



DATE: September 18, 2013

AGENDA ITEM # 3

**TO:** Design Review Commission  
**FROM:** Sierra Davis, Assistant Planner  
**SUBJECT:** 13-V-06 and 13-SC-08 – 670 Torwood Drive

**RECOMMENDATION:**

Approve variance application 13-V-06 and 13-SC-08 subject to the recommended findings.

---

**PROJECT DESCRIPTION**

This is a variance application and design review application from the permitted floor area ratio and single-story height limit to allow a second story addition to a nonconforming two-story house on a flag lot at 670 Torwood Lane. The variances would allow for the redistribution of 94 square feet from the first story to the second story for a bathroom addition. The following table summarizes the project:

**GENERAL PLAN DESIGNATION:** Single-family, Residential  
**ZONING:** R1-10  
**PARCEL SIZE:** 15,211 square feet  
**MATERIALS:** Stucco, board and batten, composition shingle roof, all details to match existing.

	<b>Existing</b>	<b>Proposed</b>	<b>Allowed/Required</b>
<b>LOT COVERAGE:</b>	3,866 square feet	3,866 square feet	4,563 square feet
<b>FLOOR AREA:</b>			
First floor	3,732 square feet	3,636 square feet	
Second floor	1,345 square feet	1,439 square feet	
Total	5,077 square feet	5,075* square feet	4,271 square feet
<b>SETBACKS:</b>			
Front (South)	31 feet	N/A	25 feet
Rear (North)	65 feet	N/A	25 feet
Right side (East)	23 feet/30 feet	23 feet/30 feet	15 feet
Left side (West)	10 feet	N/A	15 feet
<b>HEIGHT:</b>	23 feet	21 feet	20 feet

\* The project data table in the plans reflects the previously approved floor area ratio, excluding the carport which was not considered floor area when approved. The current code now includes carports in the floor area calculation. The table reflects the current floor area calculation pursuant to zoning regulations.

## **DISCUSSION**

### **Background**

The subject property is a flag lot in a consistent character neighborhood. The structure is non-conforming because it is a two-story house on a flag lot where the code only permits single story structures up to 20 feet in height. The current flag lot regulations were adopted in 2004 limiting the height to 20 feet and a single story. Additionally the structure encroaches into the required 25-foot front yard setback on the south side and the required 15-foot side yard on the west side. The structure also exceeds the allowable floor area ratio. The plans reflect the previously required side yard setback of 10-feet, but recent code changes now required 15-foot side yards on flag lots.

A setback variance was granted in 2006 for the construction of a carport in the required front yard on the south property line. The required front yard functions as a side yard, therefore staff supported a 10-foot setback which was the required side yard setback at the time of approval. The carport was not considered floor area at the time of the addition, however based on recent changes to the code the approximately 450 square foot carport is now included as floor area.

### **Variance**

The requested variance is for the demolition of 96 square feet on the first floor and a redistribution of 94 square feet to the second story for a bathroom addition. The project also includes a height variance in order to add to the second story because flag lots are limited to 20-feet and one-story. The variance will result in a net decrease of the floor area by two square feet and maintain the existing approximately 450 square foot floor area variance.

These changes in the flag lot and floor area code deprive the owner the ability to add to the structure in a manner consistent with the original design concept. Staff supports this variance because the project substantially maintains the existing structure.

### **Design Review**

The proposed additions are located at the rear of the structure and designed to match the existing architectural elements and materials. The proposed addition is consistent with the design findings and guidelines and is well integrated into the existing house because it is the same scale and will use the same materials.

### **Privacy and Landscaping**

The second story addition will add a bay window facing the rear of the property and a window facing the side of the property. The bay window has a sill height of three feet; however it is located behind the bath tub which will make viewing down into neighboring properties difficult. The window facing the side property line is also in the bathroom and is located adjacent to the toilet. The sill height is two and one half feet and looks out to the driveway access for the property. These two windows do not present a significant privacy concern.

## **ENVIRONMENTAL REVIEW**

This project is categorically exempt from environmental review under Section 15305 of the Environmental Quality Act because it involves minor variances not resulting in the creation of any new parcel.

Cc: Julie Desai, Owner  
Globe Architecture, Designer

Attachments:

- A. Application
- B. Area Map and Vicinity Map

## FINDINGS

13-V-06 and 13-SC-08 – 670 Torwood Drive

1. With regard to approving the height/story and floor area variances for the main structure, the Design Review Commission finds the following in accord with Section 14.82.050 of the Municipal Code:
  - a. That the granting of the variances is consistent with the objectives of the zoning plan set forth in Article 1 of Chapter 14.02;
  - b. That the granting of the variances will not be detrimental to the health, safety, or welfare of persons living or working in the vicinity or injurious to property or improvements in the vicinity; and
  - c. That special circumstances applicable to the property, exists related to the nonconforming two-story development and recent changes to the City's regulations, where the strict application of the provisions of this chapter deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classifications.
  
2. With regard to design review, the Architecture and Site Review Committee finds the following in accordance with Section 14.76.050 (A-F) of the Municipal Code:
  - a. The proposed structure complies with all provision of this chapter;
  - b. The height, elevations, and placement on the site of the proposed structure, when considered with reference to the nature and location of residential structures on adjacent lots, will avoid unreasonable interference with views and privacy and will consider the topographic and geologic constraints imposed by particular building site conditions;
  - c. The natural landscape will be preserved insofar as practicable by minimizing tree and soil removal; grade changes shall be minimized and will be in keeping with the general appearance of neighboring developed areas;
  - d. The orientation of the proposed structure in relation to the immediate neighborhood will minimize the perception of excessive bulk;
  - e. General architectural considerations, including the character, size, scale, and quality of the design, the architectural relationship with the site and other buildings, building materials, and similar elements have been incorporated in order to insure the compatibility of the development with its design concept and the character of adjacent buildings; and
  - f. The proposed structure has been designed to follow the natural contours of the site with minimal grading, minimum impervious cover, and maximum erosion protection.



# ATTACHMENT A

## CITY OF LOS ALTOS GENERAL APPLICATION

Type of Review Requested: (Check all boxes that apply)

Permit # 1105613

<input type="checkbox"/>	One-Story Design Review	<input type="checkbox"/>	Sign Review	<input type="checkbox"/>	Multiple-Family Review
<input checked="" type="checkbox"/>	Two-Story Design Review	<input type="checkbox"/>	Sidewalk Display Permit	<input type="checkbox"/>	Rezoning
<input checked="" type="checkbox"/>	Variance(s)	<input type="checkbox"/>	Use Permit	<input type="checkbox"/>	RI-S Overlay
<input type="checkbox"/>	Lot Line Adjustment	<input type="checkbox"/>	Tenant Improvement	<input type="checkbox"/>	General Plan/Code Amendment
<input type="checkbox"/>	Tentative Map/Division of Land	<input type="checkbox"/>	Preliminary Project Review	<input type="checkbox"/>	Appeal
<input type="checkbox"/>	Subdivision Map Review	<input type="checkbox"/>	Commercial Design Review	<input type="checkbox"/>	Other:

Project Address/Location: 670 Torwood Lane, Los Altos, CA 94022

Project Proposal/Use: Residential - Single Family Home

Current Use of Property: Residential - Single Family Home

Assessor Parcel Number(s) 167-25-76 Site Area: 15,211

New Sq. Ft.: 0 Remodeled Sq. Ft.: 200 Existing Sq. Ft. to Remain: 4,660

Total Existing Sq. Ft.: 4662 Total Proposed Sq. Ft. (including basement): 4,660

Applicant's Name: Julie Desai omiaomaya@yahoo.com

Home Telephone #: (650) 948-1977 Business Telephone #: \_\_\_\_\_

Mailing Address: 670 Torwood Lane

City/State/Zip Code: Los Altos, CA 94022

Property Owner's Name: Julie Desai

Home Telephone #: (650) 948-1977 Business Telephone #: \_\_\_\_\_

Mailing Address: 670 Torwood Lane

City/State/Zip Code: Los Altos, CA 94022

Architect/Designer's Name: [Signature] Telephone #: 650.796-4328

\*\*\* If your project includes complete or partial demolition of an existing residence or commercial building, a demolition permit must be issued and finalized prior to obtaining your building permit. Please contact the Building Division for a demolition package. \*\*\*

(continued on back)

To Planning Dept.  
City of Los Altos

Globe Architecture  
96 Eleanor Ave.,  
Los Altos, CA 94022

May 9, 2013

## Request For Variance Approval

Dear Planning Department,

Globe Architecture was hired by Mr. and Mrs. Desai, the owner of 670 Torwood Lane, Los Altos to design a new entry façade to their 50 year old home.

This property is a flag lot and its official front is to the south side but the key area accessing to the house is from the east side – a side setback zone. There had been an entry from south in older time and a functional entry now is located on east side of house directly entering through the Dining Room.

Where there are space to add an entry porch structure to the east side complying with the setback, however, this will increase floor area to the originally exceeding existing floor area (4,271 SF max. floor area; 4,662 SF existing floor area). Our solution is a reduction in the east side of the home to create an entry porch and hence widen the main/sole entry drive through area. We created an entry porch with small change on the 2<sup>nd</sup> floor roof – adding a gable and square window to enhance the formality of new Entry.

Since we have reduce 96 SF 1<sup>st</sup> floor living area, it would be good to give back the home owner back the lost square footage of living area as what they had before. Their 2<sup>nd</sup> floor Master Bedroom does not have a Master Bathroom in the suite. So it is much needed to have a M. Bathroom in their M. Bedroom. We have design a new M. Bath in the north/east corner, adding back 94 SF living area, making total reduction of 2 SF still overall.

We have communicated with planning department last year and have Planning Department supporting this Variance – see attached copy of email from City of Los Altos Planner: Shaun Lacey, dated Mar. 28, 2012.

Owners had been considering for financial status over the year and gathered now the action of designing and proceeding for the Variance Application.

The design along with enhanced driveway pavers, new recessed entry porch area, and replacing wood-burning fireplace to direct gas fireplace etc. will add design features to the house and neighborhood architectural contextual quality. We hope City Planning Dept. will continue to support this Variance and approve the design.

Thank you.

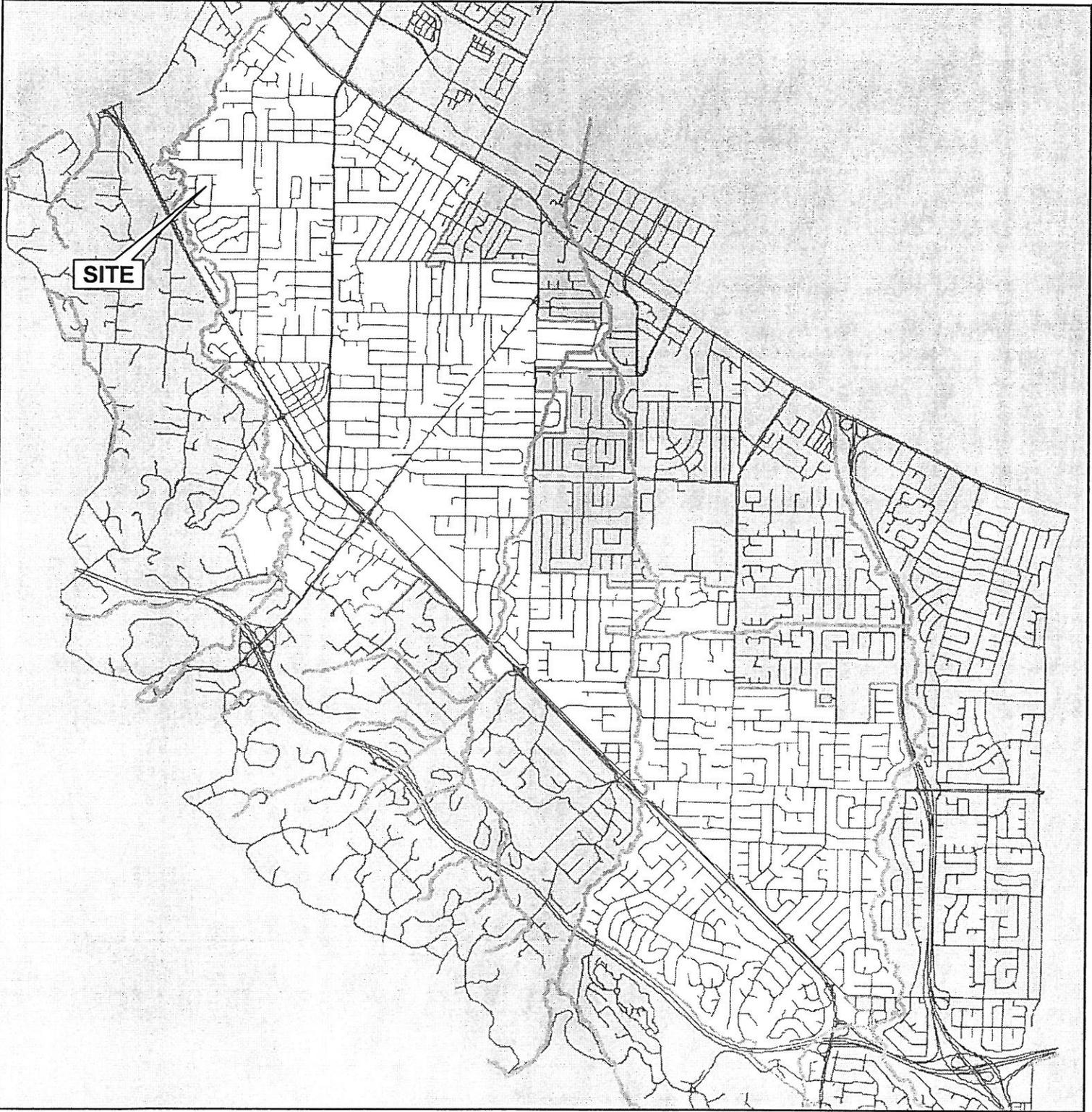
Kind Regards,



Lei Yuan  
Architect  
Globe Architecture



# AREA MAP



**CITY OF LOS ALTOS**

**APPLICATION:** 13-V-06 and 13-SC-08  
**APPLICANT:** J. Desai  
**SITE ADDRESS:** 670 Torwood Lane

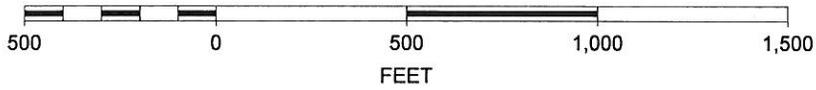


Not to Scale

# VICINITY MAP



SCALE 1 : 6,000



## CITY OF LOS ALTOS

**APPLICATION:** 13-V-06 and 13-SC-08  
**APPLICANT:** J. Desai  
**SITE ADDRESS:** 670 Torwood Lane