

BEFORE THE BOARD OF SUPERVISORS
COUNTY OF FRESNO
STATE OF CALIFORNIA

IN THE MATTER OF)
TRANSFER OF SEWER EQUIVALENT)
DWELLING UNIT FROM)
ONE PROPERTY TO ANOTHER)
WITHIN)
COUNTY SERVICE AREA NO. 31)

Resolution

WHEREAS, an “equivalent dwelling unit” (“EDU”) represents a proportional volumetric measurement of sewer capacity used in the conditional allocation to prospective individual (residential or commercial) parcels of available system-wide sewer capacity, the use of which is contingent upon prior issuance of all requisite approvals and permits; and

WHEREAS, Fresno County Board of Supervisors Resolution No. 00-043 (“Resolution No. 00-043”), which was adopted on February 8, 2000, and which by its terms is applicable to all County Service Areas including CSA 31, establishes a process for transferring EDUs “from one property to another, subject to authorization by the Board of Supervisors”; and

WHEREAS, Gordan K. Loo, Bonnie Loo, and Angela Rodriguez (“Transferors”) are the owners of the real property from which it is proposed that three “excess” EDUs be transferred (“Transferor Property”), and KZH Properties, LLC (“Transferee”) is the owner of the real property to which it is proposed that the three EDUs be transferred (“Transferee Property”); and

WHEREAS, as required by Step 1(a) of Resolution No. 00-043, the Resources Division of the Department of Public Works and Planning (“Resources Division”) has received a letter from James G. Huebner, owner of Transferee, seeking authorization for the proposed EDU transfer, asking the County to initiate the transfer process, identifying the parcels and parties to be involved, and identifying the number and location of EDUs involved with the parcels and proposed uses of the parcels; and

WHEREAS, as required by Steps 1(b) of Resolution No. 00-043, Transferor and Transferee have submitted to the Resources Division a notarized joint request to the Resources Division to transfer three EDUs from the Transferor Property to the Transferee Property, which request includes a legal description of the Transferor Property and the Transferee Property and a statement that the persons

1 who signed the request are the owners or authorized representatives of the owners of those respective
2 properties; and

3 WHEREAS, as required by Step 1(c) of Resolution No. 00-043, the Resources Division has
4 received a Lot Book Guarantee that includes a legal description and confirms the ownership status of
5 the Transferor Property; and

6 WHEREAS, as required by Steps 2 and 3 of Resolution No. 00-043, the Resources Division has
7 reviewed the documentation provided by the requesting parties in support of their joint request,
8 including but not limited to the factual representations and warranties contained in their joint request,
9 and has prepared an accompanying agenda item that includes "a discussion of background information
10 and an evaluation of the proposed transfer," as required in Step 3 of Resolution No. 00-043; and

11 NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF FRESNO
12 HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

- 13 1. The recitals above are all true and correct.
- 14 2. The request complies with the requirements of Resolution No. 00-043.
- 15 3. The proposed transfer of three sewer EDUs and the proposed uses of the parcel are
16 consistent with the zoning of the parcel.
- 17 4. The transfer of three sewer EDUs from the Transferor Property to the Transferee
18 Property is hereby conditionally authorized, subject to the following condition: Transferee
19 must deliver to the Resources Division, as required by Step 4 of Resolution No. 00-043,
20 the fully executed and notarized form including legal descriptions of both the Transferor
21 Property and the Transferee Property and reciting that the transfer was consummated by
22 the parties' execution of the form.
- 23 5. After that condition is satisfied, the Transferor Property shall retain its allocation of two
24 "excess" sewer EDUs, the Transferee Property shall gain an allocation of three sewer
25 EDUs, and the Transferee Property shall have a total of five and one half sewer EDUs.

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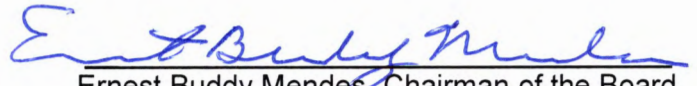
1 ADOPTED by the Fresno County Board of Supervisors this 24th day of March 2020, by the
2 following vote, to wit:

3 AYES: Supervisors Brandau, Magsig, Mendes, Pacheco, Quintero

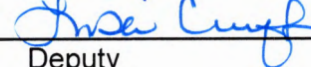
4 NOES: None

5 ABSENT: None

6 ABSTAINED: None

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9 Ernest Buddy Mendes, Chairman of the Board
10 of Supervisors of the County of Fresno

11 **ATTEST:**
12 Bernice E. Seidel
13 Clerk of the Board of Supervisors
County of Fresno, State of California

14 By 
15 Deputy