



**TOWN OF LOS GATOS  
CODE COMPLIANCE DIVISION**

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July 8, 2024

Theodore and Lauri Deffenbaugh  
16660 Cypress Way  
Los Gatos, CA 95030

**Administrative Warning**

Re: Code violations at 16660 Cypress Way, Los Gatos

Due to the amount of time that has passed since the last Administrative Warning, the Town of Los Gatos Community Development Department is restarting its investigation into the code violations on the above referenced property. Regarding the Administrative Appeal requested on October 30, 2019, the Town of Los Gatos will be returning your advance deposit of \$200.00 and drop the associated citation due to the amount of time that has transpired.

On May 20, 2024, the Town of Los Gatos obtained an Inspection Warrant from the Santa Clara County Superior Court. On May 30, 2024, Community Development Department staff executed the Inspection Warrant and conducted an inspection of the ADU above a garage, an office structure beside the ADU, a storage structure behind the ADU, and a garage structure near a pool.

The following violations were observed during the inspection and need to be remedied:

1. During the inspection it was discovered that the sleeping room in the ADU lacked sufficient emergency egress, the bathroom window was not tempered as required in a wet hazard area, the front entrance deck, stairs, and railings are unstable and appear unsafe, the railings are far below minimum requirement and have openings exceeding a 4" diameter sphere. All of these items will need to be addressed in the permit. **Obtain a building permit including electrical, plumbing, and HVAC for the interior remodel of 16664 Cypress Way.**

2. The approximate 124 square foot office structure beside the ADU must be removed due to its inability to meet zoning setbacks. The unpermitted structure also has unpermitted and potentially hazardous electrical. **Obtain a demolition permit from the Building Department and demolish the structure.**
3. The approximate 197 square foot storage structure behind the ADU must be removed due to its inability to meet zoning setbacks. The unpermitted structure also contains unpermitted plumbing. **Obtain a demolition permit from the Building Department and demolish the structure.**
4. The approximately 294 square foot garage structure near the pool must be removed due to its inability to meet zoning setbacks and the structure crosses property lines. The unpermitted structure also contains unpermitted electrical. **Obtain a demolition permit from the Building Department and demolish the structure.**
5. **Resubmit Architecture and Site Application S-21-024 addressing the Staff Technical Review comments provided on January 31, 2024, by July 31, 2024, in order to avoid a penalty for late submittal (see below).** This Architecture and Site application is for all unpermitted site improvements including all retaining walls, site drainage, grading, and tree removals on the site.

\*Fees for Lack of Progress - If additional information is required by the Town for an application and the requested information is not submitted within 180 days, the applicant will be required to pay a fee of 10 percent of the current application fee at the time the requested information is submitted. Any re-submittal after one year will be processed as a new application, subject to new fees.

Pursuant to Town Code Section 6.150.010 (R 105.1) Permit Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Pursuant to the Town of Los Gatos Hillside Development Standards and Guidelines:

#### VI. Site Elements

##### E. Accessory buildings, accessory dwelling units, pools, and sport courts.

###### Standards:

1. Accessory buildings and accessory dwelling units (ADUs) are permitted in compliance with the Town of Los Gatos Zoning Ordinance. Accessory buildings and ADUs shall have the same setback requirements as the main building in the hillside area.

Pursuant to Town Code Section 29.40.270. - Yards. The minimum yards in HR zones shall be as follows:

- (1) Front .....30 feet
- (2) Side .....20 feet
- (3) Rear .....25 feet
- (4) Side abutting street .....20 feet

Accordingly, we are asking that all the above bolded items be resolved by **September 8, 2024 (except for the Architecture and Site Application)**. Failure to comply may result in daily fines and/or any other available legal remedies. I can be reached at ameyer@losgatosca.gov or at 408-399-5746.

Respectfully yours,



Allen Meyer  
Code Compliance Officer  
Town of Los Gatos

cc: Lance Bayer, Special Council  
Gabrielle Whelan, Town Attorney  
Sean O'Neill, Esq.

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