

STAFF REPORT

ZONING ADMINISTRATOR

Project Perry Fence /11 Miller Avenue
Variance
VA 14-067

Meeting Date April 17, 2014

Staff Rafael Miranda, Contract Planner *KM*

REQUEST

Approval of a **Variance** to allow a fence to exceed the maximum fence height standard of six feet.

PROJECT INFORMATION

Applicant Oscar Salabert

Owner Susan Perry

Location/Parcel Size 11 Miller Avenue; APN 065-161-06
~4,260 square feet (see **Exhibit B** for vicinity map)

General Plan Low Density Residential

Zoning Single Family (R-1-6) Zoning District

Authority Relief from maximum fence height standards necessitates a Variance pursuant to Section 10.68.020 of the Zoning Ordinance

CEQA The project consists of a request for relief the maximum fence height standards and is categorically exempt pursuant to Section 15303.e (New Construction) of the CEQA Guidelines. Section 15303.e provides an exemption for the new construction of accessory structures such as fences.

PROJECT DESCRIPTION

SITE LOCATION

The project site is located at 11 Miller Avenue. The irregularly-shaped parcel fronts on both Miller Avenue and Spencer Avenue and slopes uphill from south to north as well as from Miller Avenue to Spencer Avenue. The project site is developed with a single-family residence, an elevated rear deck, detached two-car garage, stairs and walkways. The surrounding land uses consist of single-family residential uses.

PROJECT DESCRIPTION

The applicant is requesting a Variance for relief from the maximum fence height requirement of six feet (see **Exhibit C** for a letter of justification).

The applicants are proposing to reconstruct an existing fence that ranges in height from 7' 8" tall to 9' 8" tall, and is located along the shared property line between the subject property and that of 21

Miller Avenue. The fence will be constructed of rough cut redwood featuring lattice work along the top portion and will be supported by posts set in minimum two-foot deep holes filled with concrete.

A portion of the fence has already been reconstructed, as evidenced by the submitted site photographs provided by the applicant.

BACKGROUND

The fence was originally brought to the City's attention when a neighbor called the City's Building Inspector stating that someone was building a fence taller than six feet. The Building Inspector performed a site visit, and confirmed that a fence was being constructed taller than six feet in height without permits. One section of the fence was already complete and work was beginning on another section, while the rest of the original fence still remained. The Building Inspector issued a verbal warning for the property owner to obtain a permit before completing the rest of the fence. The property owner of 11 Miller Avenue applied for the Variance the next day on March 13, 2014.

PROJECT ANALYSIS

GENERAL PLAN CONSISTENCY

The project site is located within the Low Density Land Use designation. The General Plan describes this area as being comprised of single family homes on large lots. To approve the proposed project, the Zoning Administrator must determine that the project is consistent with all applicable General Plan policies. Staff has identified the following policies of the Land Use and Growth Management Element and Community Design and Historical Preservation Element as most relevant to the proposed project:

***Policy LU-1.18. Non-Conforming Structures (Residential):** Recognize the importance of maintaining the existing character of Sausalito neighborhoods by preserving the existing intensity of any non-conforming structure in residential neighborhoods that exceeds zoning standards.*

The applicant's letter of justification suggests that the fence was originally constructed at the same height that is being proposed. The letter references the grade differences between many properties in the neighborhood, coupled with the abundance of decks these homes have, lead many property owners to build fences taller than six feet to gain more privacy from each other.

The neighboring property owner at 21 Miller Avenue, who would be most impacted by the fence, submitted a letter of support (see **Exhibit F**) wherein she explains that if the fence were restricted to six feet in height, both property owners would lose the privacy they have enjoyed. As the property owner explains that she has lived at 21 Miller Avenue her entire life and the fence had the same design and height then as is being proposed, Staff concludes that the project is consistent with this policy.

***Policy CD-3.1. Private Views:** Locate and design new and significantly remodeled structures and landscape improvements so as to minimize the interference with primary views from structures on neighboring properties. Some minor loss of view may be consistent with this policy if necessary to protect a property right.*

***Program CD-3.1.2 Fences.** Continue to enforce Zoning Ordinance provisions which require that fence height consider view blockage on adjacent properties.*

The property that would be most impacted by the proposed fence is 21 Miller Avenue, as the fence is proposed to be constructed on the shared property line between 21 Miller Avenue and

11 Miller Avenue. As evidenced by the submitted letter of support from the property owner at 21 Miller Avenue, the fence will not have an impact on the view from 21 Miller Avenue.

The other adjacent property whose view could potentially be impacted by the fence is 74 Spencer Avenue. However, this property is located farther up the hill and due to the topography and landscaping, no view impact to 74 Spencer Avenue will occur.

With the submitted letter of support from 21 Miller Avenue and due to the topography of the project site, Staff concludes that the project is consistent with this policy and program.

ZONING ORDINANCE CONSISTENCY

The Zoning Administrator must review the proposed project for its conformance with all applicable regulations of the Zoning Ordinance. Staff has outlined the following Zoning Ordinance requirements that apply to the project in the following discussion.

Section 10.44.020D of the Zoning Ordinance provides regulations related to fences and states: **Walls, fences and railings.** Walls, fences and railings may occupy required yard areas subject to the following height limits:

1. When located along any parcel line: Six (6) feet.

In order for a fence located along a property line to be constructed taller than six feet in height, a Variance must first be approved. Section 10.80.040B of the Zoning Ordinance provides this direction and states:

Duties and supervision. The Zoning Administrator shall serve as a hearing officer and is assigned the authority and original jurisdiction to investigate, consider, and approve or deny the following applications:

2. Variance Applications for the following when the application is not associated with any discretionary permit requiring Planning Commission approval:
 - c. Fences over six feet (6') in height.

Should the Zoning Administrator approve the Variance Application, the project will be consistent with the Zoning Ordinance.

Variance

To grant a variance, Zoning Ordinance, Section 10.68.050 requires the Planning Commission to make each of the six findings below for each variance request:

- A) There are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use of the property, that do not apply generally to other property or uses in the same district;
- B) Owing to such exceptional or extraordinary circumstances the literal enforcement of the provisions of the Title would result in practical difficulty or unnecessary hardship;
- C) Such Variance is necessary for the preservation of a substantial property right of the petitioner, possessed by other property in the same district;
- D) The granting of such Variance will not be materially detrimental to the public welfare or injurious to the property or improvement in the vicinity or in the district in which the subject property is located;

- E) The granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district; and
- F) The granting of such Variance will be in harmony with the general purpose and intent of this Title and the General Plan.

Staff suggests that all six of the findings can be made in support of the Variance to allow for the fence to be constructed taller than six feet in height. A discussion on how the variance request can be supported is provided below:

Exceptional Circumstances. The parcel at 11 Miller Avenue slopes upward towards Spencer Avenue, and to a lesser degree upward towards 21 Miller Avenue. The two properties at 11 Miller Avenue and 21 Miller Avenue have rear yard decks that are constructed slightly elevated due to the terrain and sloping hillside. As these two properties are non-conforming in terms of parcel size for the R-1-6 Zoning District, they leave little room elsewhere to locate a deck. As both properties at 21 Miller Avenue and 11 Miller Avenue have rear yard decks in roughly the same location, without the increased fence height the two neighbors would be looking at each other when standing on their respective decks.

Additionally, as the house at 21 Miller Avenue is located higher up the hill than the house at 11 Miller Avenue, the increased fence height helps to shield the many windows that look down at 11 Miller Avenue. Therefore, the parcel at 11 Miller Avenue is unique to other parcels in the same district and there are exceptional or extraordinary circumstances that apply to it.

Hardship. The exceptional or extraordinary circumstances that apply to the lot are the fact that existing improvements such as a stone fountain, planter and decks would have to be relocated or demolished for the fence to be moved away from the property line in order to comply with the Zoning Ordinance. The Ordinance allows for one foot of fence height increase for each foot the fence is stepped back from a side or rear property line. To comply with this standard, the fence would have to be placed in the location of existing natural features such as an existing tree, which would have to be removed to make room for the fence. Relocating the existing stone fountain, demolishing portions of existing decks and removing an existing tree would result in a practical difficulty for the property owner.

Property Right. The property owner at 21 Miller Avenue explains in her letter of support that she has lived on the property her entire life and the fence had the same design and height then as is being proposed now. Both neighbors' letters state that if the fence were restricted to six feet in height, both property owners would lose the privacy they have come to enjoy over the years. Several other properties in the same district have fences that are taller than six feet providing them with additional privacy, or other properties in the same district are located on more level lots that do not have such a grade difference between adjoining properties.

Public Welfare. The property most impacted by the fence would be that of 21 Miller Avenue as the fence would only be located along a shared property line between 11 Miller Avenue and 21 Miller Avenue. The property owner of 21 Miller Avenue has submitted a letter of support for the fence.

The other adjacent property who could potentially be impacted by the fence is 74 Spencer Avenue. However, this property is located farther up the hill and due to the topography, landscaping and grade difference between the properties, no impact to 74 Spencer Avenue will occur. Therefore, Staff concludes that the fence will not be materially detrimental to the public welfare or injurious to the property or improvement in the vicinity or in the district.

Not a Special Privilege. Staff reviewed the property files for the Miller Avenue and Spencer Avenue neighborhood and did not find that any Variances were granted for fences in the district. However, several fences taller than six feet exist in the surrounding neighborhood and district. Approval of this Variance would not be granting the property owners a special privilege inconsistent with the limitations on other properties in the same Zoning District because other properties already have fences that are taller than six feet.

Compliance with Regulations. The purpose of a Variance is to “provide relief from the strict application of the zoning ordinance when special circumstances apply to the property, including size, shape, topography, location or surroundings and the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning district.” This property has special circumstances with respect to size and topography and the fact that several other properties in the neighborhood and district already have fences taller than six feet in height, approval of this Variance would be in harmony with the general purpose and intent of this title because it would not be granting a special privilege inconsistent with the limitations on other properties. Granting of this Variance would also be in harmony with the general purpose of the General Plan because it would preserve an existing non-conforming structure in a residential neighborhood

CONCLUSION

Staff concludes the requisite findings can be made to approve the Variance, as described in the attached draft resolution of approval.

PUBLIC NOTICE AND CORRESPONDENCE

- On April 4, 2014 a notice of the Variance request was posted on the project site and mailed to all property owners and residents within 300 feet of the project site.

- Correspondence received as of the writing of this staff report is provided in **Exhibit F**.

RECOMMENDATION

Staff recommends the Zoning Administrator approve the attached draft resolution (**Exhibit A**) which approves a Variance to construct a fence on the shared property line with 21 Miller Avenue (APN 065-161-05) that will exceed six feet in height.

Alternatively, the Zoning Administrator may:

1. Continue the public hearing for additional information and/or project revisions; or
2. Deny the Variance and direct Staff to return with a Resolution of Denial.

EXHIBITS

- A. Resolution [Draft]
- B. Vicinity Map
- C. Letter of Justification, date stamped received April 1, 2011
- D. Project plans date stamped March 13, 2014, and March 28, 2014
- E. Site photographs
- F. Correspondence
 - a. Letter from Emmet C. Yeazell, 21 Miller Avenue, date stamped March 13, 2014

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**SAUSALITO ZONING ADMINISTRATOR
RESOLUTION NO. 2014-XX**

**APPROVAL OF A VARIANCE TO CONSTRUCT A FENCE ON THE SHARED PROPERTY LINE
WITH 21 MILLER AVENUE THAT WILL EXCEED SIX FEET IN HEIGHT
11 MILLER AVENUE (VA 14-067)**

WHEREAS, an application has been filed by the applicant Oscar Salabert, on behalf of property owner Susan Perry, requesting Zoning Administrator approval of a Variance to construct a fence on the shared property line with 21 Miller Avenue (APN 065-161-05) that will exceed six feet in height (APN 065-161-06); and

WHEREAS, the Zoning Administrator conducted a duly-noticed public hearing on April 17, 2014, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Zoning Administrator has reviewed and considered the project plans date-stamped March 13, 2014, and March 28, 2014; and

WHEREAS, the Zoning Administrator has received and considered oral and written testimony on the subject application; and

WHEREAS, the Zoning Administrator has reviewed and considered the information contained in the April 17, 2014, staff report for the project; and

WHEREAS the Zoning Administrator finds that, as conditioned herein, the project complies with the requirements of the General Plan and Zoning Ordinance as described in the staff report; and

WHEREAS, the Zoning Administrator finds that the project is categorically exempt from the requirements of California Environmental Quality Act (CEQA) pursuant to Sections 15303.e of the CEQA guidelines; and

NOW, THEREFORE, THE ZONING ADMINISTRATOR HEREBY RESOLVES AS FOLLOWS:

Variance VA 14-067 to construct a fence on the shared property line with 21 Miller Avenue (APN 065-161-05) that will exceed six feet in height by up to three feet eight inches is approved based upon the findings in Attachment 1 and subject to the conditions of approval in Attachment 2. The project plans are provided in Attachment 3.

Date

Jeremy Graves, AICP
Zoning Administrator

Attachments:

1. Findings
2. Conditions of Approval
3. Project Plans date-stamped March 13, 2014, and March 28, 2014

ZONING ADMINISTRATOR RESOLUTION
APRIL 17, 2014
VA 14-067
11 MILLER AVENUE

ATTACHMENT 1: FINDINGS
FINDINGS FOR APPROVAL OF A VARIANCE

VARIANCE FINDINGS FOR VARIANCES FROM HEIGHT

In accordance with Zoning Ordinance Section 10.68 (Variances), the Variance from Section 10.44.020.D of the Zoning Ordinance is approved based on the following findings:

- A) There are exceptional or extraordinary circumstances or conditions applying to the property involved or to the intended use of the property that do not apply generally to other property or uses in the same district.

The parcel at 11 Miller Avenue slopes upward towards Spencer Avenue, and to a lesser degree upward towards 21 Miller Avenue. The two properties at 11 Miller Avenue and 21 Miller Avenue have rear yard decks that are constructed slightly elevated due to the terrain and sloping hillside. As these two properties are non-conforming in terms of parcel size for the R-1-6 Zoning District, they leave little room elsewhere to locate a deck. As both properties at 21 Miller Avenue and 11 Miller Avenue have rear yard decks in roughly the same location, without the increased fence height the two neighbors look directly at each other when standing on the decks.

Additionally, as the house at 21 Miller Avenue is located higher up the hill than the house at 11 Miller Avenue, the increased fence height helps to shield the many windows that look down at 11 Miller Avenue. Therefore, the parcel at 11 Miller Avenue is unique to other parcels in the same neighborhood and district and there are exceptional or extraordinary circumstances that apply to it in that it sits much lower than its adjacent neighbors.

- B) Owing to such exceptional or extraordinary circumstances the literal enforcement of the provisions of the Title would result in practical difficulty or unnecessary hardship.

The exceptional or extraordinary circumstances that apply to the lot are the fact that existing improvements such as a stone fountain, planter and decks would have to be relocated or demolished for the fence to be moved away from the property line in order to comply with the Zoning Ordinance. The Ordinance allows for one foot of fence height increase for each foot the fence is stepped back from a side or rear property line. Additionally, existing natural features such as a mature tree would have to be cut down in order for the fence to be constructed taller than six feet in accordance with the Zoning Ordinance. Relocating the existing stone fountain, demolishing portions of existing decks and removing a mature tree is a practical difficulty for the property owner.

- C) Such Variance is necessary for the preservation of a substantial property right of the petitioner, possessed by other property in the same district.

The property owner at 21 Miller Avenue explains in her letter of support that she has lived on the property her entire life and the fence had the same design and height then as is being proposed now. Both neighbors' letters state that if the fence were restricted to six feet in height, both property owners lose the privacy they have enjoyed over the years. Several other

properties in the same district have fences that are taller than six feet providing them with additional privacy, and other properties in the same district are located on more level lots that do not have such a grade difference between adjoining properties.

- D) The granting of such Variance will not be materially detrimental to the public welfare or injurious to the property or improvement in the vicinity or in the district in which the subject property is located.

The property that the fence most impacts is that of 21 Miller Avenue as the fence is only located along a shared property line between 11 Miller Avenue and 21 Miller Avenue. The property owner of 21 Miller Avenue submitted a letter of support for the fence.

The other adjacent property who could potentially be impacted by the fence is 74 Spencer Avenue. However, this property is located farther up the hill and due to the topography, landscaping and grade difference between the properties, there are no impacts to 74 Spencer Avenue. Therefore, the fence will not be materially detrimental to the public welfare or injurious to the property or improvement in the vicinity or in the district.

- E) The granting of the Variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district.

Staff reviewed the property files for the Miller Avenue and Spencer Avenue neighborhood and did not find that any Variances were granted for fences in the district. However, several fences taller than six feet exist in the surrounding neighborhood and district. Therefore, approval of this Variance does not grant the property owners a special privilege inconsistent with the limitations on other properties in the same Zoning District because other properties have fences taller than six feet.

- F) The granting of such Variance will be in harmony with the general purpose and intent of this title and General Plan.

The purpose of a Variance is to "provide relief from the strict application of the zoning ordinance when special circumstances apply to the property, including size, shape, topography, location or surroundings and the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning district." This property has special circumstances with respect to size and topography and the fact that several other properties in the neighborhood and district have fences taller than six feet in height, approval of this Variance is in harmony with the general purpose and intent of this title because it does not grant a special privilege inconsistent with the limitations on other properties. Granting of this Variance is also in harmony with the general purpose of the General Plan because it preserves an existing non-conforming structure in a residential neighborhood.

ZONING ADMINISTRATOR RESOLUTION
APRIL 17, 2014
VA 14-067
11 MILLER AVENUE

ATTACHMENT 2: CONDITIONS OF APPROVAL

These conditions apply to the project plans prepared by Oscar Salabert date-stamped March 13, 2014, and March 28, 2014.

General Conditions

1. No alternative or unrelated construction, site improvements, tree removal and/or alteration, exterior alterations and/or interior alterations and/or renovations not specified in the project plans, or alterations approved by the Community Development Director, shall be performed on the project site. In such cases, this approval shall be rendered null and void unless approved by the Community Development Department as a modification to this approval.
2. In the event that any condition imposing a fee, exaction, dedication or other mitigation measure is challenged by the project sponsors in an action filed in a court of law or threatened to be filed therein which action is brought within the time period provided by law, this approval shall be suspended pending dismissal or final resolution of such action. If any condition is invalidated by a court of law, the entire project shall be reviewed by the City and substitute conditions may be imposed.
3. The applicant shall indemnify the City for any and all costs, including without limitation attorneys' fees, in defending this project or any portion of this project and shall reimburse the City for any costs incurred by the City's defense of the approval of the project.
4. Construction materials, equipment, vehicles, and debris boxes shall be placed to minimize obstruction of roads and gutters, shall be maintained in a clean and safe condition, and shall not be maintained in a manner that becomes a nuisance to the neighborhood. Debris box shall be emptied on a regular basis, else as directed by the City. Material stock piles & debris boxes shall be covered when not being accessed or filled to prevent material from blowing around the neighborhood. Construction materials, equipment, vehicles, and debris boxes placed off-site shall be done only after securing an encroachment permit.

Advisory Notes

Advisory notes are provided to inform the applicant of Sausalito Municipal Code requirements, and requirements imposed by other agencies. These requirements include, but are not limited to, the items listed below.

5. This approval will expire in two (2) years from the effective date of this resolution if the property owner has not exercised the entitlements hereby granted, or an extension has not been filed prior to the expiration date.
6. An approval granted by the Zoning Administrator does not constitute a building permit or authorization for construction. Appropriate construction permit(s) issued by the Building Division must be obtained prior to construction.

7. All applicable City fees as established by City Council resolutions and ordinances shall be paid. Third party review fees (cost plus 10%) shall be paid.
8. Pursuant to Municipal Code Chapter 3.36, Construction Traffic Road Fees shall be paid prior to issuance of a building permit.
9. An encroachment permit shall be obtained from the Department of Public Works prior to use of the public right-of-way for non-public purposes (e.g., materials storage, debris box storage) including any and all construction and demolition activities.
10. Pursuant to Municipal Code Chapter 11.17, dumping of residues from washing of painting tools, concrete trucks and pumps, rock, sand, dirt, agricultural waste, or any other materials discharged into the City storm drain system that is not composed entirely of storm water is prohibited. Liability for any such discharge shall be the responsibility of person(s) causing or responsible for the discharge. Violations constitute a misdemeanor in accordance with Section 11.17.060.B.
11. Pursuant to Municipal Code Section 12.16.140, the operation of construction, demolition, excavation, alteration, or repair devices and equipment within all residential zones and areas within a 500 foot radius of residential zones shall only take place during the following hours:
 - Weekdays – Between 8:00 a.m. and 6:00 p.m.
 - Saturdays – Between 9:00 a.m. and 5:00 p.m.
 - Sundays – Prohibited
 - City holidays (not including Sundays) – Between 9:00 a.m. and 7:00 p.m.

Homeowners currently residing on the property and other legal residents may operate the equipment themselves on Sundays and City holidays between 9:00 a.m. and 6:00 p.m.

**ZONING ADMINISTRATOR RESOLUTION
APRIL 17, 2014
VA 14-067
11 MILLER AVENUE**

ATTACHMENT 3: PLANS AND ELEVATIONS

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11 Miller Ave Fence Variance Application

This letter is in regards to the rebuilding of an existing side-yard fence at 11 Miller Ave, Sausalito. The fence is located between the side-yards of 11 Miller Ave and 21 Miller Ave.

The first section of this fence was rebuilt before it was realized that a variance would be required for this project. The new section of fence can be seen in photos 1 and 2. This part of the fence is not merely built on top of the existing fountain stonewall, it is built into and surrounds it. If this section of fence were restricted to 6' the existing elevated rear deck at 11 Miller Ave (photo 4) and the rear patio at 21 Miller Ave, would look directly onto each other and there would be no privacy. It is not practical to set this fence back 1' for every foot of height over 6' as this would cause the existing stone fountain and planter to be on the wrong side of the fence.

There is an existing elevated wood deck, stairs and landing that run along a large part of the fence, on the 11 Miller Ave side (photos 5 and 6). The fence itself extends below the deck, stairs and landing to the dirt. If this section of the fence were restricted to 6' much of the height of the fence from the deck, stairs and landing would be 4' or less and there would be no privacy between the properties. It is not practical to set this part of the fence back 1' for every foot of height over 6' as this would encroach onto the existing stairs and landing, and there would not be sufficient room to rebuild the stairs and landing. Also a mature tree would need to be cut down (photo 6).

The elevated front entrances of 11 Miller Ave and 21 Miller Ave face each other. If the first 2 sections of the fence off of Miller Ave (photo 7) were restricted to 6' both entrances would look directly onto each other and there would be no privacy. In order for this section of fence to be set back, 2 mature trees would need to be cut down (photo 7).

The second floor of the house at 21 Miller Ave, facing the side-yard of 11 Miller Ave, consists mostly of windows. The fence at its current height and location provides some privacy from these windows.

Rebuilding the fence at its original height is necessary for both property owners to continue to enjoy the level of privacy they have enjoyed their entire lives, a level of privacy that is enjoyed by others through the neighborhood.

This fence does not effect, impact or restrict views of any other property.

Besides the fact that the existing fence is rotting and falling apart, the new fence is being built with a much stronger design and better quality materials. Resulting in a much safer and more attractive fence at this location.

Because of the hillside terrain of much of Sausalito, there are many properties with different elevation next to each other. This and the abundance of decks has necessitated many property owners to build fences higher than 6' in order to have some privacy.

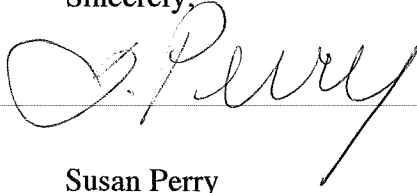
RECEIVED

MAR 13 2014

CITY OF SAUSALITO
COMMUNITY DEVELOPMENT

I ask that a variance be granted so that the side-yard fence between 11 Miller Ave and 21 Miller Ave may be rebuilt at the original height and location, as shown in the photos and drawings accompanying this letter.

Sincerely,

A handwritten signature in cursive script, appearing to read "S. Perry".

3-13-2014

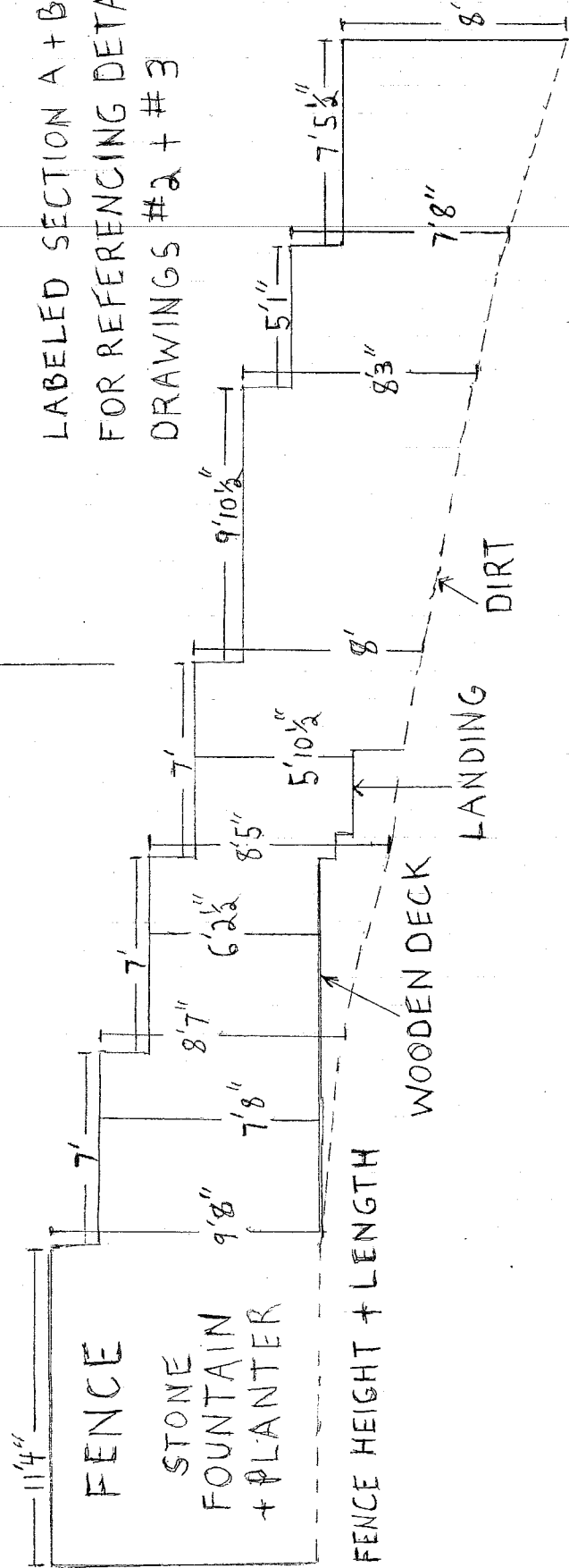
Susan Perry
11 Miller Ave
Sausalito Ca. 94965
415-332-0232

1

SCALE: 1/4" = 1'

SECTION A

SECTION B



LABELLED SECTION A+B FOR REFERENCING DETAIL DRAWINGS #2 + #3

MILLER AVE

MAR 13 2014

TOTAL FENCE LENGTH 54'9"

9'8" SECTION OF FENCE

LANDING + STAIRS

DECK

RAIL

EXISTING ELEVATED REAR DECK

HOUSE 11 MILLER AVE

ELEVATED FRONT PORCH (LINE REVIEW)

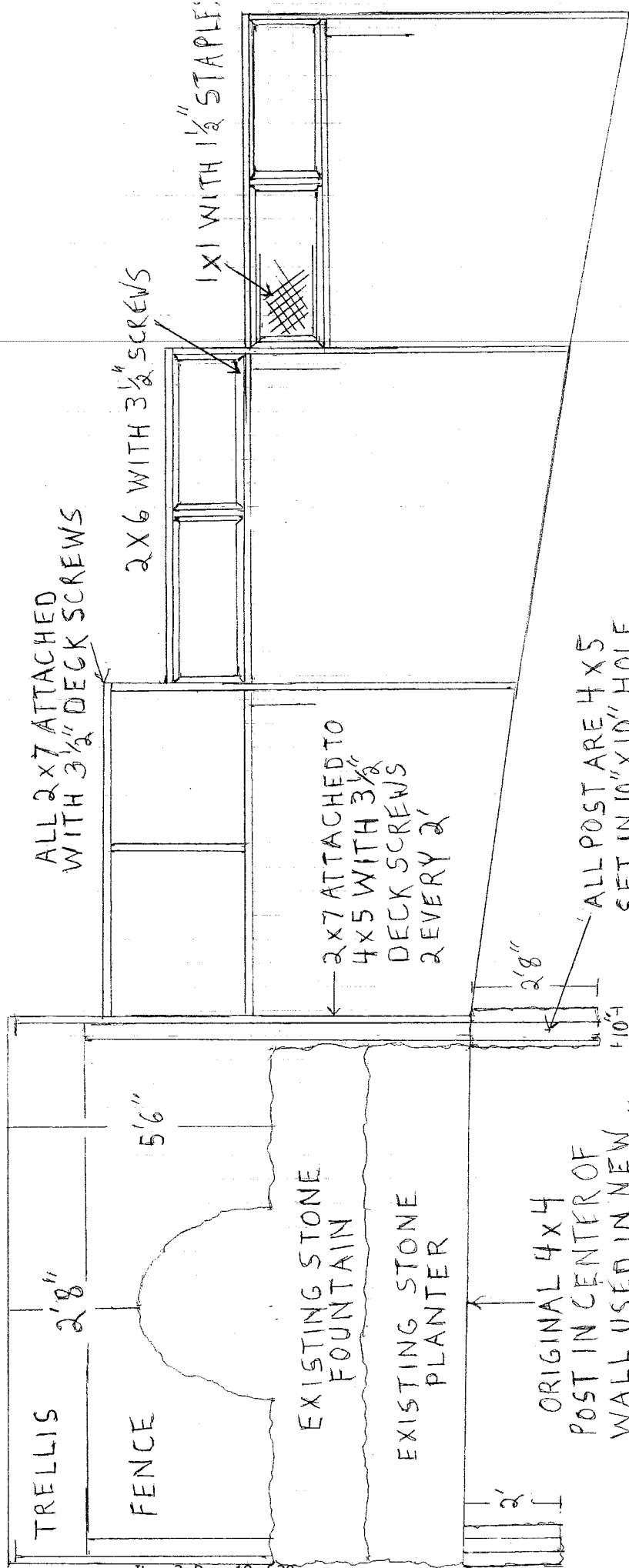
2

SCALE: 1/2" = 1'

SECTION A DETAIL

ALL LUMBER IS ROUGH-CUT HEART REDWOOD SELECT

THIS SECTION OF NEW FENCE HAS BEEN BUILT-SEE PHOTO #1



ALL 2x7 ATTACHED WITH 3 1/2\" DECK SCREWS

2x6 WITH 3 1/2\" SCREWS

1x1 WITH 1 1/2\" STAPLES

2x7 ATTACHED TO 4x5 WITH 3 1/2\" DECK SCREWS EVERY 2'

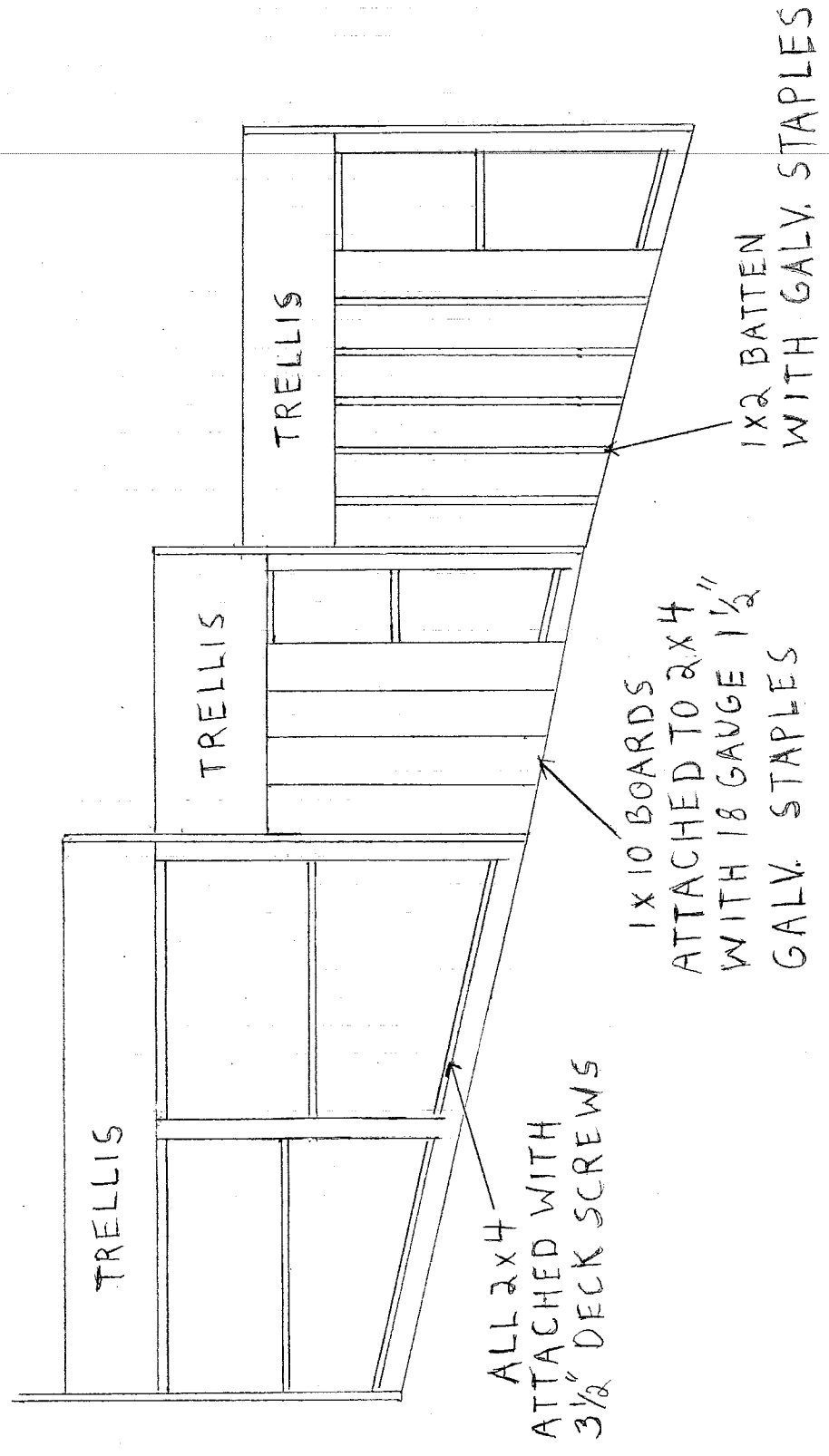
ALL POST ARE 4x5 SET IN 10\"x10\" HOLE MINIMUM 2' DEEP FILLED WITH CONCRETE

ORIGINAL 4x4 POST IN CENTER OF WALL USED IN NEW #3 FENCE-SEE PHOTO #3

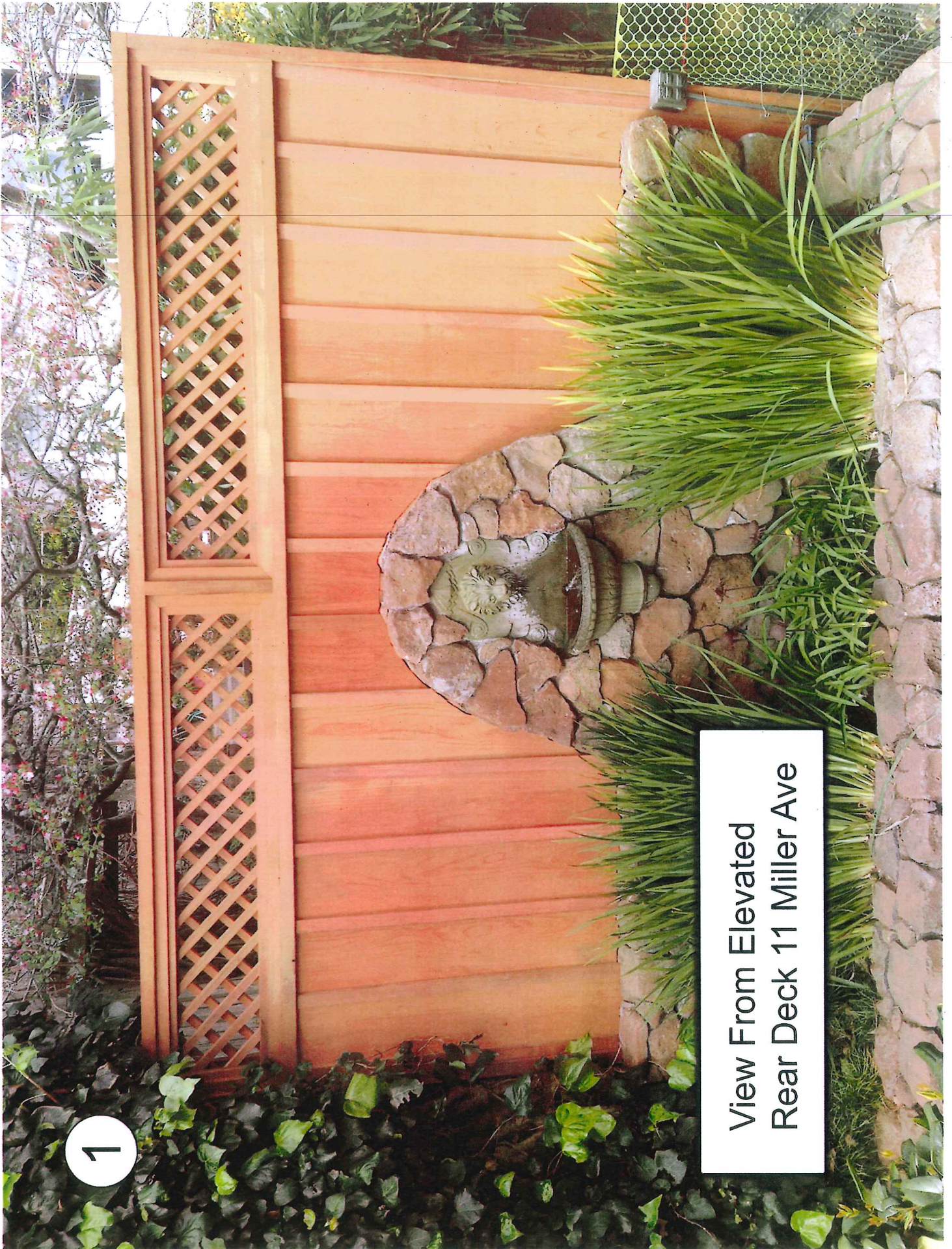
3

SECTION B DETAIL

SCALE: 1/2" = 1'



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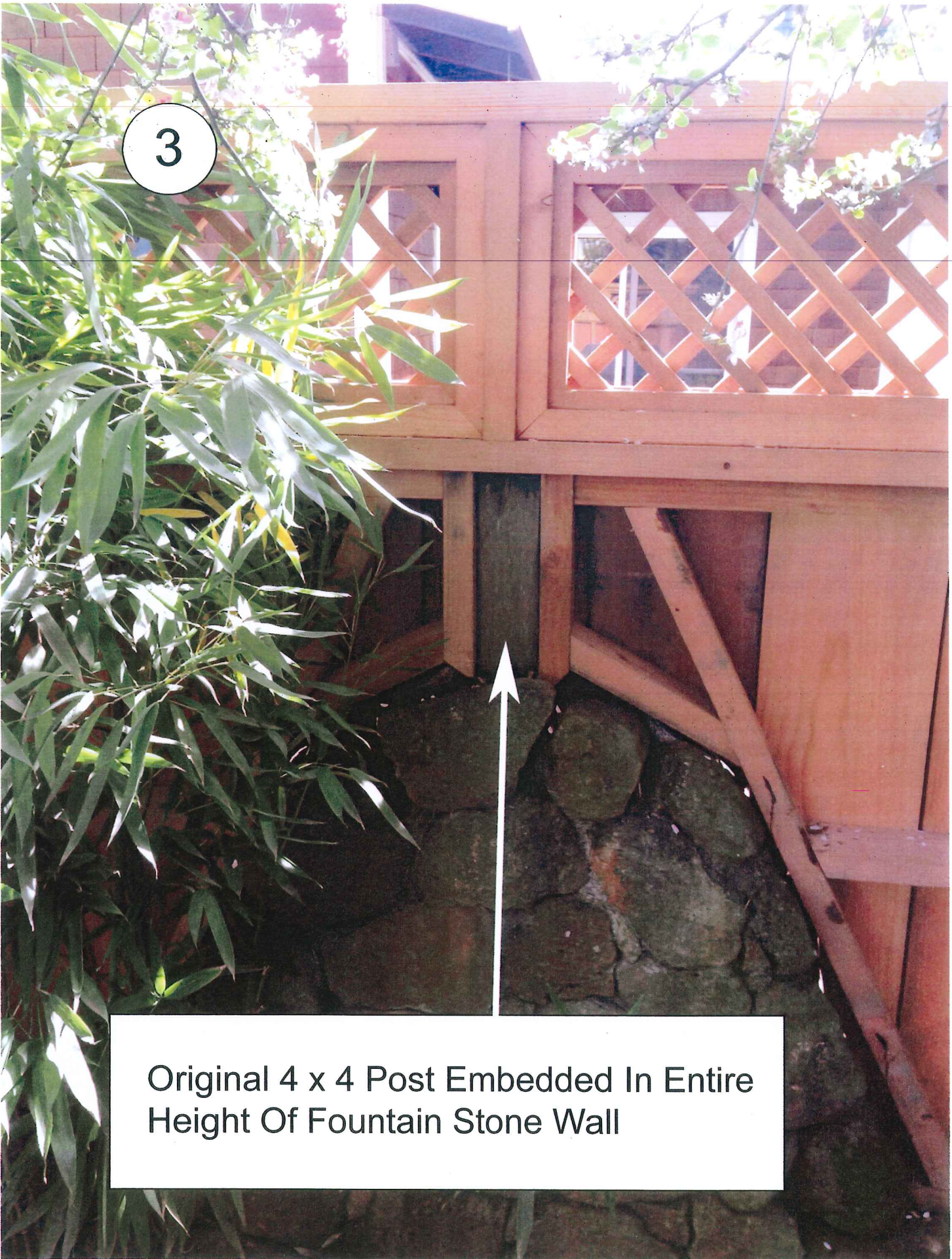


1

View From Elevated
Rear Deck 11 Miller Ave

2

View From Rear Patio
21 Miller Ave, Looking
Toward Elevated Rear
Deck 11 Miller Ave



Original 4 x 4 Post Embedded In Entire Height Of Fountain Stone Wall



4

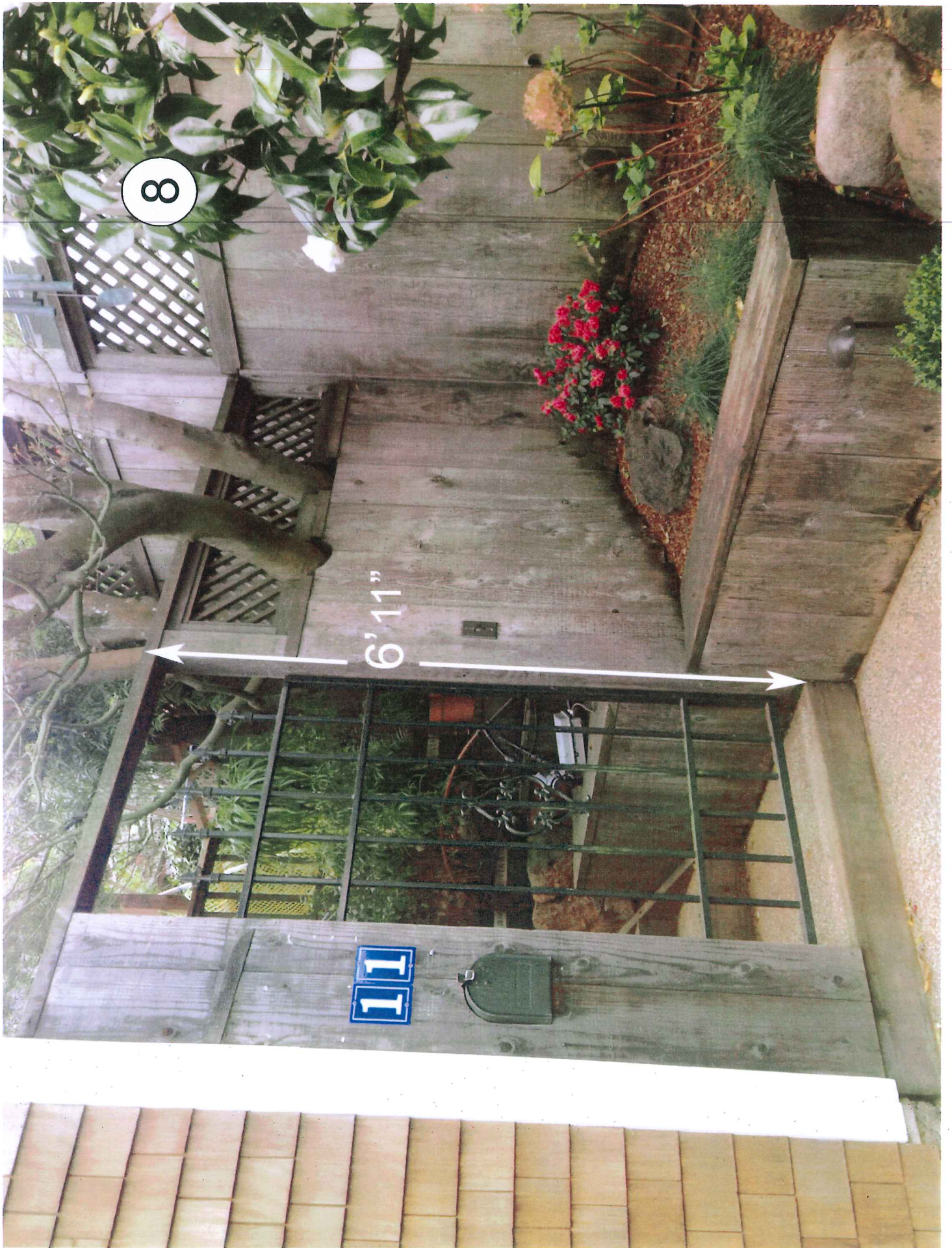
Elevated Rear Deck
11 Miller Ave



5







I am the current owner and resident of 21 Miller Ave and have lived here my entire life. I have grown up with the Perry family, who has owned 11 Miller Ave for over 60 years.

During my lifetime there has always been a side-yard wooden fence between our properties. The height of the fence was originally designed to provide privacy to both properties. The fence has been rebuilt a few times over the years and the overall design and height have been maintained. The current fence is now rotting and falling apart.

I understand that Susan is in the process of applying for a variance; the original fence is greater than 6' tall. If the fence were restricted to 6' high I would lose privacy, Susan would lose privacy.

I understand that the zoning ordinance states that if a property owner wishes to build a side fence greater than 6' tall, it is required that the fence be held back 1 foot from the property line for every 1 foot of additional height up to 12'. I have no desire for the fence to be held back further onto Susan property and would like the fence to be rebuilt at its current location and height. It would be impractical for Susan to rebuild the fence closer to her home.

The existing and proposed fence does not impact any other property. No views are restricted. I ask that her variance be granted.

Please feel free to contact me regarding this issue.

Sincerely,



Emmet C. Yeazell
21 Miller Ave
Sausalito Ca 94965
415-332-3281

Date:

3-7-14

RECEIVED
MAR 13 2014
CITY OF SAUSALITO
COMMUNITY DEVELOPMENT

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