



DATE: March 2, 2016

AGENDA ITEM # 2

TO: Design Review Commission
FROM: Sierra Davis, Assistant Planner
SUBJECT: 15-V-16 – 271 Valencia Drive

RECOMMENDATION:

Approve variance application 15-V-16 subject to the findings

PROJECT DESCRIPTION

This is a variance to allow a rear yard setback of 12 feet where 25 feet is required. The project also includes a single-story remodel, facade changes and an addition of 1,206 square feet at the front and rear of the house. The following table summarizes the project's technical details:

GENERAL PLAN DESIGNATION: Single-Family, Residential
ZONING: R1-10
PARCEL SIZE: 11,332 square feet

	Existing	Proposed	Allowed/Required
COVERAGE:	2,529 square feet	3,792 square feet	3,966 square feet
FLOOR AREA:			
First floor	2,357 square feet	3,594 square feet	3,883 square feet
SETBACKS:			
Front	25 feet	25 feet	25 feet
Rear	24.5 feet	12 feet	25 feet
Right side	20 feet	20 feet	20 feet
Left side	10 feet	10 feet	10 feet
HEIGHT:	14 feet	16 feet	20 feet

BACKGROUND

The subject property is located on the corner of Valencia Drive and Dauphine Place, which is a shallow cul-de-sac street off of Valencia Drive. The properties on the east side of Valencia between Almond Avenue and Jardin Drive are all irregularly shaped, shallow lots that are bordered by Los Altos High School to the rear. There are three shallow cul-du-sacs in this block of Valencia Drive and as a result five properties have variances based on restrictions of an irregularly shaped lot.

DISCUSSION

The rear yard setback encroachment of 13 feet, for a resulting rear yard setback of 12 feet is for an addition adjacent to an angled rear property line. The house fronts on Valencia Drive with a shortened exterior side property line because of the cul-du-sac relationship. The rear property line extends from the exterior side yard at an angle to the interior side property line creating an acute angle and a triangular rear yard area. The angled rear property line does not allow for a standard rectangular addition on the north side of the house because of the constrained building envelope.

The furthest extent for the variance request is the corner of the addition at 12 feet, which is adjacent to the rear neighbor's front yard. The functional setbacks of the addition, that requires the variance, is consistent with the required front and side yard setbacks of the adjacent property; therefore, the location of the variance request would not be detrimental to the surrounding properties functional use. The existing triangular rear yard area will be maintained with rear yard relations to the three adjacent properties to the south and east of the property.

The applicant has also provided a letter with additional details about the variance request and is included in attachment A.

In order to approve a variance, the Commission must make three positive findings per Section 14.76.060 of the Zoning Code:

1. The granting of the variance will be consistent with the objectives of the City's zoning plan;
2. The granting of the variance 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
3. Variances from the provisions of the Zoning Code shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location, or surroundings, 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.

The granting of a variance to allow for a rear yard setback of 12 feet for a portion of the rear yard setback is consistent with existing side yard relationship with the adjacent property. The addition also maintains an appropriate yard space adjacent property's front yard; therefore, it would be consistent with the objectives of the Zoning Code.

The variance would 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. The addition is located at the rear of the existing house, behind the existing fence and would not negatively affect the public or adjacent properties.

There is a special circumstance applicable to the property because it is an asymmetrical corner lot with a non-standard building envelope. Strict application of the Zoning Code would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zoning classifications since the other properties are rectangular properties with rectangular building envelopes and other properties within the neighborhood have received similar setback variances based on their lot configuration.

Procedurally, the Design Review Commission acts on the variance application, but not on one-story design review application. If approved, then staff will administratively approve the design since it otherwise meets the City's design findings and Residential Design Guidelines.

ENVIRONMENTAL REVIEW

This project is categorically exempt from environmental review under Section 15301 of the Environmental Quality Act because it involves the addition to a single family house.

PUBLIC CONTACT

A public hearing notice was published in the *Town Crier*, posted on the property and mailed to all property owners within 500 feet of the property for the March 2, 2016 Design Review Commission hearing. The mailed notice included 59 property owners.

Cc: Steve Borlik, Young and Borlik Architects, Applicant and Architect
Lynn and Michael Kostow, Property Owners

Attachments:

- A. Application and Applicant Letter
- B. Area, Vicinity and Notification Maps
- C. Correspondence

FINDINGS

15-V-16 – 271 Valencia Drive

With regard to allowing an accessory structure with pool equipment to be located within the left side yard setback, the Design Review Commission finds the following in accordance with Section 14.76.060 of the Municipal Code:

- a. The granting of the variance will be consistent with the objectives of the zoning plan set forth in Article 1 of Chapter 14.02;
- b. The granting of the variance 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. There is a special circumstance applicable to the property because it is an asymmetrical corner lot with a non-standard building envelope. Strict application of the Zoning Code would deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zoning classifications since the other properties are rectangular properties with rectangular building envelopes and other properties within the neighborhood have received similar setback variances based on their lot configuration.



ATTACHMENT A

CITY OF LOS ALTOS GENERAL APPLICATION

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

Permit # 1106939

<input checked="" type="checkbox"/> One-Story Design Review	<input type="checkbox"/> Commercial/Multi-Family	<input type="checkbox"/> Environmental Review
<input type="checkbox"/> Two-Story Design Review	<input type="checkbox"/> Sign Permit	<input type="checkbox"/> Rezoning
<input checked="" type="checkbox"/> Variance	<input type="checkbox"/> Use Permit	<input type="checkbox"/> R1-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"/> Sidewalk Display Permit	<input type="checkbox"/> Appeal
<input type="checkbox"/> Historical Review	<input type="checkbox"/> Preliminary Project Review	<input type="checkbox"/> Other:

Project Address/Location: 271 Valencia Drive

Project Proposal/Use: Single Family Residential Current Use of Property: _____

Assessor Parcel Number(s): 170-23-017 Site Area: 11,396.1

New Sq. Ft.: 1,237 Altered/Rebuilt Sq. Ft.: 601 Existing Sq. Ft. to Remain: 1,755

Total Existing Sq. Ft.: 2,357 Total Proposed Sq. Ft. (including basement): 3,594

Applicant's Name: Steve Borlik

Telephone No.: (650) 688-1950 Email Address: steve@ybarchitects.com

Mailing Address: 480 Lytton Ave. Suite 8

City/State/Zip Code: Palo Alto CA, 94301

Property Owner's Name: Lynn & Michael Kostow

Telephone No.: _____ Email Address: LynnH.Kostow@gmail.com

Mailing Address: 271 Valencia Drive

City/State/Zip Code: Los Alto Ca, 94022

Architect/Designer's Name: Steve Borlik

Telephone No.: (650) 688-1950 Email Address: steve@ybarchitects.com

Mailing Address: 480 Lytton Ave. Suite 8

City/State/Zip Code: Palo Alto CA, 94301

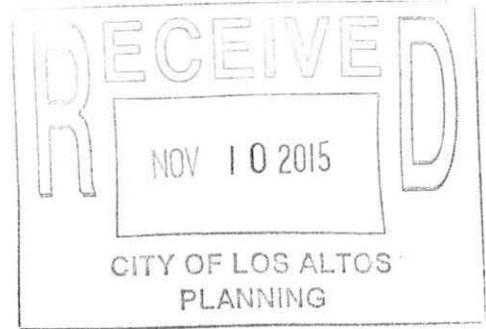
*** If your project includes complete or partial demolition of an existing residence or commercial building, a demolition permit must be issued and finalized prior to obtaining your building permit. Please contact the Building Division for a demolition package. ***

(continued on back)

YOUNG AND BORLIK
ARCHITECTS INCORPORATED

480 LYTTON AVENUE, SUITE 8
PALO ALTO, CA. 94301

TELEPHONE: (650) 688-1950 FAX: (650) 323-1112



City of Los Altos Planning
One North San Antonio Road
Los Altos, CA 94022

October 14, 2015

Re: Variance Findings and Project Description for:
Kostow Residence Addition – 271 Valencia

Request for Variance to rear property setback

Dear Staff and Commissioners,

This letter accompanies an application requesting variance from the strict interpretation of a rear yard setback of 25'. The property is a uniquely shaped corner/cul-de-sac lot. The rear lot line of our subject property coincides with the side line of the contiguous site. Our request is to allow partial encroachment within an angled setback line which would be considered a rear lot line.

The subject property is an odd shaped parcel described as a "wedge" at the corner of Valencia Drive and Dauphine Place. Unique features are as follows:

Geometry - When side setbacks are projected from the interior side (Southern) lot line, the length of buildable area is 92', however when projected from the street side (Northern) lot line, there is only 47' of useable depth. The pad becomes reduced by almost half of the opposite side.

Neighboring Use - To the South, the contiguous property at 261 Valencia has been developed into its' rear setback in a manner similar to our request.

Neighboring Use - To the East, The contiguous property line is considered an "interior side" for our neighbor, even though it is technically designated as a rear line for our use.

Special circumstances for the variance are the shape of the site, and the adjacency of a contiguous "side setback" against the "rear setback" of 271. It can also be recognized that the geometry of the building pad results in a design challenge.

Our Variance Findings are as follows:

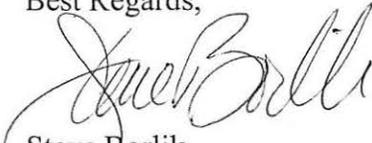
1. The granting of this variance is consistent with the objectives of the Zoning Plan. The single family character of the home is retained, and the project is one-story. Use and enjoyment of rear yard space at the subject property and contiguous properties are preserved. Setbacks are generally consistent with those prescribed for the district.
2. The granting of the variance 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. The variance allows appropriate and graceful use of an oddly shaped parcel in such a way that the general impression of the project will be similar in character as contiguous and nearby homes. Proposed improvements will be in character with this home as well as the neighborhood in general. The expansion preserves the original single-story design as well as the large rear yard, as such enhancing the home, and improving neighborhood property values at the same time.
3. Special circumstances apply to the property including size and shape, location and surroundings. The property is a sharply angled wedge at the intersection of two streets. It is lop-sided in depth such that the building pad on one side is reduced to barely more than half of the other when strict interpretations are applied. Being located at a corner, extra setbacks already apply to the street facing lot lines, reducing the buildable pad. Surrounding this property are two homes, both of which have side setbacks bordering the subject site. The rear setback in question directly abuts the side setback of the closest neighbor. Strict application of the zoning forces a house plan that would be angled unusually to follow the odd geometry of the property lines. Allowing a reduced setback at the narrow section of the lot allows a home design that better integrates with the neighborhood, preserves back yard privacy, and presents a consistent street-level side yard elevation.

Evidence that no special privileges are granted can be demonstrated by the fact that similar development has occurred on nearby properties, and also that this proposal does not ask to reduce the required setbacks all the way to a 10' side dimension. We're proposing to allow only a corner of the addition at a 12' setback where 25' would otherwise be required, however, we are retaining an average setback for the addition of 19'. We are adjacent to a neighboring side yard where 10' would be prescribed.

There is no detriment to health and welfare, the proposed setback is comparable to that of both contiguous properties. This design is being sought in part as a viable alternative to a second floor addition, in an effort to retain the character of the home.

Thank you for taking the time to review this presentation, we feel that justification and grounds for support of this application is straight-forward, and hope you agree. Please do not hesitate to call or email with any questions.

Best Regards,

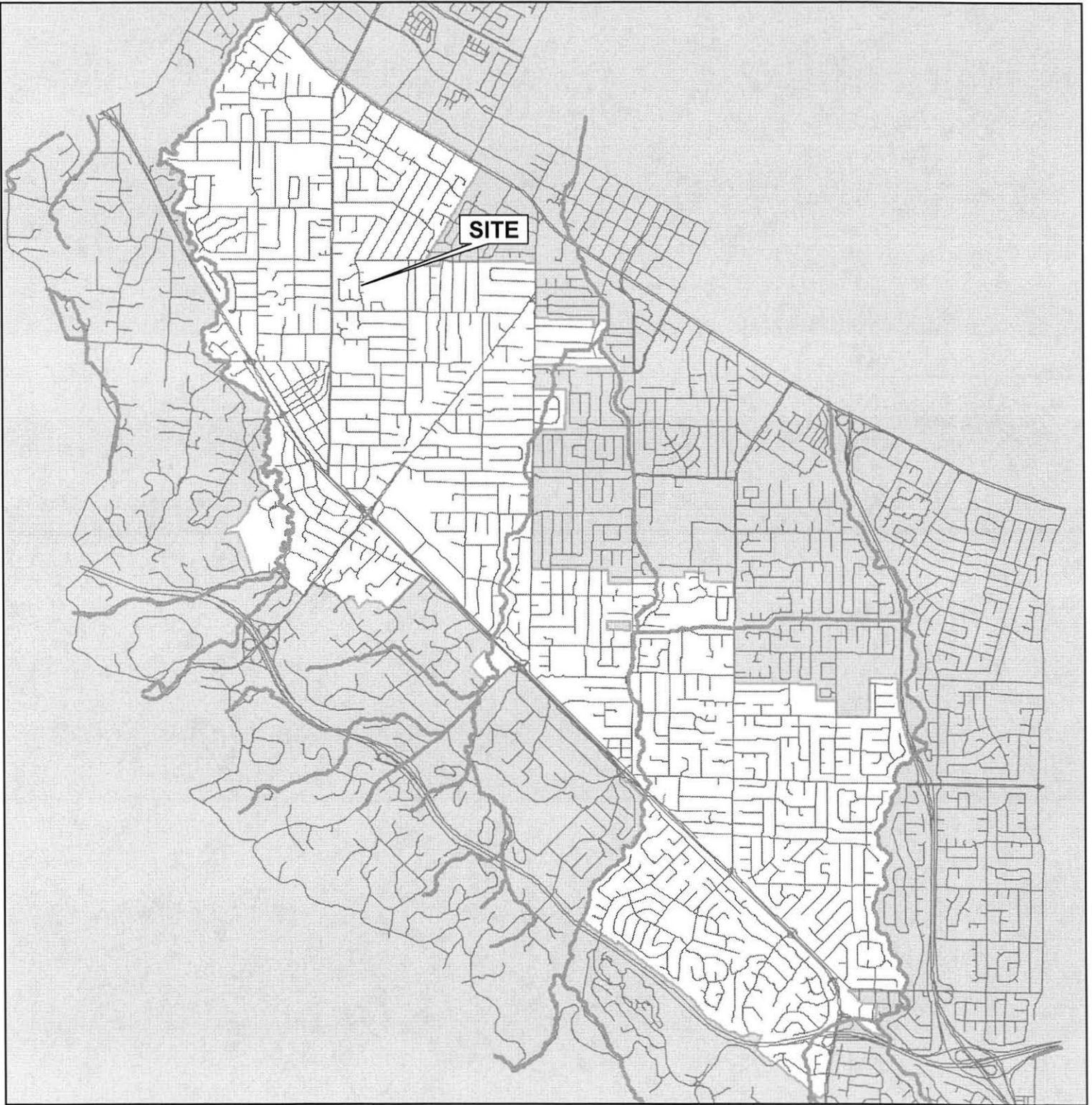


Steve Borlik
Architect #C22855

650 688 1950

steve@ybarchitects.com

AREA MAP



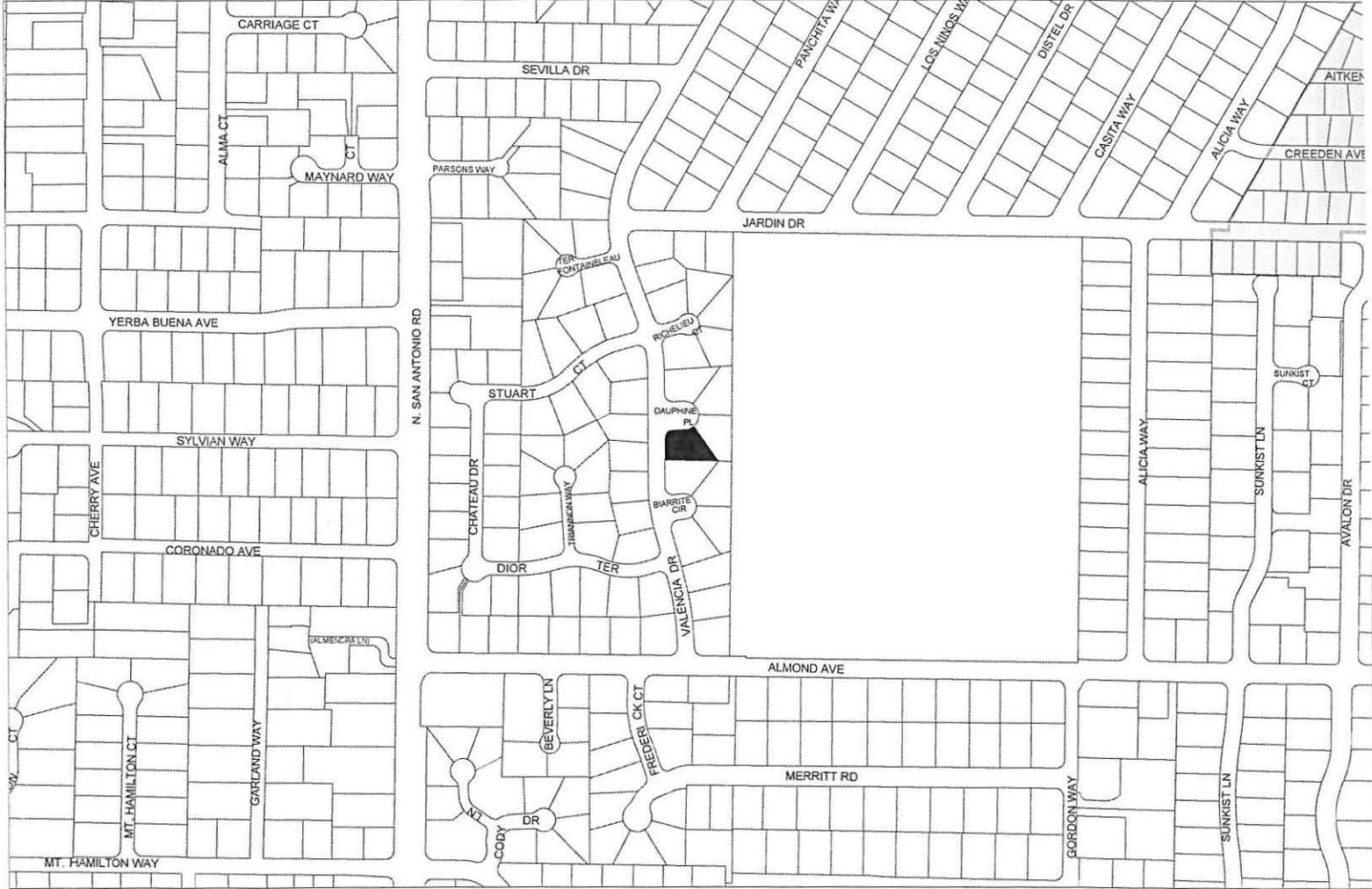
CITY OF LOS ALTOS

APPLICATION: 15-V-16
APPLICANT: S. Borlik/ L. and M. Kostow
SITE ADDRESS: 271 Valencia Drive

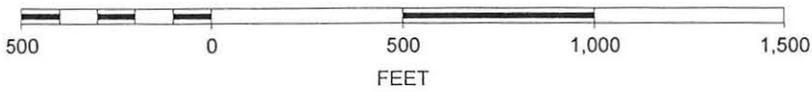


Not to Scale

VICINITY MAP



SCALE 1 : 6,000



CITY OF LOS ALTOS

APPLICATION: 15-V-16
APPLICANT: S. Borlik/ L. and M. Kostow
SITE ADDRESS: 271 Valencia Drive

ATTACHMENT C

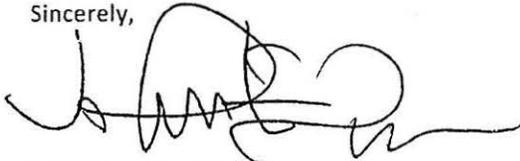
Megan and John Edson
251 Biarritz Circle
Los Altos, CA 94022
November 6, 2015

City of Los Altos
Department of Building Services
Los Altos, CA 94022

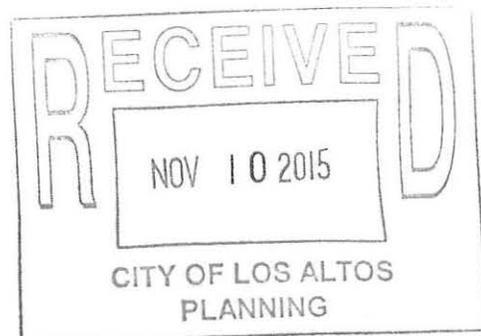
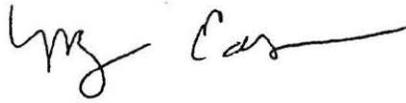
To Whom it May Concern:

We are neighbors of Lynn and Michael Kostow. Michael and Lynn have reviewed the proposed variance with us and we have no objection to their expansion plans.

Sincerely,



Megan and John Edson



From: **William M. Mason** <william.mmason@gmail.com>
Date: Sun, Nov 8, 2015 at 10:29 AM
Subject: Your remodeling plans for 271 Valencia Dr, Los Altos 94022
To: Lynn Kostow <lynnhkostow@gmail.com>, Michael Kostow
<mkostow@yahoo.com>, Karen Eustis <kveustis@hotmail.com>

To Whom It May Concern

We (Karen Eustis and myself) own and reside at 281 Dauphine Place, Los Altos 94022--the property directly behind the Kostow residence at 271 Valencia Dr. The Kostows have shown us the plans for the modification of their house. We are entirely comfortable with these plans in relation to any form of impingement on our property. Potential privacy concerns were addressed before they could ever become a problem; additional noise (if any) due to increased proximity will be minimal; the visual impact of the increased size of the house will be negligible or not noticeable to us since both we and the Kostows maintain green (living) property separators; we do not anticipate spillover water drainage issues since the direction of drainage is away from our structure. In short, we applaud the plans and hope that the Kostows have an exemplary remodeling experience. We will be available for occasions requiring liquid relief.

This email message will be forwarded to Karen Vik Eustis, who will approve it and forward it to the Kostows. Hard copy of the email trail constitutes our letter of support for the Kostows' remodeling project.

William M. Mason
Professor Emeritus
University of California--Los Angeles (UCLA)
Phone: [h] 01/650/917-1054; [m] 01/310/968-8892
Email: william.mmason@gmail.com; masonwm@g.ucla.edu
LINE, Skype, and WeChat: masonwm

From: **Karen Vik Eustis** <kveustis@hotmail.com>
Date: Sun, Nov 8, 2015 at 10:33 AM
Subject: FW: Your remodeling plans for 271 Valencia Dr, Los Altos 94022
To: "lynnhkostow@gmail.com" <lynnhkostow@gmail.com>, "mkostow@yahoo.com" <mkostow@yahoo.com>

I approve this email.

Karen Vik Eustis

