



CITY OF SUNNYVALE REPORT ZONING ADMINISTRATOR HEARING

January 15, 2014

File Number: 2013-7978

Permit Type: Use Permit

Location: 1130 Hollenbeck Ave. (near W. Remington Dr.) (202-10-039)

Applicant/Owner: Richard Leveille

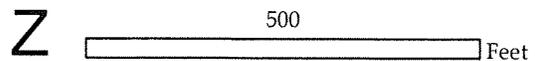
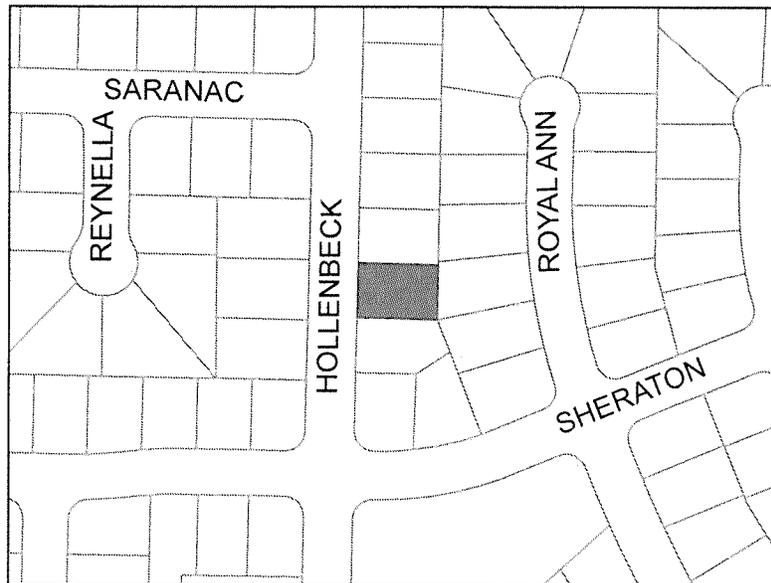
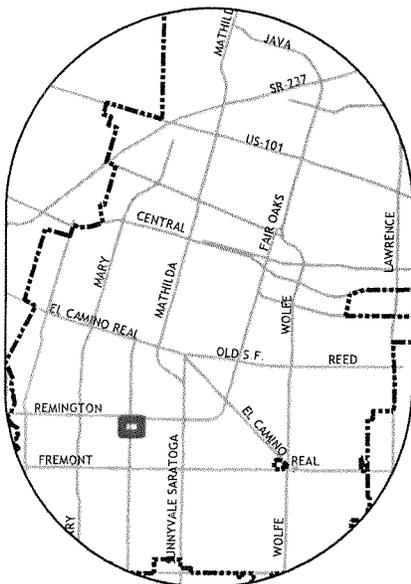
Staff Contact: Noren Caliva-Lepe, Associate Planner, (408) 730-7659

Project Description: Use Permit to allow a 6-foot 8-inch tall fence in the front yard of a single-family home.

Reason for Permit: A Use Permit is required for any fence that exceeds 6 feet in height in the front yard.

Issues: Height, Compliance with Eichler Design Guidelines

Recommendation: Approve with Conditions



PROJECT DESCRIPTION

Zoning District:	R-1	Existing Fence Height:	N/A
Fence Front Setback:	21'	Proposed Fence Height:	6'-8"

Previous Planning Projects related to Subject Application	No
Neighborhood Preservation Complaint	No
Deviations from Standard Zoning Requirements	No

Fence Height: Sunnyvale Municipal Code (SMC) 19.48 requires a staff-level permit for front yard fences between 4 feet and 6 feet in height. A Use Permit is required for front yard fences over 6 feet in height. Fence height is measured from the top of the nearest curb.

The applicant proposes to construct a 5-foot 6-inch tall fence, as measured from grade. The subject property is graded up more than 1 foot above the existing curb; therefore, the resulting fence height is 6-feet 8-inches from the top of the nearest curb. The fence will be set back approximately 21 feet from the front property line.

Fence Design: The proposed fence design includes solid horizontal cedar planks. The fence will primarily be painted to match the color of the existing home, with the exception of two gates (one facing the street and one perpendicular to the street) designed with thinner cedar planks and stained with a natural color. The fence will enclose a portion of the front yard and adjoin an existing side yard fence on the property. Planned landscaping upgrades are also integrated into the fence design, with shrubs and groundcover to be planted between the sidewalk and fence (see Attachment B).

Eichler Design Guidelines: The property is located in the Fairbrae Eichler neighborhood. The Eichler Design Guidelines were adopted in 2009 to preserve the unique character of Eichler homes and assist property owners in designing home additions and improvements, including fences. The Guidelines encourage fences that are integrated into the style of the house with a modern design and strong vertical or horizontal emphasis. Fences that are over 6 feet in height should also be set back at least 15 feet from the front property line to help reduce visual impacts from the street. The proposed fence design and location is consistent with the Eichler Design Guidelines.

Neighborhood Compatibility: While the Fairbrae Eichler neighborhood is primarily characterized by open front yards, several fences that are less than 6 feet in height have been approved by staff since the adoption of the Eichler Design Guidelines. One such fence is located at 609 W. Remington Drive, which is one block away from the proposed project site (see Attachment C). The

fence on Remington Drive is similar in design and is also 5-feet 6-inches tall from grade. The Remington Drive property is not graded up significantly and does not push the height of the fence above 6 feet; therefore, only a staff-level permit was required for that fence.

While no other Use Permits for fences greater than 6 feet in height have been approved for this neighborhood, staff finds that the significant grading of the property above the curb penalizes the property owner from constructing similar fences to those found in the neighborhood. The fence will be significantly set back from the front property line and beyond the face of the existing garage, thereby, maintaining the open front yard character of the neighborhood. The new shrubs and groundcover to be planted in front of the fence will also help to reduce visual impacts from the street.

Public Contact: Ten notices were sent to surrounding property owners and residents adjacent to the subject site in addition to standard noticing practices, including advertisement in the Sunnyvale Sun Newspaper and on-site posting. No letters or calls were received from the public by staff.

Environmental Determination: A Categorical Exemption Class 1 (minor exterior alterations to existing structures) relieves this project from CEQA provisions.

FINDINGS

In order to approve the Use Permit the following findings must be made:

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale. **Finding met.**

City of Sunnyvale General Plan:

- CC-2: Attractive Street Environment: Create an attractive street environment which will complement private and public properties and be comfortable for residents and visitors.

Eichler Design Guidelines:

- 3.5.4: Integrate fencing with the house style.
 - a) Fences that are taller than 3 feet in height require a permit from the City's Planning Division.
 - b) Fences that are 6 feet or more in height are required to be set back a minimum of 15 feet from the front property line.
 - c) The design of fences should be simple and modern in appearance. Fences with a strong vertical or horizontal emphasis, as is common in Japanese garden design, is a common approach that fits well with the Eichler style. In most cases, simple wood fencing, without lattice, is the appropriate design.

The proposed fence will be set back more than 15 feet from the front property line and will maintain the open front yard character of the neighborhood. In addition, the modern fence design with horizontal wood material complements the existing Eichler home and will add positively to the Hollenbeck Avenue streetscape.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair the orderly development of, or the existing uses being made of, adjacent properties. **Finding met.**

The proposed fence design and height from grade are similar to other fences found in the Fairbrae Eichler neighborhood. The proposal would create a reasonable front courtyard area for private use by the property owner, without creating a wall-off look from the street. The planned landscaping improvements will help to reduce visual impacts and will complement the design of the fence.

ALTERNATIVES

1. Approve the Use Permit with recommended Conditions in Attachment A.
2. Approve the Use Permit with modifications.
3. Deny the Use Permit.

RECOMMENDATION

Alternative 1. Approve the Use Permit with recommended Conditions in Attachment A.

Reviewed by:



Gerri Caruso
Principal Planner

Prepared By: Noren Caliva-Lepe, Associate Planner

Attachments:

- A. Conditions of Approval and Standard Requirements
- B. Site and Architectural Plans
- C. Project Description Letter

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
JANUARY 15, 2014**

Planning Application **2013-7978**
1130 Hollenbeck Ave.

Use Permit to allow a 6-foot 8-inch tall fence in the front yard of a single-family home.

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Applicable mitigation measures are noted with "Mitigation Measure" and placed in the applicable phase of the project.

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following Conditions of Approval and Standard Development Requirements of this Permit:

GC: THE FOLLOWING GENERAL CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.

GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION

All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]

GC-2. PERMIT EXPIRATION:

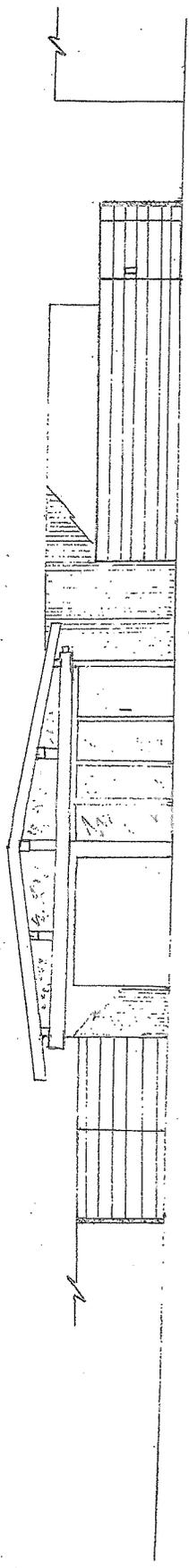
The permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior to expiration date and is approved by the Director of Community Development. [SDR] [PLANNING]

GC-3. FENCE HEIGHT:

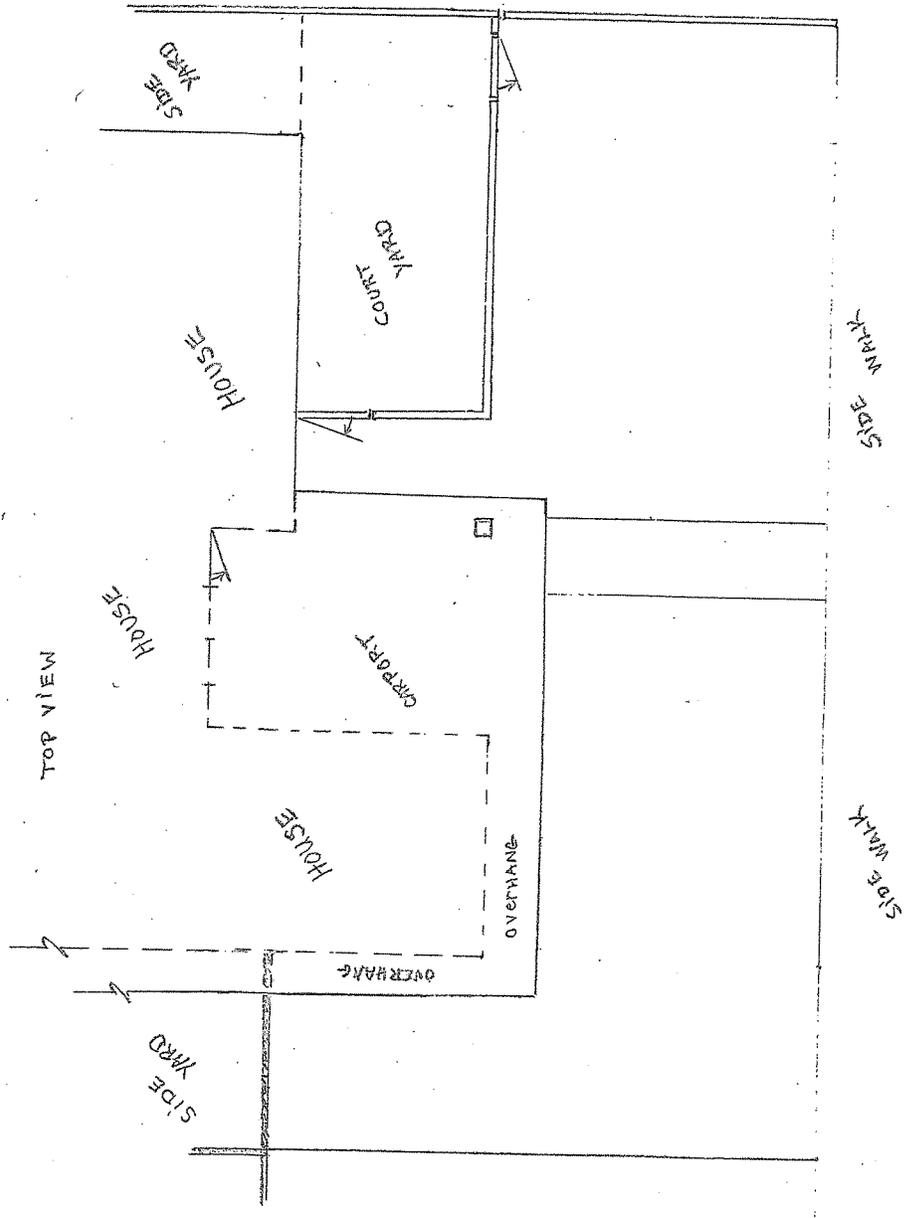
The fence shall not exceed 5-feet 6-inches in height as measure from grade, or 6-feet 8-inches from the top of the nearest curb. [COA] [PLANNING]

1130 HOLLENBECK AVE.
(overview plan)

FRONT ELEVATION

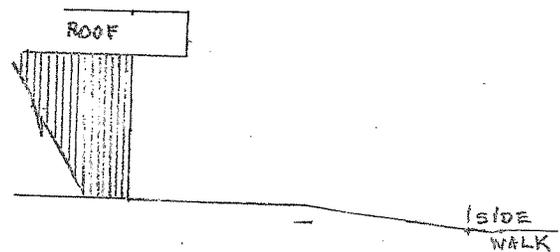


TOP VIEW

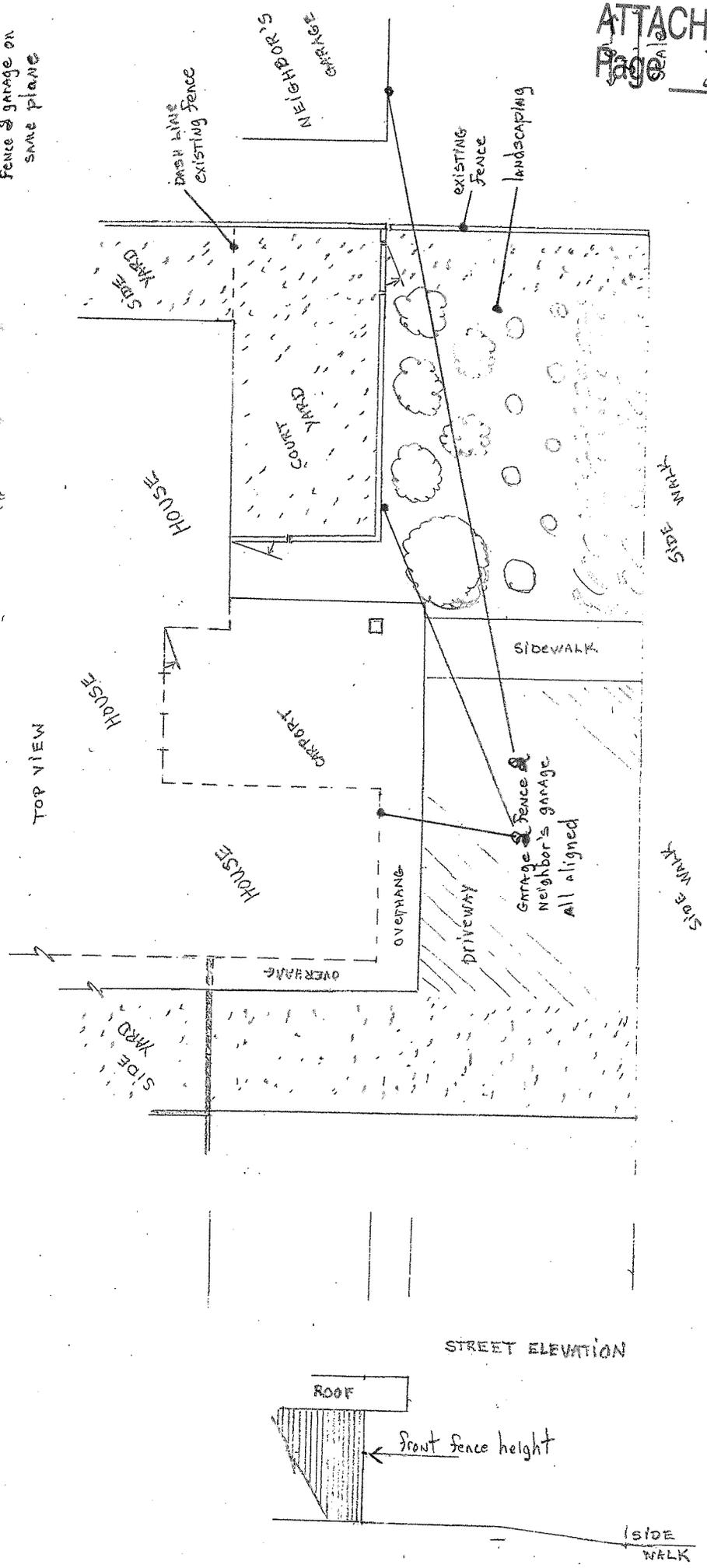
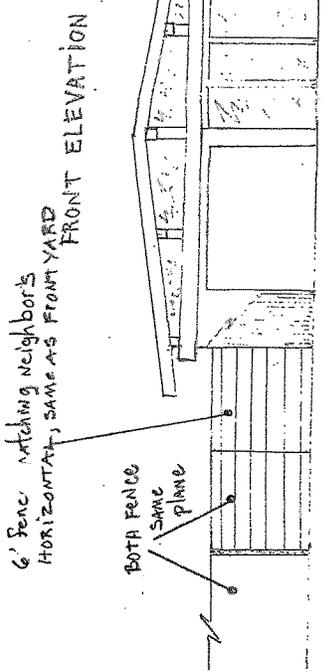


NEIGHBOR'S GARAGE

STREET ELEVATION



1130 HOLLENBECK AVE.
(DESCRIPTION)



Lights:

- 7 - LED Pathway Lights
- 3 - LED Spot Lights
- 9 - LED Up Lights
- 6 - LED Drive Lights
- 6 - Outlets

Concrete walls w/smooth stucco Front Gates



3 Metal Panels with cutouts 8'x5'



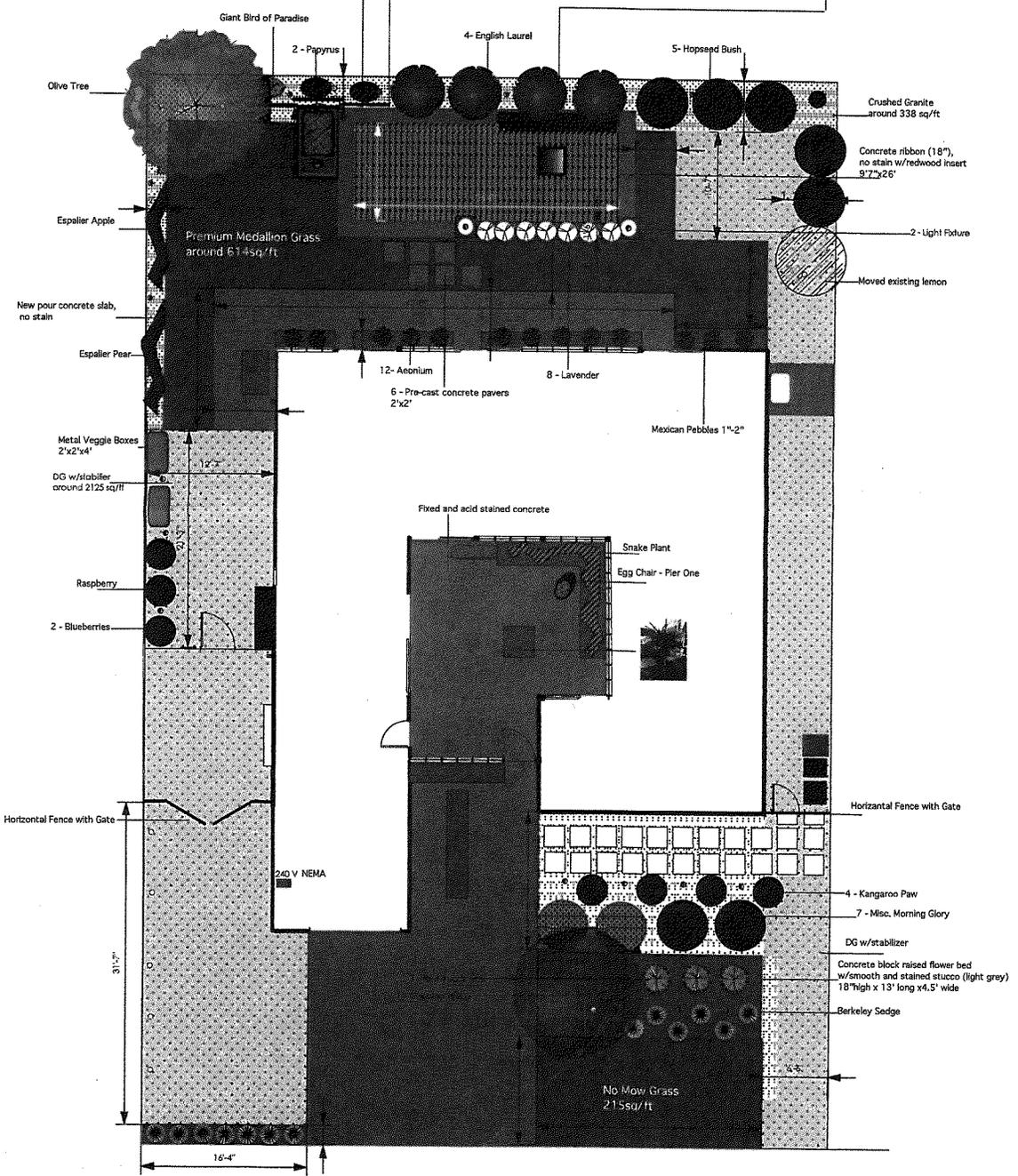
Raised Flowerbed with fountain 4'x7'



Havana Outdoor Terra Light



Concrete wall 12'x10"x16" covered w/stained Dark Gray, acrylic, smooth stucco, cap redwood seat 11.5' x2"x14"



Plan View A-1



Leveille Residence
1130 Hollenbeck Dr., Sunnyvale, CA

Version -3
Date - 8/05/13
Scale - 1"=10'



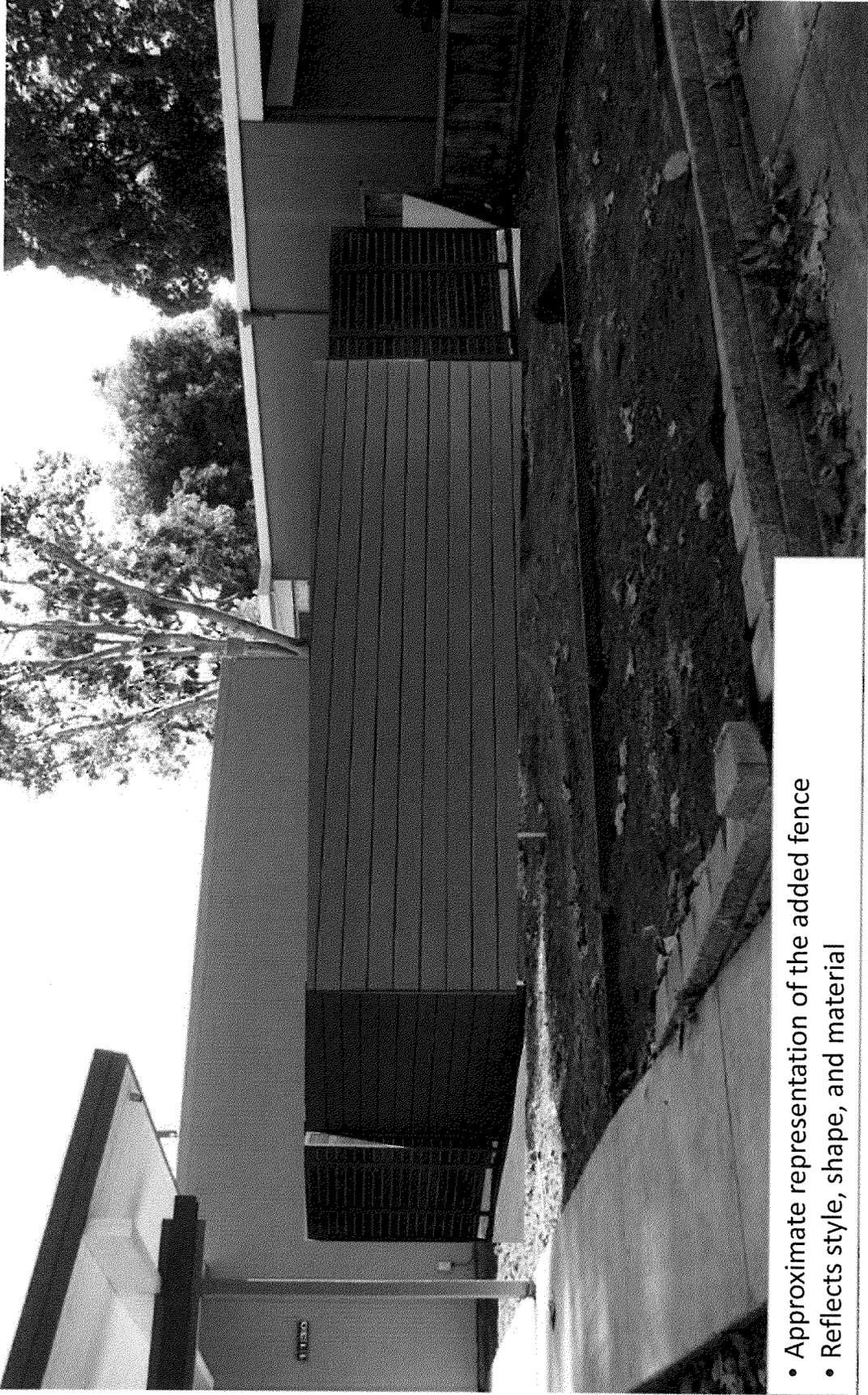
ANGLED VIEW – Before picture



• As-is before fence

1130 Hollenbeck Ave
Not to scale

ANGLED VIEW - Concept



- Approximate representation of the added fence
- Reflects style, shape, and material

1130 Hollenbeck Ave
Not to scale

Project:
1130 Hollenbeck Avenue, Sunnyvale, CA
Front Yard Fence

Request

Approval to build a wood fence in the front of the property to create a courtyard.

Note: This request is for the **front yard fence only**. We already have a permit for the rest of the landscaping project with the City of Sunnyvale.

Purpose of fence build?

- Create necessary and useable courtyard space and maximize the use of our property.
- Reduce and buffer noise from the street traffic. Hollenbeck Avenue is a busy street with constant traffic. The office is the first room directly adjacent to the busy street and traffic noise is very disturbing. The fence will help to greatly reduce the noise we hear from inside the house.
- Increase privacy.
- Improve curb appeal in the neighborhood.
- Increase value of our property and within the neighborhood.

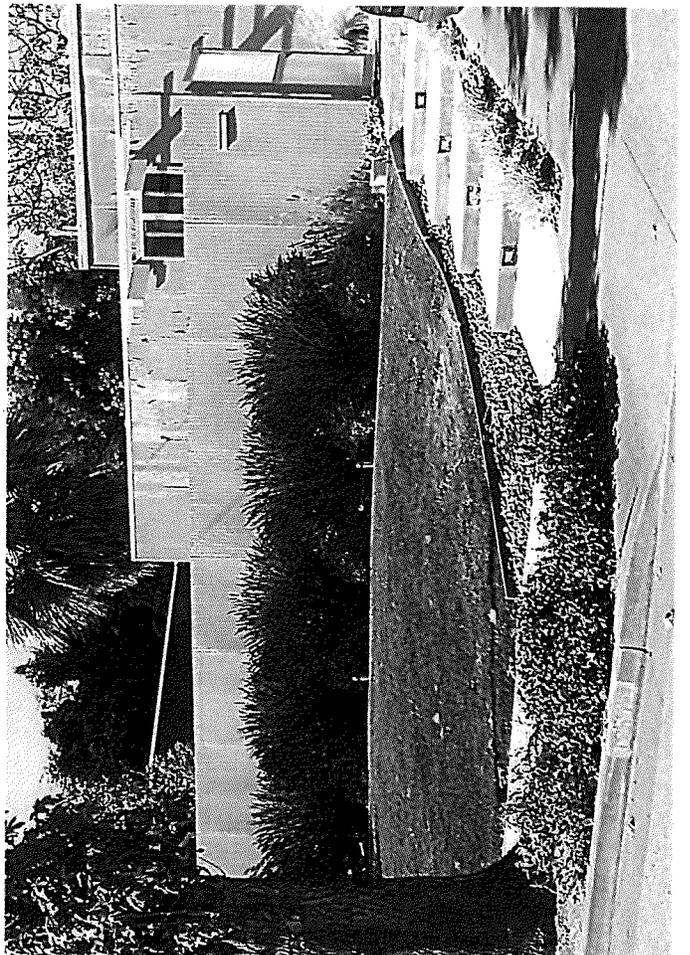
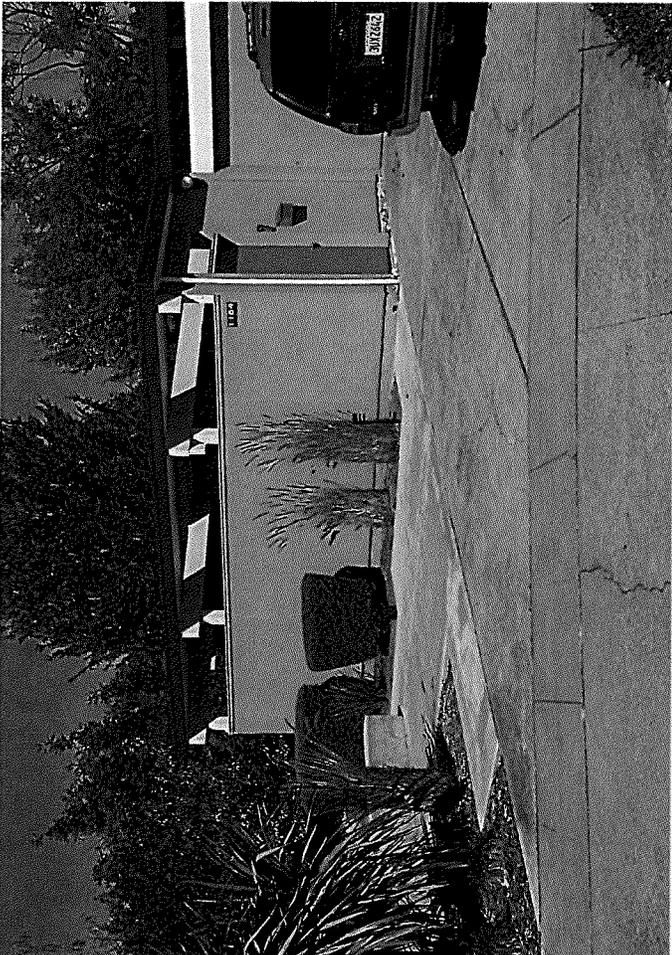
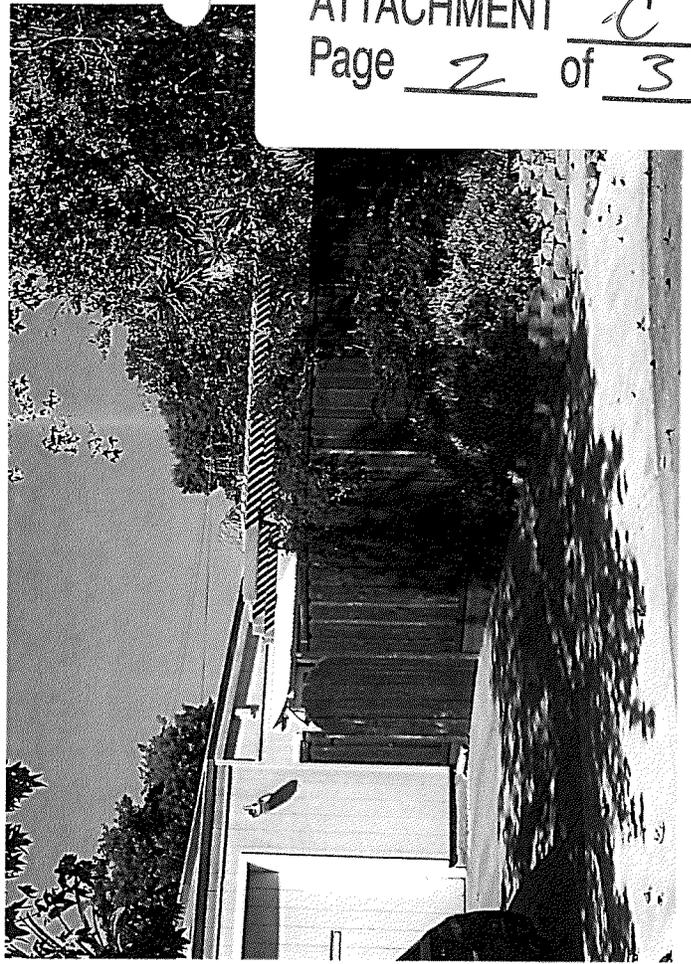
Reference material

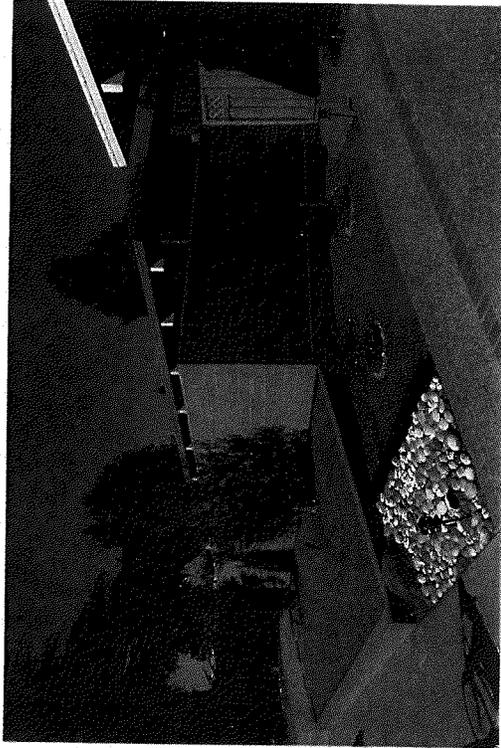
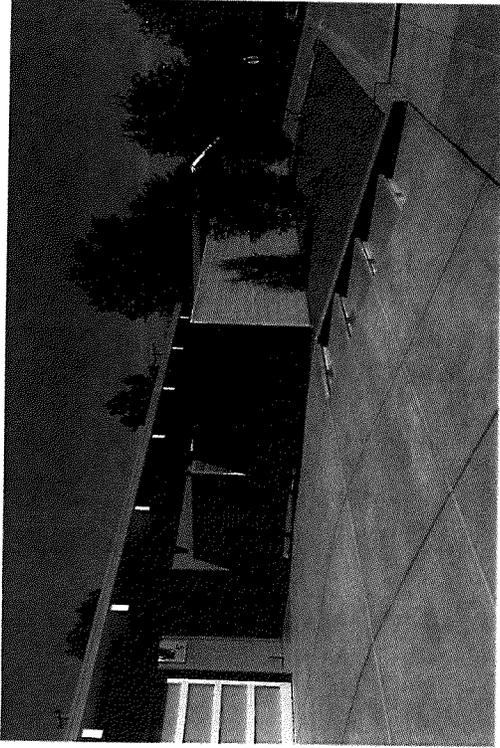
Please refer to accompanying drawing as part of this submission:

- Before and (mockup) After Picture
- Design plan with description and measurements
 - Front elevation
 - Top View
 - Street elevation
- Photo of a recent approval from the City located nearby: at 699 Remington Avenue and other close locations
- Plan of entire landscaping project.

Description

- Structure of the fence
 - 5 foot 6 inches tall Horizontal Fence
 - 6 inch Cedar Planks





609 W. Remington

