Property Owners' Response to Appeal: 100 Jamie Court, Minor Residential Application MR-26-007

Oct 5, 2026 · @Jaimin K Desai

To: Town of Los Gatos Planning Commission, c/o Suray Nathan, Assistant Planner

From: Jaimin and Khushbu Desai, owners, 100 Jamie Court

Re: Appeal of the Director's approval of MR-26-007

Dear Commissioners and Mr. Nathan,

Thank you for the opportunity to respond. We value our rear neighbors and have taken their concerns seriously throughout the review. Since we spoke with them in June 2026, the design has been refined through the Town's design review, including the Consulting Architect's recommendations: the roof was lowered about 4 feet, the balcony railing was replaced with solid walls, and a planted privacy screen was added along our shared fence.

Like our neighbors, we want a mutually agreeable plan. To that end, we are taking two further steps in response to the appeal:

1. **Remove the rear balcony window.** As the appeal's Solution 4 proposes, the opening in the balcony's rear wall facing the appellants' home will be eliminated, and that wall will be fully solid. The balcony's only opening will then face east, over our own side yard and away from their home.
2. **Build a taller fence with lattice in place of the bamboo, if the Town approves it.** The appeal's Solution 3 suggests a fence with lattice about 10 ft tall along the shared property line. We propose a fence with lattice up to about 10 ft along that line, in place of the 21 bamboo plants there. If the Town approves that height, we will build it; if not, the planted screen described in Section 4 remains.

We also explored moving the primary bedroom window to the east wall, facing our own yard, and that was our first choice. However, the roofline on that side of the bedroom makes it physically impossible to relocate a window of this size there. The screening along our shared fence addresses that window instead, as described in Section 4.

We are revising the plans to show these changes and the screening specification in Section 4, and will submit the revised sheets to the Town shortly.

EXHIBIT 11

Compliance with Town standards and guidance

The project complies with the applicable Town Code standards, is consistent with the Residential Design Guidelines, and includes each study the Town's review process calls for. Following that review, the Community Development Director issued a Notice of Pending Approval on September 15, 2026.

Standard or requirement	How the project complies	Where shown
R 1:8 height limit (30 ft)	22′ 5″, measured from the most restrictive grade as the Town Code requires; 30 ft height line shown on all elevations and sections	A11, A12, A13
R 1:8 setbacks (front 25 ft, sides 8 ft, street side 15 ft, rear 20 ft)	All met; required setbacks drawn on the site plans; second floor 30′ 4″ and balcony 30′ 5″ from the rear line	A5.2, A8.2, A12.7
ADU	Created within the existing first floor; processed under a separate ministerial permit, as ADU law provides	All sheets, A7.2
Consulting Architect recommendations	Plate heights lowered to 9 ft (ridge lowered about 4 ft), window trim, belly band, balcony railing replaced with solid walls, and beam added, as recommended	A11, A12
Residential Design Guidelines 2.3.1 and 2.3.6	Second story designed to blend and placed to limit impacts on neighbors (Section 2)	A12.1, A12.6
Residential Design Guidelines 2.5.2 and 3.11 (privacy)	Sight-line section prepared per these guidelines; solid balcony walls; frosted rear bathroom window; privacy screening matrix	A12.7, A12.9

Standard or requirement	How the project complies	Where shown
Shadow study	Prepared to the Town standard: June 21 and December 21 at 9 am, noon and 3 pm, with adjacent structures	A12.8
Streetscape	Prepared to the Town's submittal standard, with heights and number of stories of neighboring homes	A12.1
Story poles	Installed and certified by a licensed surveyor	Submitted Sept 11, 2026

Corrections to the record

Several measurements in the appeal differ from the submitted plans. For accuracy:

The appeal states	The plans show	Where shown
A "3650 square foot (indoor living space)" home	2,776 sf of living area in the house; the 880 sf ADU is a separate unit under a separate ministerial permit	A0, A7.2
"The 10-ft planned setback of the balcony"	30′-5″ from the shared property line, 10′ 5″ beyond the required 20 ft rear setback	A7, A12.7
"The current 10-ft setback of the 2nd floor"	The second floor is set back 30′-4″ from the shared property line, more than 10 ft beyond the required 20-ft rear setback	A8.2, A12.7
A "limited balcony/bedroom setback"	Balcony at 30′-5″; rear bedrooms at 30′-4″	A8.2, A12.7
Views through the balcony opening's "5 ft sill"	The opening will be removed; the rear balcony wall will be fully solid	Revised A12, A12.7

Our response to each point in the appeal follows.

1. Proposal that we purchase another home

The appeal's first proposed solution is that we search, "over the course of months," for a larger home in the neighborhood. Whether to improve a home or move is the owner's decision; the question before the Commission is whether this project meets the Town's zoning standards and Residential Design Guidelines. 100 Jamie Court is our long-term home, and the project, including the ground-floor ADU for family members, is designed for that. We ask that it be evaluated, as any application would be, against those standards.

2. Mass and scale

The appeal describes a 3,650 sf two-story home among 2,400 sf one-story homes.

- **Floor area.** The 3,650 sf figure includes an 880 sf ADU, created within the existing first floor and processed under a separate ministerial permit. The house itself is 2,776 sf of living area, and the first-floor footprint grows by 62 sf.
- **Design refinements during review.** Following the Consulting Architect's recommendations, we lowered the first-to-second-floor height and the second-floor plate to 9 ft each. This brought the ridge down from about 26′-2″ to 22′-0″ (22′-5″ measured from the most restrictive grade), well under the 30-ft limit. We also added window trim and a belly band, replaced the balcony railing with solid walls, and added the recommended beam.
- **Placement of the second floor.** The second floor does not cover the full first floor. Its rear wall is set back 30′-4″ from the shared property line, more than 10 ft beyond the required 20-ft rear setback, and the balcony is set back 30′-5″.
- **Context.** The streetscape (Figure 1) shows two-story homes at 102 and 106 Gemini Court at 25′-5″ and 25′-0″, both taller than our proposed 22′-5″. The appeal notes that nearby two-story homes have deeper setbacks; this project meets every R-1:8 setback, its second floor is set back 30′-4″ from the rear property line (more than 10 ft beyond the 20 ft required), and it is lower than those homes.
- **Story poles** certified by a licensed surveyor have been in place since September, so the actual height and outline can be seen on site.

Together, these changes respond to Residential Design Guidelines 2.3.1 and 2.3.6, which ask that a second story in a mostly one-story area be designed to blend with its neighbors and placed to limit impacts on them.

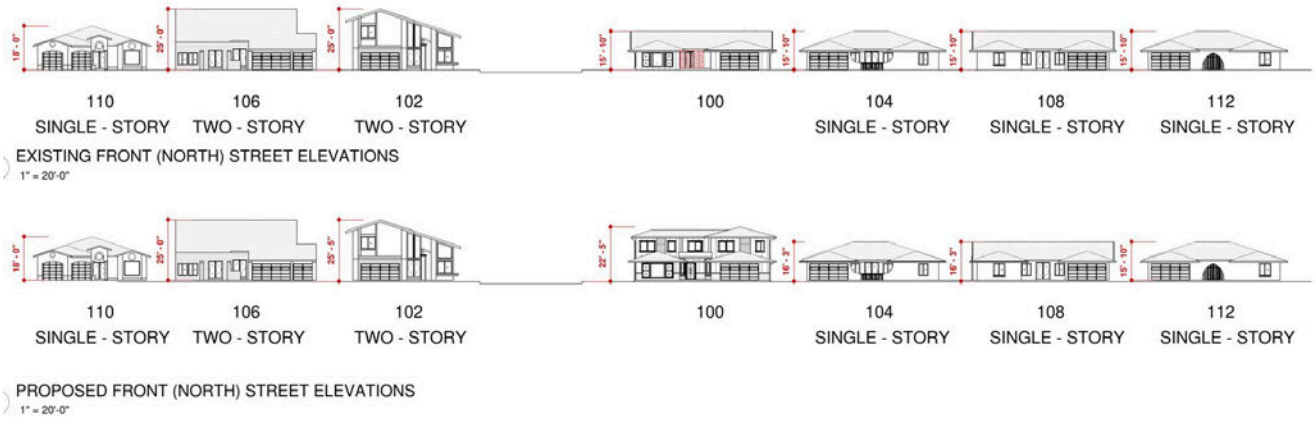


Figure 1. Sheet A12.1, existing (top) and proposed (bottom) streetscape.

3. Light and sky view

The appeal states the addition would reduce light to the yard and four rooms of the appellants' home: the kitchen, office, family room and primary bedroom.

- **Orientation.** The appellants' home is directly south of ours, and our rear elevation faces south toward it. The sun rises in the east and sets in the west, but in Los Gatos it arcs through the southern sky, and at midday it is always due south. A building therefore casts its shadow to the north for most of the day, and most strongly in winter, when the sun is lowest. Shadows from our addition fall across our own lot and toward Jamie Court, away from their home and yard.
- **The rooms named in the appeal.** Because their home is south of ours, these rooms face north, toward our property. Their home's direct sunlight comes from the south, on the opposite side from our addition, and is not affected by it.
- **Shadow study.** Sheet A12.8 follows the Town's standard: June 21 and December 21, at 9 am, noon and 3 pm, with adjacent structures shown. It shows the addition's shadow does not reach the appellants' property, including at the low winter sun of December 21. The appeal's concern about natural light deprivation under the Residential Design Guidelines is therefore not borne out: the addition casts no shadow on their home or yard (Figures 2 and 3).
- **Sky view.** The appeal places their home about 20 ft from the shared property line, and our second floor is set back 30′-4″ from it, so the two are about 50 ft apart: more than the 40 ft of separation the R-1:8 rear setbacks are designed to provide between neighboring homes. The addition is 22′-5″ tall, well under the 30-ft limit, and its hipped roof slopes away from the shared property line.

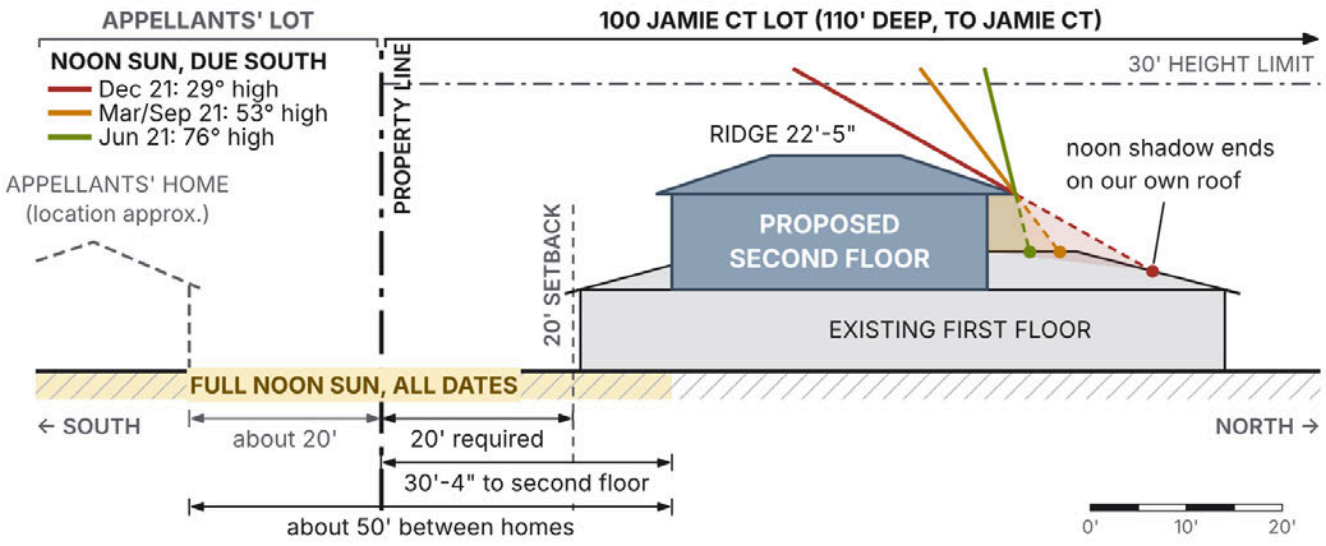


Figure 2. Section through both lots, looking west, to scale. At noon the sun is always due south, so the addition's shadow falls north. On every date, including December 21 when the sun is lowest, that shadow ends on our own first-floor roof. Everything south of the second floor, including our rear yard and the appellants' lot, is in full sun at noon. Dimensions from Sheets A8.2, A11 and A12.7; first-floor roof simplified; location of the appellants' home approximate.

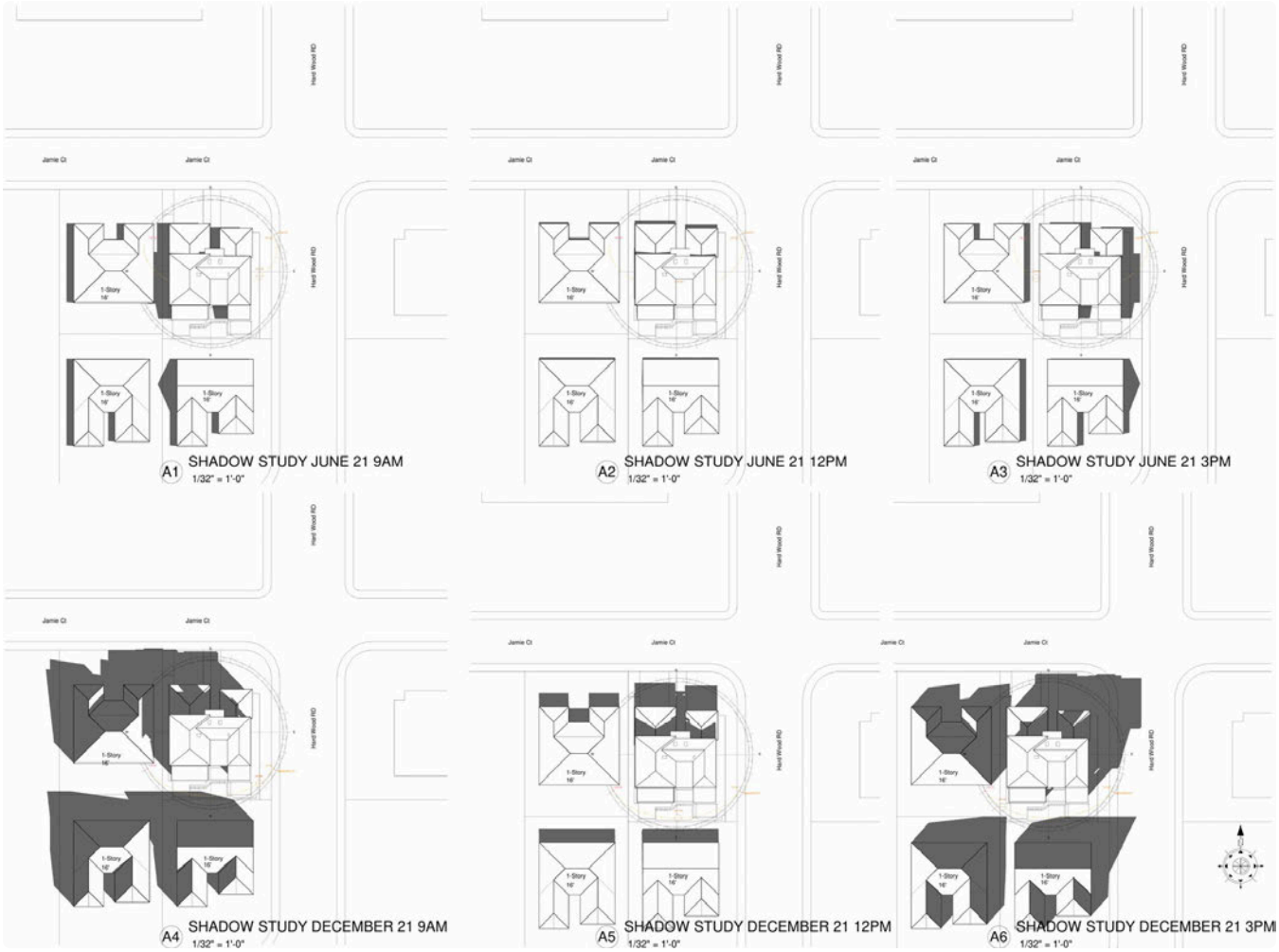


Figure 3. Sheet A12.8 shadow study, June 21 (top) and December 21 (bottom) at 9 am, noon and 3 pm. North is up; the appellants' lot is directly south of ours.

4. Privacy

The appeal is concerned about views from the balcony opening and bedroom windows toward the family room, patio, outdoor dining area and hot-tub path of the appellants' home.

Balcony. As described above, and as the appeal's Solution 4 proposes, we will remove the rear balcony window. The wall facing the appellants' home will be fully solid, with no window, glazing or opening of any kind. The appeal's sight-line diagram, and the Residential Design Guidelines 3.11.2 illustration it cites, both depend on a view through that opening; with the opening removed, that view no longer exists. The balcony's only remaining opening faces east, over our own side yard; Solution 4 notes that opening and asks only that the south-facing one be removed. See Figures 4 and 5.

Windows. The rear bedroom windows, including the primary bedroom window cited in the appeal, are set back 30′-4″ from the shared property line, about 50 ft from the appellants' home and more than the separation the R-1:8 rear setbacks provide. Screening runs along the full south fence between those windows and the appellants' yard. Using the appeal's own figure of about 20 ft from their home to the shared property line, a line of sight from standing eye level in those bedrooms down to their patio, outdoor dining area or hot-tub path passes below the top of that screening, whether the taller fence proposed above or the 12-ft planted screen, so the screening blocks those views from the day it is installed.

The appeal's other window and setback suggestions.

- **Solution 2** asks that window areas shift from the south and west toward the north and east. Facing the appellants' home, the setback and screening described above meet its privacy goal.
- **Solution 3** asks that the second floor's "current 10-ft setback" be increased. The second floor is already set back 30′-4″ from the shared property line, more than 10 ft beyond the required 20 ft. Its taller fence is the one we propose above.
- **Solution 4** asks that the south bedroom windows move to the east wall and that any remaining south windows be clerestory, "to provide light without overlook." As noted above, the roofline does not allow the primary bedroom window to move to the east wall. The same goal is met another way: the rear bathroom window is frosted, and the screening blocks the bedroom window's view down into their yard.

Taller fence. As proposed above, if the Town approves a fence with lattice up to about 10 ft along the south property line, as the appeal's Solution 3 suggests, we will build it in place of the 21 bamboo plants along that line. The 5 plants along the west fence would remain. If the Town does not approve that height, the planted screen described below remains as shown on the plans.

Planted screen. The plans include 26 Bambusa textilis 'Gracilis', a clumping, non-running bamboo: 21 along the full south fence facing the appellants' yard and 5 along the west fence (Figure 6). The specification:

- 15-gallon plants, about 12 ft tall at planting
- each row set in a continuous HDPE root barrier, 60-mil thick and 30 inches deep, fully on our side of the property line, so the roots stay in our yard
- drip irrigation
- maintained at a height of no more than 14 ft, so it screens the rear yard without growing tall enough to affect the neighbors' sky view, with any plant that does not survive replaced within one planting season

The appeal raises three concerns about the bamboo: that it could grow to 30 ft, that plants could die, and that its upkeep would depend on neighbor complaints. If the taller fence is approved, it replaces the bamboo along the shared property line, and these concerns no longer apply there. Otherwise, the specification above answers each: a maintained height limit well below 30 ft, replacement of any plant that does not survive, and a standing commitment by us as owners to maintain it. Either way, the screening supplements, rather than replaces, the permanent architectural measures: the solid balcony walls, the setbacks and the frosted bathroom window.

These measures meet Residential Design Guidelines 2.5.2 and 3.11, as documented in the sight-line section on Sheet A12.7.

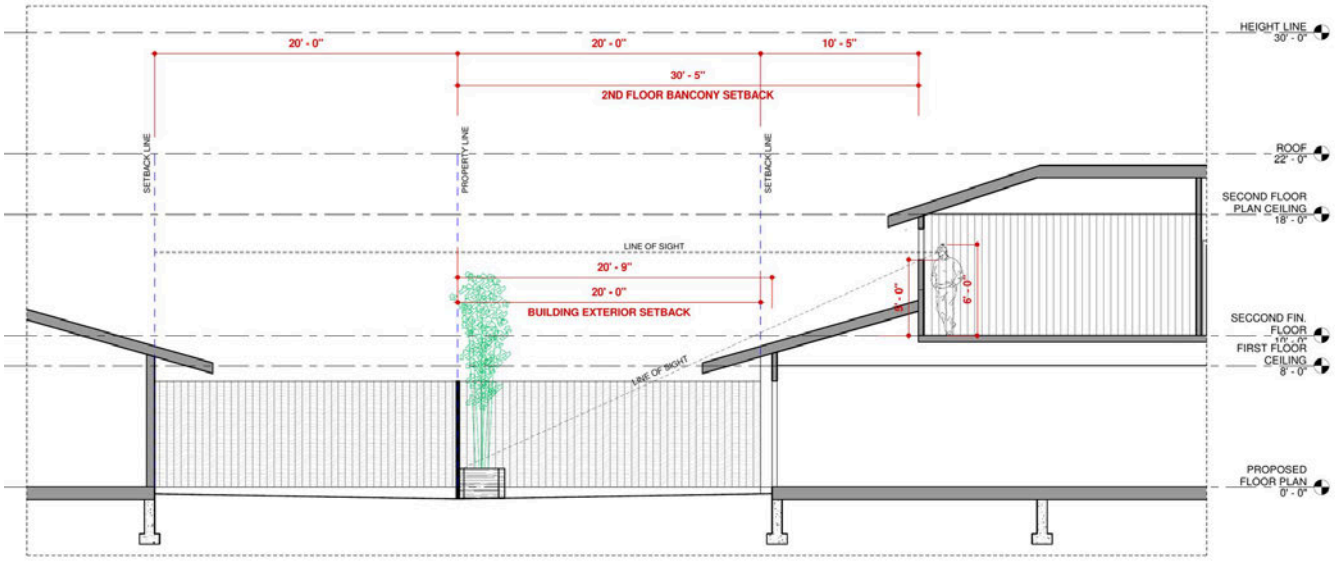


Figure 4. Sheet A12.7, sight line from the balcony toward the rear property line. As submitted September 25; the revised sheet shows the rear wall as solid.

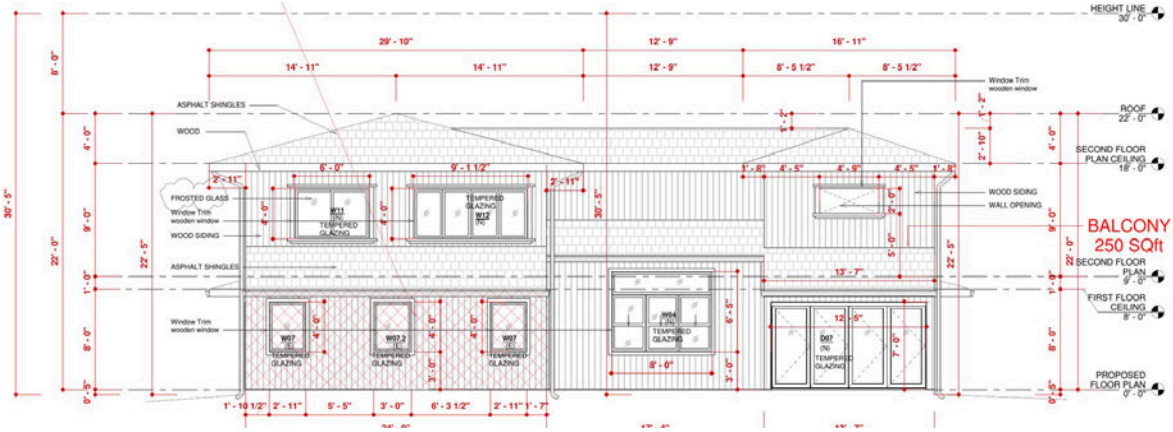


Figure 5. Sheet A12, rear (south) elevation: frosted bathroom window at left; balcony opening at right, which will be removed.

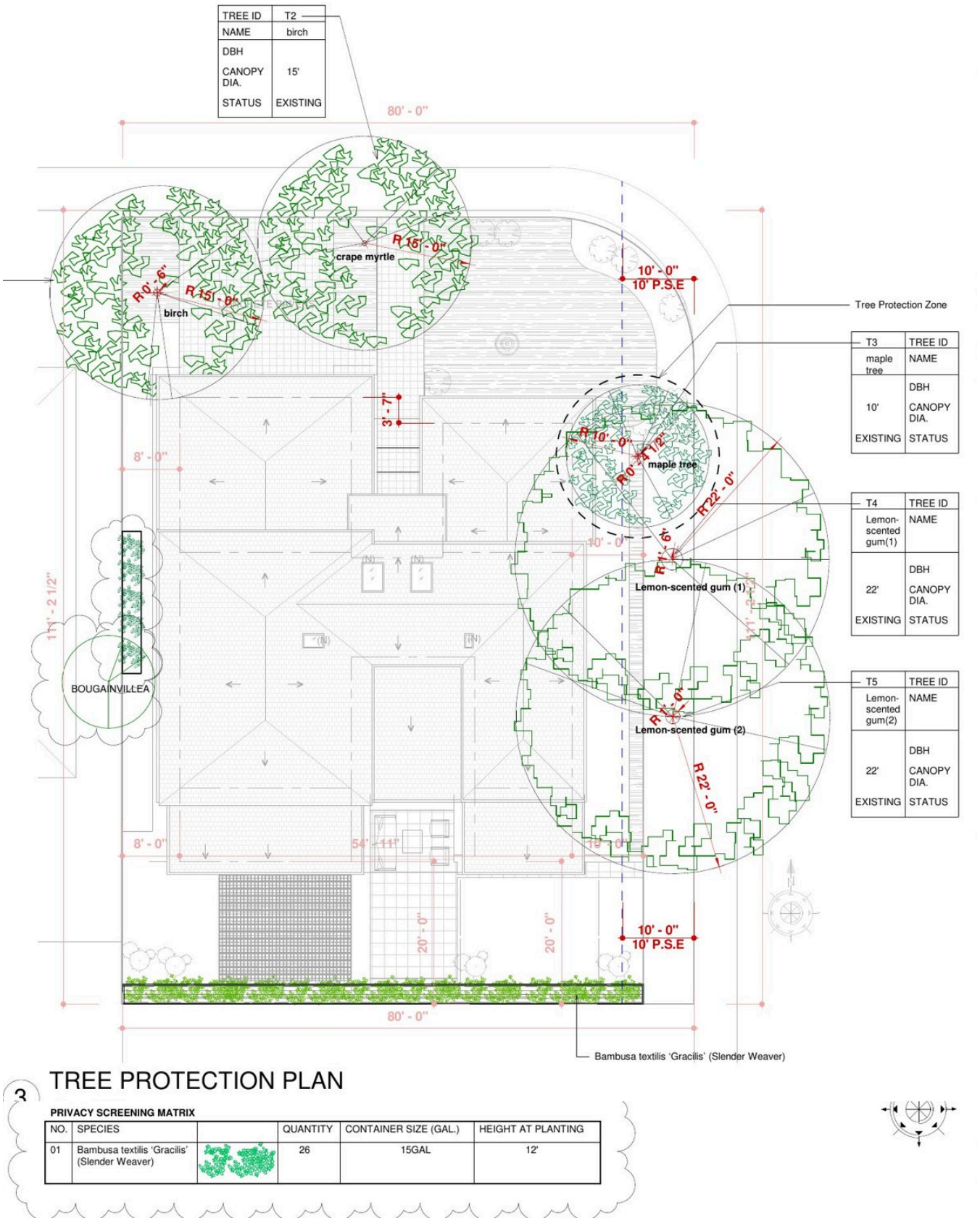


Figure 6. Sheet A12.9, screening along the south and west fences, with the screening matrix.

Requested action

We hope these revisions resolve the concerns raised without the need for a hearing. If the appeal proceeds, we respectfully ask the Planning Commission to deny it and uphold the Director's approval of MR-26-007, as shown in our revised plans, including the solid rear balcony wall described above.

We welcome Commissioners to visit the site, where surveyor-certified story poles are in place, and we remain glad to walk our neighbors through these changes.

Sincerely,

Jaimin and Khushbu Desai 100 Jamie Court, Los Gatos, CA 95032 [redacted]

Property Owners' Response to Second Appeal: 100 Jamie Court, Minor Residential Application MR-26-007

Oct 14, 2026 · @Jaimin K Desai

To: Town of Los Gatos Planning Commission, c/o Suray Nathan, Assistant Planner

From: Jaimin and Khushbu Desai, owners, 100 Jamie Court

Re: Second appeal of the Director's approval of MR-26-007 (appellants at 104 Jamie Court)

Dear Commissioners and Mr. Nathan,

Thank you for the opportunity to respond to the appeal from our neighbors at 104 Jamie Court.

We respect and value our neighbors, and we want them to be comfortable with the home we are building next to theirs. When they first shared their concern about privacy, we reached out to them directly, listened to what mattered most to them, and discussed possible solutions together. Our goal throughout has been a solution that works for both families.

Based on those conversations, we have addressed their privacy concerns by reconfiguring the second-floor bedroom layout and the window placement facing their home. The attached revised plans reflect these changes.

We hope these revisions resolve their concerns without the need for a hearing. We remain glad to walk our neighbors through the revised plans and to continue working with them as the project moves forward.

Sincerely,

Jaimin and Khushbu Desai 100 Jamie Court, Los Gatos, CA 95032 jaiminkdesai@gmail.com