



STAFF REPORT

TO: PLANNING COMMISSION

PREPARED BY: Corey Simon, Senior Planner

GENERAL INFORMATION

APPLICANT/ OWNER: William Wood, Architect/Gus Kramer

APPELLANT: Suzanne J. Chapot, et al.

LOCATION: 1020 West Arlington Way (APN 372-121-057)

PROPOSAL: Public hearing on an appeal of the approval decision of the Zoning Administrator to grant Use Permit, Variance and Design Review approvals to expand an existing 2-car garage structure within the front yard, adding parking for 2 additional cars and an approximate 800 sq. ft. studio above. Use Permit approval is required to allow an Accessory Structure over 1,000 square feet in size, with a height of approximately 18 feet when a maximum of 15 feet is normally allowed. Variance approval is required to allow new construction without a front yard, where a minimum 20' yard is normally required.

GENERAL PLAN: Central Martinez Specific Area Plan: *Group 1 Residential*

ZONING: R-6.0 (One-Family Residential: 6,000 sq. ft. minimum lot area)

ENVIRONMENTAL REVIEW: Staff proposes the Planning Commission find this permit be categorically exempt (CLASS 1 - Section 15301 Existing Facilities; CLASS 3 - Section 15303 Small Structures and CLASS 5 - Section 15305 Minor Alteration in Land Use Limitations) from the requirements of CEQA. If the Planning Commission adopts this proposed finding, no further environmental review would be required by State law.

RECOMMENDATION

Deny appeal, uphold the Zoning Administrator's approval decision, find the proposed project categorically exempt from the requirements of CEQA, and grant Use Permit, Variance and Design Review approvals (12PLN-0010).

BACKGROUND

Proposal and Approvals Required: The applicant is proposing to expand an existing 2-car garage structure within the front yard, adding parking for 2 additional cars and an approximate 800 sq. ft. studio above. The resulting Accessory Structure will be approximately 1,825 sq. ft. in size, with a maximum height of approximately 18' above existing grade. The following approvals are required:

- Use Permit approval is required to allow an Accessory Structure over 15' in height, and with a size exceeding 1,000 sq. ft. and 50% of the main structure's gross floor area (main structure is approximately 2,500 sq. ft.); and
- Variance approval is required to allow construction within the 20' minimum required front yard; and
- Design Review approval is required where the natural grade of the permit site under the proposed structure has an average slope of 10% or greater; and to allow the proposed tree removal.

Site Context: The context is one of a highly eclectic hillside residential neighborhood, with custom homes dating from the 1920's to the present. The subject property and its adjoining neighbors are steeply up-sloping, while the opposite side of the street is down-sloping. Slopes are typically over 30%. As such, the majority of existing garages along the street have been built extremely close to the right-of-way, often with no front yard setback.

Approval by Zoning Administrator and Appeal: The project was approved by the Zoning Administrator on July 30, 2012. A timely appeal was filed by Suzzane Chapel, co-owner of 1000 West Arlington Way, which was cosigned by 10 neighboring property owners. The core allegations of the appeal are:

- In 2003, the Planning Commission rejected a design with habitable space above a garage at 1042 West Arlington Way, and as such the appellants claim that it set a precedent to precluded the granting of exceptions for any such second level construction in the future; and
- Given that the propped expanded Accessory Structure is within the front yard, it is not adequately diminutive to the main residence.

Response to Appeal: Subsequent to the filing of the appeal, the applicant has agreed to modify the design from what was approved by the Zoning Administrator to better address the neighbors' stated desire for a more diminutive building profile - one that more closely echoes the design that was ultimately approved for 1042 West Arlington Way. The modified design lowers building height from 22½' to 18', by replacing the gabled dormers with shed dormers and removes the streetside balcony and enclosed stair/entry (thus an approximate 100 sq. ft. reduction in the structures'

size). Staff has also suggested that the applicant meet with the neighbors to share the revised design. The applicant has attempted to discuss the matter but the neighbors have stated that they were unwilling to meet with him or his architect (correspondence provided as Attachment B).

In addition, the City's past action in 2003 regarding 1042 West Arlington Way does not preclude future exceptions, given that the specific characteristic and proposal for other lots, other lots and designs were not known at the time, and each proposal must be individually evaluated. Therefore the previous denial in 2003 rejected a specific design which inappropriately placed an unbroken 22½ ft. "gabled end" high wall, with a full story above the garage, 3 ft. from the front property line. The Council concurred with the Commission that the two story high "gabled end" wall was indeed inappropriate, but later approved the project with a shed roof above the one-story garage face. So ironically, the applicant's current design echo's the Council's 2003 approval for 1042 West Arlington Way, in that its precedent of using shed roofs to diminish the appearance of height is copied. (The complete proposed findings to deny the appeal are contained in the attached draft resolution.)

ZONING COMPLIANCE

The table below provides the code requirements applicable to the construction of the new **Accessory Structure** (as now proposed) in the **R-6.0 (Single Family Residential: 6,000 square feet minimum parcel size) District**.

CRITERIA (DEVELOPMENT STANDARDS FOR ACCESSORY STRUCTURES, AS APPLICABLE IN THE R-6.0 ZONING DISTRICT)	MINIMUM REQUIRED OR (MAXIMUM ALLOWED)	PROPOSED	CONFORMITY
Building Height	15'	18'	Use Permit Req'd.
Building Size	(1,000 sq. ft.) (50% of main structure)	1,825 sq. ft. 75% of main structure	Use Permit Req'd.
Front Yard	3 '(to garage)* 20' (all other spaces)	NONE (to garage) 2' (to 2 nd level dormer)	Variance Req'd.
Rear Yard	25 feet	80+ feet	Y
Side Yards	10feet	10 feet/80+ feet	Y
Site Coverage	(40%)	approx 16%	Y
Floor Area Ratio (applicable to Hillside Lots, with greater than 20% slope)	(.30)	.18	Y

*A 3 foot front yard is allowed for garages where the front yard has a slope of 30% or greater provided the garage is not less than 15 feet from edge of existing pavement.

DISCUSSION

The applicant's proposal appears to be consistent with the neighborhood's established pattern of building placement, where most all garages have been built extremely close to the street's travel way, with either no or very minimal front yards. But the subject property is different from its neighbors in that it is between two to three times the size and width of the area's typical 4,000 sq. ft. – 6,000 sq. ft. /60 ft. wide lots. As such, it should theoretically accommodate an accessory building - with a garage for more than the minimum required two cars and a studio - commensurate with its size.

Overview of Findings for Use Permit, Variance and Design Review Approval (The complete proposed findings of approval are contained in the attached draft resolution.):

The *Neighborhood Context Map* (provided as Attachment C) illustrates the relative size of the subject and neighboring lots, as well as the relative size of existing and proposed structures. The *Map* also illustrates how the steeply sloping topography has lead to the common placement of structures within the normally required "minimum front yard" and close to the street. Since the steep topography greatly limits the potential garage/building for all lots along the street, the relatively modest addition (when compared to the parcel's atypically large size and frontage) appears appropriately diminutive, as required for findings of approval of a Use Permit for such an accessory structure. It should be noted that in 1987, the City adopted a maximum Floor Area Ratio (FAR) of 30% (of structural floor area to lot size) as a means of assuring Hillside Lots (lots with over 20% natural sloe) would not be "overbuilt." As proposed, the subject site would have a FAR of 18%, well below the permitted maximum, and below that of many of the neighboring properties.

Another key part of Use Permit and Design Review approvals for such a Hillside Lot is the appropriateness of the applicant's "bunkering-in" of the new structure into the hillside to conceal bulk and mass. The profile from off-site more closely resembles that of a single level garage than that of a two level structure and as such, there are no substantial reduction to the neighbor's access to light and privacy.

And finally, the lots steep topography does constitute a unique circumstance when compared to typical lots with the R-6.0 Zoning District, as required for Variance approval.

Other issues: Specific topics that may be of interest to neighboring property owners, and these topics' relationship to the zoning entitlement/building permit process, are outlined below:

- SOILS: The applicant has prepared a geotechnical report (Attachment D), outlining the suitability of the site for the proposed excavation, and recommendations for the design and construction of the proposed retaining walls

and foundations. The City Engineer has reviewed and accepted the adequacy of the report. The proposed conditions of approval require the applicant's geotechnical to be responsible for on-site inspection and quality control. No additional action and/or condition is warranted as a part of the this Use Permit/Variance/Design Review application review process.

- **WEST ARLINGTON WAY'S STREET WIDTH & PARKING:** West Arlington Way has a pre-existing 20' wide street (from curb-to-curb) within a 40' right-of-way. It is acknowledged these conditions, which date back to the neighborhood's construction over 80 years ago, are not conforming to current street and right-of-way requirements and thus can contribute to a desire to preclude the additional driveway (which will replace one on-street parking place.) But the Use Permit/Variance/Design Review application review process cannot limit the applicant's use of his property due to the pre-existing non-conformity of the street width. It should be noted that MMC 22.36.090 regulation placement width and number of driveways, which normally limits driveways to a maximum width 24' and approximately to 30% of the lots frontage. The proposal conforms to the most critical standard, which is to limit the total driveway(s)'s width to not more than approximately 30% of lot width, but an administrative exception (from the City Engineer) is being requested to exceed the 24' width maximum. Such exceptions are routinely granted by the City Engineer in cases where the wider driveway is proportional to a wider lot, which applies to the proposed project.
- **CONSTRUCTION OF SIDEWALK:** MMC Chapter 12.30; ("*Required Street Frontage Improvements*") prescribes when the addition of a curb and/or sidewalk is to be required as part of building improvements. Based on the valuation of the proposed addition and proximity of the existing sidewalk, the City Engineer will be requiring the construction of a sidewalk across the lot's entire frontage - and related retaining walls needed to create a level area for the sidewalk - as a part of this project. The applicant and property owner are aware and understand this requirement. The Use Permit/Variance/Design Review application review process cannot alter these requirements, as MMC Sections 12.30.080 and 090 vests only the City Engineer with the authority to make adjustments to these requirements, with appeals of the City Engineer decision going to the City Council.
- **POSSIBLE FUTURE CONVERSION OF "STUDIO" TO "SECONDARY HOUSING UNIT":** As proposed by the applicant, the approximate 800 sq. ft. "studio" space will not contain a cooking facility, and thus will not be considered a Secondary Housing Unit (AKA "granny unit"). At some future time, the current or future owner could add a cooking facility, and upon payment of applicable impact fees (approximately \$7,500 under today's fee rates) legally convert the space into a Secondary Housing Unit. As ample on-site parking will exist (two spaces are required for the Main Unit, one for the Secondary Housing Unit), such a unit will be full compliance with the requirements of MMC 22.12.084 & 085; *Secondary Housing Units as Permitted Use*, and no public hearing would be required at such time.

ATTACHMENTS

- A. Site Context Map
 - B. Neighborhood Context Map
 - C. Applicant's Correspondence
 - D. Geotechnical Report (6 pages)
 - E. Appellants' packet (16 pages)
- Draft Resolution No. PC 13-01*
Draft Conditions of Approval

EXHIBITS

Project Plans

\\mtz-city-dc\departments\Community Development\All Projects\RESIDENTIAL\W. Arlington Way, 1020 - Kramer Garage&Studio\Kramer - PC - RPT.doc

ATTACHMENT B

NEIGHBORHOOD CONTEXT



ATTACHMENT C

Corey Simon

From: Gus Kramer [Gus.Kramer@assr.cccounty.us]
Sent: Thursday, January 10, 2013 4:44 PM
To: Corey Simon
Subject: RE: garage 1020 west arlington

Please continue the hearing to the Feb 26,2013.. I have a conflict with County Business.. thanks

From: Corey Simon [mailto:csimon@cityofmartinez.org]
Sent: Thursday, January 10, 2013 4:40 PM
To: Gus Kramer
Subject: RE: garage 1020 west arlington

Gus, It's my understanding you want a continuance.

From: Gus Kramer [mailto:Gus.Kramer@assr.cccounty.us]
Sent: Friday, November 30, 2012 10:26 AM
To: Corey Simon
Subject: garage 1020 west arlington

I've attempted to have a neighborhood meeting with my neighbors who object to the garage addition. they are not interested in meeting with me,.design doesn't seem to be the issue... thanks for your time.. Gus Kramer.

Gus Kramer
Contra Costa County Assessor
Contra Costa County Assessor's Office
2530 Arnold Drive, Suite 400, Martinez, CA 94553-4395
Phone: (925) 313-7555 Fax: (925) 313-7660

E-mail: gus.kramer@assr.cccounty.us
www.cccounty.us/assessor
GIS website: www.ccmmap.us

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ATTACHMENT D

GFK & ASSOCIATES

Geotechnical Consultants



Project No. 1452
June 11, 2012

Mr. Gus S. Kramer
1020 West Arlington Way
Martinez, CA 94553

Subject: Proposed Addition for the Kramer Residence
1020 West Arlington Way
Martinez, California

GEOTECHNICAL UPDATE AND RECOMMENDATIONS

- References:
- 1) Preliminary Soil Engineer's Report for a Proposed Residence
Assessor's Parcel 372-121-010
West Arlington Way, Martinez, CA
By Diablo Soil Engineers
Dated June 24, 1976
 - 2) Architectural Site and Building Plans/ Kramer Addition
By William Wood Architects
Sheet Nos. A1 through A7

Dear Mr. Kramer:

At your request, we have completed this geotechnical update report for the proposed addition on the subject site. The purpose of this update report was to review the geotechnical conditions of the site and to provide geotechnical recommendations for the proposed addition.

The work we performed consisted of the following:

- a) Review of the original geotechnical investigation report (Reference 1) for the now existing residence;
- b) Review of available published geologic maps for the site and vicinity;
- c) Field reconnaissance for observing the surficial conditions of the site;
- d) Preparation of this report.

Diablo Soil Engineers (DSE) conducted a geotechnical investigation (report dated June 24, 1976) for the now existing residence on the subject site. In their report DSE noted unstable area on the slope and described it as quote "There is on the site a large bowl-

1/6

shaped depression that is the location of an old mudslide that was probably triggered by previous saturated soil, heavy rainfall, spring action, and possibly an earthquake shock to initiate movement". The report by DSE included two exploratory borings (along the road) and six exploratory test pits. The borings encountered bedrock at a shallow depth between 1 and 2.5 feet. The test pits encountered bedrock at a depth ranging between 4 and 6.5 feet. The upper soils on the slope described by DSE as slope wash. DSE provided recommendations for the construction of the house. The house according to public records was constructed in 1976. It is our understanding that the foundations of the house consist of piers and grade beams and as indicated by Mr. Kramer the piers may be about 15 feet deep and the house is in a good structural conditions and has performed well over the years.

On April 19, 2012 I performed a site reconnaissance for observing the surficial conditions of the site. There is a wooden retaining wall to the northeast of the house at the toe of the slope along the side of road (West Arlington Way) that is failing. Behind the wall there is a landslide that extends about 20 feet on the upslope. This slide appeared to be due to washout and failure in the upper soil layer triggered by saturation of the soil.

The proposed project consists of constructing car garage next to the northerly side of the existing garage with a living area above the garages. Proposed grading will consist of cutting into the slope for creating flat pad to accommodate the new garage in conjunction with structural retaining walls. The landslide as noted above is located in the area of the proposed addition.

RECOMMENDATIONS

Grading/ Removal of Existing Landslide

By the virtue of the cuts the slide debris is expected to be removed. After cutting to subgrade if slide debris still exists, over-excavation should be performed as directed by our Soil Engineer. If fill is deemed necessary, the exposed subgrade should be scarified to approximate depth of 8 inches, moisture conditioned at 2% above optimum moisture, and compacted to a minimum relative compaction of 90% as determined by ASTM D1557-91. Fill can then be placed in lifts not exceeding 8 inches in thickness, moisture conditioned and compacted as recommended above until design grades are achieved.

Foundations

The proposed addition should be supported on a cast-in-place drilled pier and grade beam foundation system. The piers should have a minimum diameter of 18 inches and should extend to a minimum depth of 15 feet and a minimum of 10 feet into the bedrock, whichever is deeper. The piers may be designed based on skin friction along the pier shaft in the supporting bedrock. As a minimum the top 2 feet should be ignored from

providing any resistance. For piers that are located within 10 feet from top of downslope or on the slope (if any) the supporting bedrock should be at least as determined by the 10-foot daylight rule (ignore the top portion of the pier that is horizontally less than 10 feet back from face of the slope). The final depth of the piers should be as determined by our Soil Engineer during pier drilling depending on the structural requirements and the depth of bedrock.

An allowable skin friction of 600 pounds per square foot in the supporting bedrock may be used in the design and may be increased by one-third to resist total loads which include wind or seismic forces.

Piers located on slope or within 10 feet horizontally from the top of downslope that is steeper than 4:1 (horizontal to vertical), should be designed to resist additional active soil pressure of 50 pounds per cubic foot applied on the top 3 feet of the pier, on 1.5 the pier diameter.

To resist lateral loads a passive resistance of 375 pcf in the supporting bedrock (ignoring support in the top portion of the pier as noted above) may be used. Passive resistance may be assumed to act on a projected area of twice the pier diameter, but not to exceed 8,000 psf at any depth.

Reinforcing steel should be provided as necessary for structural support and continuity of pier and grade beam. Spacing should be as required by the load distribution, but minimum spacing should not be less than 3 pier diameters, center-to-center.

For design purposes an uplift soil pressure of 1,500 pounds per square foot applied at the bottoms of the grade beams should be considered in the design. This requirement may be waived beneath the footings of the structural retaining walls that retain cuts into the slope. To resist uplift pressures the dead load of the structure and an adhesion value of 500 pounds per square foot may be used along the pier shaft in the bedrock.

Retaining Walls

The following parameters should be used in the design of the retaining walls:

Active pressure (static condition)

45 p.c.f. for flat ground surface behind the wall

55 p.c.f. for 3:1 back slope

70 p.c.f. for 2:1 back slope

Active pressure (seismic condition)

The increase in the active soil pressure acting on the wall due to seismic condition may be assumed based on a simplified approach to be equal 40% of the above recommended active pressure. The seismic pressure distribution should be

assumed to be inverted triangular distribution (equivalent fluid pressure) with a maximum at top of wall and zero at the bottom of wall.

The structural retaining walls should be supported on piers. Passive resistance should be as previously recommended

The above active pressures are for unrestrained walls. For restrained walls, the active pressures shown above should be increased by one-third. If applicable, surcharge loads should be considered in the design.

A drainage blanket should be placed behind the wall. The blanket may consist of Class 2 permeable material per Caltrans specifications and should be a minimum of 12 inches thick and should extend to within 12 inches of the surface. The upper 12 inches should be capped with on-site compacted material. A 4-inch diameter, perforated pipe should be installed in the bottom of the blanket on 2 to 4 inches bedding material (Class 2 permeable). In lieu of the Class 2 permeable material the blanket may consist of ¾-inch drain rock, wrapped with filter fabric (Mirafi N140 or equivalent).

Non-Structural Concrete Slabs-On-Grade

Non-structural concrete slabs-on-grade (garage and exterior slabs) should be constructed as free floating slabs independent of the foundations and should be underlain with a minimum of 4 inches of ¾ - inch crushed rock or open graded gravel material. A waterproof membrane may be placed on top of the gravel layer for providing measures against condensation moisture (optional). In this case, a minimum of two-inch thick sand layer may be placed over the membrane at the discretion of the Structural Engineer. Reinforcing steel and any additional slab details should be provided as determined by the Structural Engineer.

Seismic Design Criteria

In reference to the currently applicable 2009 International Building Code, or 2010 California Building Code and the geotechnical data in reviewed report, the following parameters should be used in the seismic design:

S_S (g)	S_1 (g)	Site Class	F_a	F_v	S_{MS} (g)	S_{M1} (g)	S_{DS} (g)	S_{D1} (g)
1.500	0.600	C	1.0	1.3	1.500	0.780	1.000	0.520

Where:

S_S : The 0.2-second spectral response acceleration for Site Class B.

S_1 : The 1.0-second spectral response acceleration for Site Class B.

Site Class: Depends on the soil profile.

F_a : Site coefficient for adjusting S_s to the specific Site Class.

F_v : Site coefficient for adjusting S_1 to the specific Site Class.

S_{MS} : Adjusted spectral response acceleration for 0.2-second = $F_a \times S_s$.

S_{M1} : Adjusted spectral response acceleration for 1.0-second = $F_v \times S_1$.

S_{DS} : Design spectral response acceleration for 0.2 seconds = $2/3 S_{MS}$.

S_{D1} : Design spectral response acceleration for 1.0 seconds = $2/3 S_{M1}$.

Surface Drainage

All finish grades should be sloped away from the foundation areas. All roof downspouts should be connected to a closed pipe system. The outlet of the drainage system should be discharged to a controlled drainage area. Surface drainage should be provided as designed by the project Civil Engineer or a professional designer and maintained by the property owners at all times.

ADDITIONAL GEOTECHNICAL SERVICES

The grading and foundation plans for the proposed project should be reviewed by our Soil Engineer prior to the construction phase. In addition, the Soil Engineer should be notified to test and/or observe during the grading and foundation excavations requiring a minimum notice of two working days.

LIMITATIONS

The recommendations of this report are based upon the assumption that the soil conditions do not deviate from those encountered in the reviewed report and our site reconnaissance. Should any variations or undesirable conditions be encountered during construction, *GFK & ASSOCIATES* will provide supplemental recommendations as dictated by the field conditions.

This report was prepared in accordance with generally accepted procedures of geotechnical engineering practices and current standard of care. No other warranty is either expressed or implied.

The use of this report by others presumes that they have verified all information and assume full responsibility for the total project.

Should you have any questions, please contact our office at your convenience.



Yours Sincerely,
GFK & ASSOCIATES

[Signature]
Gus Khenaisser, G.E.
Geotechnical Engineer

Copies: 2 to Mr. Gus S. Kramer
3 William Wood Architects

6/6

ATTACHMENT E

COPY



8:34 am 12

TO: The Martinez Planning Commission

RE: Appeal of Zoning Administrator Decision concerning development application

On July 18, 2012, the Zoning Administrator held a public hearing for Use Permit, Variance and Design Review approval submitted by Mr. William Wood, Architect, for the Kramer residence at 1020 West Arlington Way. The Administrator approved the request after a brief hearing. We hereby appeal from this approval.

The request includes the following:

- Construction of a second two-car garage next to the existing two-car garage
- A second floor unit constructed on top of the two garages
- An enclosed stairwell next to the existing garage leading to the second floor

The property is approximately 15,000 square feet on a steeply sloped uphill lot. In addition to the primary residence, there is a detached two-car garage at street level and a long driveway on the other side of the property leading up to the residence with a level parking area for at least two more cars. (See attached photographs)

The applicant is requesting that the 15-foot height requirement for a garage be waived so that a 22 ½ foot high structure can be built. He also requests that a waiver be allowed so that the entire structure will be 1,950 sq. ft., or 75% of the size of the current residence rather than the 50% permitted. Finally, he is requesting a waiver of the 20 ft. setback for an accessory structure. The proposed structure will stretch approximately 58 feet across the property at street level.

Arlington and West Arlington Way is a narrow street developed around 1916. All new construction on the block adheres to a 20 ft setback requirement, although some of the older homes on the upslope are set back even further. Residences with garages, all one or two car, are at street level. The garages are all one story and conform to the 15 ft height limit.

Issues on appeal:

The Planning Commission set a precedent against exceeding the height requirements on February 11, 2003 when it denied a request to build a 22 ½ ft. high two-car garage at 1042 West Arlington Way, agreeing that the height was excessive.

The proposed structure is not "visually subordinate" to the main residence as required by code. In fact, the structure rises to such a level that the lower parts of the main residence and yard are obscured.

A structure of this size, purpose and placement sets a precedent, which will negatively impact and change the character of the neighborhood. The proposed structure does not conform to the established look and aesthetic of the neighborhood, which has been in existence for almost one hundred years.

4/16

The approval of the applicant's request for Use Permits and a Variance would be precedent setting in a negative way. Individuals with similar properties could be encouraged by this approval to also ask for similar waivers, thus potentially allowing similar "living spaces" to be built without conforming to setback, size and height requirements in areas of Martinez zoned for single-family dwellings. Approval of this request will allow a detached structure containing an independent living space to be placed in the front yard of the primary residence.

The applicant stated at the zoning hearing that the expense of building on the uphill site was one reason for the request of a use permit and variance approval. Since all properties on the street built in the past 10 years have had to meet height, volume and setback requirements as a condition of approval, granting of these requested waivers will give the applicant and owner special privileges denied to other property owners on this street. In addition, all property owners on this street bear the burden of higher costs when repairing or upgrading their property, expenses that they justify as the cost of living on a hillside.

Therefore, we are submitting this appeal to the Planning Commission to consider the arguments in favor of overturning the Zoning Administrator's ruling of July 18, 2012 and deny the issuance of Use Permits and Variance waivers for construction at 1020 West Arlington Way.

This appeal is submitted and signed by the residents of:

930 West Arlington Way	(Marta Van Loan & Barbara Hannafan)
1000 West Arlington Way	(Paul Mariano & Suzanne Chapot)
1013 West Arlington Way	(Eddie Provencio & Richard Deyoe)
1015 West Arlington Way	(Leigh-Lu Prasse)
1021 West Arlington Way	(Dylan & Denise Agasi)
1048 West Arlington Way	(Kevin Bacon)
1150 West Arlington Way	(John & Georgene Rostkowski)
1159 West Arlington Way	(Bill Pearson & Ann Moser)
1001 Arlington Way	(Lucy Williams)
1040 Arlington Way	(Peter & Martha Dragovich)
1155 Arlington Way	(Ann McDaniel & Linda Tyler)

2/16

Addendum to Appeal of the Zoning Administrator Ruling of July 18, 2012
Applicant: Mr. William Wood, Architect
Owner: Mr. Gus Kramer
Property location: 1020 West Arlington Way

I. In order to approve the Use Permit:

The zoning administrator found that the proposed 1,950 sq. ft accessory structure is “appropriately diminutive in comparison to the main residence, and reduces the appearance of height and bulk by setting the structure into the existing grade and placing the second level within the roof structure of the one story garage, as per the spirit and intent of regulations governing such accessory structures.”

Accessory Structures – Ordinance 22.12.265 states: “Intent. These specific limitations as to the height, number or size of accessory structures are intended to ensure adequate light, air and privacy for residential properties, balancing the appropriateness of the accessory structure’s design to preserving the residential character and neighbor’s privacy with the applicant’s ability to fully utilize the property in accordance with all applicable standards of the City’s zoning regulations.

The Accessory Structures Ordinance states:

1. **Maximum Size.** The maximum size of any 1 accessory structure is 1,000 square feet, and the total size of all accessory structures on a lot cannot exceed 50% of the main structure’s gross floor area.
2. **Maximum Height.** The height of an accessory structure may not exceed one story or 15 feet.

The issue is whether a building 58 feet in length, two stories high, can be described as “diminutive” in comparison to the main residence. The placement of this building at street level actually hides part of the main residence, and the tower stairwell placement for this structure on the south side of the new building will actually replace the front stairs to the primary residence, obscuring the main entrance to the primary residence. **In effect, the primary residence becomes secondary, and the accessory living space becomes the primary focal point.** The ordinance allowing an accessory structure stresses that these structures are to be “subordinate” to the primary residence. Furthermore, the building of a four-car garage in a zoned R-6 area is inappropriate, leading one to perhaps assume that a duplex structure has been built with 4 garages.

II. In order to approve the Variance:

(a) The Zoning Administrator found it necessary to grant waivers for height and setback because of the expense of conforming to established code. He states that adhering to setback requirements would require more excavation and more costly retaining walls. However, all new construction on this block within the last 12 years has been required to conform to height, size and setback requirements regardless of the added expense of building on a steeply sloped property.

(b) The Zoning Administrator found that a variance should be granted because the “property’s extreme upslope constitutes exceptional conditions, in that such slopes are generally not found in other properties in the R-6.0 Zoning District. Compliance with the typically required front yard setback would generally not create the difficulties of excavation and wall construction that would result on the subject property.” The Zoning Administrator, seems to be ignoring the fact that all the other properties on this street are built on the same extreme upslope and do adhere to the setback requirements. He also ignores the previous Planning Commission rulings regarding new construction on this street during the past 12 years that enforced setback, height and size requirements.

(c) The zoning administrator references the Zoning Code, which allows construction of a garage with a minimum front yard of 3 feet, and that this is an established practice in the neighborhood. The owner built just such a garage in 1976, adjacent to but detached from his primary residence. The zoning administrator continues, “the applicant’s proposal is for no front yard at the garage, and to allow habitable space and a front porch above. The strict enforcement of the minimum required 20’ front yard would deprive the applicant of privileges enjoyed by the owners of other properties, in that the visual intrusion of the applicant’s proposal into the typically required front yard is comparable to the intrusion of the surrounding garage structures on neighboring lots.”

This finding by the zoning administrator is incorrect. **No other property on the street has a living space above their garage. No other property on the street has a garage 22 ½ ft. tall. No other property on the street has a contiguous 4-car garage structure. No other property on the street has a garage structure that is 1,950 sq. ft. in volume. The proposed structure will be intrusive and inappropriate within the surrounding neighborhood.**

(d) In addition, the zoning administrator found that granting such a variance will not constitute a grant of special privileges inconsistent with the limitations of other properties because “granting this variance is not a special privilege, in that the proposed encroachments into the typically required 20’ front yard are needed to compensate for the site’s steep topography, which is not a limitation typically encumbering properties within the R-6-Zoning District.” Again, the Zoning Administrator is characterizing this steep hillside property as unique and unlike other properties in the zoning district that are built on flat parcels, choosing to ignore all other properties on the street that are also built on the same steeply sloped hillside and which do conform to the setback requirements that the applicant is asking to be exempted from.

The Zoning Administrator continues and says “furthermore, the granting of this variance would not preclude other property owners in a comparable situation and with similar limitations to apply for a variance that can meet all applicable standards and findings for the granting of such a variance.” Thus, other individuals with similar circumstances would be allowed to apply for use permit and variance waivers from the city to allow them to build an accessory structure exceeding height, size and setback requirements in their

front yard. By granting approval to this applicant, precedent will be set regarding how the city may rule in the future.

This interpretation of the code seems to subvert the intent of Martinez Code Section 22.04.530 Structure, Accessory: *“Accessory structure” means an attached or detached subordinate structure, which is, subordinate in size and incidental to the use of the main structure or the main use of the land...Examples of detached accessory structures include...garages, carports....and secondary housing units.*”

Furthermore, Martinez Code Section 22.12.265; “Accessory Structures” states that these accessory structures *“shall conform to the maximum coverage, and minimum yard requirements of the applicable zoning district.”* Also, the structure must conform to maximum size (1,000 sq. ft) and height (15 ft.) as has been previously discussed.

Since an accessory structure with a “living space” can easily be transformed into a Secondary Unit by adding a kitchen, it is appropriate to reference Section 22.34.085 *Secondary Housing Units as Permitted Use:*

Maximum Size. A Secondary Housing Unit may be no larger than 1,000 square feet...Additional size limitations may apply to a Secondary Housing Unit built as an Accessory Structure, as per the size limitations applied to all Accessory Structures prescribed in Section 22.12.265.A.

This Section continues,

Architectural and Site Plan Standards.

The Secondary Housing Unit shall be visually subordinate to the primary single-family dwelling on the parcel, by its size, location, and design.

The exterior entry to the Secondary Housing Unit shall clearly appear as a secondary entry when compared to the entry for the primary single-family dwelling. (Emphasis added.)

III. Intent of the Martinez City Code for Accessory Structures and Secondary Housing Units:

Placing the Secondary Housing Units or Accessory Structures with “independent living spaces” in the front yard of houses in single-family residential areas is not the intent of the City. The City in 2007 rewrote the zoning code to ensure that height and size limitations for both accessory structures and secondary housing units were identical and included language in the code such as “visually subordinate” and “subordinate structure, which is, subordinate in size and incidental to the use of the main structure,” to describe these structures. They must also conform to minimum yard requirements of the applicable zoning district. Martinez code does state that exceptions may be granted with approval of a use permit, but that **the city needs to also balance the “appropriateness of the accessory structure’s design to preserving the residential character...”**

An analysis of other nearby city ordinances governing Accessory Structures and Secondary Housing Units also lends credence to this argument that the City does not intend to allow such units in the front yard. The City of Concord states under Ordinance

5/16

11-10: *"A detached secondary living unit exceeding 640 square feet shall be located behind the principal dwelling and substantially screened from view on adjoining streets by landscaping and/or fencing."* The City of Brentwood states in Ordinance 17.100.005: *"...Detached secondary housing units should be carefully designed and sited to the rear of the primary dwelling unit to ensure neighborhood character will not be negatively impacted. The secondary housing unit shall be clearly subordinate to the primary dwelling unit..."* The City of Santa Cruz, Ordinance 24.16.160 states: *"All accessory dwelling units must conform to the following standards: Setbacks for Detached Accessory Dwelling Units.... Accessory units higher than one story shall provide side yard setbacks of five feet and rear yard setbacks of ten feet. If any portion of an accessory dwelling unit is located in front of the main building, then the front and side yard setbacks shall be the same as a main building in the zoning district. Accessory dwelling units are not eligible for variances to setbacks."*

The applicant's proposal to create a 1,950 sq. ft. structure, 22 ½ ft. high, 58 ft long, and with no setback from the street is not consistent with the character of the neighborhood and not consistent with established zoning regulations. In 2003 the Planning Commission would not allow an owner to build a 22 ½ ft. high garage on property located 2 houses from this property. The size of this proposed accessory structure is larger than some of the other houses on this street. In fact, this structure could easily be called a "carriage house" since it contains an independent living space above the four car garage. Its placement on the property hides the primary residence and thus makes it the most visually prominent structure on the property, which is not the intent of the city code.

We hereby request the Planning Commission to deny the granting of approval for a variance and two Use Permits for this property.

~~Walter~~
Sobara Hennafon

120 W. Arlington
930 W. Arlington

PAUL MARIANO

Paul Mariano

1000 West Arlington

Bill Pearson

1155 W. Arlington

~~Walter~~

Martha Dragovich

1040 Arlington Way

Martha Dragovich

1040 Arlington Way

Peter Dragovich

Ann McDaniel

1155 Arlington Way

Linda Lyza

Suzanne J. Chapot

1000 WEST Arlington Way

Edward Provenier

1013 W. Arlington Way

W. Richard Deyoe

1813 W. Arlington Way

Dylan Agasi

1021 West Arlington way

~~Denise Agasi~~
Denise Agasi

1021 West Arlington way

~~Denise Agasi~~

Keggs Brown

1048 W. ARLINGTON Way

Lyn Williams

1001 Arlington Way

Wigh-lu Prasse

1015 West Arlington way

Wigh-lu Prasse

GEORGENE ROSTKOWSKI
Georgene Rostkowski

1150 West Arlington Way

JOHN ROSTKOWSKI

~~John Rostkowski~~

Ann Moser

1159 W. Arlington

~~Ann Moser~~

7/10

Addendum of Attached Photographs

1. View of West Arlington Way from the porch of the property next door (immediately to the north...1000 West Arlington Way).
2. View of the front of 1020 West Arlington Way and garage.
3. View of the front of 1020 West Arlington Way (and property to the right of garage.)
4. View of the front of 1020 West Arlington Way (and property to the right of garage.)
5. View of the front of 1020 West Arlington Way (and property to the right of garage.)
6. View of the front of 1020 West Arlington Way (and property to the right of garage.) (Close-up)
7. View of West Arlington Way (looking north).
8. View of West Arlington Way (looking south).

8/16

VIEW FROM 1000 WEST ARLINGTON



1020 West ARLINGTON



10/16

2



1/10

#3



2/16

#4
#11

FRONT YARD

(1020 WEST ARLINGTON)



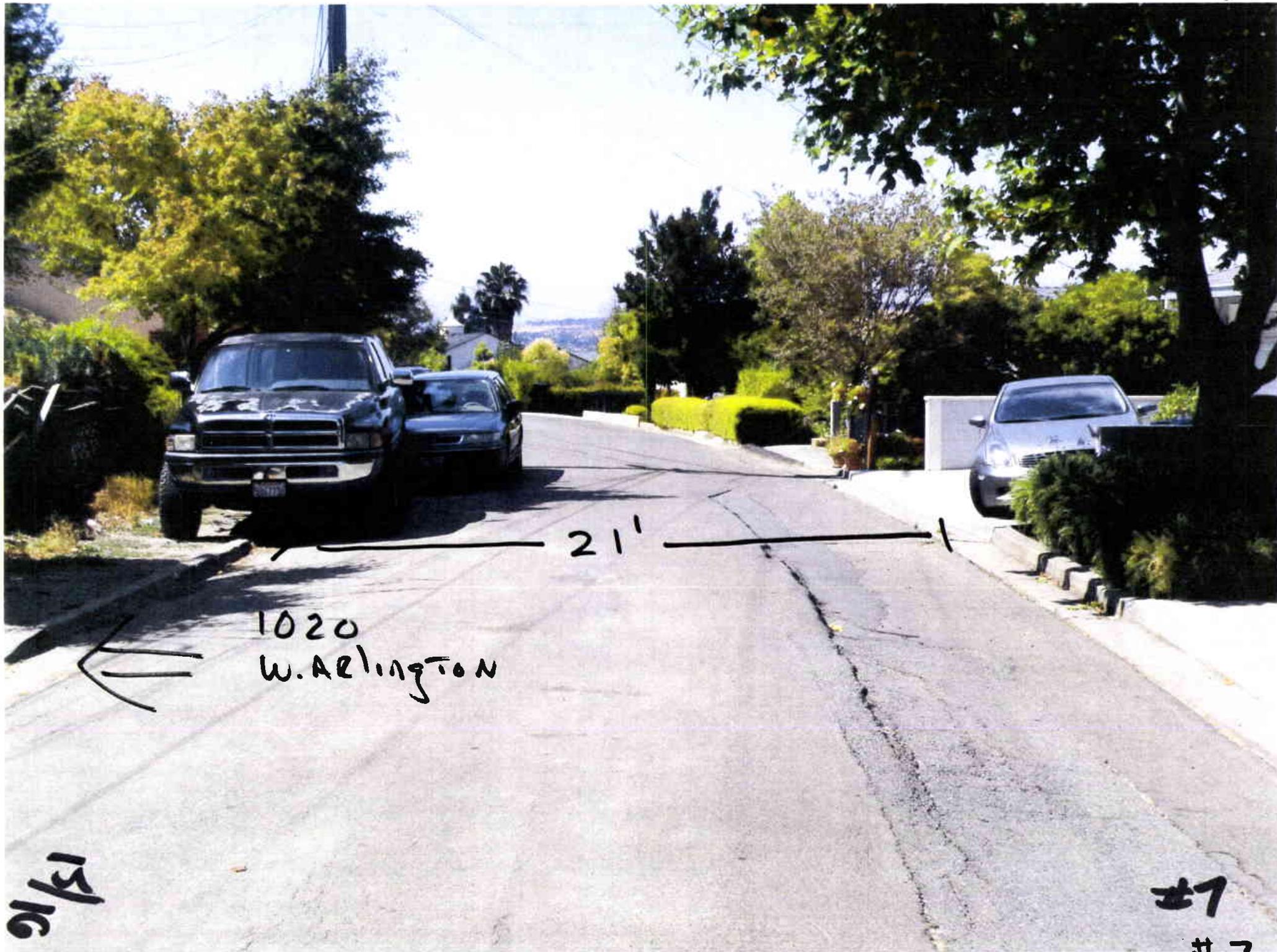
13/16

#1
#2



14/10

#6



21'

1020
W. ARLINGTON

15/16

27

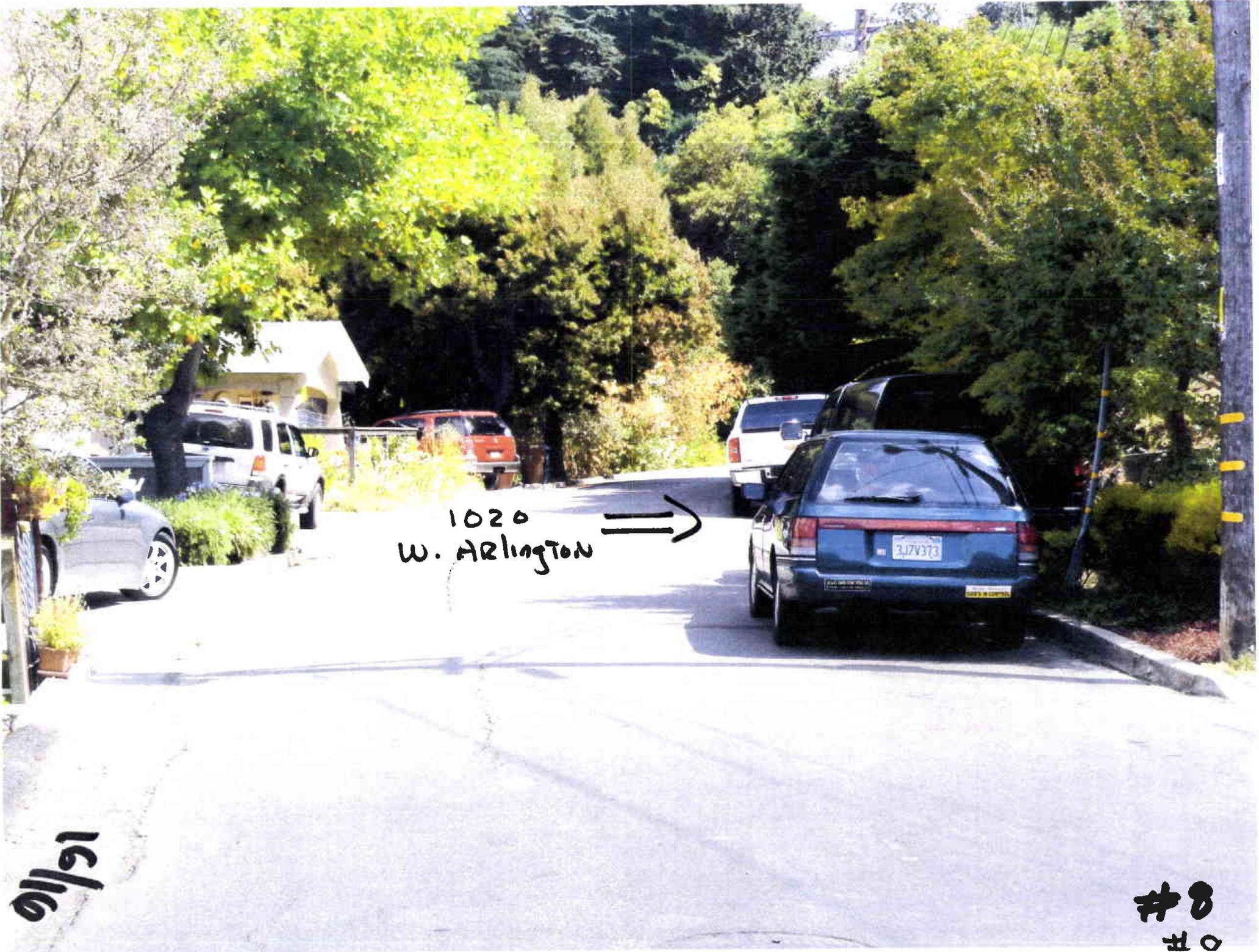
7

1020
W. ARLINGTON



15/16

#8
#0



RESOLUTION NO. PC 13-01 [DRAFT]

**A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF MARTINEZ,
DENYING AN APPEAL UPHOLDING THE ZONING ADMINISTRATOR'S GRANTING
OF USE PERMIT, VARIANCE AND DESIGN REVIEW APPROVALS (12PLN-0010),
ALLOWING ADDITIONS TO A GARAGE, WITH EXCEPTIONS TO THE NORMALLY
PERMITTED HEIGHT AND SIZE OF ACCESSORY STRUCTURES IN THE R-6.0
ZONING DISTRICT, LOCATED AT 1020 WEST ARLINGTON WAY
(APN: 372-121-057)**

WHEREAS, the City of Martinez received a request for Use Permit, Variance and Design Review approvals ("Project") to allow additions to an existing garage ("Accessory Structures") at 1020 West Arlington Way, identified as APN 372-121-057 ("Project Lot", "Project site", "site", or "subject property"), within the City of Martinez; and

WHEREAS, the Project proposes to construct additions to the existing two-car garage by adding approximately 550 sq. ft. to for two additional enclosed parking spaces, and an approximate 800 sq. ft. second story studio (conditioned) space; and

WHEREAS, the zoning applicable to the property is R-6.0 (One-Family Residential District), as set forth in the Municipal Code, Martinez, California, at Title 22 "Zoning," and Chapter 22.12 "Residential Districts" ("Zoning Ordinance"), establishing a minimum site area for the R-6.0 zoning district of 6,000 sq. ft., which allows for single-family residences and accessory structures as requested by the Project, and which provides for certain accessory structure height, size, setbacks, and lot coverage requirements; and

WHEREAS, the Zoning Administrator approved the applicant's (William Wood, Architect/Gus Kramer, owner) application for Use Permit, Variance, and Design Review approval, with certain conditions of approval at a duly noticed and held public hearing on July 18, 2012; and

WHEREAS, on July 30, 2012, the appellants (Suzanne Chapel, et at.) filed a timely appeal of the Zoning Administrator's decision with the City of Martinez; and

WHEREAS, the Planning Commission held a duly noticed public hearing on January 22, 2013, to consider the appeal and consider public testimony on the matter and all other substantial evidence in the record; and

WHEREAS, the Planning Commission as part of its public hearing imposed certain Conditions of Approval on the Project for the Use Permit, Variance and Design Review approvals (12PLN-0100) which are required for the Project; and

WHEREAS, the Record of Proceedings ("Record") upon which the Planning Commission bases its decision regarding the Project includes, but is not limited to: (1) all staff reports, City files and records and other documents prepared for and/or submitted to the Zoning Administrator, the Planning Commission, and the City relating to the Project, (2) the evidence, facts, findings and other determinations set forth in this resolution, (3) the City of Martinez General Plan, Central Martinez Specific Area Plan,

and the Martinez Municipal Code, (4) all applications, designs, plans, studies, data and correspondence submitted by the applicant in connection with the Project, (5) all documentary and oral evidence received at public hearings or submitted to the City relating to the Project, (6) all other matters of common knowledge to the Planning Commission including, but not limited to, City, state and federal laws, policies, rules regulations, reports, records and projections related to development within the City and its surrounding areas; and

NOW, THEREFORE, the Planning Commission of the City of Martinez resolves and finds as follows:

- 1) That the above recitals are found to be true and constitute part of the findings upon which this resolution is based.
- 2) The Planning Commission hereby makes the following findings with respect to the Appeal

(a) Appeal Issue #1

Allegation of the Appeal Issue #1: *“The Planning Commission set a precedent against exceeding the height requirements on February 11, 2003, when it denied a request to build a 22 ½ ft, high two-car garage at 1042 West Arlington Way, agreeing that the height was excessive.”*

Finding to Deny Appeal Issue #1: The Planning Commission’s action regarding the 1042 West Arlington Way project did not establish a precedent for the denial of future requests to grant exceptions to the normal height limitations. The Commission’s February 2003 denial rejected a specific design which inappropriately placed a unbroken 22½ ft. “gabled end” high wall, with a full story above the garage, 3 ft. from the front property line.

Facts in Support of Finding: **The design for 1042 West Arlington Way, which, albeit revised, was approved by City Council on appeal in June 2003. The Council concurred with the Commission that the two story high “gabled end” wall was indeed inappropriate, but did approve the project with a shed roof above the one-story garage face. The applicant’s design echo’s the Council’s 2003 approval for 1042 West Arlington Way, in that shed roofs are used to diminish the appearance of height and that the second level is deemphasized by the use of shed roofed dormer windows.**

(b) Appeal Issue #2

Allegation of the Appeal Issue #2: *“The proposed structure is not ‘visually subordinate’ to the main residence as required by code (sic). In fact, the structure rises to such a level that the lower parts of the main residence and yard are obscured.”*

Finding to Deny Appeal Issue #2: The standard quoted by the appellants is

found in Section 22.12.085 C.5, which sets the minimum design requirements for the ministerial granting of a building permit for a Secondary Housing Unit, as required by State law. The Project is not a Secondary Housing Unit, but an Accessory Structure (garage and studio), subject to discretionary approval as an accessory structure over 1,000 sq ft. and 15' in height. The standard the appellant quotes is not applicable.

Facts in Support of Finding: The intent of the recently (adopted (2007) regulations on Accessory Structures is “balancing the appropriates of the accessory structure’s design to preserving the residential character and neighbor’s privacy with the applicant’s ability to fully utilize the property in accordance with all applicable standards of the City’s zoning regulations.” While the standards for ministerial approval of a Second Housing Unit and the discretionary standards applicable to the project both proscribe diminutive designs in relation to a main residence, the standards for Accessory Structures do not require the main structure remain visible from the street, nor do they preclude the placement of the Accessory Structure forward of the main residence. In its location and smaller height and size, the Project is appropriately diminutive to the main residence with its approximately 2,500 sq ft size and over 25’ building height. With the Project, the site is conforming to Lot Coverage and Hillside Lot FAR limitation.

(c) Appeal Issue #3

Allegation of the Appeal Issue #3: *“A structure of this size, purpose and placement sets a precedent, which will negatively impact and change the character of the neighborhood. The proposed structure does not conform to the established look and aesthetic of the neighborhood, which has been in existence for almost one hundred years.”*

Finding to Deny Appeal Issue #3: Due to the rugged topography, there currently exists many such nonconforming structures within the normally required minimum front yard, so the structure does conform to the established context.

Facts in Support of Finding: The hillside neighborhood is very eclectic, where many structures of widely varying architectural styles and uses (e.g. both garages and living spaces) have been built close to the street and within the “minimum 20’ front yard” as would normally be required in the R-6.0 Zoning District. The Project’s shed roof structure echoes that of the garages on the adjoining lots, and the structure, paralleling the existing slope, does not negatively impact the neighborhood as existing views and privacy enjoyed by neighbors is largely unaffected.

(d) Appeal Issue #4

Allegation of the Appeal Issue #4: *“The approval of the applicant’s request*

for Use Permit and a Variance would be precedent setting in negative way. Individuals with similar properties could be encroached by this approval to also ask for similar waivers, thus potentially allowing similar 'living spaces' to be built without conforming to setback, size and height requirements in areas zoned for single –family dwellings. Approval of this request will allow a detached structure containing an independent living space to be placed in the front yard of the primary residence.”

Finding to Deny Appeal Issue #4: The approval of the Project does not set a precedent for additional waivers, as the findings for approval are distinct to the unique attributes of the subject lot, which are not shared by other lots along West Arlington Way or elsewhere within the R-6.0 Zoning District.

Facts in Support of Finding: **The subject lot has topographical constrains (a steep upslope) not typical of most lots within the R-6.0 Zoning District. Furthermore, the lot’s atypical size (over 15,000 sq. ft., where 4,000 to 6, 000 sq. ft. is common) and length (180 ft., where 50’ to 60 is common), both provide an opportunity for such an accessory structure that is proportional in building frontage, lot coverage size and Floor Area Ratio (FAR) to those of its neighbors.**

(e) Appeal Issue #5

Allegation of the Appeal Issue #5: *“The applicant stated at the zoning [administrator’s] hearing that the expense of building on the uphill site was one reason for the request of a use permit and variance approval. Since all properties on the street built in the past 10 years have had to meet height, volume and setback requirements as a condition of approval, granting of these requested waivers will give the applicant an owner special privileges denied to other property owners on this street. In addition, all property owners on this street bear the burden of higher costs when repairing or upgrading their property, expenses that they justify as the cost of living on a hillside.”*

Finding to Deny Appeal Issue #5: The approval of the Project does not grant of special privilege, as the context for the granting of exceptions is larger than just one application on the subject street that was denied within the past 10 years.

Facts in Support of Finding: **As stated above, the denial of the exceptions requested at 1042 West Arlington Way addresses specific shortcomings of the design that had been proposed at that time. Meanwhile, a variance was approved within the past 10 years on the same block (057 Greet Street), where the same constraints of a steeply upsloping lot allowed for the placement of conditioned living space above a garage located within the R-6.0 Zoning District’s normally required 20’ minimum front yard.**

3) The Planning Commission hereby makes the following findings with respect to

the applicability of CEQA to the project:

- (a) The Project is categorically exempt from the requirements of CEQA, under Sections 15301 (Existing Facilities) and 15303 (New Construction or Conversion of Small Structures). The Project involves additions to the existing garage and addition of a studio space above the garage on the subject property. The Project involves only minor expansion of these existing uses, by the addition of 550 sq. ft. of space to the garage, and 800 sq. ft. to the for the studio above the garage, which will not result in an increase of more than 10,000 square feet. The Project is in an area where all public services and facilities are available, and the Project is not located in an environmentally sensitive area. In addition, the Project only involves construction with minor modifications to the exterior of a small structure, such as a garage/studio (appurtenant) structure
 - (b) The Project site is not in a particularly sensitive environment. The site is a residentially developed lot upon which there are no environmental resources of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. There are no projects in the area which could result in cumulative impacts of the same type in the same place. The Project site is part of a standard subdivision, on a developed residential lot without any endangered species, riparian habitats, or protected wetlands. The site is not within an officially designated state scenic highway, as there are no state scenic highways located in the City of Martinez. The Project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code for hazardous waste sites. The Project will not affect historical resources, as the garage is not historically significant
- 4) The Project is consistent with the Martinez General Plan policies and with the Residential Slope Density Ordinance land use designation of the Central Martinez Specific Area Plan, including but not limited to the policies mentioned below. The Planning Commission hereby makes the following findings with respect to the General Plan and the Central Martinez Specific Area Plan:
- (a) **21.312 - Land Use Element, Residential Uses, Protected Neighborhoods: *To respect the established physical patterns of these neighborhoods, new residential structures should be similar in scale and type of accommodations to existing units.***

Facts in Support of Finding: The existing residential character of the neighborhood will continue to be preserved with the additions to the Accessory Structures while respecting the established physical patterns of the neighborhood. The proposed addition to the garage are proposed to be made to existing structures that are ancillary in use to the main residence located on the Project lot. The scale of the garage/studio will be smaller than the single-family residences located in neighborhood. The height of shed roof forms of the addition is proposed to echo those of the existing nearby garages.

- (b) **30.532** - Central Martinez Specific Area Plan, Housing Policies and Programs: ***New Construction should be reviewed to ensure its compatibility with the neighborhood. (applicable guideline; 30.5324; Protect the integrity of central neighborhoods by permitting only new construction which respects the scale of existing housing).***

Facts in Support of Finding: The existing residential character of the neighborhood will continue to be preserved with the addition to the Accessory Structure while respecting the established physical patterns of the neighborhood. The scale of the garage/studio will be smaller than the single-family residences located in neighborhood. The 18' height of the shed roof forms of the addition is proposed to echo those of the existing nearby garages. Architectural materials and site design quality are comparable or exceed those of the existing residence and nearby residences.

- 5) As set forth in the Zoning Ordinance at §22.12.265 "Accessory Structures," exceptions may be permitted with the granting of a Use Permit. The Zoning Ordinance provides for a Use Permit for proposed construction that exceeds: (i) a height limit of 15 feet and a single story; and/or (ii) a maximum building size of 1,000 square feet and 50% of the main structure's gross floor area. The Project proposes: (i) heights of approximately 18 feet; and (ii) building sizes over 1,000 square feet and equaling 64% of the main structure's gross floor area. Based thereon, the Planning Commission hereby makes the following findings with respect to the granting of a Use Permit for the Project.

- (a) **The proposed location of the conditional use is in accord with the objectives of the zoning code, and the purposes of the district in which the site is located.**

Facts in Support of Finding: The Zoning Ordinance at Title 22, "Zoning" provides at §22.02.010 that Title 22 is adopted to "protect and promote the public health, safety, peace, comfort, convenience, prosperity and general welfare of the public..." Section 22.02.010 lists specific objectives, including the following:

- A. To implement the objectives of the General Plan in all its elements...to guide, control and regulate the maintenance, change, growth and development of the City.
- B. To foster a harmonious, convenient, workable relationship between land uses.
- C. To promote the stability of existing land uses which conform to the General Plan and to protect them from inharmonious influences and harmful intrusions.

The General Plan designation for the Project is Central Martinez Specific Area Plan: *Group 1 Residential*. The General Plan provides for residential

development in the area of the Project. The Project consists of addition to an existing residential Accessory Structure, and will not alter the stability of existing land uses on the site. Furthermore, the Accessory Structure is an important component of the residential experience afforded to the property owner and/or user of the Project Lot. The Project will be consistent with the General Plan, the Central Martinez Specific Area Plan, and the goals, policies and directions for residential development set forth above.

The purposes of the R - Residential Districts, including the R-6 District, are set forth in the Zoning Ordinance at Title 22, Chapter 22.12 "Residential Districts." These purposes include the following:

- A. Reserve appropriately located areas for residential living in a variety of types of dwellings, at a reasonable range of population densities consistent with sound standards of public health and safety.
- B. Ensure adequate light, air and privacy for each dwelling unit.
- C. Provide adequate amounts of private open space in proximity to each dwelling unit.

The intent of "Accessory Structures," is set forth in the Zoning Ordinance at Title 22, Section 22.12.265.A. "Accessory Structures" are intended to ensure adequate light, air, and privacy for residential properties, balancing the appropriateness of the accessory structures' design to preserving the residential character and neighbor's privacy with the applicant's ability to fully utilize the property in accordance with all applicable standards of the City's zoning regulations. Further, Title 22, Section 22.04.530 define "Accessory Structures" as an attached or detached subordinate structure, which is, subordinate in size and incidental to the use of the main structure or the main use of the land, and which is located on the same site with the main structure or use. Examples of detached accessory structures listed include garages, as is proposed for the Project, but may include a studio use, incidental to the main residence, as well.

The Project consists of an addition to the existing garage and addition of a studio space above the garage that's on the subject property. The Project includes only a minor expansion of these existing uses, by the addition of 550 sq. ft. of space to the garage, and 800 sq. ft. to the for the studio above the garage. The 550 sq. ft. garage expansion will provide parking for two additional cars (for a total of four) in a location where topography has precluded construction of a garage with a typical driveway (e.g. without a severe slope) where normally a resident could have such auxiliary off-street parking. The proposed 800 sq. ft. studio above is not atypical for a lot of over 15,000 sq. ft. in size, but again topographical constraints preclude the placement of such a structure in the more common "back yard" location. The garage and studio are set into site's step upsloping lot's existing grade, and the second level studio is largely located within the shed roof of the garage, with only dormer-type window. These design features reduce the

actual and visual height of the structure, which is 18', only 3' above what is typically allowed for such accessory structures.

The proposed additions to the Accessory Structure with the proposed height and size are consistent with the purposes of the R-6.0 District and the intent and definition of "Accessory Structures." The Project will be for residential use, and will not add any uses inconsistent with such residential use. As mentioned above the proposed additions to the Accessory Structures will be used as a garage and a studio space - without independent cooking facilities - and thus incidental to the main residence.

Moreover, the proposed addition to the Accessory Structures will not have adverse effects on the light, air and privacy of neighboring properties and owners of such properties. The Accessory Structure is located on the relatively large 15, 000+ sq. ft parcel (where only 6,000 sq. ft. is required) and how the structure is "bunkered into" the hillside, and therefore has no adverse impact on neighbors' views or privacy. The structure, located toward the front of the property, will largely be below the line-of-sight from neighboring properties.

Furthermore, the proposed 1825 sq. ft. structure, as expanded and remodeled, will match the roofing material and building colors of the existing structures. The materials of the proposed additions include stucco siding with masonry accents, with a composite roof shingles that will match the existing structures. The proposed Project is designed to be subordinate to the existing residence on the lot, to preserve the residential character of the area and be compatible with the style of the existing structures, as well as to fit in with the adjacent homes and garages on West Arlington Way and the surrounding neighborhood.

- (b) The proposed location of the conditional use and the proposed conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.**

Facts in Support of Finding: The uncharacteristically large lot (approximately 15, 000 sq. ft., where the minimum required is 6,000 sq. ft), and context of the steeply up-sloping lot, allows this single family site to accommodate the proposed two-level Accessory Structure without any negative impacts on neighbor's views and privacy, as the new structure is in the front yard and at the site's lowest elevation, leaving the views of uphill neighbors, and privacy of downhill neighbors across the street, unaffected. Thus the proposed project will be consistent with surrounding uses and will not be detrimental to public health, safety or welfare, or be materially injurious to properties or improvements in the vicinity.

- (c) The proposed conditional use will comply with each of the applicable provisions of Title 22 of the Martinez Municipal Code.**

Facts in Support of Finding: With the exception to building height and size, and the requested variance to minimum front yard requirements, the Project complies with all other applicable provisions of Title 22 - Zoning of the Martinez Municipal Code, including requirements for minimum rear and side yards, site coverage, Hillside FAR (Floor Area Ratio) as adjusted with the subject Use Permit and Variance approvals, of the R-6.0 Zoning District and the intent and definition of "Accessory Structures."

- 6) As set forth in the Zoning Ordinance at §22.12.020 "Variances," exceptions are may be permitted with the granting of a Variance. The Zoning Ordinance provides for a Variance for proposed construction within the 20' minimum front yard normally required within the R-6.0 Zoning District. Based thereon, the Planning Commission hereby makes the following findings with respect to the granting of a Use Permit for the Project.

(a) Strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty

Facts in Support of Finding: The enforcement of the typically required front yard, and wall height limitations within the front yard, would result in practical difficulty, in that significantly more excavation would be required on the steeply sloping lot, resulting in higher and therefore uncharacteristic massive retaining walls toward the rear of the structure, and with a concomitant reduction in the building envelope, further limiting options for construction beyond those typically found in the R-6.0 District.

(b) Strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty

Facts in Support of Finding: The property's extreme upslope constitutes exceptional conditions, in that such slopes are generally not found in other properties in the R-6.0 Zoning District. Compliance with the typically required front yard setback would generally not create the difficulties of excavation and wall construction that would result on the subject property.

(c) Strict or literal interpretation and enforcement of the specified regulations would deprive the applicant of privileges enjoyed by the owners of other properties;

Facts in Support of Finding: Section 22.12.220.B.4 of the Zoning Code allows construction of a garage, on such steeply sloping lots, with a minimum front yard of 3 feet. New homes with such a minimal yard have recently been built in the vicinity. Furthermore, the steep topography of the neighborhood has lead to the established practice on the lots surrounding the site – and on both sides of West Arlington Way - where garages have been built without any front yard and typically at the front property line. The applicant's proposal is for no front yard at the garage, and to allow habitable space and above, within the typically required 20 foot front yard. But the proposed upper level is placed within the roof structure of the one story

garage below, minimizing the appearance of height, and more closely echoing the massing of neighboring properties. The strict enforcement of the minimum required 20' front yard would deprive the applicant of privileges enjoyed by the owners of other properties, in that the visual intrusion of the applicant's proposal into the typically required front yard is comparable to the intrusion of the surrounding garage structures on neighboring lots.

- (d) Granting of the variance will not constitute a grant of special privileges inconsistent with the limitations of other properties;**

Facts in Support of Finding: Granting this variance is not a special privilege, in that the proposed encroachments into the typically required 20' front yard are needed to compensate for the site's steep topography, which is not a limitation typically encumbering properties within the R-6.0 Zoning District. Furthermore, the lot's atypical size (over 15,000 sq. ft., where 4,000 to 6,000 sq. ft. is common) and length (180 ft., where 50' to 60 is common), both constitute unique circumstances for such an accessory structure that is proportional in building frontage, lot coverage size and Floor Area Ratio (FAR) to those of its neighbors. The granting of the variance would neither obligate the City to approve such a variance for lots of more typical size and/or width, nor would it preclude other property owners in a comparable situation and with similar circumstances and limitations to apply for a variance that can meet all applicable standards and findings for the granting of such a variance.

- (e) The granting of the variance will not be detrimental to the public health, safety, or welfare, or be materially injurious to property or improvements in the vicinity;**

Facts in Support of Finding: The quality and design of the proposed structure will be either at or above that of the surrounding homes in the neighborhood, and the proposed residence will not significantly encroach into views enjoyed by existing residents; and therefore the granting of the variance will not be detrimental to the public health, safety, or welfare, or be materially injurious to property or improvements in the vicinity.

7) As set forth in the Zoning Ordinance at §22.34.050 D, Design Review approval is required prior to the issuance of a building permit where the natural grade of the permit site under the proposed structure has an average slope of 10% or greater; and to allow the proposed tree removal. Based thereon, the Planning Commission hereby makes the following findings with respect to the granting Design Review and Tree Removal approval for the Project.

- (a) The project complies with all other applicable provisions of the Martinez Municipal Code involving the physical development of buildings, structures and property, including use restrictions;**

Facts in Support of Finding: The development standards for the R-6.0

District are complied with, and where applicable, the applicable standards for the granting exceptions with Use Permit and Variance approvals as discussed above, have also been meet.

- (b) The project provides a desirable surrounding for the occupants and neighbors;**

Facts in Support of Finding: The proposed residence is designed as to minimize visual intrusion into established hillside residential context. The building's massing echos the hill form to reduce the appearance of mass, and colors will match those of the existing residence.

- (c) The project has a harmonious relationship with existing and proposed neighboring development;**

Facts in Support of Finding: The accessory structure's size is proportional to the unusually long frontage of the subject property, with the resulting site coverage and floor area ratios or below those of the surrounding lots within this established hillside neighborhood. The roof form of the proposed structure echos those of the nearby garage on similar uphill lots.

- (d) The palette of exterior colors is harmonious and architecturally compatible with the surrounding environment;**

Facts in Support of Finding: The accessory structure's earth tone stucco and stone access, with a dark composite shingle roof, will match those of the existing residence and thus blend into the established residential landscape.

- (e) A limited number of materials is used on the exterior of the project;**

Facts in Support of Finding: Only stucco siding and stone wainscoting and accent details are proposed for the accessory structure.

- (f) The project has exterior lighting appropriately designed with respect to convenience, safety, and effect on occupants as well as neighbors;**

Facts in Support of Finding: As an accessory structure to a single family home, only minimal exterior lighting is proposed.

- (g) Effectively concealing work areas, both inside and outside of buildings, in the case of non-residential facilities; (Not applicable)**

- (h) Undergrounding all utility boxes unless it can be shown that they can be effectively screened from the view of the general public; (Not applicable - no utility boxes are proposed as part of the project)**

- (i) Designing the type and location of planting with respect to the preservation of specimen and landmark trees, water conservation as**

set forth in Chapter 22.35, and maintenance of all planting;

Facts in Support of Finding: Two of the three established redwood trees along the street frontage will be retained; preserving property's generally wooded appearance from the street. The removal of the northerly most redwood, and two smaller shrub-like trees, for the construction of the garage addition and stair to the second level studio, will not significantly alter this wooded appearance. Only minimal ground cover plantings is proposed adjacent to the garage, conforming to water conservation standards.

- (j) **Establishing a circulation pattern, parking layout and points of ingress and egress (both vehicular and pedestrian), designed to maximize pedestrian safety and convenience and to minimize traffic congestion resulting from the impediment of vehicular movement. When applicable, access for handicapped individuals should be considered. (Not applicable or needed for proposed project.)**
- (k) **Ensuring that all signs be designed so that they are in scale with the subject development, and will not create a traffic hazard. Emphasis is placed upon the identification of the use or building rather than the advertising of same (No advertising is proposed with the project.)**
- (l) **Views are substantially preserved from nearby properties;**

Facts in Support of Finding: The proposed Accessory Structure is located near the site's lowest elevation, leaving the views of uphill neighbors, and privacy of downhill neighbors across the street, unaffected.

NOW, BE IT FURTHER RESOLVED that based on the findings set forth herein and the Record as a whole, the Planning Commission hereby denies the appeal and grants Use Permit, Variance and Design Review approvals (12PLN-0010) subject to conditions of approval attached hereto as Exhibit A and incorporated herein by this reference.

* * * * *

I HEREBY CERTIFY that the foregoing is a true and correct copy of a resolution duly adopted by the Planning Commission of the City of Martinez at a regular meeting of said Commission held on the 12th day of March, 2013:

BY: _____
Corey M. Simon
Senior Planner/Clerk Pro Tem

CONDITIONS OF APPROVAL
AS APPROVED BY PLANNING COMMISSION [*DRAFT*]

Applicant Name: **Bill Wood, Architect; Kramer - two level accessory structure**

Location: **1020 West Arlington Way (APN 372-121-057)**

I. Description of Permit

These conditions apply to and constitute the granting of Use Permit, Variance and Design Review approvals (12PLN—0010) to allow additions to an existing garage, resulting in two-level Accessory Structure on Hillside Lot (1,022 sq. ft. garage with a 802 sq. ft. studio above), within the normally required minimum front yard of an existing residence. Use Permit approval is required to allow an Accessory Structure with a height of approximately 18' when a maximum of 15' is allowed, and with a size exceeding 1,000 sq. ft. and 50% of the main structure's gross floor area.

II. Exhibits

The following exhibits are incorporated as conditions of approval, except where specifically modified by these conditions:

EXHIBIT	DATE RECEIVED	PREPARED BY	PAGES
Site Plan, Building Plans and Elevations.	January 11, 2013	William Wood, Architect	8
Geotechnical report	June 20, 2012	GFK & Associates	6

All construction plans shall conform to these exhibits. Building permit plans shall include a checklist of these conditions for staff review and verification that the conditions have been met. Where a plan or further information is required by these conditions, it is subject to review and approval by the Planning Division, Building Division or Engineering Division as noted.

III. Planning Division requirements for Site and Architectural Plans

Building permit plans shall incorporate the following design modifications and/or features, or as approved by Planning Director.

- A. No foundation or structural elements may encroach into the right-of-way, except for a cantilevered balcony and/or roof eaves.
- B. The depth of roofs eaves on all four elevations shall generally be the same, (approximately one foot). Gutter and roof eaves shall be extended forward from the garage's front elevation, as approved by staff on building permit plans.

- C. Exterior materials and colors shall be comparable to those of the existing main residence, as noted on plans.
- D. All exterior areas where existing landscaping is to be removed (e.g. adjacent to the new driveway and studio entry) shall be re-landscaped. Landscape plans shall be provided with the building permit application and shall:
 - 1. Provide a new vine planting area between the existing and new driveway, approximately 1½ foot deep (or as available per ADA compliant sidewalk/driveway design as required by the City Engineer).
 - 2. Be prepared in accordance with the applicable water conservation and landscaping ordinance.
 - 3. Specify trees of minimum 15 gallon size
 - 4. Specify shrubs of minimum 5-gallon size
 - 5. Provide either lawn or a continuous ground cover with appropriate sizes and spacing to provide complete coverage within 3 years.

IV. Engineering Division requirements

Building permit plans and construction shall incorporate the following design standards, modifications and/or features, or as approved by the City Engineer.

- E. The project Soils Engineer and/or the Design Engineer shall be responsible for on-site inspection and quality control of grading operations. Pad elevation and compaction certification shall be submitted to the City prior to foundation inspection. All grading and retaining wall construction shall be done in accordance with the soils Engineer's recommendations (report by GFK Associates, Geotechnical Consultants, dated June 11, 2012), and to the satisfaction of the City Engineer.
- B. Pursuant to Chapter 12.30 of the Martinez Municipal Code, frontage improvements shall be made as per the requirements of, and to the satisfaction of, the City Engineer, including but not limited to:
 - 1. A sidewalk across the property's frontage. Where the construction of such sidewalk requires a retaining wall behind the sidewalk, such retaining wall shall have a trim cap and decorative finish, such as stucco or cultured stone to match the building's finishes, or split face masonry block, or comparable finishes as approved by staff. An encroachment agreement for construction of any retaining wall within the right of way will be required.

2. Repair and/or replacement of any damaged curb, gutter and/or determined by an inspection from the City Engineer's office.
 3. Replacement of existing, and construction of new, sidewalk and driveway to be designed to meet current ADA standards, unless otherwise approved by the City Engineer.
 4. Existing pavement along the frontage of the property, to centerline of the street, that is in a deteriorated or hazardous condition shall be repaired, replaced, or reconstructed to the satisfaction of the City Engineer. The scope and limits of required frontage improvement shall be determined during a field inspection by the City Engineer's office.
- F. Finished floor elevation of garage shall meet building division requirements (approximately 1.2' above gutter grade).
- G. The on-site finish grading shall require drainage to be directed away from all building foundations at a slope of 2 percent minimum to 20 percent maximum toward approved drainage facilities or swales. Non-paved drainage swales shall have a minimum slope of 1 percent. A minimum 4-ft. wide clear access shall be provided around each building.
- H. A City Encroachment Permit is required for any work within the City Right-of-Way. A site development permit is required for working on the property.
- I. Erosion control measures shall be implemented per plans approved by the City Engineer for all grading work not completed before October 1.
- J. The applicant's engineer shall certify the actual pad elevation for the lot in accordance with City standards.
- K. The finished grading shall be inspected and certified by the developer's engineer that it is in conformance with the approved Grading Plan and Soils Report pursuant to the provisions of Title 15 of the Martinez Municipal Code.
- L. The plans shall include the boundary treatment shown on cross sections, drawn to scale, for retaining walls, fencing and drainage.
- M. All concentrated runoff shall be collected and conveyed to an approved storm drainage system to the satisfaction of the City Engineer. Existing slopes that have no additional discharge directed onto them or are not substantially re-graded can remain as natural runoff.
- N. All new utility distribution services on-site and off-site shall be installed under ground.

- O. The developer shall keep the adjoining streets free and clean of project dirt, mud, materials and debris during the construction period as is found necessary by the City Engineer.

V. Building Permits Requirement

Building permit plans shall incorporate the following design modifications and/or features, or as approved by the Chief Building Official.

- A. All foundations and retaining walls will require structural calculations by licensed Engineer.
- B. Construction at rear elevation and/or adjacent to property lines shall be fire rated.
- C. Spiral staircase and landing shall conform to all applicable Building Code requirement.

VI. Standard Conditions

- A. Exterior materials, finishes and colors of the accessory structure shall match those of the existing residence and as indicated on the elevations.
- B. All exterior lighting shall be directed such that lights create as little off-site glare and nuisance as is feasible. All fixtures shall be glare-shielded. Energy-saving fixtures shall be used.
- C. All construction activities shall conform to the City's Noise Control Ordinance, Chapter 8.34 of the Municipal Code: Construction activities are limited to the hours of 7:00 a.m. to 7:00 p.m., Monday through Friday; and 9:00 a.m. to 5 p.m. Saturday and Sunday. The permittee shall post a sign on the site notifying all workers of these restrictions.
- D. All construction equipment shall be muffled in accordance with State Law.
- E. All fees and deposits required by City and other agencies having jurisdiction shall be paid prior to City approval of the Building Division. Prior to approval of the plans and issuance of permits, applicant shall pay all applicable fees and deposits including plan check fees, inspection, and drainage impact fees. The final amount for the above fees shall be in accordance with the fee schedule in effect of time of payment.
- F. Construction shall comply with all applicable City and State building codes and requirements including energy conservation requirements.

- G. Where required, water system facilities shall be designed to meet the requirements of the City's water service agency and the fire flow requirements of the Contra Costa County Consolidated Fire Protection District.
- H. Where required, sewer system connections shall be approved by the Sanitary District. All requirements of that District shall be met before approval of the improvement plans.
- I. Complete grading, site and improvement plans, specifications and calculations shall be submitted to and approved by the City Engineer, Community Development Director, and/or other agencies having jurisdiction for all improvements within the proposed development prior to issuance of a Building, Site, or Encroachment Permit whichever comes first.
- J. There shall be no parking of construction vehicles or equipment on the surrounding residential streets, including all workers vehicles.

VII. Validity of Permit and Approval

- A. Planning Commission approval is subject to appeal to the City Council within ten calendar days of the approval.
- B. The permits and approval shall expire in one year from the date on which they became effective (unless extended under C) unless a building permit is obtained and construction begun within the one year time period. If approval includes approval of a subdivision, the expiration time period for all concurrently approved permits or approvals shall be two years, but shall also require the recording of the Final Map or Parcel Map within that time period. The effective date of the permit and approval is March 12, 2013.
- C. The time extension of the expiration date, March 12, 2014, of a permit or approval can be considered if an application with required fee is filed at least 45 days before the original expiration date. (Otherwise a new application is required.) A public hearing will be required for all extension applications, except those involving only Design Review. Extensions are not automatically approved: Changes in conditions, City policies, surrounding neighborhood, and other factors permitted to be considered under the law, may require or permit denial.
- D. Nothing contained herein shall be construed to permit any violation of relevant ordinances and regulations of the City of Martinez, or other public agency having jurisdiction.
- E. The permittee, Gus Kramer/Bill Wood, Architect, shall defend, indemnify and hold harmless the City and its agents, officers, attorneys and employees

from any claim, action, or proceeding brought against the City or its agents, officers, attorneys or employees to attack, set aside, void, or annul the Planning Commission's decision to approve 12PLN-0010, and any environmental document approved in connection therewith. This indemnification shall include damages or fees awarded against the City, if any, cost of suit, attorneys' fees, and other costs and expenses incurred in connection with such action whether incurred by Gus Kramer/Bill Wood, Architect, the City, and/or the parties initiating or bringing such action.

- F. Gus Kramer/Bill Wood, Architect shall defend, indemnify and hold harmless the City, its agents, officers, employees and attorneys for all costs incurred in additional investigation of, or study of, or for supplementing, preparing, redrafting, revising, or amending any document (such as the Negative Declaration), if made necessary by said legal action and if Gus Kramer/Bill Wood, Architect desires to pursue securing such approvals, after initiation of such litigation, which are conditioned on the approval of such documents, in a form and under conditions approved by the City Attorney.
- G. In the event that a claim, action or proceeding described in Subsection E, above, is brought, the City shall promptly notify Gus Kramer/Bill Wood, Architect of the existence of the claim, action or proceeding, and the City will cooperate fully in the defense of such claim, action or proceeding. Nothing herein shall prohibit the City from participating in the defense of any claim, action or proceeding. In the event that Gus Kramer/Bill Wood, Architect is required to defend the City in connection with any said claim, action, or proceeding, the City shall retain the right to (i) approve the counsel to so defend the City, (ii) approve all significant decisions concerning the manner in which the defense is conducted, and (iii) approve any and all settlements, which approval shall not be unreasonably be withheld. The City shall also have the right not to participate in said defense, except that the City agrees to cooperate with Gus Kramer/Bill Wood, Architect in the defense of said claim, action or proceeding. If the City chooses to have counsel of its own to defend any claim, action or proceeding where Gus Kramer/Bill Wood, Architect has already retained counsel to defend the City in such matters, the fees and expenses of the counsel selected by the City shall be paid by the City, except that the fees and expenses of the City Attorney shall be paid by the applicant.
- H. Gus Kramer/Bill Wood, Architect shall indemnify the City for all the City's costs, fees, and damages, which the City incurs in enforcing the above indemnification provisions.
- I. The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirement, and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a

description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), has begun. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

\\mtz-city-dc\departments\Community Development\All Projects\RESIDENTIAL\W. Arlington Way, 1020 - Kramer Garage&Studio\Kramer - PC - COA.doc

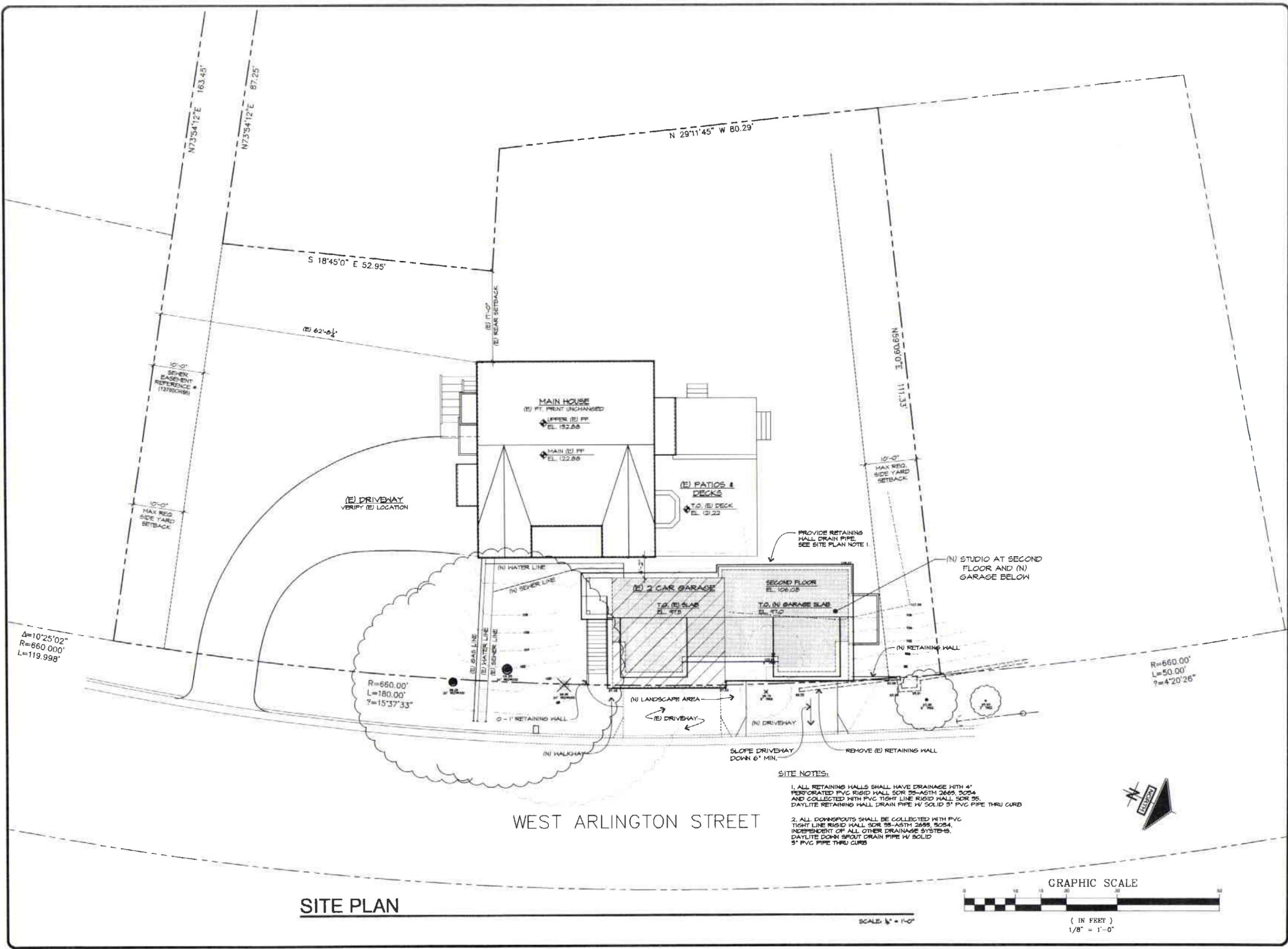
REVISIONS	DATE



KRAMER ADDITION
 1020 WEST ARLINGTON STREET
 MARTINEZ, CA 94553

WILLIAM WOOD ARCHITECTS
 301 HARTZ AVENUE, SUITE 203
 DANVILLE, CALIFORNIA 94526
 (925) 820-8233

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- SITE NOTES:**
1. ALL RETAINING WALLS SHALL HAVE DRAINAGE WITH 4" PERFORATED PVC RIGID WALL SDR 35-ASTM 2665, 3024 AND COLLECTED WITH PVC TIGHT LINE RIGID WALL SDR 35. DAYLITE RETAINING WALL DRAIN PIPE W/ SOLID 3" PVC PIPE THRU CURB
 2. ALL DOWNSPOUTS SHALL BE COLLECTED WITH PVC TIGHT LINE RIGID WALL SDR 35-ASTM 2665, 3024, INDEPENDENT OF ALL OTHER DRAINAGE SYSTEMS. DAYLITE DOWN SPOUT DRAIN PIPE W/ SOLID 3" PVC PIPE THRU CURB

REVISIONS	DATE



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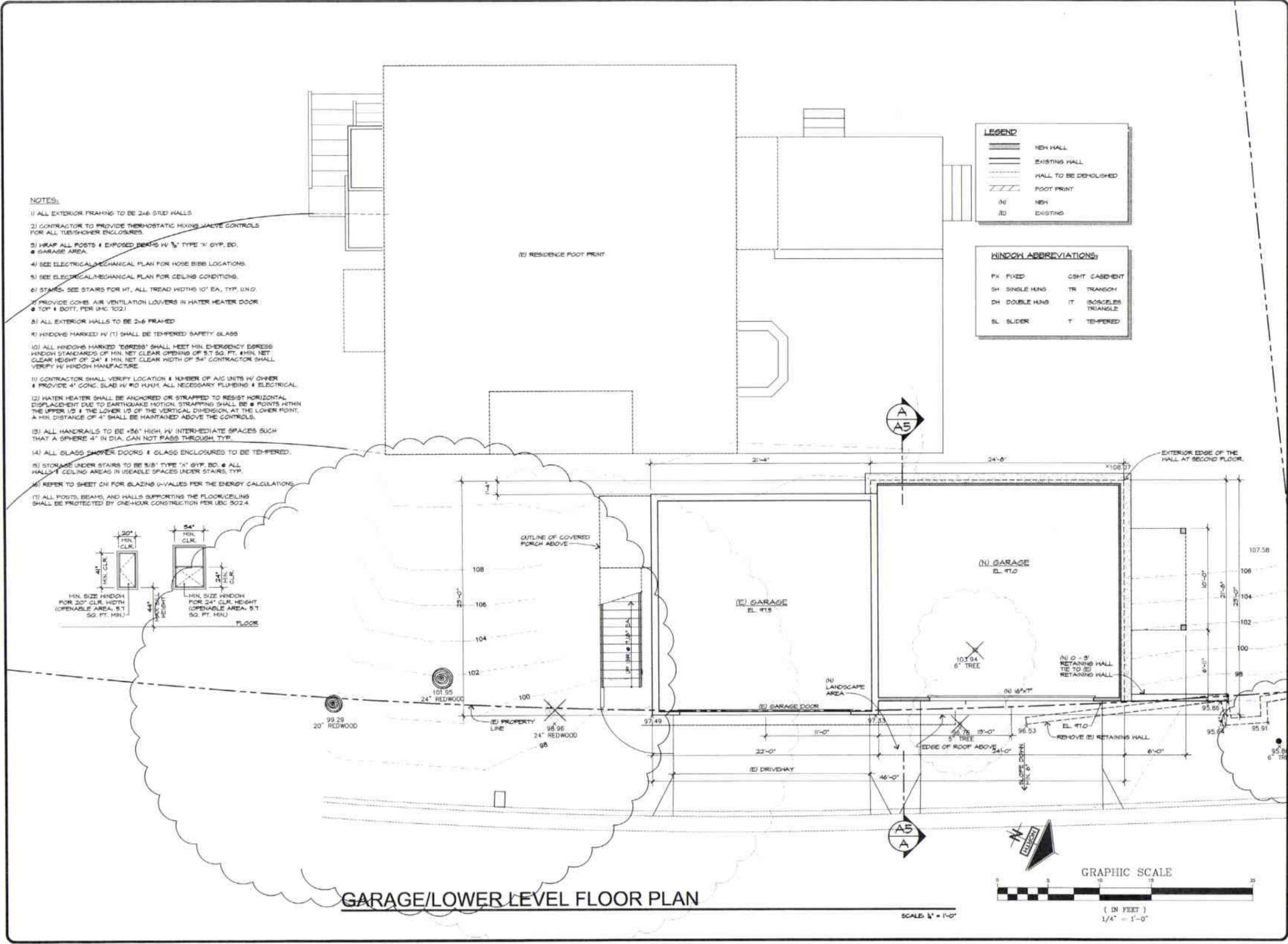
- NOTES:**
- 1) ALL EXTERIOR FRAMING TO BE 2x6 STUD WALLS.
 - 2) CONTRACTOR TO PROVIDE THERMOSTATIC MIXING VALVE CONTROLS FOR ALL TUB/SHOWER ENCLOSURES.
 - 3) WRAP ALL POSTS & EXPOSED BEAMS W/ 1/2" TYPE 'X' GYP. BD. @ GARAGE AREA.
 - 4) SEE ELECTRICAL/MECHANICAL PLAN FOR HOSE BIBB LOCATIONS.
 - 5) SEE ELECTRICAL/MECHANICAL PLAN FOR CEILING CONDITIONS.
 - 6) STAIRS: SEE STAIRS FOR HT. ALL TREAD WIDTHS 10" EA, TYP. U.N.G.
 - 7) PROVIDE COMB. AIR VENTILATION LOUVERS IN WATER HEATER DOOR. @ TOP & BOTT. PER UFG 302.1.
 - 8) ALL EXTERIOR HALLS TO BE 2x6 FRAMED.
 - 9) WINDOWS MARKED W/ (T) SHALL BE TEMPERED SAFETY GLASS.
 - 10) ALL WINDOWS MARKED 'EGRESS' SHALL MEET MIN. EMERGENCY EGRESS WINDOW STANDARDS OF MIN. NET CLEAR OPENING OF 5.7 SQ. FT. # MIN. NET CLEAR HEIGHT OF 24" & MIN. NET CLEAR WIDTH OF 34" CONTRACTOR SHALL VERIFY W/ WINDOW MANUFACTURER.
 - 11) CONTRACTOR SHALL VERIFY LOCATION & NUMBER OF A/C UNITS W/ OWNER & PROVIDE 4" CONC. SLAB W/ #10 H/HUM. ALL NECESSARY PLUMBING & ELECTRICAL.
 - 12) WATER HEATER SHALL BE ANCHORED OR STRAPPED TO RESIST HORIZONTAL DISPLACEMENT DUE TO EARTHQUAKE MOTION. STRAPPING SHALL BE @ POINTS WITHIN THE UPPER 1/3 & THE LOWER 1/3 OF THE VERTICAL DIMENSION, AT THE LOWER POINT, A MIN. DISTANCE OF 4" SHALL BE MAINTAINED ABOVE THE CONTROLS.
 - 13) ALL HANDRAILS TO BE +36" HIGH W/ INTERMEDIATE SPACES SUCH THAT A SPHERE 4" IN DIA. CAN NOT PASS THROUGH TYP.
 - 14) ALL GLASS SHOWER DOORS & GLASS ENCLOSURES TO BE TEMPERED.
 - 15) STORAGE UNDER STAIRS TO BE 5/8" TYPE 'X' GYP. BD. @ ALL HALLS & CEILING AREAS IN USEABLE SPACES UNDER STAIRS, TYP.
 - 16) REFER TO SHEET 041 FOR GLAZING U-VALUES FOR THE ENERGY CALCULATIONS.
 - 17) ALL POSTS, BEAMS, AND WALLS SUPPORTING THE FLOOR/CEILING SHALL BE PROTECTED BY ONE-HOUR CONSTRUCTION PER UFG 302.4.

LEGEND

---	NEW WALL
---	EXISTING WALL
---	WALL TO BE DEMOLISHED
---	FOOT PRINT
(N)	NEW
(E)	EXISTING

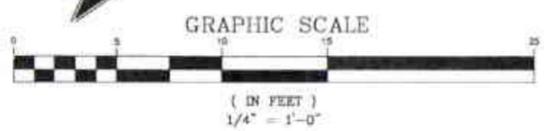
WINDOW ABBREVIATIONS:

FX	FIXED	CSHT	CASHEM
SH	SINGLE HUNG	TR	TRANSOM
DH	DOUBLE HUNG	IT	ISOSCELES TRIANGLE
SL	SLIDER	T	TEMPERED



GARAGE/LOWER LEVEL FLOOR PLAN

SCALE 1/4" = 1'-0"



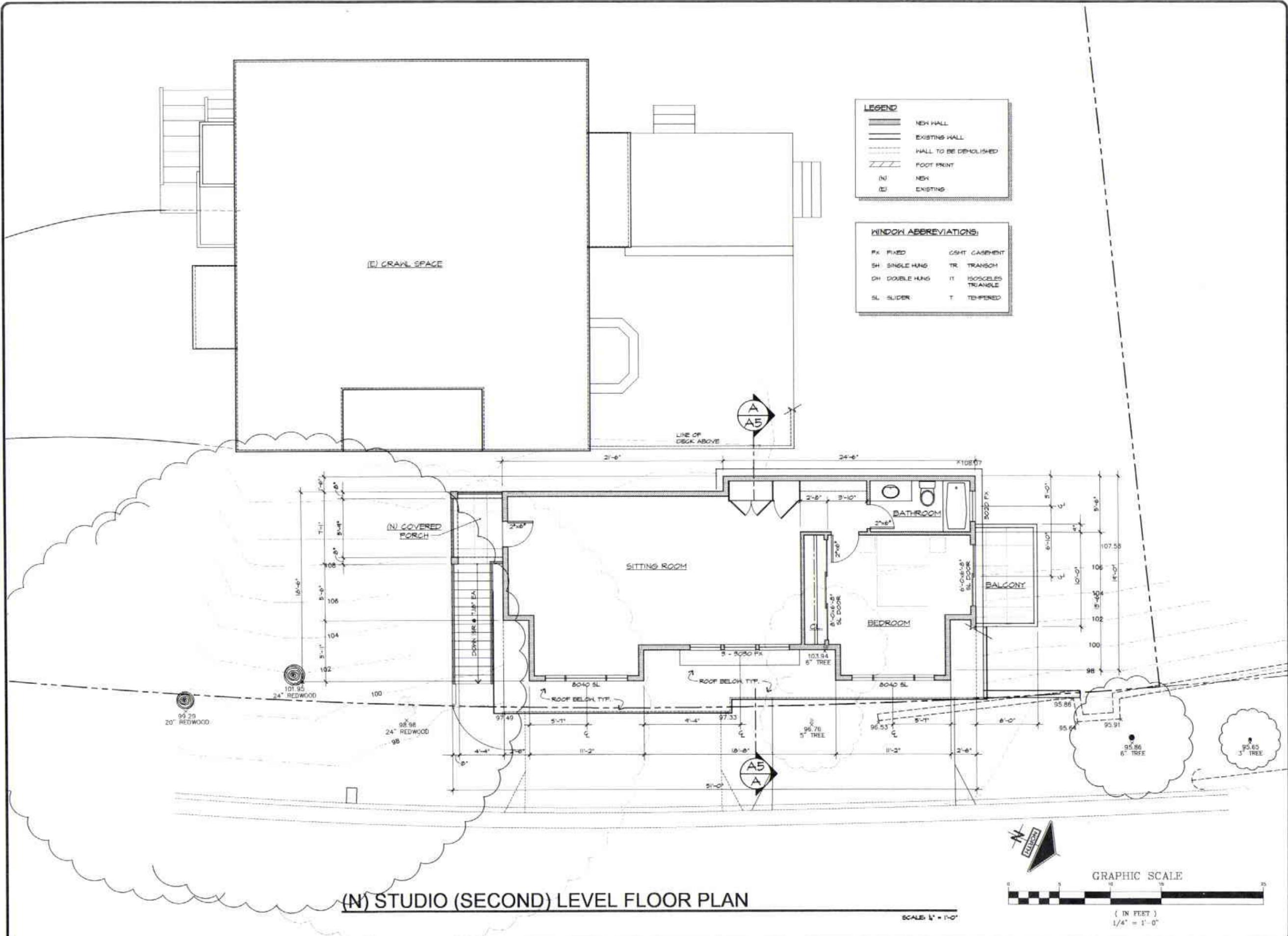
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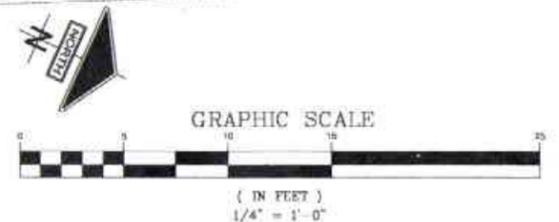
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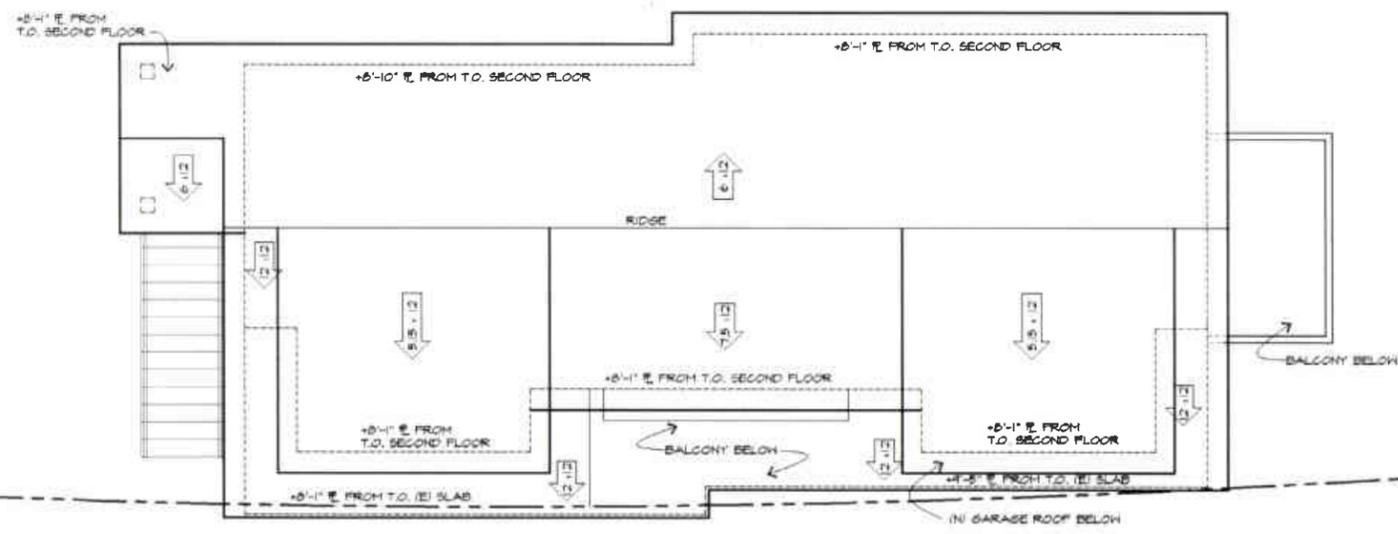
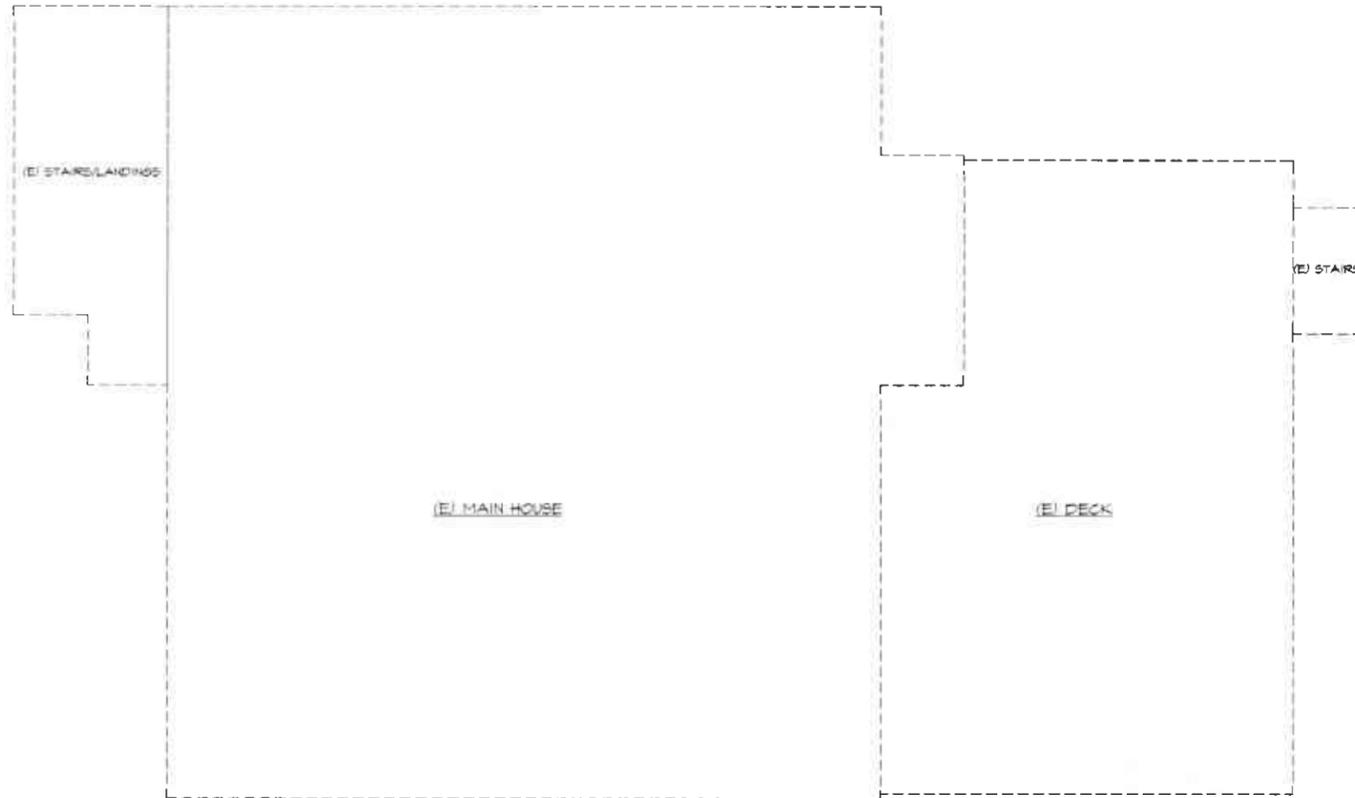
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(N) STUDIO (SECOND) LEVEL FLOOR PLAN

SCALE: 1/4" = 1'-0"

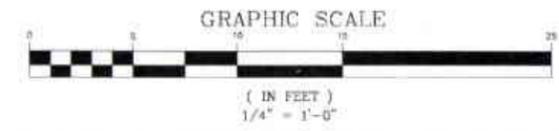




ROOF PLAN NOTES:
 1) OVERHANGS ARE 1'-0".
 2) MATCH (E) ROOF SLOPE 5:12 V.I.F.

ROOF PLAN

SCALE: 1/4" = 1'-0"



REVISIONS	DATE

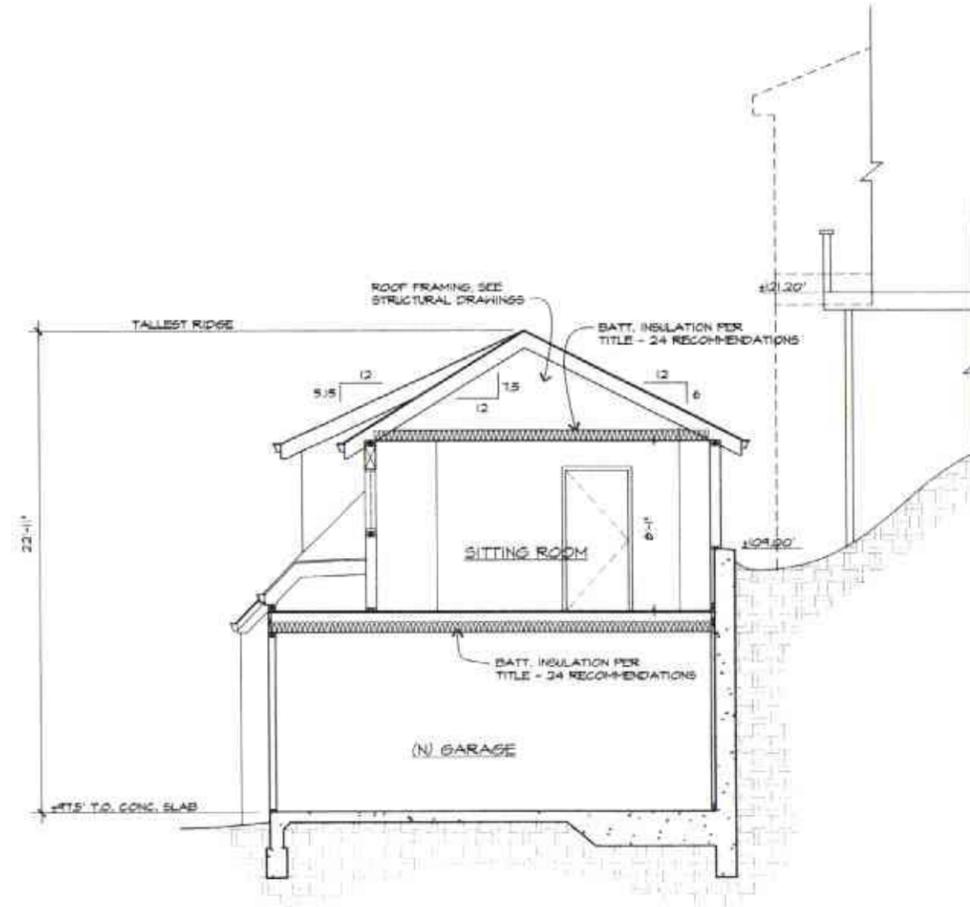


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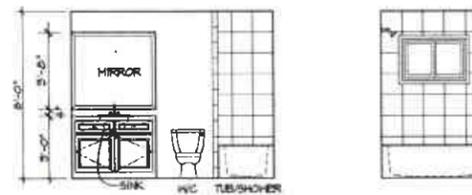
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BUILDING SECTION - A/A5

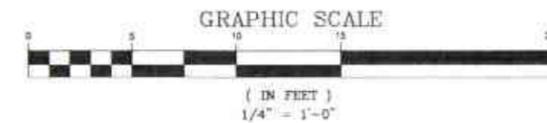
SCALE 1/4" = 1'-0"



BATH

INTERIOR ELEVATION

SCALE 1/4" = 1'-0"



REVISIONS	DATE



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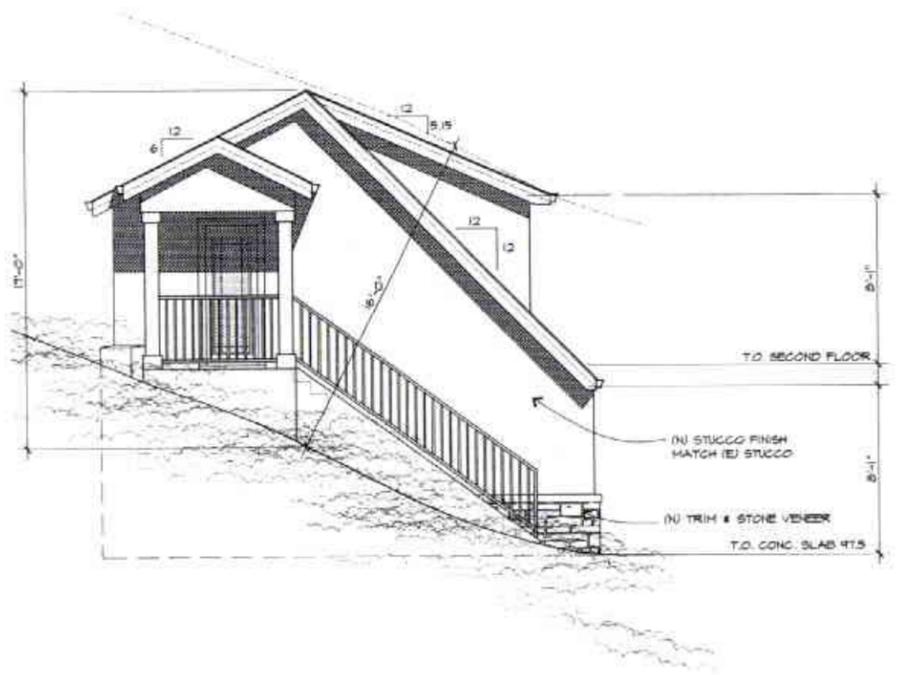


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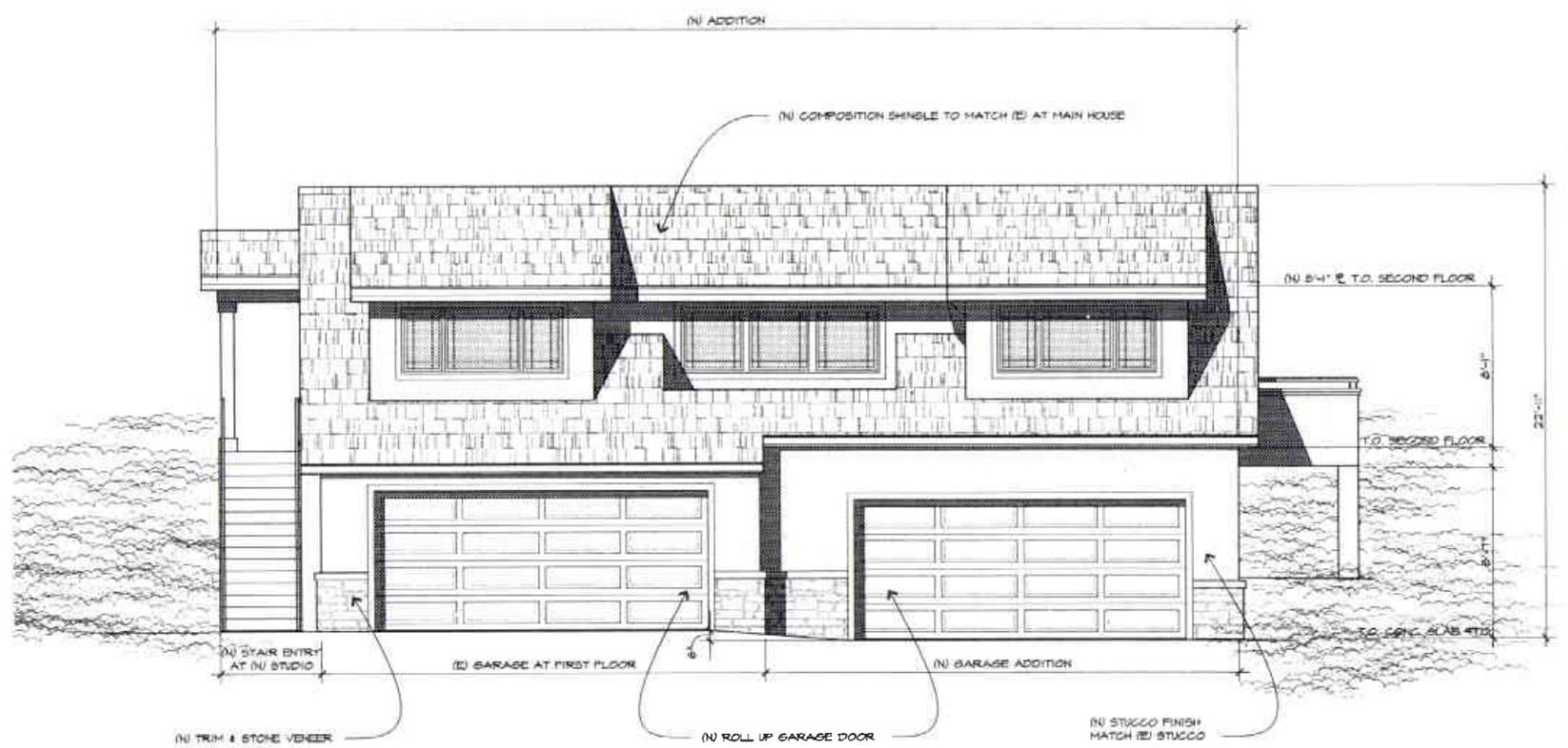
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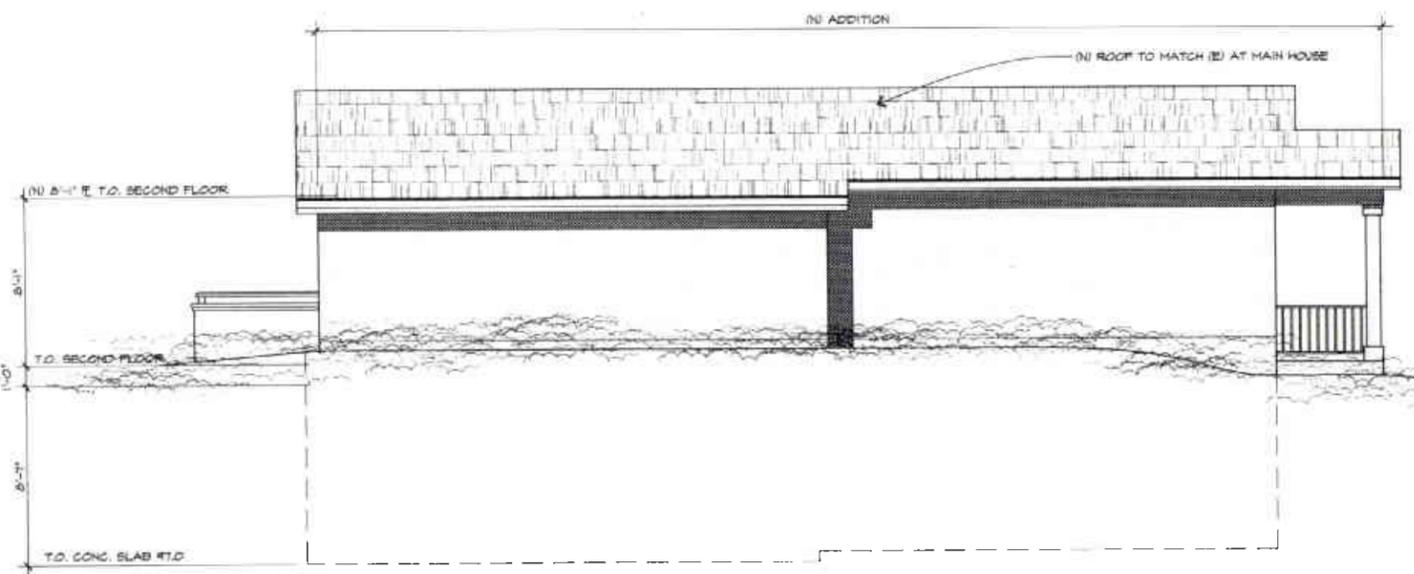
PROPOSED RIGHT ELEVATION

SCALE: 1/4" = 1'-0"



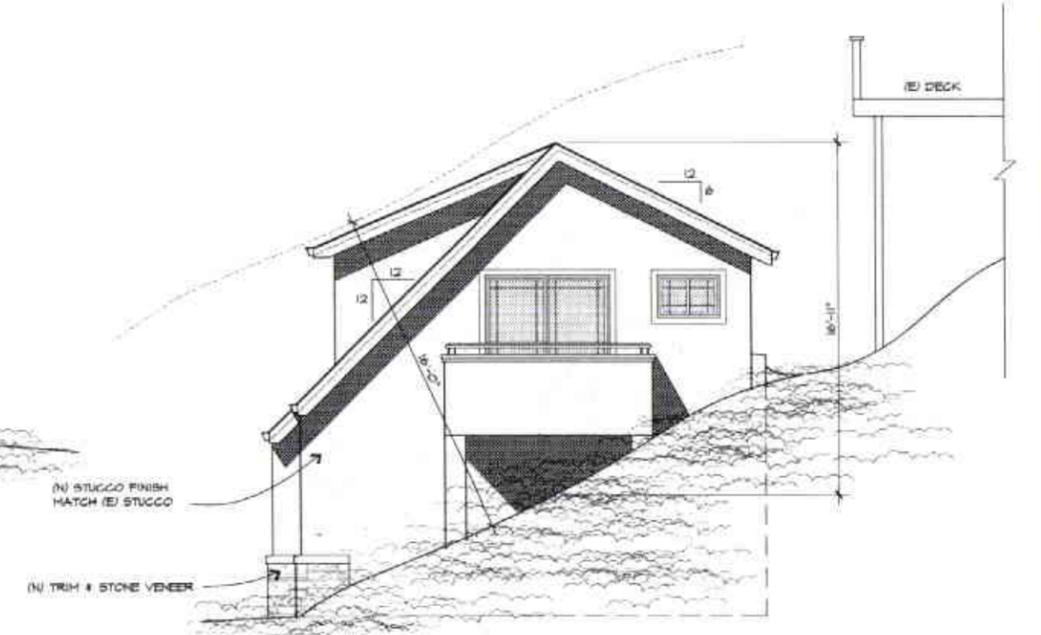
PROPOSED FRONT ELEVATION

SCALE: 1/4" = 1'-0"



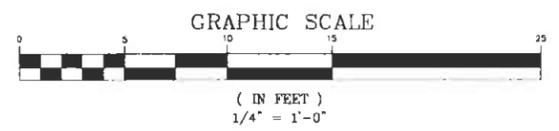
PROPOSED REAR ELEVATION

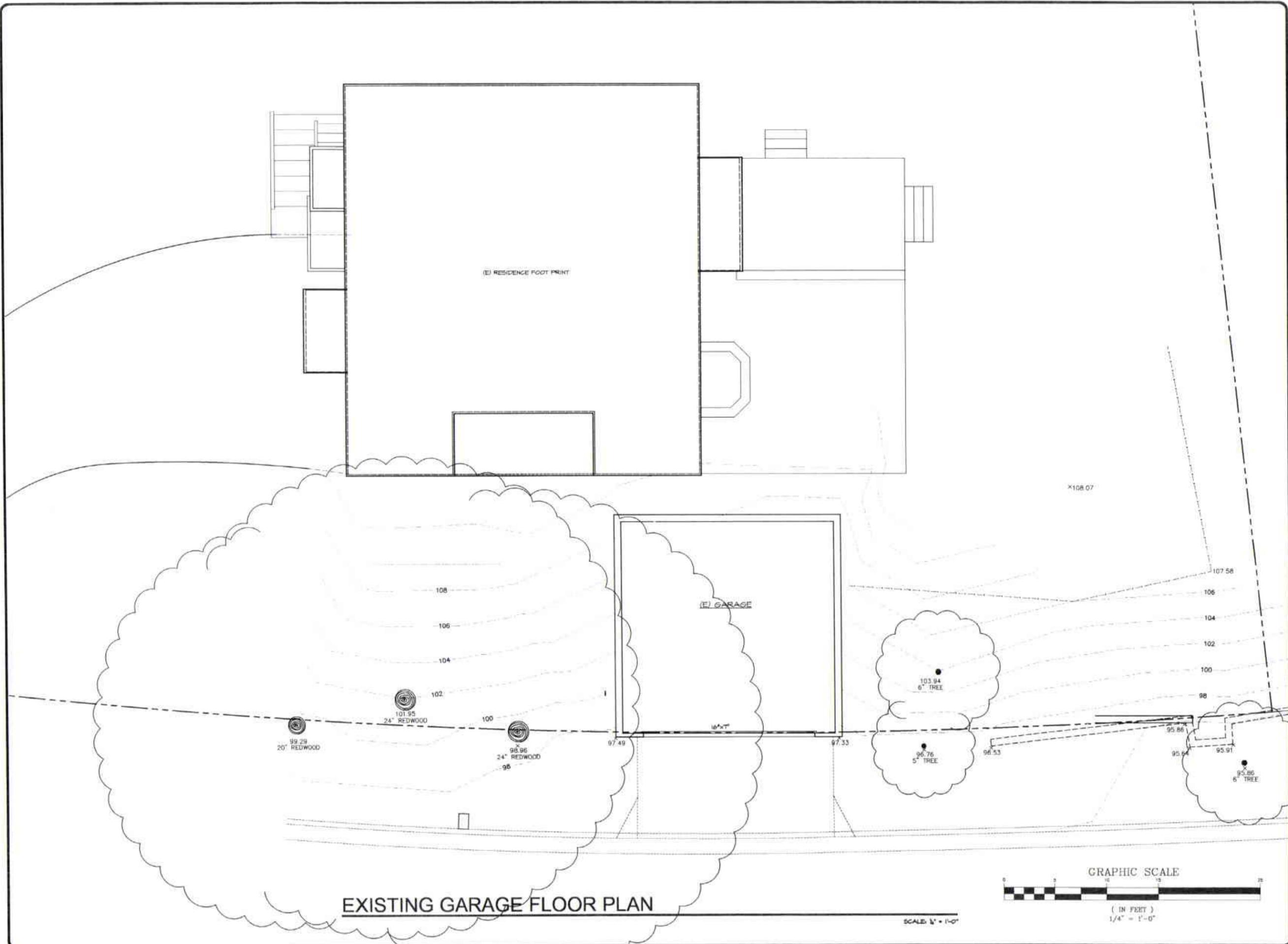
SCALE: 1/4" = 1'-0"



PROPOSED LEFT ELEVATION

SCALE: 1/4" = 1'-0"





EXISTING GARAGE FLOOR PLAN

SCALE: 1/4" = 1'-0"



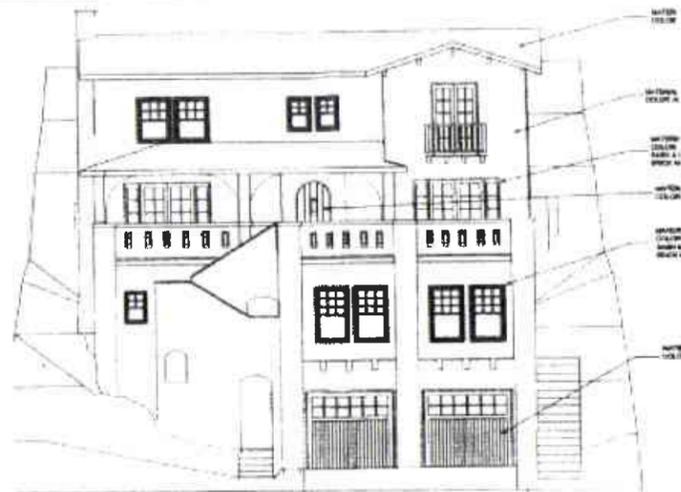
REVISIONS	DATE



KRAMER ADDITION
 1020 WEST ARLINGTON STREET
 MARTINEZ, CA 94553

WILLIAM WOOD ARCHITECTS
 301 HARTZ AVENUE, SUITE 203
 DANVILLE, CALIFORNIA 94526
 (925) 820-8233

DRAWN	MEC
CHECKED	WAW
DATE	
SCALE	AS SHOWN
JOB NO.	0236A
SHEET	
A7	
OF	SHEETS



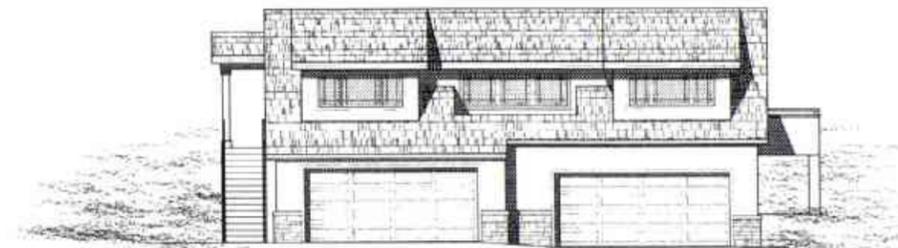
FORTENBERRY RESIDENCE - 1042 WEST ARLINGTON
FIRST SUBMITTAL JUNE 2002



KRAMER PROPOSED FRONT ELEVATION
(1ST PROPOSAL 6-23-11)



KRAMER PROPOSED FRONT ELEVATION
(2ND PROPOSAL 3-14-12)
(AS APPROVED BY THE ZONING ADMINISTRATOR
AND PLANNING COMMISSION)



KRAMER PROPOSED FRONT ELEVATION
(CURRENT PROPOSAL)

NOTE:
THIS EXHIBIT HAS BEEN PROVIDED TO
SHOW A PREVIOUSLY APPROVED DESIGN
IN THE IMMEDIATE AREA.



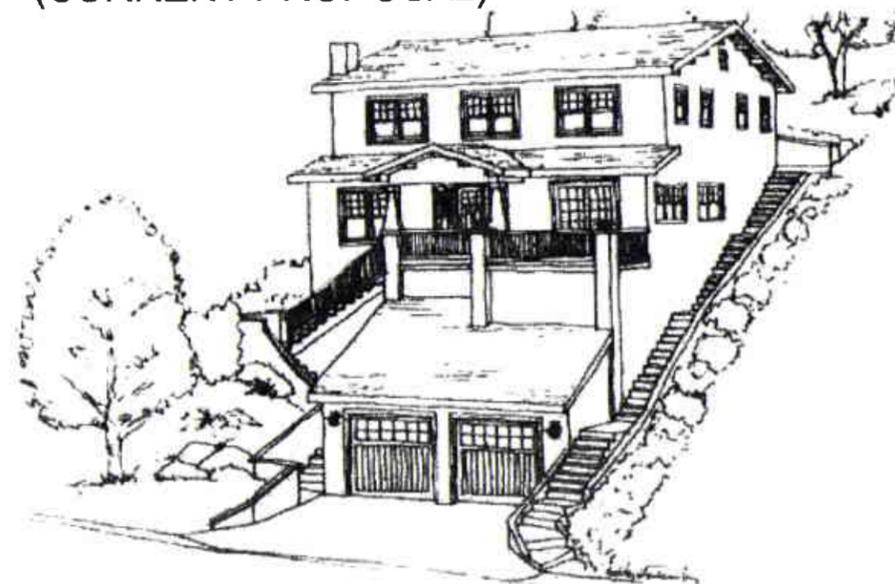
FORTENBERRY RESIDENCE - 1042 WEST ARLINGTON
THIRD SUBMITTAL JANUARY 2003



VICINITY MAP



FORTENBERRY RESIDENCE - 1042 WEST ARLINGTON
SECOND SUBMITTAL FEBRUARY 2003



FORTENBERRY RESIDENCE
"AS APPROVED" JUNE 2003

REVISIONS	DATE



KRAMER ADDITION
1020 WEST ARLINGTON STREET
MARTINEZ, CA 94563

WILLIAM WOOD ARCHITECTS
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DRAWN	MEI
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SCALE	AS SHOWN
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SHEET	
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OF	SHEETS