



**CITY OF MILPITAS**  
**Engineering Division (Land Development Section)**  
455 E. Calaveras Blvd.  
Milpitas, CA 95035

**CONDITIONS OF APPROVAL**

**Building Permit No.:** B-PS15-0002  
**Plan Check No.:** 1  
**Date:** April 27, 2015  
**Site Address:** 1506 Augusta Ct  
**Project Name:** Sobek Residence  
**Project Contact:** Lifetime Pools: Rich Sarti; ph 650-494-7070; fx 650-494-0508; ltpoos@sbcglobal.net  
**Scope of Work:** Tenant Improvements: Installation of swimming pool and spa  
**Engineering File No.:** N/A  
**Private Job Account No.:** N/A

JE

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If you have any questions, please contact Joe Ezeokeke at (408) 586-3316; fax 408 586-3305, [jezeokeke@ci.milpitas.ca.gov](mailto:jezeokeke@ci.milpitas.ca.gov))

1. Contractor shall perform all elements of the best management practices for compliance with the requirements of the National Pollution Elimination Discharge System Permit as regulated by the San Francisco Bay Regional Water Quality Control Board. You are responsible for the compliance.
2. Contractor is responsible for approvals and /permits from other agencies, property owners, HOA, and utility companies.
3. Use of potable water for the swimming and spa is currently not permitted by City.
4. Applicant/owner agrees to truck potable water from outside source other than from City potable water system.

SALA BROTHERS

Water Trucking Inc.

1935 El Camino Real

Aromas, CA 95004

831) 726-3903

April 9, 2015

Gary DiGiammarco

Lifetime Pools

Sala Brothers is available to provide water delivery service to fill a swimming pool at 1506 Augusta Ct.  
Milpitas, CA.

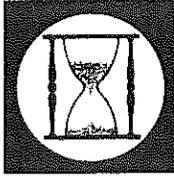
Thank you,

Mark Sala

B-PS15-0002  
**RECEIVED**

APR 09 2015

CITY OF MILPITAS  
BUILDING DIVISION



**LIFETIME  
POOLS, INC.**

RECEIVED

APR 09 2015

CITY OF MILPITAS  
BUILDING DIVISION

City of Milpitas  
455 E. Calaveras Blvd.  
Milpitas, Ca. 95035

Attention: Jeffery Leung  
RE: 1506 Augusta Ct.

MAN - need letter from  
water supplier committing  
to providing water for  
pool. 4-8-15

April 7, 2015

Dear Mr. Leung,

This letter is in response to the Town Council's amendment to the Municipal Code Title VIII, Chapter 6 that was adopted last year. Specifically, we are addressing section 5.03 as it relates to swimming pool permits. As per our discussion last Friday, the Town Council has the discretion to allow an exception to these restrictions for cause.

As agent for the Owner, Lifetime Pools would like to offer the following items as cause for an exception:

After discussing this with the Owner's project representative, we are agreeable to trucking water in from another source to fill the pool in order to eliminate the need for the use of Potable Water from the city.

Prior to the adoption of this amendment, the Owner visited the Building Department for the purposes of learning what would be required in order to construct a pool on her property. At that time, she was informed that she would need a site plan, a soils report, and the Homeowner's Association approval. Subsequently, she proceeded to obtain these items. To date she has spent in excess of \$8,000.00 to have the reports and plans completed. She also has obtained approval from the HOA to construct the pool. The Owner was never notified by the city of this amendment that would prevent her from constructing her pool. We are a licensed contractor with a current business license in the City of Milpitas. We were never informed that we would not be allowed to construct pools in the City of Milpitas and therefore, we proceeded with our drawings, structural plans, and calculations for this pool.

Finally, please see the attached documentation, which will show that even if you account for the initial filling of a new swimming pool, a landscaped yard will use significantly more water than the pool. And if you take into consideration the years after the initial filling of the pool, the disparity is even greater. In addition, you should also know that the proposed pool is designed and equipped with an automatic pool cover to minimize the water evaporation which will also mitigate

the amount of water the pool will use. This is also shown in the attached documentation.

We would appreciate a speedy response to this request, as the Owner is extremely anxious to have this pool started. If you would like, we would be happy to meet with you or any of the council members to provide the documentation mentioned in this letter.

Please feel free to contact me if you need any additional information.

Thank you very much for your consideration in this matter.

Very Truly Yours,



Rick Wolpin  
Director of Sales  
Lifetime Pools

## PUBLIC WORKS

commercial customers shall use the meters to conduct audits in various segments of their plant or process for identifying and implementing water conservation measures. (Ord. 240 (part), 5/3/94)

### **VIII-6-5.00 Supplemental Water Use Restrictions**

Notwithstanding Section VIII-6-3.00 or any other provision of the Municipal Code, the following uses of Potable Water are prohibited:

5.01 Use of potable water for cleaning of any hard surfaces, such as sidewalks, streets, buildings, and parking lots.

5.02 Use of potable water for construction purposes including dust control and compaction.

5.03 Construction of new swimming pools or ponds not currently permitted.

5.04 Use of potable water for cleaning, filling, or operating water features, such as decorative fountains.

5.05 Use of potable water for irrigation of golf courses, except greens and tees area.

5.06 Use of potable water for watering or irrigation of any plants, lawn, grass, landscaping or turf areas between the hours of 8:00 a.m. and 8:00 p.m., adjusted for Daylight Savings Time, and for more than two days during any seven-day period.

5.07 Use of potable water for installation of new landscape unless served by reclaimed water.

5.08 Exceptions to the prohibitions enumerated 5.01 through 5.07 may be granted in the discretion of the City Council.

(Ord. No. 240.2, § 2, 8/19/14)

[Text continues on page 499]

## Chapter 6

## WATER CONSERVATION

## Sections:

**VIII-6-1.00 Purpose****VIII-6-2.00 Definitions****VIII-6-3.00 Restrictions****VIII-6-4.00 Water Meter Loan Program****VIII-6-5.00 Supplemental Water Use  
Restrictions****VIII-6-1.00 Purpose**

The City Council of the City of Milpitas has found that the limited supply of City waters are subject to ever increasing demands; that the City's economic prosperity depends on adequate supplies of water; and that the City policy promotes conservation and efficient use of potable water.

Consistent with the above findings, the purpose of this chapter is to promote the values and benefits of conservation and efficient use of potable water; and establish provisions for water management practices and prevention of potable water waste. (Ord. 240 (part), 5/3/94)

**VIII-6-2.00 Definitions**

The words used in this chapter have the meaning set forth below:

2.01 "Reclaimed Water" means treated or recycled wastewater of a quality suitable for non-potable uses and not intended for human consumption.

2.02 "Runoff" means water that is not absorbed by the surface to which it is applied and flows from the area.

2.03 "Potable Water" means water sold by the City of Milpitas intended for human consumption. (Ord. 240 (part), 5/3/94)

**VIII-6-3.00 Restrictions**

The following uses of potable water are prohibited:

3.01 Use that results in flooding or runoff in gutters, waterways, patios, sidewalks, driveways, or streets except as permitted in Section 3.02 A and B.

3.02 Use without a shutoff nozzle on the outlet end of the hose for:

(a) Washing cars, buses, boats, aircraft, trailers or other vehicles;

(b) Washing buildings, structures, sidewalks, walkways, driveways, patios, parking lots, tennis courts, or other hard-surfaced areas; and

(c) Watering outside plants, lawn, landscape and turf areas.

3.03 Service of water by any restaurant except upon the request of a customer.

3.04 Use through broken or defective plumbing, sprinkler, watering or irrigation systems.

3.05 Use in new, added or altered commercial car wash equipment unless a recycled water system is incorporated.

3.06 Use in new, added or altered cooling system equipment unless at least fifty percent (50%) of the water is recycled. A waiver to allow less than fifty percent (50%) recycling may be granted by the Chief Building Official due to water quality concerns only. Cost is not an acceptable reason to request or receive a waiver.

3.07 Appropriate use for irrigation if reclaimed water is available, except in the following situations as deemed necessary by City Engineer:

(a) Implementation of the streetscape along Abel and Main Streets;

(b) Irrigation of City Cultural Resources;

(c) An establishment period for native plantings, when irrigation will be eliminated at a later period;

(d) Where recycled water use is prohibited under Title 22 of the State Water Code;

(e) Other situations where reclaimed water use is deemed inappropriate by City Engineer.

3.08 Use in new, added, or altered decorative fountains unless a recycled water system is incorporated. (Ord. 240.1 (2), 8/16/05; Ord. 240 (part), 5/3/94)

**VIII-6-4.00 Water Meter Loan Program**

Water meters shall be made available by the City to loan to industrial and commercial customers for use in water audits. The industrial and