



# VARIANCE JUSTIFICATIONS

All three of the following findings must be made in order to approve a Variance application.

The Sunnyvale Municipal code states that all three of the following justifications must be met before granting the Variance. Please provide us information on how your project meets all of the following criteria.

**Variance Request – 20' average front setback along Maude Ave.**

1. Because of exceptional or extraordinary circumstances or conditions applicable to the property, or use, including size, shape, topography, location or surroundings, the strict application of the ordinance is found to deprive the property owner of privileges enjoyed by other properties in the vicinity and within the same zoning district. *The current application for 11 units is the minimum density required per zoning (75% of maximum). There are no options available to comply with the front setback standard given the geometry of the property and the city request for an on-site garage cart staging area. The units in Building 1 are the minimum width required for a two car garage (20'-3"). The walkway and parking stalls north of Building 1 are the minimum width permitted per city standards. Consequently, the setback variance is necessary to meet the minimum density and parking requirements, and to provide the on-site garbage cart staging area. If on-street cart garbage staging were approved, the 20' average front setback along Maude Ave. could be provided by eliminating the walkway at the north end of Building 1 and shifting Building 1 north.*

AND

2. The granting of the Variance will not be materially detrimental to the public welfare or injurious to the property, improvements, or uses within the immediate vicinity and within the same zoning district. *The Building 1 and 2 end elevations are designed to reduce the mass and bulk of the buildings when viewed from Maude Avenue. Architectural enhancements include a variety of details to help create a front elevation appearance for these end unit side elevations. We created architectural projections on the second and third floors to break up the massing, and added recessed windows accentuated by decorative tile, pot shelves, and shutters. We used these details to create a series of layers that help the building step back from the street and soften the elevation from the sidewalk. In addition, we placed a projected surround with shed roof at the entries to create a more impactful entrance. And to further increase the use of color and materials, we added additional shutters to the first floor windows and placed a wrought iron gate at the opening of the covered porch on Building 2.*

AND

3. Upon granting of the Variance, the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district. *The proposed 18.8' average and 15' minimum front setbacks are greater than front setbacks on adjacent properties along this block of Maude Ave. between Morse Ave. and North Bayview Ave. (see Exhibit A), so this development will not impact the rhythm of the street.*

If you need assistance in answering any of these justifications, contact the Planning Division staff at the One-Stop Permit Center.



- EXHIBIT A