

To: Los Altos Historical Commission
From: Randy and Elaine Kriegh
Date: 25 June 2017
Subject: Removal of historic water tower building at 160 West Portola



We are Randy and Elaine Kriegh, our residence is at 781 Linden Ave. Our back yard abuts to the Hodges back yard, nearest to the area where it is proposed to move the subject water tower house. Given what we currently understand about the Hodges' plan, we would prefer that the tower house not be placed as shown on the Hodges proposed site plan.

Our concern about placement is due to the physical layout of our own lot. When our lot was created, in order to provide the square footage required, the lot was laid out wide - side to side, and short - front to back. As a result we have a shallow space for our back yard, with our house in part build up to the 25ft set back from the back fence. Given this lack of depth, our outside living space is mostly on the north east corner of the lot. This is a very importance space for us in that our family room, kitchen and informal dining area are all tied to this corner of the lot. This is where we spend most of our time. This is where we do all of our entertaining. This has never been an issue to us because the Hodges have a beautifully landscaped and tree filled back yard which is like having a park in the back.

Although we are disappointed that the Hodges decided to subdivide their lot, we support their need to do so. We feel comfortable that they will do a good job of this. Our concern is with the requested move of the water tower house to a point immediately adjacent to our back yard. We are also concerned about possible future subdivisions, and the possibility of a new second house built there in the future. These concerns are being overly driven, we believe, by the historical designation of the tower house

I believe it is important in understanding our concerns to know that the tower house is not an old water tower, but a 1 bedroom house where the upper story is what was once the outer shell of the water tower converted into a 1 bedroom with bath. The resulting structure is a quaint first floor living area with an oddly proportioned and rather unattractive second story box that stretches 25 feet into the air. The Hodges have done a wonderful job integrating this into their current house situation, as seen from the front approach to their main house, but it provides no such beauty in our direction where we see only a drab 25 foot wooden tower. At its current location this is OK with us. It was there before we moved here, and it is currently far enough away that the perspective is softened acceptably by the trees between. Additionally the tower house is much used as a rental, both short and long term, and as a home used by relatives and traveling friends. This is a much used house. As such the water tower house is beautifully maintained inside by the Hodges. **We believe that it is much valued by the Hodges as a second home, not as a historic structure.**

We have concluded that the move of the tower house is really about placing a second house in the space behind our home made necessary because the current second home (the tower house) cannot remain at its current location because of the subdivision of the lot being requested by the Hodges. To follow this path removes any protections we would otherwise have if a new second home was to be built in the proposed new location. A new structure would have to be built according to current codes and zoning restrictions including height limits where we could participate in any variance requests that the Hodges may feel they need.

Therefore we request that the Commission remove the historical designation of the tower house giving the Hodges the freedom to decide to remove the tower house and build a new second house, or to apply to move and modify the current second house to be more suitable to their needs and ours.

The matter of a second home behind our back yard, and the possibility now of further subdivision and development makes us concerned about protections against undesired building close to our back yard. The proposed subdivision lot plan for the Hodges shows only a 10 foot setback on their side of our back fence. The Hodges believe this is part of their side yard and therefore subject to only to the 10 foot restriction. **Our view is that with the second home being placed at the back of our lot makes the area between the second house and our lot the back yard of the second house and therefore we should be protected by a 25 foot set-back on their side of the fence as well as our own.** The 25 foot setback request does not affect their currently planned location for the tower house (plan shows min 31 foot from the fence) but will protect us from any migration of that location of the second home nearer to our fence as well as any new construction there for the purpose of a second home should the Hodges decide to build new, or further subdivide.

In summary we request that the commission consider the following changes to the proposed plan related to the historical preservation requirements:

- 1. That the Hodges be approved to remove the tower from the historical structures list and thus free to move or remove the tower house.**
- 2. That the Set back on the Hodges side of our mutual back yard fence be 25 feet not the 10 feet currently showing on the proposed site map.**

If the Commission believes that the historical designation should remain and that the Hodges be required to move the structure, we support the Hodges right to a second home, but one that meets current codes (full building permits and review) and that the 25 foot back yard setback from our fence be added to the site plan to ensure there is no migration of the planned location toward our home and protection from further development against our back yard area without our participation (e.g. variance review).

Outline of 3 minute public comment:

1. Randy Kriegh, 781 Linden Ave, Our lot backs up to the Hodges lot at the point where the tower house is proposed to be moved.
2. The Hodges are great neighbors. We support their desire to subdivide their property for the reasons they have given. We support their desires to continue a second house on their property for the many uses they make of the current tower house.
3. Why we care about the proposed move of the tower house:
 - a. Our lot is very short front to back leaving a minimum back yard area
 - b. The proposed location of the tower house is about 50 feet from our house and 35 feet from our useable backyard space in our lot north-east corner.
 - c. At 25 ft and unattractive in appearance, the tower would be intrusive on the small area that we have for our back yard
 - d. The tower house is actually a full feature, 1 bedroom, second house. It is often used; for both long term guests, and for long and short term rental. Permission given to move the tower house is in actuality permission to place a second house immediately behind our back yard. This being without much of the review and permit process that we believe would be otherwise required. We are concerned about protecting our interests going forward with whatever the Hodges may want to do about a second house and possible future modifications and subdivisions.
4. What we are requesting the Commission do:
 - a. Remove the historical designation protections for the tower house giving the Hodges the freedom to tear down the tower house, or move it in modified form that would meet review and permit requirements of a second house (e.g. height limits, setbacks, and be fully permitted.)
 - i. We believe from reading the application materials that the claim for historical building status is tenuous at best, and further degraded by moving it away from its original use location.
 - b. Establish a 25 foot setback on the Hedges' side of our lot back fence to insure (1) that should the tower house move be granted that it will not migrate nearer our back fence without variance review; and (2) that whatever the Hodges decide to place there as their second house is comfortably set back from our back yard and house. We believe that the area between a 2nd house placed in that location and our house is in effect the backyard of the 2nd house and we should have separation protection associated with that.