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FEB 23 2016
PLANNING DIVISION

To: Sunnyvale zooning committee

From: Efrat and Lior Barak

Date: 02/18/2016

Appeal against Sunnyvale Zoning Administrator, decision from February 12th, 2016 regarding the variance with modifications for our garage located at 568 South Frances street, Sunnyvale California 94086

1. Zoning Administrator decisions were as flows:
    a. The proposed size and dimensions of the garage are approved
    b. The requested reduced setbacks of the garage are approved
    c. The roof of the garage is required to be reduced in height to a ***flat roof style*** with the walls no higher that currently proposed.

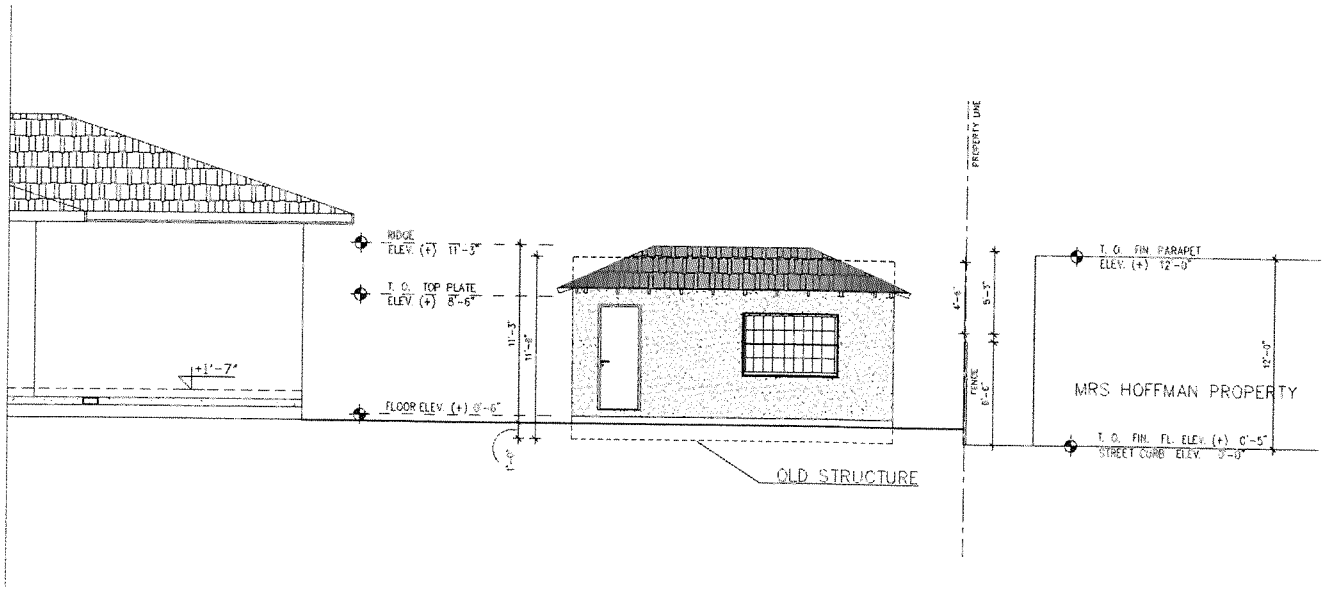
2. We fail to understand the Zoning Administrator decision regarding the roof style and we simply cannot see how the height restrictions has anything to do with the design. Such severe decision forces us to dramatically change one of the key features of the project plan (pitch roof).

3. We strongly believe that the reason (excessive height) for rejecting our proposal is NOT supported by the facts. As shown in Zoning Administrator letter her **only** argument against the pitch roof is that it will be too high and will unfavorably impact neighbor's current living conditions. To support her decision Zoning Administrator, in her letter, wrote the following: *"The level the grade of the lot the pad of the new garage will likely need to be raised approximately 2 feet. This will result in additional height therefore; the roof design should be adjusted".*

4. It is our opinion that Zoning Administrator reasoning is contradictory with the particulars of the site (see Chart #1 below), since the new garage will be **substantially at the same** height as the current structure that we plan to demolish. Chart #1 below supports our arguments and illustrates the following:
    i. The height of the current structure
    ii. The height of the proposed garage

iii. The height of Mr. Hoffman house (law office, not a residential house) which is the neighbor that demonstrated concern, during the hearing, about the height of our proposed garage

Chart # 1

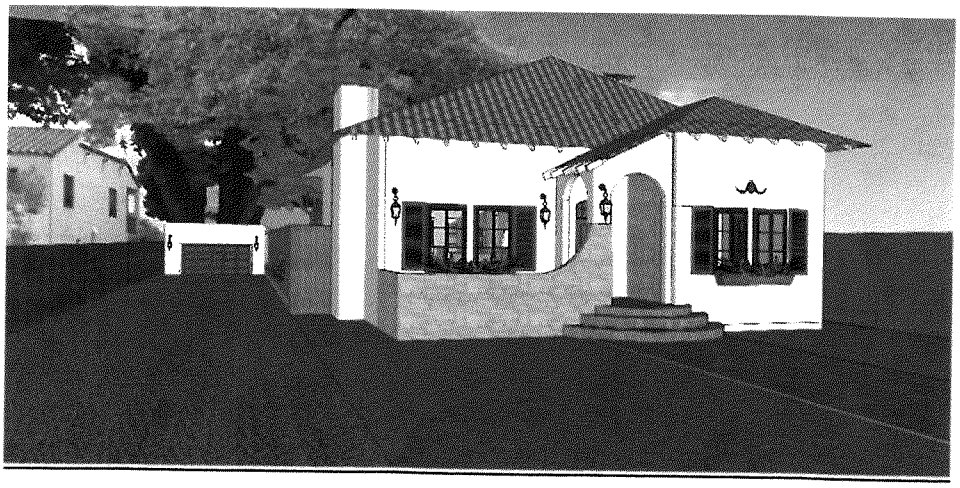


5. As shown in Chart #1 the height of the new garage will stay substantially the same as the old structure and will not adversely impact the neighbor view, airflow and quality of living, hence there is no reason to force us to build a flat roof that does not lives in harmony with the design principles of the main house. It is imperative to note that the design style of our project was already discussed and **approved unanimously**, three (3) months ago, by the heritage committee and suggesting such drastic changes at the 11th inning is simply improper. Moreover, we strongly believe that the charter of the hearing was about height restrictions, reduced setbacks and neighbor's concerns and NOT about the roof style.

6. In Drawing #2 you can see our proposed design versus the design suggested by the Zoning Administrator (Drawing # 3). It is undoubtedly more appealing to build the garage based on our proposal as it makes the garage consistent with the main house design principles.

Drawing # 2

Drawing # 3

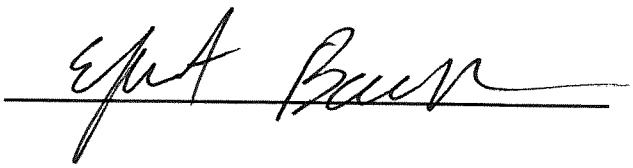


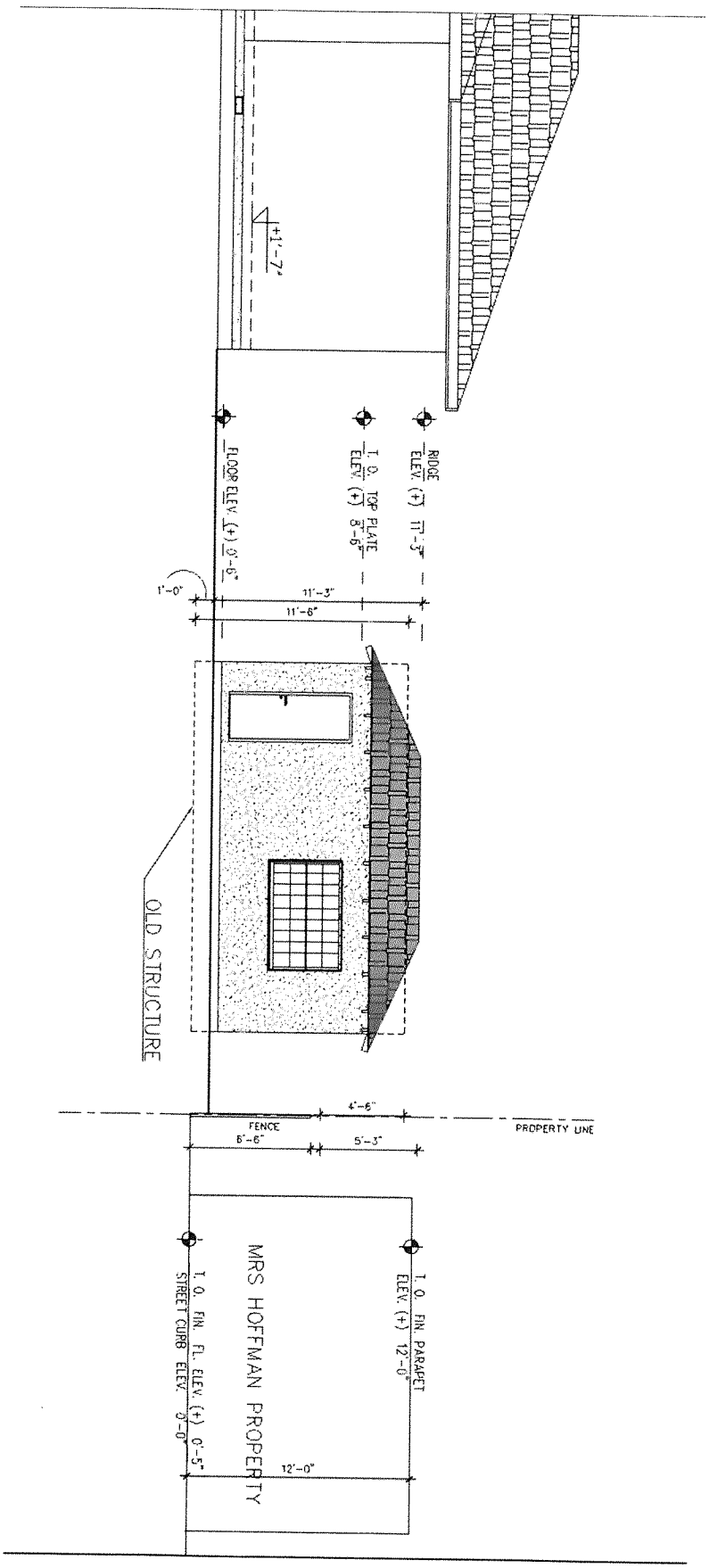
7. We feel really offended and disappointed with Zoning Administrator decision and we kindly ask the committee to reconsider and retract the decision based on the facts mentioned above.

8. At the end of the day we want to live in a house that is:
    a. Maintain and enhance the Spanish elegance of the original home
    b. Designed to the palate of our needs and style
    c. Blends well with the entire historic neighborhood
    d. Do not adversely impact the neighbors current living conditions

Warmest regards

Efrat and Lior Barak; Owners of 568 South Frances




RIDGE
ELEV. (+) 17'-3"
T. O. TOP PLATE
ELEV. (+) 8'-6"
FLOOR ELEV. (+) 0'-6"
+1'-7"
1'-0"
11'-3"
11'-6"
OLD STRUCTURE
4'-6"
FENCE
PROPERTY LINE
6'-6"
5'-3"
T. O. FIN. PARAPET
ELEV. (+) 12'-0"
MRS HOFFMAN PROPERTY
T. O. FIN. FL. ELEV. (+) 0'-5"
STREET CURB ELEV. 0'-0"
12'-0"