

Attachment A



Inter Office Memo

DATE: March 12, 2026
TO: Board of Supervisors
FROM: Planning Commission
SUBJECT: RESOLUTION NO. 13127 – VA APPLICATION NO. 4180

APPLICANT: Gianetta Engineering

OWNER: DA Real Estate Holdings LLC

REQUEST: Allow the creation of 2.7-acre, 3.8-acre, 4.3-acre, and a 7.44-acre parcel from an existing 16.53-acre parcel located in the AE-20 (Exclusive Agriculture, 20-acre minimum parcel size) Zone District.

LOCATION: The subject parcel is located on the north side of Biglione Dr., approximately 0.2 miles west of Auberry Rd., 1.34 miles northeast of the City of Clovis (APN: 300-320-10S) (Sup. Dist. 5).

PLANNING COMMISSION ACTION:

At its hearing of February 26, 2026, the Commission considered the Staff Report and testimony (summarized in Exhibit A).

A motion was made by Chairman Abrahamian and seconded by Commissioner Chaney to continue the item to the March 12, 2026 Planning Commission hearing to provide the applicant with additional time to revise their first two variance findings and further evaluate water-related concerns.

This motion was passed on the following vote:

VOTING:	Yes:	Commissioners Abrahamian, Chaney, Arabian, Garcia, Hill, Quist, and Roman
	No:	None
	Absent:	Commissioners Borchardt and Villagrana
	Abstain:	None

At its March 12, 2026, hearing, the Commission considered the staff report and testimony (summarized in Exhibit A). A motion was made by Commissioner Borchardt and seconded by Chairman Abrahamian to determine the Required Findings could be made.

This motion failed (Technical Denial) on the following vote:

VOTING: Yes: Commissioners Abrahamian, Chaney, and Borchardt
 No: Commissioners Garcia, Hill, and Quist
 Absent: Commissioners Arabian, Roman, and Villagrana
 Abstain: None

STEVEN E. WHITE, DIRECTOR
Department of Public Works and Planning
Secretary-Fresno County Planning Commission

By: 
TM Chris W. Motta, Manager
Development Services and Capital Projects Division

CWM:dn:tm:jp
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Attachments

EXHIBIT "A"

Variance Application No. 4180

Public Hearing dated February 26, 2026

Staff: The Fresno County Planning Commission considered the Staff Report dated February 26, 2026, and heard a summary presentation by staff.

Applicant: The landowner and his representative did not concur with Staff's recommendation. They described the project and offered the following information to clarify the intended use:

- Full hydrological study was done to ensure there was ample water to serve the proposed lots.
- We analyzed the well located on the property and also evaluated an offsite well to assess potential drawdown effects on an existing well on a neighboring property. The results indicated that there was no impact.
- Regarding Finding 1 the history of the parcel has not been used for ag purposes because of the terrain.
- Regarding Finding 2 There are a variety of parcels in the area that were granted variances and it is our opportunity to ask for one as well.
- Regarding Finding 3 our road is privately maintained, and the road would not cost the county any money to maintain.
- We have a 50 to 80 foot difference in topography from one end of the parcel to the other, and it would not be possible to farm.
- We have a neighbor who operates an almond orchard that is located across the street that is more viable for farming than the subject parcel for the Variance.

Others: No other individuals presented information in support of or in opposition to the application.

Correspondence: Two letters of support were presented to the Planning Commission.

Public Hearing dated March 12, 2026

Staff: The Fresno County Planning Commission considered the Staff Report dated March 12, 2026, and heard a summary presentation by staff.

Applicant: The landowner and his representative did not concur with Staff's recommendation. The Applicant and his Hydrologist described the project and offered the following information to clarify the aforementioned points:

- We submitted revised Variance Findings addressing Findings 1 and 2, citing steep terrain and a drainage corridor along the eastern portion that

limits usable land.

- Our application was submitted in 2023 before the General Plan update.
- We spoke to a cattle farmer who informed us that our parcel was not feasible for a cattle ranching operation.
- There is enough water for the proposed four parcels and will require less demand on water than an Ag use will.
- We will construct a runoff recharging ponding basin. We would do a dry well when it is applicable
- Our request is consistent with variances approved in the surrounding area and would promote uniformity in local land use patterns.
- The Hydrologist stated that the Hydro Study was conducted using two wells, an onsite well and a observation well.
- The Hydro Study was based on a continuous 72-hour pump test which resulted in an average rate of just over 30 gallons per minute and for the proposed use, that is considered adequate groundwater supply.
- We can restrict water consumption and outdoor activities for future landowners.

Others:

An individual provided testimony opposing the application, expressing the following:

- I am concerned that I was not made aware of the new findings shared with the Commission today.
- I am disappointed that the Commission discussed water, which is not relevant to this Variance application.
- Applications submitted prior to the General Plan update are evaluated under the policies of the current General Plan, making earlier applications irrelevant for this review.
- If the applicant had pursued the proper procedure, which in this case would be a rezone, water considerations may have been applicable.
- Instead, the applicant appears to be using the variance process to bypass the appropriate procedure required to create these parcels.
- The applicant is not hindered from possessing a property right that his neighbors have under the same existing zoning regulations.
- I respectfully request that this Variance application be denied, as it does not meet the criteria for approval.

Correspondence: The applicant submitted to the Commission updated Variance Findings 1 and 2 and site aerial images and street view photos of the subject parcel.

EXHIBIT "B"

ATTACHMENT
TO
AGENDA ITEM

FISCAL IMPACT STATEMENT

Variance No. 4180

Listed below are the fees collected for the land use applications involved in this Agenda Item:

Variance Application Class II	\$ 6,417.38 ¹
Health Department Review	\$ 365.00 ²
Environmental Review	\$ 274.77 ³
Ag. Comm. Variance	<u>\$ 34.00 ⁴</u>
Total Fees Collected	<u>\$ 6,844.15</u>

<p>¹ Includes project routing, coordination with reviewing agencies, preparation and incorporation of analysis into Staff Report.</p>
<p>² Review and research, engaging with reviewing departments and multiple agencies, staff's analysis, Staff Report and Board Agenda Item preparation, public hearings before County Planning Commission and County Board of Supervisors.</p>



Attachment B

County of Fresno

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

Planning Commission Staff Report Agenda Item No. 2 March 12, 2026

SUBJECT: Variance Application No. 4180

Allow the creation of a 2.7-acre parcel, a 3.8-acre parcel, a 4.3-acre parcel, and a 7.44-acre parcel from an existing 16.53-acre parcel located in the AE-20 (Exclusive Agriculture, 20-acre minimum parcel size) Zone District. If approved, a mapping procedure will follow.

LOCATION: The subject parcel is located on the north side of Biglione Dr., approximately 0.2 miles west of Auberry Rd., 1.34 miles northeast of the City of Clovis (APN: 300-320-10S) (Sup. Dist. 5).

**OWNER/
APPLICANT:** D.A. Real Estate Holdings
Gary Giannetta, Consulting Civil Engineer

STAFF CONTACT: Dominique Navarrette, Planner
(559) 600-9668

Tawanda Mtunga, Principal Planner
(559) 600-4256

RECOMMENDATION:

- Deny Variance No. 4180 based on the analysis of the required findings in the Staff Report; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

EXHIBITS:

1. Conditions of Approval and Project Notes
2. Location Map
3. Zoning Map
4. Land Use Map
5. Approved Variances within One-Half Mile Radius
6. Site Plans and Detail Drawings
7. Applicant's Variance Findings
8. Letters of Support

SITE DEVELOPMENT AND OPERATIONAL INFORMATION:

Criteria	Existing	Proposed
General Plan Designation	Agricultural	No change
Zoning	AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District.	No change
Parcel Size	16.53-acre parcel.	2.7-acre, 3.8-acre, 4.3-parcel, 7.44-acre parcels
Project Site	Undeveloped	Split the parcel into four substandard parcels. (see Site Plan for details).
Structural Improvements	Undeveloped	No change
Nearest Residence	150-feet west of the subject parcel.	No change
Surrounding Development	Agricultural fields, vacant land, & Single-Family Residences.	No change

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

ENVIRONMENTAL ANALYSIS:

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

PUBLIC NOTICE:

Notices were sent to 30 property owners within 1,320 feet of the subject parcel for the February 26, 2026 hearing, exceeding the minimum notification requirements prescribed by the California Government Code and County Zoning Ordinance.

PUBLIC COMMENT:

A letter of support has been received and incorporated into the staff report as Exhibit 8.

PROCEDURAL CONSIDERATIONS:

A Variance Application may be approved only if four Findings specified in the Fresno County Zoning Ordinance, Article 5, Chapter 860.5.068 are made by the Planning Commission. The decision of the Planning Commission on a Variance Application is final, unless appealed to the Board of Supervisors within 15 days of the Commission's action.

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

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

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

BACKGROUND INFORMATION:

This item was initially presented to the Commission during the hearing on February 26, 2026. The Commission listened to staff's presentation as well as a presentation from the applicant and their engineer. Following the discussion, the applicant agreed to continue the item to a date certain, March 12, 2026.

The continuance to a date certain was recommended to provide both staff and the applicant with additional time to gather more information. This information would address questions related to confirming the results of the Hydro Study, confirmation of the details pertaining to the proposal that, if approved, the proposed parcels would enter into a shared well agreement to support the future development on the proposed parcels, and to give the applicant the opportunity to have the hydrogeologist who conducted the Hydro Study present at the hearing to potentially respond to any questions from the Commission concerning the study.

Staff verified with the County's Water and Natural Resources Division that the County accepted the results of the Hydro Study. This study involved a continuous 72-hour pump test conducted with an existing onsite well and a single observation well. During the test, 131,200 gallons of water were extracted at an average rate of 30.8 gallons per minute. Prior to the test, the depth to water measured 115.7 feet in the pumped well and 124.8 feet in the observation well. Both wells experienced only nominal drawdown during the testing period and recovered within several hours. The report concludes that the project site possesses an adequate and sustainable groundwater supply. It further states that future groundwater use on the property is unlikely to cause significant pumping-related impacts to adjacent properties.

The Water and Natural Resources Division has indicated that a single shared well, managed under a shared well agreement, can support up to four connections. Even with the findings from the Hydro Study, if the Variance is granted and the applicant completes the necessary mapping process to establish the proposed parcels, each property owner must conduct a water well yield test before a permit is issued for constructing a new residence on any of the proposed parcels. This test is required to prove that the well can sufficiently serve the intended use as outlined in the County Ordinance Code Section 15.04.190. The results of the water well yield test must be evaluated and deemed adequate by the Water and Natural Resources Division of the Department of Public Works and Planning.

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

Each variance application is evaluated based on its individual merits, taking into account the specific site conditions and circumstances. The approval of other variances nearby does not set a precedent for future approvals.

Within a one-mile radius of the property in question, there are 18 recorded variance applications that previously aimed at creating substandard-sized parcels. Staff determined that out of these 18 variances, 13 are situated within the approximately 481-acre area recognized as part of the recently adopted General Plan Policy LU-E.24, which designates the Reno Road/Willow Bluff area for Five-Acre Rural Residential use. This designation was established with the General Plan Update on February 20, 2024, and is intended for rural-sized parcels, having been redesignated as Rural Residential (with a minimum parcel size of 5 acres) and rezoned to AL-20. The General Plan Policy LU-E.24 was adopted alongside the General Plan Update on February 20, 2024, and was later revised to incorporate an approximately 18-acre parcel at the direction of the Board of Supervisors on August 20, 2024. Out of the 13 variances within the Reno Road/Willow Bluff Five-Acre Rural Residential Designation area, 12 were submitted and either approved or denied prior to the adoption of the current General Plan in 2024.

It is important to note that the parcel in question for this variance application is located outside the Reno Road/Willow Bluff Five-Acre Rural Residential Designation area. Even if it were within the designated area, the proposal would still require a variance application, as the 481 designated area is intended for Rural Residential zoning with a minimum of five acres, and three of the four proposed parcels for this variance are less than five acres.

Application/Request	Staff Recommendation	Final Action	Date of Action
VA 4183: <i>To waive minimum lot size requirements to allow the creation of a 3.66-acre parcel and a remaining 15.93-acre parcel from an existing 19.59-acre parcel (AE-20)</i>	Approval	PC Approval <u>(W/Conditions)</u>	January 29, 2026

VA 3413: <i>Allow the creation of a 4-acre parcel resulting from a property line adjustment between a 5.19-acre parcel and a 38.50-acre parcel</i>	Approval	<u>PC Approval (W/Conditions)</u>	May 20, 1993
VA 3482: <i>Allow the creation of two 5-acre parcels from a 10-acre parcel (AE-20)</i>	Denial	<u>PC Approval (W/Conditions)</u>	March 16, 1995
VA 3483: <i>Allow the creation of three 5.2-acre parcels and a 10.06-acre parcel from a 25.66-acre parcel (AE-20)</i>	Denial	<u>BOS Approval</u>	April 18, 1995
VA 3556: <i>Allow the creation of two 5.0-acre parcels, a 5.1-acre parcel, and a 5.2-acre parcel from a 20.3-acre parcel (AE-20)</i>	Denial	<u>PC Approval (W/Conditions)</u>	April 3, 1997
VA 3579: <i>Allow the creation of a 2.74-acre parcel and a 2.43-acre parcel from a 5.17-acre parcel (AE-20)</i>	Denial	<u>PC Approval (W/Conditions)</u>	July 10, 1997
VA 3590: <i>Allow creation of a 2.5-acre parcel and a 5.1-acre parcel from an existing 7.6-acre parcel (AE-20)</i>	Denial	<u>PC Approval (W/Conditions)</u>	November 6, 1997
VA 3596: <i>Allow the creation of a 6.5-acre parcel resulting from a property line adjustment between two 10-acre parcels (AE-20)</i>	Denial	<u>PC Approval (W/Conditions)</u>	October 6, 1997
VA 3618: <i>Allow creation of a 3.53-acre parcel, a 2.57-acre, and a 2.62-acre parcel from an existing 8.72-acre parcel (AE-20)</i>	Approval	<u>PC Technical Denial</u>	December 15, 1998
VA 3666: <i>Allow the creation of a 2.5-acre parcel from a 10.45-acre parcel (AE-20)</i>	Approval	<u>PC Approval (W/Conditions)</u>	April 6, 2000

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

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

ANALYSIS/DISCUSSION:

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

Reviewing Agency/Department Comments:

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

Finding 1 Analysis:

In support of Finding 1, the applicant's findings state that the subject property has historically not been used for agricultural purposes. It consists of rolling terrain and has steep terrain along the eastern and northerly portions of the property. The eastern boundary consists of large

changes in elevation with a deep natural stream and flood channel that is not suitable for agriculture.

Staff acknowledges the terrain characteristics of the subject parcel and recognizes that these conditions may limit its agricultural productivity. However, the applicant's inability to establish or maintain a viable agricultural operation does not, in itself, constitute a unique or exceptional circumstance. Staff finds no evidence of a unique condition specific to the applicant or the property that would satisfy the required finding.

Recommended Conditions of Approval:

None

Finding 1 Conclusion:

Staff cannot recommend making Finding 1 as there is not an extraordinary circumstance identified relating to the property that does not apply to other properties in the area with the same zone classification.

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

Reviewing Agency/Department Comments:

No comments specific to substantial property right were expressed by reviewing Agencies or Departments.

Finding 2 Analysis:

In response to Finding 2, the applicant states that a Variance has been approved for property located at the west end of Biglione Road and several variances have been approved along Reno Road located less than 1/2 mile south of the subject property. This has resulted in parcels within the AE-20 zone district having an area of 2.3 acres.

The applicant appears to be referencing VA 4183, in which staff recommended denial and the Planning Commission ultimately approved the request on January 29, 2026. However, each variance application is reviewed and evaluated on its own individual merits and in accordance with the applicable findings. The approval of a prior variance does not establish precedent or guarantee approval of future variance requests.

If the unique circumstance of the property precluded a property being able to be used for the uses allowed under the zoning ordinance, then a finding that a variance is necessary for the preservation and enjoyment of a substantial property right would be warranted.

Recommended Conditions of Approval:

None

Finding 2 Conclusion:

Staff cannot recommend making Finding 2 as the Variance is not necessary for the property to enjoy the substantial property rights allowed by the Zoning and Ordinance, which are the same

substantial property rights enjoyed by other owners in the vicinity with the same zoning classification.

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

Surrounding Parcels

	Size:	Use:	Zoning:	Nearest Residence:
North:	18.3-acres	Vacant Grazing	AE-20	On the parcel
South:	17.16-acres	Vacant	RR-5	245 feet south
East:	25.36-acres	Vacant	AE-20	630 feet west
West:	20.74-acres	Vacant	AE-20	210 feet east

Reviewing Agency/Department Comments:

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

Finding 3 Analysis:

In support of Finding 3, the applicant’s Findings states “the variance will not create any specific circumstances that will harm the public welfare or property rights of others in the neighborhood. It is consistent with the rural residential uses between Friant Road and Auberry Road.”

While the impact of this single variance may not, in isolation, result in a materially adverse effect, staff notes that the creation of four substandard parcels would increase residential density and could create potential conflicts with adjacent agricultural operations. The applicant’s parcel is not designated as Rural Residential. Therefore, the assertion that the proposal is consistent with surrounding land uses is inaccurate. The subject property is located approximately 0.5 miles from an area with a Rural Residential land use designation that is not currently zoned accordingly.

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

Recommended Conditions of Approval:

None

Finding 3 Conclusion:

Staff can recommend making Finding 3 as granting this single variance will not be materially detrimental to the public welfare or injurious to property and improvement in the vicinity in which the property is located.

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

Relevant Policies:	Consistency/Considerations:
<p>General Plan Goal LU-A: <i>To promote the long-term conservation of productive and potentially productive agricultural lands and to accommodate agricultural-support services and agriculturally related activities that support the viability of agriculture and further the County’s economic development goals.</i></p>	<p>Inconsistent: Substandard parcels that are created for residential purposes will likely interfere with agricultural operations on surrounding parcels that are designated and zoned for production of food and fiber and may potentially result in removal of adjacent or neighboring lands from agricultural use. Moreover, it may set a precedent for other landowners to create similar residential parcels in the area, which will compound the incompatibility between the agricultural and residential use of lands located in an area of the County designated and used for agricultural operations.</p>
<p>General Plan Policy LU-A.6: <i>The County shall maintain twenty (20) acres as the minimum permitted parcel size in areas designated Agriculture, except as provided in Policies LU-A.9 and LU-A.10. The County may require parcels sizes larger than twenty (20) acres based on zoning, local agricultural conditions, and to help ensure the viability of agricultural operations.</i></p>	<p>Inconsistent: The proposed parcel creation is not consistent with this Policy. There are exceptions allowed subject to certain criteria. In this instance, the application either did not meet the criteria or elected not to choose one of the available options for creating a substandard parcel.</p>
<p>General Plan Policy LU-A.7: <i>The County shall generally deny requests to create parcels less than the minimum size specified in Policy LU-A.6 based on concerns that these parcels are less viable economic farming units, and that the resultant increase in residential density increases the potential for conflict with normal agricultural practices on adjacent parcels. Evidence that the affected parcel may be an uneconomic farming unit due to its current size, soil conditions, or other factors shall not alone be considered a sufficient basis to grant an exception. The decision-making body shall consider the negative incremental and cumulative effects such land divisions have on the agricultural community.</i></p>	<p>Inconsistent: The proposed parcel division is not consistent with Policy LU-A.7 as it would create four substandard sized parcels.</p> <p>The creation of parcels less than 20 acres in the AE-20 Zone District would be inconsistent with Policy LU-A.7 and set a precedent for parcellation of farmland into smaller parcels which are economically less viable farming units and could potentially allow additional single-family residences on the proposed parcels.</p>

Relevant Policies:	Consistency/Considerations:
<p>General Plan Policy LU-A.14: <i>The County shall ensure that the review of discretionary permits includes an assessment of the conversion of productive agricultural land and that mitigation be required where appropriate.</i></p>	<p>Inconsistent: The proposed parcel division is not consistent with Policy LU-A.14 as it would create four substandard sized parcels which further reduces the existing parcel size and land that can have an agricultural operation.</p>
<p>General Plan Policy PF-C.16: <i>The County shall, prior to consideration of any discretionary project related to land use, undertake a water supply evaluation. The evaluation shall include the following:</i></p> <ul style="list-style-type: none"> <li data-bbox="250 632 802 1167"><i>a. A determination that the water supply is adequate to meet the highest demand that could be permitted on the lands in question. If surface water is proposed, it must come from a reliable source and the supply must be made “firm” by water banking or other suitable arrangement. If groundwater is proposed, a hydrogeologic investigation may be required to confirm the availability of water in amounts necessary to meet project demand. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required.</i> <li data-bbox="250 1205 802 1803"><i>b. A determination of the impact that use of the proposed water supply will have on other water users in Fresno County. If use of surface water is proposed, its use must not have a significant negative impact on agriculture or other water users within Fresno County. If use of groundwater is proposed, a hydrogeologic investigation may be required. If the lands in question lie in an area of limited groundwater, a hydrogeologic investigation shall be required. Should the investigation determine that significant pumping-related physical impacts will extend beyond the boundary of the property in question, those impacts shall be mitigated.</i> <li data-bbox="250 1841 802 1940"><i>c. A determination of the impact that use of the proposed water supply is sustainable or that there is an</i> 	<p>Inconsistent: The Water and Natural Resources Division reviewed the project proposal and determined that the project site is located in a water short area, and any future development on the proposed parcels will require that a well yield certification be performed and approved prior to the issuance of Building Permits.</p>

Relevant Policies:	Consistency/Considerations:
<p><i>acceptable plan to achieve sustainability. The plan must be structured such that it is economically, environmentally, and technically feasible. In addition, its implementation must occur prior to long-term and/or irreversible physical impacts, or significant economic hardship, to surrounding water users.</i></p>	

Reviewing Agency/Department Comments:

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

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

Policy LU-A.7: The County shall generally deny requests to create parcels less than the minimum size specified in Policy LU-A.6 based on concerns that these parcels are less viable economic farming units, and that the resultant increase in residential density increases the potential for conflict with normal agricultural practices on adjacent parcels. Evidence that the affected parcel may be an uneconomic farming unit due to its current size, soil conditions, or other factors shall not alone be considered a sufficient basis to grant an exception. The decision-making body shall consider the negative incremental and cumulative effects such land divisions have on the agricultural community.

Regarding Policies LU-A.6 and LU-A.7, approval of VA Application No. 4180 would result in the creation of four substandard parcels. The proposed variance application will result in creation of substandard parcels in an area of the County that is designated as Agricultural and zoned AE-20 (Exclusive Agricultural 20-acre minimum parcel size). Therefore, the proposed Variance application is not consistent with General Plan Policies LU-A.6 and LU-A.7.

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

Finding 4 Analysis:

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

While the existing use and parcel is consistent with the General Plan, as described in the table above, the proposed variance would allow creation of parcels that conflict with several General Plan Policies. The property is designated Agriculture within the General Plan. In addition, the

existing parcels are located in the AE-20 Zone District. The intent behind the Agricultural Designation and the AE-20 Zone District is to prevent creation of parcels less than the required 20-acre minimum parcel size.

Recommended Conditions of Approval:

None.

Finding 4 Conclusion:

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

SUMMARY CONCLUSION:

Based on the factors cited in the analysis, Staff cannot recommend making required Findings 1, 2, & 4 for granting the variance; as there is no extraordinary circumstance identified relating to the property that does not apply to other properties in the area with the same zone classification, the variance is not necessary for the preservation and enjoyment of a substantial property right of the applicant, which right is possessed by other property owners with the same zoning in the vicinity, and will be contrary to the objectives of the General Plan.

PLANNING COMMISSION MOTIONS:

Recommended Motion (Denial Action)

- Move to determine that required Findings No. 1, 2, & 4 cannot be made based on the analysis in the staff report and move to deny variance No. 4180; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Alternative Motion (Approval Action)

- Move to determine the required findings can be made (state basis for making the findings) and move to approve variance No. 4180, subject to the Conditions of Approval and Project Notes listed in Exhibit 1; and
- Direct the Secretary to prepare a Resolution documenting the Commission's action.

Recommended Conditions of Approval and Project Notes:

See attached Exhibit 1.

DN:

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Exhibit 1

Variance Application (VA) No. 4180 Conditions of Approval and Project Notes

Conditions of Approval	
1.	Division of the subject parcels shall be in accordance with the site plan (Exhibit 6) as approved by the Planning Commission.
2.	Any existing or future entrance gate should be set back a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward.
3.	A grading permit/voucher will be required for any future grading with this application.
4.	The proposed parcels are located within an area defined as a low water area of the county; as such, prior to the issuance of a permit for the construction of a new residence, the owner of the property shall conduct a water well yield test to demonstrate that the well is capable of adequately serving the proposed use as defined in County Ordinance Code Section 15.04.190. The water well yield test must be reviewed and approved adequate by the Water and Natural Resources Division of the Department of Public Works and Planning.
5.	The end of curbed/taper edge of any existing or future access driveway approach should be set back a minimum of 5' from the property line.
6.	A minimum of 10' x 10' corner cut-off should be improved for sight distance purposes at any existing or future driveway accessing Biglione Drive and Auberry Road if not already present.

Conditions of Approval reference recommended Conditions for the project.

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	Division of the subject property is subject to the provisions of the Fresno County Parcel Map Ordinance. A Parcel Map Application shall be filed to create the four proposed parcels. The Map shall comply with the requirements of Title 17.72. The subdivision will require that a Tentative Parcel Map be prepared in accordance with the Professional Land Surveyors Act, the Subdivision Map Act and County Ordinance. The Tentative Parcel Map application shall expire two years after the approval of said Tentative Parcel Map. Upon approval and acceptance of the Tentative Parcel Map and any Conditions imposed thereon, a Final Parcel Map shall be prepared and by a Professional Land Surveyor or Registered Civil Engineer authorized to practice Land Surveying, in accordance with the Professional Land Surveyors Act, the Subdivision Map Act and County Ordinance. Recordation of the Final Parcel Map shall take place within two years of the acceptance of the Tentative Parcel Map unless a Map extension is received prior to the expiration date of the approved Tentative Parcel Map. Failure to record the Final Parcel Map prior to the expiration of said Tentative Parcel Map may void the Parcel Map application.
2.	The approval of this Variance will expire one year from the date of approval unless the required mapping application to

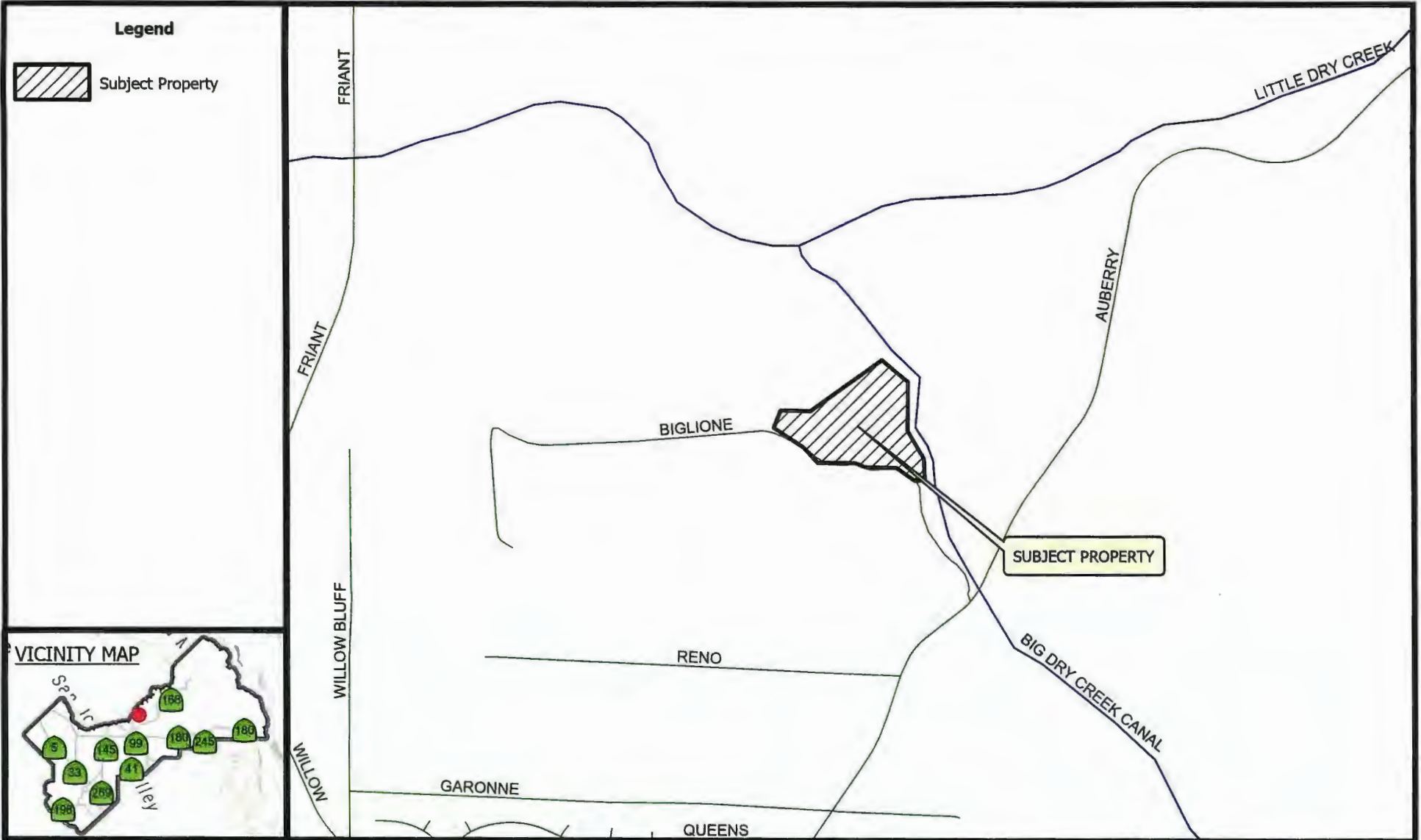
Notes

	<p>create the parcels is filed in substantial compliance with the Conditions and Project Notes and in accordance with the Parcel Map Ordinance. Prior to site development, all survey monumentation – Property Corners, Centerline Monumentation, Section Corners, County Benchmarks, Federal Benchmarks and Triangulation Stations, etc. - within the subject area shall be preserved in accordance with Section 8771 of the Professional Land Surveyors Act and Section 6730.2 of the Professional Engineers Act.</p>
3.	<p>According to the U.S.G.S Quad Map, an intermittent stream may be present within/nearby the subject property line. For any future development on wetlands, U.S. Fish and Wildlife Service and other appropriate agencies should be consulted regarding any requirements they may have.</p>
4.	<p>Septic system density will be limited to one system per two acres. Any new development of less than two acres or secondary dwelling will require a nitrogen loading analysis by a qualified professional, demonstrating to the Department of Public Works and Planning (Department) that the regional characteristics are such that an exception to the septic system density limit can be accommodated. The Department will refer any analysis to the Regional Water Quality Control Board, Central Valley Region for their concurrence and input. Contact Department of Public Works and Planning at (559) 600-4540 for more information.</p>
5.	<p>At such time the applicant or property owner(s) decides to construct a water well, the water well contractor selected by the applicant will be required to apply for and obtain a Permit to Construct a Water Well from the Fresno County Department of Community Health, Environmental Health Division. Please be advised that only those persons with a valid C-57 contractor's license may construct wells. For more information, contact the Water Surveillance Program at (559) 600-3357.</p>
6.	<p>According to the Wetlands Mapper of U.S. Fish and Wildlife Service, a wetland may be present near the eastern property line of the subject property. For any future development on wetlands, U.S. Fish and Wildlife Service and other appropriate agencies should be consulted regarding any requirements they may have.</p>
7.	<p>The subject property is located within the State Responsibility Area (SRA) boundary. Any future development within the SRA boundary shall be in accordance with the applicable SRA Fire Safe Regulations, as they apply to driveway construction and access.</p>
8.	<p>A grading permit/voucher may be required for any future grading with this application.</p>
6.	<p>As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.</p>
7.	<p>If any underground storage tank(s) are found, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information.</p>

DN

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Exhibit 2



<h2>LOCATION MAP</h2>	
<h1>VA 4180</h1>	<h1>2026</h1>
Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division	
Person Prepared by : chuang	
On Date : 10/16/2024	

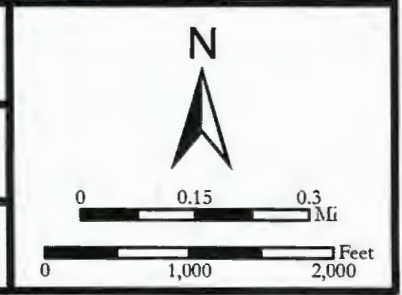


Exhibit 4

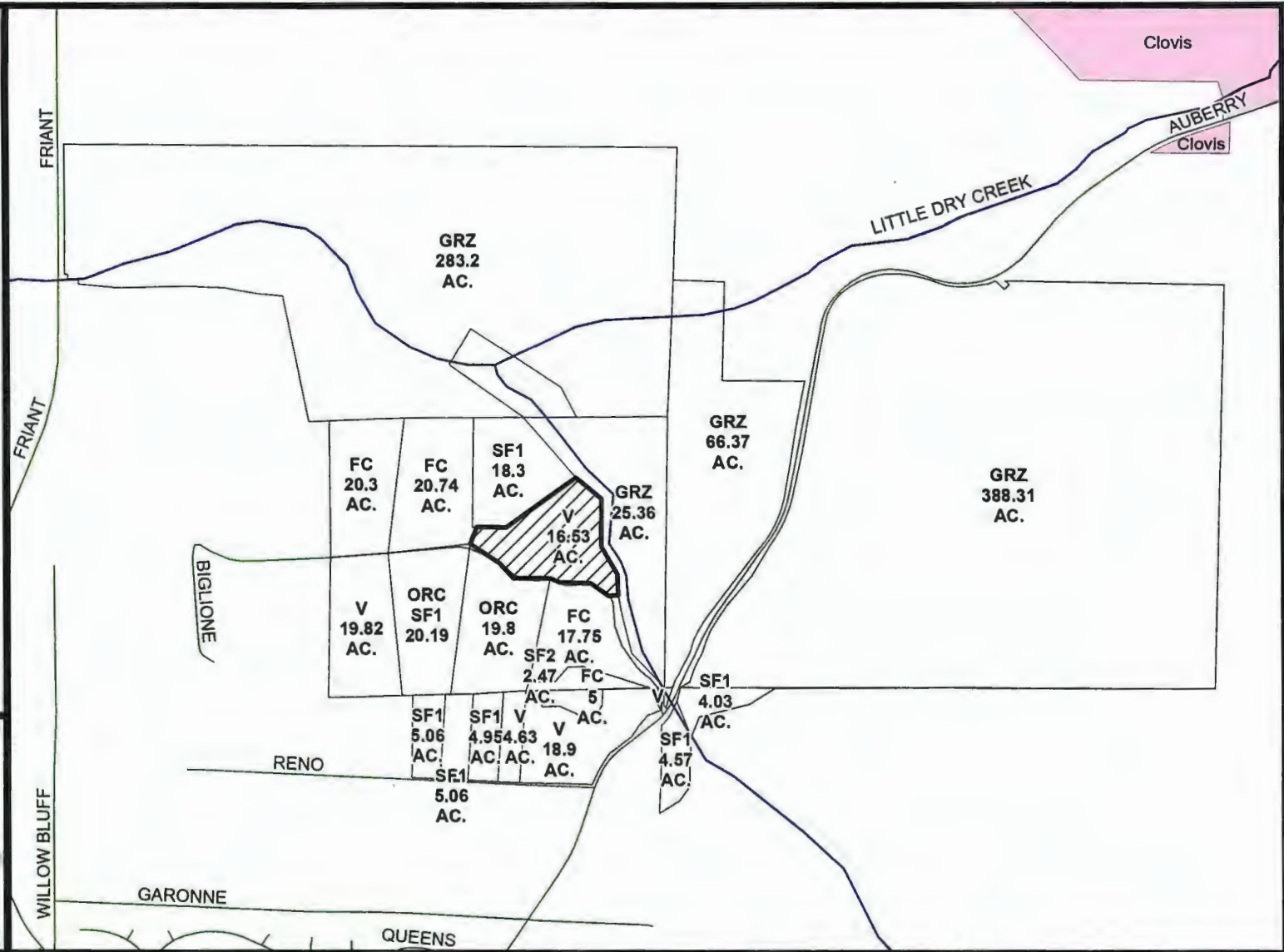
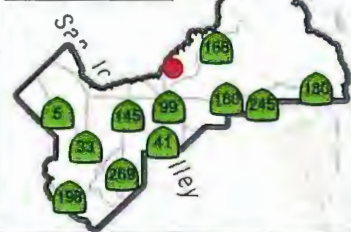
LEGEND:

 Subject Property

LEGEND

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

VICINITY MAP



Existing Land Use Map

VA 4180

2026

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
 Person Prepared by : chuang
 On Date : 10/16/2024

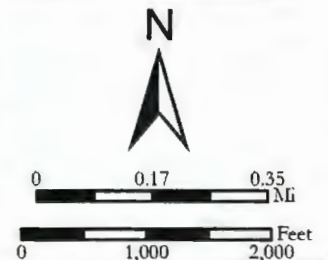
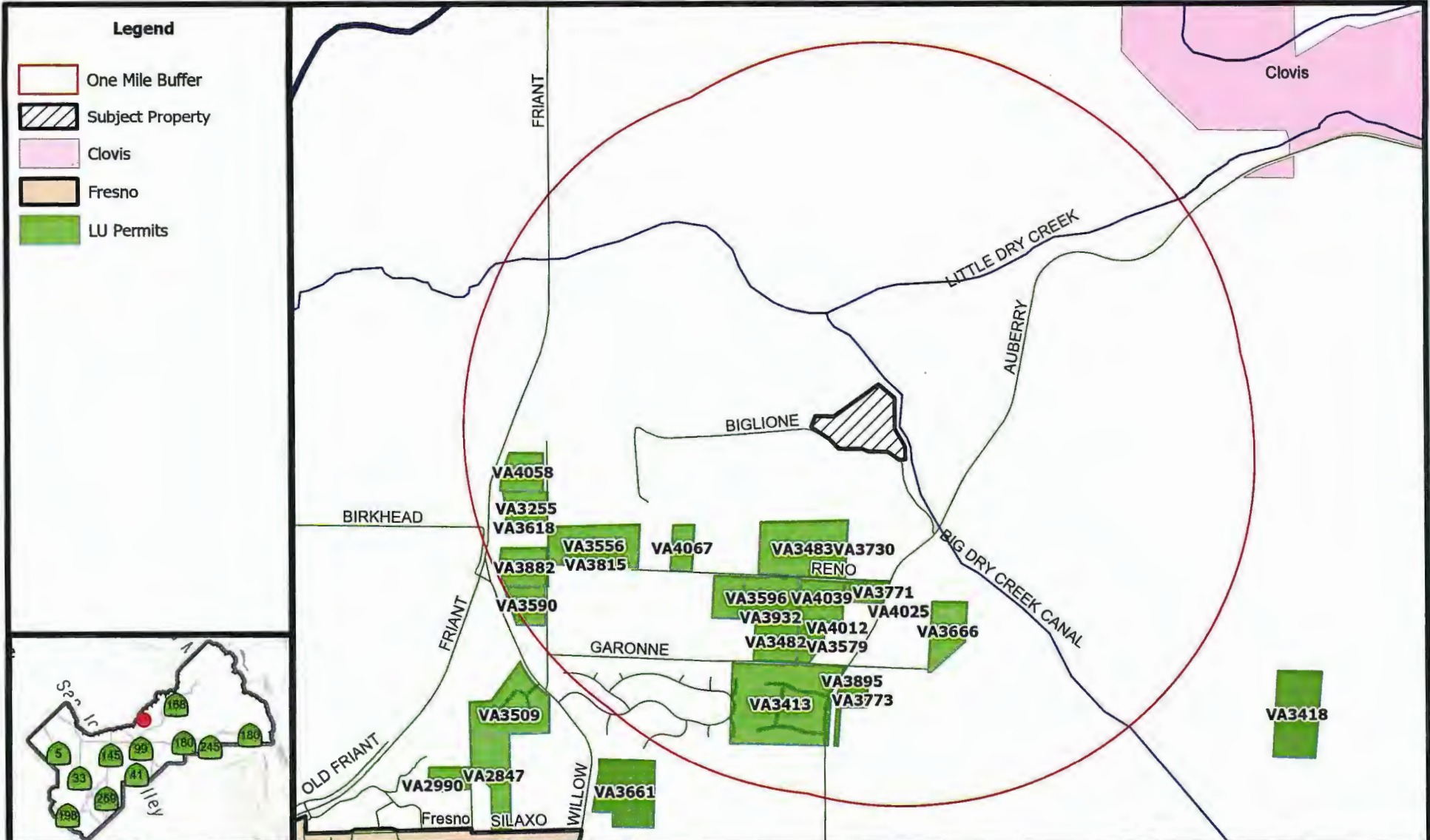


Exhibit 5



Proximity Map

VA 4180

2026

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
 Person Prepared by : chuang
 On Date : 10/16/2024

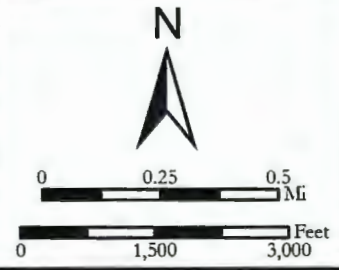


Exhibit 7

Variance Findings Biglione Drive (APN 300-320-10)

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

The subject property has historically not been used for agricultural purposes. It consists of rolling terrain and has steep terrain along the eastern and northerly portions of the property. The eastern boundary consists of large changes in elevation with a deep natural stream and flood channel that is not suitable for agriculture.

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.

A Variance has been approved for property located at the west end of Biglione Road and several variances have been approved along Reno Road located less than ½ mile south of the subject property. This has resulted in parcels within the AE-20 zone district having an area of 2.3 acres.

- 2. 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:**

The variance will not create any specific circumstances that will harm the public welfare or property rights of others in the neighborhood. It is consistent with the rural residential uses between Friant Road and Auberry Road.

- 3. The granting of such a variance will not be contrary to the objectives of the Fresno County General Plan.**

This variance is consistent with rural residential uses in the vicinity. Out of the 13 parcels that have frontage on Biglione Drive, only two parcels currently have agricultural uses. The use of the parcels along Biglione Drive have historically been rural residential.

Exhibit 8



Thomas X. Minor, M.D. · Nadeem Rahman, M.D. · Zhoobin H. Bateni, M.D. · Andrew Chi, M.D.
Anas Hamdi, M.D. · Timothy Juwono, M.D. · Gagandeep Khara, N.P.
James Kane N.P. · Corey Ipsen, P.A.-C

January 13, 2025

Dear Sir or Madam,

Please let this letter serve as a strong statement of support for Mr. Darius Assemi, and his variance application for division of his parcel. Mr. Assemi is a proven steadfast community leader. He has been a steward for vesicle and environmental only protective land growth and development in the Central Valley of California. A multitude of organizations and family's have benefitted from his philanthropic efforts.

I have been his neighbor in a region of Northeast Fresno off of Auberry road. He has been kind and considerate, and was instrumental in organizing local neighbors to pave rural Biglione Drive, which has improved the quality of our neighborhood, brought a sense of unity, and has limited erosion of the soil during rainy weather.

Once again, as a neighbor, farming pistachios across the road from APN 300-320-10S, I am in strong support of Mr. Assemis' application for parcel division. Hopefully, the county will also support the application allowing for continued but controlled responsible growth in the Central Valley.

With the devastation and fires in Southern California, coupled with the exaggerated cost of living in Los Angeles and surrounding areas, there is a growing need for new local homes locally to help support those still seeking the American dream.

Please do not hesitate to call me with any questions or concerns.

Respectfully yours,

Thomas X. Minor, MD
Board-certified urological surgeon and farmer
California Urology
782 Medical Center Drive East
Clovis, CA 93611

Thomasminor@gmail.com
559-240-3327

782 Medical Center Drive E., Suite 311 · Clovis, CA 93611
Phone (559) 472-4600 · Fax (559) 472-4601



53 Herndon Ste 200, Clovis, CA 93612 559.475.7777

CSLB #898530

William J. Bryant
12895 Auberry Rd
Clovis, CA 93619
Parcel No.: 300-320-11S

February 20, 2026

Fresno County Planning Commission
Department of Public Works and Planning
2220 Tulare Street, Suite A
Fresno, CA 93721

Re: Variance Application No. 4180 – Letter of Support

Dear Commissioners,

I am writing in support of Variance Application No. 4180, filed by Bret Giannetta, regarding the proposed creation of four parcels from the existing 16.53-acre property located on the north side of Biglione Drive.

As a neighboring property owner (APN 300-320-11S), I have reviewed the proposal and understand the nature of the requested variance. I believe the proposed subdivision is reasonable and compatible with the surrounding area. In my opinion, the application will not adversely impact neighboring properties and is consistent with the character and development patterns of the community.

I respectfully encourage that the Fresno County Planning Commission approve Variance Application No. 4180 at the scheduled hearing.

Thank you for your consideration of this matter.

Sincerely,

William J. Bryant

Attachment C



Notice of Appeal of Planning Commission Decision

Appeal Fee: \$555.11
effective FY 2025-26
Due at Time of Appeal Filing

Appellant Instructions – Complete all sections below. Print or type, this side only.

Project Site Address

				300-320-10S
<i>Number</i>	<i>Street</i>	<i>City</i>	<i>Zip Code</i>	<i>Assessor's Parcel Number (APN)</i>

Appellant Information

Name: DA Real Estate Holdings

Mailing Address: 1306 W Herndon Ave Ste 101
Fresno CA 93711

Phone Number: (559) 436-0900

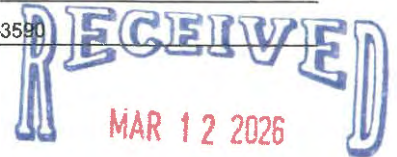
Applicant Information

Name: Bret Giannetta

Mailing Address: 1119 S St. Fresno
Fresno CA, 93721

Phone Number: (559) 264-3580

Is the Appellant also the project Applicant? Yes No
If no, complete Applicant Information section.



CLERK. BOARD OF SUPERVISORS

Subject of Appeal

Date of Planning Commission Decision: March 12, 2026
Month Day Year

I wish to appeal the Planning Commission's decision to: Approve Deny

- | | | |
|---|--|--|
| <input type="checkbox"/> Amendment Application
No. _____ | <input type="checkbox"/> Director Review and Approval Application
No. _____ | <input type="checkbox"/> Tentative Tract Map Application
No. _____ |
| <input type="checkbox"/> Amendment to Text Application
No. _____ | <input type="checkbox"/> General Plan Amendment Application
No. _____ | <input checked="" type="checkbox"/> *Variance Application
No. <u>4180</u> |
| <input type="checkbox"/> Conditional Use Permit
No. _____ | <input type="checkbox"/> Tentative Parcel Map Application
No. _____ | <input type="checkbox"/> Other:
_____ |

Reason(s) for Appeal: *(Attach additional pages if necessary)* Applicant disagrees with Planning Commission's decision that the necessary findings for this request could not be made.



Appellant Signature

March 12, 2026

Date

Return completed form and fee to the Clerk of the Board of Supervisors, 2281 Tulare Street, Room 301, Fresno, CA 93721

*Fresno County Ordinance §876.6.020(B)(2) requires that any appellant, other than the applicant, County Department Director, or Board of Supervisors member, must be a property owner within a certain distance from the Variance Application property. The Department of Public Works & Planning will verify that the ordinance requirements are met. If the requirements are not met, the appeal fee will be returned and no date for appeal hearing before the Board of Supervisors will be set.

For Office Use Only

Copy sent to: _____ Date copy sent: _____
Hearing set for: _____

RECEIPT

COUNTY OF FRESNO

N^o 443264

P.O. BOX 1247 ROOM 104, HALL OF RECORDS
FRESNO, CALIFORNIA

RECEIVED OF Granville Homes Inc. DATE 3.12.26

AMOUNT Five Hundred Fifty-Five and " /100 - \$ 555.11

FOR ACCOUNT OF Land Use Appeal CASE NO. _____

REMARKS: Variance No. 4180

CHECK A.B.A. NO. 01USB-0000
1842

MONEY ORDER NO. _____

CASH _____

RECEIVED BY Hana Cesar

PAID TO County of Fresno

Attachment D

Variance Application (VA) No. 4180 Conditions of Approval and Project Notes

Conditions of Approval	
1.	Division of the subject parcels shall be in accordance with the site plan as approved by the Planning Commission.
2.	Any existing or future entrance gate should be set back a minimum of 20 feet from the road right-of-way line or the length of the longest truck entering the site and shall not swing outward.
3.	A grading permit/voucher will be required for any future grading prior to issuance of any building permits.
4.	The proposed parcels are located within an area defined as a low water area of the county; as such, prior to the issuance of a permit for the construction of a new residence on any of the proposed parcels, the owner of the property shall conduct a water well yield test to demonstrate that the well is capable of adequately serving the proposed use as defined in County Ordinance Code Section 15.04.190. The water well yield test must be reviewed and approved adequate by the Water and Natural Resources Division of the Department of Public Works and Planning.
5.	The end of curbed/taper edge of any existing or future access driveway approach should be set back a minimum of 5' from the property line.
6.	A minimum of 10' x 10' corner cut-off should be improved for sight distance purposes at any existing or future driveway accessing Biglione Drive and Auberry Road if not already present.

Conditions of Approval reference recommended Conditions for the project.

Notes	
The following Notes reference mandatory requirements of Fresno County or other Agencies and are provided as information to the project Applicant.	
1.	Division of the subject property is subject to the provisions of the Fresno County Parcel Map Ordinance. A Parcel Map Application shall be filed to create the four proposed parcels. The Map shall comply with the requirements of Title 17.72. The subdivision will require that a Tentative Parcel Map be prepared in accordance with the Professional Land Surveyors Act, the Subdivision Map Act and County Ordinance. The Tentative Parcel Map application shall expire two years after the approval of said Tentative Parcel Map. Upon approval and acceptance of the Tentative Parcel Map and any Conditions imposed thereon, a Final Parcel Map shall be prepared and by a Professional Land Surveyor or Registered Civil Engineer authorized to practice Land Surveying, in accordance with the Professional Land Surveyors Act, the Subdivision Map Act and County Ordinance. Recordation of the Final Parcel Map shall take place within two years of the acceptance of the Tentative Parcel Map unless a Map extension is received prior to the expiration date of the approved Tentative Parcel Map. Failure to record the Final Parcel Map prior to the expiration of said Tentative Parcel Map may void the Parcel Map application.

Notes	
2.	The approval of this Variance will expire one year from the date of approval unless the required mapping application to create the parcels is filed in substantial compliance with the Conditions and Project Notes and in accordance with the Parcel Map Ordinance. Prior to site development, all survey monumentation – Property Corners, Centerline Monumentation, Section Corners, County Benchmarks, Federal Benchmarks and Triangulation Stations, etc. - within the subject area shall be preserved in accordance with Section 8771 of the Professional Land Surveyors Act and Section 6730.2 of the Professional Engineers Act.
3.	According to the U.S.G.S Quad Map, an intermittent stream may be present within/nearby the subject property line. For any future development on wetlands, U.S. Fish and Wildlife Service and other appropriate agencies should be consulted regarding any requirements they may have.
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5.	At such time the applicant or property owner(s) decides to construct a water well, the water well contractor selected by the applicant will be required to apply for and obtain a Permit to Construct a Water Well from the Fresno County Department of Community Health, Environmental Health Division. Please be advised that only those persons with a valid C-57 contractor's license may construct wells. For more information, contact the Water Surveillance Program at (559) 600-3357.
6.	According to the Wetlands Mapper of U.S. Fish and Wildlife Service, a wetland may be present near the eastern property line of the subject property. For any future development on wetlands, U.S. Fish and Wildlife Service and other appropriate agencies should be consulted regarding any requirements they may have.
7.	The subject property is located within the State Responsibility Area (SRA) boundary. Any future development within the SRA boundary shall be in accordance with the applicable SRA Fire Safe Regulations, as they apply to driveway construction and access.
8.	A grading permit/voucher may be required for any future grading with this application.
9.	As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.

Notes

- | | |
|-----|--|
| 10. | If any underground storage tank(s) are found, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division. Contact the Fresno County Hazmat Compliance Program at (559) 600-3271 for more information. |
|-----|--|

DN

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Attachment E

Finding 1 Response:

The subject property contains exceptional physical characteristics that distinguish it from other similarly zoned AE-20 properties in the surrounding area. The site includes steep rolling terrain with portions of the property containing slopes approaching 1:1. Slopes of this magnitude significantly limit the usable area of the site and create substantial constraints for typical agricultural operations such as equipment access, fencing, and livestock management.

In addition to the steep terrain, the eastern portion of the property contains a deep natural drainage corridor and flood channel which further reduces the contiguous usable land area and creates a physical barrier across the site. These natural features fragment the property into smaller irregular areas that are not characteristic of the larger, more uniform and accessible agricultural lands typically found on surrounding AE-20 parcels.

While certain limited forms of grazing may theoretically occur on portions of sloped terrain, the degree of slope and the presence of the drainage corridor significantly constrain the amount of the property available for grazing activities and also how the property can reasonably function for agricultural purposes when compared to other similarly zoned properties in the vicinity. Due to the lack of connectivity across the property, the limited amount of acreage available for grazing generally, grazing and other non-irrigated agricultural uses are simply not economically viable. As a result, the property does not provide the same contiguous and accessible agricultural land area that is generally present on other AE-20 parcels in the area.

The proposed parcel configuration responds to these site constraints by locating potential homesites within the limited areas of relatively stable and buildable terrain while preserving the steeper slopes and drainage corridor as open space. This approach allows for reasonable use of the property while respecting the existing topographic limitations inherent to the site.

Because these physical conditions are unique to the property and do not generally apply to surrounding parcels with the same zoning classification, they constitute exceptional circumstances applicable to the property. Granting the request would allow reasonable use of the land while maintaining consistency with the surrounding rural residential character and would not constitute a special privilege inconsistent with other properties in the vicinity.

For these reasons, the required finding can be made.

Finding 2:

This approach is consistent with that taken by the County with several other recent variances, including VA 4181 & VA 4183. As a result, the approval of this variance would promote uniformity of decision, consistency across the County's land use decisions, and consistent patterns of land use across the affected area.

Property owners within the AE-20 Zone District have the right to utilize their property for residential purposes, including the construction of a primary residence and, subject to approval through a Director's Review and Approval (DRA) application, the development of an additional residential unit on the same parcel.

Absent the requested variance, the property could still potentially accommodate two residences through a DRA. However, those homes would be required to remain on a single legal parcel under unified ownership. This would limit the ability for individual ownership of homesites and require that the entire property remain under the management and control of a single owner.

Approval of the variance would allow the property to be developed in a manner that provides separate rural homesites with individual ownership and long-term stewardship of each parcel. This approach allows the property owner and future residents to enjoy the property in a manner similar to other rural residential properties in the surrounding area, where individual homes are commonly situated on their own parcels and maintained by their respective owners.

If the variance were denied and the applicant wished to construct up to two (2) residences on the property, the applicant could still pursue a Director's Review and Approval application to allow a second dwelling unit on the parcel. However, this would not resolve the fundamental issue addressed by this request. Any additional residences approved through that process would still be required to remain on the same legal parcel and under unified ownership. Should an occupant of one of those homes later wish to obtain ownership of the homesite on which the residence is located, a variance or similar discretionary action would still be required to create a separate legal parcel.

Without the variance, the property owner's ability to enjoy and utilize the residential potential of the property would therefore be significantly limited, as development would be restricted to multiple homes located on a single large parcel with shared ownership and management. Allowing the creation of a limited number of parcels would preserve the ability to enjoy the property through individual ownership of rural homesites while maintaining the overall rural character of the area.

Variance Findings
Biglione Drive (APN 300-320-10)

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

The subject property has historically not been used for agricultural purposes. It consists of rolling terrain and has steep terrain along the eastern and northerly portions of the property. The eastern boundary consists of large changes in elevation with a deep natural stream and flood channel that is not suitable for agriculture.

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.

A Variance has been approved for property located at the west end of Biglione Road and several variances have been approved along Reno Road located less than ½ mile south of the subject property. This has resulted in parcels within the AE-20 zone district having an area of 2.3 acres.

- 2. 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:**

The variance will not create any specific circumstances that will harm the public welfare or property rights of others in the neighborhood. It is consistent with the rural residential uses between Friant Road and Auberry Road.

- 3. The granting of such a variance will not be contrary to the objectives of the Fresno County General Plan.**

This variance is consistent with rural residential uses in the vicinity. Out of the 13 parcels that have frontage on Biglione Drive, only two parcels currently have agricultural uses. The use of the parcels along Biglione Drive have historically been rural residential.

Fresno County Planning Commission Hearing

March 12, 2026

Agenda Item No. 2
Variance Application No. 4180

















