



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

59 FAIRLAWN DRIVE

Administrative Use Permit #ZP2014-0008

Project Description: To construct a two-story, 247 square foot residential addition that will maintain the building's existing average height of 17' 11" pursuant to:

- Section 23D.16.070 to construct a residential addition greater than 14' in average height.

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 December 2, 2014

Attest: Greg Powell
Greg Powell, Principal Planner

December 2, 2014
Effective Date

ATTACHMENT 1

FINDINGS AND CONDITIONS

NOVEMBER 7, 2013

1849 Sonoma Avenue

Administrative Use Permit #12-20000157

To construct a two-story, 247 square foot residential addition that will maintain the building's existing average height of 17' 11".

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:
 - As required under Section 23D.16.090.B (Findings), the Zoning Officer finds that the project should not be denied because the proposed addition would not unreasonably obstruct sunlight, air, or views, because it would not cast new shadows on the windows or a substantial area of open space of adjacent residences. The addition remains well outside of the required yards, and is located within the general footprint of the existing dwelling in an area that is already developed with substantial vegetation that also filters views.
 - The subject property satisfies the district standards for maximum residential density, maximum main building height, minimum front, rear, and side yard setbacks, maximum lot coverage and minimum open space.
 - The project would not increase parking demand and existing parking is provided in accordance with the minimum requirement.

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 **AUGUST 4, 2014**.

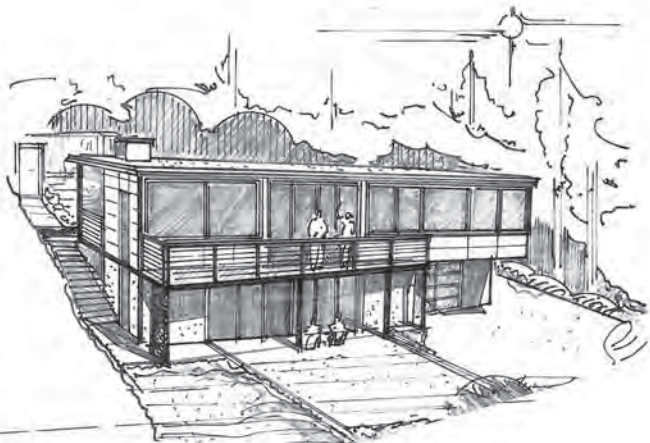
At All Times (Operation):

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.

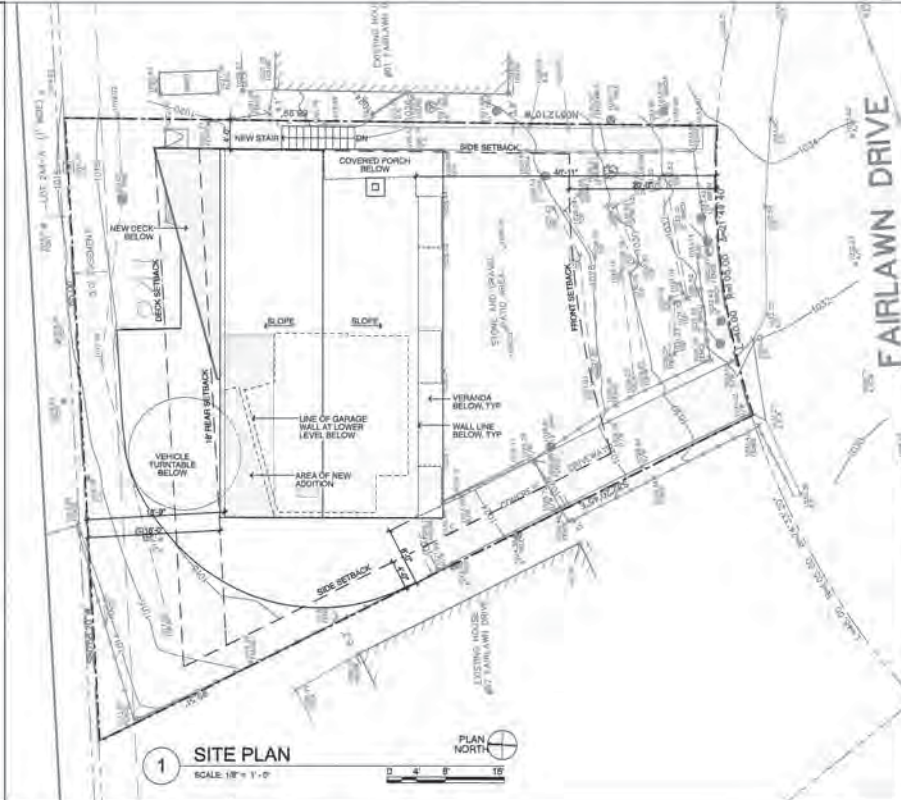


Claudine Asbagh, Assistant Planner for
Debra Sanderson, Zoning Officer

MATTHES-DAVIS RESIDENCE



2 PERSPECTIVE VIEW FROM NORTH
NOT TO SCALE



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

- Architectural Sheets**
- T1.0 Title/Project Data/Site Plan
 - T1.1 Shadow Study
 - CL.0 Survey
 - A1.1 Existing & New Ground Floor Plan
 - A1.2 Existing & New Lower Floor Plan
 - A2.0 Existing Elevations
 - A2.1 New Elevations
 - A3.0 Building Sections

Sheet Index

- APPLICABLE CODES & REGULATIONS:**
- 2013 California Building Standards Code
 - 2013 California Mechanical Code
 - 2013 California Plumbing Code
 - 2013 California Electrical Code
 - 2013 California Energy Code
 - 2013 California Green Building Standards Code

Codes & Regulations

Property Address: 59 Fairlawn Drive
APN: 060-248602100
Jurisdiction: City of Berkeley
Lot Area: 5,985 SF
Lot Frontage: 40.00'
Zoning: R-1H
Occupancy: R-3
Construction Type: Type-V

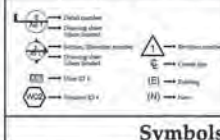
Parking Spaces:
 Number of spaces, existing: 1
 Number of spaces required: 1
 Number of spaces, proposed: 1

Setbacks:
Front: 20 ft
Rear: 20% Lot Depth = 89 x .2 = 18'
Side (both): 4 ft

Height Limit:
Main Building: 28 ft
Additions: 14 ft

Floor Area:
 Ground Floor, Existing = 1,107 gsf
 Lower Floor, Existing = 1,083 gsf
Total Floor Area, Existing = 2,190 gsf
 Ground Floor, Proposed = 1,264 gsf
 Lower Floor, Proposed = 1,173 gsf
Total Floor Area, Proposed = 2,437 gsf

Development Data (see associated graphic calcs.)
Lot Coverage: 40% Allowed = 5,985 sf x .4 = 2,394 sf
 1,264 sf proposed = 21%
Usable Open Space: 5,985 sf - 1,264 sf = 4,721 sf



Symbols

Proposed project includes a 247 square foot, 18.25 foot high rear addition, in keeping with and the same height as the existing house; a 164 square foot rear deck; new exterior cladding and windows; interior remodel.

Project Description

"I have reviewed the plans for a 247 square foot, 18.25 foot high rear addition at 59 Fairlawn Drive."

Name	Signature	Address	T#	Date	Have no objections	Have objections (Please state briefly)	Have no comment
Clay de Groot	<i>[Signature]</i>	57 Fairlawn Dr	0	7/25/14	X	N/A	N/A
Blair Stinson	<i>[Signature]</i>	61 Fairlawn Dr	0	7/25/14	X	N/A	N/A
Sonia Buchanan	<i>[Signature]</i>	78 Fairlawn Dr	0	7/26/14	X	N/A	N/A
John P. ...	<i>[Signature]</i>	1205 Quince	0	7/26/14	X	N/A	N/A
John Hillenbrand	<i>[Signature]</i>	50 Fairlawn Dr	0	7/27/14	X	N/A	N/A
Trans Community	<i>[Signature]</i>	291P 540TH RD	0	7/27/14	No objections	N/A	N/A

Neighbors' Signatures



Parcel Map



Location Map

Owner:
 Sylvia Matthes & Cleon Davis
 59 Fairlawn Drive
 Berkeley, CA 94708

Architect:
 Studio Bergtraum Architects, AIA
 5500 Doyle Street
 Emeryville, CA 94608
 v: 510.652.0812
 Contact: Kevin Smith
 email: kevin@studiobergtraum.com

Agency:
 City of Berkeley
 Building and Safety Department
 2120 Milvia Street, 1st Floor
 Berkeley, CA 94704
 v: 510-461-7440 f: 510-461-7450

Structural Engineer:
 Pivot Structural Engineering
 983 Third Street, Suite 333
 San Francisco, CA 94107
 v: 415.231.5770x101
 Contact: Alex Rood, SE
 email: alex.rood@pivoteng.com

Surveyor:
 Moran Engineering, Inc.
 190 Shattuck Avenue, Suite A
 Berkeley, CA 94704
 v: 510-848-1930

Energy Consultant:
 Gabel Associates, LLC
 1819 Harrison St.
 Suite 1, Berkeley, CA 94707
 v: 510-428-0803 f: 510-428-0324
 Contact: email

Contact List

STUDIOBERGTRAUM
 AIA · ARCHITECTS
 BERKELEY, CA 94708
 WWW.STUDIOBERGTRAUM.COM

Notice: Information on these drawings shall not be relied upon for any construction. Contractor will verify and be responsible for all information. Responsibility of any variations from the drawings and conditions shown in the drawings. The values represented by them are and shall remain the property of the Architect and no part thereof shall be used for any other than the purpose intended for without consent of the Architect.



Matthes-Davis Residence
 59 Fairlawn Drive
 Berkeley, CA 94708
 A.P.N.: 060-248602100

ZONING
 AUP APP

Revision	No.	Date

Date: 07/25/14

Project: 14005

T1.0

PLANS APPROVED by

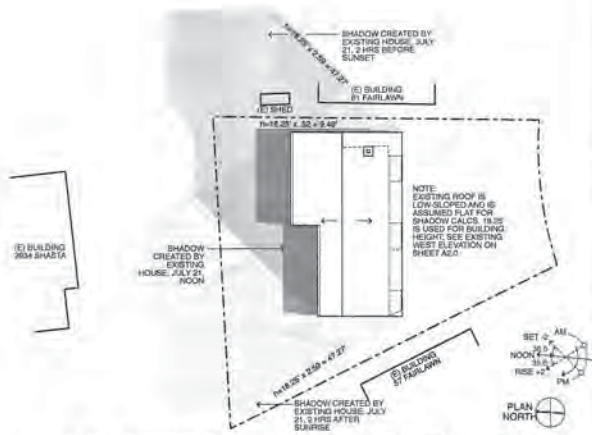
Al Assad

November 7, 2014

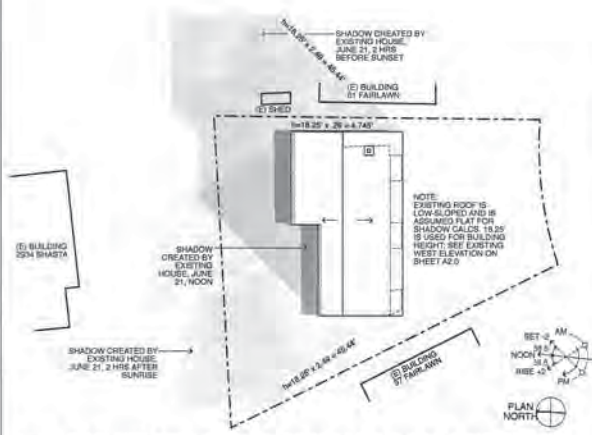
SIGNATURE

DATE

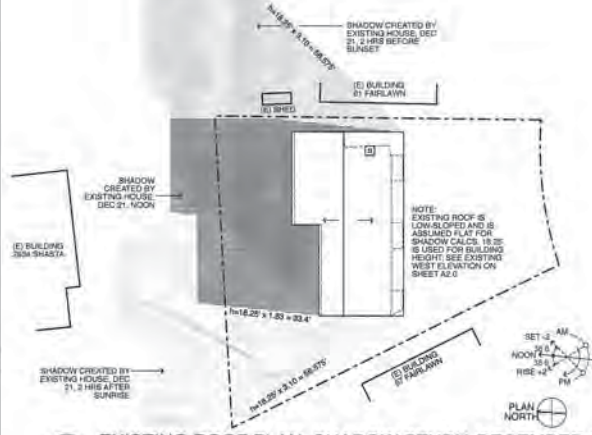
***AUP Findings and Conditions Attached**



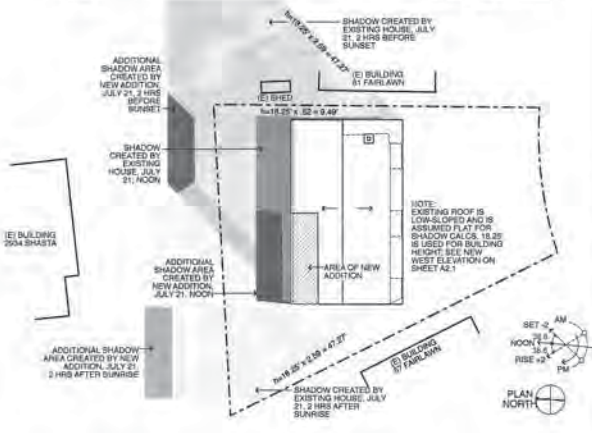
1C EXISTING ROOF PLAN: SHADOW STUDY, JULY 21



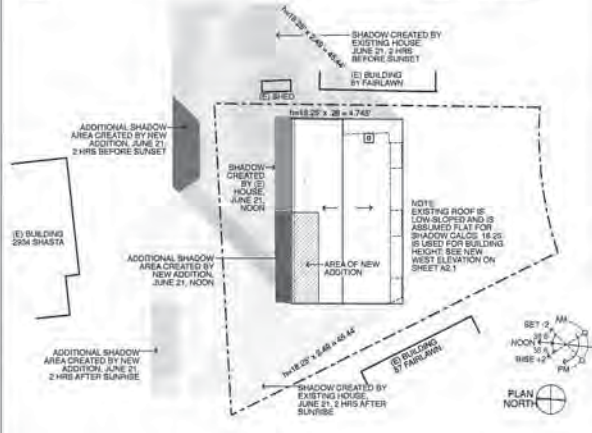
1B EXISTING ROOF PLAN: SHADOW STUDY, JUNE 21



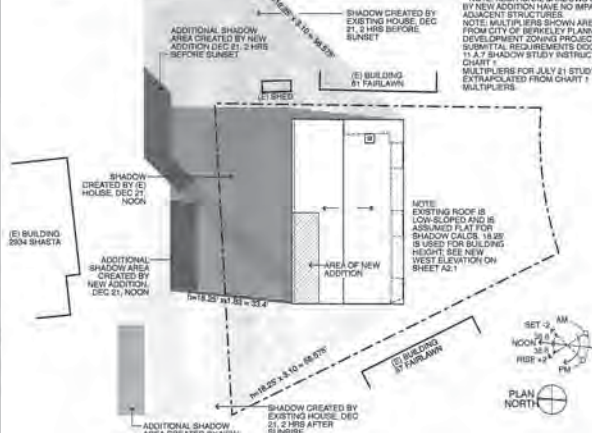
1A EXISTING ROOF PLAN: SHADOW STUDY, DECEMBER 21



2C NEW ROOF PLAN: SHADOW STUDY, JULY 21



2B NEW ROOF PLAN: SHADOW STUDY, JUNE 21



2A NEW ROOF PLAN: SHADOW STUDY, DECEMBER 21

Shadow Study

STUDIOBERGTRAU
AIA - ARCHITECTS
SAN JOSE, CA 95128
WWW.STUDIOBERGTRAU.COM

Written statements on these drawings shall have precedence over verbal statements and conditions of the Plans and the Architect must be notified immediately in writing of any variations from the dimensions and conditions shown. These drawings were prepared by the Architect and the Architect shall remain the sole responsible party for the accuracy of the information and conditions shown. Any project without the written consent of the Architect.



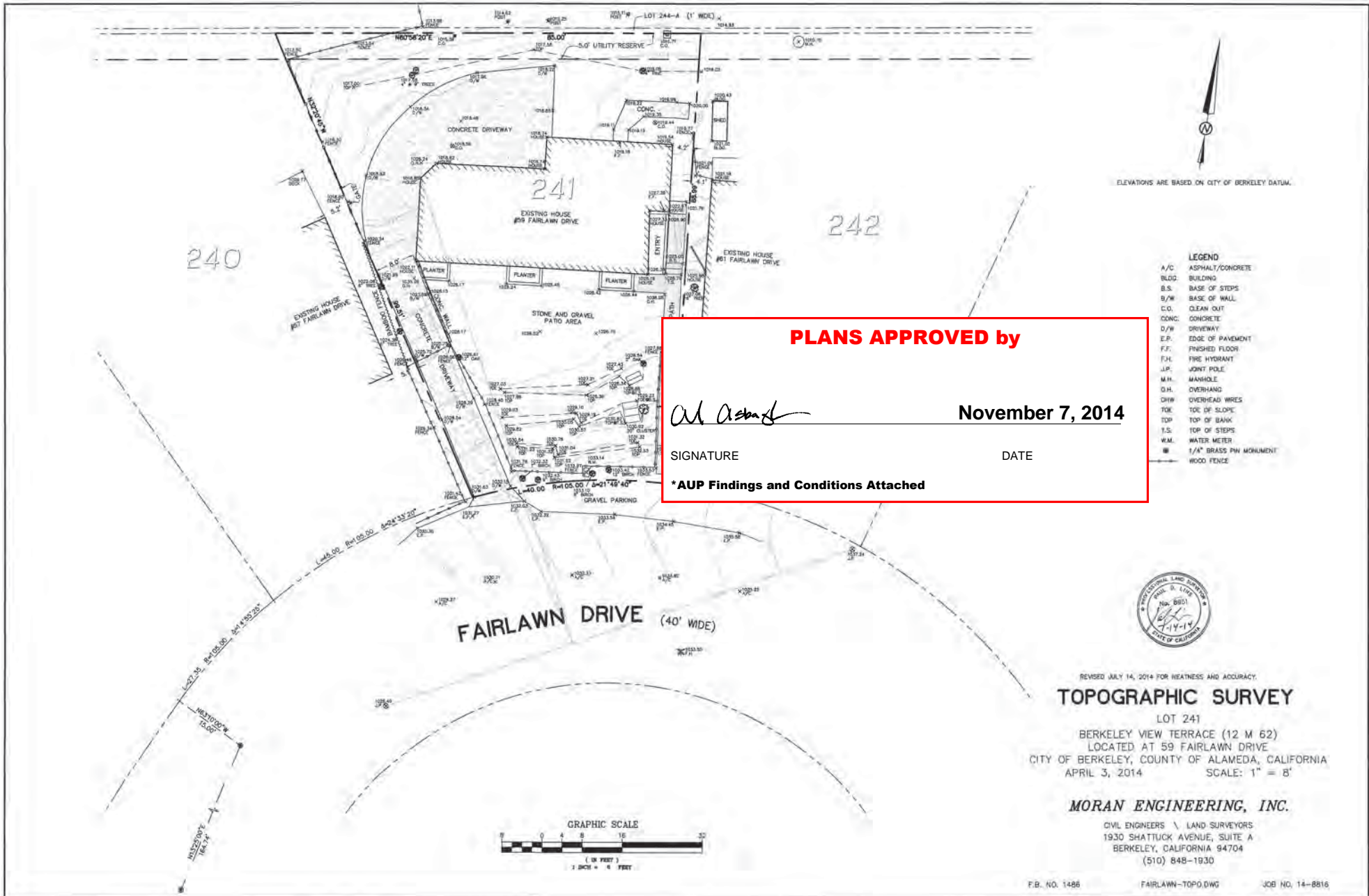
Mathias-Davis Residence
29 Fairlawn Drive
Berkeley, CA 94708
A.P.N.: 060-248602100

ZONING AUP APP

Revisions No.	Date

Date: 07/25/14
Project: 14005

T1.1



ELEVATIONS ARE BASED ON CITY OF BERKELEY DATUM.

- LEGEND**
- A/C ASPHALT/CONCRETE
 - BLDG BUILDING
 - B.S. BASE OF STEPS
 - B/W BASE OF WALL
 - C.O. CLEAN OUT
 - CONC. CONCRETE
 - D/W DRIVEWAY
 - E.P. EDGE OF PAVEMENT
 - F.F. FINISHED FLOOR
 - F.H. FIRE HYDRANT
 - J.P. JOINT POLE
 - M.H. MANHOLE
 - O.H. OVERHANG
 - OHW OVERHEAD WIRES
 - TOE TOE OF SLOPE
 - TOP TOP OF BANK
 - T.S. TOP OF STEPS
 - W.M. WATER METER
 - 1/4" BRASS PIN MONUMENT
 - WOOD FENCE

PLANS APPROVED by

Ad Ashraf **November 7, 2014**

SIGNATURE DATE

***AUP Findings and Conditions Attached**



REVISED JULY 14, 2014 FOR NEATNESS AND ACCURACY.

TOPOGRAPHIC SURVEY

LOT 241
 BERKELEY VIEW TERRACE (12 M 62)
 LOCATED AT 59 FAIRLAWN DRIVE
 CITY OF BERKELEY, COUNTY OF ALAMEDA, CALIFORNIA
 APRIL 3, 2014 SCALE: 1" = 8'

MORAN ENGINEERING, INC.

CIVIL ENGINEERS \ LAND SURVEYORS
 1930 SHATTUCK AVENUE, SUITE A
 BERKELEY, CALIFORNIA 94704
 (510) 848-1930



Written dimensions on these drawings shall have precedence over scaled dimensions. All dimensions shall be in feet and inches, unless otherwise indicated. The contractor shall be responsible for verifying the accuracy of all dimensions and for making any necessary adjustments to the drawings and the site conditions. These drawings and the site conditions shall be used to construct the project. The contractor shall be responsible for obtaining all necessary permits and approvals. This project shall be completed in accordance with the written statement of the Architect.



Matthes-Davis Residence
59 Fairlawn Drive
Berkeley, CA 94708
A.I.N.: 060-248602100

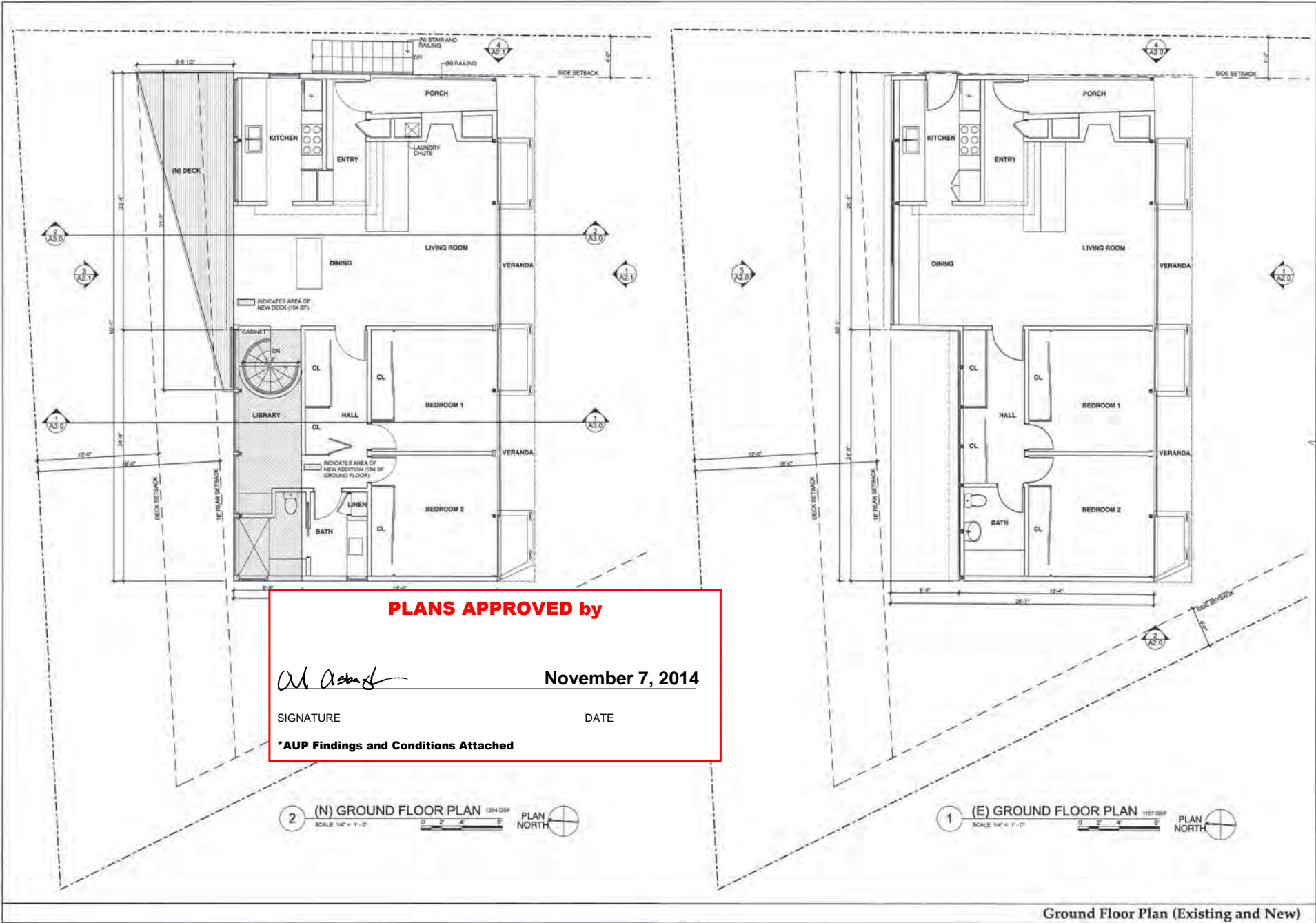
ZONING
AUP APP

Revisions	No.	Date

Date: 07/25/14

Project: 14005

A1.1



PLANS APPROVED by

Al Astor **November 7, 2014**

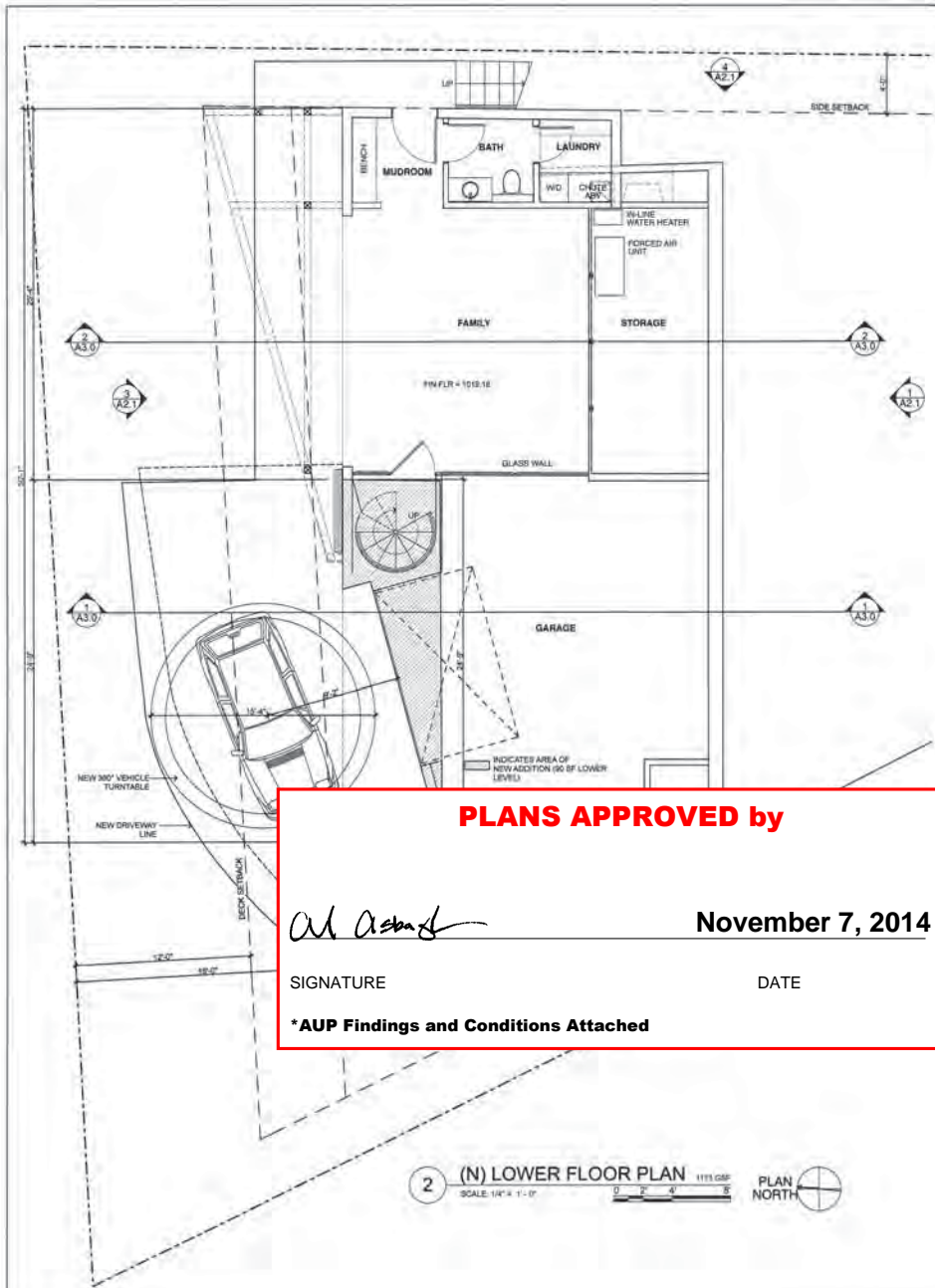
SIGNATURE DATE

***AUP Findings and Conditions Attached**

2 (N) GROUND FLOOR PLAN 1204 GSF
SCALE: 1/4" = 1'-0" PLAN NORTH

1 (E) GROUND FLOOR PLAN 1107 GSF
SCALE: 1/4" = 1'-0" PLAN NORTH

Ground Floor Plan (Existing and New)



PLANS APPROVED by

Al Asghar

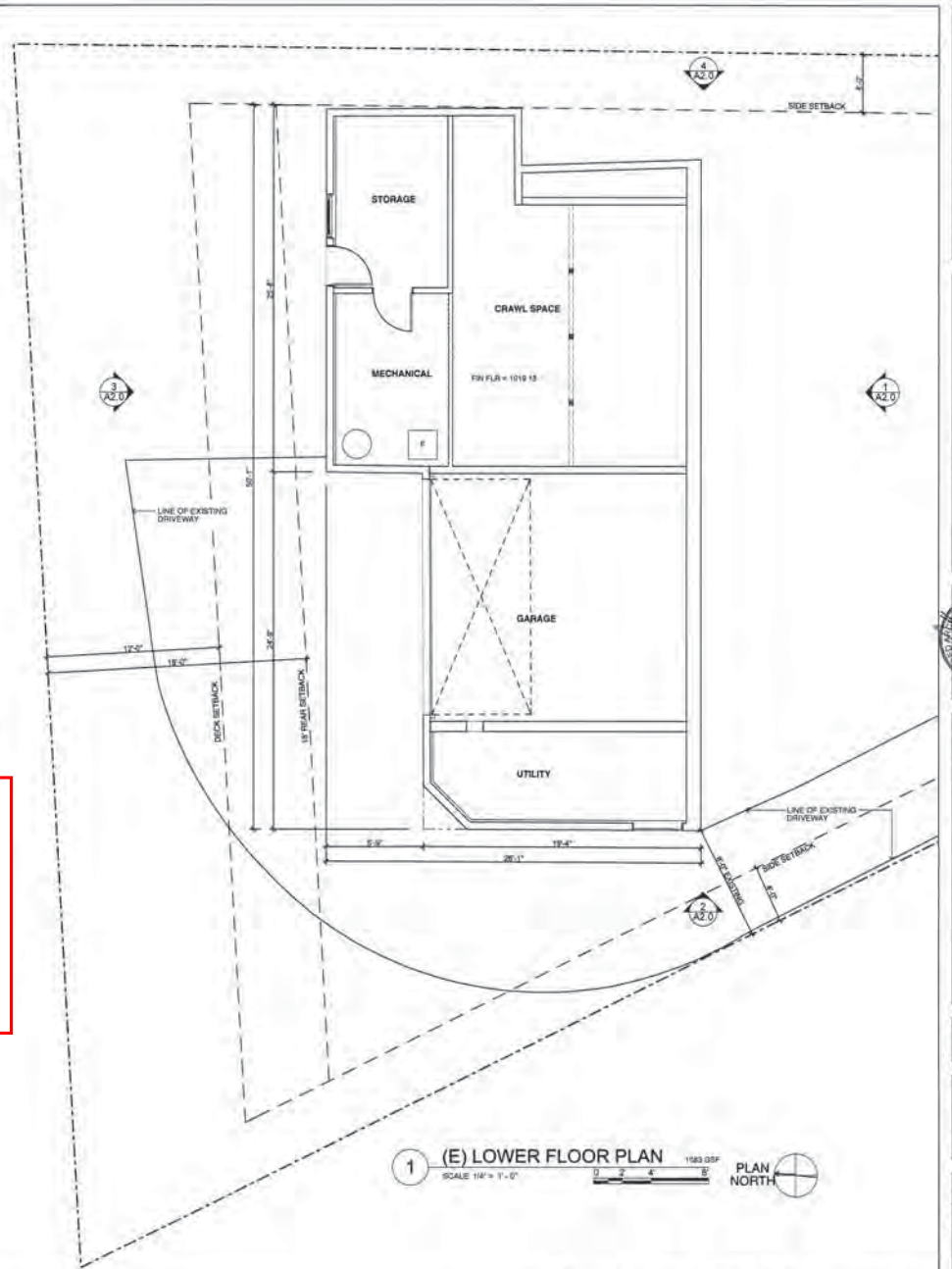
November 7, 2014

SIGNATURE

DATE

***AUP Findings and Conditions Attached**

2 (N) LOWER FLOOR PLAN 1111.GSP PLAN NORTH
SCALE: 1/4" = 1'-0"



1 (E) LOWER FLOOR PLAN 1168.GSP PLAN NORTH
SCALE: 1/4" = 1'-0"

Lower Floor Plan (Existing and New)

Without illustrations on these drawings shall have precedence over verbal instructions and conditions of the Project and any Addendum shall be provided by the architect. These drawings and the ideas represented by them are and shall remain the property of the architect. No part of these drawings shall be reproduced or transmitted in any form or by any means without the written consent of the architect.



Matthes-Davis Residence
39 Fairview Drive
Berkeley, CA 94708
A.P.N.: 060-248602100

ZONING AUP APP

Revisions No.	Date

Date: 07/25/14
Project: 14005

A1.2

PLANS APPROVED by

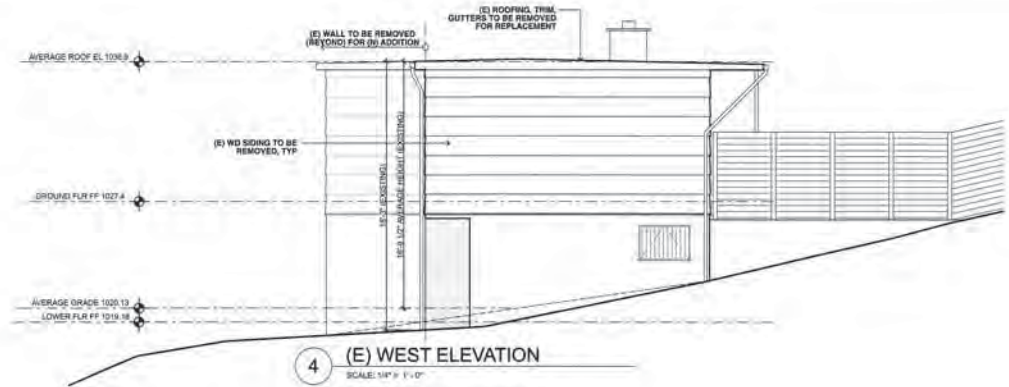
Ad Asbjorn

November 7, 2014

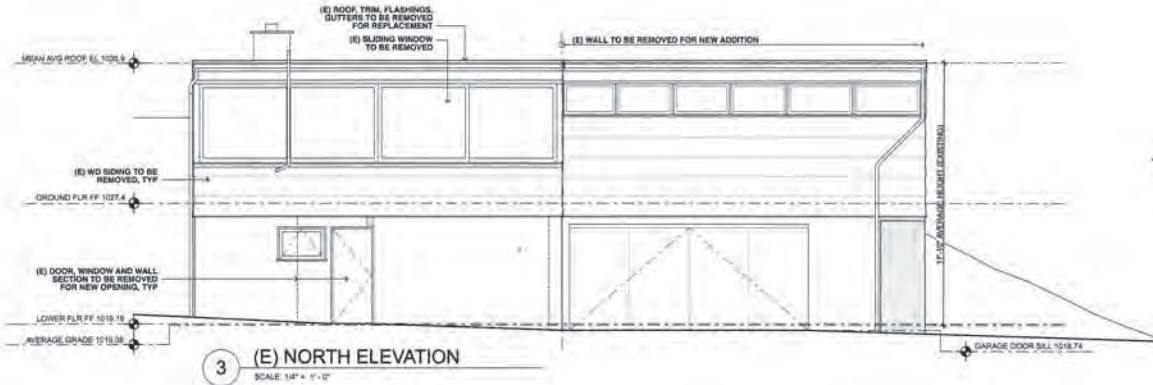
SIGNATURE

DATE

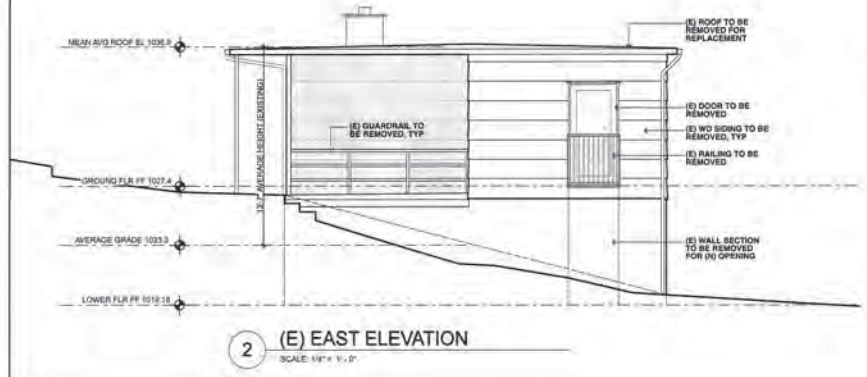
***AUP Findings and Conditions Attached**



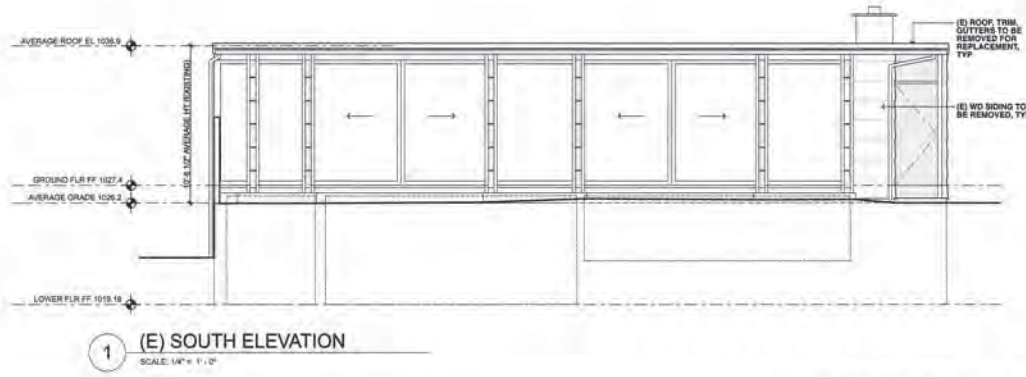
4 (E) WEST ELEVATION
SCALE: 1/4" = 1'-0"



3 (E) NORTH ELEVATION
SCALE: 1/4" = 1'-0"



2 (E) EAST ELEVATION
SCALE: 1/4" = 1'-0"



1 (E) SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

Existing Elevations

STUDIOBERGTRAU
AIA - ARCHITECTS
EMERYVILLE, CA 94608
WWW.STUDIOBERGTRAU.COM

Written dimensions on these drawings shall have precedence over notes. In the event of a discrepancy between the dimensions and notes, the dimensions shall control. The contractor shall be responsible for verifying the accuracy of all information shown on these drawings. These drawings were prepared by the Architect and shall remain the property of the Architect. No part of these drawings shall be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of the Architect.



Matthes-Davis Residence
59 Fairview Drive
Berkeley, CA 94708
A.P.N.: 060-248602100

ZONING AUP APP

Revisions No.	Date

Date: 07/25/14

Project: 14005

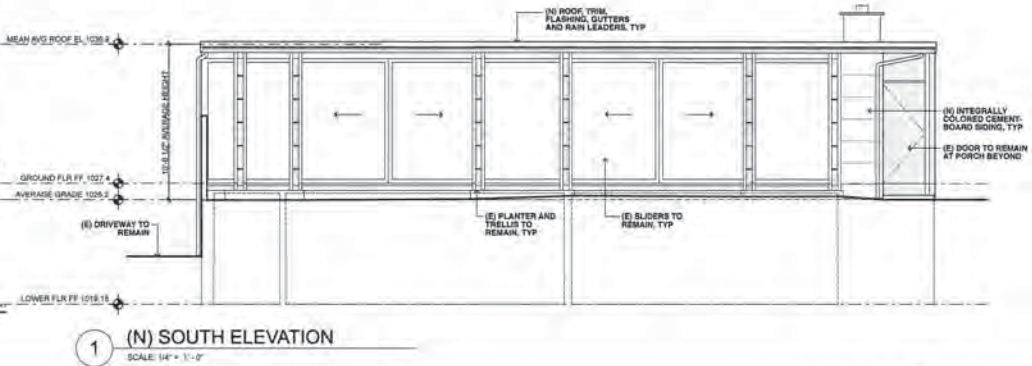
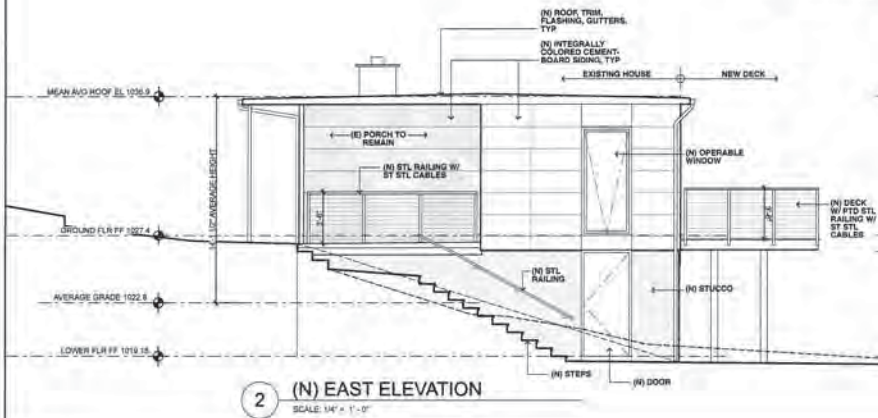
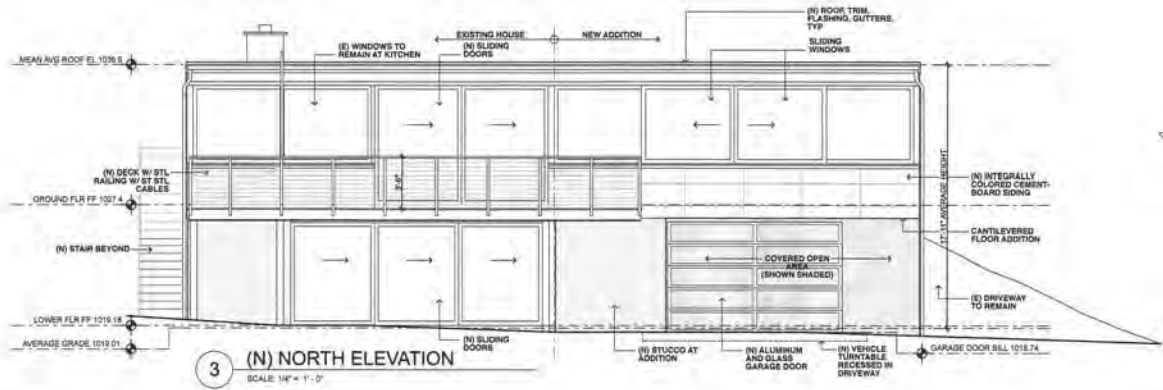
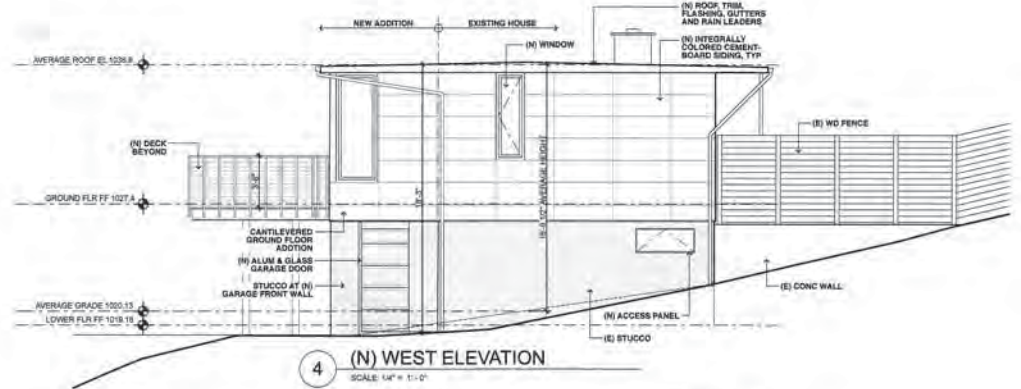
A2.0

PLANS APPROVED by

Ad Asbark November 7, 2014

SIGNATURE DATE

***AUP Findings and Conditions Attached**



New Elevations

Without disclaimer in these drawings shall have reproduced or modified in any way or for any purpose other than that intended by the Architect. The drawings shall be used in accordance with the conditions of the Terms and Conditions of the Architectural Agreement. These drawings and the plans represented by them are and shall remain the property of the Architect. No part of these drawings shall be reproduced or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written consent of the Architect.



Matthes-Davis Residence
59 Fairlawn Drive
Berkeley, CA 94708
A.P.N.: 060-248602100

ZONING AUP APP

Revisions No.	Date

Date: 07/25/14
Project: 14005

A2.1

Written dimensions on these drawings shall have precedence over called out dimensions. The contractor shall be responsible for verifying the accuracy and consistency of all dimensions shown on these drawings and the plans represented by them are and shall remain the property of the Architect. Every project will have the written consent of the Architect.



Mathes-Davis Residence
59 Fairlawn Drive
Berkeley, CA 94708
A.P.N.: 060-248602100

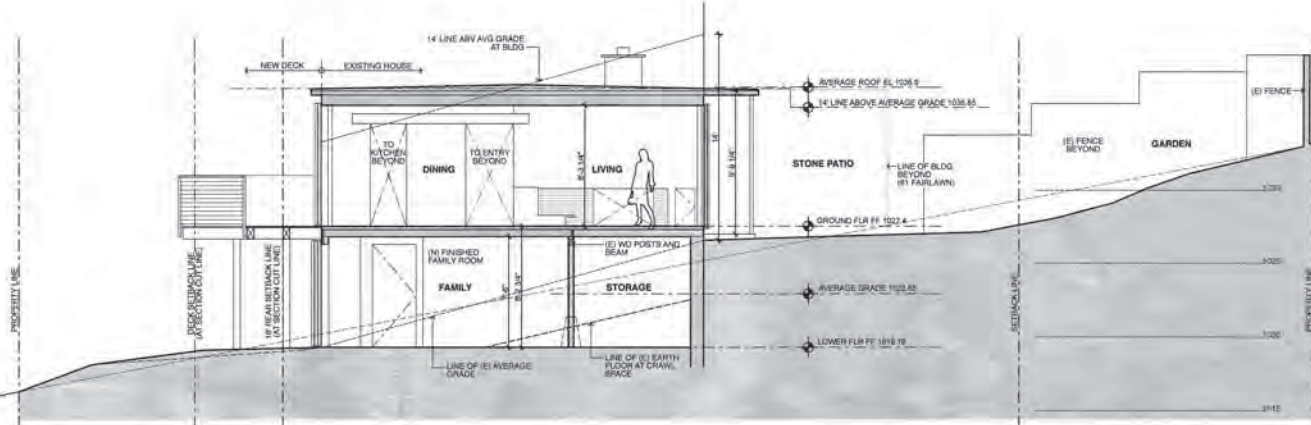
ZONING AUP APP

Revisions No.	Date

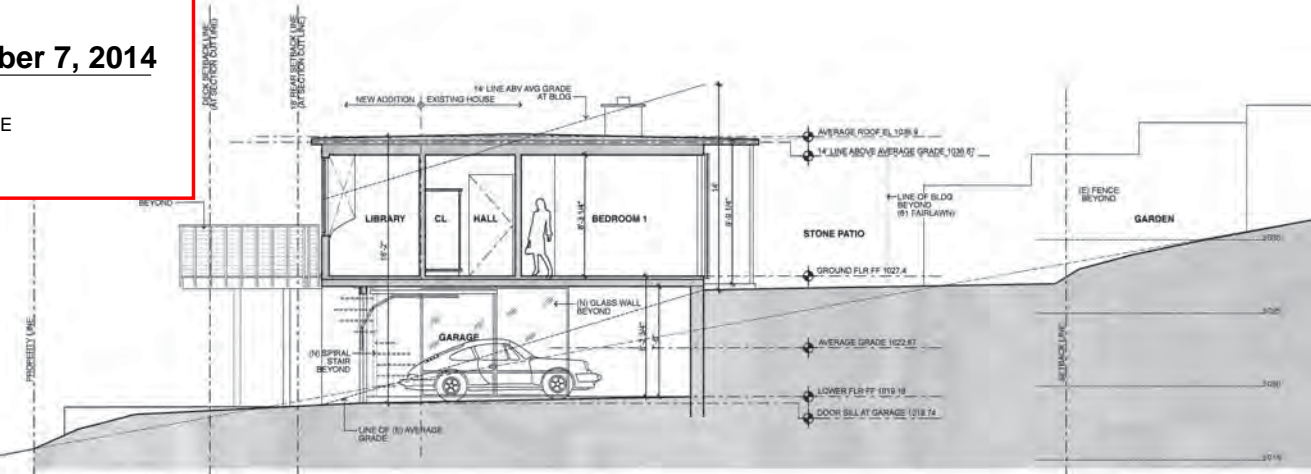
Date: 07/25/14

Project: 14005

A3.0



SECTION THRU FAMILY ROOM



SECTION THRU GARAGE

APPROXIMATE LOCATION OF EXISTING BUILDING (20M SHADTS). NOTE: BLDG HEIGHT AND PROFILE DRAWN ARE AN EDUCATED GUESS TAKEN FROM GOOGLE AERIAL IMAGING.

EXTRAPOLATION OF AVERAGE GRADE LINE. NOTE: TOPOGRAPHY OF NEIGHBORING PROPERTY ASSUMED.

PLANS APPROVED by

Al Asbj

November 7, 2014

SIGNATURE DATE

***AUP Findings and Conditions Attached**

APPROXIMATE LOCATION OF EXISTING BUILDING (20M SHADTS). NOTE: BLDG HEIGHT AND PROFILE DRAWN ARE AN EDUCATED GUESS TAKEN FROM GOOGLE AERIAL IMAGING.

EXTRAPOLATION OF AVERAGE GRADE LINE. NOTE: TOPOGRAPHY OF NEIGHBORING PROPERTY ASSUMED.