

In the matter of the decision of the City Planning Commission on the application for a variance to allow a six foot high wood fence in the front yard setback on 0.15+ acre in the Multiple Family Residential (R-3A) Zone (P86-383)

Notice of Decision
and
Findings of Fact

On December 18, 1986, the City Planning Commission indicated an intent to approve the above entitlements based upon Findings of Fact due January 8, 1987.

Based upon documentary and oral evidence submitted at the public hearing on December 18, 1986, the Planning Commission approved the variance based upon the Findings of Fact which follow:

FINDINGS OF FACT - VARIANCE:

1. The variance is not a special privilege extended to one property owner in that variances would be granted to other property owners facing similar circumstances in that:
 - a) The subject site is located close to an elevated freeway and is subjected to significant noise levels;
 - b) The six foot high fence would afford some protection from crime.
2. The variance will not be detrimental to public health, safety or welfare, nor to surrounding properties in that:
 - a) No driveways are located adjacent to the fence;
 - b) Maintaining a clear vision zone in the front and interior sideyard setback areas as required by the Fence Regulations does not apply;
 - c) The fence is aesthetically pleasing and will not degrade the neighborhood.
3. The variance is consistent with the City's Discretionary Interim Land Use Policy in that the site is designated for residential use by the 1980 Central City Community Plan and the fence use conforms with the plan designation.