

FILING FEES
\$464.00 (PLAPPEAL) Residential
\$1,867.00 (PLAPPEAL), per
Commercial, Multi-family, or
Tentative Map Appeal

TRANSCRIPTION \$500 (PLTRANS)

Town of Los Gatos
Office of the Town Clerk
110 E. Main St., Los Gatos CA 95030

APPEAL OF PLANNING COMMISSION DECISION

I, the undersigned, do hereby appeal a decision of the Planning Commission as follows: (PLEASE TYPE OR PRINT NEATLY)

DATE OF PLANNING COMMISSION DECISION 11/9/2022

RECEIVED
TOWN OF LOS GATOS

NOV 14 2022

CLERK DEPARTMENT

PROJECT / APPLICATION NO:

Fence Height Exception Request/ APN 523-04-043

ADDRESS LOCATION:

755 Blossom Hill Rd, Los Gatos, CA 95032

Pursuant to the Town Code, any interested person as defined in Section 29.10.020 may appeal to the Council any decision of the Planning Commission.

Interested person means:

1. *Residential projects.* Any person or persons or entity or entities who own property or reside within 1,000 feet of a property for which a decision has been rendered, and can demonstrate that their property will be injured by the decision.
2. *Non-residential and mixed-use projects.* Any person or persons or entity or entities who can demonstrate that their property will be injured by the decision.

Section 29.20.275 The notice of appeal shall state specifically wherein it is claimed there was an error or abuse of discretion by the Commission or wherein its decision is not supported by substantial evidence in the record.

1. There was an error or abuse of discretion by the Planning Commission:

Discrimination - Antisemitism argument was not addressed by anyone at all.

Bias - (because appellant is a doctor) to the extreme undue financial hardship reconstructing the fence would create.

thousands of other fence violations, including on the same street, were said to be not in violation (despite photos)

proof of the ordinance available on the website in 2020 - they simply said it seems unlikely, "other info also existed somewhere."

OR

2. The Planning Commission's decision is not supported by substantial evidence in the record:

Crime statistics - large number of registered sex offenders in the area. (We have a baby girl).

Townpeople who called in were in support of the fence 6 to 1.

Letters of people who wrote in were in support of the fence 7 to 1.

High traffic commercial area = reason for exception. Unique location is an exception.

IF MORE SPACE IS NEEDED, PLEASE ATTACH ADDITIONAL SHEETS.

more
on back →

IMPORTANT:

1. **Appellant is responsible for fees for transcription of minutes. A \$500.00 deposit is required at the time of filing.**
2. **Appeal must be filed within ten (10) calendar days of Planning Commission Decision accompanied by the required filing fee. Deadline is 4:00 p.m. on the 10th day following the decision. If the 10th day is a Saturday, Sunday, or Town holiday, then it may be filed on the workday immediately following the 10th day, usually a Monday.**
3. **The Town Clerk will set the hearing within 56 days of the date of the Planning Commission Decision (Town Ordinance No. 1967).**
4. **Once filed, the appeal will be heard by the Town Council.**
5. **If the basis for granting the appeal is, in whole or in part, information not presented to or considered by the Planning Commission, the matter shall be returned to the Planning Commission for review.**

PRINT NAME:

David and Ilana Kohanchi

SIGNATURE:

Ilana Kohanchi

DATE:

11/10/2022

ADDRESS:

755 Blossom Hill Rd, Los Gatos, CA 95032

PHONE:

[REDACTED]

EMAIL:

[REDACTED]

*** OFFICIAL USE ONLY ***

DATE OF PUBLIC HEARING:

Pending Planning Department Confirmation

DATE TO SEND PUBLICATION:

DATE OF PUBLICATION:

- ignored our concerns for break-ins (into our home + another a few doors down) within the last few years.
- did not address the realistic concerns to our safety given the recent burglaries.
- verified by next door neighbor.