



DATE: November 4, 2015

AGENDA ITEM # 2

TO: Design Review Commission
FROM: Sean K. Gallegos, Assistant Planner
SUBJECT: 15-V-10 – 186 North San Antonio Road

RECOMMENDATION:

Approve variance application 15-V-10 subject to the findings and conditions

PROJECT DESCRIPTION

This is a variance application to allow a six-foot tall stucco wall with a front yard setback of one-foot where a 25 feet is required by Code. The following table summarizes the project's technical details:

GENERAL PLAN DESIGNATION:	Single-Family, Residential
ZONING:	R1-10
PARCEL SIZE:	17,601 square feet
MATERIALS:	Cinder block with stucco and stone veneer finish

BACKGROUND

On September 5, 2014, staff approved a one-story design review application for a remodel and 748 square-foot addition to extend the living room, dining room and front bedroom, and add a new covered entry to the existing structure. A building permit was issued on December 2, 2014 and the house is currently under construction.

DISCUSSION

The subject property is located at the intersection of North San Antonio Road and Almond Avenue. The owner has submitted a variance to allow for a six-foot tall solid cinderblock wall with stucco and stone veneer finish in the front yard setback along the North San Antonio Road frontage to replace an existing six-foot tall fence in a similar location. This project is proposing a setback of one foot where a twenty-five-foot setback is required by the City's fence ordinance (Chapter 14.72). However, the wall maintains an 18-foot setback from the sidewalk, and the area is intended to provide a landscape area to soften the appearance of the wall. To meet the intent of the setback requirement, staff included a condition that requires the property owner to maintain landscaping in front of the wall (Condition No. 2).

In order to approve a variance, the Commission must make three positive findings per 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. 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
3. Variances from the provisions of the Zoning Code 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 wall height variance would be consistent with the objectives of the zoning ordinance. Most of the properties along San Antonio Road are developed with San Antonio Road as a side yard or as a rear yard. This orientation allows properties to have a six-foot tall solid wall or fence with an additional two-foot of open-air lattice, without the need for a variance. In comparison, there are very few properties that front onto San Antonio Road. Of those standard frontage properties, the majority currently have walls or fences in the front yard that exceed the four-foot height limit.

The variance would 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. The six-foot tall wall will provide a noise buffer between San Antonio Road, a busy arterial street, and a residential property, which will allow the property owners to reasonably utilize and enjoy the front portion of their property. The project would not be injurious to persons or property in the vicinity. The proposed wall would not create any visibility impacts and will not create any impacts to public health or safety. The wall has been designed to allow for the 15-foot visibility triangle at the driveway consistent with the City's Fence Regulations (Chapter 14.72) and ensures that the wall will not hinder the visibility for vehicles exiting onto North San Antonio Road.

There is a special circumstance applicable to the property in that it is located adjacent to San Antonio Road, a major arterial roadway with high traffic volumes (pedestrian, bicycle and automobile traffic), that result in noise and privacy impacts, and very few properties have front yards that face onto this arterial street. Strict application of the Zoning Code would deprive the subject property of privileges enjoyed by other property in the vicinity and under identical zoning classifications since many of the nearby properties have existing six-foot tall fences or walls along San Antonio Road.

ENVIRONMENTAL REVIEW

This project is categorically exempt from environmental review under Section 15305 of the California Environmental Quality Act because it involves a minor alteration in a land use limitation such as a setback variance.

PUBLIC CONTACT

Staff noticed this project in the *Town Crier* with a legal advertisement, a mailed notice to the 74 property owners within 500 feet of the project via first class mail in addition to an on-site posting.

Cc: Eos Mao, Applicant and Owner
Li Quiang, owner

Attachments:

- A. Application
- B. Cover Letter
- C. Area, Vicinity Maps and Notification

FINDINGS

15-V-10 – 186 North San Antonio Road

With regard to the fence setback variance, the Design Review Commission finds the following in accordance with Section 14.76.060 of the Municipal Code:

- a. The granting of the variance will be consistent with the objectives of the zoning plan set forth in Article 1 of Chapter 14.02;
- b. 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. There is a special circumstance applicable to the property in that it is located adjacent to San Antonio Road, a major arterial roadway with high traffic volumes (pedestrian, bicycle and automobile traffic), that result in noise and privacy impacts. Strict application of the Zoning Code would deprive the subject property of privileges enjoyed by other property in the vicinity and under identical zoning classifications.

CONDITIONS

15-V-10 – 186 North San Antonio Road

1. The approval is based on the plans received on October 8, 2015 and the written application materials provided by the applicant, except as may be modified by these conditions.
2. Landscaping shall be provided and maintained along the front property line between the property line and wall, as approved by the Community Development Director.
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.



ATTACHMENT A

CITY OF LOS ALTOS GENERAL APPLICATION

1106788

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

Permit # 65114536

<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 <u>fence</u>	<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: 186 N San Antonio Rd. Los Altos

Project Proposal/Use: Remodel / New Add Current Use of Property: Vacant

Assessor Parcel Number(s): 160-30-057 Site Area: 1.2 Ac.

New Sq. Ft.: 842 Altered/Rebuilt Sq. Ft.: 0 Existing Sq. Ft. to Remain: 2218

Total Existing Sq. Ft.: 2218 Total Proposed Sq. Ft. (including basement): 3058

Applicant's Name: Eos Mas <EOS MAS>

Telephone No.: 626-408-6666 Ext 108 Email Address: eos@homeparadise.com

Mailing Address: 7000 E Blauson Ave, Commerce, CA 90040

City/State/Zip Code: BLAUSON COMMERCE

Property Owner's Name: Li, Qiang <QIANG LI>

Telephone No.: _____ Email Address: _____

Mailing Address: 186 N San Antonio Rd.

City/State/Zip Code: Los Altos CA

Architect/Designer's Name: Steve Lesley

Telephone No.: 650-269-0711 Email Address: slesley@gmail.com

Mailing Address: 588 Mastick Ave 588 MASTICK AVE.

City/State/Zip Code: San Bruno, CA 94066

*** 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)

ATTACHMENT B

July 14, 2015

City of Los Altos

Office of the Building Inspectors

City Hall, Los Altos, Ca.



Re: Variance for Demolition of Existing And New Front Gate Fence/ Entrance.

Dear Sirs,

The New Proposed Front Gate Fence/ Driveway Entrance for the property;

Mr. & Mrs. Li at 186 N San Antonio Rd, Los Altos, Ca., we are asking for a variance for this existing fifty year old front fence, due to the unsecured, and weather beaten condition of this existing fence. The San Antonio Rd. is a busy traffic roadway; we have three children and an elderly family member.

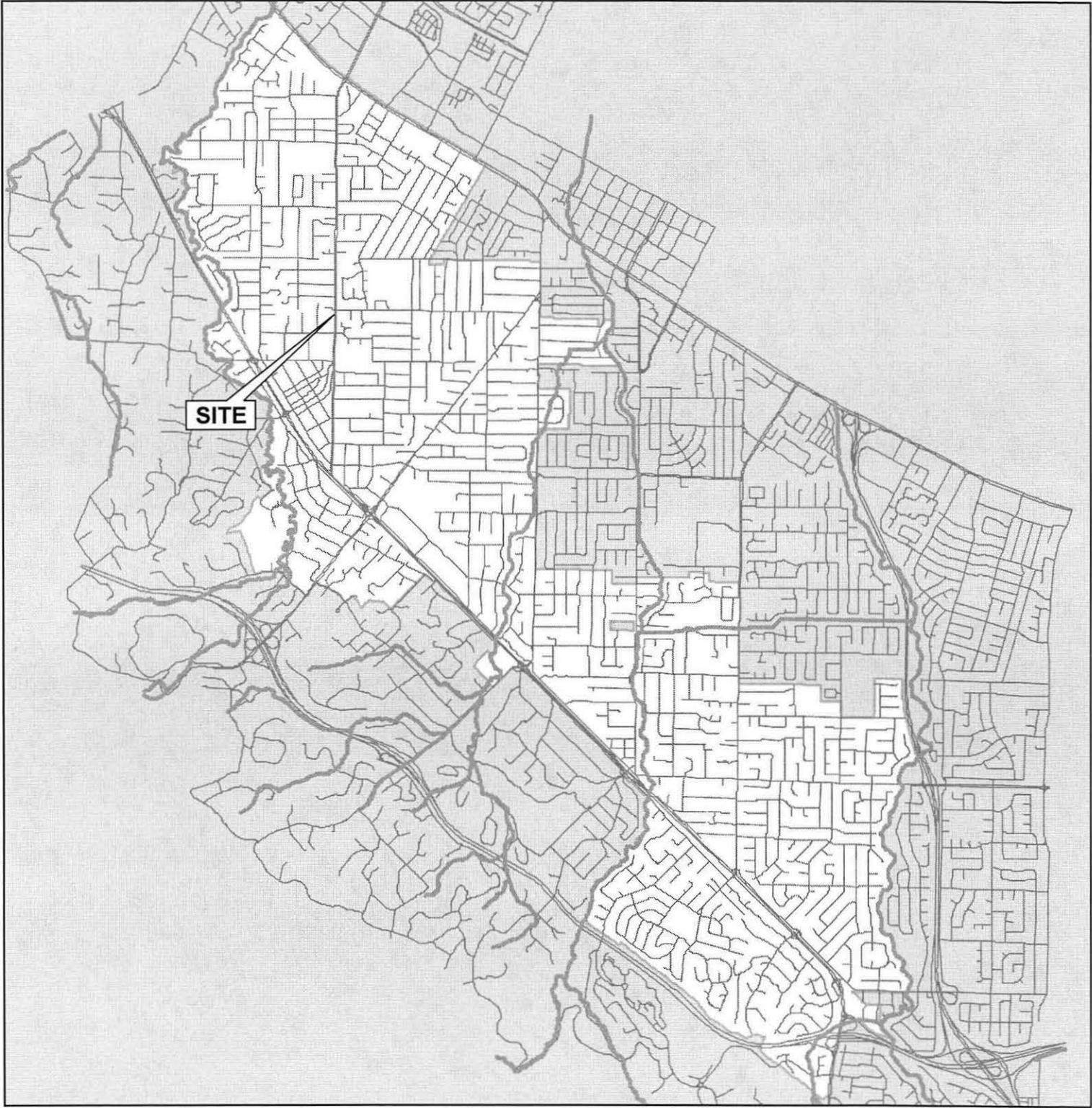
We want to maintain the same curb side appearance, keeping the privacy of our home and safe from the passing foot and vehicle traffic. We also like to request a change location for our existing driveway entrance, from the North end to the Center of the property, due to the current abrupt stop that is needed to make into my entrance, after passing the signal light, fearing the traffic behind will run into my vehicle. The Existing 6'-0" high fence is a typical height with the adjacent properties and surrounding premises, proper lighting will illuminate the Home's Landscape and exterior Landscape for pedestrians. Please review the proposed front gate plans, details and photos for clarification, if you have any question regarding the project, contact Joe Rodriguez P.M. 909-263-7130 he is on site.

Best Regards,

Quang Li-Li, Qiang & Zhang, Ying

Ref. Permit Number : 65114526

AREA MAP



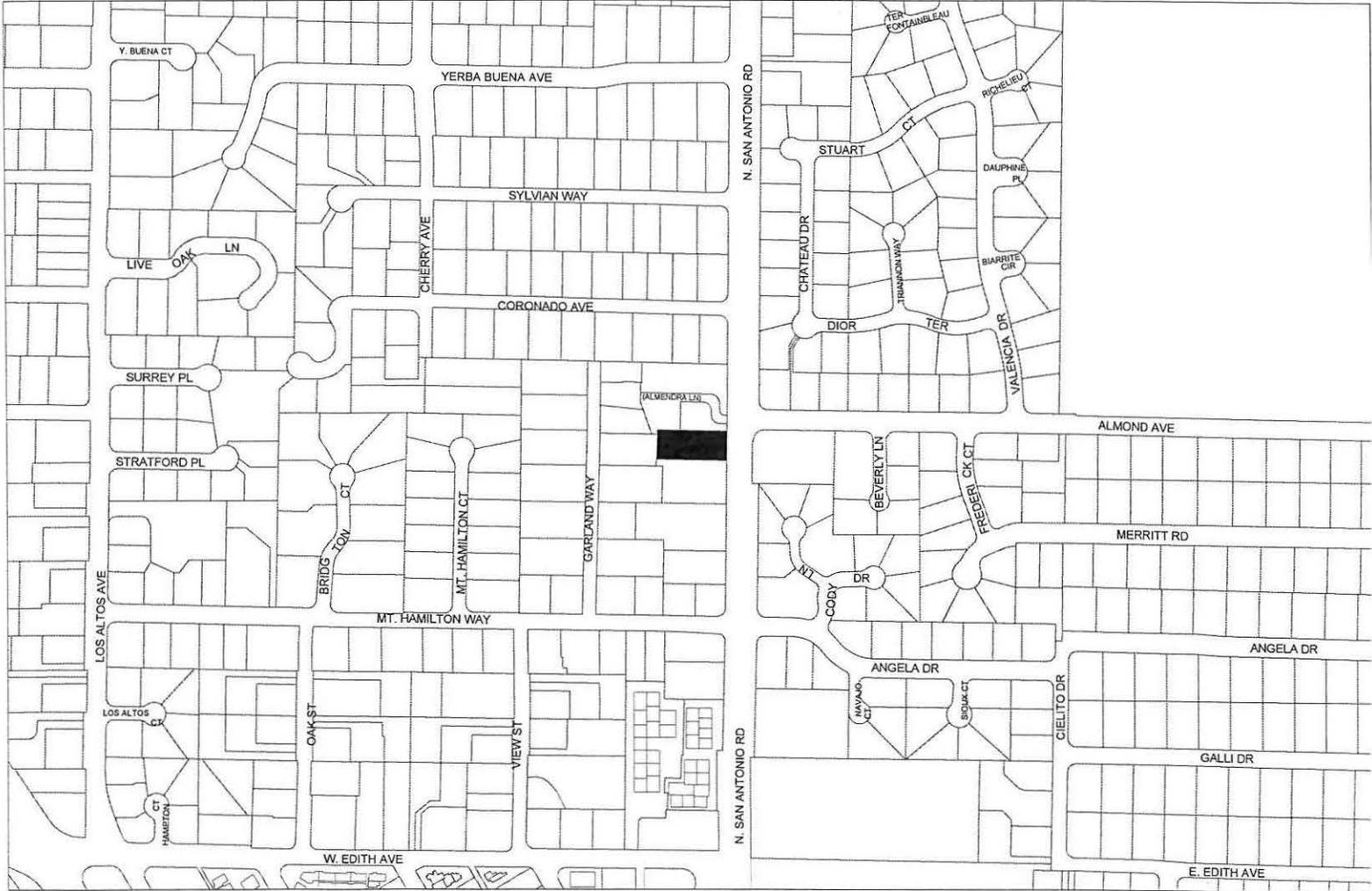
CITY OF LOS ALTOS

APPLICATION: 15-V-10
APPLICANT: E. Mao/Q. Li
SITE ADDRESS: 186 N. San Antonio Road

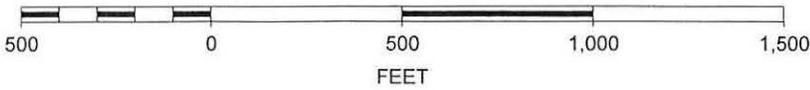


Not to Scale

VICINITY MAP



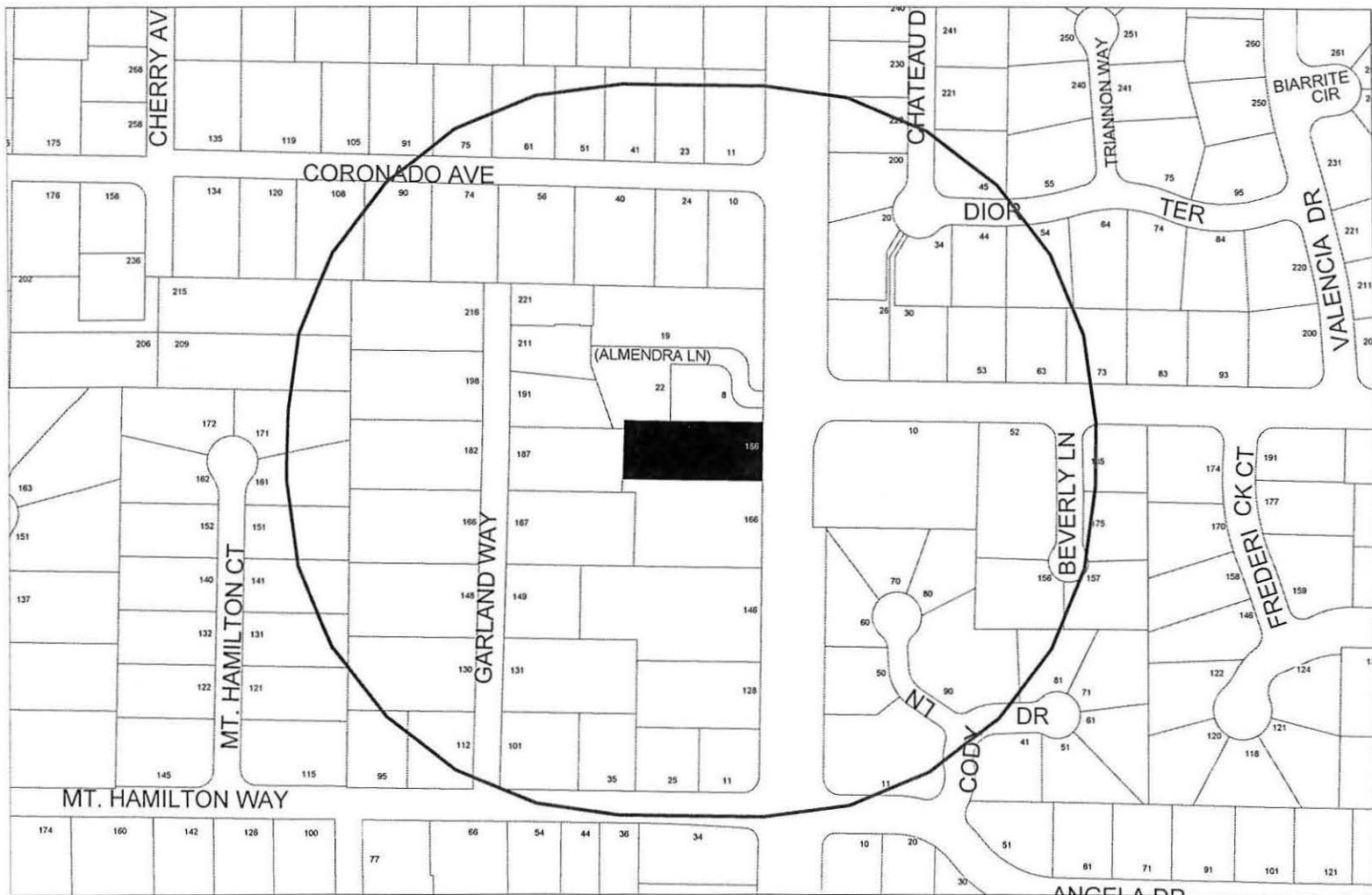
SCALE 1 : 6,000



CITY OF LOS ALTOS

APPLICATION: 15-V-10
APPLICANT: E. Mao/Q. Li
SITE ADDRESS: 186 N. San Antonio Road

186 N. San Antonio Road



SCALE 1 : 3,000

