

Condo Dwelling Traffic Noise Abatement

REASON FOR INVESTIGATION

The 1995/96 Ventura County Grand Jury received a citizen's complaint, (96-42), alleging that the City of Thousand Oaks allowed a building specification variance to permit a sub-standard window installation in a condominium complex located adjacent to the Ventura Freeway 101. The variance was alleged to result in a higher than acceptable ambient noise level due to automobile and truck traffic on the freeway.

PROCEDURE FOLLOWED

- Visited condominium unit and the complainant was interviewed at which time the window and door installation throughout the entire condominium unit was examined.
- Interviewed another resident in the building.
- Interviewed the City of Thousand Oaks City Attorney and Planning Department staff members.
- Reviewed building specifications and contract documents obtained from the City of Thousand Oaks Planning and Community Development and the Building Department.

FINDINGS

- The specifications, contract and construction documents for affordable housing was found to be in order and the City of Thousand Oaks was fully compliant with all legal and mandated requirements. No documented noise abatement variances were discovered.
- Based on the available documents, the contractor, sub-contractor and noise analysis consultant performed their tasks in full compliance with the specifications and construction documents.
- No variance or discrepancies in the window and noise abatement measures were found to exist in the building.
- No other condominium resident had any noise complaints.
- The condominium in question was provided with double pane glass on those windows that face the freeway as a result of previous complaints.
- All of the buyers of condominiums in the building signed a Notice Of Disclosure that described the noise level that would exist inside the apartment areas due to proximity to the freeway.

CONCLUSION

The 1995/96 Grand Jury investigation concludes that the City of Thousand Oaks did not allow a variance and has no further obligation to mitigate ambient noise levels within the building.