



DATE: February 17, 2016

AGENDA ITEM # 2

TO: Design Review Commission
FROM: Sean K. Gallegos, Assistant Planner
SUBJECT: 15-V-14 – 1250 Monte Verde Court

RECOMMENDATION:

Approve variance application 15-V-14 subject to the findings

PROJECT DESCRIPTION

This is a variance application to allow an addition with a rear yard setback of 20 feet; where a minimum setback of 25 feet is required. The project includes an addition of 933 square feet to an existing one-story house. The following table summarizes the project:

GENERAL PLAN DESIGNATION: Single-family, Residential
ZONING: R1-10
PARCEL SIZE: 10,365 square feet
MATERIALS: Asphalt shingle roof, cement plaster siding, composite wood fiberglass windows and composite trim.

	Existing	Proposed	Allowed/Required
LOT COVERAGE:	2,479 square feet	3,407 square feet	3,628 square feet
FLOOR AREA:	2,283 square feet	3,213 square feet	3,628 square feet
SETBACKS:			
Front	31 feet	25 feet	25 feet
Rear	27 feet	20 feet	25 feet
Right side	10 feet	10 feet	10 feet
Left side	10 feet	10 feet	10 feet
HEIGHT:	16 feet	18 feet	20 feet

BACKGROUND

The subject property is located on Monte Verde Court, a cul-de-sac off Granger Avenue in south Los Altos. The existing one-story house is located within the required building envelope and meets all required setbacks. While the R1-10 District requires a minimum frontage of 60 feet for a cul-de-sac lot, the subject property has a frontage on Monte Verde Court of only 37 feet. The lot was developed as part of a City-approved Monte Verde Manor subdivision in 1954.

DISCUSSION

The scope of the project is an addition and remodel that includes the addition of three bathrooms, and extending two bedrooms and a master bathroom with a reduced 20-foot rear yard setback, where a 25-foot setback is required. A letter from the applicant provides additional information and outlines the reasons for the variance request (Attachment A).

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 project is consistent with the zoning code objectives and is 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 because it will meet the setback from all property lines, maintains a similar building height, and it will be constructed to meeting the Building Code.

There is a special circumstance applicable to the property due to the irregular shape of the lot, the substandard frontage and the functionally shallow depth creates an unusually shaped and constrained building envelope. Strict application of the R1-10 District setback requirements deprives this property of the ability to develop a regular shaped structure compared to other lots of similar size. The addition extends the building in a manner that is congruent with the original design concept and maintains a residential character compatible with the immediate neighborhood context.

Procedurally the Design Review Commission acts on the variance application. If approved, then staff will administratively approve the design since it otherwise meets the design findings and Residential Design Guidelines.

ENVIRONMENTAL REVIEW

This project is categorically exempt from environmental review under Section 15301 of the California Environmental Quality Act because it involves additions to an existing single-family structure.

PUBLIC CONTACT

This project was noticed to the 80 neighboring property owners in addition to an on-site posting.

Cc: Suketu Dalal, Owner/Applicant
Hari Sripadanna, Architect

Attachments:

- A. Application
- B. Applicant Letter
- C. Area, Vicinity and Notification Map

FINDINGS

15-V-14—1250 Monte Verde Court

With regard to allowing a rear side yard setback variance of 20 feet for a one-story addition, the Design Review Commission finds the following in accord with Section 14.76.060 of the municipal Code:

- a. That the granting of the variances are consistent with the objectives of the zoning plan set forth in Article 1 of Chapter 14.02:
- 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 special circumstance applicable to the property exists related to the irregular shape of the lot, the substandard frontage and the functionally shallow depth creates an unusually shaped and constrained building envelope, 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 # 1106853

<input checked="" 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: 1250, Monte Verde Court, Los Altos CA 94020

Project Proposal/Use: Single Family Residence Current Use of Property: Single Family Residence

Assessor Parcel Number(s): 342-08-034 Site Area: 10,365 sf.

New Sq. Ft.: 863 Altered/Rebuilt Sq. Ft.: 235 Existing Sq. Ft. to Remain: 2,044

Total Existing Sq. Ft.: 2,280 Total Proposed Sq. Ft. (including basement): 3,143

Applicant's Name: Suketu Dalal

Telephone No.: (510) 209-8290 Email Address: shdalal@hotmail.com

Mailing Address: 1250 Monte Verde Ct.

City/State/Zip Code: Los Alto CA 94024

Property Owner's Name: Suketu Dalal

Telephone No.: (510) 209-8290 Email Address: shdalal@hotmail.com

Mailing Address: 1250 Monte Verde Ct.

City/State/Zip Code: Los Altos CA

Architect/Designer's Name: Hari Sripadanna

Telephone No.: (408) 507-8138 Email Address: hari@srustiarchitects.com

Mailing Address: 18524 Montpere 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. ***

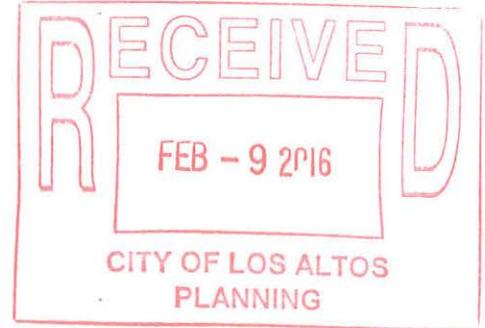
(continued on back)

15-V-14

ATTACHMENT B

Suketu Dalai & Sejal Dalai.
Dalai Residence
APN: 342-08-034, 1250 Monte Verde Ct.
Los Altos CA 94024
Cell: (510) 209 8290, email: shdalai@hotmail.com

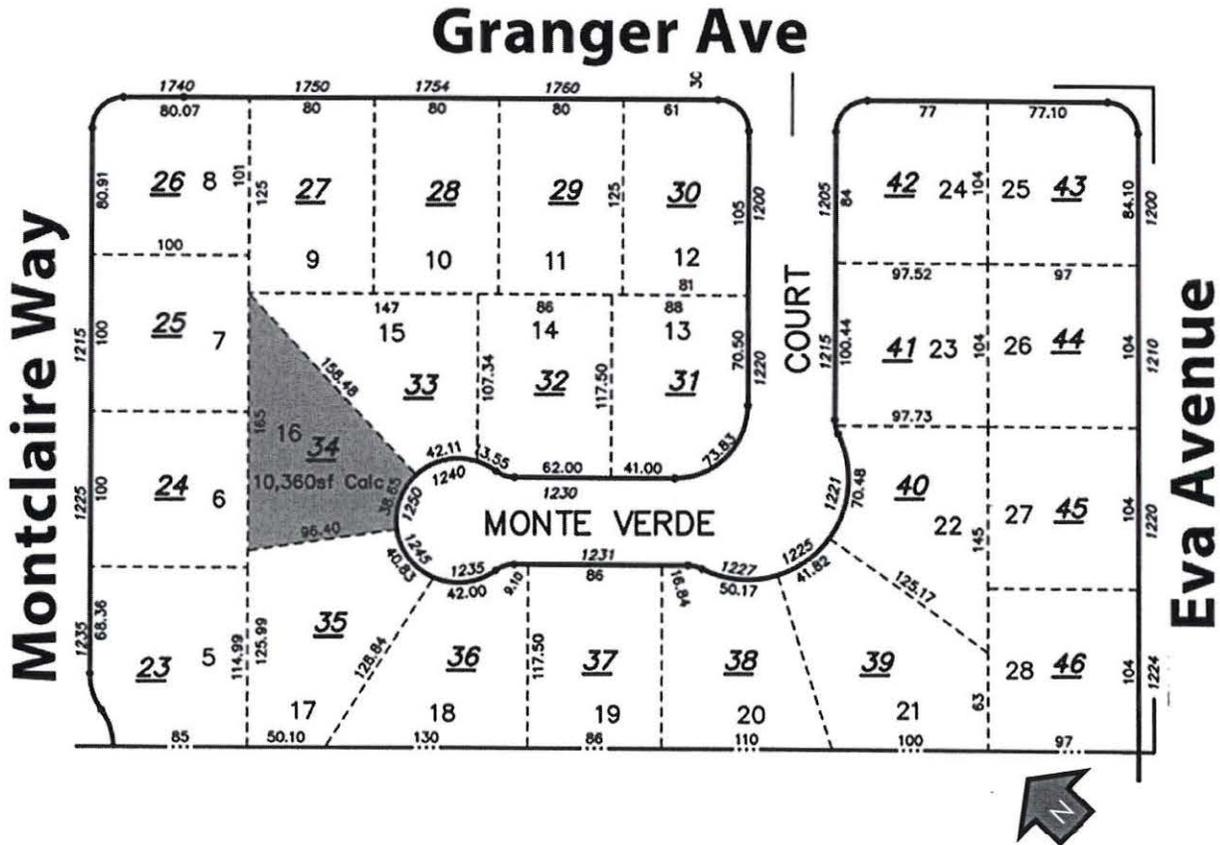
To
City Planner
Planning Division
City of Los Altos
1 North San Antonio Road
Los Altos, CA 94022



RE: Request for a variance on setback requirements

Dear Sir/Madam

We reside at 1250 Monte Verde Ct. in R1-10 zoning district in Los Altos. We purchased this property few years ago, to live and raise our two young boys in the City of Los Altos renowned for its natural beauty, quality of life, and its distinctive physical character. However, the existing home is of only 1754 sf of habitable living area and we want to reconfigure and expand the home to a modest size of 2,790 sf, to meet the growing needs of our family. During this process we discovered some special conditions and circumstances that could be detrimental to the development of this property. We would like to request you to consider granting a **variance permit for a modest reduction of rear and side setback requirements**, based on the following criteria:



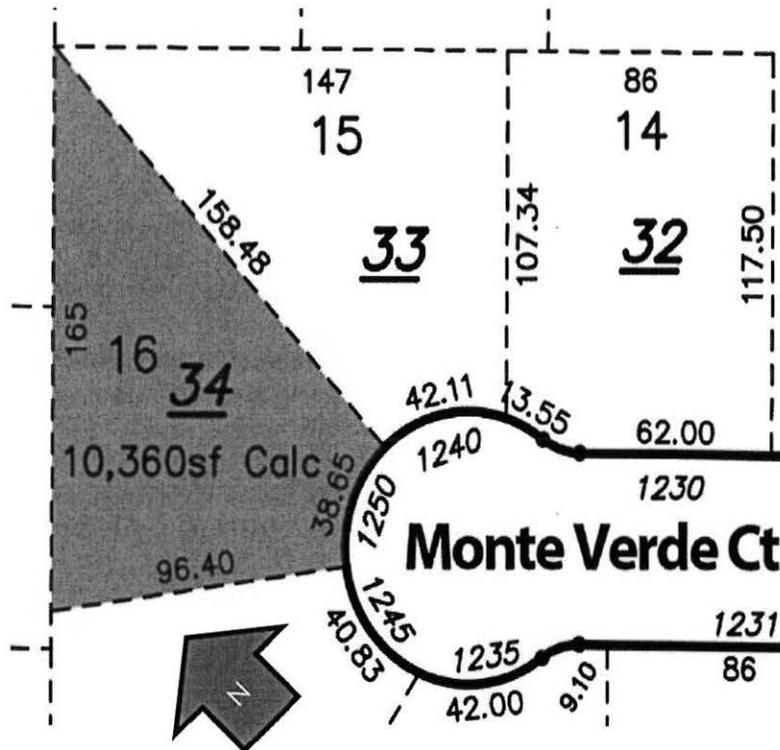
• **Criterion A.**

Exceptional circumstances apply to this property which does not apply generally to other properties in the same zone or vicinity that result from lot size and shape, legally existing prior to the date of this Ordinance, over which the applicant has no control.

According to City of Los Altos R1-10 standards, minimum site frontage and width is eighty (80) feet and the minimum site depth is one hundred (100) feet.

Most of the lots in this neighborhood, confirm to this size as shown in the image (previous page). They are rectangular shaped lots with the width ranging from 80 feet to a 100 feet and the depth ranging from 100 feet to a 125 feet, confirming to City of Los Altos R1-10 standards.

However, the lots at the end of the cul-de-sac are unusual in nature with an irregular shape, as shown in the image to the right. Our property in particular, has less depth (than a conventional lot) and significantly narrows down in the front to 38 feet, and to an acute angle on the North side. This forces most of the development towards the rear and south side, and leaves ineffectual curved or triangular residual spaces, towards the front and North side. So, even though the property area may be of a conventional lot size, a significant area of the lot is unusable.

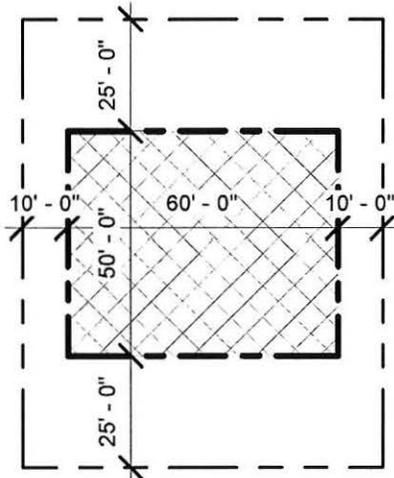


• **Criterion B.**

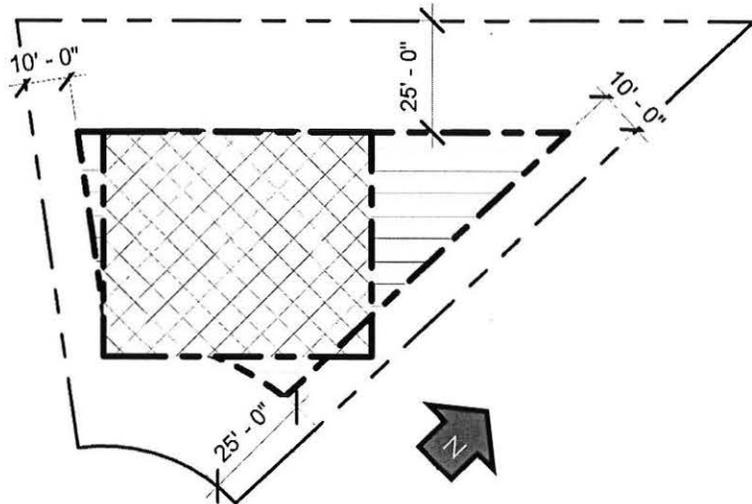
Literal interpretation of the provisions of the Zoning Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of the Zoning Ordinance

The city Zoning Ordinance requires R1-10 district to have 25 feet front & rear setbacks and 10 feet side setbacks. While these setbacks work well with the conventional rectangular size lots, they further exasperate the utilization of our site, when compared to other properties in the neighborhood. As illustrated in the image below, the development of the same foot print available to many in the neighborhood, would not be feasible for our property.

Comparison of Potential Development Footprint with Required Setbacks



Standard R1-10 Zoning lot

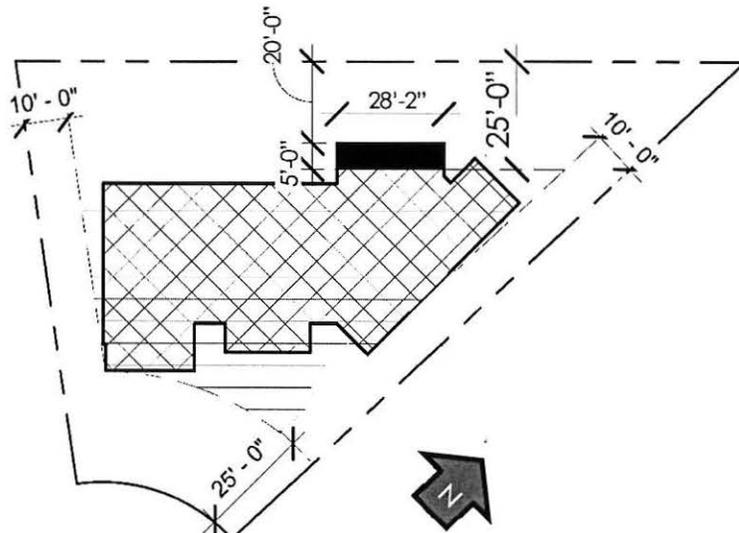


1250 Monte Verde Ct.

• **Criterion C.**

The variance requested is the minimum variance which would alleviate the hardship.

The setbacks following curved and angular property lines when combined with front entry and drive way requirements do not facilitate for any habitable space for a conventional design and construction. The triangular shape towards the North also has a similar effect on the proposed development. The foot print of the proposed design makes its best effort to work with existing home and minimize its intrusion into the required setback areas- **5'0" on the rear setback** (shown in shaded area in the image to the right). **Every effort possible has been made to minimize the impact into the setback areas.**



1250 Monte Verde Ct.

Suketu Dalal & Sejal Dalal.
Dalal Residence
APN: 342-08-034, 1250 Monte Verde Ct.
Los Altos CA 94024
Cell: (510) 209 8290, email: shdalal@hotmail.com

- **Criterion D.**

The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same zone or vicinity possessed.

Most of the homes in the neighborhood (as illustrated in the image below) were able to realize their full potential (existing or recently developed), due to their conventional lot size and shape. Even properties (with exceptional shapes) at the end of the cul- de-sac seem to have been granted much larger encroachment into the setback areas.

Approval of the request would permit us to construct a home on the property reasonably consistent in size and character with other homes in the vicinity and same zone.



- **Criterion E.**

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.

The property is zoned for residential development; a residential structure is the most appropriate development for the property. The proposed design (existing & new) remodel intends to fully conform to all applicable health, fire safety and building codes and regulations.

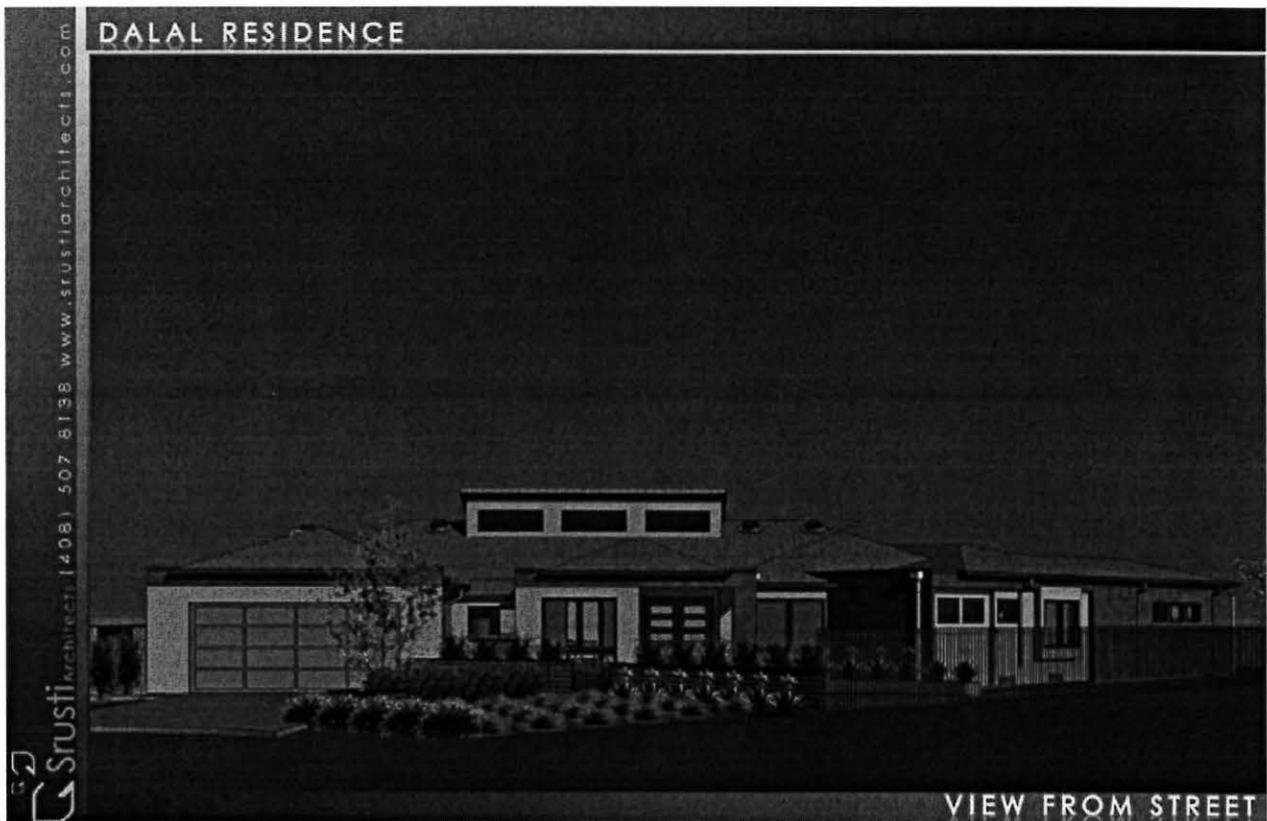
Suketu Dalal & Sejal Dalal.
Dalal Residence
APN: 342-08-034, 1250 Monte Verde Ct.
Los Altos CA 94024

Cell: (510) 209 8290, email: shdalal@hotmail.com

- **Criterion F.**

The granting of the variance will be consistent with the objectives of the zoning plan set forth in Article 1 of Chapter 14.02 of the Los Altos Municipal Code.

Considerable effort has been put into the design by our architect, to design a creative solution that works with the existing structure and difficult constraints imposed by the site circumstances. We are confident that the new home will enhance harmony and environment of the neighborhood and the City of Los Altos, renowned for its natural beauty, quality of life, and its distinctive physical character. Approval of the request would not conflict with any other aspect of the City of Los Altos Zoning Ordinance to our knowledge.

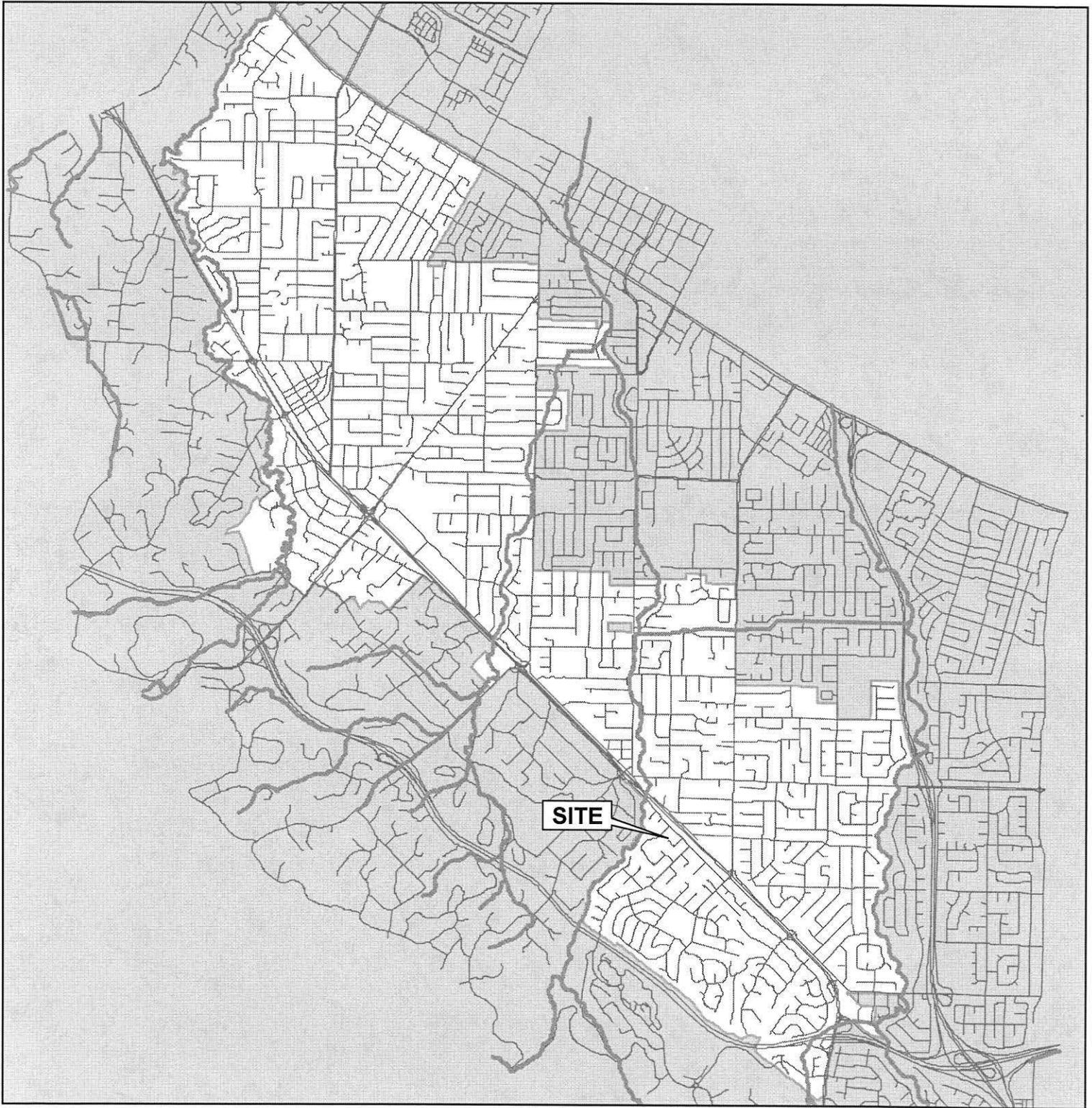


We respectfully request that you consider the specific findings (mentioned above) and grant us a variance to the right side and rear setbacks, so that we may obtain a building permit for the remodel. Please don't hesitate to contact us if you need any further information. We can be reached at (510) 209 8290 or shdalal@hotmail.com. Thank you
Sincerely

Suketu Dalal & Sejal Dalal

ATTACHMENT C

AREA MAP



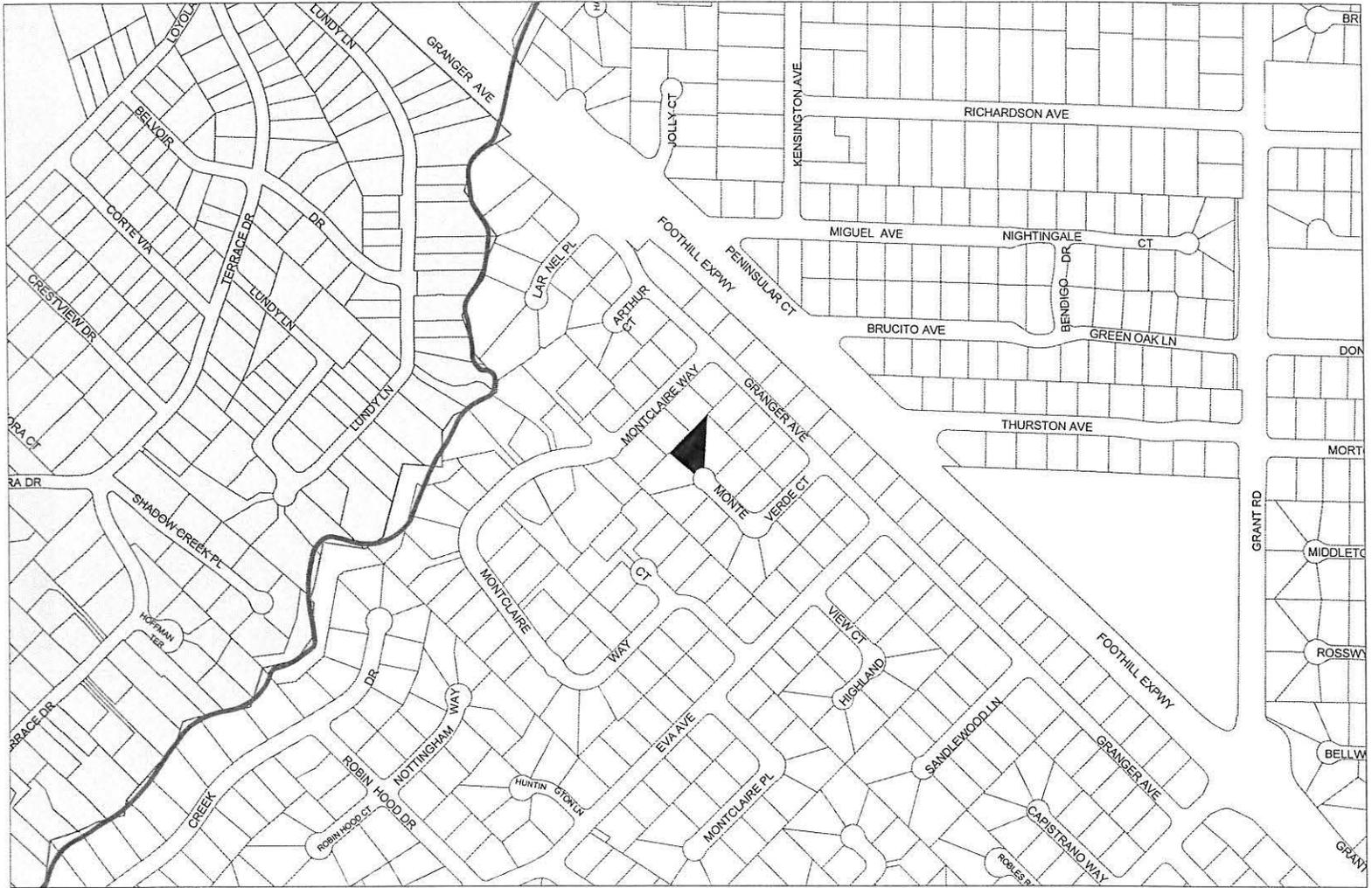
CITY OF LOS ALTOS

APPLICATION: 15-V-14
APPLICANT: S. Dalal
SITE ADDRESS: 1250 Monte Verde Court

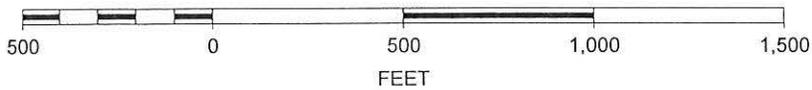


Not to Scale

VICINITY MAP



SCALE 1 : 6,000



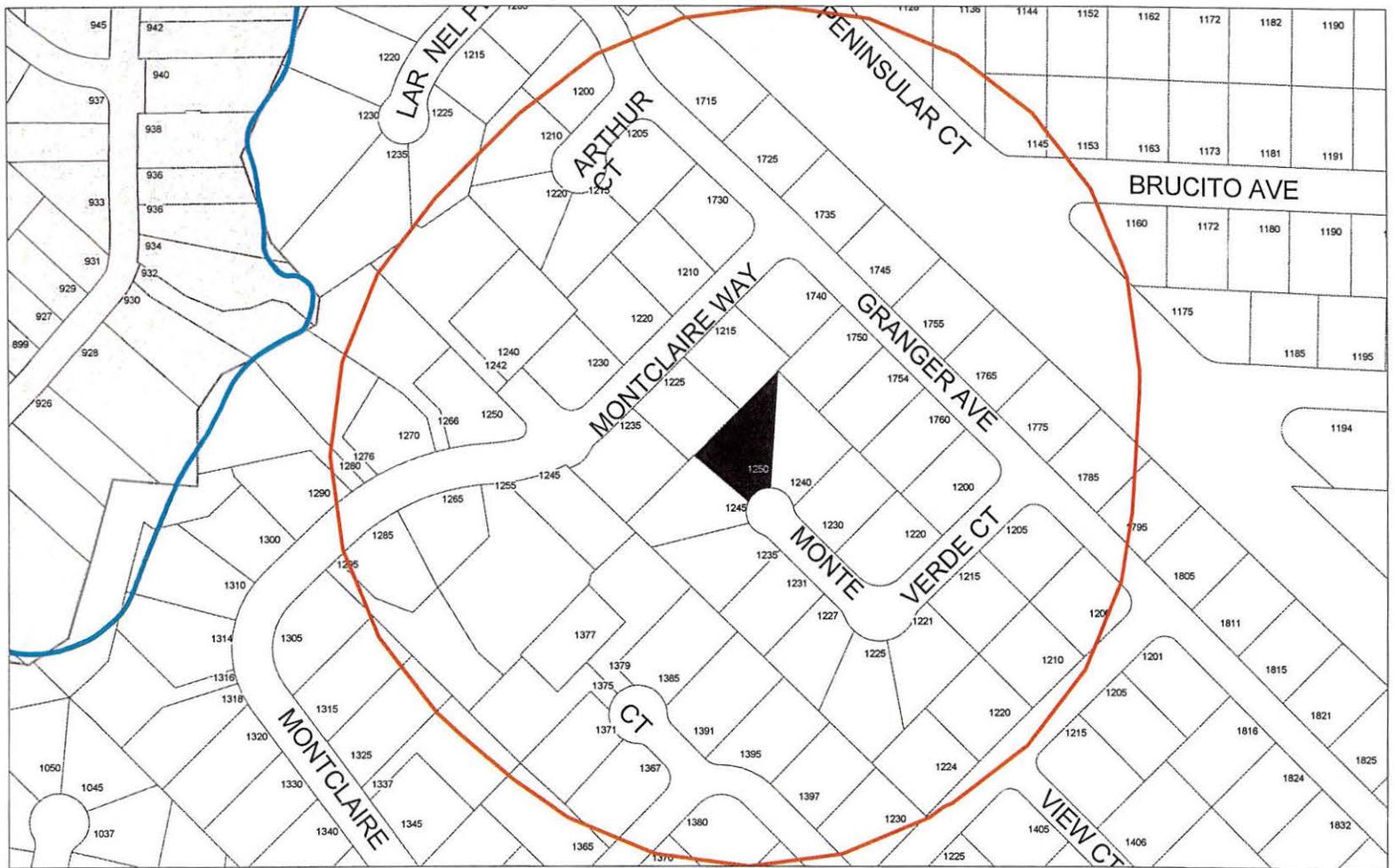
N



CITY OF LOS ALTOS

APPLICATION: 15-V-14
APPLICANT: S. Dalal
SITE ADDRESS: 1250 Monte Verde Court

1250 Monte Verde Court 500-foot Notification Map



SCALE 1 : 2,790

