

# County of Santa Clara

## Department of Planning and Development

County Government Center, East Wing, 7th Floor  
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San Jose, CA 95110  
Phone: (408) 299-5700  
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May 30, 2023

Edwin Pauneto  
14210 Lesley Lane  
San Martin, CA 95046

**\*\* BY EMAIL ONLY \*\***

FILE NUMBER: PLN21-005  
SUBJECT: Grading Abatement and Administrative Design Review Application  
SITE LOCATION: 14210 Lesley Lane, San Martin (APN: 825-30-024)  
DATE RECEIVED: May 4, 2023 (resubmittal)

Dear Mr. Panueto,

Staff has reviewed the application, submitted on May 4, 2023, and would like to provide staff's assessment of the proposed design with respect to the County Zoning Ordinance.

The information in this section are not incomplete items and are not required to deem the application complete for processing. The information in this section is informational only and can be discussed further if desired with County Staff. Some of the issues noted can be addressed through clarification or in the additional information requested in the Incomplete Letter dated May 30, 2023.

As currently designed, Staff has concerns with site design and may not be able to support the project. As this project is a rebuild, the County considers it to be a new residence and must comply with the development standards as any new residence would. Also, the zoning requirements listed on the site plan are not correct. To better meet the intent of the required County's regulations stated above, Staff recommends redesigning the residence to comply with the setback requirements in the Zoning Ordinance.

1. Pursuant to County Ordinance Code Section C1-71 – Violations or conflicts of laws, no permit shall be issued to any applicant upon which there exists a conflict with any County ordinance or state law. Permits may be issued to applicants if the applicant has executed a compliance agreement and is in the process of completing or has completed the repairs, construction, or reconstruction described in the compliance agreement. Due to the outstanding grading violation on the property (VIO-9044), building violation (VIO- 8669), and another other violation not yet recorded, the owner needs to enter into a compliance

agreement with the County of Santa Clara prior to issuance of any permits. Please contact Tyson Green of the Code Enforcement Division to initiate the Compliance Agreement process at [tyson.green@pln.sccgov.org](mailto:tyson.green@pln.sccgov.org) or (408) 299-5793.

2. Please provide a table of the estimated impervious areas that are proposed to be legalized and/or created as a part of the development. The net change in impervious areas shall be clearly stated on the plans.
3. The proposed legalization of the barn impacts drainage flows, thereby not meeting the exemption requirements of Section C12-407 of the County Grading & Drainage Ordinance. Please provide a preliminary Drainage Plan that demonstrates the following items:
  - a. the site can be adequately drained,
  - b. the proposed development will not cause problems to the nearby properties,
  - c. the on-site drainage will be controlled in such a manner as to not increase the downstream peak flow or cause a hazard or public nuisance. If this cannot be demonstrated, provide a detention system pursuant to the Design Guidelines in Section 6.3.3 of the 2007 Santa Clara County Drainage Manual.
4. Please include a driveway approach per SD4 that conforms to County standard slopes of less than 5% grade 20 feet from the edge of pavement or to the right of way, whichever is greater.

Administrative Design Reviews and Grading Abatements involve a staff-level review and takes an action to either grant or deny the project. The Zoning Administrator reserves the right to elevate Administrative Design Review to a public hearing based on project specific review. All decisions may be appealed to the Planning Commission. Decisions of the Planning Commission may be appealed to the Board of Supervisors. Should the applicant voluntarily choose to modify the project design based on the information provided above, to better meet the County's Findings, Guidelines and Policies, please include with the resubmittal to address the items listed in the Incomplete Letter dated May 30, 2023. For questions regarding this letter, please call me at (408) 299-5706 or [robert.cain@pln.sccgov.org](mailto:robert.cain@pln.sccgov.org) to discuss by telephone or to schedule an appointment to do so.

Sincerely,



Robert Cain  
Associate Planner

Cc: Darrin Lee, DEH  
Alex Goff, FMO  
Darrell Wong, LDE  
David Seymour, County Geologist  
Tyson Green, Code Enforcement  
Samuel Gutierrez, Principal Planner  
Scott Zazueta, Applicant