

# Fence within Side-Corner Setback

## CUP23-042

4740 Badger Road

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Planning and Economic Development

The applicant is seeking approval of a 6-foot-tall wood fence that is located within the 15-foot side-corner setback.



# 4740 Badger Road

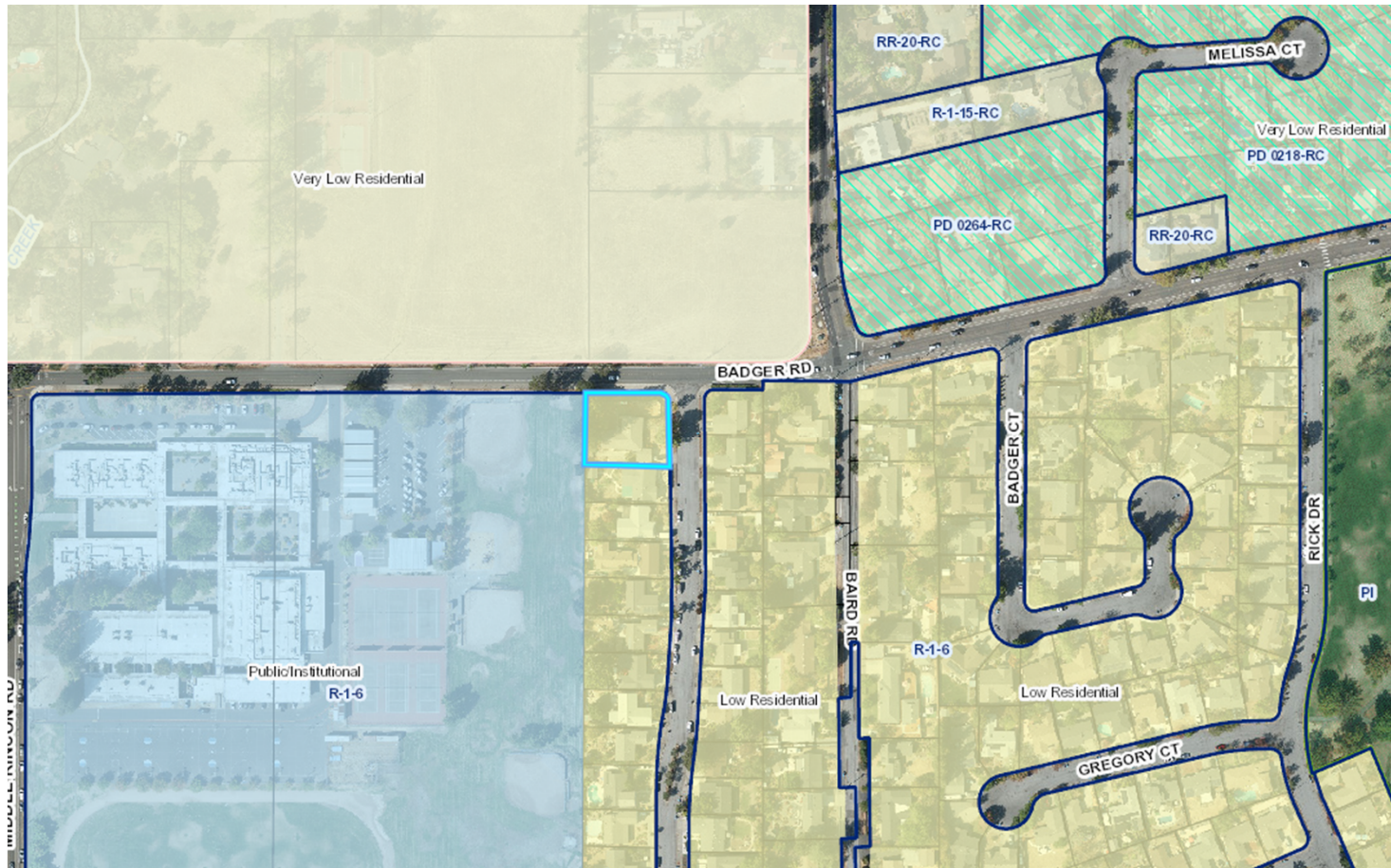








- General Plan Land Use Designation: Low-Density Residential
- Zoning District: R-1-6 (Single-Family Residential)

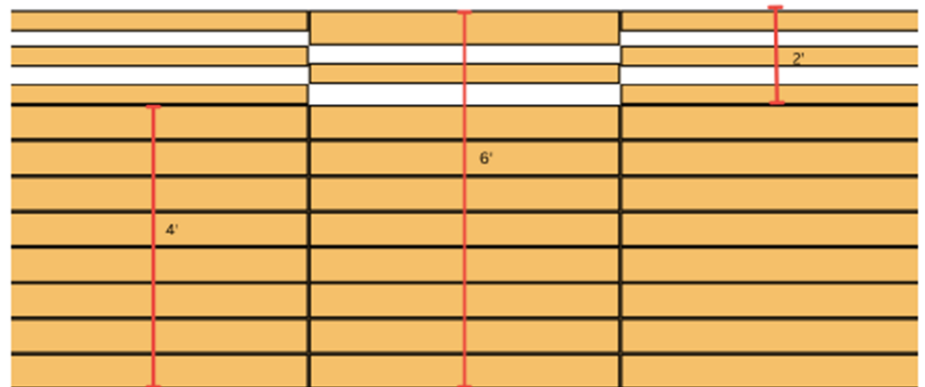


# Existing Elevation Photos





# Supporting Plans





- 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

## Additional Fence Height Findings (Section 20-30.060.D)

- 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;



## Additional Fence Height Findings (Section 20-30.060.D)

- 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.

# Environmental Review

## California Environmental Quality Act (CEQA)

- Categorically Exempt
  - CEQA Guidelines Section 15303 (e)



- There are no unresolved issues as a result of staff review.





It is recommended by the Planning and Economic Development Department that the Zoning Administrator, by resolution, approve a Minor Conditional Use Permit to allow a 6-foot-tall wood fence, located within 15-foot side-corner setback, at 4740 Badger Road.

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