



Community Development

919 Palm Street, San Luis Obispo, CA 93401-3218
805.781.7170
slocity.org

March 24, 2025

Lacey and Jake Minnick
1425 Sydney St
San Luis Obispo CA 93401

SUBJECT: **Application FNCE-0686-2024 (1425 Sydney)**
Request for exceptions from height limits for fences, walls, and hedges.

Dear Lacey and Jake Minnick:

On March 24, 2025, I reviewed your Fence Height Exception application regarding height of fencing at 1425 Sydney Street. The exceptions would allow excess height for fencing located on a retaining wall in portions of the side setback area along the southwest side of the property, and would allow excess height for hedges along a portion of the side setback area along the northeast side of the property. After careful consideration, I have approved your request with modifications, based on findings and subject to the following conditions:

Findings:

1. Granting the requested exceptions is consistent with the intent of the City's Zoning Regulations and applicable General Plan policies. Consistent with Policy 2.3.11 of the Land Use Element of the City's General Plan, the fencing and hedges depicted in plans provide privacy between adjacent dwellings and outdoor areas while maintaining an attractive residential setting by use of wood material and landscape plantings. Zoning Regulations Section 17.70.070 (H) provides for consideration of exceptions to standards for fence height to address issues related to privacy and other circumstances.
2. Granting the requested exceptions is consistent with the character of the neighborhood. Fencing proposed in plans is of wood materials and of a conventional design associated with residential development. Proposed hedges depicted in plans are "Pittosporum Silver Sheen," or similar, appropriate for residential landscaping.
3. As conditioned to limit the extent and excess height of fences and hedges, granting the requested exceptions provides adequate consideration of and measures to address any potential adverse effects on surrounding properties. Along the northeast side of the property, the height exception is limited by Condition #1 to the minimum extent (40 feet in length) and the minimum height necessary (eight feet, where the standard limit is six feet) to provide adequate privacy between windows and outdoor areas of adjacent dwellings where the adjacent property is at a higher grade. The limited extent and height minimize the impact to solar exposure enjoyed by the adjacent dwelling and, due to a small increase (one foot) in ground height between the properties, results in an apparent maximum hedge height of only seven feet, as perceived from the adjacent property.

Along the southwest side of the property, the approved exception allows fencing up to seven feet in height (where six feet is the standard limit), however the combined height of the retaining wall and fence remains consistent with the nine-foot limitation set out in Zoning Regulations Section 17.70.070 (F)(3).

4. While the difference in ground height between adjacent properties and the elevated floor level of the adjacent residence to the northeast make strict adherence to standards for fence and wall height impractical, granting the requested exceptions conforms with the intent of the standards for fences, walls, and hedges set out in Zoning Regulations section 17.70.070. The exceptions achieve a balance between concerns for privacy and the need to provide privacy, security, and useable outdoor area of the occupants of the property. The exception applies to limited areas within the site, preserving the community appearance, visual image of the streetscape, and overall character of neighborhood, and does not unduly interfere with provision of adequate light and air to the site or to neighboring property.
5. Granting an exception to fence and wall height standards is exempt from the provisions of the California Environmental Quality Act (CEQA). Fences and walls are small structures, as described in CEQA Guidelines Section 15303 (New construction or conversion of small structures).

Conditions:

Please note the project conditions of approval do not include mandatory code requirements. Code compliance will be verified during the plan check process, which may include additional requirements applicable to your project.

Planning

1. Limited exception. The exception granted by this approval is limited to the location, extent, and height of the fencing and hedges depicted in plans dated February 8, 2025, and submitted to the Community Development Department on February 10, 2025, except that excess height for hedges allowed under this approval shall be limited to the portion of the northeast side setback extending no more than 40 feet toward the street from the front wall of the garage depicted in plans, and the maximum height of hedges in this area may not exceed eight feet. This approval shall not be construed to allow excess hedge height outside of this limited area. The maximum height of fencing located on the retaining wall along the southwest side setback shall not exceed seven feet in height, as depicted in plans. Any significant modification to the height, placement, extent, or design of proposed fencing or hedges in the area of exception shall be subject to the review and approval of the Community Development Director.
2. Design and Materials. Fencing installed within the setback areas under this exception shall be of wood material and of a conventional design consistent with the residential character of the site and vicinity, as depicted in plans.

Indemnification

3. The Owner/Applicant shall defend, indemnify and hold harmless the City or its agents or officers and employees from any claim, action or proceeding against the City or its

agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the City's approval of this project. In the event that the City fails to promptly notify the Owner / Applicant of any such claim, action or proceeding, or that the City fails to cooperate fully in the defense of said claim, this condition shall thereafter be of no further force or effect.

My action is final unless appealed within 10 calendar days of the date of the decision. Anyone may appeal the action by submitting a letter to the Community Development Department within the time specified. The appropriate appeal fee must accompany the appeal documentation. Appeals will be scheduled for the first available Planning Commission meeting date. If an appeal is filed, you will be notified by mail of the date and time of the hearing.

The Community Development Director's approval expires after one year. On request prior to the expiration of the original approval, the Community Development Director may grant a single, one-year extension.

If you have any questions, or if you need additional information, please contact Walter Oetzell, Assistant Planner at (805) 781-7593, or by email at: woetzell@slocity.org

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Leveille".

Brian Leveille, AICP
Principal Planner