



DATE: October 1, 2014

AGENDA ITEM # 2

TO: Design Review Commission
FROM: Zachary Dahl, Senior Planner
SUBJECT: 14-V-07 – 706 North San Antonio Road

RECOMMENDATION:

Approve variance application 14-V-07 subject to the findings

PROJECT DESCRIPTION

This project is a fence height variance request to allow a six-foot tall solid wood fence in the front yard setback, where four feet is the maximum height allowed by Code.

GENERAL PLAN DESIGNATION: Single-Family, Residential
ZONING: R1-10
PARCEL SIZE: 24,773 square feet
MATERIALS: Wooden fence

BACKGROUND

On June 16, 2010, the Architecture and Site Review Committee (now the Design Review Commission) approved a new two-story house with a basement on the subject property. A building permit was issued on June 3, 2011 and the house is currently under construction.

DISCUSSION

The subject property is a corner lot, with the front facing San Antonio Road and the exterior side facing Belden Drive, a private street. As part of the site improvements, the owner is installing new landscaping and fencing on the property. The City's Fence Ordinance (Chapter 14.72) requires a 25-foot setback from the front property line and a five-foot setback from the exterior side property line for six-foot tall fences. In order to reduce noise impacts and improve privacy, the owner has submitted a variance to allow for a six-foot tall solid wood fence in the front yard setback adjacent to San Antonio Road. The fence would have a minimum setback of five feet from the front property line, which would allow for landscaping between the public sidewalk and the fence.

A cover letter from the owner provides additional information about the variance request (Attachment B). A string line has also been installed on the property to show the proposed location of the fence in the front yard setback.

Most of the properties along San Antonio Road are developed with San Antonio Road as a side yard or as a rear yard. This orientation allows properties to have a six-foot tall solid wall or fence with an additional two-foot of open-air lattice, without the need for a variance. In comparison, there are very few properties that front onto San Antonio Road. Of those standard frontage properties, the majority currently have walls or fences in the front yard that exceed the four-foot height limit.

The granting of the fence height variance would be consistent with the objectives of the zoning ordinance. The six-foot tall fence will provide a noise buffer between San Antonio Road, a busy arterial street, and a residential property, which will allow the property owners to reasonably utilize and enjoy the front portion of their property. The project would not be injurious to persons or property in the vicinity. The proposed fence would not create any visibility impacts and will not create any impacts to public health or safety. The fence has been designed to allow for a 30-foot visibility triangle at the intersection of Belden Drive and San Antonio Road. This is five feet greater than what is required for the visibility triangle in the City's Fence Regulations (Chapter 14.72) and ensures that the fence will not hinder the visibility for vehicles exiting Belden Drive onto San Antonio Road.

There is a special circumstance applicable to the property in that it is located adjacent to San Antonio Road, a major arterial roadway with high traffic volumes (pedestrian, bicycle and automobile traffic), that result in noise and privacy impacts, and very few properties have front yards that face onto this arterial street. Strict application of the Zoning Code would deprive the subject property of privileges enjoyed by other property in the vicinity and under identical zoning classifications since many of the nearby properties have existing six-foot tall fences or walls along San Antonio Road.

ENVIRONMENTAL REVIEW

This project is categorically exempt from environmental review under Section 15305 of the California Environmental Quality Act because it involves a minor alteration in a land use limitation (fence height variance) in a residential zone that does not result in the creation of a new parcel.

Cc: Lance Quang Pham, Applicant and Owner
Karen Aitken, Landscape Architect

Attachments:

- A. Application
- B. Cover Letter
- C. Area and Vicinity Maps

FINDINGS

14-V-07 – 706 North San Antonio Road

With regard to the fence height variance, 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 in that it is located adjacent to San Antonio Road, a major arterial roadway with high traffic volumes (pedestrian, bicycle and automobile traffic), that result in noise and privacy impacts. Strict application of the Zoning Code would deprive the subject property of privileges enjoyed by other property in the vicinity and under identical zoning classifications.

CONDITIONS

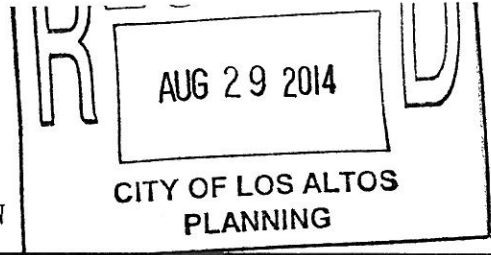
14-V-07 – 706 North San Antonio Road

1. The approval is based on the plans received on September 22, 2014 and the written application materials provided by the applicant, except as may be modified by these conditions.
2. The owner shall be responsible for maintaining the landscaping between the back of sidewalk and front of the fence along the property frontage.



ATTACHMENT A

CITY OF LOS ALTOS
GENERAL APPLICATION



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

Permit # 1106287

<input type="checkbox"/> One-Story Design Review	<input type="checkbox"/> Sign Review	<input type="checkbox"/> Multiple-Family Review
<input 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"/> RL-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: 706 N San Antonio Rd
 Project Proposal/Use: Residential 6FT Fence at San Antonio Rd
 Current Use of Property: "
 Assessor Parcel Number(s) 167-23-091 Site Area: _____
New house
 New Sq. Ft.: 4,300 sq ft Remodeled Sq. Ft.: _____ Existing Sq. Ft. to Remain: _____
 Total Existing Sq. Ft.: 4,300 sq ft Total Proposed Sq. Ft. (including basement): _____

Applicant's Name: Lana Quang Pham
 Home Telephone #: 408-489-1562 Business Telephone #: _____
 Mailing Address: 22420 Salem Av #3 Cupertino
 City/State/Zip Code: Cupertino CA 95014

Property Owner's Name: Quang H. Pham & Thi Le-Pham
 Home Telephone #: 408-489-1562 Business Telephone #: Sdner
 Mailing Address: same as applicant address
 City/State/Zip Code: _____

Architect/Designer's Name: Karen Aitkens Telephone #: 408-857-6275

*** 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. ***

ATTACHMENT B

Sept 5, 2014

Dear City of Los Altos,

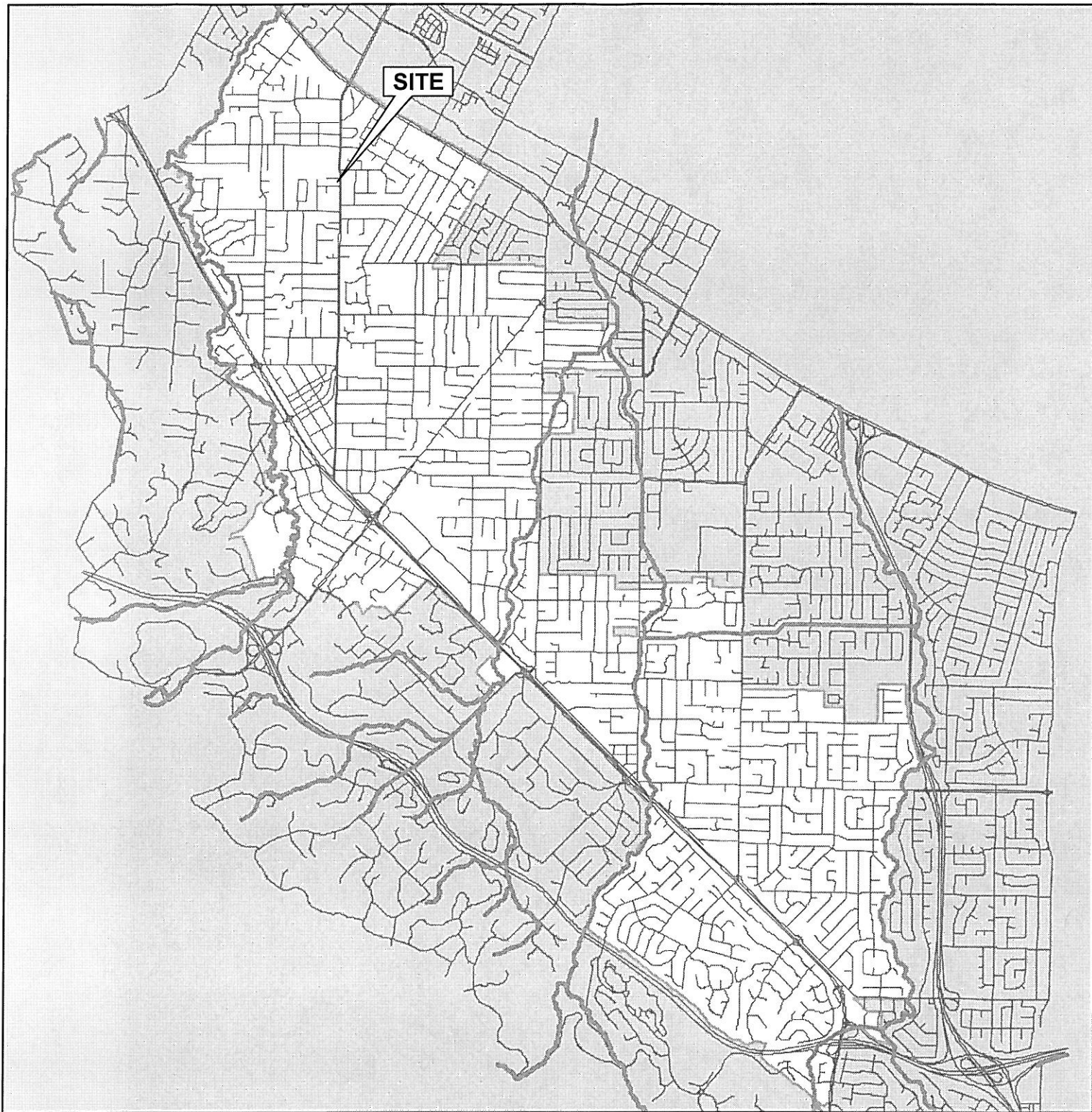
We are owners of a new home on the corner of San Antonio Rd and Belden Dr, next to the PG&E plant. We are applying for a front yard fence variance to have a 6 ft solid tongue and groove horizontal fence design for sound attenuation, safety, and privacy. It stands facing 4 lanes San Antonio Rd, near major intersections, where the density, speed, sound of auto, pedestrian, cyclist, etc traffic in both directions are disproportionately high. We have our fence, as per architectural renderings, stand behind a shorter setback but matching what our neighbors next to us and up and down San Antonio do with theirs. We would be most appreciative of your acceptance, also noting that next to us is a ten-plus foot solid wall electrical plant and our next door neighbor has one at 6 ft and it's closer to the pavement than ours, without vegetation. Our design has aesthetic touches to match the modern look of some wood sidings around the house.

Thank you,

Lance & Thi Pham



AREA MAP



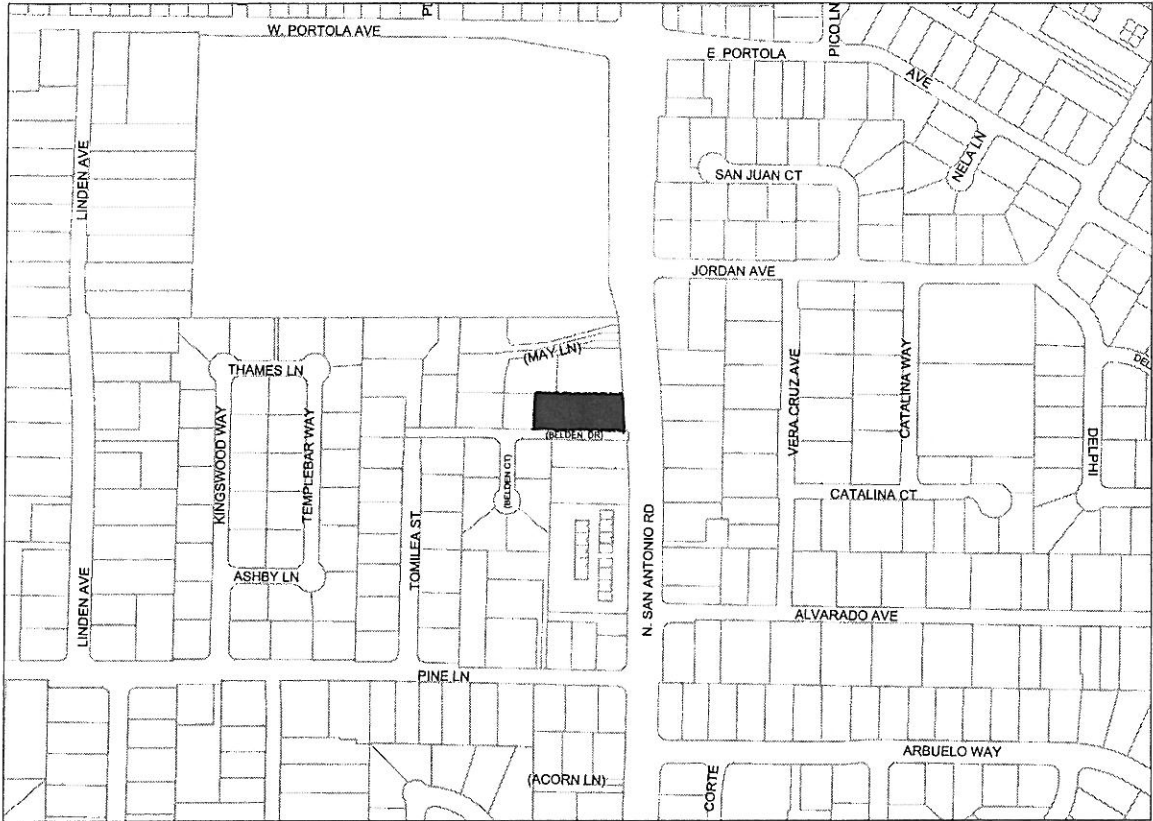
CITY OF LOS ALTOS

APPLICATION: 14-V-07
APPLICANT: L. Pham /Q. Pham and T. Le-Pham
SITE ADDRESS: 706 N. San Antonio Road

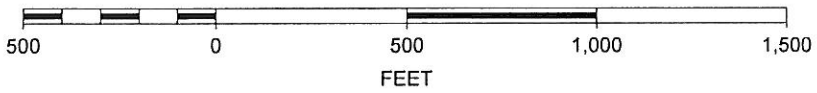


Not to Scale

VICINITY MAP



SCALE 1 : 6,000



CITY OF LOS ALTOS

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