

Public Safety recommendations.

Ms. Caruso closed the public hearing.

Ms. Caruso stated she will not impose the traffic study, however anyone may appeal her decision.

ACTION: Ms. Caruso approved the project with the following conditions:

1. Perimeter wall: The Permittee shall repair of the perimeter wall located on the west property edge. Repairs include but are not limited to replacing missing wall caps, repainting the interior side of the wall and replacing any missing landscaping. The repairs shall be included in the scope of work for the tenant improvements.

Mrs. Laughead stated her husband paints over graffiti because the owner's response time takes too long. Ms. Caruso stated she will remind the owner of that responsibility.

File #: 2016-7685

Location: 484 East Duane Avenue (APN: 204-15-015)

Applicant / Owner: Treeium Inc. (applicant) / Ernst and Lucy Mahnel (owner)

Proposed Project:

VARIANCE to allow 5'-8" fence where a maximum 3'-6" high fences are allowed within the corner and driveway vision triangle area.

Reason for Permit: A Variance is required for fences exceeding 3'-6" height in the vision triangle areas per Sunnyvale Municipal Code (SMC) 19.34.060.

Project Planner: Aastha Vashist, (408) 730-7458, avashist@sunnyvale.ca.gov

Issues: Vision triangle requirement

Recommendation: Deny the Variance. If the Zoning Administrator decides to

Approve the Variance, the recommended Conditions of Approval are included in the Attachment 2.

Ms. Caruso asked Aastha Vashist, project planner, if there were any additional comments.

Ms. Vashist stated she does not have any additional changes or comments from the public.

Ms. Caruso opened the public hearing.

The applicant stated the reason for the gate is to protect the residents of the house, as there have been several accidents throughout the years where cars have jumped the curb and damaged the house. The reason for the fence is to deter drunk drivers, who are the primary offenders. The driver can still see both sides of traffic from Duane and Worley since it is visible through the iron fence. The applicant believes they have meet the city's vision triangle standards.

Ms. Caruso inquired if the applicant is willing to change the design of the fence to meet the city's code requirements. The applicant stated she liked the design as it is, and feels that it can protect her and her children properly.

Gary Diquisto, neighbor, stated he often walks his dogs or rides his bike past the project. The view from the corner looking onto eastbound traffic is clear. The fence is attractive and serves its purpose in acting as a protective barrier for the house.

Ms. Caruso closed the public hearing.

Ms. Caruso inquired with Ms. Vashist what changed would be needed in order to satisfy the traffic division's requirements, given the driveway vision triangle and vision triangle issues.

Ms. Vashist stated changes could be made by converting the fence into an open fence. This can be accomplished by reducing the columns from 2 ft to 1 ft wide. The height could be changed to 4 ft 6 inches, which would exempt the fence from the vision triangle requirement. A solid fence can also be placed, with measurements of 3 ft 6 inches in height. Staff believes this can still serve the purpose of preventative measures. Traffic was mostly concerned with the thick columns.

Ms. Caruso inquired the applicant if she wanted to keep the fence to way it is.

The applicant stated she wants to keep the design as it is.

Ms. Caruso closed the public hearing.

Ms. Caruso stated after visiting the site, the vision was not blocked. As the traffic division is saying it does not meet the City's standards for vision, the variance will be denied. Ms. Caruso asked the applicant to work with Ms. Vashist to modify the fence or to appeal the decision.

ACTION: Denied based on Traffic Division findings.

ADJOURNMENT

Ms. Caruso adjourned the meeting at 3:46 p.m.