



DATE: September 18, 2013

AGENDA ITEM # 1

TO: Design Review Commission
FROM: Sean K. Gallegos, Assistant Planner
SUBJECT: 13-V-08 – 950 Seena Avenue

RECOMMENDATION:

Approve variance application 13-V-08 subject to the listed findings.

PROJECT DESCRIPTION

This is a variance application to decrease the required distance between a main structure and an accessory structure to five feet, where the required separation is 10 feet. The variance will allow an addition of 109 square feet to the rear of the residential structure. The following table summarizes the project:

GENERAL PLAN DESIGNATION: Single-family, Residential
ZONING: R1-10
PARCEL SIZE: 8,929 square feet
MATERIALS: horizontal siding, brick wainscoting, composition shingle roofing, all details to match existing

	Existing	Proposed	Allowed/Required
LOT COVERAGE:	2,276 square feet	2,385 square feet	3125 square feet
FLOOR AREA:			
First floor	2,226 square feet	2,385 square feet	
Total	2,226 square feet	2,385 square feet	3,125 square feet
SETBACKS:			
Front (Garthwick Drive)	22 feet	22 feet	25 feet
Rear	48 feet	48 feet	25 feet
Right side (McClure Lane)	10 feet	10 feet	6.8 feet
Left side	18 feet	18 feet	6.8 feet
HEIGHT:	16 feet	16 feet	20 feet

DISCUSSION

The applicants propose to remodel and add 109 square feet onto the rear of the main structure. The addition requires a variance due to the addition encroaching into the required 10-foot separation

between a main structure and an accessory structure, resulting in a five-foot distance between the structures.

The structures are considered non-conforming due to three circumstances: the existing main structure is 22-feet from the front property line, when the required setback is 25-feet; the accessory structure (garage) is six-feet from the side property line, when the required setback is six feet, eight inches; and the main structure is nine feet from the accessory structure, when a 10-foot distance is required between the structures.

The lot was developed as part of a County-approved subdivision in 1946, with the residential structure and accessory structure built in 1948, and the property was subsequently annexed into the City of Los Altos in December of 1952. As a result, the lot is a narrow and irregularly shaped with a 68-foot width where an 80-foot width is required; also its site area is less than 10,000 square feet (8,929 square feet).

A conforming addition would be difficult due to the placement of the house and accessory structure on the irregular shaped lot. It would be difficult to make a conforming addition given the existing distance between the primary structure and accessory structure. Notwithstanding the accessory structure, the proposed addition conforms to the required setbacks for the main structure.

Staff supports this variance because it would allow for a reasonable addition to a house that is limited by the placement of the residence and accessory structure. The addition is well integrated into the existing house and would meet the intent of the zoning regulations and Residential Design Guidelines.

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 variance not resulting in the creation of any new parcel.

Cc: Rob Mayer, Applicant and Designer
Luanne Seymour and Steven Ready, Owners

Attachments:

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

FINDINGS

13-V-08—950 Seena Avenue

1. With regard to approving the variance to reduce the distance between the main structure and an accessory structure, 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:
 - b. That 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. That special circumstances applicable to the property, exists related to the narrow lot shape, nonconforming setback, and orientation of the existing structures, 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.



ATTACHMENT A

CITY OF LOS ALTOS GENERAL APPLICATION

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

Permit # 1105744

<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"/>	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: 950 Seena Ave. Los Altos, CA 94024

Project Proposal/Use: SFD

Current Use of Property: SFD

Assessor Parcel Number(s) 189-20-005-31 Site Area: 8,929

New Sq. Ft.: 109.15 Remodeled Sq. Ft.: 315 Existing Sq. Ft. to Remain: 1,908.15

Total Existing Sq. Ft.: 2223.15 Total Proposed Sq. Ft. (including basement): 2332.30

Applicant's Name: ROB MAYER

Home Telephone #: 408 504-5943 Business Telephone #: 408 759-1586

Mailing Address: 1576 LEXINGTON STREET

City/State/Zip Code: SANTA CLARA, CA 95050

Property Owner's Name: Luanne Seymour & Steven E. Ready

Home Telephone #: 650-965-8429 Business Telephone #: 408-536-3194

Mailing Address: 950 Seena Ave. Los Altos, CA 94024

City/State/Zip Code: _____

Architect/Designer's Name: Robert Mayer Telephone #: 408 504-5943

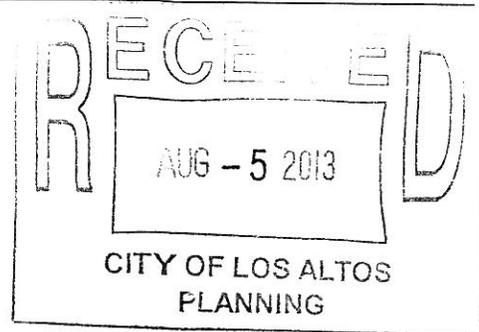
*** If your project includes complete or partial demolition of an existing residence or commercial building, a demolition permit must be issued and finalized prior to obtaining your building permit. Please contact the Building Division for a demolition package. ***

(continued on back)

August 1, 2013

Planning Division
City of Los Altos

Re: Variance Application
950 Seena Avenue



Dear Planning Staff and Design Review Commissioners:

My clients, Luanne Seymour and Steve Ready, are looking to expand and remodel their kitchen, laundry and pantry areas to better suit their needs. Of highest priority to my client is to incorporate an island counter into their kitchen to create a working/social hub for the house and to have a greater connection from the Kitchen to the rear deck. Given the existing floor plan layout and proximity of the house to the existing detached 1-car garage the only practical solution is to do a small 4 foot addition to the rear of the existing kitchen. With this addition, the clearance between the residence and 1-car detached garage would be 5 feet which is allowed by the zoning code as long as the garage complies with the required building setbacks. Herein lies the reason to request a variance.

The lot is substandard in width (68 feet where 80 feet is required) and area (8,929 SF where 10,000 SF is required) and therefore requires a side yard setbacks of 6.8 feet. The existing garage unfortunately is about 6 feet from the side property line and so we are seeking a variance to allow the existing garage to maintain its encroachment into the required setback. The existing garage has been in this location for at least 60 years and it was determined by Sean Gallegos with David Kornfield that the existing garage was a legally built structure.

Given the narrow lot (15% less than the required width) and irregularly shaped front property line we feel that allowing a 9 % reduction in the required side yard setback to a structure that has existed for 60+ years would have minimal (to no) impact to the neighbors and surrounding neighborhoods but would allow my client to make a small addition to their home that creates a usable and proportional kitchen and social center for their home.

We understand that the Design Review Commission must make the following findings when considering a variance:

1. As stated in the Zoning Code under the section 14.06.010 B) for the R1-10 Zoning District:

Residential 3 — Single-family small lot. Existing clusters of established small lots from four thousand (4,000) to nine thousand (9,000) square feet in the R1-10 zoning district have been identified in the city's adopted general plan. Where indicated, it is the intent of these regulations to allow for additional flexibility, in order to provide for house designs that are usable, proportional, and appropriate to smaller lots;

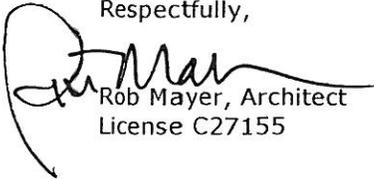
We feel that because this lot is smaller, narrower (and irregularly shaped at the street frontage) that the proposed reduction in the side yard setback is consistent with these objectives of the zoning plan.

2. 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 in that the existing detached garage has maintained its current side yard setback for 60+ years and will maintain the same relationship to the adjacent property / residence and therefore creates no additional impact to them.

3. Given that the subject lot is sub-standard in size (width, area), and is irregularly shaped at the street frontage, we feel that these are special circumstances that deprive the subject property of privileges enjoyed by other properties in the vicinity and under identical zoning classification. We feel that the variance process is a mechanism that is designed specifically for our request where a property has physical constraints that are site-specific and are not typically for the zoning district.

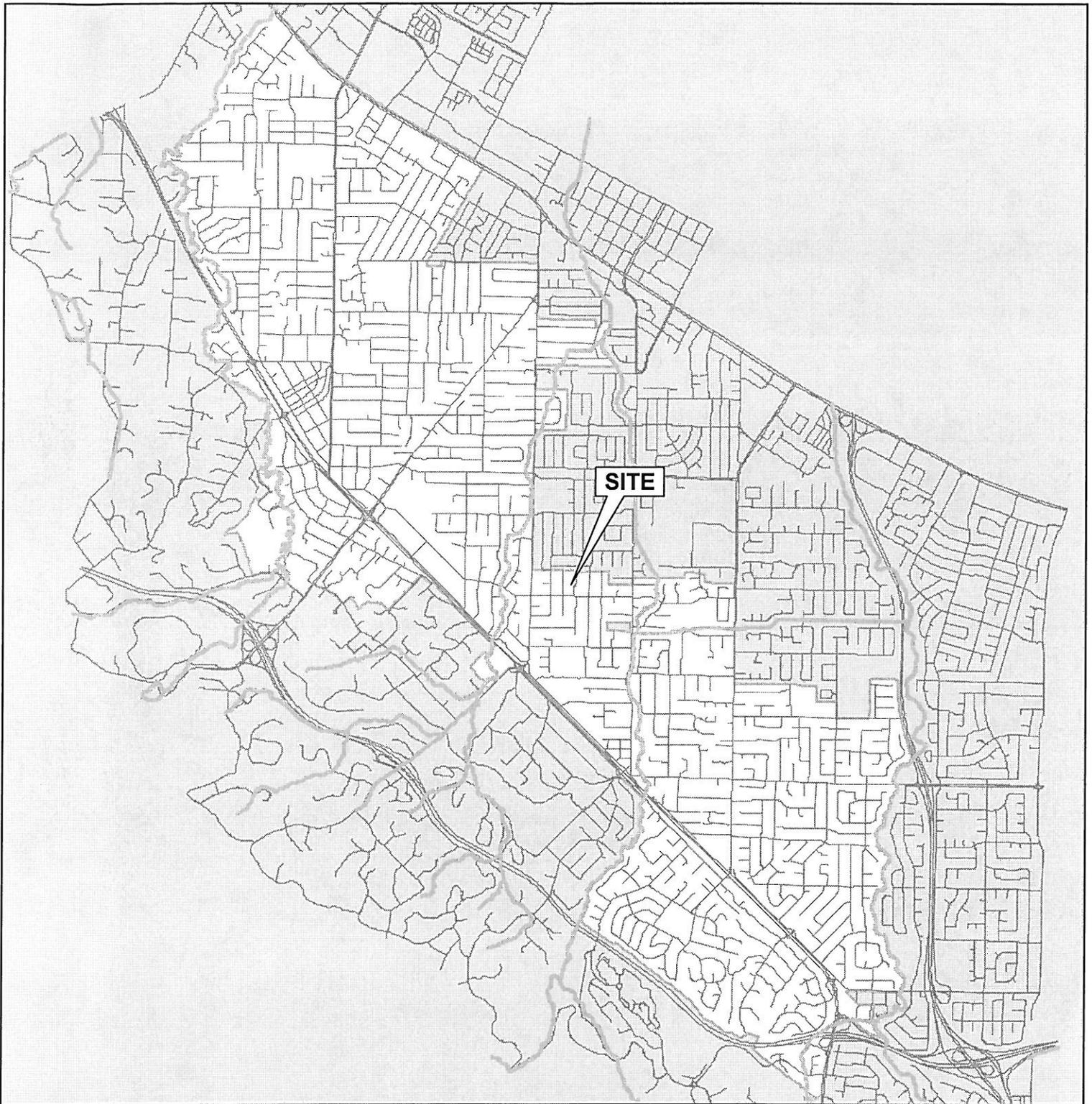
Thank you for your time and consideration of the proposed project. I can be reached at (408) 759-1586 to answer any questions.

Respectfully,



Rob Mayer, Architect
License C27155

AREA MAP



CITY OF LOS ALTOS

APPLICATION: 13-V-08
APPLICANT: R. Mayer/L. Seymour and S. Ready
SITE ADDRESS: 950 Seena Avenue

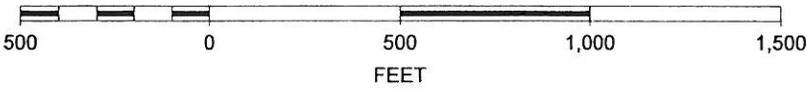


Not to Scale

VICINITY MAP



SCALE 1 : 6,000



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