

**Attention: Planning Commission Meeting Item PLN24-00514
Variance Request for Constructed Fence at 572 Woodhams Road**

I am a neighbor who walks and drives every day by this barricade-like 100 foot wrought iron fence, which exists along Forbes Avenue adjacent to the corner of Forbes and Woodhams Road. (Pictures below)

I am writing these comments after speaking with a dozen or so neighbors who have expressed concern regarding the appearance and traffic safety of this fence, built without permits but allowed to stand for 5 months.

This fence is clearly on the City of Santa Clara right of way and is in violation of the municipal zoning code per Chapter 18.34. It blatantly disregards all manner of required setbacks.

My husband and I noticed this non-compliant fence going up on June 13th of this year. My husband immediately sent an email to the Planning Department, alerting them of this situation. We received no reply. Another neighbor called and talked with a planning staff member about it but received no follow-up call. On June 18, 5 days later, we got an email from staff who said they would “look into it.” On June 21, 8 days later, we were asked to create a “service request” before inspectors could check out the violation! Of course, by this time the illegal fence was already completed, and we heard nothing more about it from the authorities. Now, here we are 5 months later with this review!

This unsightly and dangerous fence was built without permits. It is right on the edge of the sidewalk with about 5 feet between it and an existing wooden 6 foot fence, which already separates the owner’s backyard from the street. The space between the 2 parallel fences is roughly 5 feet and is now filled with refuse, unused building blocks, piles of dirt. In addition to the fence, the house already has a bush on the corner of Forbes and Woodhams which blocks the sight line for bikes, walkers, and cars trying to turn onto Woodhams.

We neighbors feel that there is absolutely NO reason for this fence nor any just or fair reason to give the owner a variance of a very clear and intentional violation of the codes for residential fences. It should come down!

December 3, 2024





From: [REDACTED]@ [REDACTED]
To: [Meha Patel](#)
Subject: New wrought iron fence at 572 Woodhams Road
Date: Wednesday, November 27, 2024 2:14:15 PM

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Hi Meha,

My name is Mark Spencer. I am Thuy Hoa Nguyen's neighbor across the street at 545 Woodhams Road. I walk my dog every night past Thuy's house (sometimes late evening nearing 10pm-12am) on the Forbes Ave side of her property and around the corner past the front of her house. Her new wrought iron fence is a nice compliment to the sidewalk area along Forbes Ave. Before she had the fence built, I witnessed on more than one occasion, homeless people camping on the ground between her wooden fence and the sidewalk. They would either be sleeping or sitting around. I noticed they left garbage on the ground along her property when I would walk past the next evening and they were gone. Her new fence put an immediate stop to that. I was glad to see the fence built in such a way that it prevented people from loitering on the sidewalk and along her back fence. I believe it makes our neighborhood safer for people walking at night. And especially for Thuy, since the open space between the sidewalk and her wooden fence along Forbes Ave is very dark at night. The street light spacing in the area poorly illuminates that section of street and sidewalk.

I received a NOTICE of public hearing regarding the new fence violating a 10-foot setback. I believe in the interest of neighborhood safety, the fence should be allowed to stand as built to prevent unwanted individuals from loitering along Thuy's property fence and the sidewalk. I have not seen anyone loitering in that area since she had the new fence built. My opinion only.

Best regards,
Mark Spencer

[REDACTED]

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