

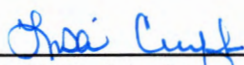
## Proof of Service by Mail

(Code of Civil Procedure § 1013a)

I, Lisa Craft, declare as follows:

1. I am over 18 years of age and not a party to the matter connected with this proof of service.
2. I am employed by the County of Fresno in the office of the Clerk of the Board of Supervisors, at 2281 Tulare Street, Room 301, in Fresno, California 93721.
3. On May 6, 2020, I served the attached Notice of Hearing before the Board of Supervisors of the County of Fresno for the **INITIAL STUDY APPLICATION NO. 7721** and **DIRECTOR REVIEW AND APPROVAL APPLICATION NO. 4602** filed by **CHARLES MAXWELL**. Note: On March 12, 2020, the Fresno County Planning Commission approved this application, and on March 26, 2020, an appeal was filed by David Kyle.
4. I served the documents by enclosing them in an envelope and placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
5. The envelopes were addressed and mailed to each of the owners at their addresses, as shown on the current Fresno County Assessment Roll and on the property list compiled from said rolls, as set forth on the attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on this 6<sup>th</sup> day of May, 2020 in Fresno, California.



---

Deputy, Clerk of the Board

The original proof of service, including the list of persons and their addresses to whom notice was mailed, is maintained by Public Works staff.



# County of Fresno

## BOARD OF SUPERVISORS

Chairman  
**Buddy Mendes**  
District Four

Vice Chairman  
**Steve Brandau**  
District Two

**Brian Pacheco**  
District One

**Sal Quintero**  
District Three

**Nathan Magsig**  
District Five

**Bernice E. Seidel**  
Clerk

Notice of hearing before the Board of Supervisors of the County of Fresno on **INITIAL STUDY APPLICATION NO. 7721** and **DIRECTOR REVIEW AND APPROVAL APPLICATION NO. 4602** filed by **CHARLES MAXWELL**. Note: On March 12, 2020, the Fresno County Planning Commission approved this application, and on March 26, 2020, an appeal was filed by David Kyle to the Fresno County Board of Supervisors for consideration.

Notice is hereby given that the Board of Supervisors of the County of Fresno has set this hearing for **Tuesday**, the **26th day of May, 2020**, at the hour of **9:00 A.M. (or as soon thereafter as possible)**, in the **Board of Supervisors Chambers**, Room 301, Hall of Records, 2281 Tulare St., Fresno, California, as the time and place for holding a public hearing on the following matter:

Amend DRA No. 4112 and DRA No. 4465 to allow operational modifications for an approved commercial horse arena on a 40.05-acre parcel in the AL-40 (Limited Agricultural, 40-acre minimum parcel size) Zone District. Operational modifications include increasing the number of authorized event days from 24 event days to 72 event days and change operational time limits to allow 30 of the event days to operate during the evening hours from 4:00 PM to 10:00 PM. The project site is located on the west side of Rusty Spur Lane approximately 690 feet south of its nearest intersection with Millerton Road, and is approximately 6.35 miles east from the unincorporated community of Friant (SUP. DIST. 5) (APN 138-061-49). Adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7721, and take action on Director Review and Approval Application No. 4602 with Findings and Conditions.

Please see map on reverse side

For more information contact **Thomas Kobayashi**, Department of Public Works and Planning, 2220 Tulare Street (corner of Tulare & "M" Streets, Suite A), Fresno, CA 93721, telephone **(559) 600-4224**, email **TKobayashi@FresnoCountyCA.gov**.

The full text of this Land Use Appeal will be available on the Fresno County website <https://fresnocounty.legistar.com/Calendar.aspx> under the May 26, 2020 meeting at the Meeting Details link by Wednesday, May 20, 2020.

### NOTES:

- Anyone may testify, please share this notice with your neighbors or anyone you feel may be interested.
- The Board of Supervisors will also accept written testimony such as letters, petitions, and statements. In order to provide adequate review time for the Board of Supervisors, please submit these documents to the Clerk to Board prior to the hearing date.
- If at some later date you challenge the final action on this matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered to the Board of Supervisors at, or prior to, the public hearing.

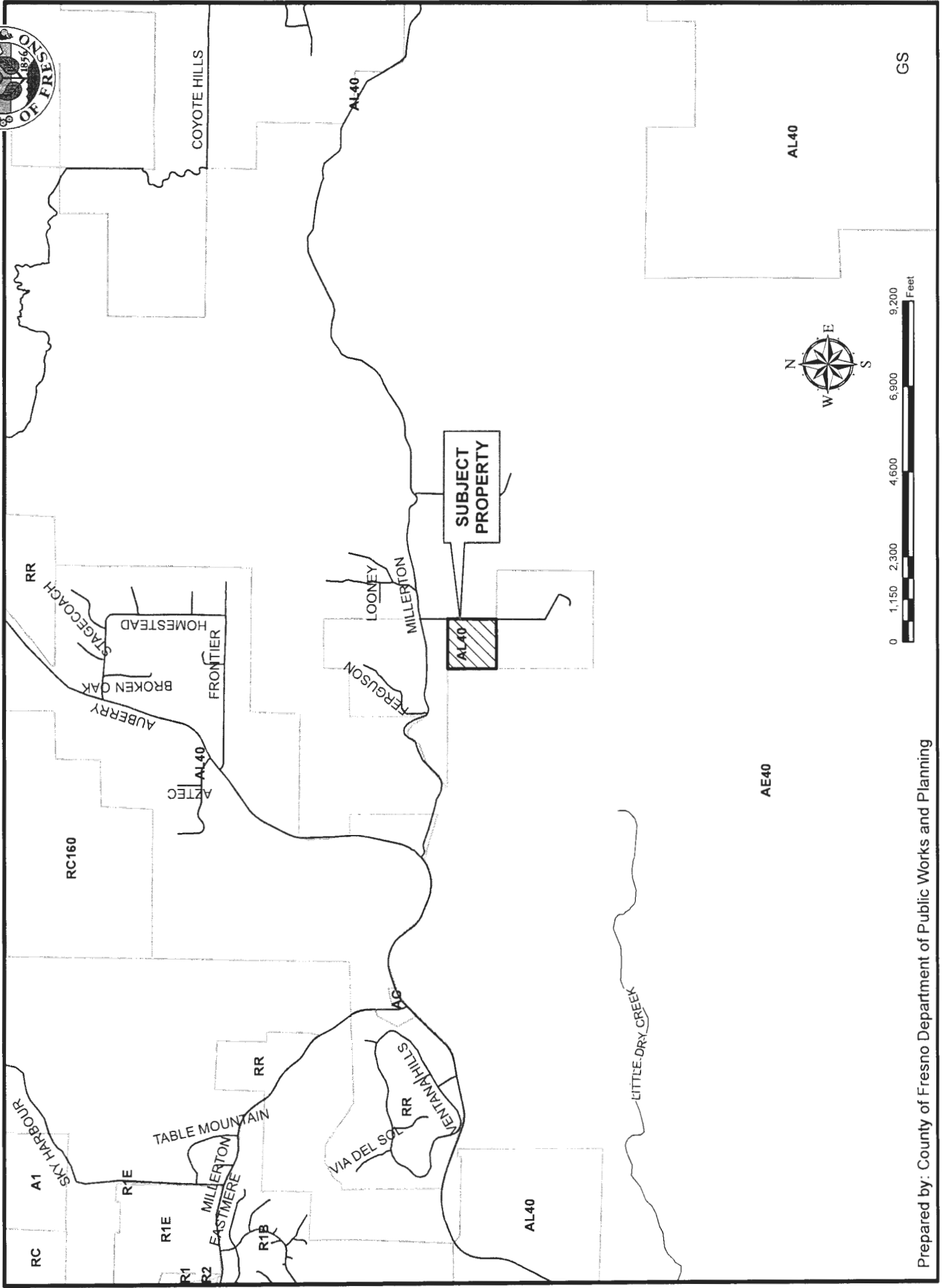
DATED: May 6, 2020

**BERNICE E. SEIDEL**  
Board of Supervisors

By *Dusei Cruz*, Deputy

DRA 4602  
STR 17-11/22

# EXISTING ZONING MAP





**For Office Use Only**

Date received: 3/26/20  
 Copied to: V. Ketterer C. Motta M. Mallory  
 Date copy sent: 3/26/20  
 Hearing set for: \_\_\_\_\_

**NOTICE OF APPEAL OF PLANNING COMMISSION DECISION**

Date: 3/26/2020

Appeal Fee: \$508 – Due when filing appeal

APPELLANT FILL IN BELOW THIS LINE, THIS SIDE ONLY – PLEASE PRINT OR TYPE

**Project Site Address**

10925 RUSTY SPUR CLOVIS 93619 138-061-49  
 Number Street City Zip Assessor's Parcel Number

**Appellant's Information**

Name: DAVID KYLE  
 Mailing Address: 10471 FERGUSON RD  
CLOVIS, CA 93619  
 Telephone: 559-417-5354

**Applicant's Information**  check if same as Appellant)

Name: DAVID KYLE  
 Mailing Address: 10471 FERGUSON RD  
CLOVIS, CA 93619  
 Telephone: 559-417-5354

**Subject of Appeal**

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

Variance Application No.\* \_\_\_\_\_  
 Conditional Use Permit No. \_\_\_\_\_  
 Director Review and Approval Application No. 4602  
 Tentative Tract Application No. \_\_\_\_\_  
 Amendment Application No. \_\_\_\_\_  
 Amendment to Text Application No. \_\_\_\_\_  
 Other: INITIAL STUDY APPLICATION No 1721

RECEIVED

MAR 26 2020

CLERK, BOARD OF SUPERVISORS

Date of Planning Commission Action MARCH 12, 2020

Reason(s) for Appeal (Attach additional sheets if necessary)

REFER TO ATTACHED SHEET

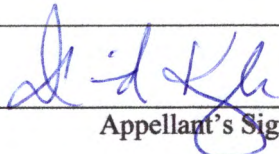
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Appellant's Signature

\* Fresno County Zoning Ordinance § 877(c) 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 and 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.

Please return completed form to Clerk of the Board, 2281 Tulare Street, Room 301, Fresno, CA 93721.

**Reasons for Appeal:**

We oppose and request an appeal of the recent vote by the Fresno County Planning Commission to approve Initial Study Application No. 7721 and DRA Application No. 4602 , that increases total event days of a commercial arena from the current approved 24 annual day time event days to a total of 72 event days, of which 30 are new night time events.

Night time events at this commercial arena have been prohibited by the Fresno County Board of Supervisors for each of the past 10 years of the commercial arena operations. Residential property owners living in the neighborhood surrounding the commercial arena are requesting that our appeal be heard by the Board of Supervisors and to ask them to continue to prohibit the night time events and/or mitigate corrective actions for future commercial arena operations plans.

The commercial arena is surrounded by a neighborhood of private residences that will be negatively impacted by unhealthy night time public address system noise and night time light pollution from the 30 new night time events. There will be negative impacts upon elderly residents with existing medical conditions and young children living adjacent to the commercial arena.

5-21-2020  
#LQ

RECEIVED  
MAY 21 2020

**Date:** May 21, 2020

CLERK. BOARD OF SUPERVISORS

**To Be Included in Board of Supervisors Meeting Packet:** The following information is in reference to Board agenda Item No. 6. This information is requested to be included in the packet given to the Board of Supervisors, for their meeting scheduled on May 26, 2020 to discuss the Board Agenda Item No. 6 regarding the Rusty Spur commercial arena owned and operated by Charlie Maxwell.

**To:** Fresno County Board of Supervisors

**From:** Appellant, Dave and Lynn Kyle, 10471 Ferguson Road, Clovis, 93619

**Subject:** Petition and request by homeowners surrounding the Rusty Spur commercial arena to the Fresno County Board of Supervisors, to mitigate negative impacts upon their private residences from nighttime events at the Rusty Spur commercial arena, by overruling the Fresno County Planning Commission vote of March 12, 2020.

**Reference Documents:** Initial Study Application No. 7721 and Director Review and Approval Application No. 4602

**MITIGATION REQUEST:**

***As a mitigation measure , to eliminate the negative impacts of nighttime events held at the Rusty Spur commercial arena upon surrounding residential neighborhoods , we request that the Fresno County Board of Supervisors overrule the recent Planning Commission vote on March 12, 2020, which allows 30 annual nighttime events at the Rusty Spur commercial arena. The Board of Supervisors has strictly banned all nighttime events at this commercial arena for the past ten years. We ask the Board of Supervisors to continue to enforce the existing ten-year prohibition of all nighttime events using commercial loudspeakers and commercial parking lot style stadium lighting at the Rusty Spur commercial arena.***

**Statement Justifying Mitigation Request:**

My name is David Kyle. I live at 10471 Ferguson Road. My private residence is located immediately to the north of the Rusty Spur commercial arena, in the Ferguson Road residential neighborhood. My wife and I, along with the other people in our rural neighborhood who have signed the attached petition, are challenging the decision made by the Fresno County Planning Commission on March 12, 2020, to allow 30 annual nighttime events at this commercial arena. This increase in nighttime events is overly excessive, especially because last year, before Covid-19, the arena conducted a total of 12 daytime event days for the whole year. Of the total 72 event days currently sanctioned by the recent planning commission vote (an increase over the 24 daytime event days allowed last year), these nighttime events can occur any day of the year from 4:30pm until 10:00pm.

Over the past 10 years of this commercial arena operations, all nighttime events have been strictly prohibited by multiple votes of the Fresno County Board of Supervisors. On March 12, 2020, the arena owner was granted an additional total of 30 annual nighttime events. It is astonishing to us that a complete turnabout allowing nighttime events at this commercial arena is being allowed, considering the specific prohibition issued by the Board of Supervisors to not let them be allowed.



Allowing these nighttime events to occur will place an undue hardship on all the private residences surrounding the arena property. Because of this recent decision by the planning commission, nighttime events will now be allowed to occur on any day of the week, from 4:30pm until 10:00pm. Along with stadium crowd noise, commercial loudspeakers will blast commercial arena noise along with parking lot style lighting pollution into our homes (see figure one). To block out these pollutions, we will be forced to close up our homes and run air conditioners on summer nights rather than open our windows. Some residences do not have air conditioners. Stadium crowd noise will be forced into our homes late into the night (see figure two). We will be forced to find some way to block out commercial parking lot style lights beaming in all our windows. We will have to contend with diesel truck engine noise pollution as they haul livestock and spectators in and out of the commercial arena. Commercial loudspeakers will now be blaring long into the night. We live in rural homes, not in the city. All these negative impacts go against the reasons why we moved out into the country to raise our families.

### **Original Arena Supporters Were Promised No Nighttime Events**

I have attached a copy of one of the original form letters the commercial arena owner distributed to solicit supporters and presented to the Board of Supervisors (see Exhibit one) exhibiting signatures in support of his efforts. These people were duped into believing there would be no nighttime events. They agreed to the following statement in that letter they signed on November 20, 2009. I quote:

*"My understanding is that this arena will be operated a maximum of 18 days with 60 to 70 people and will only be operated during daylight hours. Any operational use at night will only be for family and friends."*

We are not challenging the increase in daytime event days from the previously approved 24 annual daytime event days to 42 annual daytime event days. The arena owner states that he can do all his youth-oriented events during the day. He plans to do six Gymkhana event days for kids. That is the total youth events he did last year. He further states that a three-day law enforcement trail certification training will only occur during the daytime. These youth and law enforcement events will continue to be conducted as currently planned. None of them are planned for nighttime events.

### **Explanation of Daytime Heat in the Summer**

The commercial arena owner contends that he plans to continue operations after sunset to entice participants to use his commercial arena. Otherwise he states they will not participate during the heat of the day. He is adamant that nighttime operations pose no negative impacts upon the residential neighborhoods surrounding the commercial arena. This justification does not make sense. The National Weather Service out of Hanford, California reports that in the summer the sun sets at 8:00pm. The hottest time of the day is approximately 4:30pm – when air quality is also at its worst. The commercial arena owner plans to start all his nighttime events at 4:30pm – the hottest time of the day. As an example, in the middle of August, on August 14, 2019 the high daytime temperature was 100 degrees at 4:30pm. The temperature was 93 degrees at 8:00pm. It was 90 degrees at 10:00pm. It only cooled three degrees in those two hours. By 10:00pm all commercial arena lighting must be shut down and all participants must vacate the premises. Wouldn't it make more sense to start an event in the cool of the morning and complete it before the hottest part of the day?

### **Conclusion**



We are the people living on our properties surrounding the Rusty Spur commercial arena and we are asking our elected representatives to protect our property rights by eliminating nighttime events at the Rusty Spur commercial arena. The homeowners listed on the attached petition are simply asking the following -- a simple decision by the Board of Supervisors to enforce the rules that have been in place for the past 10 years is all we ask. The owner of the Rusty Spur commercial arena should not be allowed to force multiple negative impacts upon our homes and lives by operating nighttime events against the will of those who were living here long before he decided to build the commercial arena in the center of our rural neighborhoods. Please stop this injustice and do the right thing by eliminating these nighttime events.

cont: Page 2



Figure 1: View of Rusty Spur commercial arena from the middle of the living room owned by Dave and Lynn Kyle, 10471 Ferguson road.. Property is located directly north of the commercial arena.

Board meeting date:  
5/26/2022  
Item # 60



Figure 2 : View of Rusty Spur commercial arena from the family room of the residence owned by Dave and Lynn Kyle, 10471 Ferguson Road. Residence is located due north of the commercial arena.

Board meeting date:  
5/26/2020  
Item # 6

Board meeting date 5/26/2020  
Item # 4

County of Fresno  
Department of Public Works

11/20/09

Derek Chambers, Planner II  
Development Service Division  
Department of Public Works and Planning  
2220 Tulare Street, 6<sup>th</sup> Floor  
Fresno, California 93721

(559) 262-4321  
Email [dchambers@co.fresno.ca.us](mailto:dchambers@co.fresno.ca.us)

Mr. Chambers

Please be advised that I have met with Charlie Maxwell and/or his development representative regarding the Director Review and Approval Application No. 4112. My understanding is that this arena will be operated a maximum of eighteen days with 60 to 70 people and will only be operated during daylight hours. Any operational use at night will only be for family and friends. We also understand the arena will be watered prior to any event to control any dust.

Thanks you

Gordon Kallman (Gordon Kallman)  
Name  
28565 Hidden Hollow Lane #3 Tallhouse Ct  
Address  
559-855-8024  
Phone

Comments;

## EXHIBIT 1

**Copy of form letter sent by Charlie Maxwell to people asking their support for the Rusty Spur commercial arena dated November 20, 2009.**

11/20/09

Board meeting date: 5/26/2020  
Item # 6

## PETITION

### We request the Fresno County Board of Supervisors to modify conditions of operation for the Rusty Spur commercial arena

**Submitted by the residential homeowners in the neighborhoods surrounding the  
Rusty Spur commercial arena**

Date: May 12, 2020

We are the people living in the homes surrounding the Rusty Spur commercial arena. We request the Fresno County Board of Supervisors to **modify the recent vote of the Fresno County Planning Commission on March 12, 2020, which allows the operation of an additional 30 nighttime events at the Rusty Spur commercial arena.** This requested change will have no effect on the 42 newly approved daytime events held at this commercial arena. The commercial arena owner plans to do all youth-oriented events during the day and a planned three-day law enforcement trail certification training event will only occur during the daytime. These youth and law enforcement events will continue to be conducted as currently approved. (reference: Initial Study Application No. 7721 and Director Review and Approval Application No. 4602, March 12, 2020)

1. We oppose the **negative impacts of 30 newly imposed and unwanted nighttime events, forced upon our private residential neighborhoods surrounding the Rusty Spur commercial area, that will generate unwanted loudspeaker noise pollution and unwanted commercial light pollution invading into our homes long into the night.**
2. We ask the Board of Supervisors to invoke the following mitigation measure and make it part of the conditions of operation for the Rusty Spur commercial arena:

#### REQUESTED MITIGATION MEASURES:

1. Continue to enforce the existing ten-year prohibition of all nighttime events at the commercial arena, as decreed by the Fresno County Board of Supervisors. Nighttime use of loudspeakers and commercial parking lot style lighting has been banned by the Board of Supervisors for the past 10 years.

**\*\*\*\*SIMPLY REPLY TO THIS EMAIL TO ADD YOUR NAMES TO THIS PETITION\*\*\*\***

**\*\*\*WE WILL ADD YOUR EMAIL RESPONSE AS PROOF OF YOUR INTENTION TO SIGN UP\*\*\***

**\*\*\*\*\*ANY ADULT IN ANY HOME CAN SIGN THIS PETITION\*\*\*\*\***

**\*\*\*\*\*MORE NAMES EQUAL MORE SUPPORT\*\*\*\*\***

### RUSTY SPUR ARENA PETITION

PLEASE NOTE THAT ALL ADDRESSES LISTED ARE WITHIN A ONE MILE RADIUS OF THE ARENA

<u>Name</u>	<u>Address</u>	<u>Response by:</u>
1. James Heisdorf	10836 Millerton Rd, Clovis	EMAIL
2. John Sample	11596 Rusty Spur Lane CLOVIS	EMAIL
3. Dorinda Sample	11596 Rusty Spur Lane CLOVIS	EMAIL
4. Tim Hopkins	Parcel 73 Millerton Rd, Clovis	EMAIL
5. Amanda Hopkins	Parcel 73 Millerton Rd, Clovis	EMAIL
6. Lori Brown	10298 Millerton Rd CLOVIS	Phone
7. Piper Brown	10298 Millerton Rd CLOVIS	Phone
8. Mike Chauncey	10366 Millerton Rd CLOVIS	EMAIL
9. Nancy Chauncey	10366 Millerton Rd CLOVIS	EMAIL
10. Bonnie Golden	10558 Millerton Rd CLOVIS	EMAIL
11. Jeff Kiser	10296 Millerton Rd CLOVIS	Phone
12. Jeannie Kiser	10296 Millerton Rd CLOVIS	Phone

## RUSTY SPUR ARENA PETITION

PLEASE NOTE THAT ALL ADDRESSES LISTED ARE WITHIN A ONE MILE RADIUS OF THE ARENA

<u>Name</u>	<u>Address</u>	<u>Response by:</u>
1. <u>Keith Williams</u>	<u>10504 Ferguson Rd CLOVIS</u>	<u>EMAIL</u>
2. <u>Donna Williams</u>	<u>10504 Ferguson Rd CLOVIS</u>	<u>EMAIL</u>
3. <u>Dave Kyle</u>	<u>10471 Ferguson Rd CLOVIS</u>	<u>self authorization</u>
4. <u>Lynn Kyle</u>	<u>10471 Ferguson Rd CLOVIS</u>	<u>self authorization</u>
5. <u>Rudy Urrabazzo</u>	<u>10677 Ferguson Rd CLOVIS</u>	<u>EMAIL</u>
6. <u>Matthew Tatum</u>	<u>11185 Rusty Spur Lane CLOVIS</u>	<u>EMAIL</u>
7. <u>Megan Tatum</u>	<u>11185 Rusty Spur Lane CLOVIS</u>	<u>EMAIL</u>
8. <u>Bob Hrynezuk</u>	<u>11248 Rusty Spur Lane CLOVIS</u>	<u>EMAIL</u>
9. <u>Kathleen Behr Hrynezuk</u>	<u>11248 Rusty Spur Lane CLOVIS</u>	<u>EMAIL</u>
10. <u>Jack Murray</u>	<u>21755 Rusty Spur Lane CLOVIS</u>	<u>EMAIL</u>
11. <u>Jere chick</u>	<u>10724 Ferguson Rd CLOVIS</u>	<u>PHONE</u>
12. <u>JUDY CHICK</u>	<u>10724 Ferguson Rd CLOVIS</u>	<u>PHONE</u>

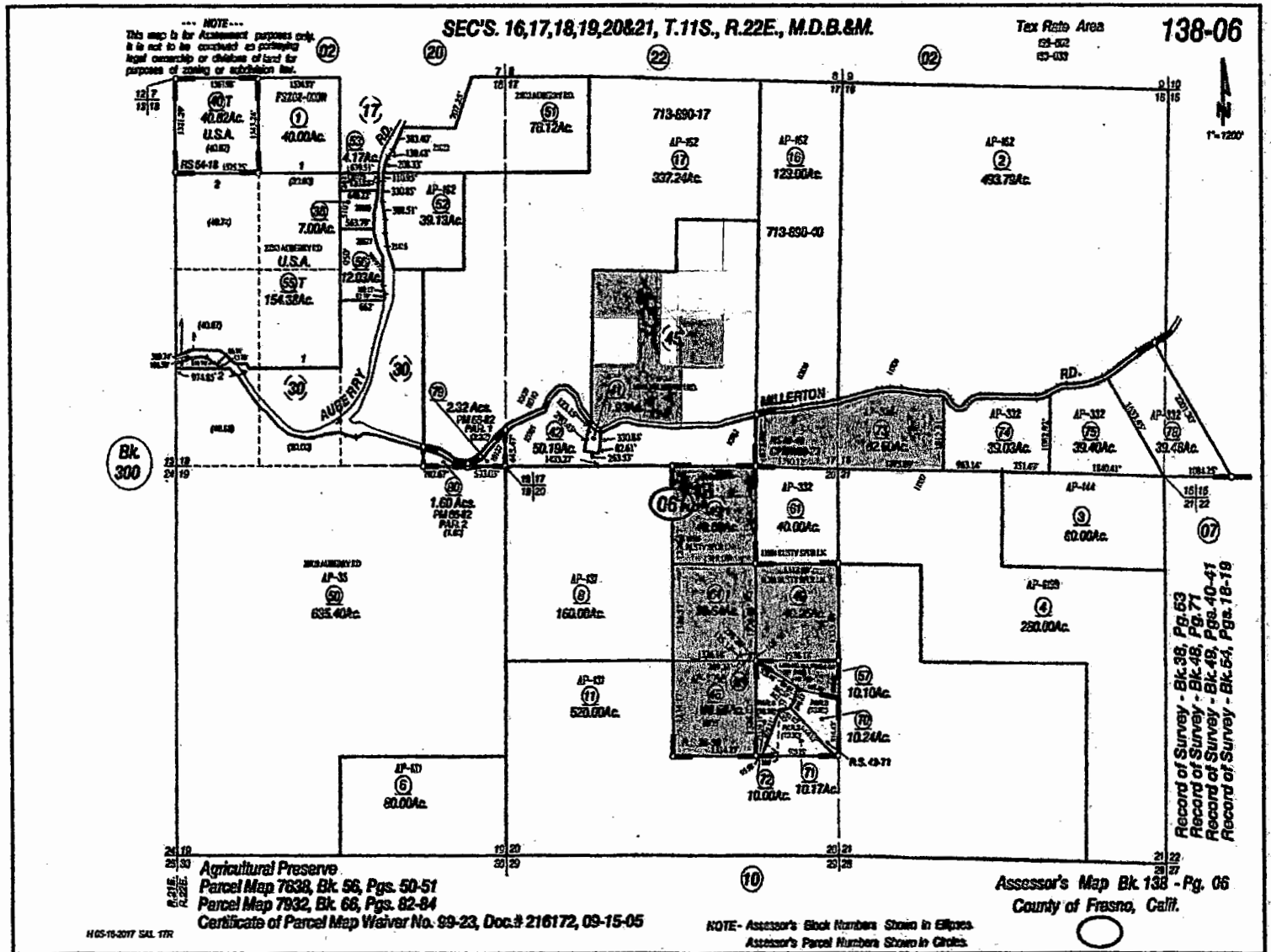




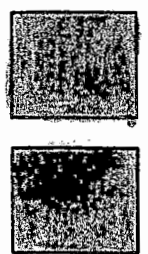
**First American**

myFirstAm® Tax Map

10925 Rusty Spur Ln, Clovis, CA 93619



**KEY**



SURROUNDING PROPERTIES  
OPPOSING NIGHTTIME EVENTS

ARENA LOCATION

page 9

This report is only for the myFirstAm user who applied for it. No one else can rely on it. As a myFirstAm user, you already agreed to our disclaimer regarding third party property information accuracy. You can view it here: [www.myfirstam.com/Security/ShowEULA](http://www.myfirstam.com/Security/ShowEULA). ©2005-2020 First American Financial Corporation and/or its affiliates. All rights reserved.

From: davekyle51@gmail.com,  
 To: lkyleland@aol.com,  
 Subject: Fwd: Petition regarding Rusty Spur arena:  
 Date: Tue, May 12, 2020 11:58 am

Board meeting date: 5/26/20<sub>20</sub>  
 Item # 6

----- Forwarded message -----

From: **Dave Kyle** <davekyle51@gmail.com>  
 Date: Tue, May 12, 2020 at 11:57 AM  
 Subject: Re: Petition regarding Rusty Spur arena:  
 To: Jim Heisdorf <jaheisdorf@hotmail.com>

Jim:

Thank you for supporting the petition. Thank you for your comments. I completely agree with everything you said. I have been arguing these negative impacts to our elected representatives for over 10 years. My words are never considered worthwhile enough. Perhaps they will listen to us this time. I will keep you informed about their new rules about running the board of supervisors meetings without a public audience. Please stay well.

Sincerely,  
 Dave Kyle

On Tue, May 12, 2020 at 11:28 AM **Jim Heisdorf** <jaheisdorf@hotmail.com> wrote:

I am absolutely opposed to 30 nighttime events per year. The Board of Supervisors needs to force the Planning Commission to start considering the surrounding land uses when approving commercial events in this area. This is rural residential, not incorporated commercial property. They have greatly exceeded the intent of their conditional use of rural residential property for commercial purposes. There is no benefit to the surrounding community for having 3 nighttime events per month, only a financial benefit to the owner. There are, however, many detrimental impacts to the surrounding community, which have already been presented at length to the County, including increased traffic hazards, and light and noise pollution.

Please put my name on the list of those opposed. The requests to hold more and more events here have been continuous, enough is enough. There will be no end to this until they are running a professional rodeo there every single weekend.

**James Heisdorf**  
 10836 Millerton Road  
 559-905-7735

Mailing Address: 571 W. Everglade Avenue, Clovis, CA 93619

Sent from Outlook

From: Dave Kyle <davekyle51@gmail.com>  
 Sent: Tuesday, May 12, 2020 10:07 AM

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Board meeting date 5/26/2020  
Item # 4

**From:** davekyle51@gmail.com,  
**To:** lkyleland@aol.com,  
**Subject:** Fwd: Petition regarding Rusty Spur arena:  
**Date:** Tue, May 12, 2020 10:03 am

----- Forwarded message -----

**From:** Dave Kyle <davekyle51@gmail.com>  
**Date:** Tue, May 12, 2020 at 10:01 AM  
**Subject:** Re: Petition regarding Rusty Spur arena:  
**To:** Keith Williams <KeithWilliams@clovisusd.k12.ca.us>

Thanks Keith. Please stay well. I will keep you informed.  
Dave

On Tue, May 12, 2020 at 9:59 AM ~~Keith Williams~~ <KeithWilliams@clovisusd.k12.ca.us> wrote:

Hey good morning Dave. I hope this finds you and Lynn well and in good spirits despite this prolonged shelter in place status. Thanks for including Donna and I in this petition. The increase in daytime events will be intrusive enough here in our quiet part of the foothills. ANY nighttime events at Rusty Spur arena seems unreasonable given the proximity of our Ferguson community. 30 nighttime events really is over the top and would clearly present a nuisance given the PA system and arena lights, I really hope the County Board reconsiders these events.

Please add both mine and Donna's names to the petition, and don't hesitate to reach out for any further involvement on this ok. Stay well, and take care.

~~Keith Williams~~

**From:** Dave Kyle <davekyle51@gmail.com>  
**Sent:** Tuesday, May 12, 2020 9:46 AM  
**To:** Keith Williams <KeithWilliams@clovisusd.k12.ca.us>; Donna Williams <DonnaWilliams@clovisusd.k12.ca.us>  
**Subject:** Petition regarding Rusty Spur arena:



Hi Keith and Donna:

page 11

5/18/2020

Re: Rusty spur arena

**From:** johnsample@myedgmail.com,  
**To:** lkyleland@aol.com,  
**Subject:** Re: Rusty spur arena  
**Date:** Mon, May 18, 2020 5:53 pm

Board meeting Date: 5/26/2020  
Item # 6

~~FYI, I just talked with Jack, and no surprise he did NOT tell Charlie he was ok with the events. Said he was against the whole thing since the beginning, but he was tired of fighting Charlie's connections.~~

Will blind cc you on the note I submit.

john

On May 18, 2020, at 3:08 PM, lynn kyle <lkyleland@aol.com> wrote:

Wow, how the heck would you pronounce that.  
thanks,  
Lynn

—Original Message—

From: john sample <johnsample@myedgmail.com>  
To: lynn kyle <lkyleland@aol.com>  
Sent: Mon, May 18, 2020 2:49 pm  
Subject: Re: Rusty spur arena

Here it is:

Bob & Kathleen Hrynezuk, 11248 Rusty Spur Lane, Clovis, CA 93619

On May 18, 2020, at 11:28 AM, lynn kyle <lkyleland@aol.com> wrote:

John,  
Do you know the last name & address of your neighbor Bob & Kathleen? They agreed to sign the petition but did not state their info. I think they have different last names.  
Thanks,  
Lynn

page 12

Board meeting date: 5/26/2020  
Item # 6

**From:** davekyle51@gmail.com,  
**To:** lkyleland@aol.com,  
**Subject:** Fwd: Please read from Dave Kyle and reply  
**Date:** Tue, May 12, 2020 2:54 pm

----- Forwarded message -----

**From:** Dave Kyle <davekyle51@gmail.com>  
**Date:** Tue, May 12, 2020 at 2:53 PM  
**Subject:** Re: Please read from Dave Kyle and reply  
**To:** Glow2Go <glow2gotan@aol.com>

That's great. Thanks for following up. Hope to see you guys soon.

On Tue, May 12, 2020 at 2:14 PM Glow2Go <glow2gotan@aol.com> wrote:  
Hi Dave:

Mike replied back to me instead of to you! He's IN!

Until we "glow" again,

Nancy

Glow2Go  
[www.glow2gotan.com](http://www.glow2gotan.com)  
[nancy@glow2gotan.com](mailto:nancy@glow2gotan.com)  
559.903.4600

Begin forwarded message:

**From:** Mike Chauncey <dunlop284@gmail.com>  
**Date:** May 12, 2020 at 12:03:54 PM PDT  
**To:** Glow2Go <glow2gotan@aol.com>  
**Subject:** Re: Please read from Dave Kyle and reply

~~I'm with you guys, Mike~~

Sent from my iPhone

On May 12, 2020, at 10:35 AM, Glow2Go <glow2gotan@aol.com> wrote:

Until we "glow" again,

Nancy

page 13

5/12/2020

Fwd: We are asking for your help:

From: davekyle51@gmail.com,  
To: lkyleland@aol.com,  
Subject: Fwd: We are asking for your help:  
Date: Tue, May 12, 2020 11:47 am

Board meeting date: 5/26/2020  
Item # 4

----- Forwarded message -----

From: Dave Kyle <davekyle51@gmail.com>  
Date: Tue, May 12, 2020 at 11:47 AM  
Subject: Re: We are asking for your help:  
To: Glow2Go <glow2gotan@aol.com>

Thanks Nancy. We appreciate your support. Just email me when you here from Mike. Grant's name would be welcomed also. Please stay well.

Sincerely,  
Dave

On Tue, May 12, 2020 at 11:28 AM Glow2Go <glow2gotan@aol.com> wrote:

~~Yes please add my name Dave-~~ I forwarded to Mikes email [dunlop284@gmail.com](mailto:dunlop284@gmail.com) and I am sure he will agree as well. Thanks for all your hard work on this!

Until we "glow" again,

~~Nancy~~

Glow2Go  
[www.glow2gotan.com](http://www.glow2gotan.com)  
[nancy@glow2gotan.com](mailto:nancy@glow2gotan.com)  
559.903.4600

On May 12, 2020, at 9:30 AM, Dave Kyle <davekyle51@gmail.com> wrote:

Hi Mike and Nancy:

Lynn and I are asking you to sign onto the petition contained in this email. Simply hit the reply button to this email and tell us you want to add your name. We will add you to the list. You can add any comments you like. The petition will be presented at the Board of Supervisors meeting on May 26, 2020. Feel free to call me and discuss any questions or concerns. I welcome your call. Please respond back to me no later than Monday, May 18th. Thanks for your support.

Stay well,  
Dave and Lynn Kyle

**PETITION**

page 14

Board meeting date: 5/26/2020  
Item # 4

**From:** davekyle51@gmail.com,  
**To:** lkyleland@aol.com,  
**Subject:** Fwd: Petition regarding Rusty Spur arena:  
**Date:** Wed, May 13, 2020 7:31 am

----- Forwarded message -----

**From:** Dave Kyle <davekyle51@gmail.com>  
**Date:** Wed, May 13, 2020 at 7:30 AM  
**Subject:** Re: Petition regarding Rusty Spur arena:  
**To:** john sample <johnsample@myedgmail.com>

Hi John:

Thanks for your support. I will contact the residences on Rusty Spur as soon as I get those emails. Thanks for doing that. I will forward this email to Lynn. She will send you the planners contact information. Please stay well.

Sincerely,  
Dave Kyle

On Wed, May 13, 2020 at 7:05 AM, john sample <johnsample@myedgmail.com> wrote:

Dave,

**Add Dorinda and I to the petition.**

I will try to get you the information you wanted late today.

warm regards,

john

ps. Do you have contact information for the planning guy we had to submit letters to before Thomas \_\_\_\_\_?

On May 12, 2020, at 10:12 AM, Dave Kyle <davekyle51@gmail.com> wrote:

Hi John and Dorinda:

Lynn and I are asking you to sign onto the petition contained in this email. The petition will be presented at the Board of Supervisors meeting on May 26, 2020. Simply hit the reply button to this email and tell us you want to add your name. We will add you to the list. You can add any comments you like. Feel free to call me and discuss any questions or concerns. I welcome your call. Please respond back to me no later than Monday, May 18th. Thanks for your support.

Stay well,  
Dave and Lynn Kyle

page 15



Board meeting date 5/26/2020  
Item # 6

**From:** davekyle51@gmail.com,  
**To:** lkyleland@aol.com,  
**Subject:** Fwd: Petition regarding Rusty Spur arena:  
**Date:** Thu, May 14, 2020 6:15 am

----- Forwarded message -----

**From:** Dave Kyle <davekyle51@gmail.com>  
**Date:** Thu, May 14, 2020 at 6:15 AM  
**Subject:** Re: Petition regarding Rusty Spur arena:  
**To:** Bonnie Bone <bonniebone@yahoo.com>

Hi Bonnie:  
Thanks for your support. Please stay well.  
Sincerely,  
Dave

On Wed, May 13, 2020 at 5:41 PM **Bonnie Bone** <bonniebone@yahoo.com> wrote:

~~Add my name, I thank you.~~

Sent from my iPad

On May 12, 2020, at 9:43 AM, Dave Kyle <davekyle51@gmail.com> wrote:

Hi Bonnie:  
Lynn and I are asking you to sign onto the petition contained in this email. The petition will be presented at the Board of Supervisors meeting on May 26, 2020. Simply hit the reply button to this email and tell us you want to add your name. We will add you to the list. You can add any comments you like. Feel free to call me and discuss any questions or concerns. I welcome your call. Please respond back to me no later than Monday, May 18th. Thanks for your support.  
Stay well,  
Dave and Lynn Kyle

**PETITION**

**We request the Fresno County Board of Supervisors to modify conditions of operation for the Rusty Spur commercial arena**

**Submitted by the residential homeowners in the neighborhoods surrounding the Rusty Spur commercial arena**

Date: May 12, 2020

We are the people living in the homes surrounding the Rusty Spur commercial arena. We request the Fresno County Board of Supervisors to **modify the recent vote of the Fresno**

page 16

Board meeting date 5/26/2020  
Item # 6

From: davekyle51@gmail.com,  
To: lkyleland@aol.com,  
Subject: Fwd: Petition regarding Rusty Spur arena:  
Date: Sat, May 16, 2020 1:35 pm

----- Forwarded message -----

From: **Dave Kyle** <davekyle51@gmail.com>  
Date: Sat, May 16, 2020 at 1:34 PM  
Subject: Re: Petition regarding Rusty Spur arena:  
To: Felicia Urrabazo <furrabazo63@gmail.com>

Thanks Felicia. Please give my thanks to Rudy as well. Lynn and I will take the petition to the Board of Supervisors on May 26th. We will do our best as a united neighborhood to keep our lifestyles intact. I will keep you updated. Please stay well.

Sincerely,  
Dave

On Sat, May 16, 2020 at 9:49 AM, Felicia Urrabazo <furrabazo63@gmail.com> wrote:  
Hi Dave,

~~Rudy agrees to list his name on the petition.~~

Thanks,  
Felicia

On Tue, May 12, 2020, 9:54 AM Dave Kyle <davekyle51@gmail.com> wrote:

Hi Rudy and Felicia:

Lynn and I are asking you to sign onto the petition contained in this email. The petition will be presented at the Board of Supervisors meeting on May 26, 2020. Simply hit the reply button to this email and tell us you want to add your name. We will add you to the list. You can add any comments you like. Feel free to call me and discuss any questions or concerns. I welcome your call. Please respond back to me no later than Monday, May 18th. Thanks for your support.

Stay well,  
Dave and Lynn Kyle

**PETITION**

**We request the Fresno County Board of Supervisors  
to modify conditions of operation for the Rusty Spur  
commercial arena**

**Submitted by the residential homeowners in the neighborhoods surrounding  
the Rusty Spur commercial arena**

Date: May 12, 2020

We are the people living in the homes surrounding the Rusty Spur commercial arena. We request the Fresno County Board of Supervisors to **modify the recent vote of the Fresno County Planning Commission on March 12, 2020, which allows the operation of an additional 30 nighttime events at**

5/18/2020

Fwd: Confirming that you got the petition regarding the Rusty Spur arena:

Board meeting date: 5/26/2020  
Item # 6

From: davekyle51@gmail.com,  
To: lkyleland@aol.com,  
Subject: Fwd: Confirming that you got the petition regarding the Rusty Spur arena:  
Date: Mon, May 18, 2020 7:05 am

----- Forwarded message -----

From: **Dave Kyle** <davekyle51@gmail.com>  
Date: Mon, May 18, 2020 at 7:05 AM  
Subject: Re: Confirming that you got the petition regarding the Rusty Spur arena:  
To: Megan Tatum <megantatum4@gmail.com>

OK. We'll add you both. Please talk with the other people up on Rusty Spur road. We need all their support. We will keep you posted as we move forward. Thanks for all your help.

Dave

On Sun, May 17, 2020 at 7:39 PM Megan Tatum <megantatum4@gmail.com> wrote:

Hi Dave,

~~Great to talk to you earlier. Yes, please add Matthew & Megan Tatum to the list. Thank you!~~

Megan Tatum  
(714) 914-9632

On May 17, 2020, at 5:21 PM, Dave Kyle <davekyle51@gmail.com> wrote:

Hi Megan:

I just wanted to confirm that you got the email I sent you last Tuesday regarding signing the petition opposing nighttime events at the Rusty Spur commercial arena. We need to verify that you want your names added to the list. Time is running short. We want to send the petition to the Board of Supervisors tomorrow, Monday, May 18th. Just hit the reply button to this email. Tell me to add your names. Then I will add you to the effort to stop the 30 night time events at the commercial arena.

Stay well,  
Dave and Lynn Kyle

--

**Dave Kyle**

10471 Ferguson Rd.

Clovis, CA 93619

(C) 559-417-5354 (H) 559-298-4014

Primary email: [davekyle51@gmail.com](mailto:davekyle51@gmail.com)

Alternate email: [lkyleland@aol.com](mailto:lkyleland@aol.com)



Reply

Forward

5/18/2020

Fwd: Confirming that you got the petition regarding the Rusty Spur arena:

Board meeting date 5/26/2020  
Item # 6

From: davekyle51@gmail.com,  
To: lkyleland@aol.com,  
Subject: Fwd: Confirming that you got the petition regarding the Rusty Spur arena:  
Date: Mon, May 18, 2020 7:10 am

----- Forwarded message -----

From: **Dave Kyle** <davekyle51@gmail.com>  
Date: Sun, May 17, 2020 at 5:59 PM  
Subject: Re: Confirming that you got the petition regarding the Rusty Spur arena:  
To: Tim Hopkins <timhopkins805@gmail.com>

Thanks tim. That's great news. I appreciate your quick eply. We will add you and your wife. I will keep you posted. Right now the Board of Supervisors meeting is scheduled for May 26th. StayWell Dave

On May 17, 2020 5:55 PM, "Tim Hopkins" <timhopkins805@gmail.com> wrote:

Dave,

Please add Amanda's and my name to the petition.

Thank you

Sent from my iPhone

On May 17, 2020, at 5:10 PM, Dave Kyle <davekyle51@gmail.com> wrote:

Hi Amanda and Tim:

I just wanted to confirm that you got the email I sent you last Tuesday regarding signing the petition opposing nighttime events at the Rusty Spur commercial arena. We need to verify that you want your names added to the list. Time is running short. We want to send the petition to the Board of Supervisors tomorrow, Monday, May 18th. Just hit the reply button to this email. Tell me to add your names. Then I will add you to the effort to stop the 30 night time events at the commercial arena.

Stay well,

Dave and Lynn Kyle

--

**Dave Kyle**

10471 Ferguson Rd.

Clovis, CA 93619

(C) 559-417-5354 (H) 559-298-4014

Primary email: [davekyle51@gmail.com](mailto:davekyle51@gmail.com)

Alternate email: [lkyleland@aol.com](mailto:lkyleland@aol.com)



Reply

Forward

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5/18/2020

Fwd: Confirming that you got the petition regarding the Rusty Spur arena:

From: davekyle51@gmail.com,

To: lkyleland@aol.com,

Subject: Fwd: Confirming that you got the petition regarding the Rusty Spur arena:

Date: Mon, May 18, 2020 10:37 am

Board meeting date 5/26/2020

Item # 6

----- Forwarded message -----

From: **Dave Kyle** <davekyle51@gmail.com>

Date: Mon, May 18, 2020 at 10:37 AM

Subject: Re: Confirming that you got the petition regarding the Rusty Spur arena:

To: <bobhry@comcast.net>

Bob and Kathleen:

Thank you for your positive response to our petition. We will add your names to the list. We will deliver the petition to the Board of Supervisors at the May 26 meeting. Hopefully we can preserve our quiet country lifestyle during those summer evenings.

Please stay well,

Dave and Lynn Kyle

On Mon, May 18, 2020 at 9:10 AM <bobhry@comcast.net> wrote:

Dave,

**You can add our names to the list.**

**Bob & Kathleen:**

From: **Dave Kyle** <davekyle51@gmail.com>

Sent: Sunday, May 17, 2020 5:33 PM

To: **bobhry@comcast.net**

Subject: Confirming that you got the petition regarding the Rusty Spur arena:

Hi Bob and Kathleen:

I just wanted to confirm that you got the email I sent you last Tuesday regarding signing the petition opposing nighttime events at the Rusty Spur commercial arena. We need to verify that you want your names added to the list. Time is running short. We want to send the petition to the Board of Supervisors tomorrow, Monday, May 18th. Just hit the reply button to this email. Tell me to add your names. Then I will add you to the effort to stop the 30 night time events at the commercial arena.

Stay well,

---

**From:** Megan Tatum <megantatum4@gmail.com>  
**Sent:** Tuesday, May 26, 2020 8:20 AM  
**To:** BOSComments  
**Subject:** Comments for May 26, 2020 Meeting - ITEM 6

RE: Land Use Appeal for Application No. 7721 - Maxwell Arena

Board of Supervisors:

I regret that I am unable to be in attendance today. Please accept this letter in lieu of a verbal statement.

I would like to reiterate the concerns I raised at the previous hearing on this matter. I am Mr. Maxwell's neighbor with the adjacent property that directly overlooks his land. My husband, Dr. Matthew Tatum, and I purchased our property on Rusty Spur Lane in September 2018. We were aware of Mr. Maxwell's arena and, after having researched its purposes and limited use, felt comfortable living in such close proximity to it.

As a neighbor and fellow owner of 40 acres, I understand the desire to use personal land for purposes that are meaningful. I have no opposition to expanding Mr. Maxwell's daytime usage in the limited capacity that was approved at the hearing.

However, as a parent of young children, I strongly disagree with the decision to permit evening activities at the arena. In our personal conversations as well as publicly, Mr. Maxwell has emphasized the arena as being used for children's riding activities. This causes me to wonder about the need for evening activities. As a parent of children myself, I would have no desire or expectation for a horse arena to provide activities until 10 pm. If the true desire for evening activities is due to Mr. Maxwell's desire to hold a fundraiser attended by adults, I am sure he would be able to secure one of the many venues in surrounding cities that can accommodate the group and that would then carry the proper permits to serve alcohol, which at our last hearing Mr. Maxwell admitted was a part of his events, despite it being disallowed.

The negative effects of nighttime activities at the arena on my family would be many, including but not limited to noise disturbance which can lead to sleep deprivation. As parents of four young children (ages 8 and under, one of whom has special needs), this is not something my husband, a clinical psychologist, and I are willing to see permitted without imploring you to continue to disallow the nighttime activities at the arena. The negative effects of sleep disturbance and deprivation in children has been widely studied.

My concern is that there was not an objective review of the data presented at the previous meeting. The Power Point slides and report presented by Mr. Kobayashi stated that there are "no adverse effects..." of expanding the operations of the arena. The word "no" is a strong and absolute one. It's just simply untrue that there are no adverse effects. I ask you to take an objective look at those adverse effects, consider the stated purpose of the arena, and please adjust the use accordingly.

Thank you for your time and consideration.

Megan Tatum  
(714) 914-9632

---

**From:** john sample <johnsample@myedgemail.com>  
**Sent:** Monday, May 25, 2020 9:55 PM  
**To:** BOSComments  
**Subject:** Application NO. 7721 & NO. 4602

Meeting date: May 26th, 2020  
Application NO. 7721 & NO. 4602  
Item # 6

To: Fresno County Board of Supervisors

We are opposed to these applications on the following grounds:

- Contrary to applicant's assertion, the CHP did not sign off or ok this proposal. I called them to verify, which no one from the county did.
- Contrary to the applicant's statement, Jack Murray, who resides on Rusty Spur is against the entire proposal, and has been from the beginning. He does not support the proposal and never has.
- Contrary to applicant's assertion, two other residents of Rusty Spur Lane, are also against this proposal .
- County staff never visited the site to inspect the location.
- County staff never inspected the concrete bridge, which is 25 years old, to see whether it could support the additional heavy traffic.
- County staff never visited the location to see if any damage, or wear & tear would occur from this proposal, or any way to repay property owners for the damage done to our private property.
- County sheriff never visited the site to inspect road conditions, or take measurements to insure the safety of the general public, or offer mitigating solutions to lesson the danger.
- Only one property owner on Rusty Spur, who lives on the road approves. One other former resident, who moved to Nevada to avoid paying California taxes, was ok with it, but I am not considering their opinion, since they don't even live in the state anymore.
- The Board is favoring one property owner over others, concerning the use of a private road & bridge, without regard to impact on others due to consideration being given in exchange.

john & Dorinda Sample  
11596 Rusty Spur Lane  
Clovis, CA -93619-

cc: CA Attorney General, Special Investigations Team  
CA Bar Association Ethics Dept  
FBI: Public Corruption Div.



# THE BUSINESS JOURNAL

FRESNO | KINGS | MADERA | TULARE

P.O. Box 126  
Fresno, CA 93707  
Telephone (559) 490-3400

(Space Below for use of County Clerk only)

**RECEIVED**  
MAY 18 2020

CLERK. BOARD OF SUPERVISORS

IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

### Notice of Public Hearing

INITIAL STUDY APPLICATION NO. 7721 and DIRECTOR REVIEW AND APPROVAL APPLICATION NO. 4602

DATE AND TIME OF PUBLIC HEARING:  
MAY 26, 2020 AT 9:00 AM

### DECLARATION OF PUBLICATION (2015.5 C.C.P.)

### MISC. NOTICE

Notice of Public Hearing  
Notice of hearing before the Board of Supervisors of the County of Fresno on INITIAL STUDY APPLICATION NO. 7721 and DIRECTOR REVIEW AND APPROVAL APPLICATION NO. 4602 filed by CHARLES MAXWELL.

For more information contact **Thomas Kobayashi**, Department of Public Works and Planning, 2220 Tulare Street (corner of Tulare & "M" Streets, Suite 7721 and DIRECTOR REVIEW AND APPROVAL APPLICATION NO. (559) 600-4224, email [TKobayashi@FresnoCountyCA.gov](mailto:TKobayashi@FresnoCountyCA.gov).

Note: On March 12, 2020, the Fresno County Planning Commission approved this application, and on March 26, 2020, an appeal was filed by David Kyle to the Fresno County Board of Supervisors for consideration.

The full text of this Land Use Appeal will be available on the Fresno County website <https://fresnocounty.legistar.com/Calendar.aspx> under the May 26, 2020 meeting at the Meeting Details link by Wednesday, May 20, 2020.

Ernest Buddy Mendes, Chairman  
Board of Supervisors

ATTEST:  
**BERNICE E. SEIDEL**  
Clerk, Board of Supervisors  
05/13/2020

Notice is hereby given that the Board of Supervisors of the County of Fresno has set this hearing for **Tuesday, the 26th day of May, 2020, at the hour of 9:00 A.M. (or as soon thereafter as possible)**, in the Board of Supervisors Chambers, Room 301, Hall of Records, 2281 Tulare St., Fresno, California, as the time and place for holding a public hearing on the following matter:

Amend DRA No. 4112 and DRA No. 4465 to allow operational modifications for an approved commercial horse arena on a 40.05-acre parcel in the AL-40 (Limited Agricultural, 40-acre minimum parcel size) Zone District. Operational modifications include increasing the number of authorized event days from 24 event days to 72 event days and change operational time limits to allow 30 of the event days to operate during the evening hours from 4:00 PM to 10:00 PM. The project site is located on the west side of Rusty Spur Lane approximately 690 feet south of its nearest intersection with Millerton Road, and is approximately 6.35 miles east from the unincorporated community of Friant (SUP. DIST. 5) (APN 138-061-49). Adopt the Mitigated Negative Declaration prepared for Initial Study Application No. 7721, and take action on Director Review and Approval Application No. 4602 with Findings and Conditions.

STATE OF CALIFORNIA

COUNTY OF FRESNO

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of **THE BUSINESS JOURNAL** published in the city of Fresno, County of Fresno, State of California, Monday, Wednesday, Friday, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Fresno, State of California, under the date of March 4, 1911, in Action No.14315; that the notice of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

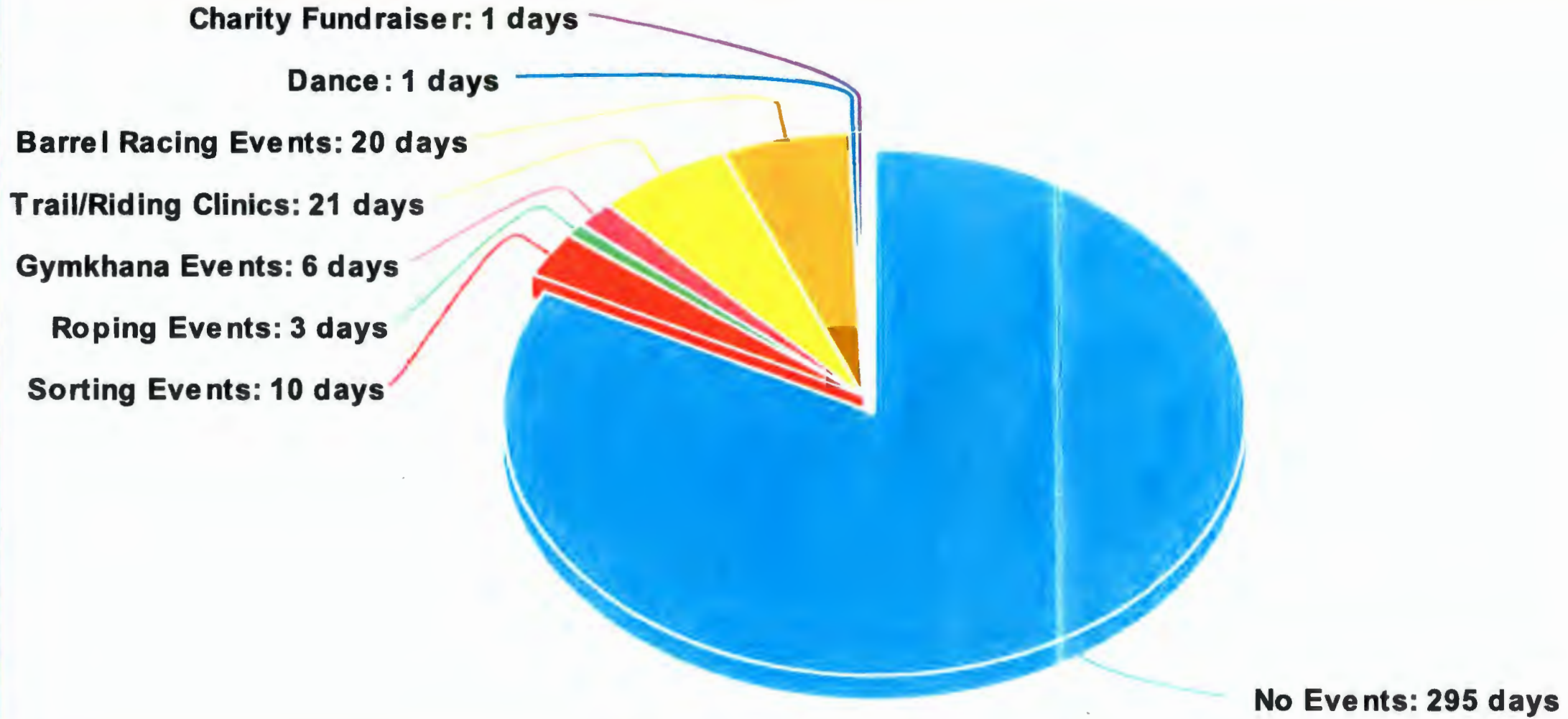
MAY 13, 2020

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Fresno, California,

MAY 13, 2020

ON .....

# Total Event Days



- No Events
- Sorting Events
- Roping Events
- Gymkhana Events
- Trail/Riding Clinics
- Barrel Racing Events
- Dance
- Charity Fundraiser



North  
Fork Little  
Dry Creek

1,300 ft.

Old Millerton Rd.

700 ft.

N



1095 Rusty Spur Ln

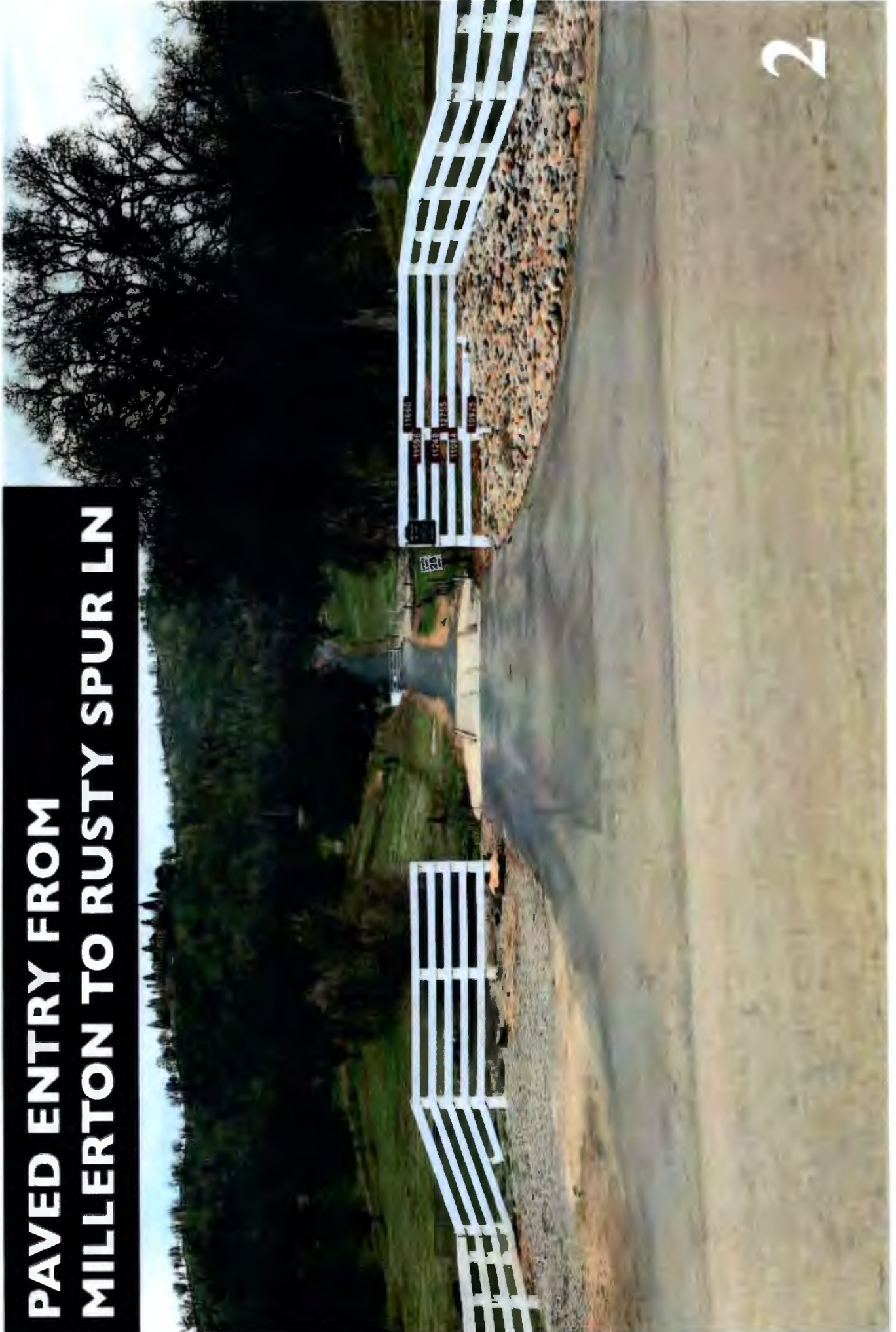
Rusty Spur Ln



1



**PAVED ENTRY FROM  
MILLERTON TO RUSTY SPUR LN**





# PERIMETER LANDSCAPING/ENTRY DRIVE



# PERIMETER LANDSCAPING



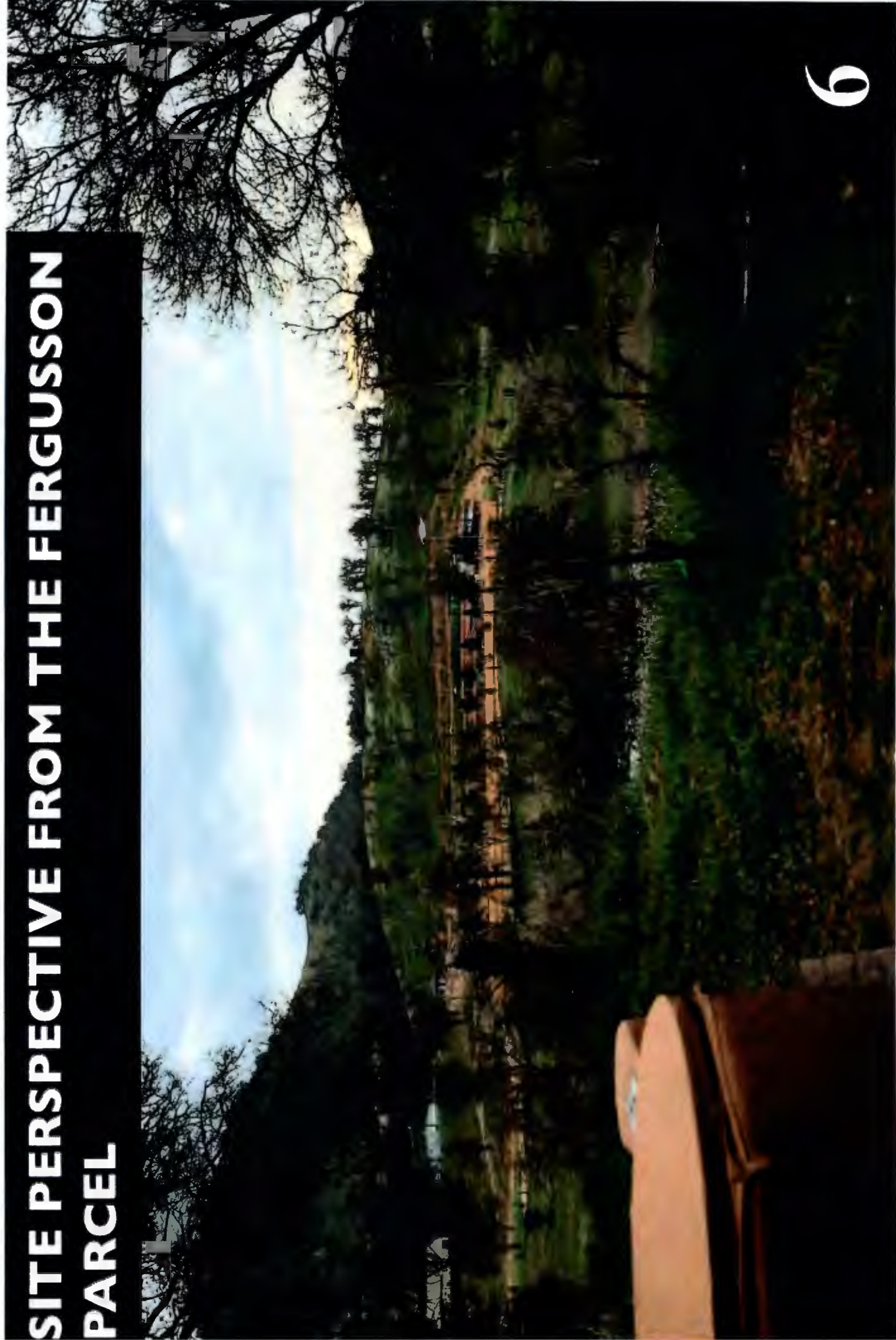


# ADA RESTROOM/FOOD SERVICE AREA

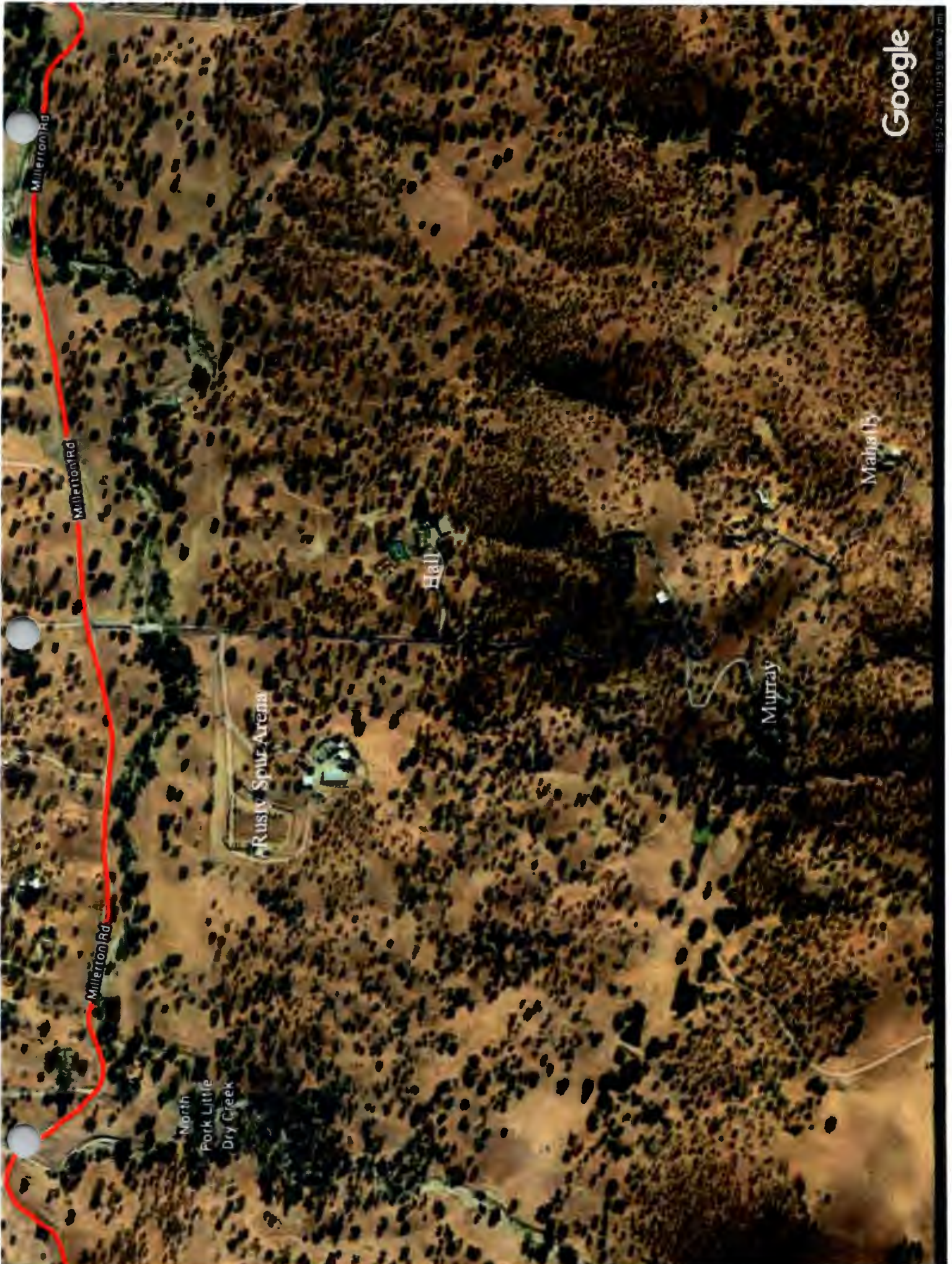




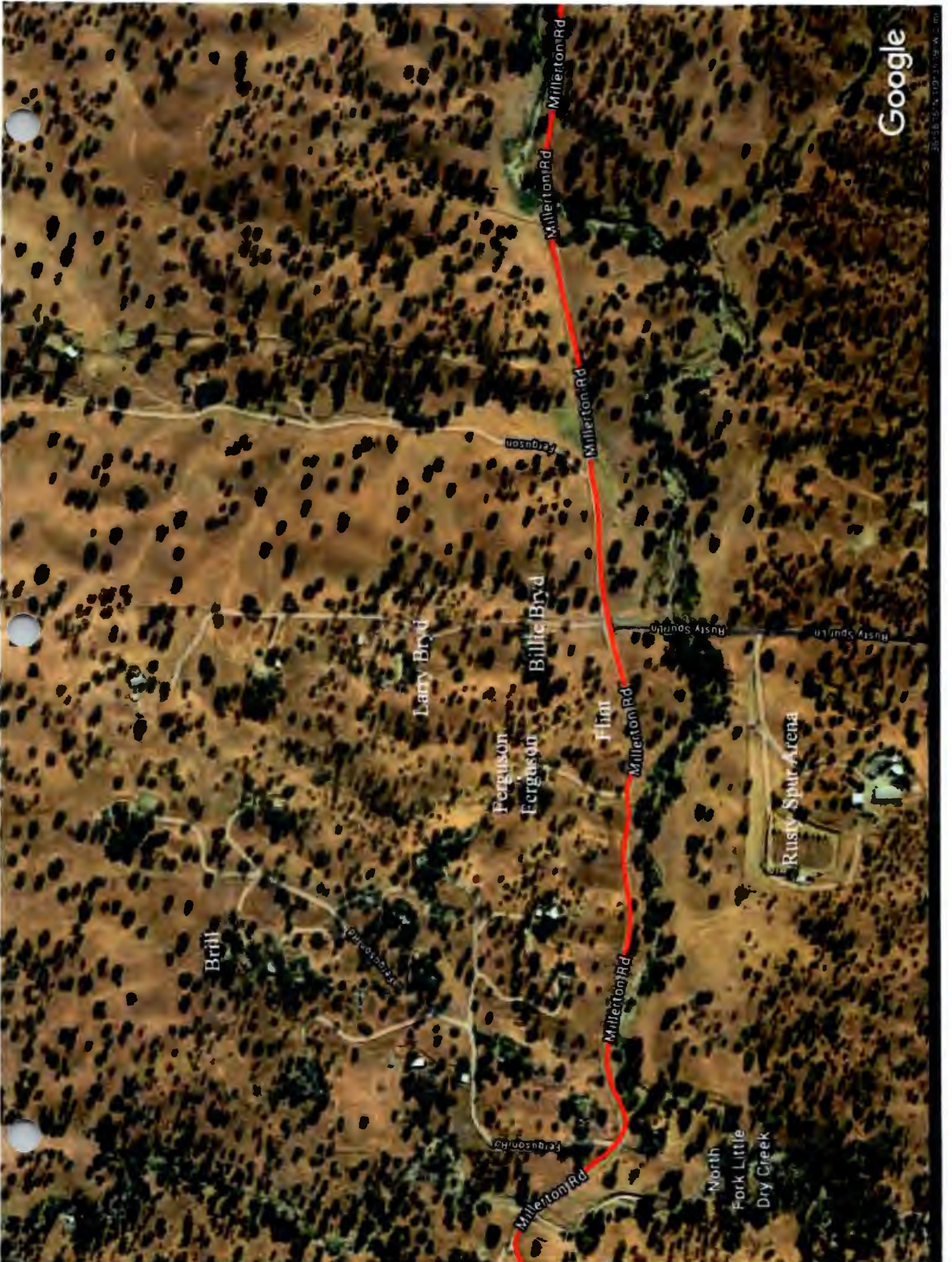
**SITE PERSPECTIVE FROM THE FERGIUSSON  
PARCEL**













# JAMES & DAWN MINENNA

May 17<sup>th</sup>, 2020

James and Dawn Minenna  
Twisted Pair Ranch  
20152 Nicholas Road  
Clovis, CA 93619

Fresno County Planning Department  
Directors and Review Approval  
Ref# 4602

Dear Sir or Madam,

We are writing to you as the grandparents of a 2 ½ year old who has benefited greatly from the opportunities provided by the Rusty Spur Arena events over these past years. Certainly, the opportunity for such a young boy to learn to ride, to explore the equine disciplines in a safe and encouraging environment, and to do it with so many other families and friends nearby in support and fellowship cannot be overstated. Unfortunately, some of the days have been cut short because during the heat of the summer many of the younger participants have been overcome. This results in the younger participants not being able to compete for the full event duration. As I understand it Mr. Maxwell is asking for a later start time for some of the events and I recommend this so that more children and young adults might be able to participate and succeed.

The organizers of these events, chiefly Mr. Maxwell and his family, take great pains to limit the impact in terms of excess noise and disruption to their neighbors who are situated well away from the event arena. Every event we have attended is thoughtfully planned, well executed, and harmoniously attended with very little discernable impact on the areas traffic patterns and noise levels. As residence of the nearby foothills, we would be the first to try and curb any negative impact that any such events would have on the tranquility and peacefulness we, as a community, strive for. In these instances, I haven't been witnessed to anything that I would ever deem disruptive to that peace or not in keeping with the spirit in which we have all chosen to live.

What Mr. Maxwell and his family have brought to the County of Fresno are engaging and family-oriented experiences the likes of which are seldom available to many folks in the foothill areas. He does it in a way that cares for his neighbors, with sensitivity towards his community, and most of all a desire to encourage good stewardship and understanding of a way of life that is commonly underserved. I ask for your support in this continued effort.

Sincerely,



James and Dawn Minenna



**DRAKE HODGE**

5/19/20

FRESNO COUNTY BOARD OF SUPERVISORS  
2200 TULARE ST, 6<sup>TH</sup> FLOOR  
FRESNO CA 93721

RE: REVIEW AND APPROVAL #4602

RUSTY SPUR ARENA  
10925 RUSTY SPUR LN, CLOVIS CA 93619

DEAR SIRs,

MY NAME IS DRAKE HODGE. I HAVE BEEN A FRESNO COUNTY DISTRICT FIVE RESIDENT FOR 25 YEARS. I HAVE CHILDREN AND GRANDCHILDREN WHO HAVE ATTENDED AND PARTICIPATED AT EVENTS HELD AT RUSTY SPUR ARENA. I MYSELF HAVE VOLUNTEERED AT RUSTY SPUR ARENA SINCE ITS OPENING.

I AM AWARE OF SOME OF THE PAST ISSUES BROUGHT FORWARD BY NEIGHBORS OF THE ARENA ONE ISSUE, IN PARTICULAR, THAT WAS RAISED WAS THE NEIGHBOR WHO COMPLAINED ABOUT THE LOSS OF THEIR VIEW OF THE SURROUNDING HILLS AND COUNTRYSIDE. I MYSELF HAD A SIMILAR SITUATION. I BOUGHT ACREAGE WITH A BEAUTIFUL VIEW OF TABLE MOUNTAIN AND ITS WATERFALLS AND WILD FLOWER COVERED HILLS.

AFTER I BUILT MY HOUSE ANOTHER PARTY PURCHASED THE ACREAGE BEHIND ME AND

BETWEEN MY PARCEL AND TABLE MOUNTAIN  
MY NEW NEIGHBORS BUILT THEIR HOME AND SHOP  
AND POOL THAT NOW COVER THE ROLLING  
HILLSIDE BEHIND ME. I DO MISS THE  
ORIGINAL VIEW BUT I STILL SEE THE MOUNTAIN.  
IF I WANTED TO HAVE MY ORIGINAL VIEW I  
SHOULD HAVE PURCHASED THE PARCEL BUT IT  
WAS BEYOND MY FINANCES.

THE SAME SITUATION EXISTS TODAY FOR  
RUSTY SPUR ARENA AND IS PART OF THE  
MISUNDERSTANDING BEHIND THE COMPLAINING  
NEIGHBOR'S OBJECTIONS.

I'M SURE THE NATIVE AMERICANS  
REGRETTED SELLING MANHATTAN ISLAND FOR  
BEADS AND STONES BUT TIMES CHANGE AND  
PROGRESS MOVES FORWARD.

I SUPPORT THE RUSTY SPUR ARENA  
PROJECT AND WILL CONTINUE TO DO SO

Dwight Hodge  
DRAKE HODGE  
21574 CHEROKEE RD  
CLOVIS CA 95619

GARCIA

FRENO COUNTY DET.  
PUBLIC WORKS

5/20/2020

RE: DIRECTORS REVIEW #4602  
TRUSTY SPUR ARENA

GENTLEMEN

I AM TOMY GARCIA, A LIFE-LONG PARTICIPANT IN PROPEL EVENTS I VOLUNTEER AND INSTRUCT RIDERS AT TRUSTY SPUR ARENA SINCE THEY OPENED.

WHILE SOME ARENA'S ARE KNOWN FOR ACTIVITIES OF LOUD MUSIC AND ALCOHOL INCLUDES ATTENDANCE, THIS DOES NOT HAPPEN AT TRUSTY SPUR ARENA.

KNOWING CHARLIE MAXWELL NOW FOR SEVERAL YEARS, THIS TYPE OF ACTIVITY WOULD BE STOPPED IMMEDIATELY. THIS ARENA IS A FAMILY RUN EVENT.

I FULLY SUPPORT THE ARENA AND VERY HAPPY TO BE ABLE TO BE ONE OF THE INSTRUCTORS.

1839 CAROLINA LANE

Tom Garcia

# ANDREW & SHERYL HILL

May 20, 2020

To the Board of Supervisors:

We ask that you allow Rusty Spur Arena to extend their options to open for evening events. This would allow the community to gather for multiple events which the foothill area would benefit for ranching community.

Rusty Spur Arena has been a great venue for the community as it allows the children and adults the options to ride in gymkhanas, sorting's, barrel races and roping's. During the spring, summer and fall, the weather can be rather hot during the late morning and afternoons, evenings would be a better time for both the kids, older adults and for the horses too. Rusty Spur has encouraged the youth to learn the value of trying hard and learning how to win and lose with good sportsmanship. It is truly a family affair and the cowboy way of life.

We ask for your consideration to allow Rusty Spur Arena to open for the evening events with the understanding that they would be done by 10:00pm.

Thank you for your consideration,

E. Andrew & Sheryl Hill

25382 White Thorne Rd

Clovis, Ca 93619



**TAMI MEYERS.  
REAL ESTATE BROKER**

Director's Review #4602, 10925 Rusty Spur Lane, Clovis Ca

charliemaxwell@.../Inbox



Tami Myers <realtortami@tamimyrs.com>  
To: 'Charlie Maxwell' <charliemaxwell@gmail.com>

May 21 at 7:31 AM

Members of Fresno County Board of Supervisors,

My name is Tami Myers. I am a local resident in the Sierra Foothills and have been a Realtor specializing in this area since 1989. I work diligently to insure that my clients are fully educated to our area and our market prior to making decisions to purchase property here.

The perception of mountain living is that it is peaceful and quiet. Although it can be just that, it is often times quite noisy! The constant sounds of city traffic are replaced with Coyotes, dirt bikes, shooting, loud music, lawn mowers and Bull Frogs.

It is the responsibility of the agent and the buyer to investigate potential properties thoroughly prior to purchase. Purchase contracts are very clear advising buyers to investigate prior to purchasing a property. Buyers are given Disclosures from Sellers during the investigation period on which there are direct questions answered by the seller relating to noise.

Buyers have the right and also the responsibility to investigate properties prior to purchase. Buyers /buyer's agents should not only investigate the property they are purchasing, but also the properties adjacent and surrounding the property. It is vital to research the entire neighborhood. It is vital to educate yourself to the current and possible future development possibilities prior to purchase.

Buyers are advised formally during their investigation period in escrow as the to the disclosures regarding noise and land use via several forms such as the Statewide Buyer Seller Disclosure, Real Estate Transfer Disclosure, Seller Property Disclosure and Preliminary Title Report. Agents are required to provide full disclosure also submitting Agent Visual Inspection Advisories and Disclosures. In addition, upon completion of the buyer's investigation, buyers sign a statement removing contingencies of investigation. The statement reads that the Buyer has investigated the property and has accepted it in it's present condition. Also, it is stated in the contracts, that when escrow closes, it is deemed that the buyer accepts the property.

Warm Regards,

Tami Myers



**Tami Myers**  
Pinnacle Real Estate of Shaver Lake  
BRE#1017453

41441 Tollhouse Road  
Shaver Lake, CA 93664  
[Realtortami@tamimyrs.com](mailto:Realtortami@tamimyrs.com)  
559-281-5710  
[Wesellshaverlake.com](http://Wesellshaverlake.com)

**JACK MURRAY**

FRESNO COUNTY DEPARTMENT OF  
PUBLIC WORKS AND PLANING  
2200 TULARE STREET 6<sup>TH</sup> FLOOR  
FRESNO, CA 93721  
(559) 600-4230

05/20/2020

RE: FRESNO COUNTY DIRECTORS AND REVIEW APPROVAL  
# 4602, BOARD OF SUPERVISORS HEARING 05/26/2020

RUSTY SPUR ARENA INC.  
10925 RUSTY SPUR LANE, CLOVIS, CA 93619

GENTLEMEN

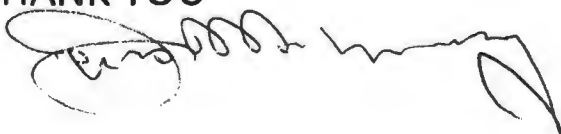
I AM JACK MURRAY, I HAVE LIVED ON RUSTY SPUR LANE FOR OVER 22 YEARS. I AM FULLY AWARE OF CHARLIE MAXWELL AND HIS HORSE ARENA ON RUSTY SPUR LANE.

SEVERAL YEARS AGO THERE WAS A CIVIL LAWSUIT INVOLVING THE USE OF RUSTY SPUR LANE AND THE ARENA. THIS CIVIL ACTION WAS RESOLVED IN A CIVIL COURT ACTION, AND IS NOW COMPLETELY RESOLVED.

AN ACCESS GATE THAT PROTECTS MYSELF AND OTHERS FROM UNWANTED VEHICLE TRAFFIC ON RUSTY SPUR LANE HAS BEEN MOVED. THE GATE ALLOWS ACCESS TO THE ARENA, WHILE STOPPING ACCESS TO MY PARCEL AND OTHERS.

I HAVE NO ISSUES WITH THE ARENA OR THE OPERATION OF THE ARENA.

THANK YOU



# DAVID MAHAFFY

FRESNO COUNTY DEPARTMENT OF  
PUBLIC WORKS AND PLANNING  
2200 TULARE STREET 6<sup>TH</sup> FLOOR  
FRESNO, CA 93721  
(559) 600-4230

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RUSTY SPUR ARENA INC.  
10925 RUSTY SPUR LANE  
CLOVIS, CA 93619  
(559) 299-0502  
C/O CHARLES MAXWELL

FRESNO COUNTY PLANNING STAFF, I HAVE BEEN AWARE AND MADE AWARE BY SUPPORTERS OF RUSTY SPUR ARENA INC. THAT THIS HORSE ARENA FACILITY HAS UNDER GONE NUMEROUS CIVIL LEGAL ACTIONS AND NUMEROUS PUBLIC HEARINGS, ALL OF WHICH HAVE BEEN RESOLVED AND RESOLVED IN FAVOR OF THE ARENA.

COMPLAINING PARTIES HAVE ARGUED TRAFFIC, NOISE, DUST AND A HOST OF UNTOLD ISSUES, INCLUDING FAILURE TO STRIPE THE ARENA PARKING LOT.

I HAVE MET WITH SUPPORTERS OF THE ARENA AND FOUND PERSONALLY NONE OF THESE COMPLAINTS ARE VALID. NOISE AS SUCH CONSISTS OF THE ARENA PLAYING OUR NATIONAL ANTHEM AND OCCASIONAL NOISE FROM CHILDREN HAVING FUN.

I KNOW AFTER MEETING WITH SUPPORTERS OF THE ARENA, I HAVE FOUND THAT THE INCREASE IN ALLOWABLE USEAGE DAYS WILL GIVE CHILDREN THE CHANCE AT STATE COLLEGE SCHOLARSHIPS IN THE EQUESTRIAN FIELDS, WHICH CURRENTLY DOES NOT EXIST IN FRESNO COUNTY.

THE ARENA DOES AND WILL BE HOSTING ROPINGS AND CATTLE SORTINGS WITH CLINICS FOR ADULTS AND CHILDREN TO IMPROVE THEIR RESPECTIVE RIDING SKILLS.

THE ARENA WILL ALSO, AND MORE IMPORTANTLY BE HOSTING POLICE TRAIL TRIALS, BENEFITTING OUR LOCAL POLICE AND SHERIFF DEPARTMENTS, WHICH IS A BENEFIT TO ALL.

I HAVE NO ISSUES WITH THE OPERATION OF RUSTY SPUR ARENA INC. PLEASE INCULDE THIS LETTER OF SUPPORT ON THE PUBLIC HEARING AT THE FRESNO COUNTY BOARD OF SUPERVISORS FOR A HEARING ON MAY 26,2020.

David Mahaffy 5-14-2020  
NAME DATE  
11660 Rusty Spur Ln. Clovis CA 93619  
ADDRESS  
(775) 413-4485  
PHONE  
138-061-70  
ASSESSOR PARCEL NUMBER

PERSONAL NOTE: I believe the arena on Rusty Spur is a great opportunity to provide beneficia clinics for the local community. I support

**TERI HALL**

FRESNO COUNTY DEPARTMENT OF  
PUBLIC WORKS AND PLANNING  
2200 TULARE STREET 6<sup>TH</sup> FLOOR  
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Teri R. Hall May 19, 2020  
NAME DATE

11084 RUSTY SPUR LN CLAVIS CA 93619  
ADDRESS

(559) 270-7807  
PHONE

ASSESSOR PARCEL NUMBER

PERSONAL NOTE:

I have no problem with Charlie Maxwell's horse arena.  
Teri R. Hall

**DON FERGUSON**

FRESNO COUNTY DEPARTMENT OF  
PUBLIC WORKS AND PLANNING  
2200 TULARE STREET 6<sup>TH</sup> FLOOR  
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Don Ferguson May 17, 2020  
NAME DATE

10550 MILLERTON RD. CLOVIS, CA. 93619  
ADDRESS

559-299-5440  
PHONE

ASSESSOR PARCEL NUMBER

PERSONAL NOTE:

WE LOVE THE KIDS! AND THE HORSES  
brings the place to life!



**GERALDINE FERGUSON**

FRESNO COUNTY DEPARTMENT OF  
PUBLIC WORKS AND PLANNING  
2200 TULARE STREET 6<sup>TH</sup> FLOOR  
FRESNO, CA 93721  
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Geraldine Ferguson May 17, 2020  
NAME DATE  
10550 Millerton Rd, Clovis, Ca 93619  
ADDRESS  
805 300 7096  
PHONE  
\_\_\_\_\_  
ASSESSOR PARCEL NUMBER

PERSONAL NOTE:

I love hearing the kids, seems as if horses = police training/involvement  
is not what this neighborhood/area need.

# BILLIE JEAN BYRD

FRESNO COUNTY DEPARTMENT OF  
PUBLIC WORKS AND PLANNING  
2200 TULARE STREET 6<sup>TH</sup> FLOOR  
FRESNO, CA 93721  
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Billie Jean Byrd 5-19-20  
NAME DATE  
10762 Millerton Rd. Clovis CA  
ADDRESS  
559-289-8731  
PHONE  
55  
ASSESSOR PARCEL NUMBER

PERSONAL NOTE:

*No ISSUES*

**LARRY BYRD**

FRESNO COUNTY DEPARTMENT OF  
PUBLIC WORKS AND PLANNING  
2200 TULARE STREET 6<sup>TH</sup> FLOOR  
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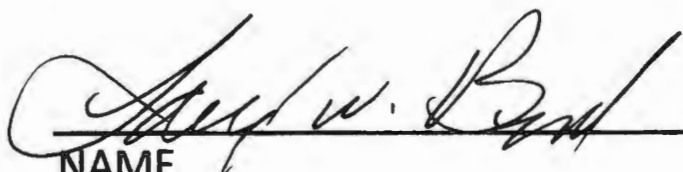
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NAME

5-19-20

DATE

10768 Millerton Rd Clovis CA

ADDRESS

Cell 559-289-8731

PHONE

ASSESSOR PARCEL NUMBER

PERSONAL NOTE:

If you can't put a horse arena on 40 acres where can you put one.