

City of Burlingame

Conditional Use Permit for New Accessory Structure

<p>Item No. 8b Action Item</p>
--

Address: 1000 Vancouver Avenue

Meeting Date: April 27, 2015

Request: Application for Conditional Use Permit for construction of a new detached accessory structure for a home office use, with windows within 10-feet of property line and for two accessory structures greater than 100 SF.

Applicant and Designer: Joe Johnston, The Shedshop

APN: 026-186-030

Property Owner: Joseph Bojues

Lot Area: 17,088 SF

General Plan: Low Density Residential

Zoning: R-1

Environmental Review Status: The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15303 (e), which states that construction and location of limited numbers of new, small facilities or structures including accessory (appurtenant) structures including garages, carports, patios, swimming pools and fences is exempt from environmental review.

Project Description: The subject property is located at the south terminus of Vancouver Avenue, near Carmelita Avenue. The lot is slightly over 17,000 SF in area with an average depth of 127 feet. The property has an existing one-story house with a detached garage, both of which are located in the rear half of the lot.

The applicant is proposing to build a new detached accessory structure to be used as an office. The proposed structure will be 216 SF (12' x 18') in area and will have no water or sewer connection. It will be located within the rear 30 percent of the lot (left rear corner) located 5 feet from the left side property line, 7'-6" from the rear property line, 7 feet from the existing detached garage, and 16 feet from the main house. There is one window on the accessory structure that is within 10 feet of the rear property line, on the (left) side elevation facing the detached garage. The entry door and another window will be located on the interior side (labeled front elevation on the plans) of the accessory structure but will be located more than 10 feet from the side and rear property lines.

The applicant is requesting the following applications:

- Conditional Use Permit for an accessory structure that will be used in a home occupation (C.S. 25.60.010 (m)); and
- Conditional Use Permit for an accessory structure with a window within 10-feet of a property line (C.S. 25.60.010 (i)); and
- Conditional Use Permit for two accessory structures each having over 100 SF of area (C.S. 25.60.010(a)).

1000 Vancouver Avenue

Lot Area: 17,888 SF

Plans date stamped: April 9, 2014

	EXISTING	PROPOSED	ALLOWED/REQ'D
Lot Coverage:	2,477 SF 14.4%	2,693 SF 15.7%	6,835 SF 40%
FAR:	2,477 SF 0.14 FAR	2,693 SF 0.15 FAR	6,968 SF ¹ 0.41 FAR
Location:	Accessory structure is located in the rear 30% of the lot	No change to existing location of accessory structure	Accessory Structures in the rear 30% of the lot are exempt from setback requirements

Windows in Accessory Structure:	N/A	One window on the left side that is 9' from the side property line ²	Glazed openings within 10' of property line requires a Conditional Use Permit
Height of Accessory Structure:	N/A	11'-1"	15'-0" to highest ridge
Number of Structures & Size:	552 SF (E) garage	216 SF (N) Accessory Structure ³ Total = 768 SF	Conditional Use Permit required for two structures each having over 100 SF
Proposed Use:	Storage was last recorded use	Office use is proposed ⁴	Conditional Use Permit required

¹ (0.32 x 17,088 SF) + 1,100 SF + 400 SF = 6,968 SF (0.41 FAR)

² Conditional Use Permit is required for an accessory structure with a window within 10-feet of a property line (CS 25.60.010(i)).

³ Conditional Use Permit for two accessory structures each having over 100 SF of area (C.S. 25.60.010(a))

⁴ Conditional Use Permit is required for the proposed office use in the detached accessory structure (CS 25.60.010(m)).

Staff Comments: See attached memos from the Chief Building Official, Fire Division, Engineering Division, Parks Division, and Stormwater Division.

Findings for a Conditional Use Permit: In order to grant a Conditional Use Permit, the Planning Commission must find that the following conditions exist on the property (Code Section 25.52.020, a-c):

- (a) The proposed use, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare or convenience;
- (b) The proposed use will be located and conducted in a manner in accord with the Burlingame general plan and the purposes of this title;
- (c) The planning commission may impose such reasonable conditions or restrictions as it deems necessary to secure the purposes of this title and to assure operation of the use in a manner compatible with the aesthetics, mass, bulk and character of existing and potential uses on adjoining properties in the general vicinity.

Suggested Conditional Use Permit Findings: The proposed accessory structure will not be detrimental or injurious to property or improvements in the vicinity as it will contain accessory living space for the main residence. It is a residential use that is consistent with the land use designation in the General Plan. This is the second accessory structure over 100 SF on the property, however the existing garage size has been in the current location for over 50 years and is necessary to provide covered parking. The proposed accessory structure will be used as an office at 216 SF (12' x 18'). There will be only one window within 10 feet of the side property line in order to provide adequate natural light to the space and it is located in the center of the wall for aesthetic symmetry. There will be no plumbing fixtures installed in the new structure. The accessory structure will be finished with materials to match the existing house.

Planning Commission Action:

The Planning Commission should conduct a public hearing on the application, and consider public testimony and the analysis contained within the staff report. Action should include specific findings supporting the Planning Commission's decision, and should be affirmed by resolution of the Planning Commission. The reasons for any action should be stated clearly for the record. At the public hearing the following conditions should be considered:

1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped April 9, 2015, sheets A-0 through A-3;
2. that the accessory structure shall be used only as a home office space, as shown on the plan date stamped April 9, 2015, and shall not be used for sleeping purposes or have a bathroom, without approval of any required revisions to the Conditional Use Permit;
3. that if the accessory structure is demolished or the envelope changed at a later date, the Conditional Use Permit as well as any other exceptions to the code granted here will become void;
4. that the conditions of the Chief Building Official's March 10, 2015 memo, the City Arborist's March 17, 2015 memo, and the Stormwater Coordinator's March 10, 2015 memo shall be met;
5. that any grading or earth moving on the site shall not occur until a building permit has been issued and such site work shall be required to comply with all the regulations of the Bay Area Air Quality Management District;
6. that the project shall comply with the Construction and Demolition Debris Recycling Ordinance which requires affected demolition, new construction and alteration projects to submit a Waste Reduction plan and meet recycling requirements; any partial or full demolition of a structure, interior or exterior, shall require a demolition permit; and
7. that the project shall meet all the requirements of the California Building and Uniform Fire Codes, 2013 Edition, as amended by the City of Burlingame.

cc: Joe Johnston, The Shedshop
Joseph Bojues, property owner

Attachments:

Application to the Planning Commission
Conditional Use Permit Application
Photos of Rear Yard
Staff Comments
Planning Commission Resolution (Proposed)
Notice of Public Hearing – Mailed April 17, 2015
Aerial Photo