

# County of Fresno

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

# Planning Commission Staff Report Agenda Item No. 4 October 24, 2019

SUBJECT: Variance Application No. 4068

Allow reduction of the side-yard setback to 3 feet (10-foot minimum required) and rear-yard setback to 8 feet 7 inches (20-foot minimum required) for an existing unpermitted 330 square-foot accessory housing unit, recognize the 7-foot side-yard setback for the existing single-family dwelling, and waive the maximum lot coverage to increase lot coverage to 36.3 % (30% maximum allowed) on a 9,583 square-foot parcel in the R-1-AH(nb) (Single-Family Residential, 20,000 square-foot minimum parcel size, Neighborhood Beautification Overlay) Zone District.

LOCATION: The subject parcel is located on the south side of East Kings

Canyon Road, approximately 420 feet east of its nearest intersection with South Sunnyside Avenue, in a County island within the city limits of the City of Fresno (5848 E. Kings Canyon

Road) (Sup. Dist. 5) (APN 474-042-11).

OWNER: Owen and Sharlene Werzinski

APPLICANT: Steven Ohanesian

STAFF CONTACT: Thomas Kobayashi, Planner

(559) 600-4224

Marianne Mollring, Senior Planner

(559) 600-4569

## **RECOMMENDATION:**

- Approve Variance No. 4068 with recommended Findings and Conditions; 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. One Quarter-Mile Variance Radius Map
- 6. Site Plans and Detail Drawings
- 7. Applicant's Findings

# SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	County-adopted Roosevelt Community Plan: Low-Density Residential	No change
Zoning	R-1-AH(nb) (Single-Family Residential, 20,000 square-foot minimum parcel size, Neighborhood Beautification Overlay) Zone District	No change
Parcel Size	0.22 acres (9,583 square feet)	No change
Project Site	N/A	N/A
Structural Improvements	Single-Family Residence and unpermitted Accessory Housing Unit	Permitted Accessory Housing Unit
Nearest Residence	Approximately 42 feet northwest of accessory housing unit	No change
Surrounding Development	Single-family residential	No change
Operational Features	N/A	N/A
Employees	N/A	N/A
Customers	N/A	N/A
Traffic Trips	Residential	No change

Criteria	Existing	Proposed
Lighting	Residential	No change
Hours of Operation	N/A	N/A

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

### **ENVIRONMENTAL ANALYSIS:**

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

### **PUBLIC NOTICE:**

Notices were sent to 108 property owners within 600 feet of the subject parcel, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

#### PROCEDURAL CONSIDERATIONS:

A Variance (VA) may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Section 877-A are made by the Planning Commission.

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

# **BACKGROUND INFORMATION:**

The existing 0.22-acre (9,583 square feet) parcel does not currently conform to the 20,000 square-foot minimum parcel size established by the R-1-AH(nb) (Single-Family Residential, 20,000 square-foot minimum parcel size, Neighborhood Beautification Overlay) Zone District. Although the subject parcel is nonconforming with the existing zone district standards, the parcel is considered legal nonconforming, as the parcel has been in this original configuration since 1959. The current zoning for the subject parcel changed after the single-family residence and accessory building were built, creating conflicts between the current zone district and what is present on the property.

The subject parcel first appears in the Sunnywood No. 3 Tract No. 1687 Tract Map, which was recorded on January 26, 1959. The parcel configuration has not changed since the Tract Map was recorded. On June 8, 1960, the Board of Supervisors adopted the Fresno County Zoning Ordinance and the subject parcel was zoned R-A (Single-Family Residential – Agricultural District). Amendment Application No. 3148 (AA No. 3148) rezoned property located within the County-adopted Roosevelt Community Plan to be consistent with land use designations in the Roosevelt Community Plan. The Board of Supervisors approved AA No. 3148 on September 20, 1980, and the subject parcel was rezoned to the R-1-AH (Single-Family Residential, 20,000 square-foot minimum parcel size) Zone District.

Building permit records indicate that building permits for the existing single-family residence were originally issued on February 28, 1967. Those permits and other building permits related to completion of the single-family residence subsequently expired. On February 20, 1992, the

subject building permits for the single-family residence and detached storage building were finalized. A memo dated December 3, 1990, indicates that the conversion of the accessory building had occurred prior to the date of the memo. In 2010, a preliminary notice of violation was issued as a result of a Health Department complaint (VI 10-102667). Based on the investigation, the detached storage building was reconverted to an accessory dwelling unit to conform to the building permits for the single-family residence and detached storage building in 1992.

Conflicts related to lot coverage and side-yard setbacks have been identified by staff. For the purposes of setbacks, an accessory building with living space is considered a main building per the Fresno County Zoning Ordinance. The Accessory Housing Unit currently encroaches into the rear-yard and side-yard setbacks. If the proposed Variance is approved, the project will reduce the side-yard setback to three (3) feet (10 feet required), reduce the rear-yard setback to eight feet seven inches (20 feet required) and increase the lot coverage of the subject parcel to 36.3% (30% maximum allowed).

According to the Applicant and based on the submitted deed, ownership transfer to the current property owners took place on August 4, 2017. A permit application for a service panel change-out for the single-family residence was sought by the property owner on February 16, 2018, which prompted the current notice of violation from Fresno County Code Enforcement. The violation was for the construction of a two-story building without plans, permits, or inspections.

Upon further investigation and information from the property owner, a kitchen and bathroom have been added to the existing accessory building. As the building is now being used for living space, the building is not considered an accessory building. Therefore, the building cannot be located in established setbacks of the zone district. The property owner was advised that if the building were to remain, he would be required to receive approval of a Variance to encroach into the setbacks for the proposed Accessory Housing Unit. Code Enforcement staff closed Violation File No. 10-102667 so that a new violation file (VI 18-101524) could be opened and the violation could be updated to reflect the information given by the new property owner.

Additional development standards for the zone district have been identified as being non-compliant, including lot coverage and side-yard setbacks for the existing single-family residence. As mentioned, building permit records for the single-family residential unit were originally pulled on February 28, 1967. Fresno County Assessor records also indicate the construction occurred during 1967. Variance No. 843 (VA No. 843) was approved on August 25, 1960 to recognize substandard-sized lots in recorded subdivisions allowing divisions using existing lot lines on lots zoned R-A. The intent of VA No. 843 was to provide recognition of legal non-conforming status to land that was a part of a subdivision, as development standards of the R-A Zone District were not met.

For an unknown reason, the single-family residential unit was built encroaching into the eastern side-yard setback and exceeding the lot coverage maximum established under the R-A Zone District. Existing building permit records do not indicate the reasoning or any alternative development standard to explain the allowance of construction of the single-family residential unit inside the side-yard setback and exceeding the maximum lot coverage. The Variance request will allow the existing side-yard setback encroachment issue and lot coverage of the single-family residence and accessory building to be resolved.

There have been two (2) variances that have been applied for within a one quarter-mile radius of the project site that are related to the subject application.

Application/Request	Date of Action	Staff Recommendation	Final Action
VA No. 2845: Allow a 7-foot side-yard setback (10-foot minimum) for a single-story garage on a 0.35-acre parcel in the R-1-AH Zone District.	July 19, 1984	Deferred to Planning Commission	PC Approved
VA No. 3565: Allow an existing accessory structure with a rear-yard setback of 10 feet (20-foot minimum) and a plate height of 16 feet (12-foot maximum) in the R-1-AH Zone District.	May 6, 1997	Deferred to Planning Commission	PC Approved

Although there is a history of variance requests within proximity of the subject parcel, each Variance request must be considered on its own merit, based on unique site conditions and circumstances.

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

<u>Finding 2:</u> 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.

	Current Standard:	Proposed Operation:	Is Standard Met (y/n)
Setbacks	R-1-AH Front: 35 feet Side: 10 feet Rear: 20 feet	Front: 35 feet Side: 3 feet Rear: 8 feet 7 inches	N
Parking	One parking space for every dwelling unit	Existing two-car garage	Υ
Lot Coverage	30 percent	36.3 percent	N
Space Between Buildings	6 feet	6 feet	Υ
Wall Requirements	N/A	N/A	Υ
Septic Replacement Area	100 percent replacement	N/A	Υ
Water Well Separation	Community Water and Sewer/City of Fresno Services	N/A	Y

# Reviewing Agency/Department Comments Regarding Site Adequacy:

Building and Safety Section of the Fresno County Department of Public Works and Planning: The property has been under violation since 2010. The subject accessory housing unit is not permitted.

Fresno Metropolitan Flood Control District: No on-site retention of storm water runoff is required, provided that developer can verify to the County of Fresno that runoff can be safely conveyed to the Master Plan Inlet(s). **This shall be included as a Project Note.** 

No other comments were expressed by reviewing Agencies or Departments.

## Analysis:

In support of Finding 1, the Applicant states that the subject parcel is substandard in size for the underlying zone district. Additionally, the Applicant states that the construction of the single-family residence placed the structure encroaching three feet into the 10-foot minimum side-yard setback on the eastern portion of the residence. The property owner bought the subject parcel as his primary dwelling unit in conjunction with the accessory housing unit, as it would provide living space that meets his family's needs. County records indicate that early development of the subject parcel was aberrant and confusing. For unknown reasons, a conflict between the early ownership of this parcel and Fresno County staff has persisted throughout a period exceeding fifty years.

In support of Finding 2, the Applicant states that the approval of the Variance would rectify the conflict. The current property owner and his family have had no involvement in the imagining, planning, and construction of the subject accessory dwelling unit. The approval of the Variance would allow the property owner and family to enjoy their property rights and cure the ongoing hardship from the violation.

A consideration in addressing Variance applications is whether there are alternatives available that would avoid the need for the Variance. Alternatives for the accessory dwelling unit would be demolishing the subject structure, removing the structure from the setbacks, or converting the accessory housing unit back to an accessory building. Additionally, the single-family residence would require structural modification to remove the portion encroaching into the side-yard setback. The aforementioned alternatives would be costly endeavors for the property owner. Although bringing the accessory housing unit up to code could also become costly, the owner has decided on a Variance to keep the structure. Alternatives for the lot coverage and single-family residence setback issue are limited. Additionally, the single-family residence along with the accessory building would need to be removed or reduced in order to meet the 30% lot coverage maximum of the zone district. These options would be at considerable cost to the property owner and could be considered unfeasible options.

In regard to Finding 1, staff can support the Applicant's finding that the subject parcel is substandard in size and that the eastern portion of the single-family residence was built within the side-yard setback. As stated in the "Background Information" section, the project site was originally zoned R-A and had a minimum parcel size of 36,000 square feet. Research indicates that Variance No. 843 was adopted on August 25, 1960 for the R-A Zone District that recognized substandard-sized lots in recorded subdivisions allowing divisions using existing lot lines. The subject parcel was then rezoned to the R-1-AH on September 29, 1980 by adoption of Amendment Application No. 3148.

For an unknown reason, building permit records indicate that the single-family residence was permitted, although the structure was located within the setbacks of the R-A Zone District. Both the R-1-AH and R-A Zone District allow a 30% lot coverage. Based on staff's calculations, the lot coverage of the parcel is currently at 36.36%. In considering building permit records for the subject property, and the conversion of the accessory housing unit occurring prior to current ownership of the subject property, staff believes there is a unique circumstance. The approval of the Variance will allow the property owner to bring the accessory housing unit into compliance with County of Fresno development standards and the California Building Code for an occupied structure. Additionally, the Variance will correct setback issues for the main residence and lot coverage issues for the parcel. The Variance will provide a record for the corrections, as past records do not indicate the reasoning for allowing diversion from the development standards.

In regard to Finding 2, staff concurs with the Applicant's finding that the current property owners were not involved with the construction of the subject accessory dwelling unit. Based on the deed, the current property owner acquired the property on August 4, 2017. Staff believes that the property owner was unaware of the violation prior to purchasing the property. Staff can concur with the Applicant's finding that the approval of the Variance will allow the owners to enjoy their property the way they intended when the property was purchased. The Variance will also allow the accessory housing unit to remain on the property, be brought up to building code standards, and avoid demolition of the building. In considering the unique situation on the subject parcel and alternatives that could address the issue without a Variance, staff believes that the Variance is necessary to provide a pathway for the property to conform with existing development standards and allow the status of the property to return to a normalized state. Therefore, based on the analysis above, staff believes that Finding 1 and 2 can be made.

# **Recommended Conditions of Approval:**

None.

## **Conclusion:**

Finding 1 and 2 can be made.

<u>Finding 3</u>: The granting of the 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.

Surrou	Surrounding Parcels				
	Size:	Use:	Zoning:	Nearest Residence:	
North	0.22 acre	Single-Family Residential	City of Fresno	Approximately 233 feet	
South	0.24 acre	Single-Family Residential	R-1-AH(nb)	Approximately 86 feet	
East	0.22 acre	Single-Family Residential	R-1-AH(nb)	Approximately 15 feet	
West	0.22 acre	Single-Family Residential	R-1-AH(nb)	Approximately 13 feet	

# **Reviewing Agency/Department Comments:**

Fresno Fire Department: Building plans shall be submitted for the unpermitted dwelling unit to both Fresno County Department of Public Works and Planning, Building and Planning Sections and the Fresno Fire Department for review. **This shall be included as a Project Note.** 

In accordance with 2016 CBC Table 602 (h) Group R-3, dwelling units constructed less than five feet from the property line shall be equipped throughout with a residential fire sprinkler system in accordance with NFPA 13D and one-hour construction rating. At three feet from the property line as shown, once fire sprinklers are installed, the one-hour rating is not required. Fire sprinkler plans shall be submitted as required to this office by a licensed contractor. **This shall be included as a Project Note.** 

The site plan as submitted for review does not clearly indicate the occupancy classification of the "accessory building". Plans should show it as an R-3 secondary dwelling unit. **This shall be included as a Project Note.** 

The project was reviewed by the Fire Department only for requirements related to water supply, fire hydrants, and fire apparatus access to the building on site. Review for compliance with fire and life safety requirements for the building interior and its intended use is conducted for both the Fire Department and the Building and Safety Section of the Fresno County Department of Public Works and Planning when a submittal for building plan review is made (as required by the California Building Code) by the architect or engineer of record for the building. **This shall be included as a Project Note.** 

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

## **Analysis:**

In support of Finding 3, the Applicant states that the proposed accessory dwelling unit will be used as a residential structure, and will not be utilized for any other activity that would pose an adverse impact on the surrounding neighborhood.

The property owner intends to use the accessory housing unit for residential purposes. The accessory dwelling unit use and development is subject to the special use standards described in Section 855-N.1.e of the Fresno County Zoning Ordinance. If any change of the use occurs after permits for the conversion are finalized, the subject property will be subject to a violation from the Code Enforcement Section.

Accessory housing units are allowed in the R-1-AH Zone District provided that the parcel does not contain accessory living quarters or a second dwelling unit. Although the accessory housing unit will be located within setbacks, the subject structure is not expected to cause a detrimental effect on the surrounding neighborhood. The Applicant will be required to apply for and finalize building permits to convert the structure to an accessory housing unit. The building permits will require that the structure conform to the building code and is safe for occupancy. Therefore, staff believes that the Variance will not be materially detrimental to the public welfare or injurious to property and improvements in the vicinity in which the property is located.

# **Recommended Conditions of Approval:**

None.

## Conclusion:

Finding 3 can be made.

<u>Finding 4</u>: The granting of such Variance will not be contrary to the objectives of the Fresno County General Plan.

Relevant Policies:	Consistency/Considerations:
General Plan Policy LU-G.1: The County acknowledges that the cities have primary responsibility for planning within their LAFCo-adopted spheres of influence and are responsible for urban development and the provision of urban services within their spheres of influence.	The subject application was routed to the City of Fresno for comment. No comments were received from the City of Fresno to indicate that the project conflicts with their plans or development code.

# **Reviewing Agency Comments:**

Policy Planning Section of the Fresno County Department of Public Works and Planning: The subject parcel is designated as Low-Density Residential in the Roosevelt Community Plan. The Roosevelt Community Plan is consistent with the Fresno County General Plan.

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

## **Analysis:**

In support of Finding 4, the Applicant states that demolition of the accessory housing unit would induce noise, hazardous substance, air quality, and traffic issues that would create conflicts with the Fresno County General Plan and Fresno County Agencies.

In regard to Finding 4, the subject property is located in a Fresno County island in the City of Fresno. The parcel is designated as Low-Density Residential in the County-adopted Roosevelt Community Plan, which is consistent with the Fresno County General Plan. No policies or objectives were identified in the Fresno County General Plan or the Roosevelt Community Plan that conflict with the Variance proposal. The City of Fresno was notified of the subject application and given the opportunity to comment on the proposal. The City of Fresno did not express any concerns regarding the project. Therefore, staff believes that Finding 4 can be made.

Recommended	Conditions	of	Approval:
recommended	Conditions	O.	Appiovai.

None.

# Conclusion:

Finding 4 can be made.

# **PUBLIC COMMENT:**

None.

#### **CONCLUSION:**

Based on the factors cited in the analysis, staff believes the required Findings for granting the Variance can be made. Staff therefore recommends approval of Variance No. 4068, subject to the recommended Conditions and Project Notes.

### PLANNING COMMISSION MOTIONS:

# **Recommended Motion** (Approval Action)

- Move to determine the required Findings can be made and move to approve Variance No.
   4068, 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.

# **<u>Alternative Motion</u>** (Denial Action)

- Move to determine that the required Findings cannot be made (state basis for not making the Findings) and move to deny Variance No. 4068; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

# **Recommended Conditions of Approval and Project Notes:**

See attached Exhibit 1.

TK:ksn

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# Conditions of Approval and Project Notes Variance Application No. 4068

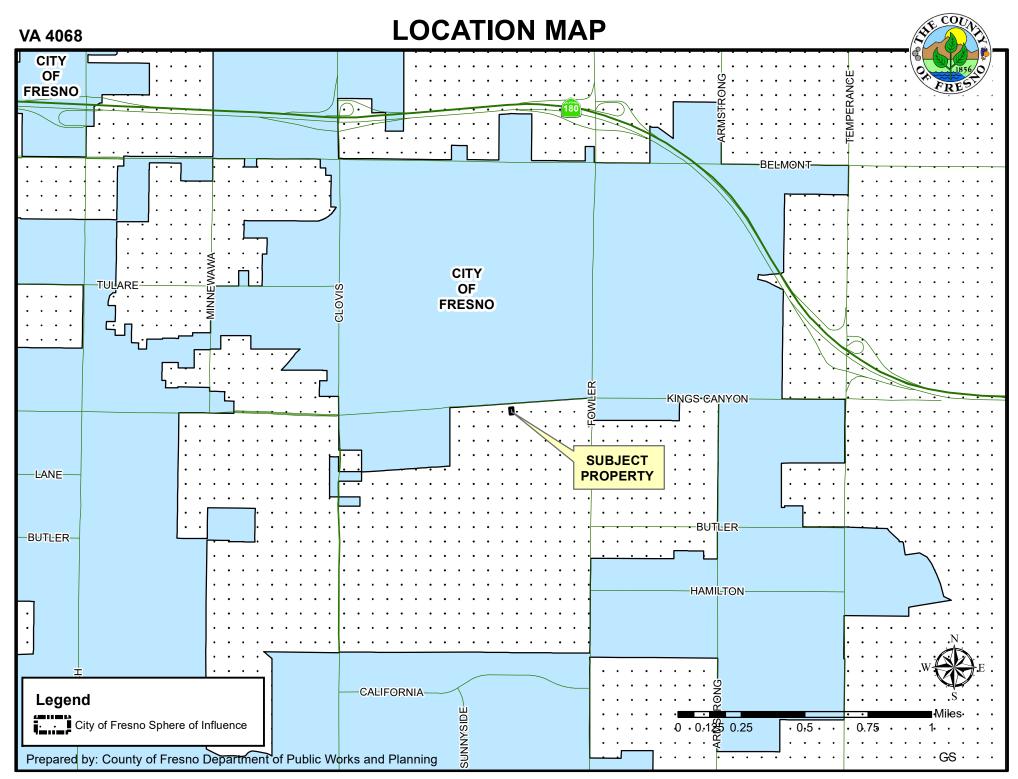
	Conditions of Approval
1.	Development of the property shall be in accordance with the Site Plan, Elevations, and Floor Plans approved by the Planning Commission.
2.	Plans, permits, and inspections will be required for the conversion of the accessory building into an accessory housing unit.
3.	Prior to 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.
	Note: Our department will prepare the Covenant upon receipt of the standard processing fee which is currently \$243.50.
4.	Prior to issuance of building permits, a Site Plan Review Application in accordance with the provisions of Section 874 of the Fresno County Zoning Ordinance shall be submitted for approval.

Conditions of Approval reference recommended Conditions for the project.

	Notes
The follow	ving Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.
1.	No on-site retention of storm water runoff is required, provided that the developer can verify to the County of Fresno that runoff can be safely conveyed to the Master Plan Inlet(s).
2.	Building plans shall be submitted for the unpermitted dwelling unit to both the Fresno County Department of Public Works and Planning, Building and Planning Sections and the Fresno Fire Department for review.
3.	In accordance with 2016 CBC Table 602(h) Group R-3, dwelling units constructed less than five feet from the property line shall be equipped throughout with a residential fire sprinkler system in accordance with NFPA 13D and one-hour construction rating. At three feet from property line as shown, once the subject dwelling is fitted with a fire sprinkler system, the one-hour rating is not required. Fire sprinkler plans shall be submitted as required to this office by a licensed contractor.
4.	The project was reviewed by the Fire Department only for requirements related to water supply, fire hydrants, and fire apparatus access to the building on site. Review for compliance with fire and life safety requirements for the building interior and its intended use is conducted for both the Fire Department and the Building and Safety Section of the Fresno County Department of Public Works and Planning when a submittal for building plan review is made (as required by the California Building Code) by the architect or engineer of record for the building.

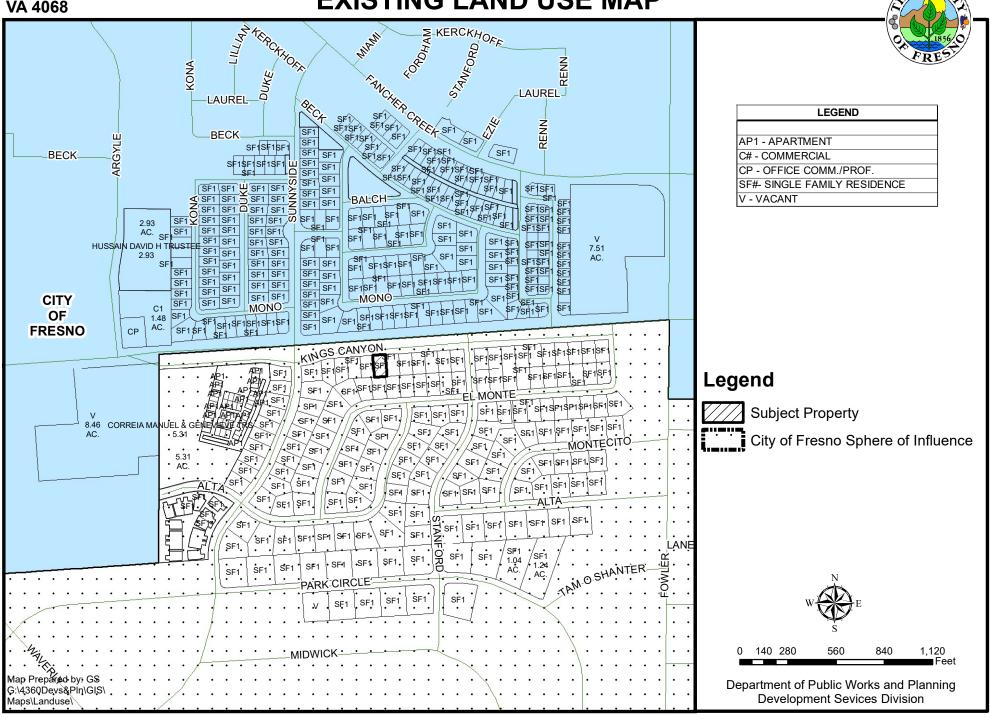
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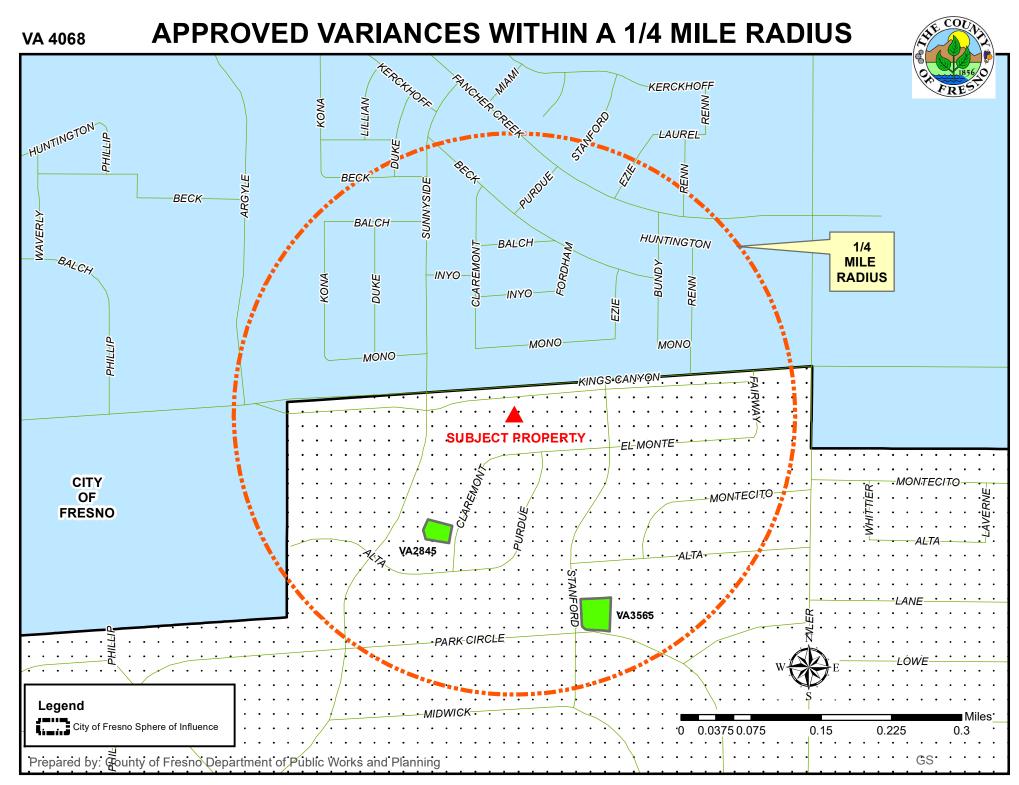


**EXHIBIT 2** 

# **EXISTING LAND USE MAP**



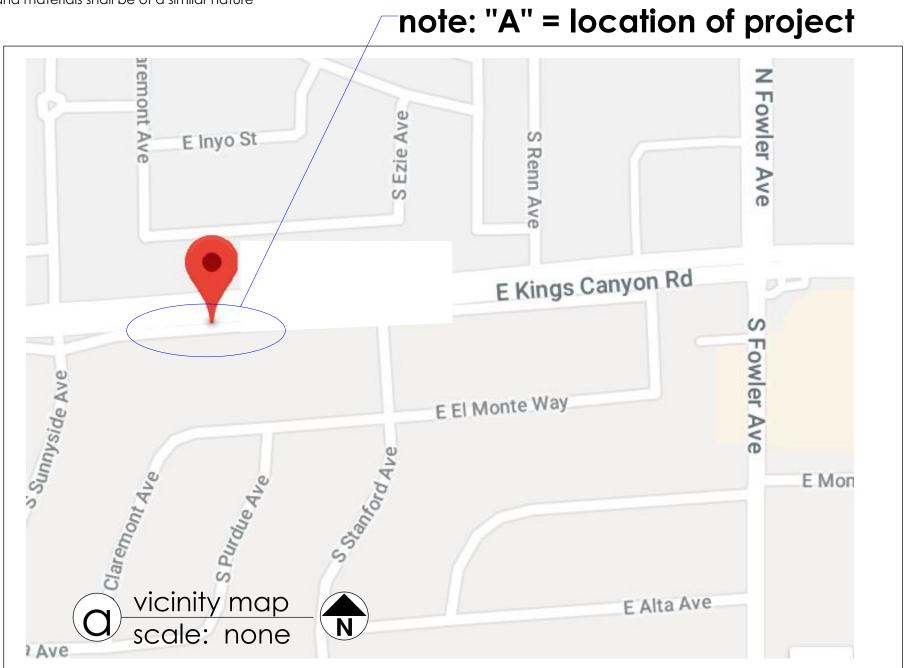
**EXHIBIT 4** 



**EXHIBIT 5** 

line umber		proje	ct info	rmatio	n
1	statement of proposed operations:	alterations as required to	obtain clearance from c	urrent code violations	
2		PROJECT	OWNER	TENANT	DESIGNER
3	name	Accessory Housing Unit	Werzinski		Pacific Design Studio
4	address	5848 E. Kings Canyon Road	5848 E. Kings Canyon Road		1301 North Van Ness Avenue
5	city	Fresno	Fresno		Fresno
6	state	California	California		California
7	postal code	93727	93727		93728
8	telephone				559-394-4647
9	fax				559-492-3316
10	email				stevepds@gmail.com
11	A. P. N.				
12	subdivision data:	lot:	block:	tract name:	
13	legal description				
14	planned use			plan area	
15	promise de de de	site:	width: 75'	John Co.	
16	-	3110.	depth: 150'		
17	dimensions	project:	width:		
18	-	project.	depth:		
19	set-backs min. (ft)	front: 20	rear: 20	side: 7	street-side: n/a
20	Sel-Ducks Hills. (H)	110111. 20	rear. 20	3IGG. 7	311661-31d6. 11/d
		tupo of area	oviction	proposed	change
21	-	type of area	existing 220	proposed	change
22		conditioned	330	330	0
23	project area	garage			0
24		roofed exterior			0
25		total under roof			0
	occupancy	classification	group R3	В	
26		separation per CBC 508.3	3.3		
		rating (@100 sqft/person)	ı		
27	construction type (CBC		V-B		
28	· · · · · · · · · · · · · · · · · · ·	are NOT required for this p	oroject		
29	grading (not required fo				
30	exit requirements (not re	equired for this project)	from area of remodel travel distance (ft)		

- general contractor shall provide a construction waste-management plan as required by section 4.408.2 of the Calgreen standards for recycle and diversion of construction waste materials and specify the waste management firm responsible for administering the construction waste management plan
- 2. all work shall be done in the best workman-like manner and must be done in accordance with the requirements of all local governing agencies including but not limited to uniform building code, uniform plumbing code, uniform heating and comfort cooling code, California code title 24, state fire marshall, order of the state division of industrial safety; furthermore, all work shall meet with the approval of the owner
- 3. contractors shall maintain the premises in a clean and orderly condition at all times and shall remove all unused materials and debris, and leave the premises in a clean, broom-swept condition 4. coordinate with the owner all operations such as areas to be used for materials storage, delivery access to/from work, noisy construction operations, sequence of
- operations, and interruptions of mechanical and electrical utilities
- 5. each contractor shall verify at job-site all existing conditions prior to commencing his portion of the work and shall be responsible for the accuracy of of these
- 6. each contractor shall visit the site and inspect the premises and shall verify the work to be done, the existing conditions, and shall notify the general contractor of any and all discrepancies prior to submitting bid and prior to starting any work
- 7. it is the contractor's responsibility to verify all field measurements and conditions for conformance with the plans; should there be any errors, omissions, or discrepancies in the plans with respect to the field observatioion of the work or any other parts of the plans, the errors, omissions or discrepancies shall be brought to the attention of the designer; the contractor shall resolve all errors, omissions, and discrepancies before commencing that portion of the work; all changes to the plans
- shall require approval of the owner and the designer. 8. prior to submitting proposals, all contractors are required to have examined the site and all pertinent proposed contract documents
- 9. the design/build contractors shall be fully and solely responsible and liable for all styling, engineering, and construction for his/her phase of the work as indicated on these documents by the act of commencing work on this project and/or by their signatures on the documents contained herein or on documents to be submitted separately for his/her phase of the project; each contractor has directly and indirectly assumed full responsibility for the design, engineering, and construction of his work including, but not limited to, accuracy, completeness, and compliance with all applicable codes and ordinances and the requirements of the owner and/or
- 10. the general contractor shall be responsible for the work and coordination of all the trades with the regulatoy agencies; he shall provide all materials and labor shown or implied on these plans to render the work
- 11. the general contractor shall provide adequate shoring, bracing, guys, etc. to hold the work securely in placeand to sustain all imposed loads that may occur during erection until subsequent construction is adequate to replace temporary bracing and supports
- 12. the general contractor shall erect and maintain, as required by existing conditions and progress of work, all reasonable safeguards for safety and protectionincluding posting danger signs and other warnings against hazards, promulgating safety regulations, and notifying owners and users of adjacent utilies
- 13. these construction documents show specific details of architectural style and structural integrity; where specific details are not shown, actual construction methods and materials shall be of a similar nature



# <u>jurisdiction</u>

- 1. building Fresno County Development Services Suite A
- 2220 Tulare Street Fresno, CA 93721 Telephone: 559-262-4469
- signal cable:
- Comcast Xfinity
- 3. telephone: ATT 4. water

Bakman

# <u>consultants</u>

- 1. STRUCTURAL Charles Design Group 5100 N. Sixth St. #172 Fresno, CA 93710 tel: 559-355-0507
- ENERGY Energy Consult LLC 411 N. Harbor Blvd. # 205 San Pedro, CA 90731 tel: 424-247-4658
- 3. FIRE PROTECTION Fire Safety Solutions LLC 1405 E. Omaha Avenue Fresno, CA 93720 Tel: 559-274-3925
- 4. SPECIAL INSPECTIONS

- the contractor, and to others for use on this and copies of such shall be prepared by Pacific Design Studio
- 2. these documents are delivered to you in trust and on the express condition that neither these documents nor the information contained therein will be copied, reproduced, or delivered to others, except as specifically authorized by Pacific Design
- 3. no reproduced copies shall be made or distributed without the express written consent of Pacific Design
- 4. these documents and all copies shall be returned to Pacific Design Studio upon request
- 5. violators will be prosecuted to the fullest extent of the law
- 6. VISIAL CONTACT with this set of plans shall assure compliance with these terms of privacy

# <u>environmental design criteria</u>

- 1. air freezing index:
- 2. flood hazards: . ground snow load:
- 4. ice barrier underlayment required:
- mean annual temp: 6. subject to damage from frost line depth:
- 7. subject to damage from termites: 8. subject to damage from weathering:
- 9. wind special region:
- 10. wind speed mph: 11. wind topographic effects:
- 12. wind-borne debris zone:
- 13. winter design temperature:

# <u>compliance</u>

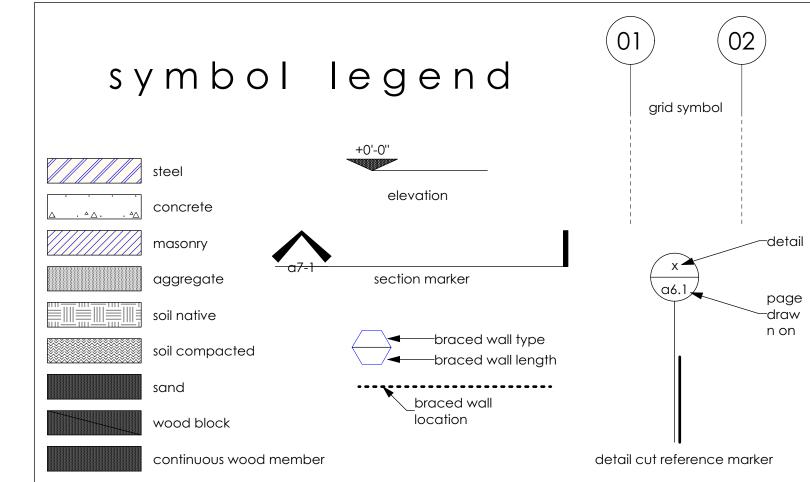
- 1. building: California Building Code 2016 2. residential: California Residential Code 2016
- 3. electrical: California Electrical Code 2016
- 4. mechanical: California Mechanical Code 2016 5. plumbing: California Plumbing Code 2016
- 6. energy: California Energy Code 2016
- 7. fire: California Fire Code 2016
- 8. ecology: California Green Building Standards Code
- 9. historical: California Historical Building Code 10. existing conditions: California Existing Building Code
- 11. reference: California Reference Standards Code 12. CC&Rs: Yosemite Lakes Park Owners Association

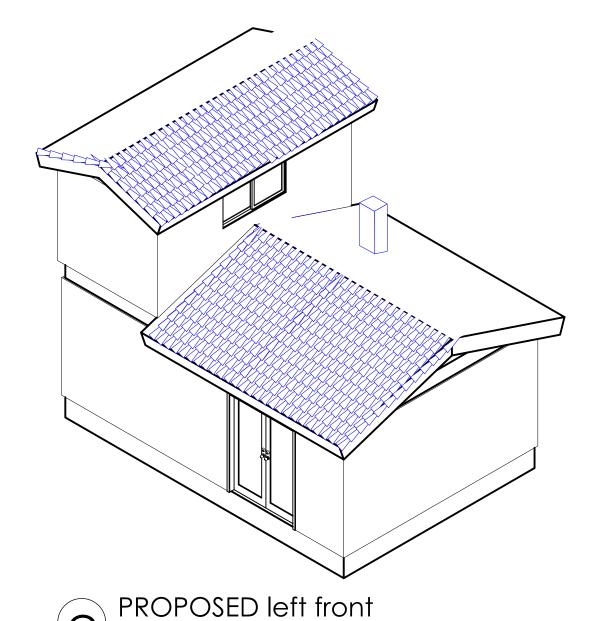
# CBC 1701 special inspections

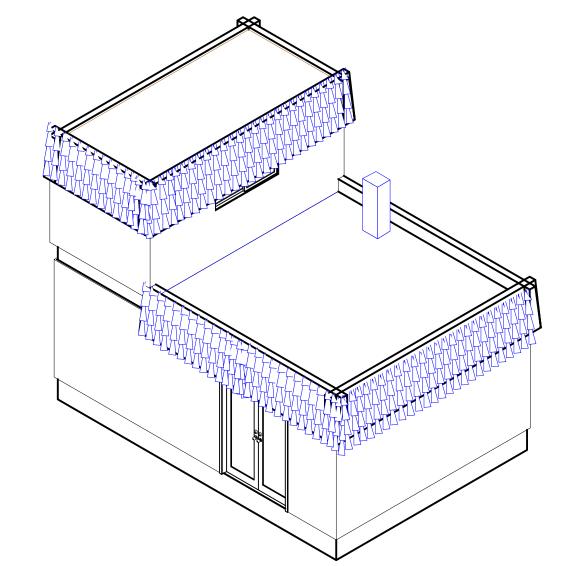
- 1. if the project requires special inspections based on CBC 1701, the owner or the project engineer/architect, acting as the owner's agent, shall employ special inspector(s) to provide inspection(s) of the following types of construction work
- 2. installation of adhesive or mechanical anchors post-installed in hardened concrete consistent with the requirements of their evaluation reports including Titen screws, epoxied anchors, amd expansion anchors

# <u>useage of these plans and specifications</u>

- 1. all materials, equipment, and systems called for on the plans and in the specifications shall be installed in strict compliance with the manufacturer's latest specifications
- 2. any and all substitutions to the materials and/or equipment specified must be approved by the owner; contractor shall submit request for substitutions at the time of bid submissions
- 3. discrepancies or errors in these plans and specifications shall be called to the attention of the designer for corrections before the work affected is thereby is bidded or executed; the work shall comply in every respect with current governing laws, building codes and ordinances, and shall be given necessary notices relating to the work; contractors shall obtain and pay for any permits, notices, vouchers, fees, inspections, surveys, or tests that
- 4. electrical, plumbing, air-conditioning, and communications device symbols shown on architectural elevations are only for the purposes of coordination among the various trades or phases of work; for complete information, refer to the particular electrical,
- plumbing, air-conditioning, or communications sheets 5. fire ratings and partition type indications on plan drawings apply to all segments of the designated partition
- 6. floor-plan dimension lines are from face of framing to face of framing; room dimensions shown as captions with room name are nominal only, are intended to provide a convenient means of estimating living space, and are not to be used for any purposes of construction whatsoever
- 7. items noted "nic" (not in contract) will be provided and installed by owner or are under separate contract; contractor shall verify all requirements for exact size, quantity, and take-offs of equpment provided by owner and shall be responsible for all rough-ins and connections unless otherwise indicated
- 8. provide all work and materials in accordance with the latest rules and regulations of all applicable state and local rules, regulations, codes, laws, and statutes; nothing in these drawings or specifications is to be construed as requiring or permitting work
- contrary to these rules, regulations, codes, laws, and statutes 9. the drawings indicate locations, dimensions, reference, and typical details of construction; these drawings do not illustrate
- 10. the following notes apply to all drawings and specifications 11. these drawings contain attached typical standard details most of which are diagrammatic; contractor is hereby advised to adapt only those details and specifications applicable to the particular
- 12. written dimensions in these drawings have precedence; do not scale the drawings (reprographic processes are not precise); th contractor shall be responsible for verifying all dimensions and 1. copies of these drawings are supplied to the owner, conditions on the job; notify the designer of any discrepancies, errors, or omissions shown by these drawings
- particular project only; all drawings, specifications, 3. VISIAL CONTACT with this set of plans shall assure compliance with these terms of useage







EXISTING left front scale: 3/16" = 1'

# overall project general notes

- 1. changes from these approved plans during the course of construction shall cause the construction to be suspended until such time time as the plans can be amended by the designer and submitted to the Development Department for review and approval [CBC appendix 106.1
- 2. job-card shall be posted in a conspicuous place on site and readily accessible for signatures 3. permit will be issued only after all department corrections have been made to the construction
- plans under submittal for review 4. permit will be issued only after school fees have been paid to the pertinent school district; permit will be issued only after school fees have been paid and a
- submitted to the building department 5. sanitation facilities of temporary condition shall be provided for the use of all persons employed on the project; facility shall be completely portable

receipt from the appropriate school district is

6. street address shall be posted and have numerals hight minimum 6", stroke 1/2" minimum, and contrasting background, and must be legible 7. written statement of conformance to Title 24 shall be

provided prior to final inspection

index of pages <sub>index</sub> page description g1 cover g2 abbreviations ----- Preliminary ----ff01 site plan ff02 views of adjacent properties composite elevation views both buildings ff04 isometric composite EXISTING ff05 isometric composite PROPOSED ---- AS-BUILT---d01 demolition plan a02 plan views a04 roof views a06 elevtion views exterior a07 section views electrical systems m mechanical systems plumbing systems 16 s3 roof remodelling plan

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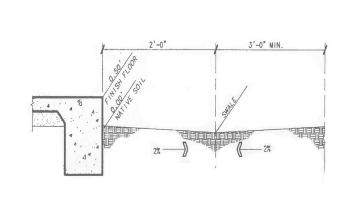
AC/P ASPHALT CONCRETE PAVING ACT ACOUSTIC CEILING TILE ADA AMERICANS WITH DISABILITIES ACT ADJ ADJACENT ADT'L ADDITIONAL AFF ABOVE FINISHED FLOOR ALUM ALUMINUM APC ACOUSTIC PANEL CEILING A/V AUDIO VISUAL
BD BOARD BFF BELOW FINISHED FLOOR BLDG BUILDING BOT BOTTOM BUR BUILT-UP ROOFING BTW BETWEEN
C CURB (SEE 'FO') CAB CABINET CEM CEMENT/CEMENTITIOUS CL CENTER LINE CLG CEILING CLO CLOSET CLR CLEAR CM CONSTRUCTION MANAGER CMUCONCRETE MASONRY UNIT CNC COMPUTER NUMERIC CONTROL COL COLUMN CONC CONCRETE CONT CONTINUOUS CPT CARPET C/W CASEWORK CW COLD WATER UTILITY CY CUBIC YARD
DBL DOUBLE DEMO DEMOLITION DET DETAIL DF DOUGLAS FIR DFE DIGITALLY FABRICATED ELEMENT DIAG DIAGONAL DIM DIMENSION DN DOWN DS DOWN SPOUT DWG DRAWING(S) DW DISH WASHER
E EAST (E) EXISTING EA EACH EJ EXPANSION JOINT EL ELEVATION EMB EMBED/EMBEDMENT EMER EMERGENCY EN END NAIL ENCL ENCLOSED EQ EQUAL EQUIP EQUIPMENT EX EXHAUST EXT EXTERIOR
FA FIRE ALARM FBO FURNISHED BY OWNER FD FLOOR DRAIN FDN FOUNDATION FEC FIRE EXTINGUISHER CABINET FF FINISHED FLOOR FG FINISH GRADE FFG FACTORY FINISH GRADE FH FIRE HYDRANT FHMS FLAT-HEAD MACHINE SCREW FHWS FLAT-HEAD WOOD SCREW FIN FINISHED FIXT FIXTURE FLR FLOOR/FLOORING FLUOR FLUORESCENT FO FACE OF FSH FIRE SPRINKLER HEAD FT FOOT/FEET FUR FURRING FUT FUTURE FW FIELD WELD
GA GAUGE GALV GALVANIZED GB GRAB BAR GC GENERAL CONTRACTOR GFB GROUND FACE BLOCK GL GLASS GLAZ GLAZING GND GROUND GR GRADE GYP GYPSUM
HB HOSE BIBB HBD HARDBOARD HC HOLLOW CORE HD HEAVY DUTY HDR HEADER HM HOLLOW METAL HORIZ HORIZONTAL HR HOUR HT HEIGHT HVAC HEATING, VENTING & AIR-CONDITIONING

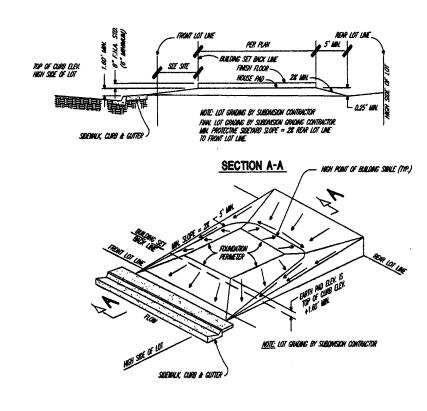
# ABBREVIATIONS (CONT'D) ID INSIDE DIAMETER INFO INFORMATION INSUL INSULATION INT INTERIOR JAN JANITOR J/C JANITOR'S CLOSET JH JACK-HAMMER JM J-METAL JT JOINT KIT KITCHEN LAB LABORATORY LAM LAMINATE LAV LAVATORY LB POUND LBS POUNDS LC LASER CUT LF LINEAR FOOT LH LEFT HAND LIB LIBRARY LT LIGHT LW LIGHTWEIGHT MACH MACHINE MAINT MAINTENANCE MAX MAXIMUM MB MACHINE BOLT ME MACHINE EDGE MECH MECHANICAL MED MEDIUM MEMB MEMBRANE MET METAL MFR MANUFACTURER MH MANHOLE MIN MINIMUM

ABBREVIATIONS (CONT'D)	ABBREVIATIONS (CONT'D)
MISC MISCELLANEOUS MAO MASONRY OPENING MTD MOUNTED MS METAL SCREW MTG MEETING MTL METAL MUL MULLION  (N) NEW N NORTH NA NOT APPLICABLE NW NORTHWEST NE NORTHEAST NIC NOT IN CONTRACT	(T) TEMPERED TEMP TEMPORARY T&G TONGUE & GROOVE THD THREAD THK THICK TI TENANT IMPROVEMENT TOC TOP OF CONCRETE TOG TOP OF GRADE TOP TOP OF PAVEMENT TOS TOP OF STEEL TS TUBE STEEL TEL TELEPHONE TV TELEVISION TYP TYPICAL
NIS NOT IN SCOPE NOM NOMINAL NTS NOT TO SCALE NBY NEARBY	UG UNDERGROUND UNO UNLESS OTHERWISE NOTED UR URINAL
OC ON CENTER OD OUTSIDE DIAMETER/DIMENSION OFF OFFICE OFCI OWNER FURNISHED, CONTRACTOR INSTALLED OFOI OWNER FURNISHED, OWNER INSTALLED OFRD OVERFLOW ROOF DRAIN OH OPPOSITE HAND OHD OVERHEAD DOOR	VA VALVE VCT VINYL COMPOSITION TILE VERT VERTICAL VIF VERIFY IN FIELD VTR VENT TO ROOF VWC VINYL WALL COVERING  W WEST W/ WITH WC WATER CLOSET
OPNG OPENING OPP OPPOSITE O/ OVER ORIG ORIGINAL OWJ OPEN WEB JOIST  PCL PANEL CEILING PEN PLYWOD EDGE NAILING PES PLYWOOD EDGE SCREW PIV POST INDICATOR VALVE	WCH WHEELCHAIR WD WOOD WDW WINDOW WE WELD WF WIDE FLANGE WH WATER HEATER W/O WITHOUT WP WATER PROOF WS WOOD SCREW WT WEIGHT
PLAM PLASTIC LAMINATE PL PROPERTY LINE PLAS PLASTER PLYWD PLYWOOD PR PAIR PSF POUNDS PER SQUARE FOOT PT POINT PTD PAPER TOWEL DISPENSER PTDF PRESSURE TREATED DOUGLAS FIR PTN PARTITION PVC POLYVINYL CHLORIDE	X CROSS  YR YEAR YRLY YEARLY  Z ZINC
R THERMAL RESISTANCE RAD RADIUS RA RETURN AIR RD ROOF DRAIN REF REFRIGERATOR REFL REFLECTED REINF REINFORCED REM REMOVE REQD REQUIRED RESIL RESILIENT RH RIGHT HAND RHWS ROUND HEAD WOOD SCREW RM ROOM RO ROUGH OPENING ROW RIGHT OF WAY RWD REDWOOD RWL RAINWATER LEADER	
S SOUTH SA SURFACE ANALYSIS SE SOUTHEAST SW SOUTHWEST SA SUPPLY AIR SC SOLID CORE SCHED SCHEDULE SD STORM DRAIN SECT SECTION SF SQUARE FOOT SHTG SHEATHING/SHEETING SHWR SHOWER SIM SIMILAR SM SHEET METAL SOG SLAB-ON-GRADE SPEC SPECIFICATION SPKR SPEAKER SQ SQUARE SS STAINLESS STEEL STA STATION STC SOUND TRANSMISSION CLASS STD STANDARD	
STL STEEL STOR STORAGE STRUCT STRUCTURAL SURF SURFACE SUSP SUSPENDED SW SIDE WALK SYM SYMMETRICAL	

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# site-plan details



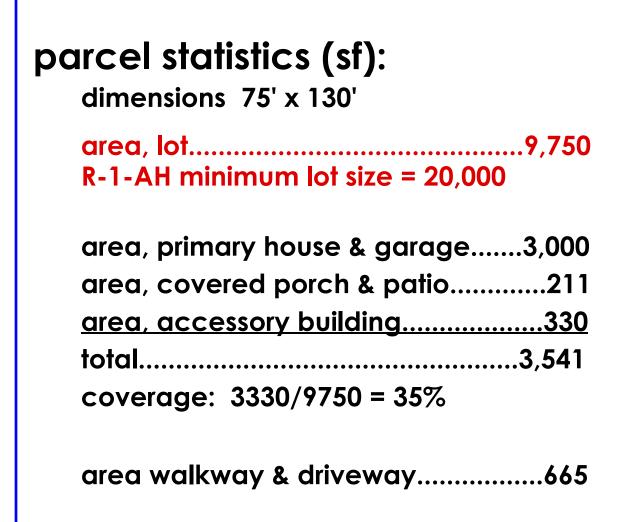


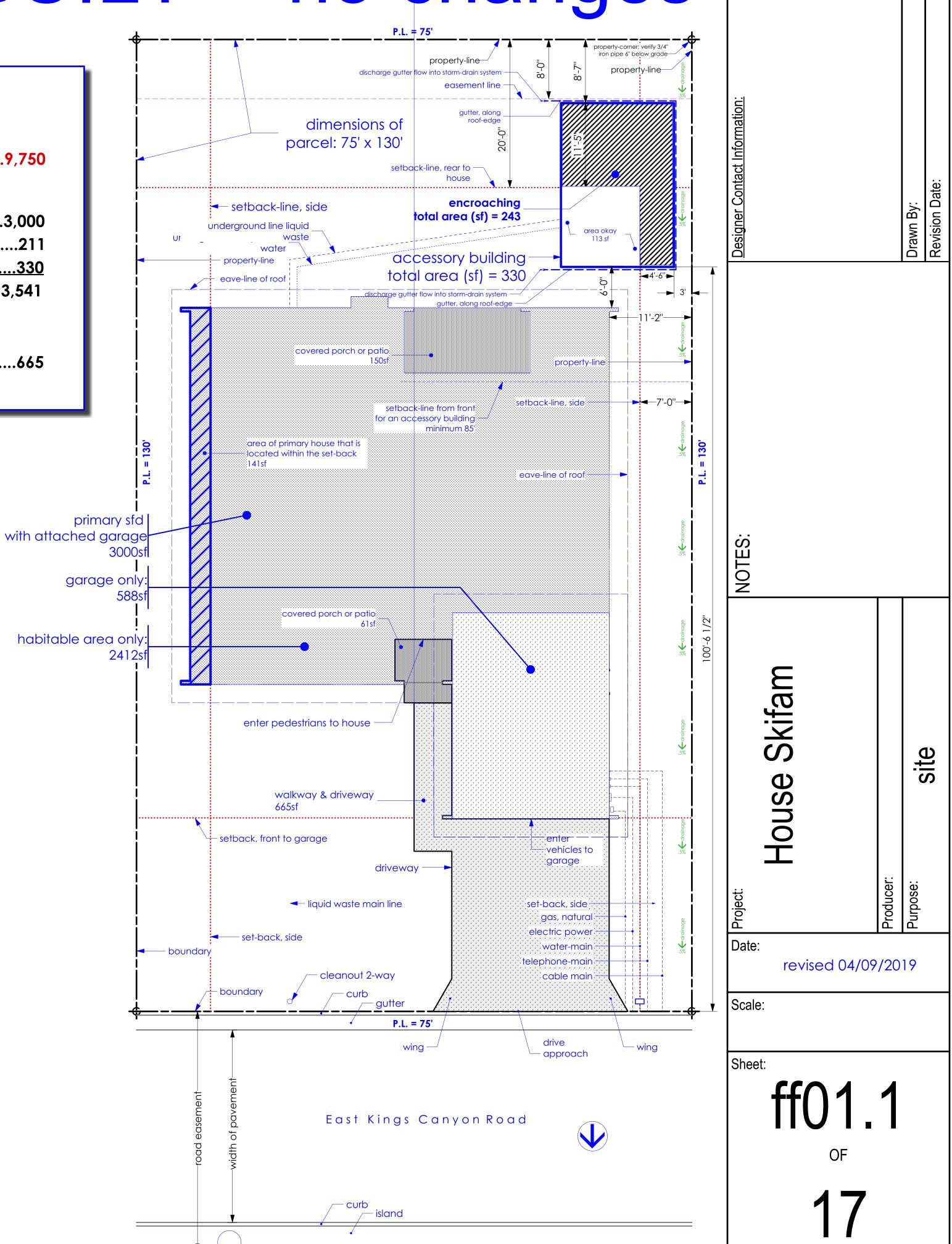
# general notes site plan

- 1. work shown on these plans shall be verified for dimension grade, extent, and compatibility to the existing site; any discrepancies and unexpected conditions that affect of change the work described herein shall be brought to the owner's attention immediately; do not proceed with the work in the area until such discrepancies are resolved; if the contractor chooses to proceed, he shall do so at his own expense
- 2. walkways shall have a maximum slope of 5% unless ramps are provided. maximum cross slope of sidewalks shall be 2%. maximum slope of landings shall be 1%. call for for inspection prior to installing site concrete flatwork.
  3. survey monuments within the area of construction shall be preserved or reset by a person licensed to practice
- land surveying in the state of California
  4. surface water shall be drained away from the buildings for the first 5' by minimum 2% grade; the overall pad
- drainage must be minimum 0.5%

  5. street address shall be posted on the building and near the property line adjacent to the street (which may be in all add in the group and sign) in the actions actificated as well to the first posterior and the property line adjacent to the street (which may be in all add in the group and sign).
- included in the monument sign) in locations satisfactory with the fire marshall, with numbers 10" high on a
- 6. soil cuts or fill-differentials in excess of 12" between adjaent properties all shall be supported by an approved retaining wall; wooden retaining walls shall not be used to retain more than 24" of soil.
- 7. retaining walls that are 4' in height measured from the bottom of the footings, posts, keys, or structure, to the top of wall and which retains 12" or more of soil, require permits and inspections and an engineered design must be
- 8. industrial safety regulations, as applicable, shall be followed by the contractor; the designer and the owner shall not be held responsible for enforcing safety regulations
  9. improvements shall be started and installed per the latest version of the standards, specifications and ordinances
- of the local building department and the latest edition of the state building code; the decision of the local building department official shall be final regarding specific standards that apply and all work shall be subject to the approval of the local building department official
- 10. ignition-resistant materials shall be determined in accordance with the test ptocedures set forth in SFM Standard 11. construction work all shall comply with the most recent adapted ordinances and policies of all governing agencies including Community-specific plans Covenants, Conditions, and Restrictions
- 12. construction waste management plan and proposed documentation shall be provided prior to work being performed at site; refer to page a10
- 13. construction shall not be started without plans approved by the local building departmen

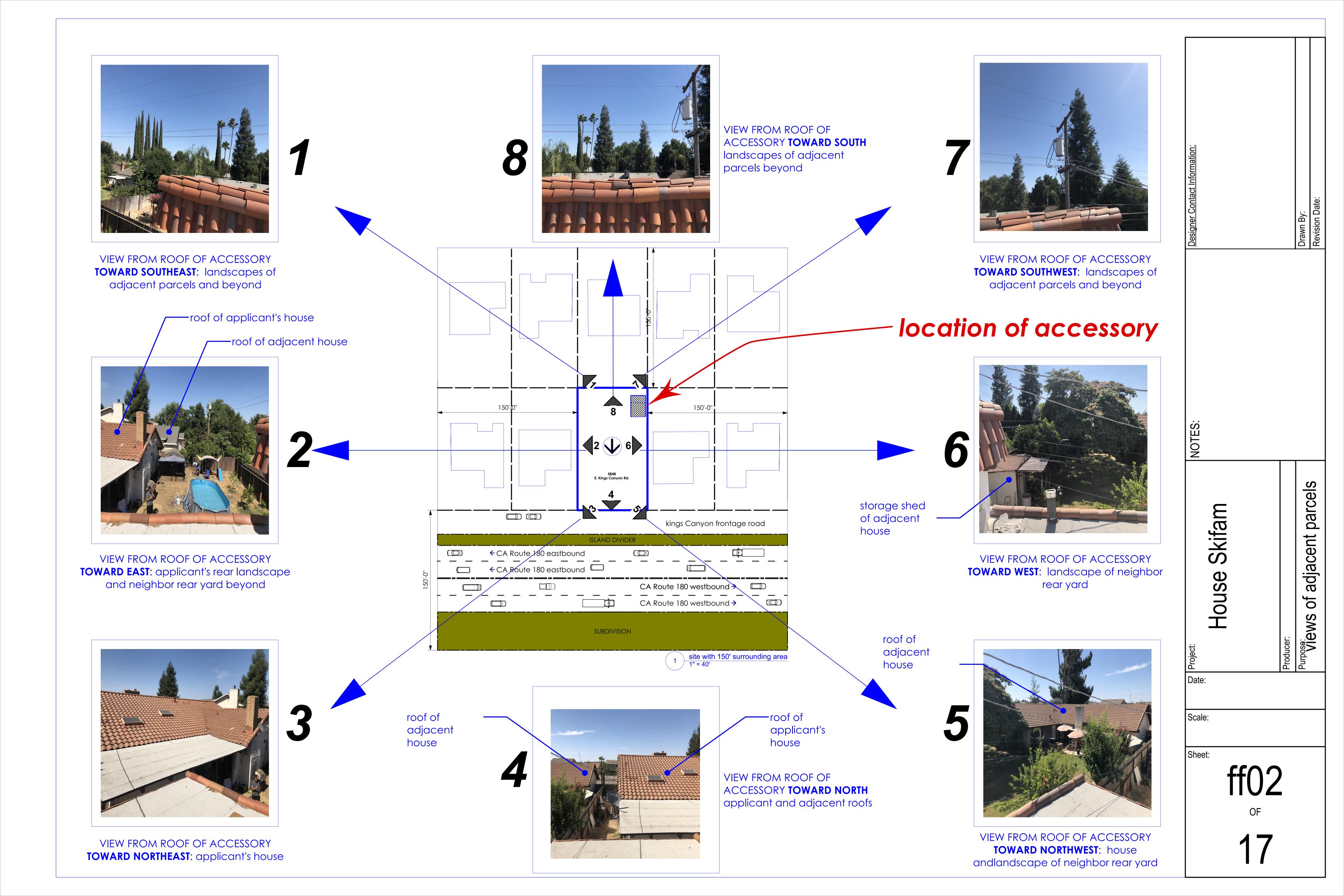
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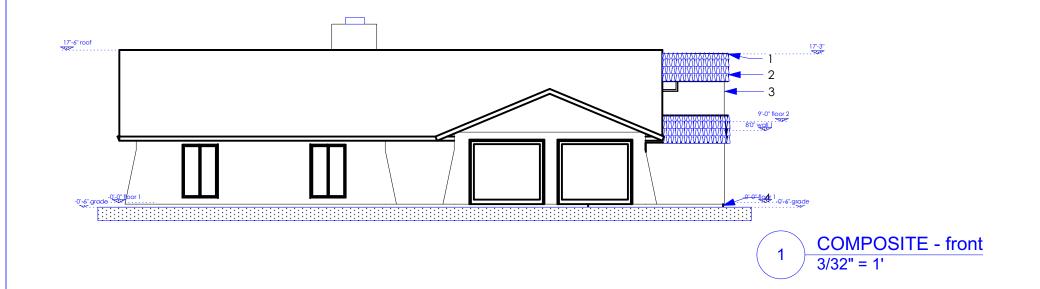


# - History -

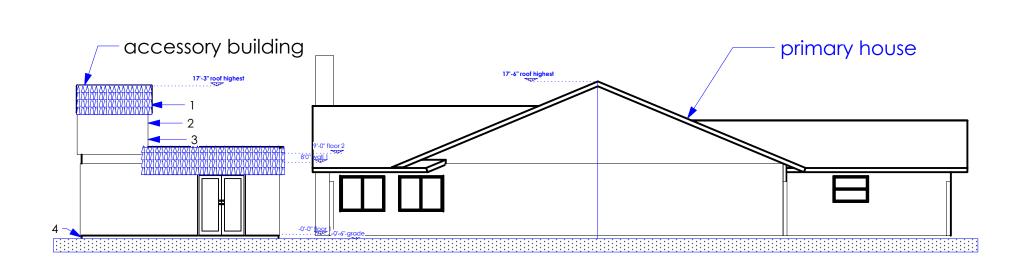
- 1) The accessory building at this subject parcel was existing during prior ownership of this parcel and recently the parcel was sold "as-is" to its current owner
- 2) The current owner of the subject parcel discovered and purchased it primarily because he required the space of the accessory building in addition to the space of the primary building as a combined residence for the needs of his family
- 3) The accessory building had been constructed partially within the required side-yard and rear-yard setbacks
- 4) The current owner was not informed of these setback conditions prior to his purchase of the parcel and he has not been able to realize the benefits of his intended purchase
- 5) The current owner (applicant) seeks grant of a Variance in order to allow accessory living quarters within the setbacks

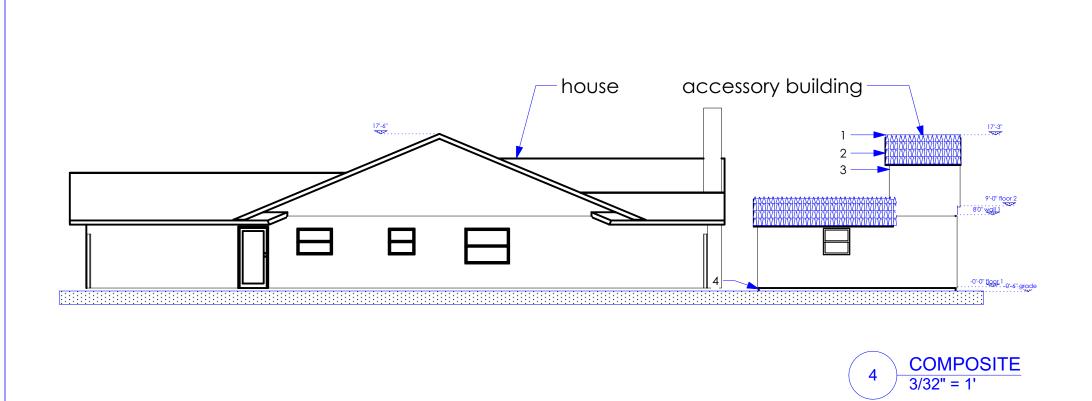


# EXISTING



# accessory building house 2 COMPOSITEN - rear 3/3/32" = 1'

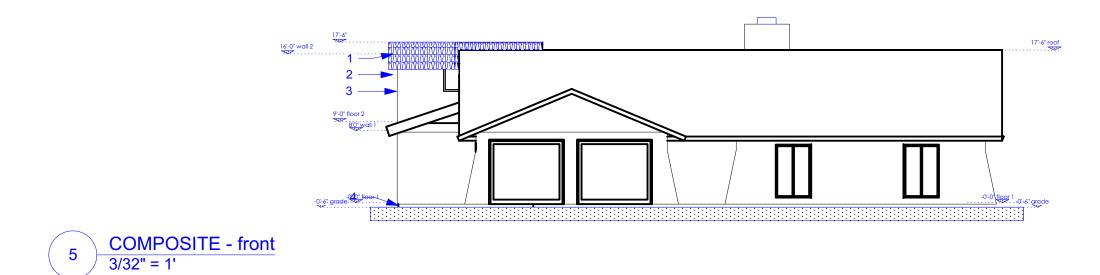


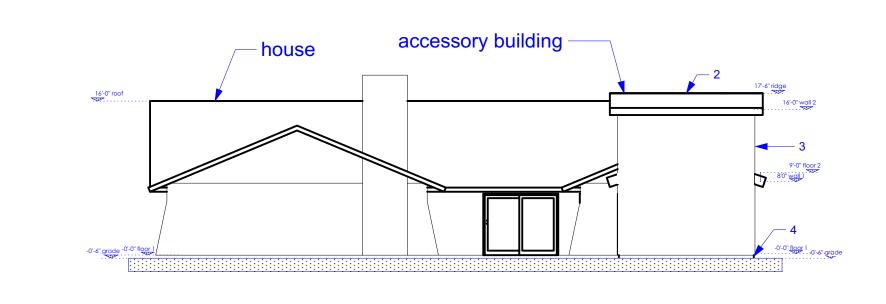




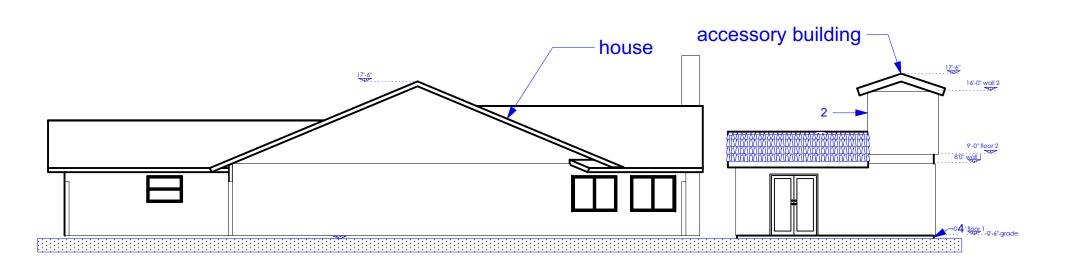
keyed notes

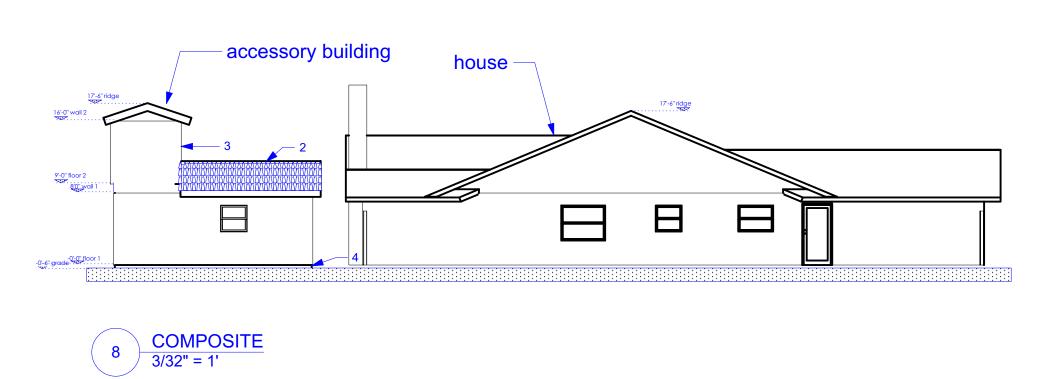
# PROPOSED

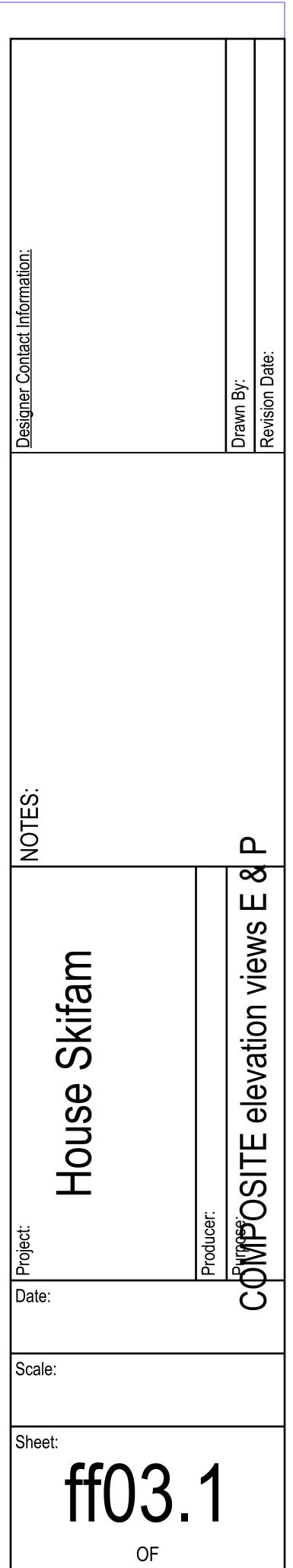


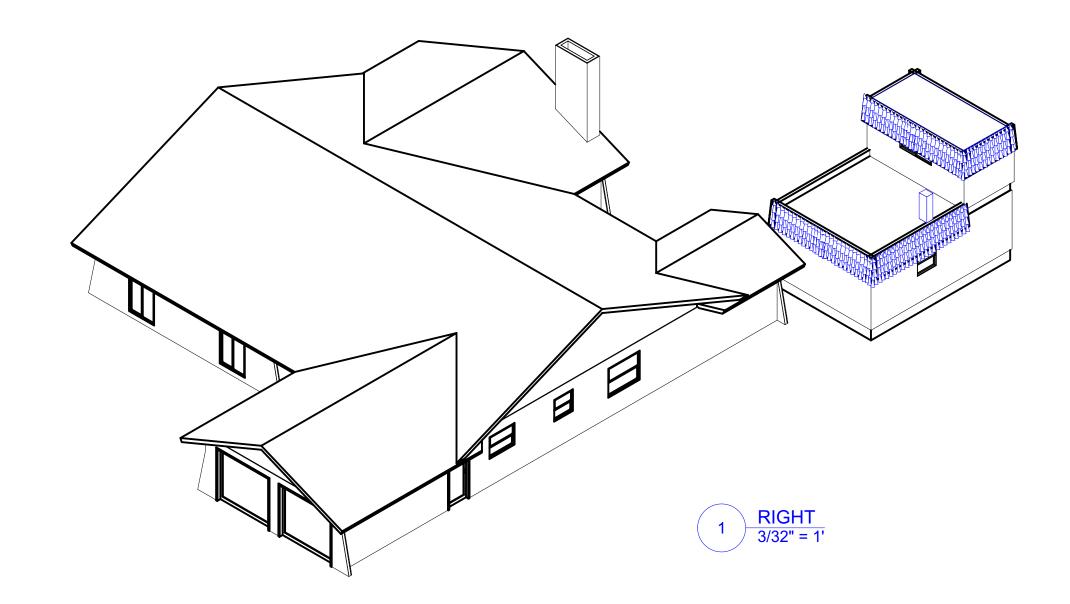


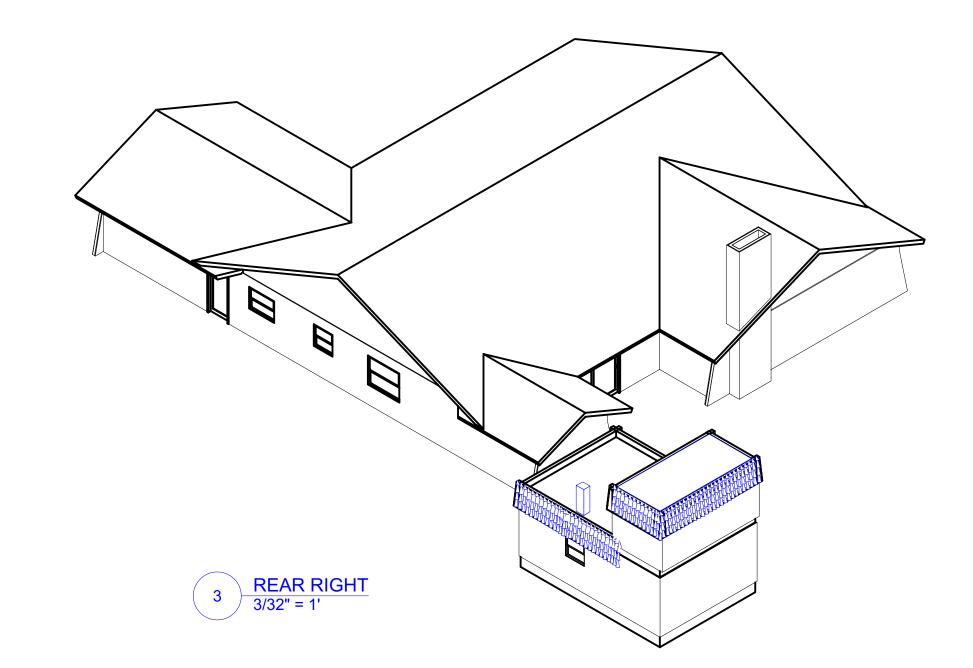
6 COMPOSITEn - rear 3/32" = 1'

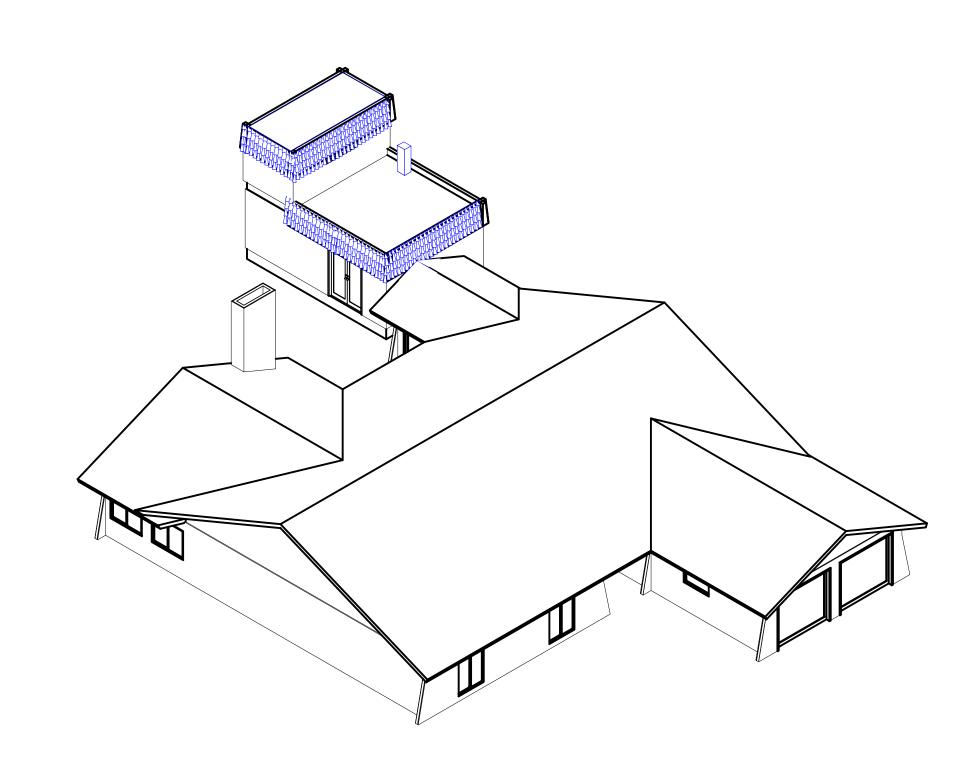




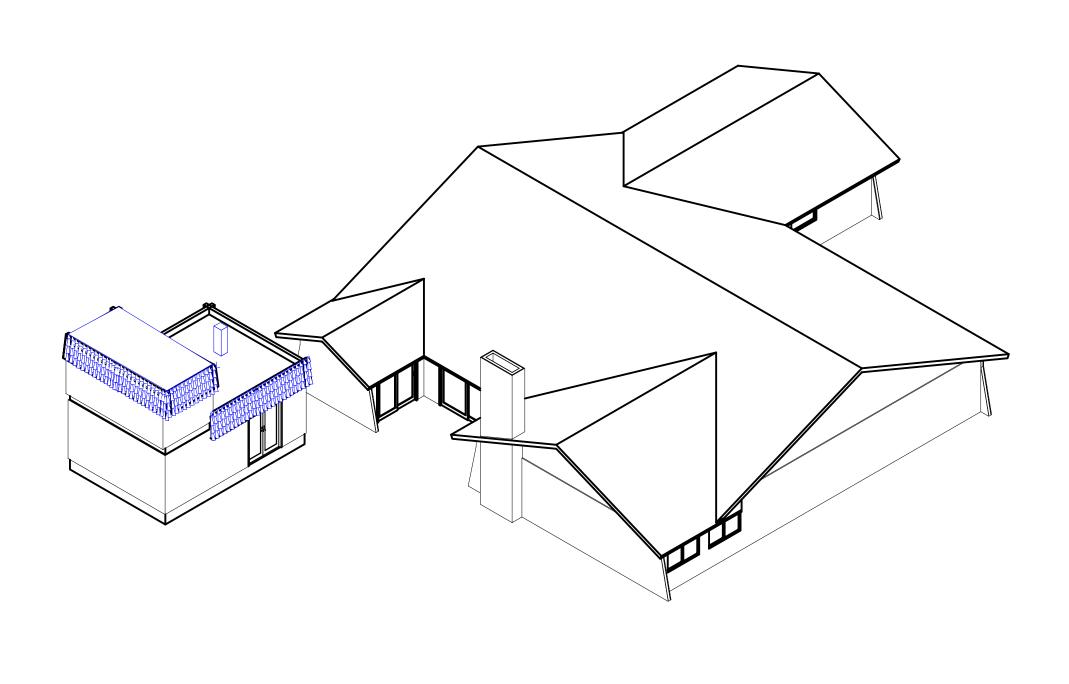


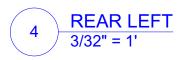




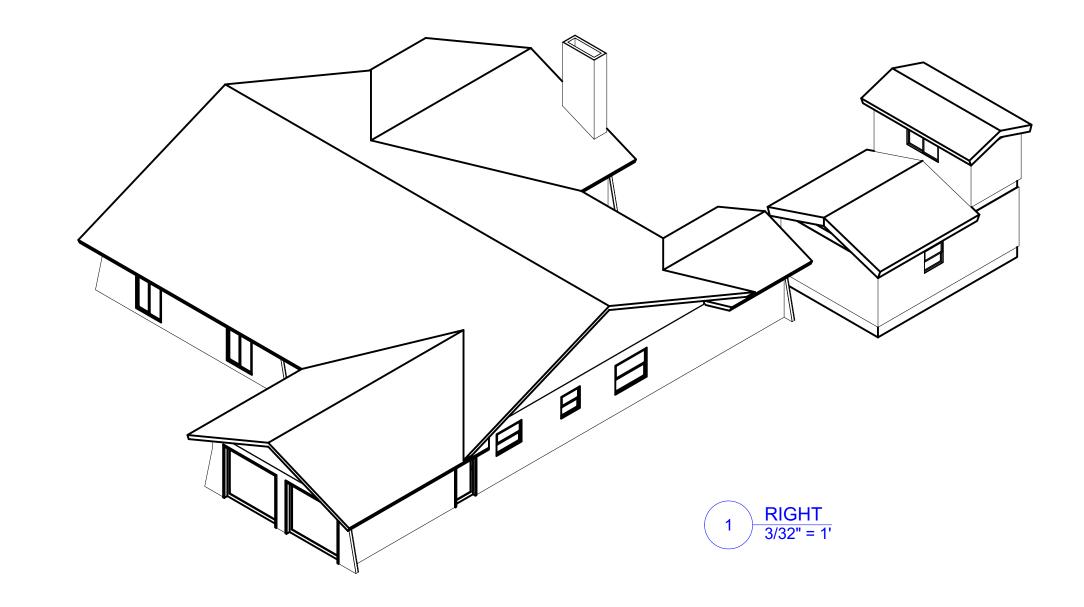


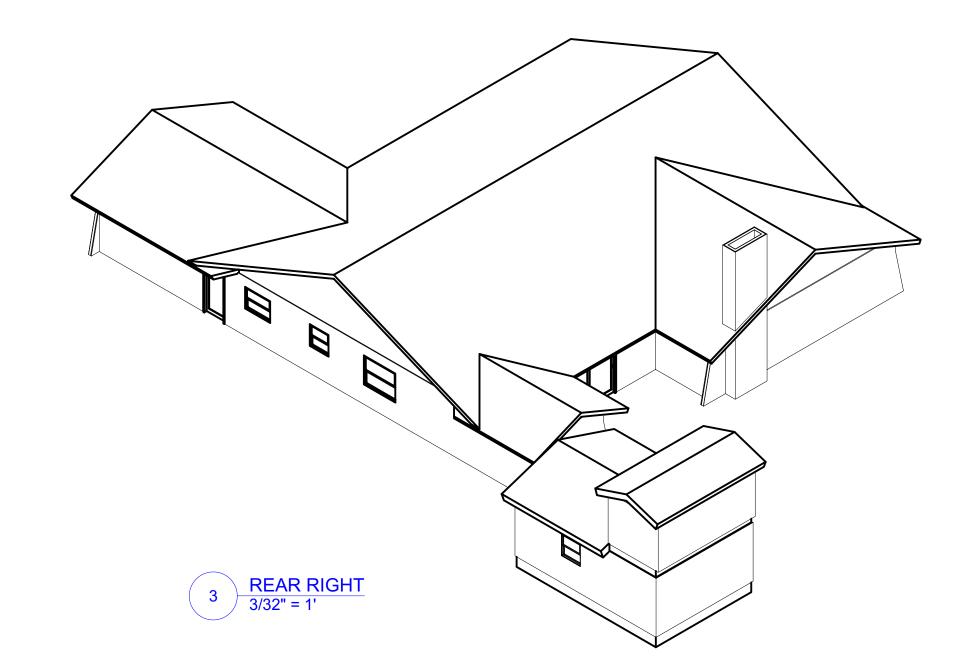
2 LEFT 3/32" = 1'

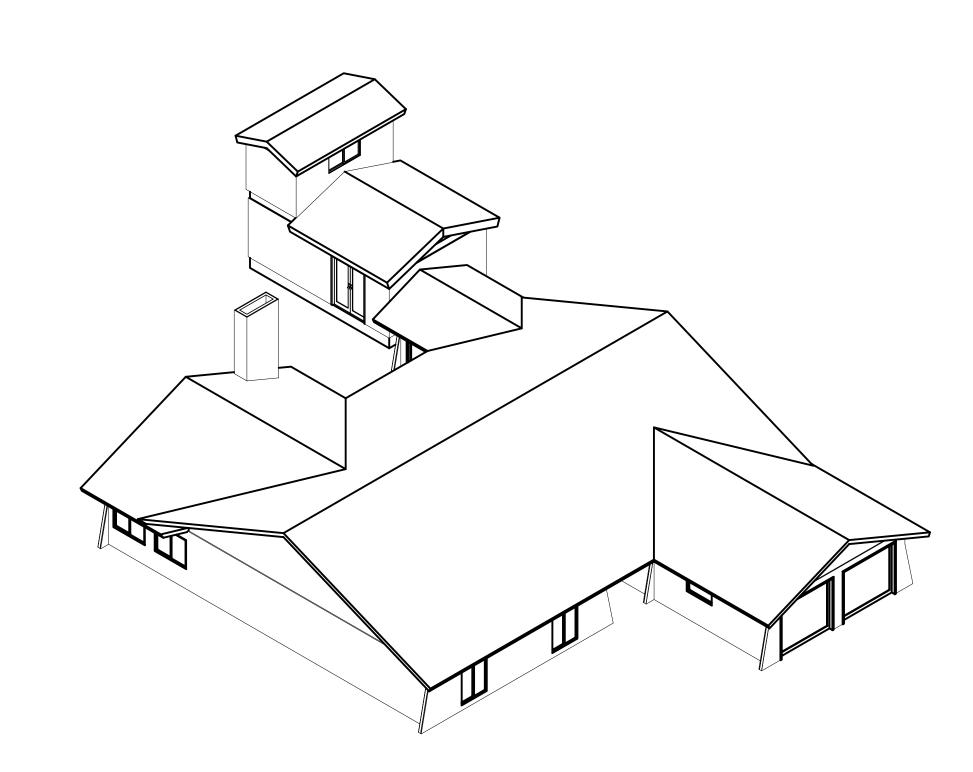




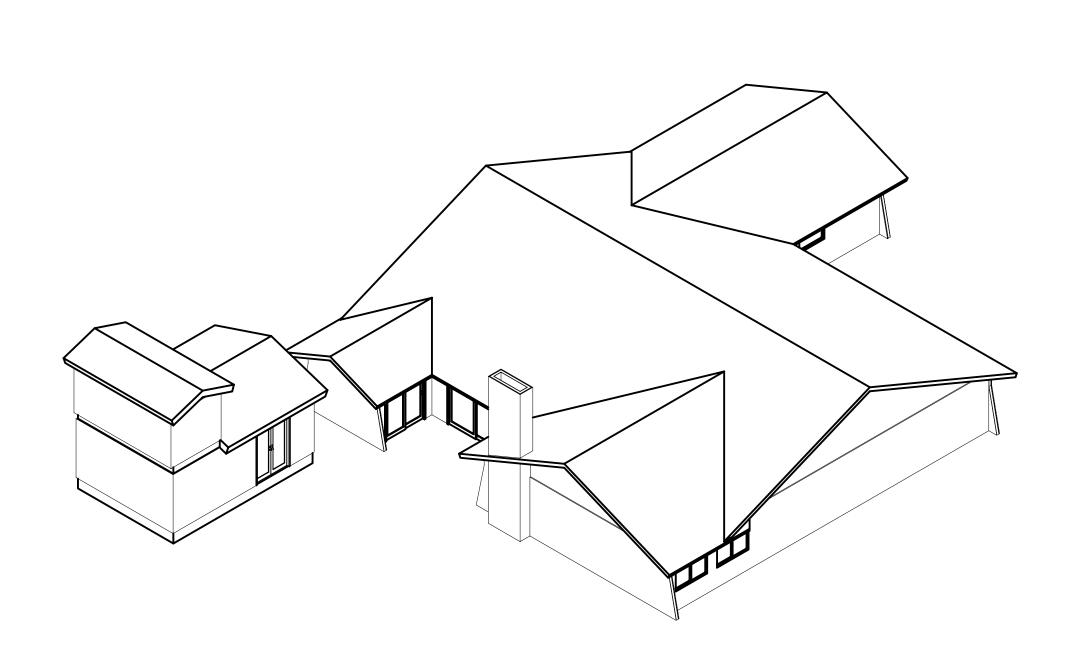
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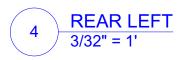




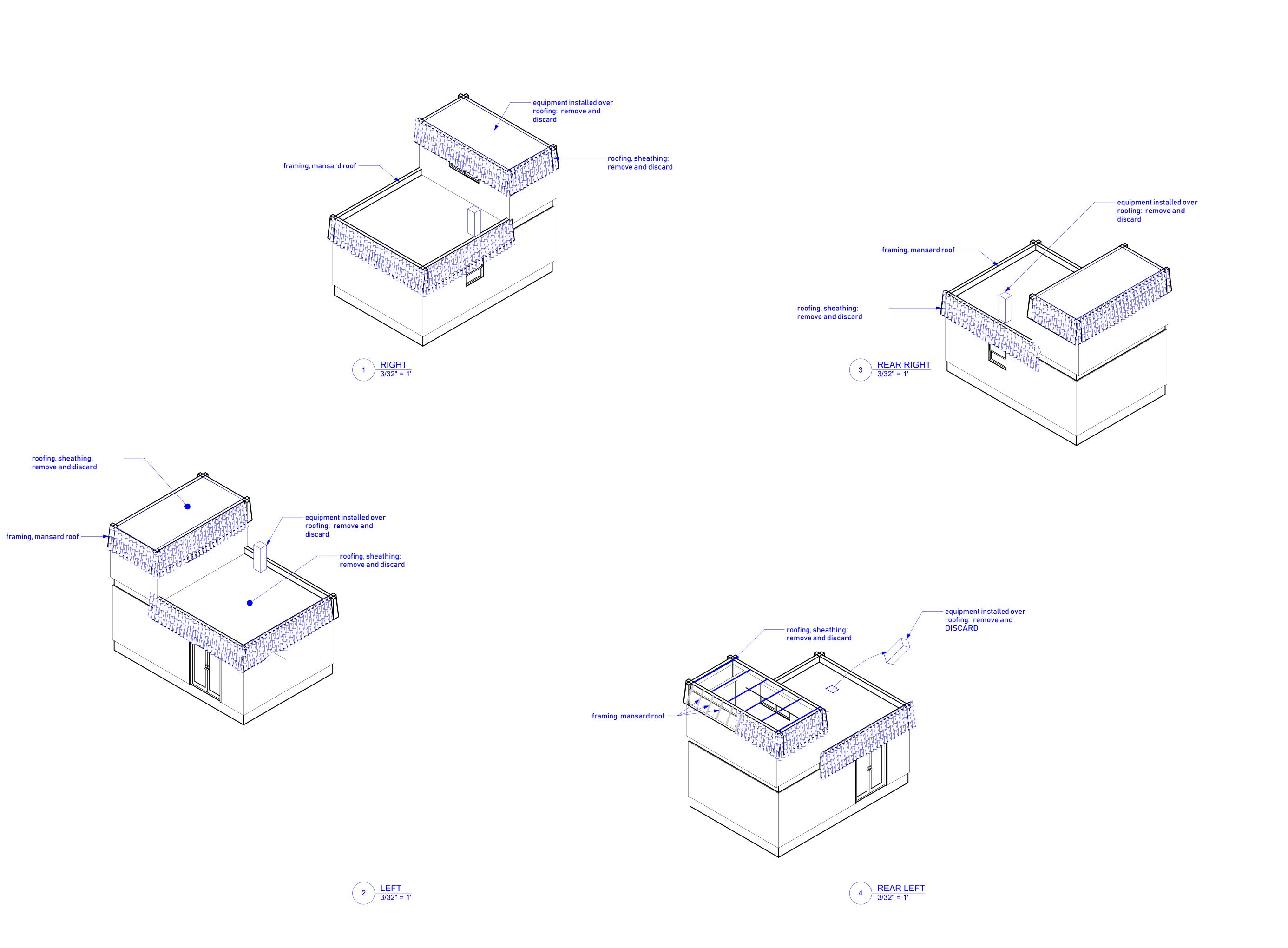








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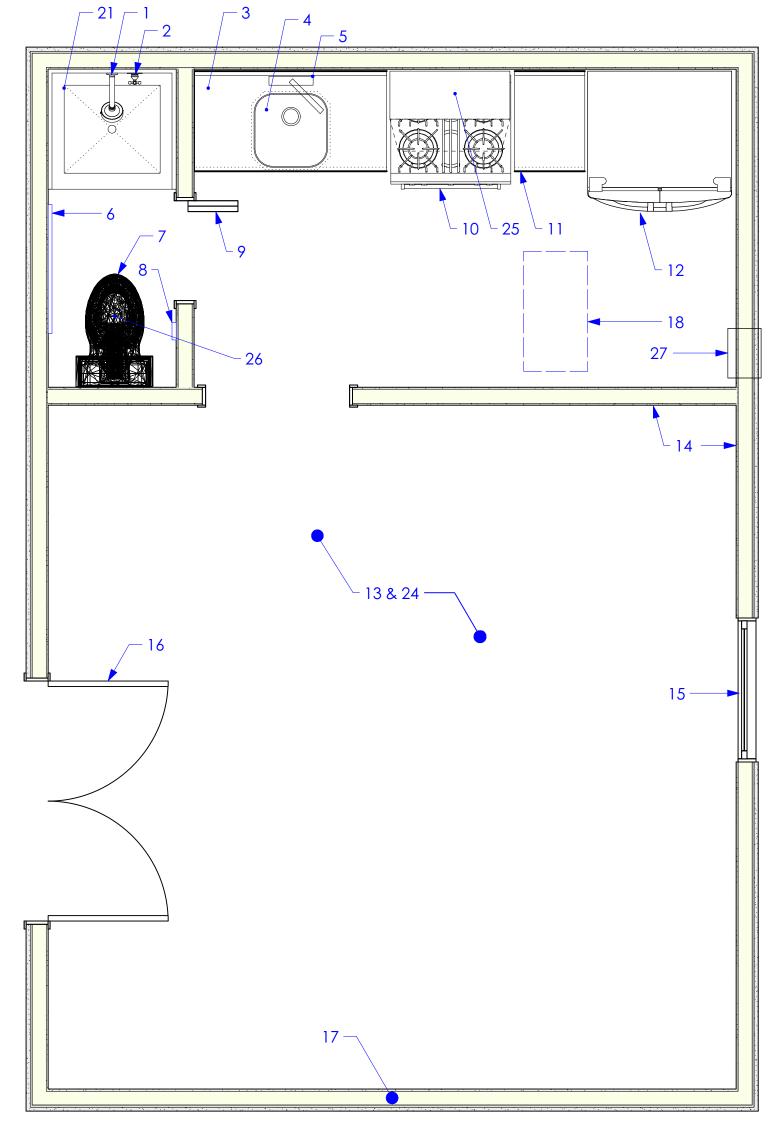
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demolition plan

# 15'0" kitchenette 15'-0"

# "AS BUILT" - no changes



\ area plan annotated

# general notes space plans

1/2" = 1'

- 1. caulking around all exterior openings, ceilings, and floors is required per CEC section 2-5304, table 2-535 2. dead-bolts and thumb latches shall not be allowed an any door unless operated by a single action with a lever (CBC 2007 1003)
- 3. dead-bolts shall be provided at all exterior doors; striker shall be installed with steel plate, solid-shim 6" above and below, and 2 #8 screws; provide peep-hole
- 4. door operating devices on doors required to be universally accessible shall not require tight grasping, pinching, or twisting of the wrist to operate 2007 CBC 1008.1.8.1
- 5. door or leaf at all locations shall allow unlatching with not more than one operation; CBC 1008.1.8
- 6. faucets and shower heads all shall be CEC certified and listed
- 7. gas-fueled appliances shall be equipped with pilotless ignition
- 8. glass windows and doors that are within 24" arc of either vertical edge of a door in the closed position; or subject to human impact and are closer than 60" above an exterior walking
- surface, or within 18" of an interior floor, must be of tempered glass or be covered with a protective grille
- 9. green vinyl sinker nails do not meet the nailing requirements of most common and box nails
- 10. insulation of loose-filled type, where used, must be provided with depth-markers properly installed 11.interior wall surfaces shall be sheathed with minimum 1/2" gypsum wallboard (flame-spread class III or better unless specified otherwise)
- 12. lath shall comply with CBC 2007 table 2507.2

area plan dimensioned

- 13. manufacturer literature for installed equipment shall be provided by the builder to the owner
- 14. mechanical ventilation notes are provided on sheet "m"
- 15. plumbing work all should comply with 2016 UPC
- 16.range-top and cabinet above must have between them a distance of minimum 30" if surface is unprotected, 24" if protected, and in no case less than the distance specified by the range manufacturer; for horizontal distance provide 6" minimum if none is specified by range manufacturer
- 17. screens (insect) are to be installed prior to final inspection 18. smoke detector with carbon monoxide capability shall be provided in the vicinity outside of the sleeping rooms [CRC Section R315.1.1 & R315.1.2
- 19. carbon monoxide sensor/alarm hall be provided in the hallway outside the bedrooms in each separate sleeping area of the home. CO alarms may be installed into a plug-in receptacle or high on the wall. Hard wired or plug-in CO alarms should have battery backup. Avoid locations that are near heating vents or that can be covered by furniture or draperies. CPSC does not recommend installing CO alarms in kitchens or above fuel-burning appliances [CRC315.1, 2, &3]
- 20. thresholds and any change of flooring material all shall have a maximum offset of no greater than 1/4" and require a maximum beveled slope of 1 vertical unit to 2 horizontal units except that level changes not exceeding 1/4" may be vertical
- 21. underlayment at tubs, showers, and other surfaces affected by moisture must be sheathed with waterproof gypsum wallboard
- 22. valves for tubs and showers all must be of single-control with pressure-balancing or anti-scald type
- 23. vents to the outside all must be provided with backdraft dampers
- 24. wall finishes shall meet the standards CBC 2007 table 803.5 appropriate for occupancy type B
- 25. water heater hot-water pipes shall be insulated with min R-4 for pipe diameters of 3/4" or greater
- 26. water-hammer arrestors shall be installed at the water-supply for all quick-acting appliances such as laundry-washer, dish-washer, and ice-maker
- 27. weep screeds must be provided minimum 6.5" above earth and minimum 4.5" above paved surface

- <u>keyed notes area plan</u> 1. nozzle, wall-mounted; refer to finish schedule
- 2. control, mixing for shower or tub wall-mounted; refer to finish schedule
- 3. cabinet kitchen base 34.5h x 24" d w/countertop & splash
- 4. sink, kitchen
- 5. faucet-set, kitchen sink w/pull-down nozzle and lotion dispenser
- 6. bar, bath-towel; refer to finish schedule
- 7. toilet, low-flow floor-mount; refer to finish schedule 8. dispenser, rolled tissue; refer to finish schedule
- 9. door, bi-folding
- 10.range, gas appliance; refer to equipment schedule; refer to mechanical sheets for calculations
- 11. cabinet laundry base 34.5h x34" d w/counter-top
- 12.refrigerator/freezer 30"
- 13. floor surface material: laminate planks 14. wall surface material: plaster, primer, paint over GWB
- 15.window: 36" x 36" double-hung
- 16. doors entry bi-parting 60" x 80" 17. wall, exterior 2x framing, insulation R-15, 1/2" GWB interior, stucco exterior
- 18. access to attic (with mechanical equipment): 22" x 30" represented by this
- rectangle; w/min 30" headroom; additional access points to be provided if attic is larger than 25' from this point; provide weatherstripping and insulation 19.N/A
- 20. panel electric power sub-main
- 21. shower-receptor, precast plastic; wall finish to 70" above the shower drain
- 22.fan, ceiling w/light
- 23. stub, main line underground connection; refer to site plan
- 24. sheath interior of habit: all interior walls, ceiling, beams, soffits, and wooden columns with gypsum wallboard standard type thickness 1/2"; tape all joints,
- spot all fasteners; float to 16" 25. extractor integral with under-cabinet exhaust-hood
- 26. extractor circular w/light 100 CFM 100 CFM, 3.5 Sones, 100W Incandescent 4"
- 27.heater, water "tankless" shall be wall-mounted per manufacturer's instructions; vent to exterior per manufacturer's printed instructions; refer to notes regarding proximity to doors, openable windows, attic vents, and crawl-space vents, air-intake devices; refer to mechanical plan

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# general notes roof plan

- 1. all new cricket and tapered insulation shall be installed with a finish 1/4" per foot minimum slope; Cricket the upslope side of all square curbs and projections over 30" in width
- 2. all piping, conduits, etc., shall be minimum 10" above roof surface; provide portable pipe hangers with protection pads; MEP contractors shall provide supports for new lines
- 3. contractor shall review and coordinate with architectural, MEP, and structural plans to ascertain that exact conditions and related components to the work described by these documents. All work shall be in compliance with accepted manufacturer's printed instructions and NRCA standards
- 4. dimensions, equipment, size and location of equipment shown on this roof plan and details are for reference and information only. Exact size, location, and type of material and type of construction are the responsibility of the subcontractor to confirm and general contractor to coordinate.
- 5. general contractor to coordinate location and orientation on roof hatch and access ladder where applicable
- 6. general contractor shall ensure all roof-top penetrations, equipment, soil stacks, etc., minimum 2'0" from other deck penetratrations, rise walls, and roof edge 7. isolate all heat pipes, flues as recommended and outlined in the NRCA manual
- for isolated stack flashina 8. provide walkway protection pads around all roof hatches, AC units, and all
- roof-top equipment 9. refer to nomenclature for the type of roof system areas where marked with designated letter; refer to roof plan and nomenclature.

concrete and clay tile roofing general notes

4. eaves treatments shall include bird stop/eave riser

rib 1" high; refer to table for more details.

7. pipe flashing: deck & tile flashing is required.

flashing for re-roof. refer to table for details

9. Fasteners: refer to table for requirements.

Soft Lead.

10. upon substantial completion the general contractor shall examine and ensure that drainlines, gutters, and downspouts are free of debris and blockage; flush with water to ensure that drains flow freely where applicable

1. refer to tile manufacturer's concrete and clay tile installation manual proper

2. sheathing must be adequate to support the loads involved, but not less than

3. battens shall be nominal 1" x 2" complying with IBC Chapter 23, section 2302

6. wall trays (Pans) shall be minimum 6" trough; refer to table for more details.

8. In-wall counter flashing Z-bar is recommended or surface mount reglet (pin)

10. Ventilation: Per local building code requirements in this section of construction

11. Nails and Fastening Devices Corrosion resistant meeting ASTM A641 Class 1 or

to properly penetrate 3/4" into or through the thickness of the deck or batten, whichever is less. The head of the nail used for tile fastening shall not be less than 5/16" (.3125") and complying with ASTM F 1667 for dimensional tolerances (+0%,

12. Screws – Corrosion resistant meeting code approval equal of sufficient length to

whichever is less. Screw diameter and head size should be selected to meet good

13. Flashing – Flashing shall be installed at wall and roof intersections, wherever there is

a change in roof slope or direction and around roof openings. Where flashing is of

metal, it shall be of; 0.019" Galvanized (G90) 0.019" Aluminum 16 Oz Copper 3 lb

14. Single layer underlayments shall meet the minimum requirements of ASTM D226

properly penetrate 3/4" into or through the thickness of the deck or batten,

roofing practices and the screw manufacturer's recommendations

Type II (No. 30 Felt) (ASTM D4869 Type IV), or approved equal.

approved corrosion resistance, of No. 11 gauge diameter and of sufficient length

nominal 1-inch-thick lumber or nominal 15/32-inch-thick plywood or other decking

material recognized in a code evaluation report or by the local building official

5. valley flashing shall extend each way 11" from center and have a splash diverter

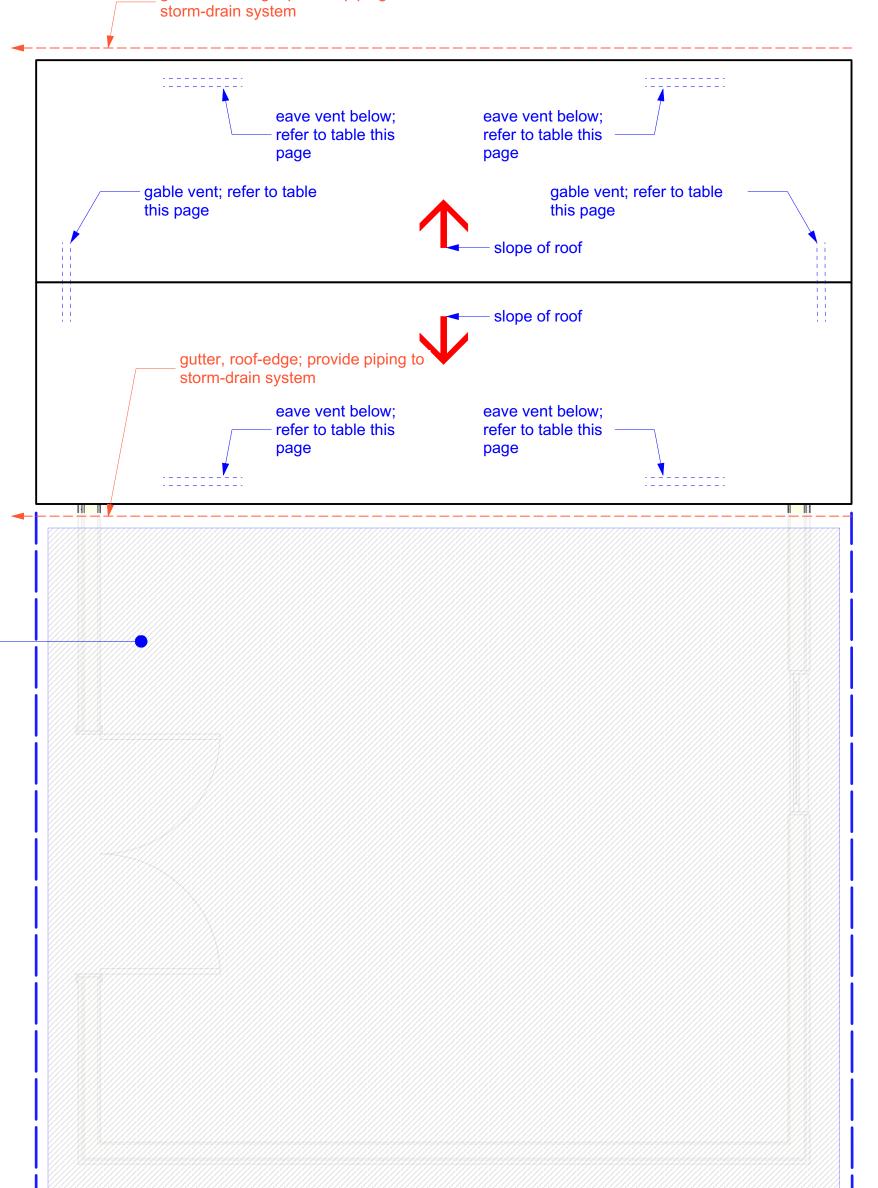
profile tile flashing to be malleable metal flashings. refer to table for more details.

installation practices, industry standards, and code requirements

lower roof this area

refer to adjacent drawing

# REMODEL ROOF ONLY gutter, roof-edge; provide piping to storm-drain system upper roof this area refer to adjacent drawing

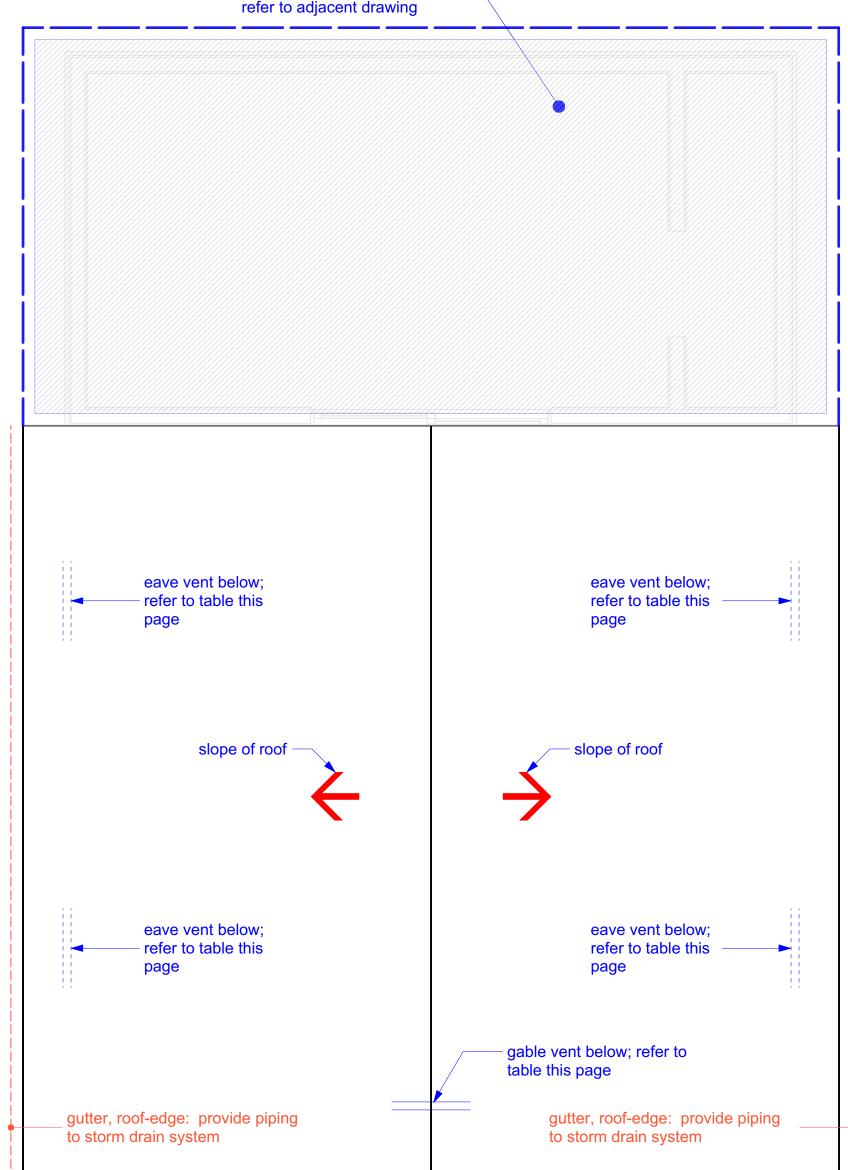


keyed notes roof-plan

- 1. vapor-barrier: 6 mil (0.006 inch; 152 μm) polyethylene or approved vapor retarder with joints lapped not less than 6 inches (152 mm) shall be placed between the concrete floor slab and the base course or the prepared subgrade where no base course exists. R506.2.3
- 2. plate, sill shall be of foundation-grade redwood or pressure-treated; refer to structrual wall page for thickness
- 3. sheath habitable interior with gypsum board standard type all walls, ceiling, beams, soffits, and wooden columns; tape all joints, spot all fasteners; float to
- 4. fascia smooth decay-resistant to match existing roof
- 5. roofing system; refer to roof plan . rafter tails trim to straight line and vertical cut for fascia to match existing roof faces
- . blocking, shaped; 2x solid along eave except at vents; refer to structural roof
- 8. cladding exterior walls stucco; refer to stucco notes
- 9. plate, double-top; refer to structural wall

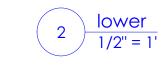
# 10.N/A

- 11.separation wood to earth: wood supported by exterior foundation walls.wood framing members, including wood sheathing, that rest on exterior foundation walls and are less than 8 inches (203 mm) from exposed earth 12.sand fill
- 13. grade 2% away; refer to detail on site-plan page
- 14. footing; refer to structural foundation page & details
- 15. soil, native undisturbed or compacted 16.insulation walls; batt-type R13 x 15" batts per energy analysis



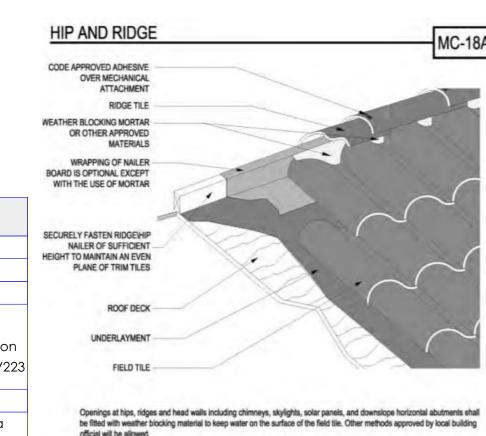






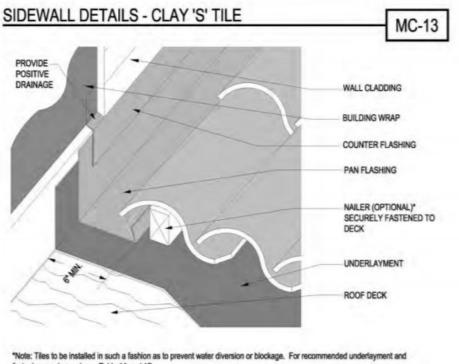
NOTE

#### attic ventilation calculations attic zone required provided lower upper gable-end eave required | Plyco #2230ST Construction Gibralter Plyco #2000 total zone LPDG19 metals #EV223 description convert to nfva in upper total nfva and in 660 43 39 lower nfva nfva nfva 400 /150 x144 660 660 **14** 546 lower 1320 1320 В 100 /150

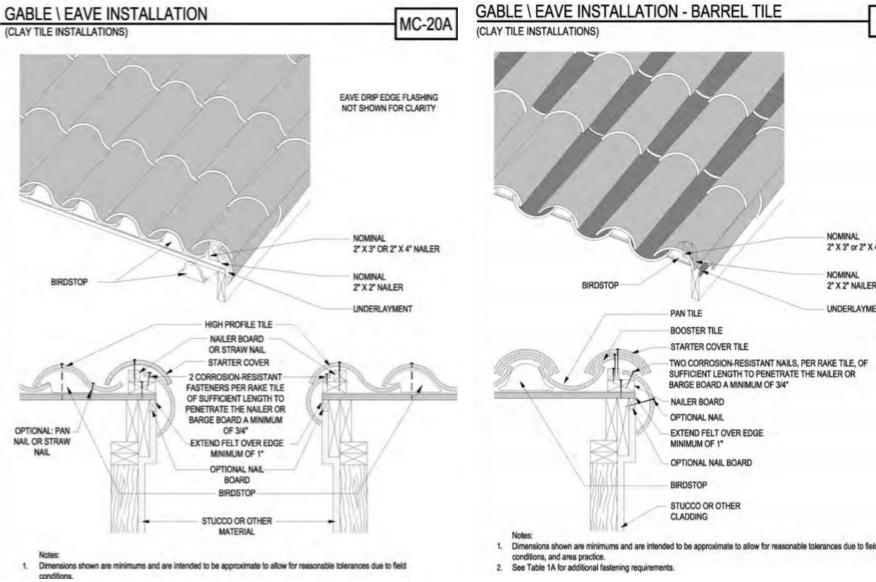


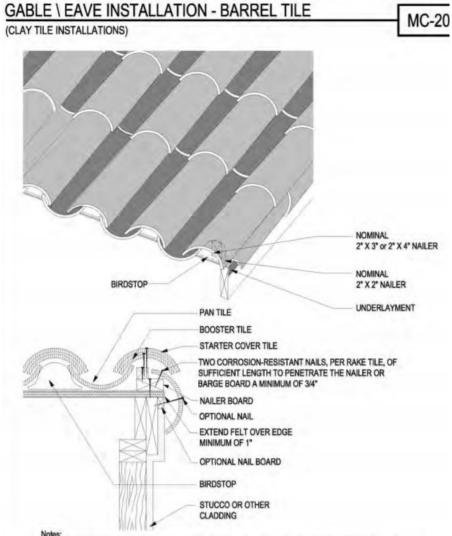
Wrapping of nailer board is optional except with the use of mortar. (All profiles of tile)

For recommended underlayment and fastening requirement, see Table 1A and 1B. 2. All hip and ridge tile are required to have a code approved adhesive or special clip between laps of trim tile to cover nail hole Battens for tiles with protruding anchor lugs are optional for slopes between 3:12 and 7:12. Direct deck attachment of tile as Dimension shown are minimum and are intended to be approximate to allow for reasonable tolerance due to field conditions



COUNTER FLASHING NAILER (OPTIONAL) SECURELY FASTENED TO DECK UNDERLAYMENT -OPTIONAL FASTENER LOCATION IN TILE PAN Underlayment should extend a minimum of 4" up vertical wood blocking or wall. See MC-12B for additional flashing details.

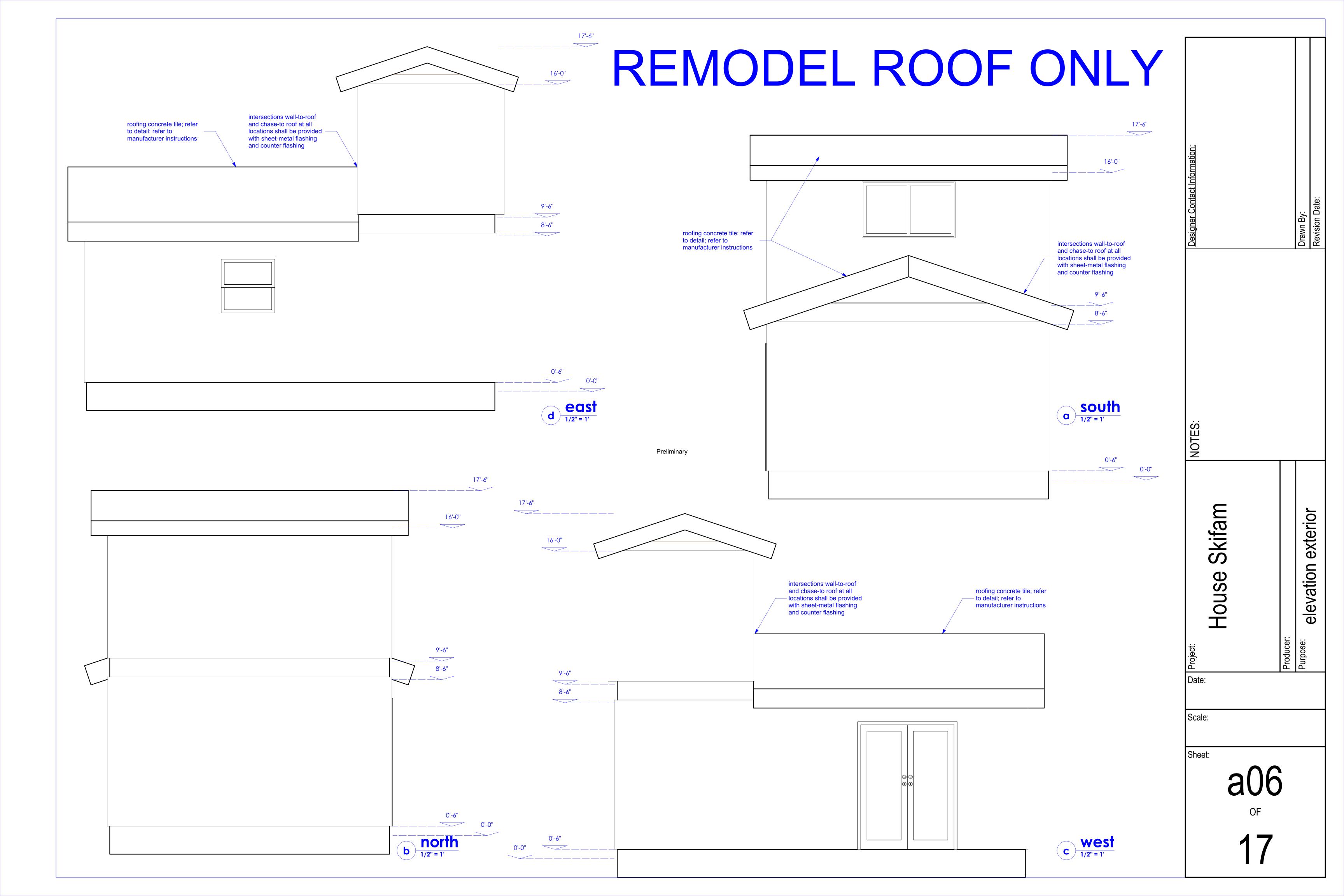


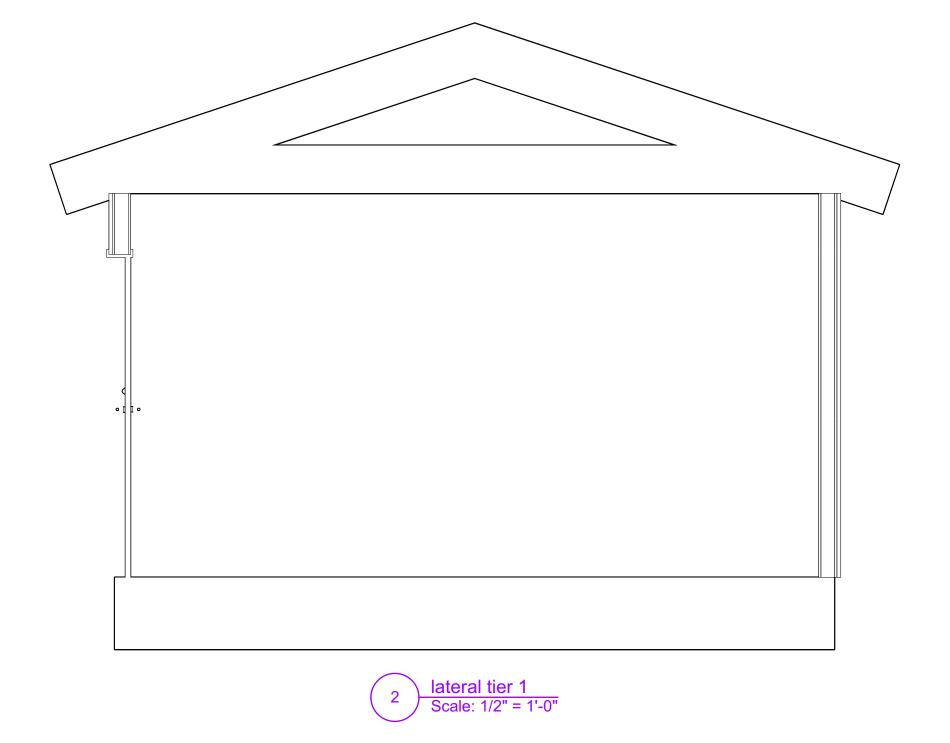


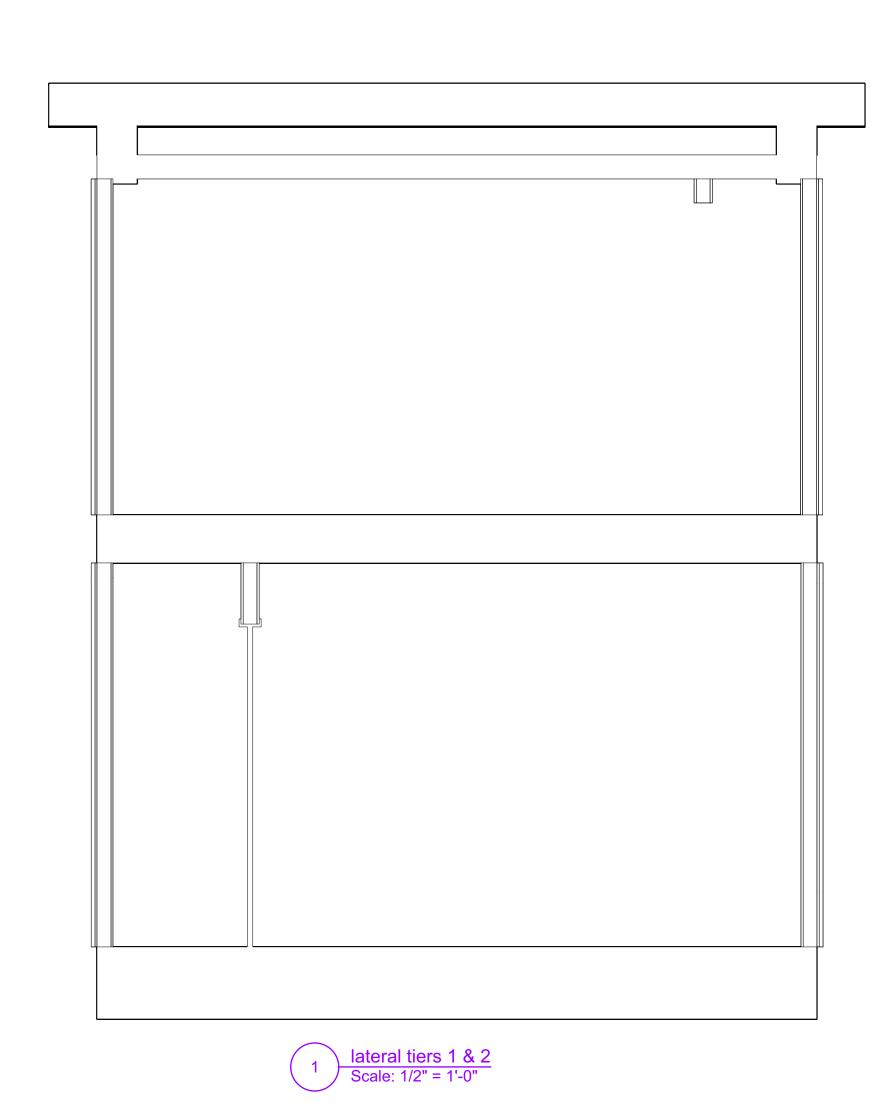
lower roof Scale: Sheet:

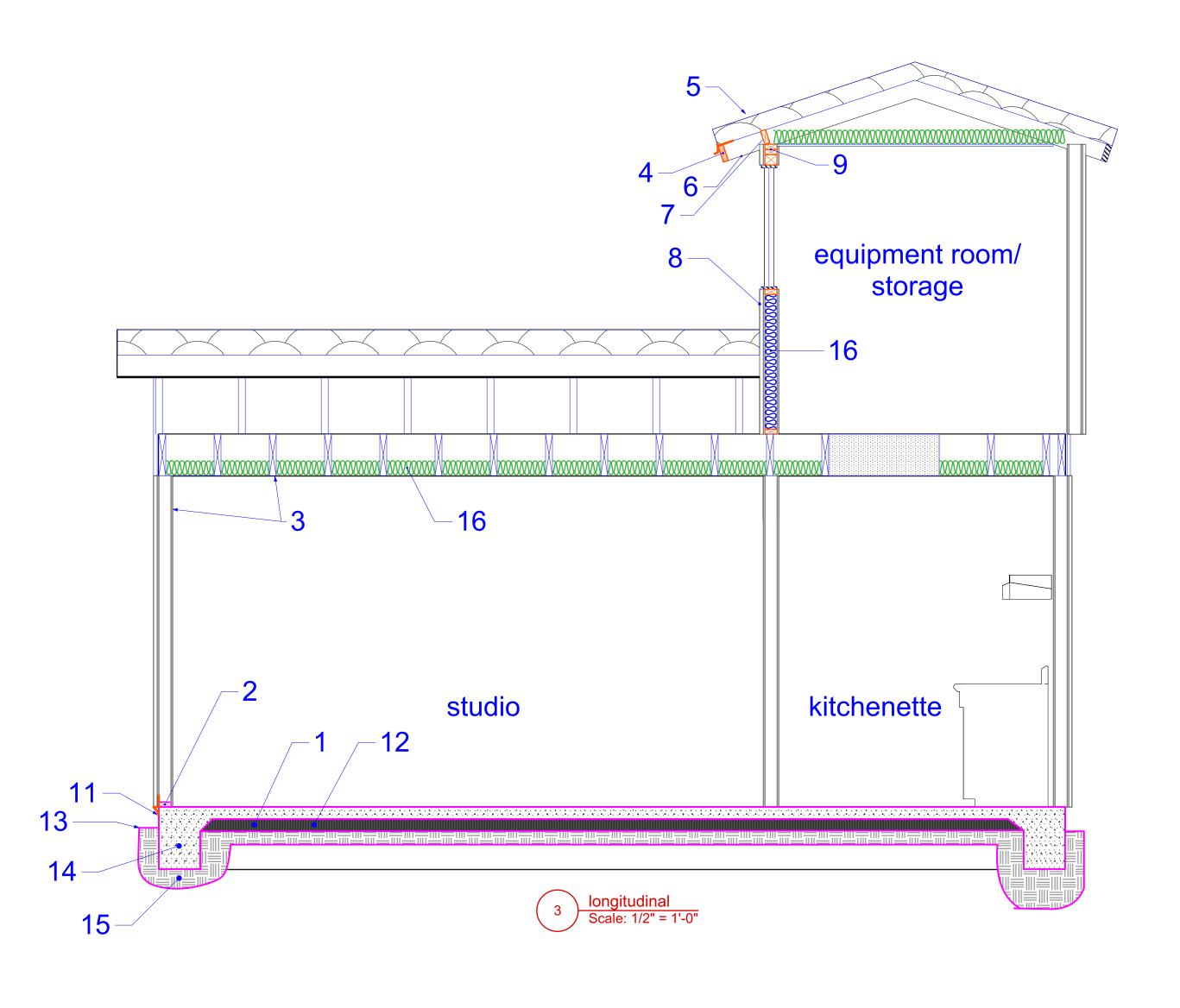
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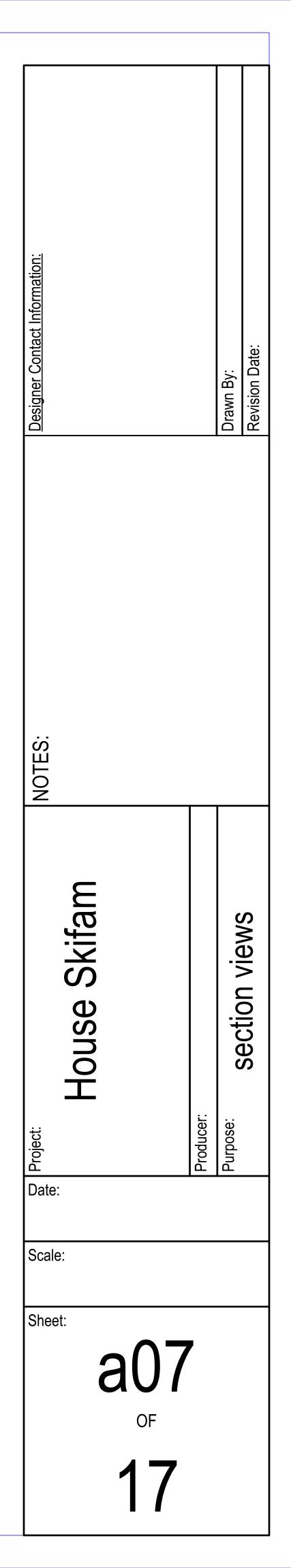
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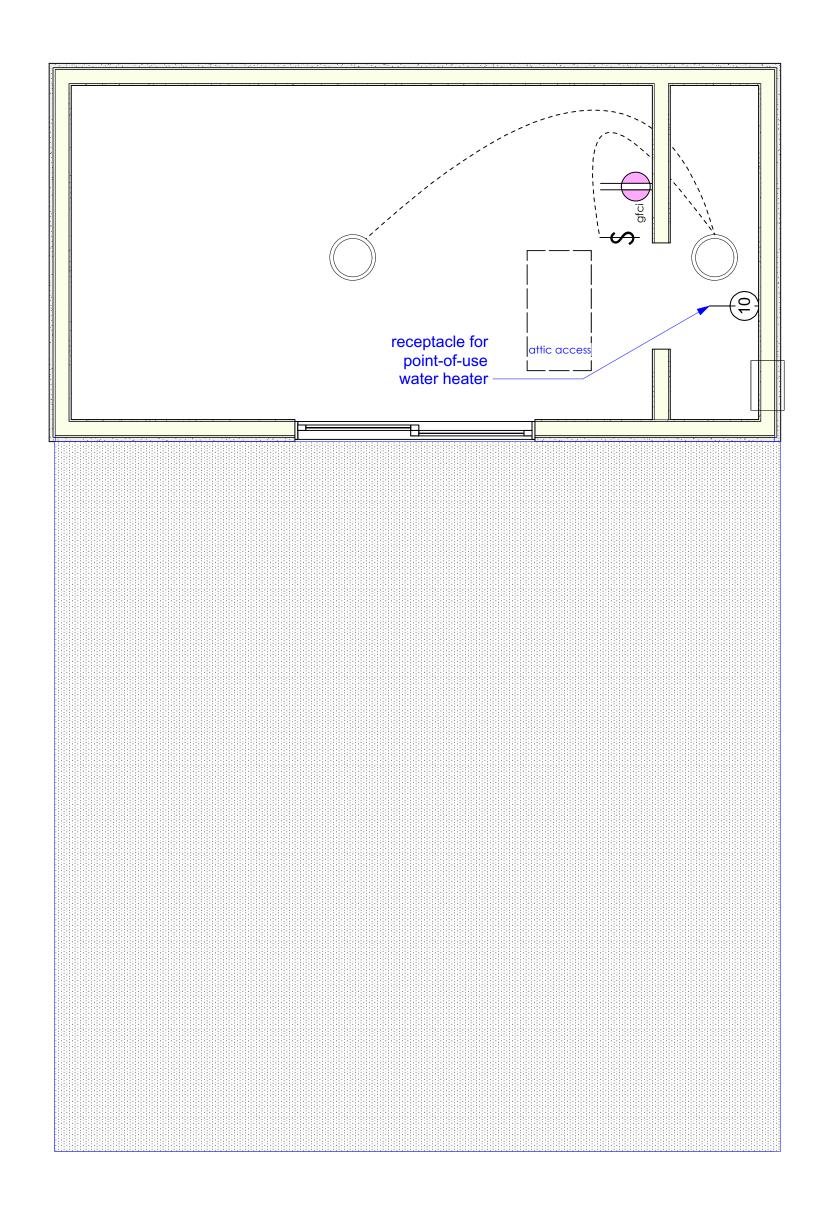
# general notes space plans

- 1. attic access and shall be provided with a permanent electric outlet, and light fixture, and smoke
- 2. bathtubs shall have no parts of cord-connected fixtures, hanging fixtures, track lighting, pendants, or ceiling fans located directly above and within 36" horizontally and 96" vertically from its rim (NEC
- 3. carbon monoxide device approved by state fire marshall shall be installed in dwelling unit intended for human occupancyt having a fossil fuel burning heater or appliance, fireplace, or an attached
- 4. circuits that supply sleeping rooms in dwelling units shall be protected by arc-fault interrupter (AFCI) circuits listed to provide protection for entire circuit; all 125-volt, single-phase, 15- and 20-amp circuits (receptacles, luminaires, and smoke detectors) shall meet this standard per CEC 210-12(B)
- 5. clearance shall be provided for servicing of all panels, disconnects, and service equipment shall be maintained per NEC 110-26
- 6. conductors shall be copper type THHN/THWN for sizes AWG6 and smaller, and type THWN for sizes larger than AWG6 per UL standard 83
- 7. dryers, ovens. ranges, cook-tops, air compressors, and welders require 4-conductor wiring and 4-pole receptcles; the neutral conductor may no longer be used to ground the frame or "j" box of the range,
- 8. equipment requiring electricity all shall have labels confirming testing by UL, CSA, etc per NEC 110-2 9. equipment requiring electricity, newly-installed, shall be suitable for available short-circuit current per
- 10. extractor (exhaust fan) capable of providing minimum 50cfm shall be installed in each bathoom [CBC 1204.3.1 and CMC Table 4-4]
- 11.incandescent and flourescent luminaires shall not be controlled by the same switch
- 12.incandescent luminaires recessed into insulated ceilings must be approved for zero-clearance insulation cover (I.C.) by U.L. or other testing lab recognized by I.C.B.O., shall be labeled "Certified Airtight Construction," and must have a sealing gasket or caulking between the housing and ceiling. [CEES section 150(k)(5)]
- 13. lighting and controls shall comply with the 2016edition of the California electrical code and 2016 **Building Energy Efficiency Standards**
- 14. luminaires flourescent are required to be a minimum of 50 lumens per watt.
- 15. luminaires for general lighting in kitchen shall have an efficacy of 50 lumens per watt or greater, shall provide sufficient light intensity for basic kitchen tasks, shall provide a uniform pattern of light, and shall be controlled by the first switch upon entering the room [CEC 150(k)-1]
- 16. luminaires for general lighting in room with shower or bathtub shall have an efficacy of 50 lumens per watt or greater; where more than one luminaire is located in the room, the one with high-efficicacy shall be controlled by the first switch upon entering the room [CEC 150(k)-3]
- 17. luminaires in closets less than 70 sqft shall not be requires to be high-efficacy
- 18. luminaires installed on the exterior of the building or located within tub and/or shower enclosures must be listed for installation in damp areas [NEC 410-4(a)]
- 19. luminaires permanantly-installed in exterior locations where high-efficacy fixtures cannot be provided shall be controlled by an motion-sensor with integral photo-control; REFER TO PLAN
- 20. luminaires permanantly-installed in useable spaces other than bathrooms where high-efficacy fixtures cannot be provided shall be controlled by a dimmer switch or shall be controlled by occupant-sensing device(s); such motion sensors shall not have a control that allows lighting to be turned on and off automatically or an override switch that could allow the lighting be always on (REFER TO PLAN) [CEES section 150(k)(4)
- 21. luminaires used to meet requirements of flourescent fixtures shall not contain sockets for medium-base incandescent lamps
- 22.raceway (listed) shall be installed to accomodate a dedicated branch circuit for EV charging system; raceway shall not be less than 1" trade size and shall be securely fastened at the main service panel or subpanel and shall terminate in close proximity to the proposed charging system into a listed
- cabinet, box, or enclosure CGBSC 4.106.8.1.1 23. receptacle for built-in microwave oven shall be seperate circuit
- 24.receptacle shall be provided within 25' of mechanical equipment, weatherproof, and shall be on the
- 25.receptacles above countertops all shall be located not more than, 20" above the countertop [NEC210-2(c)(s)exception)]
- 26.receptacles and luminaires in kitchens and bathrooms shall have exact location and height verified for compatability with cabinets and countertops prior to installation
- 27.receptacles at exterior are to be weatherproof GFCI protected including those installed in overhangs for decorative lighting per 2016 NEC 210-8(A)(3) 28.receptacles below countertops all shall be permitted to be mounted not more than 12" below the
- countertop provided the countertop does not extend more than 6" beyond its support base (section 210-52(c)(5)exception)
- 29.receptacles for general purpose shall be mounted at height min 15" and max 48" to centerline per Federal, State, and Local codes
- 30.receptacles for kitchens countertops including at the end of a penninsula countertop; bathrooms; all outdoor receptacles shall be gfci [NEC 210-8]
- 31.receptacles for small appliances in kitchens shall be supplied by minimum two separate 20-amp 32.receptacles in bathrooms of dwelling units shall be minimum 20 amp seperate circuit; no other
- lighting fixtures or outlets are permitted to be placed on the bathroom receptacle circuit; the 20 amp circuit may be shared by more than one bathroom. [NEC 2001 250-60]
- 33.receptacles integrated within countertops shall not be installed in a "face-up" position in work surfaces; receptacle located above counter-tops shall be no more than 20" above the work surface [CEC section 210-52 (C)(5)]
- 34.receptacles located at kitchen, laundry, and bathroom countertops all shall be GFCI-protected per 2001 NEC 210-8(A)(6)
- 35. separate 20-amp circuit is required bathroom receptacles and no luminaires or other receptacles are allowable on this circuit; this 20-amp circuit may be shared by more than one bathroom 36. sign for address shall be illuminated and shall be installed so as to be seen from the street prior to final
- inspection (as reg.d) 37.smoke detector manufacturer: "First Alert", model number: "SA304" or equivalent and approved by

from a.c. vent and min 36" from return air grille and on the kitchen side of return air grille, and must be

- the State Fire Marshall (CBC 310.9.1.3) 38. smoke detector provided for the protection of the sleeping rooms is required to be placed min 36"
- of the 110-volt direct-wired type with battery backup and interconnecte
- 39. support for lighting fixtures shall be per NEC 410-16 40. switches are not allowed within 3' of a tub or shower
- 41. switches for general purpose shall be mounted at height min 36" and max 48" to centerline per Federal, State, and Local codes
- 42. wiring exposed from building shell at interior shall be in rigid metallic conduit, EMT, MC, cable, or flexible metallic conduit on last 72" for receptales and luminaires; or least 18" for motors; at exterior wiring underground shall be in rigid metallic conduit or if semii-rigid non-metallic conduit, underground shall be schedule 40 and above ground minimum schedule 80 [NES article 347]

# "AS BUILT" - no changes



LEGEND

electrical symbols

receptacle simplex

\$ switch, single-pole

receptacle GFCI

receptacle duplex

attic receptacle and

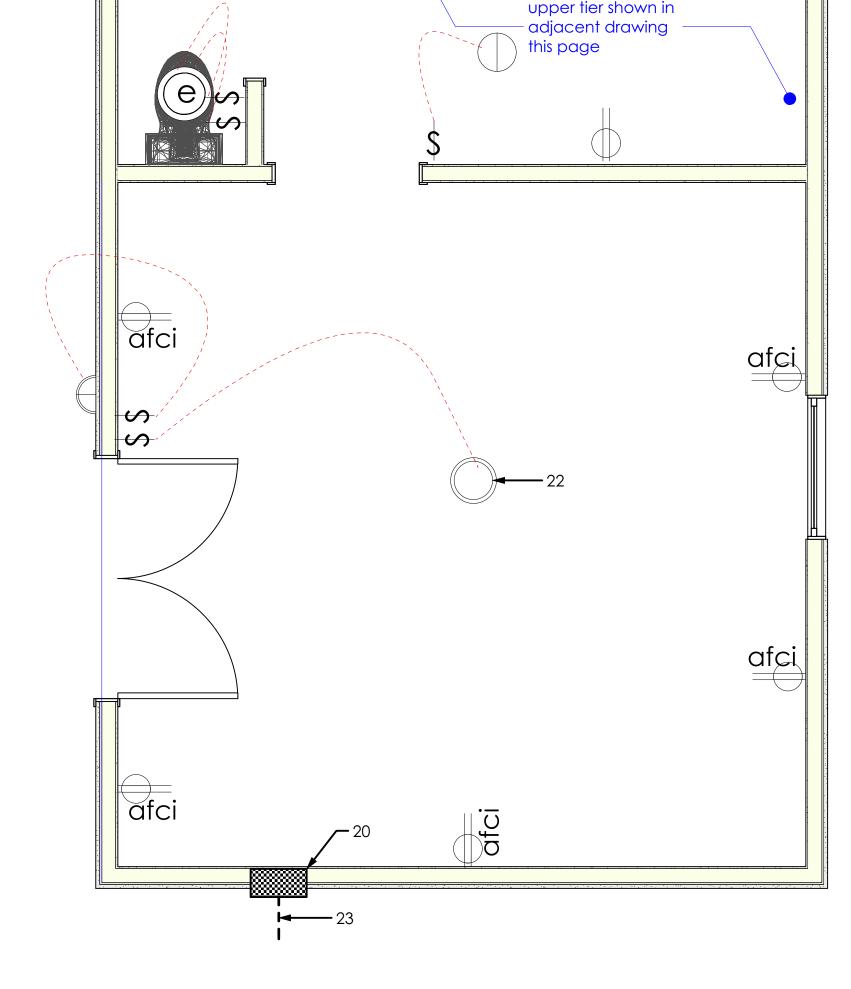
switched light

receptacle dedicated for refrigerator

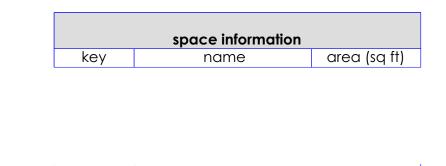
receptacle dedicated for range

luminaire, wall exterior porch









total interior area

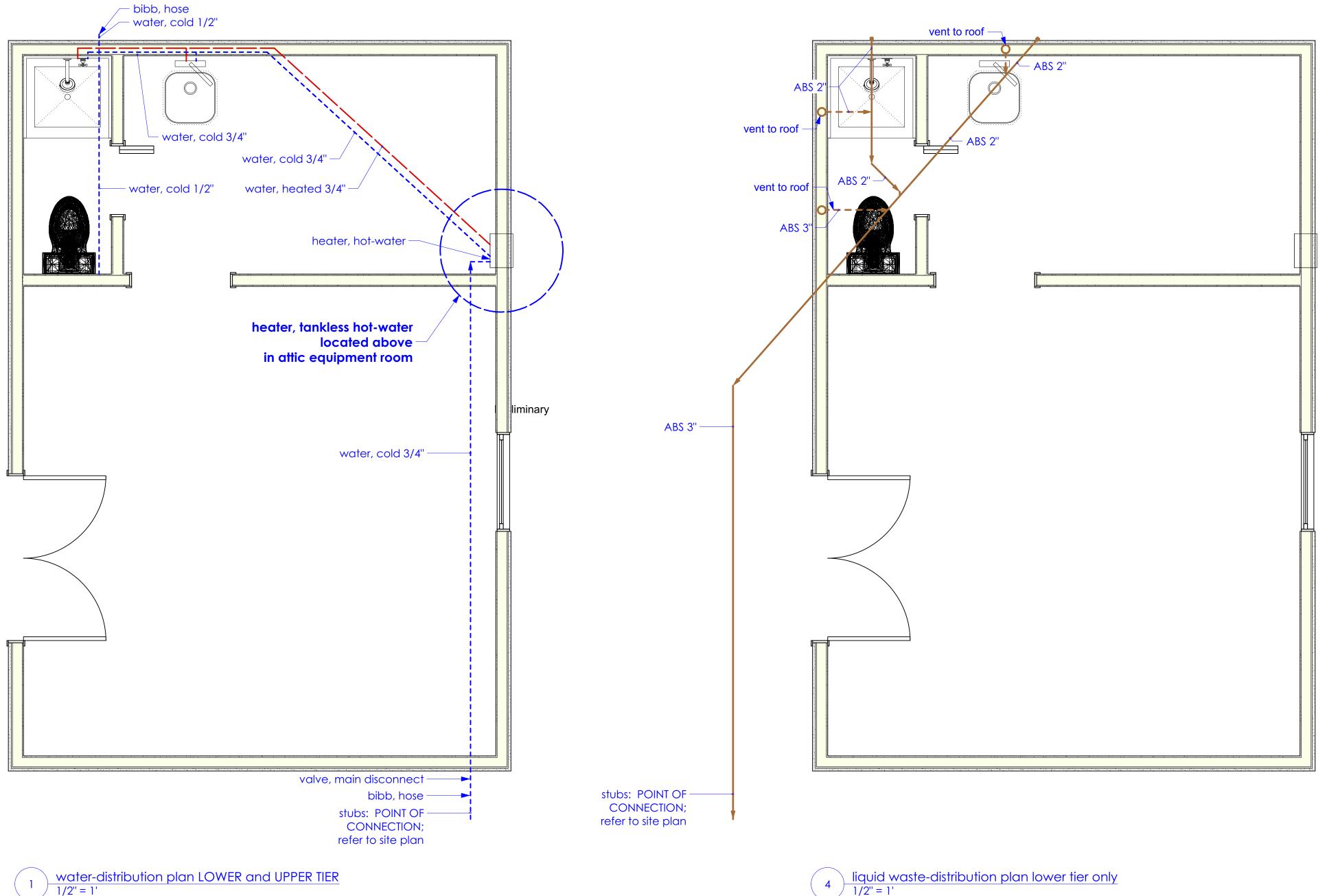
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7			Producer:		
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- 1. circulating tub installations require manufacturer's installation specifications at job-site for purposes of inspection
- 2. completion of installation for the HVAC equipment and water heating systems shall be immediately followed by the installer posting in a conspicuous location at building site, an "installation certificate (CF-6R)" signed by the installer, listing the equipment installed (manufacturer, model, and efficiencies) and that it meets or exceeds the requirments of the engineering documentation.
- 3. compliance with latest U. P. C. is required for all plumbing work
- 4. condensate drain of full size shall be provided with 3" deepwell trap for all a/c units. route condensate drain as shown on plans.
- 5. controls for tub and shower shall be single-handle pressure-balancing or thermostatic (anti-scald) type
- 6. framed structures for tub or shower shall be rodent-proof with 1" cement mortar covering any openings allowed for roughing-in
- 7. hose bibbs shall be fitted with non-removable backflow device (CPC 603.4.6)
- 8. hvac quipment designed to be in a fixed position shall be securely fastened to the
- 9. manufacturer's installation instructions shall be provided at time of inspection 10. material and equipment installed under this contract shall be guaranteed free from all mechanical, electrical and workmanship defects for a period of one year from date of final acceptance; the contractor shall be responsible for all damages to the premises cause by leak and/or breaks in pipes and fixture installed under this contract
- 11. pipes in trenches shall be provided with cover of minimum 18" 12. piping for below grade gas, shall be schedule 40 black steel, ASTM A53.pipe shall have
- protective coating of polyethylene or be of approved PVC. 13. piping for drain, waste, and vent shall be cast iron, with no hub connections or schedule 40 ABS- DWV or schedule 40 PVC - DWV Piping
- 14. piping for gas shall not be installed in or on the ground under any building or structure; all exposed gas piping shall be maintained 6" above the grade of structure; gas piping installed under concrete is not permitted unless in installed in accordance with the standard of the building official; the term "building or structure; the term "building or structure" shall include porches and steps (whether covered or uncovered), breezeways,
- roofs, porte-cocheres, roofed patios, carports, covered walkways, covered driveways 15. piping for gas within building shell shall be schedule 40 black steel, ASTM A53, or shall comply with [ANSI LC 1b] "fuel gas piping systems using corrugated stainless steel tubing
- (CSST)"; pipe shall have protective coating of polyethylene or be of approved PVC. 16. piping for hot water supply shall be insulated with 1" or R-4 insulation for pipes less than 2" and 1-1/2" of R-4 for pipes 2" and larger, maximum flame spread of 25, maximum fuel contribution of 50, maximum smoke development of 50 [California T-24 2-5312]
- 17. piping located in the occupancy separation area or in any other required fire-resistive wall shall be installed with approved sealant
- 18. piping for water within the building shell shall be galvanized steel, copper, or approved polypropylene such as Wirsbo PEX or Vanguard PEX CPC 101.3
- 19. plumbing vents shall terminate not less that 10' from any outside air intake
- 20. pressure and temperaure relief valve, 3/4" in size, shall be provided with a downward-facing threadless end within 6" and 24" of finish grade
- 21. quick-acting valve locations shall be provided with accessible pressure-absorbing device; either air chamber or mechanical device may be selected; typical locations of quick-acting valves (solenoid-operated): i. laundry washer ii. dish washer III. ice maker iv. re-fill lines concealed within walls or attic v. sprinkler outlets front and rear
- 22. tankless water-heater shall be installed per manufacturer's installation instructions; contractor shall verify clearances from openable windows and eave vents
- 23. work and materials all shall be performed and installed in compliance with the 2007 CPC and all other applicable codes as adopted by the inspection authority; nothing in these plans is to be construed to permit work not conforming to these codes or others applicable
- 24. work shall be done in a neat and workmanlike manner according to the best trade practice by those skilled in the particular trade; pipes, fixtures, equipment, etc., to be installed level, square, or centered, etc., to give a neat and pleasing apperance; all equipment is to be installed strictly per manufacturers' recommendations; coordinate all work with other trades
- 25. piping passing under or throughwalls shall be protected frombreakage; no piping shall be directly embedded in concrete or masonry; voids around piping passing through concrete floors on the ground shall be sealed CPC 412

# 26 at the time of fill, each fixture shall have a removable tag applied stating:

- +This new plumbing system was first filled and flushed on \_\_\_\_\_ (date) by \_\_\_\_\_ (name); the State of California requires that the system be flushed after standing at leaste one week after the fill date specified above. If this system is used earlier than one week after the fill date, the water must be allowed to run for at least two minutuss prior to
- use for human consumption; this tag must not be removed prior to the completion of the required second flushing, except by the building owner or occupant CPC 604.1.2(1)

# "AS BUILT" - no changes





S

plumbing

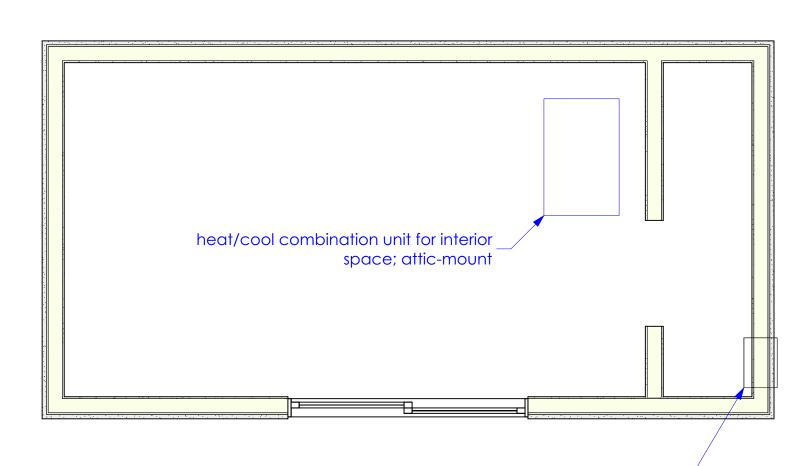
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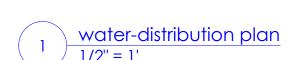
# mechanical plan general notes

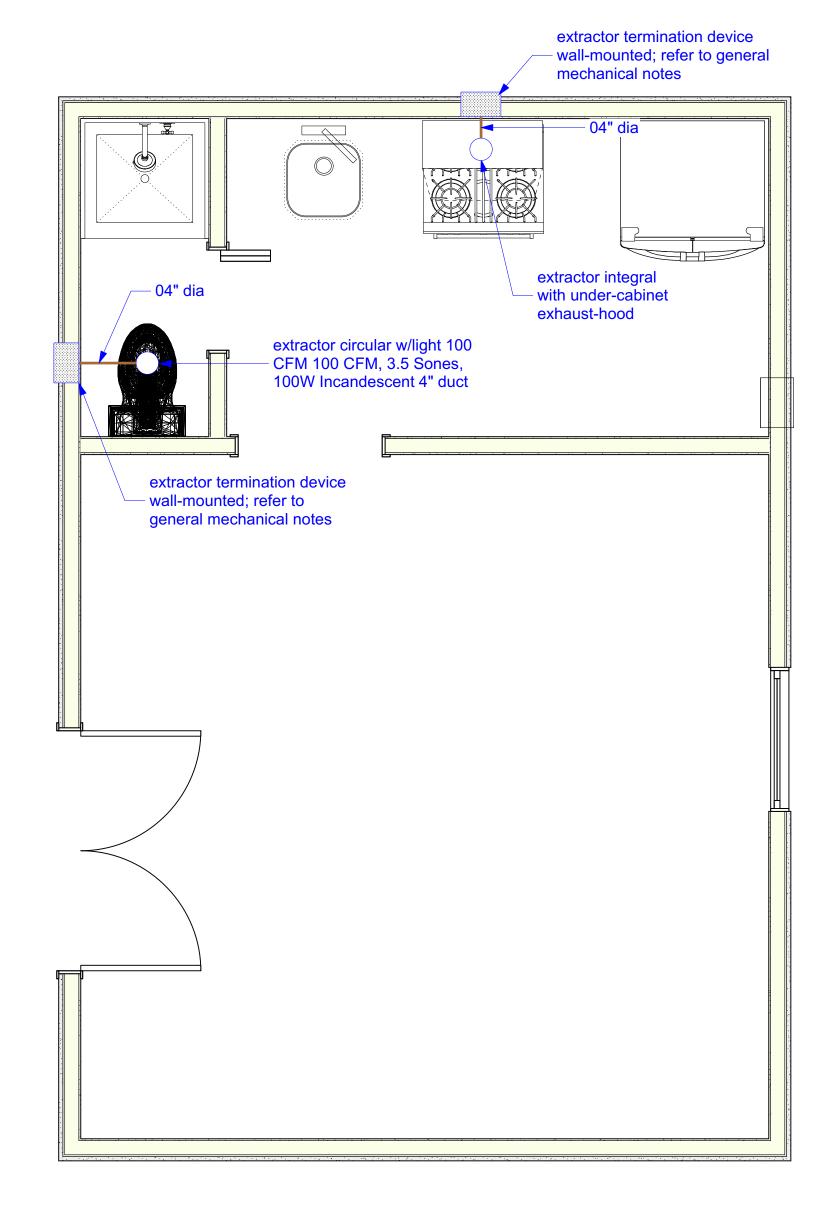
- 1. 18" cover minimum shall be provided for all pipes in trenches
- 2. air extraction fans used in bathrooms shall provide a min. of 8 air changes per hour, vented directly to the exterior, point of discharge of exhaust air at least 5 feet from any mechanical ventilating air intake and 3 feet min from the property.
- 3. air extractors all shall be rated for continuous duty
- 4. appliances designed to be fixed in position shall be securely fastened in place to resist
- 5. attics with mechanical equipment installed shall be provided with a portal large enough to allow the largest piece of equipment to be removed; with a minimum of 30"x30"
- 6. automatic space temperature control device shall be provided minimum one per zone and each separate system shall have the capability of terminating all cooling at a temperature no less than 78°F
- 7. backdraft dampers shall be incorporated at all exhaust extractors
- 8. below-grade piping for gas shall be schedule 40 black steel, ASTM A53.pipe shall have protective coating of polyethylene or be of approved PVC.
- 9. certificate of installation, CF-2R shall be signed and submitted by respective installer of water-heating system, fenestration, and space-conditioning systems; listed will be the equipment, C values, and that these meet or exceed the requirements of energy documentation; registered copies shall be provided when HERS verification is required
- 10. HVAC equipment completion of installation for the and water heating systems shall be immediately followed by the installer posting in a conspicuous location at building site, an "installation certificate (CF-6R)" signed by the installer, listing the equipment installed (manufacturer, model, and efficiencies) and that it meets or exceeds the requirments of the engineering documentation.
- 11. defect-free material and equipment installed under this contract shall be guaranteed freefor all mechanical, electrical and workmanship for a period of one year from date of final acceptance; the contractor shall be responsible for all damages to the premises cause by leak and/or breaks in pipes and fixture installed under this contract
- 12. ducts in the attic all shall be insulated per title 34 calcs
- 13. ductwork all shall be constructed, erected, and tested in accordance with the most restrictive of local regulations and procedures as detailed in the ASHRAE handbook of fundamentals - or - the applicable standards adapted by the Sheetmetal and Air-conditioning Contractors National Association
- 14. electrical wiring in plena all shall be protectedin conduit per NEC
- 15. exhaust hood shall be provided over the cook stove and shall be vented to the exterior
- 16. fuel-fired equipment shall be equipped with intermittant ignition devices per § 2-5314c of
- 17. gravity vent from fuel-burning appliance shall terminate not less than 5' above the vent
- 18. inlets to air systems shall be located minimum 10' from known sources of contaminated air such as stacks, vents, exhaust hood, vehicle exhaust
- 19. instructions for installation of fuel-burning appliance shall be provided at job site for
- 20. kitchen exhaust outlets shall terminate min. 24" above the roof and shall extend min. 10" abov the adjoining grade level [CBC 507.11]
- 21. mechanical equipment all shall be listed for the specific use proposed and shall be registered with an approved testing agency
- 22. mechanical equipment mounted in attic shall be provided with a level working platform min. 30" in depth and min. 48" in height, and shall be provided along the entire firebox side of the equipment
- 23. passageway to attic-mounted mechanical equipment not exceed 20', shall be unobstructed, and shall have continuous flooring not less than 24" wide from entrance
- 24. proper venting and back-draft prevention shall be provided for combustion appliances 25. sequential control device shall be provided in each space-conditioning zone per
- §2-5315-A. Temperature control shall meet §2-5313I and to operate heating and cooling sequentially per §2-5315B2
- 26. space conditioning and water heating equipment all shall be certified by the California Energy Commission and shall comply with §2-5314B of Title 24
- 27. space conditioning equipment all shall be started and stopped by a daytime time clock; a 6-hour bypass switch shall be provided to allow operation of any unit from normally-scheduled program; a self-contained programmable thermostat may be
- provided in lieu of the time-clocl per owner approval 28. space conditioning equipment all shall have disconnect devices adjacent to and in sight
- of equipment being served 29. space-conditioning shall provide no less than 2 changes per hour; outside air shall be
- provided at a minimum of 20% total flow-rate per hour 30. special inspection for field verification shall be provided by a third-party HERS rater for
- whole-building ventilation air-flow performance, 31. thermostats all shall be of the automatic changeover type to sequence heating and
- cooling; set-point range shall be up to 10°F 32. thermostats all shall control from 65°F to 85°F

# "AS BUILT" - no changes

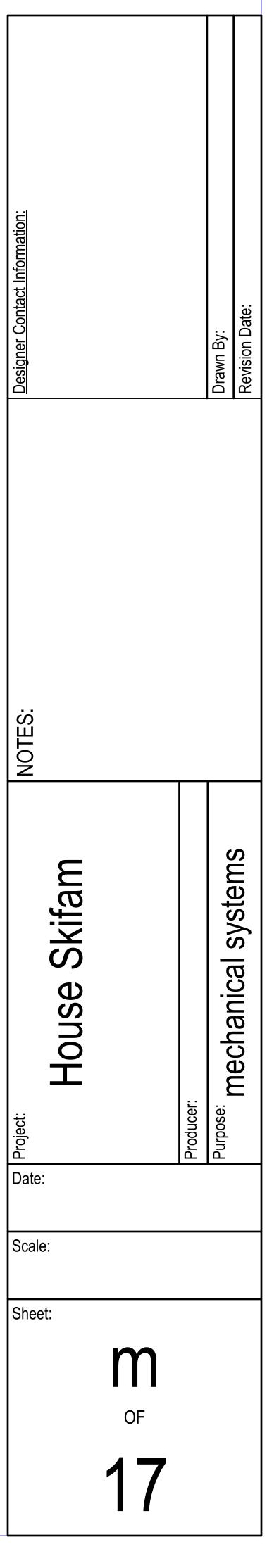


heater, water "tankless" shall be wall-mounted per manufacturer's instructions; vent to exterior per manufacturer's printed instructions; refer to notes regarding proximity to doors, openable windows, attic vents, and crawl-space vents, air-intake devices; refer to mechanical plan











# Pacific Design Studio

exterior, interior, and landscape design, historic rejuvenation, construction consultation serving the Eastern Foothills, Central Valley Floor, and the Central Coast since 1980

March 23, 2019

Jeremy Shaw, planner Development Service County of Fresno 2220 Tulare Street, Sixth Floor

Re: Pre-Application Review No. 39414, Assessor's Parcel No. 474-042-11, Violation No. 18-101524

Dear Mr. Shaw:

# FINDINGS OF FACT FOR APPLICATION OF VARIANCE

Our firm has been retained by the property owners, Owen J. Werzinski and Julie S. Werzinski. This matter involves an accessory dwelling unit now in use at the subject parcel and that functions adequately for their needs. During 2017 the applicant decided to sell his home and transfer to a larger domicile where he could transfer his growing family. On this basis, he purchased the subject parcel. He chose this parcel because he believed that the primary dwelling unit in conjunction with the secondary dwelling unit together would provide the living interior space that he needed. After the purchase, the applicant received a letter from Fresno County Code Enforcement. The letter informed the owners that the accessory dwelling unit (ADU) must be razed because of

- Improper building permit for the ADU at a time approximately fifty years prior
- Incomplete building inspections during the construction period 1967-1990
- Erroneous placement of the ADU so that a portion of its structure is located within minimum setback area.

The Applicant, unaware of land-use policies, first contacted Fresno County Code Enforcement for a briefing by their informative staff. Next, the applicant contacted our firm to develop a remedy for their situation. It is our intention to seek relief for the Applicant by obtaining allowance for the ADU. The subject parcel is located within the Fresno City Sphere of Influence and this matter is under consideration through appropriate channels within the City Government.

# 1) Exceptional or extraordinary circumstances:

**a.** The lot size is substandard according to provisions of "R-1-AH (nb)" Single-Family Residential, 20,000 square-foot minimum parcel size, Neighborhood Beautification Overlay, zone district.

1301 North Van Ness Avenue, Fresno, California 93728-1937

mobile 559.394.4647

fax559.492.3316

stevepds@gmail.com

- **b.** The left (east) side of the <u>primary</u> dwelling is located within the minimum side-yard setback of ten feet. Measurements at adjacent parcels show that the primary dwellings at those parcels are sited correctly relative to setback lines.
- **c.** The applicant has <u>not</u> received a letter from Fresno County Code Enforcement regarding the primary dwelling and its portion located within the side-yard minimum setback area
- d. Applicant purchased subject parcel because, within socio-economic feasibility, the area of the primary dwelling unit in conjunction with the area of the secondary dwelling unit <u>together</u> would provide the interior living space that he needed. A home of a lesser size would not meet the needs for a family consisting of eight members.
- **e.** The subject primary dwelling unit contains an area of 2,412 square feet containing 4 bedrooms 2 restrooms.
- **f.** A pertinent U. S. Census Bureau report demonstrates that the average square-foot area of western single-family dwelling is 2,386 square feet. The area of the primary dwelling is merely 10% larger than this norm.
- **g.** Another equally pertinent U. S. Census Bureau report shows average household size to be 2.58 members
- h. Fresno County records show a that, in several ways the early development of the subject parcel was aberrant and confusing. For some yet unknown reason or reasons, a peculiar conflict between the early ownership of this parcel and agents of Fresno County has persisted throughout a period exceeding fifty years. It appears as though a struggle or discord has plagued the County staff and owners of the parcel.

# 2) Variance would open a pathway to normalized state of life

- **a.** The applicant and his family have had no involvement in imagining, planning, constructing, or perpetuating the subject secondary dwelling.
- **b.** The applicant acquired the subject parcel because the capacity of its two dwellings would:
  - i. be proportionately larger than their out-growing prior home
  - ii. provide efficient access to their schools and institutions
  - iii. be attainable within their financial parameters
- **c.** Improvements to the ADU would afford the applicant an opportunity to cure the worrisome ongoing hardship of conflict with Fresno County Code Enforcement.
- **d.** Through the sacrifice and goodwill of remediating the ADU, the applicant and family could engage in a positive endeavor, could honor their investment in their domicile, and could enjoy their right to resume life according to their optimal plan
- **e.** The ADU "as is" provides a suitable environment for habitation that is enjoyed by families at neighboring residential parcels. Its present physical state can be accurately characterized by the following facts:
  - i. Electrical systems perform adequately
  - ii. Water-supply systems perform adequately
  - iii. Liquid-waste systems perform adequately
  - iv. There is no evidence of wood-destroying pests
  - v. There is no evidence of mold or dry-rot
  - vi. There is no evidence of failure in the concrete foundation
  - vii. Sanitary fixtures are operable and appear in good condition

- viii. Doors and their jambs appear in good condition and operate conveniently
- ix. Interior lath, plaster, and paint appear to be in good condition
- x. There is no evidence of failure in the conventionally wood-framed building shell the i.e. walls and the ceiling/roof structures are intact and stable.
- xi. There is no evidence of rain-water penetration or any water penetration from landscape irrigation
- xii. There is no evidence of flood-water infiltration at any bearing walls or at the single doorway
- f. The above conditions are accessible to the applicant and his family because the subject parcel was listed on the real-estate market, just as adjacent parcels were listed prior to acquisition by their current owners.
- **g.** The applicant purchased the subject parcel for practical and aesthetic reasons as did the owners of adjacent parcels. The applicant seeks a basic home life as do the owners and families of adjacent parcels.

# 3) Material detriment to public welfare and injury to properties and improvements in the vicinity are not apparent

- a. During normal, day-to-day circumstances, the ADU was not and will not be a workshop where activity could involve automobiles, construction materials, furniture, or other large apparatus. The activity in and around this ADU would not be dynamic such as a those which are intuitively associated with a cottage enterprise. Day-to-day activities associated with this ADU will be very similar to and logical extensions of the activities that have been transpiring during present and prior time. They are domestic activities that are consistent with the activities at surrounding dwellings in the vicinity of subject parcel. Family members who currently reside in the ADU are the eldest of the six children and are attending local colleges. As they advance toward increasing levels of independence from the family home, successor eldest children naturally would transfer to reside in the ADU.
- **b.** The ADU is designed and utilized as a simple domestic shelter where most sound is created by ordinary human discussion, housekeeping and gardening routines and entertainment media such as television, radio, or computer.
- c. The ADU was not designed or constructed as a rehearsal or recording studio where levels of sound could occasionally surpass those of ordinary family life. Day-to-day sound levels arising from the ADU will be very similar to levels of sound that have been arising during present and prior time. And these levels of sound are similar to those arising at neighboring domiciles.
- **d.** Based upon the simple activities of a nuclear family where all six children are students, no objects or structures will broaden or otherwise increase the appearance of the ADU to neighboring residents or their guests. Recreational equipment such as an above-ground pool, a swing-set, a basketball set, or a trampoline are activated seasonally in the rear yard however such items are noticeable in back-yards of other parcels in the surrounding neighborhood
- **e.** The subject ADU is not an office or salon where exterior features or furnishings such as signs, statues, or customer parking accommodations, could visually or materially expand the appearance of the ADU to persons in the public space.

- f. As a residential structure, the subject ADU possesses no condition in violation of egress requirements. The singular sitting/sleeping space is fitted with one set of biparting swing doors whose width and height are of common dimensions: 5'-0" wide x 6'-8." This installation exceeds minimum egress or rescue
- g. Records show that the subject ADU was constructed approximately 50 years ago.
- h. This ADU is a dwelling unit for the security and activities of ordinary family life. Residents at other dwellings in the vicinity are already acquainted with and accustomed to the lifestyle of the applicant and members of his family.

# PROPOSAL FOR ADU

- MITIGATE deficiencies of ADU by means consistent with conventional real-estate transactions
  - Order a CERTIFIABLE home Inspection with Report and RECTIFY in accordance with the Report
  - o Establish a remodeling program
    - Pacific Design Studio has prepared a set of construction plans for remodeling the ADU involving various improvements to the structure
      - Alteration of roof structure to harmonize those appearing on the primary dwelling unit
      - Roof gutters and piping will be installed in order to divert rainwater away from property lines
      - Fenestration will be upgraded to meet current energy standards
      - the existing through-wall air-conditioner at the west side of the ADU
         (also located in side-yard setback area) will be relocated to another
         less conspicuous perimeter wall in order to eliminate unnecessary
         sound which could create a disturbance to the neighbor across the
         west property line.
      - Exterior color coatings of both the primary and secondary dwellings will be revised in order to further unify the ADU with the primary dwelling unit
      - Implement repairs to existing fencing along all three shared property lines
      - Install and establish new landscape elements to provide screening, shade, fragrance, edibles, and visual amelioration to subject parcel and in consideration of adjacent parcels. These improvements will affect street elevation and rear yard alike.
- 4) Fresno County General Plan
  - a. area of the ADU that is NOT located in the minimum setback area is (330-258 =) 87 square feet. Fresno County ordinance allows ADU structures up to 120 square feet without the need for building plan check, building permit, or inspections. If the costly and disturbing option of demolition was selected, a less substantial and useful structure could be created in its place
  - **b.** Alternate razing of the ADU, an option that Fresno County agencies have sought, would involve the destruction of a substantial habitat
  - **c.** Alternate razing of the ADU, an option that Fresno County agencies have sought, would involve placing currently-functional building materials into land-fill facilities

- d. Alternate razing of the ADU, an option that Fresno County agencies have sought, would involve the operation of noisy and/or heavy demolition equipment at the location of the subject parcel
- e. Alternate razing of the ADU, an option that Fresno County agencies have sought, would involve the transportation of tons of demolished building components on public roads which is costly and dangerous
- f. Alternate razing of the ADU, an option that Fresno County agencies have sought, would involve the need for dust control at the location of the subject parcel; and this would involve the spraying of water. Contemporary ecological thought is to discourage such unnatural uses of water resources.
- g. Alternate razing of the ADU, an option that Fresno County agencies have sought, <u>could</u> involve disturbance of hazardous building materials which would necessitate the need for costly abatement, monitoring, testing, and clearance.

It is commonly known that a county general plan must include the vision, goals, and objectives of the County in terms of planning and development. After a careful examination of public record, a disinterested analysis would reveal that:

- The <u>previous</u> ownership of the subject parcel AS WELL AS
- The previous auspices of Fresno County

had somehow, or for some reason, lost their way in the proceedings of this matter. No act or omission on behalf of the <u>current</u> ownership amounts an enactment of malfeasance or ego. This matter could easily escalate and further encumber Fresno County with punitive and draconian activities and the attendant fiscal impacts to create, effectually, <u>nothing</u>. This matter could easily escalate and expose the ownership to fees and diminished quality of life that would exasperate the hardship underling this application. Instead, the option of variance, a useful instrument in governance, could be reasonably applied. The process of this application would create revenues through the fee for the Variance and additionally through fees for building permits and inspections. Vicinity property value would be enhanced, the neighborhood would be well-served, the applicant and his family could return to peace and dignity as members of Fresno community.

1301 North Van Ness Avenue, Fresno, California 93728-1937