



ADMINISTRATIVE HEARING

ACTION SUMMARY
Wednesday, August 13, 2008

A public hearing was held by the Administrative Hearing Officer at 2:00 p.m. in the West Conference Room, City Hall, 456 W. Olive Avenue, Sunnyvale, CA for the purpose of considering the following applications:

2008-0571: Application for related proposals located at **1563 Benton Street** (at Kensington Ave.) in an R-0 (Low Density Residential) Zoning District. (APN: 313-33-009) MH;

- **Use Permit** to allow an approximately 11' tall fence along the reducible front yard.
- **Variance** from Sunnyvale Municipal Code section 19.34.040 to allow a deck taller than 18" with zero setback in the reducible front yard where a 9' setback is required.

ACTION: The Administrative Hearing Officer took the item under advisement so that a site visit may be conducted. On Monday, August 18, 2008 the Hearing Officer denied the Variance and approved the Use Permit.

APPEAL OPTIONS: May be appealed to the Planning Commission by Tuesday, September 2, 2008.

2008-0053 – Herguan University [Applicant] **Od Equities LLC**. [Owner]: Application for a Special Development Permit to allow educational use within a 5,075 square foot tenant space. The property is located at **1183 Bordeaux Drive** (near 5th Ave.) in the MP-TOD (Moffett Park – Transit Oriented District) Zoning District. (APN: 110-25-036) MH

ACTION: The Administrative Hearing Officer concluded that an environmental review is required and therefore the project is being continued to the Planning Commission indefinitely.

APPEAL OPTIONS: None

2008-0431 - Bay Area Cultural Center [Applicant] **Tasman V LLC** [Owner]: Use Permit to allow a place of assembly use in a 5,500 square foot tenant space. The property is located at **1257 Tasman Drive** (at Reamwood Avenue) in an M-S/POA (Industrial & Service/Place of Assembly) Zoning District (APN: 104-58-007).SB

ACTION: Approved subject to the Findings and Conditions of Approval.

APPEAL OPTIONS: May be appealed to the Planning Commission by Thursday, August 28, 2008.