



## PLANNING APPLICATION

### COMMUNITY DEVELOPMENT DEPARTMENT—PLANNING DIVISION

501 PRIMROSE ROAD, 2ND FLOOR, BURLINGAME, CA 94010-3997

TEL: 650.558.7250 | FAX: 650.696.3790 | E-MAIL: [PLANNINGDEPT@BURLINGAME.ORG](mailto:PLANNINGDEPT@BURLINGAME.ORG)

PROJECT INFORMATION

1549 Burlingame Ave

PROJECT ADDRESS

02 -285-160

ASSESSOR'S PARCEL # (APN)

R-1

ZONING

PROJECT DESCRIPTION

Rebuilding first floor perimeter walls due to termite damage, which triggered design review (new construction).

APPLICANT INFORMATION

Dario Avram & Karen Goff

APPLICANT?

JAMES CHU; CHU DESIGN ASSOCIATES

ARCHITECT/DESIGNER ☒ APPLICANT?

650-345-9286x1001

PHONE

22684

BURLINGAME BUSINESS LICENSE #

E-MAIL

210 INDUSTRIAL RD, #205 SAN CARLOS, CA 94070

ADDRESS

james@chudesign.com

E-MAIL

AFFIDAVIT OF OWNERSHIP

STATEMENT GIVEN HEREIN IS TRUE AND CORRECT TO THE BEST OF MY

October 4, 2022

DATE

I AUTHORIZE THE ABOVE APPLICANT TO SUBMIT THIS APPLICATION TO THE

October 4, 2022

DATE

### AUTHORIZATION TO REPRODUCE PLANS

I HEREBY GRANT THE CITY OF BURLINGAME THE AUTHORITY TO REPRODUCE UPON REQUEST AND/OR POST PLANS SUBMITTED WITH THIS APPLICATION ON THE CITY'S WEBSITE AS PART OF THE PLANNING APPROVAL PROCESS AND WAIVE ANY CLAIMS AGAINST THE CITY ARISING OUT OF OR RELATED TO SUCH ACTION JC (INITIALS OF ARCHITECT/DESIGNER)

STAFF USE ONLY

APPLICATION TYPE

- |  |  |
|--|--|
| <input type="checkbox"/> ACCESSORY DWELLING UNIT (ADU)     | <input type="checkbox"/> VARIANCE (VAR)  |
| <input type="checkbox"/> CONDITIONAL USE PERMIT (CUP)      | <input type="checkbox"/> WIRELESS        |
| <input checked="" type="checkbox"/> DESIGN REVIEW (DSR)    | <input type="checkbox"/> FENCE EXCEPTION |
| <input type="checkbox"/> HILLSIDE AREA CONSTRUCTION PERMIT | <input type="checkbox"/> OTHER: _____    |
| <input type="checkbox"/> MINOR MODIFICATION                |  |
| <input type="checkbox"/> SPECIAL PERMIT (SP)               |  |

DATE RECEIVED:

RECEIVED

CITY OF BURLINGAME  
CDD-PLANNING DIVISION

STAFF USE ONLY

# CITY OF BURLINGAME

City Hall – 501 Primrose Road  
Burlingame, California 94010-3997



## COMMUNITY DEVELOPMENT DEPARTMENT

Building Division  
PH: (650) 558-7260  
FAX: (650) 696-7208

October 3, 2022

Avram, Dario & Goff, Karen  
1549 Burlingame Avenue  
Burlingame, CA 94010

RE: 1549 Burlingame Avenue (B22-0091). Stop Work Order Notice: Scope of work: Substantial Construction

Dear Property Owner:

The City of Burlingame Building Division received a complaint regarding work being performed at the above-referenced property. Based on a site visit by the Planning Division, it appears that the construction exceeds the original scope of work and is to be considered "Substantial Construction" per code section 25.108.200.

This letter is to inform you that plans are to be submitted for Design Review per section 25.68.020. In addition, you are hereby directed to refrain from performing or authorizing any work until all required approvals have been obtained. At your earliest convenience, please contact the Planning Division for submittal requirements.

Sincerely,

Marco Cavalieri  
Senior Building Inspector

cc: file



October 5, 2022

City of Burlingame  
Planning Commissioner  
501 Primrose Road  
Burlingame, CA 94010

Re: 1<sup>st</sup> & 2<sup>nd</sup> story remodel at  
**1549 Burlingame Ave**  
Burlingame, CA 94010

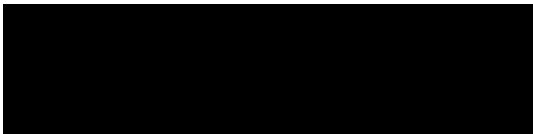
Dear Planning Commissioner:

This project came before you tonight were an originally interior remodel with structural, plumbing/mechanical/electrical upgrades with new windows and doors. Since the removal of exterior walls were under 50%, design review was not required at the time. But during demolition of exterior cement plaster, the contractor discovered major termite damages at the perimeter walls and decided to remove without noticing Planning or Building depts, therefore triggered design review process.

Please note, the proposed footprint, floor area will remain the same, and we believed the proposed will fit well this neighborhood.

Thank you for your time in reviewing the above changes.

Sincerely,





October 5, 2022

Dear Burlingame Planning Division,

During the demolition phase of 1549 Burlingame Avenue, Bay Area Custom Homes, Inc. installed shoring, removed 1<sup>st</sup> story mud sills and 1<sup>st</sup> story perimeter wall studs per the approved construction documents as required to provide for:

- Demolition and removal of entire existing slab on grade foundation
- Excavation for new perimeter / slab foundation
- Construction of new perimeter / slab foundation
- framing of new window and door openings
- installation of new structural mud sills
- installation of new structural posts and beams
- installation of new structural hold-downs
- Installation of new Simpson Strong Walls
- Installation of new exterior shear walls
- Installation of new CDX plywood on all exterior framing surfaces

However, following the above-mentioned construction progress, the unforeseen condition of remaining first story wall studs displayed substantial termite / dry rot damage. Additionally, some of the remaining first story wall studs experienced collateral damage during the above-mentioned construction progress, and this condition together with the significant termite / dry rot damage created unsafe conditions and the remaining first story wall studs were removed.

We hope to continue to move forward soon and resurrect construction progress on the renovation of this beautiful, original home in Burlingame!

[Redacted Signature]

Kevin Chamberlain | Vice President  
Bay Area Custom Homes | Residential and Commercial Construction  
611 Industrial Road, Suite #1, San Carlos, CA 94070  
O/T: 650-802-8846 | Fax: 650-802- 8847 | Cell: 650-207-5191

Darío, Karen, Gía and Stella



## City of Burlingame Variance Application

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The Planning Commission is required by law to make findings as defined by the City's Ordinance (Code Section 25.84.030). Your answers to the following questions can assist the Planning Commission in making the decision as to whether the findings can be made for your request. Refer to the end of this form for assistance with these questions.

**A. Describe the exceptional or extraordinary circumstances or conditions applicable to your property which do not apply to other properties in this area.**

The proposed irregular shaped lot with interior (2'-9" where 6'-0" is required) and exterior side setback (4'-7" where 7'-6" is required) are exceptional rare and doesn't apply to other properties in this neighborhood. The setback variances request is required due to demolition of entire perimeter walls which triggered design review as a new construction.

**B. Explain why the variance request is necessary for the preservation and enjoyment of a substantial property right and what unreasonable property loss or unnecessary hardship might result from the denial of the application.**

The setback variances requested are necessary to preserve the enjoyment of the rear yard area, due to the odd-shaped corner lot condition.

**C. Explain why the proposed use at the proposed location will not be detrimental or injurious to property or improvements in the vicinity or to public health, safety, general welfare or convenience.**

The proposed setbacks were existing condition since 1930's, therefore the proposed location will not be detrimental or injurious to other properties in the vicinity or to public health, safety, general welfare or convenience.

**D. How will the proposed project be compatible with the aesthetics, mass, bulk and character of the existing and potential uses on adjoining properties in the general vicinity?**

We felt the proposed project is compatible with some of the existing homes in this neighborhood that also have similar mass, bulk and should fit well without changing the character of this area.



## City of Burlingame Variance Application

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The Planning Commission is required by law to make findings as defined by the City's Ordinance (Code Section 25.84.030). Your answers to the following questions can assist the Planning Commission in making the decision as to whether the findings can be made for your request. Refer to the end of this form for assistance with these questions.

**A. Describe the exceptional or extraordinary circumstances or conditions applicable to your property which do not apply to other properties in this area.**

The proposed two story residence (built in 1935) with floor area exceeding the max allowable is exceptional rare but it's similar to some of the surrounding larger homes (on Occidental) in this neighborhood. The floor variances request is required due to demolition of entire perimeter walls which triggered design review as a new construction.

**B. Explain why the variance request is necessary for the preservation and enjoyment of a substantial property right and what unreasonable property loss or unnecessary hardship might result from the denial of the application.**

The floor area variances requested are necessary to preserve the enjoyment of the rear yard area, due to the odd-shaped corner lot condition. Also to keep the mass/bulk similar to original as much as possible with exterior improvements and better articulations.

**C. Explain why the proposed use at the proposed location will not be detrimental or injurious to property or improvements in the vicinity or to public health, safety, general welfare or convenience.**

The proposed floor area were pre-existing condition since 1930's, therefore the proposed location will not be detrimental or injurious to other properties in the vicinity or to public health, safety, general welfare or convenience.

**D. How will the proposed project be compatible with the aesthetics, mass, bulk and character of the existing and potential uses on adjoining properties in the general vicinity?**

We felt the proposed project is compatible with some of the existing homes (mostly on Occidental Ave) in this neighborhood that also have similar mass, bulk and should fit well without changing the character of this area.



## City of Burlingame Special Permit Application

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The Planning Commission is required by law to make findings as defined by the City's Ordinance (Chapter 25.78). Your answers to the following questions can assist the Planning Commission in making the decision as to whether the findings can be made for your request. Refer to the end of this form for assistance with these questions.

**1. Explain how the proposed modification to standards respects and preserves the character of the neighborhood in which the project is located.**

The proposed Spanish Revival style residence was built in 1935 and it is consistent with surrounding properties on the "west" side of Burlingame neighborhood with similar design and its mass/bulk. The special permit request is for the declining height envelope on the left side, which was triggered due to demolition of entire perimeter walls.

**2. Explain how the proposed modification to standards results in a project that is designed and arranged to provide adequate consideration to ensure the public health, safety, and general welfare, and to prevent adverse effects on neighboring properties.**

The proposed style residence is consistent with the building materials being use. The front entry porch, stucco, recessed window, clay roof tiles are all consistently used on this style, and it should blend well on this block without changing the character of the neighborhood.

**3. Explain how the additional development capacity is consistent with General Plan goals and policies.**

The proposed single-family residence with detached garage is consistent with City Design Review Guidelines, and it complies with all zoning requirements, except for the left-side declining height envelope that require special permit, and variances for both interior/exterior setback.

No trees will be removed.



**RESOLUTION APPROVING CATEGORICAL EXEMPTION, DESIGN REVIEW,  
VARIANCES, AND SPECIAL PERMIT**

RESOLVED, by the Planning Commission of the City of Burlingame that:

WHEREAS, a Categorical Exemption has been prepared and application has been made for Design Review for removal of more than 50 percent of exterior walls (substantial construction) of an existing two-story single-unit dwelling with a new detached garage, Side Setback Variances, FAR Variance, and Special Permit for Declining Height Envelope at 1549 Burlingame Avenue, Zoned R-1, Darío Avram and Karen Goff, property owners, APN: 028-285-160;

WHEREAS, said matters were heard by the Planning Commission of the City of Burlingame on October 24, 2022, at which time it reviewed and considered the staff report and all other written materials and testimony presented at said hearing;

NOW, THEREFORE, it is RESOLVED and DETERMINED by this Planning Commission that:

1. On the basis of the Initial Study and the documents submitted and reviewed, and comments received and addressed by this Commission, it is hereby found that there is no substantial evidence that the project set forth above will have a significant effect on the environment, and categorical exemption, per Section 15303 (a), which states that construction of a limited number of new, small facilities or structures including one single family residence or a second dwelling unit in a residential zone is exempt from environmental review. In urbanized areas, up to three single-family residences maybe constructed or converted under this exemption, is hereby approved.
2. Said Design Review, Variances, and Special Permit are approved subject to the conditions set forth in Exhibit "A" attached hereto. Findings for such Design Review, Variances, and Special Permit are set forth in the staff report, minutes, and recording of said meeting.
3. It is further directed that a certified copy of this resolution be recorded in the official records of the County of San Mateo.

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Chairperson

I, \_\_\_\_\_, Secretary of the Planning Commission of the City of Burlingame, do hereby certify that the foregoing resolution was introduced and adopted at a regular meeting of the Planning Commission held on the 24<sup>th</sup> day of October, 2022 by the following vote:

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Secretary

## **EXHIBIT "A"**

Conditions of Approval for Categorical Exemption, Design Review, Variances, and Special Permit  
**1549 Burlingame Avenue**  
Effective **November 3, 2022**  
Page 1

1. that the project shall be built as shown on the plans submitted to the Planning Division date stamped October 14, 2022, sheets A.1 through A.8, N.2, and topographic survey;
2. that any changes to building materials, exterior finishes, windows, architectural features, roof height or pitch, and amount or type of hardscape materials shall be subject to Planning Division or Planning Commission review (FYI or amendment to be determined by Planning staff);
3. that any changes to the size or envelope of the basement, first or second floors, or garage, which would include adding or enlarging a dormer(s), shall require an amendment to this permit;
4. that any recycling containers, debris boxes or dumpsters for the construction project shall be placed upon the private property, if feasible, as determined by the Community Development Director;
5. that demolition for removal of the existing structures and 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 prior to issuance of a building permit for construction of the project, the project construction plans shall be modified to include a cover sheet listing all conditions of approval adopted by the Planning Commission, or City Council on appeal; which shall remain a part of all sets of approved plans throughout the construction process. Compliance with all conditions of approval is required; the conditions of approval shall not be modified or changed without the approval of the Planning Commission, or City Council on appeal;
7. that all air ducts, plumbing vents, and flues shall be combined, where possible, to a single termination and installed on the portions of the roof not visible from the street; and that these venting details shall be included and approved in the construction plans before a Building permit is issued;
8. 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;
9. that the project shall meet all the requirements of the California Building and Uniform Fire Codes, in effect at time of building permit submittal, as amended by the City of Burlingame;

### **THE FOLLOWING CONDITIONS SHALL BE MET DURING THE BUILDING INSPECTION PROCESS PRIOR TO THE INSPECTIONS NOTED IN EACH CONDITION:**

10. that prior to scheduling the framing inspection the applicant shall provide a certification by the project architect or residential designer, or another architect or residential design professional, that demonstrates that the project falls at or below the maximum approved floor area ratio for the property;

## **EXHIBIT "A"**

Conditions of Approval for Categorical Exemption, Design Review, Variances, and Special Permit  
**1549 Burlingame Avenue**  
Effective **November 3, 2022**  
Page 2

11. that prior to scheduling the foundation inspection, a licensed surveyor shall locate the property corners, set the building footprint and certify the first-floor elevation of the new structure(s) based on the elevation at the top of the form boards per the approved plans; this survey shall be accepted by the City Engineer;
12. that prior to scheduling the framing inspection the project architect or residential designer, or another architect or residential design professional, shall provide an architectural certification that the architectural details shown in the approved design which should be evident at framing, such as window locations and bays, are built as shown on the approved plans; architectural certification documenting framing compliance with approved design shall be submitted to the Building Division before the final framing inspection shall be scheduled;
13. that prior to scheduling the roof deck inspection, a licensed surveyor shall shoot the height of the roof ridge and provide certification of that height to the Building Division; and
14. that prior to final inspection, Planning Division staff will inspect and note compliance of the architectural details (trim materials, window type, etc.) to verify that the project has been built according to the approved Planning and Building plans.



CITY OF BURLINGAME  
COMMUNITY DEVELOPMENT DEPARTMENT  
501 PRIMROSE ROAD  
BURLINGAME, CA 94010  
PH: (650) 558-7250  
[www.burlingame.org](http://www.burlingame.org)

**Project Site: 1549 Burlingame Avenue, zoned R-1**

The City of Burlingame Planning Commission announces the following virtual public hearing via Zoom **on Monday, October 24, 2022 at 7:00 P.M.** You may access the meeting online at [www.zoom.us/join](http://www.zoom.us/join) or by phone at (346) 248-7799:

Meeting ID: 850 0771 4538

Passcode: 388194

**Description:** Application for Design Review for removal of more than 50 percent of exterior walls (substantial construction) of an existing two-story, single-unit dwelling with a new detached garage, Side Setback Variances, and Special Permit for declining height envelope.

Members of the public may provide comments by email to [publiccomment@burlingame.org](mailto:publiccomment@burlingame.org) or speak at the meeting.

Mailed: October 14, 2022

*(Please refer to other side)*

## PUBLIC HEARING NOTICE

### **City of Burlingame - Public Hearing Notice**

If you have any questions about this application or would like to schedule an appointment to view a hard copy of the application and plans, please send an email to [planningdept@burlingame.org](mailto:planningdept@burlingame.org) or call (650) 558-7250.

Individuals who require special assistance or a disability-related modification or accommodation to participate in this meeting, or who have a disability and wish to request an alternative format for the agenda, meeting notice, agenda packet or other writings that may be distributed, should contact the Planning Division at [planningdept@burlingame.org](mailto:planningdept@burlingame.org) or (650) 558-7250 by 10 am on the day of the meeting.

If you challenge the subject application(s) in court, you may be limited to raising only those issues you or someone else raised at the public hearing, described in the notice or in written correspondence delivered to the city at or prior to the public hearing.

Property owners who receive this notice are responsible for informing their tenants about this notice.

Kevin Gardiner, AICP  
Community Development Director

*(Please refer to other side)*



1549 Burlingame Avenue  
300' noticing  
APN: 028-285-160

