



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/15/2023

ITEM NO: 6

DATE: August 10, 2023
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Adopt a Resolution Granting an Appeal of a Planning Commission Decision to Approve a Fence Height Exception Request for Construction of an Automated Vehicular Gate Exceeding the Maximum Height and with Reduced Setbacks on Property Zoned R-1:8. **Located at 380 Blackwell Drive.** APN 424-12-027. Categorically Exempt Pursuant to CEQA Guidelines Section 15303 (e): New Construction or Conversion of Small Structures. Fence Height Exception Application FHE-23-002. PROPERTY OWNER: Larry Cesnik and Martha Johnson. APPELLANT: Larry Cesnik. APPLICANT: Ramin Zohoor. PROJECT PLANNER: Sean Mullin.

RECOMMENDATION:

Adopt a Resolution granting an appeal of a Planning Commission decision to approve a fence height exception request for construction of an automated vehicular gate exceeding the maximum height and with reduced setbacks on property Zoned R-1:8, located at 380 Blackwell Drive.

REMARKS:

On August 1, 2023, the Town Council considered the appeal of the Planning Commission decision and received testimony from the appellant/property owner, which included additional information not available to the Planning Commission. The Council found that a special security concern and special circumstances exist and that the Planning Commission decision was lacking important information. The Council continued the matter to the August 15, 2023, meeting with direction to staff to prepare a Resolution granting the appeal of the Planning Commission decision. This Resolution is included as Attachment 8.

PREPARED BY: SEAN MULLIN, AICP
Senior Planner

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

PAGE 2 OF 2

SUBJECT: 380 Blackwell Drive/FHE-23-002

DATE: August 10, 2023

ATTACHMENTS:

Attachments previously received with the August 1, 2023 Staff Report:

1. June 14, 2023, Planning Commission Staff Report, with Exhibits 1 through 10
2. June 14, 2023, Planning Commission Desk Item, with Exhibit 11
3. June 14, 2023, Planning Commission Action Letter
4. June 14, 2023, Planning Commission Verbatim Minutes
5. Appeal of the Planning Commission decision, received June 21, 2023
6. Annotated Driveway Exhibit Prepared by Staff
7. Draft Resolution to Deny the Appeal and Uphold the Planning Commission Decision

Attachment received with this Staff Report:

8. Draft Resolution to Grant the Appeal of the Planning Commission Decision