

Ryan Safty

From: manoochehr kadkhodayan <mannykhomes@yahoo.com>
Sent: Monday, November 4, 2019 2:16 PM
To: Ryan Safty
Cc: Jim Whitney; shawn@demattei.com; Armita Nikfar; manoochehr kadkhodayan
Subject: Re: 15960 Rose Ave - Appeal
Attachments: image001.jpg

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Ryan,

When we met on Oct 31, 2019, my intent was to get the existing roof pitch from you since the architect did not know at the time I met with them.

As you requested, I met with Mr. Jim Whitney and Mr. Shawn Clevenger on October 25, 2019 at their office and discuss few things. The followings are the summary:

- 1- They said that there will not be any construction at all at the driveway or entrance and they will reflect that on the drawings and correct and eliminate any and all encroachments.
- 2- They said that they will talk to the owner and try to put the dormer on one side only and eliminate from the neighbor's side. Also I questioned about the existing roof pitch since it affects the height and design of the new structure and they did not know.
- 3- I was disappointed not having the surveyor there especially after all questions with the survey. But they said they will check with the surveyor regarding all the information on the drawings. They informed me that they are planning to do an actual survey anyway. I told them about a quit claim deed that happened in 1993 between the two property owners and offered a copy. They did not think it was necessary since at the time of survey they will get all the deeds.

I am still waiting to receive the latest drawings and information and as soon as I have anything, I will get back to you.

Thank you very much for following up.

Manny Kadkhodayan

408-802-3365



Ryan Safty
Planning Department
Town of Los Gatos
110 E Main St.
Los Gatos, CA 95031

Project Name: Doctorow Residence
Project Address: 15960 Rose Ave.
Date: 11/07/2019
Response to Appellant Email Dated 11/04/2019.

Mr. Safty,

The purpose of this letter is to respond to and address additional concerns raised by the appellant located at 15980 Rose Ave. in an email dated 11/04/2019. The following responses are in order as they appear.

1. As stated previously, there is no proposed work on the neighboring property.
2. After discussing again with the homeowner, we wish to retain the functionality that the dormer provides and will not revise the drawings. The reference to the existing roof pitch is not clear as the pitch of the new structure is to match that of the existing house.
3. The survey completed by WEC & Associates completed on October 1st, 2015 is the official survey.

Please feel free to contact me with any questions.

Regards,
Jim Whitney
De Mattei Construction
1-408-350-4200

Ryan Safty

From: manoochehr kadkhodayan <mannykhomes@yahoo.com>
Sent: Thursday, November 7, 2019 10:33 PM
To: Ryan Safty
Cc: Armita Nikfar; manoochehr kadkhodayan
Subject: Re: Rose Ave
Attachments: Attachments.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Ryan,

Thanks for forwarding me the letter from the applicant. The three additional questions I asked are still remaining as per email dated Nov. 4, 2019. To reiterate:

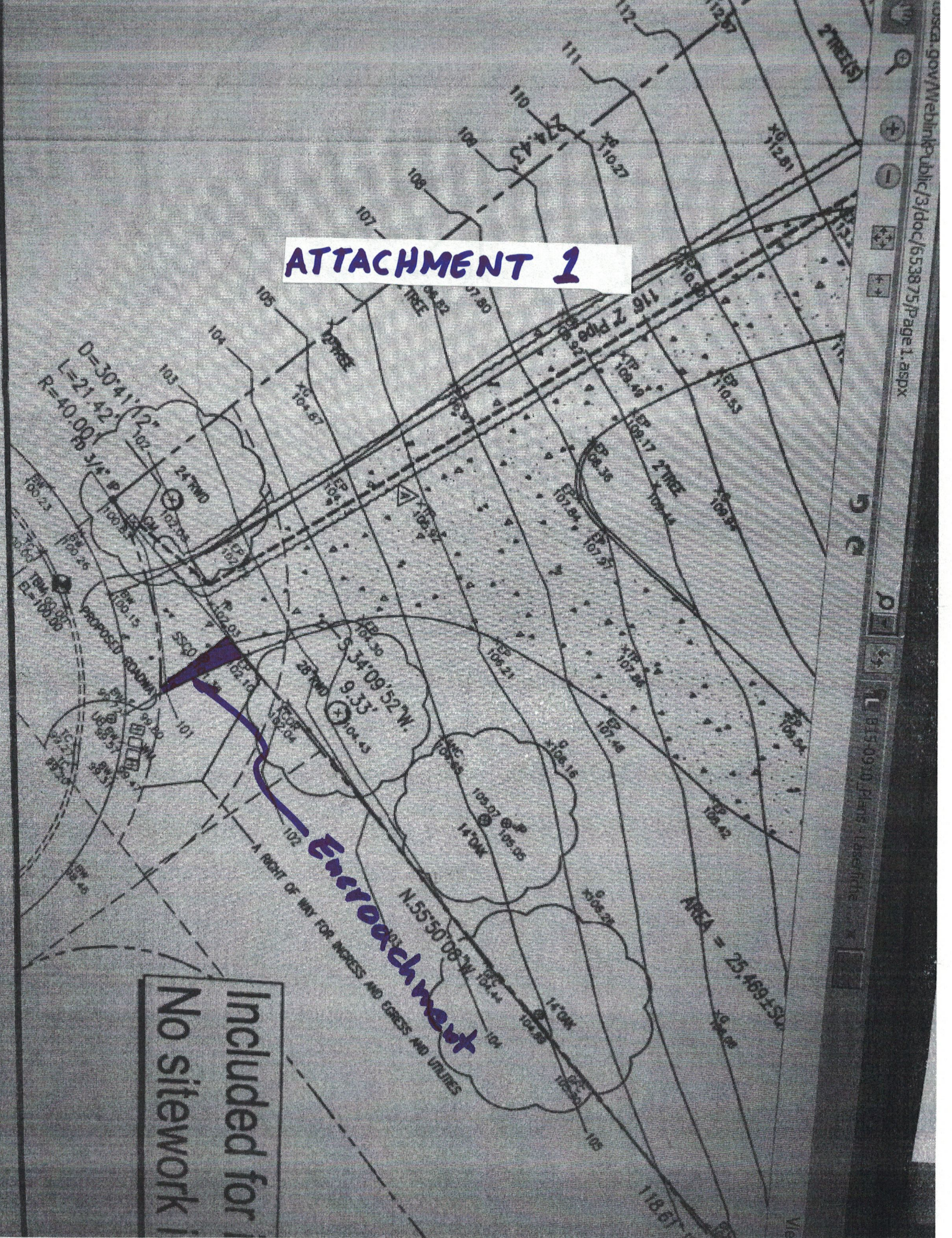
1. We are talking specifically about the driveway entrance to the property. Please eliminate from your drawing indicating encroachment of proposed driveway into my property (Attachment 1). To clarify the boundaries for your surveyor at that location please see attached Quit Claim Deed dated July 20, 1993 (Attachment 2).
2. The drawing states and highlighted as revision #1 that the roof system to match the main house at the pitch of 5:12 (Attachment 3). However the main house roof pitch is at 10:12 (Attachment 8) or higher and makes the new building to be much higher than the stated an allowable maximum 15 feet (Attachment 4).
3. Again the survey from 2015 done for this applicant indicates driveway encroachment and lot size (25,469 sq. ft.) which is greater than what was shown on the prior permit application for the same property (21,000 sq. ft., Attachment 5). See attached Grant Deed dated 5/5/2015 (Attachment 6) describing 30 feet slope easement in the back of the property (Attachment 7). As I stated before the encroachment in the front (Attachment 2) and also in the back should be investigated by the surveyor and corrected on the drawing.

I appreciate all your time and effort.

Thanks,
Manny
408-802-3365

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ATTACHMENT 1



Included for
No sitework!

12006649

RECORDING REQUESTED BY
ORDER # Old Republic Title Company
377275-MM
APN 410 19 017
WHEN RECORDED MAIL TO

REC FEE	4
RMP	2
MICRO	1
RTCF	1
LIEN	
SMPP	

Recorded at the request of
Old Republic Title Company

JUL 20 1993 8:00 A.M.

LAURIE KANE, Recorder
Santa Clara County, Official Records

Name
Street Address
City & State
ELLEN L. MUMMEY
1365 HOLLY DRIVE
LOS ALTOS CA 95024

ATTACHMENT 2

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Quitclaim Deed

ALL
10/2
408
A

The undersigned grantor(s) declare(s):
Documentary transfer tax is \$ -0- *no consideration* *To relinquish interest in*
 computed on full value of property conveyed, or
 computed on full value less value of liens and encumbrances remaining at time of sale.
 Unincorporated area: (X) City of LOS GATOS *easement only*
 Realty not sold.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,
DAN S. WEBER, ALSO KNOWN AS DAN WEBER AND CLAUDETTE WEBER, HIS WIFE

hereby REMISE(S), RELEASE(S) AND FOREVER QUITCLAIM(S) to
ELLEN L. MUMMEY, AN UNMARRIED WOMAN

that property in the Town of LOS GATOS, SANTA CLARA County,
State of California, described as:

* * * See "Exhibit A" attached hereto and made a part hereof. * * *

THIS QUITCLAIM DEED IS BEING RECORDED FOR THE SOLE PURPOSE OF RELINQUISHING
ANY AND ALL RIGHTS ACQUIRED BY THAT CERTAIN DEED RECORDED AUGUST 21, 1975
IN BOOK B573 of Official Records, page 416, Santa Clara County Records.

BEGINNING at a point on said Northwesterly prolongation distant thereon South
55° 50' 06" East, 19.00 feet from said Northwesterly line; thence leaving said
point of beginning along said Northwesterly prolongation South 55° 50' 08" East,
16.00 feet; thence leaving said Northwesterly prolongation South 35° 02' 35"
West, 23.94 feet to a point on the Northeasterly boundary of said Tract No.
2424; thence along said Northeasterly boundary North 54° 57' 25" West, 5.24
feet; thence leaving said Northeasterly boundary from a tangent bearing of North
11° 27' 55" East along a curve to the left with a radius of 40.00 feet through a
central angle of 25° 47' 54" for an arc length of 18.01 feet; thence North 34°
09' 52" East, 9.33 feet to the point of beginning.

Mail tax statements to Grantee at above address *Dan S. Weber*

Date July 9, 1993

Dan S. Weber
DAN S. WEBER
[Signature]

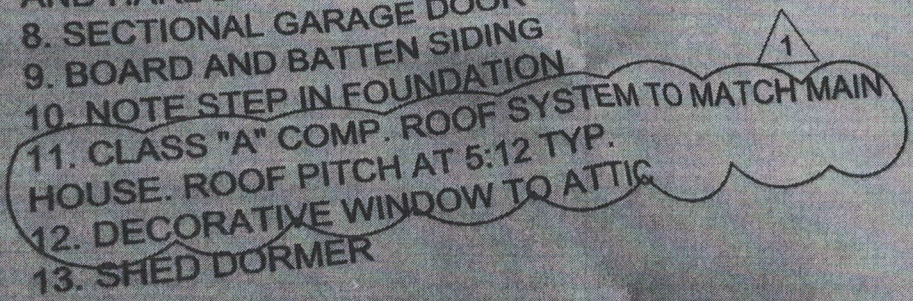
...EED 20'
...ALL HAVE SOLID
...TO THE UNIT.
...ROVIDED IN

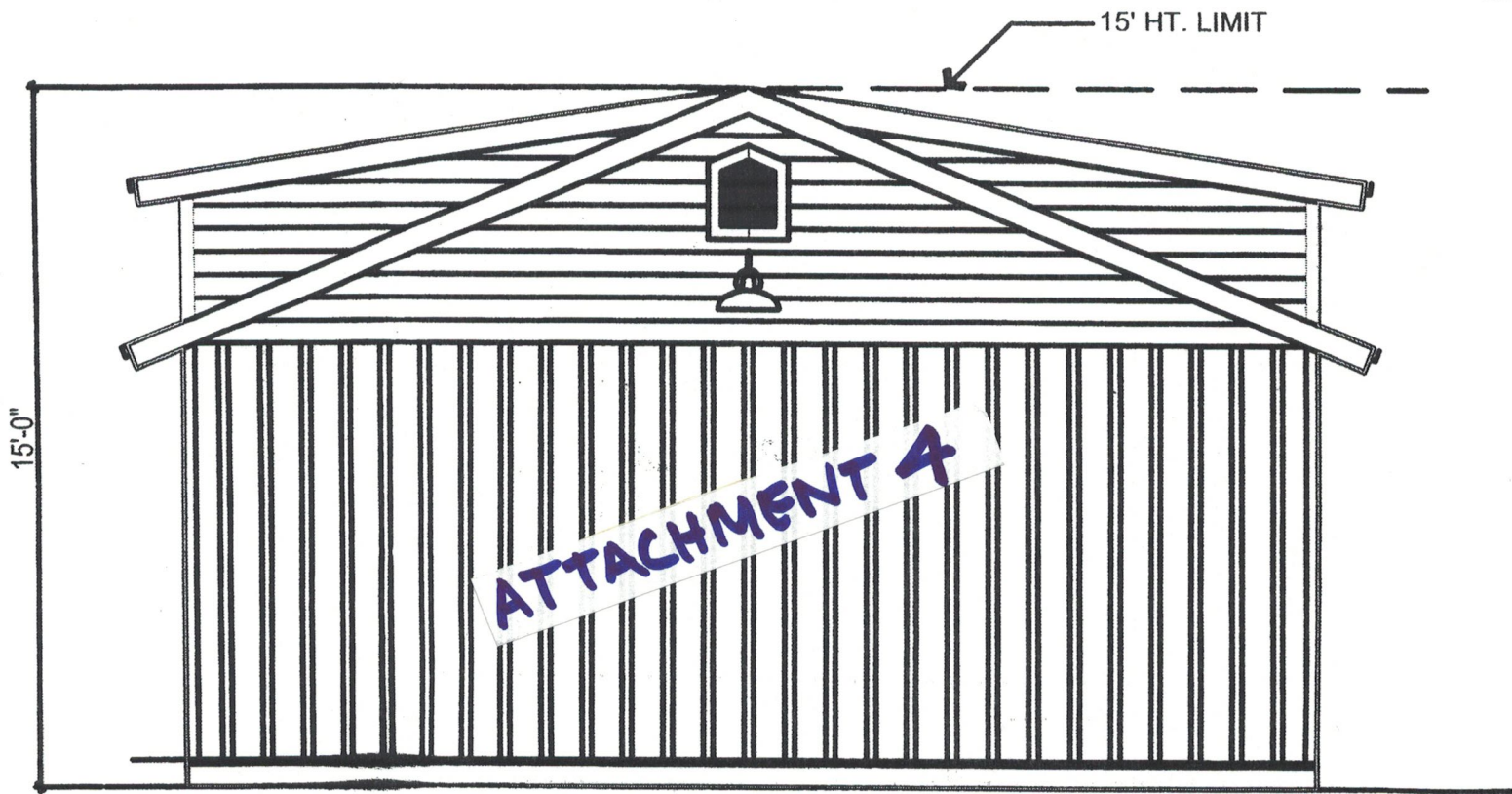
...HALL BE
...FIXTURE SHALL

ATTACHMENT 3

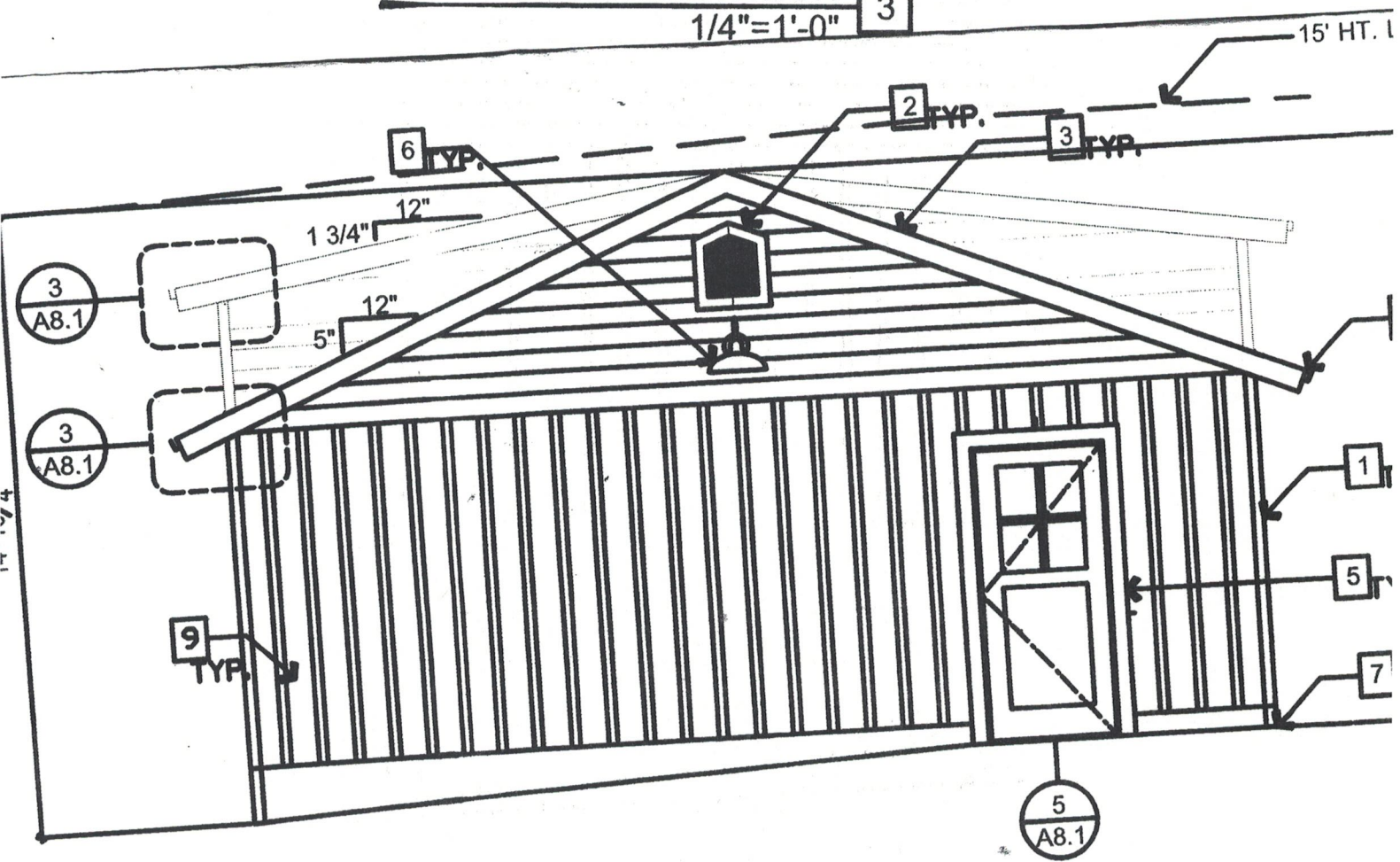
NOTES:

1. WOOD SIDING OVER HOUSEWRAP
2. DECORATIVE GABLE VENT
3. FASCIA AT EAVE
4. HALF-ROUND GUTTER
5. TRIM AT FENESTRATION
6. LIGHT FIXTURE - SEE A2.1 - NIGHT SKY COMPLIANT WITH LIGHTING DIRECTED DOWN
7. MAINTAIN 2" MIN SEPARATION BETWEEN SIDING AND HARDSCAPE
8. SECTIONAL GARAGE DOOR
9. BOARD AND BATTEN SIDING
10. NOTE STEP IN FOUNDATION
11. CLASS "A" COMP. ROOF SYSTEM TO MATCH MAIN HOUSE. ROOF PITCH AT 5:12 TYP.
12. DECORATIVE WINDOW TO ATTIC
13. SHED DORMER





SOUTH ELEVATION 3
 1/4"=1'-0"

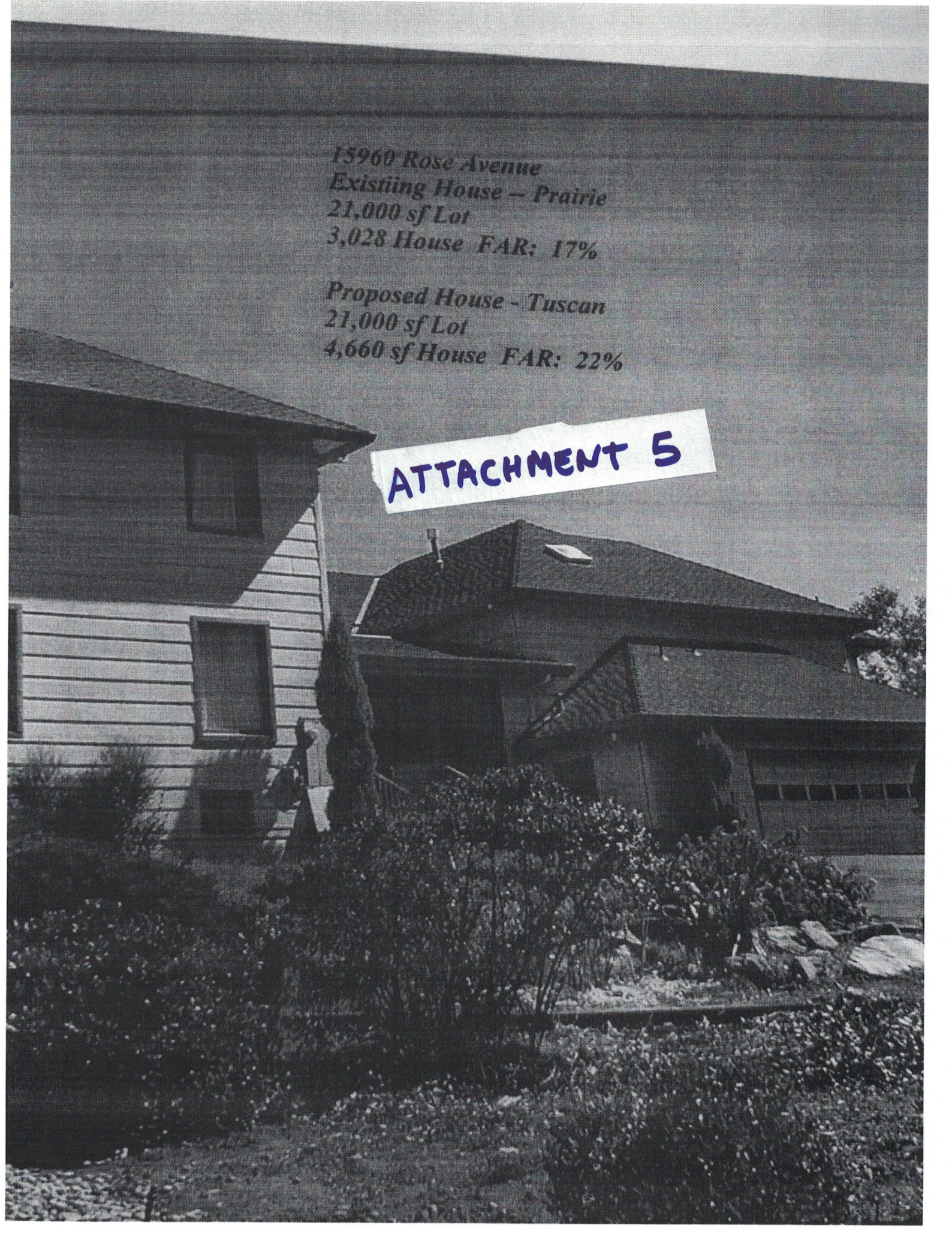


NORTH ELEVATION 1
 1/4"=1'-0"


15960 Rose Avenue
Existing House - Prairie
21,000 sf Lot
3,028 House FAR: 17%

Proposed House - Tuscan
21,000 sf Lot
4,660 sf House FAR: 22%

ATTACHMENT 5



RECORDING REQUESTED BY:
Chicago Title Company
Order No.: FWPS-4995150345 - AA

DOCUMENT: 22939996	Pages: 3
	Fees: 41.00
	Taxes: 3795.00
	Copies:
	AMT PAID: 3836.00
REGINA ALCOMENDRAS	
SANTA CLARA COUNTY RECORDER	
Recorded at the request of	RDE # 001
Chicago Title	5/05/2015
	8:00 AM

When Recorded Mail Document and Tax Statements To:
David Doctorow and Sarah Munson
15960 Rose Avenue
Los Gatos, CA 95030

Property Address: 15960 Rose Avenue,
Los Gatos, CA 95030
APN/Parcel ID(s): 410-19-018

SPACE ABOVE THIS LINE FOR RECORDER'S USE

GRANT DEED

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The undersigned grantor(s) declare(s)

ATTACHMENT 6

Jason Drotar

- This transfer is exempt from the documentary transfer tax.
 - The documentary transfer tax is \$3,795.00 and is computed on:
 - the full value of the interest or property conveyed.
 - the full value less the liens or encumbrances remaining thereon at the time of sale.
- The property is located in the Town of Los Gatos.

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, Jason Drotar and Shannon S. Drotar, as trustees of The Drotar Living Trust Agreement Dated February 4, 2005

hereby GRANT(S) to David Doctorow and Sarah, H. Munson, husband and wife as joint tenants

the following described real property in the Town of Los Gatos, County of Santa Clara, State of California:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

MAIL TAX STATEMENTS AS DIRECTED ABOVE

GRANT DEED
(continued)

APN/Parcel ID(s): 410-19-018

Dated: March 29, 2015

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

The Drotar Living Trust Agreement Dated February 4, 2005

BY: [Signature] TTEE
Jason Drotar, Trustee

BY: [Signature] TTEE
Shannon S. Drotar, Trustee

92/3

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Santa Clara

On 4/29/15 before me, M. Santiago, Notary Public,
(here insert name and title of the officer)

personally appeared Jason Drotar + Shannon S. Drotar,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.
[Signature]
Signature

(Seal)

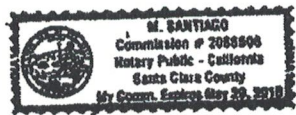


EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 410-19-018

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE TOWN OF LOS GATOS, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

PARCEL ONE:

ALL OF PARCEL "C" AS SHOWN ON THAT CERTAIN MAP ENTITLED "PARCEL MAP BEING A PORTION OF RANCHO RINCONADA DE LOS GATOS", WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON APRIL 2, 1973 IN BOOK 320 OF MAPS, PAGE 13.

PARCEL TWO:

BEGINNING AT A POINT ON THE NORTHWESTERLY LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED AS PARCEL TWO IN THE DEED FROM ADELIA BRADY TO LAWRENCE H. WEAVERLING, ET UX, RECORDED AUGUST 18, 1936 IN BOOK 787 OF OFFICIAL RECORDS, AT PAGE 36, SANTA CLARA COUNTY RECORDS, DISTANT THEREON NORTH 35° 02' 35" EAST 23.40 FEET FROM THE MOST NORTHERLY CORNER OF TRACT NO. 2424 A MAP OF WHICH WAS FILED FOR RECORD IN BOOK 113 OF MAPS, AT PAGE 4, SANTA CLARA COUNTY RECORDS; THENCE LEAVING SAID POINT OF BEGINNING ALONG THE NORTHWESTERLY PROLONGATION OF THE SOUTHWESTERLY LINE OF THE CERTAIN TRACT OF LAND DESCRIBED IN THE DEED FROM LAWRENCE H. WEAVERLING ET UX, TO ROBERT E. BRUCE, ET UX, RECORDED AUGUST 20, 1943 IN BOOK 1161 OF OFFICIAL RECORDS, AT PAGE 29, SANTA CLARA COUNTY RECORDS SOUTH 55° 50' 08" EAST 19.00 FEET; THENCE LEAVING SAID NORTHWESTERLY PROLONGATION AT RIGHT ANGLES SOUTH 34° 09' 52" WEST, 9.33 FEET THENCE FROM A TANGENT BEARING OF NORTH 14° 19' 59" WEST, ALONG A CURVE TO THE LEFT WITH A RADIUS OF 40.00 FEET THROUGH A CENTRAL ANGLE OF 30° 41' 12" FOR AN ARC LENGTH OF 21.42 FEET TO THE POINT OF BEGINNING.

PARCEL THREE:

A RIGHT OF WAY FOR INGRESS AND EGRESS AND UTILITIES DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON SAID NORTHWESTERLY PROLONGATION DISTANT THEREON SOUTH 55° 50' 08" EAST, 19.00 FEET FROM SAID NORTHWESTERLY LINE THENCE LEAVING SAID POINT OF BEGINNING ALONG SAID NORTHWESTERLY PROLONGATION SOUTH 55° 50' 08" EAST, 16.00 FEET THENCE LEAVING SAID NORTHWESTERLY PROLONGATION SOUTH 36° 02' 35" WEST 23.94 FEET TO A POINT ON THE NORTHEASTERLY BOUNDARY OF SAID TRACT NO. 2424; THENCE ALONG SAID NORTHEASTERLY BOUNDARY NORTH 54° 57' 25", WEST 5.24 FEET THENCE LEAVING SAID NORTHEASTERLY BOUNDARY FROM A TANGENT BEARING OF NORTH 11° 27' 55" EAST ALONG A CURVE TO THE LEFT WITH A RADIUS OF 40.00 FEET

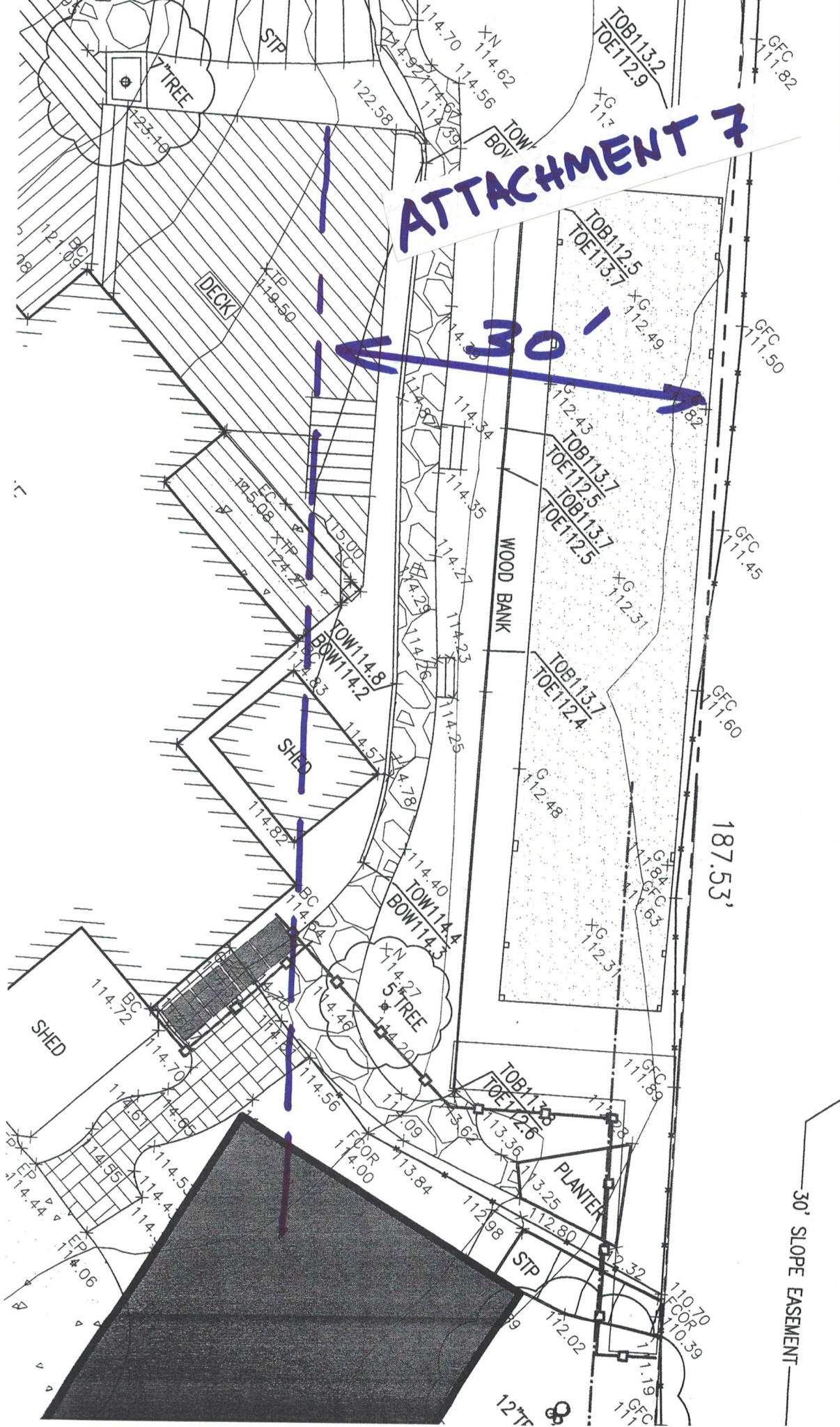
PARCEL FOUR

EASEMENT RESERVED IN THE DEED FROM GENE J. RUGANI, ET AL RECORDED MAY 19, 1972 BOOK 9841, OFFICIAL RECORDS, PAGE 526, AS FOLLOWS:

A SLOPE EASEMENT 30 FEET WIDE MEASURED AT RIGHT ANGLES TO A SOUTHWESTERLY LINE OF THE PREMISES DESCRIBED THEREIN SAID LINE HAVING A BEARING OF NORTH 12° 09' 00" WEST AND A LENGTH OF 187.53 FEET, THE NORTHWESTERLY TERMINUS OF SAID 30.00 FOOT EASEMENT IS TO TERMINATE ON THE NORTHWESTERLY LINE OF SAID LAND DEEDED TO ROY A. HUNDLEY, ET UX AND THE SOUTHEASTERLY TERMINUS OF SAID LAND DEEDED TO ROY A. HUNDLEY ET UX, AS RESERVED IN DEED RECORDED MAY 19, 1972, BOOK 9841 OR, PAGE 526.

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ATTACHMENT 7



30' SLOPE EASEMENT

ATOS

ORNIA

AV > Building > ADDRESS > Rose Av > 15960 > Plans > B15-0910_Plans

7 / 9 **GO** [Hand icon] [Magnifying glass icon] [Zoom in icon] [Zoom out icon] [Reset icon] [Fullscreen icon]

ATTACHMENT 8

