



**PROJECT LOCATION**  
1470 Alvarado Avenue

**City of Burlingame**  
*Design Review and Variance*

**Item No. 8c**  
**Regular Action Item**

**Address:** 1470 Alvarado Avenue

**Meeting Date:** November 12, 2019

**Request:** Application for Design Review and Variance for floor area ratio for approval of unpermitted conversion of crawl space to living space and a rear deck addition (no new construction proposed).

**Applicant:** Jennifer Gilson

**Designer:** Marcus Yan

**Property Owners:** Marc & Ariane Trimuschat

**General Plan:** Low Density Residential

**APN:** 027-182-500

**Lot Area:** 5,795 SF

**Zoning:** R-1

**Environmental Review Status:** The project is Categorically Exempt from review pursuant to the California Environmental Quality Act (CEQA), per Section 15301 (e)(1) of the CEQA Guidelines, which states that additions to existing structures are exempt from environmental review, provided the addition will not result in an increase of more than 50% of the floor area of the structures before the addition.

**Project History:** The subject property was a previously approved Design Review project for a new two-story single family dwelling with Special Permits for an attached garage and declining height envelope. The demolition of the previous house resulted in the emergence of two nonconforming substandard lots, each measuring at 47.5' x 122'. The previously approved Design Review and Special Permits were approved on July 10, 2000, with a proposed floor area of 2,600 SF where 2,604 SF was the maximum allowed for this lot.

**Project Description:** Located on an interior lot, the subject property contains an existing two-story house and an attached garage with 2,600 SF (0.45 FAR) of floor area and has three bedrooms. Requested applications include approval of Design Review for a second story addition to the rear deck and a Variance for floor area ratio for conversion of crawl space to living space (bedroom). Although no new construction is proposed, the work was completed without the benefit of permits. It is unknown when this construction occurred.

The applicant is requesting approval to permit 327 SF of converted crawl space on both lower levels and a 107 SF second floor addition to the rear deck. The existing lot coverage has increased from 2,046 SF (35.3%) to 2,101 SF (36.3%), where 2,318 SF (40%) is the maximum allowed. With the addition of the rear deck, the space underneath now counts toward both lot coverage and floor area ratio. The previously approved FAR was 2,600 SF (0.45 FAR) and with this application has increased to 2,931 SF (0.51 FAR), where 2,604 SF (0.45 FAR) is the maximum (includes a 48 SF front porch exception). Therefore, an application for a Variance for floor area ratio is required because the project exceeds the maximum allowed FAR by 327 SF.

With this application, there is an increase to the number of existing bedrooms; three bedrooms were existing and four bedrooms are proposed. Two parking spaces, one of which must be covered, are required on site. The existing attached garage provides one covered parking space (11' x 20' clear interior dimensions) and one uncovered space (9' x 20') is provided in the driveway. Therefore, the project is in compliance with off-street parking requirements. All other Zoning Code requirements have been met. The applicant is requesting the following applications:

- Design Review for second story deck addition to an existing single-family dwelling (C.S. 25.57.010 (a) (2)); and
- Floor Area Ratio Variance (2,600 SF (0.45 FAR) existing; 2,931 SF (0.51 FAR) proposed; where 2,604 (0.45 FAR) SF is the maximum allowed) (C.S. 25.26.065 and C.S. 25.50.080 (d)(3)).



**1470 Alvarado Avenue****Lot Size:** 5,795 SF**Plans date stamped:** October 30, 2019

	EXISTING	PROPOSED	ALLOWED/REQ'D
<b>SETBACKS</b>			
<b>Front (1<sup>st</sup> flr):</b>	21'-0"	no change	20'-8" (block average)
<b>(2<sup>nd</sup> flr):</b>	none at front	none at front	20'-8"
<b>Side (left):</b>	4'-0"	no change	4'-0"
<b>(right):</b>	5'-0"	no change	4'-0"
<b>Rear (1<sup>st</sup> flr):</b>	33'-6"	no change	15'-0"
<b>(2<sup>nd</sup> flr):</b>	33'-6"	36'-6" (to deck)	20'-0"
<b>Garage Setback:</b>	36'-0"	no change	25'-0"
<b>Lot Coverage:</b>	2,046 SF 35.3%	2,101 SF 36.3%	2,318 SF 40%
<b>FAR:</b>	2,600 SF 0.45 FAR	2,931 SF <sup>2</sup> 0.51 FAR	2,604 SF <sup>1</sup> 0.45 FAR
<b># of bedrooms:</b>	3	4	---
<b>Off-Street Parking:</b>	1 covered (11' x 20' clear interior dimensions) + 1 uncovered (9' x 20')	no change	1 covered (10' x 20') 1 uncovered (9' x 20')
<b>Building Height:</b>	21'-1"	no change	30'-0" above average top of curb
<b>DH Envelope:</b>	encroachment on right side <sup>3</sup>	no change	C.S. 25.26.075

<sup>1</sup> (0.32 x 5,795 SF) + 750 SF = 2,604 SF (0.45 FAR)<sup>2</sup> Variance for floor area ratio required (2,931 SF, 0.51 FAR proposed where 2,604 SF, 0.45 FAR is allowed).<sup>3</sup> Encroachment on right side meets window enclosure exception.**Staff Comments:** None.

**Design Review Criteria:** The criteria for design review as established in Ordinance No. 1591 adopted by the Council on April 20, 1998 are outlined as follows:

1. Compatibility of the architectural style with that of the existing character of the neighborhood;
2. Respect for the parking and garage patterns in the neighborhood;
3. Architectural style and mass and bulk of structure;
4. Interface of the proposed structure with the structures on adjacent properties; and
5. Landscaping and its proportion to mass and bulk of structural components.

**Suggested Findings for Design Review:** That the 107 SF addition to the second story deck is compatible with the existing architectural style since it continues the same design as the existing deck; that because the addition is at the rear of the house, the mass and bulk of the structure is not impacted by the deck addition when viewed from the street; and that because there is no new construction proposed there are no new impacts created; for these reasons the project may be found to be compatible with the requirements of the City's five design review



criteria.

**Required Findings for Variance:** In order to grant a Variance the Planning Commission must find that the following conditions exist on the property (Code Section 25.54.020 a-d):

- (a) there are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to property in the same district;
- (b) the granting of the application is necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship;
- (c) the granting of the application 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; and
- (d) that the use of the property will be compatible with the aesthetics, mass, bulk and character of existing and potential uses of properties in the general vicinity.

**Suggested Variance Findings:** That the subject property slopes down from the street with a difference of approximately 20% to the rear, where existing crawl space had at least six feet or more in height and because the crawl space that was converted does not add to the mass and bulk and with the steep slope of the lot, the project may be found to be compatible with the Variance criteria.

**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 October 30, 2019, sheets A0.1 through A4.1;
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 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; that demolition or 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;
5. 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;
6. 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;

7. 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
8. 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.

Michelle Markiewicz  
Associate Planner

- c. Jennifer Gilson, applicant  
Jessica Passage, Design Everest, designer  
Marc & Ariane Trimuschat, property owners

Attachments:

Application to the Planning Commission  
Variance Application  
Planning Commission Resolution (Proposed)  
Notice of Public Hearing – Mailed November 1, 2019  
Area Map