

From: Jiuhoa Feng <joe_feng@icloud.com>
Sent: Saturday, August 15, 2020 5:44 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Re: My Neighbor's Remodel

Sean,

Thank you very much for your email which provides me the details of my neighbor's plan.

Two weeks ago, I received a text message from my neighbor saying he is going to remodel his house. When I check his plan on the link "pending projects website", it's a new construction of a house! What my neighbor told me is not true. I feel I'm not respected as a next door neighbor.

I have asked my friends in builder Industry to estimate possible influences on my side. So far, there's a privacy concern. He plans elevate my side wall two feet. The windows on the wall might be higher than the fence between his house and my house. From those windows, one can see my side and back yards.

I'll let you know if I have other concerns.

Thank you again!

Jiuhoa Feng

From: IAN LAND <iland8@icloud.com>
Sent: Sunday, August 23, 2020 7:26 PM
To: Sean Mullin <SMullin@losgatosca.gov>; Charlene Land <csland@garlic.com>; IAN LAND <iland_7@yahoo.com>; IAN LAND <iland8@icloud.com>
Subject: Thanks and questions regarding 140 Arroyo Grande

Sean,

We are nearing completion on our remodel project at 124 Arroyo Grande Way and we recently moved back in. It is really a wonderful change and we thank you for your help to make this a reality.

It turns out our next door neighbors are looking to remodel their home also. While we encourage that change, we do have some concerns about their design. They are moving forward to the limit, they are moving toward us to the limit, they are raising their roof quite high and they seem to have a second story (dormer) window facing us. Not only does this block part of our front view it also could impede light to our windows on their side and it seems to have a privacy issue with the high window.

What is the process for us to voice our concerns? What would you recommend we do with these concerns?

Thanks in advance for your help.

Best Regards
Ian Land

From: Jiuhua Feng <joe_feng@icloud.com>
Sent: Wednesday, September 2, 2020 6:18 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Re: My Neighbor's Remodel

Sean,

I had received my neighbor's updated plan yesterday. He believes that the elevated windows will not impact my privacy. In contrast, he even adds two more windows on my side.

In particular, my privacy concern is following: My right side of house has two regular windows (7' high), one smoked window and a garage side door. Also, there is a side yard with a door to go outside. The fence in between is 7' tall in total with 6' wood fence plus 1' mesh fence. The neighbor plans to elevate the windows up to 8' to 9' high, which is 1' to 2' higher than the fence. The reason I have privacy concern is simple: The windows are significantly higher than the fence.

I would like to ask City to make a judgment. Please let me know if I'm wrong.

In addition, I have concern on the impact of view and light. The neighbor plans to elevate new house as high as 21', which is 9' higher than the original house. It will impact my house's view and block light.

Thank you.

Jiuhua

From: Jiuhua Feng <joe_feng@icloud.com>
Sent: Thursday, September 10, 2020 7:39 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Re: My Neighbor's Remodel

Sean,

Thanks for your email. Town's Residential Design Guidelines is very helpfully to me.

I like attach two photos that show my side adjacent the neighbor.

The first photo: door for going out; garage door with a window, 6' high solid fence topped by 1' non-solid fence.

The second photo: one regular window, one small smoke window, 7' high solid fence.

Thank you again.

Jiuhua

P. S. Please see attached.



124 Arroyo Grande Way
Los Gatos, CA 95032

22 December 2020

Dear Sean,

We would like to respond to the pending application and justification letter for new construction at 140 Arroyo Grande Way. We live at 124 Arroyo Grande Way with the south-facing living area of our home facing the proposed new construction at 140 Arroyo Grande Way. We have spoken to the homeowners about our concerns and would also like to present them to the Town.

As 21-year owners of our home, one of the things we most like about the neighborhood is the well-spaced homes. As these 1958-built homes age, we appreciate and encourage updates to the homes while keeping the unique benefits of this neighborhood, including the space between dwellings that enables more privacy and low roof heights which provide sunlight.

Our top priorities as homeowners in this neighborhood are space between homes, privacy, sunlight and a wide view of the sky. As you know, we recently remodeled our home and we worked to maintain these important priorities. The present plans for 140 Arroyo Grande Way impact these priorities and the characteristics of this neighborhood.

Personal loss of privacy, sunlight and sky view

On the south side of our home, there are five windows: two bedroom, two living room and a window in the foyer. At least 4 of the 5 windows will have reduced privacy, sunlight and sky view by the proposed design at 140 Arroyo Grande. This is because the design:

1. Raises the roof peak height
2. Raises the top height of the windows nearly two feet above the top of our own
3. Pushes toward our house to the easement limit of 8 feet
4. Moves forward toward the street to the easement limit of 25 feet for the complete available space of the front of the lot

REQUEST: We would like to see reduction of this impact by reducing the expansion toward our property, maintaining a similar height of the present roof and keeping their north-facing windows near their current height or at least below fence-top at the top of the windows. We are willing to split the cost of a taller fence to support their desire for higher windows.

Neighborhood characteristics

Our neighborhood is geographically flat with one-story homes of similar height being typical, especially in recent remodels and homes on a rectangular lot. Homes are characteristically stucco-covered, ranch-style homes with multi-peaked roofs that keep the roof lines low.

Given these characteristics, we would like to add some context and data to the justification letter for the proposed construction that sites seven homes in the neighborhood.

Contextual Data

Please review the contextual details regarding the justification of the new construction against the 7 homes cited:

Four two-story homes:

- Two back up against the hill facing Garden Hill Drive with no rear neighbors
- One is on a much larger lot (18% larger at 7546-sq-ft)
- The fourth is mid-block with the second story being a legacy approval
- These four homes were listed for justifying greater square footage, but it was not noted that they occupy a smaller portion of the lots than the proposed

Three one-story homes:

- None of the three have neighbors on all sides: Two are corner lots that were expanded toward the street side with little or no impact to adjacent neighbors and the third is at the end of a cul de sac with no rear neighbors (backyard ends at the corner of Lark Ave and Garden Hill).
- All three expanded one-story homes have larger lots (7800 - 8712 sq ft)
- All three have similar footprints on those lots: 25%, 30% and 31% of their lot size, well below the 40% proposed

Additional House and Lot Size Information

We've added an appendix with pictures and charts of the dwelling lot footprints of the 30 homes nearest to the applicant lot which add similar data to the comparisons in terms of dwelling footprint. Note they broaden and confirm the data above, showing dwelling footprints **ranging from 13% to 34% with an average dwelling footprint of 22%** (including corner lots and hill-facing backyards).

County records show that that 8 of the 30 nearby neighborhood homes have had remodels between 2010 and 2020. The range of additional square footage is from 158 to 1107 square feet with an **average of adding 459 square feet**, whereas the proposed is nearly three times the average and beyond the 1107 maximum of the last decade. All of these increases are included in calculations of the average neighborhood footprint of 22% of lot size. Again, the proposed construction is well beyond both the average actual increase and the resulting footprint.

Roof height data is more difficult to accumulate, so we've added photos taken from the roof of our home included in the appendix. You can see that aside from a single legacy two-story home, the roof peaks remain similar in height. In these photos you will also see we did increase our own roof between 1 and 2 feet higher for a distance of 7.5' of the total of 58' length of the home (13%) at a maximum height of 13'6" from grade at a corner of the home that should not impact our neighbor's skylight to the North.

Key Concerns

Our key concern is that the increased roof height would jut well above the four houses which precede it as you travel from Lark Avenue south down Arroyo Grande Way and impede the south facing sunlight and sky view at 124 Arroyo Grande Way (for reference, a picture is included in the appendix of sunlight at 8:18am Wednesday December 16th). If our understanding of the architectural drawings are correct, the roofline extends above not only the telephone lines, but also the 1st level of power lines nearly 20' into the air in the middle of the neighborhood. This could have a significant impact to the neighborhood looks as well as the light reaching our south-facing windows.

In addition to roof height, the home design proposes the use of 40% of the lot size, more than any of the homes in the proposal data or in the additional data set that is provided below. The average of those 7 homes listed in the proposal data set is 30% with a range of 25 to 34%.

Summary

Please take the above context of the neighborhood, the additional data for compared homes and our priorities into consideration as you review the plans for new construction. We would like to see the plans updated to be more appropriate to the neighborhood characteristics and more considerate of our priorities as direct neighbors. We appreciate the town's careful scrutiny of such to benefit the applicants, the Town and existing property owners. We are open to questions and discussion on the above.

Thank you for your time and consideration on this matter.

Respectfully,

Ian Land

Charlene Land

(Attached pictures, chart and data)

Attachments

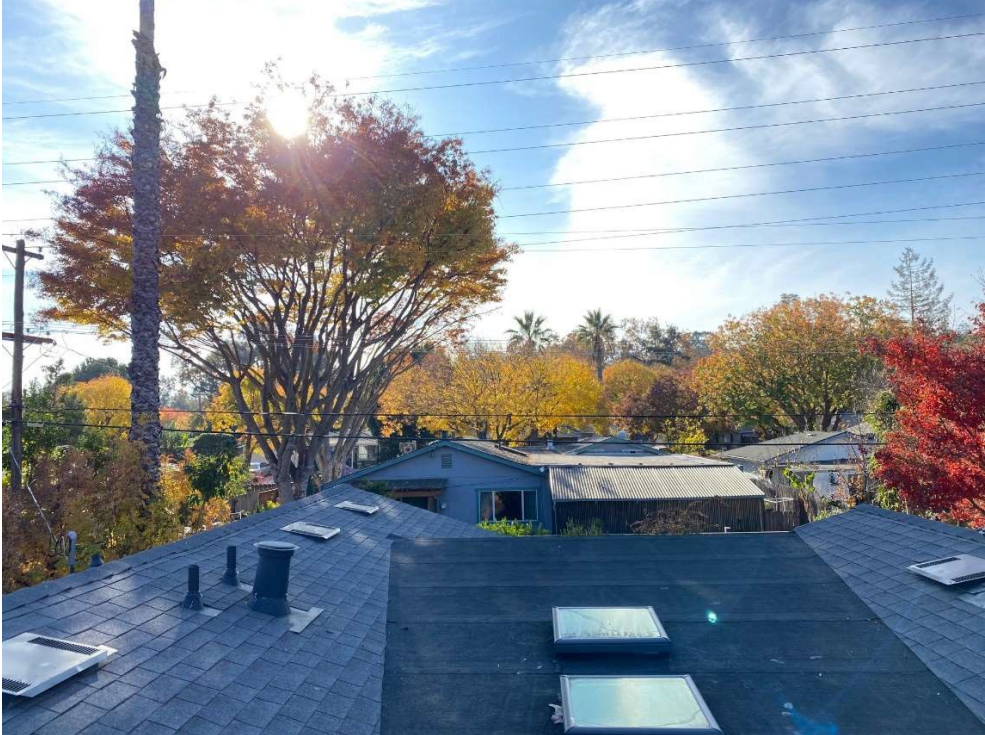
Bedroom window view looking south at 140 Arroyo Grande Way from 124 Arroyo Grande Way at 8:18am on Wednesday, December 16th, 2020.



South-facing roofline view from 124 Arroyo Grande Way (below) – 140 Arroyo Grande roofline would change significantly



West facing roof view from 124 Arroyo Grande – all roofs are similar height



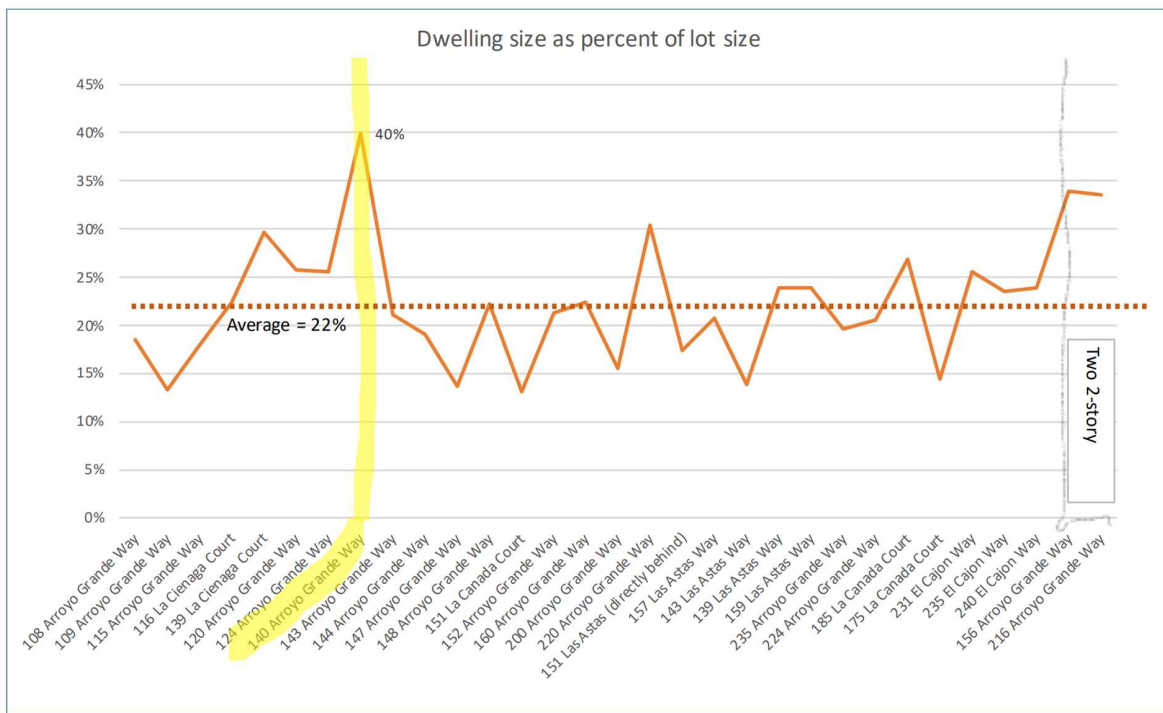
North facing roof view below – rooflines are similar height



East facing roof view – neighbor rooflines are across the street



Chart with additional dwelling size data below – note that 140 Arroyo Grande way is proposed to be substantially above *all* others on a small to mid-size lot with three neighbors



Background data for the dwelling-size chart

Address	Home Size	Lot Size	% of lot	Additional sq ft or # stories	Year of Remodel	Corner Lot
Summary of Data						
140 Arroyo Grande (proposed)	2566	6425	40%	1416		
Neighborhood Average (30 homes)	1608	7350	22%			
Homes remodeled after 2010 (9 homes - marked in red)				459		
Homes in Nearby Neighborhood						
108 Arroyo Grande Way	1765	9544	18%			
109 Arroyo Grande Way	1195	9000	13%			
115 Arroyo Grande Way	1292	7215	18%			
116 La Cienaga Court	1568	7000	22%	346	Pending	
120 Arroyo Grande Way	1549	6000	26%			
124 Arroyo Grande Way	1647	6425	26%	340	2020	
139 La Cienaga Court	2395	8093	30%			
139 Las Astas Way	1549	6500	24%			
140 Arroyo Grande Way	1150	6425	18%			
143 Arroyo Grande Way	1526	7263	21%			Yes
143 Las Astas Way	900	6500	14%			
144 Arroyo Grande Way	1150	6011	19%			
147 Arroyo Grande Way	1153	8450	14%			
148 Arroyo Grande Way	1508	6800	22%			
151 La Canada Court	1292	9860	13%			
151 Las Astas (directly behind)	1150	6625	17%			
152 Arroyo Grande Way	1416	6677	21%			
156 Arroyo Grande Way	2034	6000	34%	2		
157 Las Astas Way	1321	6400	21%			
159 Las Astas Way	1581	6634	24%			
160 Arroyo Grande Way	1432	6400	22%			
175 La Canada Court	1155	8050	14%	228	2014	
179 La Canada Court	2200	8712	25%			
185 La Canada Court	1646	6137	27%	499	2017	
200 Arroyo Grande Way	1150	7448	15%			
209 Arroyo Grande Way	1929	7797	25%			
216 Arroyo Grande Way	2534	7546	34%	2		
220 Arroyo Grande Way	2455	8100	30%			Yes
223 Arroyo Grande Way	2043	6720	30%			
224 Arroyo Grande Way	1804	8800	21%	556	2012	Yes
231 El Cajon Way	2395	9398	25%	1107	2018	
235 Arroyo Grande Way	1292	6600	20%	158	2014	
235 El Cajon Way	1748	7405	24%	281	2018	
240 El Cajon Way	1761	7380	24%	613	2016	
Initial Justification						
139 La Cienaga Ct	2395	7800	31%			Yes
156 Arroyo Grande Way	2034	6000	34%	2		
179 La Canada Court	2200	8712	25%			
209 Arroyo Grande Way	1929	7797	25%			
216 Arroyo Grande Way	2534	7546	34%	2		
220 Arroyo Grande Way	2455	8100	30%	1		Yes
223 Arroyo Grande Way	2043	6720	30%			

From: Jiuhua Feng <joe_feng@icloud.com>
Sent: Tuesday, March 16, 2021 8:30 PM
To: Sean Mullin <SMullin@losgatosca.gov>
Subject: Re: My Neighbor's Remodel

Sean,

Thank you so much for your email. We have received the notice of public hearing. we would like to express our privacy concerns about the project plan at 140 Arroyo Grande Way, Los Gatos.

§ 2.5.2 on p. 20 of "Single and Two Family Residential Design Guidelines, Town of Los Gatos" (hereinafter the Guidelines) require design with sensitivity to adjacent neighbors and states the following:

Never-the-less, additions to existing homes and new houses should be planned with an awareness of the impacts which they will have on the views, sky exposure, sun access and privacy of neighbors (see Section 3.11 for additional guidelines).

§ 3.11 of the Guidelines further delineates more details about how additions to existing homes should be planned with an awareness of the impacts on the privacy of neighbors in that:

§ 3.11.2

- Windows should be placed to minimize views into the living spaces and yard spaces near neighboring homes.
- When windows are needed and desired in side building walls, they should be modest in size and not directly opposite windows on adjacent homes.

(Emphasis added).

Based on the published project plan and the Guidelines, we would like to explicitly, formally express our concerns.

The project plan proposes to increase views, instead of minimizing views stated in the Guidelines, into our private living spaces and yard spaces. Several months ago, we had expressed our concerns about the size and especially the height of the media room double window (6' x 5') (W x H) in the project plan. To our great surprise and disappointment, the current plan of 140 Arroyo Grande Way not only failed to address any of our privacy concerns but instead added two more large, vertically installed windows (3'x5' each) with the height of 8-foot off the floor along the same side facing our house and side yard. It seems to us that we have been "punished" simply because we exercised our right to express our concerns.

Moreover, the project plan of neighbors at 140 Arroyo Grande Way proposes to use four large windows (3'x 5' each) facing our living spaces and yard spaces. To further exacerbate our privacy concerns, the top edge of two of these large windows is 9' above the floor, and the top edge of the remaining two large 3' x 5' windows is 8' despite the 7'-tall fence (with one-foot lattice top) dividing our property and our neighbor's property. In essence, these four large windows are one-foot or two-foot taller than our common fence

(without accounting for the one-foot lattice, see-through section) to provide a direct line-of-sight into our private living spaces and yard spaces.

In addition, these four windows on our side include one 4' x 3' (W x H) window for a bath room, one 6' x 5' double-window for the media room, and two 3' x 5' windows for the garage. One of the 3' x 5' windows for the garage is directly opposing our window for the garage. This size and the placement of a 3' x 5' window opposite my existing window appears to contradict § 3.11.2 which states, inter alia, that "[w]hen windows are needed and desired in side building walls, they should be modest in size and not directly opposite windows on adjacent homes." (Emphasis added). Furthermore, the choice of different sizes and placement of these four windows by the owner of 140 Arroyo Grande Way clearly demonstrate that the owner apparently respects his own privacy by adopting a smaller, smoke and horizontally installed window for the bath room while ignoring his neighbors' privacy by installing three large (e.g., one 6' x 5' and two vertically installed 3' x 5') window high in the areas where his privacy concerns are reduced or minimal without regard to his neighbor's privacy concerns.

Finally, this current project plan has given us the impression that the project plan has been prepared without regard to the City of Los Gatos' Guidelines as if the Guidelines did not exist at all, and more importantly that our privacy concerns are non-issue as we were once told by the owner of the property at 140 Arroyo Grande Way.

Please feel free to contact us if you have any questions or concerns. Thank you again for your invaluable time and efforts.

Jiuhua

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