



Legislation Text

File #: 21-689, **Version:** 1

PLN21-0019; Consideration of a Height Exception to build a 2nd-Story addition at 23 feet, 11 inches at 1833 Hillview Drive in the RS-VP zoning district, pursuant to Zoning Code sections 2.04.412(A) and 2.04.412(D)(1)(a)(iv). Zoning District: RS-VP (Single-Family Residential View Preservation); Alameda County Assessor's Parcel Number (APN): 079-0026-086-00; Applicant and Property Owner: Glenn R. Brown.

SUMMARY AND RECOMMENDATION

The applicant and property owner, Glenn R. Brown, is requesting a Height Exception to build a second-story addition of approximately 490 square feet, at a height of 23 feet, 11 inches at 1833 Hillview Drive. The RS-VP zoning district has a height limit of 18 feet, but as per Zoning Code section 2.04.412(C)(1), the Board of Zoning Adjustments (BZA) is "authorized to grant Exceptions to the height limits of the RS-VP Sub-District, up to a height not to exceed the 30 feet height limit of the base RS District." The proposed use for the new second story addition would continue to be residential, specifically an attached Accessory Dwelling Unit (ADU). The construction of an ADU on this property is a separate ministerial approval through a building permit, pursuant to Zoning Code Section 2.04.388, and it is not a part of this Major View Preservation / Residential Site Plan Review for a Height Exception.

Staff believes that, with the recommended Conditions of Approval, the proposed second story would be built without detriment or burden to the residential uses in the area and would be compatible with the purposes of the RS-VP zoning district. Staff recommends that the Board of Zoning Adjustments adopt Resolution 2021-013, approving a Major View Preservation / Residential Site Plan Review for the requested Height Exception at 1833 Hillview Drive, PLN21-0019, based on the Findings of Fact and subject to the recommended Conditions of Approval.

APPLICANT'S SUPPORTING STATEMENT

See attached applicant statement dated May 20, 2021, which includes a list of neighbors who were consulted by the applicant and who signed in support of the proposal.

SURROUNDING AREA & BACKGROUND

The subject property is at 1833 Hillview Drive, approximately 150 feet from the eastern boundary of the city limit, in the Bay-O-Vista neighborhood. The property is a corner lot at the southwest corner of Hillview Drive and Lakeview Drive. It is approximately 10,614 square feet and contains a one-story single-family house (approx. 1,894 square feet), with an attached two-car garage (approx. 477 square feet), and a driveway, all accessible from the north property line, along Hillview Drive. Lakeview Drive is the last street running north-to-south at this eastern city limit. Beyond Lakeview Drive, to the east, is Lake Chabot and its main access road, Lake Chabot Road.

PROPOSAL

The applicant is proposing to build the 490 square-foot second-story addition directly above the two-car attached garage. The height of second story would be 23 feet, 11 inches, when measured from the existing surrounding ground floor to the new roof ridge. The new residential space would be built to contain an ADU, with its main door along the west side of the new second story. The existing single-family house would remain a 3-bedroom house with 2 bathrooms. No connection to the house would be built.

Architecturally, the new second story would match the existing house, by using compatible architectural materials. The roof for the addition would be a pitched roof, clad in red roof shingles to match those on the existing house. It would use the same slope as the existing house and its ridge would run from west to east. The walls would be clad in tongue-and-

groove (T&G) vertical wood siding, with a portion of the east wall also clad in horizontal wood siding, providing additional visual interest. A picture window facing Hillview Drive, and a bay window facing Lakeview Drive, would also be installed.

An elevated walkway/ramp would be built from ADU main door the sidewalk to provide pedestrian access to the ADU. The walkway/ramp would contain a decorative lattice close to the ADU main door to provide some privacy to its residents.

STAFF ANALYSIS

The second-story addition and its walkway/ramp would meet the development regulations for setbacks in the RS-VP zoning district. In particular, the addition would meet the required 10-foot corner-side setback (along Hillview Drive) and the required 15-foot rear setback, located approximately 42 feet, 11 inches feet from the rear property line. Likewise, the decorative lattice would also follow the line of the existing house and the new second-story wall, meeting the required 10-foot corner-side setback. The proposed addition would also comply with the maximum lot coverage, which would be 31.7%, below the maximum 50% allowed. The proposed floor area would be 2,384 square feet, which is below the maximum 4,000 square feet allowed.

Height Exception

The RS-VP zoning district contains view preservation provisions to regulate “new construction that would impair residents’ enjoyment of distant views of scenic features” (Z.C. 2.04.412). To ensure that neighbors’ views are not unreasonably blocked by new construction, the RS-VP development regulations include an 18-foot permitted height limit and a hearing process to consider those proposals that exceed that amount on a case-by-case basis. While the Project otherwise meets the development regulations for the RS-VP zoning district, as stated above, the proposal exceeds the 18-foot height by approximately 5 feet, 11 inches, at 23 feet, 11 inches. The applicant has submitted a series of drawings in support of their request for the Height Exception, including a topographical drawing, a visual simulation, and standard elevation drawings of the proposal.

Properties on both sides of Lakeview Drive do not currently enjoy a view of the San Francisco Bay. Due to the slope orientation, the single-family house at 1833 Hillview Drive has limited views of hills leading to Lake Chabot toward the east of the area. The homes above the subject property, built along Longview Drive, are at a higher topography than the subject property and enjoy more expanded views of the lake beyond the hills.

The property that could potentially be affected by the proposed second story would be the westerly-adjacent property at 2412 Longview Drive. This neighbor’s property contains a one-story single-family house, and according to the topographical drawing, it is built on a building pad at an elevation of 506 feet above sea level.

The topographical drawing shows there is a steep slope at the rear yard of 1833 Hillview Drive, going downward from west to east, toward Lakeview Drive. It drops from approximately 503 feet above sea level near the westerly rear property line, to approximately 488 feet above sea level, near the ground floor of the existing house. This steep slope creates a vertical space of an approximate 15-foot height, and it is this vertical space where the second story is proposed.

The new second story is 14 feet, 9 inches measured from the top of the existing framing on the garage to the top of the new roof ridge. Based on the submitted drawings, it is anticipated that the roof ridge of the proposed second story would remain below the pad elevation of 2412 Longview Drive. Therefore, it is unlikely that the proposed second story would unreasonably impact views of the easterly hills or Lake Chabot for this neighboring property.

The proposal is less likely to impact views of the Lake for other properties along the parallel block of Longview Drive, because they were also built higher than the homes along Lakeview Drive. Additionally, the subject property is not in direct alignment with their limited views of the easterly hills and Lake Chabot beyond. The properties across the street on Lakeview Drive are at a lower topography than the subject property, noticeably lower than the building pad of the existing house at 1833 Hillview Drive.

The applicant’s proposal has been analyzed by staff to be appropriate and compatible with the surrounding area, and unlikely to unreasonably impact scenic views, with the implementation of the recommended Conditions of Approval.

PUBLIC OUTREACH

This item received standard noticing for the December 2, 2021 Board of Zoning Adjustments hearing, including a legal advertisement in the East Bay Times Daily Review newspaper, the posting of notices at City Hall and on the subject property, and mailing notification to property owners within 500 feet of the subject property. Staff did not receive any public comments regarding this hearing item prior to the release of this report.

ENVIRONMENTAL REVIEW

This item is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines, Article 19, Section 15301(e), as it is a minor addition that will not result in an increase of more than 50% of the existing floor area.

RECOMMENDATION

With the recommended Conditions of Approval, the proposed addition conforms to the Zoning Code. Staff recommends that the Board of Zoning Adjustments adopt Resolution 2021-013, approving a Major View Preservation / Residential Site Plan Review for a Height Exception at 1833 Hillview Drive (PLN21-0019), based on the Findings of Fact and subject to the recommended Conditions of Approval.

ATTACHMENTS

Vicinity Map
Applicant Statement
Plan Exhibits A - H

Resolution 2021-013 with Recommended Findings and Conditions of Approval (Legistar File 21-690)

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