



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 20-0223, Version: 1

REPORT TO THE ZONING ADMINISTRATOR

SUBJECT

USE PERMIT: For an Approximately 7-Foot 9-Inch Tall Fence in The Front Yard of a Single-Family Home (Eichler).

Location: 657 Vanderbilt Drive (APN: 202-07-001)

File #: 2019-7917

Zoning: R-1

Applicant / Owner: James Ismail (applicant and owner)

Environmental Review: Class 3 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions.

Project Planner: Shila Bagley, 408-730-7456, sbagley@sunnyvale.ca.gov

BACKGROUND

Description of Proposed Project

The applicant is proposing to remove the exiting front yard fence and construct a new fence, which will have the same height as the existing fence. The proposed fence is 6 feet in height, measured from finished grade, and 7 feet 5 inches in height measured from top of the curb (TOC) on Vanderbilt Drive, since the property slopes up, resulting in a 1-foot 5-inch grade difference between TOC and finished grade. Since the property is a corner lot, the height of the front fence is also measured from Sesame Drive, which has a slightly higher grade difference. Therefore, the fence is 7 feet 9 inches in height measured from TOC on Sesame Drive.

The proposed fence has a setback of 15 feet 5 inches from the front property line, which is intended to provide a larger private front yard space as desired by the applicant. See Attachment 1 for the Vicinity and Noticing map, Attachment 3 for the Site and Architectural Plans, and Attachment 4 for the Use Permit Justification Form.

Previous Actions on the Site

A staff-level permit was approved in 2019 for construction of an 8-foot tall fence (over a 2-foot 6-inch tall retaining wall) in the reducible front yard of the subject single-family residence. Additionally, in 2016 City Council approved a rezoning request for a Single-Story Combining District for 45 homes bounded by Torrington Drive, Sesame Drive, Vanderbilt Drive and Hollenbeck Avenue, which includes the subject property. There are no other previous planning projects related to the subject application and no open Neighborhood Preservation complaints.

ENVIRONMENTAL REVIEW

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

DISCUSSION

Background

Sunnyvale Municipal Code (SMC) Chapter 19.48 requires a Use Permit for front yard fences over 6 feet in height. Fence height in the front and reducible front yard is measured from the top of the nearest curb. 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.

Proposed Fence

The applicant is proposing a 6-foot tall fence as measured from the finished grade. The finished grade is 1 foot 9 inches above the adjoining curb; therefore, the proposed fence height is 7 feet 9 inches from the top of the nearest curb. The proposed fence will be setback approximately 15 feet 5 inches from the front property line. See Attachment 4 for the Site and Architectural Plans.

The proposed fence design is composed of horizontal Cumaru rainscreen siding, which will be painted brown to match the color of the house. This new fence will replace the existing fence at the proposed location and adjoin an extended side yard fence to enclose a larger portion of the front yard. The proposal includes planting two Olive trees in the front yard as well as re-landscaping the reduced front yard area between the fence and the sidewalk.

The existing fence is currently located within the corner vision triangle. The proposed fence will be moved outside of the vision triangle, as noted in the drawings and recommended Conditions of Approval (Attachment 2).

Fence Design

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 additions and improvements, including fences. The guidelines encourage fences to be integrated into the style of the house with a modern design and strong vertical or horizontal emphasis. The guidelines state that fences over 6 feet in height should be setback at least 15 feet from the front property line. The proposed fence is consistent with this requirement.

The proposed fence will match the recently approved approximately 8-foot tall fence (5 feet 6 inches of horizontal Cumaru rainscreen siding over 2 feet 6 inches of cement retaining wall) along the reducible front yard. See Attachment 8 for Fence Material. The proposed fence design and location is compatible with the existing fences found elsewhere in the neighborhood and will improve the aesthetics of the existing streetscape.

NEIGHBORHOOD IMPACTS/COMPATIBILITY:

In some Eichler models, fences have been integrated into the building architecture and provide for private front yards. Such models exist within this neighborhood, including the subject home, which has a 6-foot tall fence in the front yard. The proposed fence is similar in height and location to other Eichler home fences in the neighborhood. See Attachment 7 for photos of other front fences in the neighborhood. The applicant proposes to plant groundcover in the area between the fence and the sidewalk. Staff recommends planting two 15-gallon trees of an appropriate species (Condition of Approval No. PS-1 (a)).

PUBLIC CONTACT

82 notices were sent to surrounding property owners and residents adjacent to the subject site in addition to standard noticing practices, including advertisement in the Sunnyvale Sun Newspaper and on-site posting. Staff has not received any letters or calls from the public.

ALTERNATIVES

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

RECOMMENDATION

Alternative 1. Approve the Use Permit with recommended Conditions in Attachment 3.

Prepared by: Shila Bagley, Associate Planner

Approved by: Jay Lee, Senior Planner

ATTACHMENTS

1. Vicinity and Noticing Maps
2. Recommended Findings
3. Standard Requirements and Recommended Conditions of Approval
4. Site and Architectural Plans
5. Use Permit Justification Form
6. Site Photographs
7. Neighborhood Front Fence Comparison
8. Fence Material