



OFFICE OF THE CITY CLERK

CITY HALL
10300 TORRE AVENUE • CUPERTINO, CA 95014-3255
TELEPHONE: (408) 777-3223 • FAX: (408) 777-3366
CUPERTINO.ORG

APPEAL FORM

1. **Application No.:** _____
2. **Applicant(s) Name:** _____
3. **Project Planner:** _____
4. **Appellant(s) Name:** _____
Address: _____
Phone Number: _____
Email: _____
5. **Please check one:**
Note: Do not use this form for Administrative Citation decisions (1.16), Petitions for Reconsideration (2.08.096), or Damage to Public Trees (14.12)
 - a. **Appeals regarding Title 19 (Zoning) and 14.18 (Protected Private Trees):**
 - ☐ Administrative decision (14 calendar days after decision to appeal)
 - ☐ Planning Commission decision (14 calendar days after decision to appeal)
 - ☐ Design Review Committee decision (14 calendar days after decision to appeal)
 - b. **Other appeals:**
 - ☐ Director of Community Development decision regarding Tentative Maps (18.20) (14 calendar days after decision to appeal)
 - ☐ Street Improvements (14.04) (30 calendar days after date of decision to appeal)
 - ☐ Code Enforcement regarding Massage Permits (9.06) (5 business days after receipt of notice of decision to appeal)
 - ☐ Solicitor's Identification Permit (5.20) (10 calendar days after denial notice to appeal)
6. **Date of decision or mailing of notice of decision:** _____

7. **Specifically state the grounds and basis for appeal:** _____

We are filing an appeal based on the planning commission's ruling on 12/12 that we are only allowed one additional unlit sign over our front door. We are asking for two additional halo lit signs on the east side of the building. One sign would be located above our front door and the other would be on the front corner of the building closest to Steven's Creek. After moving to this location in fall of 2021 we quickly realized that customers were having trouble finding us. Customers are having a hard time finding us due to some unique challenges with the property. The building has a larger set back from Steven's Creek with substantial trees making it hard to see. Additionally, our entrance is not located on the street facing side of the building also causing confusion for customers. The overall design of the building appears to be more industrial/office use rather than a retail site. As a specialty retailer our customers tend to visit only once a year making it easy for them to forget where we are located. Finally, given our business model we pull customers from all over the region many who are not familiar with Cupertino. Given these reasons and the direct impact the lack of signage is having on our overall success in Cupertino we believe we qualify for an exception.

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Please complete form, include appeal fee of \$379.00 pursuant to Resolution No. 23-094 (\$793.57 for mass appeal application appeals), and return to the attention of the City Clerk, 10300 Torre Avenue, Cupertino, California (408) 777-3223.

Signature(s): Dani Calkins

19.12.170 Appeals.

A. An appeal may be filed by any person, firm or corporation aggrieved or affected by any grant, denial, modification or revocation of any permit, or any determination or interpretation related to any provision of this title.

B. Filing:

1. An appeal shall be in writing on forms prescribed by the City and shall be filed during regular office hours with the City Clerk within fourteen calendar days after the City decision or if a notice of decision is not required, from the date of the decision or determination, under this title. An appeal not filed within such time shall be barred. The appeal shall state the grounds and basis thereof.

2. Appeals under this chapter are subject to an appeal fee as prescribed by resolution of the City Council.

C. Noticing: Notice of hearing shall be given in the same manner in which the original notice was given. If a project with no noticing is appealed, appropriate noticing shall be determined by the Director of Community Development.

D. Appeal hearing body shall be determined in accord with Section [19.12.030](#).

E. Decision of the appeal hearing body: The decision or determination of the appeal hearing body on any appeal shall be final and effective immediately.

F. Notice of Decision: Notice of the appeal hearing body's decision shall be mailed to the original applicant, to the person filing the appeal, and to any other person who has filed a written request with the City Clerk.