



Planning and Development Department
Land Use Planning Division

A D M I N I S T R A T I V E U S E P E R M I T

CITY OF BERKELEY ZONING ORDINANCE
Berkeley Municipal Code, Title 23

AUP #2014-0065

Property Address:

1788 SAN LORENZO AVENUE

Permittee Name:

LAURA NATKINS

Use and/or Construction Permitted: To enclose a covered porch located within the front yard setback and convert it to habitable space.

- Section 23C.04.070.B to alter a portion of a building which encroaches into a non-conforming yard.

FINDINGS, CONDITIONS AND APPROVED PLANS ATTACHED

Following the expiration of the mandatory appeal period set forth in Section 23B.28.040 of the Berkeley Municipal Code, with no timely appeal being filed, the Administrative Use Permit described herein has been duly granted by the Zoning Officer on September 16, 2014.

Attest: Carol Johnson
Carol Johnson, Land Use Planning Mgr.

Sept. 16, 2014
Effective Date

ATTACHMENT 1

FINDINGS AND CONDITIONS

AUGUST 26, 2014

1788 San Lorenzo Avenue

Administrative Use Permit #AUP2014-0065

To enclose a covered front porch located within the front yard setback and convert it to habitable space.

CEQA FINDINGS

1. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA, Public Resources Code §21000, et seq. and California Code of Regulations, §15000, et seq.) pursuant to Section 15301 of the CEQA Guidelines (“Existing Facilities”). Furthermore, none of the exceptions in CEQA Guidelines Section 15300.2 apply, as follows: (a) the site is not located in an environmentally sensitive area, (b) there are no cumulative impacts, (c) there are no significant effects, (d) the project is not located near a scenic highway, (e) the project site is not located on a hazardous waste site pursuant to Government Code Section 65962.5, and (f) the project will not affect any historical resource.

FINDINGS FOR APPROVAL

2. As required by Section 23B.28.050.A of the Zoning Ordinance, the project, under the circumstances of this particular case existing at the time at which the application is granted, will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements of the adjacent properties, the surrounding area or neighborhood, or to the general welfare of the City because:
 1. Sunlight – Enclosing the porch at the front of the house would not change the existing roof height of the porch. For this reason, the addition is not expected to have significant impacts on neighbors’ light.
 2. Air – The proposed addition would satisfy the R-1 standards for minimum side yard setbacks and would not increase the existing non-conforming front yard setback. For these reasons, the addition is not expected to adversely impact air circulation for the neighboring properties.
 3. Views – The proposed addition and dormer modifications would not significantly block adjacent neighbors’ views of any significant features. The proposed addition would not change the existing height of the porch roof, would be less than the full height limit permitted in the R-1 District and would not exceed the maximum number of stories allowed.
 4. Privacy – Enclosing the porch would not change or relocate the openings currently on the front and west side facades, but would place those openings within habitable space. The side window would be over 11 feet from the west

property line. This additional window and the glass front door are not expected to create additional privacy concerns.

- As required under Section 23C.04.070.B (Expansions of Non-conforming Buildings and Structures), the proposed residential addition may encroach into the front yard setback because the existing use of the property conforms to the zoning district regulations, the addition would not further reduce the existing non-conforming yard and the addition would not exceed the height limit in the R-1 District.

STANDARD CONDITIONS

The following conditions, as well as all other applicable provisions of the Zoning Ordinance, apply to this Permit:

1. Conditions Shall be Printed on Plans

The conditions of this Permit shall be printed on the *second* sheet of each plan set submitted for a building permit pursuant to this Use Permit, under the title 'Use Permit Conditions'. *Additional sheets* may also be used if the *second* sheet is not of sufficient size to list all of the conditions. The sheet(s) containing the conditions shall be of the same size as those sheets containing the construction drawings; 8-1/2" by 11" sheets are not acceptable.

2. Applicant Responsible for Compliance with Conditions

The applicant shall ensure compliance with all of the following conditions, including submittal to the project planner of required approval signatures at the times specified. Failure to comply with any condition may result in construction being stopped, issuance of a citation, and/or modification or revocation of the Use Permit.

3. Uses Approved Deemed to Exclude Other Uses (Section 23B.56.010)

- A. This Permit authorizes only those uses and activities actually proposed in the application, and excludes other uses and activities.
- B. Except as expressly specified herein, this Permit terminates all other uses at the location subject to it.

4. Modification of Permits (Section 23B.56.020)

No change in the use or structure for which this Permit is issued is permitted unless the Permit is modified by the Zoning Officer, except that the Zoning Officer may approve changes that do not expand, intensify, or substantially change the use or building.

5. Plans and Representations Become Conditions (Section 23B.56.030)

Except as specified herein, the site plan, floor plans, building elevations and/or any additional information or representations, whether oral or written, indicating the proposed structure or manner of operation submitted with an application or during the approval process are deemed conditions of approval.

6. Subject to All Applicable Laws and Regulations (Section 23B.56.040)

The approved use and/or construction is subject to, and shall comply with, all applicable City Ordinances and laws and regulations of other governmental agencies. Prior to construction, the applicant shall identify and secure all applicable permits from the Building and Safety Division, Public Works Department and other affected City divisions and departments.

7. Exercised Permit for Use Survives Vacancy of Property (Section 23B.56.080)

Once a Permit for a use is exercised and the use is established, that use is legally recognized, even if the property becomes vacant, except as set forth in Standard Condition #8, below.

8. Exercise and Lapse of Permits (Section 23B.56.100)

- A. A permit for the use of a building or a property is exercised when, if required, a valid City business license has been issued, and the permitted use has commenced on the property.
- B. A permit for the construction of a building or structure is deemed exercised when a valid City building permit, if required, is issued, and construction has lawfully commenced.
- C. A permit may be declared lapsed and of no further force and effect if it is not exercised within one year of its issuance, except that permits for construction or alteration of structures or buildings may not be declared lapsed if the permittee has: (1) applied for a building permit; or, (2) made substantial good faith efforts to obtain a building permit and begin construction, even if a building permit has not been issued and/or construction has not begun.

9. Indemnification Agreement

The applicant shall hold the City of Berkeley and its officers harmless in the event of any legal action related to the granting of this Permit, shall cooperate with the City in defense of such action, and shall indemnify the City for any award of damages or attorneys fees that may result.

ADDITIONAL CONDITIONS IMPOSED BY THE ZONING OFFICER

Pursuant to BMC 23B.28.050.D, the Zoning Officer attaches the following additional conditions to this Permit:

Prior to Submittal of Any Building Permit:

- 10. The applicant shall provide the project planner with the name and telephone number of the individual empowered to manage construction noise from the project. The individual's name, telephone number, and responsibility for noise management shall be posted at the project site for the duration of construction in a location easily visible to the public. The individual shall record all noise complaints received and actions taken in response, and submit written reports of such complaints and actions to the project planner on a weekly basis. **Individual Responsible for Noise Management:**

□ Name: _____ Phone: _____

- 11. The applicant and all persons associated with the project are hereby notified that a Transportation Management Permit (TMP) would be required under any of the following circumstances:
 - Alterations, closures, or blockages to sidewalks or pedestrian paths
 - Alterations, closures, or blockages to vehicle travel lanes (including bicycle lanes)
 - Storage of building materials, dumpsters, debris anywhere in the public ROW
 - Provision of exclusive contractor parking on-street
 - Significant truck activity.

Contact the Permit Service Center (PSC) at 2120 Milvia Street or 981-7500 for details on obtaining Construction/No Parking Permits (and associated signs and accompanying

dashboard permits). Public Works Traffic Engineering (981-6400) reviews all submitted TMP requests.

The TMP may include designation of a specific truck haul route. Meter heads (if in the construction area) shall be removed only by City staff. Contact the site inspector 72 hours in advance of required removal so arrangements can be made.

Prior to Issuance of Any Building Permit:

12. Drainage plans shall be submitted for approval of the Building & Safety Division and Public Works Department, if required.

During Construction:

13. Construction activity shall be limited to between the hours of 8:00 a.m. and 6:00 p.m. on Monday through Friday, and between 9:00 a.m. and noon on Saturday. No construction-related activity shall occur on Sunday or on any Federal Holiday.
14. If underground utilities leading to adjacent properties are uncovered and/or broken, the contractor involved shall immediately notify the Public Works Department and the Building & Safety Division, and carry out any necessary corrective action to their satisfaction.
15. Subject to approval of the Public Works Department, the applicant shall repair any damage to public streets and/or sidewalks by construction vehicles traveling to or from the project site.
16. All piles of debris, soil, sand, or other loose materials shall be covered at night and during rainy weather with plastic at least one-eighth millimeter in thickness and secured to the ground.
17. All active construction areas shall be watered at least twice daily, and all piles of debris, soil, sand or other loose materials shall be watered or covered.
18. Trucks hauling debris, soil, sand, or other loose materials shall be covered or required to maintain at least two feet of board.

19. Public streets shall be swept (preferably with water sweepers) of all visible soil material carried from the site.
20. The applicant shall establish and maintain drainage patterns that do not adversely affect adjacent properties and rights-of-way.
21. The applicant shall ensure that all excavation takes into account surface and subsurface waters and underground streams so as not to adversely affect adjacent properties and rights-of-way.
22. Any construction during the wet season shall require submittal of a soils report with appropriate measures to minimize erosion and landslides, and the developer shall be responsible for following these and any other measures required by the Building and Safety Division and the Public Works Department.

Prior to Issuance of Occupancy Permit or Final Inspection:

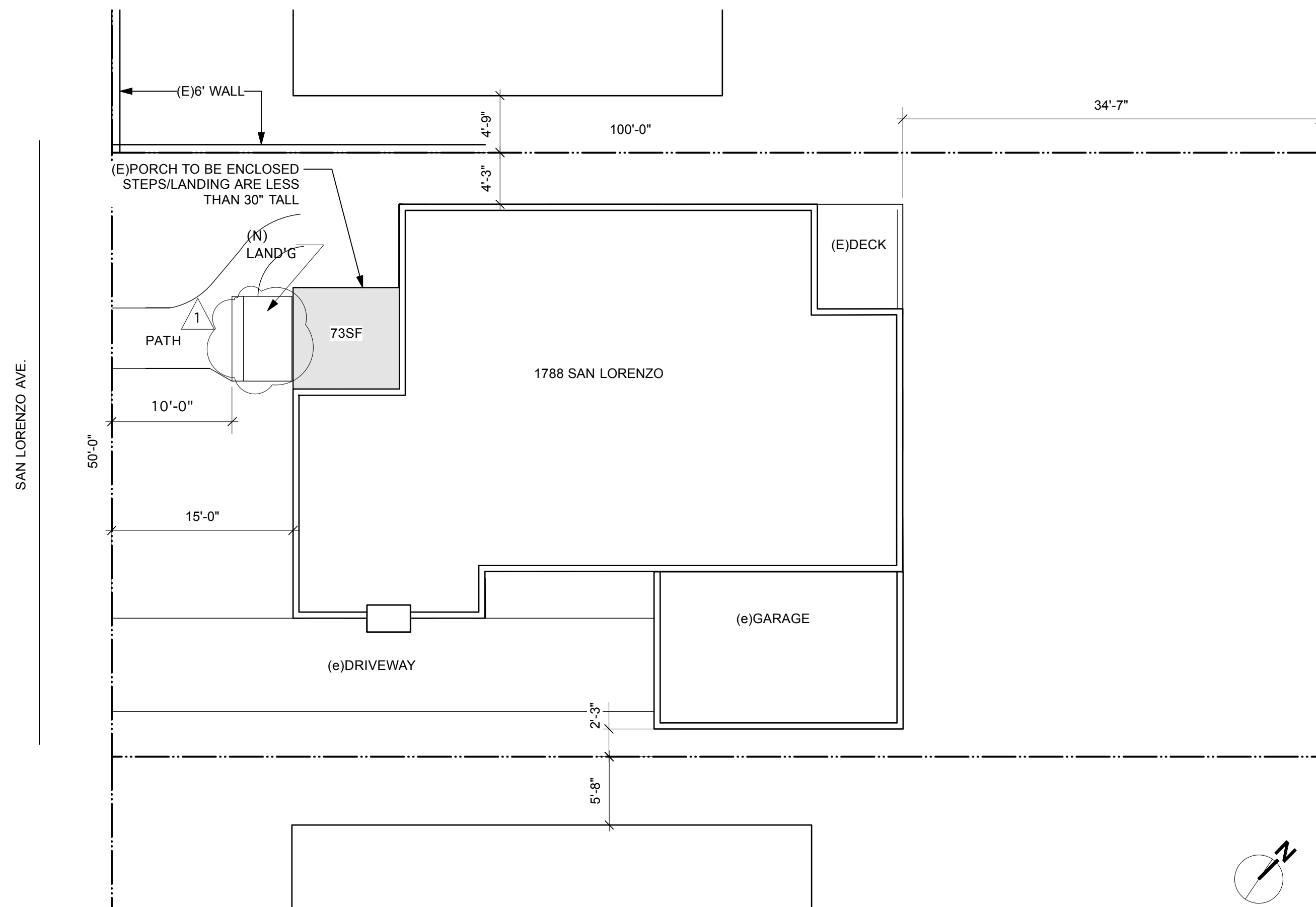
23. All construction at the subject property shall substantially conform to the approved Use Permit drawings or to modifications approved by the Zoning Officer.
24. All landscape, site and architectural improvements shall be completed per the attached approved drawings dated **July 10, 2014**.

At All Times (Operation):

25. All exterior lighting shall be shielded and directed downward and away from property lines to prevent excessive glare beyond the subject property.
26. This permit is subject to review, imposition of additional conditions, or revocation if factual complaint is received by the Zoning Officer that the maintenance or operation of this establishment is violating any of these or other required conditions or is detrimental to the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood or is detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.
27. Noise and exterior lighting shall be controlled so as to prevent verified complaints from the surrounding neighborhood.



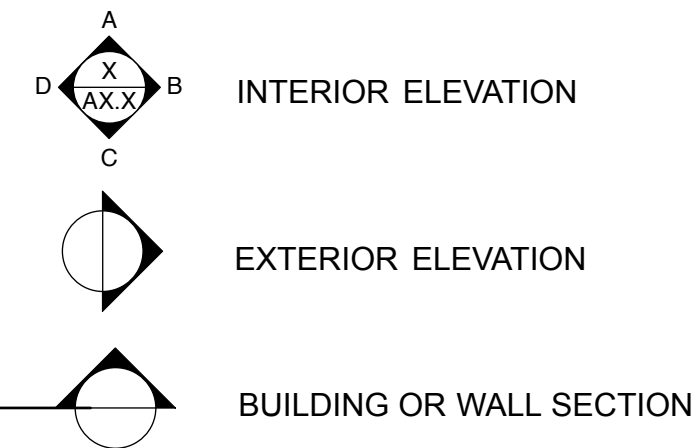
Prepared by: Elizabeth Greene
For Eric Angstadt, Planning Director



site plan
scale: 1/8" = 1'-0"

symbols and abbreviations

ABV	Above	HDG	Hot Dipped Galvanized
ADJ	Adjacent	HDWR	Hardware
AFF	Above Finished Floor	HORIZ	Horizontal
A/C	Air Conditioning	INSUL	Insulation
ALUM	Aluminum	INT	Interior
ARCH	Architectural	MAX	Maximum
ARCHT	Architect	MECH	Mechanical
BLKG	Blocking	MFR	Manufacturer
BD	Board	MIN	Minimum
BLDG	Building	MS	Motion Sensor
CAR	Cold Air Return	MTL	Metal
CASE	Casement	(N)	New
CBC	California Building Code	NIC	Not in Contract
CFL	Compact Fluorescent Light	NTS	Not to Scale
CL	Closet	O/	Over
CLR	Clear	OC	On Center
CLG	Ceiling	OFCl	Owner Furnished, Contractor Installed
COL	Column	OS	Occupancy Sensor
CONC	Concrete	PLAM	Plastic Laminate
CONTIN	Continuous	PLYWD	Plywood
D	Dryer	(R)	Relocated
DBL	Double	RD	Roof Drain
DH	Double Hung	REF	Refrigerator
DIA	Diameter	REG	Register
DS	Downspout	RO	Rough Opening
DW	Dishwasher	SHT	Sheet
(E)	Existing	SIM	Similar
E/A	Each	SG	Safety Glass
ELEC	Electrical	SLDG	Sliding
ELEV	Elevation	SQ	Square
EQ	Equal	SSD	See Structural Drawings
EQUIP	Equipment	SST S	stainless Steel
EXT	Exterior	TBD	To Be Determined
FDN	Foundation	TME	To Match Existing
FF	Finished Floor	TO	Top of
FIN	Finish(ed)	TYP	Typical
FL	Fluorescent	UON	Unless Otherwise Noted
FLR	Floor	VERT	Vertical
FO	Face of	VIF	Verify in Field
FOF	Face of Finish	W/	With
FS	Face of Structure	WH	Water Heater
FT	Feet	WSCT	Wainscot
GA	Gauge		
GC	General Contractor		
GL	Glass, Glazing		
GSM	Galvanized Sheet Metal		
GWB	Gypsum Wall Board		
GYP	Gypsum		



I have reviewed the plans for enclosing an existing 73SF entry porch @1788 San Lorenzo

Name(Printed)	Signature	Address	Renter or Owner	Date	Have no objections	Have objections (please state briefly)	Have no comment

PLANS APPROVED by

Elizabeth R. Greene

August 26, 2014

SIGNATURE DATE

***AUP Findings and Conditions Attached**

project directory

owner:
dan robinson & jane fischberg
1788 san lorenzo avenue
berkeley, ca 94707
tel:

architect:
laura natkins, architect
1830 san pedro ave.
berkeley, ca 94707
tel: 415.519.4302 fax: 510.524.6919
laura@natkinsarchitect.com

drawing index

A - 0 Title sheet, project information
A - 1 Existing Plans & Elevations
A - 2 Proposed Plans & Elevations

project scope

1. Enclose existing porch to be habitable space.
2. Remodel existing bathroom.
Work includes: install door, window, carpentry, finishes, electrical, plumbing

zoning code information

apn:	62-28830-2500
zoned:	r 1
occup:	r 3
type V construction	
	Existing Proposed Permitted/Req.
no. of dwelling units:	1 1
no. of parking spaces:	1 1
lot area:	5000sf 5000sf
gross floor area:	3117sf 3190sf ¹
building footprint:	1767sf 1767sf
lot coverage:	35% 35%
useable open space:	2843sf 2843sf

yards and height	
front:	15'-0" 15'-0"
rear:	34'-9" 34'-9"
left side:	4'-3" 4'-3"
right side:	2'-3" 2'-3"
building height:	2 2
avg:	14'-6" 14'-6"
max:	19'-0" 19'-0"

applicable building codes

- 2013 California Building Code
- 2013 California Plumbing Code
- 2013 California Electrical Code
- 2013 California Mechanical Code
- 2013 California Energy Standards

laura natkins
architect

1830 san pedro ave.
berkeley, ca
94707

415.519.4302
laura@natkinsarchitect.com

Client

Consultant

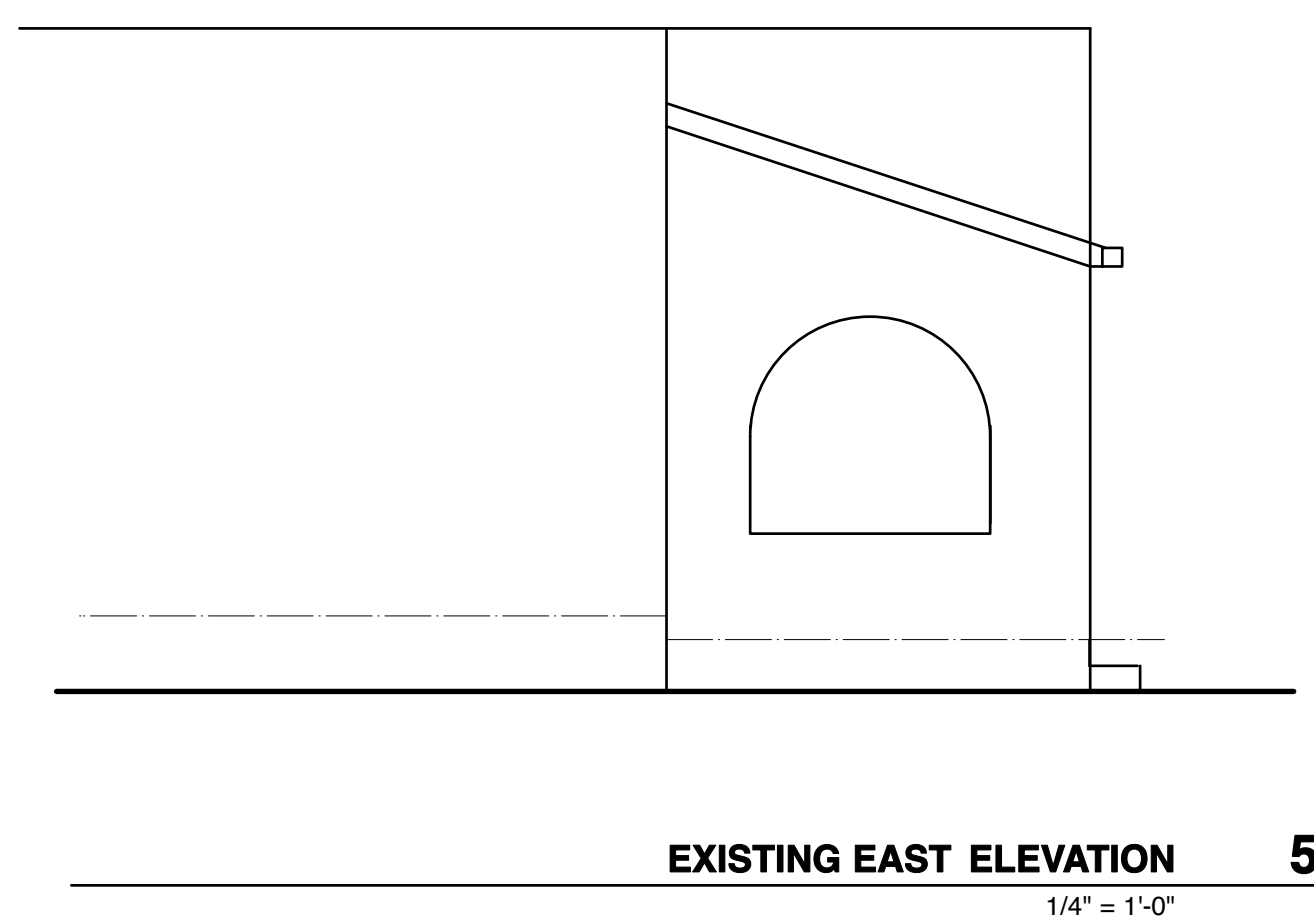
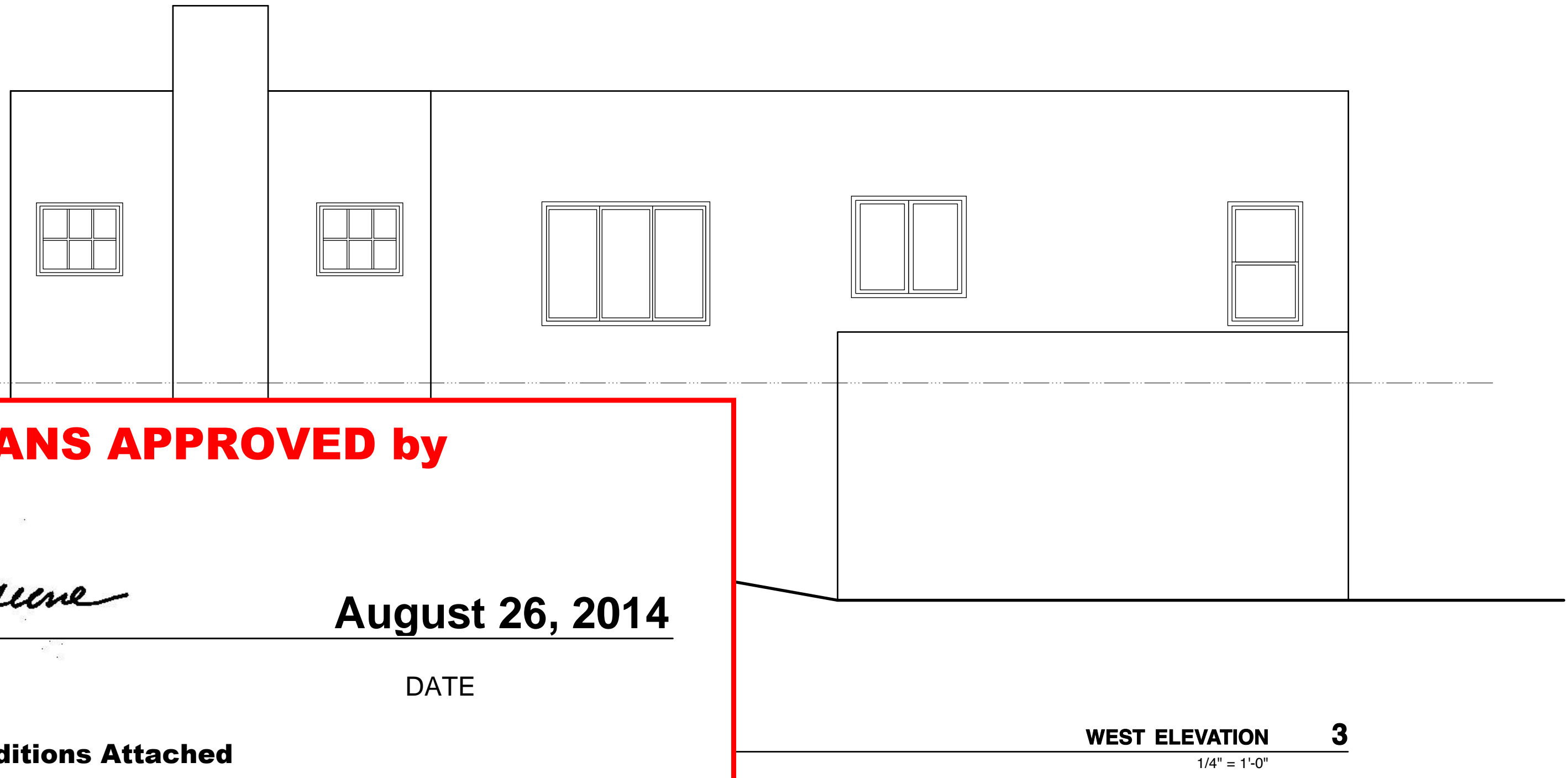
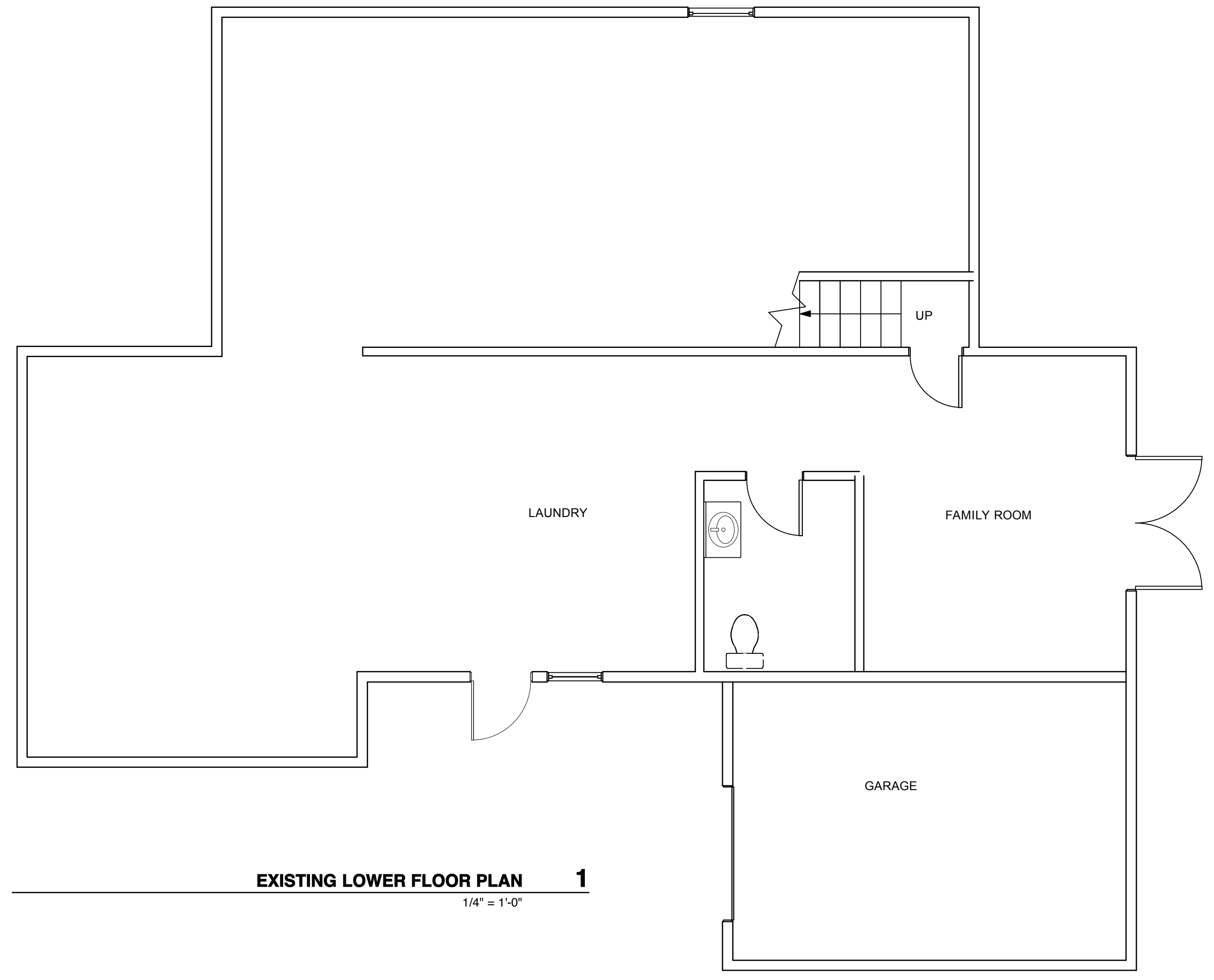
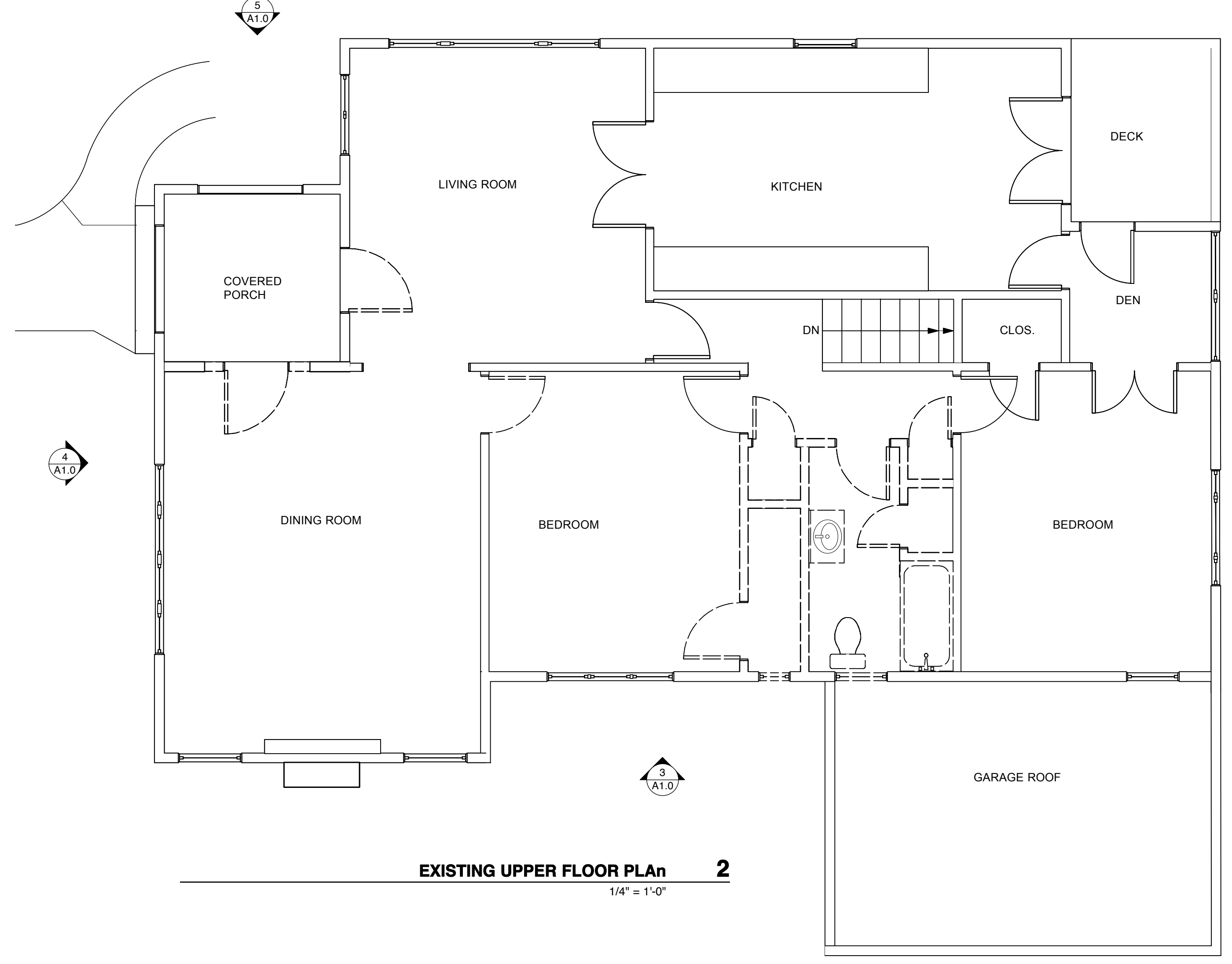
robinson & fischberg home alterations
1788 san lorenzo avenue
berkeley, ca 94707 apn: 62-28830-2500

Issue	Date
PLAN'G SUBMITTAL	06/02/14
¹	07/04/14

All drawings and written material appearing herein constitute original, and unpublished work of the architect and may not be duplicated, used or disclosed without the written consent of the architect.

title sheet
proj. info
site plan

Sheet Title
Scale 1/8"=XX
Project No.
Drawn By XXX



PLANS APPROVED by

Elizabeth R. Greene **August 26, 2014**

SIGNATURE DATE

***AUP Findings and Conditions Attached**

robinson & fischberg home alterations
1788 san lorenzo avenue
berkeley, ca 94707 apn: 62-28830-2500

Issue	Date
PLAN'G SUBMITTAL	06/02/14

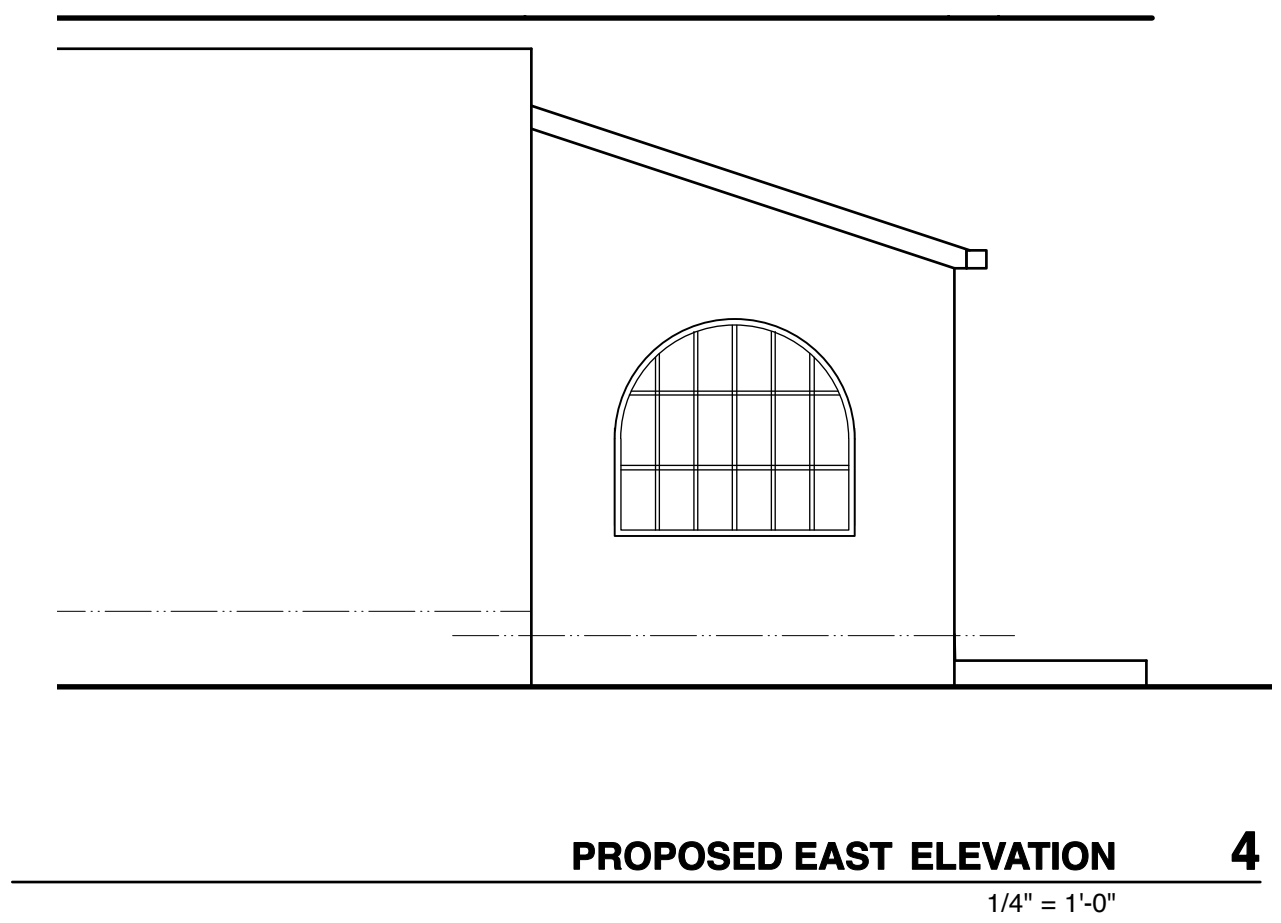
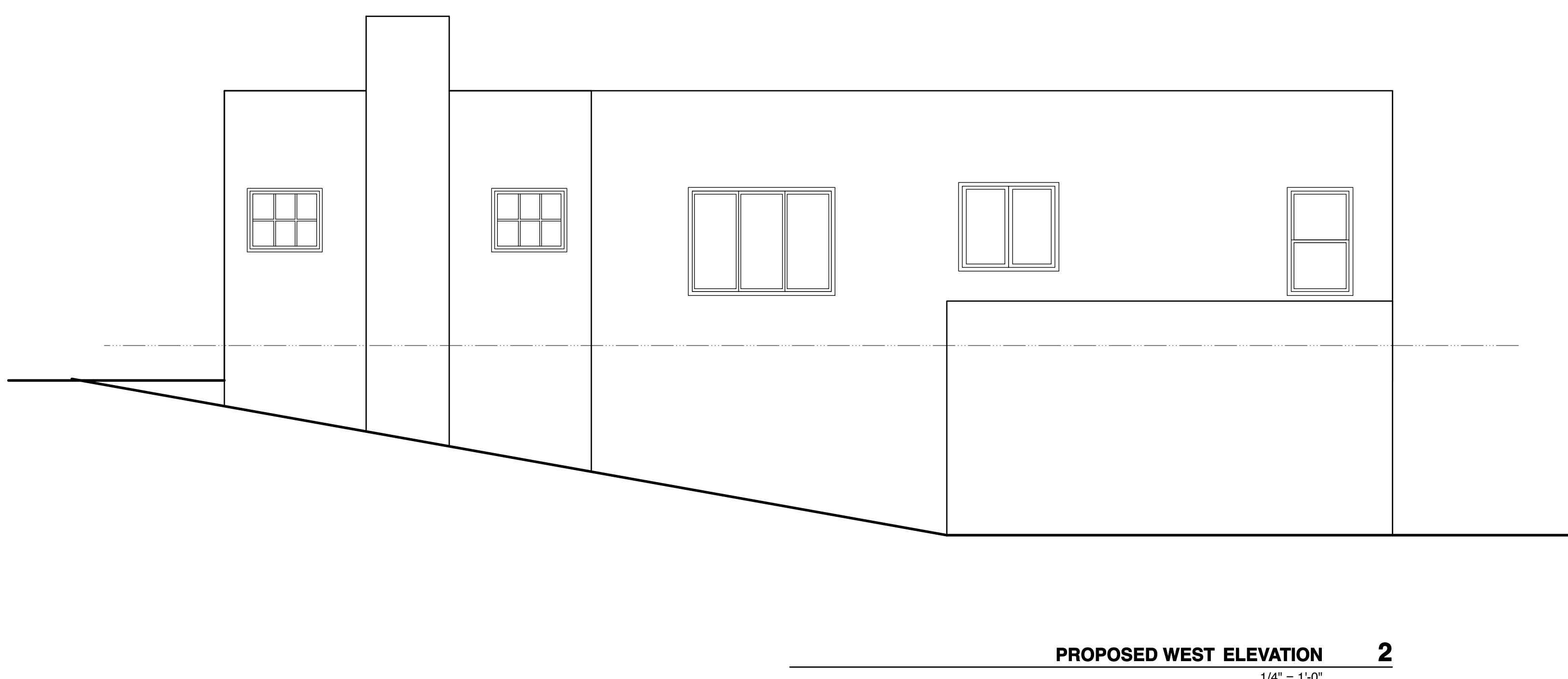
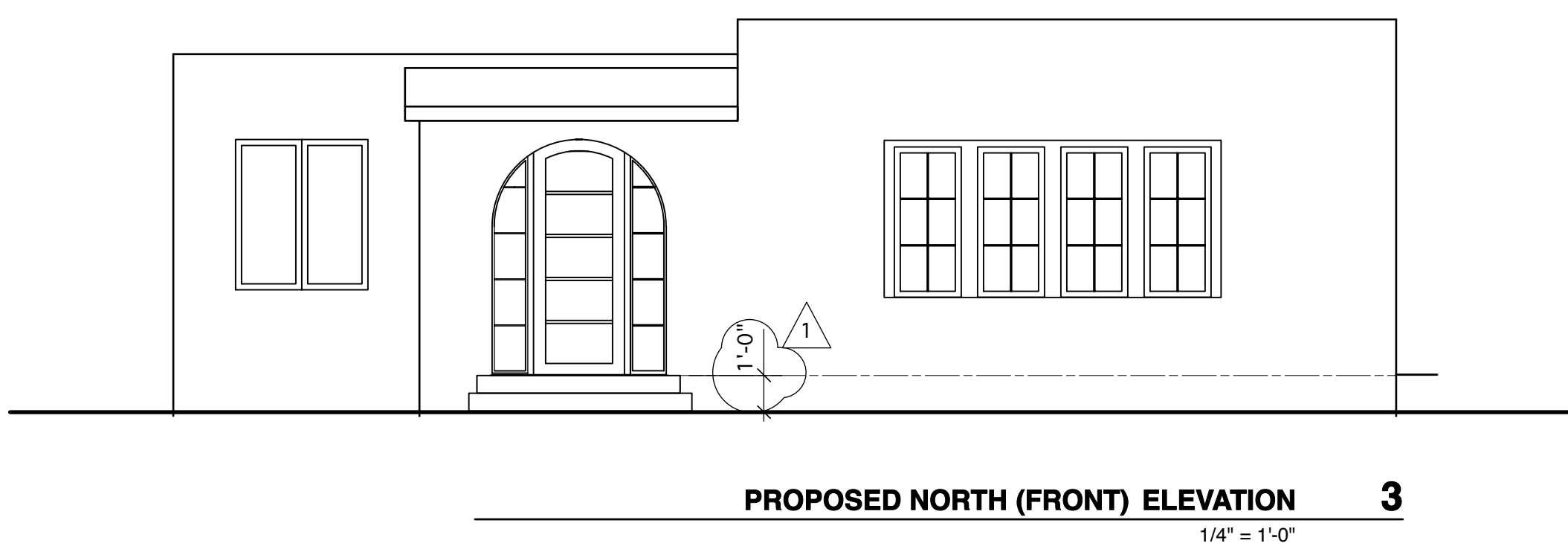
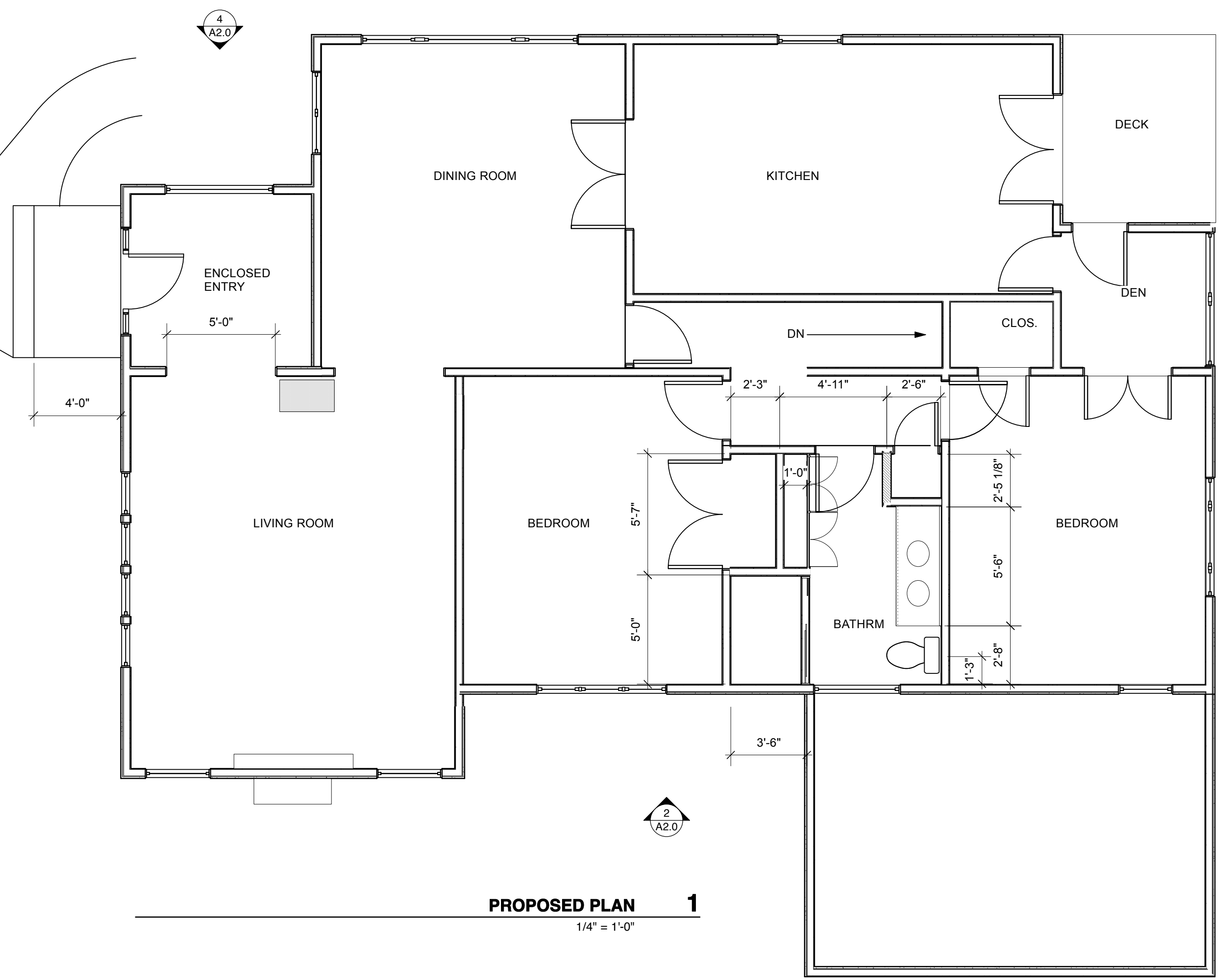
PLANS APPROVED by

Opaketh R. Greene

August 26, 2014

SIGNATURE DATE

***AUP Findings and Conditions Attached**



robinson & fischberg home alterations
 1788 san lorenzo avenue
 berkeley, ca 94707 apn: 62-28830-2500

Issue	Date
PLAN'G SUBMITTAL	06/02/14
1	07/04/14
...	...
...	...
...	...

Stamp
All drawings and written material appearing herein constitute original and unpublished work of the architect and may not be duplicated, used or disclosed without the written consent of the architect.

**PROPOSED PLAN
PROPOSED EXT. ELEV.**