



**North Fair Oaks Community Council**  
San Mateo County Coordinated  
Departmental Response



**DATE:** August 19, 2022  
**NFOCC MEETING DATE:** August 25, 2022  
**SPECIAL NOTICE/HEARING:** 10 days, within 300 feet  
**VOTE REQUIRED:** Majority

**TO:** Members, North Fair Oaks Community Council

**FROM:** Planning Staff

**SUBJECT:** Consideration of a Non-conforming Use Permit, pursuant to Sections 6133.3(b) and 6135, to legalize a non-conforming 120 sq. ft. addition to an existing two-story single-family residence on a non-conforming parcel. The room addition has an 11-foot rear yard setback where 20 feet is required, and a 2-foot 7-inch left side yard setback where 5 feet is required, on a substandard 2,500 sq. ft. parcel located at 509 Stanford Avenue in North Fair Oaks. No tree removal and no grading is proposed.

County File Number: PLN 2022-00129 (Yung)

### **PROPOSAL**

The applicant proposes to legalize a habitable office addition (120 sq. ft., added by a prior owner) located at the rear of the existing non-conforming two-story single-family residence on a non-conforming 2,500 sq. ft. parcel in the R-1/S-73 Zoning District where 5,000 sq. ft. is the minimum lot size.

Legalization of the 120 sq. ft. habitable room requires a Non-conforming Use Permit due to the proposed 2-foot 7-inch left side yard setback and 11-foot rear yard setback where a 5 feet and 20 feet is required, respectively. The project proposes no grading and no tree removal.

### **RECOMMENDATION**

That the North Fair Oaks Community Council provide a recommendation to the Zoning Hearing Officer on the proposed Non-conforming Use Permit, PLN 2022-00129.

### **BACKGROUND**

Report Prepared By: Olivia Boo, [oboo@smcgov.org](mailto:oboo@smcgov.org)

Owner/Applicant: Eva Yung

Location: 509 Stanford Avenue, North Fair Oaks

APN: 054-244-300

Parcel Size: 2,500 sq. ft.

Existing Zoning: R-1/S-73 (One-family Residential/5,000 sq. ft. lot minimum)

General Plan Designation: Medium Density Residential (6.1-8.7 du/ac)

North Fair Oaks Community Plan: Single-family Residential

Existing Land Use: Developed with a two-story single-family residence

Water Supply: California Water Service-Bear Gulch

Sewage Disposal: Fair Oaks Sewer District

Flood Zone: Zone X (Area of Minimal Flood Hazard), FEMA Panel Number 06081C0302E, effective date: October 16, 2012

Environmental Evaluation: The project is categorically exempt pursuant to California Environmental Quality Act Guidelines Section 15301, Class 1(e), for a residential addition to an existing structure where the addition will not result in an increase of more than 50 percent of the floor area of the structure before the addition, or 2,500 sq. ft., whichever is less.

Setting: The property is located in the unincorporated community of the North Fair Oaks area and is developed with a two-story single-family residence with no covered parking. An Off-street Parking Exception was approved under County File Number PLN 2018-00439 in 2020. The parcel size is 2,500 sq. ft., and is non-conforming in size, as it does not meet the 5,000 sq. ft. minimum parcel size required in the S-73 Zoning District. The surrounding parcels include both 5,000 sq. ft. and substandard sized parcels. The area is developed with both one story and two-story single-family residences.

## **DISCUSSION**

### **A. KEY ISSUES**

1. Compliance with the General Plan/North Fair Oaks Community Plan

The County General Plan and North Fair Oaks Community Plan designate the parcel as Medium Density Residential and Single-Family Residential, respectively. The current use of the property as a single-family residence is consistent with these designations and the proposed land use will remain single-family residential. Furthermore, all public services and infrastructure are available to serve the project.

2. Compliance with the Zoning Regulations

a. Development Standards

The project parcel is zoned R-1/S-73. The project complies with the S-73 development standards, except for the left side and rear setbacks, which the applicant is seeking the subject Non-conforming Use Permit to address.

	<b>S-73 Development Standard</b>	<b>Existing (based on legal building area)</b>	<b>Proposed Addition</b>
Minimum Lot Size	5,000 sq. ft.	2,500 sq. ft.	No change
Minimum Front Setback	20 feet	25 feet (Once illegal carport is removed)	No change
Minimum Rear Setback	20 feet	11 feet	11 feet*
Minimum Side Setbacks	5 feet	3 feet, 8 inches (right side) 2 feet, 7 inches (left side)	No change 2 feet, 7 inches (left side) *
Maximum Height	28 feet	13 feet	No change
Lot Coverage	50 percent/1,250 sq. ft.	42 percent/1,064 sq. ft.	47 percent/1,184 sq. ft.
Floor Area Ratio	2,600 sq. ft.	1,491 sq. ft.	1,611 sq. ft.

\*Non-conforming Use Permit required.

b. Parking Requirements

Section 6118 and 6119 of the County Zoning Regulations (*Parking*) requires two independently accessible covered parking spaces for all

single-family dwelling units with two (2) or more bedrooms, located outside of the required front yard setback. The existing two-story single-family residence plus basement has three (3) bedrooms. The proposed room addition does not have a closet and therefore does not meet the definition of a bedroom and does not require additional covered parking. The subject property was granted an Off-street Parking Exception on July 6, 2020, County File Number PLN 2018-00439, which allows for two uncovered parking spaces located within the front yard setback on the property in lieu of the two covered parking spaces required outside of the 20-foot front yard setback.

3. Conformance with Non-conforming Use Permit Findings

The following findings, as required by Zoning Ordinance Sections 6133.3(b) and 6135, must be made in order to grant approval of the Non-conforming Use Permit.

a. **The proposed development is proportioned to the size of the parcel on which it is being built.**

The proposed parcel is a legal 2,500 sq. ft. non-conforming parcel where 5,000 sq. ft. is the minimum required parcel size in the S-73 Zoning District. The project complies with the allowed lot coverage and floor area ratio and thus is reasonably proportioned to the size of the 2,500 sq. ft. parcel.

b. **All opportunities to acquire additional contiguous land in order to achieve conformity with the zoning regulations currently in effect have been investigated and proven to be infeasible.**

All parcels contiguous to the subject parcel are privately owned and developed with single-family residences. The contiguous parcels are not large enough to allow a lot line adjustment for the subject parcel to acquire and gain additional square feet to meet the 5,000 sq. ft. minimum parcel size without making a contiguous parcel non-conforming in size and setbacks. The parcels to the adjacent north (right side) and south (left side) are approximately 5,000 sq. ft. in size. The parcel to the west (rear side) is approximately 2,500 sq. ft. in size.

c. **The proposed development is as nearly in conformance with the zoning regulations currently in effect as is reasonably possible.**

The applicant requests a 2-foot 7-inch left side yard setback and an 11-foot rear yard setback. Given the existing non-conformities on the project site (parcel size and side yard setbacks), legalizing the habitable space at the rear of the main floor will allow a reasonable addition to an existing residence. The addition is single-story and will be less visually impactful to the property and community and will allow for better utilization of the

property for a reasonably sized house where housing supply is a challenge in the bay area. All of the exceptions are as nearly in conformance with the Zoning Regulations currently in effect as is reasonably possible while still allowing for a reasonably sized residence on the constrained parcel

- d. **The establishment, maintenance, and/or conduction of the proposed use will not, under the circumstances of the particular case, result in a significant adverse impact to coastal resources, or be detrimental to the public welfare or injurious to property or improvements in the said neighborhood.**

Surrounding development in the neighborhood consists primarily of older one-and two-story single-family residences. The proposal will continue to utilize the property for single-family residential purpose and will maintain a design that is compatible with surrounding single-family residential development. The project has been reviewed by the Department of Public Works and the Building Inspection Section and has been preliminarily approved. The project is not located in the coastal zone and therefore would not impact coastal resources. Based on the foregoing, staff has determined that this proposal would not be detrimental to the public welfare or injurious to the property or improvements in the neighborhood.

- e. **Use permit approval does not constitute a granting of special privileges.**

The requested exceptions to the rear yard and left side yard setback requirements to legalize the minor addition do not make the residence out of character with the surrounding residential development. Furthermore, the Non-conformities Chapter of the Zoning Regulations provides the same exception process for other substandard parcels in the same/similar situation. Therefore, the proposed Non-conforming Use Permit approval does not constitute the granting of a special privilege that is not available to other properties in similar situations.

## **ATTACHMENTS**

- A. Vicinity Map
- B. Plans

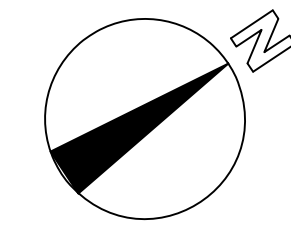
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# YUNG RESIDENCE

## ADDITION/REMODEL

509 STANFORD AVE. REDWOOD CITY, CA 94063

SITE AND ROOF PLAN



**H&H ENGINEERS GROUP**  
 Phone: 510-512-8648  
 eMail: HHEngineersGroup@GMail.com  
 Address: P.O. Box 1295  
 Pleasanton, CA 94566

### SHEET INDEX

GENERAL	STRUCTURAL
A0.0 COVER SHEET	
ARCHITECTURAL A1.1 PROPOSED/EXISTING FLOOR PLAN & ELEVATIONS	

### PROJECT SUMMARY

ASSESSOR'S PARCEL NO:	054-244-300
ZONING:	R-1/S-73
JURISDICTION:	REDWOOD CITY
TYPE OF CONSTRUCTION:	TYPE V-B, NON-SPRINKLERED
BUILDING OCC. GROUPS:	R-3/U (SINGLE FAMILY RESIDENTIAL)
EXISTING BUILDING/LOT DATA	
LOT AREA:	2,500 SF
PROPERTY SETBACKS:	25'-0" FRONT, 11'-0" REAR, AND SIDE SETBACKS OF 3'-20" AND 2'-7"
EXISTING FLOOR AREA: TOTAL	1,328 SF
1ST FLOOR	787 SF
2ND FLOOR	357 SF
BASEMENT	184 SF
EXISTING GARAGE AREA:	0 SF
EXISTING COVERED FRONT PORCH:	89 SF
EXISTING BUILDING HEIGHT:	21.8 FT +/-
YEAR BUILT:	1956
ALLOWABLE BUILDING/LOT AREAS	
MAX. LOT COVERAGE:	50 %
MAX. BUILDING FLOOR AREA:	2,600 SF
MAX BUILDING HEIGHT	28 FT
PROPOSED BUILDING/LOT DATA:	
NEW ADDITION FLOOR AREA: 1ST FLOOR	126 SF, INCLUDING 82 SF (OFFICE)
	44 SF (LEGALIZED PLN2018-00439)
PROPOSED FLOOR AREA: TOTAL	1,484 SF
1ST FLOOR	913 SF
2ND FLOOR	387 SF
BASEMENT	184 SF
PROPOSED COVERED FRONT PORCH:	89 SF
PROPOSED GARAGE:	0 SF
PROPOSED LOT COVERAGE:	1,186 SF / 2,500 SF = 47.4 %
PROPOSED BUILDING FLOOR AREA:	1,573 SF

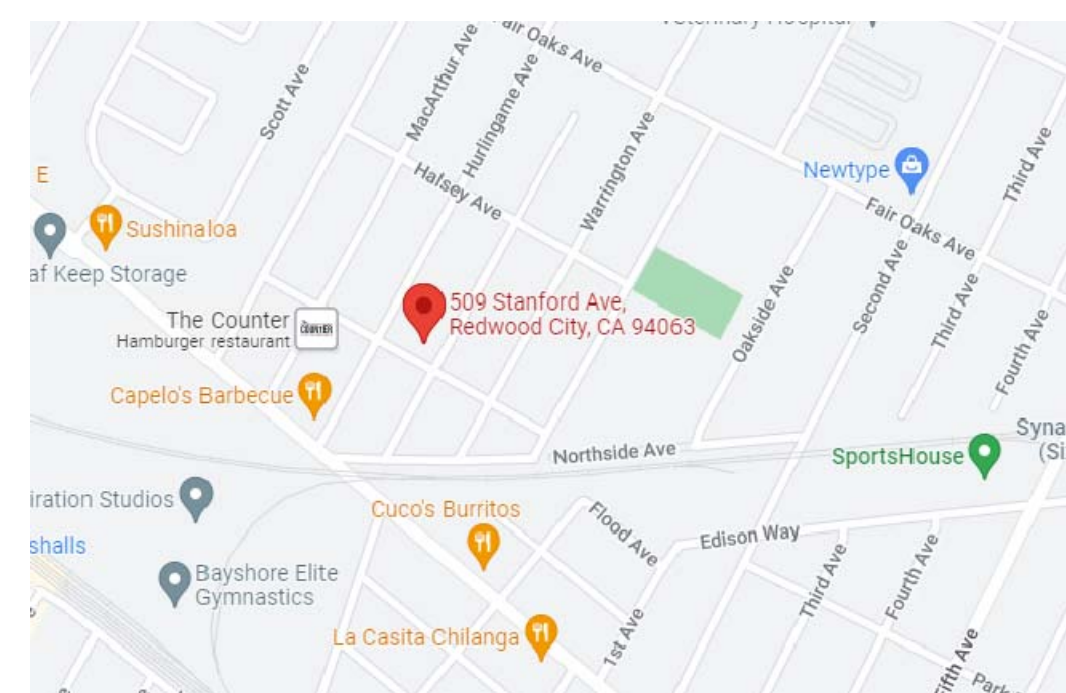
### SCOPE OF WORK

1. Addition of 126 sf to the rear, including one office of 82 sf, and one bathroom of 44sf (legalized PLN2018-00439).

### SPECIAL NOTES

### DEFERRED SUBMITTALS

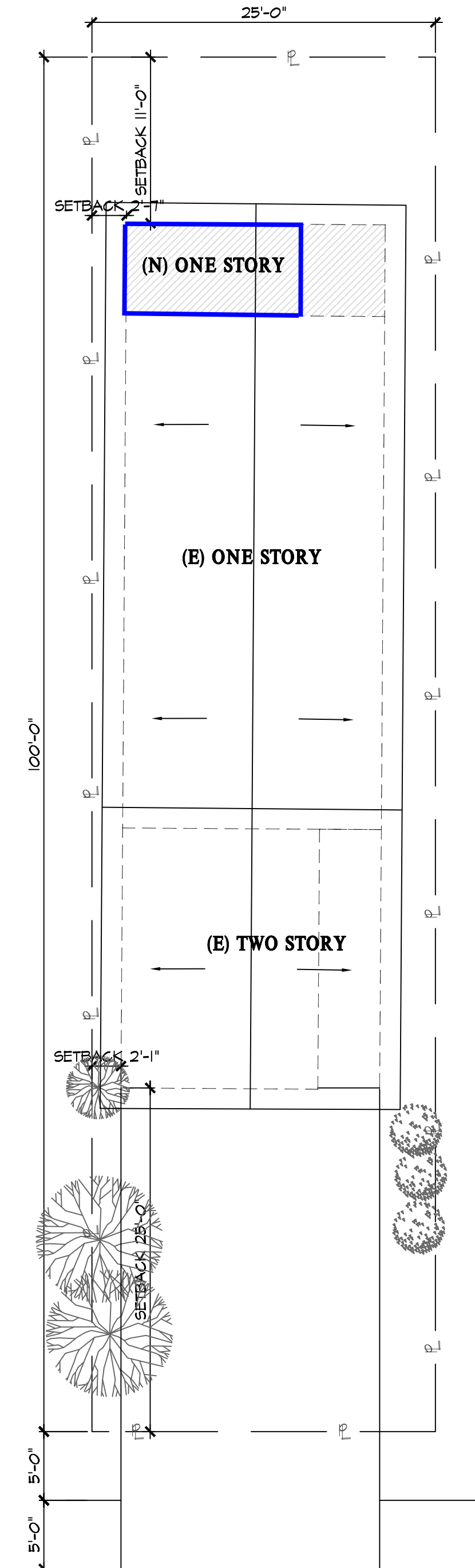
### LOCATION MAP



**YUNG RESIDENCE**  
 ADDRESS: 509 STANFORD AVE. REDWOOD CITY, CA 94063  
 OWNER: NAOMI YUNG/EVA YUNG  
 TEL:

### NOTES

1. Contractor verifies existing dimensions, roof pitches on site before the construction.



- PROPERTY LINE/FENCE
- ROOF PITCH, 3.5:12, V.I.F.
- WATER METER
- ELECTRICAL METER
- GAS METER
- SEWER BOX
- NEW ADDITION

DESCRIPTION	DATE
PLANNING	04-15-2022



SIGNED DATE: 04-15-2022

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### COVER SHEET

JOB NO: H220301

SCALE: 1/8"=1'-0"

**A0.0**



**H&H ENGINEERS GROUP**  
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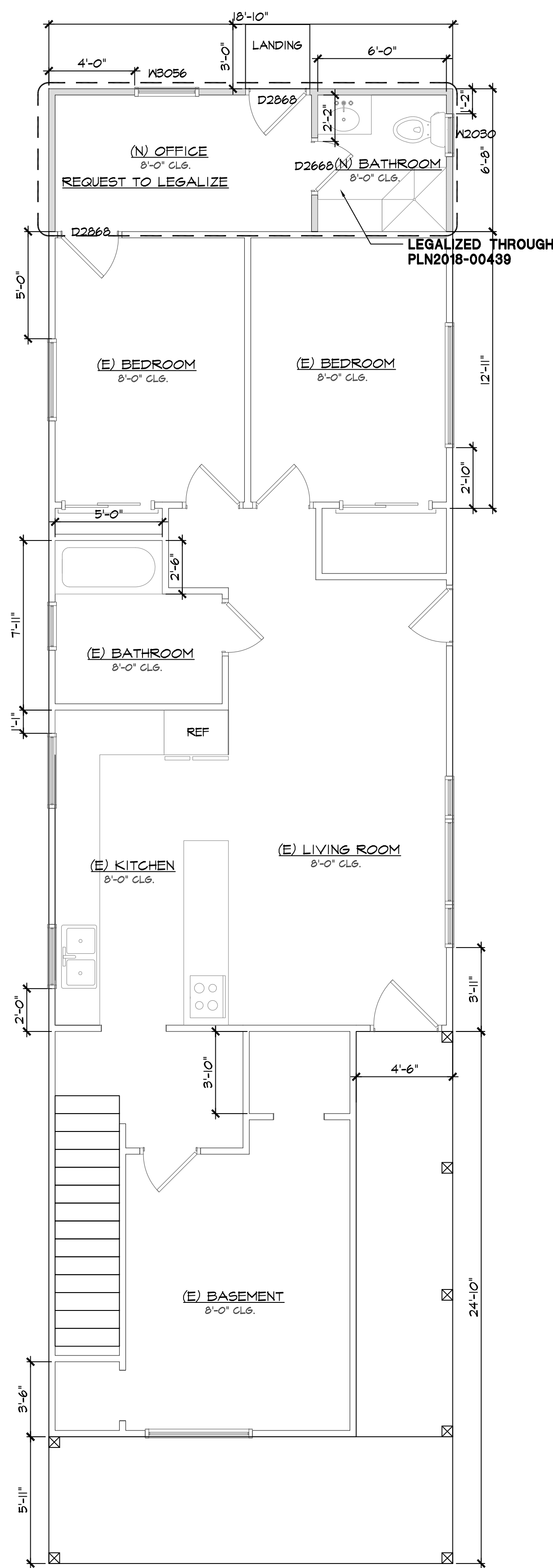
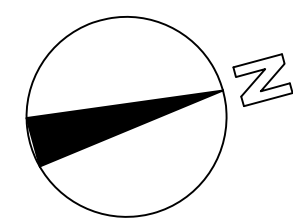
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**PROPOSED/EXISTING FLOOR PLAN & ELEVATIONS**

JOB NO: H220301

SCALE: 1/4"=1'-0"

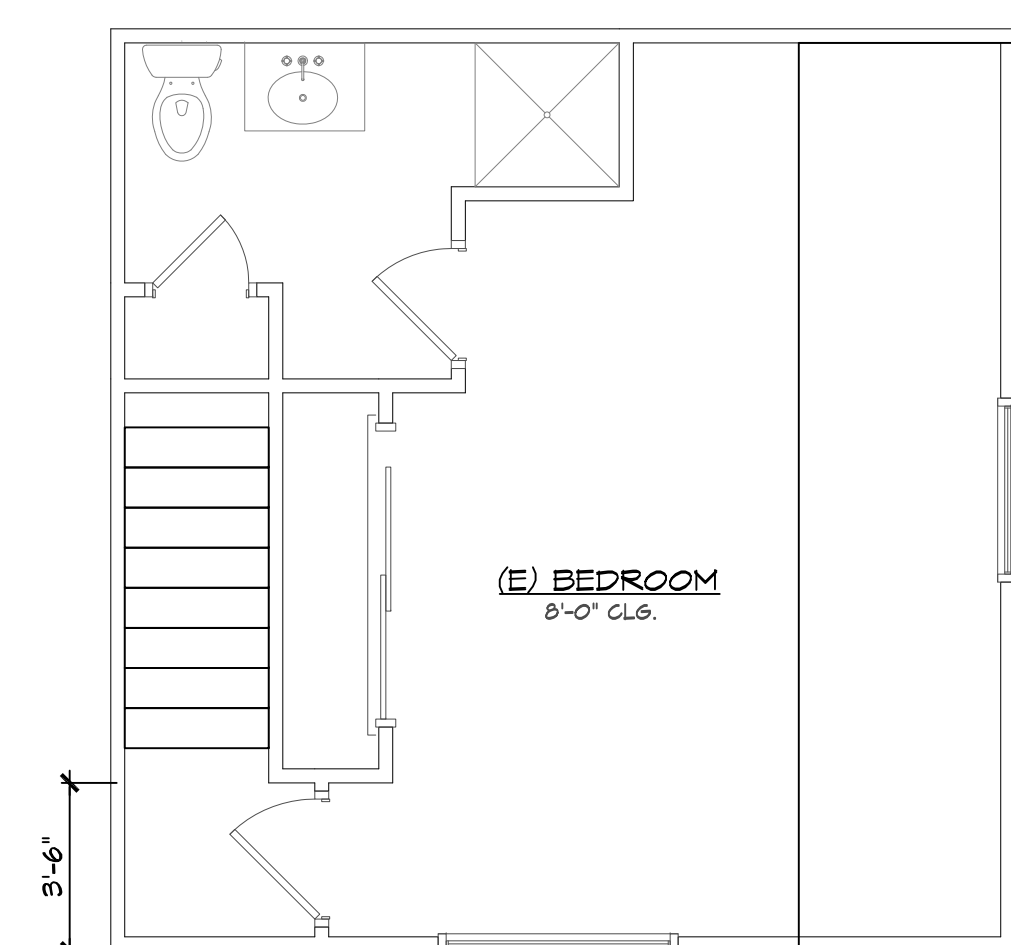
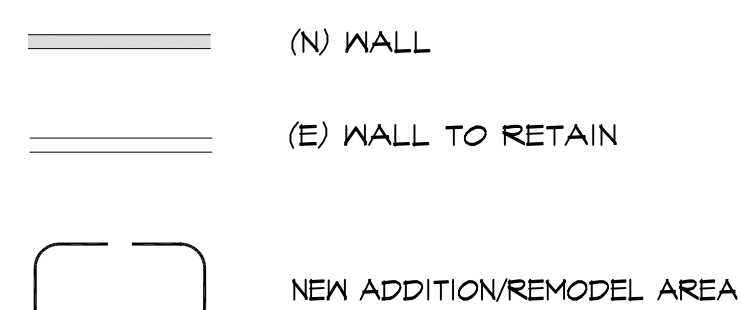
**A1.1**



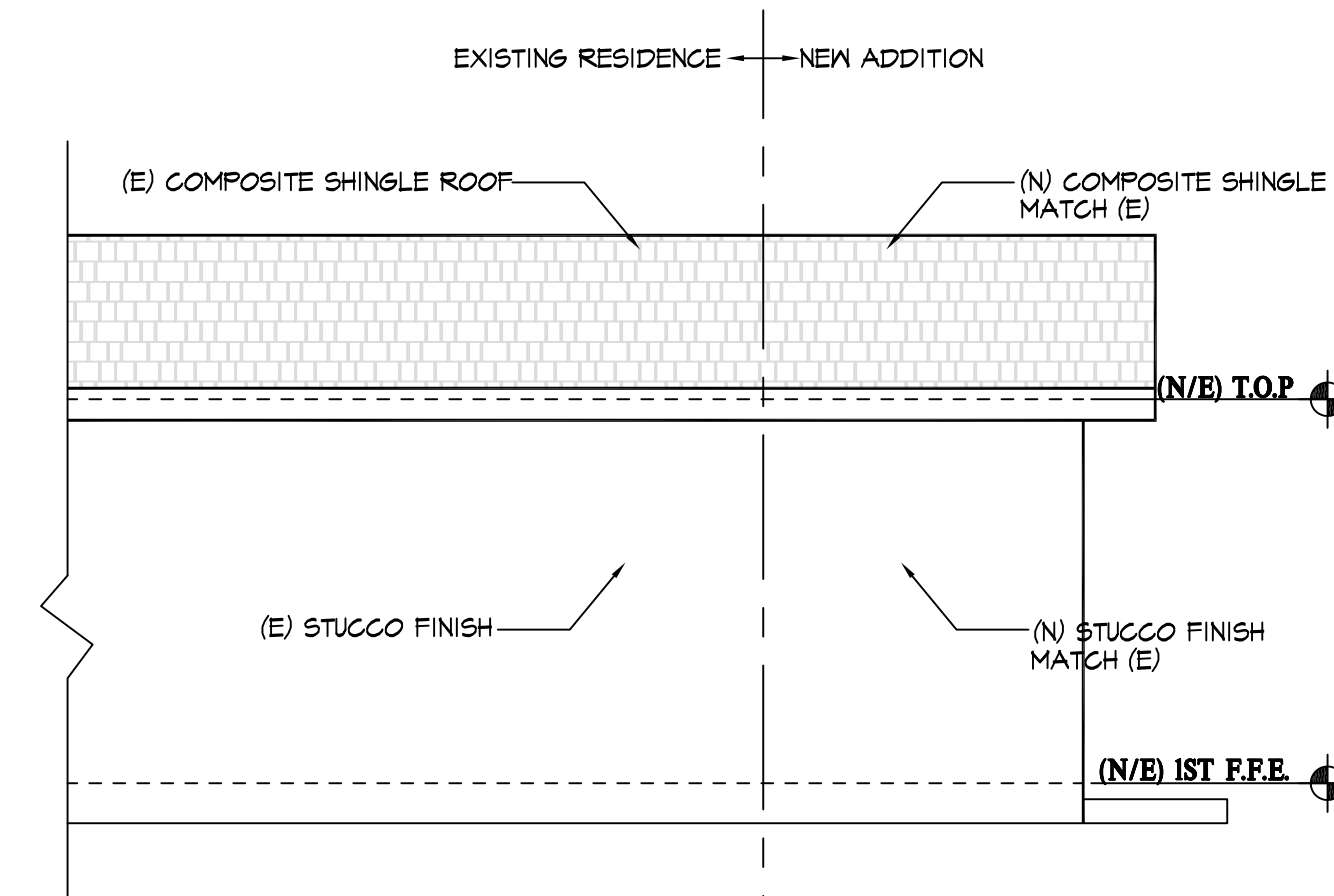
**EXISTING 1ST FLOOR PLAN**

**PARTIAL NOTES:**

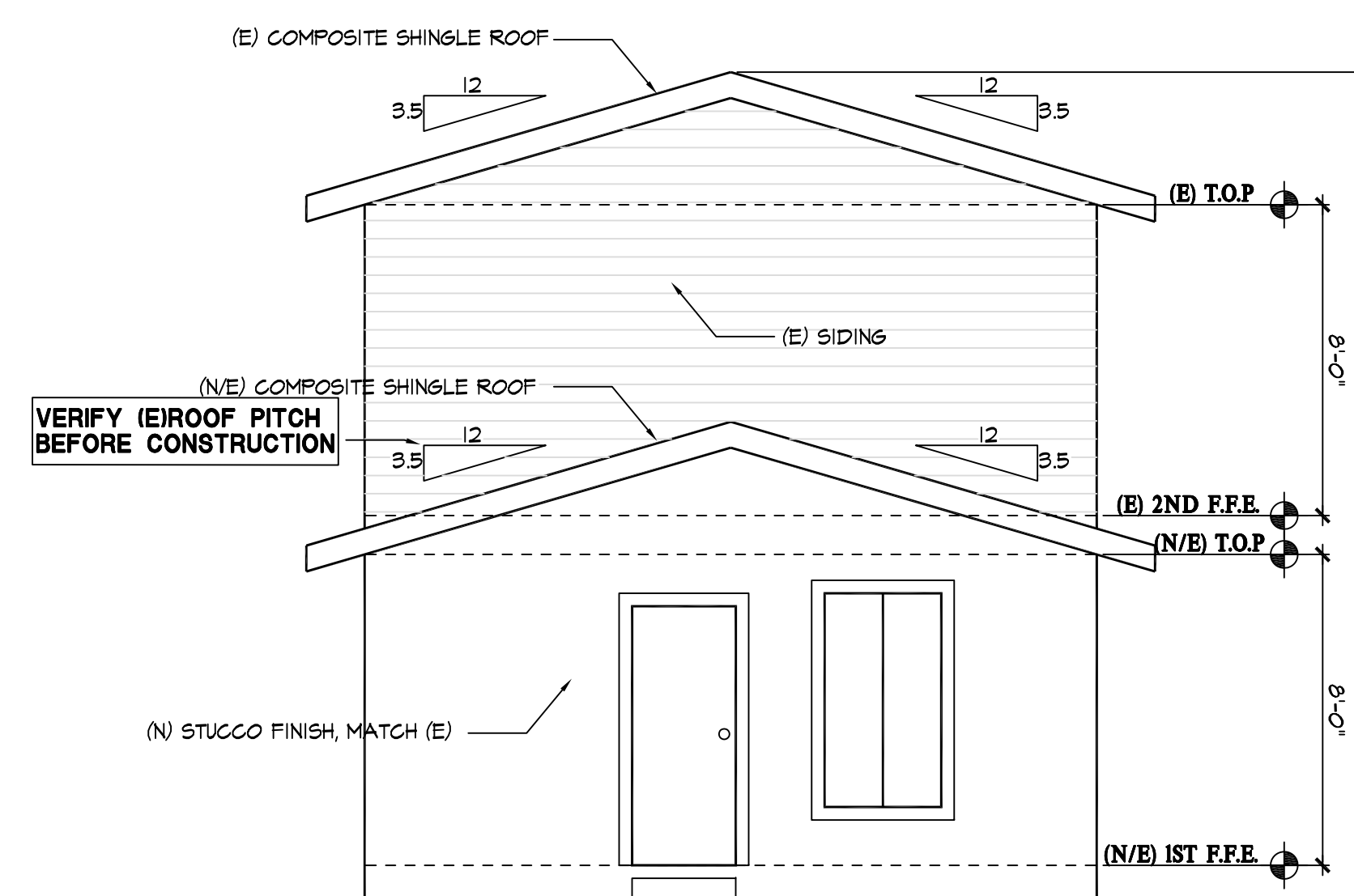
- All dimensions are taken from framing stud to stud.
- Exterior windows and doors to be centered to the wall, unless otherwise noted, typ.
- All doors are placed 4 in away from the closest wall (stud), unless in the middle of hallway or otherwise noted.
- Frost bathroom windows.
- The window above the bath tub in addition and glasses of the doors to the backyard, if any, are safety glazed. CRC r308.4 specify locations where safety glazing is required, including:
  - Glazing in all fixed and operable panels of swinging, sliding and bifold doors.
  - Glazing in an individual fixed or operable panel adjacent to a door, where the nearest vertical edge is within a 24-inch arc of either vertical edge of the door in a closed position, and where the bottom exposed edge of the glazing is less than 60 inches above the floor or walking surface.
  - Glazing enclosing hot tubs, spas, whirlpools, saunas, steam rooms, bathtubs, showers, and indoor or outdoor swimming pools where the bottom exposed edge of the glazing is less than 60" measured vertically above any standing or walking surface.
- Each bathroom containing a bathtub or shower shall be mechanically ventilated to control humidity. Window operation is not a permissible method of providing humidity control in a bathroom. CMG CHAPTER 4, CRC R503.3.
- Clear space around a toilet shall measure a minimum 15" from centerline of toilet to wall or barrier on each side, and a minimum 24" in front of the toilet. CRC 402.5
- At shower/bathtub walls, use cement backing board. The backing material shall be cementitious material or gypsum board approved for this installation. If tub surround walls will have the finish, please provide cementitious tile backing over waterproof membrane.
- Thresholds dimension at a required egress door not to exceed 1.5 inches.
- All sink faucets, shower heads, toilets and urinals shall comply with California Civil Code Section 11011 through 11018. (Kitchen faucets shall not exceed 1.0gals/min. Lavatory faucets shall not exceed 1.5gals/min. Shower heads shall not exceed 2.0gals/min. Toilets shall not exceed 1.28gals/flush and Urinals shall not exceed .5gals/flush.)
- Comply with CRC 408.5 slide-hinged shower doors shall open in the direction of egress (outswing) to provide unobstructed opening for egress. Comply with CRC 408.6 shower compartments shall have a minimum finished interior of 1024 square inches and shall also capable of encompassing a 30-inch circle, measured at a height equal to the top of the threshold and a point tangent to its centerline.



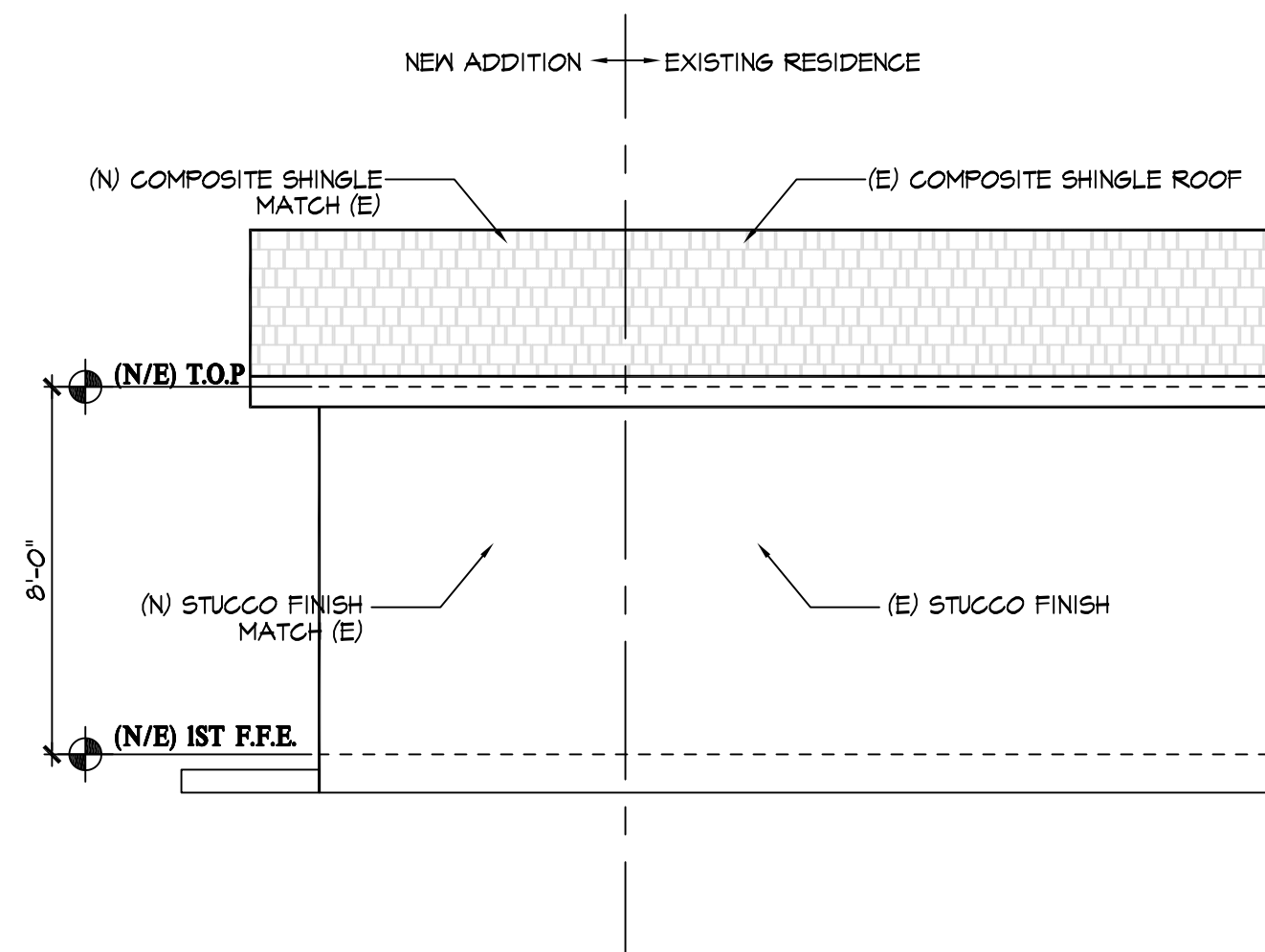
**EXISTING 2ND FLOOR PLAN**



**PROPOSED/EXISTING RIGHT ELEVATION (NORTHEAST)**



**PROPOSED/EXISTING REAR ELEVATION (NORTHWEST)**



**PROPOSED/EXISTING LEFT ELEVATION (SOUTHWEST)**

**EMERGENCY EGRESS CLEARANCE DETAIL**

