

**From:** alan.carlton <[REDACTED]>  
**Sent:** Friday, March 3, 2023 12:17 PM  
**To:** Sean Mullin <SMullin@losgatosca.gov>  
**Subject:** Bouknight Family Endorsement

[EXTERNAL SENDER]

Dear Commissioners,

We are writing to provide our support of the appeal request that you are considering on March 8 from family Bouknight. We believe that what the Bouknights have submitted meets the spirit of the regulation PRC 4290, allowing for reasonable access and improving fire safety. There is no question that all together, their improvements will create a more fire safe area than leaving their property as a vacant lot.

We are residents here in Los Gatos and have gotten to know the Bouknights over the past few years, as our twins attend the local public school with their twins. They are a very thoughtful family and have become valuable and active members of our community. They have also been working very hard to obtain the approvals that are frequently elusive in the path to building a single-family home.

From what we can see, they have done everything the “right way”, partnering with the various groups responsible for technical code reviews and securing the appropriate approvals. We would hope that the commission would honor that work on March 8, as it’s now spanned more than 26 months. Those 26 months reflect intense and meaningful effort on their part and significant patience despite what has been an obscure and unfortunate process.

We would urge the planning commission to approve their appeal request.

Respectfully,

Alan & Paula Carlton

([REDACTED])

March 3, 2023

**VIA ELECTRONIC MAIL**

Los Gatos Planning Commission  
c/o Sean Mullin, Senior Planner  
110 E. Main St.  
Los Gatos, CA 95030

**Subject: Letter in Support of Bouknight Family's Request**

Dear Member of the Planning Commission:

I am writing in support of the request of my friends Omari and Kavita Bouknight to allow construction of their single-family home on Wood Road. I testified regarding this project in front of the Planning Commission in August 2021, and I continue to support their effort to build a home for their family in Los Gatos.

My wife and I have known the Bouknights for more than 25 years, going back to our time at Michigan State University in the 1990s. We moved to Los Gatos in 2019, shortly before the Bouknights arrived, but we all came for the same reasons: we wanted a place with great public schools, a beautiful downtown, and a diverse and welcoming community. Our oldest son went to school with the Bouknight's twin boys, first at Van Meter and then at Fisher, and we loved spending time with the entire family – including Kavita's dad, who lives with them - at the home they are renting in Los Gatos.

Although our family moved back to Michigan several months ago, we remain fond of Los Gatos, a place I know the Bouknights intend to call home (and a place where we intend to visit them!). Reviewing the extensive steps Omari and Kavita have taken to comply with PRC 4290, I am especially impressed with their efforts to reach out to the Santa Clara Fire Department and improve the fire safety of the area. The Bouknights are clearly committed to Los Gatos, and Los Gatos is lucky to have them.

For all these reasons, I write in wholehearted support of the Bouknight's request to allow construction to move forward on their multi-generational home on Wood Road.

Sincerely,

  
Adam Wright

**From:** Justin Draa <[REDACTED]>

**Sent:** Sunday, March 5, 2023 3:10 PM

**To:** Sean Mullin <SMullin@losgatosca.gov>

**Subject:** Neighbor Letter Supporting Bouknight's Appeal RE Application of PRC 4290 Permitting Construction of their Home at 144 Wood Rd.

[EXTERNAL SENDER]

Dear Los Gatos Planning Commission:

I write in full support of the Bouknight family's application, not just as a long-time Town resident with significant roots since kindergarten at Daves Avenue Elementary School in the 80's, but as the most immediately adjacent neighbor to the subject parcel.

My family purchased and moved into the home at [REDACTED] in 2017/2018, always with the knowledge and expectation that another home would likely soon be built across the road on what is now the Bouknight's land. This is because our respective parcels were part of a prior lot split (by predecessor owners) done with the very stated intent and easement planning needed for that purpose.

These past steps were known by the Town as well as Santa Clara Fire Department based on the approved certificate of compliance established back in 2014 and approved lot line adjustment established in 2016. As part of the process, there was even a Santa Clara Fire Truck turnaround easement established as part of the driveway put in place in 2017.

I first came to know the Bouknight family in May 2020 as they considered purchasing the vacant property across the street. We were supportive of their purchase in June 2020 and remain enthusiastic about their thoughtful efforts to improve our neighborhood. We have worked collaboratively since, it's been nice to get to know their family and become friends.

Having been close to this process, and observing what the Bouknights have faced for far too long, the current status is truly disappointing. Plans were submitted for approval back in January 2021, meaning they have been trying to work through this process for more than two years and counting. I first called in to support the Bouknight's project submission back in August 2021, which was *approved by this commission after hearing and vote*. They submitted for their grading permits in October of 2021 in accordance with the final conditions of approval delivered by the planning commission, meaning that they've been waiting to receive permits for almost a year and a half despite having already received planning commission approval.

From what I have gleaned, the sticking point seems to be the 'out of nowhere,' retroactive implementation and application of the arcane PRC 4290, which appears to be unreasonably impractical if not impossible to meet through a point-by-point evaluation when applied to existing conditions. Nevertheless, the Bouknights have demonstrated incredible patience, flexibility, and willingness to show that Wood Road meets the spirit and intent of PRC 4290. They have shown this save a few short segments of road grade that it meets the standard.

I further question the practical fallout of blocking the Bouknight's project. The implication seems to be that none of us who live along the road can ever upgrade our homes to be more fire safe if doing so may constitute a technical "rebuild." More importantly, and as a practical matter, Wood Road is manageable and already accessed by fire trucks and apparatuses. My family personally observed the County's operational assessment completed on November 4, 2022. The turnaround assessment was completed without issue. Moreover, I have personally witnessed multiple fire trucks manage and navigate the road without issue, turning in and out of my driveway with ease.

It seems common-sense that blocking the Bouknight's project based on retroactive application of a regulation in a manner inconsistent with other towns in this state relative to a roadway is just plain unfair and wrong. Whether it constitutes an unconstitutional taking is another question, but I cannot fathom why the Town or County would see any value in pursuing the question.

In short, I wholeheartedly support the Bouknight's appeal request and sincerely hope that the commission investigates how this whole regulation is being implemented. Not from a place of technicality and arbitrary application, but one of practicality, fairness, and simply keeping with the spirit of this Town's character of doing right by its citizens.

Respectfully,

Justin Draa

**From:** cathyiw <[REDACTED]>  
**Sent:** Monday, March 6, 2023 11:32 AM  
**To:** Sean Mullin <SMullin@losgatosca.gov>  
**Subject:** 144 Wood Rd, Bouknight appeal

[EXTERNAL SENDER]

From: Cathy Weiner, [REDACTED], Los Gatos

Re: Letter Supporting Bouknight's Appeal RE Application of PRC 4290 Permitting Construction of their Home at 144 Wood Rd.

Dear Los Gatos Planning Commission:

I am writing to extend my full support to the Bouknight application. I've lived in Los Gatos since 1983, and during that almost 40 years have been involved in multiple building permits and projects. My four grown children attended Los Gatos Schools, and I'm thrilled now to know my daughter and son-in-law, Los Gatos residents, just registered their oldest child at Daves Ave School Kindergarten. Los Gatos is indeed a special town, supported by its Town Council and all Commissions. During the years, I've attended multiple planning meetings as well as Town Council Meetings and often voiced an opinion. I'm flabbergasted and saddened that The Bouknights have not been issued a building permit.

This family has patiently and in good faith followed all the necessary steps for building a home; and yet, while other towns in the state have allowed building to continue, Los Gatos has arbitrarily and retroactively enforced PRC 4290. PRC 4290 isn't practical and has been unfairly used to block the Bouknight's application. Bouknight's have patiently waited and demonstrated Wood Road is appropriate for Fire Truck usage, along with design elements to make the home as fire safe as possible.

As a town resident, I understand that not all issues are resolved favorably to residents, but this situation has left me wondering just how in touch you are with the residents. How can you arbitrarily block this family from building a home? Have you spoken to other towns and understood their interpretation? What will the implications of this be going forward be? That hillside residents will face roadblocks when it comes to remodeling? Surely, more clarity and practicality on this issue is needed. Please show all of us, that as a Commission, decisions are equitable and appropriate, and support and assist the residents of our town; it's time to allow the Bouknights to obtain a building permit after a process that has taken much too long.

Cathy Weiner

**From:** [REDACTED] >  
**Sent:** Monday, March 6, 2023 3:14 PM  
**To:** Sean Mullin <SMullin@losgatosca.gov>  
**Subject:** In Support of Bouknight's Project

[EXTERNAL SENDER]

Dear Planning Commissioners:

Thank you for the opportunity to write on behalf of the Bouknight family in support of their appeal request of the application of two subsections of the PRC 4290 regulations.

We are relatively new residents of the Los Gatos community and are excited to be part of this town, as it provides a number of opportunities for my family personally, academically, and professionally. We are quite pleased to be able to send our children to the local public schools. As we settled into the community, we came to know the Bouknight family as our children attend school together. The Bouknight family has been warm and helpful as we've become acclimated to the area. They are excellent ambassadors and representatives of the town.

As I became more familiar with the area and real estate in the town, I took interest in the Bouknights' single-family home project. Over a significant period of time, I've developed expertise in the areas of thermal management and fire protection engineering, including high-level academic research in fire detection, suppression, and fire safety policy. While I won't claim to be an expert in all of the particulars of this regulation, it is clear that what is proposed as part of this project would improve fire safety in the area, compared to simply leaving the property as a vacant lot.

What is proposed in the Bouknights' plans includes the introduction of significant defensible space and the incorporation of a fire break landscaping plan. They have agreed to use materials and construction methods for exterior wildfire exposure as well as completing landscaping and vegetation clearance, all in alignment with PRC 4291. In addition, they will implement a private fire protection system with a wharf hydrant accessible at all times. A dedicated water tank system will be put in place with a capacity of a minimum of 20,000 gallons of water. Access will be facilitated via the construction of a fire apparatus driveway with a paved all-weather surface leading to the fire department apparatus driveway turnaround.

A practical evaluation of the Bouknights' proposal would lead to the same determination that Staff has made: this project meets the intent of providing defensible space consistent with the PRC 4290 regulations. And as such, the appeal should be upheld.

I would ask that the planning commission support this appeal.

Sincerely,

Hadi Bordbar (Dr.)

[REDACTED]

[REDACTED]

[REDACTED] Los Gatos, CA

**From:** Ben Draa <[REDACTED]>

**Sent:** Monday, March 6, 2023 7:12 PM

**To:** Sean Mullin <SMullin@losgatosca.gov>

**Subject:** Support for the Bouknight family's appeal re: application of PRC 4290 permitting construction of their future home at 144 Wood Road

[EXTERNAL SENDER]

To whom it may concern at the LG Planning Commission:

I write to express my support for the Bouknight family's appeal/application for permission to finally build a family home at their vacant lot on Wood Road. As someone who was born and raised in Los Gatos and currently owns a home at [REDACTED], I believe it is important to support new housing development within our community, and that major financial/real estate investments and related planning of our neighbors be reasonably supported.

It is evident that Wood Road is a safe and accessible street for the proposed development. Other homes along the same Road have been successfully renovated, and it seems apparent that fire trucks can and do regularly access the area without issue.

As we all know, California is currently facing a severe housing crisis, and Los Gatos is not immune to its effects. We must work collaboratively to find practical solutions to this problem. Approving new housing for those who are willing to build it is a crucial step. While I understand that there may be concerns and considerations surrounding this application, I encourage the Commission to reconsider with an open mind and a focus on finding a solution that benefits our neighbors and overall community.

In conclusion, I believe approval of the Bouknight family's application to build a home at 144 Wood Road is an obvious, positive step towards addressing the housing shortage in our community. To that end, please carefully consider their position and work collaboratively with the Bouknight family to ensure a successful, 'win-win' outcome.

Sincerely,

Ben Draa

[REDACTED]

Los Gatos, Ca, [REDACTED]

**From:** Norm Matteoni <[REDACTED]>

**Sent:** Tuesday, March 7, 2023 8:43 AM

**To:** Sean Mullin <SMullin@losgatosca.gov>

**Subject:** Planning Commission Agenda 3-9-23| Appeal of County Fire Department Decision Denying a Request for an Exception to the State Minimum Fire Safe Regulations on Property Zoned HR-5. Located at 144 Wood Road. APN 510-47-045.

[EXTERNAL SENDER]

Dear Mr. Mullin:

Please place the following before the Commission for its hearing on Wednesday:

Dear Chair and Members of the Planning Commission:

I represent an adjoining property owner immediately to the west of 144 Wood Road, David Ebrahimi. That property is APN 510-46-07. There is current litigation (Case No. 22CV408715 Santa Clara County Superior Court) between these property owners as to Mr. Ebrahimi's right of access over what is known as Old Upper Wood Road that progresses from the Bouknight driveway northward and then wraps along that property's northerly boundary to the Ebrahimi property. This is the historic upper section of Wood Road that dates to the late 1800s. The attached 1965 survey map shows the full length of Wood Road from Santa Cruz Avenue to the Ebrahimi property; and the second attachment shows the topographic survey of the Upper Wood Road through the Bouknight parcel.

It should be noted that the throat of the proposed Bouknight driveway overlaps a portion of the disputed right of way:





I recognize that the issue is compliance or exception to County Fire Department regulations for safe emergency access.

But, my client questions the consistency of the comment that there is a turnout approximately 920' from Santa Cruz Avenue, as stated in Mr. Bouknight's appeal letter, contrasted with the comment from his engineer that there is an acceptable turnout at 1925' (beyond the fire requirement of 1325') from Santa Cruz Avenue. Setting aside the distance of that turnout, there is no illustration/description of that area in the packet and how it satisfies fire requirements.

There is another alternative and that is connecting the section of Wood Road running along the southerly boundary of Bouknight through the Ebrahimi property to meet the western reach of Old Upper Wood Road. Such a route would provide complete circulation around the Bouknight property and Mr. Ebrahimi is agreeable to that solution.

Fire safety is critical to this area and when considering exemptions to the County Fire requirements, all reasonable alternatives should be addressed.

Respectfully submitted,

Norman Matteoni



NORMAN E. MATTEONI

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

CONFIDENTIALITY NOTICE: *This email may be confidential and protected by legal privilege. If you are not the intended recipient, disclosure, copying, distribution and use are prohibited; please notify us immediately and delete this copy from your system.*

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Land Surveyor's Act at the request of Charles B. Leib. in January, 1965.

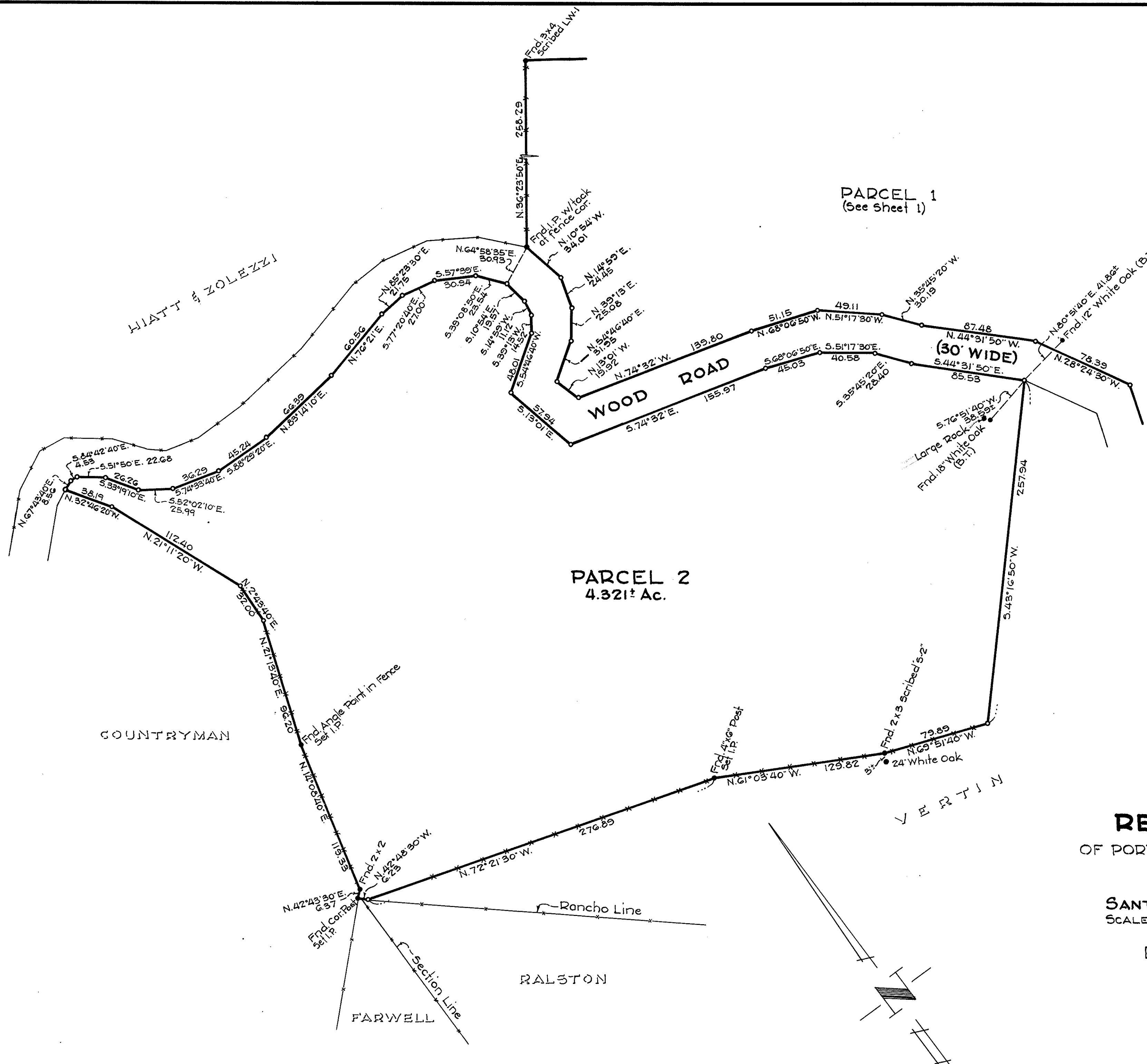
This map has been examined for conformance with the requirements of the Land Surveyors Act this 10th day of February 1965.

File No. 2793403 Fee \$7.00 Paid February 10th 1965 at 3:56 P.M.  
 Filed for record this 10th day of February 1965 at 3:56 P.M.  
 in Book 196 of Maps, at pages 52453, at the request of  
 Mark Thomas & Co. Inc.

The bearing (S.53°21'20"E, on sheet 1) in the southeasterly corner of 4.35± Ac. parcel as shown on the Record of Survey recorded in Book 29 of Maps at page 52, was used as the basis of bearings shown upon this map.

All distances and dimensions are shown in feet and decimals thereof.

- MARK THOMAS & CO., INC.  
Civil Engineers & Surveyors  
San Jose California



**RECORD OF SURVEY**  
 OF PORTIONS OF RANCHO RINCONADA  
 DE LOS GATOS  
 TOWN OF LOS GATOS  
 SANTA CLARA COUNTY-CALIFORNIA  
 SCALE: 1" = 50'  
 JANUARY, 1965  
 FOR  
 ESTATE OF IRMA L. FARWELL

MARK THOMAS & Co., Inc.  
 Civil Engineers & Surveyors  
 San Jose California

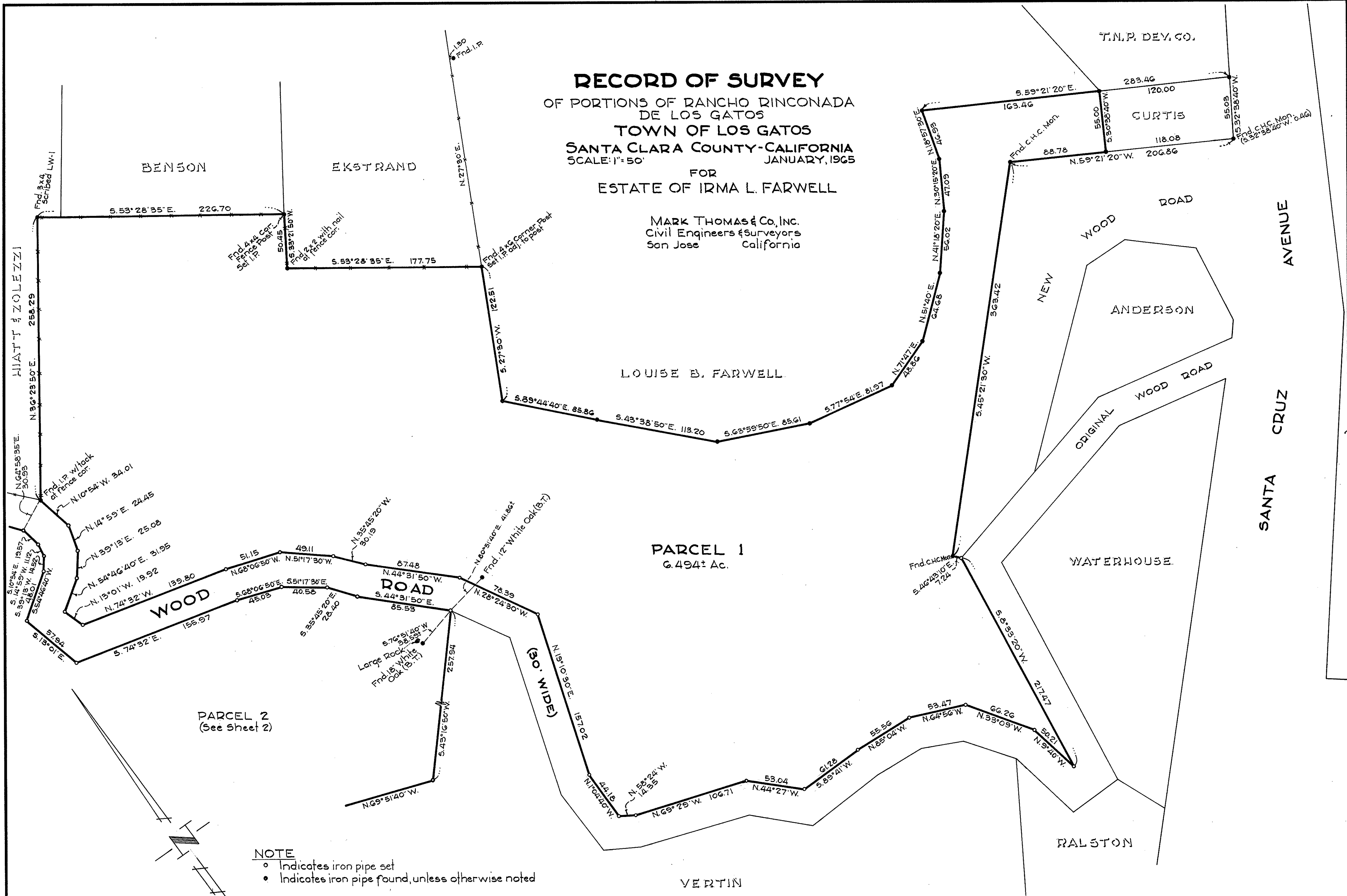
LOUISE B. FARWELL

**PARCEL 1**  
 6.494± Ac.

**PARCEL 2**  
 (See Sheet 2)

**NOTE**

- Indicates iron pipe set
- Indicates iron pipe found, unless otherwise noted

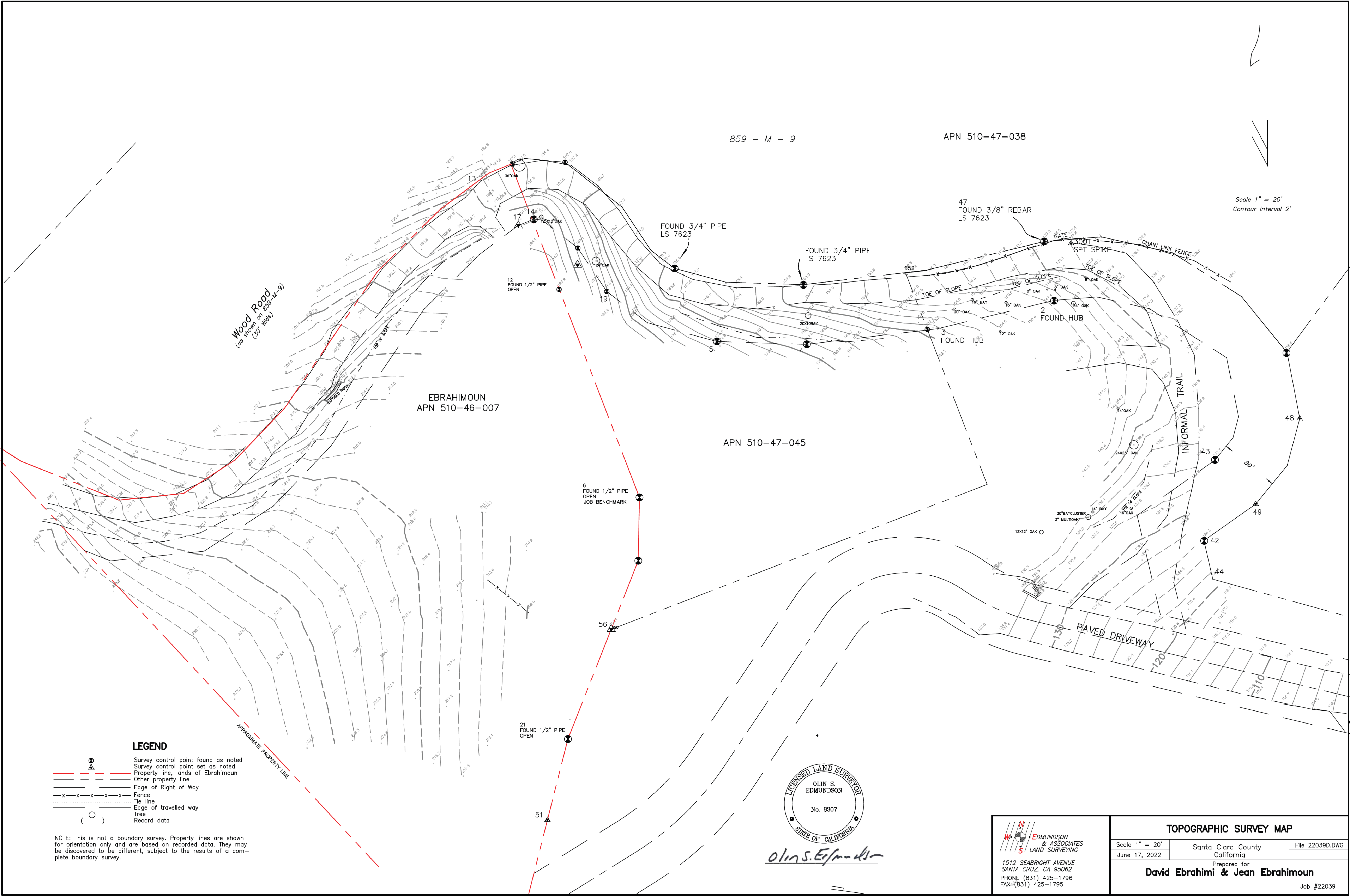


Rec'd No. 2793403 Book 190 page 52 & 53 Rev. 2/10/65

Job No. 64216

SHEET 2 OF 2 SHEETS





**LEGEND**

- Survey control point found as noted
- Survey control point set as noted
- Property line, lands of Ebrahimoun
- Other property line
- Edge of Right of Way
- Fence
- Tie line
- Edge of travelled way
- Tree
- Record data

NOTE: This is not a boundary survey. Property lines are shown for orientation only and are based on recorded data. They may be discovered to be different, subject to the results of a complete boundary survey.



*Olin S. Edmundson*

**EDMUNDSON & ASSOCIATES**  
LAND SURVEYING  
1512 SEABRIGHT AVENUE  
SANTA CRUZ, CA 95062  
PHONE (831) 425-1796  
FAX (831) 425-1795

**TOPOGRAPHIC SURVEY MAP**

Scale 1" = 20'	Santa Clara County California	File 22039D.DWG
June 17, 2022	Prepared for <b>David Ebrahimi &amp; Jean Ebrahimoun</b>	Job #22039

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