On July 12, 2004, the Council of the City of Palo Alto denied the Site and Design Review and Variance application for an addition to an existing single-family structure in the Open Space Zone District, making the following findings, determination and declarations:

SECTION 1. Background.

A. Cathy Cartmell of Cartmell/Tam Architects, on behalf of David Ditzel, property owner, has requested the City’s approval to allow construction of a 1,677 square-foot addition to an existing single family residence and construction of a new swimming pool and accessory facilities and landscaping, including a request for the following variances: construction of a single story addition having a 29’ 6” side yard setback, constriction of an exterior stairway and landing having a 46’ front yard setback and construction of a new garage having a 69’ front yard setback, and total impervious area of 13.5% (“The Project”).

B. The project site is a single parcel (APN 351-05-025) of approximately one acre in the Palo Alto Foothills. The site contains a single-family residence. The site is designated on the Comprehensive Plan land use map as Open Space and is located within Open Space (OS) zoning district.

The site would be used as a single-family residence totaling approximately 5,100 square feet.

Accessory to this use would be an in-ground swimming pool, approximately 16’ x 32’ in size, located at the rear of the single-family home.


D. The City Council reviewed the Project on February 10, 2004 and voted not to approve the Site and Design and Variance
applications.

E. On April 19, 2004, the City Council voted to reconsider the Project.

SECTION 2. Site and Design Review

A. The placement and lack of screening of the structures on the property are visually intrusive to the scenic corridor along Page Mill Road. Therefore, the project is inconsistent with the Palo Alto Comprehensive Plan, including the following provisions:

Policy L-69: Preserve the scenic qualities of Palo Alto’s roads and trails for motorists, cyclists, pedestrians, and equestrians; and;

Policy N-7: All development in the foothill portion of the Planning Area should be consistent with the City of Palo Alto Open Space Development Criteria, including:

"The development should not be visually intrusive from public roadways and public parklands. As much as possible, development should be sited so it is hidden from view.

B. Site and Design Approval is denied without prejudice.

SECTION 3. Variance

A. The following requested variance findings cannot be made:

1. The granting of the application shall not affect substantial compliance with the regulations or constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and in the same zoning district the subject property. Only a small portion of additional floor area requested would be to expand livable areas of the house. The bulk of the additional floor area would be to expand and existing two-car garage that is currently of a size that meets the requirements for covered parking on the site.

2. The granting of the application is consistent with the Palo Alto Comprehensive Plan and the purposes of the Zoning Ordinance. The placement and lack of screening of the structures on the property are visually intrusive to the scenic corridor and Page Mill Road.
3. The granting of the application will not be injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, and general welfare, or convenience. The placement and lack of screening of the structures on the property are visually intrusive to the scenic corridor and Page Mill Road.

B. On June 7, 2004 the City Council adopted new variance requirements and findings (Palo Alto Municipal Code, Section 18.76.030), which took affect on July 7, 2004. The variance findings in this Record of Land Use Action reflect the newly adopted requirements. These findings are based on the evidence submitted at the City Council hearing on July 12, 2004. These findings are also based on the evidence previously submitted, to the extent such evidence is relevant to the newly adopted requirements.

C. Variance Approval is denied without prejudice under Palo Alto Municipal Code Section 18. 92.070.

PASSED:
AYES:
NOES:
ABSENT:
ABSTENTIONS:

ATTEST: APPROVED:

_________________________  ____________________________
City Clerk     Director of Planning and Community Environment

APPROVED AS TO FORM:

___________________________
Senior Asst. City Attorney