

Variance Request

Proposed by: Aurelio and Naomi Gonzalez

Applicant/Owner: Aurelio and Naomi Gonzalez

Address: 527 N Temperance Fresno CA 93727

Property Location: 527 N Temperance Fresno CA 93727

APN: 313-270-43

Existing General Plan Land Use Designation/Zoning: AE-20

Request

The applicant seeks approval of a variance to allow creation of three 2.5 +/- acre and a 5.0 +/- acre parcels from a 12.99 +/- acre parcel in the AE-20 Zone District without public road frontage.

Variance Findings

1. Allow the creation of four 3 to 5.5 acre parcels from the existing property into substandard size lots in AE-20 Zone District
2. Waive the minimum 165 feet required public road frontage
3. Submit a DRA to allow an existing second residence on one of the proposed lots

Existing Property Information

- Lot size: 12.99 acres
- Two existing residences
- 1 potable well
- 1 Ag well (inoperable)
- Bordered by Fancher Creek (North), Highway 180 (West), Briggs Ditch (South) and Temperance Avenue (East)
- General Plan/Planned Land Use: RL-Low Density Residential

The subject parcel is located at 527 N. Temperance Avenue in the County of Fresno. One home was built in 1950 and the second home completed in 1980. It is my request that the parcel be divided into four parcels with a minimum acreage of 2.5 +/- per parcel. It is also requested that each parcel have different APN# and address such as 529 N Temperance Avenue, 531 N Temperance Avenue, and 533 N Temperance Avenue.

Findings of Fact
Pertaining to property located at: 527 N Temperance Fresno CA 93727
South of Belmont and Temperance between E Fancher Creek and Briggs Ditch
APN: 313-270-43

- 1. *Exceptional or extraordinary circumstances or conditions applicable to the property which do not apply generally to other property in the vicinity having the identical zoning classification as follows:***

The original parcel length to width ratio is disproportionate to other parcels in the area requiring four (4) parcels to be created without public road frontage. In addition, the subject parcel is bordered by the Briggs Ditch, Fancher Creek and Highway 180 which will not allow access other than off of Temperance Avenue. We propose the private road easement width to be 40 feet, a width common to Planned Development projects in Fresno. The 40 foot private road easement will provide access to a net 5.5 acre parcel in a rural residential setting within the existing mature landscape and two existing residences on a single 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.***

This 12.99 acre parcel is one of a few remaining in the Fresno County zoned AE-20 and is a substandard lot per the current zoning. The area surrounding this parcel is zoned RR. The property right to sub-divide and create 2.5-5.5 acre home sites has been enjoyed by others in the immediate area. Therefore we consider this parcel with reduced width and extended length should have the same development rights possessed by others in the surrounding RR Zone District.

- 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.***

Deviation from the development standards will have no effect on the public welfare or injurious to property and improvements in the vicinity.

- 4. *The granting of this variance will not be contrary to the objectives of the General Plan.***

Granting of the variance will not change the density or development objectives of Fresno Counties or the City of Fresno General Plan for a rural setting of single family home sites on 2-5 acre parcels.