

PLANNING COMMISSION – November 13, 2024
REQUIRED FINDINGS FOR:

108 Westchester Drive
Fence Height Exception FHE-24-003

Consider an Appeal of a Community Development Director's Decision to Deny a Fence Height Exception Request for the Construction of a Six-Foot Tall Fence Within a Required Street Side Setback and Traffic View Area on Property Zoned R-1:8. Located at 108 Westchester Drive. APN 523-36-037. Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures. Fence Height Exception Application FHE-24-003. PROPERTY OWNER/APPLICANT/APPELLANT: Parul Upadhyaya & Deepak Pandey. PROJECT PLANNER: Suray Nathan.

Required finding for CEQA:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures.

Required findings for granting a Fence Height Exception:

Per Town Code Section 29.40.0320, the applicant has provided written justification that demonstrates one of the following conditions exist:

- A special privacy concern exists that cannot be practically addressed by additional landscaping or tree screening[29.40.0320(b)(1)].
- A special wildlife/animal problem affects the property that cannot be practically addressed through alternatives. Documented instances of wildlife grazing on gardens or ornamental landscaping may be an example of such a problem[29.40.0320(b)(2)].
- A special security concern exists that cannot be practically addressed through alternatives[29.40.0320(d)].
- A special circumstance exists, including lot size or configuration, where strict enforcement of these regulations would result in undue hardship[29.40.0320(e)].

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