

## **Operational Statement**

This project is located at 1658 N. West Avenue, and the APN is 444-241-15. The existing single family duplex was constructed in 1940 and the property was annexed into the city of Fresno in 1946. The duplex was in continuous use as residential structure until a fire occurred in 2015. The existing General Plan has the property designated as residential under the RS-5 zoning. Therefore, the existing duplex is currently non-conforming.

No contacts with the neighbors have been made with the exception to the neighbor to the south. The reconstruction of the duplex will provide much needed housing while at the same time eliminate a blighted structure along a major street. It will complement the neighborhood through maintaining as a residential structure and the meet the goals of the 2025 Fresno General Plan for housing.

There is a strong likelihood that the reconstruction will not generate a long term effect on the neighborhood based upon the complexity of the reconstruction and once construction is complete, operation of the site will maintain the current use of the site and as that of the surrounding neighborhood.

1. Re-construct existing fire-damaged duplex.
2. Single story duplex.
3. No products will be produced or sold on-site.
4. There is no operational time limits since there is no operation at the site.
5. N/A
6. No special activities, events or displays will be on-site.
7. N/A
8. No employees will be employed on-site.
9. No equipment, materials or supplies will be used or stored on-site.
10. No continuous deliveries or services will be servicing the site.
11. N/A
12. N/A
13. Existing single story duplex will be re-constructed utilizing wood materials. The maximum height will be 13'-4" and the color of the duplex will be earth tone.
14. No noise will be generating from the site.
15. No hazardous materials or waste will be generated from the site.

## **Findings for Variance**

- A. There are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to property in the vicinity and identical zoning classification, and that the granting of a Variance will not constitute a granting of a special privilege inconsistent with the limitations on the property in the vicinity and identical zone classifications.

The existing single story duplex was constructed in 1940 prior to be annexed into the City of Fresno in 1946. As such, the structure was constructed in the County of Fresno which did not have established a development services department at that time. The structure was constructed on Lot 17 of the Oak Park Acre Tract (Recorded May 8, 1911). Subsequently, Lot 17 and the other lots in the tract were further subdivided over time, resulting in the structure to encroach within current setback lines as set forth by the City of Fresno building standards for RS-5 zoning, and to allow the continued use as a duplex. Other lots in the tract were subdivided to allow construction of single family homes. Therefore, an extraordinary circumstance and condition exist to this particular piece of property that does not exist in the surrounding neighborhood.

- B. The granting of the application is necessary to prevent a physical hardship which is not part of the applicant's own actions or the actions of a predecessor in interest.

The applicant purchased this property in order to reconstruct the fire damage structure. As such, to adhere to the current setback requirements and zoning for single family residence will result in a major portion of the structure to be demolished and possibly the complete demolition of the structure, thereby creating a physical hardship that the applicant will endure.

- C. The granting of the application will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, general welfare, or convenience, nor preservation and conservation of open space lands.

Though the existing structure is encroaching the rearyard and sideyard setbacks, measures will be proposed to address the safety concerns as set forth for other structure that are allowed to be built close to or at the property line. The property to the east of this property has demolished an unsafe and deteriorating structure that was encroaching within the rearyard setback and was very close to the duplex.

- D. The granting of the Variance will be consistent with the general purpose and objective of this Code, any applicable operative plan, and of the General Plan.

The Variance will allow the continued use of the structure as a duplex, and to meet the needs of affordable housing. Furthermore, the reconstruction of the duplex will eliminate an unsightly structure from a major street and beautify the neighborhood while at the same time prevent the possibility of a vacant piece of land of being created, and thereby allowing reduced revenues to the city.