



**TOWN OF LOS GATOS
PLANNING COMMISSION AGENDA
NOVEMBER 08, 2023
110 EAST MAIN STREET
LOS GATOS, CA**

*Jeffery Barnett, Chair
Steven Raspe, Vice Chair
Susan Burnett, Commissioner
Kylie Clark, Commissioner
Kathryn Janoff, Commissioner
Melanie Hanssen, Commissioner
Emily Thomas, Commissioner*

PARTICIPATION IN THE PUBLIC PROCESS

How to participate: The Town of Los Gatos strongly encourages your active participation in the public process, which is the cornerstone of democracy. If you wish to speak to an item on the agenda, please follow the participation instructions on page 2 of this agenda. If you wish to speak to an item NOT on the agenda, you may do so during the “Verbal Communications” period, by following the participation instructions on page 2 of this agenda. The time allocated to speakers may change to better facilitate the Planning Commission meeting.

Effective Proceedings: The purpose of the Planning Commission meeting is to conduct the business of the community in an effective and efficient manner. For the benefit of the community, the Town of Los Gatos asks that you follow the Town’s meeting guidelines while attending Planning Commission meetings and treat everyone with respect and dignity. This is done by following meeting guidelines set forth in State law and in the Town Code. Disruptive conduct is not tolerated, including but not limited to: addressing the Commissioners without first being recognized; interrupting speakers, Commissioners or Town staff; continuing to speak after the allotted time has expired; failing to relinquish the podium when directed to do so; and repetitiously addressing the same subject.

Deadlines for Public Comment and Presentations are as follows:

- Persons wishing to make an audio/visual presentation on any agenda item must submit the presentation electronically, either in person or via email, to the Planning Department by 1 p.m. or the Clerk’s Office no later than 3:00 p.m. on the day of the Planning Commission meeting.
- Persons wishing to submit written comments to be included in the materials provided to the Planning Commission must provide the comments to the Planning Department as follows:
 - For inclusion in the regular packet: by 11:00 a.m. the Friday before the meeting
 - For inclusion in any Addendum: by 11:00 a.m. the day before the meeting
 - For inclusion in any Desk Item: by 11:00 a.m. on the day of the meeting

***Planning Commission meetings are broadcast Live on KCAT, Channel 15 (on Comcast) on the 2nd and 4th Wednesdays at 7:00 p.m.
Live and Archived Planning Commission meetings can be viewed by going to:
www.LosGatosCA.gov/TownYouTube***

***IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING,
PLEASE CONTACT THE CLERK DEPARTMENT AT (408) 354-6834. NOTIFICATION 48 HOURS BEFORE THE MEETING WILL ENABLE THE TOWN
TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING [28 CFR §35.102-35.104]***

**TOWN OF LOS GATOS
PLANNING COMMISSION MEETING AGENDA
NOVEMBER 8, 2023
110 EAST MAIN STREET AND TELECONFERENCE
TOWN COUNCIL CHAMBERS
LOS GATOS, CA
7:00 PM**

IMPORTANT NOTICE

This is a hybrid/in-person meeting and will be held in-person at the Town Council Chambers at 110 E. Main Street and virtually through the Zoom webinar application (log-in information provided below). Members of the public may provide public comments for agenda items in-person or virtually through the Zoom webinar by following the instructions listed below. The live stream of the meeting may be viewed on television and/or online at www.LosGatosCA.gov/TownYouTube.

PARTICIPATION

To provide oral comments in real-time during the meeting:

- **Zoom webinar:** Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join: <https://losgatosca-gov.zoom.us/j/81889426132?pwd=RDZ0STh4dGx3SnlleHY3MkdLS3VWdz09>. Passcode: 543475. You can also type in 818 8942 6132 in the “Join a Meeting” page on the Zoom website at <https://zoom.us/join>.
 - When the Chair announces the item for which you wish to speak, click the “raise hand” feature in Zoom. If you are participating by phone on the Zoom app, press *9 on your telephone keypad to raise your hand.
- **Join by telephone:** Join by Telephone: Dial: USA 877 336 1839 US Toll-free or 636 651 0008 US Toll. Conference code: 686100
 - If you are participating by calling in, press #2 on your telephone keypad to raise your hand.
- **In-Person:** If you wish to speak during the meeting, please complete a “speaker’s card” located on the back of the chamber benches and return it to the Vice Chair. If you wish to speak to an item on the agenda, please list the item number. If you wish to speak on an item NOT on the agenda, please list the subject and you may speak during the “Verbal Communications” period. The time allocated to speakers may change to better facilitate the Planning Commission meeting.

When called to speak, you may be asked to provide your full name and your town/city of residence. This identifying information is optional and not a requirement for participation. Please limit your comments to three (3) minutes, or such other time as the Chair may decide, consistent with the time limit for speakers at a Council meeting. If you wish to speak to an item or items on the Consent Calendar, please state which item number(s) you are commenting on at the beginning of your time.

If you are unable to participate in real-time, you may email to Planning@losgatosca.gov the subject line “Public Comment Item #___” (insert the item number relevant to your comment) or “Verbal Communications – Non-Agenda Item.” Comments received by 11:00 a.m. the day of the meeting will be reviewed and distributed before the meeting. All comments received will become part of the record.

**TOWN OF LOS GATOS
PLANNING COMMISSION AGENDA
NOVEMBER 08, 2023
7:00 PM**

MEETING CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

VERBAL COMMUNICATIONS *(Members of the public may address the Commission on any matter that is not listed on the agenda. Unless additional time is authorized by the Commission, remarks shall be limited to three minutes.)*

CONSENT ITEMS *(Items appearing on the Consent Items are considered routine Town business and may be approved by one motion. Any member of the Commission may request to have an item removed from the Consent Items for comment and action. Members of the public may provide input on any or multiple Consent Item(s) when the Chair asks for public comments on the Consent Items. If you wish to comment, please follow the Participation Instructions contained on Page 2 of this agenda. If an item is removed, the Chair has the sole discretion to determine when the item will be heard.)*

PUBLIC HEARINGS *(Applicants/Appellants and their representatives may be allotted up to a total of five minutes maximum for opening statements. Members of the public may be allotted up to three minutes to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of three minutes maximum for closing statements. Items requested/recommended for continuance are subject to the Commission's consent at the meeting.)*

1. Consider an Appeal of a Community Development Director Decision to Deny a Fence Height Exception Request to Relocate an Existing Six-Foot Tall Fence Within the Required Street Side Yard Setback on Property Zoned R-1:8. **Located at 501 Roxbury Lane.** APN 407-31-026. Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities. Fence Height Exception Application FHE-23-004. Property Owner/Applicant/ Appellant: Jared Susoev. Project Planner: Maria Chavarin.
2. Consider an Appeal of a Community Development Director Decision to Deny a Fence Height Exception Request for Construction of a Six-Foot Tall Fence Located Within the Required Front Yard Setback, Street Side Yard Setback, and Corner Sight Triangle on Property Zoned R-1:8. **Located at 124 Garden Hill Drive.** APN 424-23-084. Fence Height Exception Application FHE-23-005. Categorically Exempt Pursuant to CEQA Guidelines Section 15303: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities. Property Owner: Rushikesh Kulkarni. Applicant/Appellant: Martin Lettunich. Project Planner: Ryan Safty.

OTHER BUSINESS *(Up to three minutes may be allotted to each speaker on any of the following items.)*

REPORT FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT

SUBCOMMITTEE REPORTS / COMMISSION MATTERS

ADJOURNMENT *(Planning Commission policy is to adjourn no later than 11:30 p.m. unless a majority of the Planning Commission votes for an extension of time)*

Writings related to an item on the Planning Commission meeting agenda distributed to members of the Commission within 72 hours of the meeting are available for public inspection at the reference desk of the Los Gatos Town Library, located at 100 Villa Avenue; the Community Development Department and Clerk Department, both located at 110 E. Main Street; and are also available for review on the official Town of Los Gatos website. Copies of desk items distributed to members of the Commission at the meeting are available for review in the Town Council Chambers.

Note: The Town of Los Gatos has adopted the provisions of Code of Civil Procedure §1094.6; litigation challenging a decision of the Town Council must be brought within 90 days after the decision is announced unless a shorter time is required by State or Federal law.



**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 11/08/2023

ITEM NO: 1

DATE: November 3, 2023

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Consider an Appeal of a Community Development Director Decision to Deny a Fence Height Exception Request to Relocate an Existing Six-Foot Tall Fence Within the Required Street Side Yard Setback on Property Zoned R-1:8. **Located at 501 Roxbury Lane.** APN 407-31-026. Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities. Fence Height Exception Application FHE-23-004. Property Owner/Applicant/ Appellant: Jared Susoev. Project Planner: Maria Chavarin.

RECOMMENDATION:

Deny the appeal and uphold the Community Development Director decision to deny a fence height exception request to relocate an existing six-foot tall fence within the required street side yard setback on property zoned R-1:8, located at 501 Roxbury Lane.

PROJECT DATA:

General Plan Designation: Low Density Residential

Zoning Designation: R-1:8 – Single-Family Residential

Applicable Plans & Standards: General Plan, Residential Design Guidelines

Parcel Size: 9,885 square feet

Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Residential	Low Density Residential	R-1:8
South	Residential	Low Density Residential	R-1:8 & R-1:10
East	Residential	Low Density Residential	R-1:8
West	Residential	Low Density Residential	R-1:8

PREPARED BY: MARIA CHAVARIN
Assistant Planner

Reviewed by: Planning Manager and Community Development Director

CEQA:

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities.

FINDINGS:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities.
- As required by Section 29.40.0320 of the Town Code for granting a Fence Height Exception.

ACTION:

The decision of the Planning Commission is final unless appealed within ten days.

BACKGROUND:

The subject property is located at the corner of More Avenue and Roxbury Lane (Exhibit 1). All surrounding properties are zoned for and developed with single-family residential uses.

On October 24, 2022, a building permit application was received for an addition to the main residence. The building permit application established the front yard off Roxbury Lane, and More Avenue as the street side yard. The application is currently in “issued” status and active.

On August 18, 2023, the Town received an application for a fence height exception request to relocate an existing six-foot tall fence to a location within the required street side yard setback. The letter of justification for the exception request is provided as Exhibit 5.

On September 22, 2023, the exception request was denied by the Community Development Director as none of the required findings per Town Code Section 29.40.0320 could be made to support the request (Exhibit 7).

On September 29, 2023, the property owner filed a timely appeal (Exhibit 8).

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is located at the corner of More Avenue and Roxbury Lane (Exhibit 1). All surrounding properties are zoned for and developed with single-family residential uses.

PROJECT DESCRIPTION (continued):

B. Project Summary and Zoning Compliance

The property owner is appealing the Community Development Director decision to deny a fence height exception request to relocate an existing six-foot tall fence to a location within the required street side yard setback along More Avenue.

DISCUSSION:

A. Fence Height Exception

The property owner is proposing to relocate an existing six-foot tall fence along More Avenue from a location that complies with the required street side yard setback, to a new location within the street side yard setback area. The fence is comprised of solid wood materials and runs for approximately 70 linear feet along More Avenue. The existing and proposed materials and design are suitable to the character of the immediate neighborhood. The new proposed fence would be located 18-inches away from the property line (along the edge of the concrete sidewalk) where a 15-foot setback is required for a fence of this height.

The location of the current fence complies with the minimum required 15-foot street side yard setback. Its current height (six-feet) complies with Town Code as the fence is located outside of the minimum required 15-foot street side yard setback. The google imaging platform shows that the existing fence was screened by a row of mature hedge/trees. A building permit was secured for an addition and improvement to the residence resulting in the removal of the hedge that served to screen the existing fence. As part of the improvements, the property owner wishes to include the relocation of the fence for the reasons mentioned in the letter of justification. Staff created an exhibit showing the previous fence location and design and the current conditions of the site, which is provided as Exhibit 10.

Per Town Code Section 29.40.0315, fences and gates are limited to six feet in height with one foot of lattice on top (seven feet total), but are limited to, "three feet in height when located within a required front or side yard abutting a street, driveway view area, traffic view area, or corner sight triangle unless an exception is granted by the Town Engineer and Community Development Director." The proposed fence is limited to three feet by Town Code, as it is within the required street side yard setback. The Parks and Public Works Department evaluated the plans and concluded that the proposed fence is not expected to reduce sight distance (Exhibit 4) to an unacceptable level and therefore, the fence height exception as proposed is acceptable from a traffic perspective.

DISCUSSION (continued):

Town Code Section 29.40.0320, provided below, allows an exception to any of the fence regulations if a property owner can demonstrate that one of the following conditions exist.

Sec. 29.40.0320. - Exceptions.

An exception to any of these fence regulations may be granted by the Community Development Director. A fence exception application and fee shall be filed with the Community Development Department and shall provide written justification that demonstrates one (1) of the following conditions exist:

- (a) Adjacent to commercial property, perimeter fences or walls may be eight (8) feet if requested or agreed upon by a majority of the adjacent residential property owners.*
- (b) On interior lots, side yard and rear yard fences, walls, gates, gateways, entry arbors, or hedges, behind the front yard setback, may be a maximum of eight (8) feet high provided the property owner can provide written justification that either:
 - (1) A special privacy concern exists that cannot be practically addressed by additional landscaping or tree screening; or*
 - (2) A special wildlife/animal problem affects the property that cannot be practically addressed through alternatives. Documented instances of wildlife grazing on gardens or ornamental landscaping may be an example of such a problem.**
- (c) At public utility facilities, critical infrastructure, and emergency access locations, exceptions may be granted where strict enforcement of these regulations will result in a security or safety concern.*
- (d) A special security concern exists that cannot be practically addressed through alternatives.*
- (e) A special circumstance exists, including lot size or configuration, where strict enforcement of these regulations would result in undue hardship.*

The letter of justification (Exhibit 5) received with the fence height exception request cited condition (b)(1) related to a privacy concern, (d) related to a security concern, and a noise abatement concern that is not a listed condition for means to support a fence height exception request.

For condition (b)(1), staff could not support the exception as subsection (b) only applies to the side and rear fences on interior lots. This is a corner lot, and the exception is for the street side yard; therefore, subsection (b) of Town Code Section 29.40.0320 is not applicable.

For condition (d), the provided justification is as follows: "With the large intersection at the corner of Roxbury and More Ave, we have people continuously recklessly driving (spinning doughnuts), this poses a huge threat as we have had folks crash into the property

DISCUSSION (continued):

previously. Part of this is solved with the large tree in the front yard, however the additional safety of a 6' fence will provide additional protection for the property."

However, even with consideration of the concerns stated by the applicant, staff was unable to make the findings required by the Town Code related to privacy and security.

For noise abatement, the provided justification is as follows: "This intersection not only has substantial traffic for both regular passenger vehicles, but also large trucks using this intersection to reach the water treatment plant north of our property, a 6' fence will help remove some of this noise. Note this fence will be wood, not a true noise abatement cement fence." As noted above, noise abatement is not a listed condition for means to support a fence height exception request. Therefore, Town staff could not support this exception request for noise abatement concerns.

The Community Development Department denied the fence height exception on September 22, 2023 (Exhibit 7) for the reasons outlined above.

B. Appeal Analysis

The Decision of the Community Development Director to deny the fence height exception was appealed on September 29, 2023 (Exhibit 8).

On October 8, 2023, a revised Letter of Justification (Exhibit 9) was received to support the appeal of the decision of the Director of Community Development.

The revised letter added additional justification on the topics discussed above: privacy, security, and noise. In addition, the revised letter of justification added concerns related to condition (b)(2) related to wildlife, stating that numerous neighbors have lost animals (chickens, turtles, and dogs) due to wildlife. Expressing that these types of wildlife are hungry wild animals that roam freely in the neighborhood, coyotes, and bobcats specifically.

For condition (b)(2), staff could not support the exception as subsection (b) only applies to the side and rear fences on interior lots. This is a corner lot, and the exception is for the street side yard; therefore, subsection (b) of Town Code Section 29.40.0320 is not applicable. The property is located in an urbanized, residential subdivision. If the potential of coyote and bobcat sightings were deemed a "special wildlife/animal problem," then most properties in the Town would be eligible. Additionally, the owners are allowed to have a six-foot tall fence with one-foot of lattice above (seven feet total) if they locate the fence to meet the required street side yard setbacks, as the existing fence currently does.

DISCUSSION (continued):

The revised letter of justification also included a concern related to the containment of their large dog. The property site has alternative locations to safely contain pet(s) while meeting the rules and regulations of the Town as it relates to fences, including the fence in its current location.

C. Environmental Review

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities.

PUBLIC COMMENTS:

Written notice was sent to property owners and tenants within 300 feet of the subject property. At the time of preparation of this report, no public comment has been received.

CONCLUSION:

A. Summary

The property owner is requesting that the Planning Commission reconsider the Community Development Director's decision to deny the fence height exception to allow the relocation of an existing six-foot tall fence within the required street side yard setback.

B. Recommendation

Staff recommends that the Planning Commission deny the appeal and uphold the Community Development Director decision to deny the fence height exception application based on the reasoning provided in this report.

C. Alternatives

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction;
2. Grant the appeal and approve the fence height exception with the required findings in Exhibit 2 and the draft conditions provided in Exhibit 3; or
3. Grant the appeal with additional and/or modified conditions.

PAGE 7 OF 7

SUBJECT: 501 Roxbury Lane/FHE-23-004

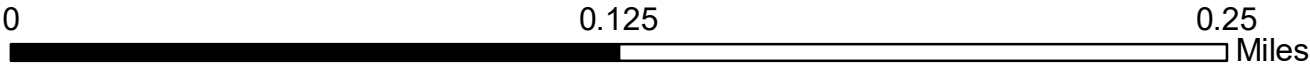
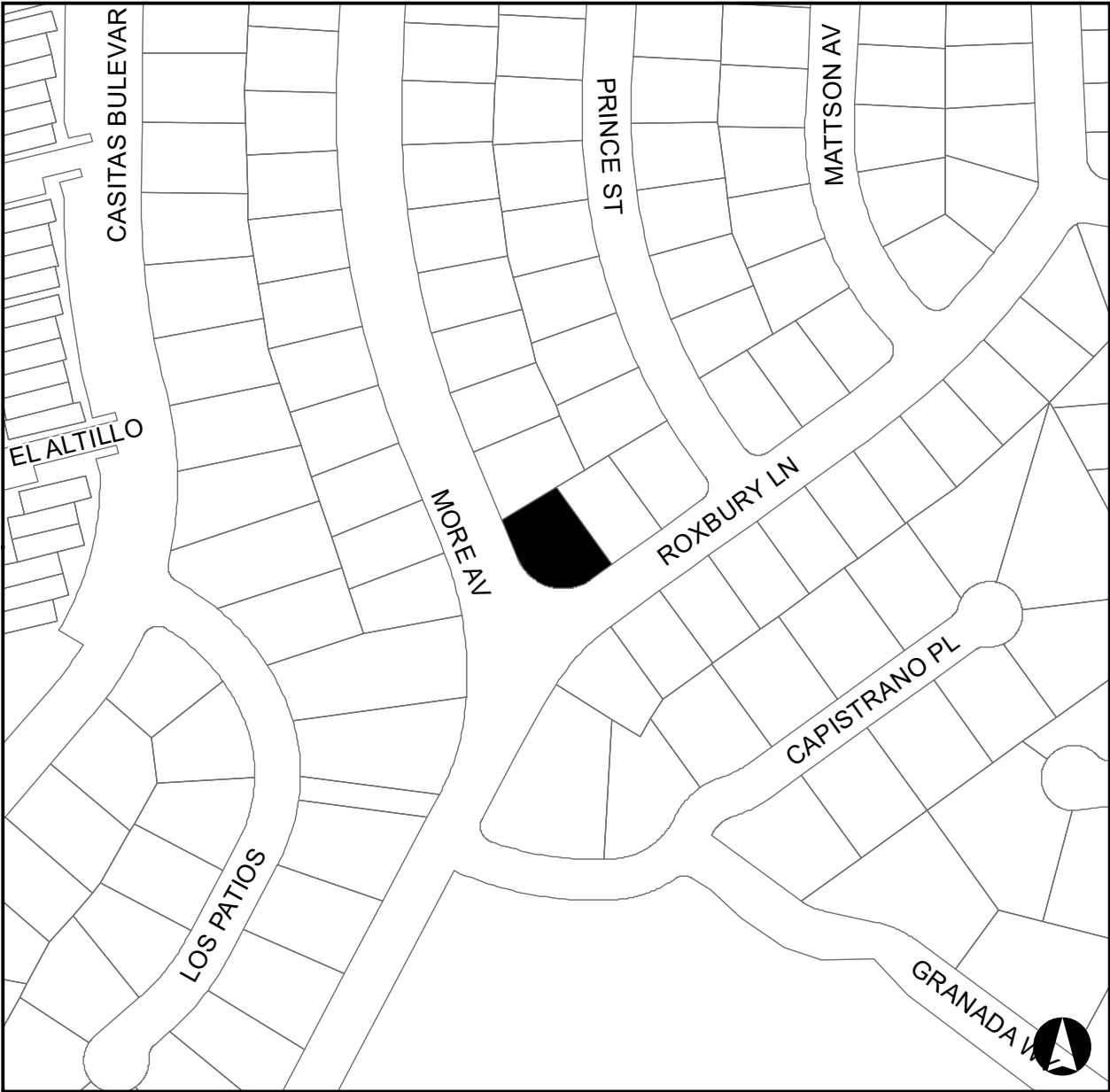
DATE: November 3, 2023

EXHIBITS:

1. Location Map
2. Required Findings
3. Recommended Conditions of Approval if Appeal is Granted
4. View Areas Diagrams
5. Letter of Justification, Received August 18, 2023
6. Site Plan from Applicant
7. Fence Height Exception Denial Letter, Dated September 22, 2023
8. Appeal of the Community Development Director Decision, Received September 29, 2023
9. Revised Letter of Justification, Received October 8, 2023; Neighborhood Outreach; Renderings of Proposed Fence Location and Design; and Site Plan
10. Google Street View Images

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501 Roxbury Lane



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PLANNING COMMISSION – November 8, 2023
REQUIRED FINDINGS FOR:

501 Roxbury Lane
Fence Height Exception FHE-23-004

Consider an Appeal of a Community Development Director Decision to Deny a Fence Height Exception Request to Relocate an Existing Six-Foot Tall Fence Within the Required Street Side Yard Setback on Property Zoned R-1:8. APN 407-31-026. Categorically Exempt Pursuant to the Adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities. Fence Height Exception Application FHE-23-004. PROPERTY OWNER/APPLICANT/APPELLANT: Jared Susoev. PROJECT PLANNER: Maria Chavarin.

Required finding for CEQA:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities.

Required findings for granting a Fence Height Exception:

Per Town Code Section 29.40.0320, the applicant has provided written justification that demonstrates one of the following conditions exist:

- A special privacy concern exists that cannot be practically addressed by additional landscaping or tree screening.
- A special wildlife/animal problem affects the property that cannot be practically addressed through alternatives. Documented instances of wildlife grazing on gardens or ornamental landscaping may be an example of such a problem.
- A special security concern exists that cannot be practically addressed through alternatives.

EXHIBIT 2

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PLANNING COMMISSION – November 8, 2023
DRAFT CONDITIONS OF APPROVAL

501 Roxbury Lane

Fence Height Exception FHE-23-004

Consider an Appeal of a Community Development Director Decision to Deny a Fence Height Exception Request to Relocate an Existing Six-Foot Tall Fence Within the Required Street Side Yard Setback on Property Zoned R-1:8. Located at 501 Roxbury Lane. APN 407-31-026. Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities. Fence Height Exception Application FHE-23-004. PROPERTY OWNER/APPLICANT/APPELLANT: Jared Susoev. PROJECT PLANNER: Maria Chavarin.

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

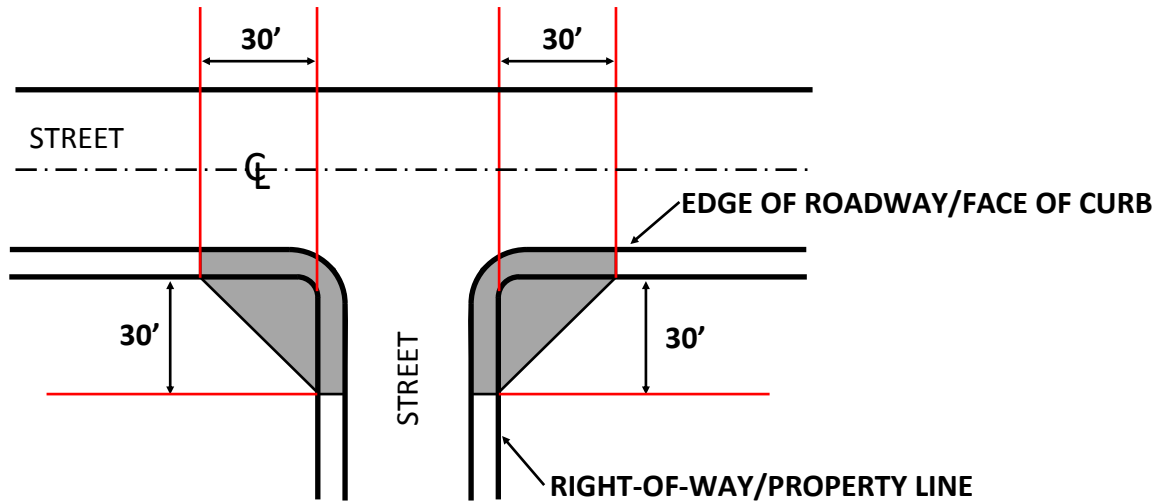
Planning Division

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval and in substantial compliance with the approved plans. Any intensification beyond this authorized use requires a Conditional Use Permit amendment.
2. EXPIRATION: The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested per Section 29.20.335 of the Town Code. Reasonable extensions of time not exceeding one year may be granted upon application, and can be granted if approved by the deciding body prior to the expiration date. Therefore, it is recommended that applications for a time extension be filed with the Community Development Department at least 60 days prior to the expiration date of the approval.
3. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement (“the Project”) from the Town shall defend (with counsel approved by Town), indemnify, and hold harmless the Town, its agents, officers, and employees from and against any claim, action, or proceeding (including without limitation any appeal or petition for review thereof) against the Town or its agents, officers, or employees related to an approval of the Project, including without limitation any related application, permit, certification, condition, environmental determination, other approval, compliance or failure to comply with applicable laws and regulations, and/or processing methods (“Challenge”). Town may (but is not obligated to) defend such Challenge as Town, in its sole discretion, determines appropriate, all at applicant’s sole cost and expense.


Applicant shall bear any and all losses, damages, injuries, liabilities, costs, and expenses (including, without limitation, staff time and in-house attorney’s fees on a fully-loaded basis, attorney’s fees for outside legal counsel, expert witness fees, court costs, and

other litigation expenses) arising out of or related to any Challenge (“Costs”), whether incurred by Applicant, Town, or awarded to any third party, and shall pay to the Town upon demand any Costs incurred by the Town. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in such Challenge as Town, in its sole discretion, determines appropriate, all at the applicant’s sole cost and expense. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the applicant’s indemnity obligation.

CORNER SIGHT TRIANGLE

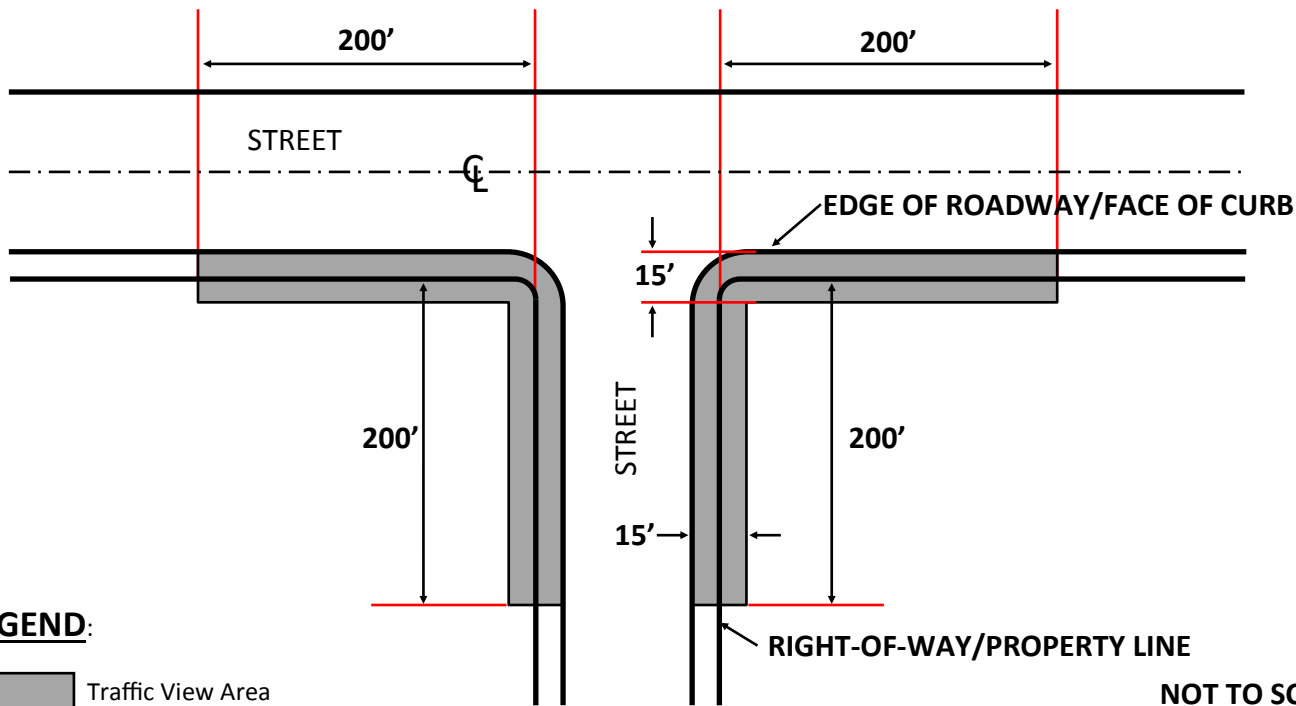


LEGEND:

 Corner Sight Triangle

NOT TO SCALE

TRAFFIC VIEW AREA

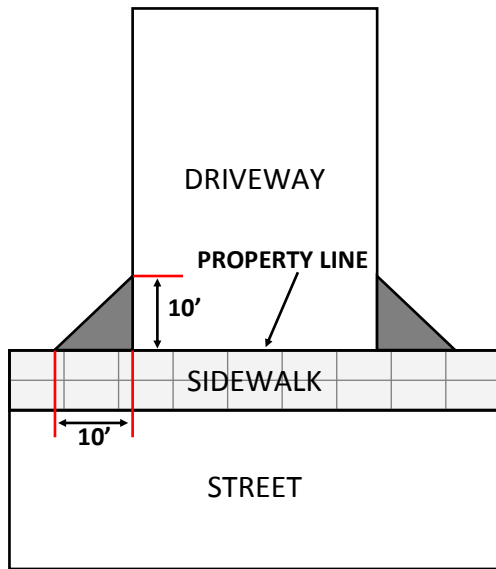


LEGEND:

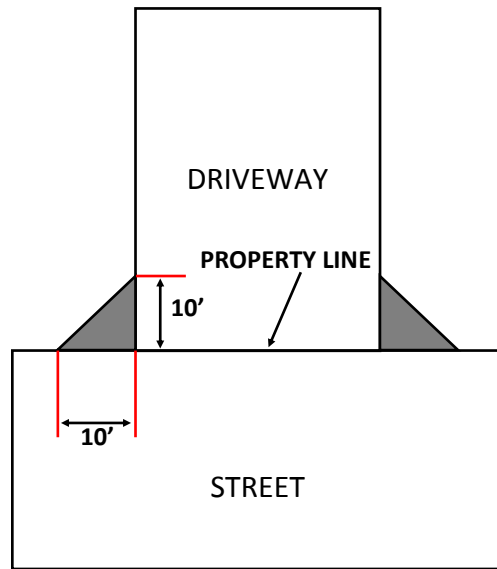
 Traffic View Area

NOT TO SCALE

DRIVEWAY VIEW AREA



Sidewalk Example



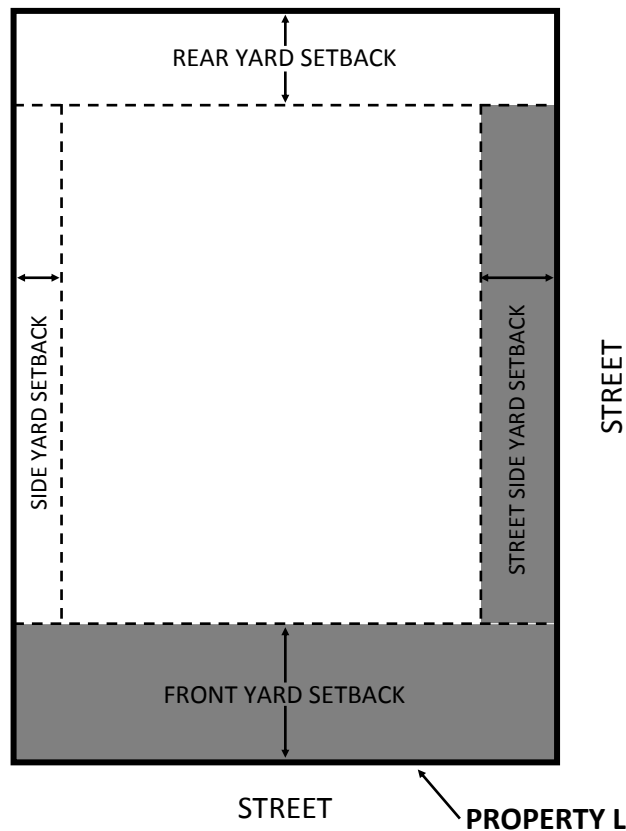
No Sidewalk Example

LEGEND:


 Driveway View Area

NOT TO SCALE

FRONT AND STREET SIDE YARD AREA



LEGEND:

 Front and Street Side Yard Area

NOT TO SCALE

Jared Susoev
501 Roxbury Ln.
Los Gatos, Ca 95032

We 8/11/23

Town of Los Gatos
Permit office
110 E. Main St.
Los Gatos, CA 95032

Subject: Petition for 6' Fence Exception Request

Dear Town of Los Gatos,

I hope this letter finds you well. I am writing to respectfully request an exception for a 6' fence height in accordance with the regulations set forth by the town of Los Gatos in section 26.10.065 for corner sight view regulations. My intention is to relocate an existing 6' fence closer to the property line, necessitating this request.

As a responsible property owner, I understand and appreciate the importance of adhering to the town's guidelines for fencing. I have attached photographs of neighboring properties within our community that have fences at the requested 6' height. These examples demonstrate that such fences can coexist harmoniously with the surrounding landscape and contribute positively to the aesthetics of the area.

My proposed fence relocation is motivated by a current remodel that is pushing the fence line out, while maintaining the current 6' height. This will solve a number of concerns we currently have should we not be able to maintain the 6' height. These are listed below:

1. Privacy, due to the busy traffic from traffic we need to maintain a yard that keeps the privacy and safety of our young children as our top concern. This is easily solved with a 6' privacy fence.
2. Security, with the large intersection at the corner of Roxbury and More Ave, we have people continuously recklessly driving (spinning doughnuts), this poses a huge threat as we have had folks crash into the property previously. Part of this is solved with the large tree in the front yard, however the additional safety of a 6' fence will provide additional protection for the property.
3. Noise abatement, this intersection not only has substantial traffic for both regular passenger vehicles, but also large trucks using this intersection to reach the water

EXHIBIT 5

treatment plant north of our property, a 6' fence will help remove some of this noise. Note this fence will be wood, not a true noise abatement cement fence.

The current fence line sits angled between 10.5' and 23.5' from the existing sidewalk edge. The proposed new fence will create a uniform line 18" from the sidewalk line enhancing the curb appeal, and will sit 30" behind the house line which is marked at 28'9" from the sidewalk, making it a 31' 6" set back from the property line, leaving ample view for vehicular travel heading west on Roxbury Ln. through to North on More Ave. Due to the large corner in place to allow for through truck traffic to Rinconada water treatment plant the normal site triangle should not apply to this intersection. See attached site survey with proposed new fence lines.

I kindly request that the town's authorities review my situation and grant an exception for the 6' fence height to accommodate the proposed relocation. I assure you that I will take all necessary steps to ensure that the fence's appearance and quality remain consistent with the town's standards.

Thank you for your time and consideration of my petition. I am open to any discussions or meetings that may be required to address any concerns or provide additional information. Your assistance in this matter is greatly appreciated.

Sincerely,

Jared Susoev

Attached you will find the surveyor site plans.

Below are images from neighboring houses that have similar exceptions to the current fence lines that we are requesting.

Pollard Ct and Pollard Rd intersection



Pollard Ct and Pollard Rd intersection Cont:



Bearden and Pollard Rd



Bearden and Pollard Rd Cont.



More Ave Southbound Across from treatment plant down to Roxbury Ln



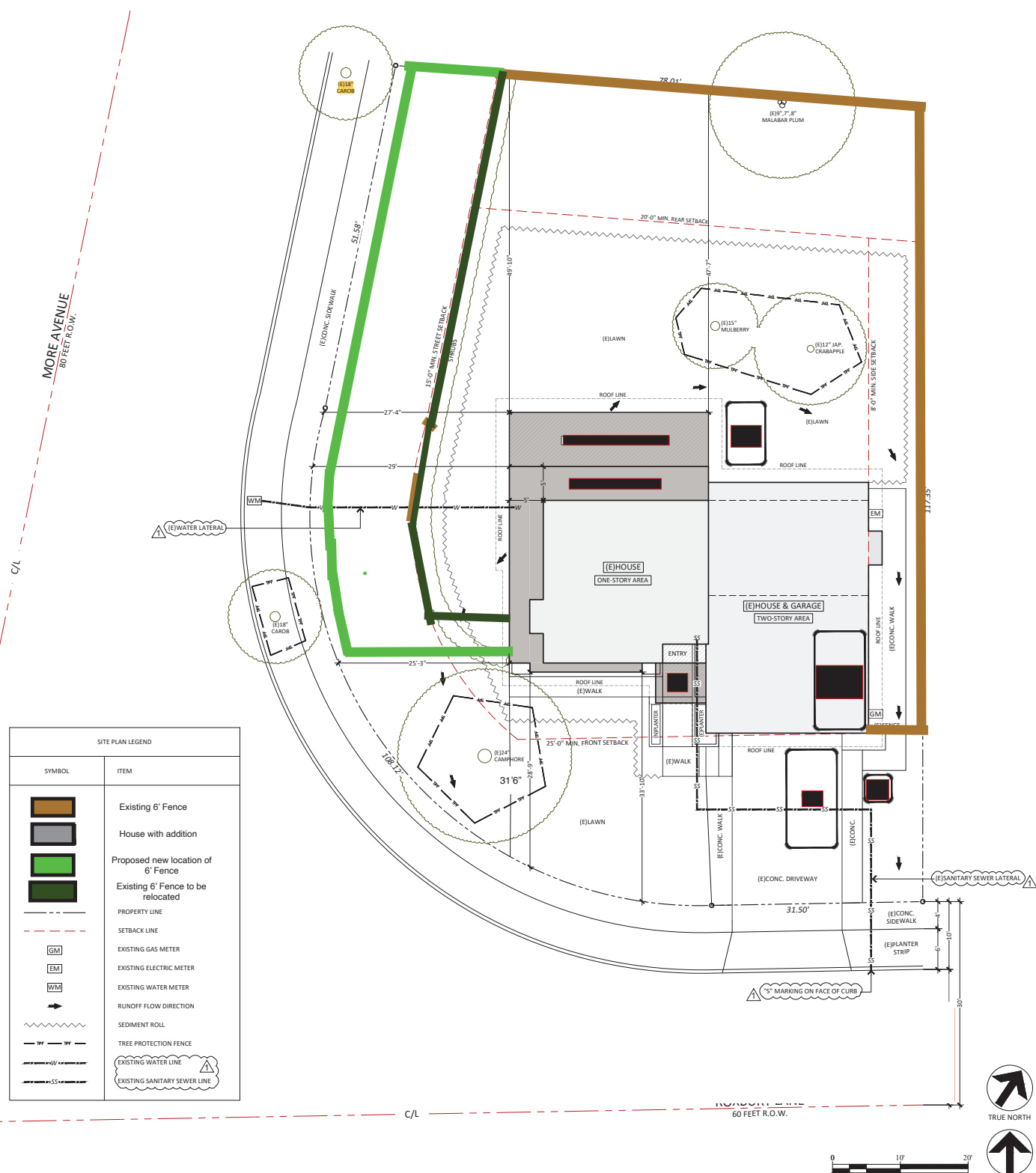
More Ave Southbound Across from treatment plant down to Roxbury Ln Cont.



Current Fence line for 501 Roxbury Ln



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Project Title		
FHE-23-004		
SUSOEV RESIDENCE 501 ROXBURY LN LOS GATOS, CA 95032		
APN: 407-31-026		
Property zoning: R-1:8		
Revisions		
Number	Date	Description
DELTA-1	10/13/22	
Plan Set: BUILDING PERMIT SET		
Issue Date:		
Project No.		
File Name:		
Drawn By: DG		
Checked By: VL		
Plot Date: 06/21/2022		
Sheet Title		
Sheet No.		

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TOWN OF LOS GATOS

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
(408) 354-6872 Fax (408) 354-7593

CIVIC CENTER
110 E. MAIN STREET
LOS GATOS, CA 95030

September 22, 2023

Jared Susoev
501 Roxbury Ln.
Los Gatos, CA 95032
Via email

RE: **501 Roxbury Ln.**
Fence Height Exception (FHE-23-004)

Requesting Approval for an Exception to Relocate an Existing Six (6) Foot Tall Fence
Within a Required Street Side Yard Setback on Property Zoned R-1:8. APN 407-31-026.
PROPERTY OWNER/APPLICANT: Jared Susoev

The Los Gatos Community Development Department and Parks and Public Works Department have reviewed the referenced application for a Fence Height Exception pursuant to Section 29.40.0320 of Chapter 29 of the Town Code. The Parks and Public Works Department did not express concerns with the proposal; however, the Community Development Department was unable to make the findings required by the Town Code related to privacy and security. The Fence Height Exception request is hereby **denied** based on the above reasoning.

PLEASE NOTE: Pursuant to Section 29.20.255 of the Town Code, this decision may be appealed to the Planning Commission within 10 days of the denial date. Any interested person may appeal this decision to the Planning Commission. Appeals, with the completed Appeal Form and appeal fee payment, must be submitted within 10 days from the date of denial, or by 4:00 p.m., September 18, 2023.

If you have any questions concerning this decision, please contact Project Planner, Maria Chavarin at (408) 354-6807 or via e-mail at mchavarin@losgatosca.gov

Sincerely,

Maria Chavarin

Maria Chavarin
Assistant Planner

EXHIBIT 7

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TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT DEPARTMENT
110 E. Main Street
Los Gatos, CA 95030

BP38972



**APPEAL OF THE DECISION OF
DIRECTOR OF COMMUNITY DEVELOPMENT**

PLEASE TYPE or PRINT NEATLY

I, the undersigned, do hereby appeal a decision of the DIRECTOR OF COMMUNITY DEVELOPMENT as follows:

DATE OF DECISION: 9/22/23

PROJECT/APPLICATION: FHE-23-23 submitted on 8/18/2023

LOCATION: 501 Roxbury Ln. Los Gatos, CA 95032

Pursuant to the Town Code, any interested person as defined in Section 29.10.020 may appeal to the Planning Commission any decision of the Director.

Interested person means:

1. *Residential projects.* Any person or persons or entity or entities who own property or reside within 1,000 feet of a property for which a decision has been rendered, and can demonstrate that their property will be injured by the decision.
2. *Non-residential and mixed-use projects.* Any person or persons or entity or entities who can demonstrate that their property will be injured by the decision.

LIST REASONS WHY THE APPEAL SHOULD BE GRANTED:

- 1) Existing 6' Fence needs to be moved to accomodate new house line from recent home remodel. 3' fence will not provide adequate security for the property
- 2) If we put in a 3' fence, we will not have the ability to protect the family from wild Coyotes and Mountain Lions that are prominent in our area
- 3) 6' fence provides an additional protection for the property from the numerous cars who perform dangerous driving acts (donuts) at the intersection of Roxbury and More Ave.

IMPORTANT:

1. Appeal must be filed not more than ten (10) days after the decision is rendered by the Director of Community Development. If the tenth (10th) day is a Saturday, Sunday, or Town holiday, then the appeal may be filed on the workday immediately following the tenth (10th) day. Appeals are due by 4:00 P.M.
2. The appeal shall be set for the first regular meeting of the Planning Commission which the business of the Planning Commission will permit, more than five (5) days after the date of the filing of the appeal. The Planning Commission may hear the matter anew and render a new decision in the matter.
3. You will be notified, in writing, of the appeal date.
4. Contact the project planner to determine what material is required to be submitted for the public hearing.

RETURN APPEAL FORM TO COMMUNITY DEVELOPMENT DEPARTMENT

PRINT NAME: Jared Susoev

SIGNATURE: [Signature]

DATE: 9/29/23

ADDRESS: 501 Roxbury Ln. Los Gatos, CA 95032

PHONE: [Redacted]

EMAIL: [Redacted]

OFFICE USE ONLY

DATE OF PLANNING COMMISSION HEARING: _____

COMMISSION ACTION: 1. _____
2. _____
3. _____

DATE: _____
DATE: _____
DATE: _____

PLAPPEAL \$ 255.00 Residential
PLAPPEAL \$ 1016.00 Commercial
PLAPPEAL \$ 103.00 Tree Appeals

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Jared Susoev
501 Roxbury Ln.
Los Gatos, Ca 95032



We 8/11/23

Town of Los Gatos
Permit office
110 E. Main St.
Los Gatos, CA 95032

Subject: Petition for 6' Fence Exception Request

Dear Town of Los Gatos,

I hope this letter finds you well. I am writing to respectfully request an exception for a 6' fence height in accordance with the regulations set forth by the town of Los Gatos in section 26.10.065 for corner sight view regulations. My intention is to relocate an existing 6' fence closer to the property line, necessitating this request.

As a responsible property owner, I understand and appreciate the importance of adhering to the town's guidelines for fencing. I have attached photographs of neighboring properties within our community that have fences at the requested 6' height. These examples demonstrate that such fences can coexist harmoniously with the surrounding landscape and contribute positively to the aesthetics of the area. These photos also represent that every other fence on More Ave. is at 6' and keeping ours at 6' will maintain the consistent aesthetic appeal of our neighborhood.

My proposed fence relocation is motivated by a current remodel that is pushing the fence line out, while maintaining the current 6' height. This will solve a number of concerns we currently have should we not be able to maintain the 6' height. These are listed below:

1. Privacy, due to the busy traffic from the intersection at More Ave and Roxbury Ln. we need to maintain a yard that keeps the privacy and safety of our young children as our top concern. This is only solved with a 6' privacy fence.
2. Security, with the large intersection at the corner of Roxbury and More Ave, we have people continuously recklessly driving (spinning doughnuts), this poses a huge threat as we have had folks crash into the property previously. Part of this is solved with the large tree in the front yard, however the additional safety of a 6' fence will provide additional protection for the property.

3. Noise abatement, this intersection not only has substantial traffic for both regular passenger vehicles, but also large trucks using this intersection to reach the water treatment plant north of our property, a 6' fence will help remove some of this noise. Note this fence will be wood, not a true noise abatement cement fence.
4. Numerous neighbors have lost animals (chickens, turtles and even dogs) due to the wonderful wildlife we get to enjoy, but also aware that these are hungry wild animals that roam freely in the neighborhood, Coyotes and Bobcats specifically.
5. We have a large dog who is friendly, but would not be contained with a 3 foot fence surrounding our property.

Alternate measures of installing bushes or other natural barriers have been tried before and end up posing more problems than benefits. Folks use them as personal garbage cans and a safe place to store alcohol containers, not to mention as a haven for rodents and other unwanted inhabitants. The previous Juniper bushes overtook the area posed a larger burden to

The current fence line sits angled between 10.5' and 23.5' from the existing sidewalk edge. The proposed new fence will create a uniform line 18" from the sidewalk line enhancing the curb appeal, and will sit 30" behind the house line which is marked at 28'9" from the sidewalk, making it a 31' 6" set back from the property line, leaving ample view for vehicular travel heading west on Roxbury Ln. through to North on More Ave. Due to the large corner in place to allow for through truck traffic to Rinconada water treatment plant the normal site triangle should not apply to this intersection. See attached site survey with proposed new fence lines.

I kindly request that the town's authorities review my situation and grant an exception for the 6' fence height to accommodate the proposed relocation. I assure you that I will take all necessary steps to ensure that the fence's appearance and quality remain consistent with the town's standards.

Thank you for your time and consideration of my petition.

Sincerely,

Jared Susoev

Attached you will find the surveyor site plans.

Below are images from neighboring houses that have similar exceptions to the current fence lines that we are requesting.

Pollard Ct and Pollard Rd intersection



Pollard Ct and Pollard Rd intersection Cont:



Bearden and Pollard Rd



Bearden and Pollard Rd Cont.



More Ave Southbound Across from treatment plant down to Roxbury Ln



More Ave Southbound Across from treatment plant down to Roxbury Ln Cont.



Current Fence line for 501 Roxbury Ln



Dear Town of Los Gatos,

Re: Relocation of Susoev's Fence at 501 Roxbury Ln. Los Gatos, CA 95032

We the neighbors of 501 Roxbury Ln. Los Gatos, CA 95032, wish to express our wholehearted support for the proposed relocation of their fence. We believe that this adjustment will enhance the aesthetic appeal of the neighborhood.

The intended relocation of the fence aligns with the community's interest in maintaining a cohesive and visually pleasing neighborhood. It will blend seamlessly with the neighborhood and uphold the visual consistency we collectively share.

In conclusion, we request that the Town of Los Gatos consider our collective support and grant the necessary approvals for the Susoev's to proceed with the fence height exception and relocation.

Thank you for your time and consideration.

Sincerely,

Barbara Irone 10/7/2023

Dear Town of Los Gatos,

Re: Relocation of Susoev's Fence at 501 Roxbury Ln. Los Gatos, CA 95032

We the neighbors of 501 Roxbury Ln. Los Gatos, CA 95032, wish to express our wholehearted support for the proposed relocation of their fence. We believe that this adjustment will enhance the aesthetic appeal of the neighborhood.

The intended relocation of the fence aligns with the community's interest in maintaining a cohesive and visually pleasing neighborhood. It will blend seamlessly with the neighborhood and uphold the visual consistency we collectively share.

In conclusion, we request that the Town of Los Gatos consider our collective support and grant the necessary approvals for the Susoev's to proceed with the fence height exception and relocation.

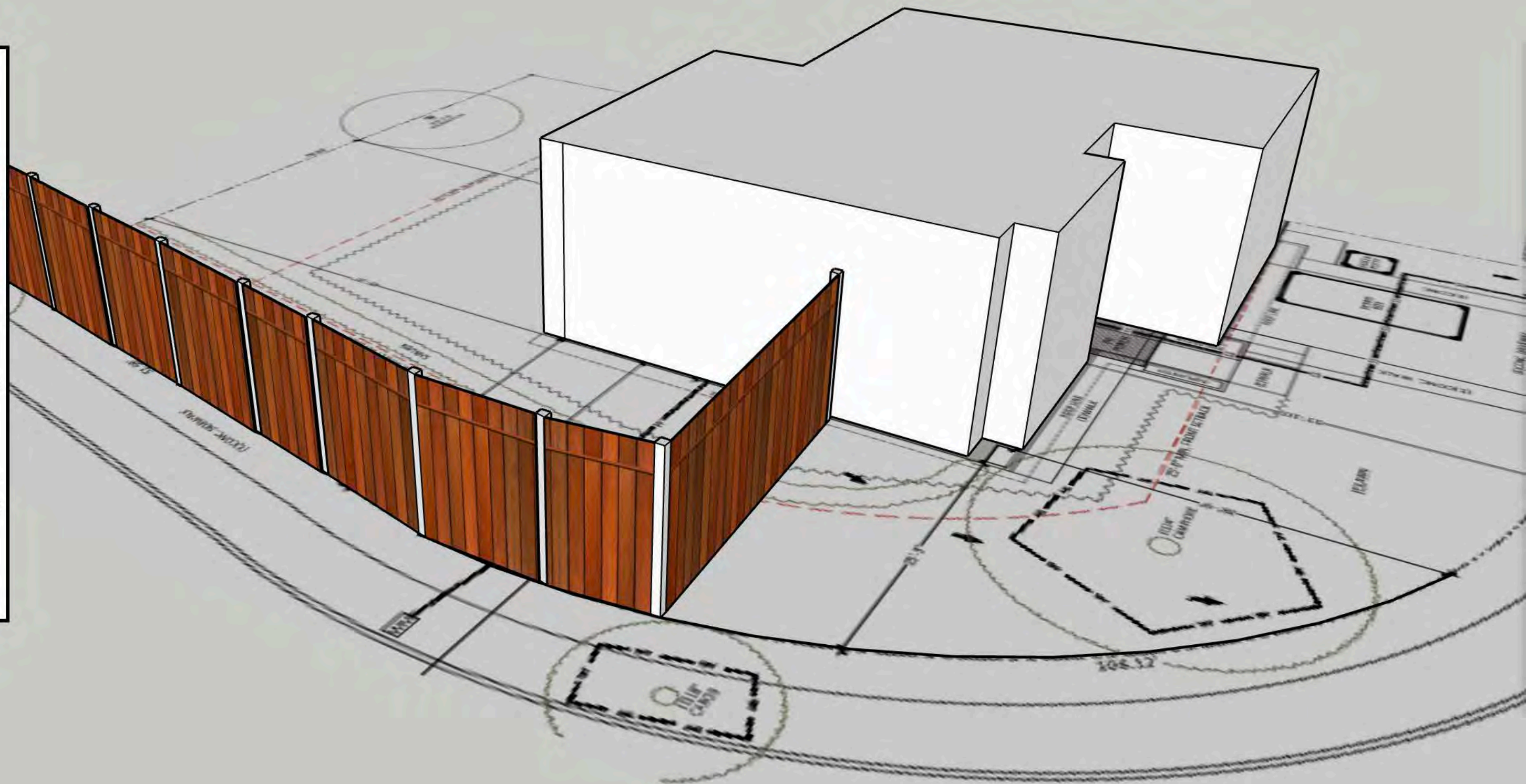
Thank you for your time and consideration.

Sincerely,

Jesse A. Tarver



Proposed fence will be constructed of 4"x4" pressure treated posts with redwood planks, it will run approximately 70' at a distance of 18" from property line/conc. sidewalk. The fence will have an overall height of 6'.



DG Design

4355 Conejo Dr
Danville, CA 94506

(510) 579-2004
(510) 427-4882
DGDESIGN.CA@COMCAST.NET

DINO GARCIA
PBD

MEMBER

A | I
B | D

AMERICAN INSTITUTE of
BUILDING DESIGN

Project Title
ADDITION & REMODEL

SUSOEV RESIDENCE
501 ROXBURY LN
LOS GATOS, CA 95032

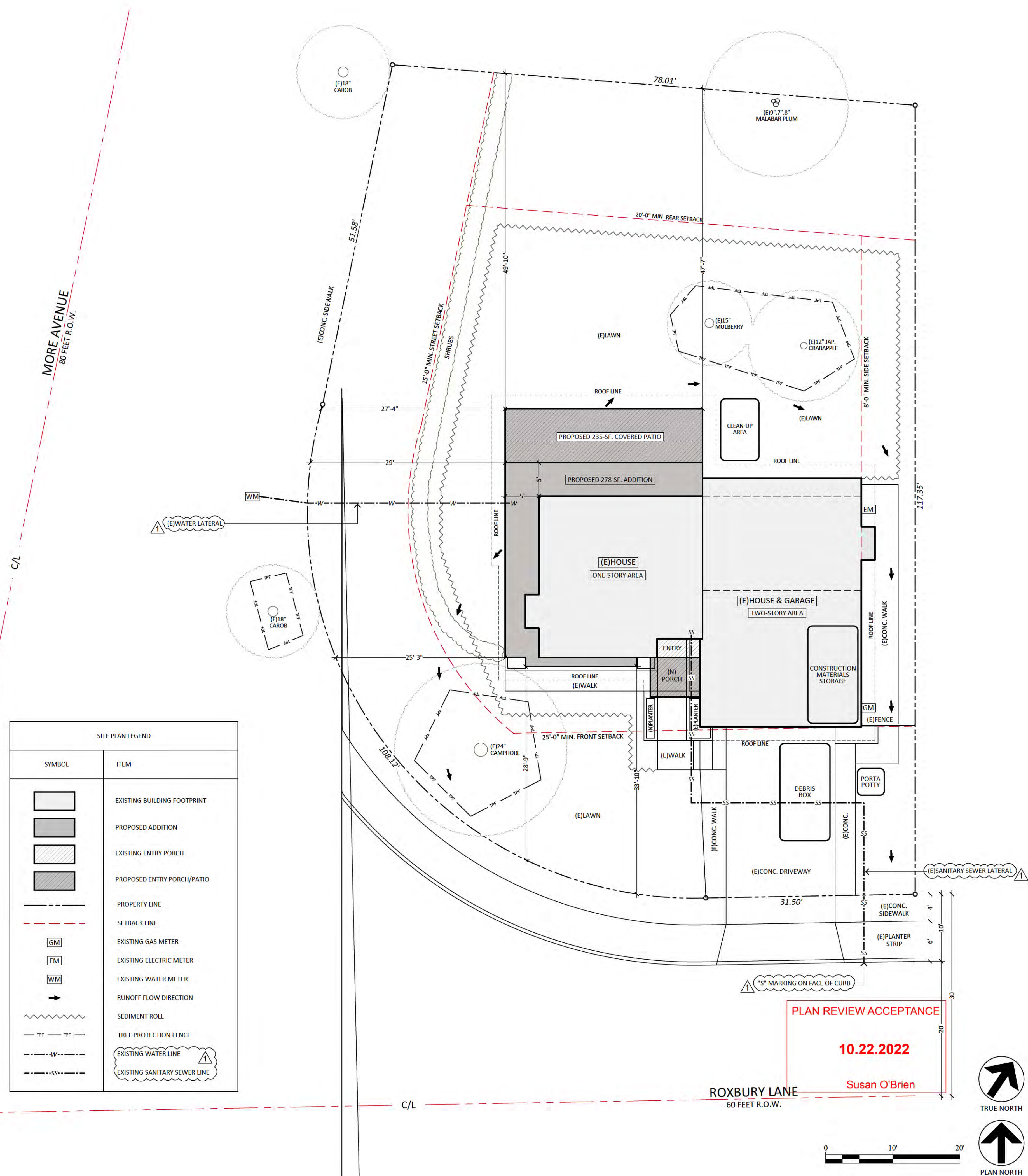
APN: 407-31-026

Revisions		
Number	Date	Description
DELTA-1	10/13/22	FIRST REVIEW COMMENTS

Plan Set:	BUILDING PERMIT SET
Issue Date:	
Project No.	
File Name:	
Drawn By:	DG
Checked By:	VL
Plot Date:	06/21/2022

Sheet Title
PLAN REVIEW APPROVAL
SITE PLAN
10.24.2022

Sheet No. **TOWN OF LOS GATOS**
BUILDING DIVISION



SITE PLAN LEGEND	
SYMBOL	ITEM
	EXISTING BUILDING FOOTPRINT
	PROPOSED ADDITION
	EXISTING ENTRY PORCH
	PROPOSED ENTRY PORCH/PATIO
	PROPERTY LINE
	SETBACK LINE
	EXISTING GAS METER
	EXISTING ELECTRIC METER
	EXISTING WATER METER
	RUNOFF FLOW DIRECTION
	SEDIMENT ROLL
	TREE PROTECTION FENCE
	EXISTING WATER LINE
	EXISTING SANITARY SEWER LINE

PLAN REVIEW ACCEPTANCE
10.22.2022
Susan O'Brien

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October 2023

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EXHIBIT 10





**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 11/08/2023

ITEM NO: 2

DATE: November 3, 2023

TO: Planning Commission

FROM: Joel Paulson, Community Development Director

SUBJECT: Consider an Appeal of a Community Development Director Decision to Deny a Fence Height Exception Request for Construction of a Six-Foot Tall Fence Located Within the Required Front Yard Setback, Street Side Yard Setback, and Corner Sight Triangle on Property Zoned R-1:8. **Located at 124 Garden Hill Drive.** APN 424-23-084. Fence Height Exception Application FHE-23-005. Categorically Exempt Pursuant to CEQA Guidelines Section 15303: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities. Property Owner: Rushikesh Kulkarni. Applicant/Appellant: Martin Lettunich. Project Planner: Ryan Safty.

RECOMMENDATION:

Deny the appeal and uphold the Community Development Director decision to deny a fence height exception request for construction of a six-foot tall fence within the required front yard setback, street side yard setback, and corner sight triangle on property zoned R-1:8, located at 124 Garden Hill Drive.

PROJECT DATA:

General Plan Designation: Low Density Residential

Zoning Designation: R-1:8 – Single-Family Residential

Applicable Plans & Standards: General Plan, Residential Design Guidelines

Parcel Size: 8,712 square feet

Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Residential	Low Density Residential	R-1:8
South	Residential	Low Density Residential	R-1:8
East	Residential	Low Density Residential	R-1:8
West	Residential	Low Density Residential	R-1:8

PREPARED BY: RYAN SAFTY
Associate Planner

Reviewed by: Planning Manager and Community Development Director

CEQA:

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities.

FINDINGS:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities; and
- As required by Section 29.40.320 of the Town Code for granting a Fence Height Exception.

ACTION:

The decision of the Planning Commission is final unless appealed within ten days.

BACKGROUND:

The subject property is located at the southwestern corner of Garden Hill Way and Garden Hill Drive, one block south of Lark Avenue and one block west of Highway 17 (Exhibit 1). The immediate neighborhood consists of single-family residential properties.

Over the past few years, the subject property has been sold and redeveloped. A summary of this history is provided below:

- November 15, 2017, the previous owner emailed the Town, asking if they can move their approximately five-foot tall fence out to the front and street-side property lines. Town staff informed them that this was not allowed per the then current Fence Ordinance as the area is within the corner sight triangle (Exhibit 10);
- April of 2018, the property was sold;
- August 6, 2019, the Town adopted a new Fence Ordinance with stricter regulations regarding front yard and street-side yard fence heights and locations, along with a new exception process;
- August 24, 2020, Building Permit application B20-0574 was submitted for a 969-square foot addition to the front and rear of the residence (Exhibit 4). Town staff provided the following plan correction on September 2, 2020, during the review: "There is an existing five-foot high non-conforming fence located in the front yard setback. Generally, fences located in the front setback are required to be a maximum of three feet in height. In the future, should you wish to maintain or replace this fence, it shall be done in kind pursuant to Section 29.40.0325 of the Town Code." The building permit was issued on January 10, 2021, and finalized by Town staff on June 29, 2022;

BACKGROUND (continued):

- November 23, 2021, Building Permit application B21-1157 was submitted for an outdoor barbeque, arbor, and perimeter wall and fence (Exhibit 5). Town staff provided the following plan correction on December 14, 2021, during the review: "Sheet L-4, reduce the height of the corner wall and fence to a maximum of three feet when located within a required front or side yard abutting a street, driveway view area, traffic view area, or corner sight triangle unless an exception is granted by the Town Engineer and Community Development Director." Following this comment, the plans were revised to show a fence and wall that complied with the Town's height requirements. The building permit was issued on April 12, 2022, and finalized by Town staff on May 2, 2023;
- On February 24, 2022, after receiving the comments from staff on B20-0574 and B21-11157 and amending the plans to show three-foot tall fencing within the front yard setback, street side yard setback, and corner sight triangle, the owners applied for a Fence Height Exception (FHE-22-001). After working with staff and learning that staff could not support the exception request, the application was withdrawn on April 12, 2022;
- On August 4, 2023, following a complaint, the Town issued an administrative warning (Exhibit 6) regarding an unpermitted six-foot tall fence at the corner of Garden Hill Drive;
- On September 7, 2023, the subject Fence Height Exception application (FHE-23-005) was submitted (Exhibits 7 and 8), requesting approval to install a six-foot tall fence on top of a retaining wall along the front and street-side property lines and within the corner sight triangle;
- On September 27, 2023, the Community Development Director and Town Engineer determined that the required exception findings could not be made, and denied the request (Exhibit 9); and
- On October 5, 2023, the applicant and owners appealed this decision to the Planning Commission (Exhibit 11).

Pursuant to Town Code Section 29.20.255, any interested person as defined by Town Code Section 29.10.020 may appeal to the Planning Commission any decision of the Planning Director. For residential projects, an interested person is defined as, "a person or entity who owns property or resides within 1,000 feet of a property for which a decision has been rendered and can demonstrate that their property will be injured by the decision." The appellant/owner meets the requirements.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is located at the southwestern corner of Garden Hill Way and Garden Hill Drive, one block south of Lark Avenue and one block west of Highway 17 (Exhibit 1). The immediate neighborhood consists of single-family residential properties.

B. Project Summary and Zoning Compliance

The property owner is appealing the Community Development Director decision to deny a fence height exception request for the construction of a six-foot tall wooden fence on top of an approximately two-foot tall retaining wall within the required front yard setback, street side yard setback, and corner sight triangle.

DISCUSSION:

A. Fence Height Exception

The property owner has requested a fence height exception for construction of a six-foot tall wooden fence on top of an approximately two-foot tall retaining wall along the front corner of the property. The application requests exceptions to the required front yard setback, street-side setback, and corner sight triangle. Currently, there is an unpermitted three-foot tall bamboo screen attached to the approved three-foot tall wooden fence along the corner of the property.

As noted in the Background Section above, the property has undergone substantial remodel and redevelopment over the past few years. Building Permit B21-1157 allowed construction of an outdoor patio; a six-foot tall fence along the southern (rear yard) and western (internal side yard) property lines and outside of the required front setback, street side setback, and corner sight triangle; and allowed construction of a three-foot tall garden wall along the eastern (street side yard) property line and a two-foot tall retaining wall along the northern (front yard) property line. As retaining walls adjust the grade behind them, fence height is measured from the higher edge of grade; per Town Code, a three-foot fence can be built above the retaining wall in the front or street-side setback if it complies with the Town Engineer's corner sight triangle requirements (Exhibit 10).

Town staff visited the site to take pictures, and prepared Exhibit 12 to highlight which areas of the perimeter fencing is approved and compliant versus non-permitted and non-compliant. The area in green identifies the areas of the perimeter fence and wall that are compliant with code, while the area in red shows the portion of the fence that does not comply with code and requires an exception or modification. The front property line and

DISCUSSION (continued):

street-side property lines are differentiated from each other, and the corner sight triangle area is also highlighted.

Per Town Code Section 29.40.0315, fences and gates are limited to six feet in height with one foot of lattice on top (seven feet total), but are limited to, “three feet in height when located within a required front or side yard abutting a street, driveway view area, traffic view area, or corner sight triangle unless an exception is granted by the Town Engineer and Community Development Director.” The proposed fence is limited to three feet by Code, as it is within the required front yard setback, street side yard setback, and corner sight triangle.

Town Code Section 29.40.0320, provided below, allows an exception to any of the fence regulations if a property owner can demonstrate that one of the following conditions exist.

Sec. 29.40.0320. - Exceptions.

An exception to any of these fence regulations may be granted by the Community Development Director. A fence exception application and fee shall be filed with the Community Development Department and shall provide written justification that demonstrates one (1) of the following conditions exist:

- (a) Adjacent to commercial property, perimeter fences or walls may be eight (8) feet if requested or agreed upon by a majority of the adjacent residential property owners.*
- (b) On interior lots, side yard and rear yard fences, walls, gates, gateways, entry arbors, or hedges, behind the front yard setback, may be a maximum of eight (8) feet high provided the property owner can provide written justification that either:
 - (1) A special privacy concern exists that cannot be practically addressed by additional landscaping or tree screening; or*
 - (2) A special wildlife/animal problem affects the property that cannot be practically addressed through alternatives. Documented instances of wildlife grazing on gardens or ornamental landscaping may be an example of such a problem.**
- (c) At public utility facilities, critical infrastructure, and emergency access locations, exceptions may be granted where strict enforcement of these regulations will result in a security or safety concern.*
- (d) A special security concern exists that cannot be practically addressed through alternatives.*
- (e) A special circumstance exists, including lot size or configuration, where strict enforcement of these regulations would result in undue hardship.*

DISCUSSION (continued):

The Letter of Justification (Exhibit 8) cited conditions (b)(1) related to a special privacy concern, (b)(2) related to a special wildlife problem, (d) related to security, and (e) related to a special circumstance associated with the property configuration for justification of the exception request.

For conditions (b)(1) and (b)(2), staff could not support the exception as subsection (b) only applies to the side and rear fences on interior lots. This is a corner lot, and the exception is for the front and street side yards; therefore, subsection (b) of Town Code Section 29.40.0320 is not applicable.

For condition (d), the provided justification is as follows: "It is also a special security concern given the fact that my client has three young children who have no place to play outside but in that area. We see no alternative ways to address the safety of my client's children other than to have a tall fence to keep the children in and the coyotes out [...]. The fence at 3 feet high is not workable to avoid the threat from the coyotes." Town staff could not support the exception request under condition (d) as the property is located in an urbanized, residential subdivision. If the potential of a coyote sighting were deemed a "special security concern," then most properties in the Town would be eligible. Additionally, the owners are allowed to construct a six-foot tall fence with one-foot of lattice above (seven feet total) if they move the fence location back to the meet the required front and street side yard setbacks. As noted in the Background Section above, the owners were notified before and throughout their remodel process that the fence height at this location is limited to three feet. They proceeded with their house addition and remodel plans, which impacted which areas of the lot were available for outdoor use.

For condition (e), the provided justification is as follows: "My client is of East Indian descent. He belongs to a religion which places special importance on the sun and its east west passage through the sky. According to the tenants of his religion, he is to hold prayer sessions on the east side of his yard. He has tried to do so, but, prior to erecting the bamboo fence, the neighbors would stop and watch his private prayer sessions with his family. The lack of privacy with a short fence made it very difficult and uncomfortable for my client and his family to practice their faith." Town staff could not support the exception request under condition (e). As noted in the Background Section above, the owners were notified before and throughout their remodel process that the fence height at this location is limited to three feet. They proceeded with their house addition and remodel plans, which impacted which areas of the lot were available for outdoor use. Additionally, the owners are allowed to construct a six-foot tall fence with one-foot of lattice above (seven feet total) if they move the fence location back to the meet the required front and street side yard setbacks.

DISCUSSION (continued):

The Letter of Justification also argues that this is not a true road intersection, but instead a bend of a road, and therefore the corner sight triangle requirements should not be applicable. As a part of the Town's review, the Town Engineer reviewed the request and confirmed that the corner sight triangle requirements are valid at this location, and also denied the exception request. For the reasons outlined in this section, the Town denied the exception request on September 27, 2023 (Exhibit 9).

B. Appeal Analysis

The Decision of the Community Development Director to deny the fence height exception was appealed on October 5, 2023 (Exhibit 11).

The appeal form did not provide any additional reasoning for the request for the Town or Planning Commission to consider. The Planning Commission should review the previous exception justification points listed above to determine if the exception request can be approved.

C. Environmental Review

The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities.

PUBLIC COMMENTS:

Written notice was sent to property owners and tenants within 300 feet of the subject property. At the time of preparation of this report, no public comment has been received.

CONCLUSION:

A. Summary

The property owner is requesting that the Planning Commission reconsider the Community Development Director's decision to deny the fence height exception to allow a new six-foot tall wooden fence within the required front yard setback, street side yard setback, and corner sight triangle.

CONCLUSION (continued):

B. Recommendation

Staff recommends that the Planning Commission deny the appeal and uphold the Community Development Director decision to deny the fence height exception application based on the reasoning provided in this report.

C. Alternatives

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction;
2. Grant the appeal and approve the fence height exception with the findings in Exhibit 2 and the draft conditions provided in Exhibit 3; or
3. Grant the appeal with additional and/or modified conditions.

EXHIBITS:

1. Location Map
2. Required Finding
3. Recommended Conditions of Approval if Appeal is Granted
4. Building Permit B20-0574 Approved Plans
5. Building Permit B21-1157 Approved Plans
6. Administrative Warning, Dated August 4, 2023
7. Project Plans, Received September 7, 2023
8. Letter of Justification, Received September 7, 2023
9. Fence Height Exception Denial Letter, Dated September 27, 2023
10. View Area Diagrams
11. Appeal of the Community Development Director Decision, Received October 5, 2023
12. Pictures of Subject Property

124 Garden Hill Drive

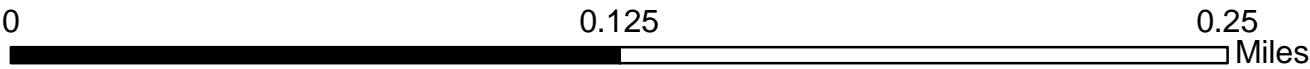
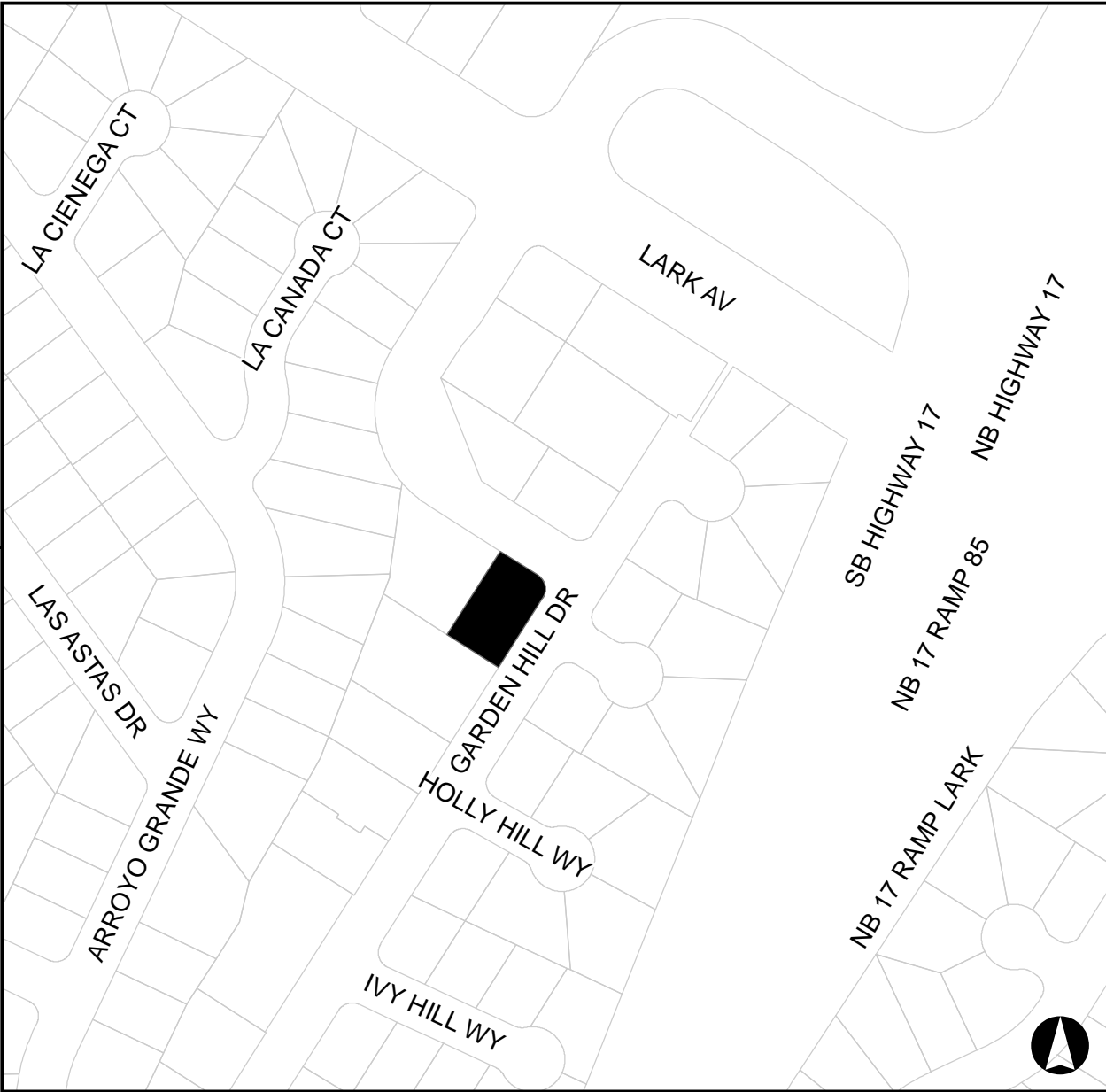


EXHIBIT 1

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PLANNING COMMISSION – November 8, 2023
REQUIRED FINDINGS FOR:

124 Garden Hill Drive
Fence Height Exception Application FHE-23-005

Consider an Appeal of a Community Development Director Decision to Deny a Fence Height Exception Request for Construction of a Six-Foot Tall Fence Located Within the Required Front Yard Setback, Street Side Yard Setback, and Corner Sight Triangle on Property Zoned R-1:8. APN 424-23-084. Categorically Exempt Pursuant to CEQA Guidelines Section 15305: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities. Property Owner: Rushikesh Kulkarni. Applicant/Appellant: Martin Lettunich. Project Planner: Ryan Safty.

Required finding for CEQA:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15303: New Construction or Conversion of Small Structures.

Required findings for granting a Fence Height Exception:

Per Town Code Section 29.40.0320, the applicant has provided written justification that demonstrates one of the following conditions exist:

- A special security concern exists that cannot be practically addressed through alternatives.
- A special circumstance exists, including lot size or configuration, where strict enforcement of these regulations would result in undue hardship.

EXHIBIT 2

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PLANNING COMMISSION – November 8, 2023
DRAFT CONDITIONS OF APPROVAL

124 Garden Hill Drive
Fence Height Exception Application FHE-23-005

Consider an Appeal of a Community Development Director Decision to Deny a Fence Height Exception Request for Construction of a Six-Foot Tall Fence Located Within the Required Front Yard Setback, Street Side Yard Setback, and Corner Sight Triangle on Property Zoned R-1:8. APN 424-23-084. Categorically Exempt Pursuant to CEQA Guidelines Section 15305: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities. Property Owner: Rushikesh Kulkarni. Applicant/Appellant: Martin Lettunich. Project Planner: Ryan Safty.

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval and in substantial compliance with the approved plans. Any intensification beyond this authorized use requires a Conditional Use Permit amendment.
2. EXPIRATION: The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested per Section 29.20.335 of the Town Code. Reasonable extensions of time not exceeding one year may be granted upon application, and can be granted if approved by the deciding body prior to the expiration date. Therefore, it is recommended that applications for a time extension be filed with the Community Development Department at least 60 days prior to the expiration date of the approval.
3. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement (“the Project”) from the Town shall defend (with counsel approved by Town), indemnify, and hold harmless the Town, its agents, officers, and employees from and against any claim, action, or proceeding (including without limitation any appeal or petition for review thereof) against the Town or its agents, officers, or employees related to an approval of the Project, including without limitation any related application, permit, certification, condition, environmental determination, other approval, compliance or failure to comply with applicable laws and regulations, and/or processing methods (“Challenge”). Town may (but is not obligated to) defend such Challenge as Town, in its sole discretion, determines appropriate, all at applicant’s sole cost and expense.

Applicant shall bear any and all losses, damages, injuries, liabilities, costs, and expenses (including, without limitation, staff time and in-house attorney’s fees on a fully-loaded basis, attorney’s fees for outside legal counsel, expert witness fees, court costs, and other litigation expenses) arising out of or related to any Challenge (“Costs”), whether incurred by Applicant, Town, or awarded to any third party, and shall pay to the Town upon

demand any Costs incurred by the Town. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in such Challenge as Town, in its sole discretion, determines appropriate, all at the applicant's sole cost and expense. No modification of the Project, any application, permit certification, condition, environmental determination, other approval, change in applicable laws and regulations, or change in processing methods shall alter the applicant's indemnity obligation.

DRAFT

GENERAL PROJECT NOTES/REQUIREMENTS

1. **GOVERNING CODES:** ALL WORK SHALL CONFORM TO THE FOLLOWING CODES AND STANDARDS:
A) 2019 CALIFORNIA BUILDING CODE (CBC) TITLE 24, PART 2 (BASED ON 2018 IBC)
B) 2019 CALIFORNIA RESIDENTIAL CODE (CRC) TITLE 24, PART 2.5 (BASED ON 2018 IRC)
C) 2019 CALIFORNIA ELECTRIC CODE (CEC) TITLE 24, PART 3 (BASED ON 2011 NEC)
D) 2019 CALIFORNIA MECHANICAL CODE (CMC) TITLE 24, PART 4 (BASED ON 2018 UMC)
E) 2019 CALIFORNIA PLUMBING CODE (CPC) TITLE 24, PART 5 (BASED ON 2018 UPC)
F) 2019 CALIFORNIA ENERGY CODE TITLE 24, PART 6
G) 2019 CALIFORNIA FIRE CODE (CFC) TITLE 24, PART 9 (BASED ON 2018 IFC)
H) 2019 CALGREEN BUILDING CODE TITLE 24, PART 11

IN ADDITION TO THE CODES REFERENCED ABOVE, ALL WORK SHALL CONFORM TO ALL LOCAL ORDINANCES AND REGULATIONS WHICH APPLY TO THE WORK AND SHALL IN ANY CASE CONFORM TO THE LATEST EDITION(S) OF THE CRC/IRC/CBC/IBC (CA RESIDENTIAL CODE/ INTERNATIONAL RESIDENTIAL CODE & CALIFORNIA BUILDING CODE/INTERNATIONAL BUILDING CODE) CURRENTLY ENFORCED AND ALL CITY, COUNTY AND/OR STATE CODES AS APPLICABLE.

3. BRITT ROWE SHALL NOT BE HELD RESPONSIBLE FOR THE DESIGN, COORDINATION AND/OR IMPLEMENTATION OF ANY AND ALL "DESIGN-BUILD" WORK, INCLUDING BUT NOT LIMITED TO THE FOLLOWING SEE THE APPROPRIATE CODE REFERENCES BELOW FOR DESIGN AND INSTALLATION REQUIREMENTS.

A) ELECTRICAL: PER CEC (CALIFORNIA ELECTRIC CODE) CURRENT EDITION.
B) MECHANICAL: PER CMC (CALIFORNIA MECHANICAL CODE) CURRENT EDITION.
C) PLUMBING: PER CPC (CALIFORNIA PLUMBING CODE) CURRENT EDITION.
D) FIRE SPRINKLERS: CFC (CALIFORNIA FIRE CODE)

VERIFY AND ADDRESS ALL ADDITIONAL LOCAL ORDINANCES AND CODES WHICH MAY APPLY TO THE SPECIFIC "DESIGN-BUILD" APPLICATION AS REQUIRED.

4. BRITT ROWE IS NOT RESPONSIBLE FOR THE DESIGN, COORDINATION, OR IMPLEMENTATION OF ANY WORK PERFORMED BY CONSULTANTS, INCLUDING BUT NOT LIMITED TO, STRUCTURAL ENGINEERING, SOIL ENGINEERING, CIVIL ENGINEERING, LAND SURVEYING, ELECTRICAL ENGINEERING, LANDSCAPE ARCHITECTURE AND/OR TITLE 24 ENERGY COMPLIANCE.

5. IN ADDITION TO INSPECTIONS REQUIRED BY CBC 110, THE OWNER, CONTRACTOR AND/OR STRUCTURAL ENGINEER OF RECORD, ACTING AS THE OWNER'S AGENT, SHALL EMPLOY ONE OR MORE SPECIAL INSPECTORS OR JURISDICTION APPROVED TESTING AGENCIES, WHO SHALL PROVIDE "SPECIAL INSPECTIONS" DURING THE COURSE OF CONSTRUCTION FOR THE FOLLOWING TYPES OF WORK PER CBC 1104, 1101 OR 1108 INCLUDING BUT NOT LIMITED TO:

A) CONCRETE: WHERE THE STRUCTURAL DESIGN EXCEEDS A (F'C) OF 2500 PSI
B) ON SITE STRUCTURAL WELDING, INCLUDING WELDING OF REINFORCING STEEL
C) DRILLED PIERS, CAISSONS AND STRUCTURAL MASONRY
D) RETROFIT EPOXY SET HOLD DOUGS AND/OR ANCHOR BOLTS.

SPECIAL INSPECTOR'S APPROVALS/CREDENTIALS SHALL BE PROVIDED TO THE LOCAL JURISDICTION UPON REQUEST.

6. ALL GENERAL CONTRACTORS AND/OR SUBCONTRACTORS SHALL BE LICENSED WITH POSSESSION OF THE APPROPRIATE INSURANCE POLICIES IE: WORKMAN'S COMPENSATION, LIABILITY, ETC., AND A VALID BUSINESS LICENSE WITHIN THE JURISDICTION OF THE SUBJECT PROPERTY PROJECT SITE.

7. BRITT ROWE IS NOT RESPONSIBLE FOR THE ERECTION, FABRICATION AND/OR RELATIVE JOB SAFETY. THE GENERAL CONTRACTOR AND/OR SUBCONTRACTORS SHALL COMPLY WITH ALL REQUIRED SAFETY ORDERS PER CAL-OSHA REQUIREMENTS AND REGULATIONS.

8. THE GENERAL CONTRACTOR AND/OR SUBCONTRACTORS ARE TO VERIFY, ALL EXISTING CONDITIONS AND/OR DISCREPANCIES BEFORE COMMENCING WITH WORK IN ORDER TO ENSURE CONFORMANCE WITH THE "CONSTRUCTION DOCUMENTS". ALL DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF BRITT ROWE AND/OR THE STRUCTURAL ENGINEER OF RECORD PRIOR TO COMMENCEMENT OF CONSTRUCTION. ALL REQUESTS FOR "CHANGE ORDERS" SHALL BE SUBMITTED IN WRITING TO BRITT ROWE FOR APPROVAL.

9. REGARDLESS OF DIMENSIONS SHOWN, ALL NEW WORK SHALL ALIGN EXACTLY WITH EXISTING WORK WITH RESPECT TO FLOOR ELEVATIONS, COLUMN CENTERLINES, WALL FACES, ETC., (UNO)

10. LAYOUT FOR NEW WORK IS LARGELY BASED UPON RELATIONSHIPS TO EXISTING CONDITIONS OF THE SITE AND/OR EXISTING STRUCTURES. ANY QUESTIONS REGARDING THE INTENT RELATED TO THE LAYOUT OF THE NEW WORK SHALL BE BROUGHT TO THE ATTENTION OF BRITT ROWE, PRIOR TO THE COMMENCEMENT OF ANY WORK. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY BRITT ROWE OF ALL DISCREPANCIES PRIOR TO THE COMMENCEMENT OF ANY WORK.

11. PREFERENCE SHALL BE GIVEN TO WRITTEN/FIGURED DIMENSIONS ON THE DRAWINGS OVER SCALED MEASUREMENTS. THE "PLANS, SPECIFICATIONS AND GENERAL NOTES" ARE INTENDED TO AGREE AND SUPPLEMENT ONE ANOTHER. ANYTHING INDICATED IN ONE AND NOT THE OTHER, SHALL BE EXECUTED AS IF IN ALL IN CASES OF DIRECT CONFLICT, THE MOST RESTRICTIVE SHALL GOVERN.

12. ALL WORK SHALL BE PLUMB, SQUARE AND TRUE AND SHALL BE OF GOOD "WORKMANLIKE" QUALITY AS ACCEPTABLE TO THE APPROPRIATE TRADE'S STANDARD PRACTICES AND THOSE OF THE TRADE'S COUNCILS AND/OR ORGANIZATIONS.

13. ANY WORK AND/OR ITEM NOT SPECIFICALLY CALLED FOR IN THE DRAWINGS, BUT REQUIRED FOR A COMPLETE AND FULLY FUNCTIONING INSTALLATION CONSISTENT WITH THE INTENT OF THE "CONSTRUCTION DOCUMENTS" SHALL BE SUPPLIED BY THE GENERAL CONTRACTOR AND/OR SUBCONTRACTORS AS REQUIRED.

14. THE INTENT OF THE "CONSTRUCTION DOCUMENTS" IS TO INCLUDE ALL LABOR, MATERIALS, EQUIPMENT AND TRANSPORTATION NECESSARY FOR THE COMPLETE AND PROPER EXECUTION OF THE WORK.

15. THE PROJECT "SPECIFICATION BOOK" SHALL TAKE PRECEDENCE OVER NOTED SPECIFICATIONS WHEN APPLICABLE.

16. CIVIL, SOIL AND STRUCTURAL ENGINEERING SPECIFICATIONS SHALL TAKE PRECEDENCE OVER ANY OTHER SPECIFICATIONS.

17. BRITT ROWE RETAINS ALL RIGHTS AND OWNERSHIP TO ALL DRAWINGS AND SPECIFICATIONS. THESE DOCUMENTS MAY NOT BE USED IN WHOLE, OR IN PART, WITHOUT THE EXPRESSED WRITTEN CONSENT FROM BRITT ROWE.

18. THE OWNER/DEVELOPER/CLIENT RESERVES THE RIGHT TO MAKE ALTERATIONS TO THE DESIGN DURING THE COURSE OF CONSTRUCTION. ALL CHANGES SHALL BE APPROVED BY THE LOCAL BUILDING OFFICIAL AND SHALL, IN ANY CASE, COMPLY WITH THE CURRENT EDITIONS OF THE CRC, CBC, CMC, CPC, CFC, CEC AND/OR CES AS REQUIRED.

19. NEW CONSTRUCTION OR REMODELING IS LARGELY DEPENDENT UPON EXISTING SITE CONDITIONS AND THEREFORE A "SITE SURVEY" IS RECOMMENDED AND IF PROVIDED, SHALL BE GENERATED BY A LICENSED LAND SURVEYOR OR REGISTERED CIVIL ENGINEER AND SHALL CONTAIN THE FOLLOWING INFORMATION: PROPERTY CORNERS, PROPERTY LINES, EXISTING BUILDING(S), EASEMENTS, TOPOGRAPHY LINES, UTILITIES AND/OR SIGNIFICANT TREES. IF A SITE SURVEY IS NOT PROVIDED, BRITT ROWE WILL NOT BE HELD RESPONSIBLE FOR ANY AND ALL DISCREPANCIES RELATING TO THE SITE AND EXISTING CONDITIONS. IN ANY EVENT, BRITT ROWE SHALL NOT BE RESPONSIBLE FOR WORK PERFORMED BY OTHERS AND PROVIDED FOR THE PURPOSE OF COMPLETING THE PROJECT.

20. ALL "DEFERRED SUBMITTALS" SHALL FIRST BE SUBMITTED TO THE REGISTERED DESIGN PROFESSIONAL WHO SHALL REVIEW THEM AND FORWARD THEM TO THE BUILDING OFFICIAL WITH NOTATION INDICATING THE DEFERRED SUBMITTAL DOCUMENTS HAVE BEEN REVIEWED AND HAVE BEEN FOUND TO BE IN GENERAL CONFORMANCE WITH THE DESIGN OF THE BUILDING. THE DEFERRED SUBMITTAL ITEMS SHALL NOT BE INSTALLED UNTIL THE DEFERRED SUBMITTAL DOCUMENTS HAVE BEEN APPROVED BY THE APPLICABLE BUILDING OFFICIAL.

GENERAL PROJECT INFORMATION

OWNER:

RISHI AND ASHI KULKARNI
124 GARDEN HILL DRIVE
LOS GATOS, CA 95032
81.RISHI@GMAIL.COM

PROJECT ADDRESS:

124 GARDEN HILL DRIVE
LOS GATOS, CA 95032

APN:
LOT SIZE:
LOT SLOPE:
ZONING:
TRACT:
OCCUPANCY GROUP:
TYPE OF CONSTRUCTION:

424-23-084
8,916 SF (21 ACRES)
FLAT
R-1B
1520 (LOT X)
R3/U
V-B

FLOOR AREAS		
(E) LIVING AREA	1,214 SF	
(E) GARAGE	451 SF (2-CAR COV.)	ALLOWABLE = 798 SF FAR: (0.0889)
(N) LIVING AREA ADDITION	969 SF	
(N) COVERED PORCH	16 SF	@ FRONT ENTRY
(N) TOTAL LIVING AREA	2,183 SF	ALLOWABLE = 2,056 SF FAR: (0.318)

SETBACKS	PROVIDED	REQUIRED
FRONT (PER PLANNING)	(E) 20'-3"	25'-0"
REAR (PER PLANNING)	20'-6" @ ADDITION	20'-0"
LEFT SIDE (PER PLANNING)	(E) 1'-4"	8'-0"
RIGHT SIDE (PER PLANNING)	(E) 1'-11"	8'-0"

NOTE: CORNER LOT: LOT ORIENTATION IS DETERMINED BY LOT GEOMETRY AND NOT BY ADDRESS.

COVERAGES	PROPOSED	
BUILDING @ GRADE	3464 SF	DWELLING, GARAGE, PORCHES, PATIOS

BUILDING HEIGHT	PROPOSED	ALLOWED
MAX. RIDGE	(N) 18'-11"	30'-0"

SCOPE OF WORK:

NEW MASTER BEDROOM AND BATH ADDITION TO THE REAR OF AN EXISTING SINGLE STORY, SINGLE FAMILY RESIDENCE. SEE PLANS. ATTIC HEIGHT IS LESS THAN 1'-0"H. REMODELED AREA = 1214 SF.

SPECIAL NOTES

SCHEDULE FINAL INSPECTIONS PLEASE CONTACT THE FOLLOWING DEPARTMENTS SEVEN (7) DAYS IN ADVANCE OF FINAL BUILDING INSPECTION:

- ☒ PLANNING DIVISION: (408) 354-6874
- ☒ ENGINEERING/PUBLIC WORKS: (408) 399-5771
- ☐ SANTA CLARA COUNTY FIRE DISTRICT: (408) 378-4010
- ☒ WEST VALLEY SANITATION DISTRICT: (408) 378-2407
- ☐ SANTA CLARA CO. ENVIR. HEALTH: (408) 918-3400

DEMOLITION WORK
Prior to the removal of any Interior OR exterior wall coverings please read and review the Town's demolition policy attached!

PLAN REVIEW ACCEPTANCE

FOR COMPLIANCE WITH THE APPLICABLE 2019 CALIFORNIA BUILDING, RESIDENTIAL, PLUMBING, MECHANICAL, ELECTRICAL, ENERGY AND GREEN BUILDING CODES AS AMENDED BY THE JURISDICTION:

PLAN REVIEW ACCEPTANCE OF DOCUMENTS DOES NOT AUTHORIZE CONSTRUCTION TO PROCEED IN VIOLATION OF ANY FEDERAL, STATE OR LOCAL REGULATION.

BY: Chris DATE: 12-16-20

Chris Strand

REVISIONS:	#
10/29/20	R1
12/13/20	R2

BRITT • ROWE

108 N. Santa Cruz Ave.
Los Gatos, CA 95030

408.354.6224 (office)
408.354.6514 (fax)
www.britt-rowe.com

Britt Rowe shall retain all rights and ownership to all drawings and specifications. The contents of the drawings may not be used in whole, or in part, without expressed written consent given by Britt Rowe. All construction shall comply with all local & national building codes. All contractors shall verify all conditions to assure conformance to these codes.

KULKARNI
RESIDENCE
124 GARDEN HILL DRIVE
LOS GATOS, CA 95032

SHEET INDEXX - NOTES

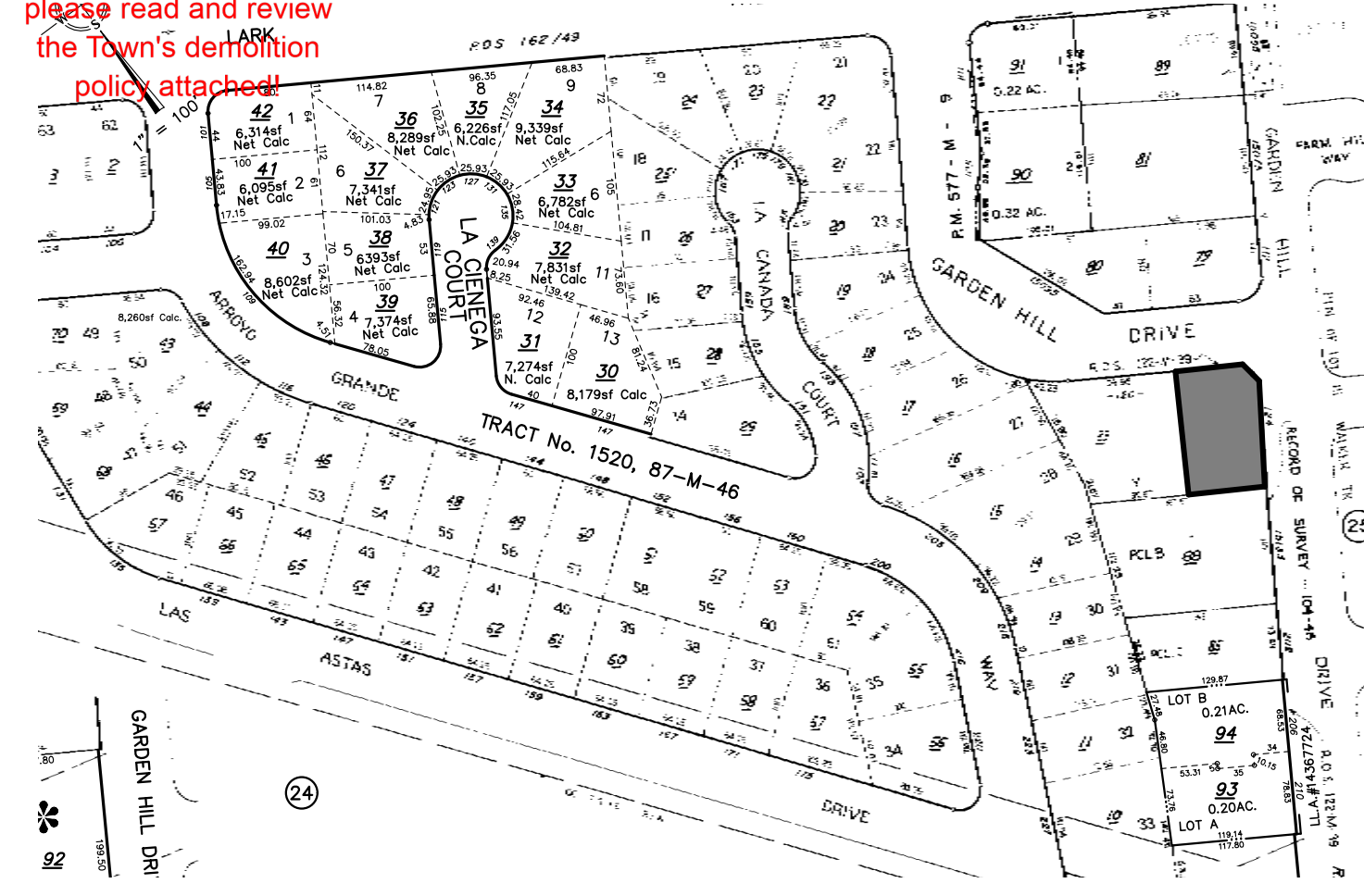
SHT. ID	DRAWING TITLE
A0.1	TITLE SHEET AND GENERAL PROJECT INFO
A0.2	CALGREEN NOTES
MISC.	"BLUEPRINT FOR A CLEAN BAY"
A1.1	SITE PLAN - NOTES
A1.2	CONSTRUCTION MANAGEMENT PLAN
A2.1	EXISTING FLOOR PLAN - DEMOLITION
A2.2	EXISTING EXTERIOR WALL RETENTION PLAN
A2.3	EXISTING EXTERIOR ELEVATIONS
A3.1	PROPOSED FLOOR PLAN
A4.1	ROOF PLAN/NOTES/DETAILS
A5.1	EXTERIOR ELEVATIONS
A5.2	EXTERIOR ELEVATIONS
A6.1	BUILDING CROSS SECTIONS
D.1	WALL FRAMING DETAILS
DW.1	DOOR/WINDOW SCHEDULES/NOTES
E.1	PROPOSED ELECTRICAL PLAN
EN.1	CA ELECTRICAL CODE NOTES - ELECT. LEGEND
EN.2	CA ELECTRICAL CODE NOTES
EN.3	CA ENERGY COMMISSION NOTES
EN.4	CA ENERGY COMMISSION NOTES
F.1	SCC FIRE DEPARTMENT JOB SITE SAFETY
GN.1	CA BUILDING CODE NOTES
GN.2	CA BUILDING CODE NOTES
GN.3	CA BUILDING CODE NOTES
M.1	CA MECHANICAL NOTES
P.1	CA PLUMBING CODE NOTES
S.1	FOUNDATION PLAN - NOTES

SHT. ID	DRAWING TITLE
S.3	ROOF FRAMING PLAN
SD.1	STRUCTURAL DETAILS
SD.2	STRUCTURAL DETAILS
SD.3	STRUCTURAL DETAILS
SD.4	STRUCTURAL DETAILS
SD.5	STRUCTURAL DETAILS
SD.6	STRUCTURAL DETAILS
SD.7	STRUCTURAL DETAILS
SN.1	STRUCTURAL NOTES
SN.2	STRUCTURAL NOTES
T24-1	TITLE 24 ENERGY CALCULATIONS
T24-2	TITLE 24 ENERGY CALCULATIONS

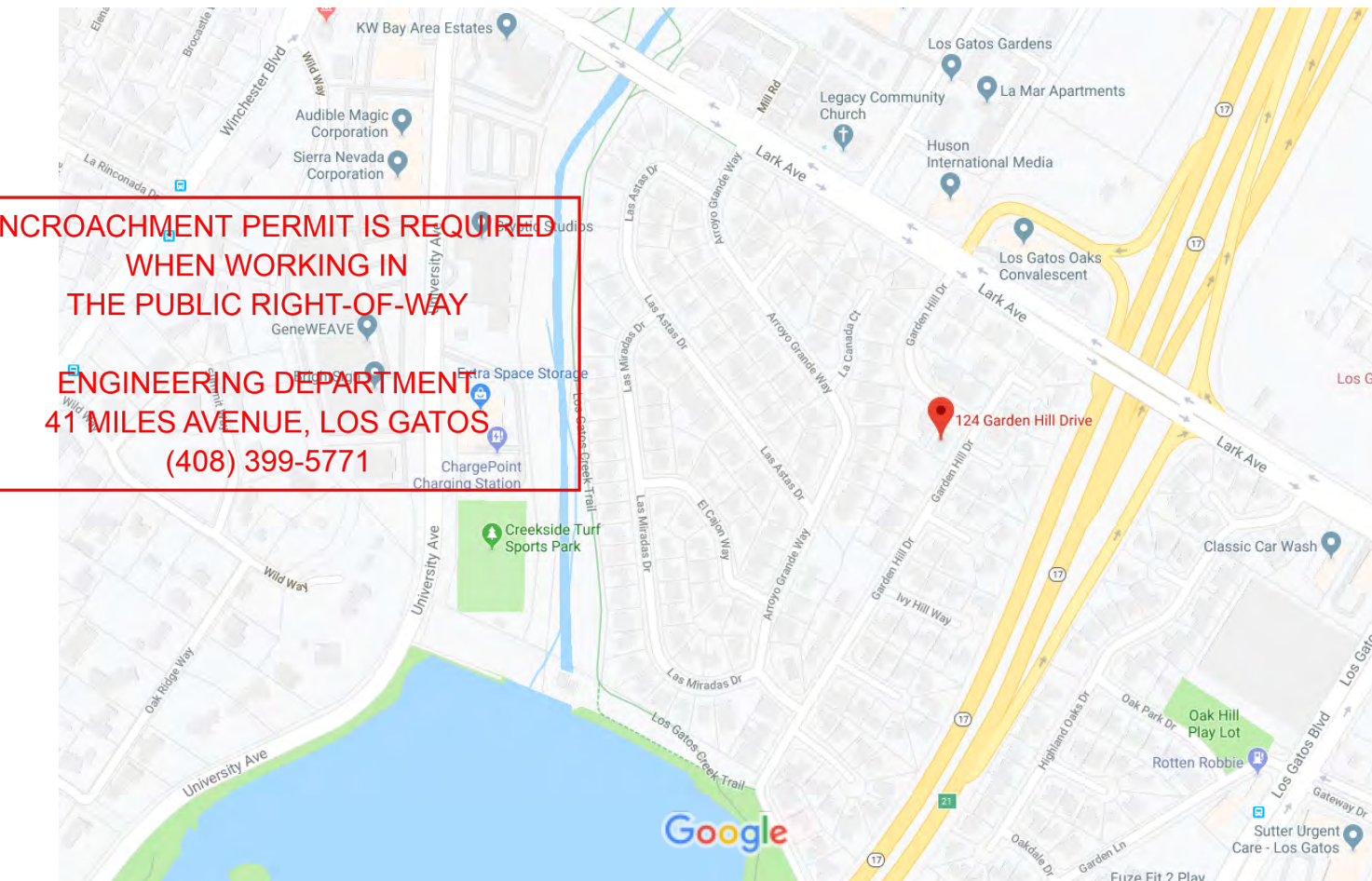
PARCEL MAP

DEMOLITION WORK

Prior to the removal of any Interior OR exterior wall coverings please read and review the Town's demolition policy attached!



VICINITY MAP



PROJECT CONSULTANTS

BUILDING DESIGNER
BRITT • ROWE
108 N. SANTA CRUZ AVENUE
LOS GATOS, CA 95030
(408) 354.6224 (OFFICE)
(408) 656-4132 (MIKE CELL)
(408) 656-1983 (TOMY CELL)
(415) 535-3458 (DAVID CELL)
FELONGIT@ME.COM

STRUCTURAL ENGINEER
CHARLES WILLIAMS R.C.E.
MR. CHARLES WILLIAMS P.E.
PO BOX 1152
MOUNTAIN VIEW, CA 94042
(650) 219-8156
CLWRC@AOL.COM

T24 ENERGY ANALYST
FRI ENERGY CONSULTANTS, INC.
MR. NICHOLAS BIGNARDI
21 N. HARRISON AVENUE, SUITE 210
CAMPBELL, CA 95008
(408) 866-1620
NICK@FRICONCONSULTING.COM

JURISDICTION APPROVAL STAMP(S)

Town of Los Gatos
BUILDING DIVISION
PLAN APPROVED

BY: Chris Strand DATE: 12-16-20

Plan check approval of documents does not authorize construction to proceed in violation of any federal, state, nor local regulations.

COMMUNITY DEVELOPMENT
PLANNING DIVISION
APPROVED

11/18/2020
MChavarin

This project will require a pad certificate prepared by a licensed civil engineer or land surveyor to be submitted to the project Building Inspector at foundation inspection. Horizontal and vertical controls shall be set and certified by a licensed surveyor or registered Civil Engineer for the following items:

- ☒ Building Pad Elevation
- ☒ Finish Floor Elevation
- ☒ Foundation corner locations
- ☐ Retaining wall(s) locations and elevations

DRAWING:	PROJECT INFO		DRAWN BY:
	12/16/20	NOTED	
PRINTED:			
SCALE:			

Professional Stamp

AO.1

REVISIONS:	#
10/29/20	RI

BR

BRITT + ROWE

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KULKARNI

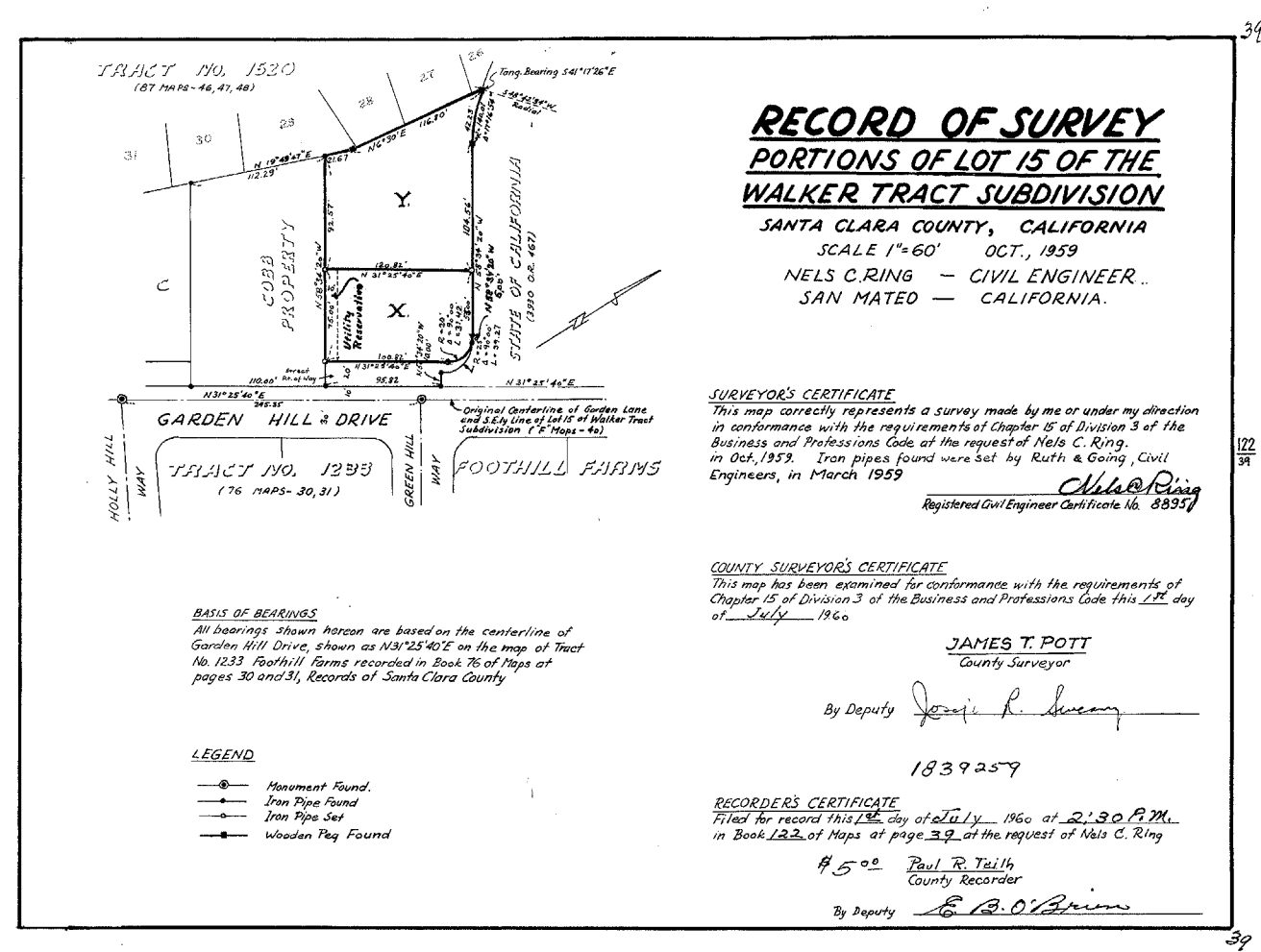
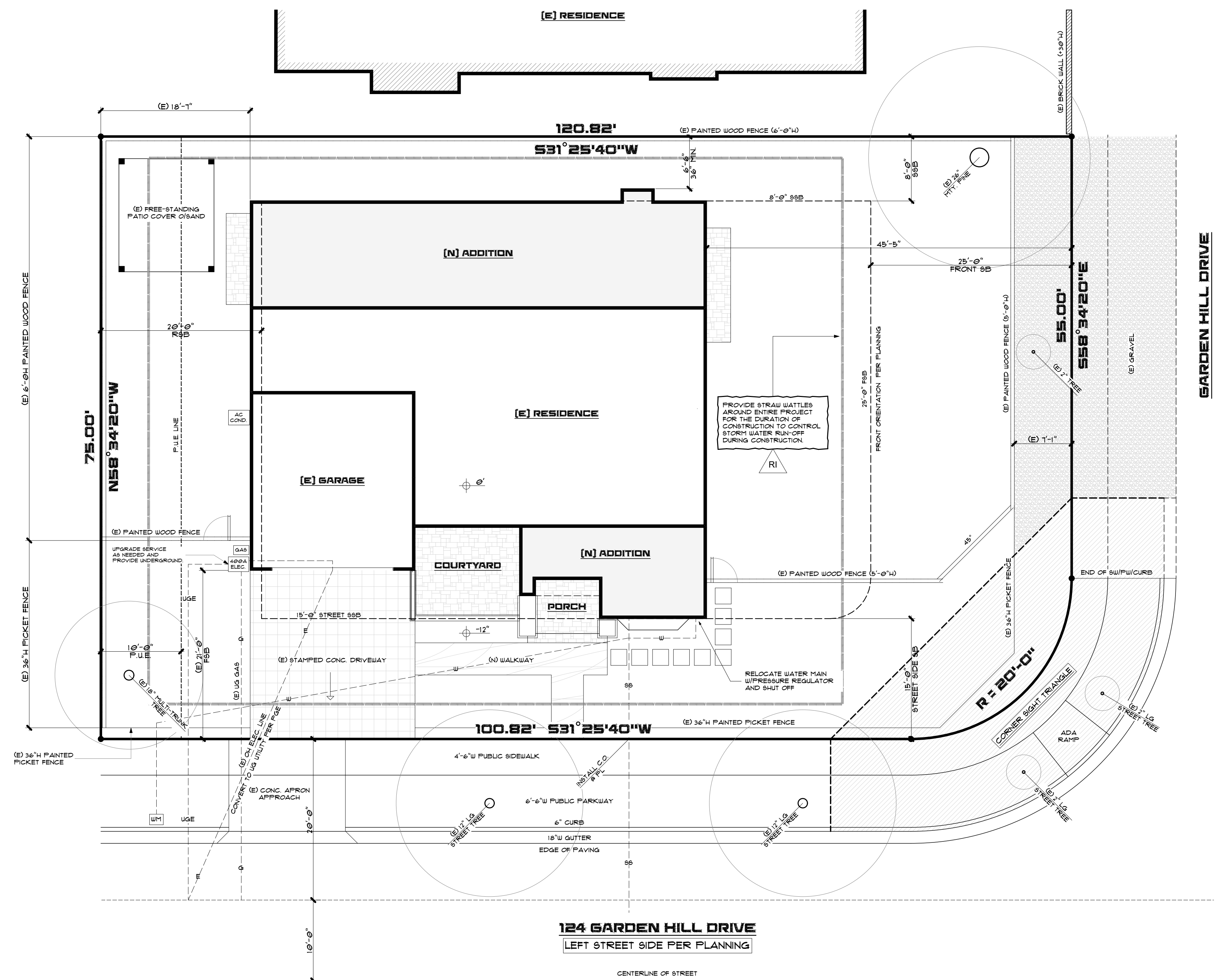
RESIDENCE

124 GARDEN HILL DRIVE
LOS GATOS, CA 95032

	SITE PLAN
DRAWING:	
PRINTED:	11/11/20
SCALE:	NOTED
DRAWN BY:	M.A.R. <i>MR.</i>

Professional Stamp

A1.1

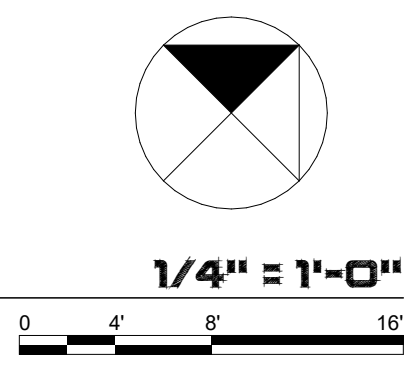


SITE PLAN NOTES:

- SEE CIVIL ENGINEER'S "GRADING AND DRAINAGE PLAN(S)" AS APPLICABLE AND/OR REQUIRED FOR TOPOGRAPHY, SITE WORK AND UNDERGROUND CONSTRUCTION (TYP.) ALL GRADING SHALL BE PERFORMED IN ACCORDANCE WITH ALL LOCAL CODES AND REQUIREMENTS. CIVIL ENGINEER'S PLANS SHALL TAKE PRECEDENCE OVER ANY ARCHITECTURAL SITE PLAN(S) AND/OR LANDSCAPE PLAN(S).
- WHEN REQUIRED AND AS APPLICABLE, A LICENSED CIVIL ENGINEER OR LICENSED LAND SURVEYOR SHALL PROVIDE WRITTEN CERTIFICATION OF SETBACK COMPLYING FROM PROPERTY LINES AND ALL RELATIVE PAD ELEVATIONS FOR ALL NEW CONSTRUCTION ON THE SITE.
- UNLESS NOTED OTHERWISE ON CIVIL ENGINEERING PLANS (GRADING AND DRAINAGE), THE GROUND IMMEDIATELY ADJACENT TO THE FOUNDATION SHALL BE SLOPED AWAY FROM THE BUILDING AT A SLOPE OF 5% FOR A MINIMUM DISTANCE OF 10'-0" MEASURED PERPENDICULAR TO THE FACE OF THE WALL. IF PHYSICAL OBSTRUCTIONS OR LOT LINES PROHIBIT 10'-0" OF HORIZONTAL DISTANCE, A 5% SLOPE SHALL BE PROVIDED TO AN APPROVED ALTERNATIVE METHOD OF DIVERTING WATER AWAY FROM THE FOUNDATION. DRAINAGE SWALE USED FOR THIS PURPOSE SHALL BE SLOPED 2% WHERE LOCATED WITHIN 10'-0" OF THE BUILDING FOUNDATION. IMPERVIOUS SURFACES WITHIN 10'-0" OF THE BUILDING FOUNDATION SHALL BE SLOPED A MINIMUM OF 2% AWAY FROM THE BUILDING. CBC1804.4. SEE EXCEPTION FOR ALLOWABLE FINISH GRADE SLOPE REDUCTION TO 2% AWAY FROM STRUCTURE.
- WHEN EXISTING SEWER LATERALS ARE APPROVED FOR REUSE, EXISTING LINES SHALL BE TELEVIEWED AND APPROVED BY THE LOCAL SANITATION DISTRICT PRIOR TO FINAL INSPECTION. PROVIDE A NEW CLEAN OUT LOCATED @ THE PROPERTY LINE WITH AN APPROVED BACK FLOW PREVENTION DEVICE APPROVED BY THE SANITATION DEPARTMENT (AS APPLICABLE).
- IN NEW CONSTRUCTION, ALL UTILITIES SHALL BE INSTALLED UNDERGROUND (UNO). SEE THE UTILITY PROVIDER'S PLANS AND SPECIFICATIONS FOR LAYOUT, DETAILS AND SERVICE(S) TO BE PROVIDED. VERIFY JURISDICTION FOR SPECIAL MUNICIPAL REQUIREMENTS.
- ALL TREES MARKED ON THE "SITE PLAN" NOT SCHEDULED FOR REMOVAL SHALL BE PROTECTED BY THE APPROPRIATE TREE PROTECTION MEASURES IDENTIFIED BY THE CONSULTING ARBORIST OF RECORD OR LOCAL PLANNING JURISDICTION AS APPLICABLE AND REQUIRED AS A CONDITION OF APPROVAL. NO EQUIPMENT, MATERIALS OR WORK SHALL COMMENCE UNTIL ALL TREE PROTECTION FENCING IS INSTALLED. TREE PROTECTION FENCING SHALL REMAIN IN PLACE UNTIL THE PROJECT IS READY FOR FINAL INSPECTION. ANY WORK REQUIRED WITHIN THE FENCED PROTECTED AREA SHALL BE PERFORMED WITH HAND TOOLS.
- AS APPLICABLE, SEE CONSULTING LANDSCAPE ARCHITECT'S DRAWINGS FOR FLATWORK, PAVING, RECREATIONAL FIXTURES, PROPOSED PLANTING AND IRRIGATION INSTALLATIONS.
- R3191 ADDRESS IDENTIFICATION. BUILDINGS SHALL BE PROVIDED WITH APPROVED ADDRESS IDENTIFICATION. THE ADDRESS IDENTIFICATION SHALL BE LEGIBLE AND PLACED IN A POSITION THAT IS VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. ADDRESS IDENTIFICATION CHARACTERS SHALL CONTRAST WITH THEIR BACKGROUND. ADDRESS NUMBERS SHALL BE ARABIC NUMBERS OR ALPHABETICAL LETTERS. NUMBERS SHALL NOT BE SPELLED OUT. EACH CHARACTER SHALL BE NOT LESS THAN 4 INCHES (102 MM) IN HEIGHT WITH A STROKE WIDTH OF NOT LESS THAN 0.5 INCH (12.7 MM) WHERE REQUIRED BY THE FIRE CODE OFFICIAL. ADDRESS IDENTIFICATION SHALL BE PROVIDED IN ADDITIONAL APPROVED LOCATIONS TO FACILITATE EMERGENCY RESPONSE WHERE ACCESS IS BY MEANS OF A PRIVATE ROAD AND THE BUILDING ADDRESS CANNOT BE VIEWED FROM THE PUBLIC WAY. A MONUMENT, POLE OR OTHER SIGN OR MEANS SHALL BE USED TO IDENTIFY THE STRUCTURE. ADDRESS IDENTIFICATION SHALL BE MAINTAINED.

SITE PLAN

124 GARDEN HILL DRIVE
APN: 424-23-084
LOT SIZE: 8,976 SF (.21 ACRES)
ZONING: R-1:8
TRACT: 1520 (LOT X)
WUI: NO



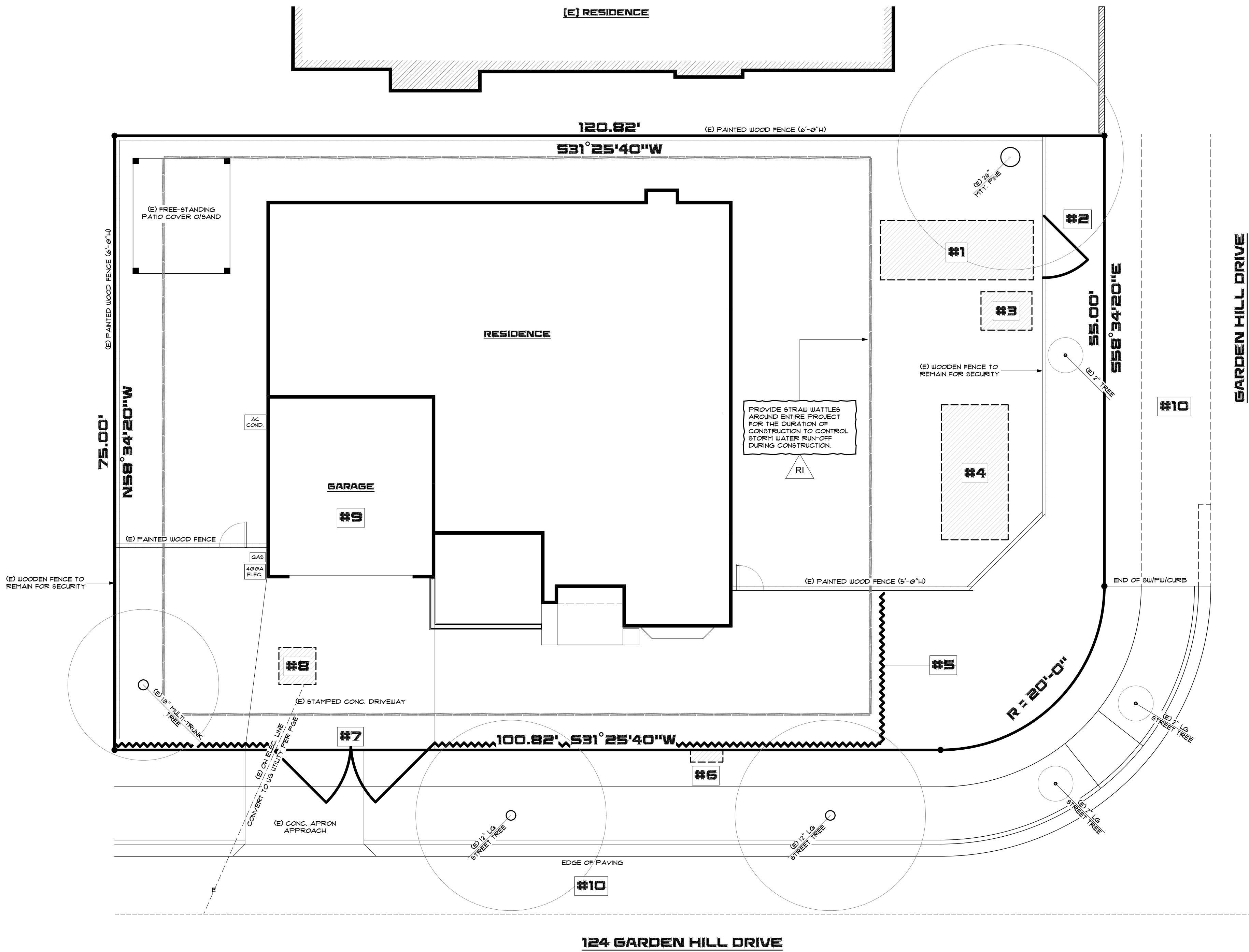
IMPERVIOUS COVERAGE CALCULATIONS			
LOT SIZE = 8,976 SF			
ITEM LOCATION	(E) IMPERVIOUS COVERAGE	(N) IMPERVIOUS COVERAGE	DIFFERENCE/TOTAL
(E) RESIDENCE	1,214 SF	-	1,214 SF
(N) ADDITION	-	969 SF	+ 969 SF
(E) DRIVEWAY	431 SF	-	431 SF
(N) FRONT WALK	-	128 SF	+ 128 SF
(N) COURTYARD	-	151 SF	+ 151 SF
(N) PORCH/PEDESTALS	-	66 SF	+ 66 SF
(N) DOOR LANDINGS	-	11 SF	+ 11 SF
TOTAL	1,645 SF (18.3%)	1,391 SF (15.4%)	3,036 SF (33.9%)

PLAN REVIEW APPROVAL

12-16-20

TOWN OF LOS GATOS
BUILDING DIVISION

Jurisdiction Stamps and/or Red Line Notes



CONSTRUCTION MANAGEMENT PLAN

124 GARDEN HILL DRIVE
APN: 424-23-084
LOT SIZE: 8,976 SF (.21 ACRES)
ZONING: R-1-B
TRACT: 1520 (LOT X)
WUI: NO

- #1 BULK MATERIAL STORAGE AND LOADING/UNLOADING
- #2 ACCESS GATE (CHAIN LINK) INSTALLED IN (E) FENCE. FENCE REPLACED UPON COMPLETION
- #3 CONCRETE WASH-OUT
- #4 DUMPSTER BIN FOR DAILY DEBRIS LOADING
- #5 TYP. CHAIN LINK JOB SITE SECURITY FENCING
- #6 PROJECT ADDRESS AND INFORMATION SIGNAGE
- #7 CHAIN LINK ACCESS GATE
- #8 TEMPORARY TOILET AND POWER SUPPLY
- #9 ADDITIONAL SECURE MATERIAL STORAGE
- #10 JOB SITE PARKING ALONG BOTH STREETS ABUTTING PROPERTY

CONSTRUCTION MANAGEMENT PLAN NOTES:

1. SOLID AND DEMOLITION WASTE MANAGEMENT: PROVIDE DESIGNATED WASTE COLLECTION AREAS AND CONTAINERS ON SITE AWAY FROM STREETS, GUTTERS, STORM DRAINS, AND WATERWAYS. ARRANGE FOR REGULAR DISPOSAL. WASTE CONTAINERS SHALL BE COVERED AT ALL TIMES, EXCEPT WHEN WASTE IS TO BE DEPOSITED. SEE "CONSTRUCTION WASTE MANAGEMENT PLAN".
2. HAZARDOUS WASTE MANAGEMENT: PROVIDE PROPER HANDLING AND DISPOSAL OF HAZARDOUS WASTE MATERIALS BY A LICENSED HAZARDOUS WASTE MATERIAL HANDLING CONTRACTOR/HAULER. HAZARDOUS WASTES SHALL BE STORED AND PROPERLY LABELED IN SEALED CONTAINERS.
3. SPILL PREVENTION AND CONTROL: PROVIDE PROPER STORAGE AREAS FOR LIQUID AND SOLID MATERIALS, INCLUDING CHEMICALS AND HAZARDOUS SUBSTANCES, AWAY FROM STREETS, GUTTERS, STORM DRAINS, AND WATERWAYS. SPILLS MUST BE CLEANED UP IMMEDIATELY AND CONTAMINATED SOIL DISPOSED PROPERLY.
4. MATERIAL DELIVERY, HANDLING AND STORAGE: IN GENERAL, MATERIALS SHOULD NOT BE STOCKPILED ON SITE. WHERE TEMPORARY STOCKPILES ARE NECESSARY AND APPROVED BY THE TOWN OF LOS GATOS, THEY SHALL BE COVERED WITH A SECURE COVERING MATERIAL AND LOCATED IN DESIGNATED AREAS NEAR CONSTRUCTION ENTRANCES AND AWAY FROM DRAINAGE PATHS AND WATERWAYS. BARRIERS SHALL BE PROVIDED AROUND STORAGE AREAS WHERE MATERIALS ARE IN POTENTIAL CONTACT WITH RUN-OFF.
5. HANDLING AND DISPOSAL OF CONCRETE: WHEN CONCRETE TRUCKS AND EQUIPMENT ARE WASHED ON-SITE, CONCRETE WASTE WATER SHALL BE CONTAINED IN DESIGNATED CONTAINERS OR IN A TEMPORARY LINED WATER-TIGHT PIT WHERE WASTED CONCRETE CAN HARDEN FOR LATER REMOVAL. IN NO CASE SHALL FRESH CONCRETE BE WASHED INTO THE ROAD RIGHT-OF-WAY.
6. SANITARY/SEPTIC WATER MANAGEMENT: TEMPORARY SANITARY FACILITIES SHALL BE LOCATED AWAY FROM DRAINAGE PATHS, WATERWAYS, AND TRAFFIC AREAS. ONLY LICENSED SANITARY AND SEPTIC WASTE HAULERS SHALL BE USED.
7. INSPECTION AND MAINTENANCE: AREAS OF MATERIAL AND EQUIPMENT STORAGE SITES AND TEMPORARY SANITATION FACILITIES MUST BE INSPECTED WEEKLY. PROBLEM AREAS SHALL BE IDENTIFIED AND APPROPRIATE ADDITIONAL AND/OR ALTERNATIVE MEASURES IMPLEMENTED IMMEDIATELY.
8. JOB SITE SECURITY: INSTALL A SECURE CONSTRUCTION FENCE AT THE PERIMETER OF THE PROPERTY WITH LOCKABLE ACCESS GATES FOR VEHICLES AND MATERIAL DELIVERY. EXISTING RESIDENTIAL FENCING MAY BE USED AS AN APPLICABLE PORTION OF THE REQUIRED FENCING. PROVIDE A JOB SITE INFORMATIONAL SIGNAGE FACING THE PUBLIC STREET AS REQUIRED BY THE TOWN OF LOS GATOS BUILDING DEPARTMENT AND SANTA CLARA COUNTY FIRE DEPARTMENT.

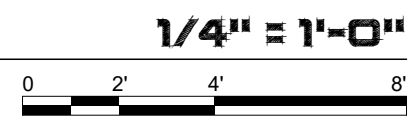
REVISIONS:		#
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DRAWING:	CMP	
PRINTED:	12/15/20	
SCALE:	NOTED	
DRAWN BY:	M.A.R.	M.
Professional Stamp		
PLAN REVIEW APPROVAL		
12-16-20		
TOWN OF LOS GATOS BUILDING DIVISION		
A1.2		


Jurisdiction Stamps and/or Red Line Notes

1. SCOPE OF WORK: TO BE REMOVED AND/OR DEMOLISHED SHALL BE INDICATED ON THE DRAWINGS AND SHALL INCLUDE THE DEMOLITION, REMOVAL AND/OR RELOCATION OF EXISTING MATERIALS AND/OR ASSEMBLIES NECESSARY TO INSTALL AND/OR CONSTRUCT THE PROJECT AS INDICATED ON THE PROPOSED FLOOR PLANS, ELEVATIONS AND OTHER PLANS CONTAINED WITHIN THE CONSTRUCTION DOCUMENT SET. ALL DEMOLITION SHALL COORDINATE WITH THE EXTENT OF THE PROPOSED CONSTRUCTION INDICATED ON THE APPROVED PLANS AND SHALL, IN ANY CASE, CONFORM TO ALL LOCAL AND STATE BUILDING CODES.
2. THE GENERAL CONTRACTOR SHALL OBTAIN AN APPROVED "J-NUMBER" FROM THE BAY AREA AIR QUALITY MANAGEMENT DISTRICT (BAAQMD) AS APPLICABLE PRIOR TO ANY DEMOLITION.
3. THE GENERAL CONTRACTOR AND/OR SUBCONTRACTORS SHALL BE PROVIDED THE OPPORTUNITY TO VISIT THE PROJECT SITE TO BECOME FAMILIAR WITH THE SCOPE OF DEMOLITION REQUIRED.
4. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DEMOLITION PERFORMED AND SHALL DESIGN, CONSTRUCT AND PROVIDE PROPER SHORING AND STRUCTURAL SUPPORT/BRACING AS REQUIRED THROUGHOUT THE DEMOLITION PROCESS AND PROJECT CONSTRUCTION AS REQUIRED PER CAL OSHA REQUIREMENTS.
5. THE GENERAL CONTRACTOR SHALL PROVIDE PROTECTIVE, CONSTRUCTION FENCING AROUND THE PROJECT SITE AND WILL WORK WITHIN THE CONFINES OF THE SITE FENCING WHENEVER POSSIBLE. HOWEVER, DEPENDING UPON SITE AND STRUCTURE CONDITIONS, ALTERNATIVE METHODS OF DEMOLITION AND ALTERNATIVE TYPES OF EQUIPMENT MAY BE USED TO ENSURE THE SAFEST AND MOST EFFICIENT MEANS OF OPERATION. THIS MAY INVOLVE MODIFICATION OF THE SITE FENCING FROM TIME TO TIME IN ORDER TO COMPLETE THE DEMOLITION ACTIVITIES. COORDINATION WITH THE PROPERTY OWNER SHALL BE REQUIRED IN ADVANCE.
6. ALL EXISTING PORTIONS OF THE PROJECT THAT ARE DESIGNATED TO REMAIN SHALL BE PROTECTED FROM DAMAGE. ANY QUESTION AS TO WHAT SHALL REMAIN SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT/DESIGNER AND/OR PROPERTY OWNER PRIOR TO COMMENCEMENT OF THE WORK.
7. IN ACCORDANCE WITH THE "CONSTRUCTION WASTE MANAGEMENT PLAN", ALL DEMOLITION DEBRIS THAT WILL NOT BE RECYCLED AND/OR SALVAGED FOR REUSE BY THE PROPERTY OWNER AND/OR GENERAL CONTRACTOR WILL BE LOADED INTO SEMI-END DUMPS AND HAULED TO A DISPOSAL FACILITY FOR FURTHER RECYCLING OR LANDFILL. THE "CONSTRUCTION WASTE MANAGEMENT PLAN" PROVIDES DETAILED INFORMATION ON PERCENTAGES OF MATERIAL TO BE RECYCLED OR DISPOSED AND THE DESIGNATED RECYCLING AND/OR DISPOSAL FACILITIES TO BE USED.
8. DISCONNECT ALL ELECTRICAL PRIOR TO ANY DEMOLITION BY OTHER TRADES. DISCONNECT, CAP AND CLEARLY IDENTIFY GAS LINES AS REQUIRED PRIOR TO ANY DEMOLITION BY OTHER TRADES.
9. DURING THE COURSE OF DEMOLITION, IT SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO USE WHATEVER METHODS REQUIRED TO LIMIT THE AMOUNT OF AIRBORNE DUST AND DIRT. FOLLOW ALL "BAY AREA AIR QUALITY MANAGEMENT DISTRICT" RECOMMENDATIONS AND REQUIREMENTS (AS APPLICABLE) FOR ALL ASPECTS OF THE DEMOLITION, INCLUDING, AS APPLICABLE, THE REMOVAL OF ASBESTOS AND/OR ANY OTHER HAZARDOUS MATERIALS LOCATED AT THE PROJECT SITE.
10. THE GENERAL CONTRACTOR SHALL COORDINATE WITH THE PROPERTY OWNER OR THEIR AUTHORIZED REPRESENTATIVE, TO DETERMINE ALL EXISTING EQUIPMENT AND DEVICES TO BE RETAINED BY THE OWNER. THE GENERAL CONTRACTOR SHALL CAREFULLY REMOVE ALL EQUIPMENT AND DEVICES TO BE RETAINED, PRESERVE AND STORE THE EQUIPMENT IN A LOCATION DESIGNATED BY THE OWNER. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVAL, PRESERVATION, STORAGE, AND PROTECTION OF ALL EQUIPMENT AND DEVICES DESIGNATED TO BE REMOVED AND RE-INSTALLED.
11. REMOVE AND REPLACE ALL DRY-ROTTED/TERMITE DAMAGED FRAMING MEMBERS AS REQUIRED AND PERMITTED. REMOVE (E) WALLS, WINDOWS AND DOORS AS INDICATED ON THE DEMOLITION PLAN. RECONSTRUCT, RELOCATE AND/OR REPLACE PER NEW FLOOR PLAN. REMOVE (E) BASEBOARDS, CROWN AND CASING WHERE WALLS, WINDOWS AND DOORS ARE TO BE REMOVED AND REPLACE PER NEW FINISH PLAN/SCHEDULE AS APPLICABLE.
12. REMOVE/RELOCATE (E) ELECTRICAL FIXTURES, SWITCHES AND OUTLETS AS REQUIRED. UPGRADE MAIN PANEL AS REQUIRED TO SERVICE NEW ELECTRICAL LOADS. REMOVE (E) CIRCUITS TO SUB-PANEL OR MAIN PANEL OR TO NEAREST ACTIVE SWITCH OR JUNCTION BOX. SAFELY TIE AND CAP ALL TERMINATIONS AS REQUIRED.
13. REMOVE (E) FLOOR COVERING IN ALL AREAS OF DEMOLITION AND REPLACE PER FINISH SCHEDULE OR PLAN. REMOVE ALL CABINETRY AS INDICATED ON PLANS AS APPLICABLE TO THE NEW LAYOUT.
9. REMOVE ALL ROUGH PLUMBING, FIXTURES AND HARDWARE AS INDICATED ON PLANS AS APPLICABLE. CAP TERMINATIONS AS REQUIRED.
10. IF UTILITY SERVICE IS TO BE INTERRUPTED, VERIFY AND CONFIRM W/OWNER REGARDING TIMING TO LIMIT INCONVENIENCE. PROVIDE TEMPORARY SERVICE AS REQUIRED AND PERMITTED BY LOCAL JURISDICTION.
11. PROVIDE DUMPSTER AND HAUL AWAY DEBRIS AS REQUIRED TO MAINTAIN A CLEAN JOB SITE. ALL CONSTRUCTION INTERFERENCE WITH PUBLIC STREETS, CURBS, GUTTERS AND WALKWAYS SHALL BE APPROVED BY THE LOCAL JURISDICTION AND SHALL IN ANY CASE BE KEPT CLEANED AND FREE OF ANY DEBRIS THAT MAY INTERFERE WITH THEIR NORMAL FUNCTION.



1. EACH ROOM IS CURRENTLY EQUIPPED WITH A MINI-SPLIT LOCAL DUCTLESS HTR/AC. TO BE REMOVED
2. ROOF SLOPE: 4/12 TYP. W/ASPHALT SHINGLES.
3. PLASTER EXTERIOR SIDING TYP.



REVIEWS:	#
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RESIDENCE
224 GARDEN HILL DRIVE
LOS GATOS, CA 95032

DRAWING:	[E] FLOOR PLAN
PRINTED:	11/11/20
SCALE:	NOTED
DRAWN BY:	M.A.R. <i>m.</i>

Professional Stamp

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12-16-20

TOWN OF LOS GATOS
BUILDING DIVISION

A2.1

Jurisdiction Stamps and/or Red Line Notes

Dryer Cycles	Bulky / Bedding Cottons Delicates Mixed Loads Perm Press Quick Dry Sanitize Steam Deyrinkle Steam Refresh Timed Dry Towels Washer Link
Long Vent Capability	Up to 90 feet
Temperature Options	High/Medium/Low/Extra Low/No Heat
Control Type	Capacitive Touch Power On/Off Rotary-Electronic w/LEDs Start/Pause
Moisture Sensor	Sensor Dry
Style	Front-Loading
Dual Thermistors	Yes

GE Dryer: GFD85ESPQRS

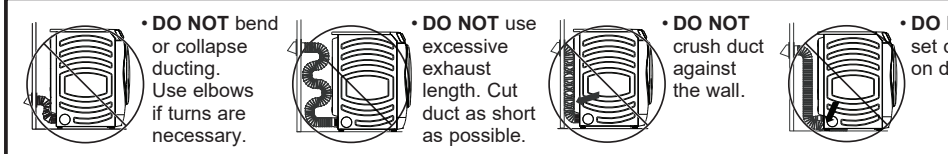
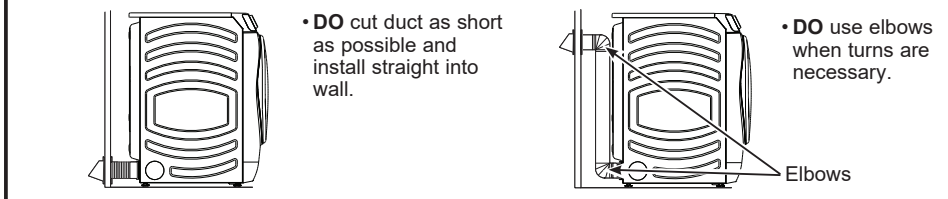
A DURABLE PLACARD (MINIMUM SIZE OF 4.5") MUST BE PERMANENTLY AFFIXED ON A WALL NEAR AND VISIBLE FROM THE DRYER LOCATION. THE PLACARD SHALL STATE THE ACTUAL LENGTH OF THE INSTALLED DRYER EXHAUST VENT AND INCLUDE THE FOLLOWING LANGUAGE:

WARNING:

CHECK THE MANUFACTURER INSTALLATION INSTRUCTIONS FOR ANY DOMESTIC DRYER THAT WILL BE INSTALLED AT THIS LOCATION. THE INSTRUCTIONS SHOULD ALLOW THE DRYER TO BE CONNECTED TO AN EXHAUST DUCT (VENT) THAT IS A MAXIMUM FEET LONG. DO NOT REMOVE THIS PLACARD.

Installation Instructions

EXHAUSTING THE DRYER (cont.)



EXHAUST LENGTH

- Using exhaust longer than specified length will:
 - Increase the drying times and the energy cost.
 - Reduce the dryer life.
 - Accumulate lint, creating a potential fire hazard.

The correct exhaust installation is **YOUR RESPONSIBILITY**.

Problems due to incorrect installation are not covered by the warranty.

The MAXIMUM ALLOWABLE length of the exhaust system depends upon the type of duct, number of turns, the type of exhaust hood (wall cap) and all conditions noted on the chart.

- Internal elbows added for side or bottom vent conversions must be included in the total elbow count.

- Any elbow greater than 45° should be treated as a 90° elbow; one elbow of 45° or less may be ignored.
- Two 45° elbows will be treated like one 90° elbow.
- For the side exhaust installations, add one 90° elbow to the chart.

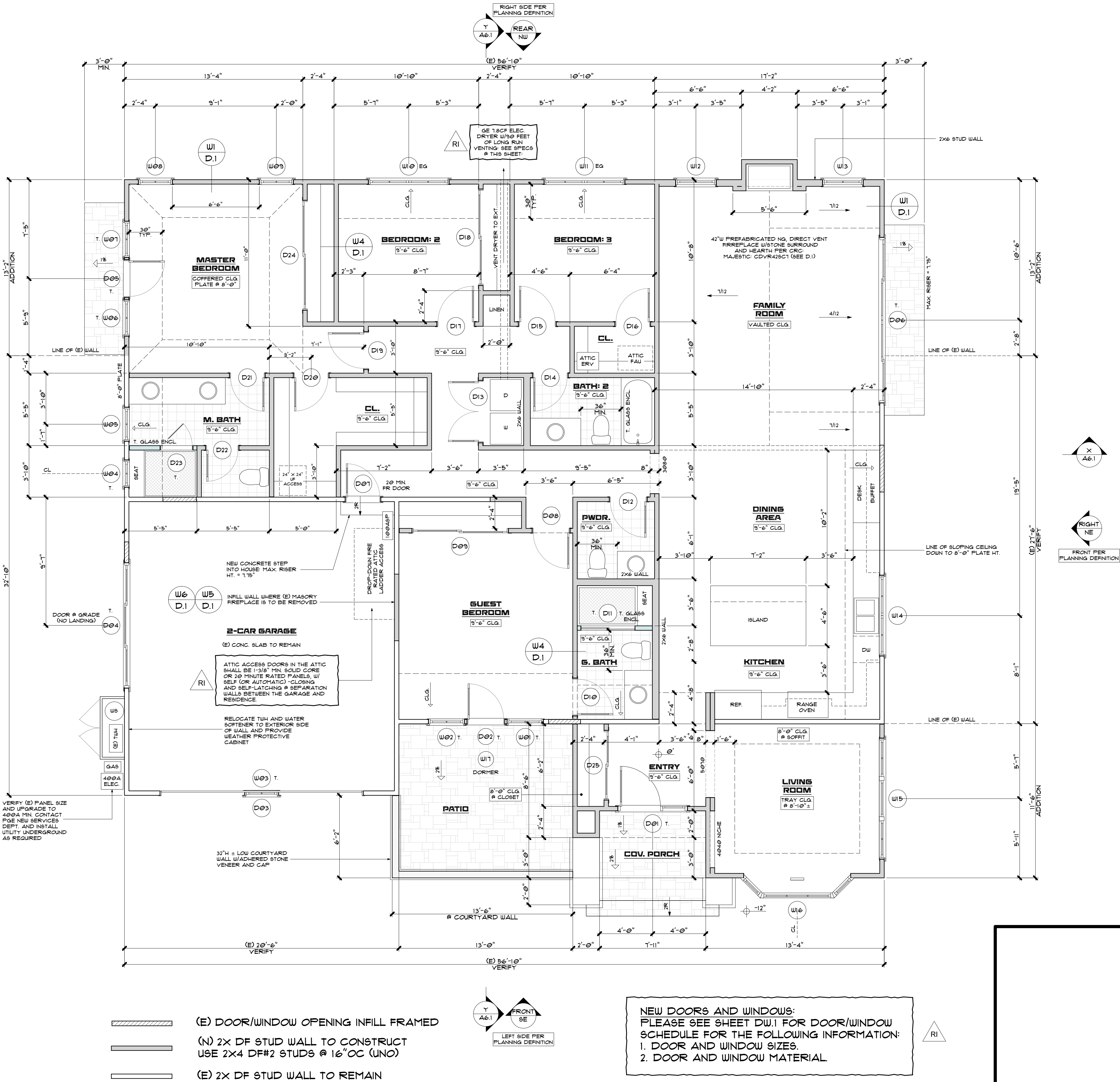
- For every additional 90° elbow, reduce the allowable vent system length by 10 feet.
- When calculating the total vent system length, you must add all the straight portions and elbows of the system (including the transition duct).

EXHAUST LENGTH FOR NORMAL VENT MODELS

No. of 90° Elbows	Rigid Metal	Rigid Metal
0	80 Feet	80 Feet
1	60 Feet	45 Feet
2	45 Feet	30 Feet
3	30 Feet	25 Feet
4	25 Feet	15 Feet

EXHAUST LENGTH FOR LONG VENT MODELS

No. of 90° Elbows	Rigid Metal	Rigid Metal
0	200 Feet	175 Feet
1	185 Feet	165 Feet
2	175 Feet	155 Feet
3	165 Feet	145 Feet
4	155 Feet	135 Feet
5	145 Feet	125 Feet



- (E) DOOR/WINDOW OPENING INFILL FRAMED
- (N) 2X DF STUD WALL TO CONSTRUCT
USE 2X4 DF#2 STUDS @ 16"OC (UNO)
- (E) 2X DF STUD WALL TO REMAIN

NEW DOORS AND WINDOWS:
PLEASE SEE SHEET DW.1 FOR DOOR/WINDOW SCHEDULE FOR THE FOLLOWING INFORMATION:
1. DOOR AND WINDOW SIZES.
2. DOOR AND WINDOW MATERIAL.

[N] FLOOR PLAN

[E] GARAGE AREA: 457 SF
[E] LIVING AREA: 1214 SF
[N] ADDITION: 969 SF
[N] COVERED PORCH: 16 SF

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[N] FLOOR PLAN

11/11/20

NOTED

M.A.R. *MR.*

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DRAWN BY:

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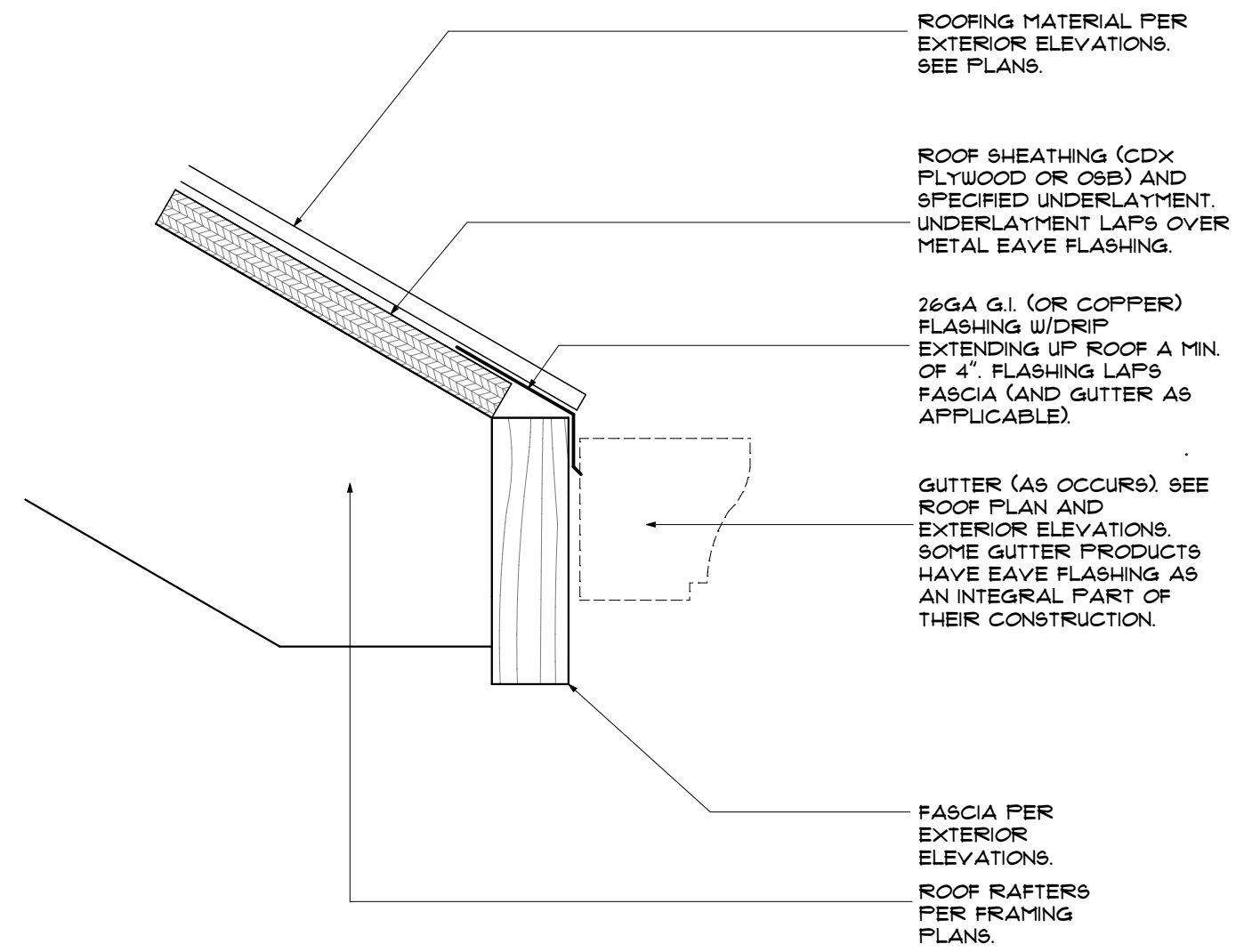
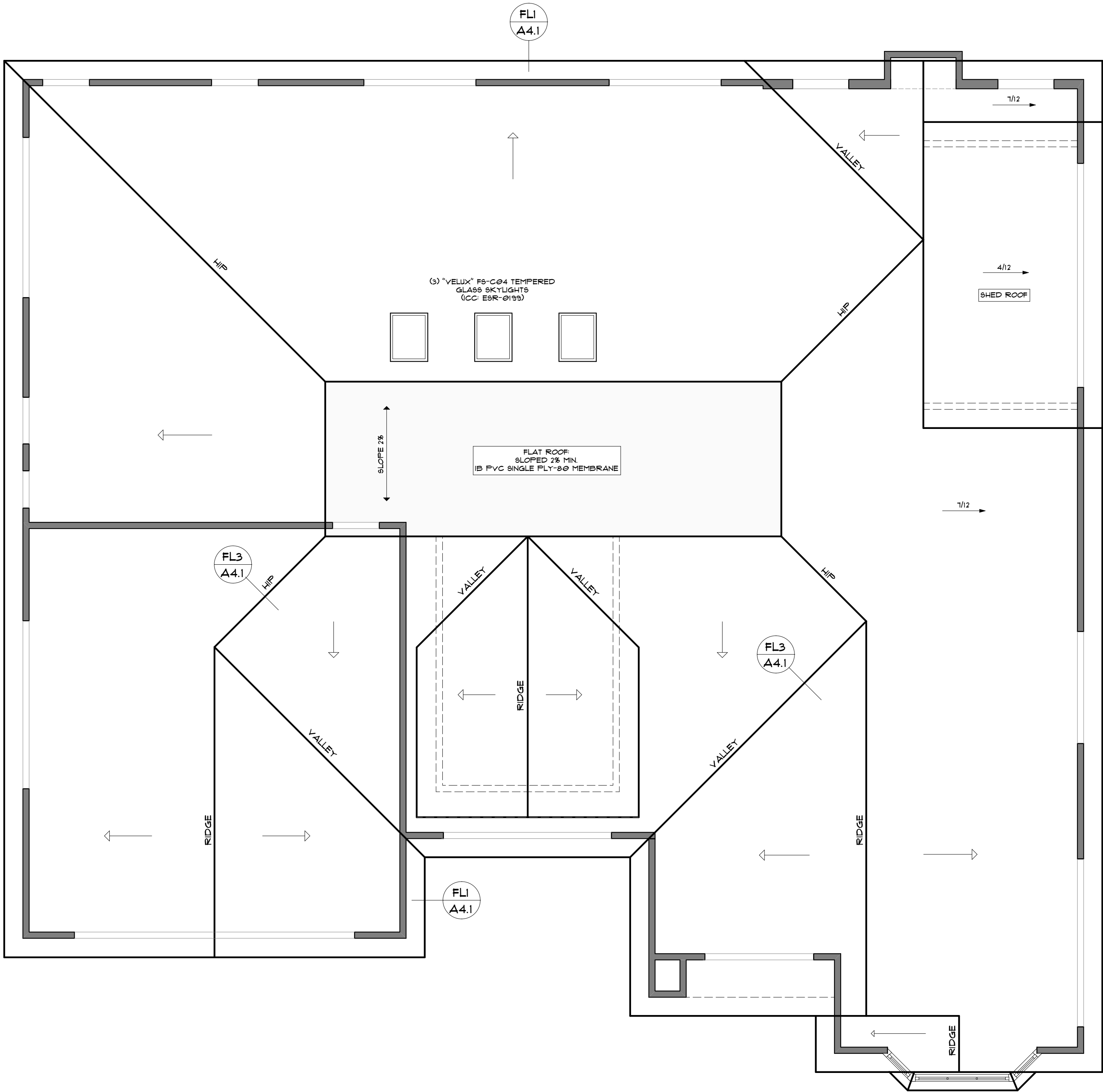
TOWN OF LOS GATOS
BUILDING DIVISION

Jurisdiction Stamps and/or Red Line Notes

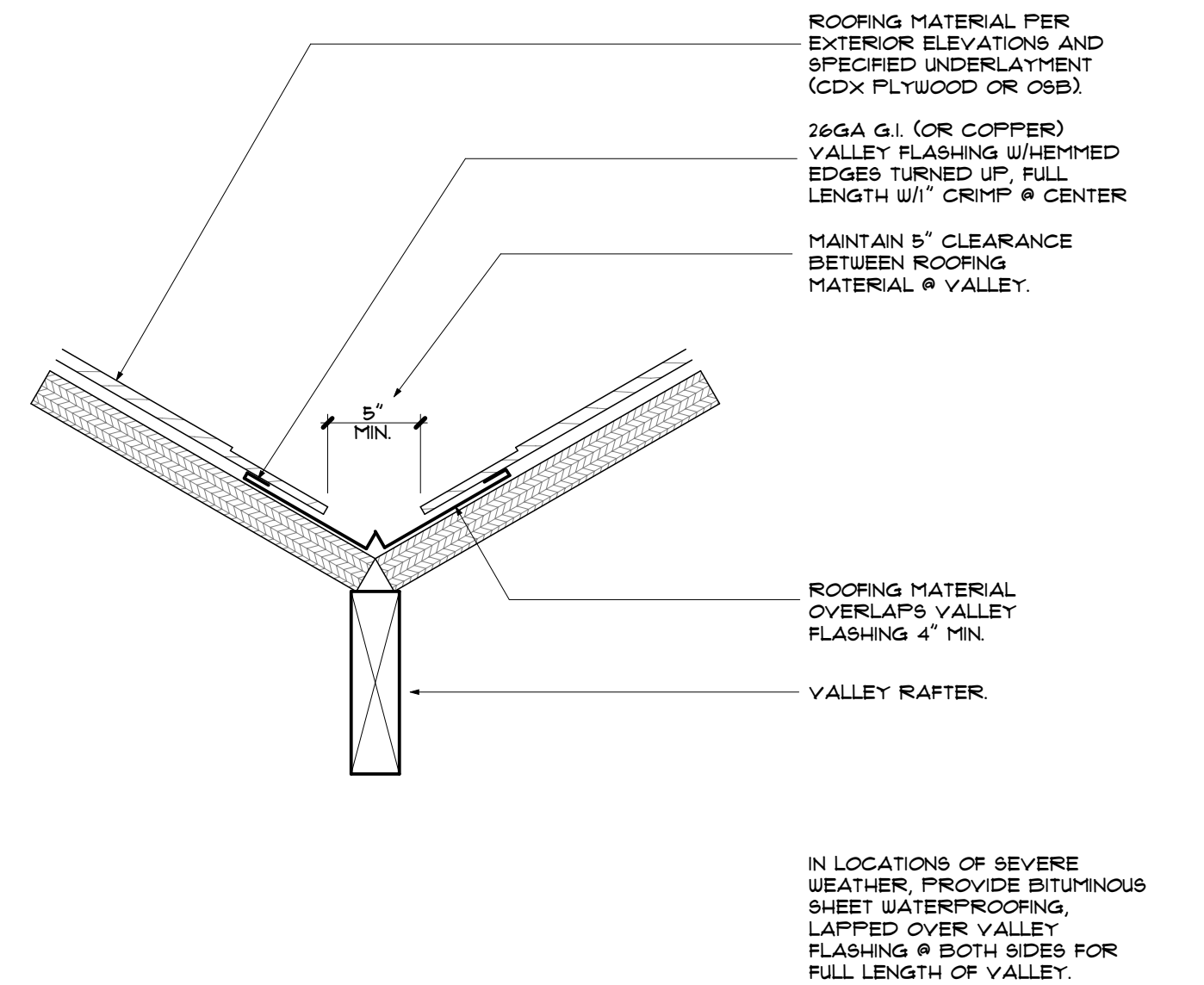
ATTIC VENTILATION CALCS (CRC R806)		
	NEW ROOF AREA	
AREA OF ACCESSIBLE ROOF TO BE VENTILATED	2,336 SF	
LENGTH OF EAVE (LF) W/RR @ 16"OC	148'-11" LF	
LENGTH OF EAVE (LF) W/RR @ 24"OC		
NUMBER OF BLOCKS W/(3) 2" DIA. HOLES	NONE: ATTIC IS INSULATED W/CCSF INSULATION (ICC: ESR-3159)	
NUMBER OF BLOCKS W/(4) 2" DIA. HOLES		
VENTILATION PROVIDED BY EAVE BLOCKS	N/A	
ADDITIONAL VENTILATION PROVIDED BY ALTERNATIVE MEANS	N/A	
TOTAL VENTING REQUIRED	N/A	
TOTAL VENTING PROVIDED	N/A	

ROOF MATERIAL/FRAMING NOTES	
ROOF SLOPE	7/12 (TYP.)
ROOFING MATERIAL	CLASS A, 40 YEAR ASPHALT ROOFING SHINGLES. COLOR SELECTED BY OWNER.
OVERHANG	12" TYP. (UNC)
SHEATHING	1/2" CDX PLYWOOD, NAILED W/10D @ 6"OC EDGE AND 10"OC FIELD. USE 19/32" OSB SHEATHING AS OPTION. PROVIDE RADIANT BARRIER PLYWOOD AS REQUIRED PER T24 CALCULATIONS.
UNDERLAYMENT	30# ASPHALT ROOFING PAPER OR EQUAL. INSTALL PER MANUFACTURER'S SPECIFICATIONS.
FLASHING	PROVIDE 26GA G.I. METAL FLASHING @ ALL VALLEYS, RIDGES, ROOF TO WALL INTERSECTIONS AND ROOF PENETRATIONS PER CBC SECTION 1503.2.

1. RAFTERS SHALL BE PROVIDED WITH FULL DEPTH CLOSED CELL SPRAY FOAM INSULATION (ICC: ESR-3183) THROUGHOUT ATTIC. NO VENTING REQUIRED: SEE T24 AND CA ENERGY CODE FOR REQUIRED HERS INSPECTION AND VERIFICATION.
2. PROVIDE ATTIC ACCESS PER CRC R801.1. MINIMUM ACCESS OPENING SHALL BE 22" X 30".



FL1 FLASHING: EAVE @ GUTTER
STANDARD



FL3 FLASHING: VALLEY

ROOF PLAN

ROOF SLOPE: 7/12 TYP. (UNC)
ROOFING MATERIAL: CLASS A, ASPHALT SHINGLES TYP.
OVERHANG: 12" TYP.

1/4" = 1'-0"

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ROOF FRAMING PLAN			
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	11/1/20	NOTED	M.A.R. <i>M.</i>

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Jurisdiction Stamps and/or Red Line Notes

EXTERIOR ELEVATION FINISH SCHEDULE

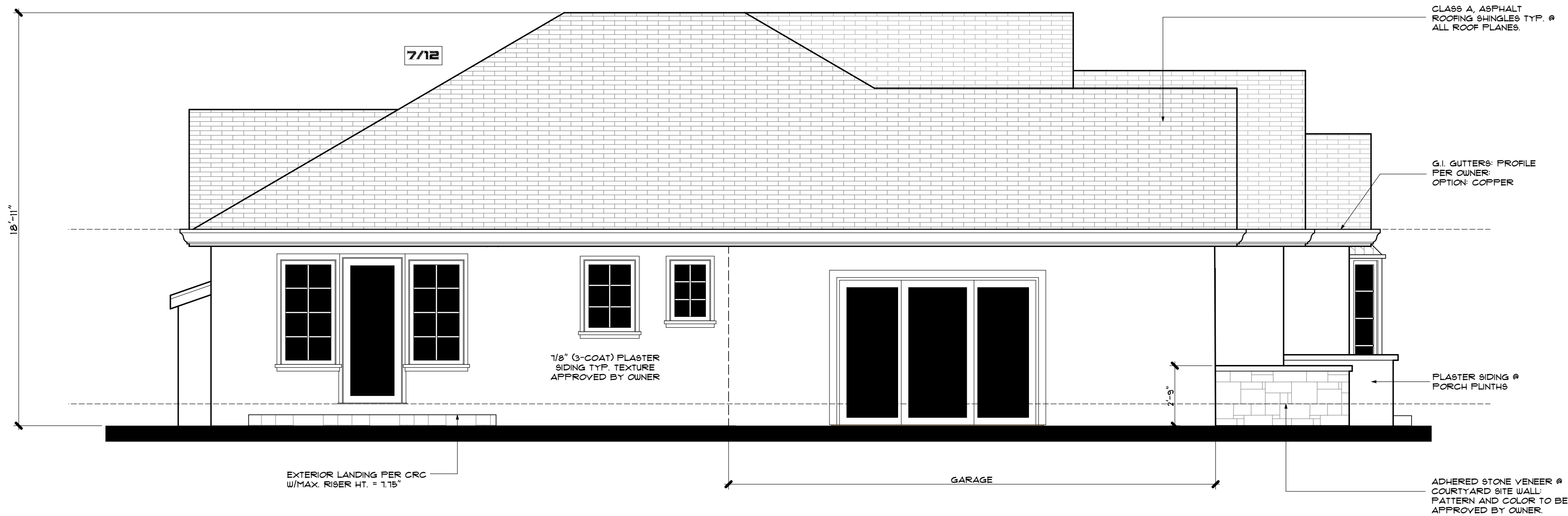
ROOFING
CLASS A, ASPHALT SHINGLES, O/MINIMUM 30# BUILDING PAPER OR EQUAL, O/CDX OR OSB "RADIANT BARRIER" ROOF SHEATHING AS REQUIRED BY T24 CALCULATIONS AS APPLICABLE. ROOF MATERIAL COLORS AND/OR MANUFACTURERS SHALL BE SELECTED AND APPROVED BY THE PROPERTY OWNER. WHERE ROOF SLOPES ARE LESS THAN 4/12, USE (2) LAYERS OF ROOFING UNDERLAYMENT. CRC R305.2.2 AND R305.1.2
EXTERIOR SIDING
EXTERIOR WALLS: 1/8" (3-COAT) PLASTER SIDING, O/G.I. EXPANDED METAL LATH, O/(2) LAYERS OF GRADE "D" BUILDING PAPER OR EQUAL, O/CDX PLYWOOD OR OSB WALL SHEATHING, NAILED @ 6/12 MINIMUM. SEE ENGINEER'S "SHEAR WALL SCHEDULE" FOR SPECIFIED PLYWOOD THICKNESS AND MINIMUM NAILING REQUIREMENTS.
NON SHEAR WALLS: PROVIDE A MINIMUM OF 3/8" CDX PLYWOOD WALL SHEATHING, "FULL WRAP". NAIL W/8D @ 6/12 MINIMUM. FOR REMODEL PROJECTS, ONLY NEW WALLS SHALL RECEIVE FULL WRAP SHEATHING (UNO).
WALL BASE: A MINIMUM 0-019-INCH (0.5 MM) (NO. 26 GALVANIZED SHEET GAUGE) CORROSION-RESISTANT WEEP SCREED OR PLASTIC WEEP SCREED, WITH A MINIMUM VERTICAL ATTACHMENT FLANGE OF 3-1/2 INCHES (89 MM) SHALL BE PROVIDED AT OR BELOW THE FOUNDATION PLATE LINE ON EXTERIOR STUD WALLS IN ACCORDANCE WITH ASTM C 926. THE WEEP SCREED SHALL BE PLACED A MINIMUM OF 4 INCHES (102 MM) ABOVE THE EARTH OR 2 INCHES (51 MM) ABOVE PAVED AREAS AND SHALL BE OF A TYPE THAT WILL ALLOW TRAPPED WATER TO DRAIN TO THE EXTERIOR OF THE BUILDING. THE WEATHER-RESISTANT BARRIER SHALL LAP THE ATTACHMENT FLANGE. THE EXTERIOR LATH SHALL COVER AND TERMINATE ON THE ATTACHMENT FLANGE OF THE WEEP SCREED.
DOORS & WINDOWS
ALL EXTERIOR DOORS (WITH GLASS) AND WINDOWS SHALL BE CONSTRUCTED WITH DUAL PANED, LOW "E" GLAZING. TEMPERED GLAZING SHALL BE REQUIRED PER CRC SECTIONS R308 AND R311. DOOR AND WINDOW MANUFACTURER SHALL BE SELECTED AND APPROVED BY THE PROPERTY OWNER. SEE SHEET DW.1 AND DW.2 FOR ADDITIONAL DOOR AND WINDOW NOTES AND SCHEDULES.
ACCENTS
SEE EXTERIOR ELEVATIONS FOR ADDITIONAL WALL AND ROOF DETAILS AND SPECIFICATIONS.



(N) FRONT ELEVATION (SE)

LEFT SIDE PER PLANNING

1/4" = 1'-0"



(N) LEFT SIDE ELEVATION (SW)

REAR SIDE PER PLANNING

1/4" = 1'-0"

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LOS GATOS, CA 95032

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PRINTED:	11/11/20
SCALE:	NOTED
DRAWN BY:	M.A.R. <i>M.</i>

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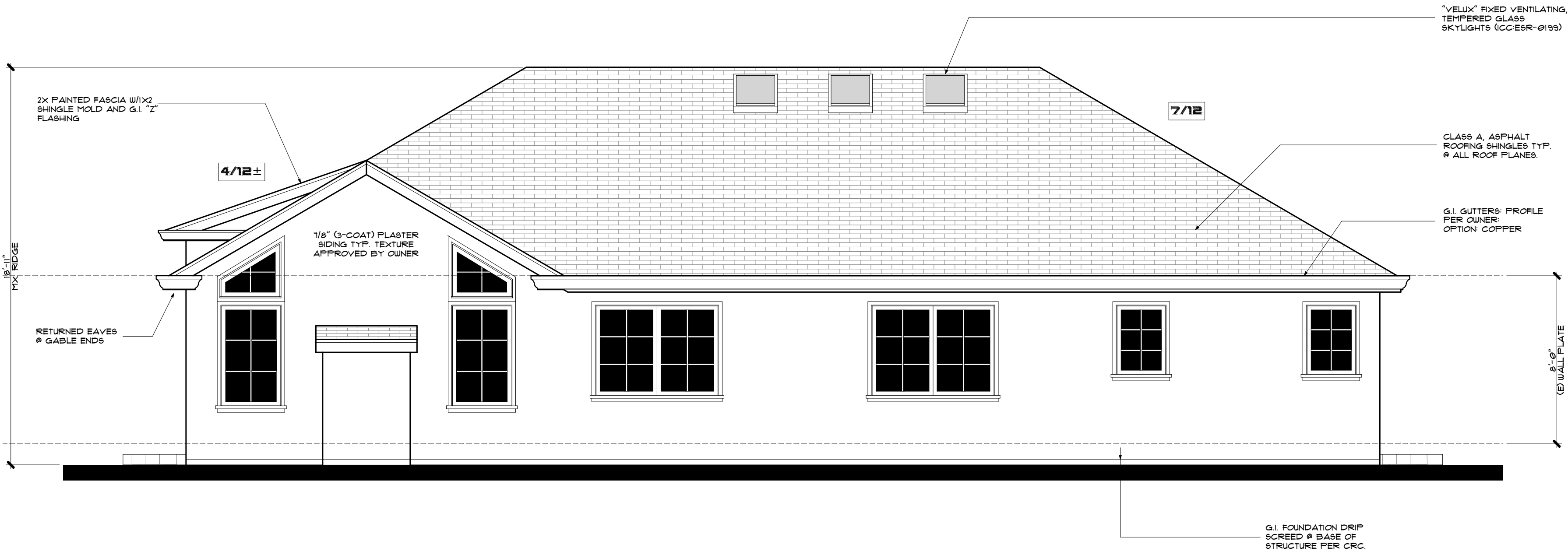
TOWN OF LOS GATOS
BUILDING DIVISION

A5.1

Jurisdiction Stamps and/or Red Line Notes

EXTERIOR ELEVATION FINISH SCHEDULE

ROOFING
CLASS A, ASPHALT SHINGLES, O/MINIMUM 30# BUILDING PAPER OR EQUAL, O/CDX OR OSB "RADIANT BARRIER" ROOF SHEATHING AS REQUIRED BY T24 CALCULATIONS AS APPLICABLE. ROOF MATERIAL COLORS AND/OR MANUFACTURERS SHALL BE SELECTED AND APPROVED BY THE PROPERTY OWNER. WHERE ROOF SLOPES ARE LESS THAN 4/12, USE (2) LAYERS OF ROOFING UNDERLAYMENT. CRC R905.2.2 AND R905.1.2
EXTERIOR SIDING
EXTERIOR WALLS: 1/8" (3-COAT) PLASTER SIDING, O/G.I. EXPANDED METAL LATH, O(2) LAYERS OF GRADE "D" BUILDING PAPER OR EQUAL, O/CDX PLYWOOD OR OSB WALL SHEATHING, NAILED @ 6/12 MINIMUM. SEE ENGINEER'S "SHEAR WALL SCHEDULE" FOR SPECIFIED PLYWOOD THICKNESS AND MINIMUM NAILING REQUIREMENTS.
NON SHEAR WALLS: PROVIDE A MINIMUM OF 3/8" CDX PLYWOOD WALL SHEATHING, "FULL WRAP", NAIL W/8D @ 6/12 MINIMUM. FOR REMODEL PROJECTS, ONLY NEW WALLS SHALL RECEIVE FULL WRAP SHEATHING (NO)
WALL BASE: A MINIMUM 0.013-INCH (0.5 MM) (NO. 26 GALVANIZED SHEET GAUGE) CORROSION-RESISTANT WEEP SCREED OR PLASTIC WEEP SCREED, WITH A MINIMUM VERTICAL ATTACHMENT FLANGE OF 3-1/2 INCHES (89 MM) SHALL BE PROVIDED AT OR BELOW THE FOUNDATION PLATE LINE ON EXTERIOR STUD WALLS IN ACCORDANCE WITH ASTM C 926. THE WEEP SCREED SHALL BE PLACED A MINIMUM OF 4 INCHES (102 MM) ABOVE THE EARTH OR 2 INCHES (51 MM) ABOVE PAVED AREAS AND SHALL BE OF A TYPE THAT WILL ALLOW TRAPPED WATER TO DRAIN TO THE EXTERIOR OF THE BUILDING. THE WEATHER-RESISTANT BARRIER SHALL LAP THE ATTACHMENT FLANGE. THE EXTERIOR LATH SHALL COVER AND TERMINATE ON THE ATTACHMENT FLANGE OF THE WEEP SCREED.
DOORS & WINDOWS
ALL EXTERIOR DOORS (WITH GLASS) AND WINDOWS SHALL BE CONSTRUCTED WITH DUAL PANED, LOW "E" GLAZING. TEMPERED GLAZING SHALL BE REQUIRED PER CRC SECTIONS R302 AND R311. DOOR AND WINDOW MANUFACTURER SHALL BE SELECTED AND APPROVED BY THE PROPERTY OWNER. SEE SHEET DW.1 AND DW.2 FOR ADDITIONAL DOOR AND WINDOW NOTES AND SCHEDULES.
ACCENTS
SEE EXTERIOR ELEVATIONS FOR ADDITIONAL WALL AND ROOF DETAILS AND SPECIFICATIONS.



(N) REAR ELEVATION (NW)

RIGHT SIDE PER PLANNING

1/4" = 1'-0"



(N) RIGHT SIDE ELEVATION (NE)

FRONT SIDE PER PLANNING

1/4" = 1'-0"

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10/29/20	RI

BR

BRITT · ROWE

108 N. Santa Cruz Ave.
Los Gatos, CA 95030

408.354.6224 (office)
408.354.6514 (fax)
www.britt-rowe.com

Britt Rowe shall retain all rights and ownership to all drawings and specifications. The contents of the drawings may not be used in whole, or in part, without expressed written consent given by Britt Rowe. All construction shall comply with all local & national building codes. All contractors shall verify all conditions to assure conformance to these codes.

**KULKARNI
RESIDENCE**
124 GARDEN HILL DRIVE
LOS GATOS, CA 95032

DRAWING:	EXT. ELEVATIONS
PRINTED:	11/11/20
SCALE:	NOTED
DRAWN BY:	M.A.R. <i>MR.</i>

Professional Stamp

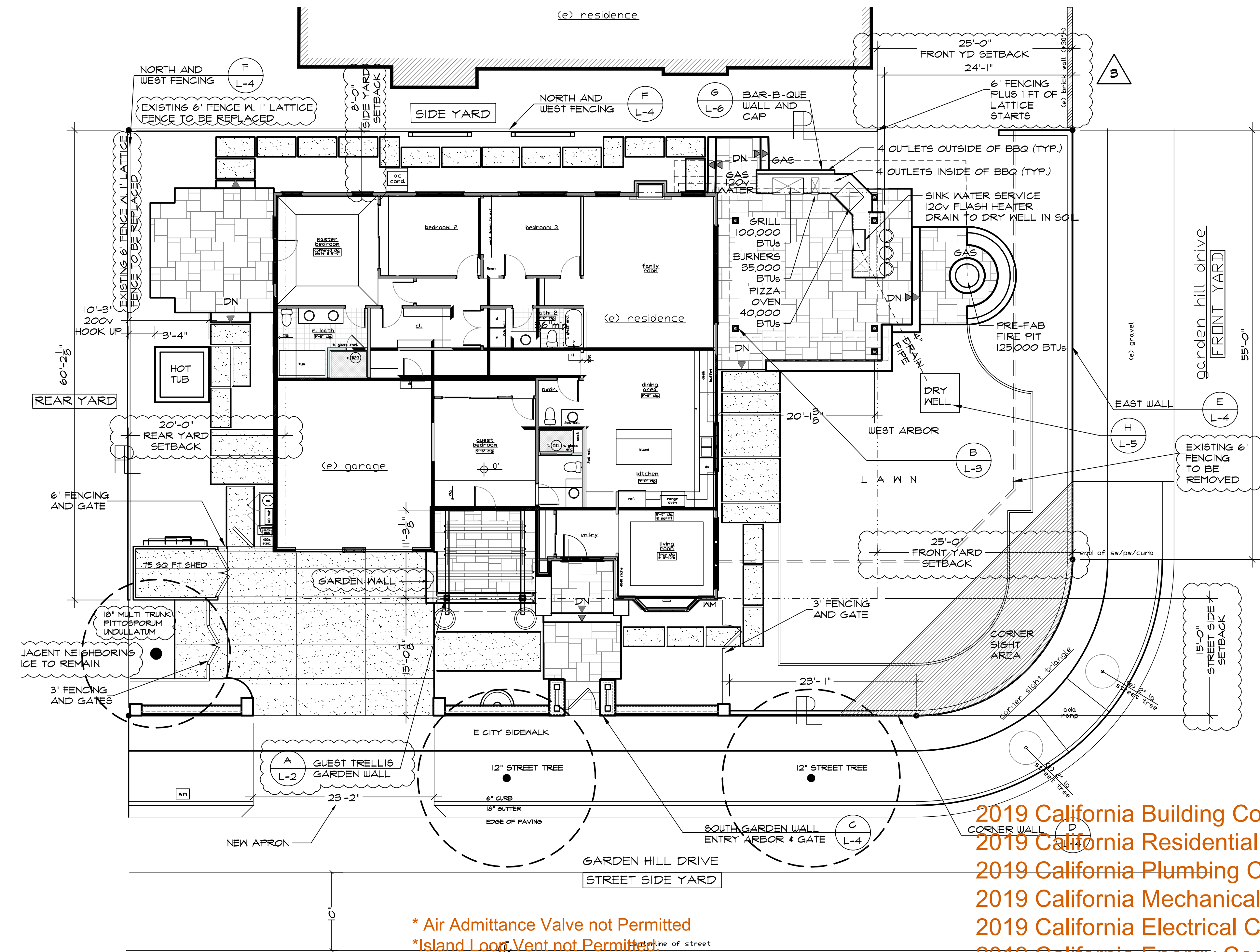
PLAN REVIEW APPROVAL

12-16-20

TOWN OF LOS GATOS
BUILDING DIVISION

A5.2

Jurisdiction Stamps and/or Red Line Notes



- * Air Admittance Valve not Permitted
- * Island Loop Vent not Permitted
- * Vent Pipe for the outdoor sink installation shall extend not less than 10 feet above the surrounding ground and shall be securely supported. CPC Section 906.4
- * Provide a cover for the outdoor sink, which is required by the Town Building Division to allow the sink that is open to the sky to discharge into the sanitary sewer system per CPC Section 714.2
- * The Sanitary Sewer Drainage System of the new outdoor kitchen must be separate and independent from the main dwelling with an independent connection with the public or private sanitary sewer system downstream from the main house sewer line to the street. CPC Section 311.0

2019 California Building Code, Vol. 1 & 2
2019 California Residential Code
2019 California Plumbing Code
2019 California Mechanical Code
2019 California Electrical Code
2019 California Energy Code
2019 California Existing Building Code
2019 California Historical Building Code
2019 California Green Building Standards
2019 California Fire Code
2018 International Code for Property Maintenance
2018 International Existing Building Code*
*Chapters 9, 14 & Appendices A2, A3, A4 & A5 only

SCOPE OF WORK

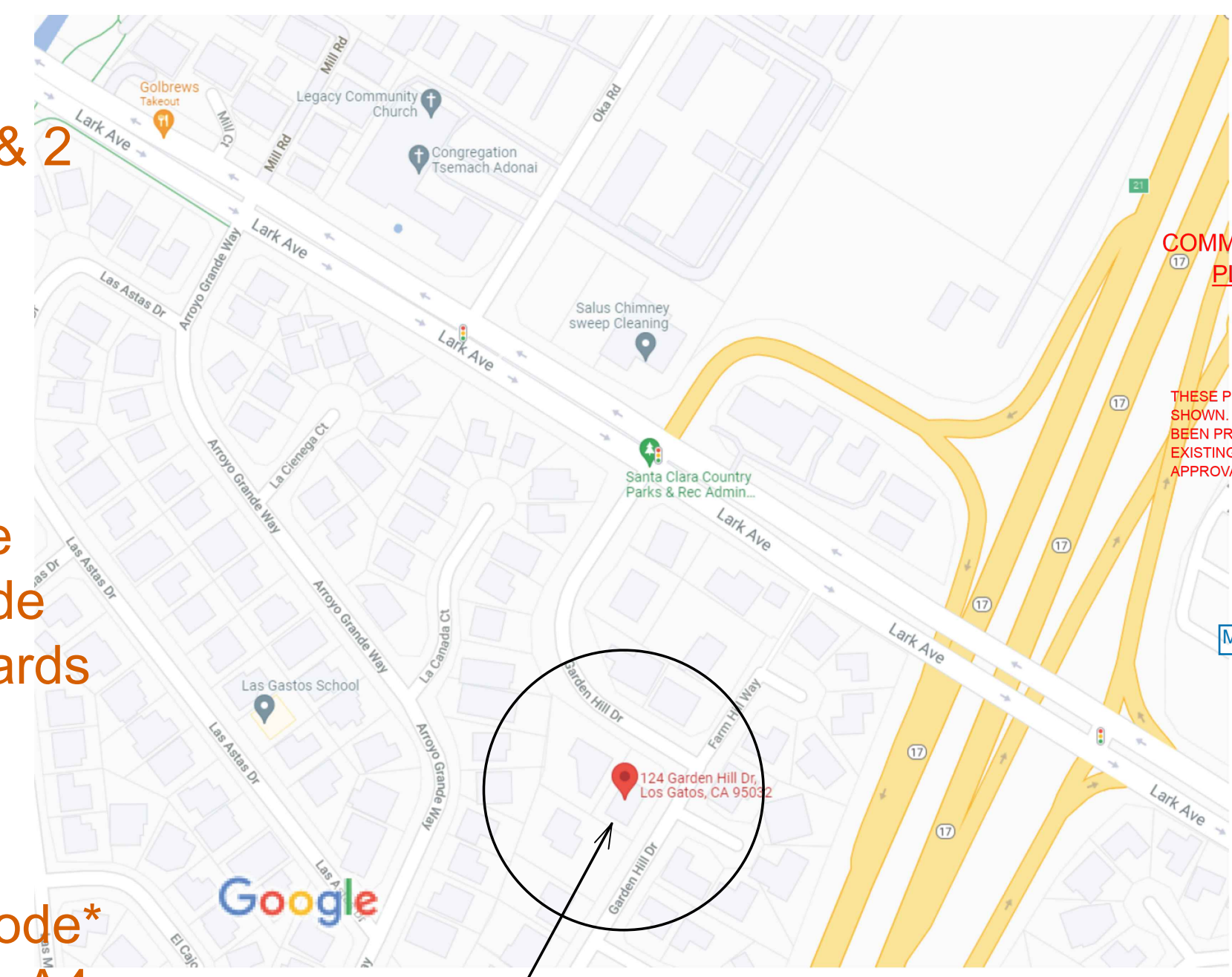
- A. TRELLIS AT GUEST BEDROOM
- B. ARBOR AT BAR-B-QUE AREA
- C. 3' HIGH GARDEN WALL, ARBOR AND GATE
- D. 3' HIGH FENCE FROM GARDEN WALL TO RESIDENCE
- E. 6' HIGH FENCE PROPERTY LINE FENCING
- F. GAS LINE FOR FIRE PIT
- G. BAR-B-QUE ISLAND:
120V ELECTRICAL HOOK UP
NATURAL GAS HOOK UP
WATER SERVICE
SINK DRAIN TO DRY WELL IN SOIL

SHEET INDEX

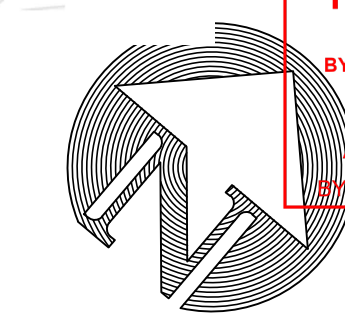
L-1 SITE PLAN	DETAIL A
L-2 GUEST TRELLIS	DETAIL B
L-3 WEST ARBOR	DETAIL C
L-4 SOUTH GARDEN WALL CORNER WALL EAST WALL NORTH AND WEST FENCING	DETAIL D DETAIL E DETAIL F
L-5 BAR-B-QUE	DETAIL G

VICINITY MAP

A.P.N.# 42423084



SITE



NORTH

Todd Kalbfeld
Landscape Design
Landscape Design & Construction Management
2945 TULIP ROAD, SAN JOSE, CA 95128
(408) 605-9973

REVISIONS	BY
11/22/2021	TK
1/21/2022	TK
3/28/2022	TK

TODD KALBFELD
PROFESSIONAL
LANDSCAPE DESIGNER

SINGLE FAMILY RESIDENCE
124 GARDEN HILL DRIVE, LOS GATOS, CA

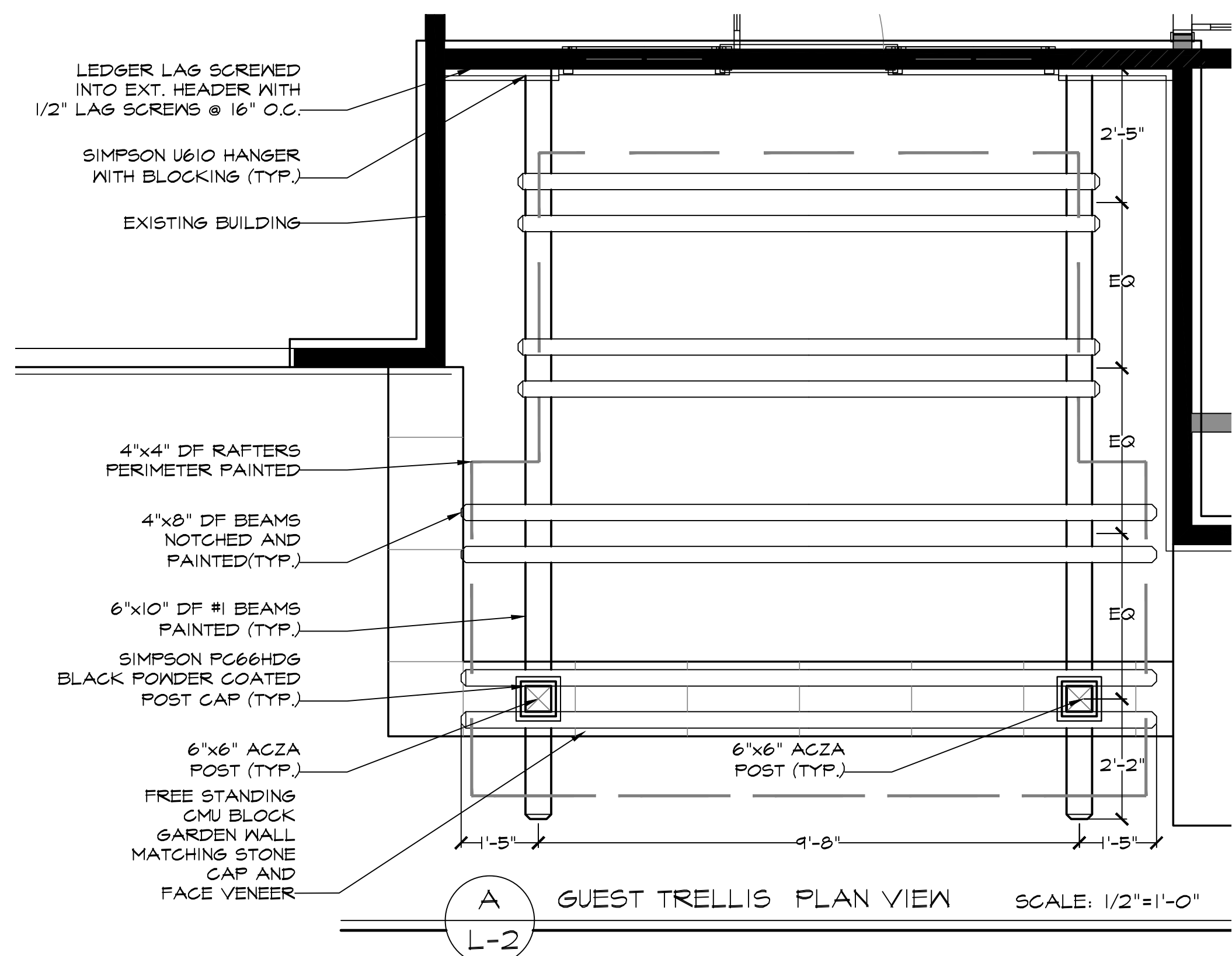
SITE PLAN

REVISION

Town of Los Gatos BUILDING DIVISION PLAN APPROVED	DATE AUG / 2021
APPROVED	DATE 03/28/2022

JOB GARDEN HILL
SHEET L-1

OF SHEETS
EXHIBIT 5



2

ARBOR MATERIALS JUSTIFICATION:

- ALL GARDEN AND SEATING WALLS ARE TO BE VENEERED WITH MATCHING STONE. STONE WILL MATCH EXACT STONE USED ON RESIDENCE TO CONTINUE STONE THEME.
- ALL ARBOR IS TO BE OUT OF DOUGLAS FIR PRIMED AND PAINTED. ALL COLORS AND JUSTIFICATION IS AS FOLLOWS:
 - ARBOR TOP IS TO BE A MEDIUM BROWN WORN BARN STYLE COLOR AND FINISH. THIS COLOR WILL ALSO BE USED ON ENTRY GATE AND ALL NEW FENCING. THIS COLOR IS CHOSEN AS IT WILL FOLLOW THE SAME COLOR AND TINT AS THE HOUSE ROOF COLOR.
 - ARBOR COLUMNS ARE TO BE PAINTED WHITE TO MATCH ALL TRIM COLOR PROPOSED ON HOUSE.

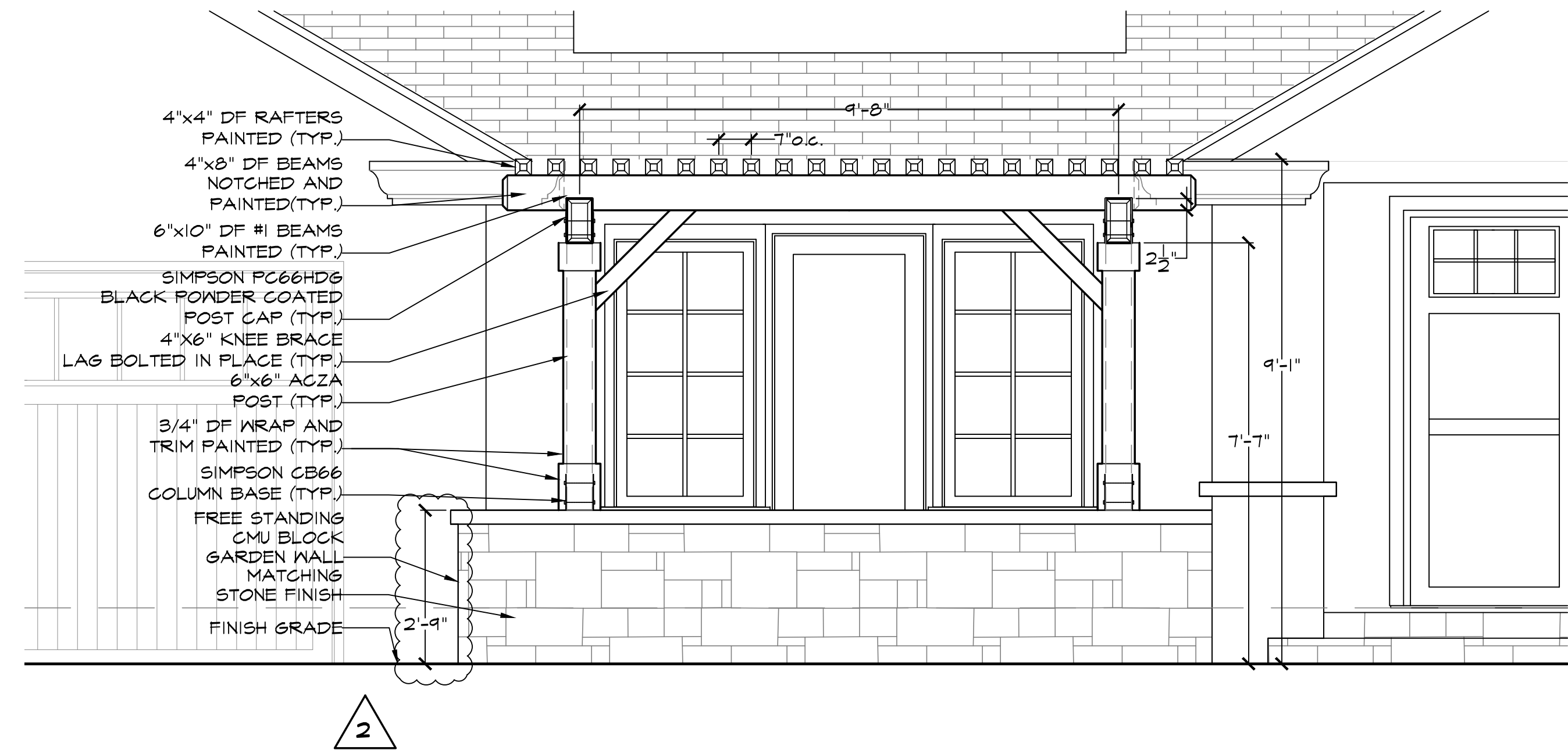
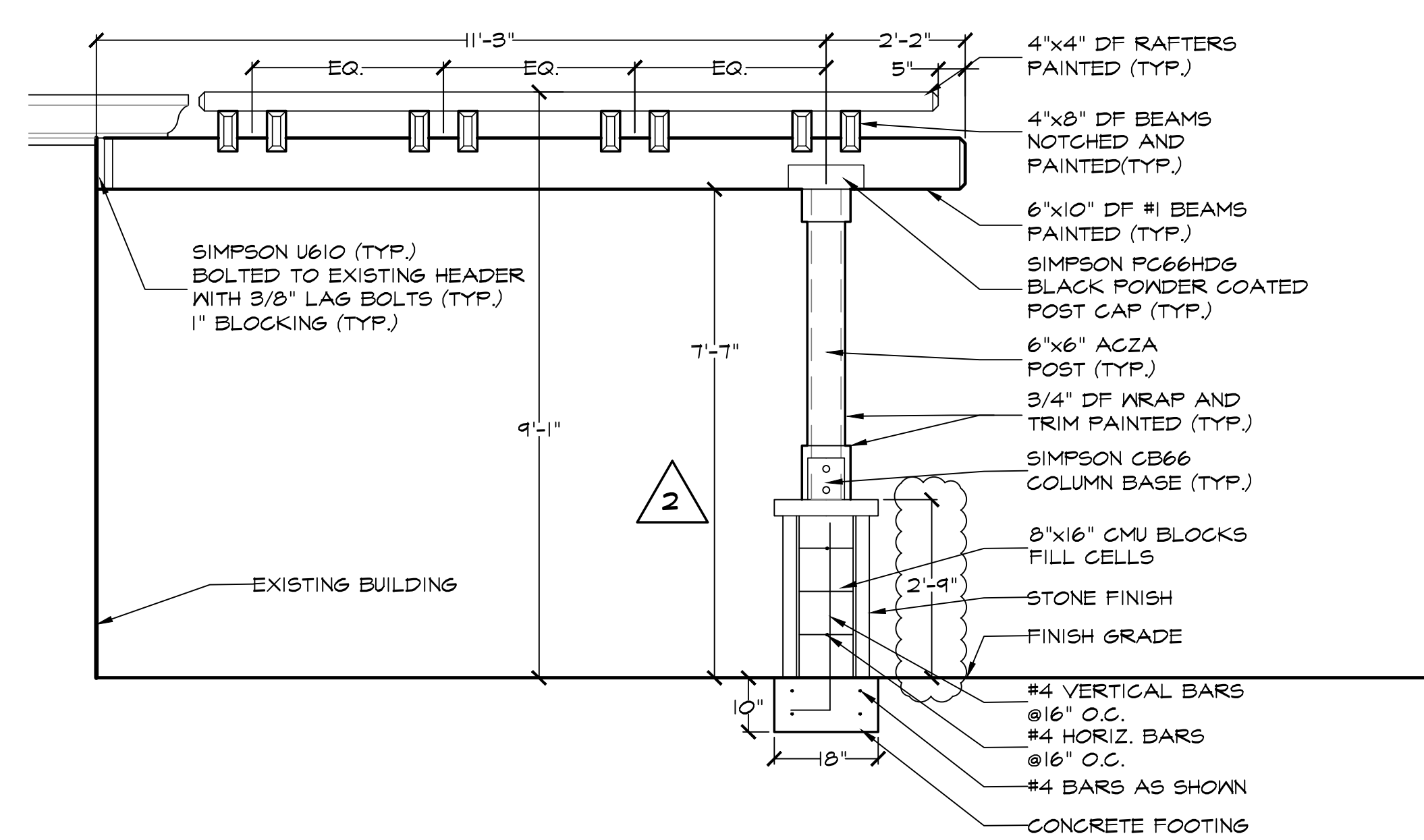
2

REVISIONS
1/21/2022
BY
TK

TODD KALBFELD
PROFESSIONAL
LANDSCAPE DESIGNER

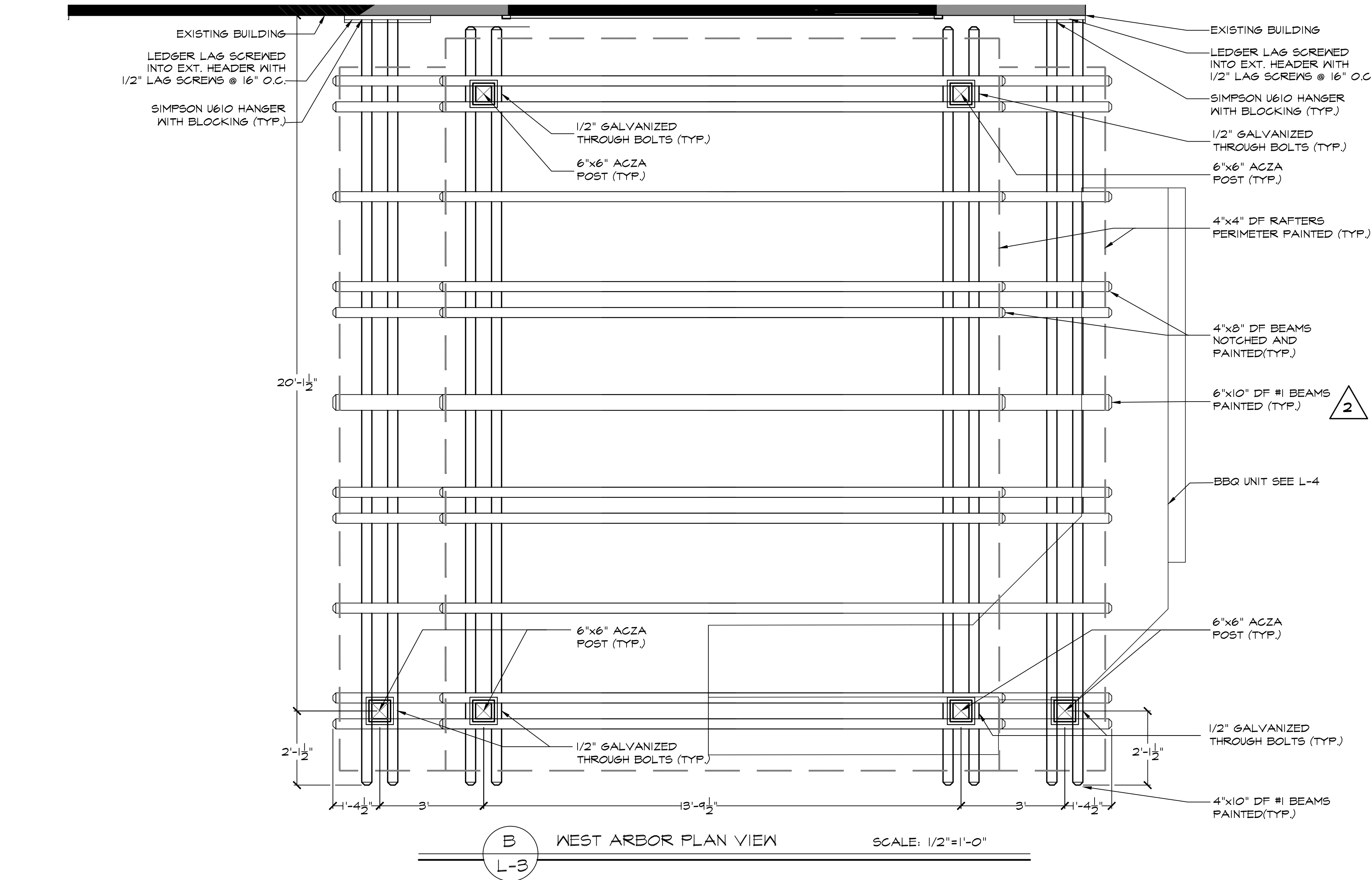
SINGLE FAMILY RESIDENCE
124 GARDEN HILL DRIVE, LOS GATOS, CA

CONSTRUCTION DETAILS



DATE AUG / 2021
DRAWN
TOWN OF LOS GATOS
BUILDING DIVISION

DRAWN
TK
JOB GARDEN HILL
SHEET 2
OF SHEETS

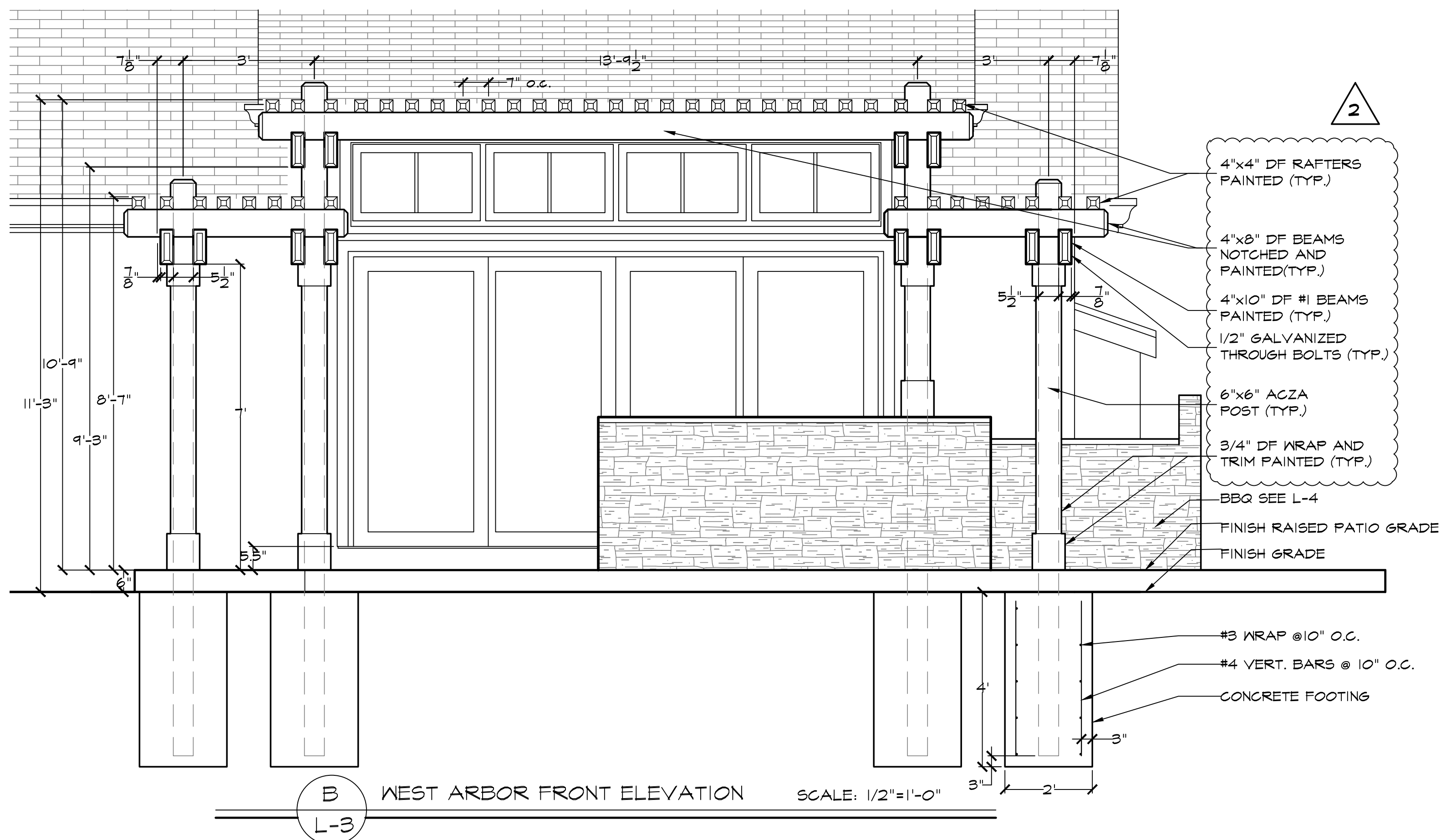


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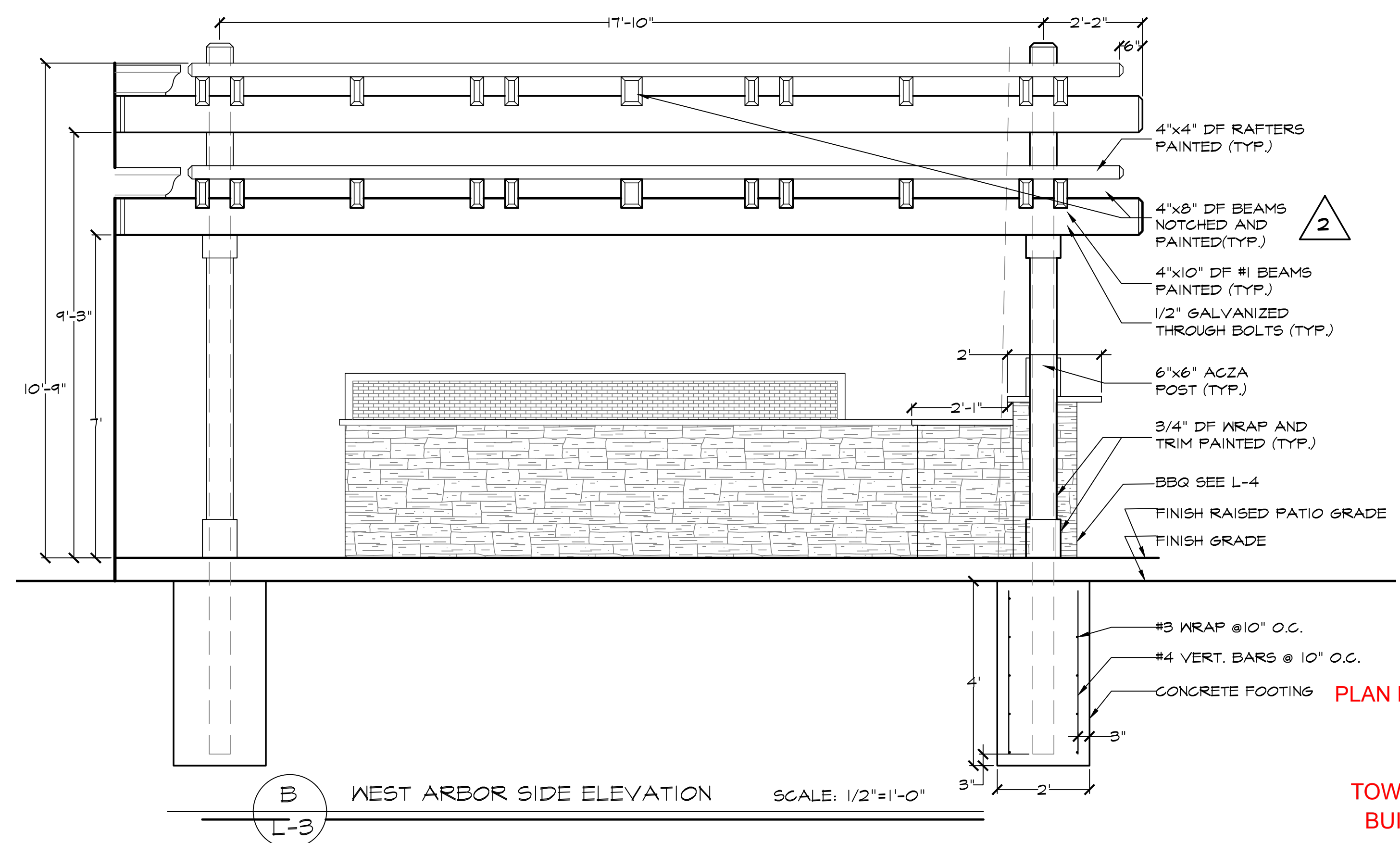
ARBOR AND BAR-B-QUE MATERIALS JUSTIFICATION:

- BAR-B-QUE SIDE FACE TO BE VENEERED WITH MATCHING STONE. STONE WILL MATCH EXACT STONE USED ON RESIDENCE TO CONTINUE STONE THEME.
- ALL ARBOR IS TO BE OUT OF DOUGLAS FIR PRIMED AND PAINTED. ALL COLORS AND JUSTIFICATION IS AS FOLLOWS:
 - ARBOR TOP IS TO BE A MEDIUM BROWN WORN BARN STYLE COLOR AND FINISH. THIS COLOR WILL ALSO BE USED ON ENTRY GATE AND ALL NEW FENCING. THIS COLOR IS CHOSEN AS IT WILL FOLLOW THE SAME COLOR AND TINT AS THE HOUSE ROOF COLOR.
 - ARBOR COLUMNS ARE TO BE PAINTED WHITE TO MATCH ALL TRIM COLOR PROPOSED ON HOUSE.

2



2



2

Todd Kalbfeld
Landscape Design
Landscape Design & Construction Management
2845 TULIP ROAD, SAN JOSE, CA 95128
(408) 605-9913

REVISIONS
1/21/2022 BY TK

TODD KALBFELD
PROFESSIONAL
LANDSCAPE DESIGNER

SINGLE FAMILY RESIDENCE
124 GARDEN HILL DRIVE, LOS GATOS, CA

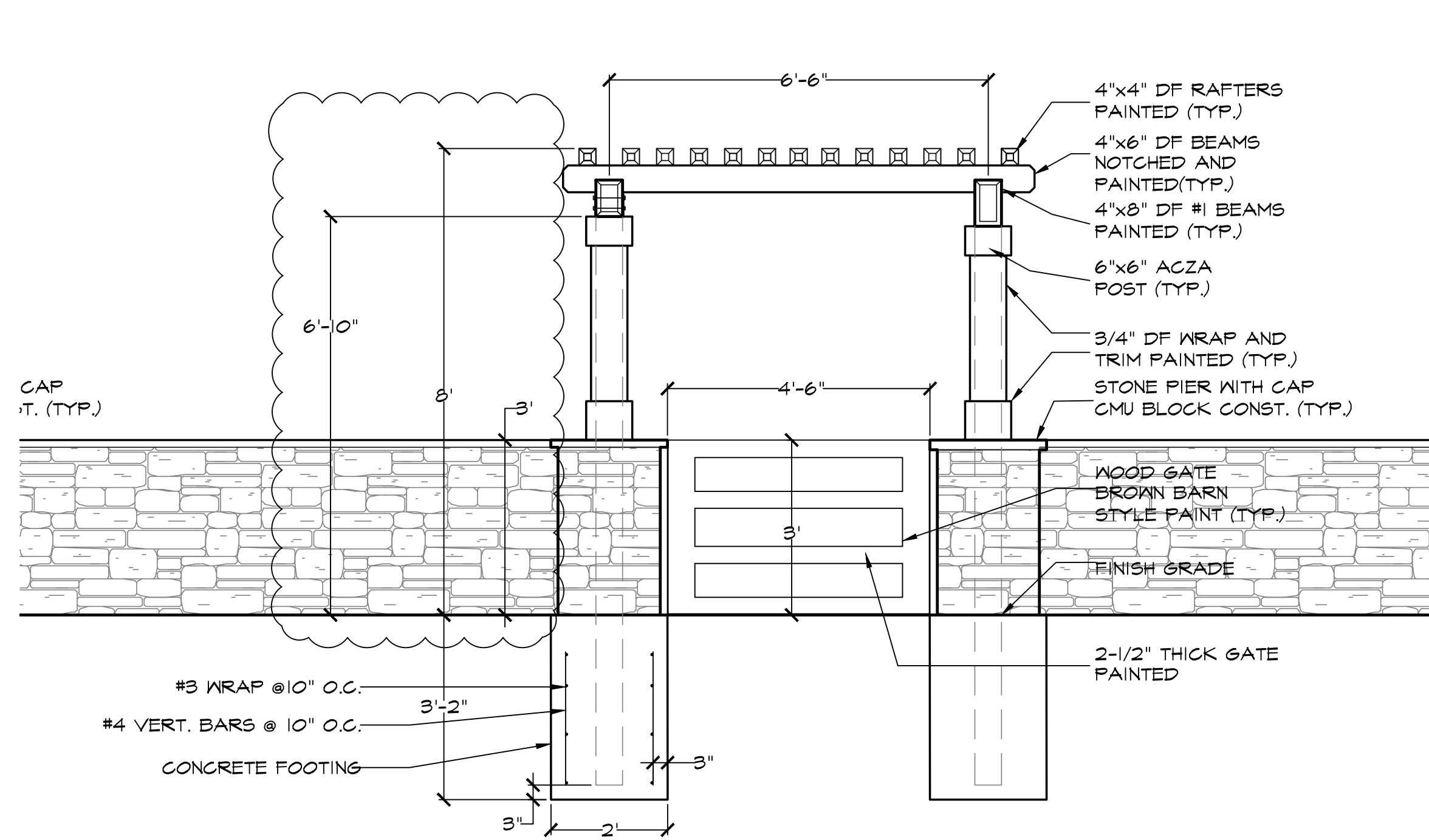
CONSTRUCTION DETAILS

DATE AUG / 2021
DRAWN BY TK
JOB GARDEN HILL
TOWN OF LOS GATOS
BUILDING DIVISION
3
OF SHEETS

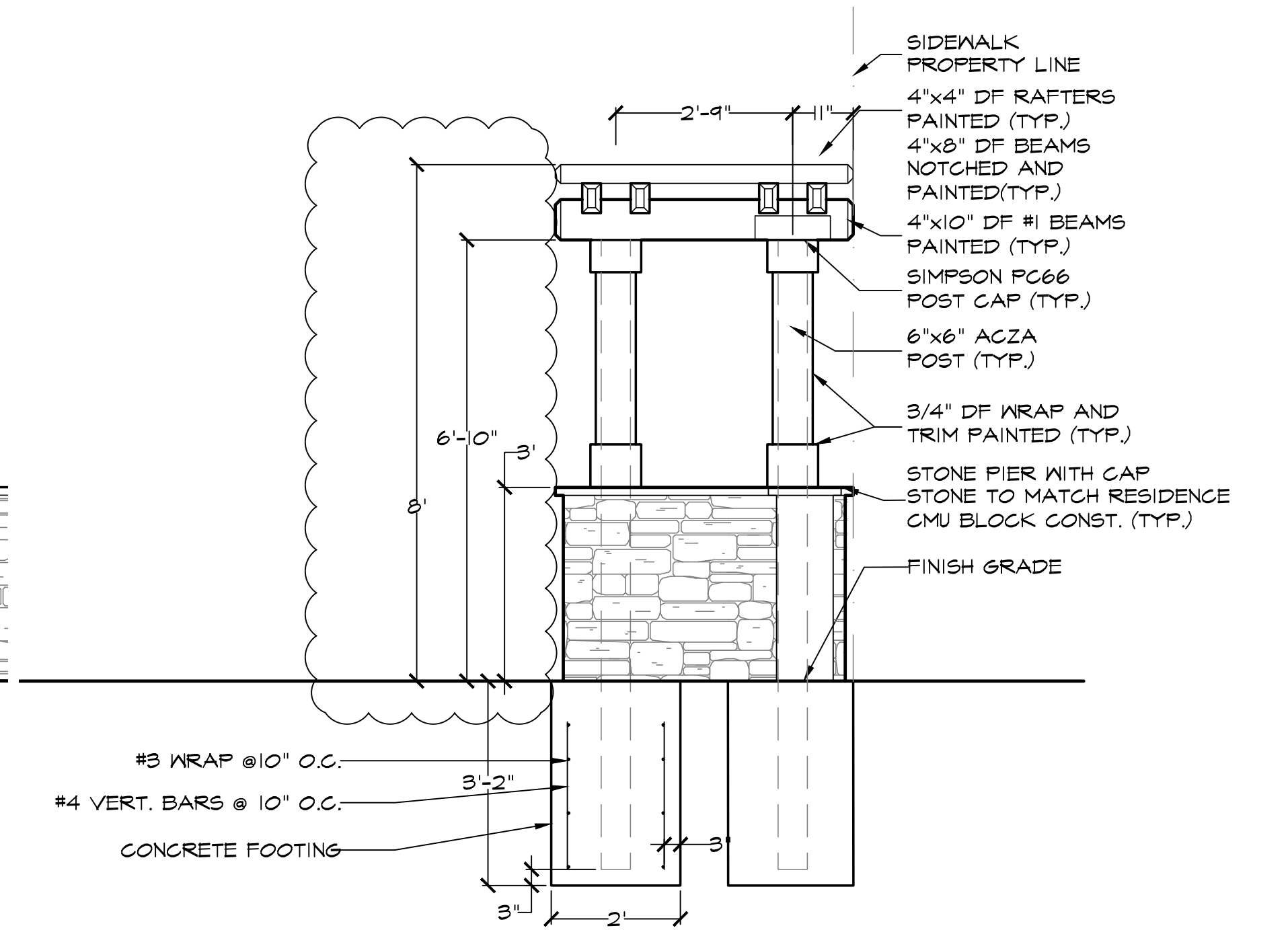
PLAN REVIEW APPROVAL

03.20.2022

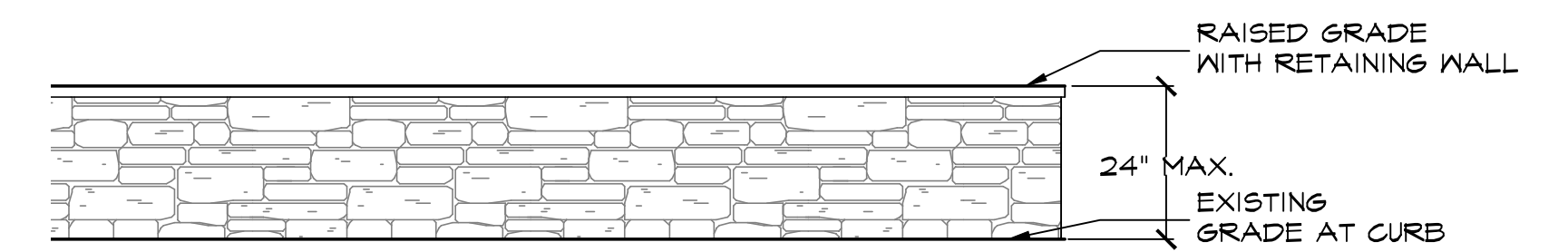
TOWN OF LOS GATOS
BUILDING DIVISION



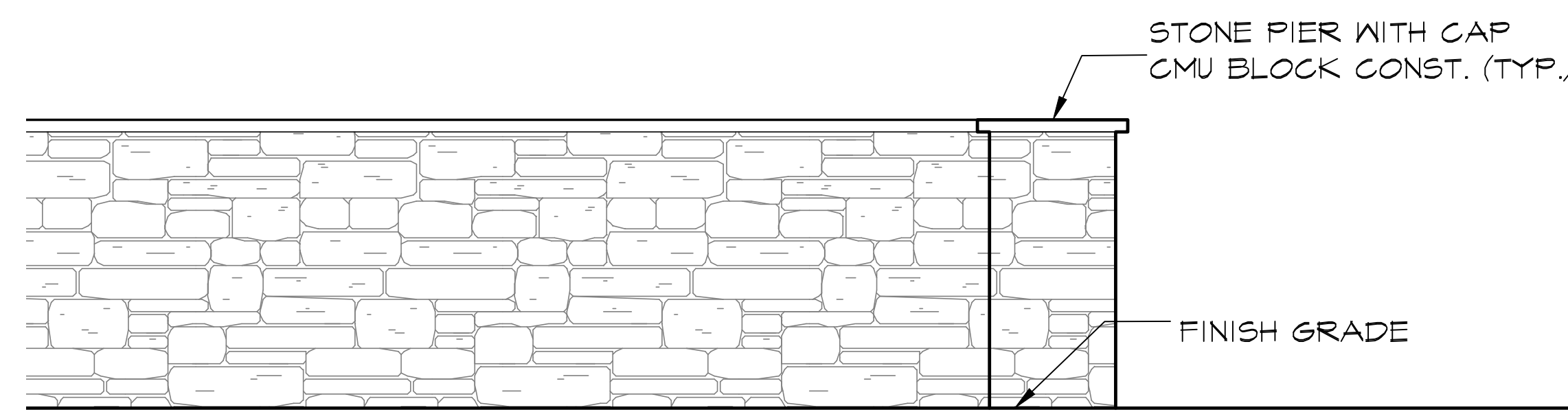
2 SOUTH GARDEN WALL ENTRY ARBOR AND GATE SCALE: 1/2"=1'-0"



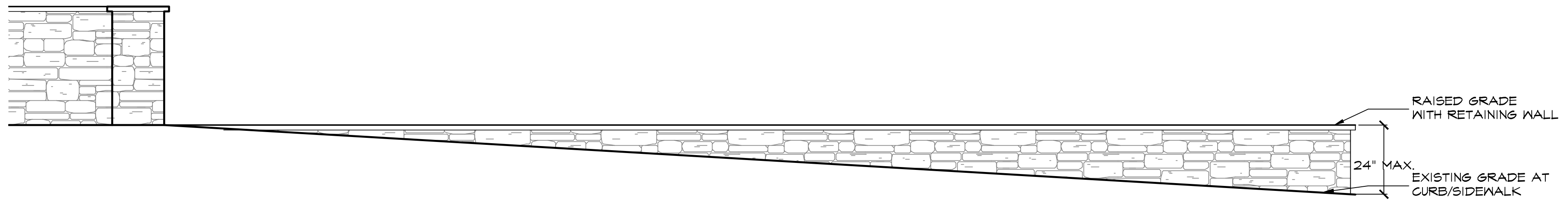
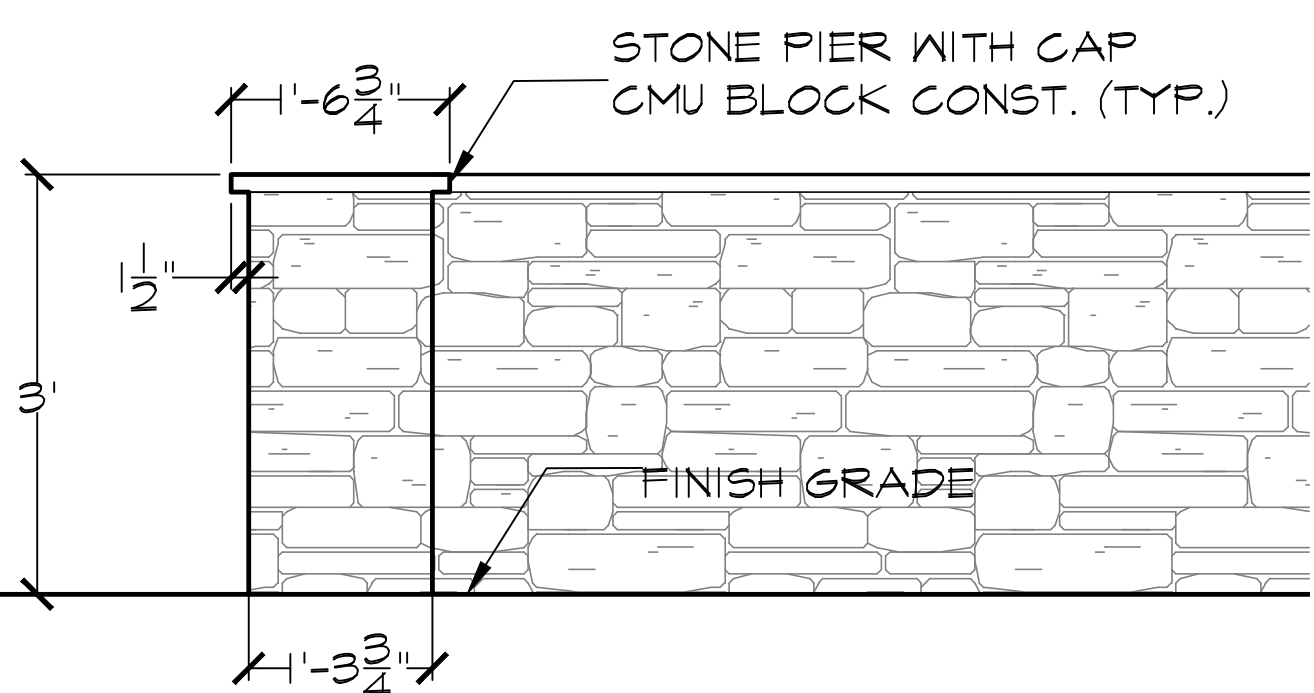
2 SOUTH GARDEN WALL ENTRY ARBOR AND GATE SCALE: 1/2"=1'-0"



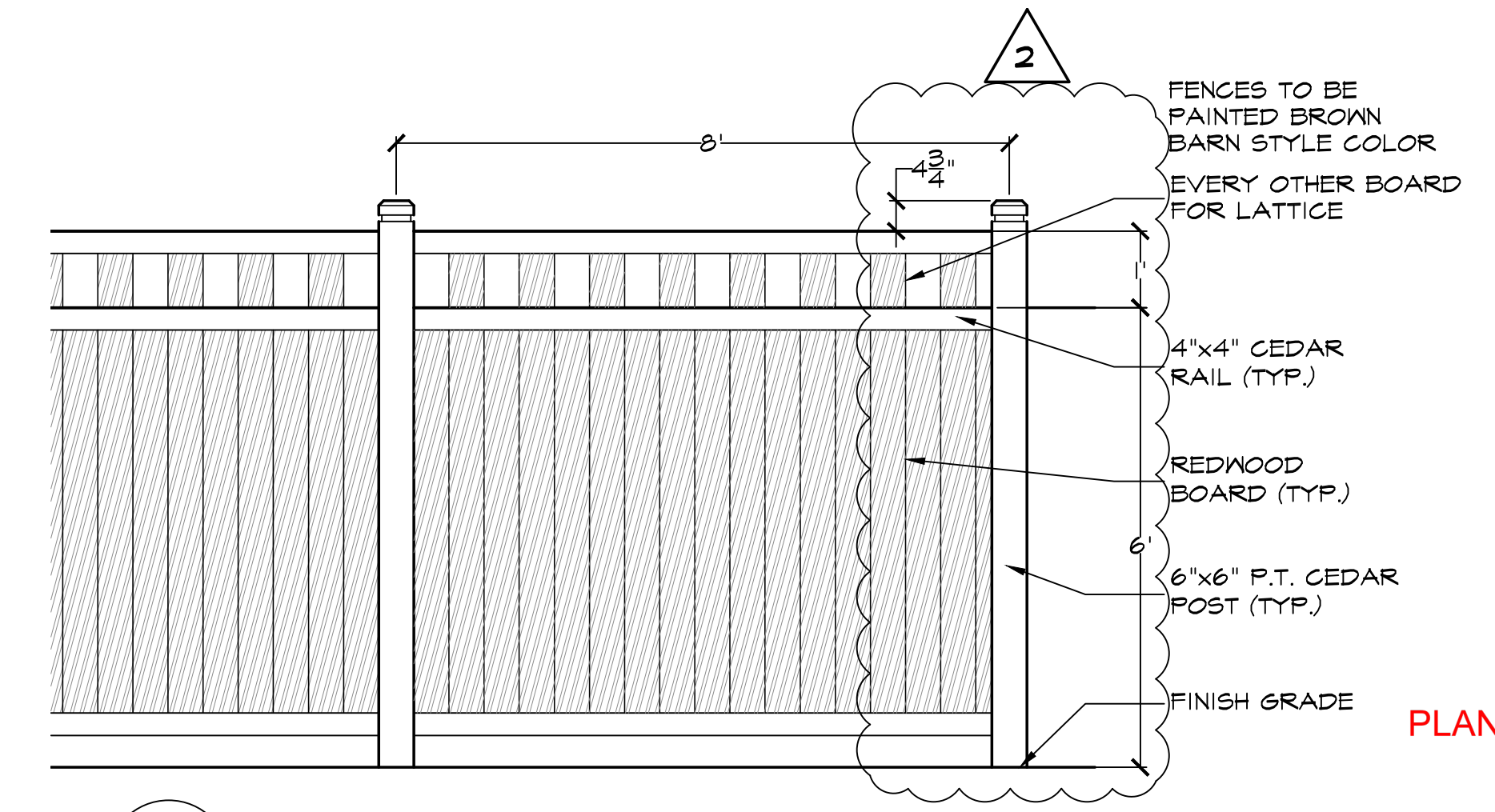
3 EAST WALL SCALE: 1/2"=1'-0"



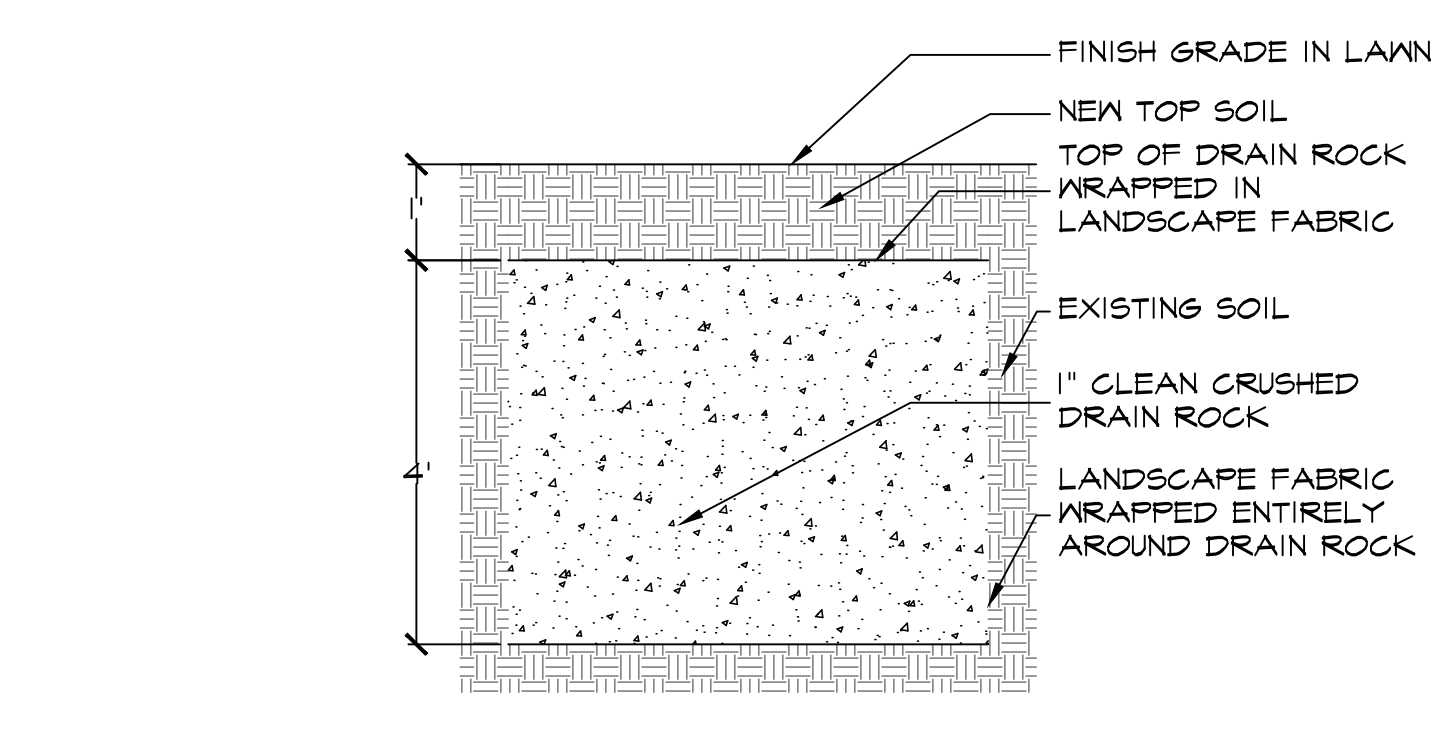
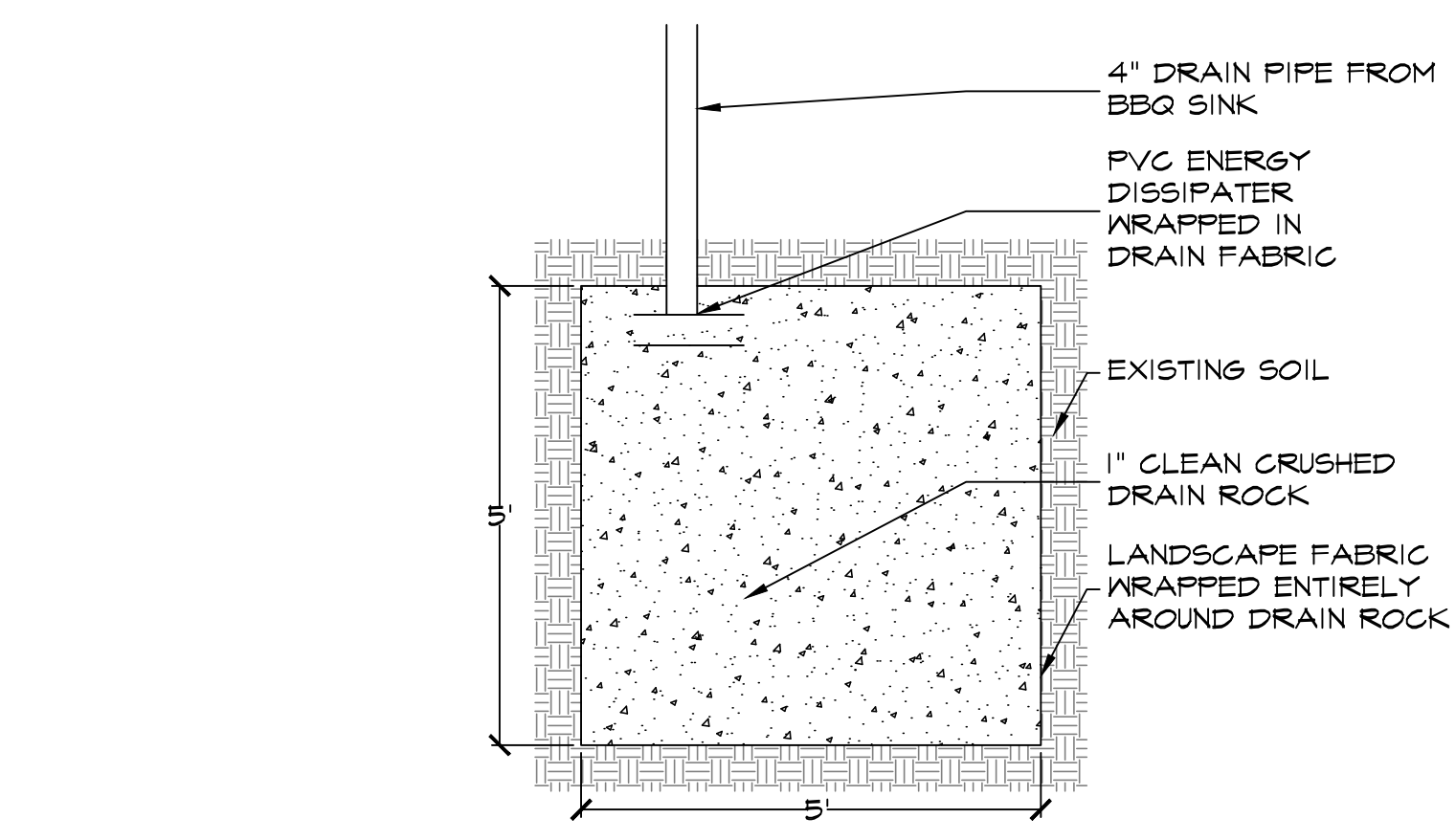
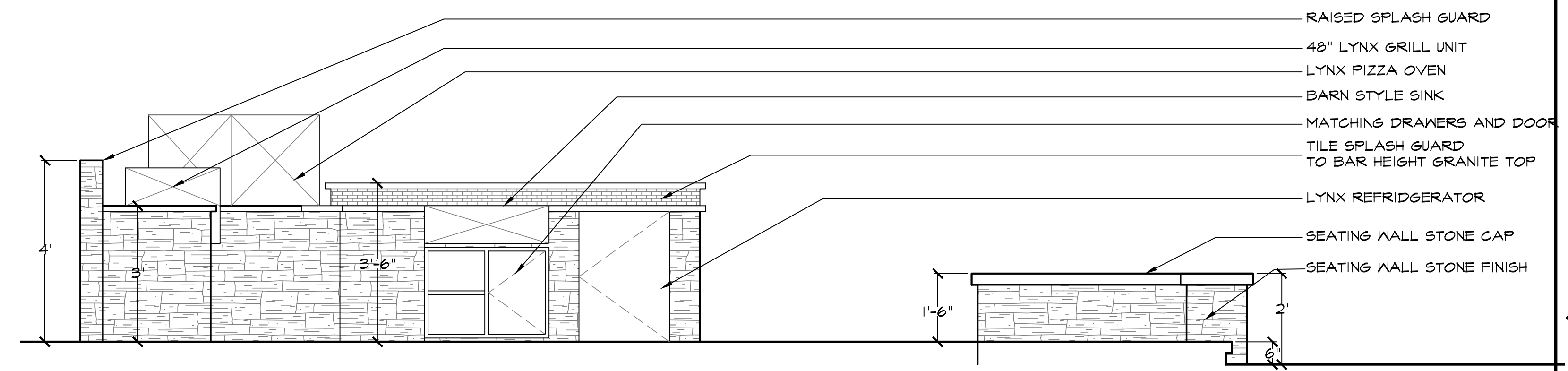
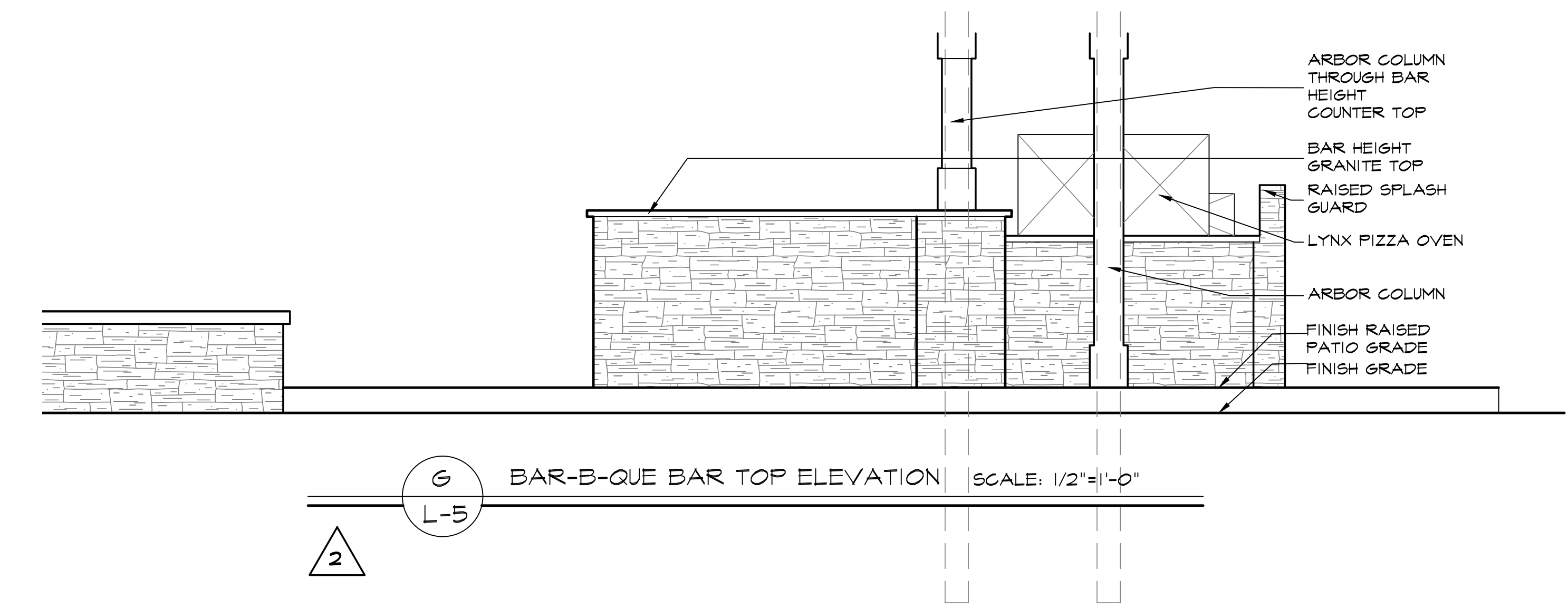
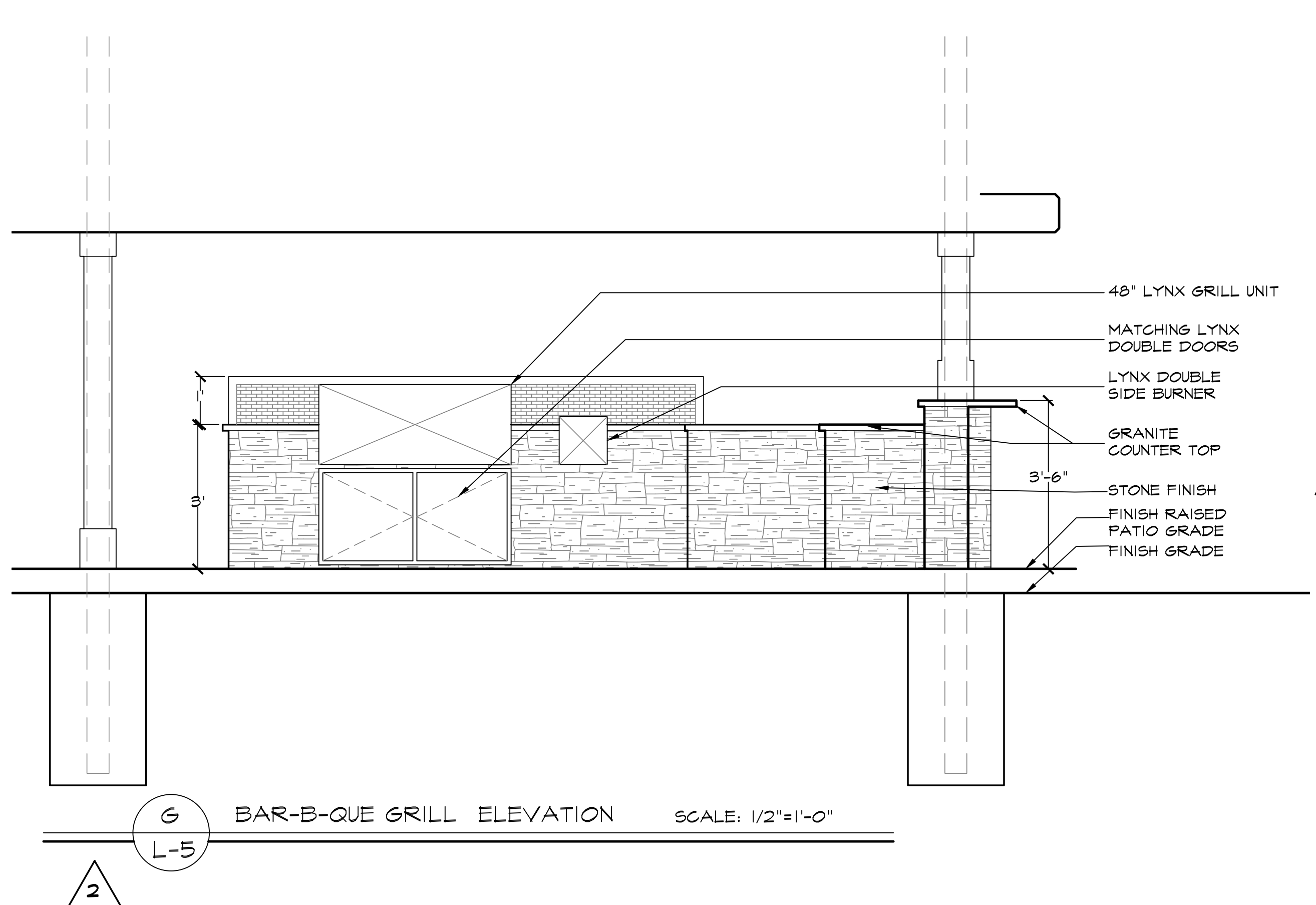
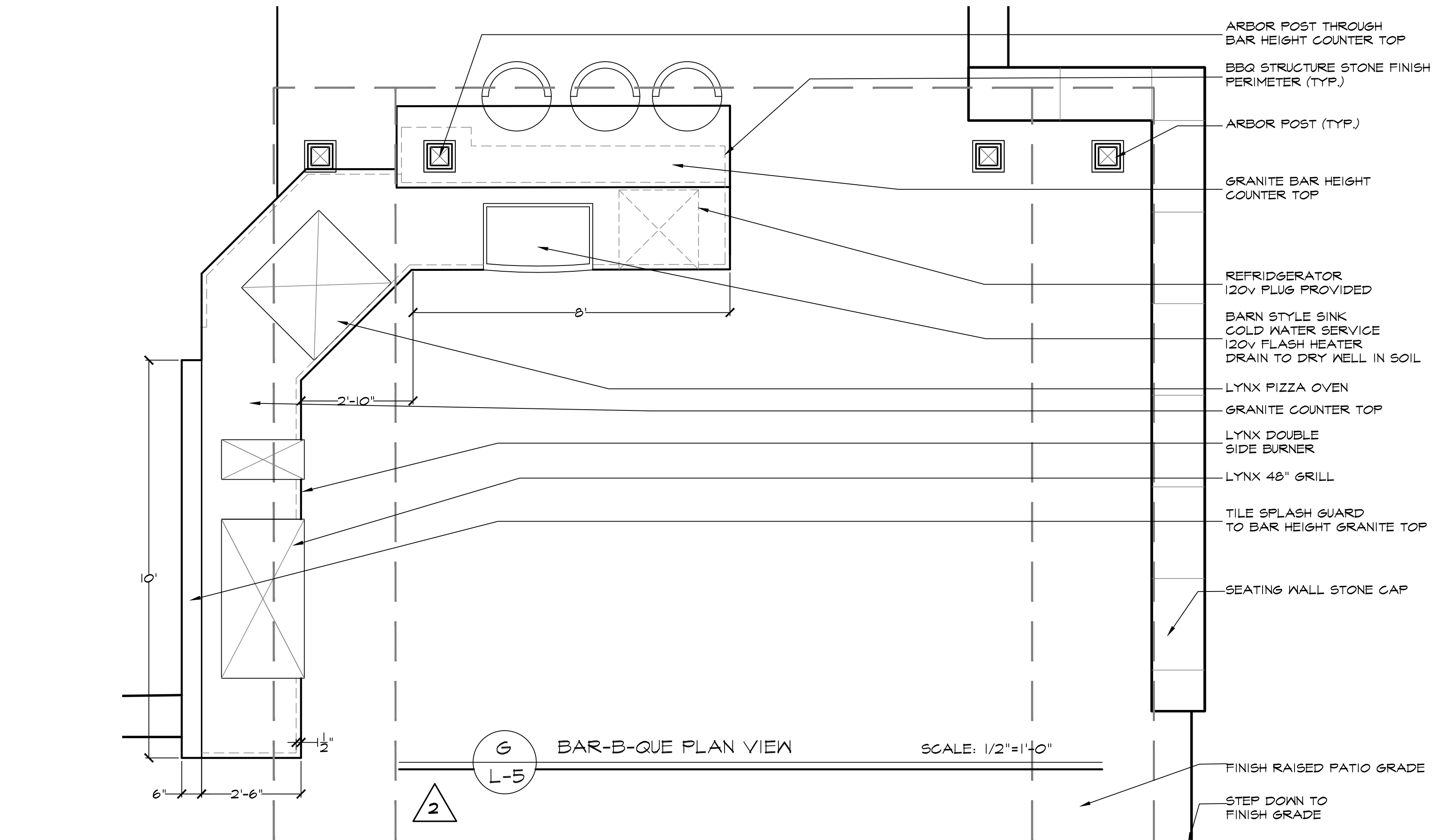
3 SOUTH GARDEN WALL DRIVEWAY ENTRY PIERS SCALE: 1/2"=1'-0"



3 CORNER WALL SCALE: 1/2"=1'-0"



4 WEST AND NORTH FENCING SCALE: 1/2"=1'-0"



Todd Kalbfeld

Landscape Design

Construction Management

2845 TULIP ROAD, SAN JOSE, CA 95128

(408) 605-9973

REVISIONS

8/2/2021

BY

TK

TODD KALBFELD

PROFESSIONAL

LANDSCAPE DESIGNER

SINGLE FAMILY RESIDENCE

124 GARDEN HILL DRIVE, LOS GATOS, CA

CONSTRUCTION DETAILS

DATE AUG / 2021

PLAN REVIEW APPROVAL

03.20.2022

TOWN OF LOS GATOS

BUILDING DIVISION

OF SHEETS

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**TOWN OF LOS GATOS
CODE COMPLIANCE DIVISION**

August 4, 2023

Rushikesh Kulkarni and Ashwini Bhawe
124 Garden Hill Drive
Los Gatos, CA 95032

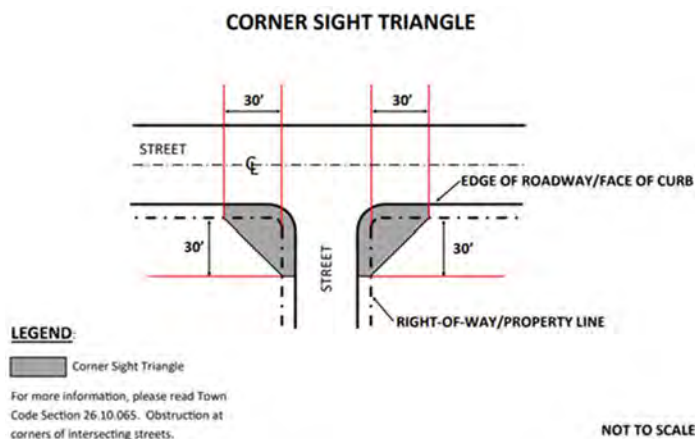
Administrative Warning

Re: Code violation at 124 Garden Hill Dr, Los Gatos

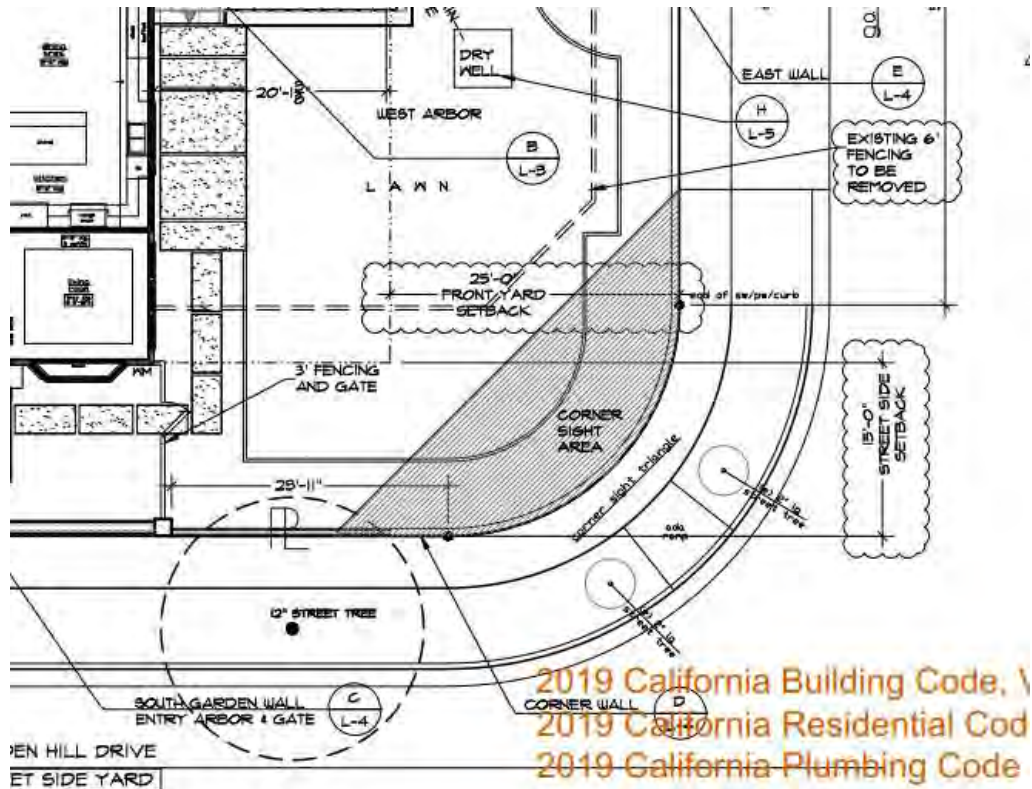
The Town of Los Gatos Community Development Department has received a concern regarding the above referenced property. The concern is regarding a sight distance issue with a six-foot-tall fence located on the corner of Garden Hill Drive. After consulting with the Town's traffic Engineer, it was determined that the fence height must be brought down to no taller than three (3) feet in height in the corner sight triangle area.

Pursuant to Town Code section 29.40.0315. - Height, materials and design, and location.

(3) Fences, walls, gates, and hedges may not exceed three (3) feet in height when located within a required front or side yard abutting a street (as required by the zone), driveway view area, traffic view area, or corner sight triangle unless an exception is granted by the Town Engineer and Community Development Director. Trees, hedges, and vegetation within a corner sight triangle shall meet the requirements of section 26.10.065.



Community Development Department • 110 E. Main Street 408.354.6872 • www.losgatosca.gov • www.facebook.com/losgatosca



Building plan B21-1157 above indicates where the fence is to be three feet in height.

Accordingly, we are asking that the fence on the corner of Garden Hill Drive be maintained to a height no taller than three feet in height by **September 1, 2023**. I can be reached at ameyer@losgatosca.gov or 408-399-5746 if you should have any questions regarding this notice.

Respectfully yours,

Allen Meyer
Code Compliance Officer
Town of Los Gatos

SCOPE OF WORK

A. NEW 6' FENCE

SHEET INDEX

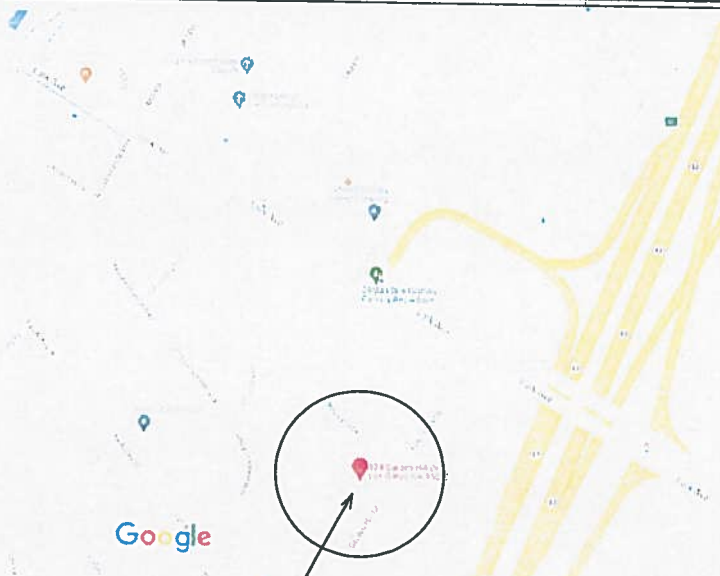
L-1 SITE PLAN

L-2 NEW FENCE DETAILS

DETAIL A & B

VICINITY MAP

A.P.N.# 42423084



SITE



NORTH

Todd Kalbfeld
Landscape Design
Landscape Design &
Construction Management
2845 TULIP ROAD, SAN JOSE, CA
95128
(408) 605-9973

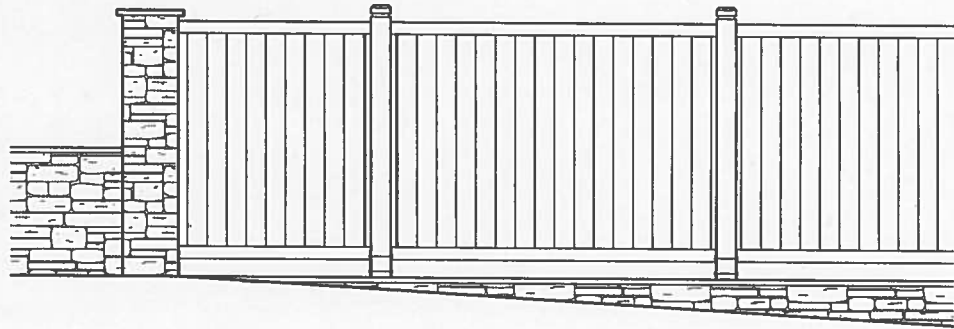
REVISIONS BY

TODD KALBFELD
PROFESSIONAL
LANDSCAPE DESIGNER

SINGLE FAMILY RESIDENCE
124 GARDEN HILL DRIVE, LOS GATOS, CA

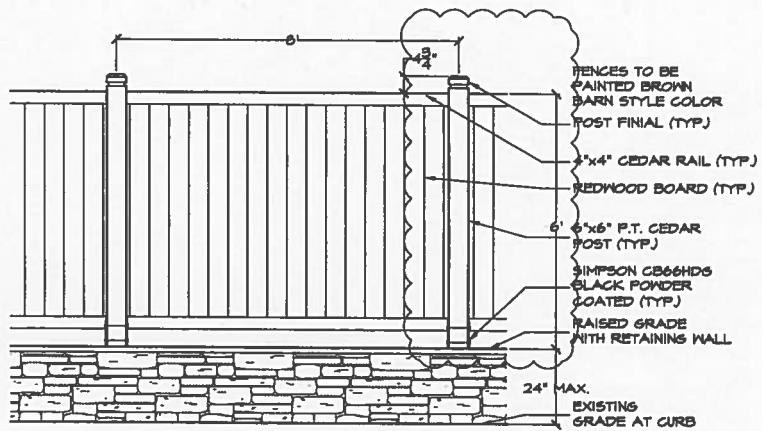
SITE PLAN

DATE AUG / 2021
SCALE 1/8"=1'-0"
DRAWN TK
JOB GARDEN HILL
SHEET L-1
OF SHEETS



A
L-2

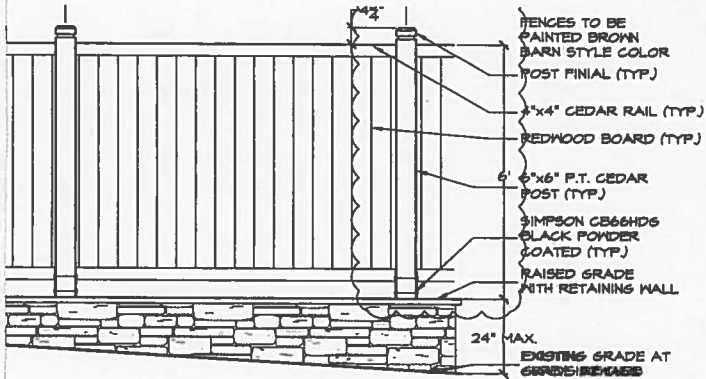
CORNER WALL AND FENCING



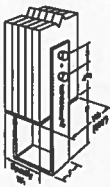
B
L-2

EAST FENCING

SCALE: 1/2"=1'-0"



SCALE: 1/2"=1'-0"



-
L-2 SIMPSON CB66 POST BASE (TYP.) SCALE: N.T.S.

Todd Kalbfeld
Landscape
Design
landscape design &
Construction Management
2845 TULIP ROAD, SAN JOSE, CA
95128 (408) 605-9979

REVISIONS BY

TODD KALBFELD
PROFESSIONAL
LANDSCAPE DESIGNER

SINGLE FAMILY RESIDENCE
124 GARDEN HILL DRIVE, LOS GATOS, CA

CONSTRUCTION DETAILS

DATE AUG / 2021
SCALE AS SHOWN
DRAWN TK
JOB GARDEN HILL
SHEET L-2
OF SHEETS

455 Los Gatos Blvd., Suite 101
Los Gatos, California 95032
Telephone: (408) 395-3100
Facsimile: (408) 395-3120

August 28, 2023

Community Development Department
Town of Los Gatos
110 E. Main St.
Los Gatos, CA 95030

Attn: Sean Mullin

Re: 124 Garden Hill Drive, Los Gatos
APN: 42423084

Dear Mr. Mullin:

I represent Rushikesh Kulkarni, owner of the above-referenced property.

This letter shall serve as my "letter of justification" in support of my client's request for an exception to the traffic triangle 3-foot fence rule which has been applied, I believe erroneously, to his property. My client would like to install 6-foot fences around the open area on the side of his house, which is the only area which serves as a back yard for his family due to the placement of his home on the lot.

First, the property is not located on an intersection. The traffic triangle rule was developed to allow cars to have adequate visibility when approaching an intersection. Mr. Kulkarni's property is simply on a loop of the road. There is no place where a car would approach his property where there would not be adequate visibility, nor are there any safety concerns for pedestrians.

Section 29.40.0320 states:

On interior lots, side yard and rear yard fences, walls, gates, gateways, entry arbors, or hedges, behind the front yard setback, may be a maximum of eight (8) feet high provided the property owner can provide written justification that either:

(1) A special privacy concern exists that cannot be practically addressed by additional landscaping or tree screening; or

(2) A special wildlife/animal problem affects the property that cannot be practically addressed through alternatives. Documented instances of wildlife grazing on gardens or ornamental landscaping may be an example of such a problem.

.....

(d) A special security concern exists that cannot be practically addressed through alternatives.

(e) As previously stated, this is the only area on my client's property that can function as a backyard. This creates a special privacy concern that cannot be practically addressed by additional landscaping or tree screening.

My client has video footage of a coyote walking down his street. This is a special wildlife concern that cannot be addressed through alternatives. It is also a special security concern given the fact that my client has 3 young children who have no place to play outside but in that area. We see no alternative ways to address the safety of my client's children other than to have a tall fence to keep the children in and the coyotes out.

The "backyard" of my client's property was designed for entertaining for large parties, family, friends and business personnel. With a three-foot wall, there is no privacy and installing a 6-foot barrier, 15 feet back from the 3-foot fences substantially decreases the usefulness of the backyard.

There is also a major safety issue for the small children that live here. On many occasions there have been coyote sightings with coyotes walking along the street. The fence at 3 feet high is not workable to avoid the threat from the coyotes.

As can be seen from the attached photographs, there is not an actual intersection at the turn in the road. Pictures were taken from Geern Hill Dr. and Farm Hill Drive and there is no safety issue even with the construction fencing which was placed on the property line.

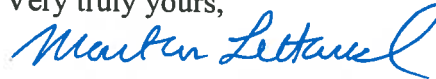
There are also photos going around the curve on Garden Hill Drive which show more than sufficient visibility to allay any safety concerns for pedestrians or cars.

There is little doubt that an exception is appropriate for 124 Garden Hill Dr. An exception should therefore be granted for this property.

The intent of the code was a safety concern primarily at intersecting streets. In the configuration of the streets in this instance, there is clear visibility for cars, pedestrians and therefore there is no need to enforce the traffic triangle.

My client has contacted his neighbors regarding this situation. They indicated that they had no concerns regarding visibility or safety on the street, but that they felt uncomfortable that they had an unfettered view into his private backyard.

Very truly yours,



MARTIN N. LETTUNICH

455 Los Gatos Blvd., Suite 101
Los Gatos, California 95032
Telephone: (408) 395-3100
Facsimile: (408) 395-3120

September 13, 2023

Community Development Department
Town of Los Gatos
110 E. Main St.
Los Gatos, CA 95030

Attn: Sean Mullin

Re: 124 Garden Hill Drive, Los Gatos
APN: 42423084

Dear Mr. Mullin:

As you know, I represent Rushikesh Kulkarni, owner of the above-referenced property.

I recently submitted my client's "letter of justification" in support of his request for an exception. My client has requested that I provide you with a supplement to that letter to include in your review of his situation the following information.

My client is of East Indian descent. He belongs to a religion which places special importance on the sun and its east west passage through the sky. According to the tenants of his religion, he is to hold prayer sessions on the east side of his yard. He has tried to do so, but, prior to erecting the bamboo fence, the neighbors would stop and watch his private prayer sessions with his family. The lack of privacy with the short fence made it very difficult and uncomfortable for my client and his family to practice their faith.

Please advise if emailing this letter to you is sufficient to have this information included in his request for a fence height exception, or if we need to submit it in some other way.

Thank you for your assistance.

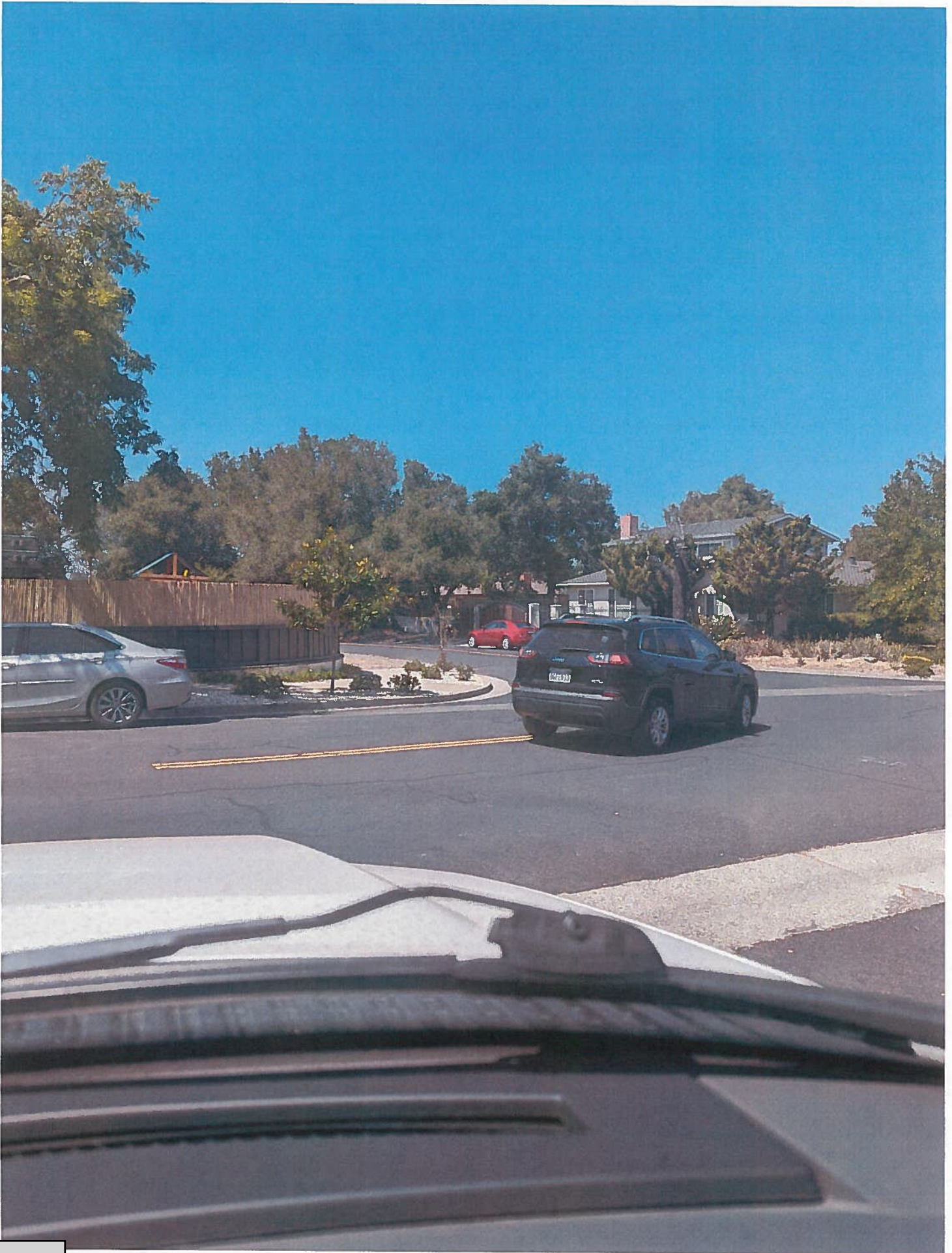
Very truly yours,



MARTIN N. LETTUNICH



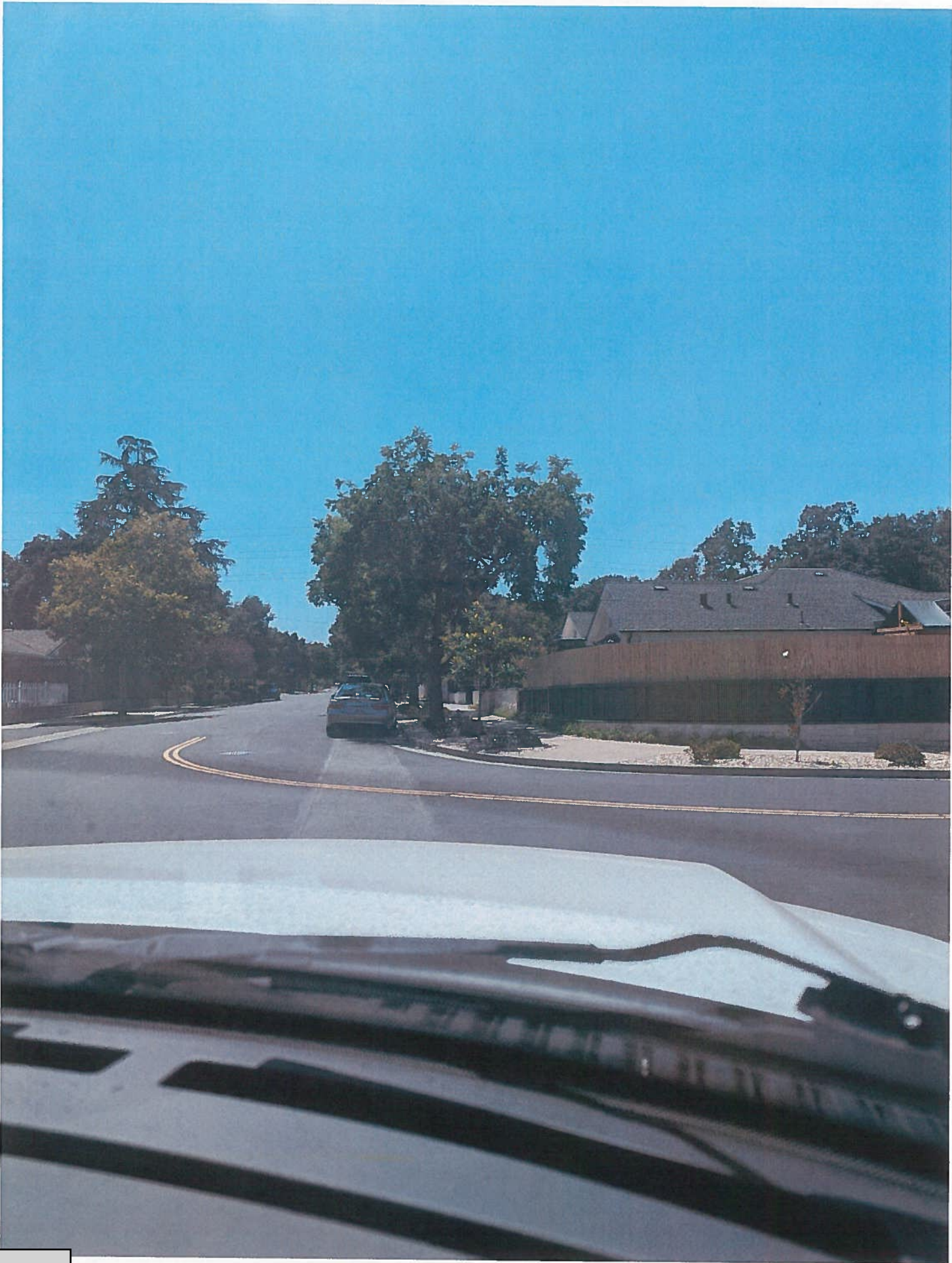






From Garden Hill
Construction Time





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TOWN OF LOS GATOS

COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
(408) 354-6872 Fax (408) 354-7593

CIVIC CENTER
110 E. MAIN STREET
LOS GATOS, CA 95030

September 27, 2023

Martin Lettunich
455 Los Gatos Blvd, Suite 101
Los Gatos, CA 95032

RE: 124 Garden Hill Drive
Fence Height Exception (FHE-23-005)

Requesting Approval for an Exception to Construct a Six (6) Foot Tall Fence Within the Required Front Yard Setback, Street-Side Yard Setback, and Corner Site Triangle on Property Zoned R-1:8. APN 424-23-084.

APPLICANT: Martin Lettunich

PROPERTY OWNER: Rushikesh Kulkarni

The Los Gatos Community Development Department and the Town Engineer of the Parks and Public Works Department have reviewed the referenced application for a fence height exception pursuant to Section 29.40.0320. On September 27, 2023, the Los Gatos Community Development Department and Town Engineer have **denied** the request as the required findings could not be made. Additionally, the Town Engineer could not support the exception to the corner sight triangle per Town Code Section 26.10.065 – Obstructions at corners of intersecting streets.

PLEASE NOTE: Pursuant to Section 29.20.255 of the Town Code, this decision may be appealed to the Planning Commission within 10 days of the denial date. Any interested person may appeal this decision to the Planning Commission. Appeals, with the completed Appeal Form and appeal fee payment, must be submitted within 10 days from the date of denial, or by 4:00 p.m., October 9, 2023.

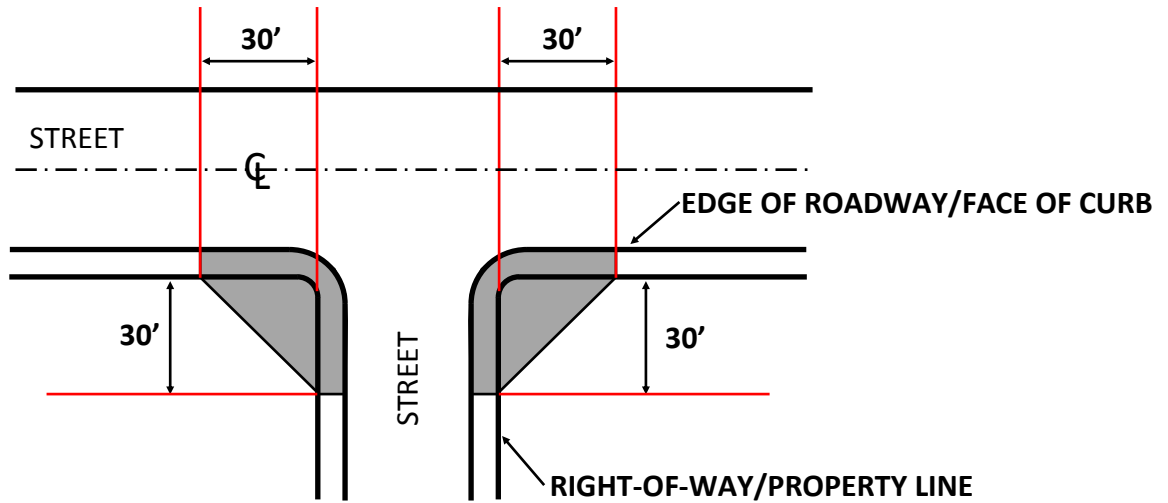
If you have any questions concerning this decision, please contact Project Planner Ryan Safty at (408) 354-6802 or via email at RSafty@losgatosca.gov.

Sincerely,


Ryan Safty
Associate Planner

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CORNER SIGHT TRIANGLE

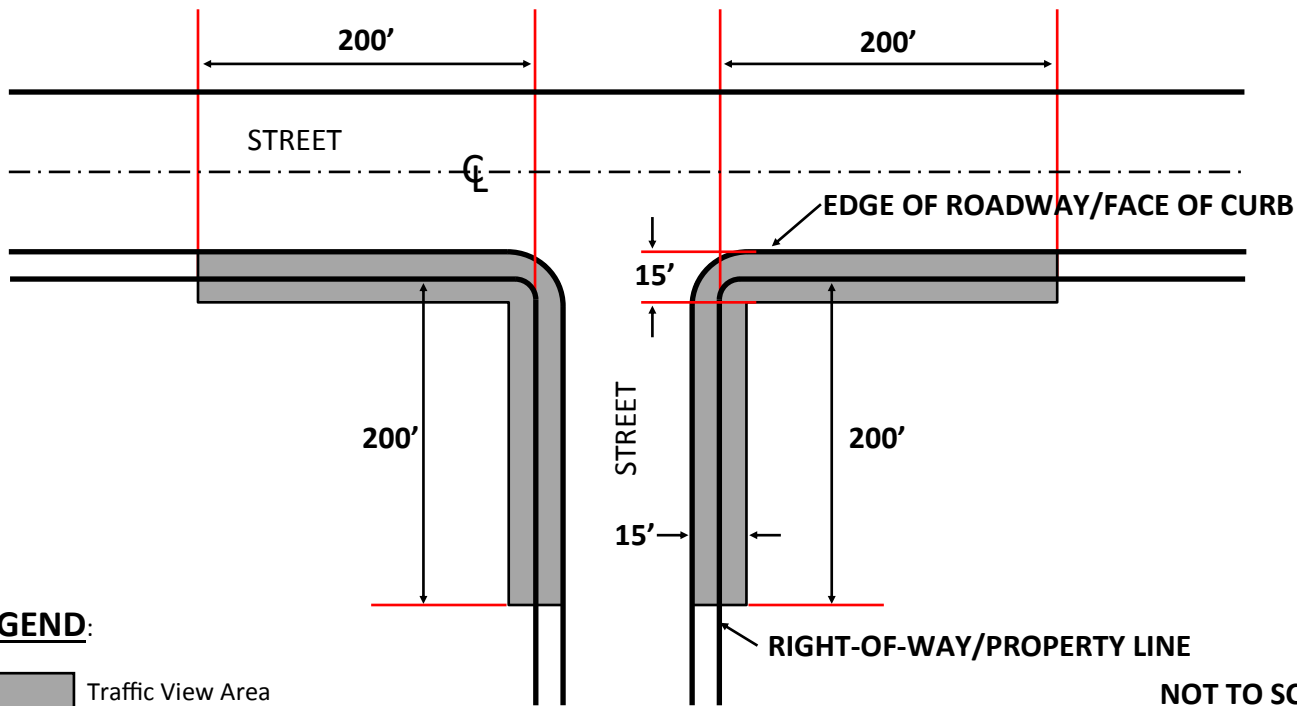


LEGEND:

 Corner Sight Triangle

NOT TO SCALE

TRAFFIC VIEW AREA

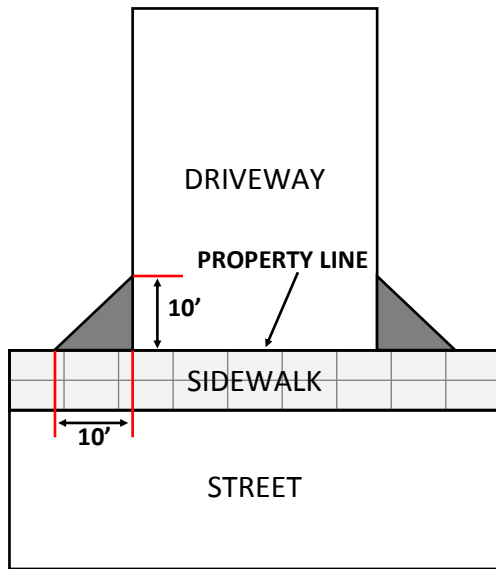


LEGEND:

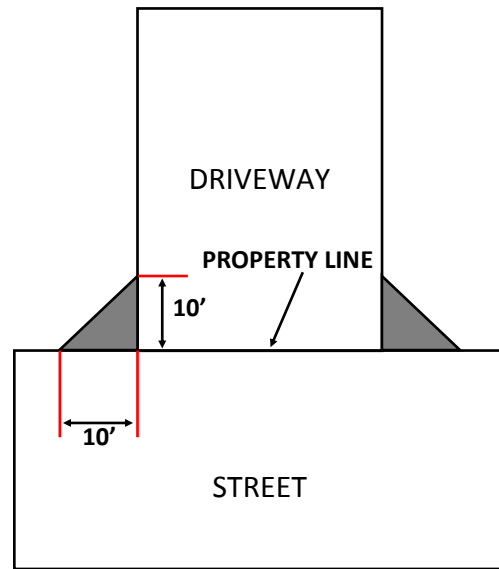
 Traffic View Area

NOT TO SCALE

DRIVEWAY VIEW AREA



Sidewalk Example



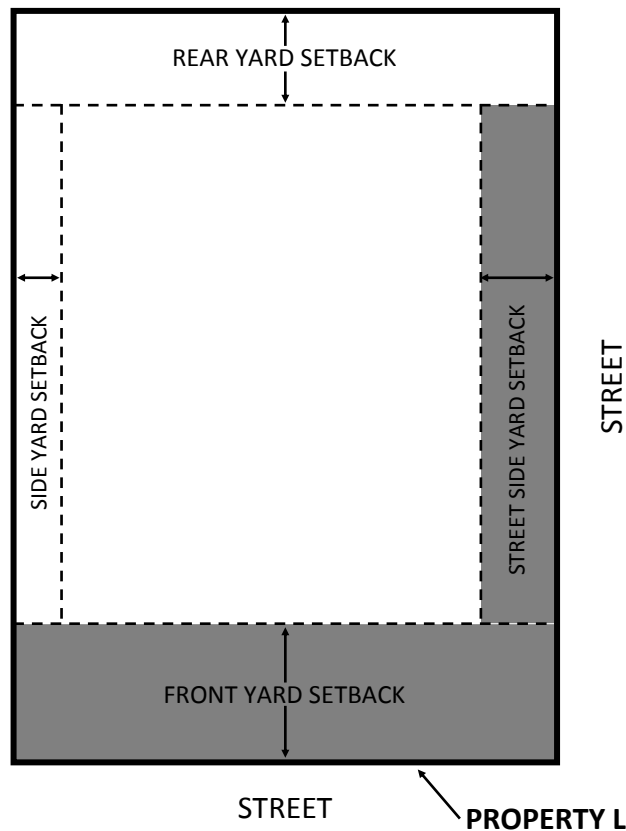
No Sidewalk Example

LEGEND:


 Driveway View Area

NOT TO SCALE

FRONT AND STREET SIDE YARD AREA



LEGEND:

 Front and Street Side Yard Area

NOT TO SCALE



TOWN OF LOS GATOS
COMMUNITY DEVELOPMENT DEPARTMENT
 110 E. Main Street
 Los Gatos, CA 95030

BP39016

PAID

OCT 05 2023

TOWN OF LOS GATOS

APPEAL OF THE DECISION OF
DIRECTOR OF COMMUNITY DEVELOPMENT

PLEASE TYPE or PRINT NEATLY

I, the undersigned, do hereby appeal a decision of the DIRECTOR OF COMMUNITY DEVELOPMENT as follows:

DATE OF DECISION: September 27, 2023

PROJECT/APPLICATION: Fence Height Exception (FHE-23-005)

LOCATION: 124 Garden Hill Dr., Los Gatos, CA

Pursuant to the Town Code, any interested person as defined in Section 29.10.020 may appeal to the Planning Commission any decision of the Director.

Interested person means:

1. *Residential projects.* Any person or persons or entity or entities who own property or reside within 1,000 feet of a property for which a decision has been rendered, and can demonstrate that their property will be injured by the decision.
2. *Non-residential and mixed-use projects.* Any person or persons or entity or entities who can demonstrate that their property will be injured by the decision.

LIST REASONS WHY THE APPEAL SHOULD BE GRANTED:

The proposed fence placement would not, in this location, impair the visibility of drivers. My client is of East Indian descent. His religion requires him to hold prayer session on the eastern most part of his property. The proposed fencing provides the privacy needed to practice his religion without comments from the neighbors. It also keeps his small children safe from coyotes and traffic.

IMPORTANT:

1. Appeal must be filed not more than ten (10) days after the decision is rendered by the Director of Community Development. If the tenth (10th) day is a Saturday, Sunday, or Town holiday, then the appeal may be filed on the workday immediately following the tenth (10th) day. Appeals are due by 4:00 P.M.
2. The appeal shall be set for the first regular meeting of the Planning Commission which the business of the Planning Commission will permit, more than five (5) days after the date of the filing of the appeal. The Planning Commission may hear the matter anew and render a new decision in the matter.
3. You will be notified, in writing, of the appeal date.
4. Contact the project planner to determine what material is required to be submitted for the public hearing.

RETURN APPEAL FORM TO COMMUNITY DEVELOPMENT DEPARTMENT

PRINT NAME: Martin Lettunich

SIGNATURE: *Martin Lettunich*

DATE: 10-4-23

ADDRESS: 455 Los Gatos Blvd., #101, Los Gatos, CA 95032

OFFICE USE ONLY

DATE OF PLANNING COMMISSION HEARING: _____

COMMISSION ACTION: 1. _____
 2. _____
 3. _____

DATE: _____
 DATE: _____
 DATE: _____

PLAPPEAL \$ 255.00 Residential
 PLAPPEAL \$ 1016.00 Commercial
 PLAPPEAL \$ 103.00 Tree Appeals

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Corner Sight Triangle

Non-permitted 6' tall fencing
within the front yard setback,
street-side setback, and
corner sight triangle

Street-side Property Line

Approved, 3' high compliant
fence/wall

Front Property Line











on Hill

10/15/2020







**TOWN OF LOS GATOS
PLANNING COMMISSION
REPORT**

MEETING DATE: 11/8/2023

ITEM NO: 2

DESK ITEM

DATE: November 8, 2023
TO: Planning Commission
FROM: Joel Paulson, Community Development Director
SUBJECT: Consider an Appeal of a Community Development Director Decision to Deny a Fence Height Exception Request for Construction of a Six-Foot Tall Fence Located Within the Required Front Yard Setback, Street Side Yard Setback, and Corner Sight Triangle on Property Zoned R-1:8. **Located at 124 Garden Hill Drive.** APN 424-23-084. Fence Height Exception Application FHE-23-005. Categorically Exempt Pursuant to CEQA Guidelines Section 15303: New Construction or Conversion of Small Structures and Section 15301: Existing Facilities. Property Owner: Rushikesh Kulkarni. Applicant/Appellant: Martin Lettunich. Project Planner: Ryan Safty.

REMARKS:

Exhibit 13 includes neighbor support letters, received from the applicant on November 7, 2023.

EXHIBITS:

Previously received with the November 8, 2023, Staff Report:

1. Location Map
2. Required Finding
3. Recommended Conditions of Approval if Appeal is Granted
4. Building Permit B20-0574 Approved Plans
5. Building Permit B21-1157 Approved Plans
6. Administrative Warning, Dated August 4, 2023
7. Project Plans, Received September 7, 2023
8. Letter of Justification, Received September 7, 2023
9. Fence Height Exception Denial Letter, Dated September 27, 2023
10. View Area Diagrams
11. Appeal of the Community Development Director Decision, Received October 5, 2023
12. Pictures of Subject Property

PREPARED BY: RYAN SAFTY
Associate Planner

Reviewed by: Planning Manager and Community Development Director

PAGE 2 OF 2

SUBJECT: 124 Garden Hill Drive/FHE-23-005

DATE: November 8, 2023

Received with this Desk Item Report:

13. Neighbor Support Letters, Received November 7, 2023

My name is: NIKET & RUCHIKA AGARWAL

I live at: [REDACTED], LOS GATOS, CA 95032

124 Garden Hill Drive is near my home and I drive by that property on a daily basis. I am well aware of the curve in the road adjacent to 124 Garden Hill Drive and the two cul de sacs that are near that curve. I know that there is a bamboo fence on the side yard nearest the street. It is at least 6 feet tall. In my opinion, that fence does not obstruct any visibility around the curve in any direction that is in any way dangerous to traffic or pedestrians. I support Mr. Kulkarni's request to allow the building of a permanent fence with parameters (height and location) similar to the bamboo fence now in place which would require a granting of his request to the Town of Los Gatos for an exception to the traffic triangle rule, the purpose of which is to ensure adequate visibility for vehicular and pedestrian traffic to avoid accidents. There is no need for application of the traffic triangle rule here as there is adequate visibility. I support Mr. Kulkarni's right to erect a permanent fence in this location on his property, similar in height and placement to the bamboo fence now in place to protect his children and the privacy of his yard. It is our understanding that there will be a hearing on November 8 at the Planning Commission Meeting at 7 pm at the Town Hall to make a determination on Mr. Kulkarni's request for an exception to the traffic triangle rule. I support the granting of Mr. Kulkarni's request by the Planning Commission.

Niket Agarwal

Dated: 11/6/2023

RECEIVED

NOV 7 2023

TOWN OF LOS GATOS
PLANNING DIVISION

My name is:

Betsy King

I live at:



LOS GATOS, CA 95032

124 Garden Hill Drive is near my home and I drive by that property on a daily basis. I am well aware of the curve in the road adjacent to 124 Garden Hill Drive and the two cul de sacs that are near that curve. I know that there is a bamboo fence on the side yard nearest the street. It is at least 6 feet tall. In my opinion, that fence does not obstruct any visibility around the curve in any direction that is in any way dangerous to traffic or pedestrians. I support Mr. Kulkarni's request to allow the building of a permanent fence with parameters (height and location) similar to the bamboo fence now in place which would require a granting of his request to the Town of Los Gatos for an exception to the traffic triangle rule, the purpose of which is to ensure adequate visibility for vehicular and pedestrian traffic to avoid accidents. There is no need for application of the traffic triangle rule here as there is adequate visibility. I support Mr. Kulkarni's right to erect a permanent fence in this location on his property, similar in height and placement to the bamboo fence now in place to protect his children and the privacy of his yard. It is our understanding that there will be a hearing on November 8 at the Planning Commission Meeting at 7 pm at the Town Hall to make a determination on Mr. Kulkarni's request for an exception to the traffic triangle rule. I support the granting of Mr. Kulkarni's request by the Planning Commission.

Betsy King

Dated: 11/6/2023

My name is: HIMANSHU & SHIWANI GILANI

I live at:



LOS GATOS, CA 95032

124 Garden Hill Drive is near my home and I drive by that property on a daily basis. I am well aware of the curve in the road adjacent to 124 Garden Hill Drive and the two cul de sacs that are near that curve. I know that there is a bamboo fence on the side yard nearest the street. It is at least 6 feet tall. In my opinion, that fence does not obstruct any visibility around the curve in any direction that is in any way dangerous to traffic or pedestrians. I support Mr. Kulkarni's request to allow the building of a permanent fence with parameters (height and location) similar to the bamboo fence now in place which would require a granting of his request to the Town of Los Gatos for an exception to the traffic triangle rule, the purpose of which is to ensure adequate visibility for vehicular and pedestrian traffic to avoid accidents. There is no need for application of the traffic triangle rule here as there is adequate visibility. I support Mr. Kulkarni's right to erect a permanent fence in this location on his property, similar in height and placement to the bamboo fence now in place to protect his children and the privacy of his yard. It is our understanding that there will be a hearing on November 8 at the Planning Commission Meeting at 7 pm at the Town Hall to make a determination on Mr. Kulkarni's request for an exception to the traffic triangle rule. I support the granting of Mr. Kulkarni's request by the Planning Commission.

Himanshu Gilani
Shiwani Gilani

Dated: 11/6/2023

My name is: RANDY & LORI SCHMIEDING

I live at:

[REDACTED], LOS GATOS, CA 95032

124 Garden Hill Drive is near my home and I drive by that property on a daily basis. I am well aware of the curve in the road adjacent to 124 Garden Hill Drive and the two cul de sacs that are near that curve. I know that there is a bamboo fence on the side yard nearest the street. It is at least 6 feet tall. In my opinion, that fence does not obstruct any visibility around the curve in any direction that is in any way dangerous to traffic or pedestrians. I support Mr. Kulkarni's request to allow the building of a permanent fence with parameters (height and location) similar to the bamboo fence now in place which would require a granting of his request to the Town of Los Gatos for an exception to the traffic triangle rule, the purpose of which is to ensure adequate visibility for vehicular and pedestrian traffic to avoid accidents. There is no need for application of the traffic triangle rule here as there is adequate visibility. I support Mr. Kulkarni's right to erect a permanent fence in this location on his property, similar in height and placement to the bamboo fence now in place to protect his children and the privacy of his yard. It is our understanding that there will be a hearing on November 8 at the Planning Commission Meeting at 7 pm at the Town Hall to make a determination on Mr. Kulkarni's request for an exception to the traffic triangle rule. I support the granting of Mr. Kulkarni's request by the Planning Commission.

Randy Schmieding



Dated: 11/6/2023

My name is: MIKE & EMMA KESSLER

I live at: [REDACTED], Los Gatos, CA 95032

124 Garden Hill Drive is near my home and I drive by that property on a daily basis. I am well aware of the curve in the road adjacent to 124 Garden Hill Drive and the two cul de sacs that are near that curve. I know that there is a bamboo fence on the side yard nearest the street. It is at least 6 feet tall. In my opinion, that fence does not obstruct any visibility around the curve in any direction that is in any way dangerous to traffic or pedestrians. I support Mr. Kulkarni's request to allow the building of a permanent fence with parameters (height and location) similar to the bamboo fence now in place which would require a granting of his request to the Town of Los Gatos for an exception to the traffic triangle rule, the purpose of which is to ensure adequate visibility for vehicular and pedestrian traffic to avoid accidents. There is no need for application of the traffic triangle rule here as there is adequate visibility. I support Mr. Kulkarni's right to erect a permanent fence in this location on his property, similar in height and placement to the bamboo fence now in place to protect his children and the privacy of his yard. It is our understanding that there will be a hearing on November 8 at the Planning Commission Meeting at 7 pm at the Town Hall to make a determination on Mr. Kulkarni's request for an exception to the traffic triangle rule. I support the granting of Mr. Kulkarni's request by the Planning Commission.



Emma Kessler

Dated: 11/6/2023

My name is: CHAD & ALISA SCHROTER

I live at: [REDACTED] LOS GATOS, CA 95032

124 Garden Hill Drive is near my home and I drive by that property on a daily basis. I am well aware of the curve in the road adjacent to 124 Garden Hill Drive and the two cul de sacs that are near that curve. I know that there is a bamboo fence on the side yard nearest the street. It is at least 6 feet tall. In my opinion, that fence does not obstruct any visibility around the curve in any direction that is in any way dangerous to traffic or pedestrians. I support Mr. Kulkarni's request to allow the building of a permanent fence with parameters (height and location) similar to the bamboo fence now in place which would require a granting of his request to the Town of Los Gatos for an exception to the traffic triangle rule, the purpose of which is to ensure adequate visibility for vehicular and pedestrian traffic to avoid accidents. There is no need for application of the traffic triangle rule here as there is adequate visibility. I support Mr. Kulkarni's right to erect a permanent fence in this location on his property, similar in height and placement to the bamboo fence now in place to protect his children and the privacy of his yard. It is our understanding that there will be a hearing on November 8 at the Planning Commission Meeting at 7 pm at the Town Hall to make a determination on Mr. Kulkarni's request for an exception to the traffic triangle rule. I support the granting of Mr. Kulkarni's request by the Planning Commission.



Dated: 11/6/2023

My name is: NGUYEN & CHAU LUU

I live at: [REDACTED], LOS GATOS, CA 95032

124 Garden Hill Drive is near my home and I drive by that property on a daily basis. I am well aware of the curve in the road adjacent to 124 Garden Hill Drive and the two cul de sacs that are near that curve. I know that there is a bamboo fence on the side yard nearest the street. It is at least 6 feet tall. In my opinion, that fence does not obstruct any visibility around the curve in any direction that is in any way dangerous to traffic or pedestrians. I support Mr. Kulkarni's request to allow the building of a permanent fence with parameters (height and location) similar to the bamboo fence now in place which would require a granting of his request to the Town of Los Gatos for an exception to the traffic triangle rule, the purpose of which is to ensure adequate visibility for vehicular and pedestrian traffic to avoid accidents. There is no need for application of the traffic triangle rule here as there is adequate visibility. I support Mr. Kulkarni's right to erect a permanent fence in this location on his property, similar in height and placement to the bamboo fence now in place to protect his children and the privacy of his yard. It is our understanding that there will be a hearing on November 8 at the Planning Commission Meeting at 7 pm at the Town Hall to make a determination on Mr. Kulkarni's request for an exception to the traffic triangle rule. I support the granting of Mr. Kulkarni's request by the Planning Commission.



Dated: 11/6/2023

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