



DATE: September 2, 2015

AGENDA ITEM # 2

**TO:** Design Review Commission  
**FROM:** Sierra Davis, Assistant Planner  
**SUBJECT:** 15-V-09 – 840 Madonna Way

**RECOMMENDATION:**

Approve variance application 15-V-09 subject to the listed findings

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**PROJECT DESCRIPTION**

This is a variance application for modifications to an existing non-conforming, two-story house on a flag lot. The application includes a floor area variance to allow the reconfiguration of 13 square feet at the first story, at the front of the house. The following table summarizes the project:

**GENERAL PLAN DESIGNATION:** Single-family, Residential  
**ZONING:** R1-10  
**PARCEL SIZE:** 14,023 (net) square feet  
**MATERIALS:** Stucco, wood shingles, asphalt roof shingles, stone veneer, wood trim, new windows and doors throughout.

|                      | <b>Existing</b>     | <b>Proposed</b>     | <b>Allowed/Required</b> |
|----------------------|---------------------|---------------------|-------------------------|
| <b>LOT COVERAGE:</b> | 3,608 square feet   | 3,608 square feet   | 4,207 square feet       |
| <b>FLOOR AREA:</b>   |                     |                     |                         |
| First floor          | 3,317.2 square feet | 3,317.2 square feet |                         |
| Second floor         | 1,608 square feet   | 1,608 square feet   |                         |
| Total                | 4,926 square feet   | 4,926 square feet   | 4,152 square feet       |
| <b>SETBACKS:</b>     |                     |                     |                         |
| Front                | 25 feet             | 25 feet             | 25 feet                 |
| Rear                 | 30 feet             | 30 feet             | 25 feet                 |
| Right side           | 18 feet /18 feet    | 18 feet/18 feet     | 15 feet*                |
| Left side            | 10 feet /42 feet    | 10 feet/42 feet     | 15 feet*                |
| <b>HEIGHT:</b>       | 28 feet             | 28 feet             | 27 feet                 |

\* Second stories on flag lots are not allowed by code; therefore there is not a setback requirement.

## **BACKGROUND**

The property is in a Consistent Character Neighborhood as defined in the City's Residential Design Guidelines. The homes in the neighborhood are primarily two story homes on hillside lots, with low wall plate heights and simple roof forms, with a mix of materials including stucco, wood siding, stone, and various roof materials. The street tree pattern is not well defined, however the landscaping includes mature shrubs and large trees.

The existing structure is located at the end of Madonna Way on a flag lot, adjacent to another flag lot. The house was approved and built in 1986 under the City's jurisdiction; however, the project is non-conforming to current zoning requirements in the following ways:

- Two story house on a flag lot, where no second story is allowed;
- 10-foot side yard setbacks, where 15 feet is required; and
- Floor area of 4,925 square feet, where 4,152 square feet is allowed.

A variance and design review application was submitted in 2014 to significantly rebuild non-conforming floor area for additions at the first and second story. The applications were reviewed at the March 4, 2015 and July 1, 2015 Design Review Commission (DRC) meetings. Ultimately the DRC approved the design review application and denied the variance for additions at the first and second story.

## **DISCUSSION**

Rather than work within the DRC's approval the applicant decided to reevaluate the project scope and submit for a new variance. The applicant is requesting a variance to re-configure 13 square feet at the first story. The project includes the removal of 13 square feet at the new entry to make a recess for the new front door. The 13 square feet would be added back onto the front of the house at the dining room to fill in an existing recess. The project would not result in a net increase or decrease of floor area.

Staff is in support because the granting of the variance is consistent with the objectives of the zoning code and would not result in a benefit. The structure is non-conforming to the floor area and the property owner is deprived of the ability to relocate the structure's integral entry, since the existing entry is recessed. Therefore, the strict application of the provisions of this chapter deprives such property of privileges enjoyed by other properties in the vicinity under identical zoning classifications. In staff's view granting the variance would not be a granting of special privilege.

Procedurally, if the DRC approved the variance, then staff would administratively approve the design.

## **ENVIRONMENTAL REVIEW**

This project is categorically exempt from environmental review under Section 15301 of the Environmental Quality Act because it involves an addition to a single-family dwelling in a residential zone.

Design Review Commission  
15-V-09, 840 Madonna Way  
September 2, 2015

CC: Timeline Design, Designer  
Kai and Lillian Wu, Owners

Attachments

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

## FINDINGS

15-V-09 – 840 Madonna Way

1. With regard to approving the floor area variance, the Design Review Commission finds the following in accord with Section 14.82.050 of the Municipal Code:
  - a. That the granting of the variance is consistent with the objectives of the zoning plan set forth in Article 1 of Chapter 14.02; and
  - 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 there are special circumstances applicable to the property, due to the surroundings where the structure is legally non-conforming in terms of floor area and the property owner is deprived the ability to relocate the structure's integral entry. Therefore, the strict application of the provisions of this chapter deprives such property of privileges enjoyed by other properties in the vicinity under identical zoning classifications. Granting the variance would not be a granting of special privilege.

# ATTACHMENT A



## CITY OF LOS ALTOS GENERAL APPLICATION

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

Permit # \_\_\_\_\_

|   |   |  |
|---|---|--|
| <input 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: 840 Madonna Way, Los Altos

Project Proposal/Use: SFR Current Use of Property: SFR

Assessor Parcel Number(s): 336-03-024 Site Area: 14023 SF

New Sq. Ft.: 13 Altered/Rebuilt Sq. Ft.: -13 Existing Sq. Ft. to Remain: 4,940

Total Existing Sq. Ft.: 4,940 Total Proposed Sq. Ft. (including basement): 4,940

Applicant's Name: Timeline Design

Telephone No.: (408) 741-3000 Email Address: rosamaria@tlldesign.net

Mailing Address: 14401 Big Basin Way

City/State/Zip Code: Saratoga, CA 95070

Property Owner's Name: Kai Min & Eileen Wu

Telephone No.: (650) 941-7542 Email Address: lwu3@yahoo.com

Mailing Address: 840 Madonna Way,

City/State/Zip Code: Los Altos, CA 94024

Architect/Designer's Name: Timeline Design

Telephone No.: (408) 741-3000 Email Address: rosamaria@tlldesign.net

Mailing Address: 14401 Big Basin Way,

City/State/Zip Code: Saratoga, CA 95070

\*\*\* 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)

15-V-09



Timeline Design  
14401 Big Basin Way  
Saratoga, CA 95070

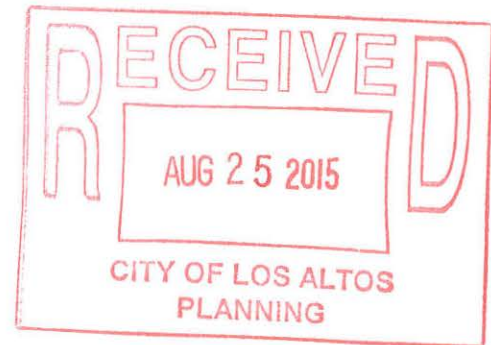
P: 408.741.3000 | F: 408.741.3007 | [www.tldesign.net](http://www.tldesign.net)

*"Designing, Building, and Remodeling Homes of Distinction"*

August 25, 2015

To: City of Los Altos  
Community Development, Planning Services  
1 North San Antonio Road  
Los Altos, CA 94022

Re: 840 Madonna Way  
Los Altos, CA 94022  
APN: 336-03-024



To Whom It May Concern:

This project was approved back in July 2015 (see application number 14-V-14 and 14-V-SC-48). Upon reflection of the approved plans, the clients were really disappointed with the front elevation having a recess remaining where the front doors were previously located that will now be the dining room nook. This home was built in 1986 with permits issued from the City of Los Altos. Since that time, the city has revised planning requirements and reduced the allowable building area. Based upon this, the city staff and the DRC has required that no additional square footage be added and that we keep the majority of the existing structure.

The existing recess occurs in an odd location and now makes the front of the house look awkward. It also doesn't work with the proposed floor plan. The limitation that no additional square footage be added is a significant hardship on the project. The city staff felt that by exchanging the square footage from the nook addition and recessing the new proposed entry that no special consideration is being given to the Wu's.

The motivation behind this proposal is the need to provide 13 SF to an existing dining area of a kitchen (application approval 14-V-14 and 14-SC-48), that is otherwise crowded and encumbered by an existing 7'-6" x 1'-9" (13 SF) cove-in-bay in the perimeter footprint. To accomplish this we propose to remove the cove-in-bay configuration in the footprint at the dining area, an addition of 13 SF area, and at an existing entry door with-in the same wall line, configure a like 6'-6" x 2'-0" (-13 SF) cove-in-bay in the perimeter footprint, a removal of 13 SF area, thus, the EXCHANGE of square footage area from one location to another results in a VERY MINOR change to the perimeter foot print and NO change in area square footage.

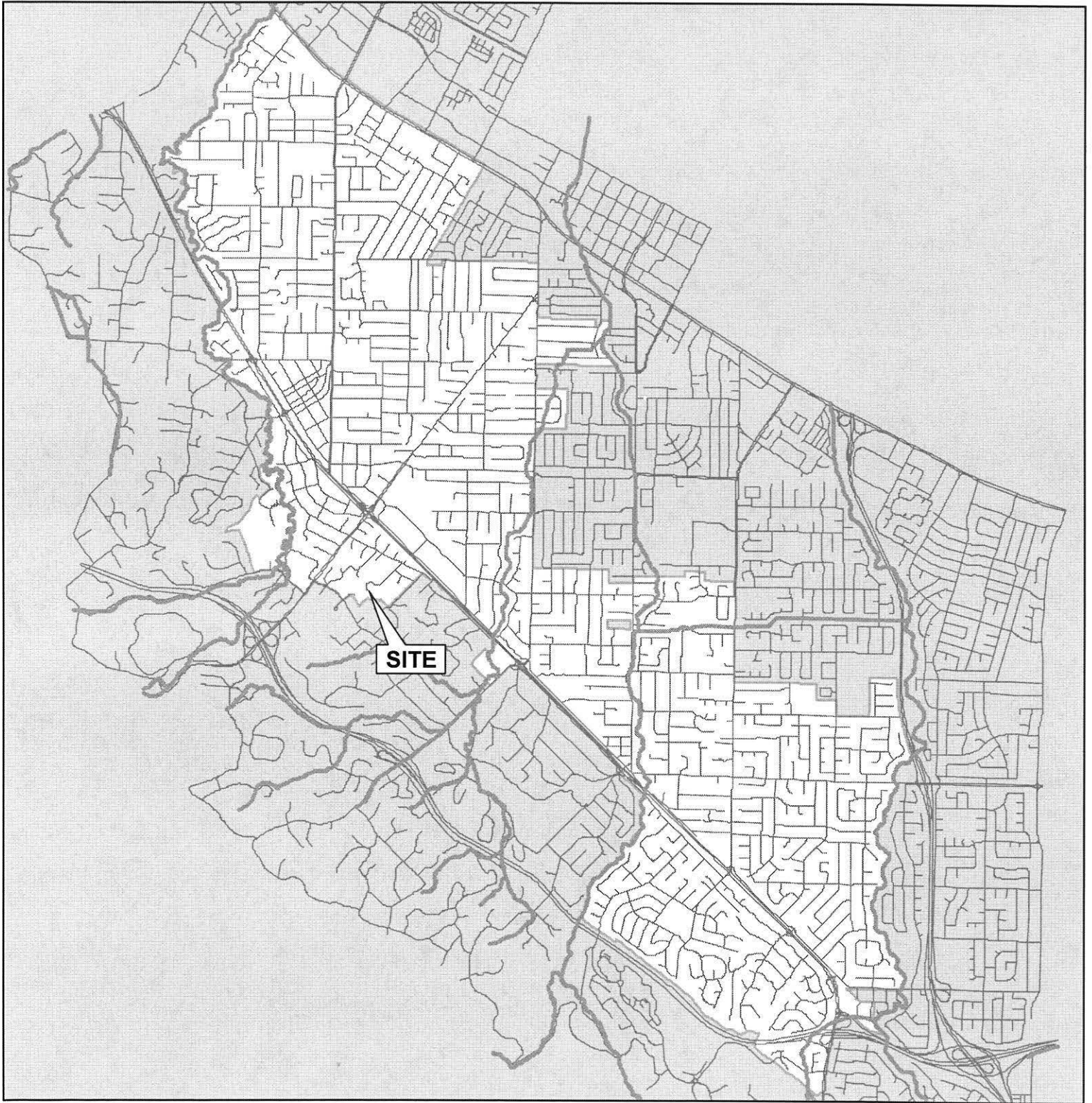
I wish to point out that the existing window group location and the existing entry door location remain unchanged laterally along the wall line resulting in minimal visual impact on the building elevation plane.

Our findings conclude that the proposed scope of work will result in no change to the square footage area and no impact to the perimeter footprint and building elevation. Should you have questions or require additional information, please let me know. I may be reached at 408.741.3000 or 408.913.9270 (direct line)

Thank you for your time and assistance.

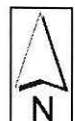
  
Rosamaria Llanos-Popolizio for  
Timeline Design

# AREA MAP



CITY OF LOS ALTOS

**APPLICATION:** 15-V-09  
**APPLICANT:** Timeline Design/K. and E. Wu  
**SITE ADDRESS:** 840 Madonna Way



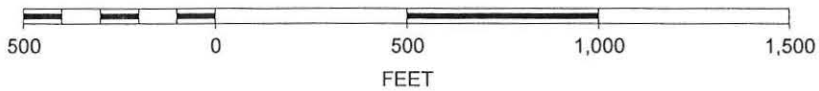
Not to Scale



# VICINITY MAP



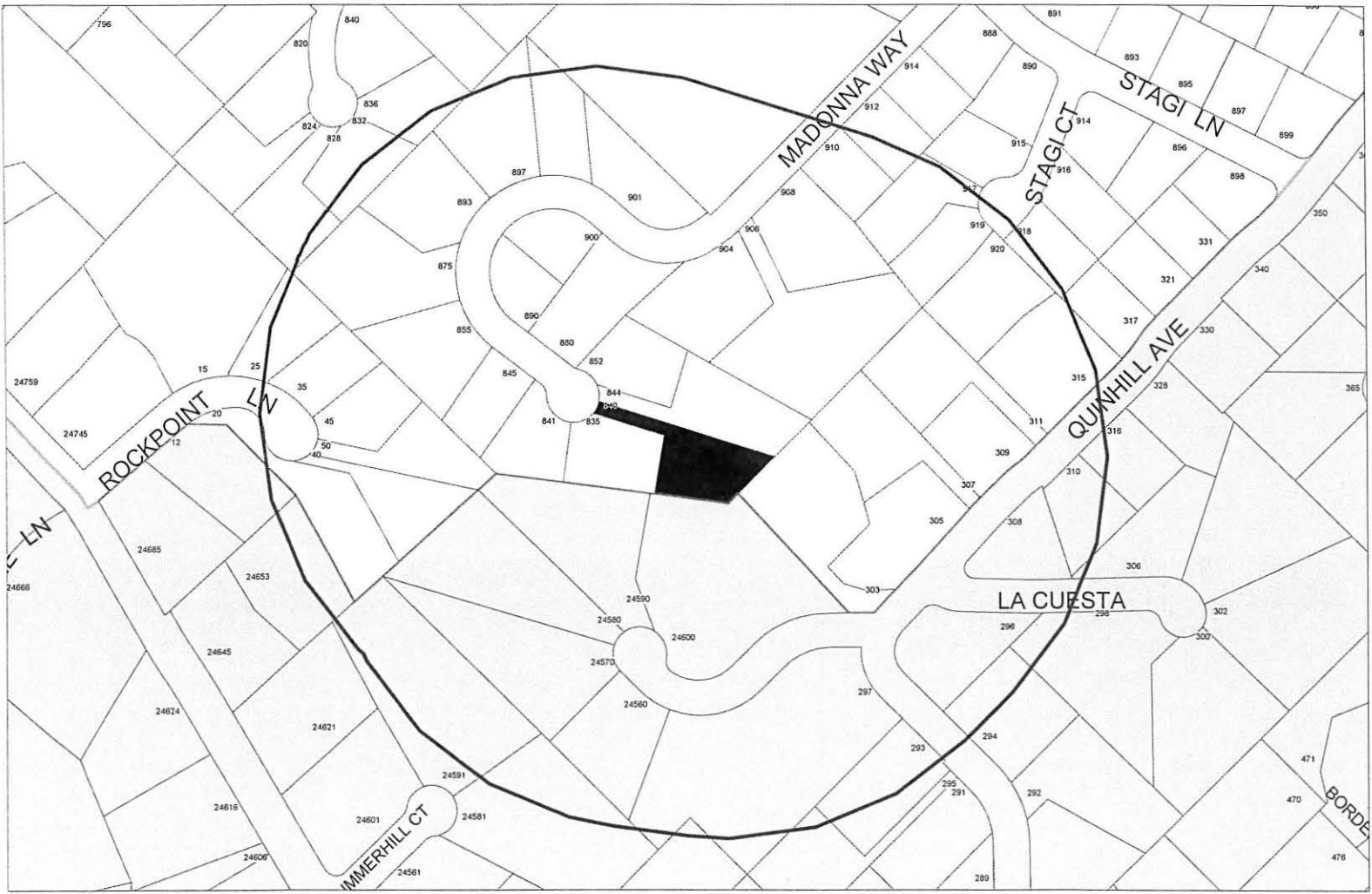
SCALE 1 : 6,000



## CITY OF LOS ALTOS

**APPLICATION:** 15-V-09  
**APPLICANT:** Timeline Design/K. and E. Wu  
**SITE ADDRESS:** 840 Madonna Way

# 840 Madonna Way 500-foot Notification Map



SCALE 1 : 3,000

