



Job No: 20-207  
September 17, 2020

Sally Zarnowitz – Planning Manager  
Town of Los Gatos Planning Department  
110 E. Main Street  
Los Gatos, CA 95030

**SUBJECT: Minor Subdivision of Oversized Lot 11 at 120 Oak Meadow Drive, Los Gatos**

Dear Sally,

Thank you for the opportunity to utilize the online pre-application process for this project. Enclosed as background information are the PD Zoning Documents for the property from 1978. As you can see from the brevity of the exhibits, it was a much simpler time. Today this would be a hundred conditions and sixty pages of plans.

The current owners, Martin and Penny McFarland purchased the house from the widow of a dentist in 1992 and converted it from a planned dental office while authentically restoring the historic charm of the building. The residence has served them and their two daughters well for the past 30 years. The older daughter Heather is developmentally disabled and still lives with the McFarlands. She works as a courtesy clerk at the local Safeway and is able to walk to work from their home.

With the anticipation of their retirement years, the McFarlands are considering the subdivision of their nearly 18,000 SF oversized property and construction of a new 2,100 SF residence on a 4,800 SF lot to be shared by the younger daughter (a Special Education teacher), her husband, and Heather. The current primary residence is 3611 SF with 5 bedrooms and 3 bathrooms and is simply too large and expensive to own and maintain in the future for the daughters.

Another background note about the property is that the McFarlands Lot 11 was released from the Homeowners' Association - CC&R's in 1985 based upon the enclosed document. However, per the agreement, the McFarlands do still share in road maintenance expenses.

Listed on the Preliminary Plan are some of the development statistics for the property and the new lot with the residence. Note that the existing townhouses are 1,900 SF on narrow 3,100 SF lots.

Job No. 02-207  
September 17, 2020  
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This project is one of those unique sites where the option to downsize is available on one's own lot within an already developed community. There will be a nominal impact on the density of development.

It is, in fact, the perfect infill opportunity with already available infrastructure that serves a greatly oversized lot.

We are hopeful that the Town shares our view that by virtue of the flexibility of the PD Zoning, there is an opportunity to further the goals of California's Affordable Housing Mandate-even if it is merely one new small residence at a time in this case.

Sincerely,  
TS/CIVIL ENGINEERING, INC.

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Terence J. Szewczyk  
Principal Engineer



July 19, 2024  
Job No. 20-207(rev 2)

Sean Mullin - Senior Planner  
Town of Los Gatos - Community Development Department  
110 E. Main Street  
Los Gatos, CA 95030

**Subject: 120 Oak Meadow Drive -- Letter of Justification**

Dear Mr. Mullin,

The proposed deviations from the Office Zoning Code for FAR, Lot Size, & setbacks of the new lot and residence are minor compared to the already built townhouse units of the PD Zoned project.

In response to your July 16, 2024 request, we address the deviations as follows (our reply is in bold-italicized text):

- A) Parcel A - FAR The existing historic residence is 400 SF over in size is insignificant as compared to Lot 7 where a 1906 SF townhome sits on a 3,059 SF lot for an FAR of 0.62*
- B) Parcel B: Lot area is 5249 SF where 8,000 SF is required by zoning. Again, the existing townhouse lot sizes are 3,350 SF, 3163 SF, & 3,059 SF.*
- C) Parcel B: FAR exceeds zoning standards - this is irrelevant compared to B above.*
- D) Parcel B: Reduced setbacks are larger than the various zero setbacks of the townhouses.*

**Parcel A:**

- a) Parcel A proposed lot coverage of 4,800 sf (40.3%) (as indicated on Sheet C-1) exceeds the allowable lot coverage of 4,762 sf (40.0%) by merely 38 sf.*

**Parcel B:**

- a) Parcel B has a lot area of 5,793 sf, where 8,000 sf is required by the zoning. However,*

*by comparison, at least three of the townhouse lots are just under 3100 sf.*

**b) Parcel B reduced setbacks for residence with attached garage:**

|                           | <i>Required</i> | <i>Proposed</i> |
|---------------------------|-----------------|-----------------|
| <i>Front</i>              | <i>25</i>       | <i>6</i>        |
| <i>Rear (through lot)</i> | <i>25</i>       | <i>7</i>        |
| <i>Side</i>               | <i>10</i>       | <i>3</i>        |

*It should be noted that many of the townhouse units have zero setbacks.*

**c) Parcel B proposed lot coverage of 2,470 sf (42.6%) exceeds the allowable lot coverage of 2,317 sf (40%) by 153 sf.**

**d) Parcel B a portion of the proposed residence (approximately 36 sf) is located outside the least restrictive development area.**

**e) Parcel B driveway slope of 17.5% exceeds maximum allowed by the Hillside Development Standards and Guidelines of 15%. Were we to comply with 15% the garage slab would be 2' lower and the cut and fill guidelines would be violated with an excessive cut at the 32" oak tree near the driveway bridge. The fire dept will not use this driveway but they do allow up to a 20% slope.**

In summary, the 1979 PD Zoning was well intended to provide a creative buffer and transition from medical office to residential uses on this tree studded site. The residential unit types were stylish at that time, with high vaulted ceilings and triangular architectural components built with woodsy and natural exterior materials. Setbacks, FAR, & lot sizes were all ignored in the unit designs. These appear to have been approved within the era when the Town used Planned Development Zoning to avoid compliance with the base zoning district standards. Back then, it was considered progressive and artsy to design clustered townhomes. and "Z" lots.

Sean Mullin - Senior Planner  
Job No. 20-207  
Page 3 of 3  
July 19, 2024(rev2)

Best regards,

A handwritten signature in black ink, appearing to read "Terence J. Szewczyk". The signature is fluid and cursive, with the first name "Terence" being the most prominent.

TS/CIVIL ENGINEERING, INC.  
Terence J. Szewczyk, P.E. C35527  
Principal Engineer

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