

**DIABLO MUNICIPAL ADVISORY COUNCIL
REGULAR MEETING MINUTES
DIABLO COUNTRY CLUB RED HORSE TAVERN TOO
May 13, 2024, 6:45 P.M.**

CALL TO ORDER: President Kathy Urbelis called the meeting to order at 6:45 pm.

President Urbelis welcomed Directors and public and explained the rules for public comment.

ROLL CALL: Director Chartier called the roll as follows:

Directors present: Urbelis, Lorenz, Slavonia, Chartier

Directors absent: Cox

PUBLIC COMMENTS: None

ADMINISTRATIVE COMMUNICATION AND ACTIONS:

Rick Kovar with the Contra Costa County Office of Emergency Services presented the County Hazard Mitigation Plan and distributed brochures to the Board and members of the public.

General Manager Torru presented the DMAC-County Agency Comment Packet Response Policy for consideration. On motion by Director Lorenz and second by Director Chartier the Policy was adopted. Motion passed 4-0.

LAND USE COMMUNICATION AND ACTIONS:

General Manager Torru presented a summary of the rear setback variance request for 125 El Centro. The applicant is requesting a 3-foot rear setback where a 15-foot setback is required. The applicant, Rahul Chandra, read the attached comments explaining the need for the variance request. The General Manager read the attached comments from the adjacent rear neighbor, Jeff and Carla Land, requesting that the variance request be denied. El Centro neighbors Frank Cohen, Alan Bonny and Christine Chartier voiced support for the variance request. Members of the public Maryann Cella and Tony Geisler also expressed support for the variance request.

On motion by Director Chartier and second by Director Slavonia the General Manager was instructed to notify the County that DMAC supports the rear setback variance request. Motion passed 3-0. President Urbelis abstained.

General Manager Torru presented a summary of the lot line adjustment request between 1962 Alameda Diablo and 1973 La Cadena. The lot line adjustment would reduce the lot size of 1973 La Cadena to 18,266, below the 20,000 square foot minimum requirement. The applicants, Brian and Paola McNamara and Scott and Julie Whitmer, explained that the lot line adjustment was needed to bring the County records into alignment with the existing rear fence location. There were no comments from adjacent neighbors or public.

On motion by Director Chartier and second by Director Urbelis the General Manager was instructed to notify the County that DMAC recommends approval of the lot line adjustment request. Motion passed 4-0.

CONSENT CALENDAR:

On motion by Director Lorenz and second by Director Chartier the April 8, 2024 Regular Minutes were approved. Motion passed 3-0. President Urbelis abstained.

On motion by Director Lorenz and second by President Urbelis the November 13, 2023 Regular minutes were approved. Motion passed 3-0. Director Chartier abstained.

CALL OF NEXT MEETING/ADJOURNMENT:

President Urbelis called the next meeting for June 10, 2024 following the adjournment of the DCSD meeting at Diablo Country Club. There being no further business, the meeting was adjourned at 7:40 p.m.

Diablo Municipal Advisory Council by

Kathy Torru, General Manager

To:

Diablo Municipal Advisory Committee
c/o DCSD Board

Cc: Christine Chartier; Greg Lorenz; Jerry Slavonia; Matthew Cox; Kathy Urbelis

From:

Jessica Raefield
Rahul Chandra
125 El Centro, Diablo

Summary:

- The extension of a previously approved 3-foot rear variance is crucial for us to expand and connect our existing ADU to the main house.
- While the easiest solution to add square footage would be to build a second story, we are choosing the path that preserves the historical integrity of our home while also being the least disruptive option for the neighborhood.
- DMAC is best positioned to make a recommendation to the county about the unique challenges we face.

Subject: 125 El Centro Variance – DMAC Agency Comment Request – May 13 DMAC Board Meeting

Dear Directors,

We have recently submitted renovation plans for our home located at 125 El Centro to the county. Our aim is to extend a previously approved 3-foot rear variance, as the minimum rear setback on an existing structure is 15 feet. This variance is crucial for us to expand and connect our existing ADU to the main house. The county has requested a review and recommendation from DMAC regarding this variance request.

Our home is among the smallest, if not the smallest, in Diablo. While we adore our home, it has been an immense struggle to live in such tight quarters over the past 7 years. Late last year, we faced a tragic electrical fire in our ADU, resulting in a complete loss of its interior. Instead of rebuilding it as it was, we chose to explore creative options for connecting it to the main house, providing the much-needed additional space.

Our property presents a unique challenge due to its size and layout. Our historic home, built in 1917, stands out as the only cottage on El Centro maintaining an almost entirely original footprint in the front section. We are adamant about preserving its cherished 100+ year history, particularly not modifying the front portion. With the majority of our yard situated in the front, our options for

adding square footage without altering the original structure are limited. Vertical expansion or utilizing the rear, where previous owners have already renovated, are our only feasible choices. The easiest and most straightforward solution for more square footage would have been adding a second story to the house, a common approach among our neighbors to the East and South with their historic homes. We are opting for the latter choice, as we believe it best preserves the historical integrity of our home while also being the least disruptive option for the neighborhood.

To provide context, the properties on El Centro stand out for their smaller lots and homes compared to the rest of Diablo. Typical lot sizes on El Centro range from 6,000 to 10,000 square feet, whereas in the rest of Diablo, the minimum lot size is 22,000 square feet. Our property spans 7,700 square feet, with a home size of 1,387 square feet, of which only 1,150 square feet is livable space. The detached ADU, comprising 200 square feet, lacks plumbing and thus cannot be used as living space; it has only served as a workout studio and storage area.

Considering all the constraints, we challenged our architect to confine the expansion to a single story without altering the historic front portion of the house. The plan involved connecting the existing detached garage and ADU, previously permitted with an approved 3-foot variance, to the rear of the main house. Our architect's ingenuity was remarkable; he devised plans that seamlessly integrated the ADU with the main structure into the original footprint, despite the extremely limited and complex space and layout constraints. This solution left us with a very small usable backyard.

The remodel will add an additional 541 square feet in the area connecting the ADU to the main house. Despite this, the house will remain single-story, preserving its original character, and no mature trees will be affected. The historic portion of the home will remain entirely untouched. However, due to the unique circumstances and restrictions posed by our lot size, shape, topography, location, and mature trees, strict adherence to zoning regulations denies us the privileges enjoyed by other properties in the vicinity. Therefore, a variance is necessary to alleviate the exceptional hardship imposed by our specific property constraints. This is why the variance was initially granted for the detached garage and ADU in 2012, and we believe it is reasonable to request that the precedent set by that initial approval be applied to the proposed extension for our addition.

The Objection

The rear neighbors, Jeff and Carla Land, residing at 1558 Avenida Nueva, have expressed objections to the rear variance request, citing concerns that the 11-foot extension of the rear wall of the ADU will impact the view from their front porch. While the wall will be slightly longer than it is today, we believe their view will remain largely unchanged for the following reasons:

1. The Lands' front porch is situated over 50 feet away from the rear wall of the ADU, not directly in the line of site with our structure. Instead, it is offset to the Southwest and mostly

obscured by the existing 7.5-foot high fence, as well as trees and foliage on both sides of the fence (see attached pictures).

2. Currently, the view from the Lands' front porch primarily encompasses the roofline of our main house. While we are incorporating a 2-foot gable into the new wall of the ADU, it will merely align with the existing roofline of the main house, maintaining the current sightline height. Furthermore, the addition of the gable will enhance the architectural appeal, presenting a more aesthetically pleasing profile than the current straight flat line.

The Lands have requested that we shorten the extension length by half and adjust the design to comply with the 15-foot setback. However, if we were to accommodate this request, we'd lose crucial square footage, making the house uninhabitable and leaving us with no usable backyard space. Additionally, connecting the existing structure to the main house without extending it and adhering to the setback would require a sharp and narrow L-shaped cutout, significantly reducing the square footage and making the addition impractical. Moreover, this would entail the removal of multiple mature coastal redwood trees. As it is now, the square footage we propose to add barely meets our needs, and we would have minimal backyard space left. Despite these challenges, we are committed to making it work because we love this home.

Furthermore, the Lands have requested that we build a green wall to further camouflage what little of the new structure they will see. As it is today, with or without the renovation, we do not have enough space to add greenscaping along the back wall of the ADU. In contrast, the Lands have approximately 20 feet of open, unlandscaped dirt directly behind the fence, as well as approximately 50 feet of open yard between the fence and their house where they could plant greenery. Once again, this underscores the unique challenges posed by our exceptionally small lot size and layout.

We have extended an invitation to the Lands to visit our property and view the plans firsthand, allowing them to visualize the layout and understand the unique property constraints. We aim to demonstrate that the addition will not significantly obstruct their view. However, they have thus far declined our offer. Our objective throughout this process has been to honor the rich history of our beloved home and Diablo, create value not only for our property but also for everyone in our vicinity, and establish a long-term livable residence. We hope this provides more insight and context about the project and our need for a variance.

Our Ask

As our fellow Diablos who understand the unique character and quirks that make Diablo so special, as well as the profound importance of the legacy of the 61 historic homes here, we feel DMAC is best positioned to make a recommendation to the county about the unique challenges we face, and we hope for your support in recommending the county grant us the variance so we

may continue to enjoy our property for many years to come. We thank you in advance for your review and consideration of this matter.

Sincerely,

Rahul Chandra & Jessica Raefield

VIEW FROM RAEFIELD BACKYARD LOOKING TOWARD LAND FRONT PORCH

Proposed extension does not block front porch view, obscured by foliage and fence

Land's Front Porch



**VIEW FROM LAND FRONT YARD LOOKING TOWARD RAEFIELD
BACKYARD/SHARED FENCE**

Existing ADU

Proposed
extension


Ample space for
additional
greenery



VIEW OF LAND'S FRONT YARD, RAEFIELD HOME TO THE SOUTH

RaeField home behind trees and fence



From: Jeff Land jeff.land@outlook.com 
Subject: 125 El Centro Backyard Setback Variance application feedback for DCSD
Date: May 12, 2024 at 1:28 AM
To: DCSD General Manager generalmanager@diablocsd.org
Cc: Carla Land (3jsandc@comcast.net) 3jsandc@comcast.net, Jeff Land jeff.land@outlook.com



External (jeff.land@outlook.com)

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Kathy, Thanks for letting us know about the options for input at the upcoming DCSD meeting this week that we cannot attend. We are out of the country until May 15th. Please read the following for us in our absence:

Carla and I have built and lived in 2 homes in Diablo for the past 20+ years at X and X Avenida Nueva. Our home borders 125 El Centro(125) to the north (their backyard is our front yard). Like most of us here we love the history, character, and quiet elegance of this place. As you know all but a few homes are on at least ½ acre and as such are zoned at least R20 (125 is less than ½ of the current allowable buildable lot in Diablo). When El Centro was originally constructed it was an exception where there was to be a row of Historic “cottages” on very small lots, all of which are non-conforming at this point.

The owners of 125 have requested to reduce their backyard setback from 15 Feet down to 3 feet with a structure that is 2 feet taller than existing, because they would like to expand their small home. While we are sympathetic to their desire to expand we do not think it needs to be done at the expense of the look and feel or character of the neighborhood or the look and feel of the neighboring house over their back fence (which is ours). This home was previously granted a variance to place an ADU 3 feet from the fence at one end of the back property line. Fortunately that ADU was built backing up to thick trees on our side of the fence.

If constructed as planned the flat vertical wall of this home will sit 3 feet from our property line and run over half the total lineal feet of their backyard and will be exposed. We do not believe this is either necessary or reasonable. So far we have reached out to the 125 owners with a request to consider reducing the encroachment by ½ (which means they would still be building 6 feet into the setback but we can live with that if they also agree to trellis or plant the back wall for the distance of the encroachment. So far the owners have agreed to meet but have thus far rejected our proposal.

We are willing to continue to discuss this as we return to town shortly, but unless we reach some reasonable mitigation for this encroachment we do not believe this is consistent with the character of the Diablo community and we must oppose this application.

Thank you for your consideration.

“We make men without chests and expect of them virtue and enterprize, We laugh at honor and are shocked to find traitors in our midst”

C.S. Lewis

Jeff Land

