



DATE: November 4, 2015

AGENDA ITEM # 4

TO: Design Review Commission
FROM: Sierra Davis, Assistant Planner
SUBJECT: 15-V-13 and 15-SC-41 – 2340 Friars Lane

RECOMMENDATION:

Approve variance application 15-V-13 and design review application 15-SC-25 subject to the findings and conditions

PROJECT DESCRIPTION

This is an application for a variance to allow a right side yard setback of 9.37 feet to be maintained, where 10 feet is required, and design review for a two-story addition to an existing one-story house. The project includes an addition of 107 square feet on the first story and 1,208 square feet on the second story. The following table summarizes the project's technical details:

GENERAL PLAN DESIGNATION: Single-family, Residential
ZONING: R1-10
PARCEL SIZE: 20,038 square feet
MATERIALS: Cedar shake roof, stucco siding, wood trim, aluminum windows

	Existing	Proposed	Allowed/Required
LOT COVERAGE:	3,280 square feet	3,387 square feet	6,011 square feet
FLOOR AREA:			
First floor	3,280 square feet	3,387 square feet	
Second floor	N/A	1,208 square feet	
Total	3,280 square feet	4,595 square feet	4,754 square feet
SETBACKS:			
Front	25 feet	25 feet	25 feet
Rear	102 feet	102 feet	25 feet
Right side (1 st /2 nd)	9.37 feet	9.37 feet/26 feet	10 feet /17.5 feet
Left side (1 st /2 nd)	10 feet	10 feet /18 feet	10 feet /17.5 feet
HEIGHT:	16 feet	24 feet	27 feet

BACKGROUND

Neighborhood Context

The subject property is located in a Consistent Character Neighborhood as defined in the City's Residential Design Guidelines. The property is located in the Maryknoll Estates subdivision that was approved in 1977. The houses are consistent in design with a variation of side to side gabled roofs, low horizontal eaves and prominent three-car garages. The landscape along Friars Lane includes a variety of mature trees and shrubs, but does not have a distinct street tree pattern.

The existing structure is located at the curve of Friars Lane which results in an asymmetrical shaped lot that is narrow at the front of the lot, widening toward the rear. The house was approved and built under the City's jurisdiction in 1978. However, the house was constructed with a right side yard setback of 9.37 feet, at the front corner of the house, where ten feet is required.

DISCUSSION

Variance

The applicant is requesting a variance to maintain the existing setback encroachment as part of a substantial remodel and addition. When a house has an existing nonconforming setback and 50 percent or more of the floor area of that structure is voluntarily eliminated or replaced, the entire structure is required to be brought into conformance with current setback requirements. The intent of the non-conforming regulations is to allow for the maintenance of non-conforming structures, but provide for their replacement over time.

In order to properly integrate the second story addition into the existing house, the project would alter or replace more than 50 percent of the house. Therefore, a variance is necessary to maintain the non-conforming side yard setback at the front of the house which will be maintained with the first and second story additions at the rear. A letter from the applicant provides additional information about the project and outlines the reasons for the variance request and is included in Attachment A.

In order to approve a variance, the Commission must make three positive findings pursuant to 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. 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
3. Variances from the provisions of this chapter 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 the variance to maintain the existing side yard setback at the front corner of the house would be consistent with the objectives of the zoning plan because the house was constructed with the intention of a 10-foot side yard as approved in 1978.

The variance would not be detrimental to the health, safety or welfare of surrounding properties, because it is an existing encroachment and will not be modified.

There is a special circumstance applicable to the property since the encroachment is the front corner of the house adjacent to an angled property line. The encroachment is at the narrow width of the lot where the side yard increases toward the rear wider portion of the lot. Strict application of the Zoning Code would require that the 0.63-foot encroachment be removed to meet the 10 foot side yard setback. The minor encroachment does not result in a special privilege as the encroachment is the width of the wall and is approximately 1.5 square feet of floor area. Staff is in support of the variance because it will allow a first- and second-story addition at the rear of the structure, while maintaining the front left corner of the house where no work is proposed.

Design Review

In Consistent Character neighborhoods, good neighbor design has design elements, materials and scale found within the neighborhood and sizes that are not significantly larger than other homes in the neighborhood. The emphasis should be on designs that “fit in” and lessen abrupt changes.

The first-story footprint will be maintained with the exception of a first-story addition at the rear of the structure. The addition is adjacent to the angled side property line which results in a larger than required side yard setback of 18 feet, where 10 feet is required. The second-story is centered at the rear of the structure with an 18 foot setback on the left side and 26 foot setback on the right side, where 17.5 feet is required on each side.

The front of the existing house will be substantially maintained with the prominent three-car garage and the living room and chimney on the right side of the house. The front entry is minimally visible from the street because of the existing trees and landscaping in the front yard which will be maintained. The front entry element will be modified to include transom windows over the front door and a new gable roof. The second-story is centered at the rear of the house and located behind the garage gable. The second-story appears recessed into the first story because it is set behind the large side to side gable at the front of the house, which reduces the appearance to the street. The second story includes four gables facing the street, which is compatible with the varying roof forms found within the neighborhood context.

The existing house has a brick facade, which will be removed and replaced with stucco to match the existing house. The addition will match the existing materials and includes a cedar shake roof, wood trim, and aluminum windows.

Privacy and Landscaping

On the right side of the house, there are two, second-story windows. There is one window in the stairwell with a sill height of five feet, six inches, which will not result in a substantial privacy

concern because of the high sill height and passive use of the stairwell. There is one window in bedroom No. six with a sill height of two feet. The low sill height could result in a privacy concern; however, the properties are at an angle which increases the second story setback at the rear of the house where the window is located. There is also mature landscaping that will help to screen views to the adjacent property. Therefore, the window would not result in an unreasonable privacy impact.

On the left side of the house, there are four, second-story windows; two windows in the master bedroom and two windows in the closet. The bedroom windows have a low sill height of three feet; however, the adjacent property has a higher natural grade and thick vegetation along the property line. The views to the adjacent property would not result in an unreasonable privacy concern based on the elevation change and existing vegetation. The two windows in the closet have a sill height of four feet and with the passive use of the closet, the windows would not create an unreasonable privacy impact.

The project includes a balcony at the rear of the house which is 33 feet wide by 7 feet deep. The subject property and the adjacent properties have rear yards that slope to the rear with dense vegetation. Beyond the rear property line there is a railroad track easement and the freeway (Interstate 280). The balcony would not result in unreasonable privacy impacts because the balcony is located at the rear of the house with views of the undeveloped sloping rear yards and railroad easement beyond.

ENVIRONMENTAL REVIEW

This project is categorically exempt from environmental review under Section 15301 of the California Environmental Quality Act because it involves an addition to an existing 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 November 4, 2015 Design Review Commission hearing. The mailed notice included 38 property owners.

Cc: Joe Sabel, Applicant and Designer
Xenia and Robert Siller, Property Owners

Attachments:

- A. Application and Variance Letter of Intent
- B. Neighborhood Compatibility Worksheet
- C. Area, Vicinity and Notification Maps

FINDINGS

15-V-13 and 15-SC-41 – 2340 Friars Lane

1. With regard to approving the setback 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. There is a special circumstance applicable to the property since the encroachment is the front corner of the house adjacent to an angled property line. The encroachment is at the narrow width of the lot where the side yard increases toward the rear wider portion of the lot. Strict application of the Zoning Code would require that the 0.63 foot encroachment be removed to meet the 10 foot side yard setback. The minor encroachment does not result in a special privilege as the encroachment is the width of the wall and is approximately 1.5 square feet of floor area.

2. With regard to design review for a first and second story addition, the Design Review Commission finds the following in accordance with Section 14.76.050 of the Municipal Code that:
 - 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.

CONDITIONS

15-V-13 and 15-SC-41 – 2340 Friars Lane

1. The approval is based on the plans received on October 27, 2015, 2015 and the written application materials provided by the applicant, except as may be modified by these conditions.
2. If the non-conforming front portion of the house is rebuilt, removed and/or replaced it shall meet the side yard setback requirement.
3. An encroachment permit shall be obtained from the Engineering Division prior to doing any work within the public right-of-way including the street shoulder.
4. Fire sprinklers may be required pursuant to Section 12.10 of the Municipal Code.
5. Any new utility service drops shall be located underground from the nearest convenient existing pole pursuant to Chapter 12.68 of the Municipal Code.
6. The applicant/owner agrees to indemnify, defend, protect, and hold the City harmless from all costs and expenses, including attorney's fees, incurred by the City or held to be the liability of the City in connection with the City's defense of its actions in any proceedings brought in any State or Federal Court, challenging any of the City's action with respect to the applicant's project.
7. **Prior to the issuance of a Demolition Permit or Building Permit**, tree protection fencing shall be installed around the dripline of the trees in the front yard as shown on the site plan. Tree protection fencing shall be chain link and a minimum of five feet in height with posts driven into the ground and shall not be removed until all building construction has been completed unless approved by the Planning Division.
8. **Prior to Building Permit submittal, the plans shall contain/show:**
 - a. The conditions of approval shall be incorporated into the title page of the plans.
 - b. On the grading plan and/or the site plan, show all tree protection fencing and add the following note: "All tree protection fencing shall be chain link and a minimum of five feet in height with posts driven into the ground."
 - c. Verification that the house will comply with the California Green Building Standards pursuant to Section 12.26 of the Municipal Code and provide a signature from the project's Qualified Green Building Professional Designer/Architect and property owner.
 - d. The location of underground utilities pursuant to Section 12.68 of the Municipal Code. Underground utility trenches shall avoid the drip-lines of all protected trees unless approved by the project arborist and the Planning Division.

- e. Compliance with the New Development and Construction Best Management Practices and Urban Runoff Pollution Prevention program, as adopted by the City for the purposes of preventing storm water pollution (i.e. downspouts directed to landscaped areas, minimize directly connected impervious areas, etc.).

9. Prior to final inspection:

- a. All front yard shall be maintained as shown on the approved plans and as required by the Planning Division.
- b. Submit verification that the house was built in compliance with the City's Green Building Ordinance (Section 12.26 of the Municipal Code).



ATTACHMENT A

CITY OF LOS ALTOS GENERAL APPLICATION

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

Permit # 1106847

<input type="checkbox"/>	One-Story Design Review	<input type="checkbox"/>	Commercial/Multi-Family	<input type="checkbox"/>	Environmental Review
<input checked="" 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: 2340 PEIAPS LANE L.A CA 94029

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

Assessor Parcel Number(s): 342.47.015 Site Area: 20,030

New Sq. Ft.: +1,316 Altered/Rebuilt Sq. Ft.: _____ Existing Sq. Ft. to Remain: _____

Total Existing Sq. Ft.: 3,272 Total Proposed Sq. Ft. (including basement): _____

Applicant's Name: JOE SADEL

Telephone No.: 650 255 2017 Email Address: ALPSHIP22@aol.com

Mailing Address: 655 JEFFERSON AVE #975

City/State/Zip Code: RWC CA 94029

Property Owner's Name: XENIA PERLOWAS BOB SILVER

Telephone No.: _____ Email Address: _____

Mailing Address: 2340 PEIAPS LANE

City/State/Zip Code: LOS ALTOS, CA 94029

Architect/Designer's Name: JOE SADEL

Telephone No.: 650 255 2017 Email Address: ALPSHIP22@aol.com

Mailing Address: 655 JEFFERSON AVE #975

City/State/Zip Code: RWC CA 94029

*** 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. ***

10.25.15

TO: Sierra Davis, Assistant Planner
City of Los Altos One North San Antonio Road
Los Altos, CA. 94022
650 9472640



FR: Joe Sabel, AERO 11 DESIGN
855 Jefferson Ave #475 Redwood City, CA 94064
650 255 8017

RE: Variance Request for 2340 Friar's Lane Los Altos
Siller Project

Dear Sierra,

On behalf of the owners of the residence of 2340 Friar's Lane, Xenia and Bob Siller, I am providing this letter of intent for a variance request to maintain the encroaching corner of the house into the side yard setback.

The scope of work proposed in the second story addition and renovation of the existing home precludes our addressing the encroaching street facing corner of the existing living room space at the front of the existing house.

That encroachment is very small, at just 0.63', and probably was a result of the original builder's error in laying out the construction for the foundation on the very large and irregular pie-shaped lot. Since the house is orientated toward the street geometry, the resulting encroachment is just a slight diagonal space of approximately 1.5 square feet of encroaching area.

The overall intent of the addition and renovation is to add a second story to the rear of the existing one story house, and maintain the existing garage, entry, and living and dining room spaces at the front of the home. There will be no work proposed in these areas, and we want to maintain the existing dramatic vaulted ceilings in the front rooms.

We also did not want to introduce any notched or stepped feature into the existing simple architectural forms of the massing of the building. The masses are simple and non-articulated at the front, with a simple receding roof forms terminating the simple planes of the walls.

Thanks again for your help in your consideration of our variance request for the small encroachment of the existing living room space.

Sincerely,

Joe Sabel



NEIGHBORHOOD COMPATIBILITY WORKSHEET

In order for your design review application for single-family residential remodel/addition or new construction to be successful, it is important that you consider your property, the neighborhood's special characteristics that surround that property and the compatibility of your proposal with that neighborhood. **The purpose is to help you understand your neighborhood before you begin the design process with your architect/designer/builder or begin any formal process with the City of Los Altos.** *Please note that this worksheet must be submitted with your 1st application.*

The Residential Design Guidelines encourage neighborhood compatibility without necessarily forsaking individual taste. Various factors contribute to a design that is considered compatible with a surrounding neighborhood. The factors that City officials will be considering in your design could include, but are not limited to: design theme, scale, bulk, size, roof line, lot coverage, slope of lot, setbacks, daylight plane, one or two-story, exterior materials, landscaping et cetera.

It will be helpful to have a site plan to use in conjunction with this worksheet. Your site plan should accurately depict your property boundaries. The best source for this is the legal description in your deed.

Photographs of your property and its relationship to your neighborhood (see below) will be a necessary part of your first submittal. Taking photographs before you start your project will allow you to see and appreciate that your property could be within an area that has a strong neighborhood pattern. The photographs should be taken from across the street with a standard 35mm camera and organized by address, one row for each side of the street. Photographs should also be taken of the properties on either side and behind your property from on your property.

This worksheet/check list is meant to help *you* as well as to help the City planners and Planning Commission understand your proposal. Reasonable guesses to your answers are acceptable. The City is not looking for precise measurements on this worksheet.

Project Address 2340 PWARDS LANE

Scope of Project: Addition or Remodel or New Home

Age of existing home if this project is to be an addition or remodel? built in

Is the existing house listed on the City's Historic Resources Inventory? no

1078

Address: 2741 FRANK LANE
Date: 09.15.15

What constitutes your neighborhood?

There is no clear answer to this question. For the purpose of this worksheet, consider first your street, the two contiguous homes on either side of, and directly behind, your property and the five to six homes directly across the street (eight to nine homes). At the minimum, these are the houses that you should photograph. If there is any question in your mind about your neighborhood boundaries, consider a radius of approximately 200 to 300 feet around your property and consider that your neighborhood.

Streetscape

1. Typical neighborhood lot size*:

Lot area: 10,038 square feet
Lot dimensions: Length 174 feet
Width 115 feet

If your lot is significantly different than those in your neighborhood, then note its: area _____, length _____, and width _____.

2. Setback of homes to front property line: (Pgs. 8-11 Design Guidelines)

Existing front setback if home is a remodel? 25'

What % of the front facing walls of the neighborhood homes are at the front setback 100 %

Existing front setback for house on left 25' ft./on right 25' ft.

Do the front setbacks of adjacent houses line up? yes, but on angled lot

3. Garage Location Pattern: (Pg. 19 Design Guidelines)

Indicate the relationship of garage locations in your neighborhood* only on your street (count for each type)

Garage facing front projecting from front of house face 12 out of 12

Garage facing front recessed from front of house face 0 out of 12

Garage in back yard 0

Garage facing the side 0

Number of 1-car garages ___; 2-car garages ___; 3-car garages 10 majority 3 car
4 out of 12

Address: 2340 Friar's Lane
Date: 10.15.15

4. Single or Two-Story Homes:

What % of the homes in your neighborhood* are:

One-story 66%
Two-story 33%

5. Roof heights and shapes:

Is the overall height of house ridgelines generally the same in your neighborhood*? yes for one story, yes for two story
Are there mostly hip , gable style , or other style roofs*?
Do the roof forms appear simple or complex ?
Do the houses share generally the same eave height yes?

6. Exterior Materials: (Pg. 22 Design Guidelines)

What siding materials are frequently used in your neighborhood*?

wood shingle stucco board & batten clapboard
 tile stone brick combination of one or more materials
(if so, describe) _____

What roofing materials (wood shake/shingle, asphalt shingle, flat tile, rounded tile, cement tile, slate) are consistently (about 80%) used?

cement tile
If no consistency then explain: _____

7. Architectural Style: (Appendix C, Design Guidelines)

Does your neighborhood* have a consistent identifiable architectural style?

YES NO

Type? Ranch Shingle Tudor Mediterranean/Spanish
 Contemporary Colonial Bungalow Other

ranch / ~~shingle~~ / hybrid with front facing hips.

Address: 2390 Fraser Lane
Date: 07.15.15

8. Lot Slope: (Pg. 25 Design Guidelines)

Does your property have a noticeable slope? building area flat,

What is the direction of your slope? (relative to the street)

rest of lot sloped to rear flat area.

Is your slope higher lower same in relationship to the neighboring properties? Is there a noticeable difference in grade between your property/house and the one across the street or directly behind?

9. Landscaping: all neighbors: neighborhood houses flat lots/house area

Are there any frequently used or typical landscaping features on your street (i.e. big trees, front lawns, sidewalks, curbs, landscape to street edge, etc.)?

front lawns, decorative small trees, ~~curbs~~, curbs landscape to street edge

How visible are your house and other houses from the street or back neighbor's property?

garden face of all houses very visible, main house set back from garden face.

Are there any major existing landscaping features on your property and how is the unimproved public right-of-way developed in front of your property (gravel, dirt, asphalt, landscape)?

rock garden, water feature in front, oak trees in rear. public right of way fully developed with wide street, ~~curbs~~, curbs, low landscaping

10. Width of Street:

What is the width of the roadway paving on your street in feet? 34'

Is there a parking area on the street or in the shoulder area? yes, all paved as street

Is the shoulder area (unimproved public right-of-way) paved, unpaved, gravel, landscaped, and/or defined with a curb/gutter? public right of way developed, full paved street, full curbs, landscaping

Address: 2390 Kivori Lane
Date: 07.15.15

11. What characteristics make this neighborhood* cohesive?

Such as roof material and type (hip, gable, flat), siding (board and batten, cement plaster, horizontal wood, brick), deep front yard setbacks, horizontal feel, landscape approach etc.:

consistent roof styles with large front hips, front
facing 3-car garages set forward, street
setbacks,

General Study

- A. Have major visible streetscape changes occurred in your neighborhood?
 YES NO
- B. Do you think that most (~ 80%) of the homes were originally built at the same time?
 YES NO
- C. Do the lots in your neighborhood appear to be the same size?
 YES NO
- D. Do the lot widths appear to be consistent in the neighborhood?
 YES NO
- E. Are the front setbacks of homes on your street consistent (~80% within 5 feet)?
 YES NO
- F. Do you have active CCR's in your neighborhood? (p.36 Building Guide)
 YES NO NOT SURE
- G. Do the houses appear to be of similar size as viewed from the street?
 YES NO
- H. Does the new exterior remodel or new construction design you are planning relate in most ways to the prevailing style(s) in your existing neighborhood?
 YES NO

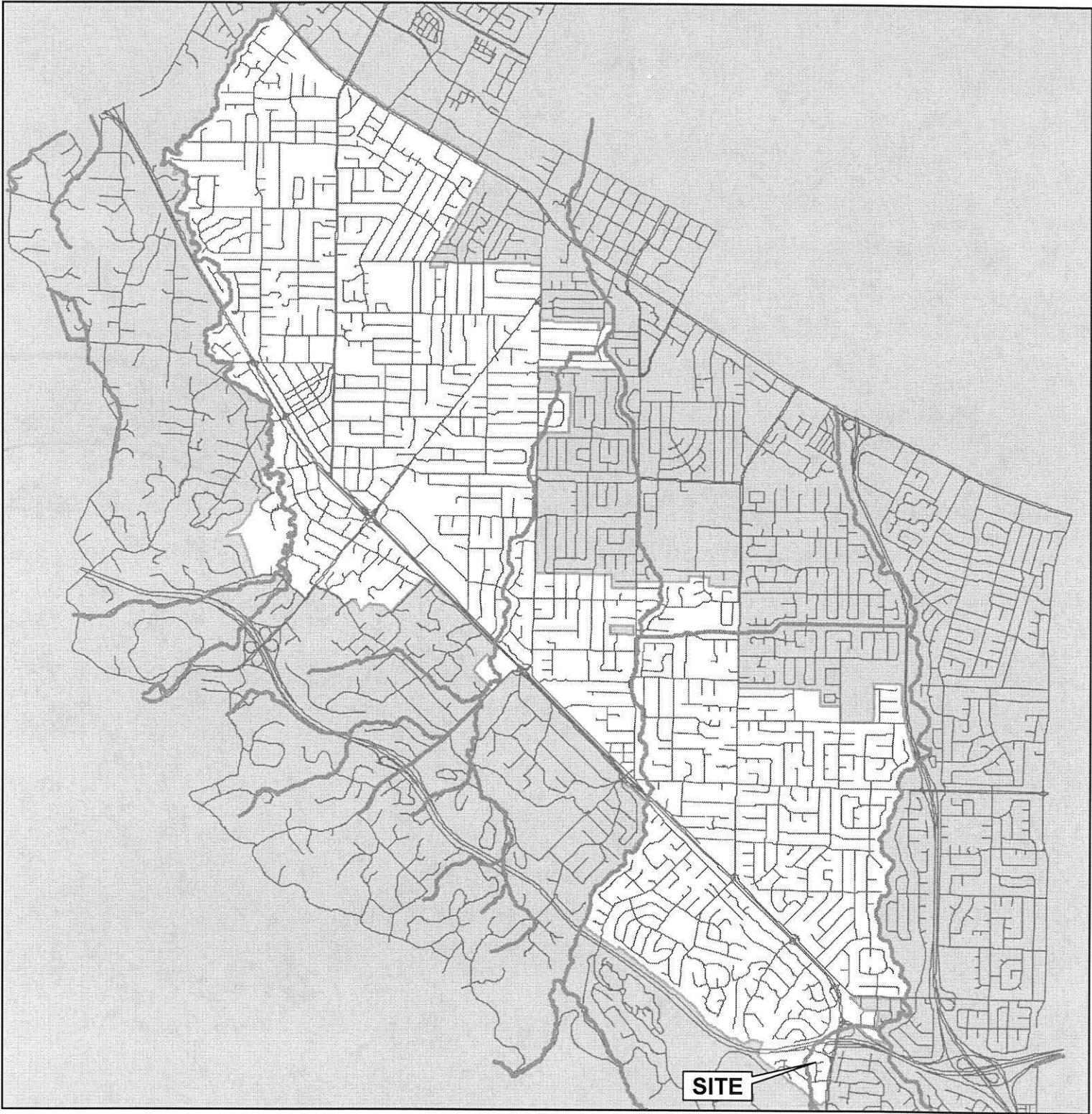
Address: 2340 Prairie Lane
 Date: 09.15.15

Summary Table

Please use this table to summarize the characteristics of the houses in your immediate neighborhood (two homes on either side, directly behind and the five to six homes directly across the street).

Address	Front setback	Rear setback	Garage location	One or two stories	Height	Materials	Architecture (simple or complex)
2360 PRAIRIE LN	25'	+ 100'	front	one	16'	board/batten concrete tilt	simple
2350 PRAIRIE LN	25'	+ 100'	front	two	24'	stucco asphalt shingles	complex
2330 PRAIRIE LN	25'	+ 100'	front	one	16'	stucco concrete tilt	simple
2320 PRAIRIE LN	25'	+ 100'	front	one	16'	stucco concrete tilt	simple
2310 PRAIRIE LN	25'	+ 80'	front	two	24'	horiz siding concrete tilt	simple
2307 PRAIRIE LN	25'	+ 70'	front	one	16'	stucco concrete tilt	simple
2305 PRAIRIE LN	25'	+ 70'	front	two	24'	stucco concrete tilt	simple
2315 PRAIRIE LN	25'	+ 70'	front	one	16'	vert. siding concrete tilt	simple
2345 PRAIRIE LN	25'	+ 40'	front	one	16'	horiz. siding concrete tilt	simple
2355 PRAIRIE LN	25'	+ 40'	front	one	16'	painted shingles concrete tilt	simple

AREA MAP



CITY OF LOS ALTOS

APPLICATION: 15-V-13 and 15-SC-41
APPLICANT: J. Sabel/X. and B. Siller
SITE ADDRESS: 2340 Friars Lane

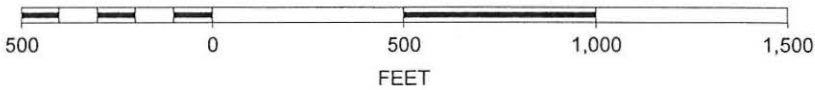


Not to Scale

VICINITY MAP



SCALE 1 : 6,000



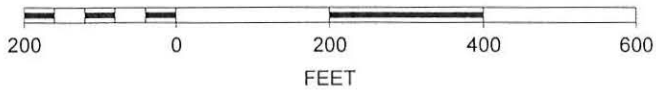
CITY OF LOS ALTOS

APPLICATION: 15-V-13 and 15-SC-41
APPLICANT: J. Sabel/X. and B. Siller
SITE ADDRESS: 2340 Friars Lane

2340 Friars Lane 500-foot Notification Map



SCALE 1 : 3,000



N

