

RESOLUTION 2021-

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF LOS GATOS
DENYING AN APPEAL OF THE DECISION OF THE COMMUNITY DIRECTOR
DETERMINATION OF DEMOLITION ON PROPERTY ZONED R-1:8.**

**APN 510-41-007
BUILDING PERMIT: B19-0482
PROPERTY LOCATION: 33 WALNUT AVENUE
PROPERTY OWNER/APPLICANT/APPELLANT: JEFFREY SIEGEL**

WHEREAS, on August 22, 2018 and May 15, 2019, the Historic Preservation Committee reviewed and approved plans for modifications to the subject structure located at 33 Walnut Avenue.

WHEREAS, on April 21, 2021, Building Permit B19-0482 was issued for the construction of a new roofed porch, interior remodel, and exterior door and window modifications for the pre-1941 structure, located at 33 Walnut Avenue per the approval by the Historic Preservation Committee.

WHEREAS, as part of the approved Building Permit B19-0482, a demolition plan and signed Demolition Affidavit was provided by the property owner/applicant/appellant's team acknowledging the Town Code's Demolition policy and process for historic structures.

WHEREAS, on September 16, 2021, staff was informed by the property owner that the exterior siding had been removed from the front elevation of the house.

WHEREAS, on October 7, 2021, the Community Development Director sent an Notice of Unlawful Demolition to the property owner.

WHEREAS, on October 11, 2021, the property owner filed an appeal of the Director of Community Development' determination of demolition violation.

WHEREAS, on November 16, 2021, the Town Council held a public hearing and considered an appeal of the Community Development Director determination of demolition violation for a historic structure.

WHEREAS, the Town Council received testimony and documentary evidence from the appellant and all interested persons who wished to testify or submit documents. Town Council considered all testimony and materials submitted, and the packet of material contained in the

Council Agenda Report for their meeting on November 16, 2021.

WHEREAS, the Town Council made findings and issued its determination regarding the existence of the demolition violation.

WHEREAS, the Town Council made findings that the demolition violation exists as the appellant for the subject property did not follow the approved demolition plan or the approved shear wall plans of the approved building plans. The approved building plans showed shear wall to be placed on the interior walls of the front elevation in order to preserve the existing exterior siding. The appellant did not stop work in the field and contact the Planning Division prior to proceeding past the approved demolition plan by unlawfully removing more than 25 percent of the existing siding on the front elevation. The appellant did not stop work in the field and make a request to revise the location of the shear wall to be placed on the exterior front elevation.

NOW, THEREFORE, BE IT RESOLVED:

1. The appeal of the Community Development Director determination of a demolition violation is denied and the decision stands.

PASSED AND ADOPTED at a regular meeting of the Town Council of the Town of Los Gatos, California, held on the 16th day of November 2021, by the following vote:

COUNCIL MEMBERS:

AYES:

NAYS:

ABSENT:

ABSTAIN:

SIGNED:

MAYOR OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

ATTEST:

TOWN CLERK OF THE TOWN OF LOS GATOS
LOS GATOS, CALIFORNIA

DATE: _____

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