



DATE: December 17, 2014

AGENDA ITEM # 4

**TO:** Design Review Commission  
**FROM:** Sean K. Gallegos, Assistant Planner  
**SUBJECT:** 14-V-13 – 581 Van Buren Street

**RECOMMENDATION:**

Approve variance application 14-V-13 subject to the listed findings and conditions

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**PROJECT DESCRIPTION**

This is a variance application for a single-story addition to allow a front yard setback of 18 feet; where a minimum setback of 25 feet is required and an exterior side yard setback of 15 feet, ten inches, where 20 feet is required. The following table summarizes the project:

**GENERAL PLAN DESIGNATION:** Single-family, Residential  
**ZONING:** R1-10  
**PARCEL SIZE:** 21,816 square feet  
**MATERIALS:** Stucco, wood accent siding, stone veneer accent siding composition roofing, standing seam metal roof.

	<b>Existing</b>	<b>Proposed</b>	<b>Allowed/Required</b>
<b>LOT COVERAGE:</b>	3,1478 square feet	3,165 square feet	6,545 square feet
<b>FLOOR AREA:</b>	2,873 square feet	3,083 square feet	4,932 square feet
<b>SETBACKS:</b>			
Front	18 feet	No Change	25 feet
Rear	24 feet	No Change	25 feet
Right side (Van Buren Street)	65 feet	No Change	10 feet
Left side	18 feet	16 feet	20 feet
<b>HEIGHT:</b>	13 feet	15 feet	20 feet

**BACKGROUND**

The subject property is located at 581 Van Buren Street in a Consistent Character Neighborhood as defined in the City's Residential Design Guidelines. The right side of the property is adjacent to the Adobe Creek and across the creek are additional residences. The residences in the immediate

neighborhood are primarily single-story in character with a mix of ranch style homes and new homes that are consistent in style and materials with the existing houses.

## DISCUSSION

The front property line, for zoning purposes, is along the cul-de-sac portion of Van Buren Street along a narrow street extension. The addition is at the right side of the property, which is functionally a rear yard. The project will remodel the existing house and add 210 square feet to the first story and rebuild the roof. The new roof design combined with new material will create a contemporary design. The application includes a variance to maintain a front (east) yard setback of 18 feet; where a minimum setback of 25 feet is required and an exterior side yard setback of 15 feet, ten inches, where 20 feet is required.

We consider a 20 to 25-foot Santa Clara Valley Water District setback guideline from the top of the creek bank for structures on properties adjacent to the creek channel and the relative slope stability. Staff determined that the approximate 15-foot setback of the structure from the creek bank was appropriate, given the location of the existing structure and the lot's constraints. The purpose of the setback guideline is to maintain the natural appearance and habitat of the creekside area and to reduce erosion of the creek bank from structures. The project maintains significant trees to maintain the riparian environmental and reduce erosion of the bank.

There is a special physical circumstance related to the property that supports the variance. Though the site is large, its development potential is constrained due to the proximity of the Adobe Creek and an easement that stretches across a substantial portion of the side yard, which is owned by the Santa Clara Valley Water District (SCVWD).

Functionally, the side yard is used as a rear yard; and the proposed addition meets a functional side yard setback and functional rear yard setback; therefore, granting the variances is not a special privilege. Granting a variance for the addition does not harm persons or property since the addition maintains appropriate setbacks from the adjacent property lines. Strict application of the provisions of the zoning ordinance would deprive the property of privileges enjoyed by other properties, which is to remodel the existing structure.

The project is consistent with the zoning code objectives and is not considered to be injurious to persons or properties in the vicinity. The addition will conform to the zoning regulations including the lot coverage and floor area ratio requirements. The house addition extends the building under the existing building footprint, in a manner that is congruent with the original design concept and maintains the residential character of the home.

Procedurally the Design Review Commission acts on the variance application. If approved, then staff will administratively approve the design since it otherwise meets our design findings and Residential Design Guidelines.

## ENVIRONMENTAL REVIEW

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

Cc: Tom Carrubba, Architect/Applicant  
Charles Eckel and Laura Fraser, Owners

### Attachments:

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



## FINDINGS

14-V-13—581 Van Buren Street

1. With regard to approving the front yard and exterior side yard setback variance for an addition, 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 are 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 of improvements in the vicinity; and
  - c. That special circumstance applicable to the property exists related to the orientation of the existing structure on the parcel that is substantially constrained in development potential by the creek, 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.

## CONDITIONS

13-V-13—581 Van Buren Street

1. The approval is based on the plans received on November 14, 2014 and the written application materials provided by the applicant and is limited to the scope shown on the plans, except as may be modified by these conditions.
2. The topographic plan and grading plan shall be revised to use a benchmark that correlates to the City's flood plain map.



# ATTACHMENT A

## CITY OF LOS ALTOS GENERAL APPLICATION

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

Permit # 1106423

<input checked="" 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"/>	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"/>	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: 581 Van Buren Street, Los Altos CA 94022

Project Proposal/Use: Interior remodel of existing non-conforming 1-story residence. 210 sf addition. Replace entire roof.

Current Use of Property: One-story single-family residence.

Assessor Parcel Number(s) 167.20.057 Site Area: 21,816

New Sq. Ft.: 210 Remodeled Sq. Ft.: 2,873 Existing Sq. Ft. to Remain: 0

Total Existing Sq. Ft.: 2,873 Total Proposed Sq. Ft. (including basement): 3,083

Applicant's Name: Tom Carrubba, Square Three Design Studios

Home Telephone #: \_\_\_\_\_ Business Telephone #: 650.326.3860 x112

Mailing Address: 900 High Street, Suite 3

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

Property Owner's Name: Charles Eckel & Laura Fraser

Home Telephone #: \_\_\_\_\_ Business Telephone #: \_\_\_\_\_

Mailing Address: 581 Van Buren Street

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

Architect/Designer's Name: Tom Carrubba Telephone #: 650.326.3860 x112

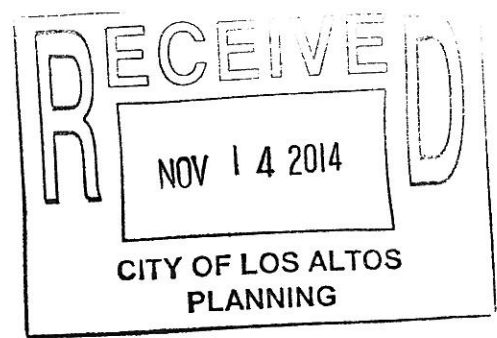
**\*\*\* If your project includes complete or partial demolition of an existing residence or commercial building, a demolition permit must be issued and finalized prior to obtaining your building permit. Please contact the Building Division for a demolition package. \*\*\***







square three design studios



**variance application**

<b>to:</b> City of Los Altos 1 North San Antonio Road Los Altos, CA 94022	<b>phone number:</b> 650.947.2700	<b>date:</b> 11.13.14
<b>attention:</b> Sean Gallegos	<b>square three #:</b> 13109	<b># of pages:</b> 1
<b>project location:</b> 581 Van Buren Street Los Altos, CA 94022	<b>project type:</b> single family residence remodel/addition	<b>a.p.n.</b> 167.20.057

Dear Mr. Gallegos,

We are applying for a variance for a remodel / addition project at 581 Van Buren Street. This variance is required because 1) the existing house is nonconforming with respect to the 20' exterior side yard building setback at the southeast bedroom corner, and the 25' front yard building setback at the garage, 2) we are proposing a complete roof structure redesign and replacement, and 3) we would like to preserve the existing house footprint rather than undergoing a significant remodel in order for the house to conform to the required building setbacks.

The existing roof is flat, with an unusual central enclosed parapet area and a continuous 4' deep eave overhang. Over the years, the flat roof design has contributed to serious problems with leaking. Furthermore, several large trees overhanging the house drop leaves and needles into the parapet enclosure, resulting in year round maintenance. The owners would therefore like to replace the roof structure to give the roof a positive pitch for drainage, as well as change the material to a low-maintenance standing seam metal.

We are also proposing a reconfiguration of the existing front bedroom bay window to give it a more contemporary appearance, as well as a small addition at the rear that occupies an area of the house that is currently under a covered roofline. The new rear line of the kitchen aligns with the existing fireplace foundation, which will be removed. In total, the remodeled residence would be 3,083 SF, still well under the maximum allowed. Lastly, we are proposing to replace the majority of the windows, doors and exterior wall finishes to compliment the new modern roofline design.

The site is relatively large for the neighborhood at 21,816 SF, and thus has a maximum allowable floor area of 4,932 SF. The existing residence and garage are 2,873 SF. However, the buildable area of the site is severely restricted by its irregular shape, the Adobe Creek, which flows through the rear yard, as well as several large redwood and oak trees. It would be difficult to relocate the footprint of the house to conform to the required building setbacks without seriously compromising the existing living areas; there is very little room on the site for expansion and the Owners are not interested in adding a second story to the house.

The proposed roofline and other exterior improvements do not worsen the nonconforming portions of the house. On the contrary, the proposed roofline will increase the long-term

sustainability of the house and greatly minimize ongoing maintenance. Additionally, the design of the proposed roofline, in conjunction with the other exterior cosmetic changes, will certainly improve the architectural quality and design integrity of the house, which is consistent with the City of Los Altos Single-Family Residential Design Guidelines.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tom Carrubba', with a large, sweeping flourish extending to the left.

Tom Carrubba, Architect C28276

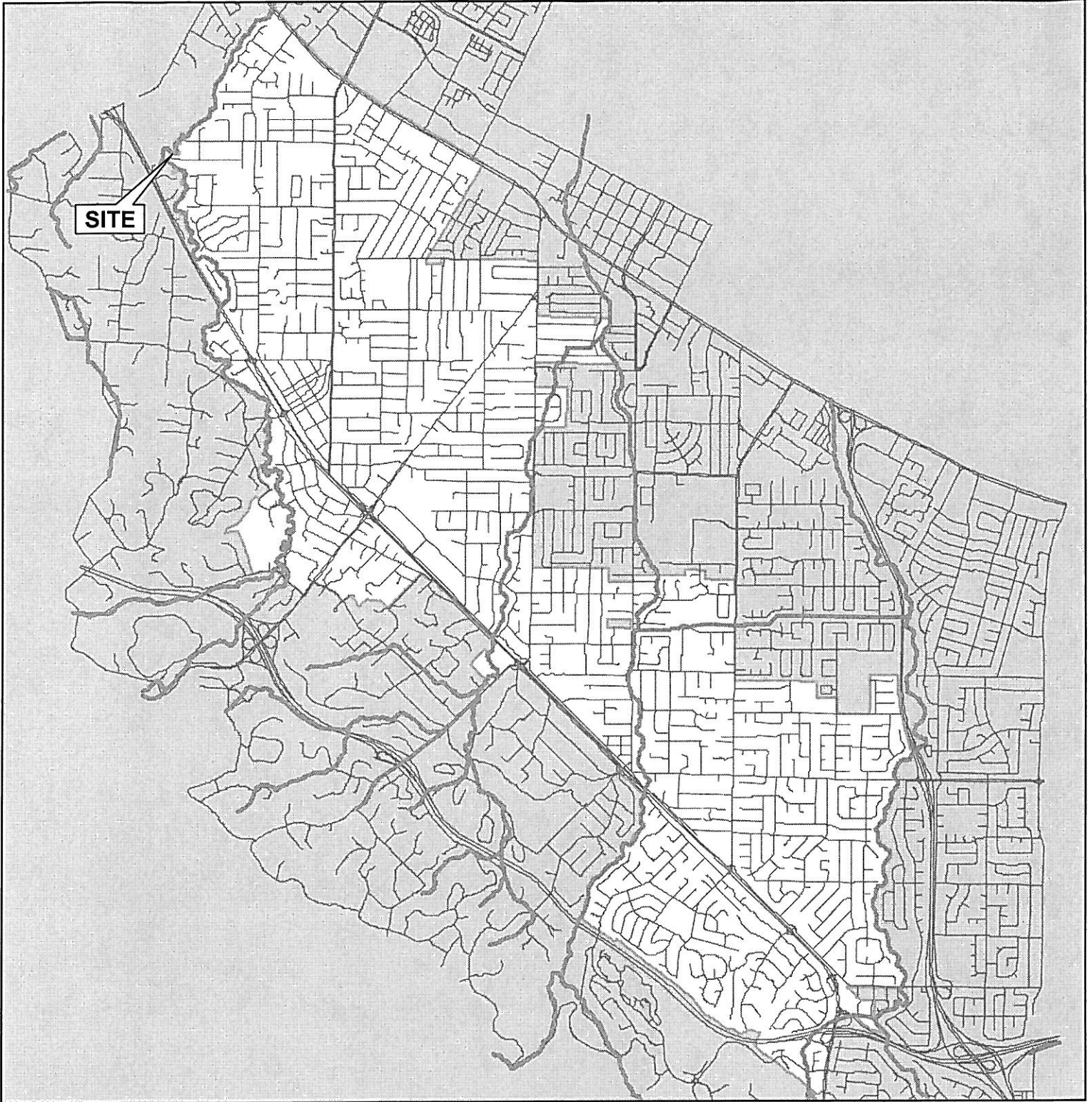
**square three design studios**

650.326.3860 x112

[tomc@squarethree.com](mailto:tomc@squarethree.com)

# AREA MAP

# ATTACHMENT B



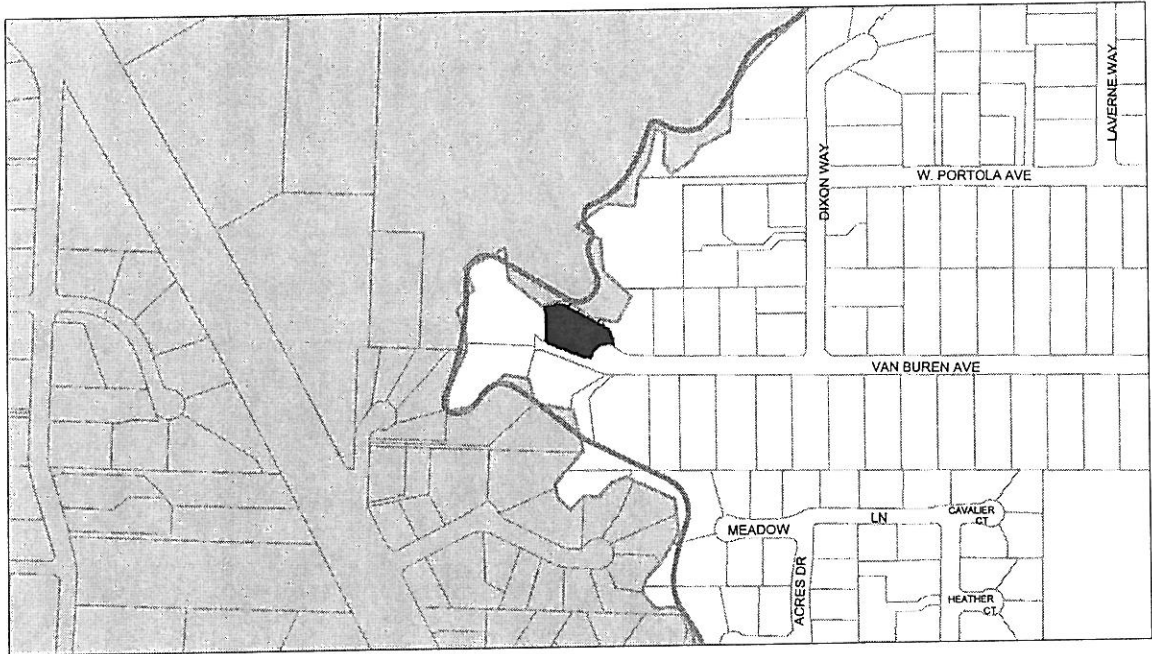
## CITY OF LOS ALTOS

**APPLICATION:** 14-V-13  
**APPLICANT:** Square Three Design Studios / C. Eckel and L. Fraser  
**SITE ADDRESS:** 581 Van Buren Street

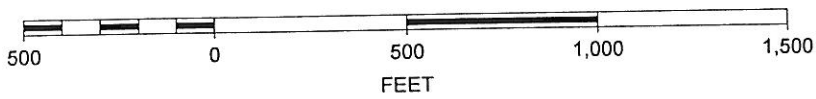


Not to Scale

# VICINITY MAP



SCALE 1 : 6,000



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