



MINUTES DESIGN REVIEW COMMISSION

7:00 P.M., Wednesday, November 14, 2012
Community Chambers, Los Altos City Hall
One North San Antonio Road, Los Altos, California

CALL TO ORDER

Chair MEADOWS called the meeting to order at 7:00 PM.

ROLL CALL

All Present: Chair MEADOWS, Vice-Chair WHEELER, Commissioners BLOCKHUS, FARRELL and ZOUFONOUN
Staff: Planning Services Manager KORNFIELD and Assistant Planners LACEY and DAVIS

PUBLIC COMMENTS

None.

CONSENT CALENDAR

1. **Design Review Commission Minutes**
Minutes of the October 17, 2012 regular meeting.

Resident John Reed of 922 Parma Way spoke with concern that the minutes did not reflect the letter he submitted in opposition to the project at 932 Parma Way. Vice-Chair WHEELER stated that Mr. Reed's letter would be reflected in today's minutes.

MOTION by Vice-Chair WHEELER, seconded by Commissioner FARRELL, to approve the minutes of the October 17, 2012 regular meeting as-amended.
THE MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARING

2. **12-V-10 – R. and C. Boles/Beausoleil Architects – 1750 Lantis Lane**
Variances to allow a setback of seven feet, six inches for the left (south) side yard and a setback of approximately nine feet for the right (north) side yard, where a minimum setback of 10 feet for both side yards. The variances would allow an 875 square-foot addition onto a single-story house.
Project Planner: Lacey

Assistant Planner LACEY presented the staff report, recommending denial of variance application 12-V-10 subject to the listed finding in the staff report and answered questions from the Commission.

Project architect, Bob Boles, noted that the project conforms to the development regulations except for approximately 9.6 square feet of existing nonconforming area which they are trying to save as part of construction. He also noted the location of a wide P.U.E. (Public Utility Easement) across the rear that limited development of the property. The property owners stated that eight of his neighbors signed a letter of support. A nearby resident stated that the nonconformity associated with the structure has never been an issue to the neighborhood. There was no other public comment.

The Commission discussed the project. Commissioner FARRELL stated his general support for the project in that the variance maintains the nonconforming setbacks, and is consistent with the surrounding area. The four other Commissioners stated that they did not support the variance request because they could not find any special circumstances pertaining to the property where the strict application of the zoning ordinance deprives the property owners of a development privilege enjoyed by others. They also stated that the P.U.E. was not a constraint on development.

MOTION by Vice-Chair WHEELER, seconded by Commissioner BLOCKHUS, to deny variance application 12-V-10 per the staff report finding.

THE MOTION PASSED BY A 4/1 VOTE, WITH COMMISSIONER FARRELL OPPOSED.

3. 12-V-12 – R. Newlander – 1504 Redwood Drive

Variance to exceed the allowed fence height in the required front-yard setback. The columns are proposed at a height of five-feet, six inches, where five-feet is allowed and the fence is proposed at a height of five-feet, where four-feet is allowed. *Project Planner: Davis*

Assistant Planner DAVIS presented the staff report, recommending denial of variance application 12-V-12 subject to the listed findings.

Project applicant and owner, Mr. Newlander, stated that he hired a landscape designer and was not aware of the code. The fence was designed to be taller and the applicant asked the designer to stop building the columns at five feet, six inches. He said that he also intended to screen the fence with landscaping and that the neighbors were in support. A neighbor spoke in support of the allowing the variance. There was no other public comment.

The Commission discussed the project and expressed their general opposition to the variance request because the contractor should have known better, there is no special circumstance, it was inappropriate to exceed the fence height, and negligence on the part of the contractor does not justify granting of the variance.

MOTION by Vice-Chair WHEELER, seconded by Commissioner FARRELL, to deny variance application 12-V-12 per the staff report findings.

THE MOTION CARRIED UNANIMOUSLY.

DISCUSSION

4. 12-SC-25 – D. Askari – 1198 Richardson Avenue

Design review for an 800-square-foot second living unit. *Project Planner: Lacey*

Assistant Planner LACEY presented the staff report, recommending approval of design review application 12-SC-25 subject to the recommended findings and conditions in the staff report. He also summarized

two correspondence letters received prior to the meeting pertaining to occupancy, privacy and landscaping concerns. Commissioner BLOCKHUS stated that he was the listing agent for an abutting property years ago but that it would not affect his analysis of the application.

The applicant and owner stated that he plans to move onto the property and was willing to adhere to the conditions of approval along with any additional fencing requirements. Six residents spoke in opposition to the project stating fence, occupancy and privacy concerns, while some residents opposed rental units.

The Commission discussed the project and expressed their general support pending further clarification from staff regarding site planning, landscaping and occupancy requirements. The Commission noted that privacy was reasonably maintained by the smaller size of the second unit and the recommended condition for landscape screening.

MOTION by Vice-Chair WHEELER, seconded by Commissioner ZOUFONOUN, to continue design review application 12-SC-25, with the following direction:

- Clarify the occupancy requirements.
- Review the location of fencing on site.
- Review the privacy screening on site.
- Re-evaluate the footprint of the second living unit along the rear yard setback.
- Evaluate accessibility to the unit from the garage and driveway.

THE MOTION CARRIED UNANIMOUSLY.

5. 12-SC-27 – A. and R. Stern – 412 Cypress Drive

Design review for a grading permit for construction of patios and a pool in the rear yard. *Project Planner: Davis*

Assistant Planner DAVIS presented the staff report, recommending approval of design review application 12-SC-27 subject to the findings and conditions of approval.

The landscape architect, John Aldrich, spoke in support of the project and agreed with the conditions. Neighbor Eric Millar, stated that he was concerned about privacy and noise and supported staff's conditions of approval. There was no other public comment.

The Commission discussed the project expressed their general support.

MOTION by Commissioner BLOCKHUS, seconded by Commissioner ZOUFONOUN, to approve design review application 12-SC-27 per the staff report findings and conditions.

THE MOTION CARRIED UNANIMOUSLY.

ADJOURNMENT

Chair MEADOWS adjourned the meeting at 9:30 PM.

David Kornfield, AICP
Planning Services Manager