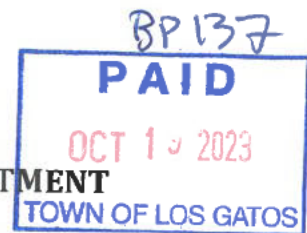




TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT DEPARTMENT
110 E. Main Street
Los Gatos, CA 95030



APPEAL OF THE DECISION OF
DIRECTOR OF COMMUNITY DEVELOPMENT

PLEASE TYPE or PRINT NEATLY

I, the undersigned, do hereby appeal a decision of the DIRECTOR OF COMMUNITY DEVELOPMENT as follows:

DATE OF DECISION:

10/9/23

PROJECT/APPLICATION:

FHE-22-006 224 Old Adobe Road

LOCATION:

224 Old Adobe Road Los Gatos

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

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.

LIST REASONS WHY THE APPEAL SHOULD BE GRANTED:

Please see attached letter

IMPORTANT:

1. Appeal must be filed not more than ten (10) days after the decision is rendered by the Director of Community Development. If the tenth (10th) day is a Saturday, Sunday, or Town holiday, then the appeal may be filed on the workday immediately following the tenth (10th) day. Appeals are due by 4:00 P.M.
2. The appeal shall be set for the first regular meeting of the Planning Commission which the business of the Planning Commission will permit, more than five (5) days after the date of the filing of the appeal. The Planning Commission may hear the matter anew and render a new decision in the matter.
3. You will be notified, in writing, of the appeal date.
4. Contact the project planner to determine what material is required to be submitted for the public hearing.

RETURN APPEAL FORM TO COMMUNITY DEVELOPMENT DEPARTMENT

PRINT NAME: Vinodha Bala

SIGNATURE: [Signature]

DATE: 10/19/23

ADDRESS: 224 Old Adobe Rd Los Gatos
95032

PHONE: [Redacted]

EMAIL: [Redacted]

OFFICE USE ONLY

DATE OF PLANNING COMMISSION HEARING: _____

COMMISSION ACTION:

1. _____
2. _____
3. _____

DATE: _____
DATE: _____
DATE: _____

PLAPPEAL \$ 255.00 Residential
PLAPPEAL \$ 1016.00 Commercial
PLAPPEAL \$ 103.00 Tree Appeals

Appeal: FHE-22-006 – 224 Old Adobe Road, Fence Exemption

10.19.23

To Whom It May Concern:

We are submitting an appeal to the denial of our fence height exemption application. The characteristics of our new fence are location, height and material used. We believe our new fence location and height should be approved based on a combination of (1) the exemption for pre-existing fences replaced in kind, and (2) that a special privacy concern exists that cannot be practically addressed by additional landscaping or tree screening.

Fence Height and Location: As shown with photo documentation and survey maps, our new fence was rebuilt in the exact same location as our old fence, and follows the same or lower height. So, **we believe that these characteristics of the new fence are “in kind” to the old fence, and could be approved based on this exemption.**

Fence Material: Our old fence was constructed out of lattice, and the new fence is made of solid boards. **We believe this characteristic of the fence is justified based on a special privacy concern that exists that cannot be practically addressed by additional landscaping/screening.** We do maintain a hedge line at the rear of our property and have planted additional plants. However, despite this screening attempt, privacy issues have persisted. A small section of our fence (approximately 8') abuts an alley with public access. Additionally, with our old lattice fence, we have had significant issues with our privacy being invaded by our back neighbor as she would frequently come to the back fence and look through the lattice into our yard at will. She has been verbally abusive towards us, guests, and workers in our backyard as she has shouted and cursed at us while looking into our yard from the lattice fence. This erratic and unusual behavior, and her ability to see through the lattice and approach us prevents us from having privacy and peace of mind in our own backyard. Our neighbor had also raised issues of privacy, and had begun creating a makeshift solid fence by draping cardboard and tarp over sections of the lattice. Prior to replacing the fence, we discussed the solid board material choice with her, and she expressed agreement. When Allen Meier came out to speak to us about our fence complaint, we expressed our plans to replace the fence with a solid one, and he agreed that this could help ease the privacy, noise, and dust complaints that our neighbor was complaining about at the time (due to town-permitted construction done in accordance with construction guidelines). We acknowledge that the fence material was not replaced in kind. However, we constructed the new fence in good faith and completely at our own cost, discussed and gained approval from our neighbor, to help address the concerns of our neighbor and the privacy issues we had been experiencing over many months that we could not solve in another way.

We thank you for reviewing our appeal and considering this special circumstance.

Sincerely,

Vinodha and Rajeev Bala