



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 2/6/2024

ITEM NO: 4

DATE: February 1, 2024
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Adopt a Resolution Remanding Decision to Deny a Fence Height Exception Request **at 124 Garden Hill Drive** for the Construction of a Six-Foot Tall Fence Located Within the Required Front Yard Setback, Street Side Yard Setback, and Corner Sight Triangle on Property Zoned R-1:8 to the Planning Commission for Further Consideration. APN 424-23-084. Fence Height Exception Application FHE-23-005. Categorically Exempt Pursuant to CEQA Guidelines Section 15303: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities.
Property Owner: Rushikesh Kulkarni. Applicant/Appellant: Martin Lettunich.
Project Planner: Ryan Safty.

RECOMMENDATION:

Adopt a resolution (Attachment 7) remanding a Planning Commission decision to deny a fence height exception request at 124 Garden Hill Drive for the construction of a six-foot tall fence located within the required front yard setback, street side yard setback, and corner sight triangle on property zoned R-1:8 and to the Planning Commission for further consideration in light of new information provided by the appellant with his appeal.

DISCUSSION:

On January 16, 2024, Town Council voted unanimously, based on new information, to continue to a date certain of February 6, 2024, and directed staff to prepare a resolution to remand the item back to the Planning Commission for the Council's adoption. Adoption of the attached resolution (Attachment 7) would finalize that decision.

PREPARED BY: Jennifer Armer
Planning Manager

Reviewed by: Assistant Town Manager, Town Attorney, and Community Development Director

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SUBJECT: 124 Garden Hill Drive/FHE-23-005

DATE: February 1, 2024

ENVIRONMENTAL ASSESSMENT:

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 and Section 15301: Existing Facilities.

ATTACHMENTS:

Previously received with the January 16, 2024 Staff Report:

1. November 8, 2023, Planning Commission Staff Report, with Exhibits 1 through 12
2. November 8, 2023, Planning Commission Desk Item, with Exhibit 13
3. November 8, 2023, Planning Commission Verbatim Minutes
4. Appeal of the Planning Commission decision, received November 17, 2023
5. Revised Justification Letter
6. Draft Resolution to Deny the Appeal and Deny the Project

Received with this Staff Report:

7. Draft Resolution to Grant the Appeal and Remand to Planning Commission