

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

(Space Below for use of County Clerk only)

IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

Notice of Public Hearing

VARIANCE NO. 4153 and ENVIRONMENTAL REVIEW NO. 8430

DATE AND TIME OF HEARING:

MARCH 19, 2024 AT 9:30 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 VARIANCE NO. 4153 and ENVIRONMENTAL REVIEW NO. 8430 filed by JAMES MAXEY. On December 14, 2023, the Fresno County Planning Commission denied this application, and on December 21, 2023, an appeal was filed by DURMEX PROPERTIES LLC to the Fresno County Board of Supervisors for consideration.

PROGRAM ACCESSIBILITY AND ACCOMMODATIONS: The Americans with Disabilities Act (ADA) Title II covers the programs, services, activities, and facilities owned or operated by state and local governments like the County of Fresno ("County"). Further, the County

promotes equality of opportunity and full participation by all persons, including persons with disabilities. Towards this end, the County works to ensure that it provides meaningful access to people with disabilities to every program, service, benefit, and activity, when viewed in its entirety. Similarly, the County also works to ensure that its operated or owned facilities that are open to the public provide meaningful access to people with disabilities.

To help ensure this meaningful access, the County will reasonably modify policies/ procedures and provide auxiliary aids/services to persons with disabilities. If, as an attendee or participant at the meeting, you need additional accommodations such as an American Sign Language (ASL) interpreter, an assistive listening device, large print material, electronic materials, Braille materials, or taped materials, please contact the Current Planning staff as soon as possible during office hours at (559) 600-4230 or at jpotthast@fresnocountyca.gov. Reasonable requests made at least 48 hours in advance of the meeting will help to ensure accessibility to this meeting. Later requests will be accommodated to the extent reasonably feasible.

Notice is hereby given that the Board of Supervisors of the County of Fresno has set this hearing for Tuesday, March 19, 2024, at the hour of 9:30 am (or as soon thereafter as possible), at 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 matters:
Allow the creation of two substandard sized legal parcels, a 7-acre parcel, and a 14.51-acre parcel from an existing 21.51-acre parcel and waive development standards to allow for 18.38-foot side yard setback where 20 foot is required within the AE-20 (Exclusive Agricultural, 20-acre minimum) Zone District. The subject parcel is located on the north side of King Canyon Road, approximately 1.7-miles from the City of Sanger (APN: 314-120-52) (10386 E. Kings Canyon Road) (Sup. Dist. 5).

For information, contact Reymundo Peraza, Department of Public Works and Planning, 2220 Tulare Street, (Corner of Tulare & "M" Streets, Suite A), Fresno, CA 93721, telephone (559) 600-4224.

The full text of this Land Use Appeal will be available on the Fresno County website <https://fresnocounty.legistar.com/Calendar.aspx> under the March 19, 2024 meeting at the Meeting Details link by Wednesday, March 13, 2024.
Nathan Magsig, Chairman
Board of Supervisors
ATTEST:
BERNICE E. SEIDEL
Clerk, Board of Supervisors
03/08/2024

STATE OF CALIFORNIA

COUNTY OF FRESNO

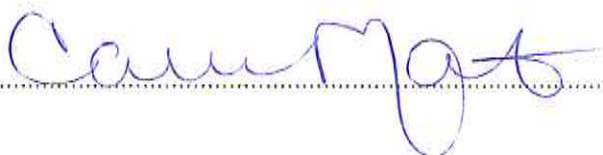
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of **THE BUSINESS JOURNAL** published in the city of Fresno, County of Fresno, State of California, 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:

MARCH 8, 2024

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

MARCH 8, 2024

ON



Proof of Service by Mail

(Code of Civil Procedure § 1013a)

I, Hana Cesar, 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 March 1, 2024, I served the attached Notice of Hearing before the Board of Supervisors of the County of Fresno on Variance No. 4153 and Environmental Review No. 8430 filed by James Maxey.
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 1st day of March 2024, 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.



RECEIVED
DEC 21 2023
CLERK. BOARD OF SUPERVISORS

For Office Use Only
Date received: 12/21/23
Copied to: W. Kettler, C. Motter, D. Rowell & A. Serrano
Date copy sent: 12/21/23
Hearing set for: 3/19/24

NOTICE OF APPEAL OF PLANNING COMMISSION DECISION

Date: 12-18-2023

Appeal Fee: \$508 – Due when filing appeal

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

Project Site Address

10386	EAST KINGS CANYON RD.	SANGER	93657	314-120-52S
Number	Street	City	Zip	Assessor's Parcel Number

Appellant's Information

Name: DURMAX PROPERTIES LLC
Mailing Address: 2555 E. PERRIN, STE 109
FRESNO CA 93720
Telephone: 559-281-1271

Applicant's Information (check if same as Appellant)

Name: _____
Mailing Address: _____
Telephone: _____

Subject of Appeal

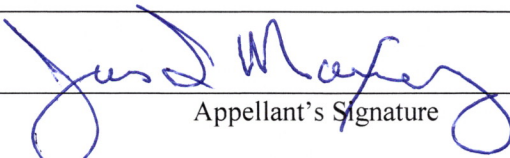
I wish to appeal the Planning Commission's decision to Approve Deny

Variance Application No.* 4153
Conditional Use Permit No. _____
Director Review and Approval Application No. _____
Tentative Tract Application No. _____
Amendment Application No. _____
Amendment to Text Application No. _____
Other: ENVIRONMENTAL REVIEW No. 8430

Date of Planning Commission Action 12-14-2023

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

SEE ATTACHED


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.



Chairman
Nathan Magsig
District Five

Vice Chairman
Buddy Mendes
District Four

Brian Pacheco
District One

Steve Brandau
District Two

Sal Quintero
District Three

Bernice E. Seidel
Clerk

Notice of Land Use Appeal

Notice of hearing before the Board of Supervisors of the County of Fresno on **VARIANCE NO. 4153** and **ENVIRONMENTAL REVIEW NO. 8430** filed by **JAMES MAXEY**.

Note: On December 14, 2023, the Fresno County Planning Commission denied this application, and on December 21, 2023, an appeal was filed by DURMEX PROPERTIES LLC 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 19th day of March 2024**, at the hour of **9:30 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:

Allow the creation of two substandard sized legal parcels, a 7-acre parcel, and a 14.51-acre parcel from an existing 21.51-acre parcel and waive development standards to allow for 18.38-foot side yard setback where 20 foot is required within the AE-20 (Exclusive Agricultural, 20-acre minimum) Zone District. The subject parcel is located on the north side of King Canyon Road, approximately 1.7-miles from the City of Sanger (APN: 314-120-52) (10386 E. Kings Canyon Road) (Sup. Dist. 5).

Please see the attached map

For information, contact **Reymundo Peraza**, Department of Public Works and Planning, 2220 Tulare Street, (Corner of Tulare & "M" Streets, Suite A), Fresno, CA 93721, telephone **(559) 600-4224**.

The full text of this Land Use Appeal will be available on the Fresno County website <https://fresnocounty.legistar.com/Calendar.aspx> under the March 19, 2024, meeting at the Meeting Details link by Wednesday, March 13, 2024.

PROGRAM ACCESSIBILITY AND ACCOMMODATIONS: The Americans with Disabilities Act (ADA) Title II covers the programs, services, activities, and facilities owned or operated by state and local governments like the County of Fresno ("County"). Further, the County promotes equality of opportunity and full participation by all persons, including persons with disabilities. Towards this end, the County works to ensure that it provides meaningful access to people with disabilities to every program, service, benefit, and activity, when viewed in its entirety. Similarly, the County also works to ensure that its operated or owned facilities that are open to the public provide meaningful access to people with disabilities.

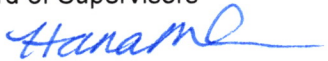
To help ensure this meaningful access, the County will reasonably modify policies/ procedures and provide auxiliary aids/services to persons with disabilities. If, as an attendee or participant at the meeting, you need additional accommodations such as an American Sign Language (ASL) interpreter, an assistive listening device, large print material, electronic materials, Braille materials, or taped materials, please contact the Current Planning staff as soon as possible during office hours at **(559) 600-4230** or at jpotthast@fresnocountyca.gov. Reasonable requests made at least 48 hours in advance of the meeting will help to ensure accessibility to this meeting. Later requests will be accommodated to the extent reasonably feasible.

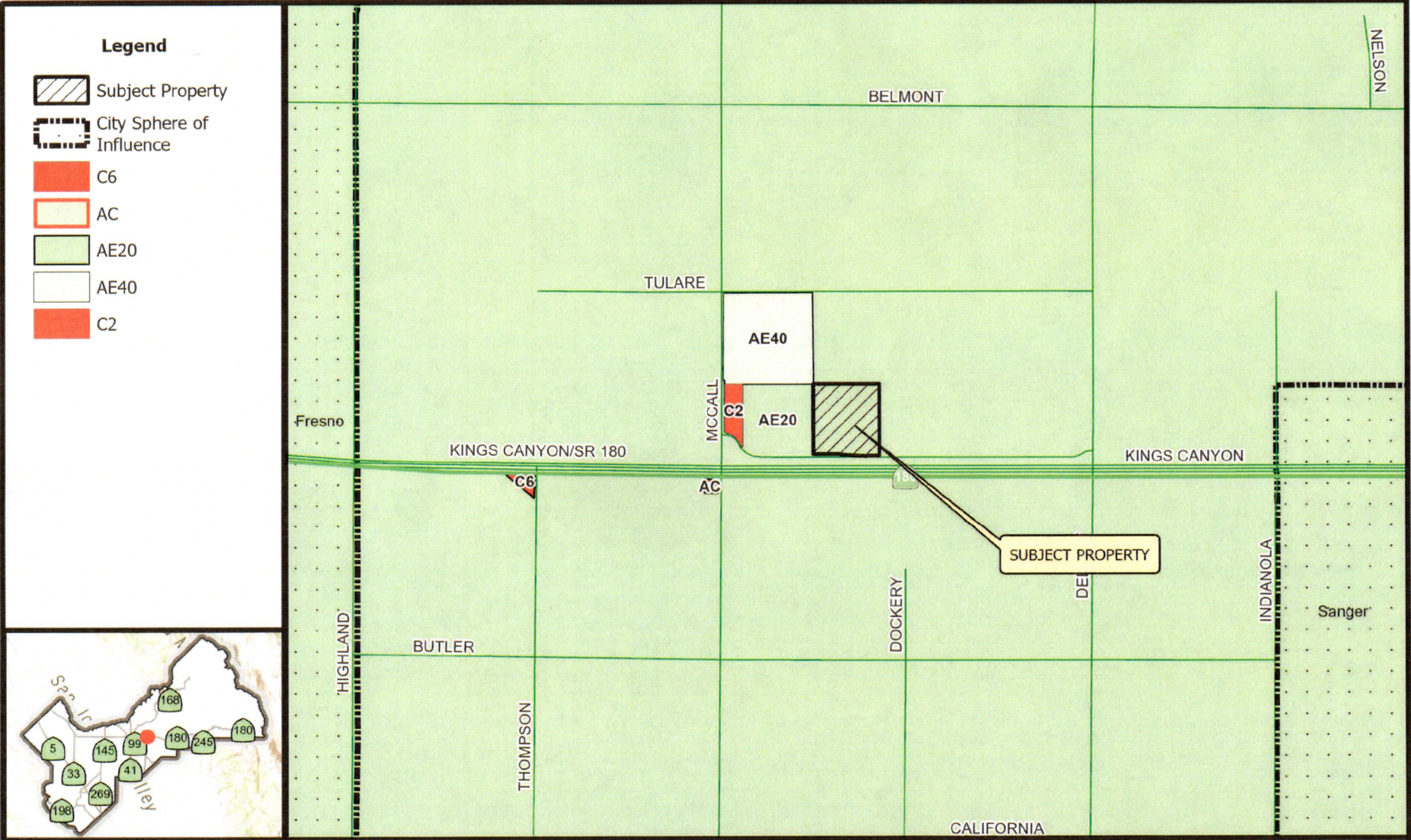
NOTES:








- 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.

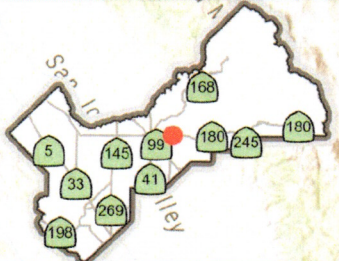
DATED: March 1, 2024

BERNICE E. SEIDEL
Board of Supervisors

By , Deputy



- Legend**
-  Subject Property
 -  City Sphere of Influence
 -  C6
 -  AC
 -  AE20
 -  AE40
 -  C2

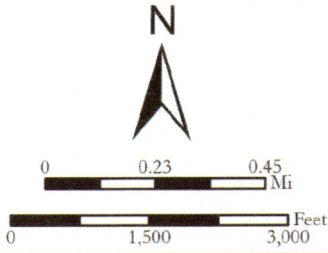


Existing Zoning Map

VA4153
STR 5 - 14S / 22E

2023

Prepared by : County of Fresno, Department of Public Works and Planning, Development Services Division
 Person Prepared by : chuang
 On Date : 7/20/2023



From: Maria Spera <Maria@dplds.com>
Sent: Monday, March 18, 2024 12:00 PM
To: Clerk/BOS
Cc: Dirk Poeschel; Randall , David A.; Jimmy Maxey JDF; Rush, Bret; Magsig, Nathan
Subject: Continuance Request for VA No. 4153 - 10386 E. Kings Canyon Rd., Sanger CA 93657

Importance: High

CAUTION!!! - EXTERNAL EMAIL - THINK BEFORE YOU CLICK

Good morning,

Please receive this as a request tot continue Item No. 12 from tomorrows Board of Supervisor's hearing. There are project details that we would like to work out with county staff before the appeal request is brought before the Board of Supervisors.

Thank you and please let me know if you have any questions.

Respectfully,

Maria Spera | Associate Planner
Land Development Services, Inc.
923 Van Ness Ave., Suite 200
Fresno, Ca. 93721
Phone: 559-445-0374 ext. 2
maria@dplds.com