



Jennifer Jolley, Director

Eric Merlo, Assistant Director

Tim Burns, Code Enforcement Chief

Corinne King, Deputy Director of Planning

Jeff Niemeyer, Deputy Director of Building Inspection

December 18, 2025

Juan Daniel Franco Gonzalez and Shirlenn Ballon  
1886 Balsam Ct.  
Modesto, CA 95350

Dear Owners:

Re: Waiver No. PA-2500111 of Juan Daniel Franco Gonzalez and Shirlenn Ballon (c/o Buildent Construction Inc. ) (APN[s]/Address: 241-051-17 / 769 E. Willow Ave., Manteca)

**ACTION:** On December 18, 2025, the San Joaquin County Community Development Department approved Waiver No. PA-2500111 subject to the enclosed Conditions of Approval.

**APPEAL PERIOD:** This action can be appealed to the Planning Commission by any interested party. Appeals must be filed with this Department within 10 days of the action with an appeal fee of \$782.91. The 10-day appeal period ends at 4:30 p.m. on December 28, 2025. If this date falls on a weekend or holiday, the appeal period will expire on the next regular business day at 4:30 p.m.

**EXPIRATION:** This action requires you to comply with all Conditions of Approval within the next 3 years (by December 28, 2028). If you have not complied with the Conditions of Approval by that date, this approval will expire, and the project cannot proceed.

**NEXT STEP:** Prior to the expiration date, you must comply with all Conditions of Approval, including the securing of building permits and any other permits specified in the Conditions of Approval.

Please contact me if you have questions regarding the Community Development Department Conditions (Phone: [209] 468-3124 or via email at [jpahule@sjgov.org](mailto:jpahule@sjgov.org)). Questions regarding the building permit process should be directed to the counter staff (Phone: [209] 468-2098).

Sincerely,

A handwritten signature in black ink, appearing to read "Jacob Pahule".

Jacob Pahule  
Assistant Planner

JP/ga

Enclosure(s): Conditions, Site Plan, Informational Letters, Findings

c: Buildent Construction Inc.  
San Joaquin County Building Inspection Division  
San Joaquin County Environmental Health  
San Joaquin County Public Works

# CONDITIONS OF APPROVAL

PA-2500111

JUAN DANIEL FRANCO GONZALEZ AND SHIRLENN BALLON / BUILDENT CONSTRUCTION INC.

Waiver No. PA-2500111 was approved by the Community Development Department on December 18, 2025. The effective date of approval is December 28, 2025. This approval will expire on December 28, 2028, which is 36 months from the effective date of approval, unless (1) all Conditions of Approval have been complied with, (2) all necessary building permits have been issued and remain in force, and (3) all necessary permits from other agencies have been issued and remain in force.

Unless otherwise specified, all Conditions of Approval and ordinance requirements shall be fulfilled prior to the establishment of the use and the issuance of any building permits. Those Conditions followed by a Section Number have been identified as ordinance requirements pertinent to this application. Ordinance requirements cannot be modified, and other ordinance requirements may apply.

1. COMMUNITY DEVELOPMENT DEPARTMENT (Contact: Community Development Department, [209] 468-3121)
  - a. **BUILDING PERMIT:** Submit an "APPLICATION-COMMERCIAL BUILDING PERMIT". The Site Plan required as a part of the building permit must be prepared by a registered civil engineer or licensed architect. This Plan must show drainage, driveway access details including gates, on-site parking, landscaping, signs, existing and proposed utility services, and grading (refer to the "SITE PLAN CHECK LIST" for details). Foundation and soils investigation shall be conducted in conformance with Chapter 18 of the California Building Code at the time of permit application. A fee is required for the Site Plan review. (Development Title Section 9-884)
  - b. **APPROVED USE:** The following approval is for the reduction of setbacks requirements for a Single-Family Residence as shown on the site plan dated June 17, 2025:
    1. All front and street sides of the property shall have a minimum setback of 35 feet, as measured from the center of the right-of-way. (Development Title Table 9-200.030-1)
    2. The rear side of the property shall have a minimum setback of 21 feet, as measured from the rear property line. (Development Title Table 9-200.030-1)
2. DEPARTMENT OF PUBLIC WORKS (Contact: [209] 468-3000, see memo dated November 10, 2025)
3. ENVIRONMENTAL HEALTH DEPARTMENT (Contact: [209] 468-3420, see memo dated October 8, 2025)

## FOR NOTES AND INFORMATION ONLY:

1. San Joaquin Council of Governments (Contact: [209] 235-0574, see memo dated October 21, 2025)



**SAN JOAQUIN**  
 COUNTY  
*Greatness grows here.*



**Department of Public Works**

Fritz Buchman, Director

Alex Chetley, Deputy Director - Development  
 Kristi Rhea, Deputy Director - Administration  
 David Tolliver, Deputy Director - Operations  
 Najee Zarif, Deputy Director - Engineering

November 10, 2025

MEMORANDUM

TO: Community Development Department  
 CONTACT PERSON: Jacob Pahule

FROM: George Montross, Development Services Engineer *GM*  
 Development Services Division

SUBJECT: PA-2500111 (W); A Waiver application No. PA-2500111 of Development Title Section 9-203.030 to reduce the setbacks in the AU-20 zone from 55 feet from the centerline of East Willow Avenue to 35 feet and 3 inches from the centerline of East Willow Avenue, to reduce the street side setback from 55 feet from the centerline of South Oak Street to 40 feet and 6 inches from the centerline of South Oak Street, and to reduce the rear yard setback from 30 feet to 21 feet to allow for the construction of a single family residence. This property is not under Williamson Act contract; located on the north side of East Willow Avenue, 55 feet north of South Oak Street, Manteca.  
 (Supervisory District 3)

OWNER: Juan Gonzalez & Shirlenn Ballon      APPLICANT: Juan Daniel Franco

ADDRESS: 769 E. Willow Avenue, Manteca      APN: 241-051-17

INFORMATION:

The site is currently located within a Federal Emergency Management Agency Designated Flood Hazard Area designated as Zone AE. The 100-Year Flood Elevation is approximately 28 feet NAVD 1988.

Willow Avenue has an existing right-of-way width of 40 feet and a planned right-of-way width of 50 feet.

RECOMMENDATIONS:

- 1) None.

GM:GG



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— COUNTY —  
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## Environmental Health Department

**Jasjit Kang, REHS, Director**

**Muniappa Naldu, REHS, Assistant Director**

**PROGRAM COORDINATORS**

Jeff Carruesco, REHS, RDI

Willy Ng, REHS

Steven Shih, REHS

Elena Manzo, REHS

Natalia Subbotnikova, REHS

October 8, 2025

To: San Joaquin County Community Development Department  
Attention: Jacob Pahule

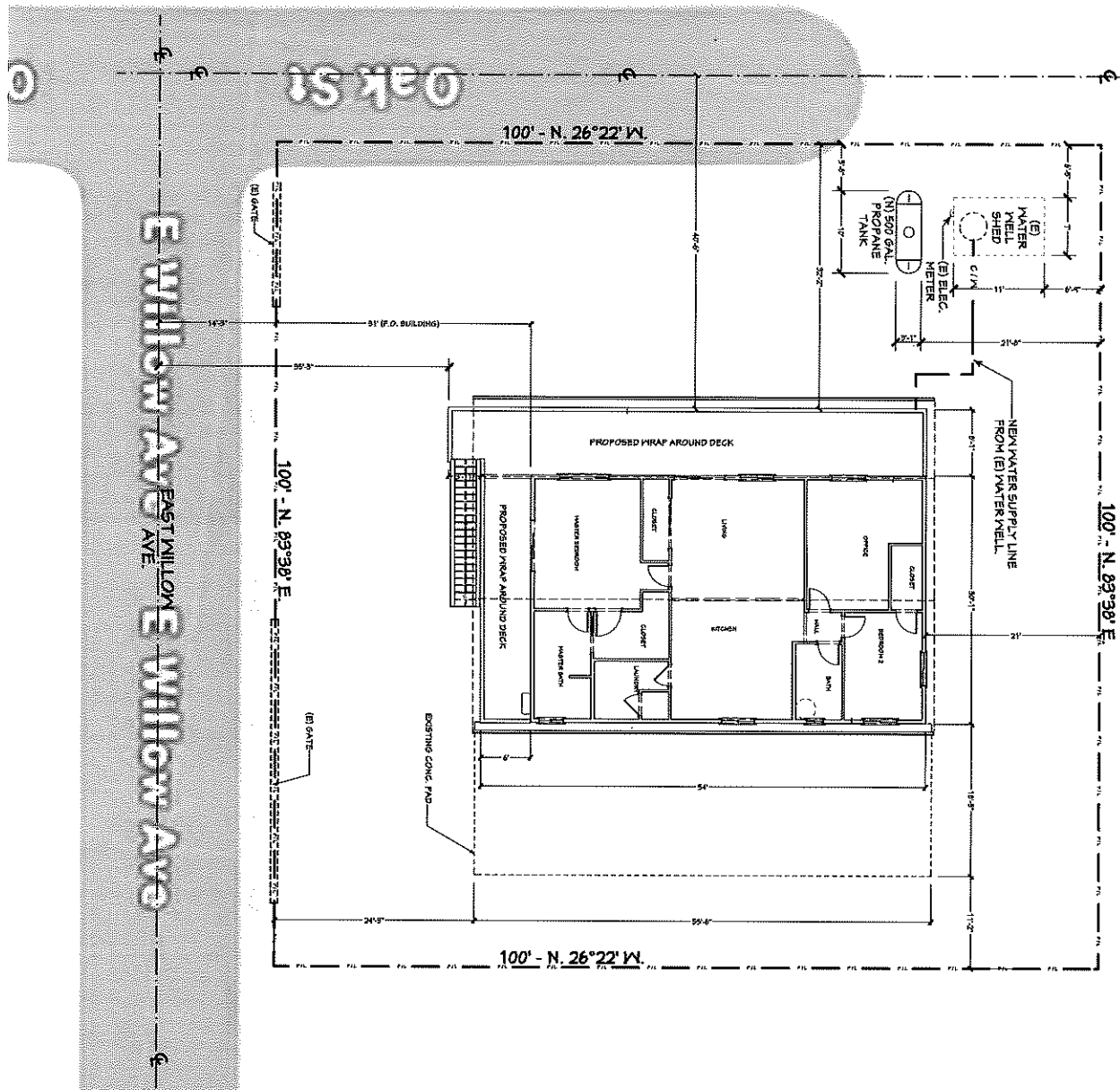
From: Aldara Salinas (209) 616-3019 *AS*  
Environmental Health Specialist

RE: **PA-2500111 (W), Neighborhood Referral, SU-2500798**  
**769 E. Willow Ave. Manteca APN: 241-051-17**

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The Environmental Health Department has the following comment: All Onsite Wastewater Treatment Systems (OWTS) must comply with San Joaquin County Local Agency Management Program (LAMP) and current OWTS standards.

**SITE PLAN** SCALE: 3/32" = 1'-0"



**DRAWING INDEX**

NO.	TITLE
1	COVER SHEET
2	FOUNDATION PLAN
3	1ST & 2ND FLOOR PLANS
4	3RD FLOOR PLAN
5	MECHANICAL PLAN
6	ELECTRICAL PLAN
7	PLUMBING PLAN
8	LANDSCAPE PLAN

**PROJECT SCOPE & LOT USAGE**

**APPLICABLE CODES:**  
 ALL CONSTRUCTION SHALL BE GOVERNED BY APPLICABLE CODES AND ORDINANCES OF THE COUNTY OF SAN JOAQUIN AND CITY OF MANTECOA. ALL CONSTRUCTION SHALL CONFORM TO THE 2022 CALIFORNIA RESIDENTIAL CODE 2022, 2022 CALIFORNIA MECHANICAL CODE, 2022 CALIFORNIA PLUMBING CODE AND THE 2022 CALIFORNIA ELECTRICAL CODE AND TITLE 24.

**SCOPE OF WORK:**

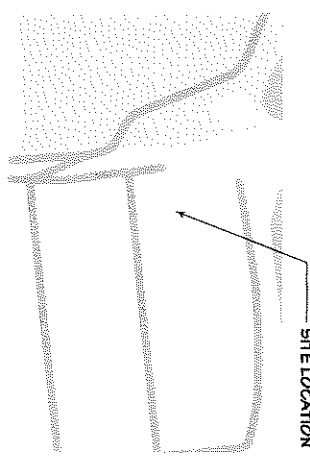
- NEW MAIN RESIDENCE TO BE CONSTRUCTED.
- NEW MAIN SUPPLY LINE FROM WELL TO PROPOSED RESIDENCE.
- 150 GALLON PROPAANE TANK TO BE INSTALLED.
- NEW SEPTIC SYSTEM TO BE CONSTRUCTED.
- NEW CONCRETE WALKWAYS AROUND.

**AREA & LOT USAGE NUMBERS:**

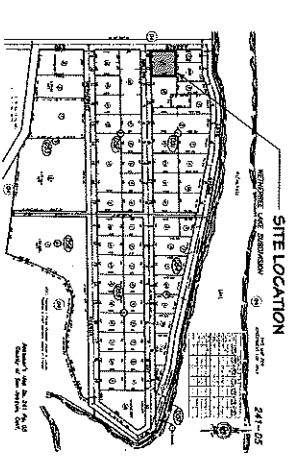
**EXISTING CONDITIONS:**

- EXISTING LOT: 10,000 SQ. FT.
- EXISTING HOME LIVING AREA: 1,480 SQ. FT.
- PROPOSED HOME SQ. FT.: 1,480 SQ. FT.
- LOT COVERAGE RATIO: 0.145

**VICINITY MAP**



**ASSESSOR MAP**



**PARCEL NUMBER**  
167313003

**DESIGNER NAME**  
BOBBY WHITTINGTON

**CAD Management Systems, L.P.**  
Drafting Service

EMAIL: MAXTORDVD@GMAIL.COM  
PHONE: 925-550-6337

**PLANS PREPARED FOR:**  
 JUAN D. FRANCO  
 (425) 824-2124  
**SITE ADDRESS:**  
 764 E Willow Ave,  
 Manteca, CA 95331

**SHEET TITLE**  
COVER PAGE

**SUBMITTAL DATE:**  
 REVISION TABLE  
 DATE: 6/11/2025  
 SCALE:  
**SHEET**  
 A 2



## S J C O G, Inc.

555 East Weber Avenue • Stockton, CA 95202 • (209) 235-0574 • Email: boyd@sjcog.org

### *San Joaquin County Multi-Species Habitat Conservation & Open Space Plan (SJMSCP)*

### **SJMSCP RESPONSE TO LOCAL JURISDICTION (RTLJ) ADVISORY AGENCY NOTICE TO SJCOG, Inc.**

**To:** Jacob Pahule, San Joaquin County, Community Development Department  
**From:** Laurel Boyd, SJCOG, Inc. Phone: (209) 235-0574 Email: boyd@sjcog.org  
**Date:** October 21, 2025  
**Local Jurisdiction Project Title:** PA-2500111 (W)  
**Assessor Parcel Number(s):** 241-051-17  
**Local Jurisdiction Project Number:** PA-2500111 (W)  
**Total Acres to be converted from Open Space Use:** Unknown  
**Habitat Types to be Disturbed:** Urban Habitat Land  
**Species Impact Findings:** Findings to be determined by SJMSCP biologist.

Dear Mr. Pahule:

SJCOG, Inc. has reviewed the project application for PA-2500111 (W). This project consists of a Waiver application No. PA-2500111 (W) of Development Title Section 9-203.030 to reduce the setbacks in the AU-20 zone from 55 feet from the centerline of East Willow Avenue to 35 feet and 3 inches from the centerline of East Willow Avenue, to reduce the street side setback from 55 feet from the centerline of South Oak Street to 40 feet and 6 inches from the centerline of South Oak Street, and to reduce the rear yard setback from 30 feet to 21 feet to allow for the construction of a single family residence. The project site is on the north side of East Willow Avenue, 55' north of South Oak Street, Manteca (APN/Address: 241-051-17 / 769 E. Willow Avenue, Manteca).

San Joaquin County is a signatory to San Joaquin County Multi-Species Habitat Conservation and Open Space Plan (SJMSCP). Participation in the SJMSCP satisfies requirements of both the state and federal endangered species acts, and ensures that the impacts are mitigated below a level of significance in compliance with the California Environmental Quality Act (CEQA). The LOCAL JURISDICTION retains responsibility for ensuring that the appropriate Incidental Take Minimization Measure are properly implemented and monitored and that appropriate fees are paid in compliance with the SJMSCP. Although participation in the SJMSCP is voluntary, Local Jurisdiction/Lead Agencies should be aware that if project applicants choose against participating in the SJMSCP, they will be required to provide alternative mitigation in an amount and kind equal to that provided in the SJMSCP.

***This project is not subject to participate at this time due to structure and ground disturbance already existing. Any future structures that require ground disturbance on this or subsequent divided parcels will be subject to participate in the SJMSCP and should be resubmitted to this agency.***

*It should be noted that if this project has any potential impacts to waters of the United States [pursuant to Section 404 Clean Water Act], it would require the project to seek voluntary coverage through the unmapped process under the SJMSCP which could take up to 90 days. It may be prudent to obtain a preliminary wetlands map from a qualified consultant. If waters of the United States are confirmed on the project site, the Corps and the Regional Water Quality Control Board (RWQCB) would have regulatory authority over those mapped areas [pursuant to Section 404 and 401 of the Clean Water Act respectively] and permits would be required from each of these resource agencies prior to grading the project site.*

If you have any questions, please call (209) 235-0574.

## FINDINGS FOR WAIVER

PA-2500111

JUAN DANIEL FRANCO GONZALEZ AND SHIRLENN BALLON / BUILDENT CONSTRUCTION INC.

1. The granting of the Waiver will not be materially detrimental to other properties or land uses in the area or result in a change of land use or density that would be inconsistent with the requirements of this Title.
  - **This finding can be made because the granting of the Waiver will not have a detrimental effect on other properties or land uses in the area. The property will remain zoned AU-20 (Agriculture, 20-acre minimum), and the proposed setback reductions—front from 55' to 35' and rear from 30' to 21'—will not alter the character or density of development in the area, as the lot is surrounded by existing single-family residences. The reduction in setbacks is requested to allow construction of a single-family residence, which is a use otherwise permitted in the AU-20 zone. Given the small size of the lot (100' by 100'), the requested setbacks are proportional and reasonable. The proposed residence will remain compatible with surrounding properties and will not obstruct views, reduce light or air, or negatively impact neighboring property values.**
2. The waiver is necessary due to the physical characteristics of the property and the proposed use or structure or other circumstances, including but not limited to, topography, noise exposure, irregular property boundaries, or other unusual circumstance.
  - **This finding can be made because the subject parcel is unusually small (100' by 100') and is an existing nonconforming lot in terms of size and width, making strict compliance with the AU-20 setback requirements impractical. Adhering to the standard front, side, and rear setbacks would severely restrict the buildable area and result in a residence that is unreasonably small. The requested setback reductions address the physical constraints of the property while maintaining adequate separation from adjacent parcels and the right-of-way. These constraints are inherent to the lot and were not created by the applicant.**
3. There are no alternatives to the requested waiver that could provide an equivalent level of benefit to the applicant with less potential detriment to surrounding owners and occupants or to the general public.
  - **There are no feasible alternatives that would allow full development of the lot while meeting the standard AU-20 setbacks. Adjusting the building footprint to fully comply with the setbacks would significantly reduce usable space or result in a residence that is unreasonably small. The requested waiver is the least intrusive method to allow a functional single-family residence. Additionally, the design of the house is consistent with other residences in the area, preserving compatibility with surrounding properties and maintaining the character of the neighborhood.**
4. The strict application of the regulation deprives the property of privileges enjoyed by other properties in the vicinity.
  - **This finding can be made because surrounding properties with the same AU-20 designation contain similar single-family residences that were built under previous, less stringent development standards. As a result, the existing homes in the vicinity benefit from reduced setbacks that could not be met on the project parcel under current Development Title standards. Approving the waiver would allow the proposed residence to be placed in a manner consistent with the established development pattern in the area, ensuring compatibility with neighboring homes and preventing the property from being disadvantaged solely due to changes in regulations over time.**

5. The proposed use is consistent with the goals, policies, standards, and maps of the General Plan; any applicable Master Plan, Special Purpose Plan, and Specific Plan; and any other applicable plan adopted by the County.
  - **This finding can be made because, although the proposed single-family residence includes setback reductions below the standard Development Title requirements, these standards are not part of the General Plan. The requested waiver allows reasonable use of the property while addressing site-specific constraints. Therefore, the proposed deviations do not conflict with the goals, policies, standards, or maps of the General Plan, Specific Plan, Special Purpose Plan, or any other applicable plan adopted by the County.**