



CITY OF SUNNYVALE ADMINISTRATIVE HEARING

MINUTES

Wednesday, March 31, 2008

2008-0110 – Application for a Use Permit to allow a 9' 6" fence in the front yard. The property is located at **911 E. Homestead Road** (at Nightingale Ave.) in an R-0 (Low Density Residential) Zoning District. (APN: 313-38-033) SB

In attendance: Jack Williams, Applicant; Gerri Caruso, Administrative Hearing Officer; Surachita Bose, Project Planner; Luis Uribe, Staff Office Assistant.

Ms. Gerri Caruso, Administrative Hearing Officer, on behalf of the Director of Community Development, explained the format that would be observed during the public hearing.

Ms. Caruso announced the subject application.

Surachita Bose, Project Planner, stated that the applicant is proposing to build a new 9'6" tall fence in front of the subject property along Homestead Road as measured from top of curb at the corner of Homestead Road and Nightingale Avenue. The proposed fence would be located outside the corner vision triangle area at a setback of 14' from the front property line and at a setback of 20'6" from the side property line (Attachment C, Site and Architectural Plans). Fences over 7' tall in the required 20' front setback area require Use Permit approval.

The applicant has also applied for a staff-level Design Review permit for an addition to the house. Although the submitted plans include details of the proposed addition, the Use Permit currently being reviewed is only for the proposed fence and does not include review of the proposed addition to the house. Ms. Bose also mentioned that she did speak to a neighbor that had questions regarding the height of the fence but she did not receive any written comments.

Ms. Caruso opened the public hearing.

Jack Williams, Applicant, received and reviewed a copy of the staff report. Mr. Williams brought in some pictures of other fences in the neighborhood that are higher than normal. The applicant noted a correction in the report on condition 4.B. regarding the species of tree planted in the back of the property. He also stated that he has no objections with the conditions of approval.

Ms. Caruso closed the public hearing.

Ms. Caruso approved the application subject to the Findings and Conditions located in the staff report with a modification to condition 4.B. The significant tree located within the required front yard area shall not be removed. Tree protection details shall be submitted prior to applying for building permits to ensure that the root system of the tree is not damaged during construction of the fence.

Ms. Caruso stated that the decision is final unless appealed to the Planning Commission with payment of the appeal fee within the 15-day appeal period.

The meeting was adjourned at 3:10 p.m.

Minutes approved by:

Gerri Caruso

Principal Planner