



**TOWN OF LOS GATOS  
PLANNING COMMISSION  
REPORT**

MEETING DATE: 04/13/2022

ITEM NO: 2

DATE: April 8, 2022  
TO: Planning Commission  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Consider an Appeal of the Historic Preservation Committee Decision to Deny the Removal of a Presumptive Historic Property (Pre-1941) from the Historic Resources Inventory on Property Zoned R-1:8. **Located at 33 Walnut Avenue.** APN 510-41-007. Property Owner/Applicant/Appellant: Jeffrey Siegel. Project Planner: Erin Walters.

RECOMMENDATION:

Deny the appeal of the Historic Preservation Committee decision to deny the removal of a presumptive historic property (pre-1941) from the Historic Resources Inventory on property zoned R-1:8, located at 33 Walnut Avenue.

PROJECT DATA:

General Plan Designation: Low Density Residential  
Zoning Designation: R-1:8  
Applicable Plans & Standards: General Plan, Residential Design Guidelines  
Parcel Size: 8,000 square feet  
Surrounding Area:

	Existing Land Use	General Plan	Zoning
North	Residential	Low Density Residential	R-1:8
South	Residential	Low Density Residential	R-1:8
East	Residential	Low Density Residential	R-1:8
West	Residential	Low Density Residential	R-1:8

PREPARED BY: ERIN WALTERS  
Associate Planner

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Reviewed by: Planning Manager and Community Development Director

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CEQA:

The request to remove the property from the Historic Resources Inventory is not considered a project under the California Environmental Quality Act.

FINDINGS:

- As required to remove a pre-1941 property from the Historic Resources Inventory.

ACTION:

The decision of the Planning Commission is final unless appealed within ten days.

BACKGROUND:

The subject property is located 185 feet from the northwest corner of Walnut Avenue and Hernandez Avenue (Exhibit 1). The subject property has frontage on both Walnut Avenue and Wissahickon Avenue. The property contains a presumptive historic (pre-1941) single-family residence and a detached garage with a second story accessory dwelling unit (ADU) above. The house, detached garage, and ADU are currently under construction/renovation.

On January 26, 2022, the property owner/applicant submitted materials requesting that the Historic Preservation Committee (Committee) formally remove the subject residence from the Historic Resources Inventory (HRI) due to its lack of historic significance and loss of integrity resulting from modifications and additions to the residence (Exhibit 5, Attachment 7).

On February 23, 2022, the Committee considered the applicant's request, including the applicant's letter of justification, research materials and site photographs of the subject property (Exhibit 5). The Committee denied the request to remove the subject presumptive historic property (pre-1941) from the HRI (Exhibits 3, 4, and 5).

On February 27, 2022, the property owner/applicant appealed the decision of the Committee to the Planning Commission (Exhibit 6). The property owner/applicant/appellant indicated that the Committee failed to consider and apply the decision criteria set forth in the Los Gatos Town Code and defined by the United States Department of the Interior.

Pursuant to Section 29.20.258 of the Town Code, the decision of the Committee may be appealed to the Planning Commission by any interested party as defined by Section 29.10.020 within 10 days of the decision.

For residential projects an interested person is defined as, "a person or entity who owns property or resides within 1,000 feet of a property for which a decision has been rendered and

BACKGROUND (continued):

can demonstrate that their property will be injured by the decision.” The appellant meets the requirements.

Pursuant to Town Code Section 29.20.265, the appeal shall be set for the first regular meeting of the Planning Commission in which the business of Planning Commission will permit, more than five (5) days after the date of filing the appeal. The Planning Commission may hear the matter anew and render a new decision in the matter.

PROJECT DESCRIPTION:

A. Location and Surrounding Neighborhood

The subject property is located 185 feet from the northwest corner of Walnut Avenue and Hernandez Avenue (Exhibit 1). The surrounding properties are low density residential.

B. Project Summary

The property owner is appealing the Committee’s decision to deny a request to remove the subject presumptive historic property (pre-1941) from the HRI.

DISCUSSION:

A. Removal from the Historic Resources Inventory

Town Code Section 29.10.020 defines “Historic Structure” and includes, “Any primary structure constructed prior to 1941, unless the deciding body has determined that the structure has no historic significance and should not be included in the Town Historic Resources Inventory.”

Pursuant to the Residential Design Guidelines, Chapter 4, Historic Resources, the Town recognizes any primary structure that was constructed prior to 1941, unless the Town has determined that the structure has no historic significance or architectural merit as a local historic resource.

The property owner is requesting approval to remove the subject presumptive historic property (pre-1941) from the HRI. The applicant provided a Letter of Justification, research materials, and site photographs of the subject property (Exhibit 5, Attachment 3, 4 and 7).

The findings required for the removal of a pre-1941 primary structure from the HRI recognize that the qualities of a building do not align with the listed criteria for preservation

DISCUSSION (continued):

included in the purpose of historic preservation in the Town, specifically subsection 1 below.

Pursuant to Town Code Section 29.80.215, the purpose of the Town's Historic Preservation Ordinance states:

It is hereby found that structures, sites, and areas of special character or special historical, architectural, or aesthetic interest or value have been and continue to be unnecessarily destroyed or impaired, despite the feasibility of preserving them. It is further found that the public health, safety, and welfare require prevention of needless destruction and impairment, and promotion of the economic utilization and discouragement of the decay and desuetude of such structures, sites, and areas. The purpose of historic preservation is to promote the health, safety, and general welfare of the public through:

- 1) The protection, enhancement, perpetuation, and use of structures, sites, and areas that are reminders of past eras, events, and persons important in local, State, or National history, or which provide significant examples of architectural styles of the past or are landmarks in the history of architecture, or which are unique and irreplaceable assets to the Town and its neighborhoods, or which provide for this and future generations examples of the physical surroundings in which past generations lived.

When considering a request for a determination that a pre-1941 primary structure has no historic significance or architectural merit the Committee considers the following findings:

1. The structure is not associated with events that have made a significant contribution to the Town;
2. No Significant persons are associated with the site;
3. There are no distinctive characteristics of type, period, or method of construction or representation of work of a master;
4. The structure does not yield information to Town history; or
5. The integrity has been compromised such that the structure no longer has the potential to convey significance.

A. Historic Preservation Committee

On February 23, 2022, the Committee received the staff report (Exhibit 5), opened the meeting, and considered testimony from the applicant and public (Exhibit 3). After asking questions of the applicant, the Committee closed the public hearing and discussed the



DISCUSSION (continued):

project. The Committee voted unanimously to deny the request to remove the subject presumptive historic property (pre-1941) from the HRI.

B. Appeal to Planning Commission

The decision of the Committee was appealed on February 27, 2022, prior to the 5:00 p.m. deadline, by the property owner, Jeffrey Siegel (Exhibit 6).

The appeal states that the appeal should be granted because the Committee failed to consider and apply the decision criteria set forth in the Los Gatos Town Code and defined by the United States Department of the Interior (Exhibit 6). The two primary points made in the appeal are listed below with staff analysis in *italic font*.

1. Appellant: The Committee failed to consider and apply the decision criteria set forth in the Los Gatos Town Code.

*At the February 27, 2022 Committee meeting, the Committee considered the following findings related to the request for a determination that the pre-1941 primary structure had no historic significance or architectural merit. In evaluating a request for a determination of historic significance or architectural merit, the Committee considered the following:*

1. *The structure is not associated with events that have made a significant contribution to the Town;*
  - *The Committee was silent on this finding.*
2. *No Significant persons are associated with the site;*
  - *The Committee was silent on this finding.*
3. *There are no distinctive characteristics of type, period or method of construction or representation of work of a master;*
  - *The Committee was silent on this finding.*
4. *The structure does not yield information to Town history; or*
  - *The Committee was silent on this finding.*
5. *The integrity has been compromised such that the structure no longer has the potential to convey significance.*
  - *The Committee found that there have been changes made to the structure by both previous property owners and the current property owner. In 2018, both the current property owner/applicant/appellant and the Committee treated*

DISCUSSION (continued):

*the subject property as a historic (pre-1941) property (Exhibit 5, Attachments 3 and 4). The Committee found that nothing substantive had changed since the 2018 Committee review and approval of exterior modifications to the historic (pre-1941) structure. The Committee found that the property owner/applicant's request to remove the property from the HRI was the result of property owner removing more than 25 percent of the siding on the front elevation in September of 2021. Based on the testimony provided by the property owner/applicant and the evidence provided in Exhibit 5, the Committee found that historic integrity of the subject structure has not been compromised. (Exhibit 3)*

*The Committee considered and applied the decision criteria set forth in the Town Code.*

2. Appellant: The Committee failed to consider and apply the decision criteria set forth by the U.S. Department of Interior.

*To be listed in the National Register of Historic Places by the U.S. Department of Interior, a property must be shown to be significant under the National Register criteria and have integrity. The National Register provides seven different aspects of integrity to consider when evaluating the historic integrity of a property which include: location, design, setting, materials, workmanship, feeling, and association.*

*The U.S. Department of Interior outlines the following steps for assessing integrity:*

- *Define the essential physical features that must be present for a property to represent its significance.*
- *Determine whether the essential physical features are visible enough to convey their significance.*
- *Determine, based on the significance and essential physical features, which aspects of integrity are particularly vital to property being nominated if they are present.*

*The U.S. Department of Interior recognizes properties change over time. It is not necessary for a property to retain all its historic physical features or characteristics. The property must retain the essential physical features that enable it to convey its historic identity.*

*Pursuant to Town Code, the Town utilizes local criteria to evaluate requests in determining whether or not pre-1941 primary structures have historic significance or architectural merit, as described above. The local ordinance considers aspects of the U.S. Department of Interior standards when evaluating the historic integrity of a*

DISCUSSION (continued):

*property and also considers the local Committee's findings in determining if the building has enough historic significance or architectural merit to remain on the HRI.*

Additional information provided by the property owner/applicant/appellant is included as Exhibit 7.

PUBLIC COMMENTS:

Written notice was sent to property owners and tenants within 300 feet of the subject property. At the time of this report's preparation, the Town has not received any public comment.

ENVIRONMENTAL REVIEW:

The request to remove the property from the Historic Resources Inventory is not considered a project under the California Environmental Quality Act.

CONCLUSION:

A. Summary

The property owner is requesting that the Planning Commission reconsider the Committee's decision to deny the removal of the presumptive historic property (pre-1941) from the Historic Resource Inventory.

B. Recommendation

For reasons stated in this report, it is recommended that the Planning Commission deny the appeal and uphold the decision of the Historic Preservation Committee to deny the removal of the presumptive historic property (pre-1941) from the HRI.

C. Alternatives

Alternatively, the Commission can:

1. Continue the matter to a date certain with specific direction;
2. Grant the appeal and remove the subject property from the Historic Resource Inventory, making one or more of the findings provided in Exhibit 2; or
3. Remand the appeal to the Historic Preservation Committee with specific direction.

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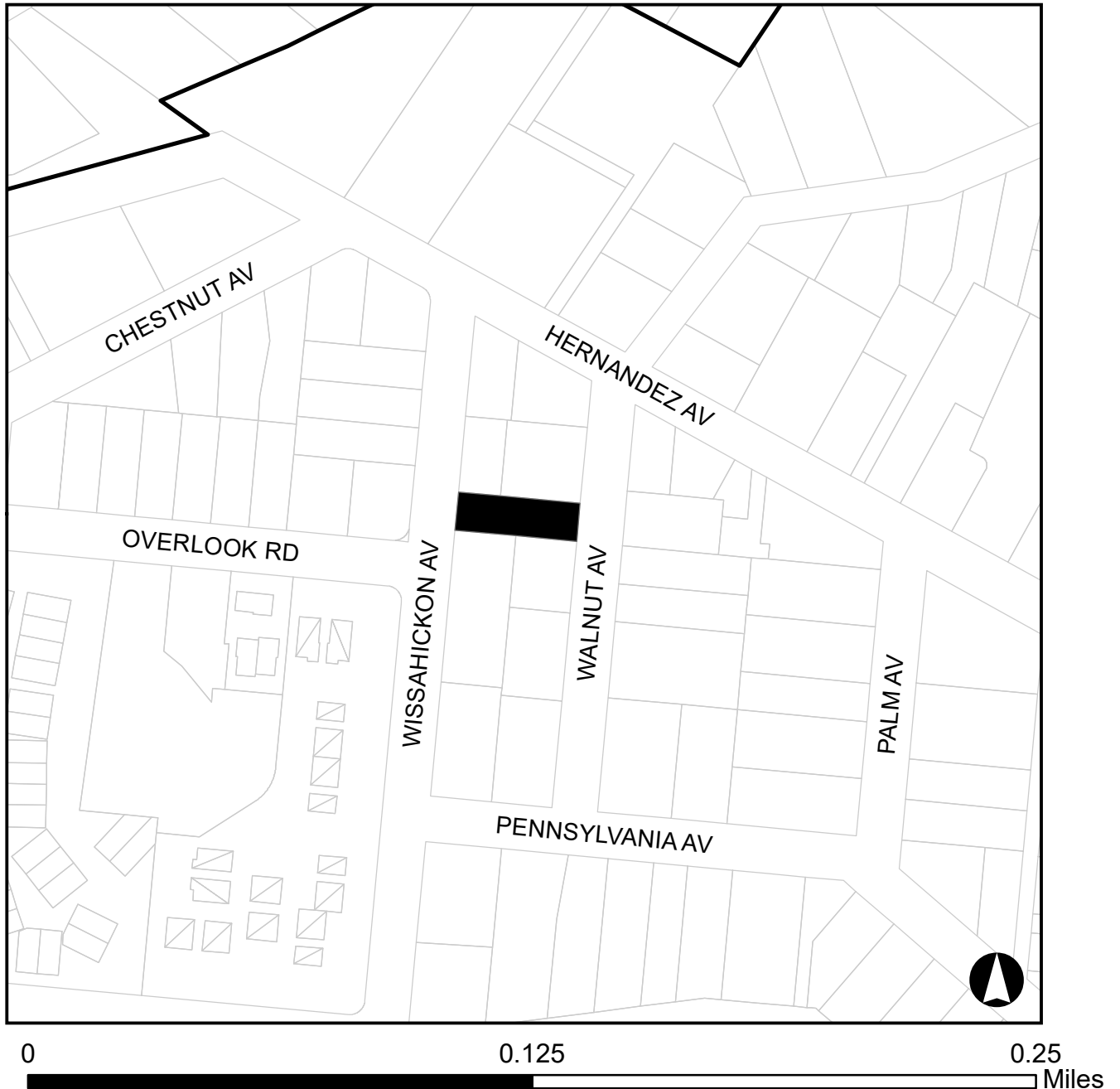
SUBJECT: 33 Walnut Avenue/Appeal of a HPC Decision

DATE: April 8, 2022

EXHIBITS:

1. Location Map
2. Required Findings and Considerations
3. Historic Preservation Committee Meeting Minutes for February 23, 2022
4. Historic Preservation Committee Action Letter, February 23, 2022
5. Historic Preservation Committee Staff Report and Attachments, February 23, 2022
6. Appeal of the Historic Preservation Committee, received February 27, 2022
7. Additional Information Provided by the Appellant, received April 6, 2022

# 33 Walnut Avenue



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**PLANNING COMMISSION – April 13, 2022**  
**REQUIRED FINDINGS FOR:**

**33 Walnut Avenue**

**Consider an Appeal of the Historic Preservation Committee Decision to Deny the Removal of a Presumptive Historic Property (Pre-1941) from the Historic Resources Inventory on Property Zoned R-1:8. APN 510-41-007.**

**PROPERTY OWNER/APPLICANT/APPELLANT: Jeffrey Siegel**

**FINDINGS**

**Required findings to determine that a pre-1941 structure has no significant or architectural merit:**

- As required for a determination that a pre-1941 primary structure has no historic significance or architectural merit:
  1. The structure is not associated with events that have made a significant contribution to the Town;
  2. No Significant persons are associated with the site;
  3. There are no distinctive characteristics of type, period or method of construction or representation of work of a master;
  4. The structure does not yield information to Town history; or
  5. The integrity has been compromised such that the structure no longer has the potential to convey significance.

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**TOWN OF LOS GATOS  
HISTORIC PRESERVATION  
COMMITTEE REPORT**

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**MINUTES OF THE HISTORIC PRESERVATION COMMITTEE MEETING  
FEBRUARY 23, 2022**

The Historic Preservation Committee of the Town of Los Gatos conducted a Regular Meeting on February 23, 2022 at 4:00 p.m.

This meeting This meeting is being conducted utilizing teleconferencing and electronic means consistent with Town Council Policy 2-01 entitled Town Agenda Format and Rules and Town Resolution. In accordance with Town Policy and Resolution, the public may only view the meeting online and not in the Council Chamber.

**MEETING CALLED TO ORDER AT 4:00 PM**

**ROLL CALL**

Present: Chair Timothy Lundell, Vice Chair Barry Cheskin, Planning Commissioner Kylie Clark, Planning Commissioner Steve Raspe

Absent: None

**VERBAL COMMUNICATIONS**

Susan Burnett, General Plan and Housing Element Advisory Committee member and former Historical Preservation Committee Member.

- Concerned about HPC and PC. Seeing a lot of requests for demolition and changing of historic homes that would not have been approved by past Historic Preservation Committees. Started with 1300 historic homes. But now only 270 left. Guidelines have gotten easier. Purpose was to save the past for future generations. Can we tighten things up? In my Glenridge district a Garage was added next to the home. Instead of as a separate unit. Guidelines are subjective. Because of SB 9, the Committees needs to be much more mindful and protective.

**CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)**

1. Approval of Minutes – January 26, 2022

**MOTION:**                      **Motion by Vice Chair Cheskin to approve the Consent Calendar.  
Seconded by Chair Lundell.**

**VOTE:**                        **Motion passed unanimously.**

## **PUBLIC HEARINGS**

### **2. 40 Hernandez Avenue**

Forward a Recommendation to the Director on a Request for Construction of Exterior Alterations and an Addition to an Existing Presumptive Historic Single-Family Residence (Pre-1941) on Property Zoned R-1:8. APN 510-19-027.

PROPERTY OWNER: Stan and Pamela Atwood

APPLICANT: Eric Beckstrom, Beckstrom Architecture

PROJECT PLANNER: Sean Mullin

**Vice Chair Cheskin recused himself from Item 2, as his residence is located within 1,000 feet of the subject property.**

Sean Mullin, Senior Planner, presented the staff report.

Opened Public Comment.

Applicant presented the project.

Eric Beckstrom, Architect

- In 2006, the structure basically became a brand new house behind the façade. They will be building an addition to make the house more symmetrical.
- They are supportive of preserving the front façade and porch area.

Susan Burnett

- Agrees that the front façade of the house is what makes it so spectacular and a contributing house. Stick to the 2006 remodel percentage. Looking at the plans, it is more than a little box.

Eric Beckstrom, Architect

- Will be matching the wall and windows. The build will be complementary. The end results will look like the home as originally built in 1912 not 1920.

Closed Public Comment.

Committee members discussed the matter.

- Aesthetically pleasing. Like and support the project.
- Design adds symmetry.
- Addition is largely imperceptible.
- Recommend that the percentage of demo mimic that of the 2006 condition of approval.
- Maintain the elements that currently exist.

**MOTION:**                    **Motion by Planning Commissioner Raspe** to Forward a Recommendation to the Director on a Request for Construction of Exterior Alterations and an Addition to an Existing Presumptive Historic Single-Family Residence (Pre-1941) on Property Zoned R-1:8. Subject to a condition of demolition that would result in similar percentages as existed in 2006. **Seconded by Planning Commissioner Clark.**

**VOTE:**                    **Motion passed unanimously.**

**Appeal rights were recited.**

**Vice Chair Cheskin rejoined.**

3. 45 Montgomery Street

Consider a Request to Remove a Presumptive Historic Property (Pre-1941) from the Historic Resources Inventory for Property Zoned R-1D. APN 410-17-004.

PROPERTY OWNER/APPLICANT: Mark and Cathleen Petersen.

PROJECT PLANNERS: Savannah Van Akin/Sean Mullin

Savannah Van Akin, Assistant Planner, presented the staff report.

Opened and Closed Public Comment.

Committee members discussed the matter.

- Town's recommendation seems straightforward as a clean-up item from 1991.

**MOTION:**                    **Motion by Planning Commissioner Clark** to Recommend Approval to the Director for Removal of a Presumptive Historic Property (Pre-1941) from the Historic Resources Inventory for Property Zoned R-1D. **Seconded by Vice Chair Cheskin.**

**VOTE:** **Motion passed unanimously.**

**Appeal rights were recited.**

4. 33 Walnut Avenue

Consider a Request to Remove a Presumptive Historic Property (Pre-1941) from the Historic Resources Inventory for Property Zoned R-1:8. APN 510-41-007.

Property Owner/Applicant: Jeffrey Siegel

PROJECT PLANNER: Erin Walters

**Vice Chair Cheskin recused himself from Item 4, as his residence is located within 1,000 feet of the subject property.**

Erin Walters, Associate Planner, presented the staff report.

Opened Public Comment.

Applicant presented the project.

Jeffrey Siegel, Owner/Applicant

- He is president of the Los Gatos Historic Society. He undertook extensive analysis to prepare the report. This property doesn't meet any criteria set by the State. The only reason for inclusion is because it is Pre-1941. He bought it five years ago. The building has been changed by every owner except the original owner. It went from an 890 square foot cottage with an outhouse, to a 2600 square foot, 4 bathroom, 5 bedroom, two-story house. It bears no resemblance to the original house. The one remaining element is the front fascia. The front porch was demolished and rebuilt to match. However, updated seismic and safety building codes dictated the use of concrete, steel, and a higher railing. The home has no connection to a historic person or event. It is not in a historic district.

Committee members asked questions of the applicant.

Jeffrey Siegel, Owner/Applicant

- I did not make a request for removal in 2018 or 2019 when the front porch was evaluated. The HPC allowed demolition of the deteriorated porch. The railing was too low and not safe.

Susan Burnett

- When was it declared a Bellringer house?

Staff

- 1984.

Jeffrey Siegel, Owner/Applicant

- Nothing historic remains. A remaining roof membrane shows where the original slope of the roof.
- Expanded on the first floor in 1948 and 1950. In 1985 it became a two-story building. In 2006, 2007 and 2008, the upstairs and roof were changed.

MINUTES OF THE HISTORIC PRESERVATION COMMITTEE MEETING OF FEBRUARY 23, 2022

Closed Public Comment.

Committee members discussed the matter.

- There have been changes made to the structure. However, in 2018, both the applicant and HPC treated it as a historic property. Nothing substantive has changed besides the approved work.
- This project is coming before the committee after a problem was flagged by staff.
- Most of the history has been removed. The owner attempted to preserve the front but removed over 25%. It now comes to HPC because of that removal. Leaning towards denial.
- Every structure has a story. Some big or small, intended, unintended, permitted and before HPC was established. It would be a shame to have those changes justify removal.
- It is up to the HPC to determine, based on the provided information, if anything left is historic.

**MOTION:**                    **Motion by Planning Commissioner Raspe to Deny a Request to Remove a Presumptive Historic Property (Pre-1941) from the Historic Resources Inventory for Property Zoned R-1:8. Seconded by Planning Commissioner Clark.**

**VOTE:**                    **Motion passed unanimously.**

**Appeal rights were recited.**

**Vice Chair Cheskin rejoined.**

**OTHER BUSINESS** (*Up to three minutes may be allotted to each speaker on any of the following items.*)

5. 223 Tait Avenue

Preliminary Review for Technical Demolition of a Presumptive Historic Single-Family Residence (Pre-1941) and Construction of a New Two-Story Residence Located in the Almond Grove Historic District on Property Zoned R-1D:LHP. APN 510-17-004.

PROPERTY OWNER: Mark and Tammy De Mattei

APPLICANT: Jay Plett, Architect

PROJECT PLANNER: Ryan Safty

Ryan Safty, Associate Planner, presented the staff report

Opened public comment.

MINUTES OF THE HISTORIC PRESERVATION COMMITTEE MEETING OF FEBRUARY 23, 2022

Jay Plett, Applicant

- Proposing a Craftsman style home. They will maintain the stucco siding and the lower sloped roofs. The structure has no architectural significance due to several post 1941 additions. The porch was enclosed, several walls were demolished, and the siding was removed along the rear with the previous addition. It already has been technically demolished. They would like preliminary feedback on the conceptual proposal. They have floor plans and a rendering and would like feedback on the design.

Committee member asked questions of the applicant:

Jay Plett, Applicant

- In terms of scale and massing, the height will be 27 feet. This is below the maximum allowed. The existing structure is already elevated four feet.
- There are examples of other homes in the neighborhood with Arts and Crafts or Craftsman style. The apartment complex next door has no style at all.

Susan Burnett

- Glen Ridge and Almond Grove neighborhoods have a mix of styles. The street doesn't have a certain style.

Jay Plett

- There are no Craftsman style homes immediately adjacent to the subject property but they do exist in the area.

Closed Public Comment.

Committee members provided the following comments:

- The site was not part of Bloomfield survey and nothing architecturally significant. Good candidate for rehabilitation. The Craftsman is fine. Any style that fits in.
- Concerned more about size, massing, shadowing, and privacy.
- Need more info about the surrounding neighborhood. It doesn't seem to fit in with the neighborhood.
- Important for the style to fit in with the neighborhood. Need to justify the style choice with photos of nearby homes. Justification should be provided for any demolition.

## ADJOURNMENT

The meeting adjourned at 5:10 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the February 23, 2022, meeting as approved by the Historic Preservation Committee.

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/s/ Jennifer Armer, AICP, Planning Manager



**TOWN OF LOS GATOS**  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION  
(408) 354-6872 Fax (408) 354-7593

CIVIC CENTER  
110 E. MAIN STREET  
LOS GATOS, CA 95030

February 23, 2022

Jeffrey Siegel  
33 Walnut Avenue  
Los Gatos, CA 95030  
Via email

**RE: 33 Walnut Avenue**

**Consider a request to remove a presumptive historic property (pre-1941) from the Historic Resources Inventory (HRI) for property zoned R-1:8. APN 510-41-007.**

**PROPERTY OWNER/APPLICANT: Jeffrey Siegel  
PROJECT PLANNER: Erin Walters**

On February 23, 2022, the Los Gatos Historic Preservation Committee could not make the required findings for removing the pre-1941 property from the Historic Resources Inventory and denied the request.

Pursuant to Section 29.20.258 of the Town Code, the decision of the Historic Preservation Committee may be appealed to the Planning Commission within 10 days of the decision. Appeal forms are available on the Town's website.

If you have any questions, I can be contacted by phone at (408) 354-6867 or by email at [ewalters@losgatosca.gov](mailto:ewalters@losgatosca.gov).

Sincerely,

Erin Walters  
Associate Planner

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**TOWN OF LOS GATOS  
HISTORIC PRESERVATION  
COMMITTEE REPORT**

MEETING DATE: 02/23/2022

ITEM NO: 4

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DATE: February 18, 2022  
TO: Historic Preservation Committee  
FROM: Joel Paulson, Community Development Director  
SUBJECT: Consider a Request to Remove a Presumptive Historic Property (Pre-1941) from the Historic Resources Inventory for Property Zoned R-1:8. **Located at 33 Walnut Avenue.** APN 510-41-007. PROPERTY OWNER/APPLICANT: Jeffrey Siegel. PROJECT PLANNER: Erin Walters.

RECOMMENDATION:

Consider a request to remove a presumptive historic property (pre-1941) from the Historic Resources Inventory (HRI) for property zoned R-1:8 located at 33 Walnut Avenue.

PROPERTY DETAILS:

1. Date primary structure was built: 1890
2. Town of Los Gatos Historic Status Code: I- Historic and Intact
3. Does property have an LHP Overlay? No
4. Is structure in a historic district? No
5. If yes, is it a contributor? N/A
6. Findings required? Yes
7. Considerations required? No

BACKGROUND:

The Santa Clara County Assessor's Database lists a construction date of 1890, typically indicating substantial construction occurred around that time. The 1990 Anne Bloomfield Survey indicates that the residence was constructed in the 1890's and assigned a preliminary rating of "historic and intact" (Attachment 1). The Sanborn Fire Insurance maps show the residence on the subject property in 1895, having a consistent footprint through 1956 (Attachment 2).

PREPARED BY: ERIN WALTERS  
Associate Planner

The property has frontage on both Walnut Avenue and Wissahickon Avenue. The property contains a pre-1941 single-family residence and a new second story accessory dwelling unit (ADU) located above a detached garage and carport, all currently under construction/renovation.

An investigation of Town records includes an ADU was approved in 1985 and in 1994 a Building Permit was issued for foundation work. On February 27, 2007, the Historic Preservation Committee (Committee) considered whether or not the work proposed to the pre-1941 single-family residence would be classified as a demolition. The Committee found that the rear of the home was an addition which was unsympathetic to the architectural style of the original house, and therefore the removal of the addition would not be classified as a demolition pursuant to Town Code (Sheet A0 of Attachment 3). In 2007, a Building Permit was issued for a 300-square foot first story addition and a 99-square foot second story addition and remodel (Attachment 3). In 2007, a Building Permit was issued for repair of terminate damage and dry rot at the front porch. In 2008, a Building Permit was issued to rebuild the detached garage and retaining wall.

*Recent Modifications to the Main Residence by Current Owner*

On August 22, 2018, and May 15, 2019, the Committee reviewed and approved plans for modifications to the subject pre-1941 residence for the construction of a new roofed porch, interior remodel, and exterior door and window modifications for the structure (Attachments 4 and 5). The proposed development plans included a second story addition to the front of the existing two-story house. The proposed second story addition was associated with a proposed expansion of an attached second story ADU. State regulations and the Town's ADU Ordinance allow second story ADU's to be constructed on an existing two-story residence through a ministerial review with an ADU Permit. On May 14, 2019, ADU Permit (D-19-004) was approved for the reconstruction and expansion of an existing second story attached ADU in the main residence.

*Modifications to the Detached Garage, Carport, and ADU by Current Owner*

On March 13, 2020, the Development Review Committee approved Architecture and Site Application (S-19-041) for the construction of an addition to the existing detached garage which exceeds 450 square feet and occupies more than 10 percent of the lot exclusive of building setbacks on a non-conforming property. On December 7, 2020, ADU Permit (D-20-017) was approved for a new detached ADU to be located above the expanded garage and new carport and the removal of the existing attached ADU in the main residence. ADU permit (D-19-004) for the reconstruction and expansion of an existing second story attached ADU in the

BACKGROUND (continued):

main residence was withdrawn. In July of 2021, Building Permit (B20-0951) was issued for a new detached ADU to be constructed above the expanded garage and new carport. Accessory structures and ADU's on historic properties are not reviewed by the Committee.

*Technical Demolition of Main Residence by Current Owner*

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, per the approval by the Committee (Attachment 6). 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. The approved project did not result in a demolition.

On September 16, 2021, staff was informed by the property owner that more than 25 percent of the exterior siding had been removed from the front elevation of the main residence on Walnut Avenue.

This resulted in a technical demolition of the pre-1941 historic residence. On October 7, 2021, the Community Development Director issued a Notice of Unlawful Demolition to the property owner. On October 11, 2021, the property owner filed an appeal of the Director of Community Development's determination of demolition violation. On November 16, 2021, Town Council held a public hearing, denied the appeal, upheld the Community Development Director's determination of a demolition violation and reduced penalty fees. The applicant is in the process of applying for an Architecture and Site Application for a Technical Demolition which will require review by the Committee.

DISCUSSION:

The applicant is requesting approval to remove the residence from the HRI and has provided a written request, research on the property and photographs of the site (Attachments 7). Should the Committee find that the structure does not have sufficient historic significance or architectural merit, the structure would be removed from the HRI and any proposed work would not return to the Committee. An Architecture and Site application is required for the unlawful technical demolition, and it would not return to the Committee.

FINDINGS:

- A. Findings - related to a request for a determination that a pre-1941 primary structure has no historic significance or architectural merit.

FINDINGS (continued):

In evaluating a request for a determination of historic significance or architectural merit, the Historic Preservation Committee shall consider the following:

1. The structure is not associated with events that have made a significant contribution to the Town;
2. No Significant persons are associated with the site;
3. There are no distinctive characteristics of type, period or method of construction or representation of work of a master;
4. The structure does not yield information to Town history; or
5. The integrity has been compromised such that the structure no longer has the potential to convey significance.

ATTACHMENTS:

1. 1990 Anne Bloomfield Survey
2. Sanborn Map Exhibit
3. Historic Preservation Committee Agenda, Minutes, and Staff Report of August 22, 2018
4. Historic Preservation Committee Agenda, Minutes, and Staff Report of May 15, 2019
5. Excerpts from 2007 Building Permit Plans
6. Excerpts from 2021 Building Permit Plans
7. Letter of Justification, Research, and Photographs

*Anne Bloomfield*

ARCHITECTURAL/CULTURAL SURVEY  
LOS GATOS RESEARCH

File address 33 Walnut

PARCEL MAP INFORMATION

Parcel # 510-41-007 Lot size: 50 front ft. x 160 ft. deep

Lot shape: Rectangle ☒ L ☐ Rectangle with small rear jog ☐ Other ☐

Location: N ☐ S ☐ E ☐ W ☒ side of W St ☐ Ave ☒ Other ☐

distance to cross st: 162 ft. N ☐ S ☒ E ☐ W ☐ from Hernandez

at NE ☐ NW ☐ SE ☐ SW ☐ corner of

HISTORIC INFORMATION ON PARCEL MAP

Old tract or subdivision name Glen Ridge Park Old Block # 3 Old lot # 8

FIELD SURVEY INFORMATION (handwritten in red)

Preliminary rating + Estimated age 1890s Style Queen Anne # stories

Alterations

Other

COUNTY ASSESSOR--PROPERTY CHARACTERISTICS (paste on copy) Page  Effective date

OWNERSHIP SHOWN ON MAPS

Source Name	Source Date	Source Page	Location of property, or Old tract/block/lot	Lot Size	Owner Name
	1891				
Blk Book	1908				
Survey	1941				

MISCELLANEOUS

National Register listed date

County Inventory 1979

Town of Los Gatos: Designation  Recognition

District Name

Previous Survey 1900 CAR 1890 AEG

Gebhard: page #  illustration page #

33 Walnut POSTED EVALUATION Date c. 1894 (San)

N2 Contributor

Earliest known District Non-contrib

Owner Resident: (Peed, 1930)

Context(s):

PHOTOS: Roll/frame # 032/11 Date 15-2-90



ATTACHMENT 1



**ARCHITECTURAL HISTORY**  
**(415) 922-1063**  
**2229 WEBSTER STREET**  
**SAN FRANCISCO, CA 94115**

Addresses associated with Name 33 Walnut

Relevant dates: construction\_\_\_\_\_. birth\_\_\_\_\_. death\_\_\_\_\_. other\_\_\_\_\_

Year Book Name/Classified Heading Listing (copy entire, exactly as shown; use \* for boldface)

[illegible]

<u>initials</u>	<u>date</u>

Mark 'X' (info) or 'Ø' (nothing found) at each source you try. List findings below.

Los Gatos Library:

California History Center, De Anza College:

City directories (name & street index)

Biographical file

Historic Collection Index (green boxes)

Photo collection

Thompson & West, 1876 (bio index)

Pen Pictures, 1988 (bio index)

Sunshine Fruit & Flowers, 1895 (bio index)

Guinn, 1904 (bio index)

San Jose Historical Museum:

Sawyer, 1922 (bio index)

Great Registers (of voters)

Bruntz, Hist'y of LG, 1971 (bio index)

## — Indexes

Extended index to Bruntz

Photo collection

Bio index of Munroe Frazer, 1881 (Survey box)

Photo collection (2 boxes)

Other sources:

Los Gatos Museum (Forbes Mill):

Indexes, California Historical Quarterly

### Death records by year

State Library Information Index (fiche)

Funeral records (index cards to big books)

State Library-S.F. Newspaper Index ("

Photo collection

III. LIST ALL REFERENCES FROM ABOVE. Find them. Copy good material & attach. Or copy below if only a few words. Or explain why not relevant (as, wrong person).



file address 33 Walnut

## Owner

**Cost**

Date \_\_\_\_\_

## Exterior Materials

date

## Date \_\_\_\_\_

Describe or sketch  
plan

1895	12	this	22-21 W-
1904	5	"	"
1926	13	"	33 W (ex n)

1

1

1

—

side, ?  
front

Wraparound  
I fear

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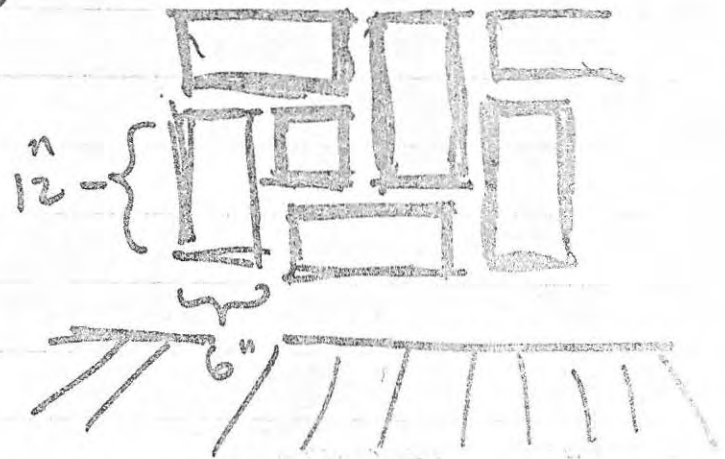
Date \_\_\_\_\_

# BELL RINGERS - SEPT 15, 1984

1891 - Post-Victorian

- (1) 33 WALNUT AVE. - EUNICE MONTGOMERY RUTHERFORD (WRITER)  
PURCHASED HOUSE IN 1948 FROM "GLAD" DON/JODN  
WORK ON FRONT PORCH LAST YEAR  
PLYWOOD PANELS ADDED ON WALLS IN INTERIOR  
GLOSSED IN BACK PORCH + FLOOR 1961  
KIT CEIL LOWERED  
ROOM NEXT TO KIT ADDED  
LOT 30 X 130

PORCH DETAIL





Street: Walnut - 1056 WYDS House Number: 53

Construction Date: \_\_\_\_\_ Estimated 1891 Source with records

Style: \_\_\_\_\_

Present Owners: <sup>Mary Ann</sup> Rutherford Montgomery (Eunice)

Phone: \_\_\_\_\_ Willing to work with survey committee? \_\_\_\_\_

Rental? No ☒ Yes \_\_\_\_\_ Tenants name: \_\_\_\_\_ Phone: \_\_\_\_\_

Absentee-owners mailing address: \_\_\_\_\_

Best time to contact owner: \_\_\_\_\_ Tenant: \_\_\_\_\_

History (include dates, events, and persons associated with site when known)

Late 1890s for 1891  
Contracted, Walter Duke

Montgomery moved here in 1898

Architectural History ( identify information source and year of change)

Original:

Donald & Joan had owned home before Montgomery

Added:

Hallway from front door eliminated to make big room  
early 1900s when for the 1st time  
Back porch and upper rooms to back of house

Remodeled:

Paneling in 3 different rooms  
front porch 50s  
plaster back porch - glassed it walls 100s  
lowered ceiling in kitchen  
tile ceiling in side of rooms

## THE AUTHOR

RUTHERFORD MONTGOMERY would rather write than do anything else in the world. Most of his fifty-three books are about animals and the wilderness he knows so well. As a boy, Mr. Montgomery would listen to the tales told by hunters, and his favorite sport then and now is going into the woodland and sitting quietly on a log, observing the children of the wild. He is a watcher, not a hunter.

Mr. Montgomery was born in North Dakota, and taught school for ten years in Wyoming and Colorado after graduating from Colorado Agricultural College. He saw service in the United States Flying Corps in World War I. Later, he was a county judge in Colorado and held state offices there. He now lives in Los Gatos, California.



### Other Books by Rutherford Montgomery

Troopers Three	Call of the West
Broken Fang	Carcajou*
Gray Wolf*	Husky*
White Mountaineer	Kildee House
McGonigle's Lake	Wapiti
Midnight*	Big Brownie
Iceblink	Ghost Town Adventure*

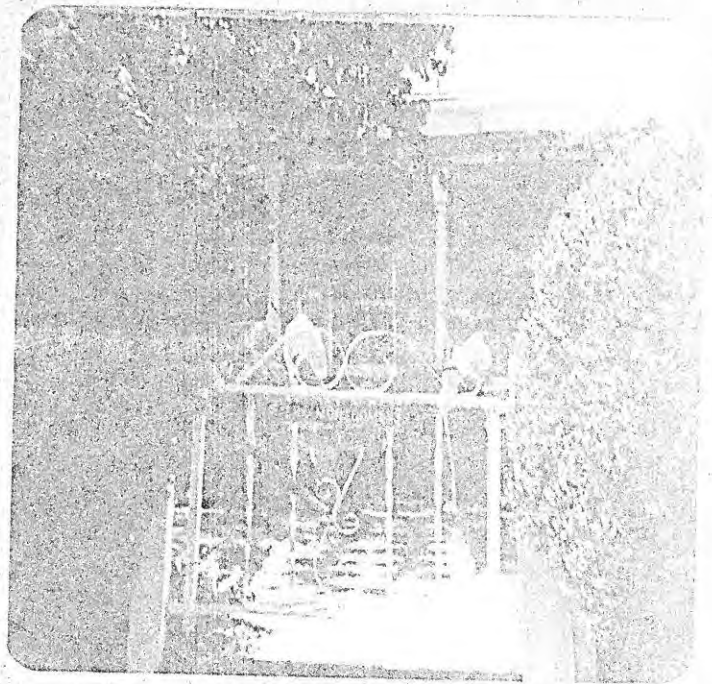
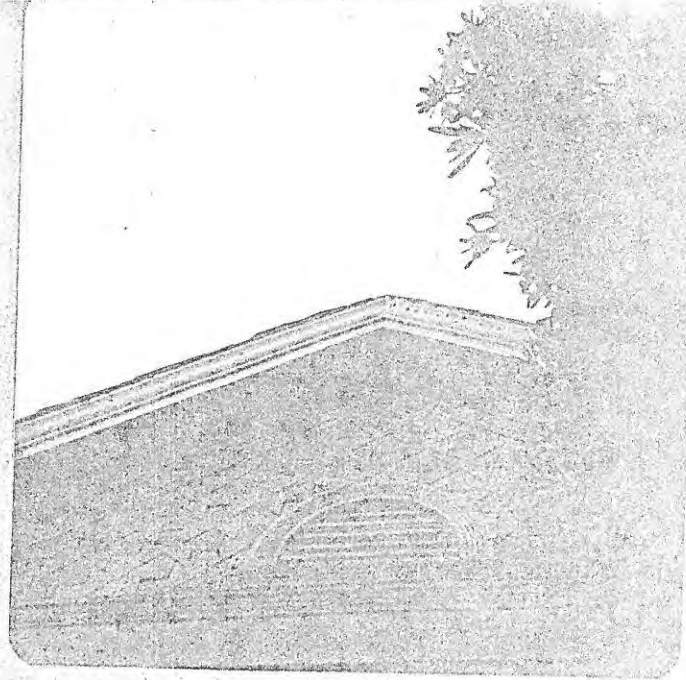
\*Available from Scholastic Book Services

# YELLOW EYES

By RUTHERFORD MONTGOMERY

Illustrated by Farrell Collett

**SCHOLASTIC BOOK SERVICES**  
NEW YORK • TORONTO • LONDON • AUCKLAND • SYDNEY • TOKYO



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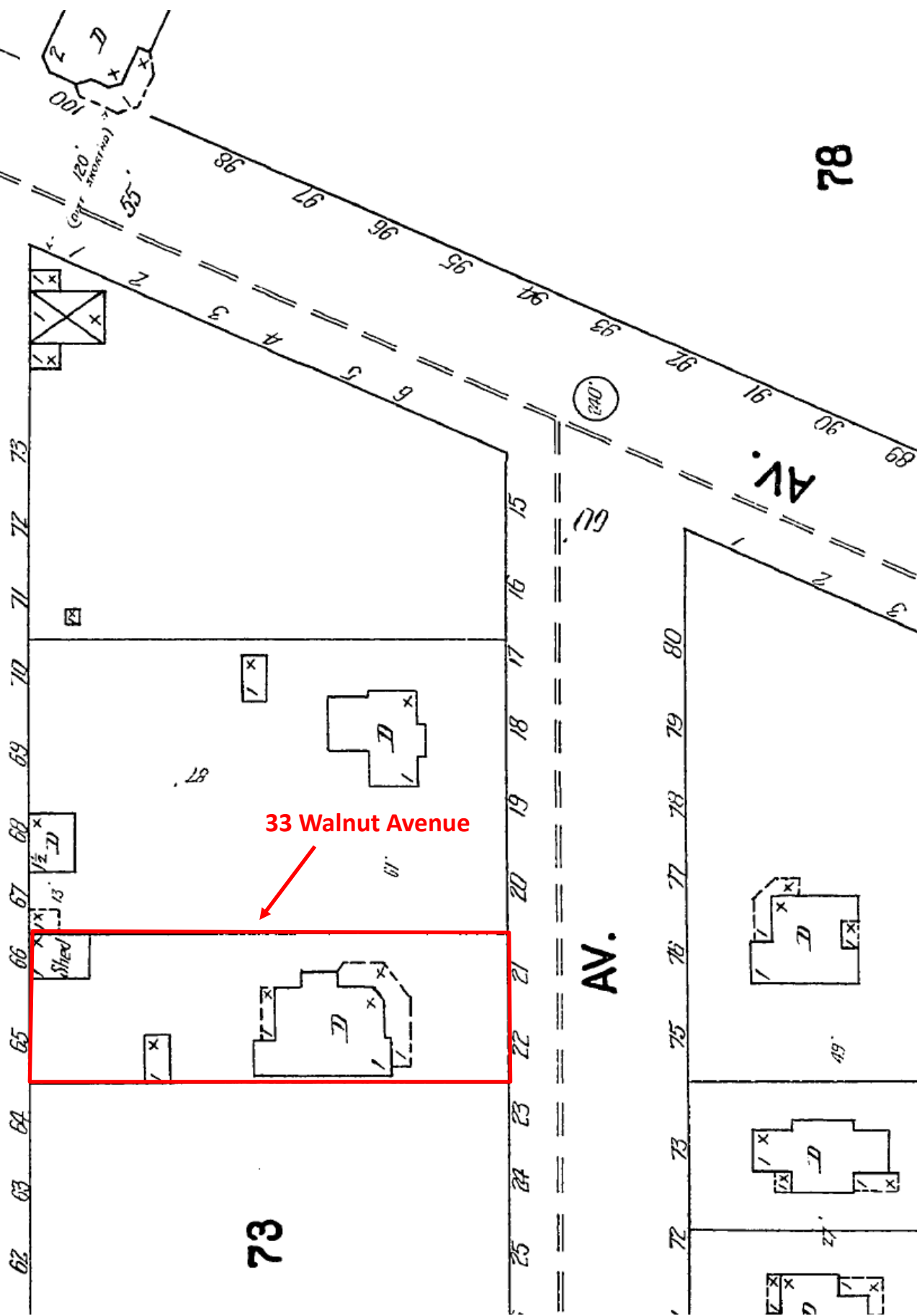
73

33 Walnut Avenue

AV.

78

1904



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2 OTHER Q'W.F. SHOWN ON SHEET NO 7.

1 SOURCES TOO LOW FOR MIN  
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**AV.**

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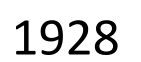
201

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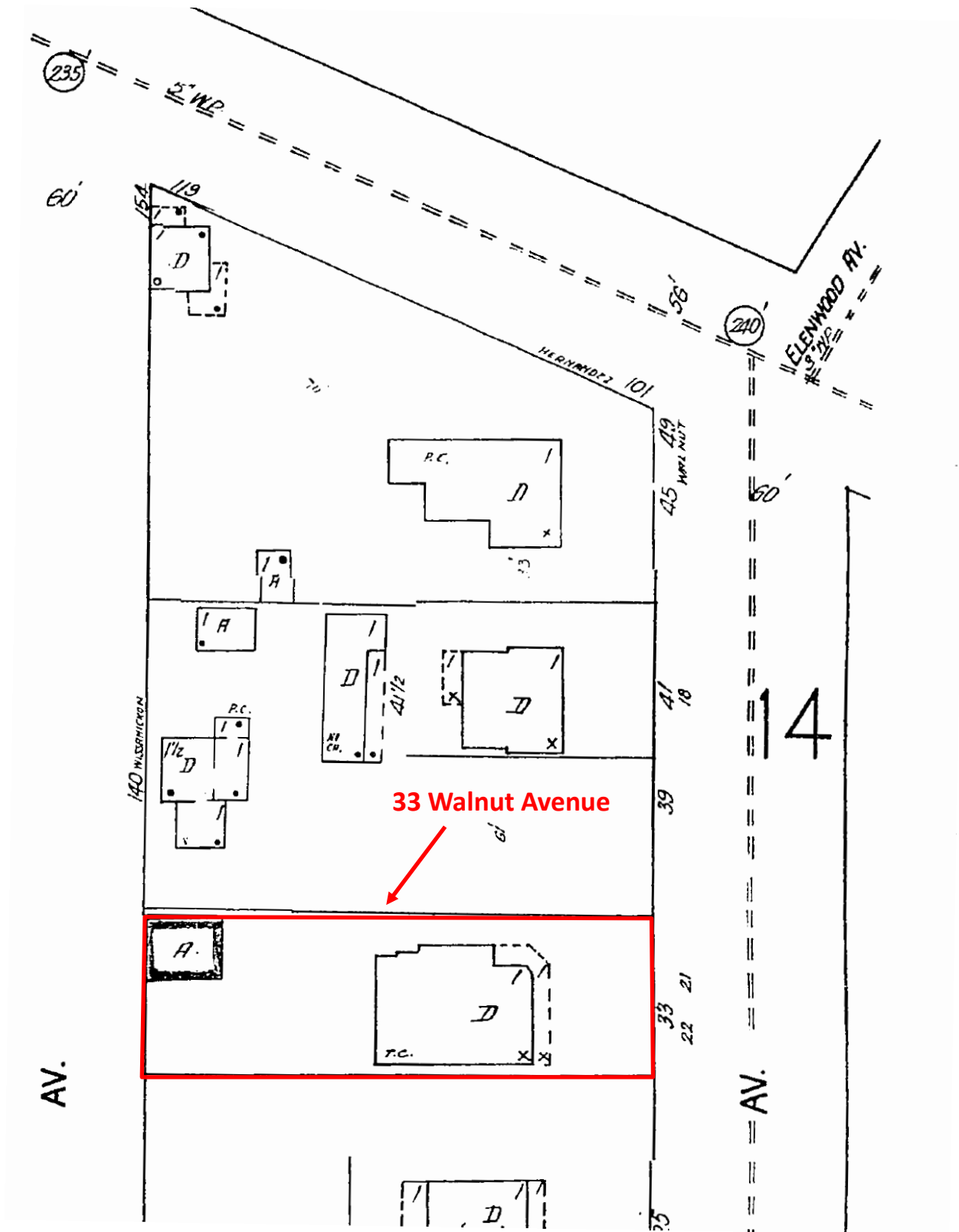
**33 Walnut Avenue**

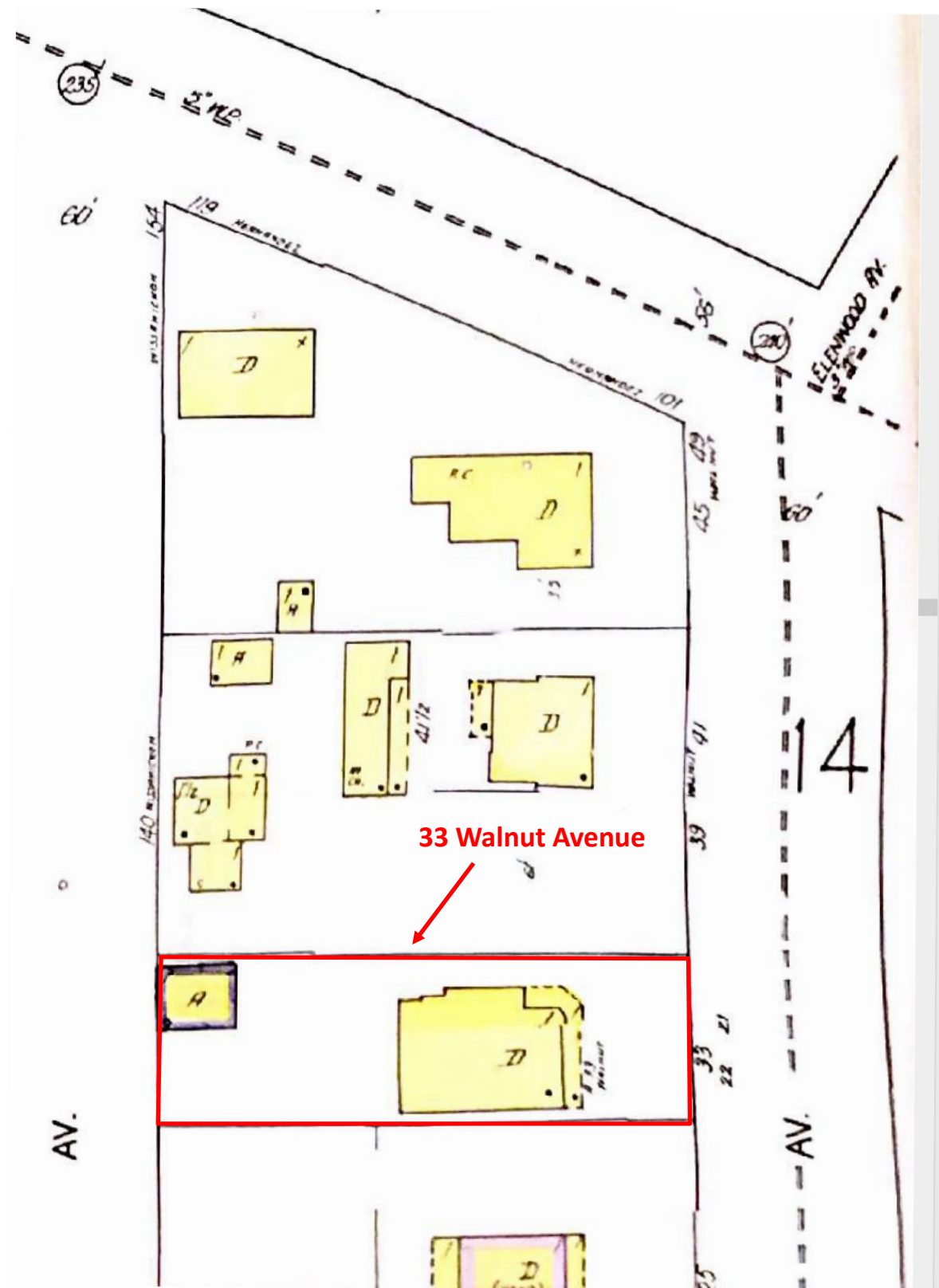
1908

32











**TOWN OF LOS GATOS  
HISTORIC PRESERVATION COMMITTEE SPECIAL MEETING  
AUGUST 22, 2018  
110 EAST MAIN STREET  
LOS GATOS, CA  
3:30 P.M**

Nancy Derham, Chair  
Matthew Hudes, Vice Chair  
Robert Cowan, Committee Member  
Len Pacheco, Committee Member  
Tom O'Donnell, Planning Commissioner

**MEETING CALLED TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**VERBAL COMMUNICATIONS** (Members of the public are welcome to address the Committee on any matter that is not listed on the agenda. To ensure all agenda items are heard and unless additional time is authorized by the Chair, this portion of the agenda is limited to 30 minutes and no more than three (3) minutes per speaker. In the event additional speakers were not able to be heard during the initial Verbal Communications portion of the agenda, an additional Verbal Communications will be opened prior to adjournment.)

**CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)** *(Items appearing on the Consent Calendar are considered routine and may be approved by one motion. Unless there are separate discussion and/or actions requested by the Committee, staff, or a member of the public, it is requested that items under the Consent Calendar be acted on simultaneously. Any member of the Committee or public may request to have an item removed from the Consent Calendar for comment and action.)*

1. Approval of Minutes – July 25, 2018

**OTHER BUSINESS** *(Up to three minutes may be allotted to each speaker on any of the following items.)*

2. 33 Walnut Avenue

Requesting comments on proposed modifications to the front porch of a pre-1941 property zoned R-1:8. APN 510-41-007.

PROPERTY OWNER: Jeffrey Siegel

APPLICANT: David V. Hernandez, Heritage Architecture

PROJECT PLANNER: Erin Walters

**OTHER BUSINESS** *(Up to three minutes may be allotted to each speaker on any of the following items.)*

3. 25 W. Main Street

Requesting preliminary review of a proposal for exterior modifications and an addition to a contributing commercial building in the Downtown Historic Commercial District on property zoned C-2:LHP. APN 529-01-017.

PROPERTY OWNER/APPLICANT: Steve Leonardis

PROJECT PLANNER: Jocelyn Shoopman

**PUBLIC HEARINGS** *(Applicants and their representatives may be allotted up to a total of ten minutes maximum for opening statements. Members of the public may be allotted up to three minutes to comment on any public hearing item. Applicants and their representatives may be allotted up to a total of five minutes maximum for closing statements. Items requested/recommended for continuance are subject to the Committee's consent at the meeting.)*

4. 16940 Roberts Road

Requesting approval to remove a pre-1941 property from the Historic Resources Inventory for property zoned R-M:5-12. APN 529-18-053.

PROPERTY OWNER: Chang 2003 Family Trust

APPLICANT: Josephine Chang

PROJECT PLANNER: Jocelyn Shoopman

**ADJOURNMENT**

***IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE CLERK DEPARTMENT AT (408) 354-6834. NOTIFICATION 48 HOURS BEFORE THE MEETING WILL ENABLE THE TOWN TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING [28 CFR §35.102-35.104]***



**TOWN OF LOS GATOS  
HISTORIC PRESERVATION  
COMMITTEE REPORT**

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**MINUTES OF THE HISTORIC PRESERVATION COMMITTEE SPECIAL MEETING  
AUGUST 22, 2018**

The Historic Preservation Committee of the Town of Los Gatos conducted a Special Meeting on August 22, 2018, at 3:30 p.m.

**ROLL CALL**

Present: Chair Nancy Derham, Vice Chair Matthew Hudes (arrived at 3:57 p.m.), Committee Member Robert Cowan, Committee Member Thomas O'Donnell, Committee Member Leonard Pacheco

Absent: None

**MEETING CALLED TO ORDER AT 3:30 P.M.**

**VERBAL COMMUNICATIONS**

None.

**CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)**

1. Approval of Minutes – July 25, 2018

**MOTION:** Motion by Committee Member Leonard Pacheco to approve the consent item. Seconded by Committee Member Thomas O'Donnell.

**VOTE:** Motion passed 4-0-1, Vice Chair Matthew Hudes absent.

**OTHER BUSINESS**

2. 33 Walnut Avenue

Requesting comments on proposed modifications to the front porch of a pre-1941 property zoned R-1:8. APN 510-41-007.

PROPERTY OWNER: Jeffrey Siegel

APPLICANT: David V. Hernandez, Heritage Architecture

PROJECT PLANNER: Erin Walters

Committee Member Leonard Pacheco recused himself from this item.

Erin Walters, Associate Planner, presented the staff report.

Opened and closed Public Comment.

Committee members discussed the matter.

3. 25 W. Main Street

Requesting preliminary review of a proposal for exterior modifications and an addition to a contributing commercial building in the Downtown Historic Commercial District on property zoned C-2:LHP. APN 529-01-017.

PROPERTY OWNER/APPLICANT: Steve Leonardis

PROJECT PLANNER: Jocelyn Shoopman

Jocelyn Shoopman, Associate Planner, presented the staff report.

Opened Public Comment.

Karen Delaney

- Expressed disapproval of the current mural on the side of building.

Closed Public Comment.

Committee members discussed the matter.

**PUBLIC HEARINGS**

4. 16940 Roberts Road

Requesting approval to remove a pre-1941 property from the Historic Resources Inventory for property zoned R-M:5-12. APN 529-18-053.

PROPERTY OWNER: Chang 2003 Family Trust

APPLICANT: Josephine Chang

PROJECT PLANNER: Jocelyn Shoopman

Jocelyn Shoopman, Associate Planner, presented the staff report.

Open and closed the Public Comment.

Committee members discussed the matter.

**MOTION:**                      **Motion by Committee Member Thomas O'Donnell** to continue this matter to the September 26, 2018 Historic Preservation Committee meeting. **Seconded by Chair Nancy Derham.**

**VOTE:**                        **Motion passed 5-0.**

**ADJOURNMENT**

The meeting adjourned at 5:08 p.m.

This is to certify that the foregoing is a true  
and correct copy of the minutes of the  
August 22, 2018 meeting as approved by the  
Historic Preservation Committee.

---

/s/ Sylvie Roussel, Administrative Technician



**TOWN OF LOS GATOS  
HISTORIC PRESERVATION  
COMMITTEE REPORT**

MEETING DATE: 08/22/2018

ITEM NO: 2

---

DATE: AUGUST 16, 2018

TO: HISTORIC PRESERVATION COMMITTEE

FROM: JOEL PAULSON, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: PROJECT LOCATION: 33 WALNUT AVENUE. PROPERTY OWNER: JEFFREY SIEGEL. APPLICANT: DAVID V. HERNANDEZ, HERITAGE ARCHITECTURE.  
REQUESTING COMMENTS ON PROPOSED MODIFICATIONS TO THE FRONT PORCH OF A PRE-1941 PROPERTY ZONED R-1:8. APN 510-41-007.

**RECOMMENDATION:**

Review the proposal and provide comments on the proposed modifications to the front porch.

**BACKGROUND:**

**A. Property Details**

1. Date primary structure was built: 1890
2. Town of Los Gatos Preliminary Historic Status Code: I – Historic and Intact
3. Does property have an LHP Overlay? No
4. Is structure in a historic district? No
5. If yes, is it a contributor? N/A
6. Findings required? No
7. Considerations required? No

**B. Comments**

The applicant proposes three modifications to the front porch:

1. Expansion of the existing front porch from six feet, eight inches to 11 feet, eight inches in depth to create a more useable space. The existing decking and floor structure would be replaced in-kind due to water damage.

**PREPARED BY:** ERIN WALTERS  
Associate Planner



BACKGROUND (Continued):

2. Raising the roof of the covered porch from six feet 10-inches to nine feet tall to accommodate the existing eight-foot, four-inch front windows and provide visibility from the house and light into the house.
3. Modify the existing six-inch by six-inch decorative wood columns and guard rail with a square wood column design and a code compliant guard rail with a modified decorative pattern.

Building permits are required for the proposed modifications to the front porch. Committee comments are requested to ensure the compatibility of the proposed modifications with the original structure and the surrounding area.

The proposed development plans show a second story addition to the existing two-story house. The proposed second story addition is associated with a proposed Accessory Dwelling Unit (ADU). New State regulations and the recent adoption of amendments to the Town's ADU Ordinance allow second story ADUs to be constructed on an existing two-story residence with a ministerial review through an ADU permit.

The applicant's request, the Bloomfield Survey, existing photos, and the proposed development plans are attached.

DISCUSSION:

A. Considerations

For pre-1941 structures, the proposed work will neither adversely affect the exterior architectural characteristics or other features of the property which is the subject of the application.

Attachments:

1. Letter of Justification (six pages)
2. Bloomfield Survey (seven pages)
3. Photos of Existing Porch (five pages)
4. Development Plans (8 pages)

Distribution:

Cc: Jeffrey Siegel, 33 Walnut Avenue, Los Gatos, CA 95030  
David V. Hernandez, Architect, Heritage Architecture, P.O. Box 8033, San Jose, CA 95155

HERITAGE ARCHITECTURE  
DAVID V. HERNANDEZ, ARCHITECT

P.O. Box 8033, San Jose, CA 95155  
VM: (408) 298-0998 C: (408) 772-3502

RECEIVED

AUG 09 2018

TOWN OF LOS GATOS  
PLANNING DIVISION

To: Erin M. Walters, Associate Planner  
Town of Los Gatos  
Community Development Department  
Cc: Sally Zarnowitz, Planning Manager

August 09, 2018

Job No. 2018.07


Re: HPC Hearing  
The Siegel Residence Front Porch Expansion/Repair  
33 Walnut Avenue, Los Gatos, CA

This HPC review packet is being submitted for discretionary review by Committee for approval of a front porch expansion and repair attached to a pre-1941 residence, not within a historic district, but whose façade is considered of historical value.

Scope of Work/Justification:

1. Remove and replace water damaged decking and repair existing floor structure as necessary.
2. Extend existing deck footprint an additional 5'-0", within Front Setback Building Envelope, primarily on the frontage side of the residence. This will allow for a best use of outdoor living and greater clear areas for furniture grouping on the porch.
3. Rebuild the roof to its existing slope in order to raise the bottom of the roof bearing beam height from 6'-10" above the residence subfloor to 9'-0". By doing so, the 8'-4" tall windows overlooking the porch will obtain a greatly improved sightline to the vista beyond and increase natural light gain into the residence. Rebuilding the roof will allow the owner to address the necessary roof coverage of the deck by way of deeper overhands as deemed necessary. Refer to interior view of porch photo attached.
4. Replace the existing partially turned 6x6 columns and 2'-3" high guardrail with new 6x6 square wood columns and pedestal, along with a new code compliant guardrail with a decorative pattern favored by the owner. Refer to photos of existing guardrail and column components.
5. Any graphics related to the future work of an ADU at the front of the residence is not to be considered for the purposes of this review. The ADU review is following a different tract for approval by staff.

Submitted by,

  
David V. Hernandez, Architect  
Heritage Architecture  
Architect of Record

Page 2 contains the owner's justification for this scope of work.  
Please see attached document.

ATTACHMENT 1

Sally Zarnowitz  
Los Gatos Planning Dept

Sally,

Thanks again for all your guidance in helping to develop our proposed architectural plans for adding the ADU to the upper floor facing the front street.

Our goal is to create an inviting livable space that will offer plenty of light and views that are possible from living on the second floor with sweeping views of the mountains and surrounding area. Having French doors and a walkout deck on the upper part of the front porch will create an attractive aesthetic from the street, and will bring additional light into the house and pleasant exterior views. This is also in keeping with the neighborhood where quite a few homes have this same feature including 151 Hernandez (deck faces onto Wissahickon), 7 Walnut Avenue, 381 Pennsylvania (deck is on top of the garage facing the street), 45 Glenridge (similar architectural style), 125 Tait (being built right now), and 220 Wilder are some illustrative examples. I have checked with several of my neighbors on Walnut Avenue and all are completely fine with the proposed addition as described.

At the same time, we are planning on resolving several design defects of the existing front porch which include 1) flooring is sloped away from the house making it awkward for people balancing, 2) flooring is in poor condition as a result of full exposure to rains from a lack of adequate roof protection, 3) porch roof slopes excessively down blocking views and light that would otherwise come into the tall front windows, and 4) depth is shallow limiting the usability of the porch. Unlike my prior house on Pine Avenue where the front porch was a wonderful, livable, space to enjoy the front yard as it was 11 feet deep.

Thanks again for your earlier guidance and support in helping us to complete the design approval process. We are excited about undertaking the work that will improve the aesthetics and functional use of the house.

Sincerely,

Jeffrey Siegel

**Proposed Porch Design Improvements in Context of Historic Preservation for Queen Anne Style Residence at 33 Walnut Avenue**

RECEIVED

AUG 16 2018

**References:**

- 1) **A field guide to American Houses, Published 2014 by Virginia Savage McAlester**
- 2) **The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, 2017 Revised by Anne Grimmer**
- 3) **Los Gatos Guidelines for Historic Preservation**
- 4) **Consultation with Anne Grimmer, Architectural Historian for the Technical Preservation Services Department of the United States Park Service**

TOWN OF LOS GATOS  
PLANNING DIVISION

33 Walnut Avenue, built in 1890, is an example of a Queen Anne style residence with minor spindlework detailing. With a hipped roof and lower cross gables, together with a wrap around porch, the house displays multiple elements of an 1890 era Queen Anne. The house is not located in a historic district though is considered by the town of Los Gatos to be historical on account of the year that it was built.

**History of the House:**

While built in 1890, multiple alterations have been made to the house over the intervening years including:

- 1) Roofing material – wood shingles replaced with composite material
- 2) Addition of second story ADU toward the rear of the house in 1986
- 3) Construction of a new two car garage in 2008 replacing a historic structure that could not be adapted for today's modern lifestyle
- 4) First floor alterations including addition of 250 square feet by pushing out the rear exterior walls of the house altering both size and shape
- 5) Full interior redesign and reconstruction in 2008 including removing interior walls, changing bedroom locations and sizes, adding windows and doors, creating a great room, adding a bathroom, and changing the interior flow of the house, along with all new plumbing, electrical, and HVAC
- 6) Multiple landscape changes over time including adding a stone retaining wall and patio in the rear, with steps and gate out to the newly constructed garage

**Curing the Porch Design Defects:**

While many improvements have already been made over time, the one remaining and much needed alteration is the improvement of the front porch to address specific design defects that has caused safety, lighting, and sustainability issues. To be clear, this does NOT mean changing the character defining features of the porch, which include wrapping around the front and front-side of the house and the use of stylized vertical supports and detailed railing design.



The *design defects*, which include shallow depth, overly pitched flooring, low profile roofline that obscures light and interior visibility, missing roof protective overhang, and absence of a south facing weather barrier, altogether negatively impacts the sustainability, safety, and functional use of the front section of the house. Weather exposure to the front of the house, and a dark front interior are problems that are worth solving while respecting the historical integrity of the Queen Anne style. In addition, the front steps have proven to be a safety hazard as multiple guests have now slipped and fallen when walking down the steps. This stems from the exposure of the steps to the elements, combined with their shallow foot depth and steep pitch. It is desired to extend the porch roofline to cover and protect the steps from the elements to create a safe environment. This is in keeping with the Queen Anne style of architecture as evidenced in photos in the book *A Field Guide to American Houses* page 361, image 11.

**The desired porch improvements to address these existing problems include:**

- 1) Deepening the porch from its current six feet to 11 feet, which is in keeping with the legal setbacks. Given the gaps in the weave style and low height of the existing railing, this will significantly improve the safety of using the porch, while allowing far more light to enter the tall front windows, and provide much needed protection from the strong west blowing winds and rains that assault the front (and side) of the house given its east (and south) facing exposure.
- 2) Slight change to the front porch railing to a tighter weave design for improved safety and stronger vertical supports with sturdier base.
- 3) Adding a transparent protective shield to the left side of the porch protecting the south exposure from wind-blasted rains during the winter months (as many other historic homes in Los Gatos currently have)
- 4) Raising the gutter eave height of the porch roofing, together with adding a porch roof overhang, as required for both lighting improvement and for protecting the front porch flooring and front siding of the house from the seasonal rains which continues to cause damage.
- 5) Reducing the existing pitch of the porch flooring to create a shallower pitched surface. Its current pitch creates a floor surface that is somewhat precarious to stand and walk on, particularly for the elderly or anyone that's tall.
- 6) Extending the porch roof over the front stairs as a safety feature. The front stairs are continually rained upon by environmental elements including water, bird droppings, and tree leaves. Altogether this has created a dangerous and slippery surface. Two guests have now slipped and at times fallen from these stairs and it's highly desired to create an environment for safe ingress/egress of the house while reducing legal liability.

**A key question to answer:**

The key question that arises when considering these proposed changes – is whether they constitute a *character-defining feature* change, or whether the character-defining features of the house can be preserved while making the required adaptation. To answer that question, we have turned to multiple sources, including those published, as well as consulted directly with the author of the *Department of the Interiors Standards for the Treatment of Historic Properties* – Anne Grimmer. Anne's guidance in considering and answering this question has directly informed the proposal being submitted to the Los Gatos Historic Committee.

**Rehabilitation defined:**

*Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions, while preserving those portions or features which convey its historical, cultural, or architectural values. Maintaining the Queen Anne style of the porch while incorporating the adaptation needed to address the design defects is the intention of this proposed project.*

**Guidance from Anne Grimmer:**

It has been determined, after consulting in conference with the architectural historian and author of the *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* that the proposed changes to 33 Walnut will not create a 'character-defining change'. In fact, these guidelines state under Alterations – *some exterior and interior alterations to a historic building are generally needed as part of a Rehabilitation project to ensure it's continued use. But it is most important that such alterations do not RADICALLY change, obscure, or destroy character-defining spaces, materials, features, or finishes.*

Anne noted that the porch related issues stem directly from what she calls a 'design defect', which can be *intelligently addressed* while preserving the character-defining features of the Queen Anne style. She gives the example of the firehouse that is down the street from her office in Washington DC, and is also cited as an example in the guidelines. The opening of the building, based on its original design, could not accommodate today's modern fire trucks, and so the opening was enlarged as an adaptation to today's needs, while preserving the building's style.

According to Anne, "the tall front windows of your house (at 33 Walnut) are indeed a character defining feature, as is the style of the wrap around porch. But it's not unprecedented to see porch rooflines that hang so low as to block light and visibility. These should be considered a design defect, not a character-defining feature of the house. Raising the roofline to cure this defect would be considered a reasonable adaptation in the same way that enlarging the opening of the fire station down the street, to accommodate today's larger fire trucks, improved the functionality while still retaining the historic nature of the building itself." For this example, Anne referenced page 150 in *Standards for Preservation & Guidelines for Preserving Historic Buildings*.

Anne views the front porch of 33 Walnut as similar to the firehouse example. She notes that making the improvements by addressing the design defects benefits the house and its livability, while preserving its true character-defining features (wrap around porch, tall front windows, detailed railing) of the Queen Anne architectural style. In other words, she sees the proposed improvements (roof height, porch depth, roof overhang, wind barrier) as an *intelligent adaptation* that would be barely discernible from the street, and not a radical change.

We look forward to hearing the historic committee's assessment of these proposed changes, as a means of intelligently addressing the design defects that have caused problems in safety, livability, and maintenance.

Respectfully...Jeffrey Siegel, homeowner of 33 Walnut Avenue

*Jeffrey Siegel*



*Anne Bloomfield*

ARCHITECTURAL/CULTURAL SURVEY  
LOS GATOS RESEARCH

File address 33 Walnut

PARCEL MAP INFORMATION

Parcel # 510-41-007 Lot size: 50 front ft. x 160 ft. deep

Lot shape: Rectangle ☒ L ☐ Rectangle with small rear jog ☐ Other ☐

Location: N ☐ S ☐ E ☐ W ☒ side of W St ☐ Ave ☒ Other ☐

distance to cross st: 162 ft. N ☐ S ☒ E ☐ W ☐ from Hernandez

at NE ☐ NW ☐ SE ☐ SW ☐ corner of

HISTORIC INFORMATION ON PARCEL MAP

Old tract or subdivision name Glen Ridge Park Old Block # 3 Old lot # 8

FIELD SURVEY INFORMATION (handwritten in red)

Preliminary rating + Estimated age 1890s Style Queen Anne # stories

Alterations

Other

COUNTY ASSESSOR--PROPERTY CHARACTERISTICS (paste on copy) Page  Effective date

OWNERSHIP SHOWN ON MAPS

Source Name	Source Date	Source Page	Location of property, or Old tract/block/lot	Lot Size	Owner Name
	1891				
Blk Book	1908				
Survey	1941				

MISCELLANEOUS

National Register listed date

County Inventory 1979

Town of Los Gatos: Designation  Recognition

District Name

Previous Survey 1900 CAR, 1890 AEG

Gebhard: page #  illustration page #

33 Walnut  
EVALUATION  
Date c. 1894 (San)  
Contributor   
District Non-contrib   
Earliest known   
Owner Resident: (Peed, 1930)  
Context(s):

PHOTOS: Roll/frame # 032/11 Date 15-2-90



ATTACHMENT 2



**ARCHITECTURAL HISTORY**  
(415) 922-1063  
2229 WEBSTER STREET  
SAN FRANCISCO, CA 94115

Addresses associated with Name 33 Walnut

Relevant dates: construction\_\_\_\_\_. birth\_\_\_\_\_. death\_\_\_\_\_. other\_\_\_\_\_

Year	Book	Name/Classified Heading	Listing (copy entire, exactly as shown; use * for boldface)
1967	1	100-100000	100-100000
1968	2	100-100000	100-100000
1969	3	100-100000	100-100000
1970	4	100-100000	100-100000
1971	5	100-100000	100-100000
1972	6	100-100000	100-100000
1973	7	100-100000	100-100000
1974	8	100-100000	100-100000
1975	9	100-100000	100-100000
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2034	68	100-100000	100-100000
2035	69	100-100000	100-100000
2036	70	100-100000	100-100000
2037	71	100-100000	100-10000

[illegible]

Mark 'X' (info) or 'Ø' (nothing found) at each source you try. List findings below.

California History Center, De Anza College:

Biographical file

Photo collection

\_\_\_\_\_

x)

San Jose Historical Museum:

Great Registers (of voters)

## Indexes

Photo collection

box)

Other sources:

Indexes, California Historical Quarterly

State Library Information Index (fiche)

State Library-S.F. Newspaper Index ("

\_\_\_\_\_s)

\_\_\_\_\_

material & attach. Or copy below if only

32 Walnut  
EVALUATION  
Date c. 1894 (San)  
~~Stan Hansen~~ District Contributor  
Earliest known Owner Resident : (Hansen 1930)  
Context:



Anne P' imfield  
ARCHITECTURAL SURVEY  
BUILDING RESEARCH

Initials	Date
----------	------

Initials \_\_\_\_\_ date \_\_\_\_\_

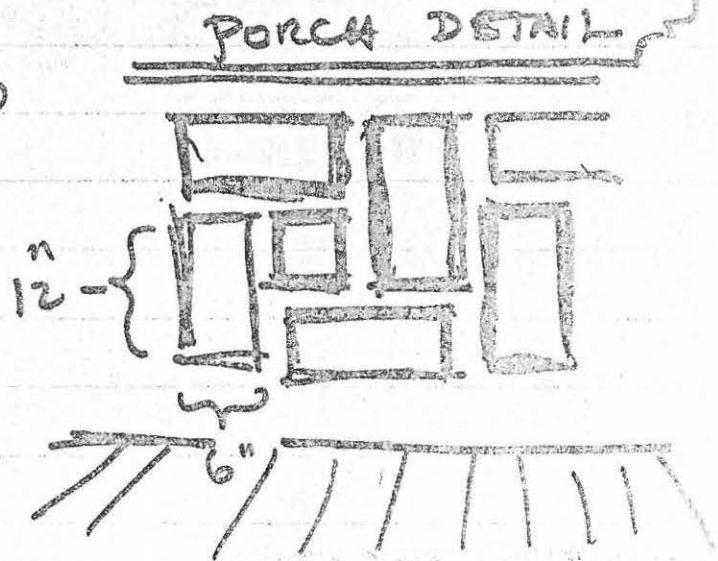
Initials	Date
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# BELL RINGERS - SEPT 15, 1984

1891 - Post-Victorian

- ① 33 WALNUT AVE. - EUNICE MONTGOMERY <sup>RUTHERFORD</sup>  
(WRITER)  
PURCHASED HOUSE IN 1948 FROM "GLAD" DON/JOAN  
WORK ON FRONT PORCH LAST YEAR  
PILLOW BOXES ADDED ON WALLS IN INTERIOR  
GLOSSED IN BACK PORCH + FLOOR 1961  
KIT CEIL LOWERED  
ROOM NEXT TO KIT ADDED  
LOT 30 X 130



## Survey

Street: Walnut - Los Gatos House Number: 33

Construction Date: \_\_\_\_\_ Estimated 1891 Source Mr. Montgomery

Style: \_\_\_\_\_

Present Owners: Mr. & Mrs. Rutherford Montgomery (Eunice)

Phone: \_\_\_\_\_ Willing to work with survey committee? \_\_\_\_\_

Rental? No ☒ Yes \_\_\_\_\_ Tenants name: \_\_\_\_\_ Phone: \_\_\_\_\_

Absentee-owners mailing address: \_\_\_\_\_

Best time to contact owner: \_\_\_\_\_ Tenant: \_\_\_\_\_

History (include dates, events, and persons associated with site when known)

Late 1880's (probably 1891)  
Carpenter Gothic style

Montgomerys moved here in 1798

Architectural History ( identify information source and year of change)

Original:

Donald H. [unclear] had owned home before Montgomery

Added:

Hallway from front door eliminated to extend to [unclear] [unclear] [unclear]  
family room where fireplace has been added  
Back porch and upper rooms to back of house

Remodeled:

Paneling in 3 different rooms  
front porch steps  
Floor of back porch - glassed it walls with  
lowered ceiling in kitchen  
tiled ceiling in several rooms



## THE AUTHOR

RUTHERFORD MONTGOMERY would rather write than do anything else in the world. Most of his fifty-three books are about animals and the wilderness he knows so well. As a boy, Mr. Montgomery would listen to the tales told by hunters, and his favorite sport then and now is going into the woodland and sitting quietly on a log, observing the children of the wild. He is a watcher, not a hunter.

Mr. Montgomery was born in North Dakota, and taught school for ten years in Wyoming and Colorado after graduating from Colorado Agricultural College. He saw service in the United States Flying Corps in World War I. Later, he was a county judge in Colorado and held state offices there. He now lives in Los Gatos, California.



### Other Books by Rutherford Montgomery

Troopers Three	Call of the West
Broken Fang	Carcajou*
Gray Wolf*	Husky*
White Mountaineer	Kildee House
McGonigle's Lake	Wapiti
Midnight*	Big Brownie
Iceblink	Ghost Town Adventure*

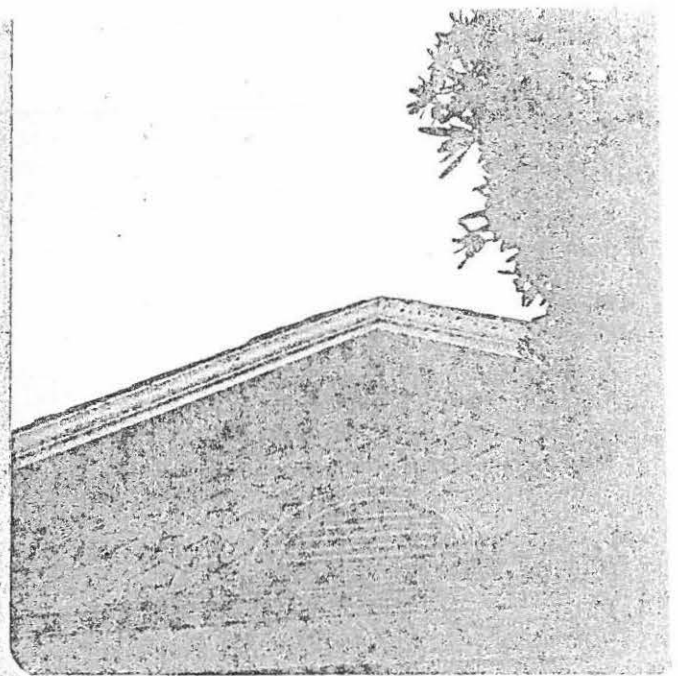
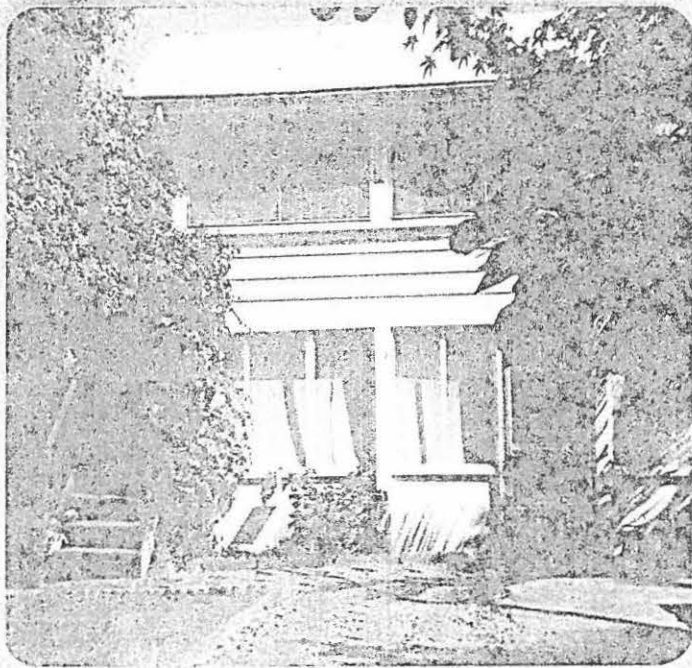
\*Available from Scholastic Book Services

# YELLOW EYES

By RUTHERFORD MONTGOMERY

Illustrated by Farrell Collett

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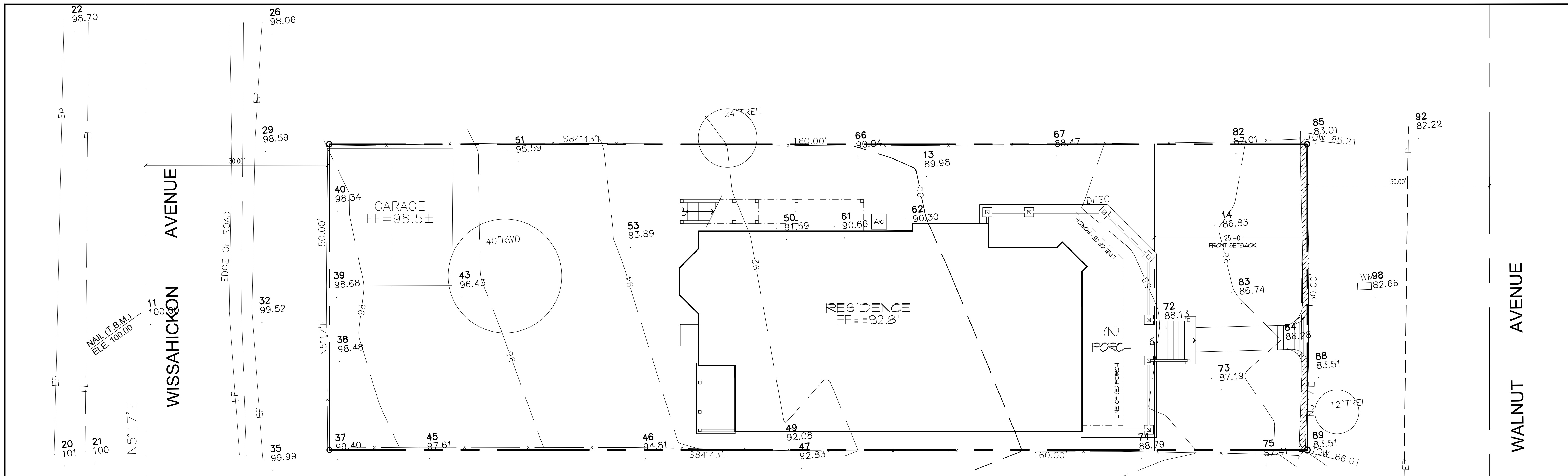




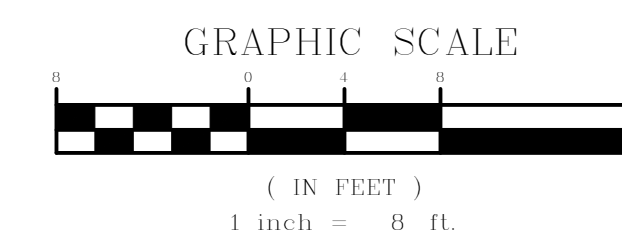
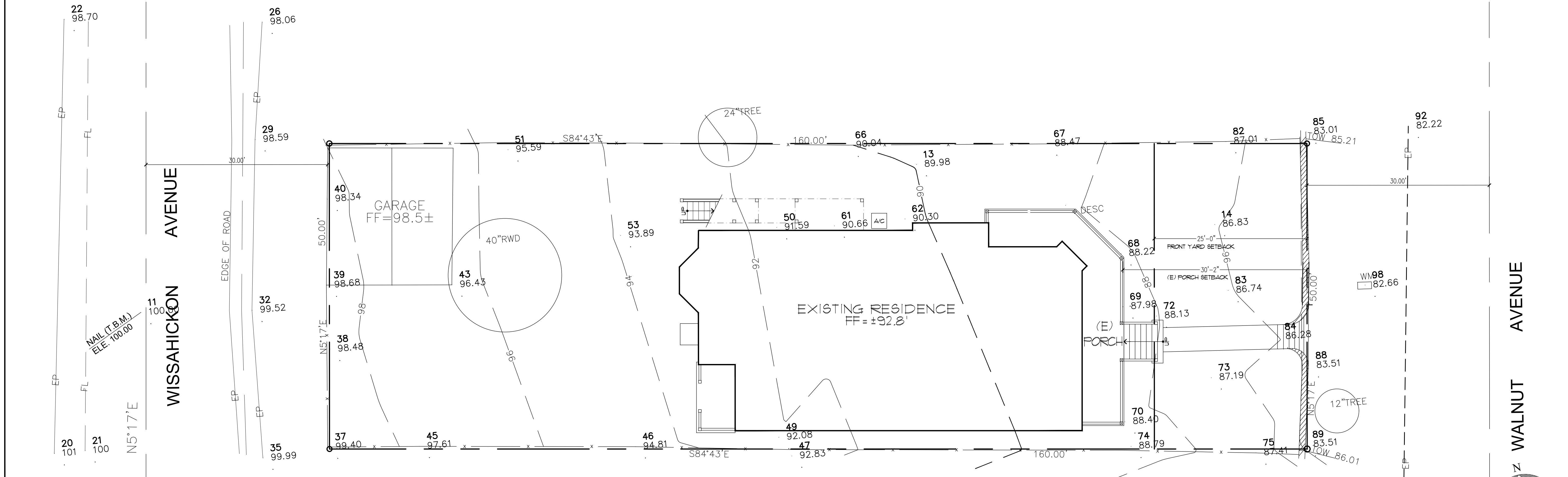








PROPOSED SITE PLAN



EXISTING SITE PLAN

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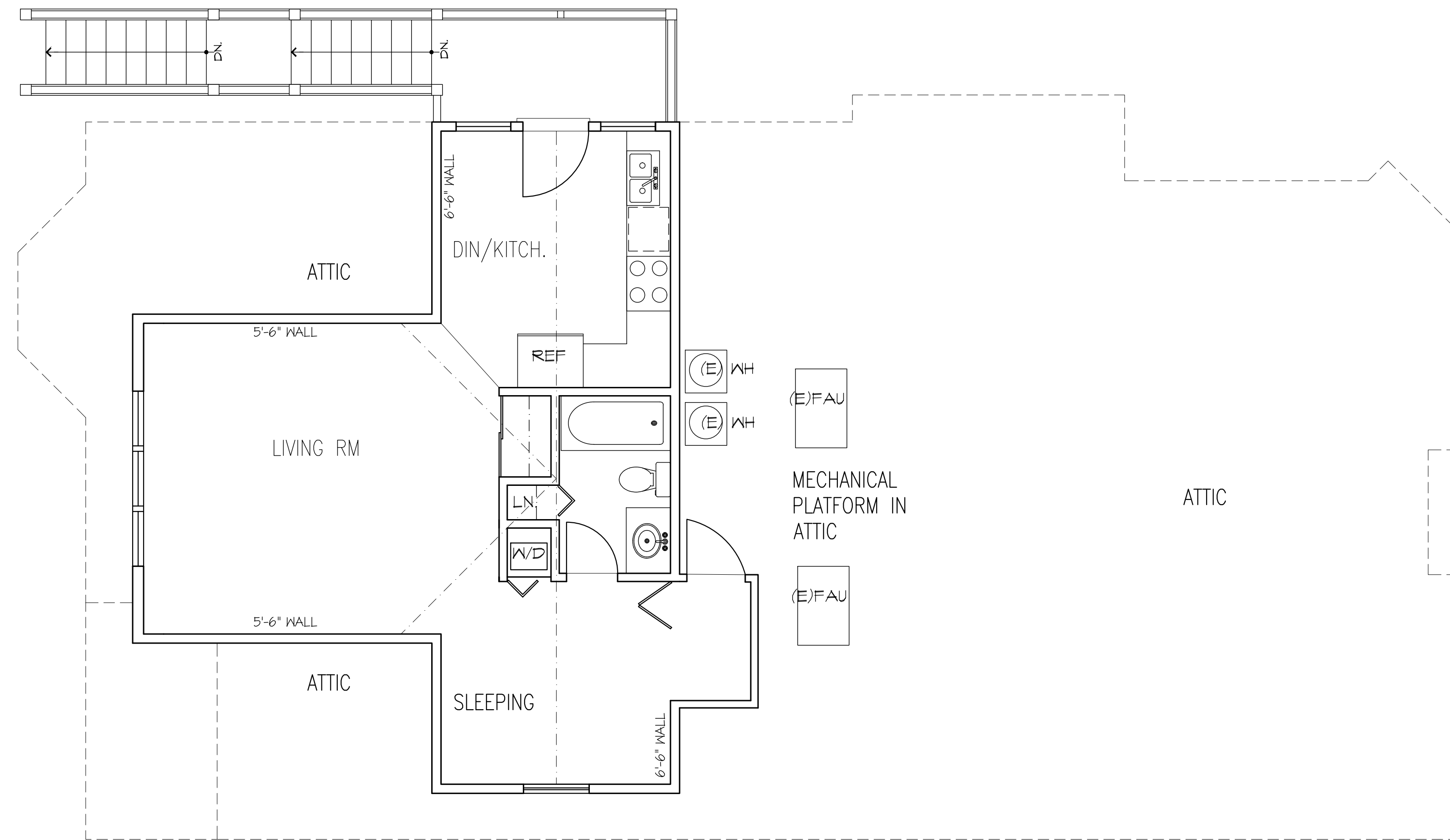
HERITAGE ARCHITECTURE

HERITAGE ARCHITECTURE  
DAVID V. HERNANDEZ, ARCHITECT  
P.O. BOX 8033, San Jose, California 95155  
C: (408) 772-3502 VN: (408) 298-0998  
E-mail: dvhernandez@pacbell.net

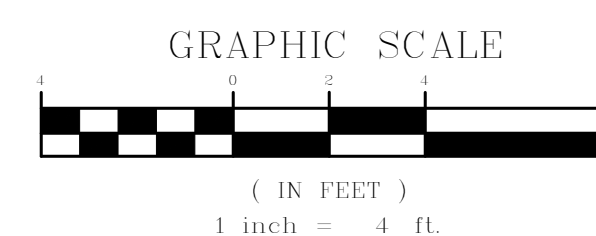
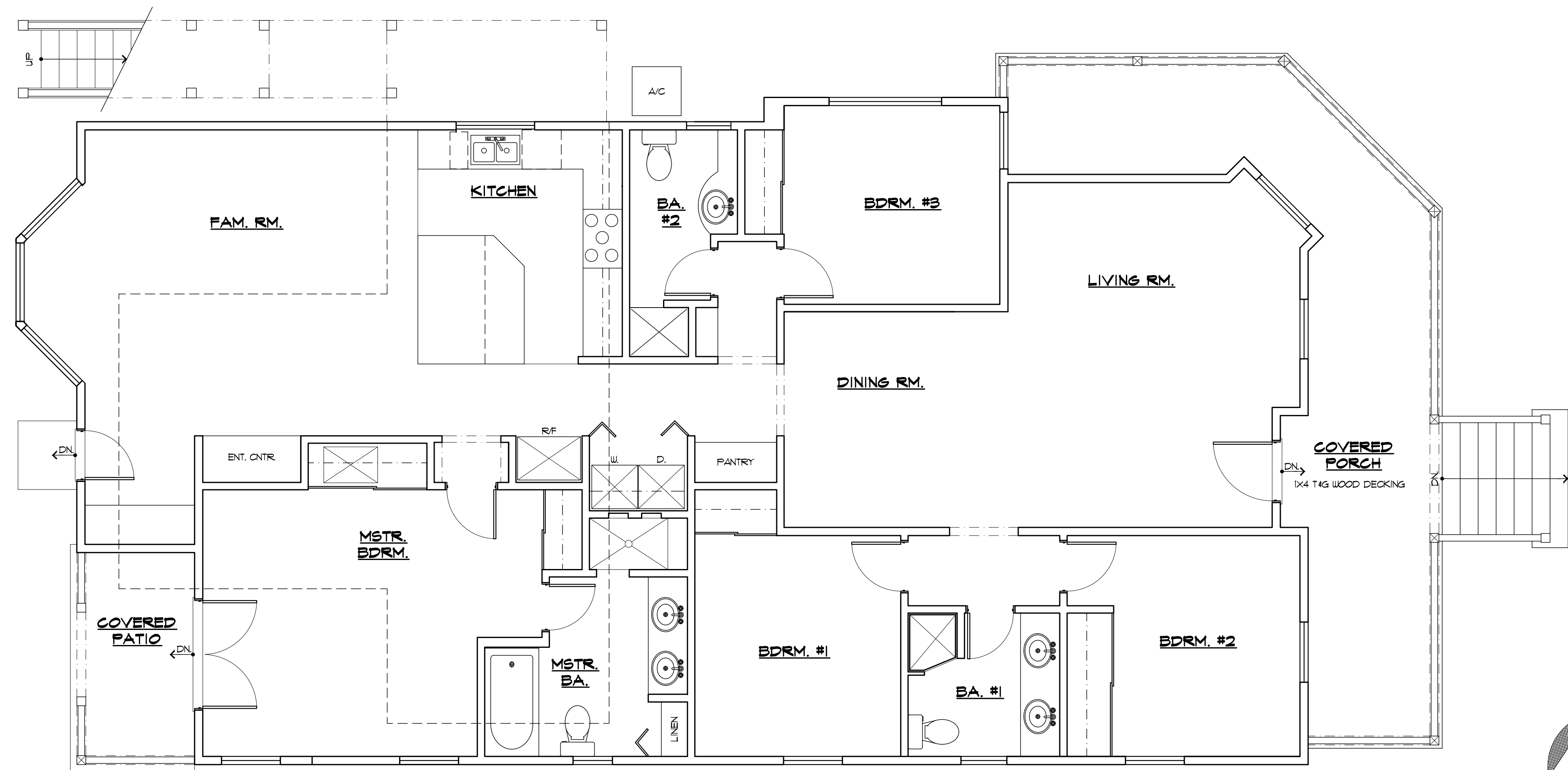
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33 WALNUT AVE. LOS GATOS, CA

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JOB NO. 2010.07  
DATE: 08/08/2018

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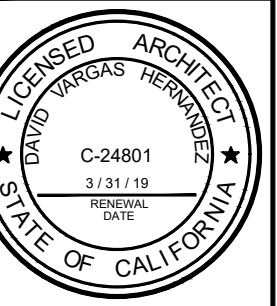


EXISTING UPPER FLOOR (ADU) PLAN / DEMOLITION PLAN



EXISTING GROUND FLOOR PLAN / DEMOLITION PLAN

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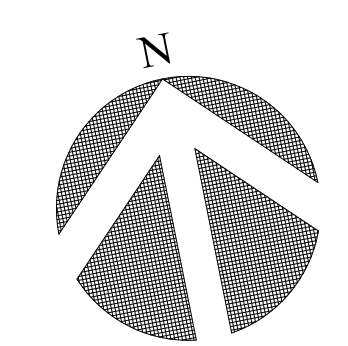
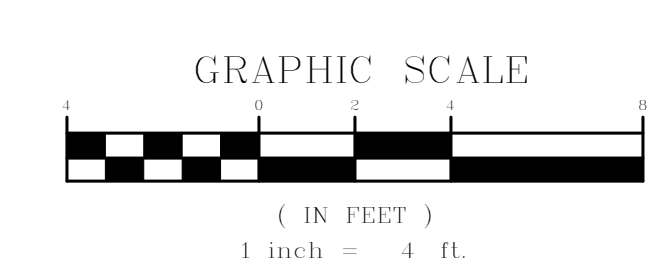
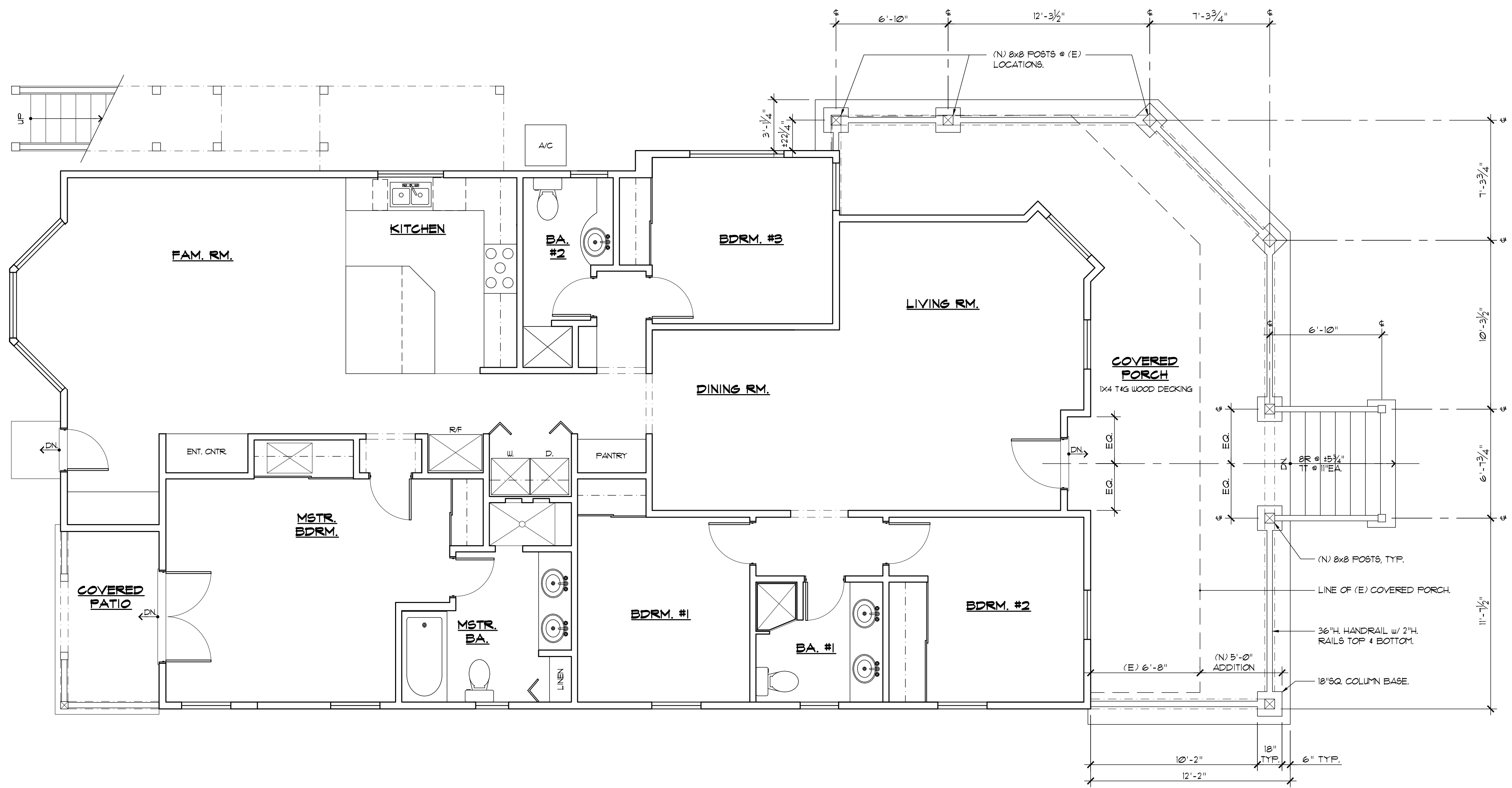


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NEW GROUND FLOOR PLAN

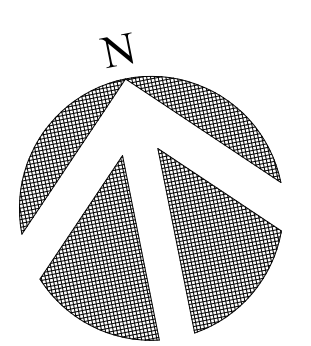
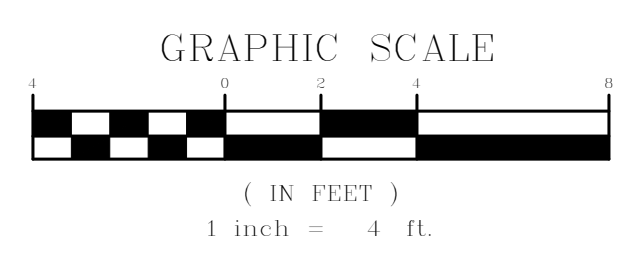
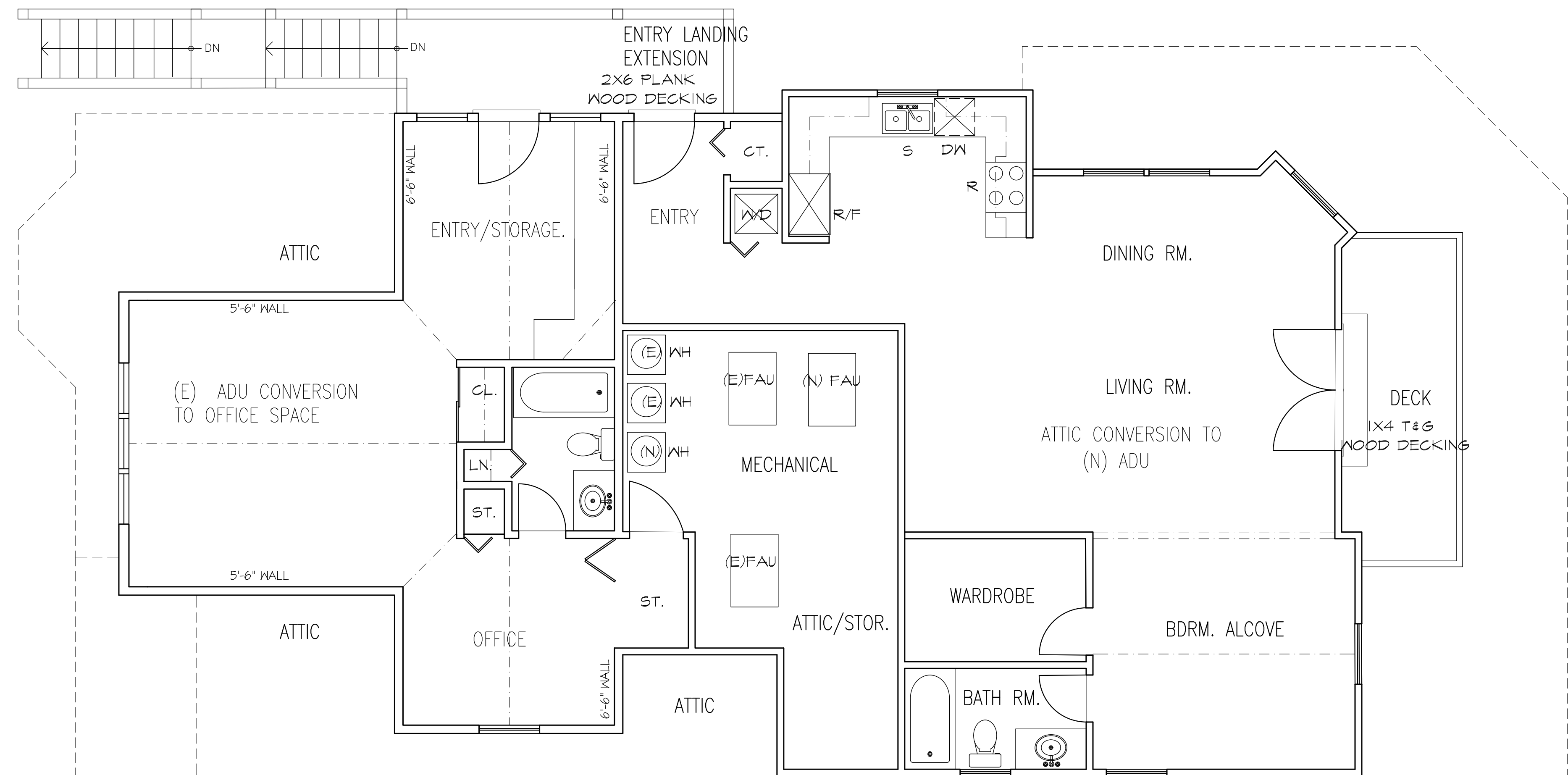
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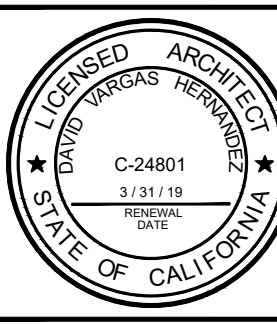
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33 WALNUT AVE. LOS GATOS, CA

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JOB NO. 2010.01
DATE: 08/08/2010



# REMODELED UPPER FLOOR AND NEW (ADU) PLAN

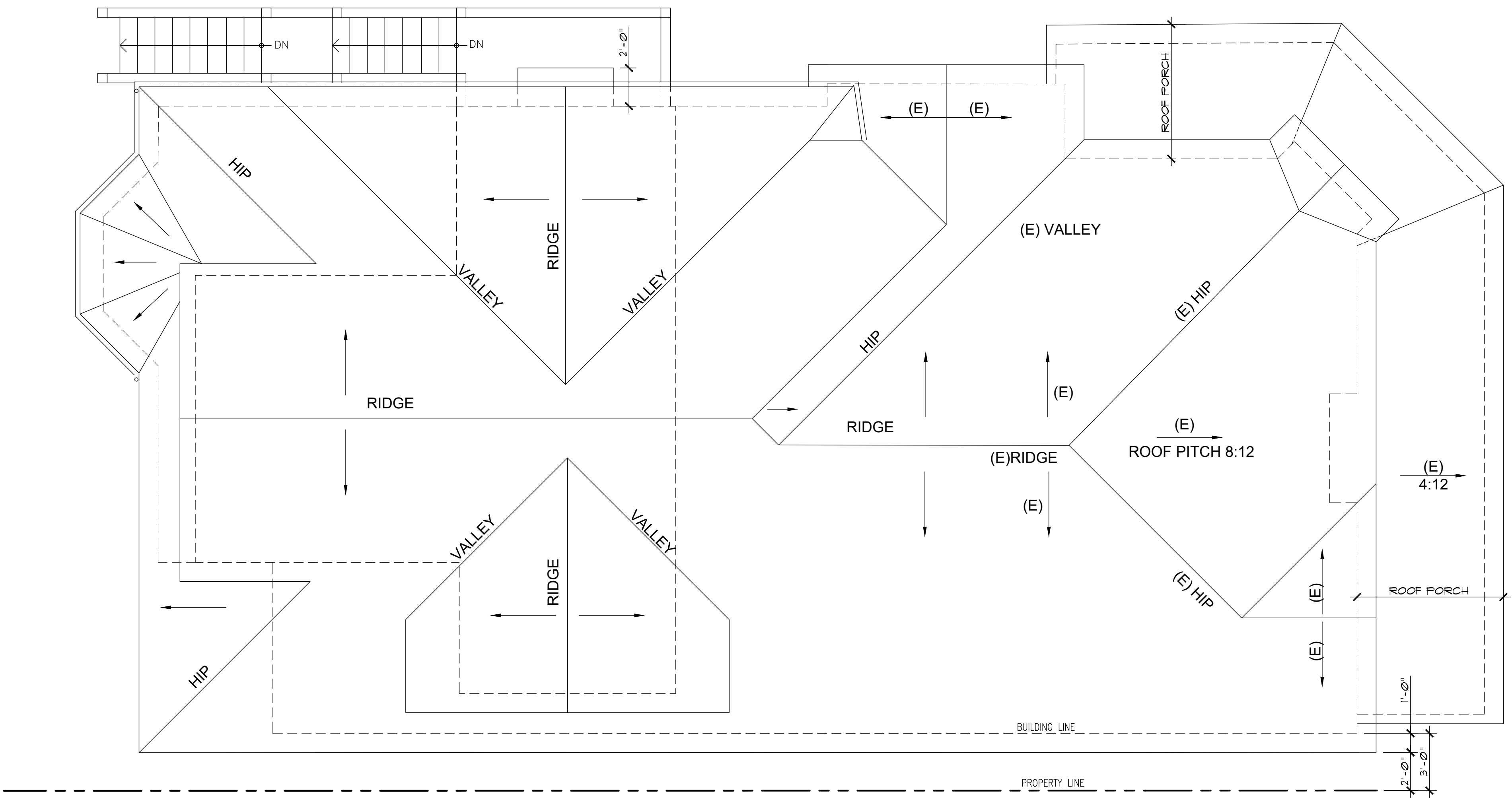
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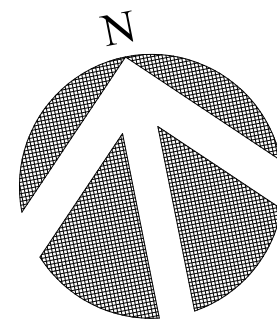
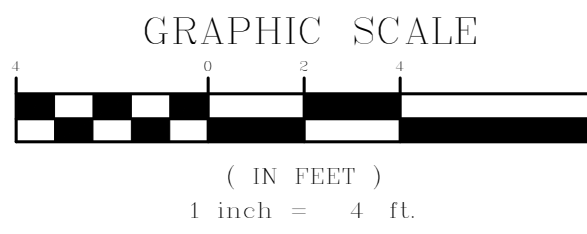
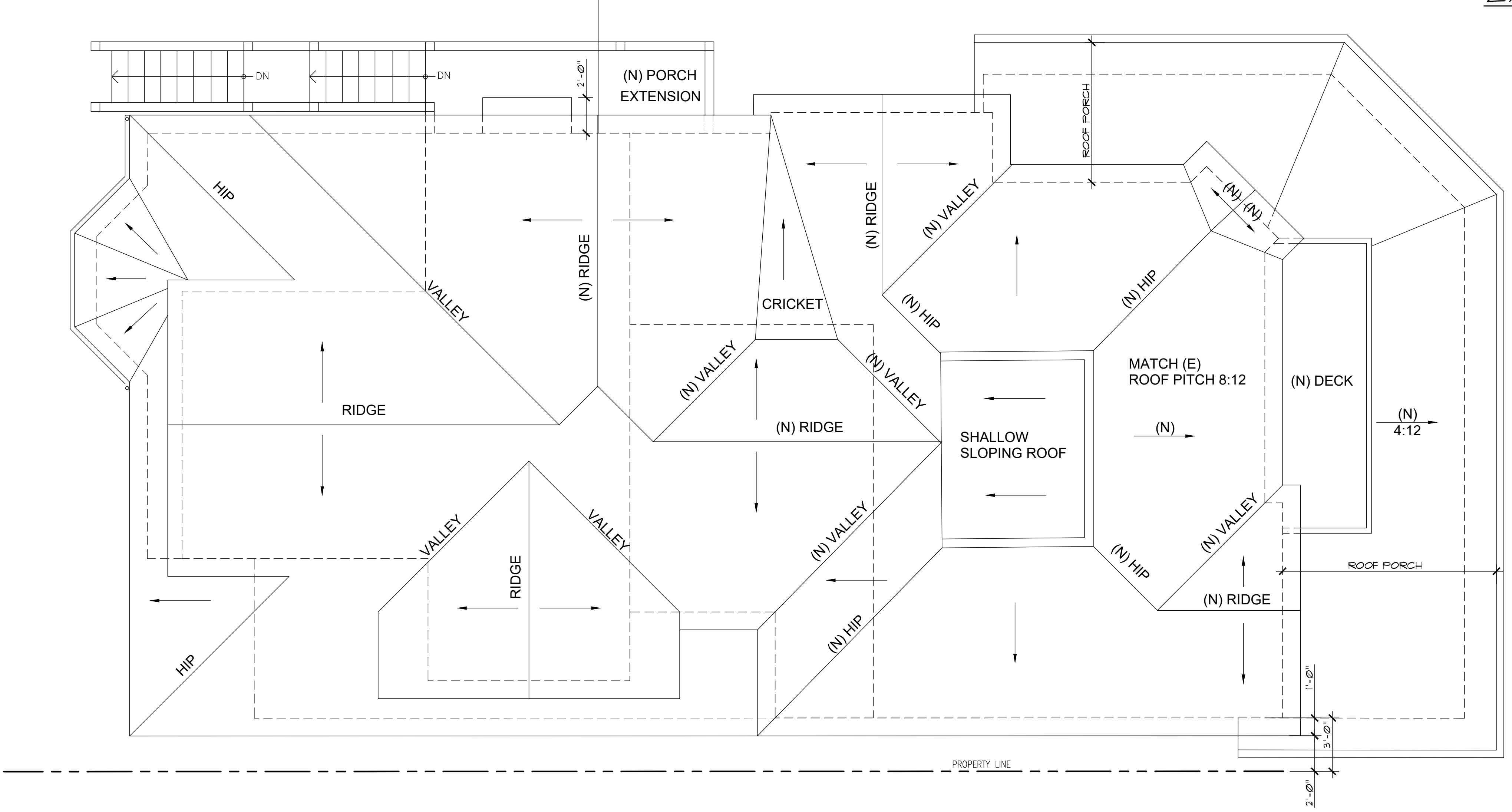
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P.O. BOX 8033, San Jose, California 95155  
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## SIEGEL RESIDENCE REMODEL/ADDITION 33 WALNUT AVE. LOS GATOS, CA

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JOB NO. 2018.01  
DATE: 08/08/2018

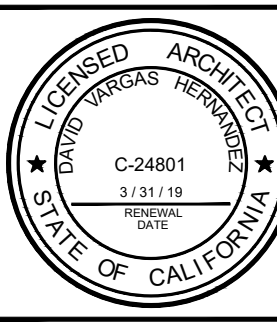


EXISTING ROOF PLAN



NEW ROOF PLAN

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33 WALNUT AVE. LOS GATOS, CA

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JOB NO. 2018.07  
DATE: 08/08/2018



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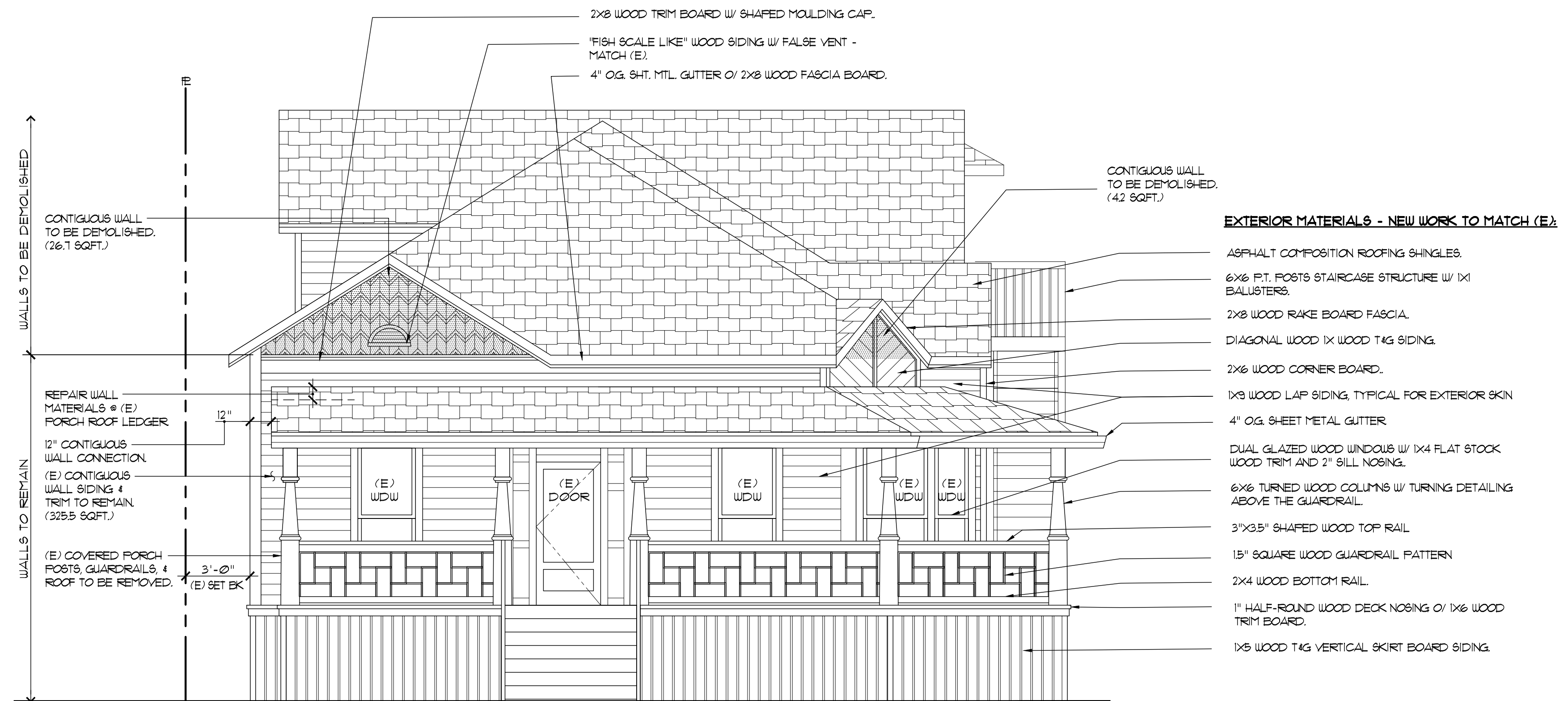
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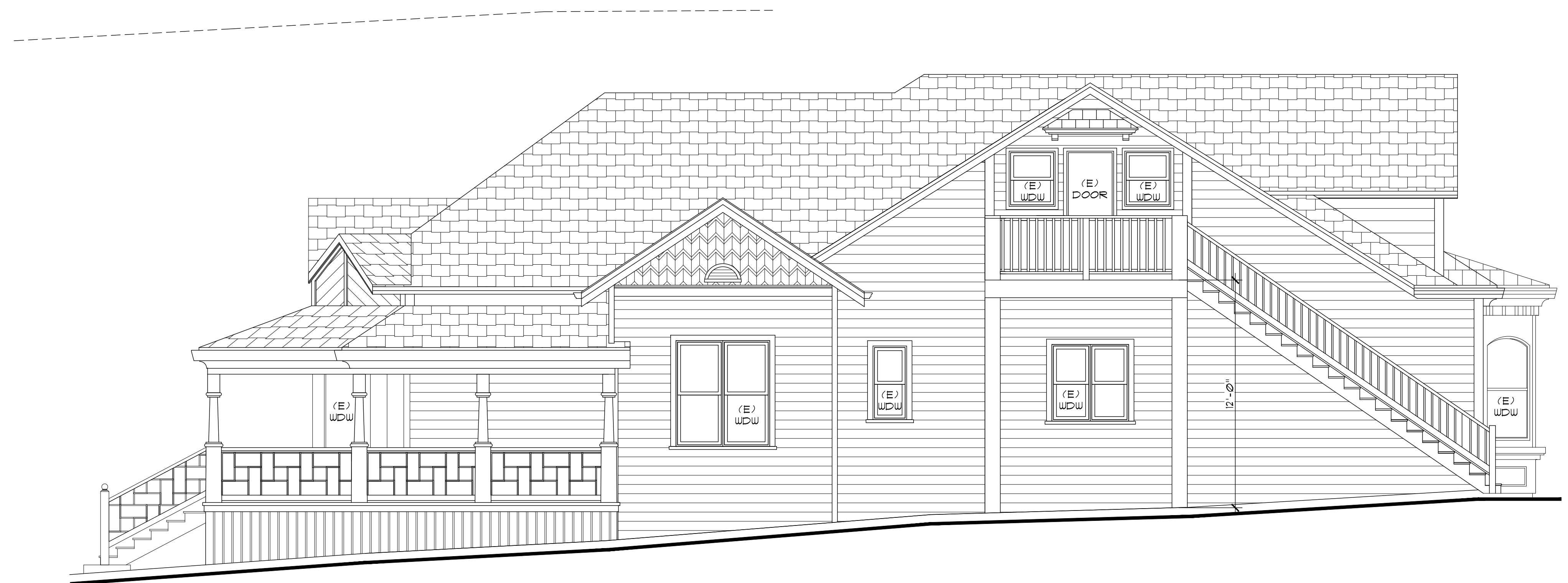
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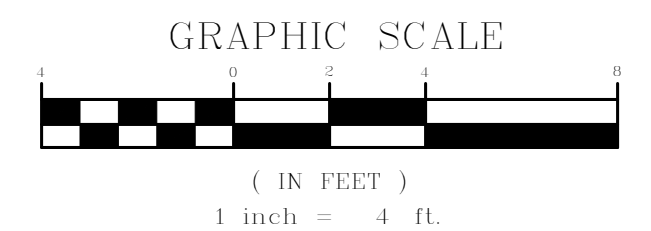
EXISTING WALL SURFACE AREA • FRONT ELEVATION			
	CONTIGUOUS & TOTAL WALL SURFACES	WALL TO BE REMOVED	CONTIGUOUS & TOTAL WALL SURFACES TO REMAIN
FRONT	325.5 SQFT. (100%)	30.9 SQFT. (9.5%)	294.6 SQFT. (90.5%)



EXISTING EAST ELEVATION  
1/4" = 1' -0"



EXISTING NORTH ELEVATION  
1/4" = 1' -0"





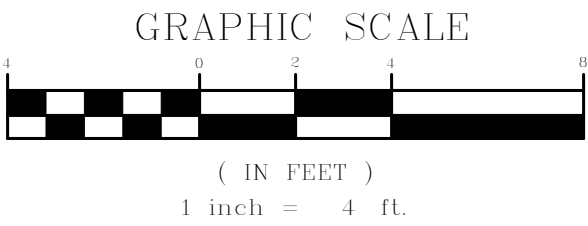
EXISTING WEST ELEVATION

1/4" = 1' -0"



EXISTING SOUTH ELEVATION

1/4" = 1' -0"



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SIEGEL RESIDENCE REMODEL/ADDITION  
33 WALNUT AVE. LOS GATOS, CA

DRAWN: DB/DVH  
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JOB NO. 2010.01  
DATE: 08/08/2018

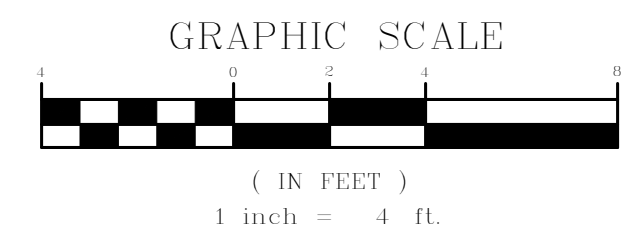
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NEW EAST ELEVATION  
1/4" = 1' -0"




NEW NORTH ELEVATION  
1/4" = 1' -0"



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HERITAGE  
ARCHITECTURE



DAVID V. HERNANDEZ, ARCHITECT  
C-24801  
5/15/18  
10000  
STATE OF CALIFORNIA

HERITAGE ARCHITECTURE  
DAVID V. HERNANDEZ, ARCHITECT  
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**SIEGEL RESIDENCE REMODEL/ADDITION**  
33 WALNUT AVE. LOS GATOS, CA

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DATE: 08/08/2018

**A4.1**



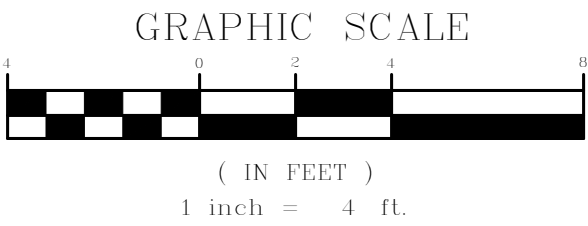
NEW WEST ELEVATION

1/4" = 1' - 0"



NEW SOUTH ELEVATION

1/4" = 1' - 0"



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DRAWN: DB/DVH  
SCALE: 1/4" = 1'-0"  
JOB NO. 2010.01  
DATE: 08/08/2018

A4.2



**TOWN OF LOS GATOS  
HISTORIC PRESERVATION COMMITTEE SPECIAL MEETING  
MAY 15, 2019  
110 EAST MAIN STREET  
LOS GATOS, CA  
4:00 PM**

Matthew Hudes, Chair  
Robert Cowan, Vice Chair  
Tom O'Donnell, Planning Commissioner  
Nancy Derham, Committee Member  
Len Pacheco, Committee Member

**MEETING CALLED TO ORDER**

**ROLL CALL**

**PLEDGE OF ALLEGIANCE**

**VERBAL COMMUNICATIONS** (Members of the public are welcome to address the Committee on any matter that is not listed on the agenda. To ensure all agenda items are heard and unless additional time is authorized by the Chair, this portion of the agenda is limited to 30 minutes and no more than three (3) minutes per speaker. In the event additional speakers were not able to be heard during the initial Verbal Communications portion of the agenda, an additional Verbal Communications will be opened prior to adjournment.)

**CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)** *(Items appearing on the Consent Calendar are considered routine and may be approved by one motion. Unless there are separate discussion and/or actions requested by the Committee, staff, or a member of the public, it is requested that items under the Consent Calendar be acted on simultaneously. Any member of the Committee or public may request to have an item removed from the Consent Calendar for comment and action.)*

1. Approval of Minutes – April 24, 2019
2. 62 Ellenwood Avenue  
Historic Resources Inventory Removal

Requesting continuance to June 26, 2019 for approval to remove a pre-1941 property from the Historic Resources Inventory for property zoned R-1:12. APN 510-20-068.

PROPERTY OWNER: Lisa and Case Swenson

APPLICANT: Kurt Simrock

PROJECT PLANNER: Azhar Khan

*Continued from April 24, 2019*

**PUBLIC HEARINGS** *(Applicants and their representatives may be allotted up to a total of ten minutes maximum for opening statements. Members of the public may be allotted up to three minutes to comment on any public hearing item. Applicants and their representatives may be allotted up to a total of five minutes maximum for closing statements. Items requested/recommended for continuance are subject to the Committee's consent at the meeting)*

3. 407 University Avenue  
Historic Resources Inventory Removal

Requesting approval to remove a pre-1941 property from the Historic Resources Inventory for property zoned R-1P. APN 529-07-041.  
PROPERTY OWNER/APPLICANT: Ravi Todi and Sudha Hisaria  
PROJECT PLANNER: Sally Zarnowitz

**OTHER BUSINESS** *(Up to three minutes may be allotted to each speaker on any of the following items.)*

4. 33 Walnut Avenue  
Preliminary Review

Requesting preliminary review of a proposal for exterior alterations to a pre-1941 single-family residence on property zoned R-1:8. APN 510-41-007.  
PROPERTY OWNER: Jeffrey Siegel  
APPLICANT: David V. Hernandez  
PROJECT PLANNER: Erin Walters

5. 268 Los Gatos Boulevard  
Preliminary Review

Requesting preliminary review of a proposal for exterior alterations to a pre-1941 single-family residence on property zoned R-1:D. APN 532-36-022.  
PROPERTY OWNER: Werner J Wiechmann  
APPLICANT: Firoz Pradhan  
PROJECT PLANNER: Azhar Khan

**ADJOURNMENT**

**IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, PLEASE CONTACT THE CLERK DEPARTMENT AT (408) 354-6834. NOTIFICATION 48 HOURS BEFORE THE MEETING WILL ENABLE THE TOWN TO MAKE REASONABLE ARRANGEMENTS TO ENSURE ACCESSIBILITY TO THIS MEETING [28 CFR §35.102-35.104]**



## **TOWN OF LOS GATOS HISTORIC PRESERVATION COMMITTEE REPORT**

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### **MINUTES OF THE HISTORIC PRESERVATION COMMITTEE SPECIAL MEETING MAY 15, 2019**

The Historic Preservation Committee of the Town of Los Gatos conducted a Special Meeting on May 15, 2019, at 4:00 p.m.

#### **ROLL CALL**

Present: Vice Chair Robert Cowan, Committee Member Nancy Derham, Committee Member Thomas O'Donnell

Absent: Leonard Pacheco, Matthew Hudes

#### **MEETING CALLED TO ORDER AT 4:00 PM**

#### **VERBAL COMMUNICATIONS**

Jefferey Siegel – Presented a copy of his letter to Town Council promoting adoption of the Mills Act.

#### **CONSENT ITEMS (TO BE ACTED UPON BY A SINGLE MOTION)**

1. Approval of Minutes – April 24, 2019
2. 62 Ellenwood Avenue -- Historic Resource Inventory Removal

**MOTION:**                      **Motion by Committee Member Thomas O'Donnell to approve the consent calendar. Seconded by Committee Member Nancy Derham.**

**VOTE:**                        **Motion passed unanimously. 3-0-2, Committee Member Leonard Pacheco and Chair Matthew Hudes absent.**

#### **PUBLIC HEARINGS**

3. 407 University Avenue  
Historic Resources Inventory Removal

Requesting approval to remove a pre-1941 property from the Historic Resources Inventory for property zoned R-1P. APN 529-07-041.

PROPERTY OWNER/APPLICANT: Ravi Todi and Sudha Hisaria

PROJECT PLANNER: Sally Zarnowitz

Sally Zarnowitz, Planning Manager, presented the staff report.



PAGE 2 OF 3  
MINUTES OF THE HISTORIC PRESERVATION COMMITTEE MEETING OF  
MAY 15, 2019

Owner presented the reasons for his request.

Opened and closed Public Comment.

Committee members discussed the matter.

**MOTION:**                    **Motion by Committee Member Thomas O'Donnell** to approve the request to remove from the Historic Resources Inventory. **Seconded by Committee Member Nancy Derham.**

**VOTE:**                    **Motion passed unanimously. 3-0-2, Committee Member Leonard Pacheco and Chair Matthew Hudes** absent.

**OTHER BUSINESS** *(Up to three minutes may be allotted to each speaker on any of the following items.)*

4. 33 Walnut Avenue  
Preliminary Review

Requesting preliminary review of a proposal for exterior alterations to a pre-1941 single-family residence on property zoned R-1:8. APN 510-41-007.

PROPERTY OWNER: Jeffrey Siegel

APPLICANT: David V. Hernandez

PROJECT PLANNER: Erin Walters

Erin Walters, Associate Planner, presented the staff report.

Applicant presented the proposed project.

Opened and closed Public Comment.

Committee members discussed the matter.

**MOTION:**                    **Motion by Committee Member Nancy Derham** to recommend approval of the proposal. **Seconded by Vice Chair Robert Cowan.**

**VOTE:**                    **Motion passed unanimously. 3-0-2, Committee Member Leonard Pacheco and Chair Matthew Hudes** absent.



PAGE 3 OF 3  
MINUTES OF THE HISTORIC PRESERVATION COMMITTEE MEETING OF  
MAY 15, 2019

5. 268 Los Gatos Boulevard  
Preliminary Review

Requesting preliminary review of a proposal for exterior alterations to a pre-1941 single-family residence on property zoned R-1:D. APN 532-36-022.

PROPERTY OWNER: Werner J Wiechmann

APPLICANT: Firoz Pradhan

PROJECT PLANNER: Azhar Khan

Azhar Khan, Assistant Planner, presented the staff report.

Applicant presented the proposed project.

Opened and closed Public Comment.

Committee members discussed the matter.

**MOTION:**                    **Motion** by **Committee Member Nancy Derham** to recommend for approval of the proposal. **Seconded** by **Committee Member Thomas O'Donnell**.

**VOTE:**                    **Motion passed unanimously. 3-0-2, Committee Member Leonard Pacheco** and **Chair Matthew Hudes** absent.

**ADJOURNMENT**

The meeting adjourned at 4:56 p.m.

This is to certify that the foregoing is a true and correct copy of the minutes of the May 15, 2019 meeting as approved by the Historic Preservation Committee.

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/s/ Jocelyn Fong, Administrative Assistant

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**TOWN OF LOS GATOS  
HISTORIC PRESERVATION  
COMMITTEE REPORT**

MEETING DATE: 05/15/2019

ITEM NO: 4

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DATE: MAY 9, 2019

TO: HISTORIC PRESERVATION COMMITTEE

FROM: JOEL PAULSON, COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: PROJECT LOCATION: 33 WALNUT AVENUE. PROPERTY OWNER: JEFFREY SIEGEL. APPLICANT: DAVID V. HERNANDEZ, HERITAGE ARCHITECTURE.  
REQUESTING PRELIMINARY REVIEW ON PROPOSED EXTERIOR  
ALTERATIONS TO A PRE-1941 PROPERTY ZONED R-1:8. APN 510-41-007.

**RECOMMENDATION:**

Review the proposal and provide comments on the proposed exterior alterations.

**BACKGROUND:**

**A. Property Details**

1. Date primary structure was built: 1890
2. Town of Los Gatos Preliminary Historic Status Code: I – Historic and Intact
3. Does property have an LHP Overlay? No
4. Is structure in a historic district? No
5. If yes, is it a contributor? N/A
6. Findings required? No
7. Considerations required? No

**B. Comments**

*Previous Review*

On August 22, 2018 the Historic Preservation Committee reviewed and approved modifications to the front porch as described below:

**PREPARED BY:** ERIN WALTERS  
Associate Planner

BACKGROUND (continued):

1. Raising the roof of the covered porch from six feet 10-inches to nine feet tall to accommodate the existing eight-foot, four-inch front windows and provide visibility from the house and light into the house.
2. Modify the existing six-inch by six-inch decorative wood columns and guard rail with a square wood column design and a code compliant guard rail with a modified decorative pattern.

*Second Story- Accessory Dwelling Unit (ADU)*

The development plans show a second story addition to the existing two-story house. The proposed second story addition is associated with an approved Accessory Dwelling Unit (ADU). New State regulations and the recent adoption of amendments to the Town's ADU Ordinance allow second story ADUs to be constructed on an existing two-story residence with a ministerial review through an ADU permit.

*Current Proposal*

The applicant proposes the following first story and second story exterior modifications to the structure:

1. First Floor
  - a. Replace the existing front door with a new beveled glass front door (east elevation);
  - b. Add a transom window above front door (east elevation);
  - c. Replace one double hung window with three taller double hung bedroom windows (south elevation);
  - d. Add a single double hung window to the master bathroom (south elevation);
  - e. Replace two double hung master bedroom windows with two taller double hung windows (south elevation);
  - f. Replace master bathroom and bedroom double hung windows with taller double hung windows (south elevation);
  - g. Add a transom window above the existing master bedroom french doors (west elevation); and
  - h. Add new French living room doors (north elevation).
2. Second Story Rear (non- ADU living area)
  - a. Add a second story covered patio (north elevation);
  - b. Add french doors to proposed covered patio (north elevation);
  - c. Add one double hung bathroom window (south elevation); and
  - d. Enlarge a portion of the south elevation to accommodate an expanded closet (south elevation).

BACKGROUND (continued):

The applicant has provided a scope of work and a letter of justification in Attachment 1.

The applicant's proposed scope of work includes a proposed new carport along Wissahickon Avenue (Attachment 1). The Historic Preservation Committee does not review accessory structures and staff has not yet reviewed the proposed carport to determine if the proposed location, height, or size meet the Town's Zoning Code.

Building permits are required for the proposed modifications. Per the applicant the proposed project does not result in a technical demolition. Committee comments are requested to ensure the compatibility of the proposed modifications with the original structure and the surrounding area.

The applicant's request, the Bloomfield Survey, existing photos, and the proposed development plans are attached.

DISCUSSION:

A. Considerations

For pre-1941 structures, the proposed work will neither adversely affect the exterior architectural characteristics or other features of the property which is the subject of the application.

CONCLUSION:

The proposal is being referred to the Committee for its input and recommendation on whether the proposed alterations are compatible with the original structure and the surrounding neighborhood.

Should the HPC find merit in the request, the proposal could be approved by the Community Development Director and processed with a Building Permit, and the project would not return to the HPC.

Attachments:

1. Scope of Work/Letter of Justification
2. Bloomfield Survey
3. Photos of Existing Porch
4. Development Plans

PAGE 4 OF 4  
SUBJECT: 33 WALNUT AVENUE  
MAY 9, 2019

Distribution:

Cc: Jeffrey Siegel, 33 Walnut Avenue, Los Gatos, CA 95030  
David V. Hernandez, Architect, Heritage Architecture, P.O. Box 8033, San Jose, CA 95155



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TOWN OF LOS GATOS  
PLANNING DIVISION

# Addendum to the Renovation of 33 Walnut Avenue

(starting on page 6)

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## **(Original) Proposed Porch Design Improvements in Context of Historic Preservation for Queen Anne Style Residence at 33 Walnut Avenue**

### **References:**

- 1) A field guide to American Houses, Published 2014 by Virginia Savage McAlester**
- 2) The Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings, 2017 Revised by Anne Grimmer**
- 3) Los Gatos Guidelines for Historic Preservation**
- 4) Consultation with Anne Grimmer, Architectural Historian for the Technical Preservation Services Department of the United States Park Service**

33 Walnut Avenue, built in 1890, is an example of a Queen Anne style residence with minor spindlework detailing. With a hipped roof and lower cross gables, together with a wrap around porch, the house displays multiple elements of an 1890 era Queen Anne. The house is not located in a historic district though is considered by the town of Los Gatos to be historical on account of the year that it was built.

### **History of the House:**

While built in 1890, multiple alterations have been made to the house over the intervening years including:

- 1) Roofing material – wood shingles replaced with composite material
- 2) Addition of second story ADU toward the rear of the house in 1986
- 3) Construction of a new two car garage in 2008 replacing a historic structure that could not be adapted for today's modern lifestyle
- 4) First floor alterations including addition of 250 square feet by pushing out the rear exterior walls of the house altering both size and shape
- 5) Full interior redesign and reconstruction in 2008 including removing interior walls, changing bedroom locations and sizes, adding windows and doors, creating a great room, adding a bathroom, and changing the interior flow of the house, along with all new plumbing, electrical, and HVAC
- 6) Multiple landscape changes over time including adding a stone retaining wall and patio in the rear, with steps and gate out to the newly constructed garage

### **Curing the Porch Design Defects:**

While many improvements have already been made over time, the one remaining and much needed alteration is the improvement of the front porch to address specific design defects that has caused safety, lighting, and sustainability issues. To be clear, this does NOT mean changing the character defining features of the porch, which include wrapping around the front and front-side of the house and the use of stylized vertical supports and detailed railing design.

The *design defects*, which include shallow depth, pitched flooring, low profile roofline that obscures light and interior visibility, missing roof overhang, and absence of a south facing weather barrier, altogether negatively impact the sustainability, safety, and functional use of the front section of the house. Weather exposure to the front of the house, and a dark front interior are problems that are worth solving while respecting the historical integrity of the Queen Anne style. In addition, the front steps have proven to be a safety hazard as multiple guests have now slipped and fallen when walking down the steps. This stems from the exposure of the steps to the elements, combined with their shallow foot depth and steep pitch. It is desired to extend the porch roofline to cover and protect the steps from the elements to create a safe environment. This is in keeping with the Queen Anne style of architecture as evidenced in photos in the book *A Field Guide to American Houses* page 361, image 11.

**The desired porch improvements to address these existing problems include:**

- 1) Deepening the porch from its current six feet to 11 feet, which is in keeping with the legal setbacks. Given the gaps in the weave style and low height of the existing railing, this will significantly improve the safety of using the porch, while allowing far more light to enter the tall front windows, and provide much needed protection from the strong west blowing winds and rains that assault the front (and side) of the house given its east (and south) facing exposure.
- 2) Slight change to the front porch railing to a tighter weave design that is in step with current safety standards and stronger vertical supports.
- 3) Adding a transparent protective shield to the left side of the porch protecting the south exposure from wind-blasted rains during the winter months (as many other historic homes in Los Gatos currently have)
- 4) Raising the lip height of the porch roofing, together with adding a porch roof overhang, as required for both lighting improvement and for protecting the front porch flooring and front siding of the house from the seasonal rains which continues to cause damage.
- 5) Changing the pitch of the porch flooring to create a level surface. Its current pitch creates a unbalanced floor surface which is somewhat precarious to stand and walk on, particularly for the elderly or anyone that's tall.
- 6) Extending the porch roof over the front stairs as a key safety feature. The front stairs are continually rained upon by environmental elements including water, bird droppings, and tree leaves. Altogether this has created a dangerous and slippery surface. Numerous guests have now slipped and at times fallen from these stairs and it's highly desired to create an environment for safe use of the house while reducing legal liability.

**A key question to answer:**

The key question that arises when considering these proposed changes – is whether they constitute a *character-defining feature* change, or whether the character-defining features of the house can be preserved while making the required adaptation. To answer that question, we have turned to multiple sources, including those published, as well as consulted directly with the author of the *Department of the Interiors Standards for the Treatment of Historic Properties* – Anne Grimmer. Anne's guidance in considering and answering this question has directly informed the proposal being submitted to the Los Gatos Historic Committee.

**Rehabilitation defined:**

*Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions, while preserving those portions or features which convey its historical, cultural, or architectural values.* Maintaining the Queen Anne style of the porch while incorporating the adaptation needed to address the design defects is the intention of this proposed project.

**Guidance from Anne Grimmer:**

It has been determined, after consulting in person with the architectural historian and author of the *Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* that the proposed changes to 33 Walnut will not create a 'character-defining change'. In fact, these guidelines state under Alterations – *some exterior and interior alterations to a historic building are generally needed as part of a Rehabilitation project to ensure it's continued use. But it is most important that such alterations do not RADICALLY change, obscure, or destroy character-defining spaces, materials, features, or finishes.*

Anne noted that the porch related issues stem directly from what she calls a 'design defect', which can be *intelligently addressed* while preserving the character-defining features of the Queen Anne style. She gives the example of the firehouse that is down the street from her office in Washington DC, and is also cited as an example in the guidelines. The opening of the building, based on its original design, could not accommodate today's modern fire trucks, and so the opening was enlarged as an adaptation to today's needs, while preserving the building's style.

According to Anne, "the tall front windows of your house (at 33 Walnut) are indeed a character defining feature, as is the style of the wrap around porch. But it's not unprecedented to see porch rooflines that hang so low as to block light and visibility. These should be considered a design defect, not a character-defining feature of the house. Raising the roofline to cure this defect would be considered a reasonable adaptation in the same way that enlarging the opening of the fire station down the street (from her office in Washington DC), to accommodate today's larger fire trucks, improved the functionality while still retaining the historic nature of the building itself. " For this example, Anne referenced page 150 in *Standards for Preservation & Guidelines for Preserving Historic Buildings*.

Anne views the front porch of 33 Walnut as similar to the firehouse example. She notes that making the improvements by addressing the design defects benefits the house and its livability, while preserving its true character-defining features (wrap around porch, tall front windows, detailed railing) of the Queen Anne architectural style. In other words, she sees the proposed improvements (roof height, porch depth, roof overhang, wind barrier) as an *intelligent adaptation* that would be barely discernible from the street, and not a radical change.

We look forward to hearing the historic committee's assessment of these proposed changes, as a means of intelligently addressing the design defects that have caused problems in safety, livability, and maintenance of 33 Walnut Avenue. With these proposed changes, we believe that the house value is improved while preserving its historical integrity and character.

Respectfully...Jeffrey Siegel, homeowner of 33 Walnut Avenue



## **Addendum to Historic Preservation project for 33 Walnut Avenue: – Rehabilitation of historic home to accommodate dark interior spaces (exacerbated by high fencing) and today's modern world (EV) requirements**

In this second phase of renovation design, we are looking to make improvements to the livability aspects of the house, while maintaining its historical character with the following renovation work proposed:

1. **Front Door** – we are looking to replace the existing front door with a similar door but replacing the plain glass with a beveled glass look or other minor style change to maintain the natural lighting and increase privacy, plus adding a small transom window above the door for bringing in added natural light.
2. **First floor Natural Light** - To address the dark interior spaces and embrace the views of the surrounding mountains - particularly in the south facing bedrooms and bathrooms - we are looking to:
  - a) replace one 'atypical' single short window with three taller windows to the (Southeast Corner) front bedroom's south side of the house view (facing a high fence) that also makes this particular room's windows height consistent with other windows in the house
  - b) add a second window to the master bathroom (rear south corner of the house facing a high fence)
  - c) increasing the tallness of the master bathroom and bedroom windows all for the purpose of better natural lighting that is largely blocked by a high fence.
  - d) adding a transom window above the existing rear-facing master bedroom French doors.
  - e) Adding French doors to the north side of the house as walk out to the side of the wrap around porch.

While **these enhancements will NOT be visible from the front street** (Walnut Avenue) they will greatly enhance the livability of the home.

3. **Second floor Bedroom Natural Light** - To address the dark interior of the upstairs rear bedroom, we are looking to add glass French doors with a covered walk-out deck by the rear corner of the house that faces to the North. The covered deck would be supported by four wooden slats that provide structural stability and spread out the roof load.

This rear corner upstairs bedroom change is also not visible from the front of the house. The newly built upper siding (above the French doors) will use matching materials/design to the home's existing decorative upper siding design to maintain historical character throughout. The neighbor whose backyard this deck faces (25 Walnut Avenue) would not be affected as the existing exterior stairs and landing currently overlooks their two buildings rental property from this vantage point. Plus, there is no loss of privacy as it's in the farthest rear corner of their lot with trees in-between. One small window would also be added to the upstairs bedroom facing to the South (which has the mountain views) that joins an existing window nearby. This window would be facing the north brick wall of the neighbor's house which has a single, small window and an unused side yard containing an abandoned, empty swimming pool.

4. **Second floor bedroom closet** – To address the minimal amount of closet space in the existing rear upper bedroom, we are looking to push out a small wall area that is currently inset from the adjoining exterior walls. This slight push out would leave the wall still inset but to a lesser degree.
5. **EV Vehicles** - To address the emerging adoption of EV vehicles, which is going mainstream over the next several years, we are looking to add a tastefully designed carport (with three open sides) as an extension of the existing garage. This would allow for chargeable covered parking off-street for a third car.



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Anne Bloomfield

ARCHITECTURAL/CULTURAL SURVEY  
LOS GATOS RESEARCH

File address 33 Walnut

PARCEL MAP INFORMATION

Parcel # 510-41-007 Lot size: 50 front ft. x 160 ft. deep

Lot shape: Rectangle ☒ L ☐ Rectangle with small rear jog ☐ Other ☐

Location: N ☐ S ☐ E ☐ W ☒ side of W St ☐ Ave ☒ Other ☐

distance to cross st: 162 ft. N ☐ S ☒ E ☐ W ☐ from Hernandez

at NE ☐ NW ☐ SE ☐ SW ☐ corner of

HISTORIC INFORMATION ON PARCEL MAP

Old tract or subdivision name Glen Ridge Park Old Block # 3 Old lot # 8

FIELD SURVEY INFORMATION (handwritten in red)

Preliminary rating + Estimated age 1890s Style Queen Anne # stories

Alterations

Other

COUNTY ASSESSOR--PROPERTY CHARACTERISTICS (paste on copy) Page  Effective date

OWNERSHIP SHOWN ON MAPS

Source Name	Source Date	Source Page	Location of property, or Old tract/block/lot	Lot Size	Owner Name
	1891				
Blk Book	1908				
Survey	1941				

MISCELLANEOUS

National Register listed date

County Inventory 1979

Town of Los Gatos: Designation  Recognition

District Name

Previous Survey 1900 CAR 1890 AEG

Gebhard: page #  illustration page #

33 Walnut EVALUATION Date c. 1894 (San)

Glen Ridge District Non-contrib

Earliest known Owner Resident (Peed, 1930)

Context(s):

PHOTOS: Roll/frame # 032/11 Date 15-2-90





**ARCHITECTURAL HISTORY**  
(415) 922-1063  
2229 WEBSTER STREET  
SAN FRANCISCO, CA 94115

Addresses associated with Name 33 Walnut

Relevant dates: construction\_\_\_\_\_. birth\_\_\_\_\_. death\_\_\_\_\_. other\_\_\_\_\_

[illegible]

initials \_\_\_\_\_ date \_\_\_\_\_

Mark 'X' (info or 'F' (nothing found) at each source you try. List findings below.

California History Center, De Anza College:

- Biographical file  
Photo collection

San Jose Historical Museum:

- Great Registers (of voters)
- Indexes
- Photo collection

Other sources:

- \_\_\_\_\_ Indexes, California Historical Quarterly  
 \_\_\_\_\_ State Library Information Index (fiche)  
 \_\_\_\_\_ State Library-S.F. Newspaper Index ("")

III. LIST ALL REFERENCES FROM ABOVE. Find them. Copy good material & attach. Or copy below if only a few words. Or explain why not relevant (as, wrong person).

32 Walnut  
EVALUATION  
Date C. 1894 (Sten)  
Earliest known Contributor X  
Owner Resident District Non-contrib X  
Context: Hansen 1930

## PUBLISHED ANNOUNCEMENTS

Source:   A&E     Bulletin     CA&BN     Call     Chron     DPB     Ed AB     EX     News     PCA                          Other    
           Volume       Date       Page

Nature of announcement: ☐ Contract notice ☐ Notice of completion ☐ BP issued ☐ Photo ☐ Elev/sketch/render'g ☐ Floor plan ☐ Arch't/cont'r pub ☐ Real est  
Copy exactly:

<u>Owner</u>	<u>Builder/Contractor</u>	<u>Architect/Engineer</u>	<u>Location</u>	<u>Nature of work</u>	<u>Cost</u>

Initials      Date

## BUILDING PERMITS

Address requested \_\_\_\_\_

Source: Permit

Register, Press-  
man, or . . .

<u>Register, Press- man, or . . .</u>	<u>Application Number</u>	<u>Date</u>	<u>Location</u>	<u>Cost</u>	<u>Use/ No. of Units</u>	<u>Owner &amp; address</u>	<u>Builder/ contr. &amp; address</u>	<u>Arch't/ engin'r &amp; address</u>	<u>Description of work</u>	<u>width/ depth/ height</u>	<u>Extra Materials</u>

Initials      date

OTHER SOURCE (specify thoroughly)

**SANBORN MAPS**

**Vac.**

Color:  
yel, pnk,  
orange  
blu, gry  
green

Patches  
Yes/  
No

No. of  
stories

Height  
(ft.)


No. of  
bay  
windows.

POUCH

Differences from today in:  
Use      Stories      Footpr:

Date of  
constr.

Describe or sketch  
plan

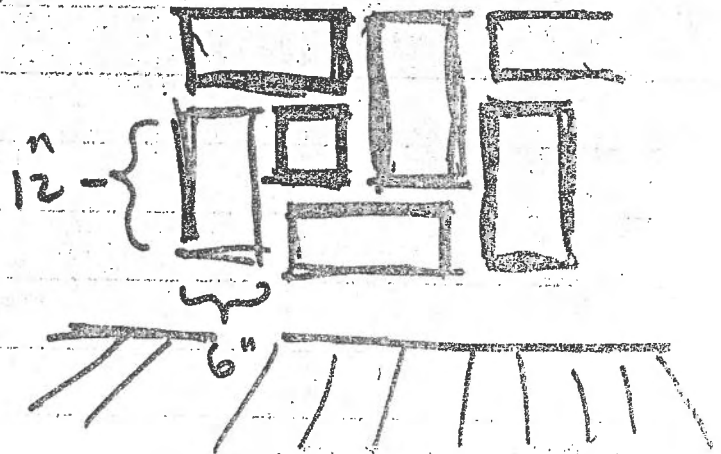
1893	12	this	22-21 W-	?	D	N	1	—	side, ? front	Wraparound 2 rear	use	stories	footprint	constr.	plan
1904	5	"	"	?	"										
1928	13	"	33 W (ex n)	—											

BELL RINGER - SEPT 15, 1984

1891 - Post-Victorian

- ① 33 WALNUT AVE. - EUNICE MONTGOMERY RUTHERFORD (WRITER)  
PURCHASED HOUSE IN 1948 FROM "GLAD" DON/JOAN  
WORK ON FRONT PORCH LAST YEAR  
PULWOOD PANELS ADDED ON WALLS IN INTERIOR  
GLOSSED IN BACK PORCH + FLOOR 1961  
KIT CEIL LOWERED  
ROOM NEXT TO KIT ADDED  
LOT 50 X 130

PORCH DETAIL





Street: Walnut - Los Gatos House Number: 53

Construction Date: \_\_\_\_\_ Estimated 1891 Source Mr. & Mrs. Montgomery

Style: \_\_\_\_\_

Present Owners: <sup>Mr. & Mrs.</sup> Rutherford Montgomery (Eunice)

Phone: \_\_\_\_\_ Willing to work with survey committee? \_\_\_\_\_

Rental? No ☒ Yes \_\_\_\_\_ Tenants name: \_\_\_\_\_ Phone: \_\_\_\_\_

Absentee-owners mailing address: \_\_\_\_\_

Best time to contact owner: \_\_\_\_\_ Tenant: \_\_\_\_\_

History (include dates, events, and persons associated with site when known)

Late 1880s (maybe 1891)  
Carpenter Gothic style

Montgomerys moved here in 1946

Architectural History ( identify information source and year of change)

Original:

Donald M. Jones had owned home before Montgomerys

Added:

Hallway from front door eliminated to extend into family room where fireplace has been added  
Back porch and upper rooms to back of house

Remodeled:

Paneling in 3 different rooms  
front porch steps  
floor of back porch - glassed it walls with  
lowered ceiling in kitchen  
tiled ceilings in several rooms

## THE AUTHOR

RUTHERFORD MONTGOMERY would rather write than do anything else in the world. Most of his fifty-three books are about animals and the wilderness he knows so well. As a boy, Mr. Montgomery would listen to the tales told by hunters, and his favorite sport then and now is going into the woodland and sitting quietly on a log, observing the children of the wild. He is a watcher, not a hunter.

Mr. Montgomery was born in North Dakota, and taught school for ten years in Wyoming and Colorado after graduating from Colorado Agricultural College. He saw service in the United States Flying Corps in World War I. Later, he was a county judge in Colorado and held state offices there. He now lives in Los Gatos, California.

★ ★ ★

### Other Books by Rutherford Montgomery

Troopers Three	Call of the West
Broken Fang	Carcajou*
Gray Wolf*	Husky*
White Mountaineer	Kildes House
McGonigle's Lake	Wapiti
Midnight*	Big Brownie
Iceblink	Ghost Town Adventure*

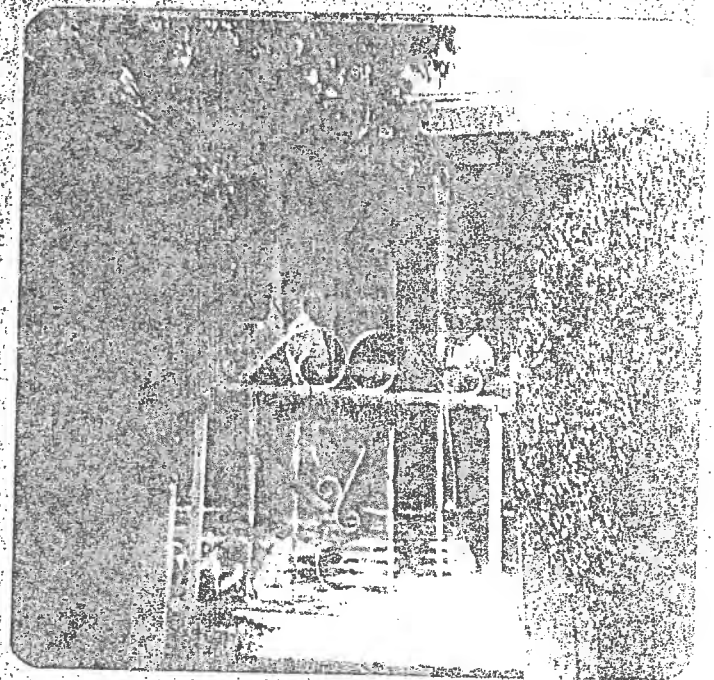
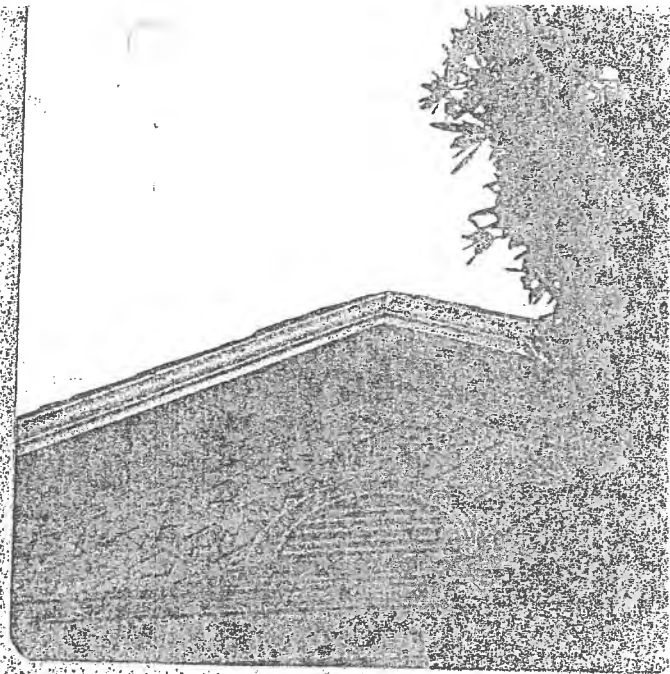
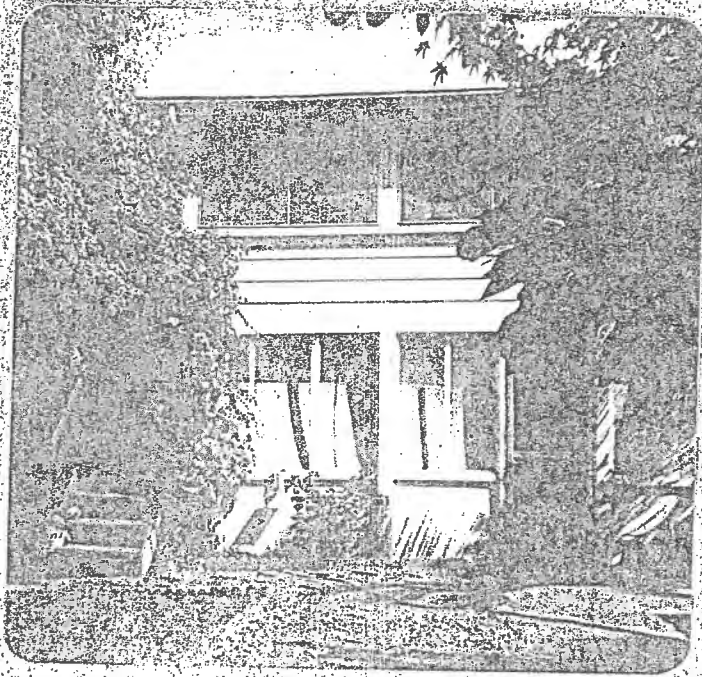
\*Available from Scholastic Book Services

# YELLOW EYES

By RUTHERFORD MONTGOMERY

Illustrated by Farrell Collett

SCHOLASTIC BOOK SERVICES  
NEW YORK • TORONTO • LONDON • AUCKLAND • SYDNEY • TOKYO



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**MAY 08 2019**

**TOWN OF LOS GATOS  
PLANNING DIVISION**

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**VICINITY MAP**

33 Walnut Ave, Los Gatos, CA 95030

Streets shown: Scott Dr, Ridgewood Ave, Via Bonita, Argentea Ave, Oak St, Saratoga Los Gatos Rd, Bachman Ave, Alameda Ave, Belmont Ave, Buchanan Park, Elmhurst Ave, Appleton Ln, Hermosa Ave, Point Ave, Menlo Ave, Fairview Ave, Menzies Ave, Fairview Plaza, Mariposa Ave, Mountain Ave, Overlook Rd, Walnut Ave.

Scale: 500 feet, 100 m

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PROJECT ADDRESS: 33 WALNUT AVE.  
LOS GATOS, CA 95030  
310-41-0071

APN: R-18 LOW DENSITY RESIDENTIAL  
STATE MANDATED LRA (MFLA)  
8,000 SQFT. (0.18 ACRES)  
40% (8,000) = 3,200 SQFT.

MAXIMUM BUILDING COVERAGE: 35 - (8.0-5.175(2) = 0.376  
0.376 X 8,000 = 3,012 SQFT  
15 - (8.0-5.175(2) = 0.416  
0.416 X 8,000 = 3,328 SQFT  
0.2916 X 8,000 = 2,332 SQFT.

MAXIMUM FLOOR AREA RATIO (FAR):  
MAXIMUM FLOOR AREA RATIO W/ ADU (FAR):  
MAXIMUM DETACHED GARAGE FAR:

REG. PARKING SPACES: 2  
(N) PARKING SPACES: 2 (COVERED) 4 2 (UNCOVERED)  
(N) PARKING SPACES: 2 (COVERED) 4 2 (UNCOVERED)

MAX. HGT. LIMIT: 32'-0"  
(N) BUILDING HGT.: 25'-3"  
(N) BUILDING HGT.: 29'-6 1/2"

SETBACKS (FIRST STORY):  
- FRONT (WALNUT AVE) 25'-0"  
- FRONT (MISSAHLCKON AVE) 25'-0"  
- SIDES: 8'-0"

(N) RESIDENCE FLOOR AREA:  
- GROUND FLOOR 1,957.18 SQ. FT.  
- UPPER FLOOR REAR YARD (ADU): 579.81 SQ. FT.  
- TOTAL (N) RESIDENCE AREA: 2,537.05 SQ. FT. (31.66%)

(N) RESIDENCE BUILDING COVERAGE:  
- RESIDENCE FOOTPRINT: 1,957.18 SQ. FT.  
- COVERED ENTRY PORCH: 306.09 SQ. FT.  
- COVERED REAR PORCH: 52.36 SQ. FT.  
- SIDE-YARD ADU STAIRS: 152.29 SQ. FT.  
- FRONT ENTRY PORCH STAIRS: 43.71 SQ. FT.  
- (E) DETACHED GARAGE (19'-8" X 21'-9") 427.15 SQ. FT.  
- TOTAL (N) BUILDING COVERAGE: 2,913.31 SQ. FT. (36.42%)

(N) RESIDENCE FLOOR AREA:  
- GROUND FLOOR 1,957.18 SQ. FT.  
- UPPER FLOOR (ADU CONVERSION TO OFFICE) 579.81 SQ. FT.  
- UPPER FLOOR (GROW STORAGE CLOSET) 470.66 SQ. FT.  
- UPPER FLOOR ADDITION NEW ADU 796.51 SQ. FT.  
- TOTAL (N) RESIDENCE AREA: 3,511.61 SQ. FT. (42.5%)  
- NEW ADU FLOOR AREA: 796.51 SQ. FT.

(N) RESIDENCE BUILDING COVERAGE:  
- RESIDENCE FOOTPRINT: 1,957.18 SQ. FT.  
- (N) COVERED ENTRY PORCH: 487.01 SQ. FT.  
- COVERED REAR PORCH: 52.36 SQ. FT.  
- SIDE-YARD ADU STAIRS: 156.40 SQ. FT.  
- (N) FRONT ENTRY PORCH STAIRS: 59.10 SQ. FT.  
- (E) DETACHED GARAGE 19'-8" X 21'-9" 427.15 SQ. FT.  
- TOTAL (N) BUILDING COVERAGE: 3,139.80 SQ. FT. (39.2%)

OCCUPANCY:	R-3: SINGLE FAMILY RESIDENCE
	U: DETACHED GARAGE.
CONSTRUCTION TYPE:	V-B
BUILDING CODES:	<p>ALL APPLICABLE ADOPTED ORDINANCES FOR THE TOWN OF LOG GATOS, COUNTY OF SANTA CLARA, AND THE STATE OF CALIFORNIA BUILDING STANDARDS CODE (TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS):</p> <p>2016 CALIFORNIA BUILDING CODE (T-24 PART 2)</p> <p>2016 CALIFORNIA RESIDENTIAL BUILDING CODE (T-24 PART 25)</p> <p>2016 CALIFORNIA ELECTRICAL CODE (T-24 PART 3)</p> <p>2016 CALIFORNIA MECHANICAL CODE (T-24 PART 4)</p> <p>2016 CALIFORNIA PLUMBING CODE (T-24 PART 5)</p> <p>2016 CALIFORNIA ENERGY CODE (T-24 PART 6)</p> <p>2016 CALIFORNIA FIRE CODE (T-24 PART 9)</p> <p>2016 CALIFORNIA GREEN BUILDING CODE (T-24 PART 11)</p>

# GENERAL NOTES

EXAMINATION OF SITE

THE CONTRACTOR SHALL EXAMINE THE SITE CONDITIONS AND THE STRUCTURES TO DETERMINE THE EXISTING CONDITIONS. NO EXTRA COMPENSATION WILL BE ALLOWED FOR THE CONTRACTOR'S FAILURE TO DISCOVER CONDITIONS THAT EFFECT THE WORK.

LIMITATION OF THE WORK

THE LIMITS OF THE WORK ARE ESTABLISHED BY THE DRAWINGS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING TRADESMEN WITHIN THESE LIMITS.

DEMOLITION WORK

DEMOLISH AND REMOVE ALL ITEMS SHOWN ON THE SITE PLAN SURVEY & DEMOLITION PLAN. THE OWNER SHALL NOTIFY THE CONTRACTOR OF ALL ITEMS TO BE SALVAGED PRIOR TO COMMENCING THE DEMOLITION.

MEASUREMENTS

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS SHOWN ON THE DRAWINGS IN THE FIELD PRIOR TO COMMENCING THE WORK. NOTIFY THE ARCHITECT IMMEDIATELY OF ANY AND ALL DISCREPANCIES AT (408) 712-3582. ALL DIMENSIONS ARE GIVEN TO THE FACE OF STUDS UNLESS OTHERWISE NOTED. DO NOT SCALE THE DRAWINGS - ALL DIMENSIONS SHALL TAKE PRECEDENCE. CALL THE ARCHITECT WITH QUESTIONS.

RULES AND REGULATIONS

ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL APPLICABLE CODES AND SHALL BE PER INDUSTRY STANDARDS. SEE BUILDING CODE DATA ON THIS SHEET FOR FURTHER INFORMATION.

OWNERSHIP OF DRAWINGS

THESE DRAWINGS ARE THE PROPERTY OF HERITAGE ARCHITECTURE --DAVID V HERNANDEZ ARCHITECT. THE DRAWINGS SHALL NOT BE USED FOR ANY OTHER PURPOSE EXCEPT AS APPROVED BY THE ARCHITECT

ADDITIONAL INFORMATION

SEE SITE PLAN, FLOOR PLANS, MECHANICAL & ELECTRICAL PLANS, CIVIL, LANDSCAPE, ENERGY COMPLIANCE, ETC. FOR ADDITIONAL INFORMATION AND NOTES. SEE GENERAL NOTES AND INSTRUCTIONS ON SHEETS FOR FURTHER INFORMATION.

DEFERRAL OF SUBMITTAL ITEMS

THE DEFERRED SUBMITTAL ITEMS SHALL NOT BE INSTALLED UNTIL THEIR DESIGN AND SUBMITTAL DOCUMENTS HAVE BEEN APPROVED BY THE BUILDING OFFICIAL. (CBC 106.34.2).

FRONT YARD LANDSCAPING

PRIOR TO THE FINAL INSPECTION, ALL LANDSCAPING IN THE FRONT YARD SHALL BE MAINTAINED OR NEW LANDSCAPING INSTALLED, SHALL BE INSTALLED AS REQUIRED BY THE PLANNING DIVISION.

1. REBUILD AND ENLARGE (E) ENTRY PORCH. SALVAGE COLUMNS AND MODIFY GUARDRAIL PATTERN.
2. REMODEL AND CONVERT (E) ADU AT REAR OF 2ND FLOOR TO NEW OFFICE SPACE AS PART OF THE MAIN RESIDENCE FLOOR AREA AND GROW THE STORAGE CLOSET PER PLAN.
3. ADD A COVERED DECK OFF THE (E) REAR ADU TO OFFICE CONVERSION.
4. COVER A PORTION OF THE (E) ATTIC AT THE FRONT OF THE RESIDENCE TO A NEW UPPER FLOOR ACCESSORY DWELLING UNIT (ADU).
5. ADD A ROOF COVER TO THE ENTRY DECK OF THE (E) ADU CONVERSION TO OFFICE AND THE NEW ADU.
6. CONVERT REMAINING ATTIC SPACE TO A MECHANICAL/STORAGE AREA SUCH THAT THE FLOOR AREA WILL NOT COUNT TOWARD THE F.A.R.

Ø	DIAMETER	(CH)	OVERHEAD
AFF.	ABOVE FINISH FLOOR	OH.	OVERHANG
BRG. FL.	BEARING PLATE	F & S	POLE AND SHELF
C.	CENTERLINE	R	RADIUS
CO.	CLEAN-OUT	R/F	REFRIGERATOR/FREEZER
CKIP.	CROCKTOP	S	SINK
°	DEGREE	S.B.	SETBACK
D	DRYER	SD	STOVEDRAIN
D.H.	DOUBLE HEADER	S.D.D.	SEE STRUCTURAL DUGS.
D.O.	DOUBLE OVEN	ST	STOVE
DN	DOWN	+	SQUARE FEET
D6	DOWNSPOUT	T.B.D.	TO BE DETERMINED
D8	DISHWASHER	T.O. FL.	TOP OF PLATE
(E)	EXISTING	T.O. SLAB	TOP OF SLAB
F	FURNACE	T.O. SUBFLOOR	TOP OF SUBFLOOR
F.B.S.	FACE OF STUD	T.O. WALL	TOP OF WALL
G.S.T.	GUTTERED STEEL MTL.	T.P.H.	TOILET PAPER HOLDER
J.C.	JOINT TRENCH	V.I.F.	VERIF. IN FIELD
M.	MEDICINE CABINET	W	WASHER
(N)	NEW	WH	WINDOW HEAD
N.T.S.	NOT TO SCALE	W	WATER HEATER

OWNER: JEFFREY SIEGEL  
33 WALNUT AVENUE  
108 GATOS, CA, 95030

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1250 AVES AVENUE, SUITE 103  
MILPITAS, CA 95035  
T: (408) 581-1535  
E: ROCA3@TMAIL.COM

TITLE 24 FRI ENERGY CONSULTING, LLC  
21 HARRISON AVE. STE. 210  
CAFFEY, CA 95008  
T: (408) 866-1620

GENERAL  
CONTRACTOR: T.B.D.

<u>ARCHITECTURAL</u>	
T	TITLE SHEET / GENERAL NOTES / PLANNING/BUILDING DATA /
A1.1	EXISTING SITE PLAN
A2	PROPOSED SITE PLAN
A2.1	EXISTING GROUND FLOOR & UPPER FLOOR ADU FLOOR PLANS
A2.2	PROPOSED GROUND FLOOR PLAN
A2.3	PROPOSED UPPER FLOOR ADU PLAN
A2.4	EXISTING & PROPOSED FLOOR AREA DIAGRAMS.
A3.1	EXISTING & PROPOSED ROOF PLANS
A4.1	EXISTING EXTERIOR ELEVATIONS
A4.2	EXISTING EXTERIOR ELEVATIONS
A4.3	EXISTING EXTERIOR ELEVATION WALL DEMOLITION TABULATIONS
A4.4	PROPOSED EXTERIOR ELEVATIONS
A4.5	PROPOSED EXTERIOR ELEVATIONS
A5.1	EXISTING BUILDING SECTIONS
A5.2	PROPOSED BUILDING SECTIONS



THE SIEGEL RESIDENCE REMODEL/ADDITION  
33 WALNUT AVENUE  
LOS GATOS, CALIFORNIA

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MAY 08 2019

TOWN OF LOS GATOS  
PLANNING DIVISION

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STIEGEL RESIDENCE REMODEL/ADDITION  
33 WALNUT AVE. LOS GATOS, CA

DRAIN: DB/DYH

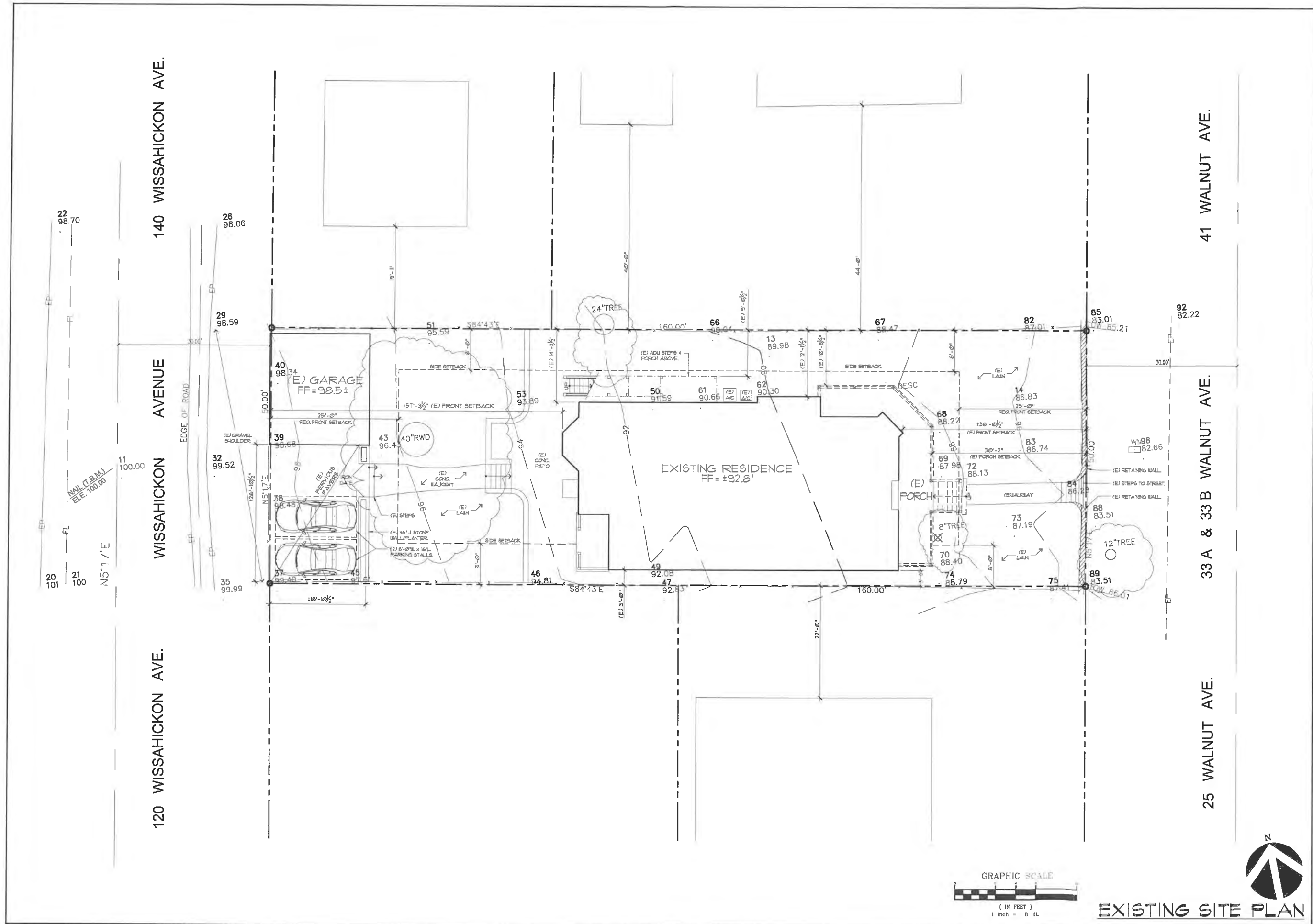
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JOB NO. 201807

DATE: 05/28/2019

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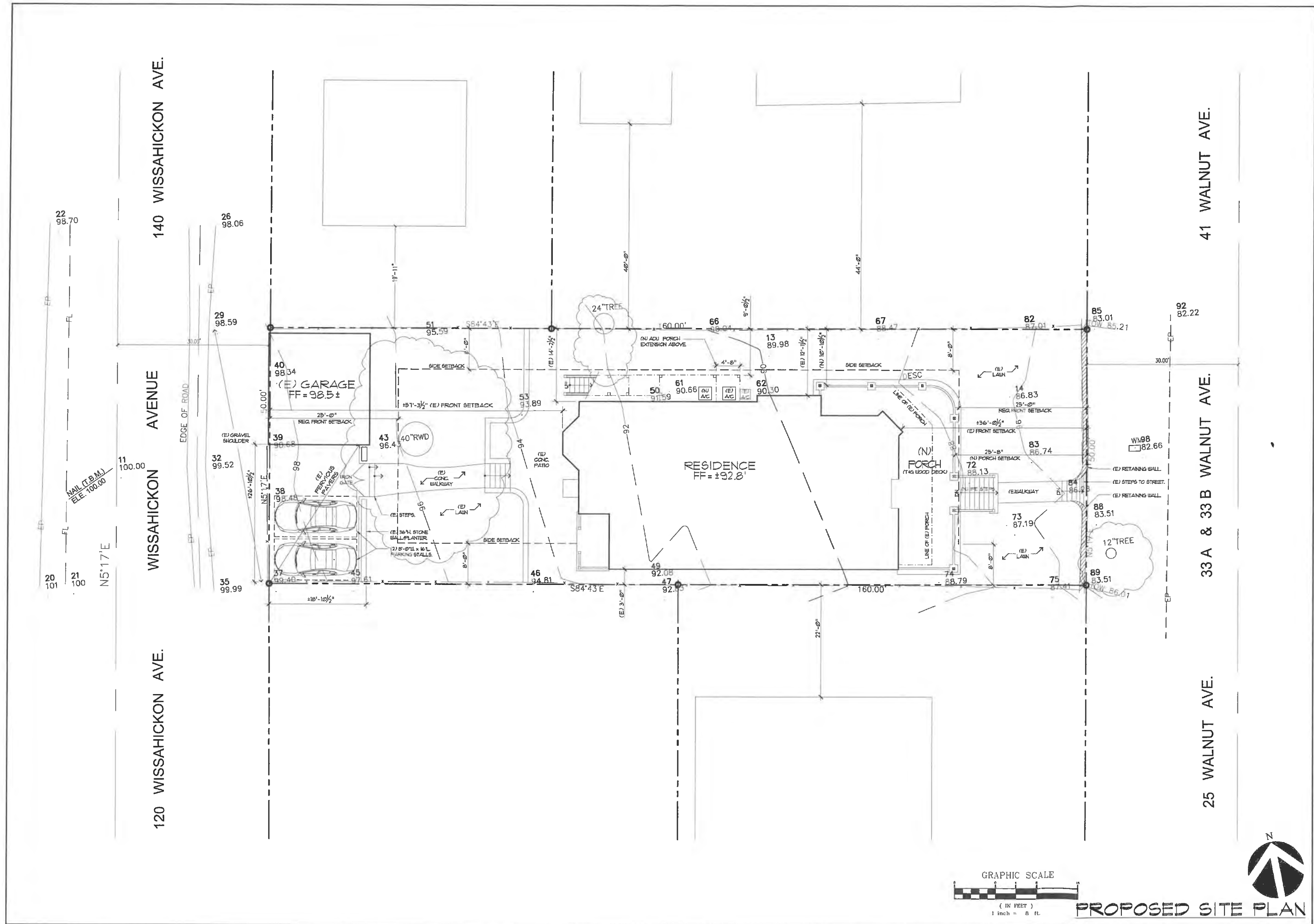
  

 HERITAGE ARCHITECTURE	 DAVID V. HERNANDEZ ARCHITECT
HERITAGE ARCHITECTURE DAVID V. HERNANDEZ ARCHITECT P.O. BOX 8033, San Jose, California 95155 C: (408) 772-3502 VMC: (408) 298-0998 E-mail: dvhernandez@pacbell.net	

SIEGEL RESIDENCE REMODEL/ADDITION 33 WALNUT AVE. LOS GATOS, CA	DRAWN: DB/DVH SCALE: 1/8" = 1'-0" JOB NO. 2010.07 DATE: 05/08/2010
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ARCHITECTURE

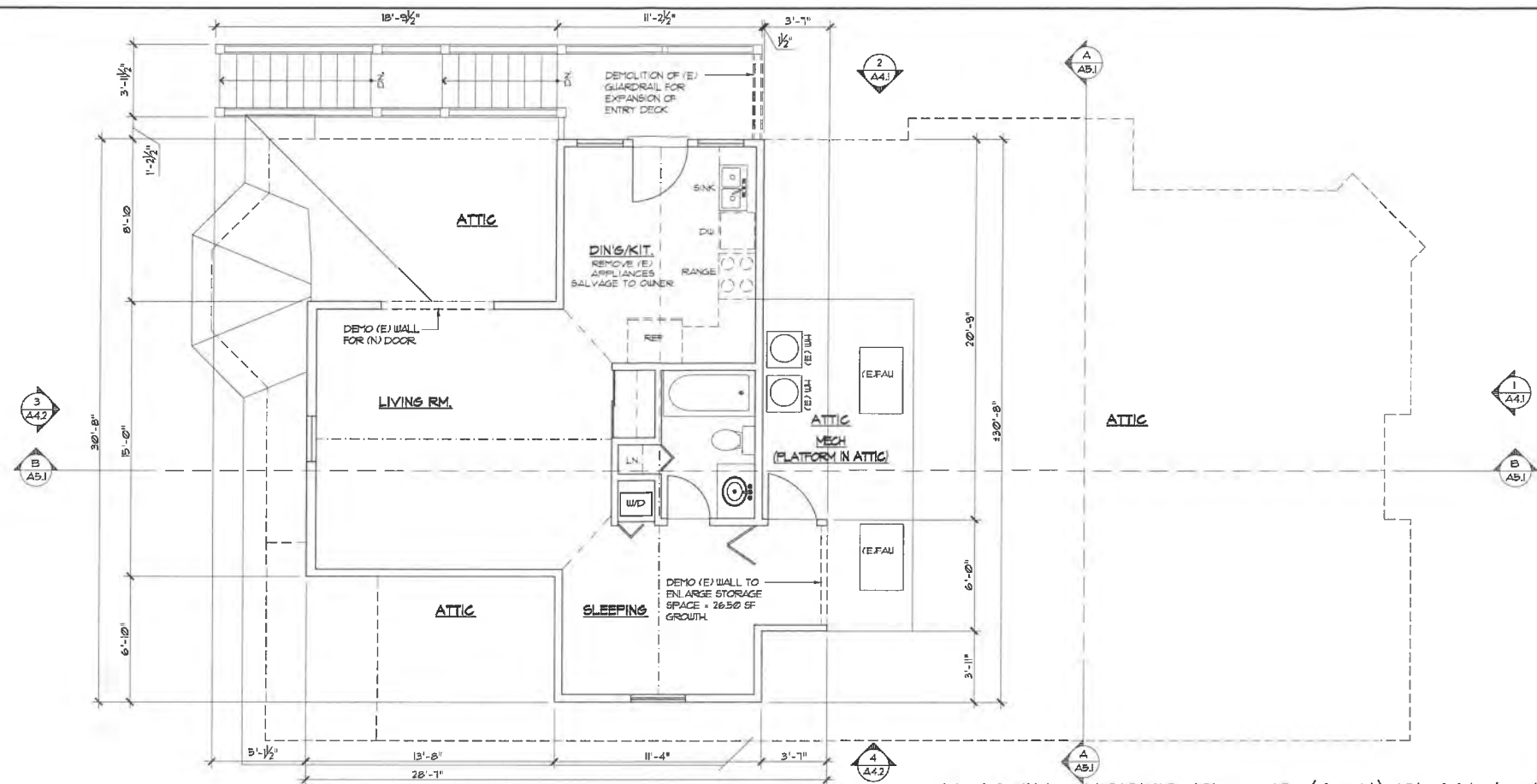


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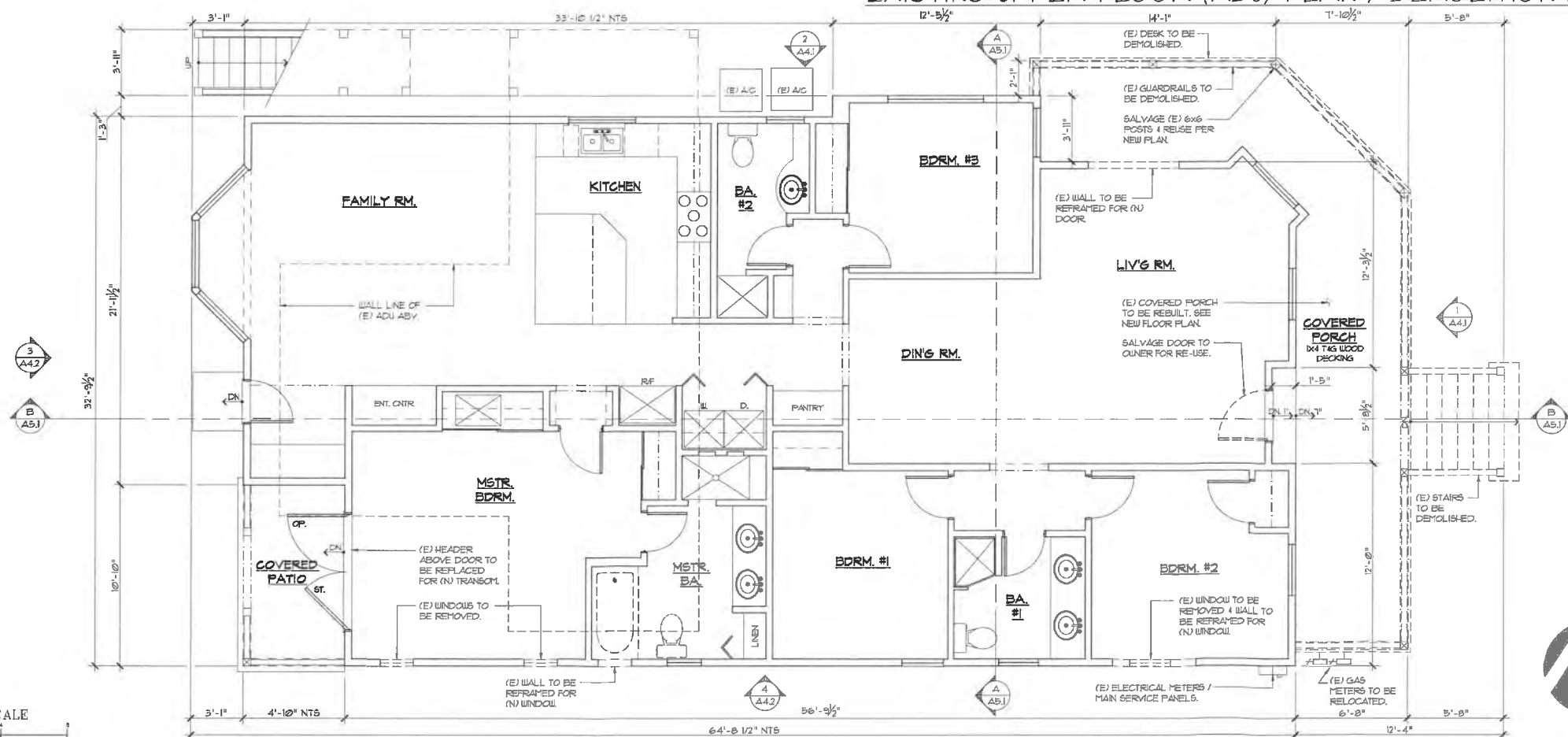
**SIEGEL RESIDENCE REMODEL/ADDITION**  
33 WALNUT AVE. LOS GATOS, CA

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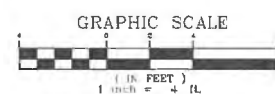
**A1.2**



EXISTING UPPER FLOOR (ADU) PLAN / DEMOLITION PLAN



EXISTING GROUND FLOOR PLAN / DEMOLITION PLAN



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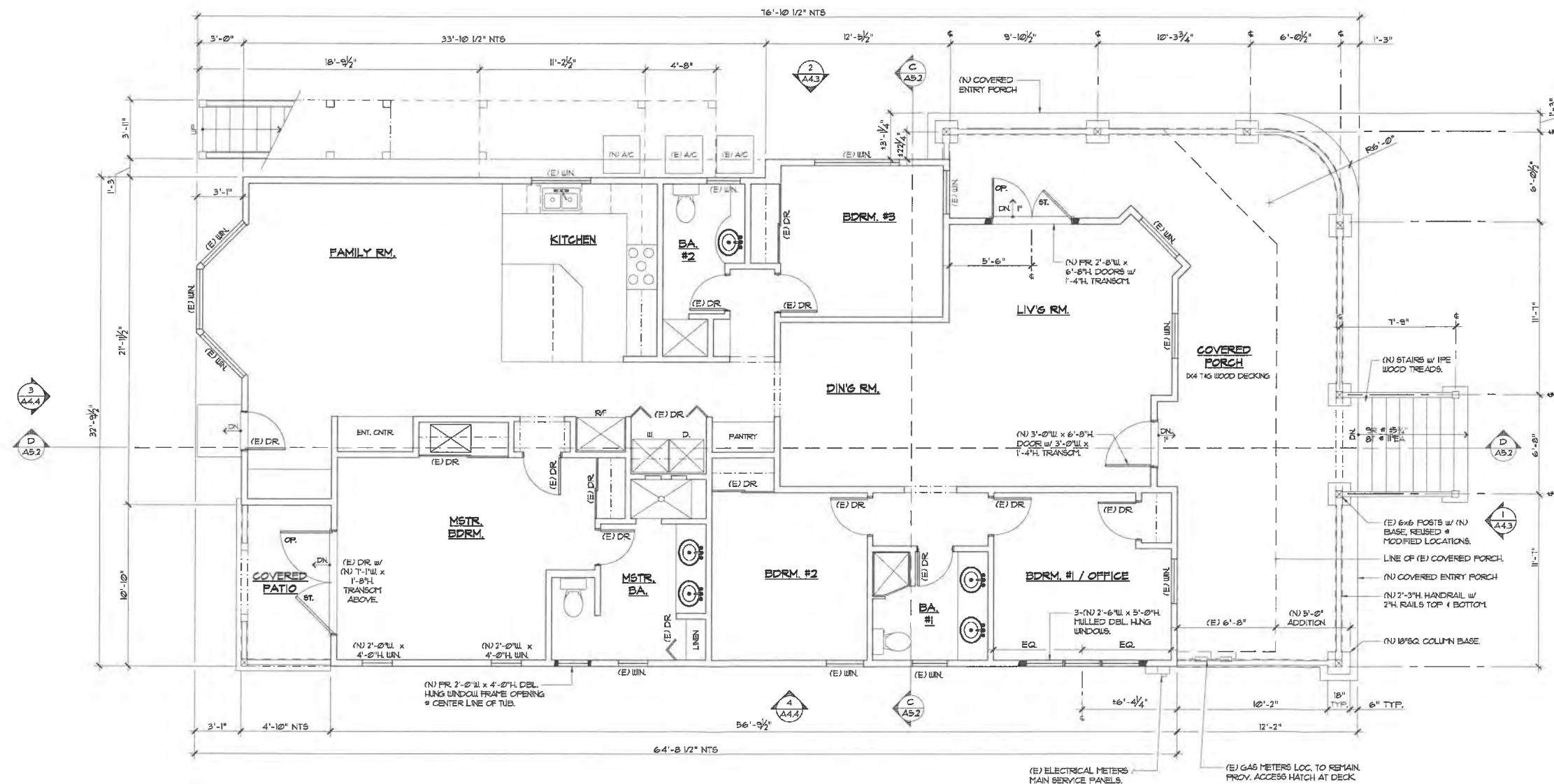
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SCALE: 1/4" = 1'-0"  
JOB NO. 201001  
DATE: 05/09/19

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NEW GROUND FLOOR PLAN

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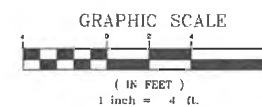
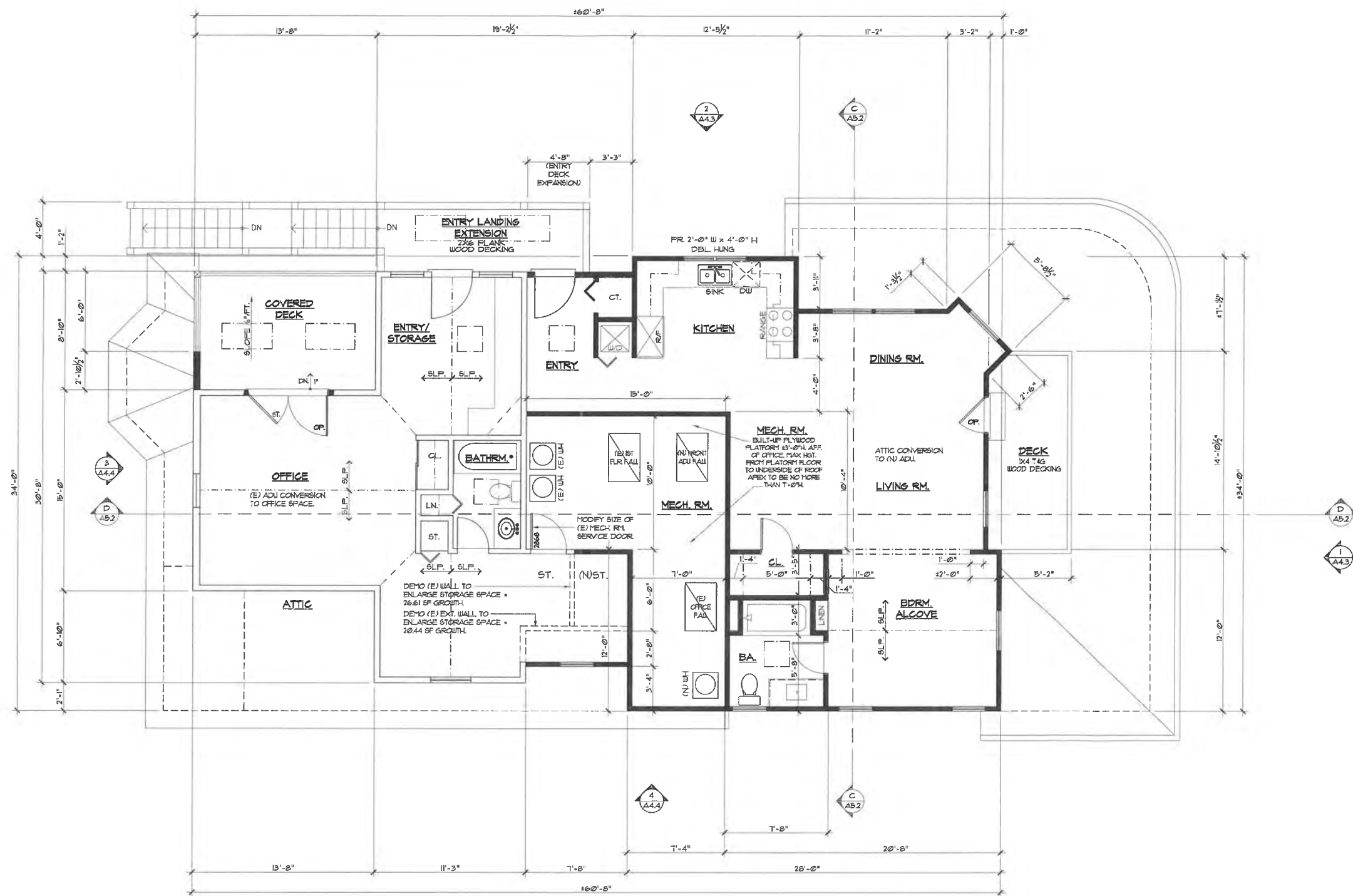


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33 WALNUT AVE. LOS GATOS, CA

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SCALE: 1/4" = 1'-0"  
JOB NO. 2010.01  
DATE: 05/08/2019

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REMODELED UPPER FLOOR AND NEW (ADU) PLAN

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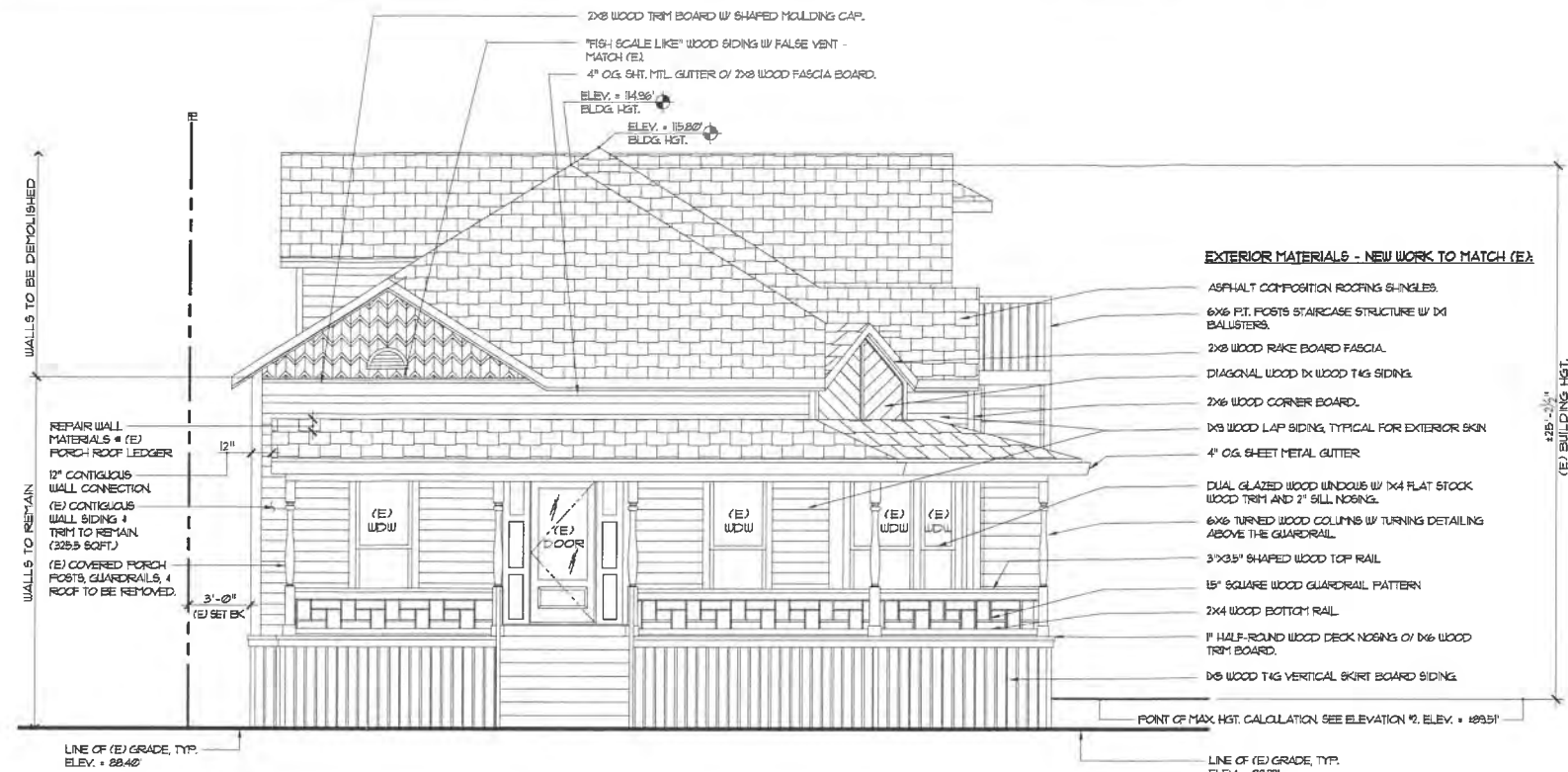
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 33 WALNUT AVE. LOS GATOS, CA

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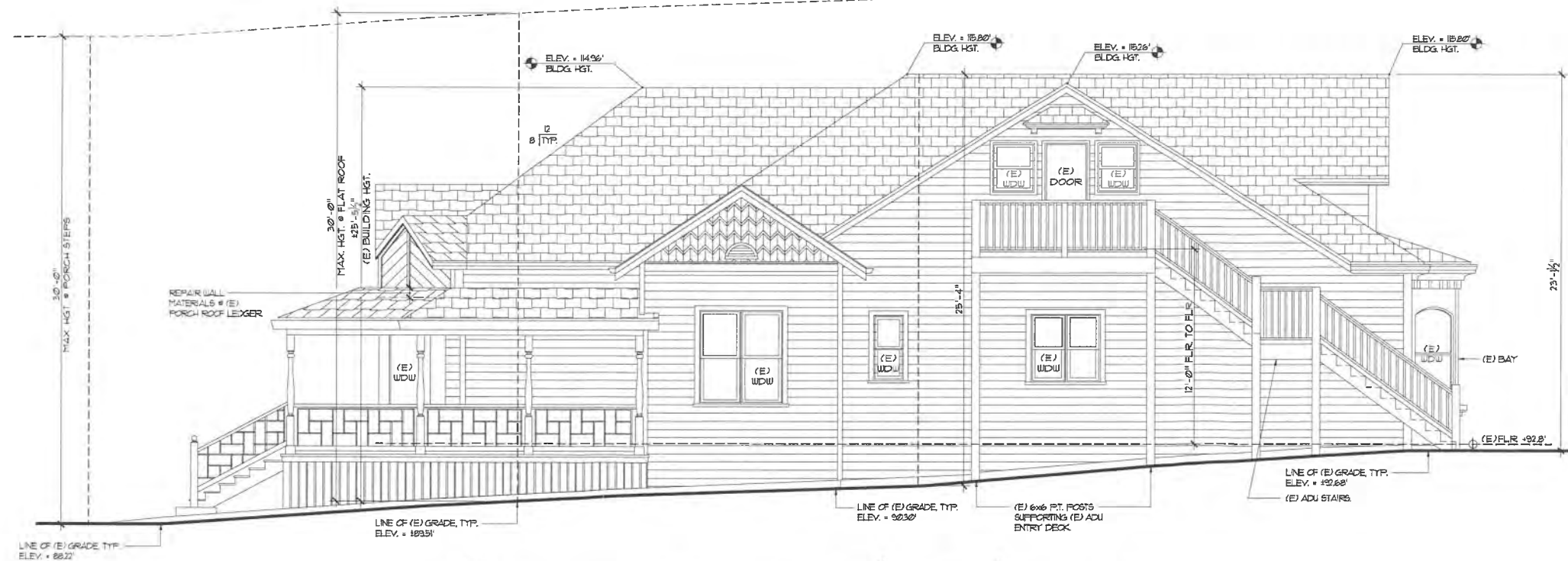
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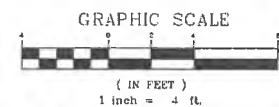
A2.3



1 EXISTING FRONT (EAST) ELEVATION  
(WALNUT AVE.)



2 EXISTING RIGHT-SIDE (NORTH) ELEVATION  
(REFER TO FRONT ELEVATION FOR TYPICAL EXTERIOR MATERIALS)



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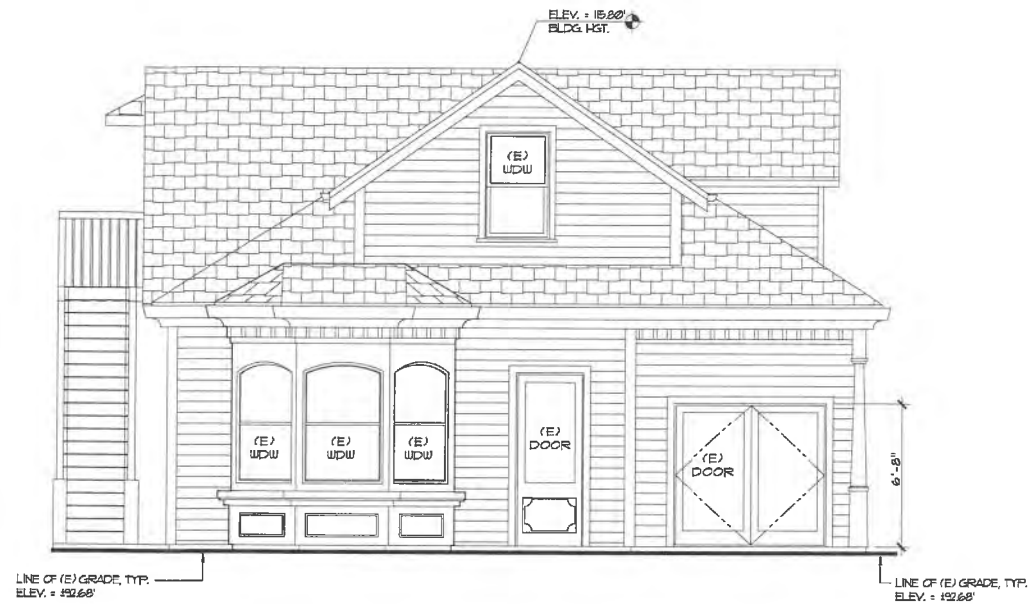
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SIEGEL RESIDENCE REMODEL/ADDITION  
33 WALNUT AVE. LOS GATOS, CA

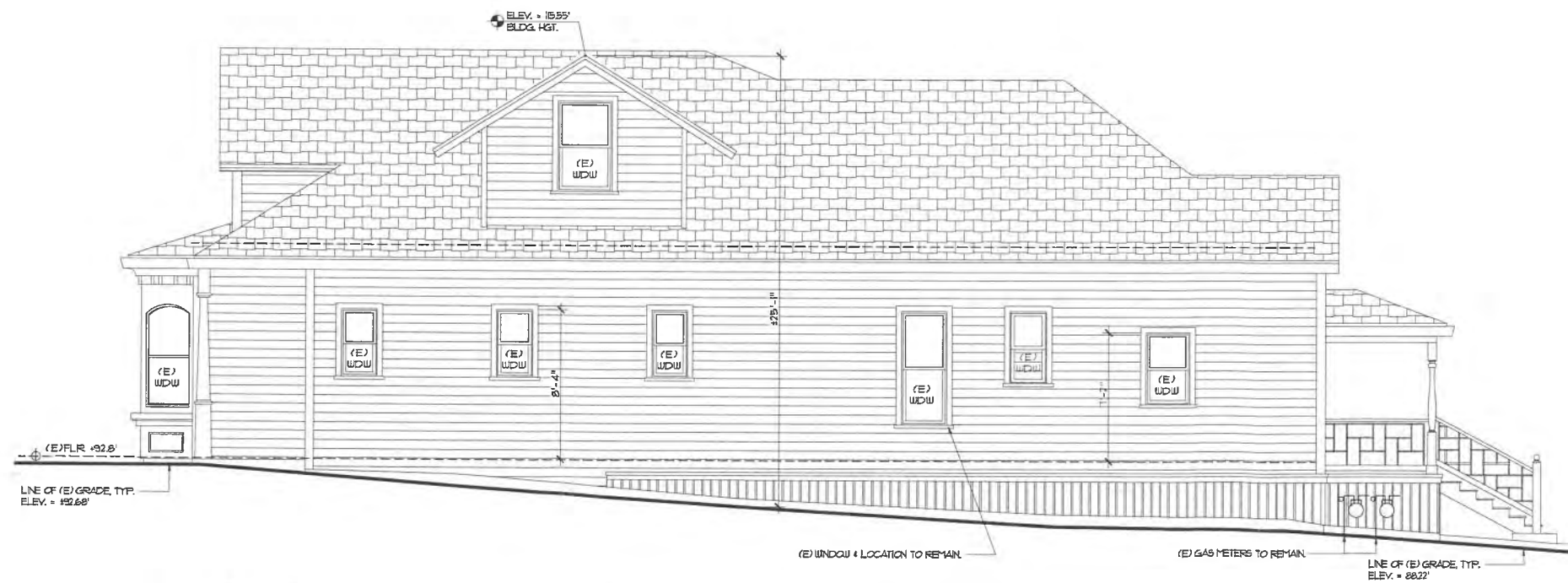
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A4.1

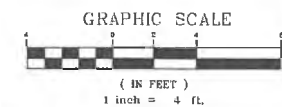




**3 EXISTING REAR (WEST) ELEVATION**  
(WISSAHICKON AVE.) (REFER TO FRONT ELEVATION FOR TYPICAL EXTERIOR MATERIALS)



**4 EXISTING LEFT-SIDE (SOUTH) ELEVATION**  
(REFER TO FRONT ELEVATION FOR TYPICAL EXTERIOR MATERIALS)



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**SIEGEL RESIDENCE REMODEL/ADDITION**  
33 WALNUT AVE. LOS GATOS, CA

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DATE: 05/08/2019

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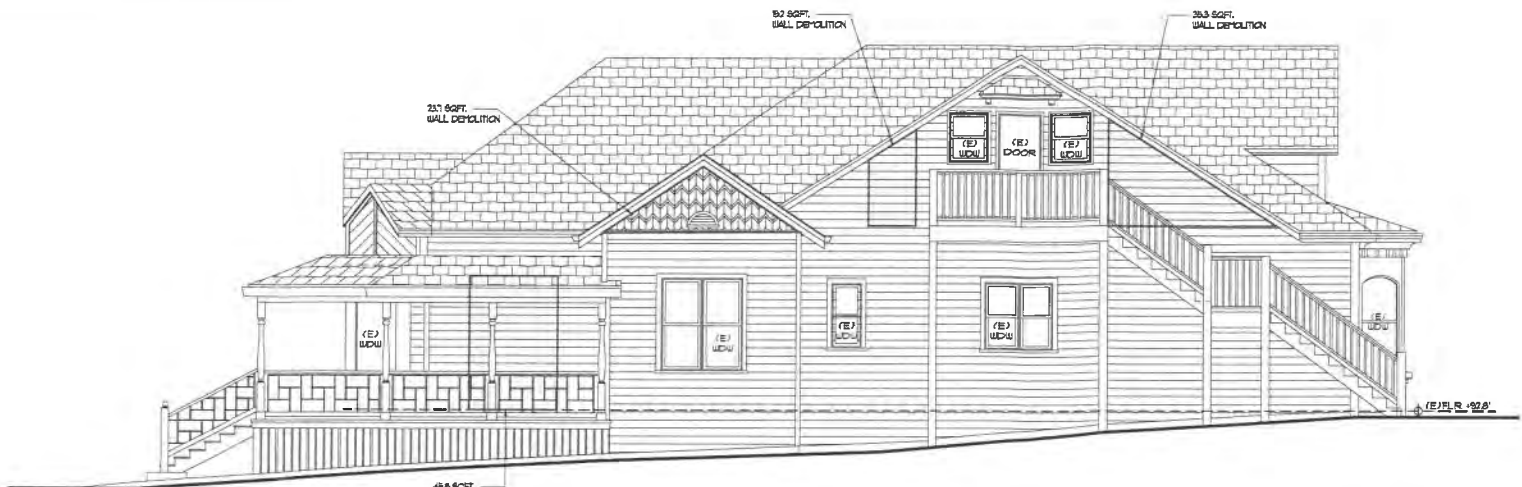
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SIEGEL RESIDENCE REMODEL/ADDITION  
 33 WALNUT AVE. LOS GATOS, CA

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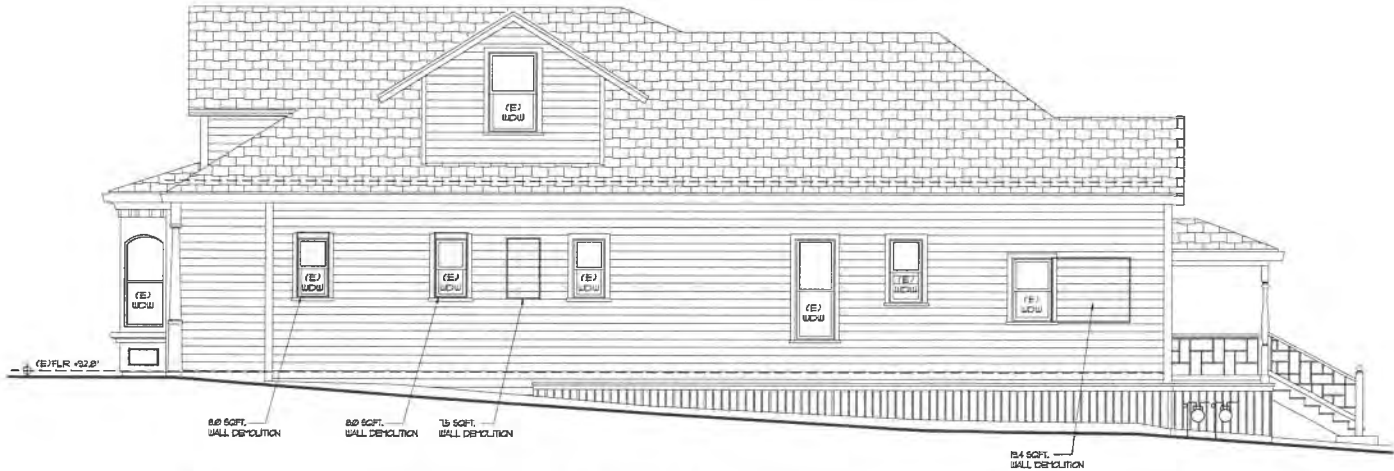
1 EXISTING FRONT (EAST) ELEVATION  
 (WALNUT AVE.)



2 EXISTING RIGHT-SIDE (NORTH) ELEVATION  
 (REFER TO FRONT ELEVATION FOR TYPICAL EXTERIOR MATERIALS)



3 EXISTING REAR (WEST) ELEVATION  
 (WISSAHICKON AVE.) (REFER TO FRONT ELEVATION FOR TYPICAL EXTERIOR MATERIALS)

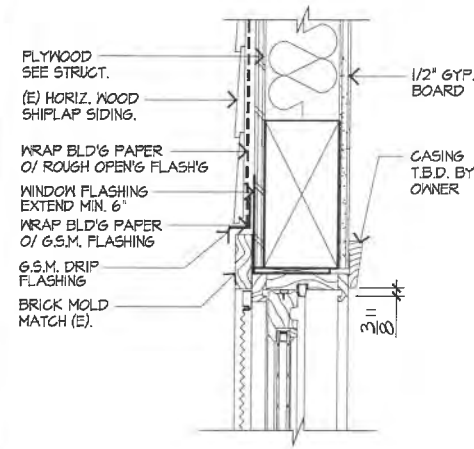


4 EXISTING LEFT-SIDE (SOUTH) ELEVATION  
 (REFER TO FRONT ELEVATION FOR TYPICAL EXTERIOR MATERIALS)

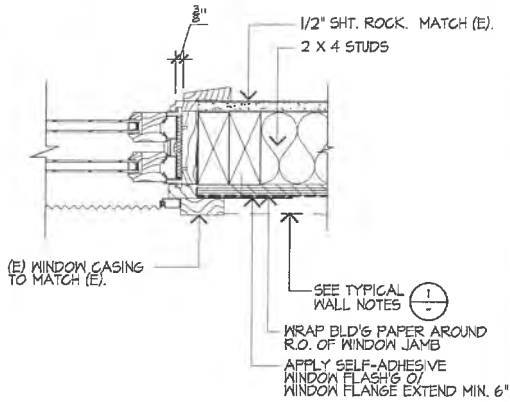
EXISTING WALL SURFACE AREA

	TOTAL WALL SURFACES*	WALL TO BE REMOVED	WALL SURFACES TO REMAIN
FRONT	325.5 SQFT. (100%)	37.7 SQFT. (11.6%)	287.8 SQFT. (88.4%)
RIGHT-SIDE	954.6 SQFT. (100%)	120.0 SQFT. (12.5%)	834.6 SQFT. (87.5%)
REAR	438.2 SQFT. (100%)	14.2 SQFT. (3.2%)	424.0 SQFT. (96.8%)
LEFT-SIDE	875.3 SQFT. (100%)	42.9 SQFT. (4.9%)	832.4 SQFT. (95.1%)

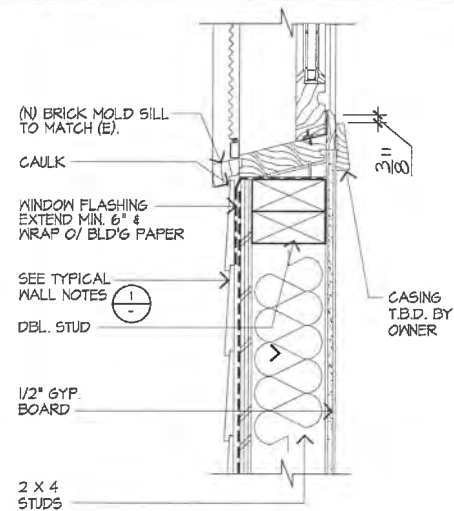
\*WALL SURFACES MINUS WINDOWS, DOORS, & VENTS.



1 EXT. WINDOW HEAD - DBL. HUNG  
SCALE : 3" = 1'-0" (KOLBE WOOD)



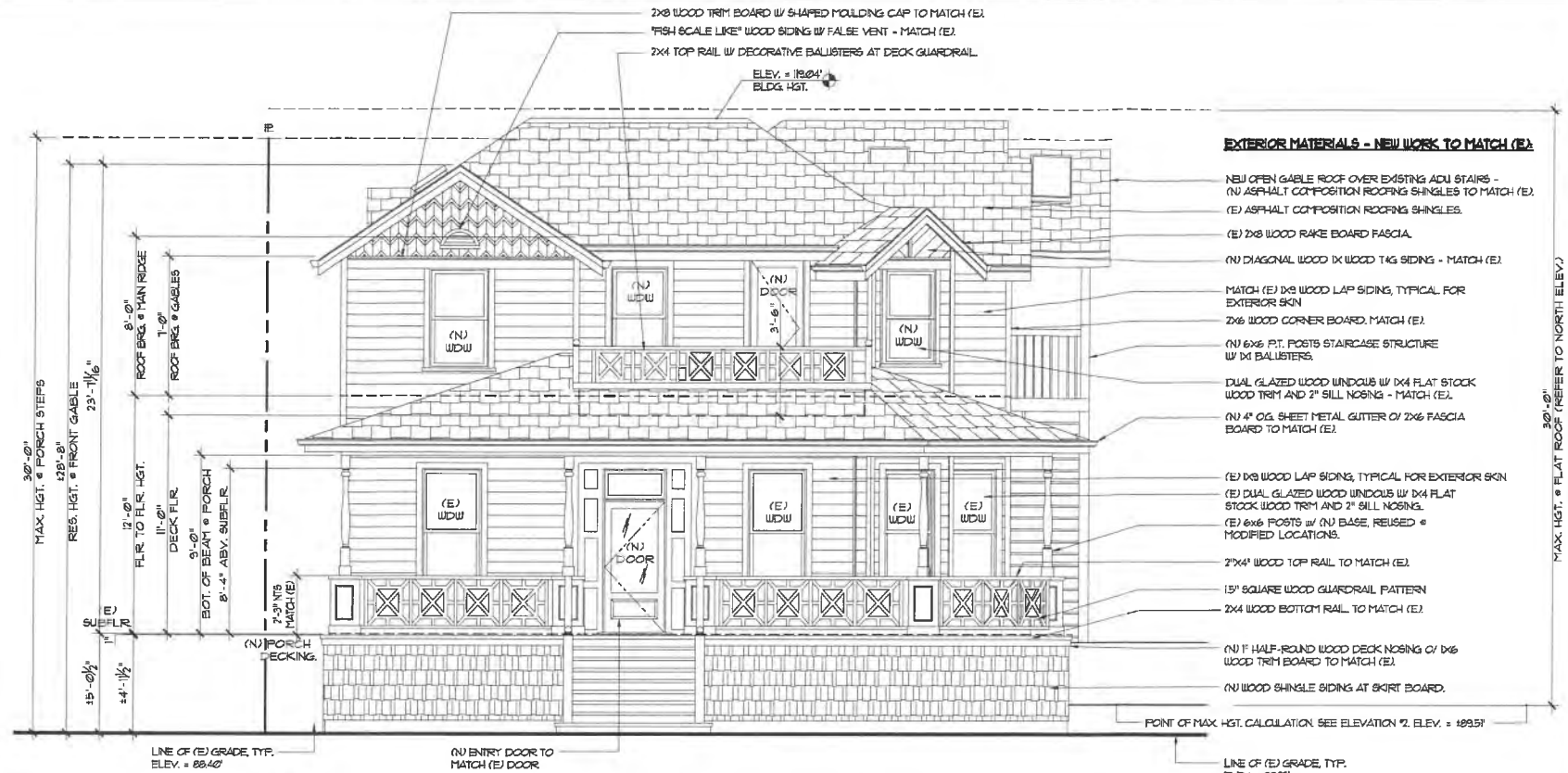
2 EXT. WINDOW JAMB - DBL. HUNG  
SCALE : 3" = 1'-0" (KOLBE WOOD)



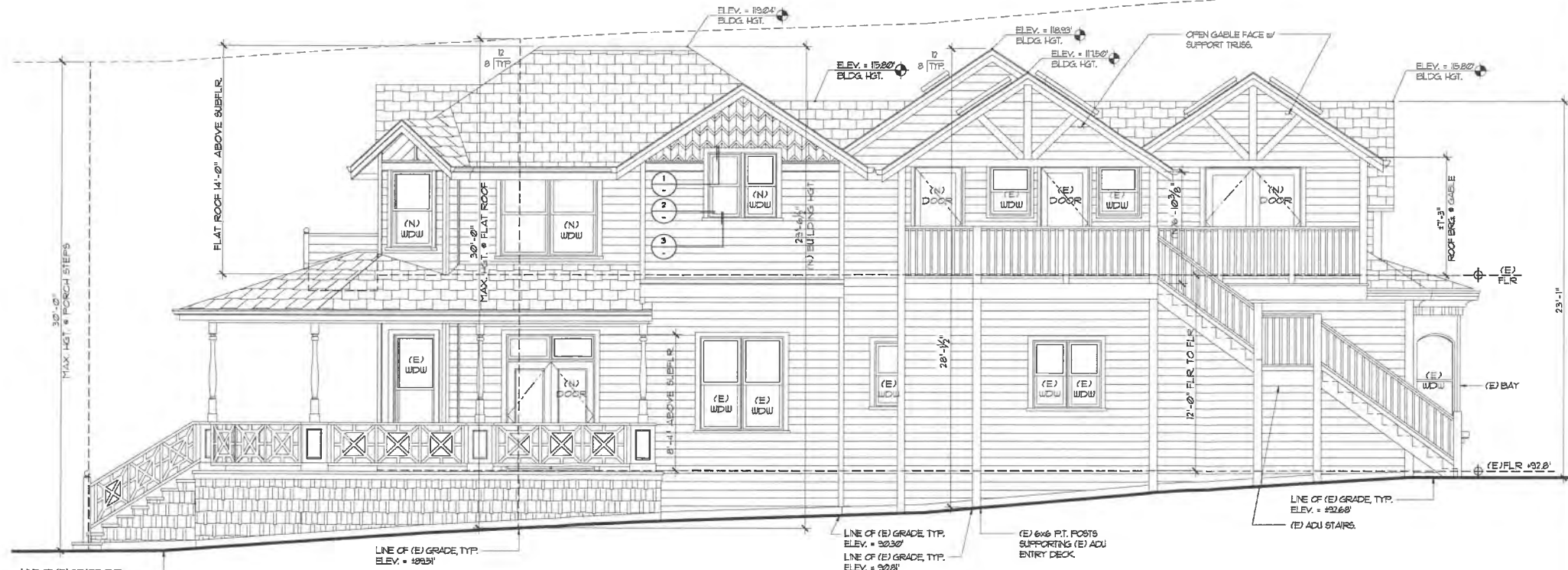
3 EXT. WINDOW SILL - DBL. HUNG  
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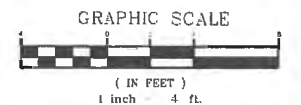
EXISTING WINDOW PHOTO



1 NEW FRONT (EAST) ELEVATION  
(WALNUT AVE.)



2 NEW RIGHT-SIDE (NORTH) ELEVATION  
(REFER TO FRONT ELEVATION FOR TYPICAL EXTERIOR MATERIALS)



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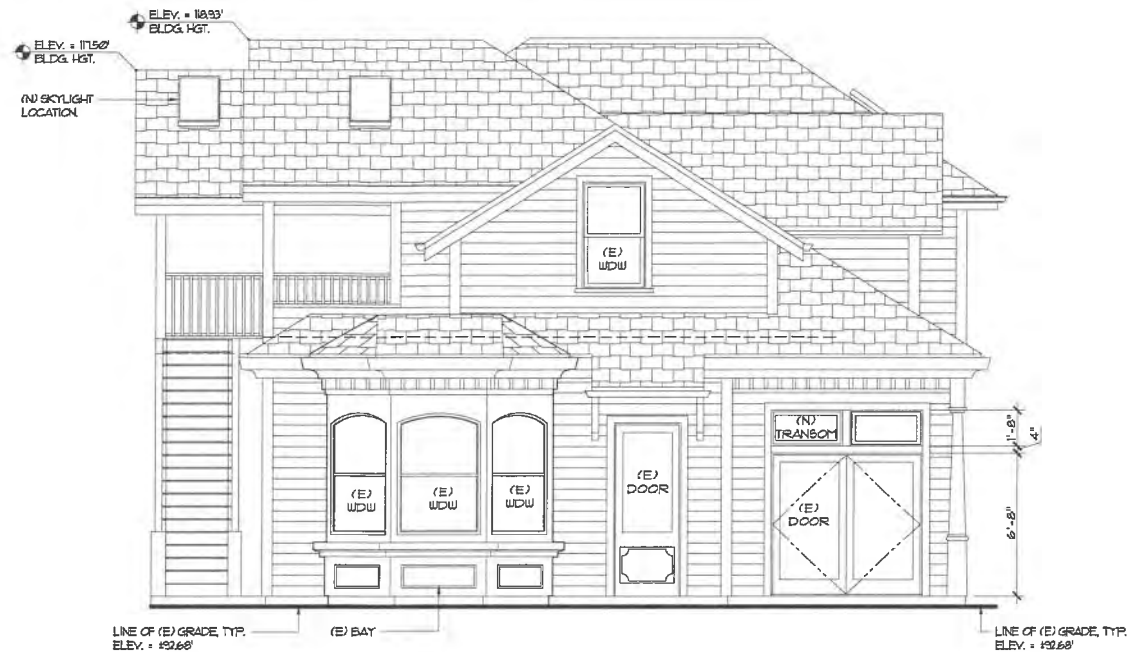
HERITAGE ARCHITECTURE  
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E-mail: dherandez@pacbell.net

SIEGEL RESIDENCE REMODEL/ADDITION  
33 WALNUT AVE. LOS GATOS, CA

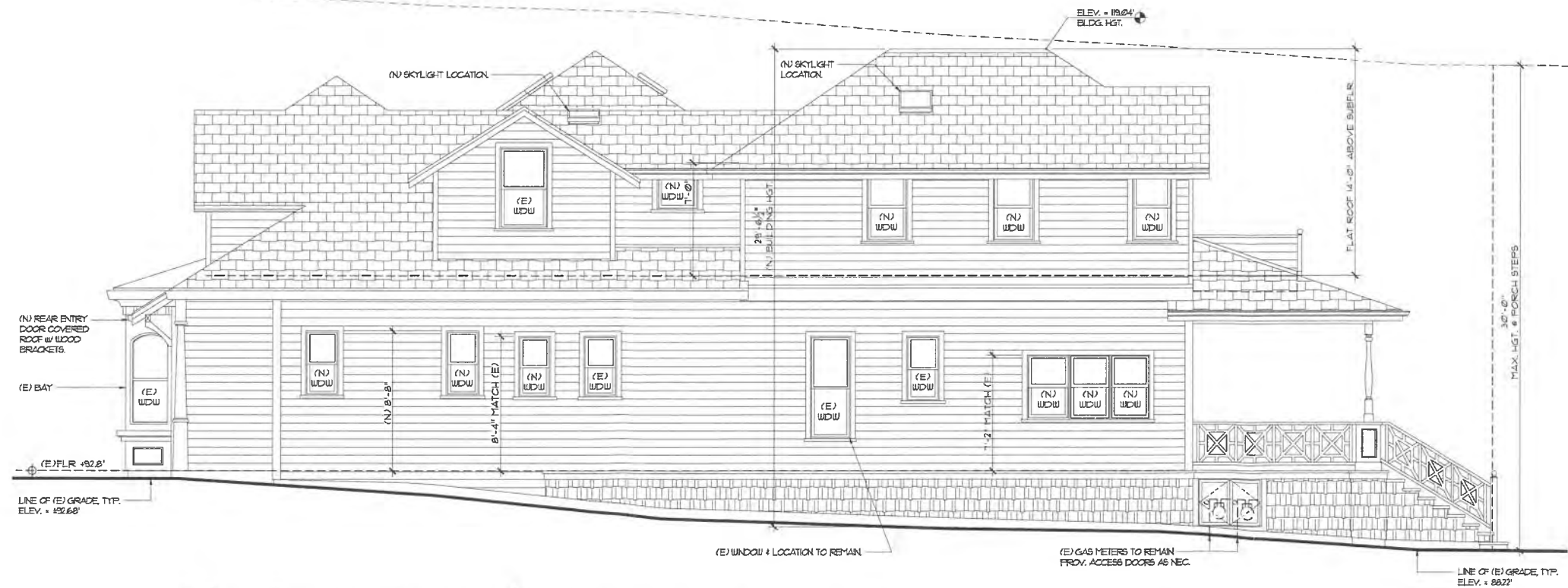
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JOB NO. 201807  
DATE: 05/08/09

A4.4

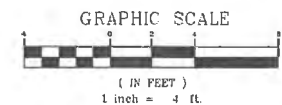




3 NEW REAR (WEST) ELEVATION  
(WISSAHICKON AVE.) (REFER TO FRONT ELEVATION FOR TYPICAL EXTERIOR MATERIALS)



4 NEW LEFT-SIDE (SOUTH) ELEVATION  
(REFER TO FRONT ELEVATION FOR TYPICAL EXTERIOR MATERIALS)



REVISIONS	BY
△	
△	
△	
△	
△	



HERITAGE ARCHITECTURE  
DAVID V. HERNANDEZ, ARCHITECT  
P.O. BOX 8033, San Jose, California 95155  
C: (408) 772-3502 Y: (408) 298-0998  
E-mail: dvhernandez@pacbell.net

SIEGEL RESIDENCE REMODEL/ADDITION  
33 WALNUT AVE. LOS GATOS, CA

DRAWN: DB/DVH  
SCALE: 1/4" = 1'-0"  
JOB NO. 2018.01  
DATE: 05/08/2019

A4.5

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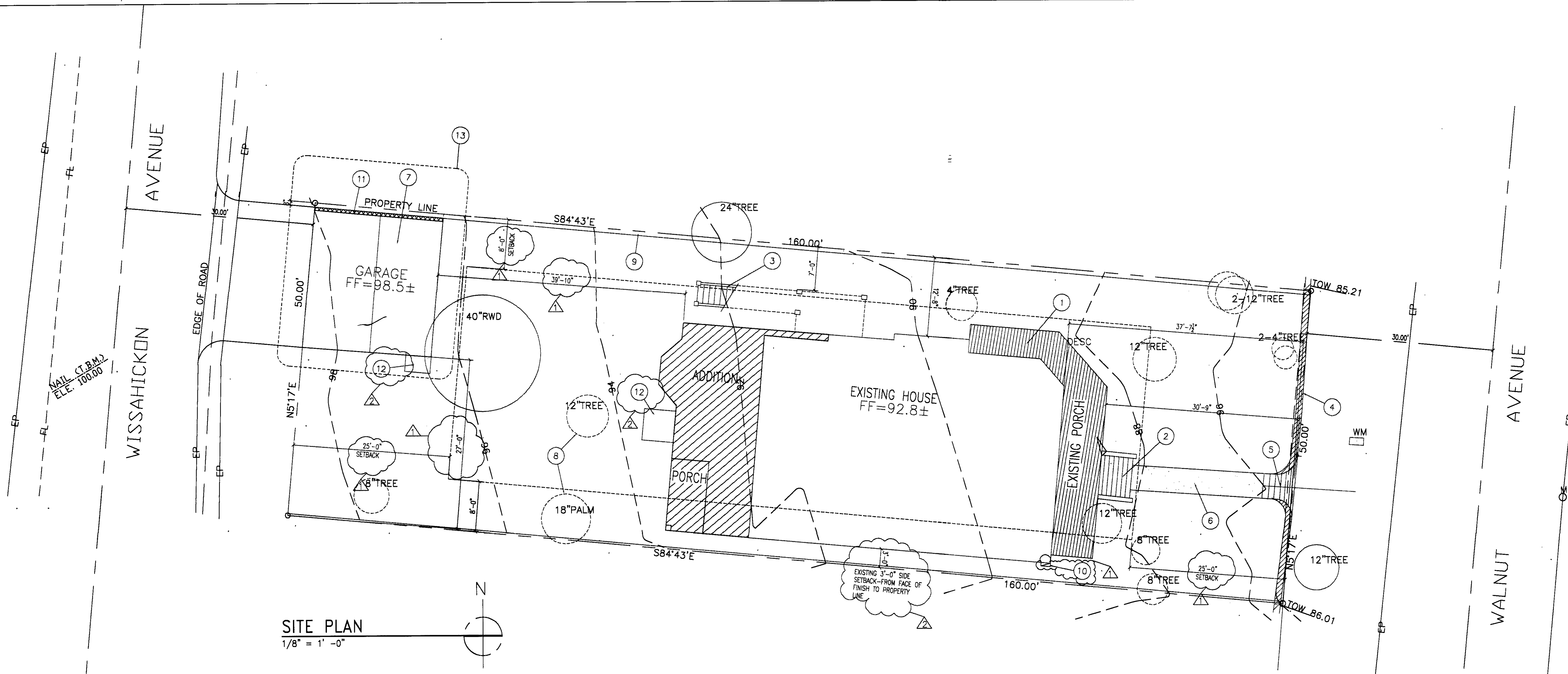




33 WALLINGFORD AV: EGG CAYTOLLO, 031

F SHEETS





SITE PLAN  
1/8" = 1' - 0"

SITE PLAN KEYNOTES

- EXISTING PORCH. REPAIR, REPLACE AND REMOVE AS NEEDED.
- NEW STEPS TO MATCH EXISTING.
- NEW STAIRS TO MATCH EXISTING.
- EXISTING STONE WALL TO REMAIN
- EXISTING STEPS, REPAIR AS NEEDED.
- NEW WALK WAY PER BUILDER.
- NEW GARAGE STRUCTURE SEE PLAN BELOW.
- REMOVE EXISTING TREES.
- 6" STUCCO FENCE
- ELECTRICAL SERVICE PANEL WITH MINIMUM 100 AMPERESS, 3 WIRE - SEE ELECTRICAL (207.00)
- ONE HOUR RATED PARAPET WALL
- CONC. STOOD- REFER TO FLOOR PLAN FOR DIMENSIONS
- EXISTING GARAGE TO REMAIN

**CAD EXCHANGE INC**  
CAD Services for the A/E/C Community  
3101 BORGATA WAY  
EL DORADO HILLS, CA 95762  
(916) 205-4775

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1404 Redmond Avenue  
San Jose, CA 95120  
License # 459052 B/C36/HIC  
408-265-2223

**CHRIS TSE & ASSOCIATES**  
544 Dudley Avenue, #7  
San Jose, CA 95128  
408-247-4745

STATUS	DATE
PLAN CHECK	05/21/07
BACK CHECK	07/25/07
CONSTRUCTION	08/20/07



COMMITTEE  
APPROVED  
8/31/07

REMODELING AND ADDITION  
FOR MR. OVEYSSI

33 WALNUT AV. LOS GATOS, CA.

GARAGE KEYNOTES

- 5/8" TYPE GYP BOARD AT WALLS AND CEILING
- 12" DIA. METAL LOUVER VENT
- LAP SIDING TO MATCH THE HOUSE
- COMPOSITION SHINGLE OVER 30# FELT OVER FRAMING
- FLASHING
- 18X18 BLACKOUT WINDOW
- 2X TRIM TO MATCH THE HOUSE
- SLOPE 8/12
- CONNECT TO THE HOUSE SEE SHEET A2.2 FOR SWITCH LOCATION
- 3030 SLIDING WINDOW
- 3060 DOOR
- 22"x30" ATTIC ACCESS
- DOWN SPOUT OVER SPLASH BLOCK
- GUTTER TO MATCH THE HOUSE
- 22"x30" ATTIC ACCESS
- CONCRETE SLAB. S.S.D
- FOOTING- S.S.D
- ROOF FRAME STRUCTURE- S.S.D
- 1-HR RATED WALL ASSEMBLY PER CBC SECTIONS 503.2, 709.4 AND TABLE 5-A

1-HR RATED WALL  
EXTERIOR SIDE: BASE LAYER 5/8" GYPSUM BOARD TYPE "X" SHEETING APPLIED PARALLEL TO 2x4 STUDS 16" O.C. WITH 12" GALVANIZED ROOFING NAILS 4" O.C. AT VERTICAL JOINTS AND 7" O.C. AT INTERMEDIATE STUDS AND TOP AND BOTTOM PLATES.  
INTERIOR SIDE: ONE LAYER 5/8" TYPE "X" GYPSUM WALL BOARD APPLIED PARALLEL TO RIGHT ANGLES TO STUDS WITH 6d COATED NAILS, 1 1/2" LONG AT 7" O.C.

GA FILE NO. WP 8109  
RECEIVED  
AUG 29 2007  
TOWN OF LOS GATOS

REVISIONS

NO.	DATE	ITEM

SCALE AS NOTED

DATE: 4/21/2007

DRAWN BY:

CHECKED:

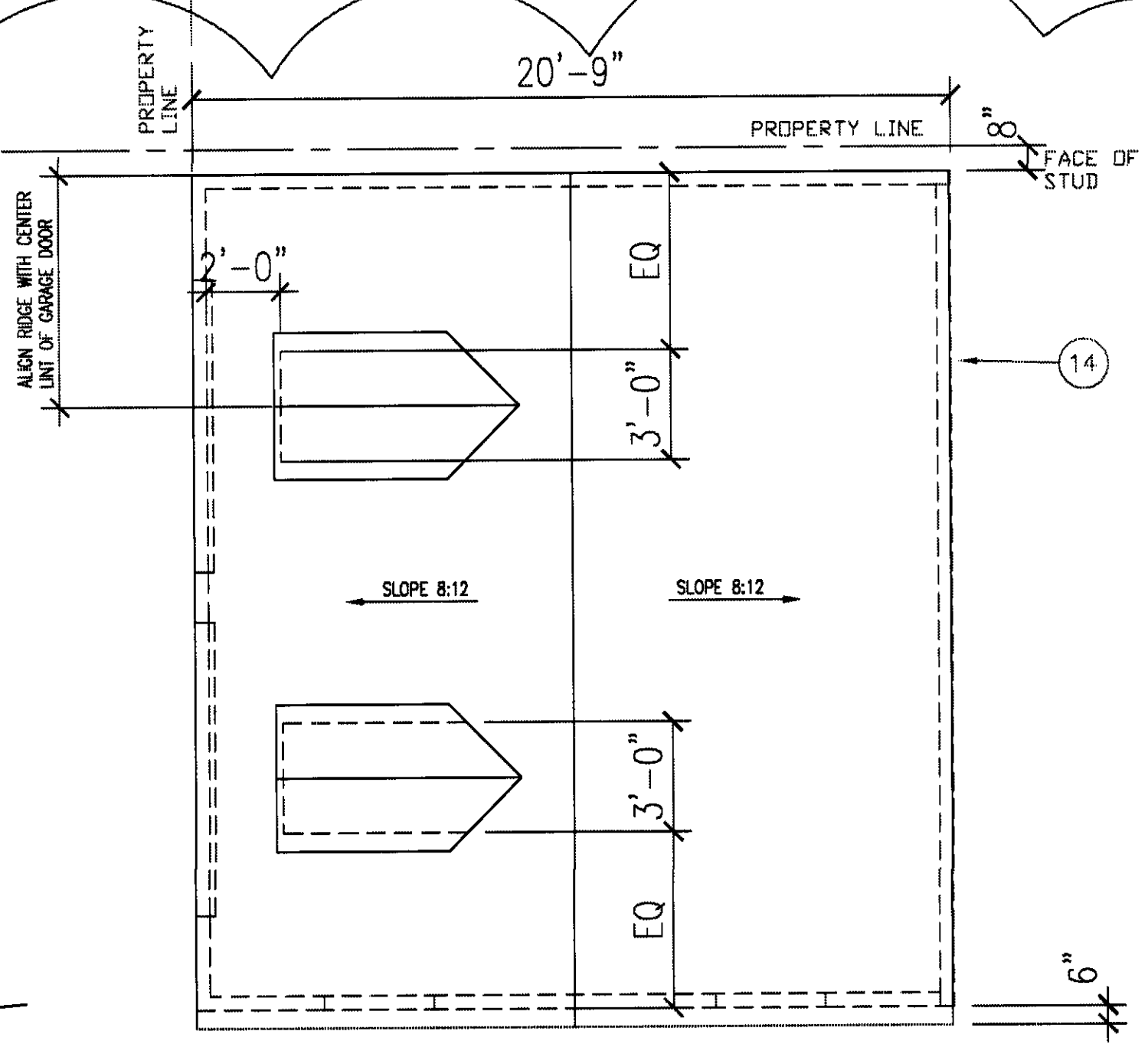
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DRAWING TITLE  
SITE PLAN  
GARAGE PLAN

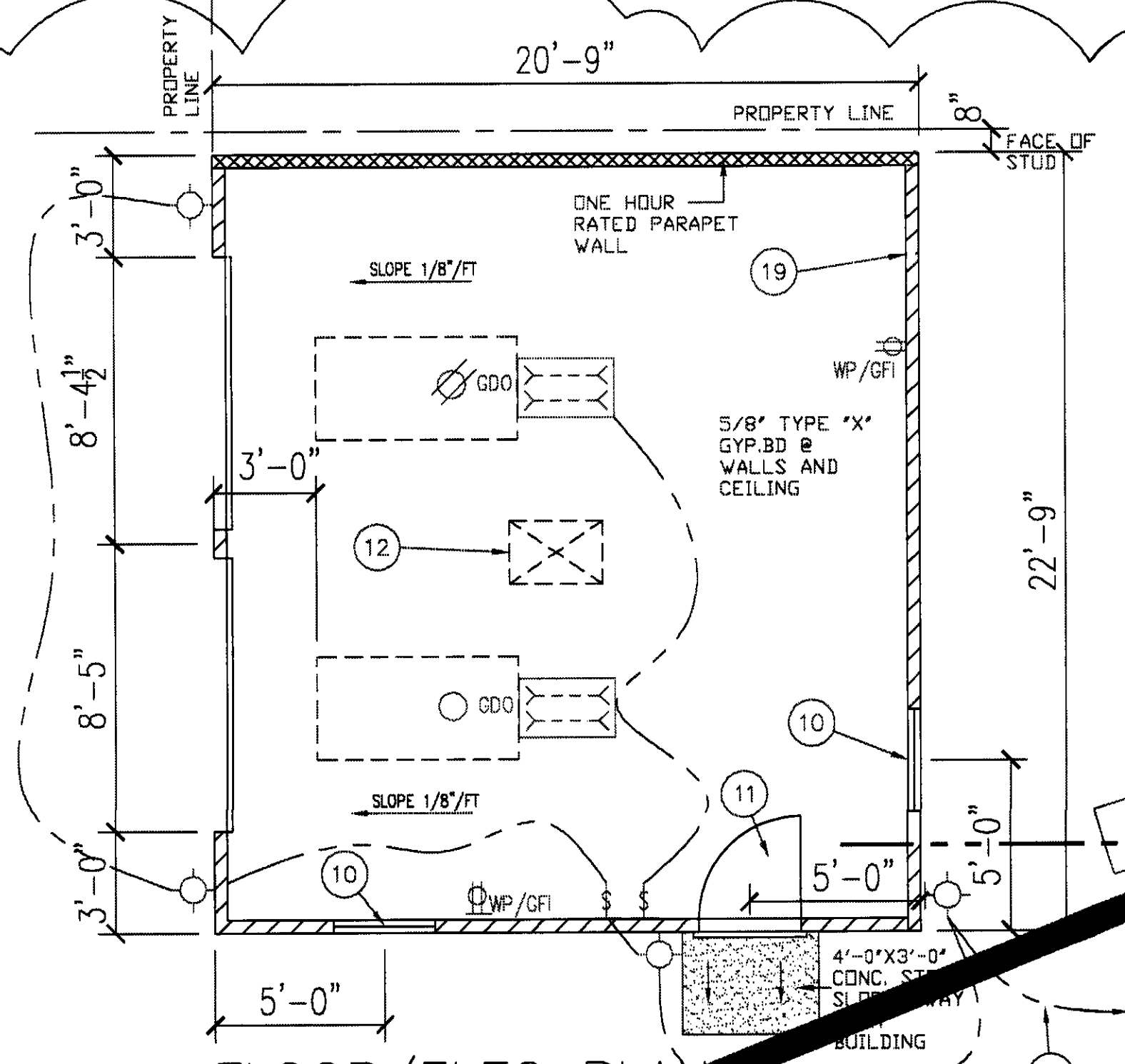
SHEET NO.

A1.1

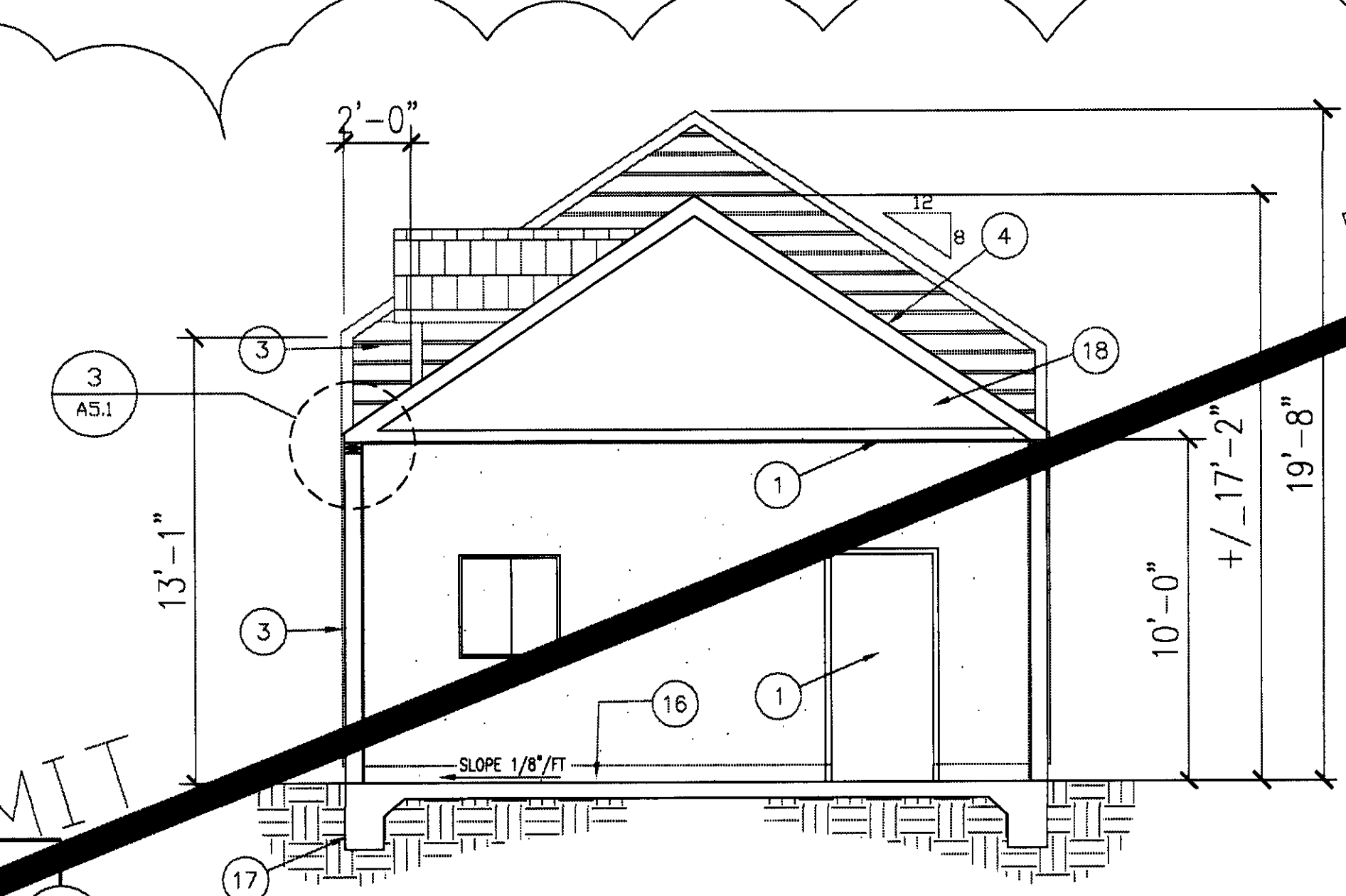
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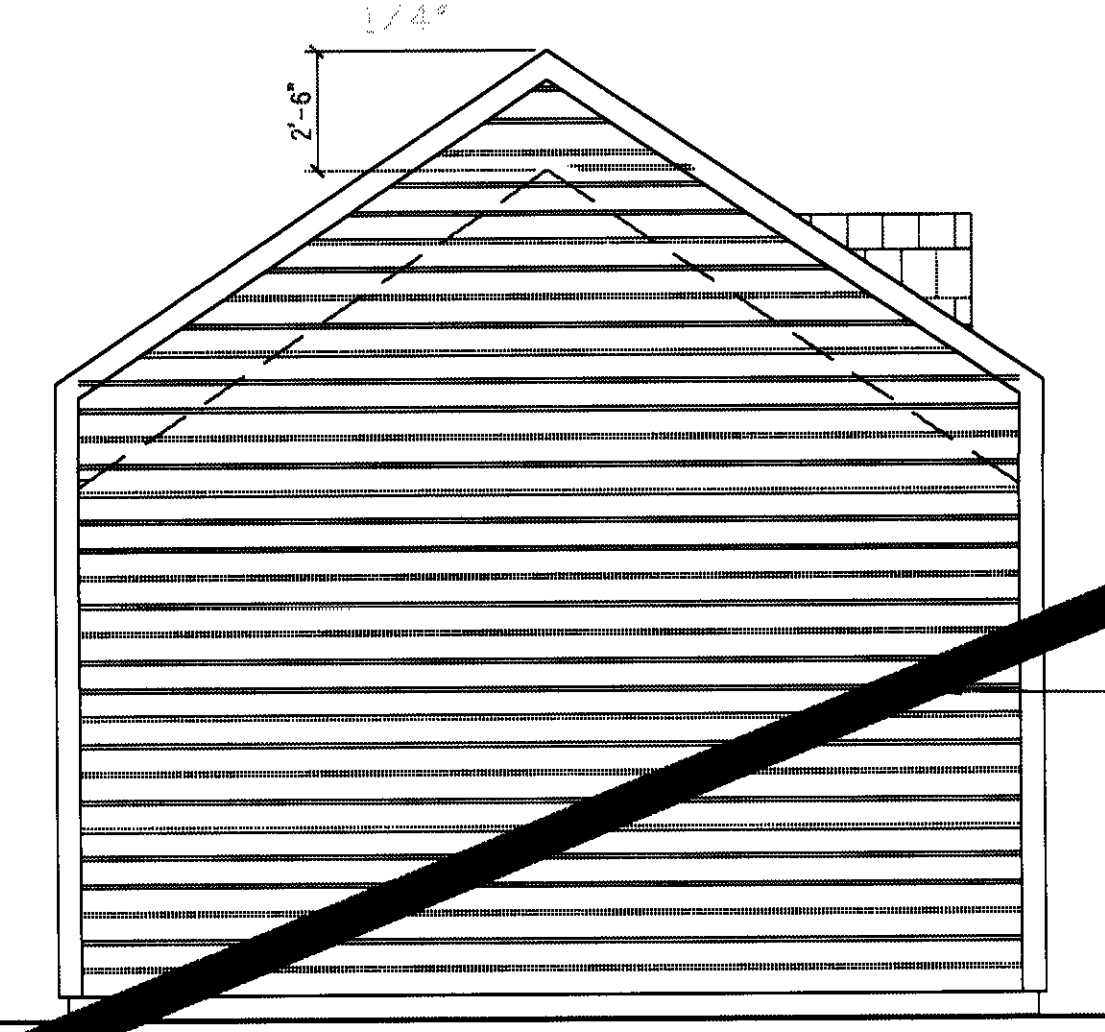
ROOF PLAN



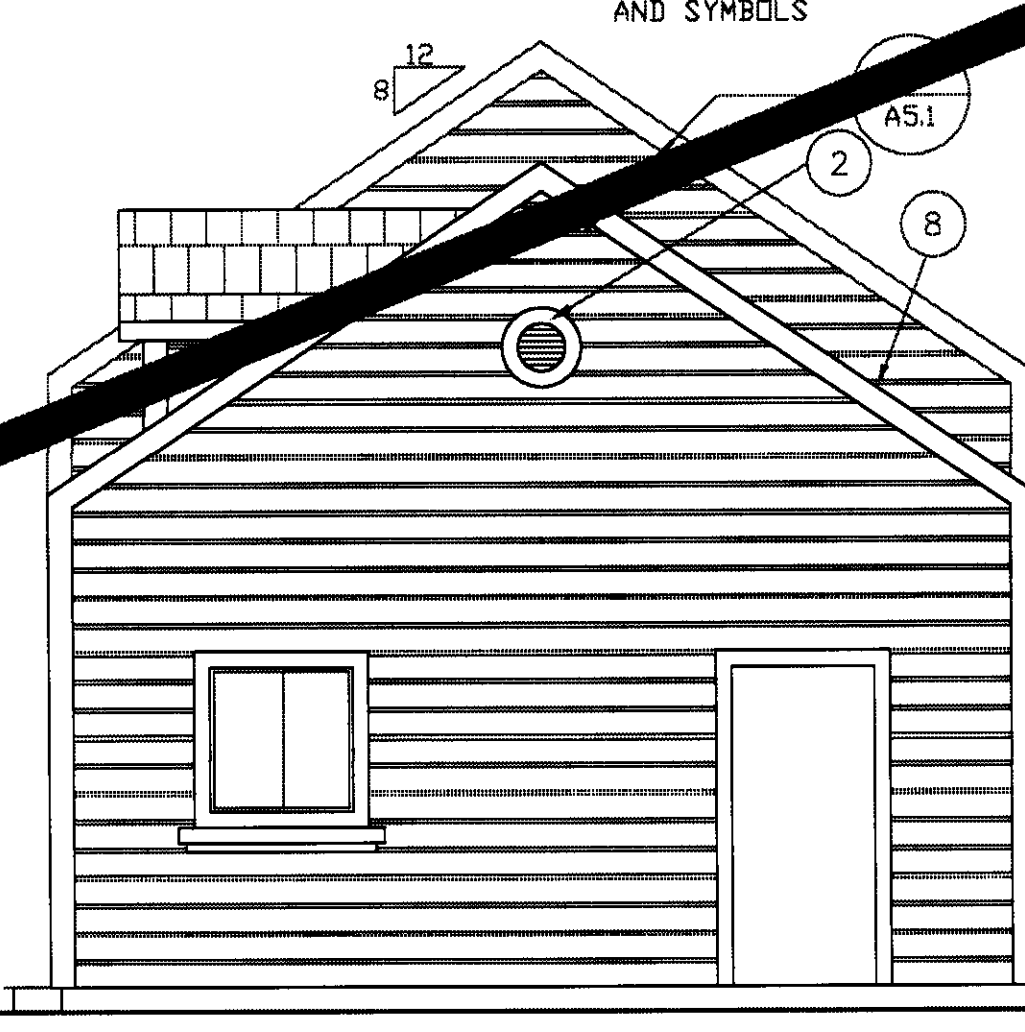
FLOOR/ELEC PLAN  
REFER TO SHEET A2.2 FOR ELECTRICAL NOTES AND SYMBOLS



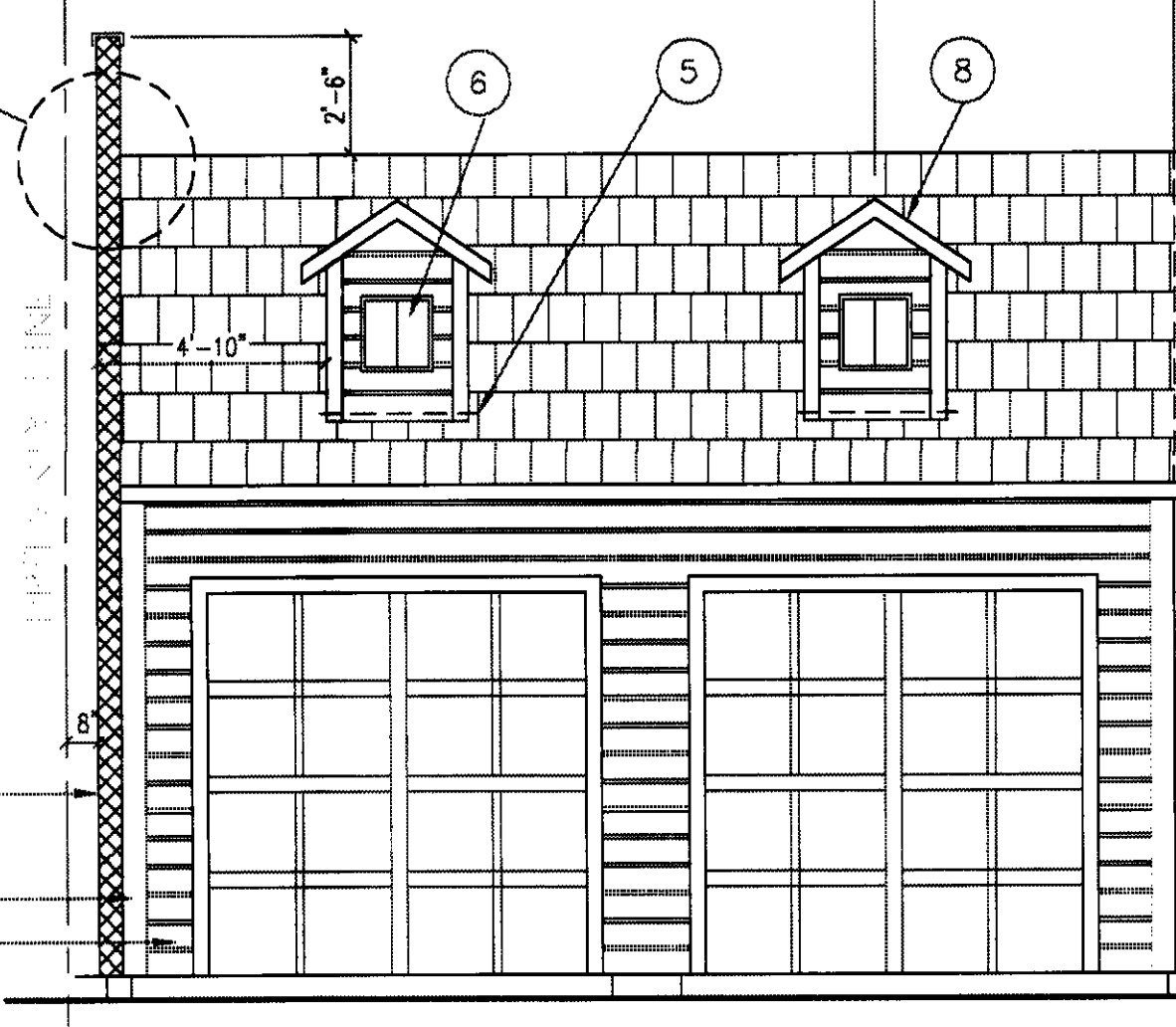
SECTION A



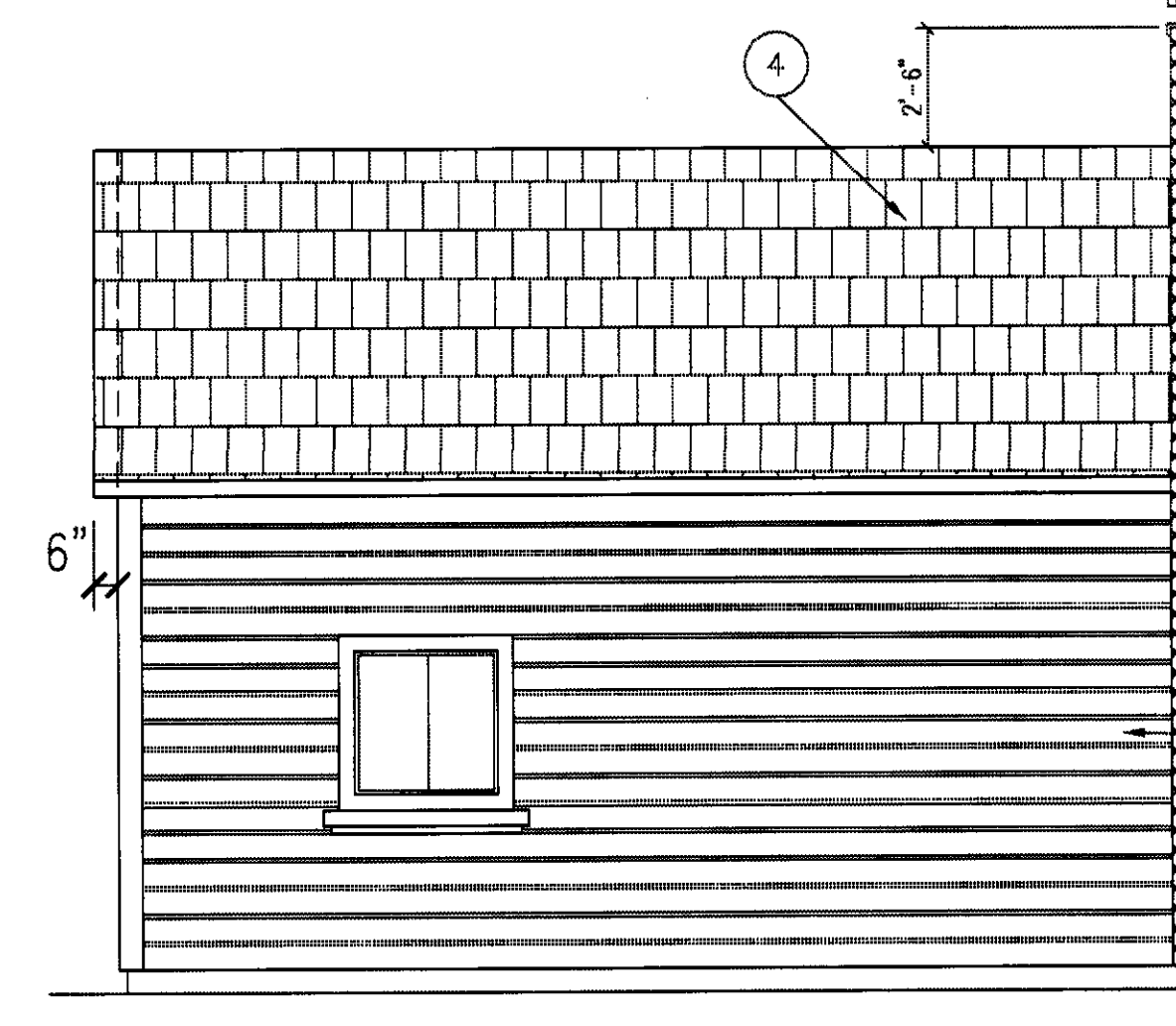
LEFT ELEVATION



RIGHT ELEVATION



FRONT ELEVATION

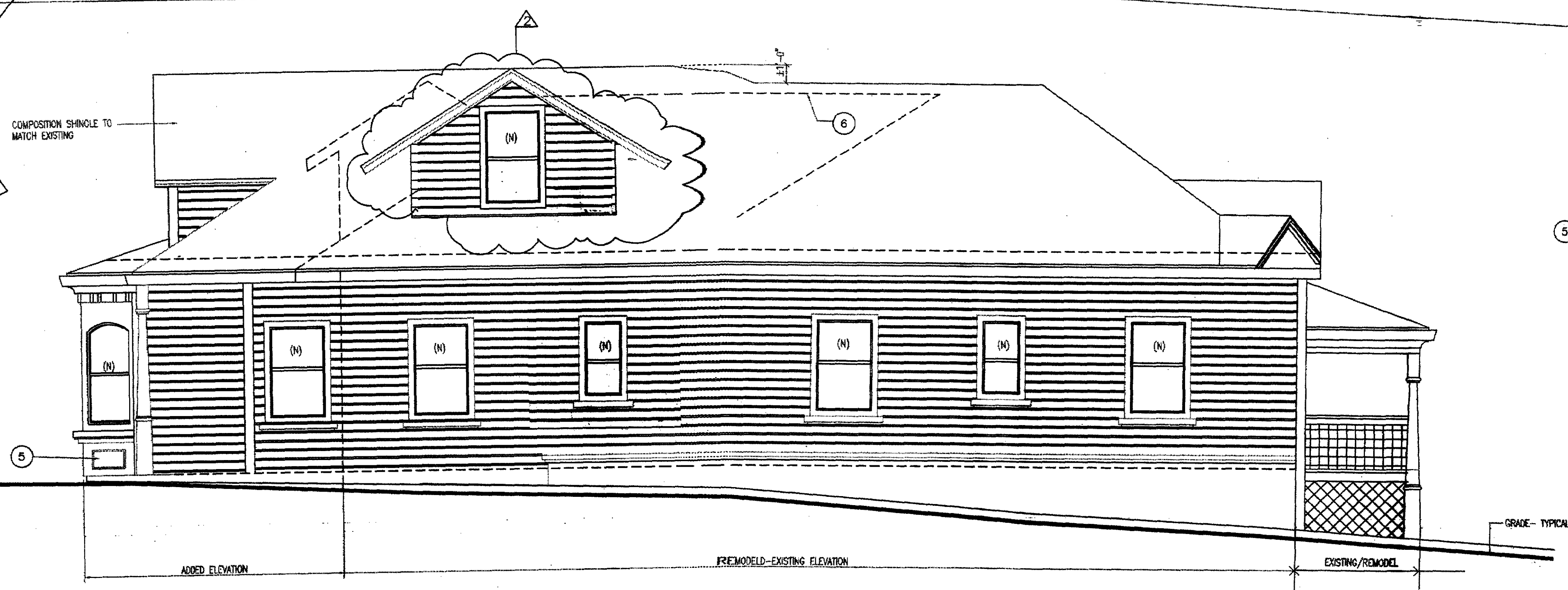


REAR ELEVATION

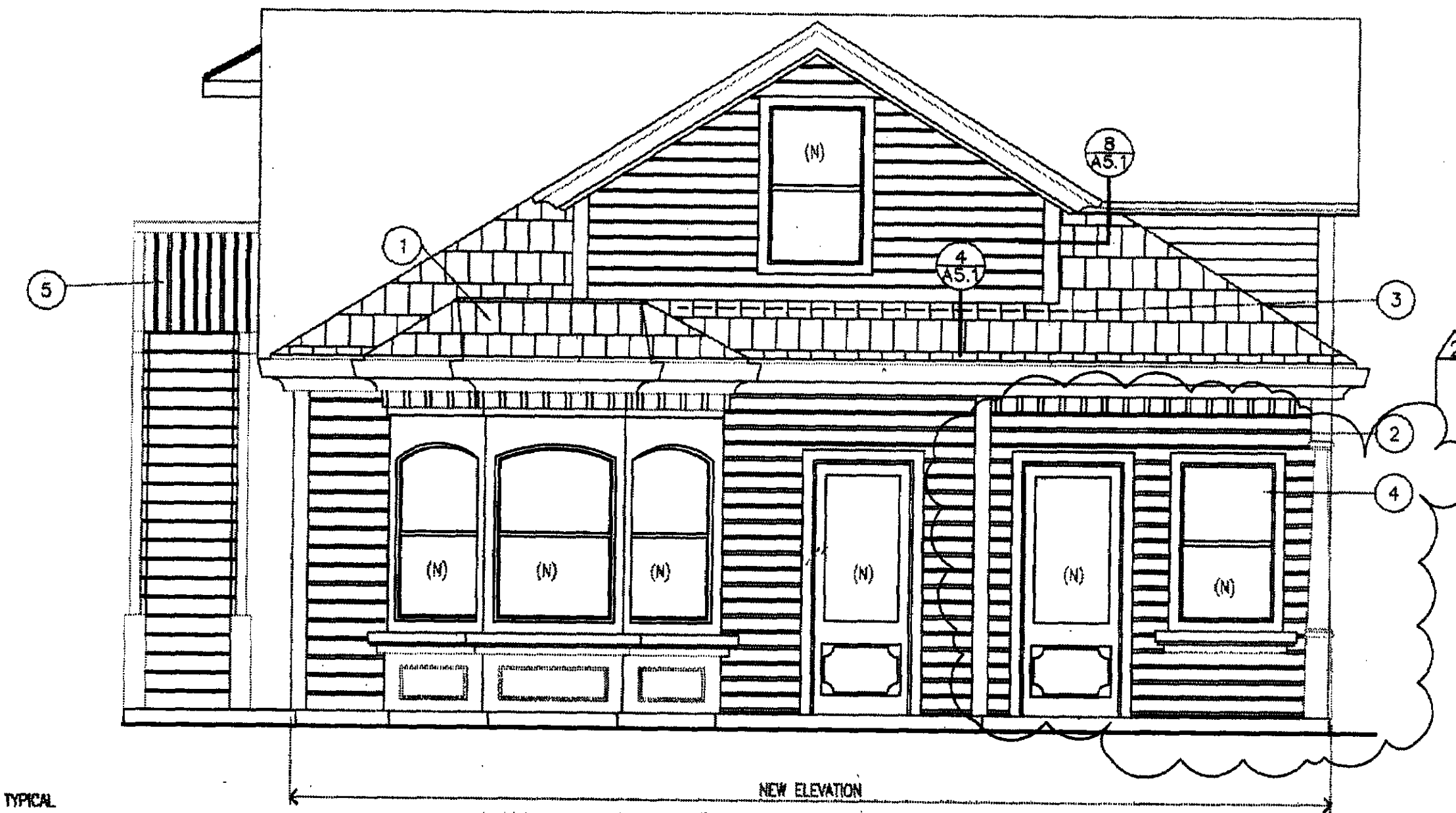




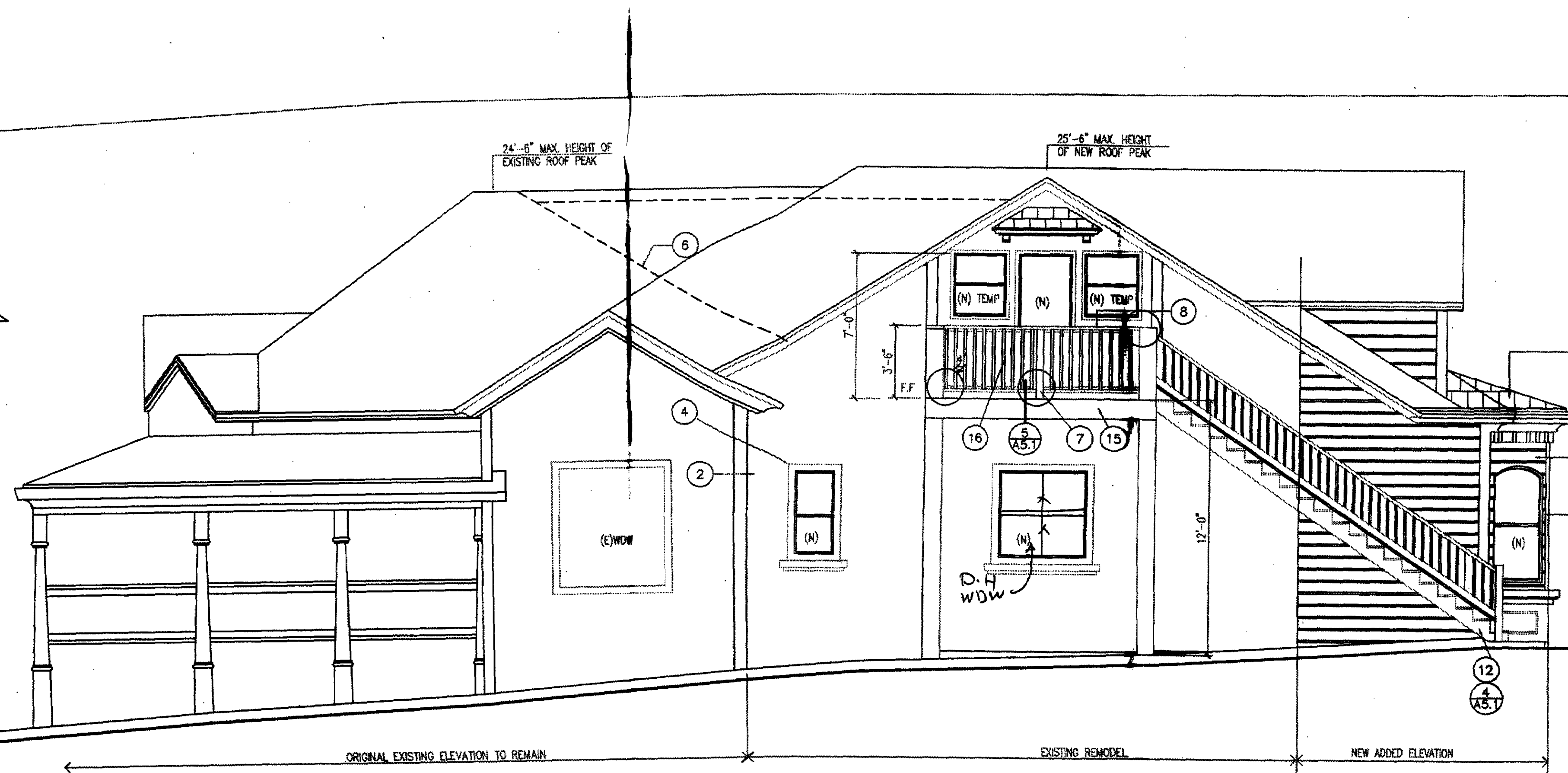




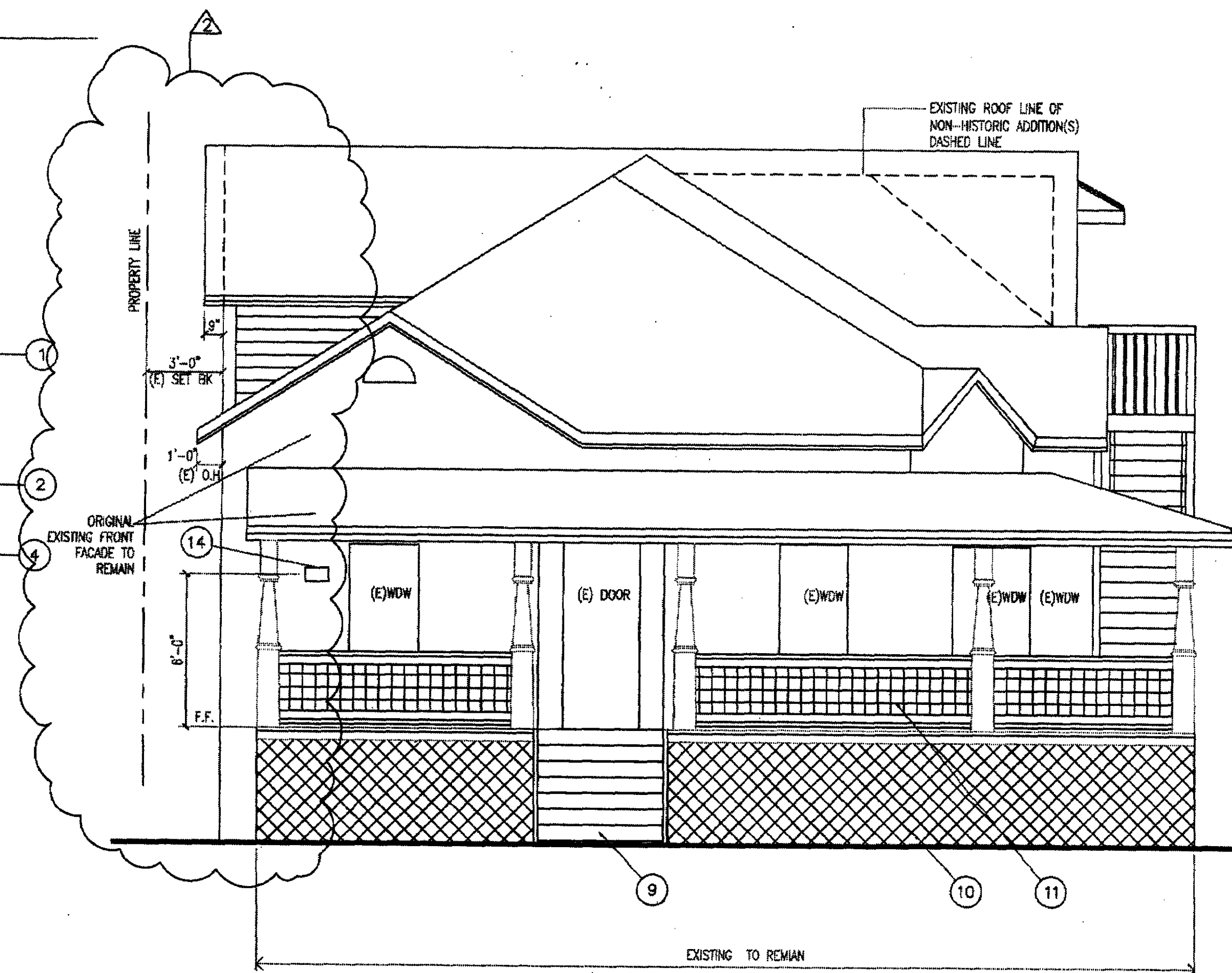
**SOUTH ELEVATION**  
1/4" = 1' - 0"



**WEST ELEVATION**  
1/4" = 1' - 0"



**NORTH ELEVATION**  
1/4" = 1' - 0"



**EAST ELEVATION**  
1/4" = 1' - 0"

## GENERAL NOTES

ROOF CONSTRUCTION:  
ASPHALT SHINGLE OVER 30# FELT OVER  
ROOF SHEATHING AND FRAMING MEMBERS AS  
NOTED ON STRUCTURAL DRAWINGS.  
INSULATION: PER ENERGY DOCUMENTATION.

EXTERIOR WALL CONSTRUCTION:  
REDWOOD LAP SIDING TO MATCH EXISTING OVER  
WALL FRAMING AS NOTED ON STRUCTURAL  
DRAWINGS.

FLOOR CONSTRUCTION:  
FRAME FLOOR CONSTRUCTION - 3/4" FLOOR  
SHEATHING OVER FLOOR JOISTS AS NOTED  
ON STRUCTURAL DRAWINGS.  
INSULATION: PER ENERGY DOCUMENTATION.

## CAD EXCHANGE INC

CAD Services for the MEO Community  
3101 BORDA TA WAY  
E L DERADO HILLS, CA 95762  
(916) 205-4775

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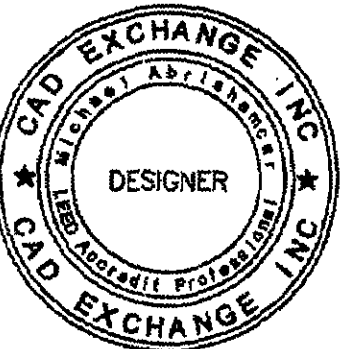
## Ovisco, Incorporated

1404 Redwood Avenue  
San Jose, CA 95120  
License # 4990622 B/C38/HIC  
408-288-2223

## CHRIS TSE & ASSOCIATES

544 Dudley Avenue, #7  
San Jose, CA 95128  
408-247-4746

DATE  
PLAN CHECK 05/21/07  
BACK CHECK 07/25/07  
CONSTRUCTION 08/20/07



## ELEVATION KEY NOTES

- COMPOSITION SHINGLES
- REDWOOD LAP SIDING TO MATCH EXISTING
- CORROSION RESISTANT ROOF TO WALL FLASHING
- 2X TRIM TO MATCH EXISTING
- NEW STAIRS, TO MATCH EXISTING
- LINE OF EXISTING STRUCTURE DASHED LINE
- 4X4 POST
- 2X6 TOP RAIL
- EXISTING STEPS REPAIR/ PAINT AS REQUIRED
- EXISTING LATHES, REPAIR, PAINT AS REQUIRED
- EXISTING RAILING, REPAIR, PAINT AS REQUIRED
- WOOD STAIRS TO MATCH EXISTING
- WOOD WINDOW TO MATCH EXISTING
- ADDRESS NUMBER
- 3X FASCIA
- 2X PICKET 5 1/2" O.C.

## LEGEND

DENOTES EXISTING NONE  
HISTORIC AREA AND NEW  
ADDITION AREA

COMMUNITY DEVELOPMENT  
PLANNING DIVISION  
APPROVED  
THESE PLANS HAVE BEEN APPROVED AS  
SHOWN. ANY MODIFICATION TO WHAT HAS  
BEEN PROPOSED OR TO WHAT IS SHOWN AS  
EXISTING, MAY REQUIRE A SEPARATE  
APPROVAL.

**REMODELING AND ADDITION  
FOR MR. OVEYSSI**

33 WALNUT AV. LOS GATOS, CA

## REVISIONS

NO.	DATE	ITEM

SCALE AS NOTED

4/21/2007

CHECKED BY:

ISSUE:

DRAWING TITLE

EXTERIOR ELEVATIONS

SHEET NO.

A3.1

OF SHEETS

807-0403

807-403

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REVISION

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MAY 27 2008

TOWN OF LOS GATOS

PLANNING DIVISION

807-403

PLAN REVIEW APPROVAL

AUG 30 2007

TOWN OF LOS GATOS

BUILDING DIVISION

RECEIVED

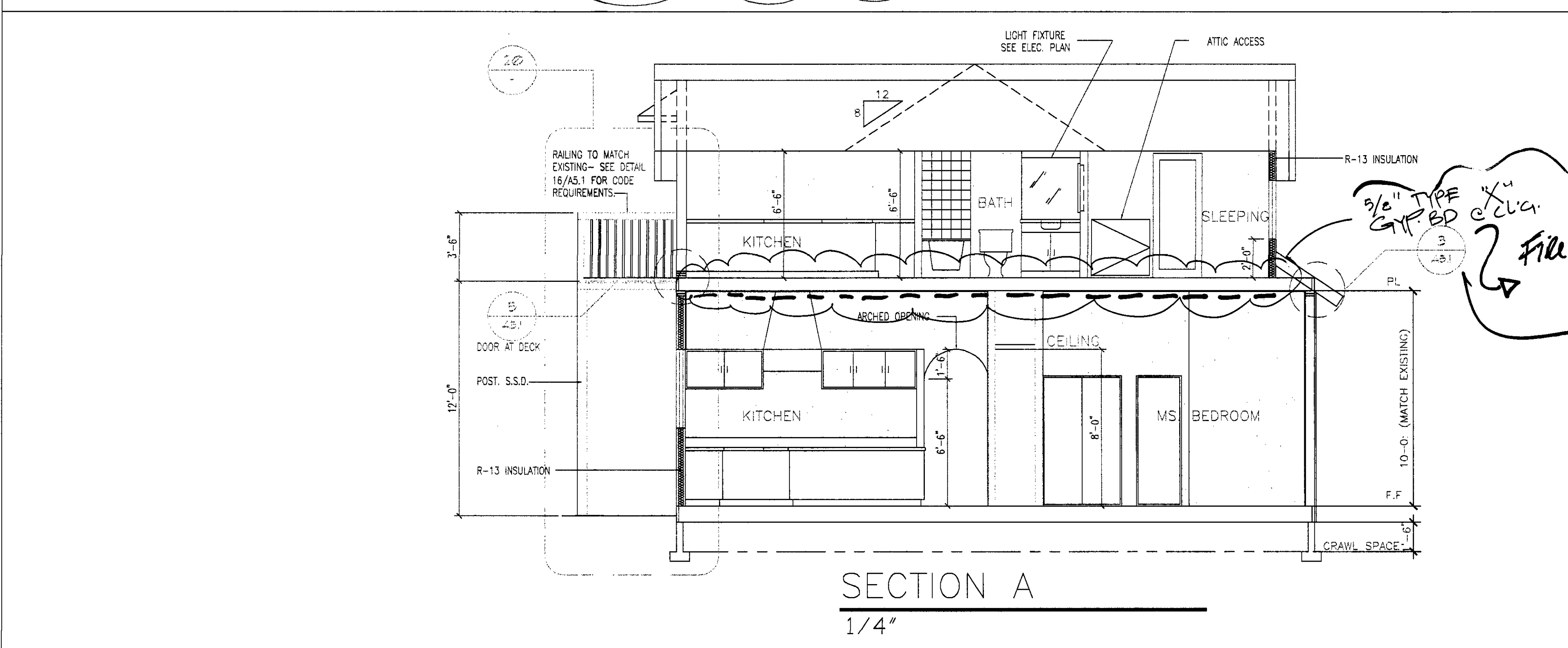
AUG 29 2007


TOWN OF LOS GATOS

PLANNING DIVISION

COMMUNITY DEVELOPMENT  
PLANNING DIVISION  
APPROVED  
THESE PLANS HAVE BEEN APPROVED AS  
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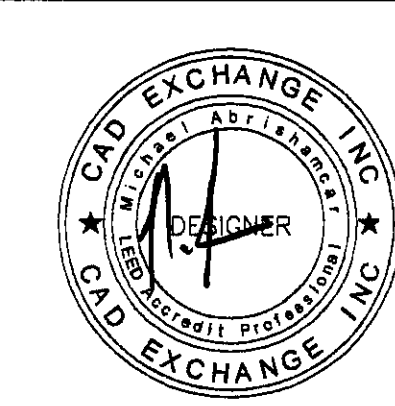




- |   |  |
|---|--|
| <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <h1 style="margin: 0;">LEGEND</h1> </div> <div style="border: 1px solid black; padding: 5px;"> <p>ADDITION AREA </p> </div> | <div style="border: 1px solid black; padding: 5px; margin-bottom: 5px;"> <b>Orvisco, Incorporated</b><br/>         1404 Redmond Avenue<br/>         San Jose, CA 95120<br/>         License # 499052 BIC36/HC<br/>         408-268-2223       </div> <div style="border: 1px solid black; padding: 5px;">         UNDESIGNED &amp; UNAPPROVED       </div> |
|---|--|

**CHRIS TSE & ASSOCIATES**  
544 Dudley Avenue, #7  
San Jose, CA 95128  
408 -247-4745

DRAWING STATUS	DATE
● <u>PLAN CHECK</u>	05/21/07
● <u>BACK CHECK</u>	07/25/07
● <u>CONSTRUCTION</u>	08/20/07



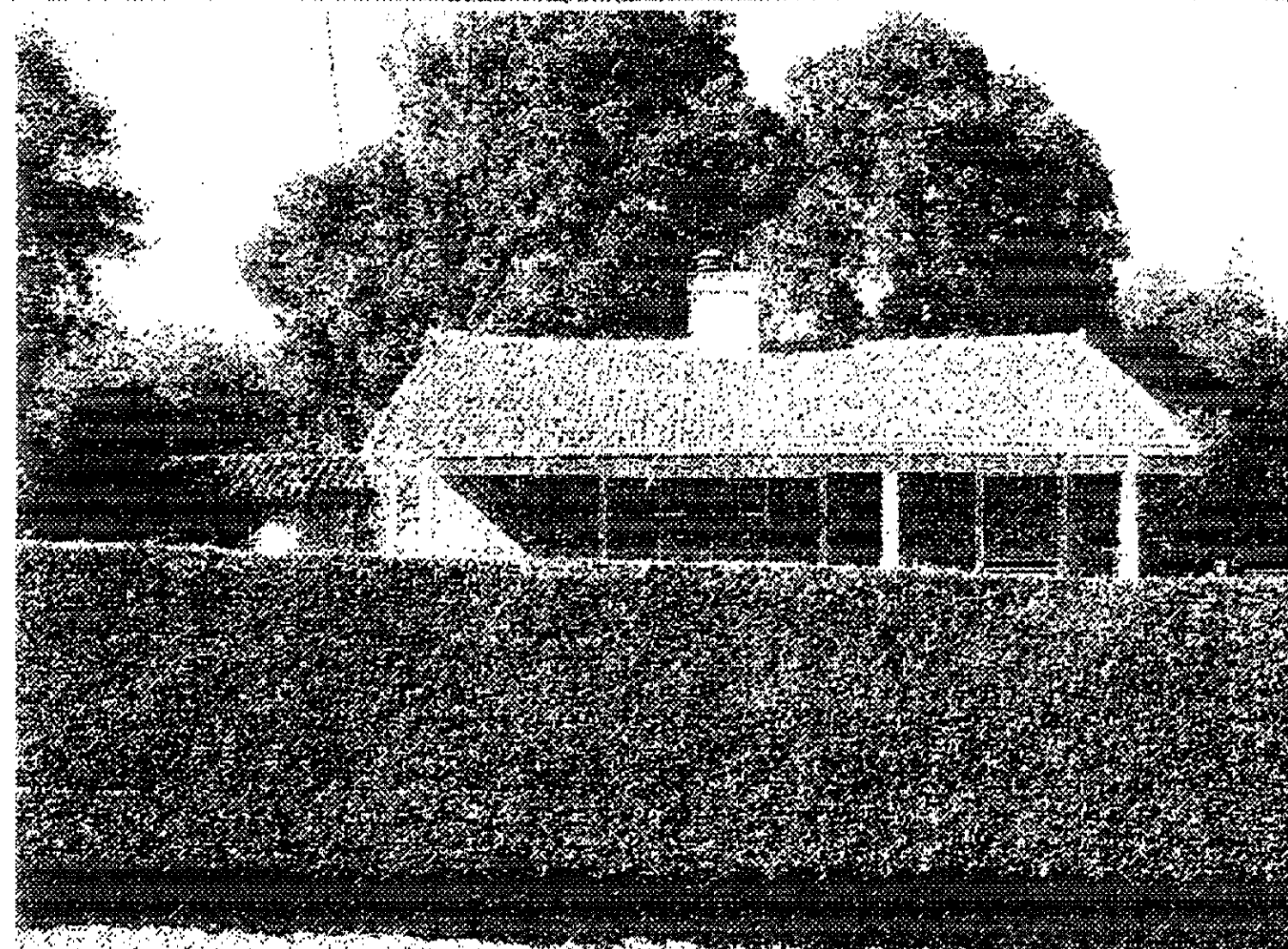
# REMODELING AND ADDITION FOR MR. OVEYSSI

33 WALNUT AV. LOS GATOS, CA.

<b>REVISIONS</b>		
<b>NO.</b>	<b>DATE</b>	<b>ITEM</b>
<b>SCALE</b>	<b>AS NOTED</b>	
<b>DATE:</b>	4/21/2007	
<b>DRAWN BY:</b>		
<b>CHECKED :</b>		
<b>ISSUE :</b>		
<b>DRAWING TITLE</b>		
SECTIONS AND ROOF PLAN PLAN REVIEW APPROVAL		
AUG 22 2007		
TOWN OF LOS GATOS BUILDING DIVISION		
<b>SHEET NO.</b>		
<b>A4.1</b>		
<b>OF</b>	<b>SHEETS</b>	

**Demolition Work!!**  
Prior to the removal of any  
interior OR exterior  
wall coverings please read and review  
the Town's demolition rules attached!





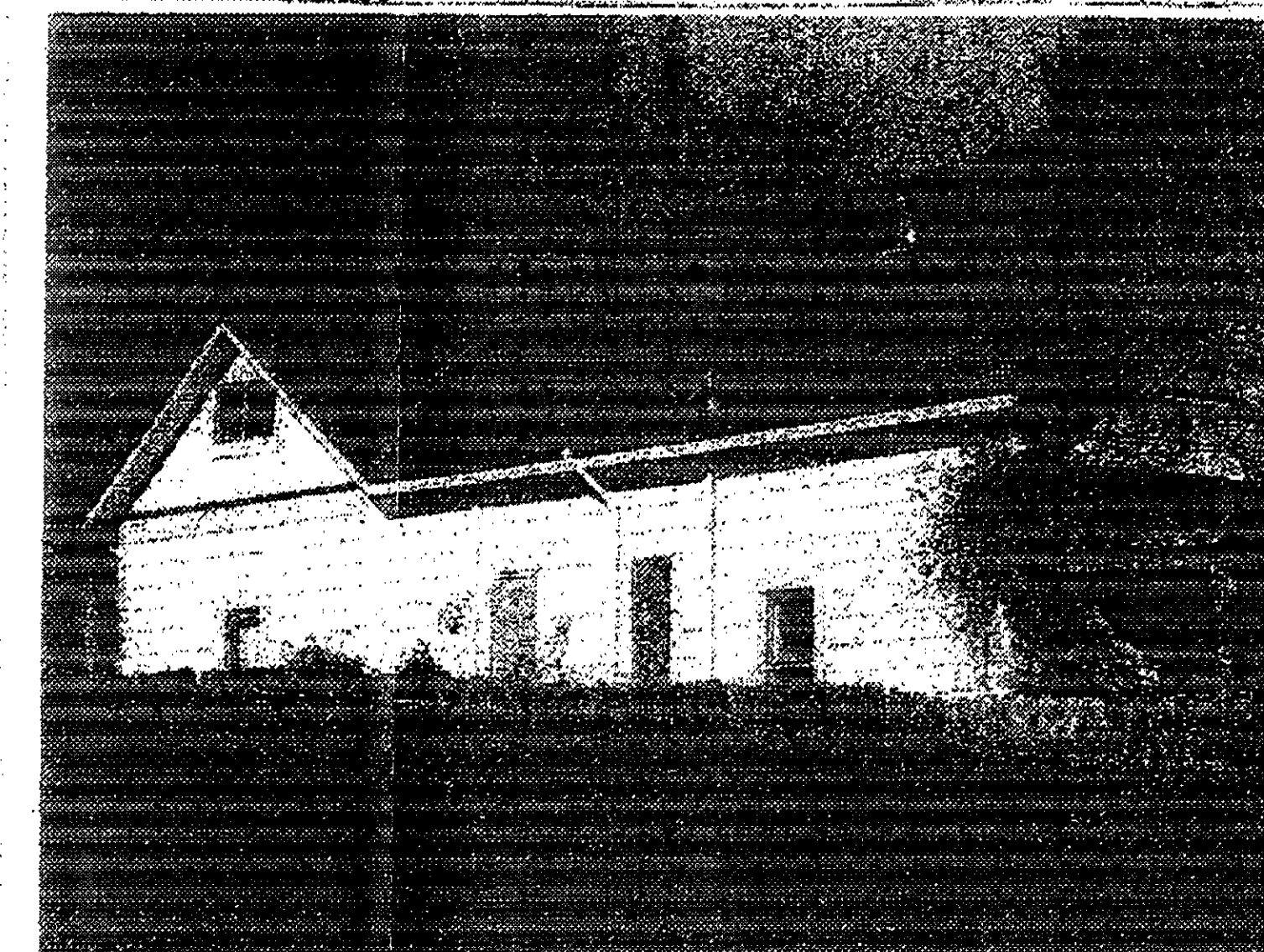
1 SOUTH NEIGHBOR



2 SUBJECT HOUSE



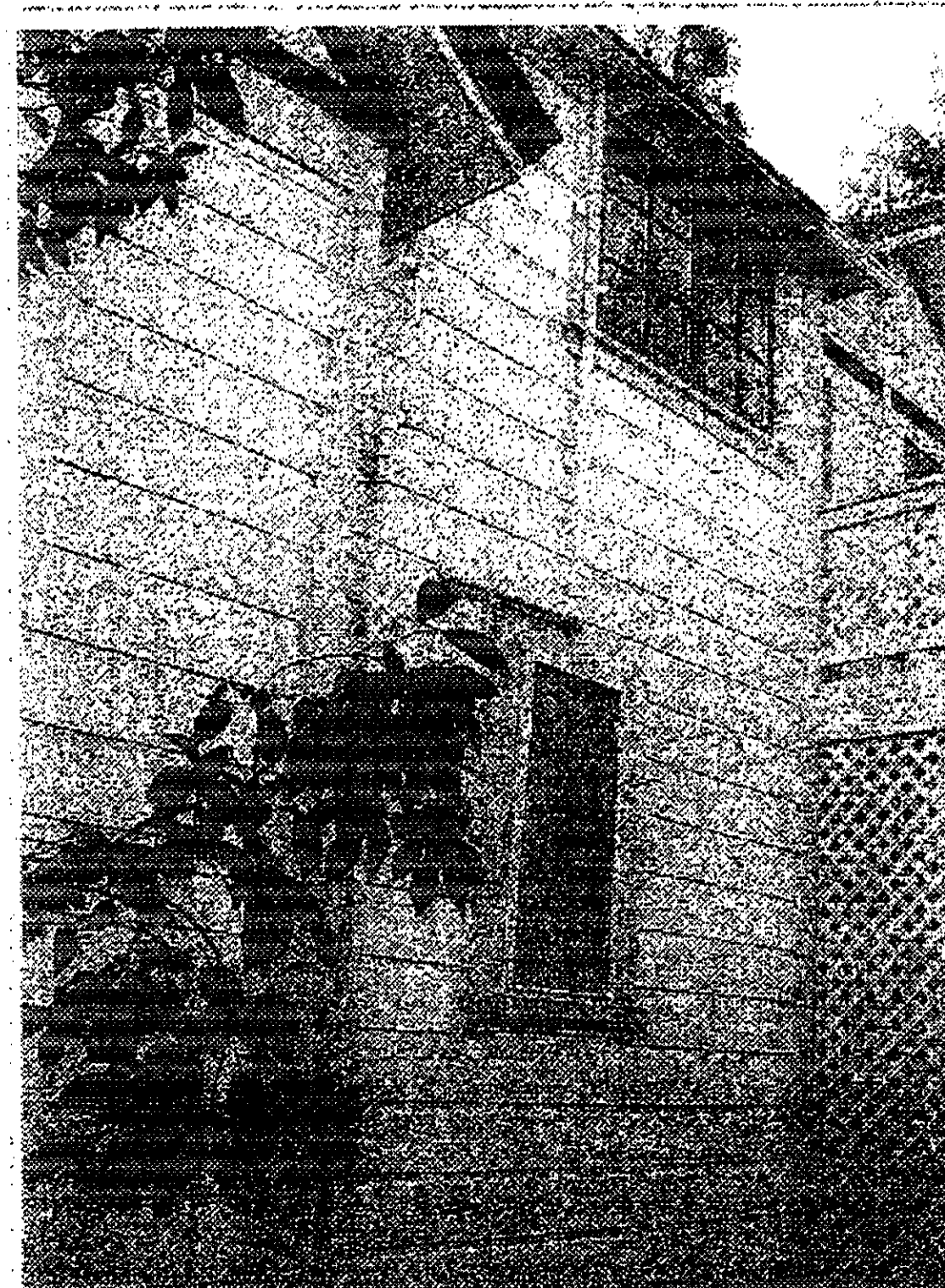
3 NORTH NEIGHBOR



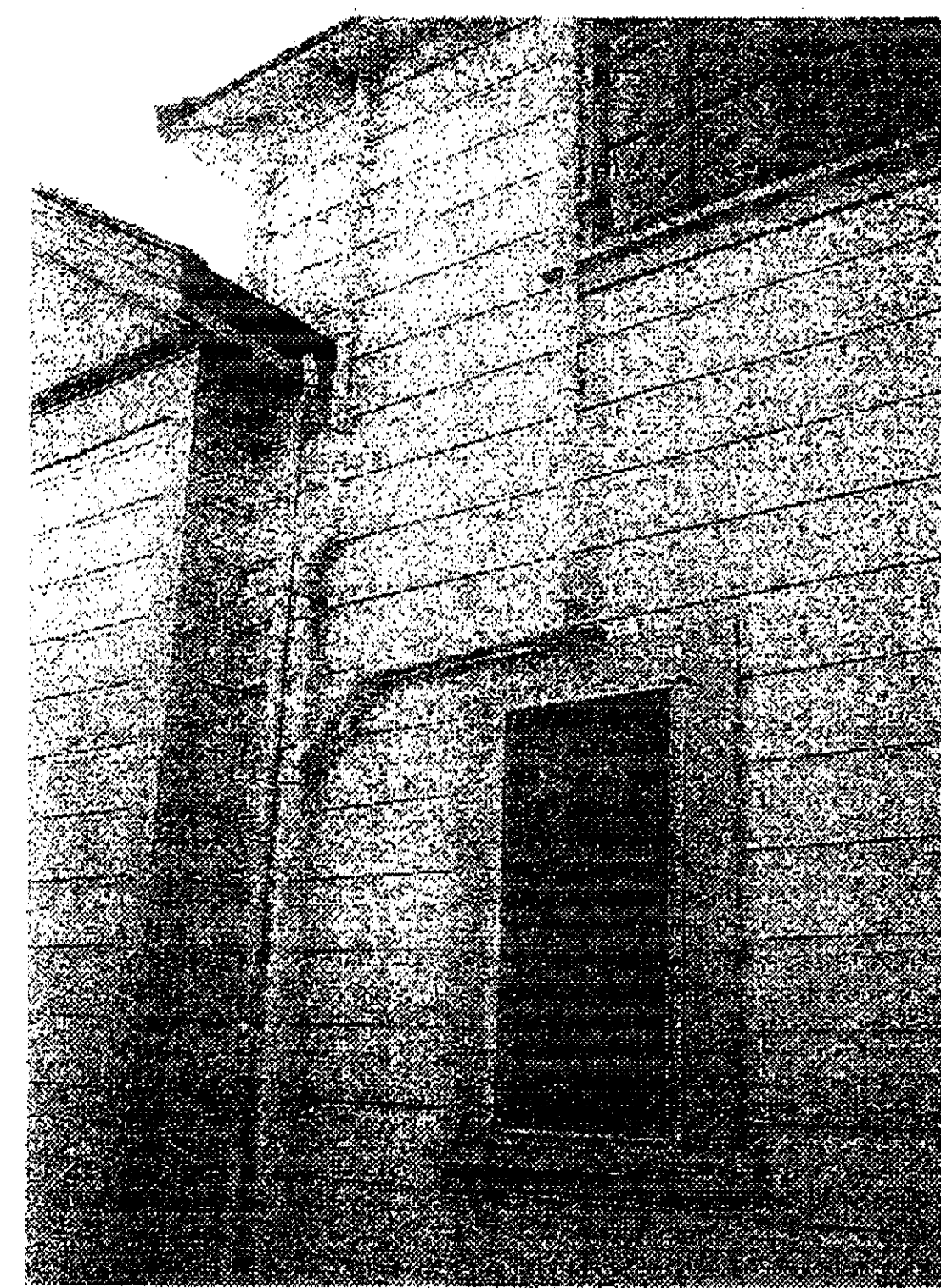
4 SOUTH ELEVATION



5 WEST ELEVATION



6 PARTIAL ELEV@ NORTH



7 PARTIAL ELEV@ NORTH



8 WATER TABLE DETAIL

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408-247-4745

DRAWING STATUS  
DATE  
PLAN CHECK 05/21/07  
BACK CHECK 07/25/07  
CONSTRUCTION 08/20/07



REMODELING AND ADDITION  
FOR MR. OVEYSSI

33 WALNUT AV. LOS GATOS, CA

REVISIONS

NO. DATE ITEM

SCALE AS NOTED

DATE: 4/21/2007

DRAWN BY:

CHECKED:

ISSUE:

DRAWING TITLE

PHOTO OF EXISTING ELEVATIONS

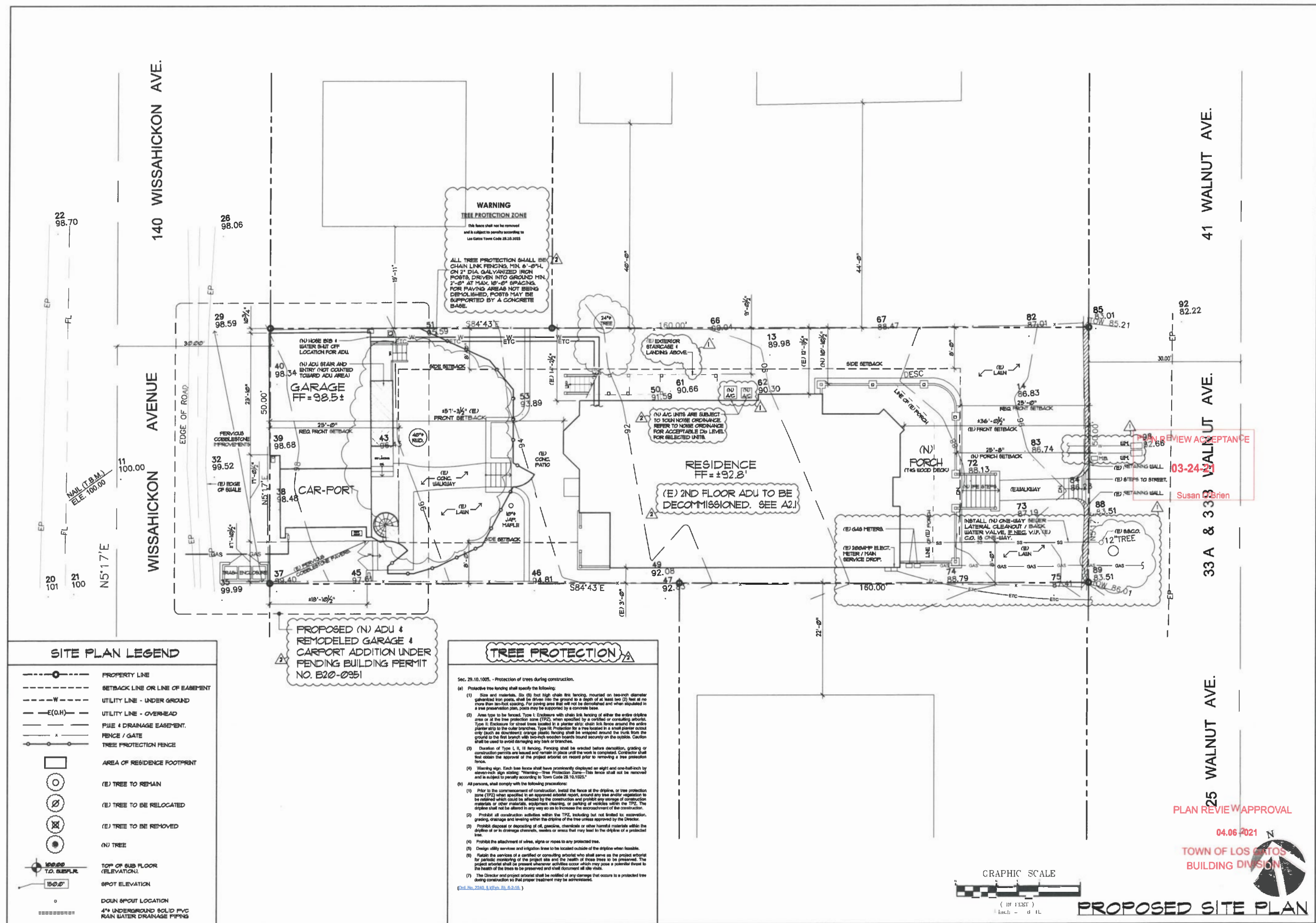
SHEET NO.

A6.2

OF SHEETS

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REVISIONS	BY
PLAN CHECK	DB
PLAN CHECK	DB

HERITAGE ARCHITECTURE

HERITAGE ARCHITECTURE  
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**SIEGEL RESIDENCE REMODEL/ADDITION**  
33 WALNUT AVE. LOS GATOS, CA

DRAWN: DB/DVH  
SCALE: 1/8" = 1'-0"  
JOB NO. 201801  
DATE: 02/16/2021

**A1.2**

PLAN REVIEW ACCEPTANCE  
03-24-21  
Susan O'Brien

PLAN REVIEW APPROVAL

04.06.2021

TOWN OF LOS GATOS  
BUILDING DIVISION

PROPOSED SITE PLAN

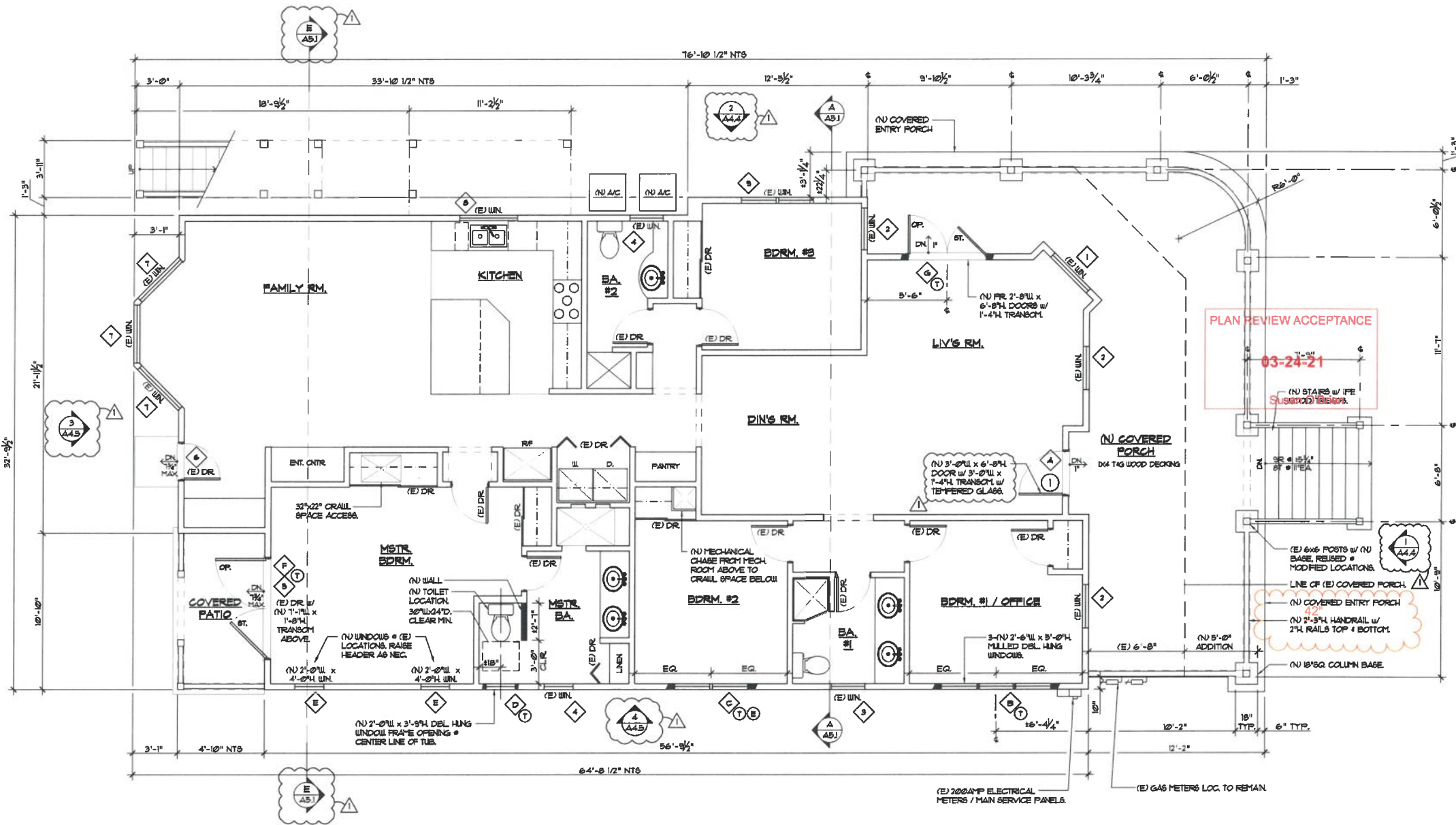


WALL / SYMBOL LEGEND

- NEW 2x FRAMED WALL CONSTRUCTION. PROVIDE 1/2" GYP. BD. & INTERIOR FINISH. SEE FINISH SCHEDULE, STRUCTURAL PLANS AND SECTIONS FOR WATERPROOF 1/2" TYPE "X" GYP. BD. AND SHEAR WALL LOCATIONS.
- NEW 2" FURRED WALL.
- EXISTING WALL / CONSTRUCTION (I.E. DOORS, WINDOWS, BUILT-INS, ETC.) TO BE REMOVED.
- EXISTING WALL / CONSTRUCTION (I.E. DOORS, WINDOWS, BUILT-INS, ETC.) TO REMAIN.
- NEW OPENING IN EXISTING WALL.
- 2x WALL w/ SOUND ISOLATION BATTs.
- LINE OF WALL, BEAM, SOFFIT OR CABINET ABOVE.
- POLE w/ SHELF ABOVE.
- (N) WINDOW TYPE - LETTER.
- (N) DOOR TYPE - NUMBER.
- TEMPERED SAFETY GLASS LOCATION.
- EGRESS WINDOW.
- SELF-CLOSING DOOR.
- REVISION MARK - NUMBER.
- INTERIOR ELEVATION TAG - LETTER.
- EXTERIOR ELEVATION TAG.
- DETAIL MARK - NUMBER / SHEET.
- BUILDING SECTION - LETTER / SHEET.
- TOP OF SUB FLOOR (ELEVATION).
- DOWNSPOUT TO SPLASH BLOCK & GRADE.
- D.S. D.S.
- DOWNSPOUT CONNECTED TO UNDERGROUND DRAINAGE PIPING.

FLOOR PLAN NOTES

- DO NOT SCALE THE DRAWINGS. DIMENSIONS SHALL TAKE PRECEDENCE. VERIFY AND REPORT ANY AND ALL DISCREPANCIES TO THE ARCHITECT PRIOR TO COMMENCING THE WORK. TEL: (408) 712-3502.
- ALL FLOOR PLAN DIMENSIONS ARE TO FACE OF STUD, POST, OR CHU WALL, UNLESS OTHERWISE NOTED.
- VERIFY IN THE FIELD, ALL DIMENSIONS WITH THE SETBACK LINE.
- ALL INTERIOR ELEVATION DIMENSIONS ARE TO FINISH SURFACE, SHEET ROCK OR CABINET, UNLESS OTHERWISE NOTED.
- CENTER ALL WINDOWS/DOORS OR OPENINGS ON INSIDE WALLS UNLESS OTHERWISE DIMENSIONED.
- SEE SITE PLAN, SHEET AU FOR FURTHER INFORMATION REGARDING TERRACES, STEPS, PORCHES, PATIOS, DECKS AND OTHER SITE DEVELOPMENT.
- SEE STRUCTURAL DRAWINGS FOR LOCATION OF 2x6 STUDS, WALLS, SHEAR WALLS, POSTS, FRAMES AND ALL OTHER STRUCTURAL "MEMBERS".
- LOCATE ALL WATER CLOSETS AT 5" MIN. FROM CENTER TO ADJACENT WALL AND 30" MIN. CLEAR. PROVIDE 24" MIN. CLEAR IN FRONT OF FIXTURE.
- PROVIDE MINIMUM 22"x30" ATTIC ACCESS TO EACH ATTIC AREA. A 30" MIN. CLEAR HEAD ROOM SHALL BE PROVIDED ABOVE THE ACCESS. CRC SEC. 807.1.
- ONE WINDOW/DOOR FROM EACH SLEEPING ROOM MUST HAVE A NET CLEAR OPENING OF 5.7 SQFT (3.0 SQFT WHEN WINDOW IS AT FLOOR / GRADE LEVEL) WITH A NET CLEAR HEIGHT OF 24", A NET CLEAR WIDTH OF 20" AND THE SILL MUST BE WITHIN 44" OF THE FLOOR.
- AN APPROVED NUMBER OR ADDRESS SHALL BE PROVIDED IN SUCH A POSITION AS TO BE PLAINLY LEGIBLE AND VISIBLE FROM THE STREET FRONTING THE PROPERTY. NUMBERS SHALL CONTRAST w/ THEIR BACKGROUND, SHALL BE ARABIC NUMERALS OR ALPHABETICAL LETTERS. NUMERALS SHALL BE A MIN. OF 4" HIGH, WITH A MIN. STROKE WIDTH OF 1/2 INCH. REFER TO CBC 501.2.
- PROVIDE A MINIMUM INSULATION OF R-15 AT ALL EXTERIOR WALLS, R-30 INSULATION AT SLOPED CEILING RAFTERS AT VAULTED CEILINGS AND R-38 INSULATION AT CEILING JOISTS LOCATED AT THE FLAT CEILINGS.
- PROVIDE MINIMUM 18"x24" UNDER-FLOOR CRAWL SPACE ACCESS PIPES, DUCTS AND OTHER NONSTRUCTURAL CONSTRUCTION SHALL NOT INTERFERE WITH THE ACCESSIBILITY TO OR WITHIN UNDER-FLOOR AREAS. CRC SEC. 408.4.
- PROVIDE A MINIMUM OF 5% GRADE SLOPE AWAY FROM THE FOUNDATION AROUND BUILDING.
- WALL COVERING SHALL BE TILE, MIN. 12" ABOVE DRAIN AT ALL SHOWERS OR TUB / SHOWER UNITS. MATERIALS OTHER THAN STRUCTURAL ELEMENTS TO BE MOISTURE RESISTANT. (CRC 301.2).
- SHOWER AND TUB/SHOWER COMBINATIONS SHALL BE PROVIDED WITH INDIVIDUAL CONTROL VALVES OF THE PRESSURE BALANCE OR THERMOSTATIC MIXING TYPE.
- SEE INTERIOR ELEVATIONS FOR EXTENT OF CABINETRY, PANEL, CASINGS & TRIM.
- REQUIRED FIRE BLOCKING TO BE INSTALLED PER CRC SECTION R502.1.



PLAN REVIEW APPROVAL  
04.06.2021  
N  
GRAPHIC SCALE  
TOWN OF LOS GATOS  
BUILDING DIVISION  
(IN FEET)  
1 inch = 4 ft.

NEW GROUND FLOOR PLAN

REVISIONS	BY
PLAN CHECK 03/23/2021	DB
PLAN CHECK 03/23/2021	DB



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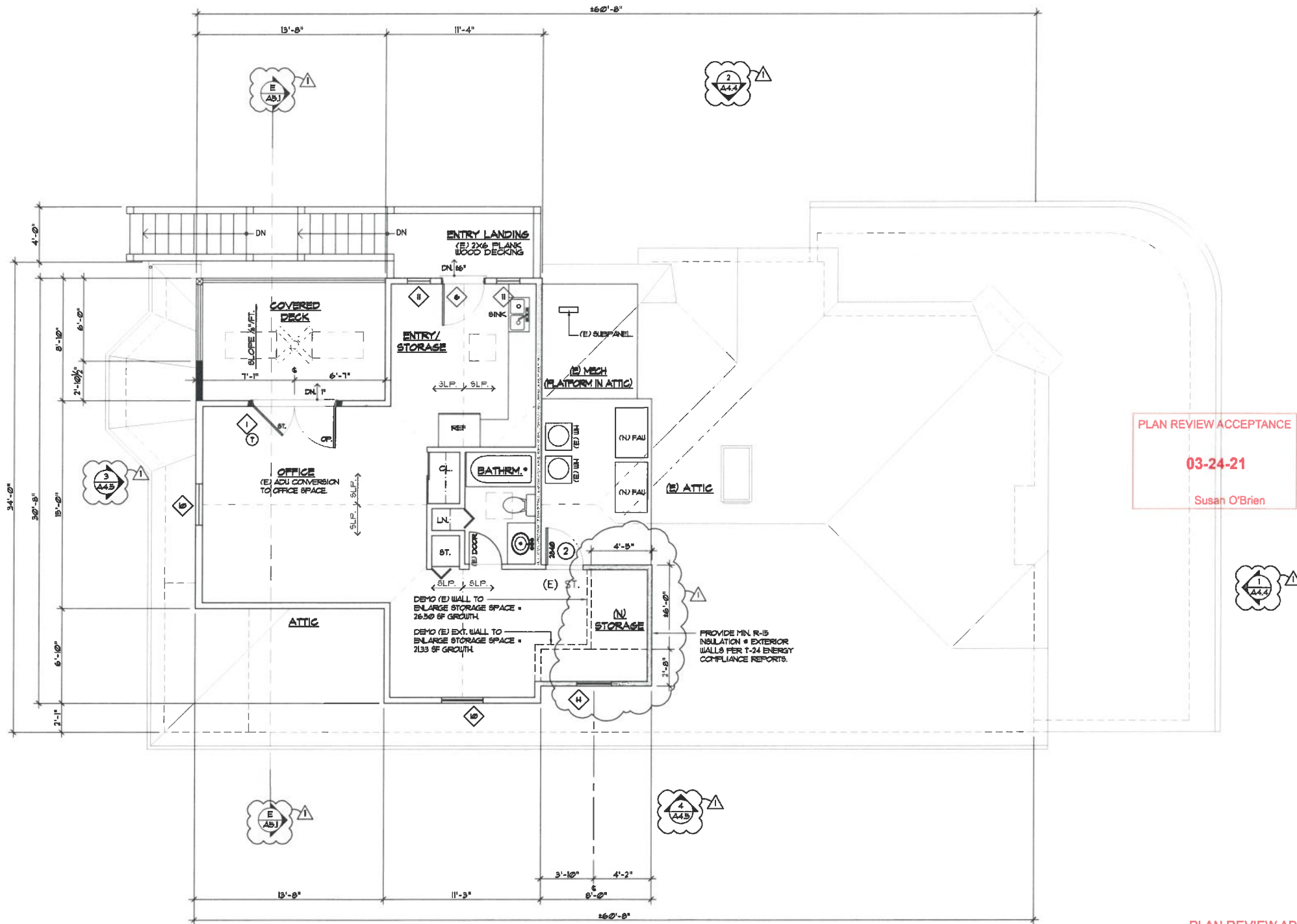
SIEGEL RESIDENCE REMODEL/ADDITION  
33 WALNUT AVE. LOS GATOS, CA

DRAWN: DB/DVH  
SCALE: 1/4" = 1'-0"  
JOB NO. 2018-071  
DATE: 02/16/2021

A2.2

WALL / SYMBOL LEGEND

	NEW 2x FRAMED WALL CONSTRUCTION. PROVIDE 1/2" GYP. BD. & INTERIOR FINISH. SEE FINISH SCHEDULE. STRUCTURAL PLANS AND SECTIONS FOR WATERPROOF 1/2" TYPE 'X' GYP. BD. AND SHEAR WALL LOCATIONS.
	NEW 2" FURRED WALL.
	EXISTING WALL / CONSTRUCTION (I.E. DOORS, WINDOWS, BUILT-INS, ETC.) TO BE REMOVED.
	EXISTING WALL / CONSTRUCTION (I.E. DOORS, WINDOWS, BUILT-INS, ETC.) TO REMAIN.
	NEW OPENING IN EXISTING WALL.
	2x WALL w/ SOUND ISOLATION BATTs.
	LINE OF WALL, BEAM, SOFFIT OR CABINET ABOVE.
	POLE w/ SHELF ABOVE.
	(N) WINDOW TYPE - LETTER.
	(N) DOOR TYPE - NUMBER.
	TEMPERED SAFETY GLASS LOCATION.
	EGRESS WINDOW.
	SELF-CLOSING DOOR.
	REVISION MARK - NUMBER.
	INTERIOR ELEVATION TAG - LETTER.
	EXTERIOR ELEVATION TAG.
	DETAIL MARK - NUMBER / SHEET.
	BUILDING SECTION - LETTER / SHEET.
	TOP OF SUB FLOOR (ELEVATION).
	DOWNSPOUT TO SPLASH BLOCK @ GRADE.
	DOWNSPOUT CONNECTED TO UNDERGROUND DRAINAGE PIPING.



PLAN REVIEW APPROVAL  
04.06.2021  
TOWN OF LOS GATOS  
BUILDING DIVISION  
GRAPHIC SCALE  
( IN FEET )  
1 inch = 4 ft.

REMODELED UPPER FLOOR PLAN

REVISIONS	BY
	PLAN CHECK 07/27/2018 DB
	PLAN CHECK 03/23/2021 DB



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SIEGEL RESIDENCE REMODEL/ADDITION  
33 WALNUT AVE. LOS GATOS, CA

DRAWN: DB/DVH  
SCALE: 1/4" = 1'-0"  
JOB NO. 2019.01  
DATE: 02/26/2021

A2.3



ROOF PLAN NOTES

1. ROOFING MATERIALS TO HAVE A FIRE RATING OF CLASS A OR BETTER.
2. ALL GUTTERS & DOWNSPOUTS TO BE GSM-PAINTED AND MATCH EXISTING.
3. ALL EXHAUST VENTS, FLUES AND STACKS ARE TO BE GROUPED AND LOCATED ON THE REAR YARD OF ROOF - VERIFY LOCATION W/ ARCHITECT.
4. OPERATING SKYLIGHTS, IF APPLICABLE, ARE TO BE 10" FROM OR 3' BELOW A PLUMBING VENT, 4' FROM OR 1' BELOW A GAS FLUE, AND 3' FROM AND 1' BELOW AN AIR EXHAUST DUCT. OTHERWISE IT MUST BE FIXED.
5. ALL VALLEY FLASHINGS TO BE MIN. 26 GA. GALVANIZED SHEET METAL - PAINTED TO MATCH ROOF MATERIAL COLOR.
6. ALL MISC. SHEET METAL FLASHING, VALLEYS, FLUES, ETC., TO BE PAINTED TO BLEND WITH FINISHED ROOF COLOR.
7. EXTERIOR OPENINGS INTO THE ATTIC SPACE SHALL BE COVERED WITH CORROSION-RESISTANT WIRE CLOTH SCREENING, HARDWARE CLOTH, PERFORATED VINYL OR SIMILAR MATERIAL. THE OPENINGS SHALL BE A MINIMUM OF 1/4" AND SHALL NOT EXCEED 1/4". REFER TO CBC 1203.2.1.
8. FINISHED ROOFING MATERIAL SHALL BE INSTALLED AND COMPLETED PRIOR TO FRAME INSPECTION.
9. PROVIDE R-30 INSULATION AT SLOPED CEILING RAFTERS AT VAULTED CEILING, AND R-38 INSULATION AT CEILING JOISTS LOCATED AT THE FLAT CEILING. REFER TO T-34 ENERGY COMPLIANCE FORM.

ATTIC VENTILATION CALCULATIONS

ATTIC VENTILATION CALCULATION:

NOTES:

1. AT EAVE BLOCKING, VENT THROUGH (3) 2 1/2" SCREENED VENTS • EVERY VENTED BAY. REFER TO DETAIL VAB.1 • BELOW FOR WHICH BAYS TO VENT.
2. AREA OF (3) 2 1/2" EAVE VENTS = 0.003 SQ.FT. OF VENTILATION PER BAY.
3. 6"x10" EYEBROW VENT PROVIDES 0.15 SQ.FT. PER VENT.

CALCULATIONS:

ATTIC AREA • OFFICE = 624.0 SQ. FT.

624.0 SQ.FT. / 3000 SQ.FT. = 0.208 SQ. FT. OF VENTILATION REQ'D.

(THE OPENING AREA SHALL BE 1/3000 OF THE AREA OF THE SPACE VENTILATED PER CBC 1203.2 EXEMPTION 1)

VENTING • EAVES:

1. 2.08 / 2 = 1.04 • OF MIN. VENTING IS REQ. • LOWER PORTION OF ROOF.

2. THERE ARE 18 EAVES • OPEN ATTIC SPACE.

VENT ALL 18 OF THOSE BAYS.

18 x 0.003 = 0.054 SQ. FT. OF VENTILATION • EAVES.

VENTING • RIDGES:

1. 50% OF VENTILATION MUST COME FROM UPPER ROOF, THEREFORE 1.434 IS REQ.

2. 1.434 / 0.154 PER EYEBROW VENT = 9.31 OR 2 EYEBROW VENTS REQUIRED.

2 x 0.154 VENT = 0.308 SQ. FT. OF VENTILATION • RIDGES.

TOTAL ROOF VENTILATION PROVIDED • KIT/DING:

0.054 SQ. FT. + 0.308 SQ. FT. = 0.362 SQ. FT. TOTAL VENTILATION PROVIDED • ATTIC OVER OFFICE

ATTIC AREA ABOVE GROUND FLOOR = 175.8 SQ. FT.

175.8 SQ.FT. / 3000 SQ.FT. = 0.059 SQ. FT. OF VENTILATION REQ'D.

(THE OPENING AREA SHALL BE 1/3000 OF THE AREA OF THE SPACE VENTILATED PER CBC 1203.2 EXEMPTION 1)

VENTING • EAVES:

1. 3.92 / 2 = 1.96 • OF MIN. VENTING IS REQ. • LOWER PORTION OF ROOF.

2. THERE ARE 24 EAVES • OPEN ATTIC SPACE.

VENT ALL 24 OF THOSE BAYS.

24 x 0.003 = 0.072 SQ. FT. OF VENTILATION • EAVES.

VENTING • RIDGES:

1. 50% OF VENTILATION MUST COME FROM UPPER ROOF, THEREFORE 1.334 IS REQ.

2. 1.334 / 0.154 PER EYEBROW VENT = 8.66 OR 2 EYEBROW VENTS REQUIRED.

2 x 0.154 VENT = 0.308 SQ. FT. OF VENTILATION • RIDGES.

TOTAL ROOF VENTILATION PROVIDED • KIT/DING:

0.072 SQ. FT. + 0.308 SQ. FT. = 0.380 SQ. FT. TOTAL VENTILATION PROVIDED • 1ST FLR. ATTIC

ATTIC AREA • COVERED PORCH = 399.0 SQ. FT.

399.0 SQ.FT. / 3000 SQ.FT. = 0.133 SQ. FT. OF VENTILATION REQ'D.

(THE OPENING AREA SHALL BE 1/3000 OF THE AREA OF THE SPACE VENTILATED PER CBC 1203.2 EXEMPTION 1)

VENTING • EAVES:

1. 1.32 / 2 = 0.66 • OF MIN. VENTING IS REQ. • LOWER PORTION OF ROOF.

2. THERE ARE 35 EAVES • OPEN ATTIC SPACE.

VENT EVERY 3RD EAVE. 35/3 = 11 VENTED EAVE BAYS.

11 x 0.003 = 0.033 SQ. FT. OF VENTILATION • EAVES.

VENTING • RIDGES:

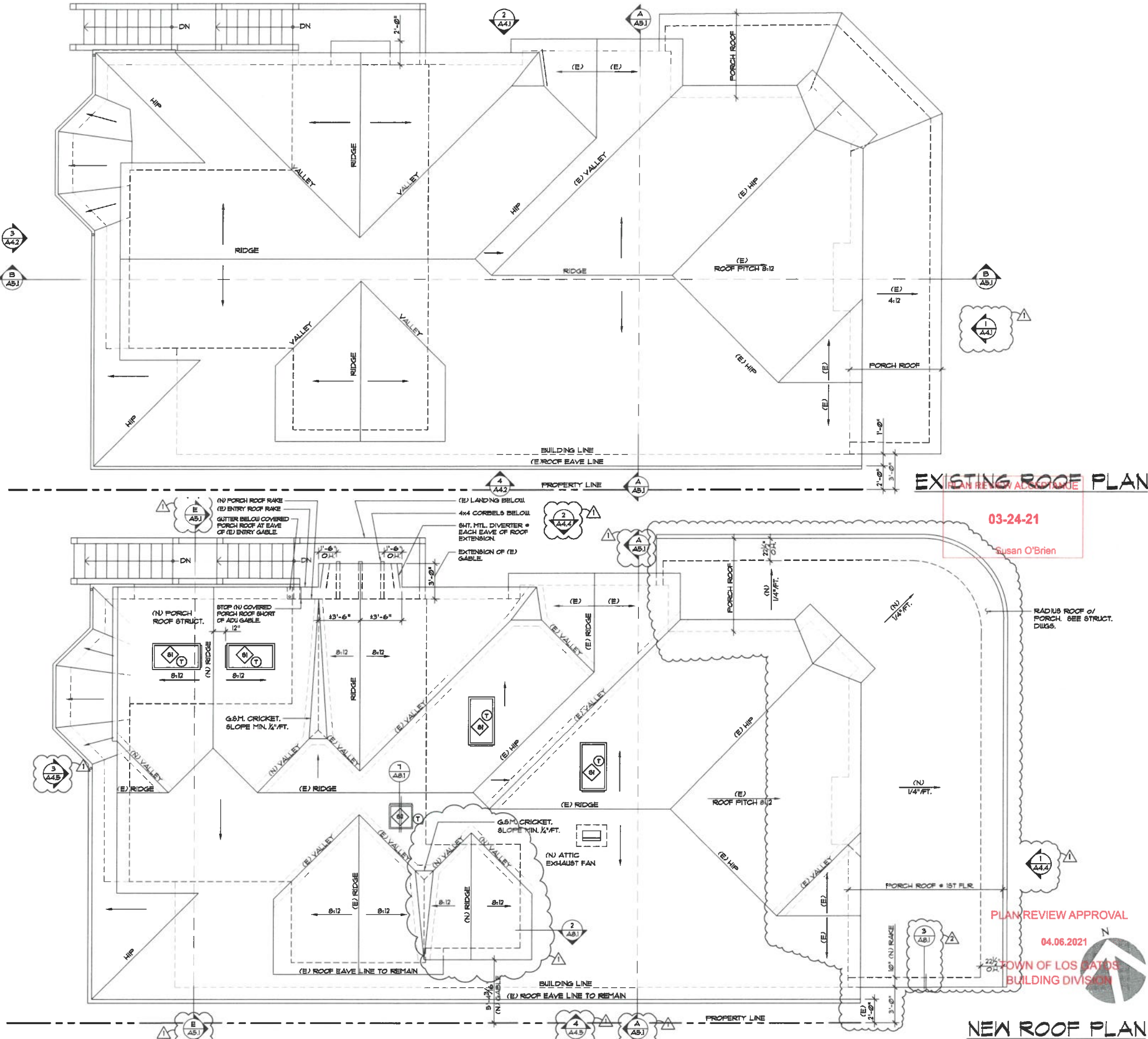
1. 50% OF VENTILATION MUST COME FROM UPPER ROOF, THEREFORE 1.434 IS REQ.

2. 1.434 / 0.154 PER EYEBROW VENT = 9.31 OR 1 EYEBROW VENT REQUIRED.

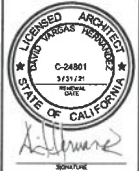
1 x 0.154 VENT = 0.154 SQ. FT. OF VENTILATION • RIDGES.

TOTAL ROOF VENTILATION PROVIDED • KIT/DING:

0.033 SQ. FT. + 0.154 SQ. FT. = 0.187 SQ. FT. TOTAL VENTILATION PROVIDED • COVERED PORCH



REVISION	BY
1. PLAN CHECK 07/27/2016	DB
2. PLAN CHECK 09/28/2016	DB
3.	
4.	
5.	



HERITAGE ARCHITECTURE  
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SIEGEL RESIDENCE REMODEL/ADDITION  
33 WALNUT AVE. LOS GATOS, CA

DRAWN: DB/DVH  
SCALE: 1/4" = 1'-0"  
JOB NO. 2018071  
DATE: 02/16/2011

A3.1





03-24-21

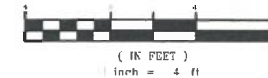
Susan O'Brien



(E) STAIRS TO E3141 PLAN REVIEW APPROVAL

04.06.2021

**TOWN OF LOS GATOS**  
**BUILDING DIVISION**  
GRAPHIC SCALE



**HERITAGE ARCHITECTURE**  
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**SIEGEL RESIDENCE REMODEL/ADDITION**  
33 WALNUT AVE. LOS GATOS, CA

DRAWN: DB/DVH

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

JOB NO. 201807

DATE: 02/26/2021

#### A4.4





3 NEW REAR (WEST) ELEVATION  
(WISSAHICKON AVE.) (REFER TO FRONT ELEVATION FOR TYPICAL EXTERIOR MATERIALS)

PLAN REVIEW ACCEPTANCE  
03-24-21  
Susan O'Brien



4 NEW LEFT-SIDE (SOUTH) ELEVATION  
(REFER TO FRONT ELEVATION FOR TYPICAL EXTERIOR MATERIALS)

PLAN REVIEW APPROVAL  
10-16-2021  
TOWN OF LOS GATOS  
BUILDING DIVISION  
GRAPHIC SCALE  
1" = 4'

REVISIONS	BY
PLAN CHECK 07/15/2016	DB
PLAN CHECK 03/03/2021	DB

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SIEGEL RESIDENCE REMODEL/ADDITION  
33 WALNUT AVE. LOS GATOS, CA

DRAWN: DB/DVH  
SCALE: 1/4" = 1'-0"  
JOB NO. 2018.07  
DATE: 02/16/2021

A4.5

Town of Los Gatos  
110 E. Main Street  
Los Gatos, CA 95030

Property: 33 Walnut Avenue

Subject: Request to Remove a Presumptive Historic Property (Pre-1941) from the Historic Inventory

**Enclosed:**

- 1) Historical accounting of changes made to the property since built
- 2) Diagrams showing what has already been permitted
- 3) Photos of what has already been built under the HPC approved permitting
- 4) Justification for removal of a pre-1941 property from the historic inventory

**Resources consulted:**

- Anne Bloomfield Survey
- Oral history account from long-established neighbor
- Prior permitted plans filed by Oveyssi detailing changes
- Prior HPC review documents
- Built environment - Historical artifacts remaining of the original roofing frame in attic

**History of Property Since Built:**

Unlike other lots in the neighborhood, 33 Walnut fronts onto two streets - Walnut and Wissahickon. This means that changes made to the rear of the Walnut-facing home are clearly visible from Wissahickon, and vice versa. There is no way to 'hide' exterior structural changes from viewing by either of these two streets.

**Early Era:**

33 Walnut started off as a small, one-bedroom cottage, not unlike the small one-bedroom homes to its neighboring immediate left and right, but since then has undergone successive waves of alterations and expansions by multiple owners over time, leaving to today resembling little of its original design. It was constructed around 1890 (exact date not definitively documented) in the Queen Anne style that was popular at that time, serving as a summer home for its first residents, Don and Joan Glod. There is some reference to a William and Maybelle Peed who appear to have purchased the cottage in the 1920's, and changing it before selling to the Montgomery family. This is likely when the fireplace was removed with the advent of electricity brought to Los Gatos.

The property was later sold to Rutherford and Eunice Montgomery in 1948 where it became their primary residence. Rutherford was an author of children's books and raised his family here before passing away in 1985. During the time that the Montgomery family lived here, extensive modifications were made to both the interior and exterior of the house to make it suitable to raise a growing family. On the exterior, the rear of the house was enlarged by adding a glassed-in rear porch along with further expanding the footprint by adding a room adjacent to the kitchen. Later, following his death in 1985, a second-story addition was built on top of the enclosed rear porch with exterior staircase extending into the rear of the yard, not visible from Walnut Avenue. This second story was significant in changing the roofline while adding mass, becoming the second significant modification to a family residence that began as a small, single-story, Queen Anne styled cottage.

**Oveyssi Era:**

Following the death of Eunice Montgomery in July 2006, the house was sold to Michael Oveyssi who devoted nearly two years on its third major modification further expanding the footprint and changing both the interior and exterior of the house. His intent was to expand and modernize the house before flipping it, but due to the 2008 housing market downturn, kept it as a rental property until selling it its current owner in



2016. It was during that extensive rebuild by Oveyssi that the entire interior of the house was gutted, the footprint further enlarged, and interior space reconfigured and restyled. This expansion included demolition of the rear porch before newly constructing roughly 500sf onto the back of the house, plus expanding the second-story living space. This second story expansion completely altered the roofline transforming it from the small shed dormer into a three-gabled profile that added high interior ceilings and enlarged living space. This expansion also entailed first demolishing the rear facing exterior staircase built by the Montgomery family and then building a new exterior staircase and landing onto the north-facing side of the house that offers views into neighboring properties to the North. This dramatically transformed skyline is prominent when viewed from Wissahickon and also from Walnut when approaching the house from either the South or North. During this time period, all windows were replaced with modern, dual-pane windows including the addition of arched windows that starkly deviated from the original Queen Anne cottage.

What originally began as a small one bedroom, one bath, approximately 889sf summer cottage has been transformed into a two-story 2620sf sprawling five-bedroom, four-bath family residence. The once-small summer cottage no longer remains. In addition, in 2008 Mr. Oveyssi demolished the historic tin-clad structure facing Wissahickon, replacing it with a modern-day, ranch-style two-car garage transforming the appearance of the property from that frontage street. The one area left untouched by all prior owners throughout its life was the wraparound front porch. Unfortunately, after decades of neglect exacerbated by damage inflicted by storms approaching from the east and southern exposures, the front porch was structurally compromised. Rotted decking, failing structural beams and weakened foundation created an unsafe condition. The stairs were replaced by 2x8 slats of rough lumber before the property was placed on the market by Oveyssi in 2016. The residence was then sold to the current owner in October 2016 in this compromised condition.

#### Present Era:

A once-upon-a-time, small, single-story Queen Anne cottage with small tin-clad horse shelter bears no resemblance to the existing lot now housing dual, two-story residential structures. The brew of demolitions, alterations, and additions over the past century was recently perpetuated with the complete demolition of the badly deteriorated front porch. The newly constructed porch differs in size, depth, roofline height and distinctive radius corner contributing to the improved structural integrity of the house. Concrete and steel have replaced old wood support structure. The porch changes, as approved by the HPC in 2019, retains a Queen Anne architectural style. But burdened with conforming to modern-day seismic and safety codes, it nonetheless is an abandonment of the historic materials, original construction methods, and low-slung railing design; that are among the tests for being designated historic. While the house already differed in every respect (shape and size and height) from the south, west, and north elevation views, it now differs from the east elevation view as well.

As part of that permitted renovation, engineering specified a structural reinforcement of the front (East facing) house wall. This required removal of the siding to attach tie-downs to foundation four feet below and to add vertical framing members to the thinly-built front wall frame. The town code disallows removing more than 25% of the front wall of a historic house, and while the wall itself was structurally reinforced, not removed (only the siding removed in order to reinforce the wall), the town staff interprets the language of the code to mean excluding even the removing of the siding. This runs contrary to the interpretation by the property owner, builder, and architect and resulted in the property owner being assessed a fine and the property assessed as a technical demolition of the entire house.

#### Carriage House – living space above detached garage:

Most recently, beginning in 2021, and continuing into early 2022, the two-car, single-story ranch-style garage, facing Wissahickon, has been transformed into a two-story structure that contains an 800SF residence over a three-car garage. While growing the housing stock (ADU) for Los Gatos, and providing EV

charging for three electric vehicles, the tall structure dominates the skyline from both Wissahickon and from the rear windows of the main residence. The newly-built structure is visible as well from Walnut Avenue given its mass and towering height, amplified by its high topological position on the lot. The roofline sits about thirty-seven feet above Walnut Avenue making it impossible to miss from any viewpoint. In summary, little about the property at 33 Walnut, when viewed from either Walnut or Wissahickon looks anything like the small summer cottage and accompanying tin-clad horse shelter that once stood.

#### Today's Request of the HPC:

Today, the request is before the HPC to remove the extensively altered residence from the historic inventory. It simply fails to meet the tests of being historically significant by state or local standards, and should therefore be removed from the historic inventory. With decades of successive changes to both the residence and the entire lot, nothing about the house actually meets the state or local tests for historical preservation.

The information provided below to the HPC clearly shows that the property does not meet the criteria of the state or local policies and regulations for designating a historic property. The information describes in detail that the property has not contributed to the cultural heritage of California, is not associated with an important person of history, has lost if any existed, significantly distinctive architectural characteristics through many alterations, demolitions and expansions, and does not yield important information for history.

Enclosed are diagrams, previously approved by HPC and permitted in 2021, that showed the pre-existing and permitted changes to the main residence. The front porch work has been largely completed, with a new concrete and steel foundation, flattened roof, and steel posts that provide structural integrity to both the porch and front wall of the house. Remaining for completion is adding the new porch decking, railing, and skirting.

#### Changing Character of Walnut Avenue:

Unlike streets in the Los Gatos Historic Districts, Walnut Avenue is an eclectic and rural street (no sidewalk improvements) sporting a mixture of architectural styles and ages, with the most recently built, in 2010, home located two lots to the north in a faux-craftsman style ranch home. To the immediate south is a small, single-story, single-bedroom Spanish-style house. Directly across the street at 32 Walnut Avenue is a 1900-built house previously removed from the historic inventory and now scheduled for demolition, to be replaced by a two-story residence of far greater mass and livable space. Walnut Avenue is not in a historic district. The residence at 33 Walnut Avenue, in its original form, would have more closely resembled these neighboring, small homes in size and scale.

#### Lot Layout Differs:

In addition, the layout of structures on the lot, which has an elongated shape of 50 feet wide and 160 feet deep, has undergone significant change. Where once stood a tin-fabricated horse shelter facing onto Wissahickon, now sits a two-story Carriage House with new residence sitting over a three-car garage. As a result, the site bears little resemblance or feel to when the main residence was built on the lot.

In summary, the changed layout of structures on the lot, the building mass-to-lot ratio, and the changed size, shape and mass of the original residence, together with the newly built, seismically sound front porch has collectively transformed the lot and dual residences into property that bears little resemblance to what was built around 1890. That cottage has disappeared under the successive waves of substantial changes made over the decades leaving nothing that the state of California would consider historic.

## California Register of Historical Resources (CRHR)<sup>2</sup>

The California Register of Historical Resources is “an authoritative listing and guide to be used by state and local agencies, private groups and citizens in identifying the existing historical resources of the state and to indicate which resources deserve to be protected, to the extent prudent and feasible, from substantial adverse change” (Public Resources Code Section 5024.1[a]). The criteria for eligibility to the California Register are based on National Register criteria (Public Resources Code Section 5024.1[b]). Certain resources are determined by the statute to be automatically included in the California Register, including California properties formally determined eligible for or listed in the National Register. To be eligible for the California Register as a historical resource, a prehistoric or historic-period resource must be significant at the local or state level under one or more of the following criteria:

- 1) It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;

The property at 33 Walnut Avenue, once a small, Queen Anne styled single-story cottage, is not associated with events that contributed to the broad patterns of local or regional history, nor the cultural heritage of California. Neither is it located in a historic district of town.

- 2) It is associated with the lives of persons important to local, California, or national history;

The subject property has no known historic relevance related to people or events. Prior owners were not prominent in the community nor in local, California, or national history.

- 3) It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values

The original, small summer cottage was designed in the Queen Anne style, accentuated most prominently by its shallow depth porch with low-slung roof and dangerously low railing height as the porch sits six feet above the surrounding grade. The cottage has evolved over the decades into a two-story residence that is nearly twice the size of the original with different proportions, massing, roofline, and a character-defining wraparound front porch that while built in the Queen Anne style appearance-wise, bears no historic relevance to the original porch due to state-mandated utilization of modern materials and construction methods. Demolitions in front and back, additions in front, back, and second-story plus major remodeling using modern materials makes the residence not distinctive of a historic type, period, region or method of construction. It does not represent the work of a master or possess high artistic value.

- 4) It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

The site is not near or part of a historic site and has been graded for construction and landscaping. It is unlikely to yield information important to the history or prehistory of the area. The building that stands today is mostly recent construction and cannot yield important information from history.

Finding: The property at 33 Walnut Avenue does not meet the criteria to be listed in the California Register of Historical Resources.

For a resource to be eligible for the California Register, it must also retain enough integrity to be recognizable as a historical resource and to convey its significance.



Although the property at 33 Walnut Avenue is not found to be historically significant, a comparison to the original design and fabrication reveals the building to have been substantially altered and does not meet the criteria for retaining integrity.

#### Integrity:

Integrity is the ability of a property to convey its significance. To be listed in the National Register of Historic Places, a property must not only be shown to be significant under the National Register criteria, but it also must have integrity. The evaluation of integrity is something of a subjective judgment, but it must always be grounded in an understanding of a property's physical features and how they relate to its significance. Historic properties either retain integrity (convey their significance) or they do not. Within the concept of integrity, the National Register criteria recognizes seven aspects or qualities that, in various combinations, define integrity. To retain historic integrity, a property will always possess several, and usually most, of the aspects. The retention of specific aspects of integrity is paramount for a property to convey its significance. Determining which of the aspects are most important to a particular property requires knowing why, where, and when the property is significant.

The following defines the seven aspects and how they combine to produce integrity. A rule of thumb is to consider whether the original owner would recognize the building and how it once functioned. There is no question that the original owner would fail to recognize the small cottage that he built over a century ago.

#### SEVEN ASPECTS OF INTEGRITY:

##### Location:

Location is the place where the historic property was constructed or the place where the historic event occurred. The relationship between the property and its location is often important to understanding why the property was created or why something happened. The actual location of a historic property, complemented by its setting, is particularly important in recapturing the sense of historic events and persons. Except in rare cases, the relationship between a property and its historic associations is destroyed if the property is moved or partly demolished.

The property is not located in a historic district.

##### Design:

Design is the combination of elements that create the form, plan, space, structure, and style of a property. It results from conscious decisions made during the original conception and planning of a property (or its significant alteration) and applies to activities as diverse as community planning, engineering, architecture, and landscape architecture. Design includes such elements as organization of space, proportion, scale, technology, ornamentation, and materials. A property's design reflects historic functions and technologies as well as aesthetics. It includes such considerations as the structural system; massing; arrangement of spaces; pattern of fenestration; textures and colors of surface materials; type, amount, and style of ornamental detailing; and arrangement and type of plantings in a designed landscape.

The present design in form, space, structure and style differs from what was originally built in 1890. When viewed from all four elevations, the modifications don't resemble a small, single-story cottage nor its original style.

##### Setting:

Setting is the physical environment of a historic property. Whereas location refers to the specific place where a property was built or an event occurred, setting refers to the character of the place in which the property played its historical role. It involves how, not just where, the property is situated and its relationship to surrounding features and open space. Setting often reflects the basic physical conditions under which a property was built and the functions it was intended to serve. In addition, the way in which a property is

positioned in its environment can reflect the designer's concept of nature and aesthetic preferences. The physical features that constitute the setting of a historic property can be either natural or manmade, including such elements as:

- Topographic features (a gorge or the crest of a hill);
- Vegetation;
- Simple manmade features (paths or fences); and
- Relationships between buildings and other features or open space.

These features and their relationships should be examined not only within the exact boundaries of the property, but also between the property and its surroundings. This is particularly important for districts.

Where once there was a small Queen Anne styled cottage and a tin-clad horse shelter on a wide-open lot spanning two streets, today there are two residential structures co-existing on that lot eliminating any sense of openness. Both structures are quite visible from Walnut Avenue and Wissahickon. These two, large massed buildings are a complete departure from the small cottage first built on the lot. Due to vastly higher topology of Wissahickon, the Carriage House looms large overshadowing the primary residence. When viewed from Walnut, the Carriage House is quite visible with its rooftop towering some 37 feet above the street grade of Walnut Avenue.

#### Materials:

Materials are the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property. The choice and combination of materials reveal the preferences of those who created the property and indicate the availability of particular types of materials and technologies. Indigenous materials are often the focus of regional building traditions and thereby help define an area's sense of time and place. A property must retain the key exterior materials dating from the period of its historic significance. If the property has been rehabilitated, the historic materials and significant features must have been preserved. The property must also be an actual historical resource, not a re-creation; a recent structure fabricated to look historic is not eligible. Likewise, a property whose historic features and materials have been lost and then reconstructed is usually not eligible.

While it would have been nice to have preserved the historic, original railing and lathed wooden posts on the front porch, modern building codes imposed by the state and local authorities pre-empted that option. Seismic and human safety factors trumped preservation of historical materials.

#### Workmanship:

Workmanship is the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory. It is the evidence of artisans' labor and skill in constructing or altering a building, structure, object, or site. Workmanship can apply to the property as a whole or its individual components. It can be expressed in vernacular methods of construction and plain finishes or in highly sophisticated configurations and ornamental detailing. It can be based on common traditions or innovative period techniques. Workmanship is important because it can furnish evidence of the technology of a craft, illustrate the aesthetic principles of a historic or prehistoric period, and reveal individual, local, regional, or national applications of both technological practices and aesthetic principles. Examples of workmanship in historic buildings include tooling, carving, painting, graining, turning, and joinery.

The workmanship methods used to build the original front porch were dramatically different from modern building methods that must take into account seismic and other factors. These factors that shape modern building codes prevailed over reconstructing the porch based on original construction and design methods. Likewise, most of the construction methods and materials used throughout the many structural changes to the house differ from how homes were constructed in the late 1800's.

### Feeling:

Feeling is a property's expression of the aesthetic or historic sense of a particular period of time. It results from the presence of physical features that, taken together, convey the property's historic character. For example, a rural historic district retaining original design, materials, workmanship, and setting will relate the feeling of agricultural life in the 19<sup>th</sup> century.

Due to changes in building mass, altered roofline, removal of historic elements including fireplace/chimney (before electricity was added), original windows and doors, complete reconfiguration and remodel of interior spaces, changed proportion of multiple physical structures to land, and the inability to reuse front porch historic materials due to safety and structural factors, there is little feeling elicited of a historic period in time. A five-bedroom, four-bath, two-story residence feels entirely different than a small cottage with open land behind it.

### Association:

Association is the direct link between an important historic event or person and a historic property. A property retains association if it is the place where the event or activity occurred and is sufficiently intact to convey that relationship to an observer. Like feeling, association requires the presence of physical features that convey a property's historic character. Because feeling and association depend on individual perceptions, their retention alone is never sufficient to support eligibility of a property for the National Register.

There is no known association of the property with any historic event or person. The aspect of association cannot be applied because no event or person of importance is associated with the property.

### CRHR SUMMARY:

The 1890-91 dated architecture, embodied in a small Queen Anne cottage, was remodeled and enlarged first in the 1920's by the Peed's, then again in the 1940/50's by the Montgomery's, again in 2007/8 by Michael Oveyssi, and finally again in 2021 by the present owner. Over this succession of changes, every aspect of the house has changed. Given the sweeping breadth of these successive waves of changes over the decades, little remains of any historic aspects of the original, small one-bedroom, one-bath cottage. The small neighboring one-bedroom house to the right, at 41 Walnut is a good reference point to grasp what the original house would have looked like, other than the front porch distinction.

The feeling of the lot as shaped by the views of the lot and beyond, from inside the residence, the proximity to another large, two-story structure that looms large above the original residence, creates a feeling far removed from a once-small cottage on a wide-open lot with unobstructed views of the surrounding mountains when first built.

Transforming a single-story small cottage into a larger footprint, two-story house caused a loss of integrity. After the 2007/8 remodeling and the additions to the original house, there was further loss of integrity. Of the seven aspects of integrity, not even the aspect of location is present given how dramatically altered the layout of structures on the lot is today. The design has changed, historic materials have been replaced with steel and other contemporary, structurally rigid materials and using construction methods needed to meet today's stringent building codes, the original workmanship is lost. The setting has changed from a once open setting to both Walnut and Wissahickon, to a setting of multiple buildings in close proximity where the once-cottage mountain views now look out onto a two-story second building that sits ten feet higher on the lot due in part to topology. The feeling of a small cottage has changed to one of a large massed, two-story house with altered front façade, albeit seismically sound.

**Findings:** The property does not meet the criteria for significance or integrity, is not a significant historical resource, and is not eligible for listing in the California Register of Historical Resources.



### **Town of Los Gatos:**

The following Town of Los Gatos 2020 General Plan goals and policies relating to archaeological and historical resources are applicable to consider.

Goal OSP-9 To protect Los Gatos's archaeological and cultural resources to maintain and enhance a unique sense of place. Policy OSP-9.1 Evaluate archaeological and/or cultural resources early in the development review process through consultation with interested parties and the use of contemporary professional techniques in archaeology, ethnography, and architectural history.

The property was researched and then evaluated for cultural and architectural importance. Nothing of substance was discovered.

Goal CD-12 To preserve significant historic and architectural features within the Town.

The research and evaluation show that the buildings on the property are not significant features in Los Gatos. In the immediate area, several of the earlier houses have been reconstructed to larger buildings in different architectural styles. These include homes on upper Pennsylvania Avenue, on Walnut Avenue, on Wissahickon, and on Ellenwood. The property location is not within a historic district.

Division 3. Historic Preservation and LHP or Landmark and Historic Preservation Overlay Zone  
Sec. 29.80.215. Purposes.

It is hereby found that structures, sites, and areas of special character or special historical, architectural or aesthetic interest or value have been and continue to be unnecessarily destroyed or impaired, despite the feasibility of preserving them. It is further found that the public health, safety, and welfare require prevention of needless destruction and impairment, and promotion of the economic utilization and discouragement of the decay and desuetude of such structures, sites and areas. The purpose of historic preservation is to promote the health, safety, and general welfare of the public through:

(1) The protection, enhancement, perpetuation, and use of structures, sites, and areas that are reminders of past eras, events, and persons important in local, State, or National history, or which provide significant examples of architectural styles of the past or are landmarks in the history of architecture, or which are unique and irreplaceable assets to the Town and its neighborhoods, or which provide for this and future generations examples of the physical surroundings in which past generations lived.

(2) The development and maintenance of appropriate settings and environment for such structures.

(3) The enhancement of property values, the stabilization of neighborhood and areas of the Town, the increase of economic and financial benefits to the Town and its inhabitants, and the promotion of tourist trade and interest.

(4) The enrichment of human life in its educational and cultural dimensions by serving aesthetic as well as material needs and fostering knowledge of the living heritage of the past.

The Town recognizes a historical resource as follows: any structure/site that is located within a historic district, any structure/site that is historically designated, or any primary structure constructed prior to 1941 *unless the Town has determined that the structure has no historic significance or architectural merit.*

**Finding:** The Town has designated the historic districts of Almond Grove, Broadway, Los Gatos Commercial, Fairview Plaza and University/Edelen. All the historic districts are located in the

historic core area of Los Gatos. The subject property is not in a designated historic district. The main house has been extensively altered and enlarged, and does not exhibit special character; or special historical, architectural, or aesthetic interest; or value to the built environment of Los Gatos. The Carriage House building, landscaping, and second story expansion has been constructed since 2006 and are not contributing to nor preserving any historic value.

### California Environmental Quality Act (CEQA)

In the historical resource section of CEQA, the concern is directed toward any project that may create an adverse change to any historical resource. CEQA Guidelines Appendix G indicates that a project may have a significant effect on the environment if it would:

1. Cause a substantial adverse change in the significance of a historical resource as defined in section 15064.5;
2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5;
3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature;
4. Disturb any human remains, including those interred outside of formal cemeteries; or
5. Conflict with a plan or policy adopted for the purpose of avoiding or mitigating an environmental effect.

A “substantial adverse change” to a historical resource is defined in Guidelines Section 15064.5(b) as “physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of a historical resource would be materially impaired.” The significance of a historical resource is materially impaired when a project “demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in the California Register of Historical Resources;” or “demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources...” or “demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.”

CEQA (Guidelines Section 15064.5), define the term “historical resources” to include the following:

1. A resource listed in, or determined to be eligible by the State Historical Resources Commission, for listing in the California Register (Public Resources Code §5024.1, Title 14 California Code of Regulations, Section 4850 et seq.).
2. A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the Public Resources Code or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the Public Resources Code, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
3. Any object, building, structure, site, area, place, record, or manuscript which a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, may be considered to be a historical resource, provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be “historically significant” if the

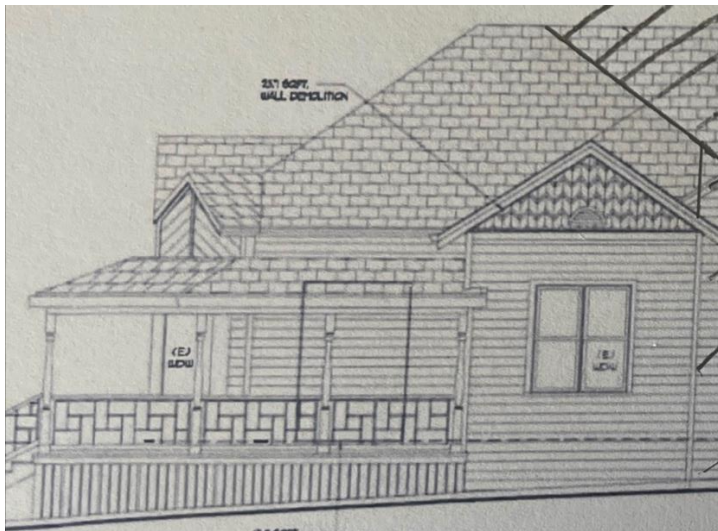
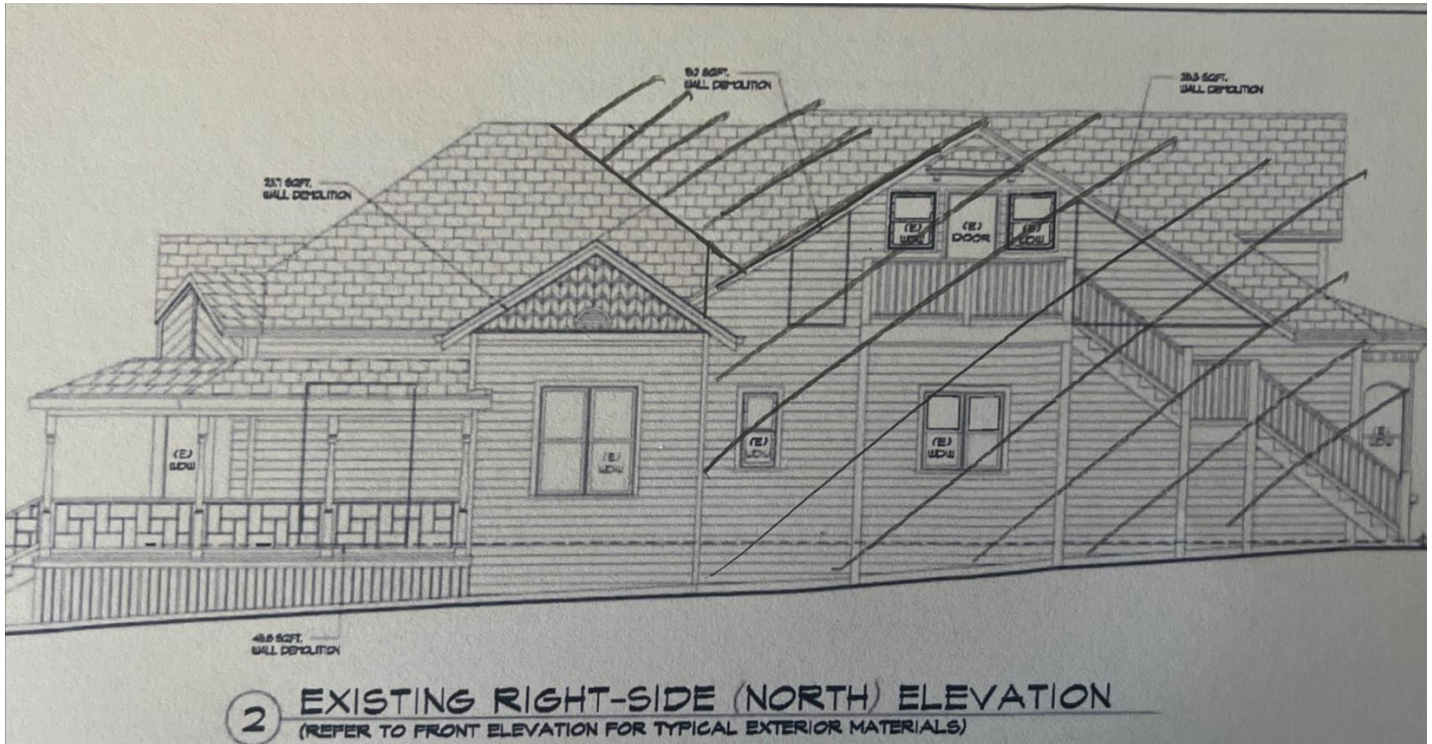
resource meets the criteria for listing in the California Register (Public Resources Code Section 5024.1, Title 14 California Code of Regulations, Section 4852)

**CEQA Finding:** The research and evaluation of the primary residence and Carriage House at 33 Walnut Avenue conclude that the property and buildings do not meet the criteria of the California Register of Historical Resources or the criteria of the Town of Los Gatos for designating a historical resource. For purposes of CEQA, the subject property is not a “Historical Resource” under the CEQA Guidelines.



## Reference Materials:

1. **Drawings:** The following drawings shows precisely where the 1891-built cottage footprint was, based on the original roof-frame artifact that remains beneath the actual functioning rooftop. It clearly shows that the original footprint of the house was 889 sf of living space before the Peed and Montgomery families made their alterations which included removing the fireplace and building an additional room (behind the kitchen) onto the rear of the house. That added room extended the rear of the house back about fourteen feet before being further extended in 2007 by Oveyssi.



2. This photo shows the roof frame artifact remaining in the attic indicating precisely where the rear of the original house ended. This is hard evidence of the original structure not otherwise found in town records.





The following photos show some of the exterior changes that have been made over the course of several decades. Earlier changes such as the addition of a glassed-in rear porch and first version of the second story addition are not shown, but are available to see in older photos provided by town staff.

**3. View of newly constructed front porch from Walnut Avenue:**

While true to the Queen Anne style front porch architecture, the improvements in depth, height, and shape, together with the yet to be built new railing leaves no trace of the historic materials or construction methods..





**4. View from Walnut Avenue of Carriage House:**

This photo shows both the 2007 built exterior staircase and the newly built carriage house structures, both visible from Walnut Avenue.



- 5. East-facing View of 2021/22-built Carriage House from Rear of Main Residence:**  
No longer is there any view looking out onto Wissahickon from the original house.





**6. Northwest view of gabled 2nd-story of 33 Walnut plus 2021/22-built Carriage House:**

Visibility from Wissahickon the Walnut facing house clearly reveals an entirely different residence than the single-story house originally built with a wide-open view lot.





**7. Northern Elevation View of 2007 massively altered second-story of 33 Walnut:**  
Clearly no longer a small 889 sf cottage.



**8. Southwestern Elevation (from Wissahickon) view of three-gabled second-story addition:**





**9. Southern View of the First/Second-story 2007 Additions with High Extended Roofline:**  
The second-story roofline dominates the view from the neighboring lot on the southern elevation.





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**TOWN OF LOS GATOS**  
**COMMUNITY DEVELOPMENT DEPARTMENT**  
 110 E. Main Street  
 Los Gatos, CA 95030

**APPEAL OF THE DECISION OF**  
**HISTORIC PRESERVATION COMMITTEE**

**PLEASE TYPE or PRINT NEATLY**

I, the undersigned, do hereby appeal a decision of the HISTORIC PRESERVATION COMMITTEE as follows:

DATE OF DECISION: \_\_\_\_\_

2/24/22

**RECEIVED**

PROJECT/APPLICATION: \_\_\_\_\_

33 WALNUT

**FEB 27 2022**

LOCATION: \_\_\_\_\_

33 WALNUT

**TOWN OF LOS GATOS  
PLANNING DIVISION**

Pursuant to the Town Code, any interested person as defined in Section 29.10.020 may appeal to the Planning Commission any decision of the Historic Preservation Committee.

*Interested person means:*

1. *Residential projects.* Any person or persons or entity or entities who own property or reside within 1,000 feet of a property for which a decision has been rendered, and can demonstrate that their property will be injured by the decision.
2. *Non-residential and mixed-use projects.* Any person or persons or entity or entities who can demonstrate that their property will be injured by the decision.

LIST REASONS WHY THE APPEAL SHOULD BE GRANTED: \_\_\_\_\_

consider +  
Because the HPC failed to apply the  
decision criteria set forth in the Los Gatos  
Town Code & defined by the U.S. Dept of the Interior

**IMPORTANT:**

1. Appeal must be filed not more than ten (10) days after the decision is rendered by the Historic Preservation Committee. If the tenth (10<sup>th</sup>) day is a Saturday, Sunday, or Town holiday, then the appeal may be filed on the workday immediately following the tenth (10<sup>th</sup>) day, usually a Monday. Appeals are due by 4:00 P.M.
2. The appeal shall be set for the first regular meeting of the Planning Commission which the business of the Planning Commission will permit, more than five (5) after the date of the filing of the appeal. The Planning Commission may hear the matter a new and render a new decision in the matter.
3. You will be notified, in writing, of the appeal date.
4. Contact the project planner to determine what material is required to be submitted for the public hearing.

**RETURN APPEAL FORM TO COMMUNITY DEVELOPMENT DEPARTMENT**

PRINT NAME: \_\_\_\_\_

Jeffrey Siegel

SIGNATURE: \_\_\_\_\_

Jeffrey Siegel

DATE: \_\_\_\_\_

2/24/22

ADDRESS: \_\_\_\_\_

33 WALNUT AVE

PHONE: \_\_\_\_\_

408 480 6005

EMAIL: \_\_\_\_\_

JeffreySiegel@gmail

\*\*\*\*\*

**OFFICE USE ONLY**

DATE OF PLANNING COMMISSION HEARING: \_\_\_\_\_

COMMISSION ACTION:

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

DATE: \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 DATE: \_\_\_\_\_

No Appeal Fee for the decision by the Historic Preservation Committee.

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Letter to Los Gatos Planning Commission on Evaluating Historic Significance  
(Please read in its entirety before the five-minute presentation by the property owner)

The property at 33 Walnut Avenue came before the Historic Preservation Committee on 2/18/2022 with the requested action that the property be removed from the historic inventory based on extensive research that conclusively demonstrates a complete loss of historic integrity resulting from multiple waves of major alterations over fifty years and several property owners. That research contained an in-depth presentation of the facts and analysis, as required by historic preservationists at the California state and U.S. national levels. In reaching their conclusion, these historic preservationist professionals thoughtfully applied the decision criteria, as defined by the U.S. Department of the Interior, and adopted by the California Office of Historic Preservation. These same criteria are noted in the materials provided to the HPC by Los Gatos Director of Planning Joel Paulson.

In fact, the town officially refers to 33 Walnut as a 'presumably' historic property simply because of its age. Until the historic preservation criteria are carefully applied, no real conclusions of historic significance can be drawn.

In other words, as historic preservationists know, age by itself is not a determinant of historic significance. It's a low water mark. That's why formal criteria are used to make a fact-based determination of historic significance. Being on the Los Gatos historic inventory, simply means the house was built before 1941, nothing more. It doesn't reflect the historic merits of the property, hence the process we're now undertaking, to decide whether or not there is sufficient merit, for the property to be considered a key contributor to the town's history. How do we do that? By applying the following criteria:

Those FIVE criteria, as adopted in the Los Gatos town code, includes:

1. The structure is not associated with events that have made a significant contribution to the Town; ITS NOT.
2. No Significant persons are associated with the site; NONE ARE.
3. There are no distinctive characteristics of type, period or method of construction or representation of work of a master; NONE REMAINS.
4. The structure does not yield information to Town history; IT DOES NOT. Or
5. The integrity has been compromised such that the structure no longer has the potential to convey significance. NO HISTORIC INTEGRITY REMAINS AFTER MULTIPLE, MASSIVE ALTERATIONS MADE OVER A SIXTY YEARS PERIOD.

This is the criteria that the Planning Commission is being directed today to consider in rendering its ruling on whether 33 Walnut is, in its present condition, a property of real historic

significance to the town of Los Gatos. Or whether, like other residences recently removed, such as 253 W. Main Street (Wasserman property) and 62 Ellenwood (Swenson property), that “the structure is not historically or architecturally significant, with the required findings, including that the integrity has been compromised through alterations over time.”

In fact, the in-depth analysis IN THE REPORT provided by the homeowner to the Planning Commission reveals that 33 Walnut has been far more altered than either of these two recently removed properties. This truth explains why historic preservationists at the state and national levels have concluded that 33 Walnut today lacks historic integrity nor qualifies for inclusion on their historic registries. Had the HPC carefully applied the five criteria to the facts contained in the homeowner provided report, a similar conclusion would certainly have been reached. Traditionally, the HPC has expended thirty-sixty minutes of in-depth review and discussion together with the homeowner before reaching a fact-based conclusion. This in-depth discussion with the homeowner never occurred nor was there explicitly any discussion of the criteria and material facts.

So, from a process standpoint, how did we get to this point, in front of you today?

At the 2/18/2022 HPC meeting there was a kick-off presentation by a neighbor, Susan Burnett, residing within 400 feet of 33 Walnut, who presented an emotional appeal, lamenting about the unfortunate removal of homes from the historic inventory, arguing against removal of this property for sentimental reasons. To her, removal from the inventory equates to bulldozing the property, which in our case couldn't be further from the truth. So strong is her convictions about preserving ALL old homes in the neighborhood, regardless of their historical relevance, that she has presented proposals to prior town councils for incorporating the entire Glenridge neighborhood as a sixth historic district, which it is not today.

At that HPC meeting, town staff also presented that the owner had removed the front siding of the house which they stated ran counter to the town's historic rules. According to staff, the rules limit removal of front-facing siding to 25%. What staff failed to mention, was the siding removal was necessary in order to undertake the town-approved structural front wall reinforcements, dictated by structural engineering, in order to support the permitted renovation work. Nor was it mentioned that under appeal of that town staff decision, that two of the four non-recused town council members voted in agreement with the homeowner that the rule language was ambiguous and contradictory. Had the fifth council member, council member Hudes, not recused himself, the council would have overwhelmingly voted in favor of the homeowner given such ambiguity.

The pandemic-induced five-minute presentation rule short changes the very conversation needed to arrive at a thoughtful, well considered decision following a careful review of all the facts. Consequently, the HPC's rejection decision was in part, based on presumptions not facts, such as what one HPC member noted as “if the property was eligible for removal from the historic inventory, why didn't the HPC a year earlier make that decision?” The inference is that surely the prior HPC review would have ruled in favor of removal if it was deemed worthy.

Alternately, they could (but didn't) have asked "Why did the prior HPC approve demolition of the most notable character-defining feature, the wraparound front porch, and replacement with a different porch design, if they thought the property of truly historic significance?"

**Again, the facts:**

First fact – there was never a removal request made of the prior HPC meeting.

Second fact - that observation is itself irrelevant, ignoring the direction of Planning Director Joel Paulson calling for applying the historic preservation criteria as noted in the town code.

Had that time-limited discussion been replaced with what had been a long-held tradition and practice of HPC in-depth reviews, the following facts would have surfaced for discussion:

- 1) **Wildfire Safety was the Impetus for the removal request:** The reason for the homeowner requesting the removal of the property from the historic inventory originated over concern about wildfires given the fact that the historic preservation code disallows the replacement of old siding, even in high fire-risk situations in the wildland urban interface. The historic preservation code has not been updated to reflect the changing climate conditions nor acknowledges the existence of the WUI and the threat of wildfires to historic homes. The neighboring property at 25 Walnut has landscape plantings considered to be of the highest fire danger (Cyprus trees, known to firefighters as Roman Candles) that sit all along the southern boundary of the property, a mere 23 inches away from the main house. These trees are being outlawed in Marin under the strong recommendation of Marin County Fire Authorities where wildfire safety is taken most seriously. The dangerously close proximity to the neighboring highly flammable trees creates an extreme danger situation to human life and property, and sadly there is no Los Gatos town code to prevent that from happening. By removing the property from the historic inventory, it would allow for replacing of old, highly flammable siding with fire-hardened materials mandated for new construction use in the WUI. This never came up during the HPC meeting because no questions were asked by the HPC members of this condition though it was documented in the homeowners report.
- 2) **Historic Preservationists at the top state and national historic agencies have concluded 33 Walnut has undeniably lost its historic integrity:** The California state Office of Historic Preservation in Sacramento, and the U.S. Department of the Interior in Washington DC, in their assessment, reviewed the facts presented here (in far more detail) and concluded that 33 Walnut would not meet their qualifications for adding the property to the state or national historic registers. The reasons given were 1) no historic persons or events are associated with the property, 2) not located in a historic district, but most importantly, 3) "there is little historic integrity remaining following the magnitude of the numerous alterations made to the property over time. The integrity-killing alterations of front porch demolition, plus the changes in scale, mass, materials, and modified style makes this a clear-cut conclusion", they stated.



The in-depth reasoning for arriving at this conclusion was documented in a homeowner prepared report to the HPC but no consideration or discussion of these facts occurred during the abbreviated HPC review. That is wholly inconsistent with the HPC review meetings of the past decades, a major departure from long established precedent.

3) **Consistency with Prior HPC Rulings point to removal from the historic inventory:**

Removal of the property from the historic inventory would be consistent with prior rulings by the HPC. For example, the property at 253 W. Main Street (Mike Wasserman's property) was removed from the historic inventory on February, 2020 (before pandemic meeting rules) because as noted by that HPC group, "the structure is not historically or architecturally significant, with the required findings, including that the integrity has been compromised through alterations over time." To be clear, that property was far less altered than 33 Walnut, and it resides in a historic district which sets the bar for removal much higher than the non-historic neighborhood of Glenridge.

Another example is 62 Ellenwood, also removed in 2020 (pre-pandemic), where the historic structure was fully intact with only minor modification. In sharp contrast to these now removed properties - little remains of the original, one story, one-bedroom, small summer cottage at 33 Walnut plus the most character-defining feature of all, the wraparound front porch that was deteriorated beyond repair has since been replaced with a different design, size, height, and shape, different materials, and different building methods as required by structural engineering due to seismic and safety factors built into modern building code. The once-small, charming summer cottage was long-ago transformed into a sprawling multi-story, five-bedroom, four-bathroom residence that is 300% larger with entirely different proportions. According to state and national historic preservationists, "loss of historic integrity is 100%". No wonder they rejected the request of adding this property to their historic registries.

4) **The Low Bar of being on the Historic Inventory:** It's important to understand, that many properties were included on the historic inventory, when first created in the 1960's, not because they necessarily deserved to be on it, but because of their 'origin birth date' being pre-1941. That is indeed a very low bar by historic preservation standards.

Applying the criteria set forth by the State of California, and later adopted in the Los Gatos town code, sets a far higher bar that seeks to get to the **real question – is the property of historic significance to the history of the town or state or country**, by virtue of associated events or people, or exceptional examples of a specific architecture? When properties come before the HPC, and the facts are given serious consideration in light of these questions, only then can a justifiable conclusion be rendered after proper analysis. *In other words, removing properties from the historic inventory is NOT a loss to the town if the property doesn't have historic significance.*

5) **A Historic Preservation litmus test:** Is whether a person who was familiar with the property before it was modified would recognize it in its present state. While we cannot

ask that question of the original owners, now deceased, the question was posed to Phyllis Seaborn, who lived on Walnut Avenue back in 1961, and whose house next door still stands in its near-original condition. She recalls clearly the inhabitants (the Rutherford family) and the residence, before it underwent its biggest changes with the Rutherford's adding a second story in 1985 with the following homeowner, the Oveyssi family adding square footage to the first floor and expanding the second story. That expansion changed everything - adding mass and altering the roofline visible from all four sides. And finally, the demolition of the disintegrated front porch by the current homeowner. In Phyllis's words, "33 Walnut looks nothing like it did when I first saw it back in 1961. I certainly don't see a small summer cottage anymore." These observations validate the professional verdict from historic preservationists, and aren't surprising given the scale of alterations made over a long period of time.

### **The Question before the Planning Commission today:**

In summary, the question before the Planning Commission today is '**what facts, analysis and justification would lead you to conclude that there IS significant historic integrity remaining**' when historic preservationists working for the California State Office of Historic Preservation (Jay Correia) and the U.S. Department of the Interior (Anne Grimmer) both concluded otherwise?

**When nothing of the character-defining historic features remain, what justification would the Planning Commission present to override historic preservationist expertise by the very authorities responsible at the state and national levels for historic preservation?**

This is the question before you today. If you do see, after reviewing all the facts, that 33 Walnut possesses significant historic importance to the town of Los Gatos, for the official town record, please state your justification for deeming it of such significance that you would override the determination by historic preservationist trained professionals.

# Criteria-based Assessment for 33 Walnut

Assessment by Historic Preservationists, long-time neighbors, and Architects conclude no historic integrity



# What Historic Preservationists Say..

- Anne Grimmer, Historic Preservationist, author of US Dept of the Interior Guidelines for Historic Preservation, Washington DC:
  - *“A careful review of 33 Walnut in Los Gatos yields no historic integrity upon which to consider adding it to the national registry.”*
- Jay Correia, Historic Preservationist, California Office of Historic Preservation, Sacramento:
  - *“There is little historic integrity remaining following the magnitude of the alterations made to 33 Walnut. The integrity-killing front porch demolition, plus the changes in scale, mass, materials, and modified style makes this a clear-cut decision.”*

# What long-time neighbor's recollection says..

- Phyllis Seaborn, next-door Neighbor since 1961:
  - *“33 Walnut looks nothing like it did when I first saw it back in 1961. I don't recognize this residence as ever being that small summer cottage.”*

# PRESUMPTIVE means Pre-1941

- A very low bar, not a historic determination, on the inventory list only by default
- Age by itself is not a determinant of historic significance
- Establishing historic significance requires
  - **Identifying historic elements and associating it with historic people and events determines its historic value!**
- So what are the historic elements for 33 Walnut? Where is there any historic integrity remaining of a small summer cottage?



# Massive Alterations to 33 Walnut

- Undertaken by four homeowners over six decades
- Major alterations made by the Rutherford's and Oveyssi's changing materials, size, shape, massing, proportions, materials, style
- Last alteration replaced disintegrated front porch, approved by HPC, with newly-built porch with differing height, depth, shape, size
  - If 33 Walnut deemed historically significant, this would not have been approved
- No summer cottage – 100% loss of historic integrity
  - Not roofing, flooring, sub-flooring, foundation, windows, doors, size, shape, siding, rear or front porches, or style
  - No character-defining features remain

# 33 Walnut Today

- 2 story, 5 bedroom, mixed styles



# 5 Criteria for Establishing Historic Value

1. The structure is not associated with events that have made a significant contribution to the Town; ITS NOT.
2. No Significant persons are associated with the site; NONE ARE.
3. There are no distinctive characteristics of type, period or method of construction or representation of work of a master; NONE REMAINS.
4. The structure does not yield information to Town history; IT DOES NOT. Or
5. The integrity has been compromised such that the structure no longer has the potential to convey significance.
  - NO HISTORIC INTEGRITY REMAINS AFTER MASSIVE ALTERATIONS MADE OVER A 60 YEAR PERIOD. VERIFIED BY PRESERVATIONISTS.



# Consistency with prior HPC decisions

- Removed in 2020 from Historic Inventory

**253 W. Main St. (Wasserman Residence)**



**62 Ellenwood (Swenson Residence)**



“the structure is not historically or architecturally significant, with the required findings, including that the integrity has been compromised through alterations over time.”

# Key Questions for Planning Commission

- What criteria-based data is there that would justify your deeming 33 Walnut a property of ‘great historic significance’ to our town?
- Why would you override the professional assessment of historic preservationists at the California Office of Historic Preservation and the U.S. Dept of the Interior?
- Or ignore the recollection of neighbors familiar with the property long ago who see no resemblance to the long-gone summer cottage?

“the structure is not historically or architecturally significant, with the required findings, including that the integrity has been compromised through alterations over time.”