



# County of Fresno

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

## Planning Commission Staff Report Agenda Item No. 4 August 14, 2025

**SUBJECT:** Variance Application No. 4183

Allow the creation of a 3.79-acre parcel, a 16.19-acre parcel, and waive the public road frontage requirements for the resulting parcels from an existing 19.59-acre parcel located in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.

**LOCATION:** The subject parcel is located on the north side of Biglione Dr., 4,490.4 feet west of Auberry Rd., approximately 1.18-miles northeast of the City of Fresno (APN: 300-320-14S) (12821 Auberry Rd.) (Sup. Dist. 5).

**OWNER/  
APPLICANT:** Debbie Kumpe

**STAFF CONTACT:** Alexander Pretzer, Planner  
(559) 600-4205  
  
Tawanda Mtunga, Principal Planner  
(559) 600-4256

### RECOMMENDATION:

- Deny Variance No. 4183 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. Zoning Map
4. Land Use Map
5. Approved Variances within One-Half Mile Radius
6. Site Plans and Detail Drawings
7. Applicant's Variance Findings

**SITE DEVELOPMENT AND OPERATIONAL INFORMATION:**

<b>Criteria</b>	<b>Existing</b>	<b>Proposed</b>
General Plan Designation	Agricultural	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.	No change
Parcel Size	19.59-acre parcel	3.79-acre parcel 16.19-acre parcel
Project Site	Two Single Family Residences,	Split the parcel into two substandard parcels with a Single-Family Residence to be located on each proposed parcel (see Site Plan for details).
Structural Improvements	Single Family Residence	No change
Nearest Residence	646.3-feet west of the subject parcel	No change
Surrounding Development	Agricultural fields, vacant land, & Single-Family Residences	No change

**EXISTING VIOLATION (Y/N) AND NATURE OF VIOLATION: N****ENVIRONMENTAL ANALYSIS:**

It has been determined pursuant to Article 5: Review for Exemption, Section 15061(b)(3) of the California Environmental Quality Act (CEQA) guidelines: The activity is covered by the common-sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

**PUBLIC NOTICE:**

Notices were sent to 40 property owners within 1320 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:**

A Variance Application may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Article 5, Chapter 860.5.068 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.

The minimum parcel size that may be created in the AE-20 Zone District is 20 acres. A property owner may not create parcels with less than the 20-acre minimum parcel size if they do not qualify under the conditions listed in Chapter 822.3.080.

The minimum public road frontage for a parcel below 5.0-acres in the AE-20 Zone District is 165 feet. There are no public roads that are adjacent to either proposed parcel.

Typical alternatives to a Variance Application are to either create a homesite parcel or rezone the property to a zone district that allows the project as proposed.

Rezoning, this parcel to a higher density zone, which permits smaller parcels, would present challenges, as the existing General Plan Land Use Designation of Agriculture does not accommodate increased density residential Zoning.

**BACKGROUND INFORMATION:**

The property is designated as Agriculture within the General Plan and is surrounded by land designated for Agriculture to the north, east, and west, with an area designated for Rural Residential, 5-acre minimum lot size to the south.

Every variance application is considered on its own merit, based on unique site conditions and circumstances. The approval of other variances in the vicinity of this project does not create a precedent for approval. Within one half-mile of the subject property there are 18 variance applications on record for the creation of substandard sized parcels. Staff notes that of these 18 variances, 13 are located in the approximately 499-acre area identified as part of the recently adopted General Plan Policy LU-E.24 as an area committed to rural-sized parcels and were redesignated as Rural Residential (5-acre minimum parcel size) and rezoned to AL-20. General Plan Policy LU-E.24 was adopted with the General Plan Update on February 20, 2024 and was updated to include an approximately 18-acre parcel at direction of the Board of Supervisors on August 20, 2024.

<b>Application/Request</b>	<b>Staff Recommendation</b>	<b>Final Action</b>	<b>Date of Action</b>
<b>VA 3413:</b> <i>Allow the creation of a 4-acre parcel resulting from a property line adjustment between a 5.19-acre parcel and a 38.50-acre parcel</i>	Approval	<b><u>PC Approval (W/Conditions)</u></b>	May 20, 1993
<b>VA 3482:</b> <i>Allow the creation of two 5-acre parcels from a 10-acre parcel (AE-20)</i>	Denial	<b><u>PC Approval (W/Conditions)</u></b>	March 16, 1995
<b>VA 3483:</b> <i>Allow the creation of three 5.2-acre parcels and a 10.06-acre parcel from a 25.66-acre parcel (AE-20)</i>	Denial	<b><u>BOS Approval</u></b>	April 18, 1995
<b>VA 3556:</b> <i>Allow the creation of two 5.0-acre parcels, a 5.1-acre parcel, and a 5.2-acre parcel from a 20.3-acre parcel (AE-20)</i>	Denial	<b><u>PC Approval (W/Conditions)</u></b>	April 3, 1997
<b>VA 3579:</b> <i>Allow the creation of a 2.74-acre parcel and a 2.43-acre parcel from a 5.17-acre parcel (AE-20)</i>	Denial	<b><u>PC Approval (W/Conditions)</u></b>	July 10, 1997
<b>VA 3590:</b> <i>Allow creation of a 2.5-acre parcel and a 5.1-acre parcel from an existing 7.6-acre parcel (AE-20)</i>	Denial	<b><u>PC Approval (W/Conditions)</u></b>	November 6, 1997
<b>VA 3596:</b> <i>Allow the creation of a 6.5-acre parcel resulting from a property line adjustment between two 10-acre parcels (AE-20)</i>	Denial	<b><u>PC Approval (W/Conditions)</u></b>	October 6, 1997
<b>VA 3618:</b> <i>Allow creation of a 3.53-acre parcel, a 2.57-acre, and a 2.62-acre parcel from an existing 8.72-acre parcel (AE-20)</i>	Approval	<b><u>PC Technical Denial</u></b>	December 15, 1998
<b>VA 3666:</b> <i>Allow the creation of a 2.5-acre</i>	Approval	<b><u>PC Approval (W/Conditions)</u></b>	April 6, 2000

parcel from a 10.45-acre parcel (AE-20)			
<b>VA 3773:</b> <i>Allow the creation of two 2-acre parcels from a 4-acre parcel (AE-20)</i>	Denial	<b><u>PC Denial</u></b>	June 8, 2004
<b>VA 3815:</b> <i>Allow the creation of four parcels, 3.9, 4.5, 4.6, and 5 acres in size from an 18.03-acre parcel (AE-20)</i>	Denial	<b><u>PC Approval (W/Conditions)</u></b>	October 12, 2006
<b>VA 3882:</b> <i>Allow creation of a 2.5-acre parcel and a 5.1-acre parcel from a 7.6-acre parcel (AE-20).</i>	Denial	<b><u>BOS Denied</u></b>	November 4, 2008
<b>VA 3895:</b> <i>Allow the creation of two 2-acre parcels from a 4-acre parcel (AE-20)</i>	Denial	<b><u>PC Approval (W/Conditions)</u></b>	July 16, 2009
<b>VA 3932:</b> <i>Allow the creation of a 3.4-acre parcel and two 4.9-acre parcel from a 13.09-acre parcel (AE-20)</i>	Denial	<b><u>BOS Approval</u></b>	June 3, 2014
<b>VA 4012:</b> <i>Allow the creation of a 2.74-acre parcel and a 2.43-acre parcel from a 5.17-acre parcel (AE-20)</i>	Denial	<b><u>PC Approval (W/Conditions)</u></b>	October 20, 2016
<b>VA 4025:</b> <i>Allow the creation of a 2.3-acre parcel and a 2.55-acre parcel from a 4.85-acre parcel (AE-20)</i>	Denial	<b><u>BOS Approval</u></b>	November 14, 2017
<b>VA 4039</b> <i>Allow the creation of two 5-acre parcels from a 10-acre parcel (AE-20)</i>	Denial	<b><u>PC Approval (W/Conditions)</u></b>	February 15, 2018
<b>VA 4058:</b> <i>Allow for the creation of a 3.1-acre parcel, a 3.0-acre parcel, and a 2.7-acre parcel from an existing 8.80-acre parcel (AE-20)</i>	Denial	<b><u>PC Approval (W/Conditions)</u></b>	March 28, 2019

	<b>Current Standard:</b>	<b>Proposed Configuration:</b>	<b>Is Standard Met (y/n):</b>
Setbacks	<u>AE-20</u> Front: 35 feet Side: 20 feet Rear: 20 feet	No change	Yes
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	Yes
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

#### **ANALYSIS/DISCUSSION:**

**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.**

#### **Reviewing Agency/Department Comments:**

No comments specific to extraordinary circumstances or conditions were expressed by reviewing Agencies or Departments.

#### **Finding 1 Analysis:**

In support of Finding 1, the applicant's findings state that the property was previously subject to a Directors Review and Approval application which created a parcel for the Applicant's daughter

to use but did not divide the property and that the property's current layout does not allow the ability to establish two separate parcels of 5-acres without a variance.

The previous Director's Review and Approval application (DRA 3597) permitted the construction of a second single family residence on the parcel as allowed by the Zoning Ordinance in areas of the County Zoned for Agriculture or Rural Residential. A DRA does not create a separate parcel, the creation of a separate parcel is a mapping application restricted by the Zoning Ordinance and the California Subdivision Map Act. As a DRA for a second residence is an application that any parcel located in the same Zone District can apply for there is no exceptional or unique circumstance. The inability to establish separate five-acre parcels due to the layout does not constitute a unique or exceptional circumstance, other parcels of a similar size are restricted by the Zoning Ordinance from being reduced below the minimum parcel size of the Zone District.

The applicant's response to Finding 1 did not provide any justification for waiving the required public road frontage that is required of parcels less than 5-acres in size. The parcels in the surrounding area have been created as 5-acres or larger do not require public road frontage per table 2-3 under Chapter 808.2.040 of the Zoning Ordinance.

**Recommended Conditions of Approval:**

None

**Finding 1 Conclusion:**

Staff cannot recommend making Finding 1 as there are not any extraordinary circumstances identified relating to the property that does not apply to other properties in the area with 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 substantial property right were expressed by reviewing Agencies or Departments.

**Finding 2 Analysis:**

In response to Finding 2, the applicant states that *"approval of this variance will allow the applicant to have similar rights as other property owners in the area that now have the right to divide the property for example allowing the creation of multiple 5-acre parcels with the same zoning."* Additionally, the variance is necessary to allow the applicants family to enjoy the full benefit and use of their property after the applicants passing as the applicants family has been making house payments to the applicant.

Property owners in the vicinity of this Variance Application with identical Zoning classification, do not have the ability to divide their property into 5-acre lots. The AE-20 (Exclusive Agriculture, 20-acre minimum parcel size) Zone District sets the minimum lot size for parcels at 20-acres and requires a variance or a rezone application to waive the lot size requirement. The only parcels in the surrounding area that are able to divide their property into 5-acre lots were

designated by the Board of Supervisors as part of the General Plan Update approved on February 20, 2024, to be redesignated as Rural Residential (5-acre minimum parcel size) and rezoned to the AL-20 (Limited Agriculture, 20-acre minimum parcel size) Zone District. Property Owners must rezone their parcels from the AL-20 Zone District to the RR-5 (Rural residential, 5-acre minimum parcel size) Zone District to subdivide to 5-acre lots. These parcels do not share the same zoning classification as the subject parcel.

The preservation of the ownership of the second residence the applicant's family is making payments on is not a use that is not a substantial property right that is allowed in the applicable zone district under the standards in the Zoning Ordinance; including standards for minimum parcel size, and required road frontage. If the unique circumstance of the property precluded a property being able to be used for the uses allowed under the zoning ordinance, then a finding that a variance is necessary for the preservation and enjoyment of a substantial property right would be warranted.

In this instance the property has been able to be utilized for its allowed purposes including agriculture uses, the development of a home by right, and a second residence allowed via a Director Review and Approval application. Hence, their substantial property right to use the property for the uses listed in the Ordinance are not inhibited and a variance is not necessary to protect those rights.

**Recommended Conditions of Approval:**

None

**Finding 2 Conclusion:**

Staff cannot recommend making Finding 2 as the Variance is not necessary for the property to enjoy the substantial property rights allowed by the Zoning and Ordinance, which are the same substantial property rights enjoyed by other owners in the vicinity with the same zoning classification.

**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:	Use:	Zoning:	Nearest Residence:
North:	23.81-acres	Vacant Grazing	AE-20	N/A
South:	20.31-acres	Vacant	AE-20	N/A
East:	20.3-acres	Vacant	AE-20	N/A
West:	20.43-acres	Single Family Residence	AE-20	616 Feet

**Reviewing Agency/Department Comments:**

Road Maintenance and Operations Division: Biglione Drive is not a county-maintained road. The proposed application will have minimal impact on county-maintained roads.



### Finding 3 Analysis:

In support of Finding 3, the applicant's Findings states the granting of the variance will not have a negative impact on the surrounding area of their property since adjoining parcels are already allowed to be divided into more than one parcel, the property will comply with all standards required by the County, and that the property has had two separate residences for the last few years.

While the impact of this singular variance may not constitute a materially detrimental impact, staff notes that the creation of two legal non-conforming parcels has the potential to increase residential density in the area by allowing a 2<sup>nd</sup> residence through a Director Review and Approval on the new parcels. Cumulatively, this and other such increases in residential density has the potential to conflict with adjacent agricultural operations.

The minimum acreage requirement of the AE-20 Zone District is intended to arrest this parcellation pattern and limit the potential conflicts between residential and agricultural activities. However, the limited scale of this individual request by itself may not be a significant material detriment to properties in the vicinity. Staff also notes that surrounding parcels are restricted from dividing into more than one parcel unless the division is in accordance with the Fresno County Zoning Ordinance and the California Subdivision Map Act.

### Recommended Conditions of Approval:

None

### Finding 3 Conclusion:

Staff can recommend making Finding 3 as granting this single 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.

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

Relevant Policies:	Consistency/Considerations:
<b>General Plan Goal LU-A:</b> <i>To promote the long-term conservation of productive and potentially productive agricultural lands and to accommodate agricultural-support services and agriculturally related activities that support the viability of agriculture and further the County's economic development goals.</i>	<b>Inconsistent:</b> Substandard parcels that are created for residential purposes will likely interfere with agricultural operations on surrounding parcels that are designated and zoned for production of food and fiber and may potentially result in removal of adjacent or neighboring lands from agricultural use. Moreover, it may set a precedent for other landowners to create similar residential parcels in the area, which will compound the incompatibility between the agricultural and residential use of lands located in an area of the County designated and used for agricultural operations.
<b>General Plan Policy LU-A.6:</b> <i>The County shall maintain twenty (20) acres as the minimum permitted parcel size in areas</i>	<b>Inconsistent:</b> The proposed parcel creation is not consistent with this Policy. There are exceptions allowed subject to certain criteria.

<b>Relevant Policies:</b>	<b>Consistency/Considerations:</b>
<i>designated Agriculture, except as provided in Policies LU-A.9 and LU-A.10. The County may require parcels sizes larger than twenty (20) acres based on zoning, local agricultural conditions, and to help ensure the viability of agricultural operations.</i>	In this instance, the application either did not meet the criteria or elected not to choose one of the available options for creating a substandard parcel.
<b>General Plan Policy LU-A.7:</b> <i>The County shall generally deny requests to create parcels less than the minimum size specified in Policy LU-A.6 based on concerns that these parcels are less viable economic farming units, and that the resultant increase in residential density increases the potential for conflict with normal agricultural practices on adjacent parcels. Evidence that the affected parcel may be an uneconomic farming unit due to its current size, soil conditions, or other factors shall not alone be considered a sufficient basis to grant an exception. The decision-making body shall consider the negative incremental and cumulative effects such land divisions have on the agricultural community.</i>	<b>Inconsistent:</b> The proposed parcel division is not consistent with Policy LU-A.7 as it would create two substandard sized parcels.  The creation of parcels less than 20 acres in the AE-20 Zone District would be inconsistent with Policy LU-A.7 and set a precedent for parcellation of farmland into smaller parcels which are economically less viable farming units and could potentially allow additional single-family residences on the proposed parcels.
<b>General Plan Policy LU-A.14:</b> <i>The County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.</i>	<b>Consistent:</b> In this case, productive agricultural land would not necessarily be converted, rather it would be allocated between the two subsequent parcels, with the majority of land to be located on the remainder 16.19-acre parcel.
<b>General Plan Policy PF-C.16:</b> <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> <ul style="list-style-type: none"> <li>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</i></li> </ul>	<b>Consistent:</b> The Water and Natural Resources Division reviewed the project proposal and determined that the project site is not located in a water short area, and has determined that there is adequate ground water in the area and that the project would not significantly impact the ground water levels in the area.

Relevant Policies:	Consistency/Considerations:
<p><i>hydrogeologic investigation shall be required.</i></p> <p><i>b. 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><i>c. A determination of the impact that use of 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 Agency/Department Comments:**

Policy Planning Section of the Fresno County Department of Public Works and Planning indicated:

**Policy LU-A.6:** The County shall maintain twenty (20) acres as the minimum permitted parcel size in areas designated Agriculture, except as provided in Policies LU-A.9, LU-A.10, LU-A.11. The County may require parcel sizes larger than twenty (20) acres based on zoning, local agricultural conditions, and to help ensure the viability of agricultural operations.

**Policy LU-A.7:** The County shall generally deny requests to create parcels less than the minimum size specified in Policy LU-A.6 based on concerns that these parcels are less viable economic farming units, and that the resultant increase in residential density increases the potential for conflict with normal agricultural practices on adjacent parcels.

Evidence that the affected parcel may be an uneconomic farming unit due to its current size, soil conditions, or other factors shall not alone be considered a sufficient basis to grant an exception. The decision-making body shall consider the negative incremental and cumulative effects such land divisions have on the agricultural community.

Regarding Policies LU-A.6 and LU-A.7, approval of VA Application No. 4183 would result in the creation of two substandard parcels. The proposed variance application will result in creation of substandard parcels in an area of the County that is designated as Agricultural and zoned AE-20 (Exclusive Agricultural 20-acre minimum parcel size). Therefore, the proposed Variance application is not consistent with General Plan Policies LU-A.6 and LU-A.7.

No comments specific to the General Plan were expressed by reviewing agencies or departments.

#### **Finding 4 Analysis:**

In support of Finding 4, the applicant simply states the variance would not be contrary to the objectives of the General Plan as it allows *“division in the subject area into smaller parcels”* and *“shows the use of promoting a positive impacts in one’s family’s property that will help benefit the surrounding area.”*

While the existing use and parcel is consistent with the General Plan, as described in the table above, the proposed variance would allow creation of parcels that conflict with several General Plan Policies. The property is designated Agriculture within the General Plan. In addition, the existing parcels are located in the AE-20 Zone District. The intent behind the Agricultural Designation and the AE-20 Zone District is to prevent creation of parcels less than the required 20-acre minimum parcel size.

#### **Recommended Conditions of Approval:**

None.

#### **Finding 4 Conclusion:**

Staff cannot recommend making Finding 4 as the proposed development is inconsistent with the General Plan Policies as stated above.

#### **CONCLUSION:**

Based on the factors cited in the analysis, Staff cannot recommend making required Findings 1, 2, & 4 for granting the variance; as there are no exceptional or extraordinary circumstances or conditions applicable to the property, 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 with the same zoning in the vicinity, and will be contrary to the objectives of the General Plan.

#### **PLANNING COMMISSION MOTIONS:**

##### **Recommended Motion** (Denial Action)

- Move to determine that required Findings No. 1, 2, & 4 cannot be made based on the analysis in the staff report and move to deny variance No. 4183; and

**Variance Application (VA) No. 4183**  
**Conditions of Approval and Project Notes**

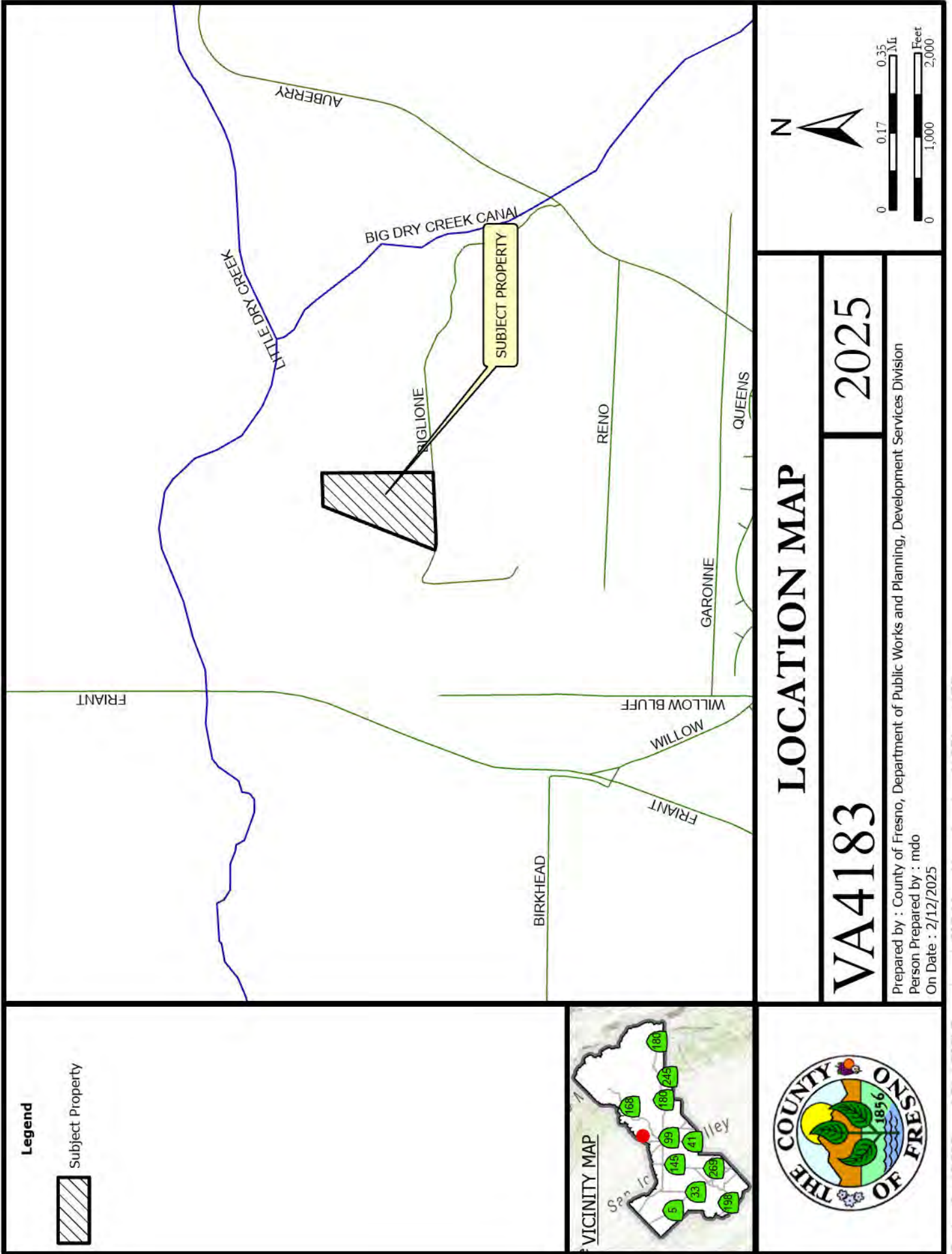
Conditions of Approval	
1.	Division of the subject parcels shall be in accordance with the site plan (Exhibit 6) as approved by the Planning Commission.

Conditions of Approval reference recommended Conditions for the project.

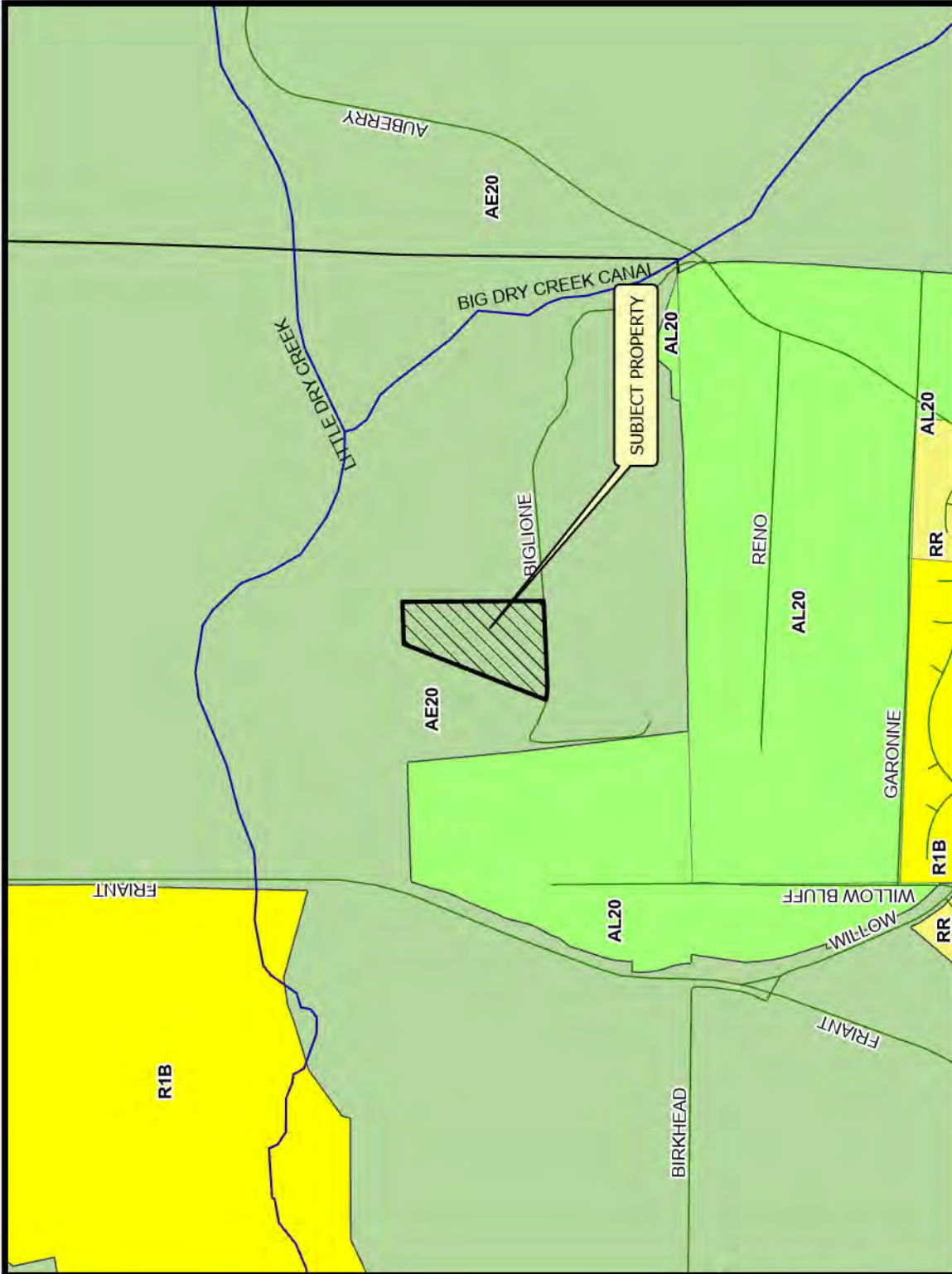
Notes	
<b>The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.</b>	
1.	Division of the subject property is subject to the provisions of the Fresno County Parcel Map Ordinance. A Parcel Map Application shall be filed to create the three proposed parcels. The Map shall comply with the requirements of Title 17.72. The subdivision will require that a Tentative Parcel Map be prepared in accordance with the Professional Land Surveyors Act, the Subdivision Map Act and County Ordinance. The Tentative Parcel Map application shall expire two years after the approval of said Tentative Parcel Map. Upon approval and acceptance of the Tentative Parcel Map and any Conditions imposed thereon, a Final Parcel Map shall be prepared and by a Professional Land Surveyor or Registered Civil Engineer authorized to practice Land Surveying, in accordance with the Professional Land Surveyors Act, the Subdivision Map Act and County Ordinance. Recordation of the Final Parcel Map shall take place within two years of the acceptance of the Tentative Parcel Map unless a Map extension is received prior to the expiration date of the approved Tentative Parcel Map. Failure to record the Final Parcel Map prior to the expiration of said Tentative Parcel Map may void the Parcel Map application.
2.	The approval of this Variance will expire two years from the date of approval unless the required mapping application to create the parcels is filed in substantial compliance with the Conditions and Project Notes and in accordance with the Parcel Map Ordinance. Prior to site development, all survey monumentation – Property Corners, Centerline Monumentation, Section Corners, County Benchmarks, Federal Benchmarks and Triangulation Stations, etc. - within the subject area shall be preserved in accordance with Section 8771 of the Professional Land Surveyors Act and Section 6730.2 of the Professional Engineers Act.
3.	The end of curbed/taper edge of any existing or future access driveway approach should be set back a minimum of 5 feet from the property line.
4.	Any existing or future entrance gate should be set back a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward.
5.	A minimum of 10' x 10' corner cutoff should be improved for sight distance purposes at any existing or future driveway accessing Auberry Road or Biglione Drive if not present.

Notes	
6.	According to the U.S.G.S Quad Map, an intermittent stream may be present within/hearby the subject property line. For any future development on wetlands, U.S. Fish and Wildlife Service and other appropriate agencies should be consulted regarding any requirements they may have
7.	A grading permit/voucher will be required for any future grading with this application.
8.	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. The Department will refer any analysis to the Regional Water Quality Control Board, Central Valley Region for their concurrence and input. Contact Department of Public Works and Planning at (559) 600-4540 for more information.
9.	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.
10.	There is currently one well located on the subject parcel, subsequent development or mapping applications will require a well for each residence in accordance with the requirements for the Department of Community Health, Environmental Health Division.
11.	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.
12.	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.
13.	If any underground storage tank(s) are found, 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.

AP







# Existing Zoning Map

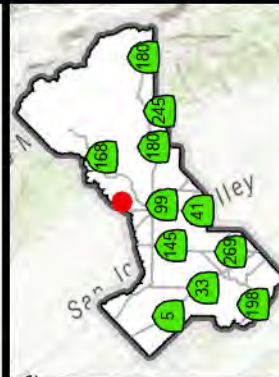
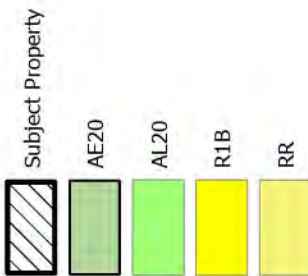
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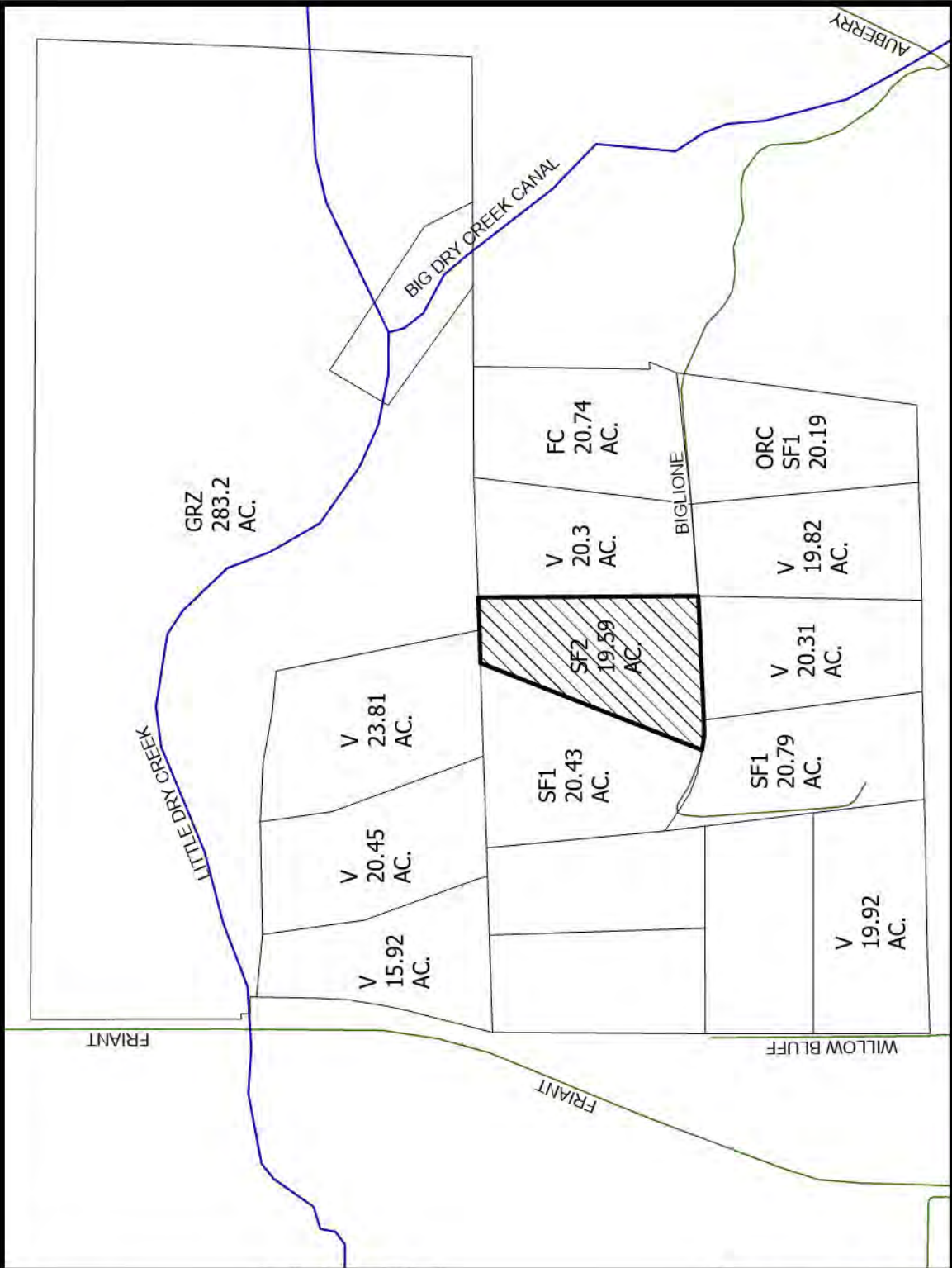
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Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division  
 Person Prepared by : mdo  
 On Date : 2/12/2025

## Legend



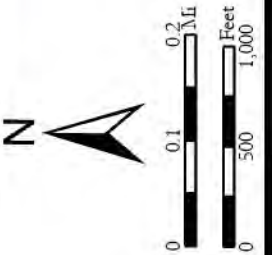




# Existing Land Use Map

VA4183 | 2025

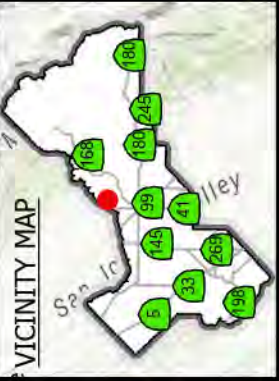
Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division  
Person Prepared by : mdo  
On Date : 2/12/2025

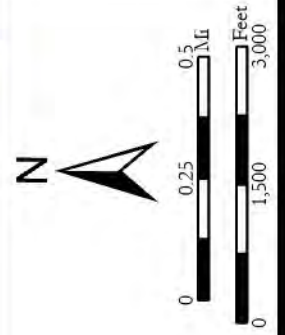
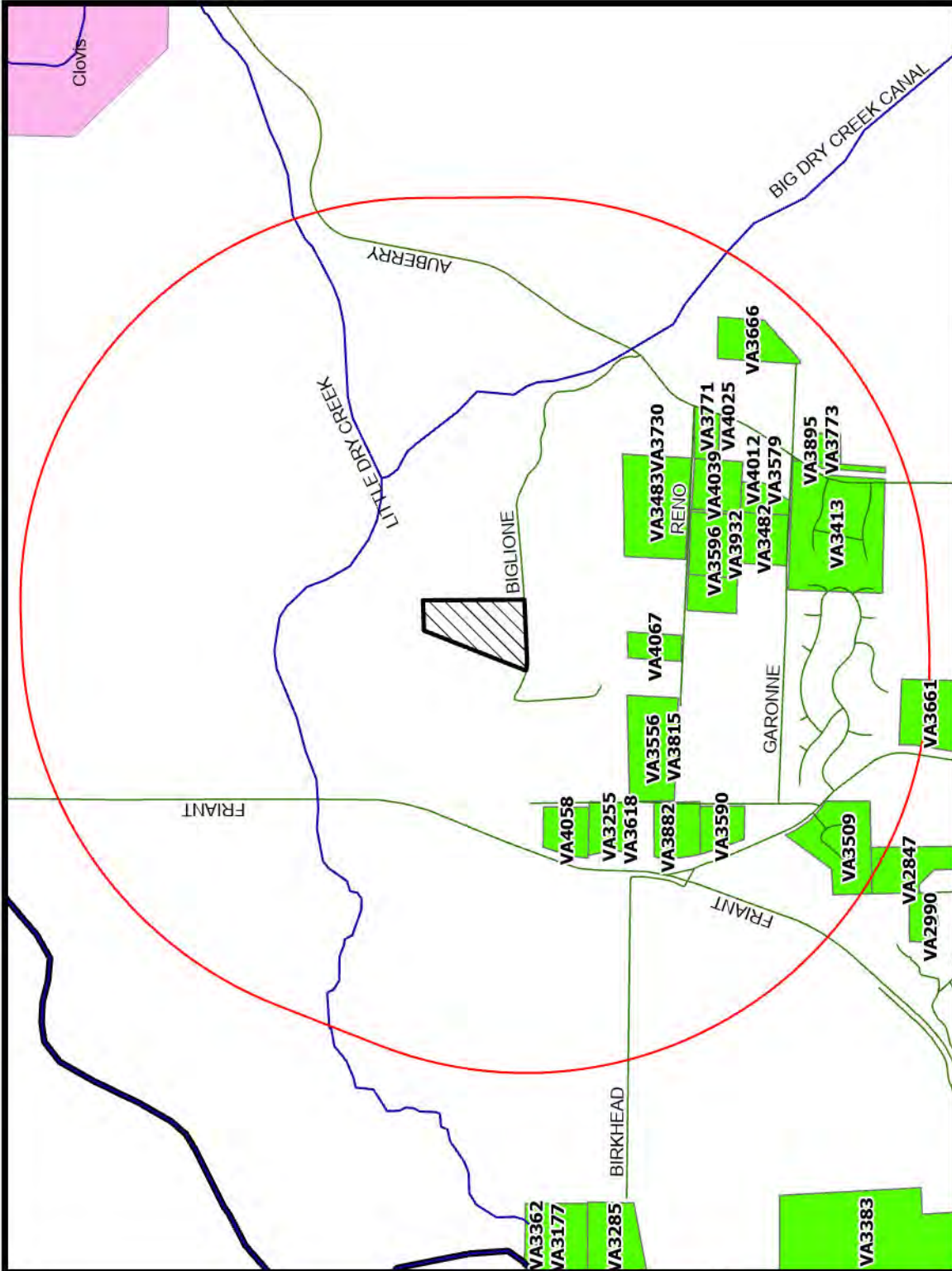


## LEGEND:

Subject Property

- LEGEND
- GRZ - GRAZING
- V - VACANT
- FC - FIELD CROP
- SF#- SINGLE FAMILY RESIDE
- ORC - ORCHARD





# Proximity Map

2025

VA4183

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division  
 Person Prepared by : mdo  
 On Date : 2/12/2025



## Legend

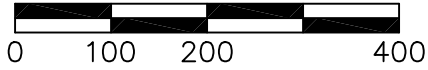
- Mile\_Buffer
- Subject Property
- Clovis
- LU Permits



# SITE PLAN

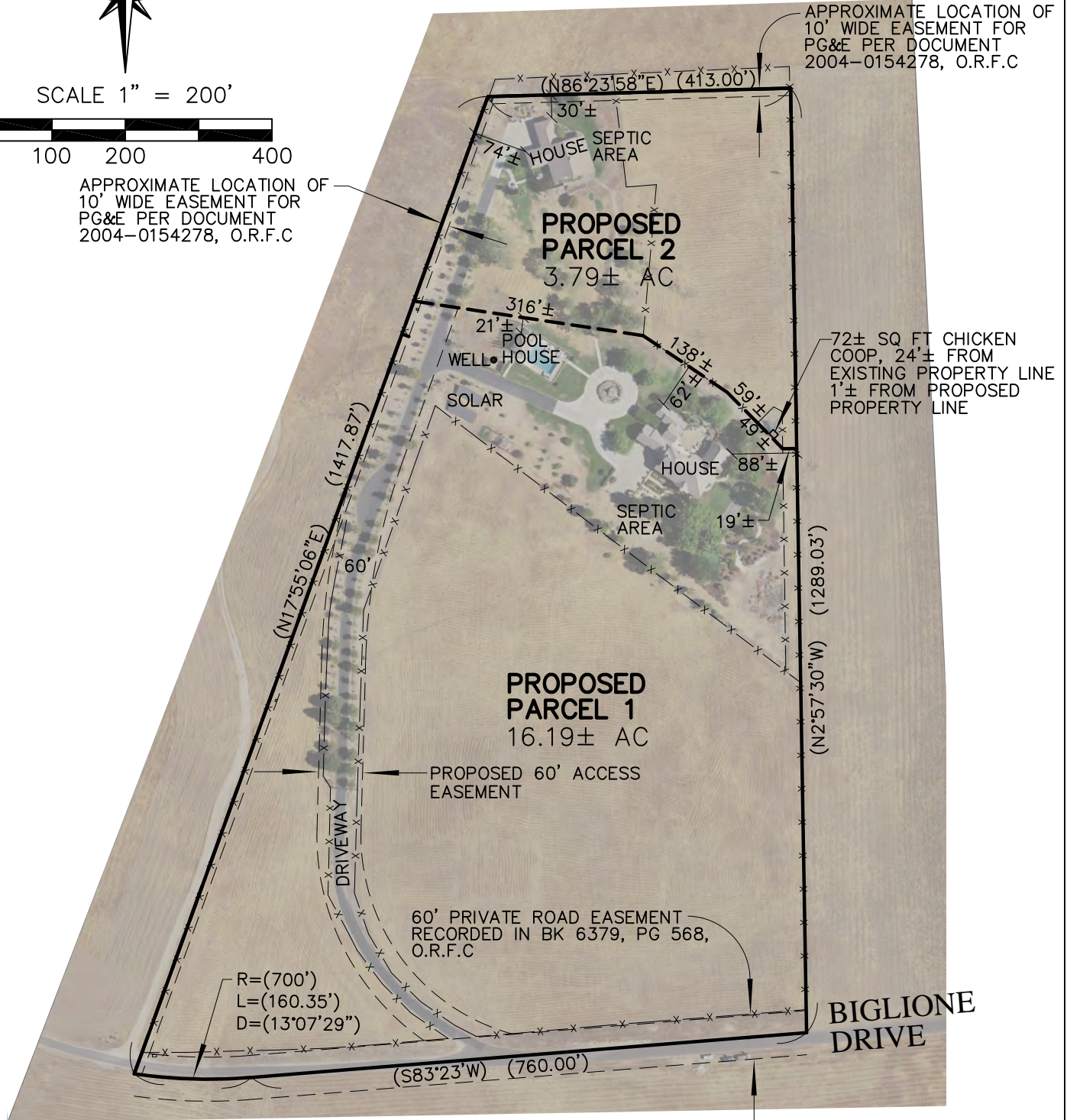


SCALE 1" = 200'



APPROXIMATE LOCATION OF  
10' WIDE EASEMENT FOR  
PG&E PER DOCUMENT  
2004-0154278, O.R.F.C

APPROXIMATE LOCATION OF  
10' WIDE EASEMENT FOR  
PG&E PER DOCUMENT  
2004-0154278, O.R.F.C



## LEGEND

( ) RECORD DATA PER RECORD OF SURVEY MAP  
RECORDED IN BOOK 26 OF RECORD OF SURVEYS  
AT PAGE 82, FRESNO COUNTY RECORDS.

—x— FENCE

--- PROPOSED PROPERTY LINE

BASED ON FILED SURVEY AND AERIAL IMAGE  
8-15-2024

## McPHEETERS & ASSOCIATES

1486 TOLLHOUSE ROAD, SUITE 107  
CLOVIS, CA 93611

(559) 299-9098

[www.mcpheeters.com](http://www.mcpheeters.com)

JOB# 124115

FB 123-1/39

124115 SITE PLAN.DWG

**Project Title:** Division of Property to Create Two Separate Parcels

**Applicant:**Debbie Kumpe

**Applicant representation:** John Ewell (Ewell Group of Companies )

**Phone Number :**

(Cell) 559-287-1924,(Office)559-437-1990

**Property Address:**12821 and 12819 Auberry Clovis  
California ,93611,USA

**Zone district :**AE-20

**Parcel Number (APN):**300-320-14s

## **1. Exceptional or Extraordinary Circumstances**

The subject's property entails a right in order to have a variance Approval specifically:

- The property was previously subject to a Directors Review and Approval ,which created a parcel for the applicant's daughter to use but did not divide the property.
- The property's current layout does not allow the ability to establish two separate parcels of equal on multiple 5

acre size as surrounding parcels for the parents and daughter, without a variance

- The applicant is not asking for multiple parcels on the existing 20 acres, only to have two parcels for the parents and one for the daughter .

## **2. Necessity for Preservation of Property Rights**

Giving approval of this variance will allow the Kumpe Family to have the similar rights as other property owners in the area that now have the right to divide their property for example allowing the creation of multiple 5 acre parcels with the same zoning .

- Without this variance, the parents and daughter of the Kumpe family will not be able to enjoy the full use and benefit of their property and preserve their property , after their passing.
- The Kumpe couple is in their 70's. The Portales family (Daughter) have been making house payments including taxes and insurance to the Mom and Dad this entire time that has passed through, they used their own money for their portion of the property for building their home. If the Kumpes were to pass away it is unfair that they do not own their house outright and not be included in the Trust. They have their own PG & E meter, their own Ponderosa trash, phone cables and wi-fi, and their own septic system, they just don't have a

separate well as it has not been needed, the utilities companies consider the residence site a separate property, and they are asking to back should have their own APN.

### **3. No Detriment to Public Welfare or Nearby Properties**

The proposed division and variance will not be detrimental to public welfare or injurious to nearby property owners.

- The creation of two parcels will not have a negative impact on the surrounding area of their property ,since adjoining parcels are already allowed to be divided into more than one parcel .
- The property will comply with all standards required by the county .
- The property has had two separate residences for the last few years.

### **4. Complies with the General Plan**

- The variance that would align with the General Plan of allowing division in the subject area into smaller parcels.
- It shows the use of promoting a positive impact on one's family's property that will help benefit the surrounding area.