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Neighbors Appeal Approval of Proposed Home

By Cathy Tyson



Story poles of proposed home on Las Huertas Road.
Photo C. Tyson

Can a few neighbors put the kibosh on plans for a house that has already been approved by the Design Review Commission (DRC)? The proposed home on an almost half acre lot near the end of Las Huertas Road had gone through substantial changes over a period of two years to finally gain approval from the DRC, subject to a number of conditions. The approved version of the home is within all city development standards - including height. The City of Lafayette's height requirement is no more than 35 feet tall, the proposed structure is 24 feet, 9 inches. The home has 3,400 square feet on the first floor and 1,217 on the second floor.

The Ord family, who have lived across the street from the proposed home since 1976, argue that the house is out of scale with the neighborhood because of its size, mass, height, and square footage and believe the project does not substantially comply with the city's Design Guidelines about privacy and views. A few other neighbors have gone on record to agree.

Isabelle Ord, who lives in the home with her children and her parents, Jane and Edward Ord, addressed the Planning Commission with their family's concerns, "It's

tough as a neighbor to make comments, but the project is so impactful to us we had to say something. This would be the tallest and largest home possible on this lot - substantially larger than the other homes in the neighborhood." The Ords even hired an engineer to objectively describe the property, his bottom line - the roof area of the proposed home is larger than others in the neighborhood and the second story blocks the view.

Property owners Vlad and Ekaterina Malinovsky had approached all the immediate neighbors about the project on three separate occasions during the lengthy design process, to be good neighbors, "We've gone overboard to make this work." Project Architect Bill Wood added, "We've done everything we can to make this house as low profile as possible."

Assistant Planner Michael Cass pointed out at the meeting that, "The bulk and mass have significantly decreased during the review process." Although city staff recommended denying the appeal by the Ords and upholding the Design Review Commission's approval, Planning Commissioners weren't so sure and asked for more information prior to making a decision.

Discussing a resolution to the matter, Planning Commissioner Thomas Chastain was "happy the applicant has worked with the neighbors," and described the Design Review process as sometimes onerous, but in this case needed. "It's come a long way...but I'm still bothered by questions of neighborhood character."

"Context - how does it relate to the neighborhood?" asked Commissioner Mark Mitchell, explaining there are other large homes in the area but they are on big lots and set back substantially from the street. Commissioner Rick Human agreed, "It's hard to make a judgment." He and Commissioner Karen Maggio questioned the accuracy of heights in the staff report and wanted another opportunity to confirm the relative scale of this home compared to others.

Concluding that this proposed home's relationship to others in the neighborhood is hard to measure, and that the Commission didn't have enough verifiable facts on height to make a determination, a motion was carried to continue the discussion to the Planning Commission meeting on April 16.

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