



# Smith Rader Appeal Design Approval PLN190255

Board of Supervisors Hearing  
November 5, 2020  
Agenda Item No.:14

**SLIDE 1**

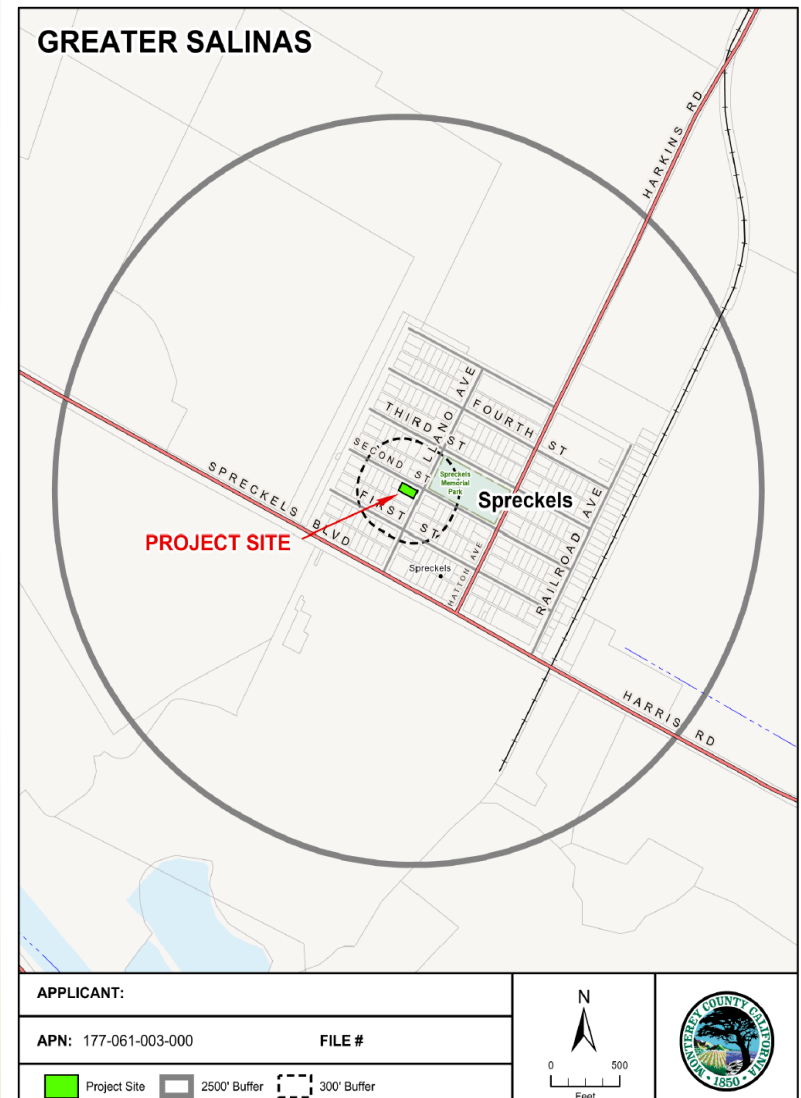
Property Location:  
99 Second St, Spreckels  
Greater Salinas Area Plan

De Novo Appeal of a Design  
Approval from the Zoning  
Administrator Hearing

“HDR/5.1-HR-D” High Density  
Residential/5.1 units per acre-  
Historic Resource-Design Control  
District

Categorically Exempt per CEQA  
Section 15303 consisting of  
construction of accessory  
(appurtenant) structures

**SLIDE 2**



# APPEAL

► **Contention 1** – *Appellants contend that the County has already approved their existing fence twice; and based on precedence set by other existing fences in Spreckels, they should not have to make any changes to their existing fence. The appellants are appealing Condition #3(SPPD003) Revised Fence Requirement.*

► Two Design Approvals, one was appealed

► **Contention 2** – *Appellants contend that based on the non-historic designation of their house, they should be allowed to keep their fence as is.*

► Spreckels Design Guidelines Policy S-2.1

► Refers to site design

► MCC 21.62 – two front setbacks

**SLIDE 3**



# HISTORY:







Most Side yard fences  
consistent



**SLIDE 5**





Open  
pattern  
wood slats:  
Consistent



**SLIDE 6**

# OPTIONS

De novo Hearing:

- Amend the design of the front fence (Second Street) with an open work pattern, leave the four-foot high solid fence along Llano Avenue, and reduce the side fence between the properties four feet back to the edge of the houses, or
- Deny the Appeal altogether and retain the Zoning Administrator Decision (the existing fence would need to be modified on all three sides of the house to conform to the Spreckels Design Guidelines, or
- Grant the Appeal and allow applicants to retain existing fence design, or
- The Board may choose to allow some other combination of modifications to the existing fence based on the findings of the matter.

**SLIDE 7**





# FEE WAIVER POLICY

Board adopted Resolution #2000-342

Amended by Reso #12-384 to include “Authorize Director of Planning to consider and decide request for waiver of land use fees when the appellant is unable to afford the appeal fee due to appellant’s financial condition...”

**Slide 8**



# RECOMMENDATION

- 1) Find fence is a minor structure and categorically exempt per Section 15303 of CEQA Guidelines;
- 2) Deny the Appeal by Rosana Rader and Michael Smith from the July 30, 2020 decision of Zoning Administrator;  
and
- 3) Approve a Waiver of the County Appeal fee.

Subject to Findings and Evidence and Conditions of Approval