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AUG 23 2019

CLERK, BOARD OF SUPERVISORS

For Office Use Only

Date received: 8-23-19
Copied to: William Kettler, Chris Motta, Marianne Moulton, Kyle Roberts
Date copy sent: 8-26-19
Hearing set for: 10-22-19

NOTICE OF APPEAL OF PLANNING COMMISSION DECISION

Date: 8-23-19

Appeal Fee: \$508 – Due when filing appeal

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

Project Site Address

7605 W. McKinley Fresno 937 312-290-39
Number Street City Zip Assessor's Parcel Number

Appellant's Information

Name: Dale G. Mell
Mailing Address: 2090 N. Winery
Fresno Ca. 93703
Telephone: 559-292-4040

Applicant's Information ☐ check if same as Appellant)

Name: Tom Spino
Mailing Address: 2271 N. Girardland
Fresno Ca.
Telephone:

Subject of Appeal

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

Variance Application No.* 407A
Conditional Use Permit No.
Director Review and Approval Application No.
Tentative Tract Application No.
Amendment Application No.
Amendment to Text Application No.
Other:

Date of Planning Commission Action AUG. 8th

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

5 AC PARCEL IN THE AE20 ZONE DISTRICT IS AN EXCEPTIONAL/
EXTRAORDINARY CONDITION, TOO SMALL FOR FARMING TOO LARGE
TO MAINTAIN, COULD HAVE A SECOND RESIDENCE W/O.R.A.
THE CURRENT PARCEL IS NON-CONFORMING TO POLICY LU-A.6, LU-A.7
GRANTING THIS VARIANCE WOULD NOT SET A PRECEDENCE TO PARCELS
THAT DO CONFORM

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 to the Board, 2281 Tulare Street, Room 301, Fresno, CA 93721.



County of Fresno

BOARD OF SUPERVISORS

Chairman
Nathan Magsig
District Five

Vice-Chairman
Buddy Mendes
District Four

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District One

Steve Brandau
District Two

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District Three

Bernice E. Seidel
Clerk

NOTICE OF PUBLIC HEARING FRESNO COUNTY PLANNING COMMISSION

Notice of hearing before the Board of Supervisors of the County of Fresno on **VARIANCE APPLICATION NO. 4074** filed by **SPINO, INC.** On August 8, 2019, the Fresno County Planning Commission denied this application, and on August 23, 2019, an appeal was filed by SPINO, INC. 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 22nd day of October 2019**, 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:

Allow the creation of a 2.5-acre parcel and a 2.4-acre parcel from an existing 4.9-acre parcel (gross) in the AE-20 (Exclusive Agricultural, 20-acre minimum parcel size) Zone District. The subject parcel is located on the south side of W. McKinley Avenue, approximately 420 feet west of its intersection with N. Garfield Avenue, and one mile south of the nearest city limits of the City of Fresno (7605 W. McKinley Avenue, Fresno, CA) (Sup. Dist. 1) (APN 312-290-39).

Please see map on reverse side

For information, contact **EJAZ AHMAD**, Department of Public Works and Planning, 2220 Tulare Street, (Corner of Tulare & "M" Streets, Suite A), Fresno, CA 93721, telephone **(559) 600-4204**.

The Agenda and Staff Reports will be on the Fresno County web site
<https://fresnocounty.legistar.com/Calendar.aspx> by Wednesday, October 16, 2019 by 6:00 p.m.

NOTES:

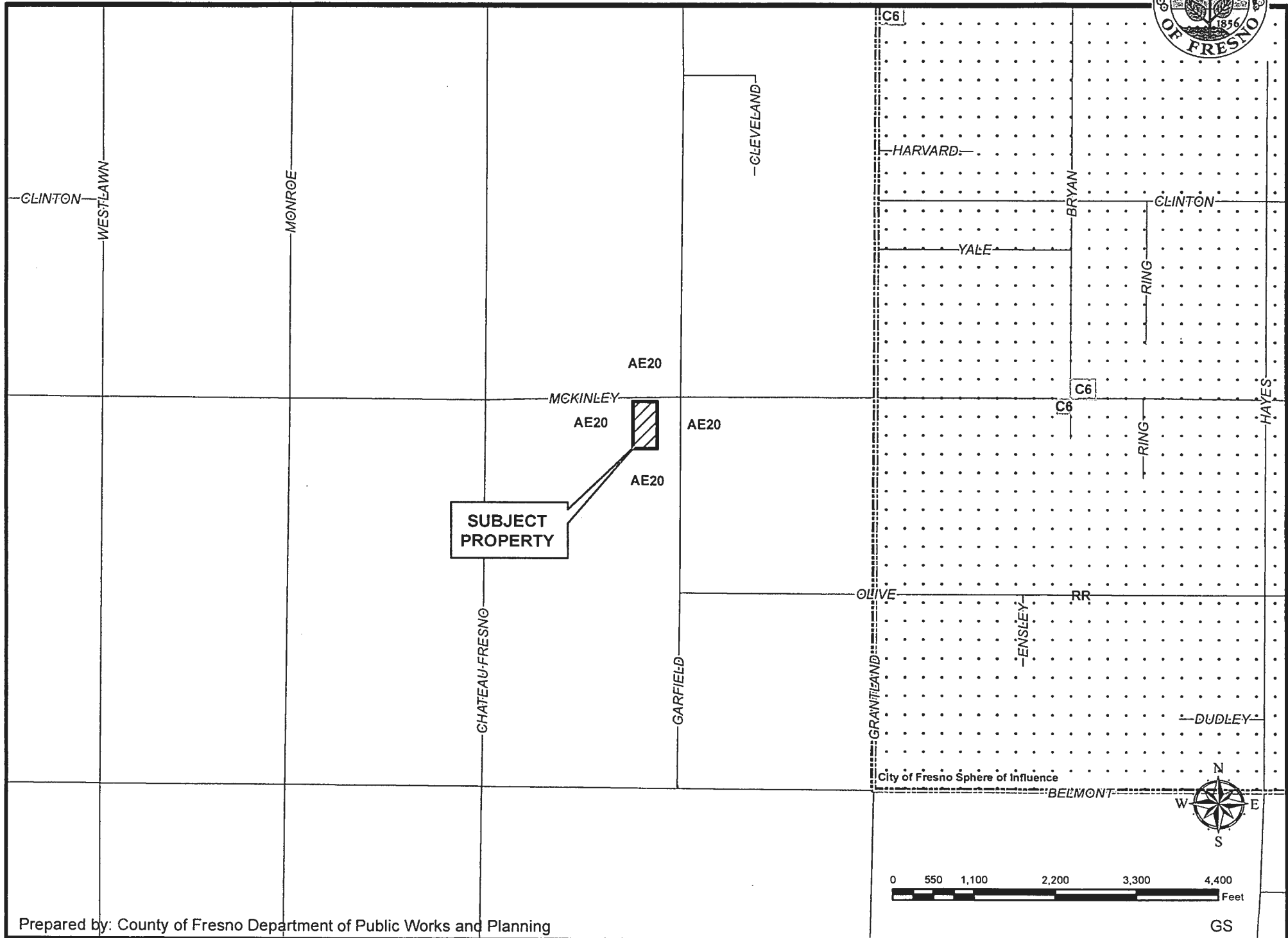
- Anyone may testify, please share this notice with your neighbors or anyone you feel may be interested.
- The Board of Supervisors will also accept written testimony such as letters, petitions, and statements. In order to provide adequate review time for the Board of Supervisors, please submit these 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: October 4, 2019

BERNICE E. SEIDEL
Board of Supervisors

By Susan Bishop, Deputy

EXISTING ZONING MAP



Proof of Service by Mail

(Code of Civil Procedure § 1013a)

I, Susan Bishop, 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 October 4, 2019, I served the attached Notice of Hearing before the Board of Supervisors of the County of Fresno for the **VARIANCE APPLICATION NO. 4074**.
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 4th day of October, 2019 in Fresno, California.

Susan Bishop
Deputy, Clerk of the Board

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
OCT 16 2019

CLERK. BOARD OF SUPERVISORS

IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA

NOTICE OF PUBLIC HEARING

VARIANCE APPLICATION NO. 4074

DATE AND TIME OF PUBLIC
HEARING:
OCTOBER 22, 2019 AT 9:00 AM

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

MISC. NOTICE

STATE OF CALIFORNIA

COUNTY OF FRESNO

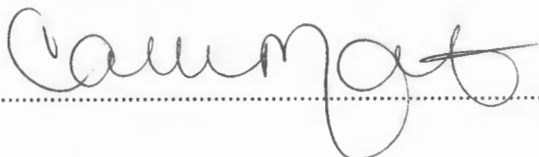
I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of **THE BUSINESS JOURNAL** published in the city of Fresno, County of Fresno, State of California,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

OCTOBER 11, 2019

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

OCTOBER 11, 2019

ON



Notice of Public Hearing
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The full text of this Land Use Appeal will be available on the Fresno County website <https://fresnocounty.legistar.com/Calendar.aspx> under the October 22, 2019 meeting at the Meeting Details link by Wednesday, October 16, 2019

Nathan Magsig, Chairman
Board of Supervisors
ATTEST:
BERNICE E. SEIDEL
Clerk, Board of Supervisors
10/11/2019