

8A-1

# REPORT

To the Honorable Mayor and City Council  
From the City Manager

March 22, 2004

## Subject

Appeal of the Zoning Administrator's approval of a Planned Development Amendment at 2 Dillon Lane to allow for a second story balcony addition to an existing two-story single-family residence located in the Valota Place Planned Development.

## Recommendation

Uphold the decision of the Zoning Administrator to approve the Planned Development Amendment.

## Background

On December 30, 2003, the Zoning Administrator approved a Planned Development Amendment request to allow for a second story balcony addition to an existing two-story single-family residence located in the Valota Place Planned Development. (Please refer to the Notice of Official Action and project plans, Attachments #1 and #2 respectively).

The subject property is a relatively flat, mostly rectangular, 7,635 square foot parcel in the R-2, Residential Duplex Zoning District. The proposed project includes the construction of a second floor balcony with a dimension of three feet seven and one half inches (3'7 1/2") in depth by thirteen feet six inches (13'6") in length for a total square footage of approximately forty-nine (49) square feet. The proposed balcony would be located on the rear of the existing residence off the master bedroom. The existing single-family residence is approximately 2,485 square feet. As proposed, the addition would maintain increased setbacks in excess of those required by the Redwood City Zoning Ordinance (The required side yard setback is a minimum of six (6) feet where approximately fourteen (14) has been provided; and the required rear yard setback is a minimum of twenty (20) feet, were approximately eighty (80) feet has been provided). The proposed addition conforms to all other requirements of the Zoning Ordinance, including height and lot coverage. However, in the original proposal the property owner suggested constructing the balcony with a "plexiglass" exterior. The material was considered by the Zoning Administrator to be incompatible with the existing materials of the single-family residence; therefore, one of the conditions of approval required a traditional wood baluster design in materials and colors to match the residence.

## Planned Development Permits

The purpose of a Planned Development Permit is to provide a vehicle for development within the existing zoning districts of the City of Redwood City: to encourage flexibility of design and development of land in such a manner as to promote its most appropriate use;

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to encourage the development of innovative project which incorporate the highest quality architectural solutions, building materials, and landscape concepts; to promote the most functional and aesthetic relationships between building structures, signs, open space and parking areas in residential, commercial and industrial zoning districts; and to encourage the development of quality open space and recreational opportunities within projects.

A Planned Development Amendment allows for modifications to the original Planned Development and establishes a series of "conditions of approval" that directly correspond to the scope of work presented in the application.

### **Appellant's Issues**

The appellant (who lives at 6 Dillon Lane; the attached map shows the location of the appellant's house in relation to 2 Dillon Lane) seeks a reversal of the Zoning Administrator approval for the rear balcony addition based on the following issues:

- A. Design Compatibility: The appellant is concerned that as a member of the Valota Place Home Owners Association the proposed rear balcony addition at 2 Dillon Lane will not be compatible with the design and character of the existing homes within the association. Furthermore, the appellant is concerned that the proposed addition will establish an undesirable precedent for the remaining homes located within the Valota Place Homeowners Association.
- B. Privacy Concerns: The appellant is concerned about the proximity of the proposed rear balcony addition in relation to the existing location of her master bathroom. The appellant contends that construction of the second story rear balcony would result in the loss of privacy.

### **Analysis**

The proposed addition of a forty-nine (49) square foot rear balcony complies with the requirements of the Redwood City Zoning Ordinance within the Residential Duplex "R-2" District with respect to height, side yard and rear yard setbacks. Additional conditions were placed on the proposed addition to ensure quality of design and compatibility with the existing single-family residence. Furthermore, the proposed addition is consistent with other second story balcony additions approved for single-family residences within Redwood City. Redwood City does not have any privacy or view ordinances.

The City also received written authorization from the Valota Place Home Owners Association regarding the proposed balcony. Standard City policy with respect to properties in a Home Owners Association is to require written authorization or stamped plans by the Home Owners Association prior to submittal to the City. In this case it appears that the Home Owners Association's procedures were not deemed adequate by the appellant. However, it is beyond the City's purview to interject in the Home Owner Association's authorization process.

### **Recommendation**

Maintain the Zoning Administrator's decision to allow for the construction of the balcony with compatible materials and require additional landscaping to address privacy concerns.

### **Alternatives**

1. Uphold the appeal, thereby disallowing for the construction of the balcony and make the appropriate findings to support action.

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2. Deny the appeal, thereby upholding the decision of the Zoning Administrator to allow for the construction of the balcony, and require additional conditions of approval that address quality of design, compatibility, and/or privacy concerns.

**Fiscal Impact**

None

**Conclusion**

The proposed addition is consistent with the requirements of the Redwood City Zoning Ordinance and with the conditions of approval as referenced in the Notice of Official Action is representative a quality design.

  
Blake Lyon/Jill Ekas  
Project Planner/ Z.A.

  
Bruce Liedstrand  
Community Development Services Director

  
Ed Everett  
City Manager

**Attachment**

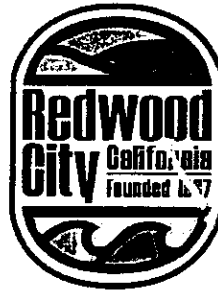
1. Notice of Official Action dated December 30, 2003
2. Site Plan and Elevations
3. Valota Place HOA Authorization Letter.
4. Aerial Photograph

8.A-4

ATTACHMENT 1

**Planning Services**

*Community Development Services*  
1017 Middlefield Road  
P.O. Box 391  
Redwood City, CA 94064



Telephone: (650) 780-7234  
Facsimile: (650) 780-0128  
TDD: (650) 780-0129  
Email: [planning@redwoodcity.org](mailto:planning@redwoodcity.org)  
Website: [www.redwoodcity.org](http://www.redwoodcity.org)

**NOTICE OF OFFICIAL ACTION**

December 30, 2003

Mark Mervich  
2 Dillon Lane  
Redwood City, CA 94061

RE: Planned Development Amendment  
Project Number: PDA2003-12  
Project Address: 2 Dillon Lane  
APN: 059-215-060

Dear Mr. Mervich:

Your application for a Planned Development Permit Amendment to allow for a second story balcony addition to an existing two-story single-family residence located on a site containing approximately 7,635 square feet located in the Valota Place Planned Development was considered by the Zoning Administrator. Due to the limited nature of construction (49 square foot) and the approval of the Valota Place Homeowners Association this application to amend the Planned Development Permit for Valota Place with respect to the aforementioned property was handled administratively. As stated in Article 46, Section 46.1 of the Zoning Ordinance, the purposes of the Planned Development Permit are as listed below. The Zoning Administrator, based on the application and related materials approved the application for Planned Development Permit Amendment, subject to the conditions of approval listed below:

**PURPOSES OF PLANNED DEVELOPMENT PERMIT:**

- Provide a vehicle for planned development within the existing zoning districts of the City;
- Encourage flexibility of design and development of land in such a manner as to promote its most appropriate use;
- Encourage the development of innovative projects which incorporate the highest quality architectural solutions, building materials, and landscaping concepts;

- Promote the most functional and aesthetic relationships between building structures, signs, open space, and parking areas in residential, commercial, and industrial zoning districts; and
- Encourage the development of quality open space and recreational opportunities within projects.

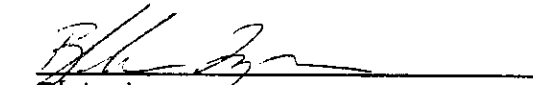
**CONDITIONS OF APPROVAL:**

1. The subject use relating to the amendment shall substantially conform to the development plan consisting of the plans, elevations and related information, prepared by M. Mervich and dated stamped received December 18, 2003, on file with Planning Services, except as modified by the conditions contained herein.
2. No use shall be established or changed or any structure constructed or altered except in strict conformity with the Planned Development Permit and any conditions established therein or unless a Planned Development Permit Amendment has been granted.
3. It shall be the duty of the Building Official to insure that the construction of all structures is undertaken in strict conformance with the approved development plan.
4. Except as provided for by this Planned Development Permit Amendment, all other provisions of the original Planned Development Permit shall remain in full force and effect.
5. The exterior materials, colors, textures, and trim elements of the project shall match that on the existing portion of the development. Plexiglass is not a compatible material. A traditional wood baluster design in materials and colors to match the home would be acceptable.
6. The balcony, at no time, shall be used for outside storage.
7. The applicant shall comply with all applicable Fire and Building codes.
8. The applicant shall obtain a building permit prior to the commencement of construction.

Where a Planned Development Permit Amendment has not been used within one (1) year from the date of granting, either by beginning of construction of the improvements or by the initiation of the activity which is the subject of the Permit, said Permit shall automatically terminate and be of no further effect. The Zoning Administrator or the Planning Commission, as the case may be, may extend this time once for an additional year upon written request of the applicant. Every Planned Development Permit project which construction has started shall terminate five (5) years from the date of granting if such construction has not been completed.

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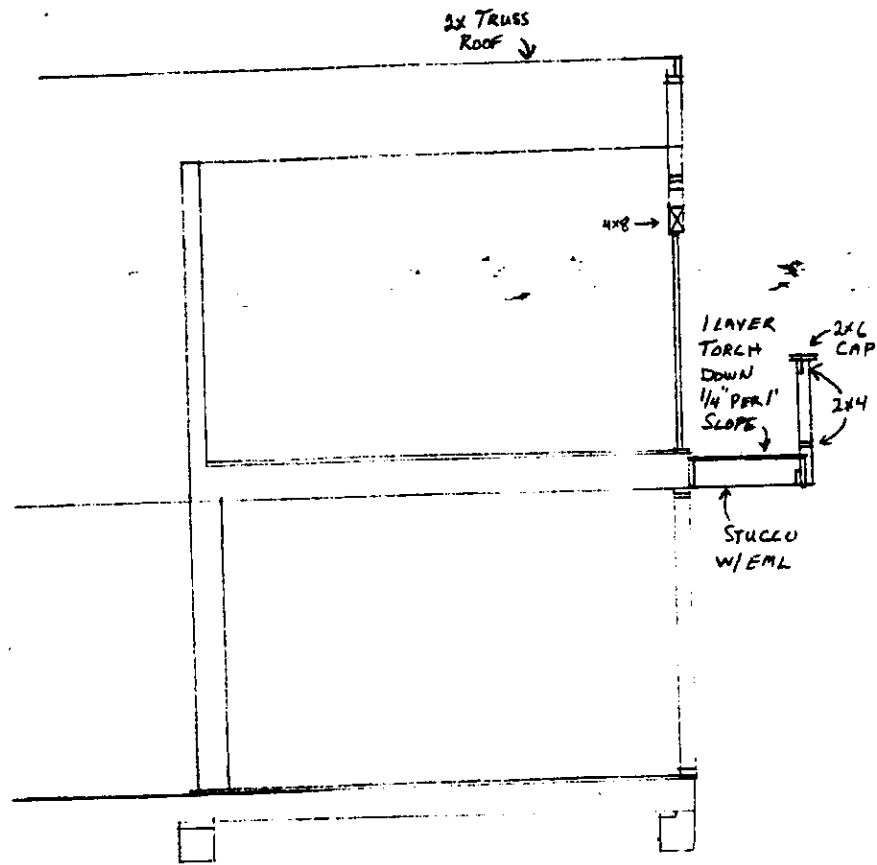
If approved, no building or zoning permit shall be issued, and no use shall be established except in accordance with and subject to the terms and conditions outlined above, and in no case shall such permit be issued or use established prior to the final action on any appeals that may be filed within the appeal period. Any appeal made in accordance with the provisions of Article 48, Section 48.2, of the Zoning Ordinance, must be received by the City Clerk no later than seven calendar days after the date of the official action. As such, this Planned Development Permit Amendment shall become effective on the eighth (8<sup>th</sup>) day following the date of approval by the Zoning Administrator unless an appeal to said decision has been filed in accordance with the provisions stated above.

  
Blake Lyon  
Project Planner

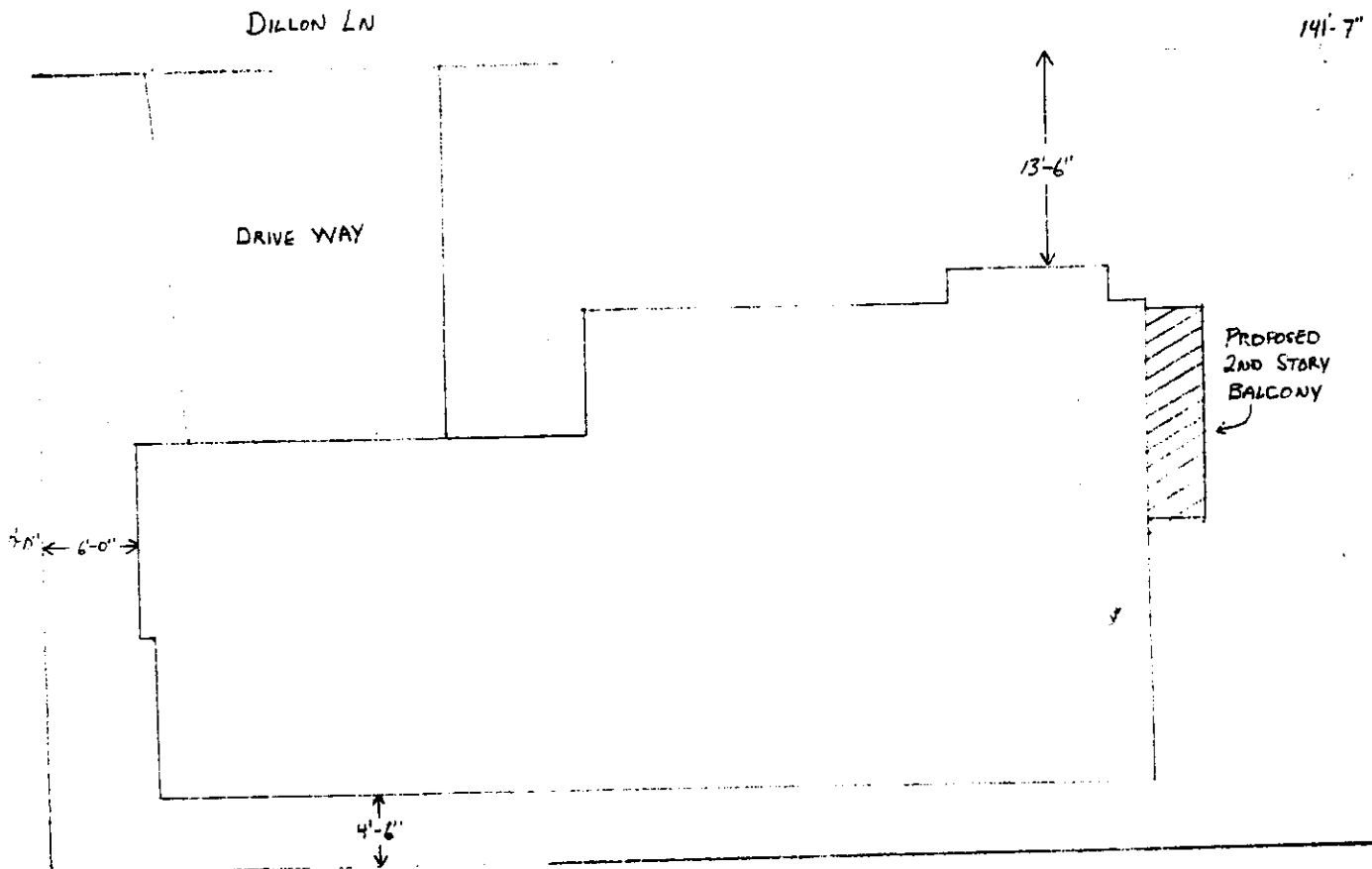
  
Jill Ekas  
Zoning Administrator

cc: Building and Inspection Services Department  
Valota Place Homeowners Association  
Lee Wai Yeh (6 Dillon Lane, Redwood City, CA 94061)  
Louis M. Visconti Trust (1410 Valota Rd, Redwood City, CA 94061)  
Resident (1900 Goodwin Ave, Redwood City, CA 94061)

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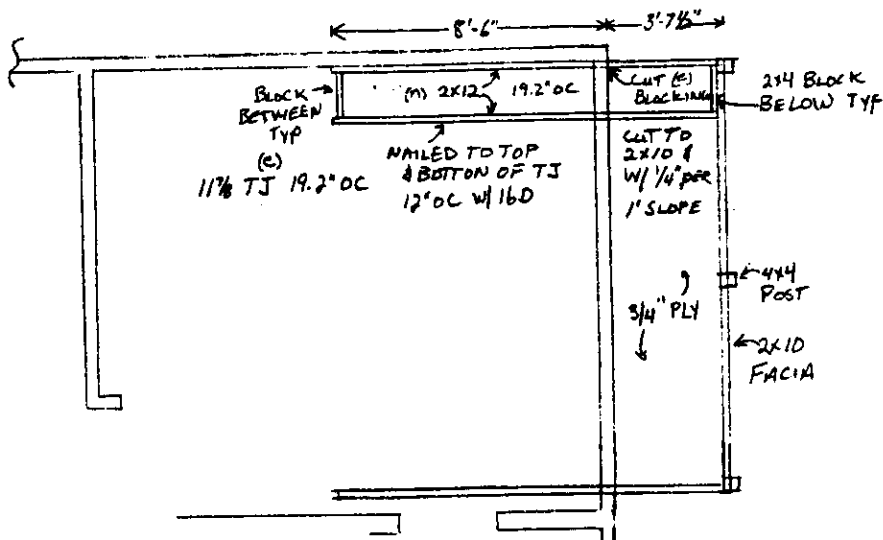


SECTION A SCALE 1/4" = 1'

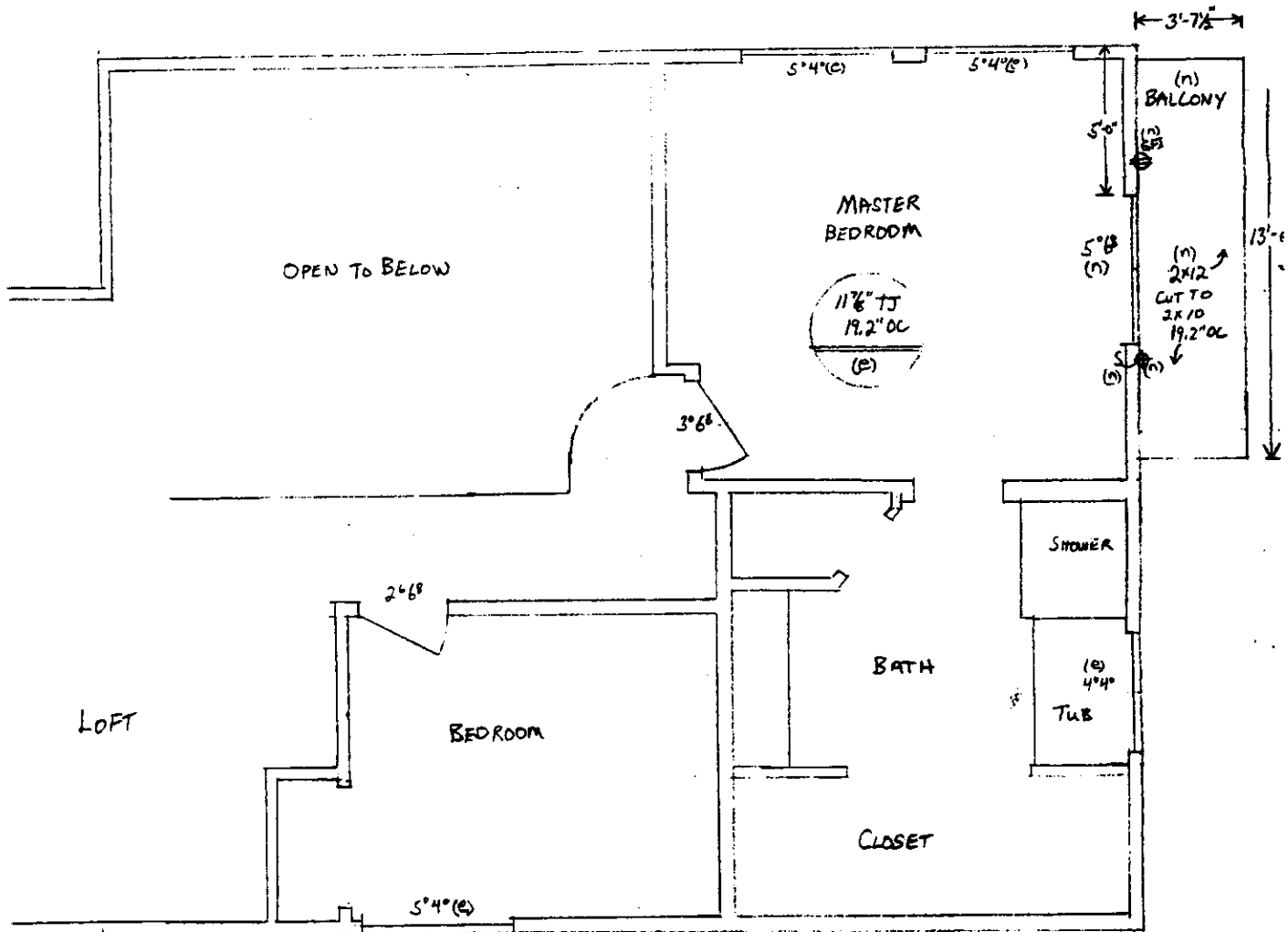


SCALE 1/4" = 1'

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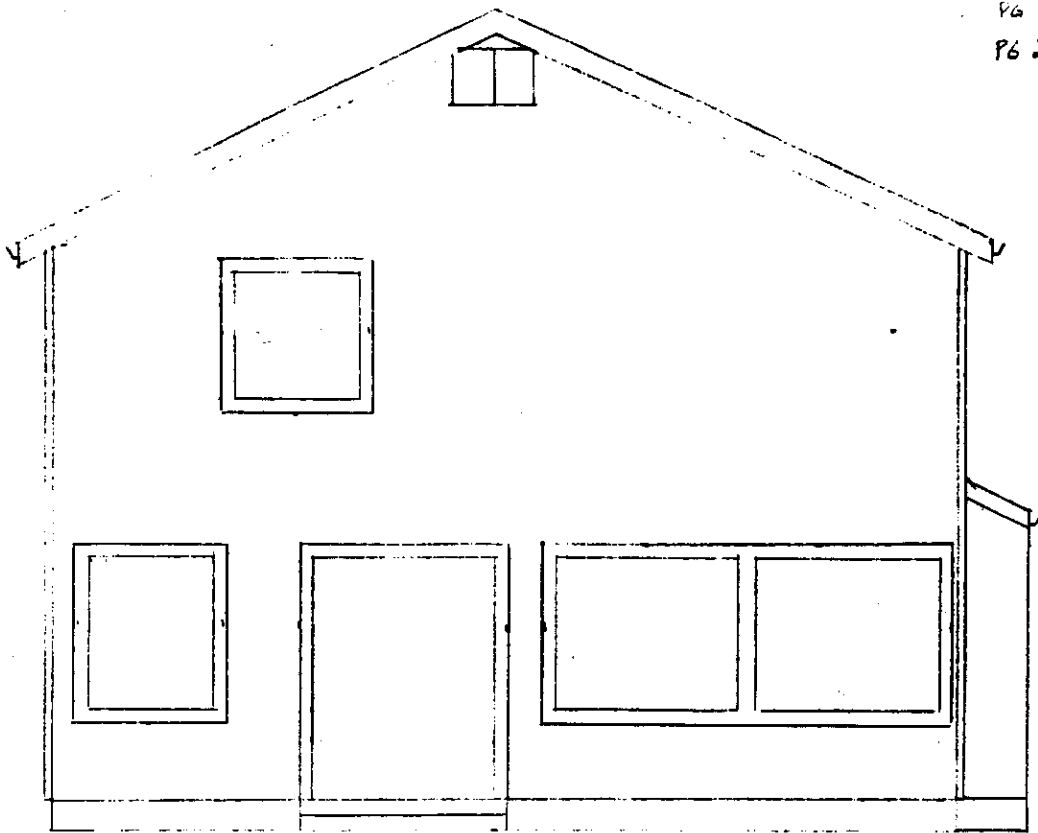


FLOOR FRAME DETAIL 1/4" = 1'



PG 11. FLOOR PLAN, 25-  
PG 2. FLOOR PLAN, PROPOS  
DETAILS

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EXISTING REAR ELEVATION 1/4"=1'

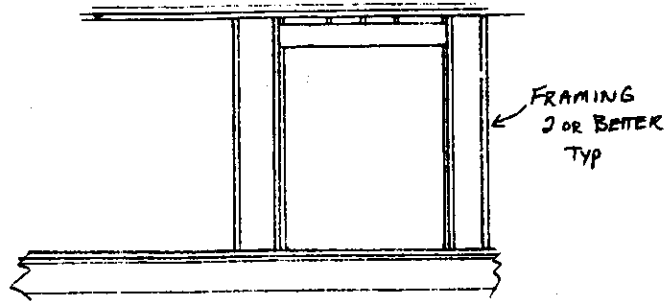
← 80'-6" →

52'-3"

LOT	7635 #
HOUSE	2485 #
COVERAGE	1676 #

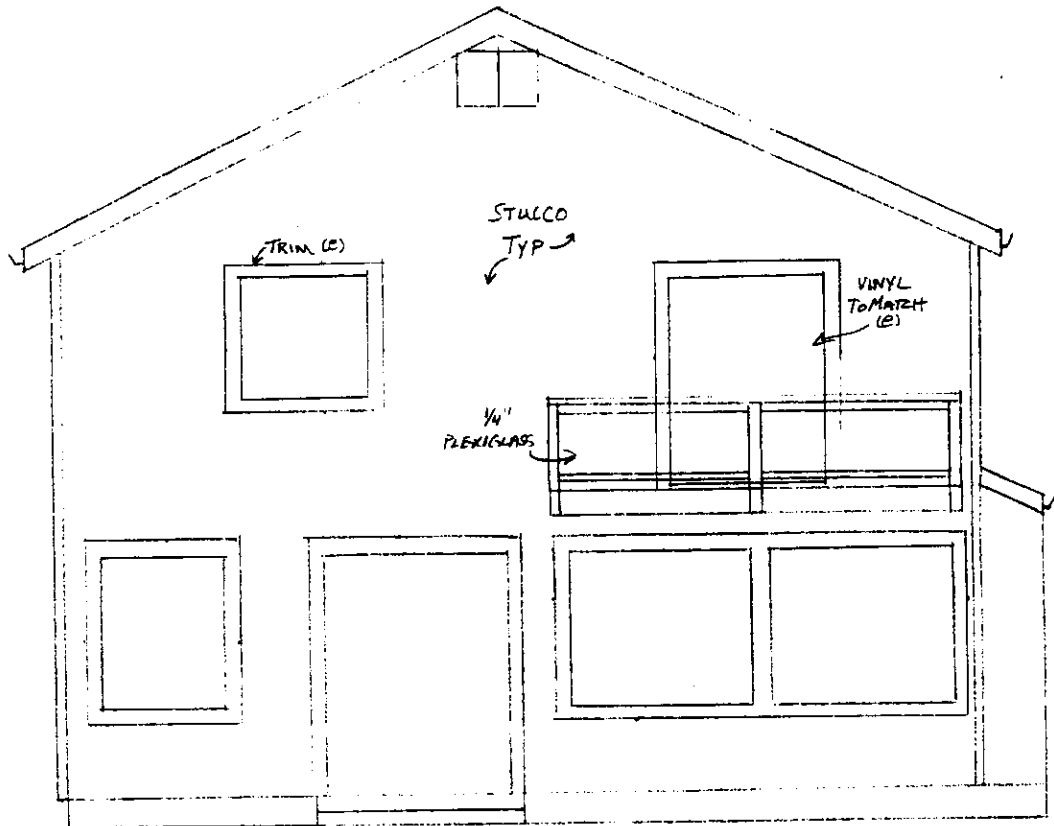
MERVICH/DEDO RESI  
2 DILLON LN  
REDWOOD CITY  
DRAWN BY: M. MERVICH  
12-17-03

B.A-10



FRAMING DETAIL 1/4" = 1'

ECCIDN



PROPOSED REAR ELEVATION 1/4" = 1'

MERVICH/DEDO RES  
2 DILLON LN  
REDWOOD CITY, CA  
DRAWN BY M MERV  
12-18-03

Valota Place Homeowners Association

12-30-03

To whom It May Concern,

I have reviewed the plans for the 2<sup>nd</sup> story balcony at 2 Dillon Ln and I am signing off on it for the Association.

President



Eugene Gershtein

# 2 Dillon Lane Appeal

