

RECOMMENDED FINDINGS – 635 Toyon Avenue

**Variance**

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1. *Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner or privileges enjoyed by other properties in the vicinity and within the same zoning district. (Finding not met)*

The size of the lot is 6,154 s.f. which exceeds the minimum lot size (6,000 s.f.) for the R-0 zoning district. This corner lot is rectangular shaped with standard lot width and depth and does not limit the ability of the project to be designed to meet the minimum second story setback requirements. It is possible to add a second story that can meet the required second story setbacks.

2. *The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the same zoning district. (Finding not met)*

Staff believes that the second story addition without the required setback will impact the privacy of the neighbor because the addition is located closer to the side property line.

3. *Upon granting of the Variance, the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district. (Finding not met)*

Staff is not able to make this finding as no variances for reduced second story setbacks have been granted for other properties in this neighborhood. The other second story addition on this block of Toyon at 663 Toyon Avenue and in the adjacent block at 635 Torrey Avenue meet the required second story setbacks. Although the newly developed Toll Brothers project with 51 two-story single family homes in the R-0/PD zoning district includes larger homes, no deviations were granted for setbacks.

**Design Review**

1. *The proposed project is desirable in that the project’s design and architecture conforms with the policies and principles of the Single Family Home Design Techniques – **Finding not made.***

Based on the location of the subject lot, the neighborhood considered for this discussion includes the block of Toyon Avenue with the subject property and portions of Columbine Avenues. Staff is not able to make this finding as indicated below:

<b>Basic Design Principals</b>	<b>Comments</b>
<p>1.2.1 <i>Reinforce prevailing neighborhood home orientation and entry patterns.</i></p> <p><u>Design Technique 3.3 Entries</u></p> <ul style="list-style-type: none"> <li>• <i>Locate home entries so that they are visible from the street.</i></li> <li>• <i>Provide an entry porch if that is a common feature of homes in the neighborhood. Match the design to the style of the home</i></li> </ul>	<p><i>Provide an entry porch if that is a common feature of homes in the neighborhood. Match the design to the style of the home.</i></p> <p>The proposed project does not have an entry feature or a front door that would face the street similar to the pattern in the existing neighborhood. The proposed project includes patio-like doors as garage doors and the existing 6-foot tall fence in the front yard; these features are not the predominant character of this neighborhood.</p>
<p>1.2.2 <i>Respect the scale, bulk and character of homes in the adjacent neighborhood.</i></p> <p><u>Design Technique 3.4 Second Stories</u></p> <ul style="list-style-type: none"> <li>• <i>New homes and second floor additions should be designed to minimize the visual bulk of the structure;</i></li> <li>• <i>Set the front, rear, and sides of the second floor back as possible from the front façade of the home;</i></li> <li>• <i>Side and rear facades setbacks of three to five feet are generally sufficient;</i></li> <li>• <i>Setbacks should generally be greater unless prevailing pattern of second floor setbacks in the neighborhood is less,</i></li> </ul>	<p>The proposed home requires a Variance for the reduced setbacks and the design of the house with the higher 53.4% FAR does not respect the scale, bulk and character of the homes in the adjacent neighborhood.</p> <p>The proposed second story will be right above the first story and does not minimize the visual bulk of the structure.</p> <p>The proposed second story does not have additional setbacks from the first story and does not meet the required second story front and sideyard setbacks.</p> <p>The proposed second story is located right above the first story with no additional setbacks; which is not the prevailing pattern in this neighborhood.</p>

<p><b>Basic Design Principals</b></p>	<p><b>Comments</b></p>
<ul style="list-style-type: none"> <li>• <i>For second floors with an area greater than 35% of the ground floor area, setbacks should generally be greater unless the prevailing pattern of second floor setbacks in the neighborhood is less;</i></li> <li>• <i>Second floor decks and balconies should be well integrated into the overall design of the home.</i></li> <li>• <i>Consider the use of more than one wall material to separate first and second floor building elements.</i></li> </ul>	<p>The proposed second story to first story ratio is 93% and does not include any setbacks.</p> <p>The proposed second floor balcony is integrated in the overall design; but the amount of balcony is not a common feature in this neighborhood. The proposal includes wall material change (Stucco and wood siding) along the frontage but not along the sides and rear.</p>
<p><i>2.2.3 Design homes to respect their immediate neighbors</i></p> <p><u><i>Design Technique 3.4 – Second Stories</i></u></p> <ul style="list-style-type: none"> <li>• <i>Unless two story high walls are common in the neighborhood, maintain a roof segment between the first and second floor walls for at least 50% of the building perimeter. In one-story neighborhoods, avoid two story walls without intervening roof eaves on front elevations.</i></li> <li>• <i>Second story additions constructed adjacent to smaller homes should maintain a one-story profile adjacent to the one-story as a transition to any two story element;</i></li> <li>• <i>Exposed second floor wall heights should generally not exceed six feet for more than 50 percent of their perimeter. The goal is to have the first floor roof forms mitigate the height of second floor wall areas.</i></li> <li>• <i>Second floor ceiling heights should be minimized.</i></li> <li>• <i>Long second story walls should have horizontal offsets at least every 24 feet. Offsets should generally be a minimum of 2 feet deep and 6 feet wide.</i></li> </ul>	<p>The proposed design does not respect the privacy of adjacent neighbors with the reduced second story setback and the inclusion of design features (windows in the rear, large balcony in the front, high plate heights) and does not minimize the second story element.</p> <p>Two-story high walls are not a common feature in this neighborhood; and the proposed two-story high walls are not compatible with the neighborhood. The proposed second story above the garage does not have intervening roof eaves along the front elevation.</p> <p>The subject site is a corner lot with adjacent properties developed with one-story homes on its left and rear side and the proposed second story does not include any transition elements</p> <p>The proposed two-story wall heights occur along a large portion of the perimeter of the building without a break at the first floor.</p> <p>The proposed second floor plate height is 10 feet and not 8 feet that could help minimize height and does not have any off-sets along the sides.</p> <p>The proposed second floor balcony is integrated in the overall design; but the length of the</p>

<b>Basic Design Principals</b>	<b>Comments</b>
<ul style="list-style-type: none"> <li><i>Second floor decks and balconies should be well integrated into the overall design of the home</i></li> </ul> <p><u>Design Technique 3.8 - Windows and Doors</u></p> <ul style="list-style-type: none"> <li><i>Match window type, size, proportions and detailing in all home additions to those that currently exist on the home</i></li> </ul>	<p>balcony is not a common feature in this neighborhood</p> <p>The size and number of proposed windows in the rear along the staircase are not consistent with that of the existing home.</p>
<p><i>2.2.4 Minimize the visual impacts of parking.</i></p>	<p>The proposal includes reverting the garage from living area to garage use and removal of the unpermitted carport in the rear to provide the required four parking spaces (2 covered and 2 uncovered parking spaces). The proposal also includes removal of the unpermitted curb-cut on Columbine Avenue.</p>
<p><i>2.2.5 Respect the predominant materials and character of front yard landscaping.</i></p>	<p>The proposal will maintain the existing landscaping in the front yard.</p>
<p><i>2.2.6 Use high quality materials and craftsmanship</i></p>	<p>The proposed design includes stucco, stone cladding and concrete tile roofing. These materials are consistent with the Design Techniques and the surrounding neighborhood.</p>
<p><i>2.2.7 Preserve mature landscaping</i></p>	<p>The existing site has minimal landscaping with no mature trees/landscaping that need to be saved.</p>

The applicant has provided their justifications which are located in Attachment 5.