



# City of Sunnyvale

## Agenda Item-No Attachments (PDF)

File #: 17-0054, Version: 1

### REPORT TO THE ZONING ADMINISTRATOR

**File #:** 2017-7010

**Location:** 1126 Hollenbeck Avenue (APN: 202-10-040)

**Applicant / Owner:** Grant Brown (applicant) / Grant A and Lynn P Brown (owner)

**Proposed Project:**

**USE PERMIT** for a 6-feet 6-inch high front yard fence of an existing one-story Eichler single family residence

**Reason for Permit:** A Use Permit is required for front yard fences that are over six feet in height.

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

**Issues:** Neighborhood compatibility, consistency with Eichler Design Guidelines

**Recommendation:** Approve with conditions

### PROJECT DESCRIPTION

Zoning District:	<b>R-1</b>	Existing Front Yard Fence Height:	<b>n/a</b>
Setback:	<b>24'-0"</b>	Proposed Front Yard Fence Height:	<b>6'-6"</b>

Previous Planning Projects related to Subject Application:	<b>None</b>
Neighborhood Preservation Complaint	<b>No active complaints</b>
Deviations from Standard Zoning Requirements	<b>No</b>

### Background

Sunnyvale Municipal Code (SMC) Chapter 19.48 requires a Use Permit for front yard fences over six feet in height. Fence height in the front and reducible front yard is measured from the top of curb, or street, if there is no curb to the highest point of the fence. The SMC defines a front yard fence to include any fence located between the face of the building and the street. Any new fence construction is subject to current SMC permitting requirements.

The applicant proposes a 5'-6' high fence as measured from the grade to create a courtyard. The subject property is graded one foot above the adjoining curb; therefore, the resulting height is 6'-6" from the top of the nearest curb (Attachment 3). The fence will be setback approximately 24 feet from the property line and is in-line with the face of the carport and house.

See Attachment 1 for vicinity and noticing map, Attachment 3 for site and architectural drawings,

Attachment 5 for Use Permit Justification Form, and Attachment 6 for site photographs.

### **Fence Design**

The applicant is modelling the proposed fence design after a similar Eichler home located at the adjacent property (1130 Hollenbeck Avenue). The proposed fence design includes solid horizontal redwood or cedar planks stained with natural color. The fence will enclose a portion of the front yard and adjoin an existing side yard fence on the property. Gates will open the proposed courtyard area to the street and perpendicular to the street.

### **Neighborhood Impacts and Compatibility**

A Use Permit for a 6'-8" high front yard fence with similar design was approved for the adjacent property to the south (1130 Hollenbeck Avenue) through a Zoning Administrator hearing on January 15, 2014 (project number 2013-7978).

See Attachment 4 for letter from the applicant and Attachment 6 for site photographs.

In addition, several front yard fences that are less than six feet in height have been approved by the staff, since the adoption of the Eichler Design Guidelines. One such fence is located at 609 West Remington Drive, which is one block away from the subject property. 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 significantly graded and the height from the adjoining top of curb is less than six feet; therefore, only a staff-level permit was required for that fence. Whereas, the properties at Hollenbeck Avenue have significant grade that pushes the height of fence above six feet, therefore, requiring a Use Permit.

The fence will be significantly set back from the front property line (24 feet), in-line with the existing carport, thereby, maintaining the open front yard character of the neighborhood. The proposed fence design and location is compatible with fences found elsewhere in the neighborhood.

### **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 addition and improvements, including fences. The Guidelines encourage fences that are integrated into the style of the house with a modern design and strong horizontal or vertical emphasis. Fences that are over six feet in height should be 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.

### **FINDINGS**

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

1. *Attain the objectives and purposes of the general plan, specific plan, precise plan, or other specialized 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. A 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. Two examples are shown to the right. In some models, fences are part of the original architecture, and necessary to protect front yard privacy. These fences should be maintained or replaces, as necessary. In most cases, simple wood fencing, without lattice, is the appropriate design. Concrete block fencing is allowed where it is found in the subdivision.*

The proposed fence will be setback 24 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 Ave streetscape.

2. *Ensure that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either 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 walled-off look from the street.

## **Public Contact**

53 notices were sent to surrounding property owners and residents within 300 feet of the subject site in addition to standard noticing practices, including advertisement in the Sunnyvale Sun Newspaper and on-site posting. See Attachment 1 for the vicinity and noticing map. At the time of preparing this staff report, staff has not received any inquiries or comments regarding the project.

## **Environmental Determination**

A Class 3 Categorical Exemption relieves this project from California Environmental Quality Act (CEQA). Class 3 Categorical Exemptions includes construction of new accessory structures including fences (CEQA Section 15303 (e)).

## **ALTERNATIVES**

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

## **RECOMMENDATION**

Alternative 1. Approve the Use Permit with recommended Conditions in Attachment 2.

Prepared by: Aastha Vashist, Assistant Planner

Approved by: Ryan Kuchenig, Senior Planner

## **ATTACHMENTS**

1. Vicinity and Noticing Map
2. Standard Requirements & Recommended Conditions of Approval
3. Site and Architectural Plans
4. Letter from the Applicant
5. Use Permit Justification Form by the Applicant
6. Site Photographs