

PLANNING COMMISSION – June 26, 2024
REQUIRED FINDINGS AND CONSIDERATIONS FOR:

123 Wilder Avenue
Architecture and Site Application S-23-039
Variance Application V-24-001

Requesting Approval for Technical Demolition of a Contributing Single-Family Residence and Construction of a New Single-Family Residence to Exceed the Floor Area Ratio (FAR) Standards and Requiring a Variance to Side Yard Setback Requirements Located in the Almond Grove Historic District on Property Zoned R-1D:LHP. APN 510-18-008. Categorically Exempt Pursuant to CEQA Guidelines Section 15301: Existing Facilities.

Property Owner: Boguslaw Marcinkowski and Brygida Sas-Marcinkowski.
Applicant: Jose De La O.
Project Planner: Sean Mullin.

FINDINGS

Required finding for CEQA:

- The project is Categorically Exempt pursuant to the adopted Guidelines for the Implementation of the California Environmental Quality Act, Section 15301: Existing Facilities.

Required finding for the technical demolition of existing structures:

- As required by Section 29.10.09030(e) of the Town Code for the demolition of existing structures:
 1. The Town's housing stock will be maintained as the single-family residence will be replaced.
 2. The existing structure has no architectural or historical significance.
 3. The property owner does not desire to maintain the structure as it exists; and
 4. The economic utility of the structures was considered.

The extent of the unpermitted removal of siding constitutes an unlawful technical demolition. On December 20, 2023, the Historic Preservation Committee reviewed the project and forwarded a recommendation of approval with conditions requiring restoration of the residence through in-kind replacement of the removed shingle siding. The residence remains on the Historic Resources Inventory as a contributor to the Almond Grove Historic District since the project replaces the removed siding with in-kind shingle siding, retaining the historical significance.

Required compliance with the Zoning Regulations:

- The project meets the objective standards of Chapter 29 of the Town Code (Zoning Regulations) except the requests to exceed the FAR standards and reduce the required side setback.

Required finding to exceed floor area ratio (FAR) standards:

- As required by Section 29.40.075(c) of the Town Code for allowing a FAR in excess of the FAR standards in the Town Code:
 1. The design theme, sense of scale, exterior materials, and details of the proposed project are consistent with the provisions of the Landmark and historic Preservation Overlay Zone and the adopted residential development standards; and
 2. The lot coverage, setbacks, and FAR of the proposed project are compatible with the development on surrounding lots.

Required findings for granting a Variance application:

- As required by Section 29.20.170 of the Town Code for granting a Variance application:
 1. Because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this ordinance deprives such property of privileges enjoyed by other properties in the vicinity and under identical zone; and
 2. The granting of a variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone which such property is situated.

Required compliance with the Residential Design Guidelines:

- The project is in compliance with the Residential Design Guidelines for single-family residences not in hillside areas. The project was reviewed by the Historic Preservation Committee and recommendations were provided to address the consistency of the project with the surrounding neighborhood, Almond Grove Historic District, and the Residential Design Guidelines.

CONSIDERATIONS

Required considerations in review of Architecture and Site applications:

- As required by Section 29.20.150 of the Town Code, the considerations in review of an Architecture and Site application were all made in reviewing this project.

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