



CITY OF SUNNYVALE ADMINISTRATIVE HEARING

MINUTES
Wednesday, July 15, 2009

2009-0384: Application for a Variance from the Sunnyvale Municipal Code section 19.48.020 to allow a front yard fence in the driveway vision triangle located at **1004 Essex Avenue** (APN: 110-11-001). SM

In attendance: Norman Robb, Applicant; Gerri Caruso, Administrative Hearing Officer; Shaunn Mendrin, Staff Office Assistant; 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.

Shaunn Mendrin, Project Planner, stated that the existing fence is located within the required front yard and extends the width of the property. The fence is constructed of black wrought iron and is 4' tall. The wrought iron slats are approximately 1/2" wide with 2" spacing. Therefore, the fence is more than 50% open. The section of fence that spans the driveway is retractable and folds either to the left or the right of the driveway (see Attachment B in the staff report). The section folding in to the left can be moved generally out of the driveway vision triangle. The section folding to the right, near the pedestrian gate, can be moved, but a remainder of the fence is still located within the driveway vision triangle (approximately 9').

Ms. Caruso opened the public hearing.

Norman Robb, Applicant, received and reviewed a copy of the staff report. Mr. Robb stated that all the issues seem to be centered on the vision triangle and wondered how this could be an issue when the material being used creates an open fencing. The applicant stated that cost is an issue in regards to cutting down the fence.

Ms. Caruso closed the public hearing.

Ms. Caruso approved the application subject to the modifications, the findings and conditions of approval located in the staff report.

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 2:06 p.m.

Minutes approved by:

Gerri Caruso

Principal Planner