

Fence Located in Front and Side-Corner Setbacks

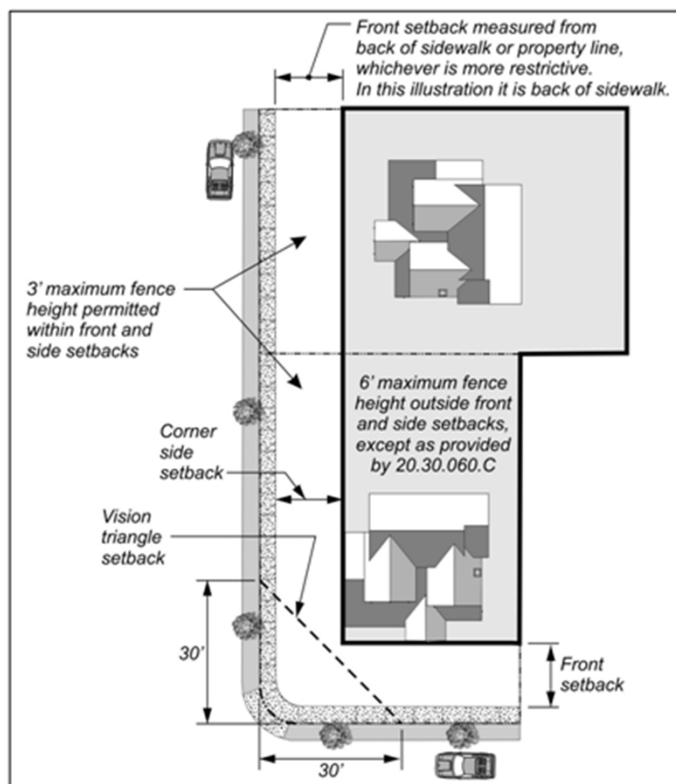
CUP22-067

3496 Spring Creek Drive

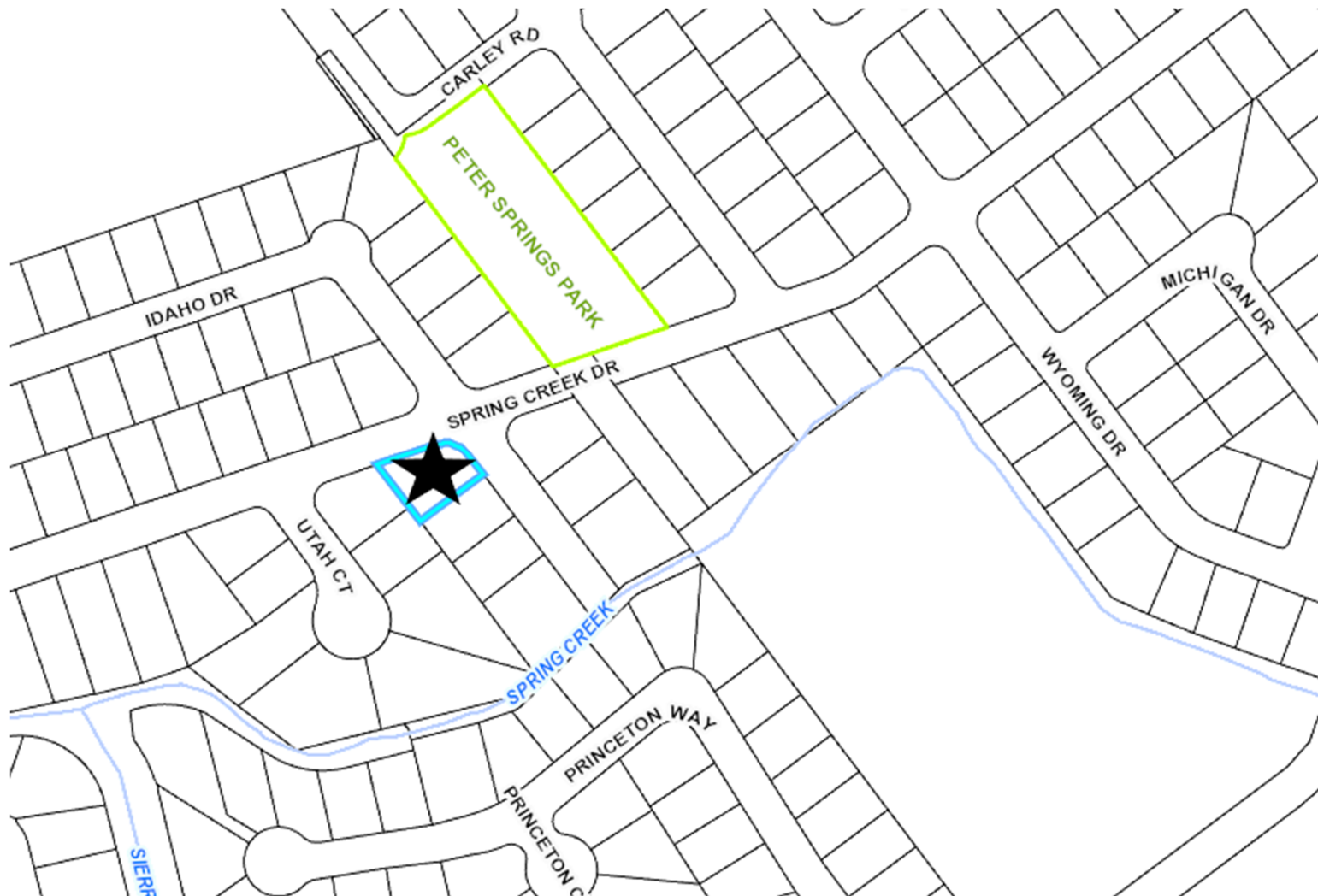
November 2, 2023

Suzanne Hartman, City Planner
Planning and Economic Development

The applicant is requesting to legalize the existing 7.2-foot-tall wood fence that is located within the 20-foot front setback and the 15-foot side-corner setback



3496 Spring Creek Drive



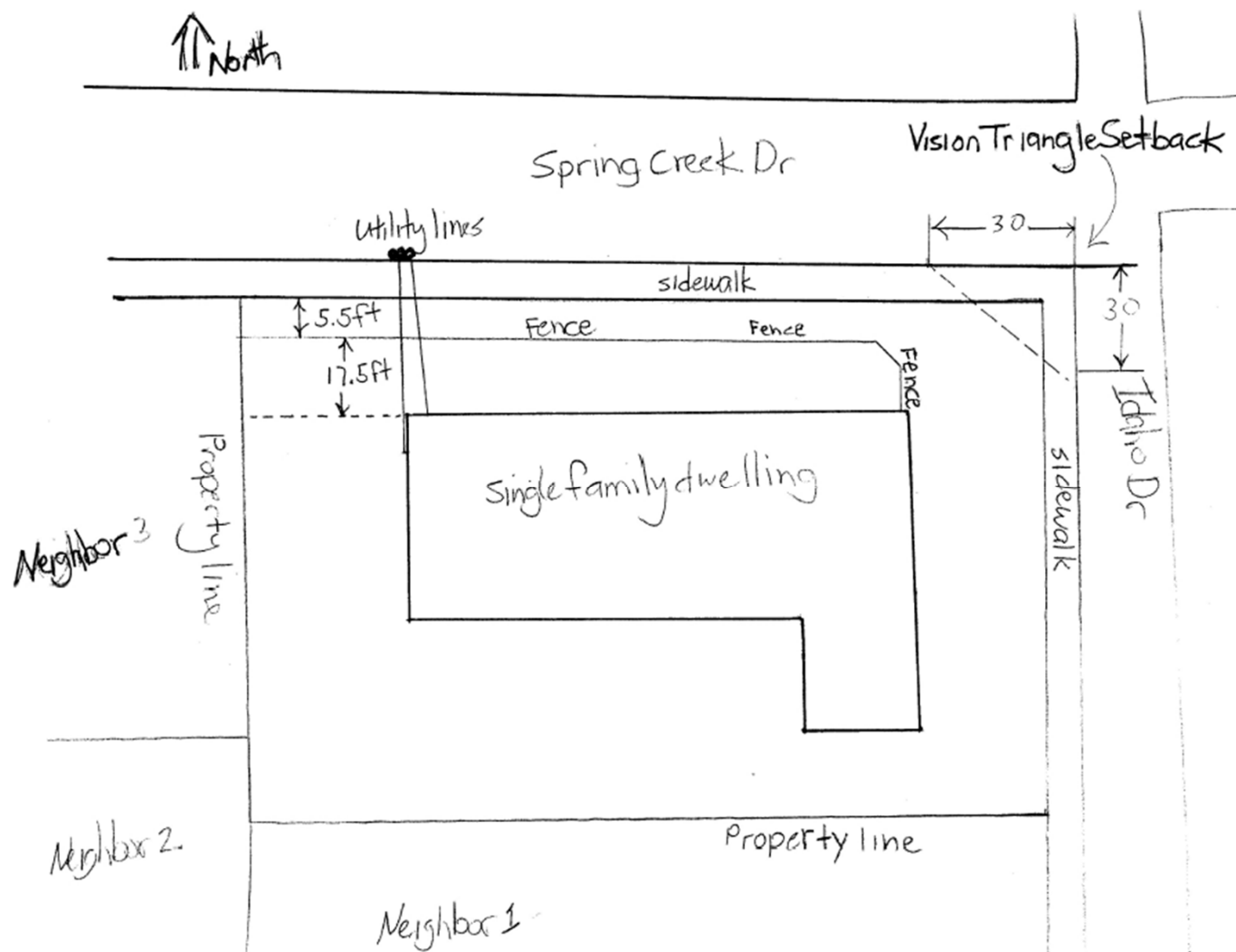
3496 Spring Creek Drive



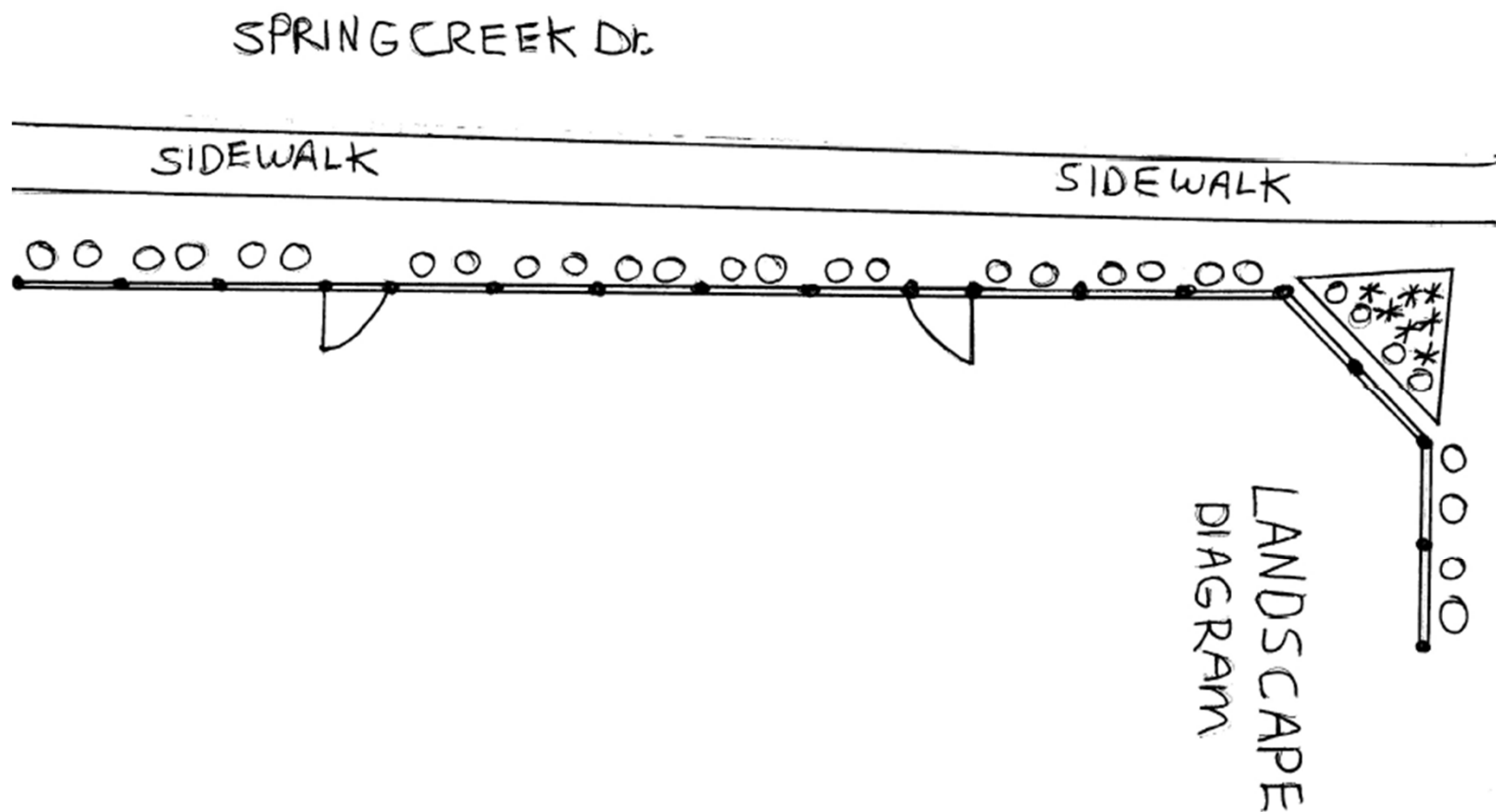
- Zoning District: R-1-6 (Single-Family Residential)
- General Plan Land Use Designation: Low Density Residential



Supporting Plans



Supporting Plans



Site Photos



Required Minor Conditional Use Permit Findings

- The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code;
- The proposed use is consistent with the General Plan and any applicable specific plan;
- The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity;

Required Findings (Continued)

- The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints;
- Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located; and
- The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA),₁₀

- The issuance of the permit is reasonably necessary, by reason of unusual or special circumstances or conditions relating to the property, for the preservation of valuable property rights or the full use and enjoyment of the property;
- The fence will not create a safety hazard to pedestrians or vehicular traffic;
- The appearance of the fence is compatible with the design and appearance of other existing buildings and structures within the neighborhood;

Required Findings (Continued)

- The fence is a planned architectural feature to avoid dominating the site or overwhelming the adjacent properties and structures;
- The orientation and location of the fence is in proper relation to the physical characteristics of the site and the surrounding neighborhood; and
- The fence will be of sound construction.

Findings Not Supported by Planning Staff

- The issuance of the permit is reasonably necessary, by reason of unusual or special circumstances or conditions relating to the property, for the preservation of valuable property rights or the full use and enjoyment of the property.
- The fence is a planned architectural feature to avoid dominating the site or overwhelming the adjacent properties and structures.

- Open Code Enforcement Case on the property
- Public comments received:
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It is recommended by the Planning and Economic Development Department that the Zoning Administrator, by Resolution, deny a Minor Conditional Use Permit for the 7.2-foot-tall wood fence, located within the 20-foot front yard setback and the 15-foot side-corner setback, at 3496 Spring Creek Drive.

Suzanne Hartman, City Planner
Planning and Economic Development

SHartman@srcity.org

(707) 543-4299

