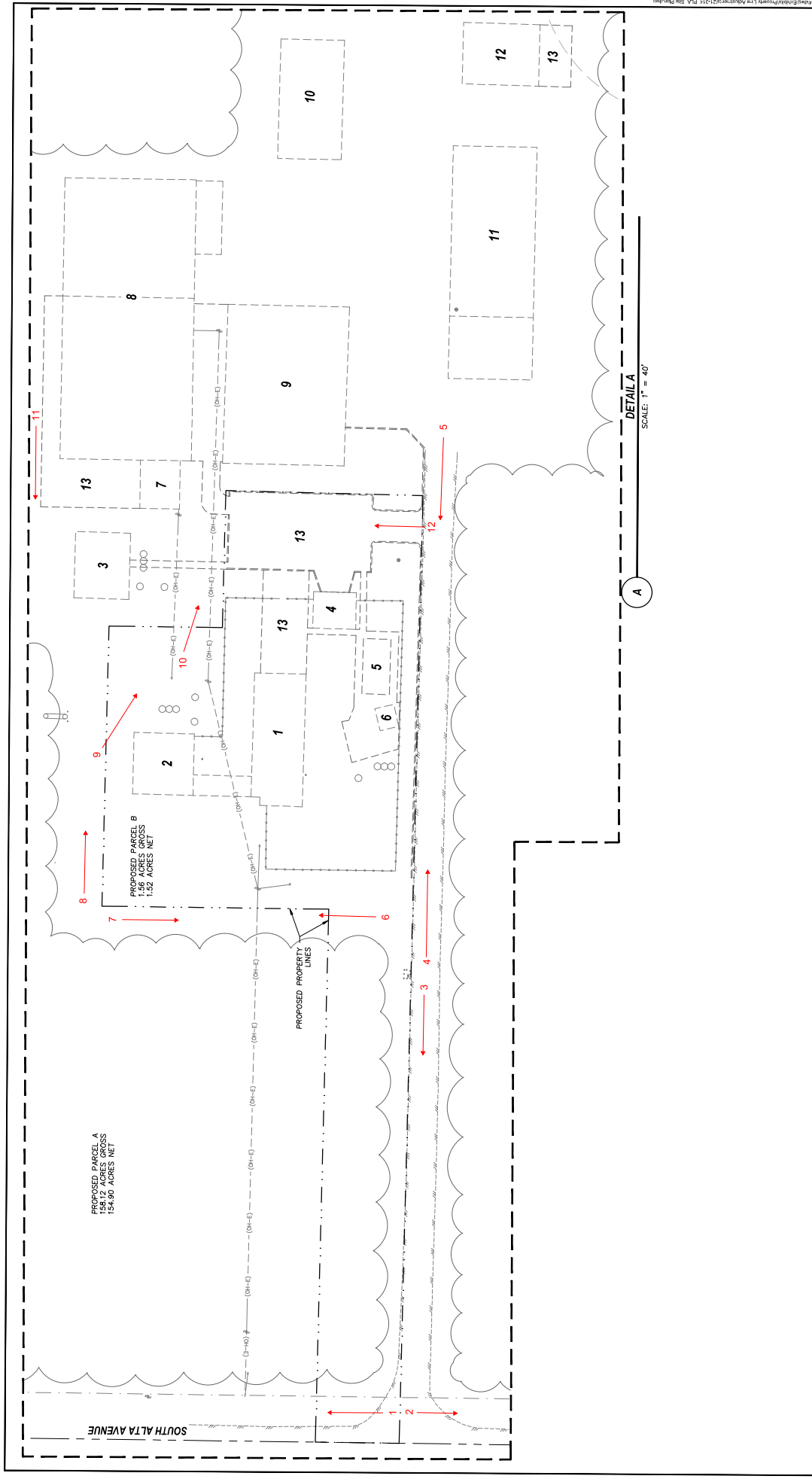






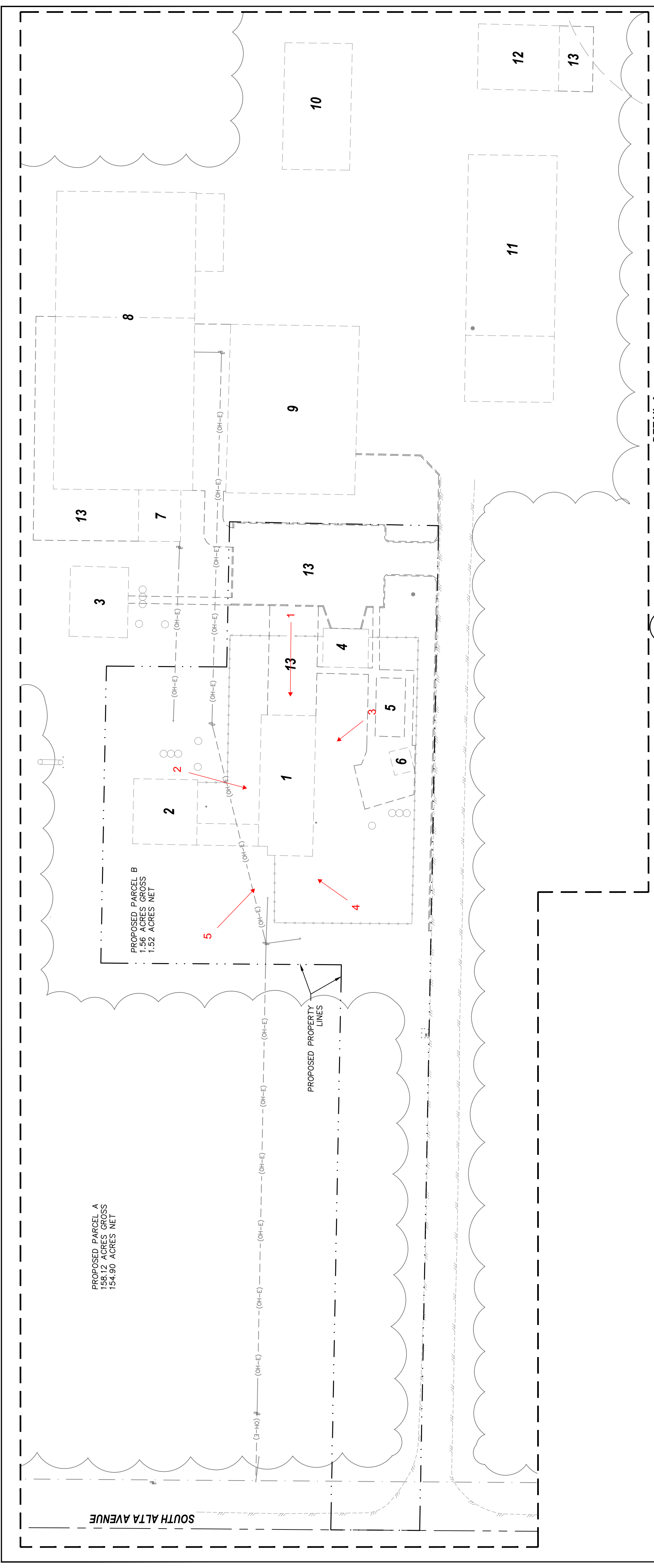








PROJECT TITLE		SITE PLAN	
SHEET DESCRIPTION		S. ALTA AVENUE & E. MANNING AVENUE	
Date:	03/20/23	 Yamabe & Horn ENGINEERS • LAND SURVEYS 2085 N BURBANK AVENUE SUITE 101 PLEASANTON, CA 94577 TEL: (510) 244-3123 WEBSITE: YANDHORN.COM	
Scale:	As Noted		
YH Job No.	21-314		
Sheet No.	1		
of 1 Sheets			
			



DETAIL A
SCALE: 1" = 40'

PROJECT TITLE	SITE PLAN	
SHEET DESCRIPTION	S. ALTA AVENUE & E. MANNING AVENUE	
Date:	03/20/23	
Scale:	As Noted	
YH Job No.	21-314	
Sheet No.	1	of 1 Sheets

REGISTERED PROFESSIONAL ENGINEER
DAVID C. HORN
No. 63679
STATE OF CALIFORNIA
CIVIL

Yamabe & Horn
Engineers, Inc.
CIVIL ENGINEERS • LAND SURVEYORS
2885 N. BURL AVENUE SUITE 101 FRESNO, CA 93727
TEL: (559) 244-3123 WEBSITE: YANDHENGRCOM



April 5, 2023

Fresno County Department of Public Works and Planning
2220 Tulare Street, Sixth Floor
Fresno, CA 93721

RE: Required findings necessary for the granting of a Variance Application

Please accept this Variance Application to reduce the building setback to 10 feet; reduce the required road frontage to 53 feet, reduced the required lot depth-to-width ratio to 1:12, and reduce well setback to the property line to 14 feet for Property Line Adjustment 22-09 between a 1.56-acre and 158.12-acre parcel within the Exclusive Agricultural (AE-20) Zone District. The following are our comments addressing the required findings:

1. There are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply generally to other property in the vicinity having the identical zoning classification.

Due to the small size of the existing 1.56-acre parcel and the PLA requirement that the proposed parcel match the area of the existing parcel, it would not be possible to meet the required road frontage, depth-to-width lot ratio and required setbacks for buildings and wells while still including the existing structures belonging to the current property owner. The current property line cuts through an existing covered walkway between one house. To include this house as well as the others under the same owner, it is necessary to create a Flag Lot. This still provides road access to the property but allows the parcel to encompass all of the owner's property. In addition, the existing 1.56-acre parcel does not currently meet the 1:4 road frontage ratio which makes it extraordinarily difficult to propose new property lines that extend the existing road frontage and include the existing structures that were previously, erroneously left out, while maintaining the same area of existing parcel.

2. Such Variance is necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners under like conditions in the vicinity having the identical zoning classification.

To preserve the agricultural production of the existing parcels, a variance will be necessary. If the required frontage and setbacks are met for the 1.56-acre parcel, the adjusted area would either include a significant portion of the 158.12-acre's crops or encumber their existing road access. Either choice would make it immensely more difficult for the 158.12-acre parcel to harvest the existing crops or would result in the complete loss of those crops. In addition, if the setbacks and frontages are met, the 1.56-acre parcel would not be able to

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encompass their existing structures which would make the new parcels detrimental to both owners.

3. The granting of the exception will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located.

The proposed parcel and exception for the reduction of frontage and setbacks will not be detrimental to the public or neighboring parcels. The currently proposed property lines will maximize safe agricultural production without disturbing public transit or operations. There is an established entrance to both the 1.56-acre parcel and 158.12-acre parcel which is currently not affected by this Property Line Adjustment. Lastly, the 1.56-acre parcels is surrounded on 3 sides by the 158.12-acre parcel with the 4th side being adjacent to South Alta Avenue. Therefore, no other parcels except those involved in the PLA will be affected. Granting a variance to place the property lines where they are currently proposed will allow for any possible future improvements to be implemented smoothly.

4. The granting of such a Variance will not be contrary to the objectives of the General Plan.

The current shape of the 1.56-acre parcel encompasses a significant amount of agricultural land belonging to the 158.12-acre parcel. If the frontage and setbacks are to be met for the proposed parcel, the smaller parcel would encompass even more of the adjacent agricultural land. If this variance were to be granted, both the 1.56-acre and 158.12-acre parcels would be allowed to function at their highest agricultural capacity – which is the goal of the General Plan for these parcels located in the (AE-20) agriculturally exclusive zone. Also, if the land is sold in the future, the currently proposed lines would be the most beneficial for future farming or development.

Sincerely,

David Horn, Applicant
Yamabe & Horn Engineering, Inc.