

**From:** Yogesh Jhamb <jhamb.yogesh@gmail.com>  
**Sent:** Thursday, September 10, 2020 10:15 AM  
**To:** Sean Mullin <SMullin@losgatosca.gov>  
**Subject:** Re: My Neighbor's Remodel

Thanks, Sean! We appreciate your keeping us in the loop! This is the same neighbor that had expressed some concerns earlier. I have repeatedly tried reaching out to him to discuss this; however, he prefers to address his concerns to the city hoping for a favorable resolution. We would also prefer to let the city make the final decision and we will abide by it. I had provided our response in the Project Description document and it is also given below. Please document and forward it to the deciding body. I have reviewed Residential Design Guidelines and I believe we are in compliance to those guidelines. We also plan to have fruit trees in both the side yards and they should help mitigate the privacy concerns also.

Response to neighbor's privacy concern from the Project Description document:

*The neighbors to our immediate left, at 144 Arroyo Grande Way, have expressed some concerns regarding their privacy due to the higher elevation of our home. While we understand their concern, we don't believe that their privacy concerns are valid due to the following reasons:*

- 1. The floor level of the new house remains the same as the existing house.*
- 2. The existing fence is 7' tall, with 6' of regular fence and 1' of mesh fence, which means that it is not possible to look over the fence from the floor level of the new home.*
- 3. The neighbor's house has the garage and family room towards our side elevation. The Bedroom #2, which aligns with the neighbor's family room, has no windows on the side elevation.*
- 4. The Bath #2, attached to Bedroom #2, will have a smoked glass window with no visibility.*
- 5. The media room has windows on the side elevation; however, it predominantly aligns with the garage of the neighbor's house.*
- 6. The windows in our garage are at a lower elevation, and they completely align with the neighbor's garage.*
- 7. There is no window in the side elevation that could possibly look into the neighbor's backyard.*

*We are very concerned about our privacy, as well as our neighbor's privacy, and this is why we have designed the side elevation so that there is no visibility into our home from outside, and into our neighbor's home from inside our home.*

Best,  
-Yogi

Sean Mullin,  
Community Development Department,  
Planning Division,  
110 E. Main Street,  
Los Gatos, CA 95030.

Date: January 11, 2021

RE: Response to Comments from Neighbors at 124 Arroyo Grande Way  
Application S-20-013 – 140 Arroyo Grande Way

Dear Sean:

This letter is in response to the comments provided by our neighbors, Charlene and Ian Land residing at 124 Arroyo Grande Way, on our project that entails the construction of a new home at 140 Arroyo Grande Way. We feel that our neighbor's comments are unjustified and inaccurate, and given below is our attempt to address these comments with the relevant facts.

1. **Incorrect Data**: First of all, we are very disappointed that our neighbors have deliberately taken the **incorrect** size of the proposed home in their calculations. Our neighbors have misrepresented the facts by doing the following:
  - a. **The living area of the proposed home is stated as 2566 s.f., whereas it is actually 2123 s.f.** Having recently remodeled their own home, our neighbors are well aware that the garage area doesn't count towards the living area. However, they have still chosen to include the garage space of 428 s.f. in the living area, while ignoring the garage area for the homes they selected to compare against our proposed home.
  - b. Our neighbors have intentionally exaggerated the difference in the living area-to-lot size ratio provided in the "Contextual Data" section of their document by **including** the garage area as living space for our proposed home and **excluding** the garage area in the living space for the homes they selected for the comparison.
  - c. The neighbor's document also depicts a "Dwelling size as a percent of lot size" chart, which is inaccurate due to the difference in the living area calculations of the proposed home and the homes selected for the comparison.
  
2. **Neighbor's Concern - Space Between Homes in the Neighborhood**: Our neighbors have indicated that having larger homes limits the space between homes in the neighborhood. We disagree with this assessment due to the following reasons:
  - a. The city allows only 40% of the land to be used for building a home—the remaining 60% is meant to keep the space between homes. People who require more space generally prefer to live in the mountains or in rural areas.
  - b. It is also important to note that housing is a major concern in the Bay Area and the choices are either to build more on the existing land or build multi-story homes. We chose the former approach to build more on the existing land in accordance with what

is permitted by the city. The setbacks specified in our plans from the adjacent properties and the curb are in accordance with the guidelines provided by the city.

3. **Neighbor's Concern - Privacy:** Our neighbor's concern about privacy is unfounded as we respect the privacy of neighbors and have therefore designed the both the left and right elevations to have windows only when they are absolutely necessary. Some important points to note are:
  - a. The floor level of the new house remains the same as the existing house.
  - b. Bedroom #1 and the Master Bedroom that are towards our neighbors at 124 Arroyo Grande Way do not have any windows on the right elevation.
  - c. The Bath #1 and Master Bath will have windows on the right elevation; however, they will have smoked glass with no visibility.
  - d. There are only two windows in the family room that have visibility to our neighbor's home. However, the floor level remains the same and any concerns can be mitigated with a higher fence (to the extent allowed by the city) and by having trees to maintain privacy. We are willing to share the cost of a higher fence, and our neighbors already have a lot of trees in their side-yard towards our house. If required, we will plant more trees to address the privacy concerns.
  
4. **Neighbor's Concern – Sunlight / View of Sky:** The concerns regarding sunlight and the view of the sky are without any merit due to the following:
  - a. Our neighbors have attached a photo of the sunrise at 8:18 am on Dec 16<sup>th</sup>, 2020, indicating that a higher roof will block sunlight. The Sun spreads its lights all around and a direct view of the Sun is not required to get light into a room.
  - b. We also want to highlight that the attached photo of the sunrise depicts the trees that the neighbors have planted in the side-yard towards the proposed home. These trees have currently shed their leaves in the fall, however, in full bloom they would probably block more sunlight than the proposed home is accused of doing.
  - c. We would also like to point out that our home is south-east to our neighbors and keeping in mind the Sun's trajectory, we believe that there will be sufficiently light for our neighbors throughout the day. We had initially considered building a two-story home, however, we decided against it out of consideration of sunlight and privacy for all our neighbors.
  
5. **Neighbor's Concern – Adherence to Neighborhood:** Our neighbors have indicated that they recently remodeled their home and made marginal increase in the living area to maintain the properties of the neighborhood. We don't believe this to be true due to the following reasons:
  - a. We believe that our neighbor's remodel was primarily driven by financial considerations, as they did not want to trigger the additional property tax assessment by changing more than 51% of the exterior walls.
  - b. We would also like to point out that our neighbors, Charlene and Ian Land, have only one child, who is currently enrolled in an undergraduate program in Utah. We believe that an out-of-state child factored in their decision of remodeling on a smaller scale more than any neighborhood considerations.

While we want to build a new home considering our current needs, we also want to remain cognizant of future requirements. Our requirements are different than our neighbors and we would like our new home to cater to our needs, not our neighbors. We have a 21-year-old son, who recently graduated from Berkeley and is applying to a graduate program at Stanford. While at Berkeley, our son was home every weekend, and he prefers to continue living at home through graduate school and possibly well after that. We also have a daughter, who is a freshman at Los Gatos High. Since both our children are grown-up, they require the privacy of a separate room and bath.

Finally, we want to reiterate the reality that times are changing, and life is not what it used to be in 1958, when these homes were initially built. California and the Bay Area are facing a housing crisis and it is important that new constructions make the best utilization of the available land in accordance with the guidelines set by the city. We are happy to address any legitimate concerns of our neighbors, however, all we have heard so far are egregious and inaccurate claims backed by incorrect data.

We sincerely hope that the city officials will understand our position, and they will approve the revised plans that have incorporated plan check comments provided by the town architect and the different departments involved in the approval process.

Sincerely,

Hema and Yogesh Jhamb  
140 Arroyo Grande Way,  
Los Gatos, CA 95032.