



County of Fresno

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

Planning Commission Staff Report Agenda Item No. 2 April 9, 2026

SUBJECT: Variance Application No. 4201

Allow the creation of a 2.74-acre parcel, and two 2-acre parcels from an existing 6.74-acre parcel in the AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District. If approved, a mapping procedure will follow.

LOCATION: The subject parcel is located on the southwest corner of the intersection of S. Cherry Ave, and E. Jefferson Ave. The property is approximately .25 miles east of the unincorporated community of Easton (APN: 334-090-02) (5507 S. Cherry Ave.) (Sup. Dist. 1).

APPLICANT: Janetra Johnson

STAFF CONTACT: Oscar Gake, Planner
(559) 600-4224

Tawanda Mtunga, Principal Planner
(559) 600-4256

RECOMMENDATION:

- Deny Variance No. 4201 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 Plan
7. Applicant's Variance Findings

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Public Facilities (Elementary School Proposed)	No change
Zoning	AL-20 (Limited Agricultural, 20-acre minimum parcel size) Zone District.	No change
Parcel Size	6.74-acre parcel.	2.74-acre parcel, 2.0-acre parcel, 2.0-acre parcel
Project Site	Residential, agricultural, vacant	Split the parcel into three substandard parcels. (see Site Plan for details).
Structural Improvements	Mobile home, chicken pen, storage barn	No change
Nearest Residence	120-feet east 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 77 property owners within 1,320 feet of the subject parcel for the April 9, 2026 hearing, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PUBLIC COMMENT:

No public comment was received at the time 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 AL-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.

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 Public Facilities does not accommodate increased density residential Zoning.

BACKGROUND INFORMATION:

The subject parcel is located within the unincorporated community of Easton. The Variance application proposes to waive the minimum lot size standards in the AL-20 Zone District; by proposing to create a 2.74-acre parcel, and two 2-acre parcels from an existing 6.74-acre parcel. If approved a mapping procedure to follow.

The existing parcel is used for residential purposes and poultry farming. It is developed with a mobile home, a chicken pen, and a storage barn. The structures are all located on the proposed 2.74-acre parcel and the owner intends to continue residing and farming on the parcel. If the Variance is approved, the owner intends to grant the middle 2-acre parcel to his daughter to build a single-family home and ADU and leave the other 2-acre parcel vacant and possibly sell it in the future.

In the Easton Community Plan, the subject parcel has a land use designation of Public Facilities for a future Elementary School. The superintendents of Washington Union Unified School District and Washington Colony Elementary School District did not respond to staff's request for comments on the project.

According to available records there is one similar variance approvals within one-half mile of the subject property for substandard size parcels.

Application/Request	Staff Recommendation	Final Action	Date of Action
VA 3732: <i>Allow the creation of a 1.50-acre parcel and a 17.50-acre parcel from a 19-acre parcel (AE-20)</i>	Denial	<u>PC Approval (W/Conditions)</u>	September 5, 2002

	Current Standard:	Proposed Configuration:	Is Standard Met (y/n):
Setbacks	<u>AL-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, except 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:

The record does not demonstrate exceptional or extraordinary circumstances or conditions unique to APN 334-090-02 that do not generally apply to similarly zoned properties in the vicinity. The property's AL-20 Zoning establishes a 20-acre minimum parcel size, with only a narrow Homesite carve-out under Chapter 822.3.080(F); the applicant's request to create three sub-20-acre parcels seeks relief from a uniform, area-wide standard rather than addressing a site-specific constraint such as size, shape, topography, or location. Surrounding parcels to the north, east, and south are between 13 and 20 acres and in active agricultural use, undercutting the assertion of a prevailing small-lot rural residential pattern; one 5.76-acre substandard parcel to the west does not constitute a neighborhood pattern or a property-specific hardship. Consequently, Finding 1 cannot be made.

Recommended Conditions of Approval:

None

Finding 1 Conclusion:

Staff cannot recommend making Finding 1 as there is not an extraordinary circumstance 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's findings state that approval of the proposed Variance application would allow the applicant to enjoy the same property rights exercised by surrounding landowners with rural residential parcels. The surrounding parcels are not rural residential, they are used for agricultural operations.

Surrounding property owners are also not allowed to create new parcels below the 20-acre minimum parcel size for the AL-20 Zone District, absent of the specific Homesite provisions of Chapter 822.3.080(F) or a granted variance meeting all findings.

Recommended Conditions of Approval:

None

Finding 2 Conclusion:

Staff cannot recommend making Finding 2 as the Variance is not necessary for the property owner 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:	13.28-acres	Agriculture Single Family Residence	AE-20	300 feet
South:	13.26-acres	Agriculture Single Family Residence	AL-20	700 feet
East:	20-acres	Agriculture Single Family Residence	AE-20	120 feet
West:	5.76-acres	Vacant Single Family Residence	AL-20	200 feet

Reviewing Agency/Department Comments:

Road Maintenance and Operations Division: Jefferson Avenue and Cherry Avenue are county-maintained roads. 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 proposed Variance will benefit the community by promoting compatible infill development, utilizing existing infrastructure, supporting neighborhood consistency and visual cohesion, and preserving the “semi-rural residential character of the area.”

While the impact of this single variance may not, in isolation, result in a materially adverse effect, staff notes that the creation of three substandard parcels would increase residential density and could create potential conflicts with adjacent agricultural operations. The applicant’s parcel is not designated as Rural Residential. Therefore, the assertion that the proposal is consistent with surrounding land uses is inaccurate.

The minimum acreage requirement of the AL-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 notes that surrounding parcels are also 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:
General Plan Policy LU-A.6: <i>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 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>	Inconsistent: The proposed parcel creation is not consistent with this Policy. There are exceptions allowed subject to certain criteria. 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.
General Plan Policy LU-A.7: <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>	Inconsistent: The proposed parcel division is not consistent with Policy LU-A.7 as it would create three substandard sized parcels. The creation of parcels less than 20 acres in the AL-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.
General Plan Policy LU-A.14: <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>	Inconsistent: The proposed parcel division is not consistent with Policy LU-A.14 as it would create three substandard sized parcels which further reduces the existing parcel size and land that can have an agricultural operation.
General Plan Policy PF-C.16: <i>The County shall, prior to consideration of any discretionary project related to land use,</i>	Consistent: The Water and Natural Resources Division reviewed the project proposal and determined that the proposal

Relevant Policies:	Consistency/Considerations:
<p><i>undertake a water supply evaluation. The evaluation shall include the following:</i></p> <ul style="list-style-type: none"> <li data-bbox="250 296 802 831"><i>a. 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> <li data-bbox="250 867 802 1465"><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> <li data-bbox="250 1501 802 1902"><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>will have a less than significant impact on existing water supply in the area.</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 and LU-A.10. 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. 4201 would result in the creation of three substandard parcels. The proposed variance application will result in creation of substandard parcels in an area of the County that is zoned AL-20 (Limited 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 asserts that the proposed Variance would not conflict with the General Plan's agricultural preservation goals because "the site and surrounding parcels are not utilized for commercial farming and are predominantly residential." As discussed previously, this assertion is incorrect. The subject parcel is bordered on three sides by active agricultural operations, and the General Plan requires the County to maintain agriculturally designated areas for agricultural use and direct non-agricultural development away from productive farmland (Policy LU-A.1)

While the existing use and parcel configuration are consistent with the General Plan, the proposed Variance would allow the creation of new parcels that conflict with several adopted General Plan policies, including:

- The policy to maintain twenty acres as the minimum permitted parcel size in areas designated Agriculture (Policy LU-A.6)
- The policy to generally deny requests to create parcels smaller than the minimum agricultural parcel size due to the increased potential for land-use conflicts with agriculture (Policy LU-A.7)
- The requirement to protect agricultural operations from conflicts with non-agricultural uses by requiring appropriate buffers (Policy LU-A.13)
- The requirement that discretionary permits include an assessment of agricultural land conversion and require mitigation where appropriate (Policy LU-A.14)

- The overarching General Plan mandate to minimize fragmentation of agricultural land and prevent incompatible development patterns through its agricultural preservation framework (Policies LU-A generally)

The requested variance would enable parcelization that is inconsistent with the County's agricultural preservation policies and would increase the potential for conflicts between residential and ongoing agricultural uses.

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.

SUMMARY CONCLUSION:

Based on the factors cited in the analysis, Staff cannot recommend making required Findings 1, 2, & 4 for granting the variance; as there is no extraordinary circumstance identified relating to the property that does not apply to other properties in the area with the same zone classification, 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. 4201; 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 (state basis for making the findings) and move to approve variance No. 4201, subject to the Conditions of Approval and Project Notes listed in Exhibit 1; 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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**Variance Application (VA) No. 4201
Conditions of Approval and Project Notes**

Conditions of Approval	
1.	Division of the subject parcels shall be in accordance with the site plan as approved by the Planning Commission.
2.	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.
3.	The end of curbed/taper edge of any existing or future access driveway approach should be set back a minimum of 5' from the property line.
4.	A minimum of 10' x 10' corner cut-off should be improved for sight distance purposes at any existing or future driveway accessing Cherry Avenue and Jefferson Avenue if not already present.

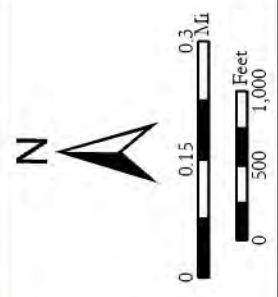
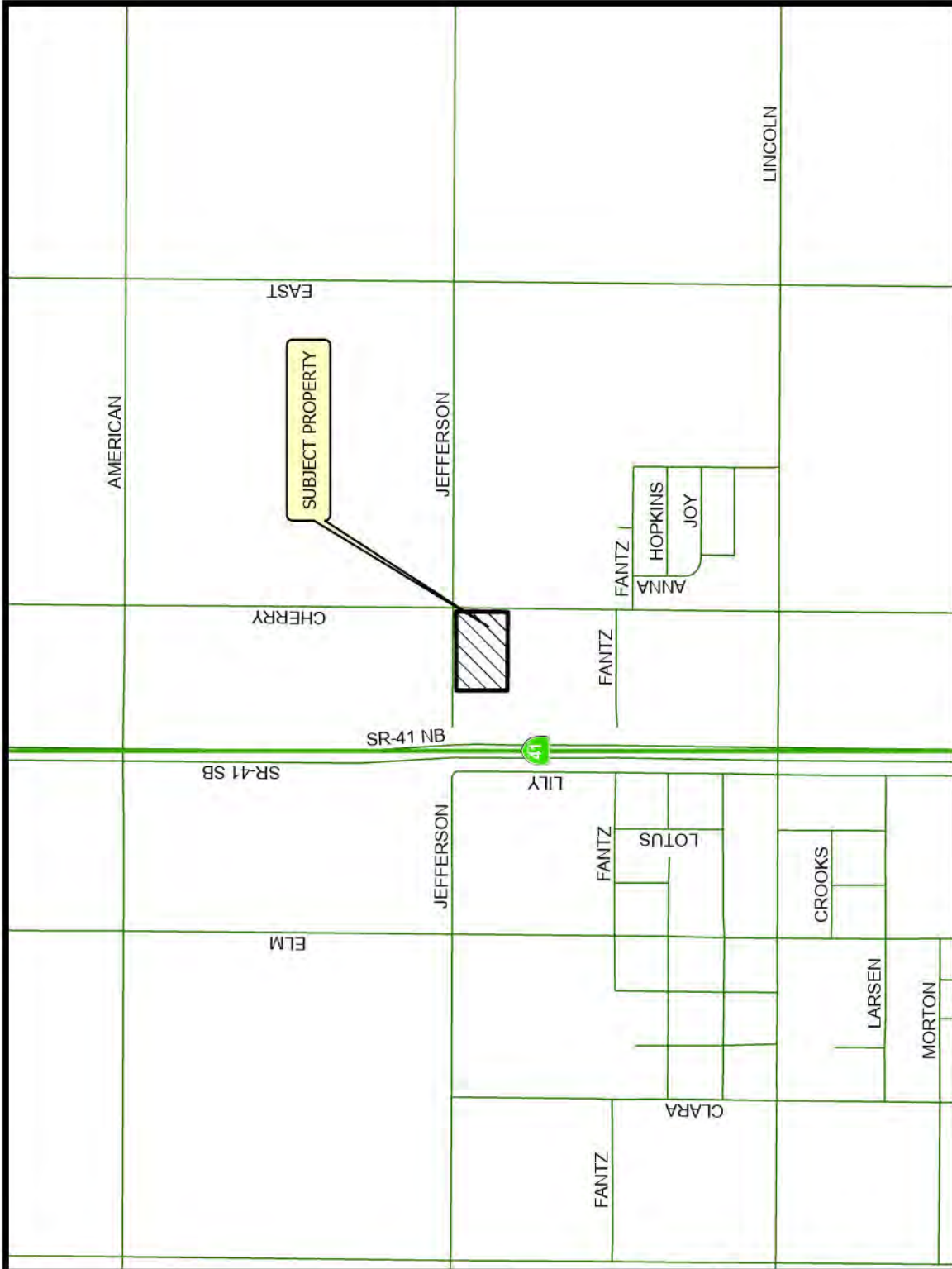
Conditions of Approval reference recommended Conditions for the project.

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	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.

Notes	
3.	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.
4.	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.
5.	A grading permit/voucher may be required for any future grading with this application.
6.	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.
7.	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.

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LOCATION MAP

2025

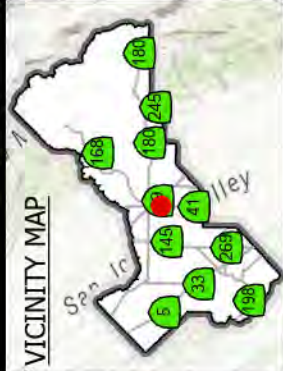
VA4201

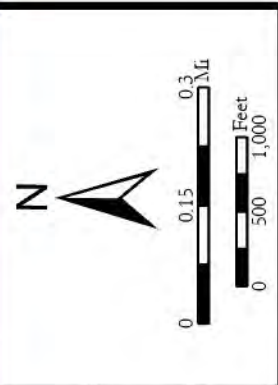
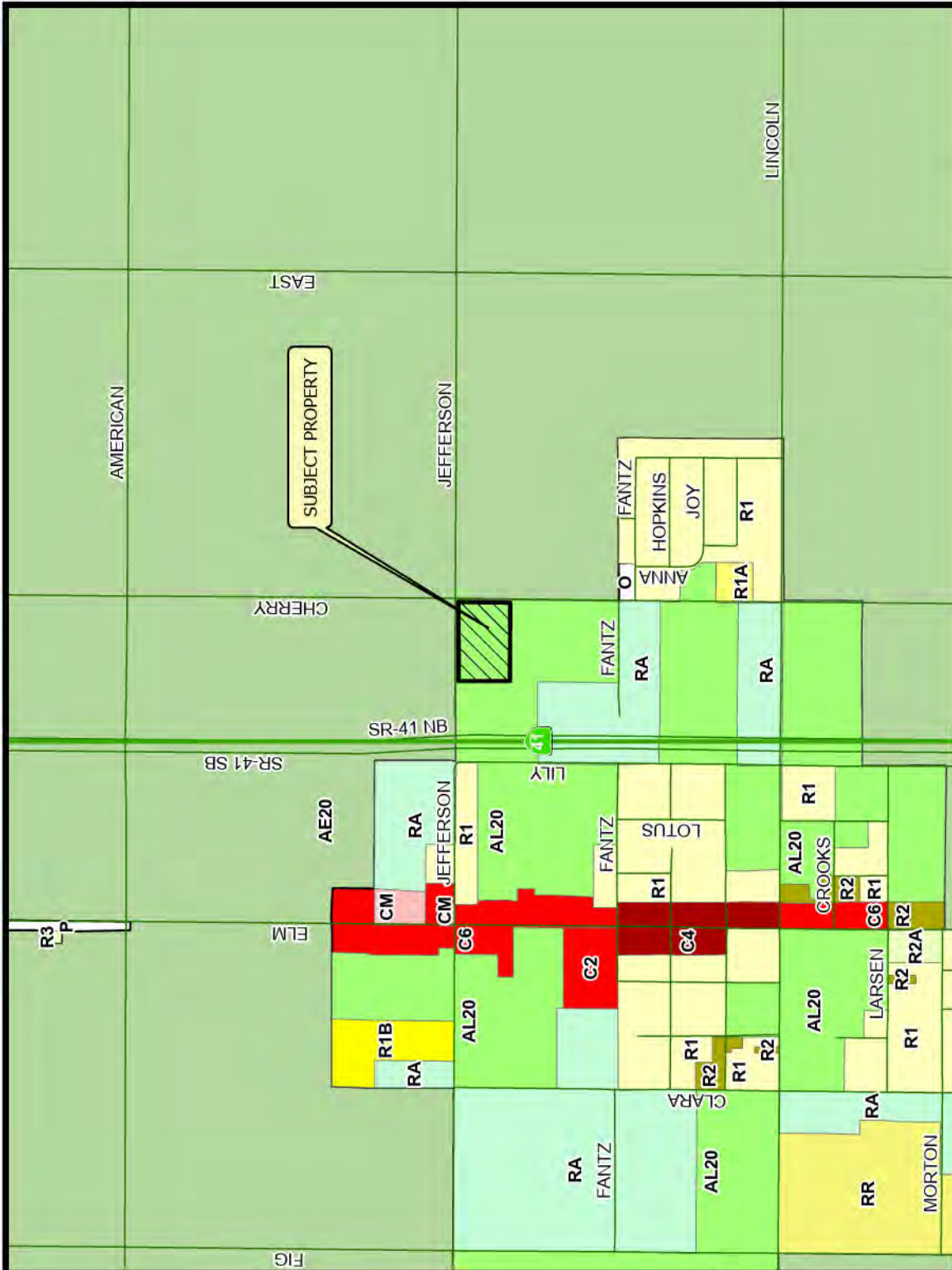
Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
 Person Prepared by : mdo
 On Date : 12/24/2025

Legend



SubjectProperty





Existing Zoning Map

VA4201

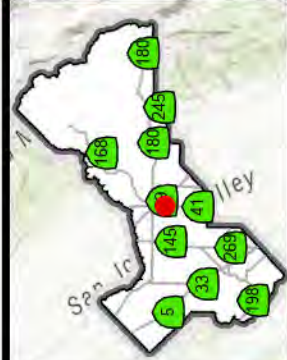
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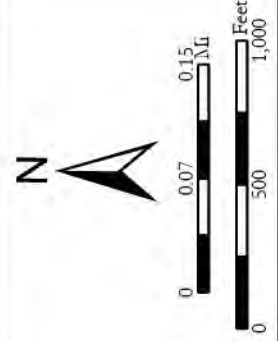
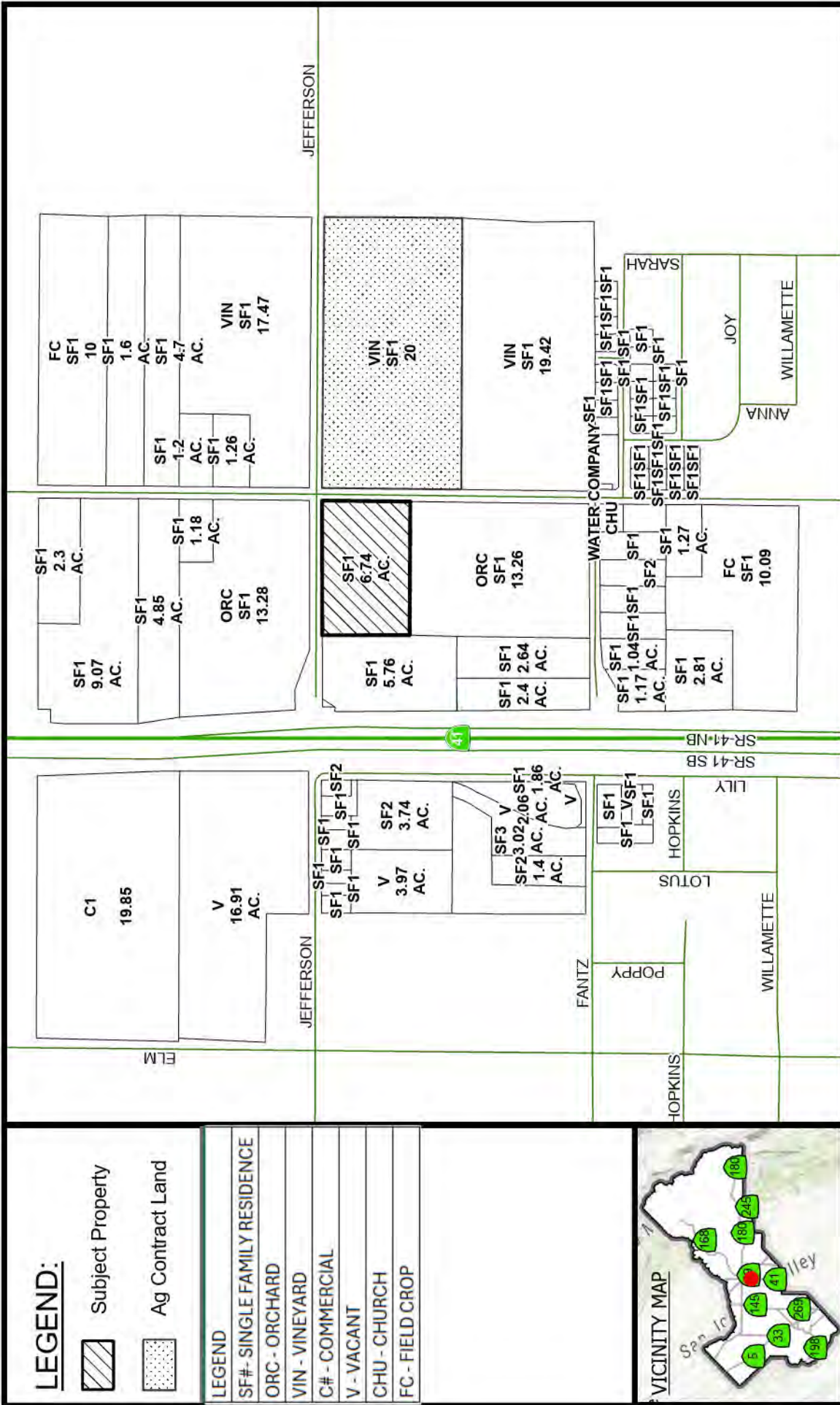
2025

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
 Person Prepared by : mdo
 On Date : 12/24/2025

Legend

	SubjectProperty
	C6
	O
	CM
	AE20
	AL20
	C2
	C4
	P
	R1
	R1A
	R1B
	R2
	R2A
	R3
	RA





Existing Land Use Map

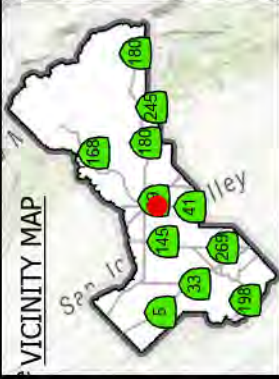
VA4201 **2025**

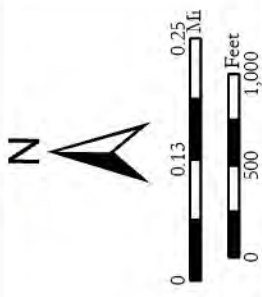
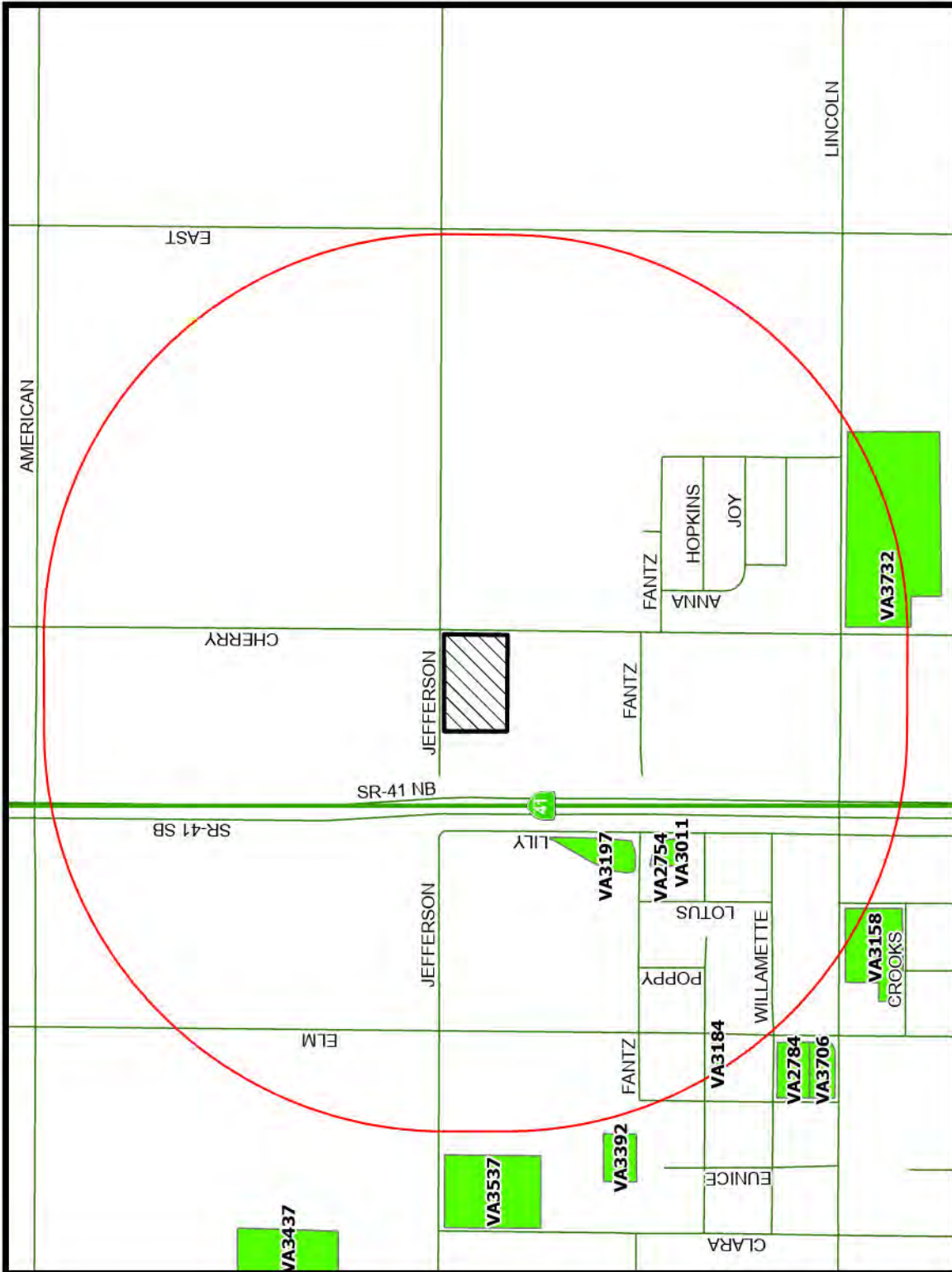
Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
 Person Prepared by : mdo
 On Date : 12/24/2025

LEGEND:

- Subject Property
- Ag Contract Land

LEGEND
SF#- SINGLE FAMILY RESIDENCE
ORC - ORCHARD
VIN - VINEYARD
C# - COMMERCIAL
V - VACANT
CHU - CHURCH
FC - FIELD CROP





Proximity Map

VA4201	2025
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Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
 Person Prepared by : mdo
 On Date : 12/24/2025

Legend

- Half_Mile_Buffer
- SubjectProperty
- VA Permits



LEGAL DESCRIPTION (EXISTING PARCEL)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
 APN: 334-090-02 (DOCUMENT NO. 2000-0135589, O.R.F.C.)
 LOT 54 OF WASHINGTON BRIGADE COLONY, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 2, PAGE 2 OF PLATS, FRESNO COUNTY RECORDS.
 EXCEPTING THEREFROM THE SOUTH 3/4 LINKS THEREOF.
 CONTAINS: 6.74 ACRES (EXISTING)

LEGAL DESCRIPTION (PROPOSED PARCELS)

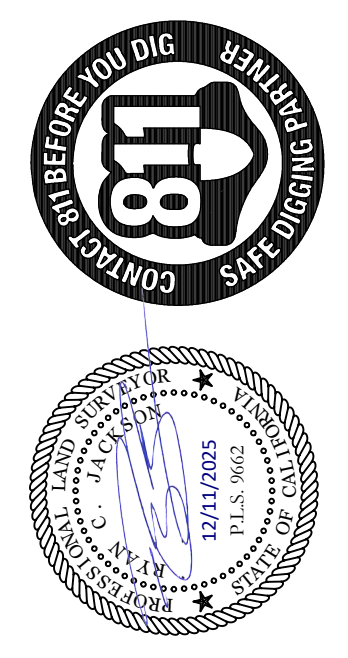
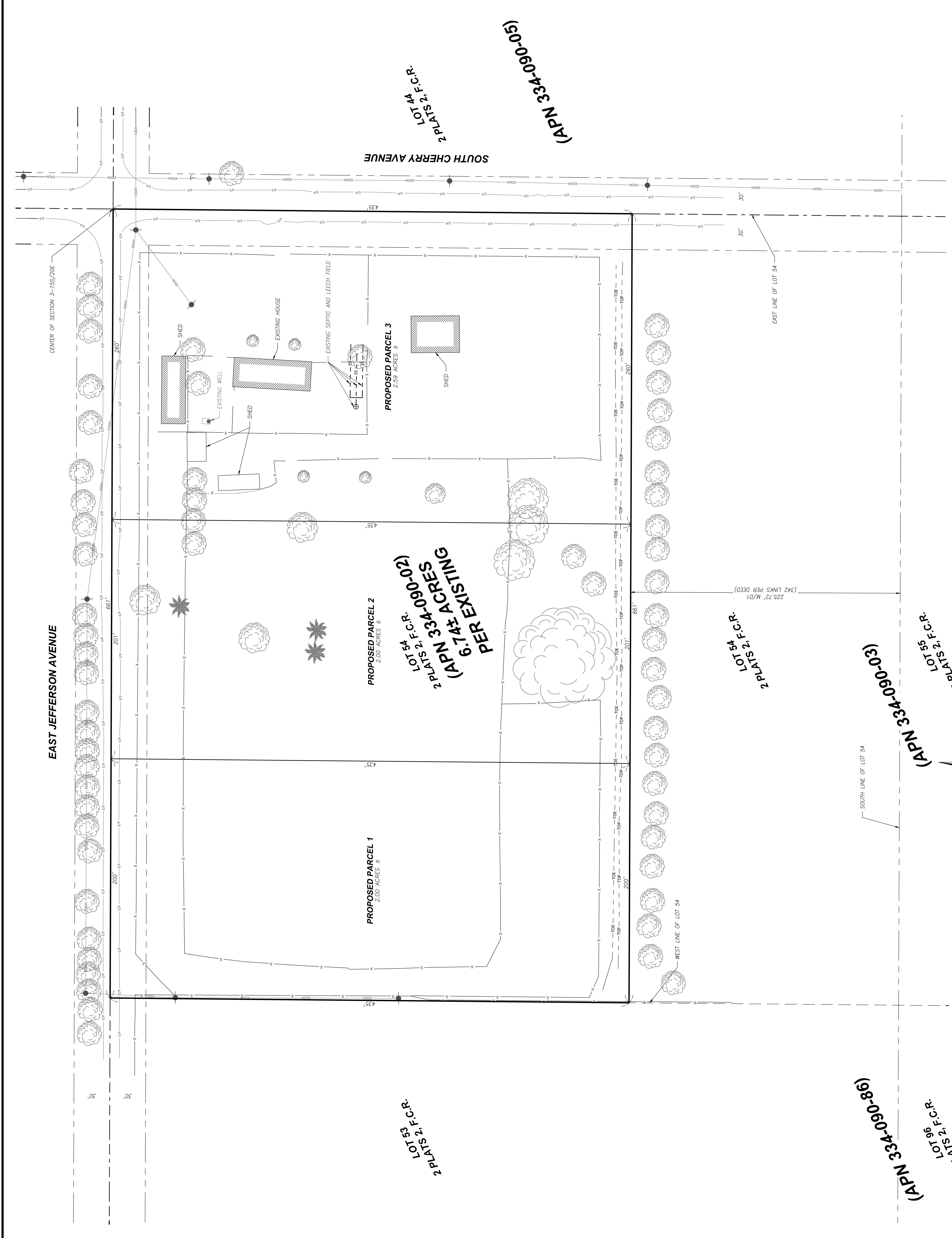
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:
PARCEL 1:
 PARCEL 1 PER PARCEL MAP NO. _____, BOOK ##, PAGE ##, F.C.R.
 CONTAINS: 2.00 ACRES
PARCEL 2:
 PARCEL 1 PER PARCEL MAP NO. _____, BOOK ##, PAGE ##, F.C.R.
 CONTAINS: 2.00 ACRES
PARCEL 3:
 PARCEL 1 PER PARCEL MAP NO. _____, BOOK ##, PAGE ##, F.C.R.
 CONTAINS: 2.59 ACRES (2.74 BASED ON EXISTING)

LEGEND (MAP)

- ALL DISTANCES DEPICTED HEREON, OR DERIVED OR SCALED THEREFROM, ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.
- ELECTRICAL POWER POLE
 - ← GUY ANCHOR
 - ☼ TREE (DECIDUOUS)
 - ☼ PALM TREE
 - ⊕ SEPTIC COVER
- EDGE OF PAVEMENT
 ELECTRICAL DISTRIBUTION (OVERHEAD)
 ELECTRICAL SERVICE LINE (OVERHEAD)
 EXISTING FENCELINE
 TOP OF SLOPE
 TOP OF SLOPE
 PROPOSED PARCEL BOUNDARY LINE
 ADJACENT/UNDERLYING PARCEL LINES
 EXISTING ROAD RIGHT OF WAY LINE
 SECTION LINE

NOTES

1. APN: 334-090-02
2. PARCEL AREA: 6.59 ACRES±
3. OWNER: JOHN M. JOHNSON AND JUDY JOHNSON (DECEASED).
4. FLOOD ZONE: "X" PER FIRM PANEL 2125 OF 3525, MAP NUMBER "06019C2125H", DATED FEBRUARY 18, 2008.
5. SUBJECT PROPERTY IS ZONED A1-20 (LIMITED AGRICULTURAL) PER COUNTY OF FRESNO ONLINE GIS ZONING MAP AS OF 12/11/2025.
6. MINIMUM SETBACK REQUIREMENTS:
 FRONT : 35 FEET
 SIDE : 20 FEET
 REAR : 20 FEET
7. ELECTRICITY AND GAS PROVIDED BY PACIFIC GAS AND ELECTRIC COMPANY.
8. METHOD OF SEWAGE DISPOSAL IS SEPTIC.
9. METHOD OF WATER DELIVERY IS PRIVATE WELL.
10. STORM AND WATER TO BE RETAINED ON SITE.
11. ADJACENT LAND USE: NORTH/EAST - EXCLUSIVE AGRICULTURAL (A20); WEST - LIMITED AGRICULTURAL (A20); SOUTH - RA - SINGLE FAMILT.
12. PROPOSED CONTINUED LIMITED AGRICULTURAL USE FOR PROPOSED PARCELS 1, 2, AND 3.
13. SURVEYOR :
 RYAN C. JACKSON, PLS
 ATCH CONSULTING, INC
 1874 POLSON AVENUE
 CLOVIS, CA 93611



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DATE:	DECEMBER, 2025
DWG. BY:	LB
CK. BY:	RCJ
JOB#	25-025

SITE PLAN FOR
TENTATIVE PARCEL MAP NO. (PENDING)
 IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

CLIENT
JOHN JOHNSON
 3501 W. BERRY AVENUE
 FRESNO, CA 93726

EXHIBIT 7

Ryan C. Jackson, PLS on behalf of:

Janetra Johnson

5507 South Cherry Avenue

Fresno, CA 93706

Janetra2012@gmail.com

Date: 12/11/2025

Fresno County Department of Public Works and Planning

Development Services Division

2220 Tulare Street, Sixth Floor

Fresno, CA 93721

Subject: Variance Justification Statement – Request to Allow Division of a 6.5-Acre Parcel Zoned AL-20 into Three (3) Two-Acre Parcels ±

Property Address: 5507 South Cherry Avenue, Fresno, CA 93706

APN: 334-090-02

Zoning: AL-20 (Limited Agricultural, 20-acre minimum)

To Whom It May Concern:

This letter is submitted in support of a variance request to allow the division of an existing six-acre (6-acre) parcel zoned AL-20 into three parcels of approximately two (2) acres each. This request is consistent with the intent of **Fresno County Zoning Ordinance §822.3.080(F)**, which recognizes that exceptions to minimum parcel size requirements *may be appropriate* under certain circumstances when smaller rural residential parcels support overall land-use compatibility and community character.

The following demonstrates how the request satisfies the **four required findings** for granting a variance under Fresno County zoning regulations.

1. Exceptional or Extraordinary Circumstances

The subject property is uniquely constrained in that it is significantly smaller than the 20-acre minimum required under AL-20 zoning. Despite this, the surrounding area is not characterized by large agricultural holdings. Instead, it is developed primarily with smaller rural residential parcels—many between **1.0 and 1.5 acres**—including those at **5375, 5382, and 5406 S. Cherry Avenue**, as well as **728, 752, and 768 E. Jefferson Avenue**, which are located within AE-20 zoning.

This creates a distinct and longstanding pattern of smaller, non-commercial rural residential development within the immediate vicinity. As such, the parcel faces an extraordinary circumstance: although zoned AL-20, the property is subject to a minimum acreage standard that does *not* correspond to the existing development pattern.

Additionally, **§822.3.080(F)** of the Zoning Ordinance acknowledges that parcels smaller than the minimum acreage may be justified under specific conditions designed to support residential use within agricultural zones—illustrating the County’s recognition that rigid application of minimum parcel sizes may not always reflect real-world conditions.

2. Preservation and Enjoyment of a Substantial Property Right

Approval of this variance will allow the applicant to enjoy the same property rights exercised by surrounding landowners, who already possess smaller rural residential parcels consistent with the neighborhood’s built form.

Without such approval, the applicant would be denied reasonable and beneficial use of the property—use that is already common and accepted within the area. Creating three two-acre parcels restores equity and aligns the property with the surrounding context.

This request is also consistent with the flexibility contemplated in **§822.3.080(F)**, which acknowledges circumstances where smaller parcel sizes may accommodate legitimate residential use while remaining compatible with zoning objectives.

3. No Detriment to Public Welfare or Adjacent Properties

The proposed variance will not be detrimental to public health, welfare, safety, or neighboring properties. In fact, it offers several community benefits:

- Promotes compatible infill development aligning with existing parcel sizes.
- Utilizes existing infrastructure and public services without generating undue burden.
- Supports neighborhood consistency and visual cohesion.
- Preserves the semi-rural residential character of the area.

The resulting parcels will integrate seamlessly with the established neighborhood fabric, strengthening stability and potentially improving adjacent property values through coordinated rural residential development.

4. Consistency with the Fresno County General Plan

The requested variance is consistent with the Fresno County General Plan, which promotes orderly, compatible development and recognizes existing patterns of rural land division in areas not dominated by commercial-scale agriculture.

The surrounding neighborhood is clearly rural residential in nature. Allowing this division supports the General Plan's goals of:

- Providing appropriate rural housing opportunities,
- Supporting efficient use of land within established communities, and
- Preserving existing community character.

The request does not conflict with agricultural preservation goals, as the site and surrounding parcels are not utilized for commercial farming and are predominantly residential.

Furthermore, the spirit of **Zoning Ordinance §822.3.080(F)** demonstrates a policy foundation for allowing smaller residential parcels under appropriate circumstances, reinforcing the consistency of this request with County planning objectives.

Conclusion

Given the unique circumstances of the property, the alignment with surrounding parcel sizes, and the absence of any adverse impacts to public welfare or policy objectives, the requested variance is both reasonable and justified.

Approval of this variance will promote equitable land use, compatible neighborhood development, and enhanced community benefit—fully consistent with the spirit and intent of the Fresno County General Plan and Fresno County Zoning Ordinance, including **§822.3.080(F)**.

Respectfully submitted,



Ryan C. Jackson, PLS (CA, ID), FAA Part 107 Certified
President

