

## RECOMMENDED FINDINGS

### VARIANCE

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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 or privileges enjoyed by other properties in the vicinity and within the same zoning district. ***Finding not met.***

The lot area of the property is larger than code standards of the R-1 zoning and the lot shape is a standard rectangular shape. The project site has a detached garage located in the rear of the property with a paved area between the main house and garage which has sufficient parking space for two vehicles. In addition, there is a 10-foot wide driveway to the right of the house which can park an additional two vehicles and room to park two vehicles in front of the house. With the use of the garage, a total of eight vehicles could be parked on site without the Variance. The project site far exceeds the minimum parking requirement for a single-family home which is two covered and two uncovered parking spaces. There is no exceptional or extraordinary circumstance or condition applicable to the property or use.

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. ***Finding not met.***

The purpose of the paving and impervious surface requirement as stated in the Sunnyvale Municipal Code is to ensure that adequate landscaped areas and usable open space are provided where applicable for all zoning districts; to promote the conservation and efficient use of water and to prevent the waste of this valuable resource; and to promote water conservation as one component of sustainable building practices. Granting of the Variance would not meet the purpose of the landscape requirement as it decreases usable open space, does not promote conservation and increases runoff.

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. ***Finding not met.***

Granting of the Variance request would create a precedent not enjoyed by other property owners in the City. Granting of the Variance would not meet the

purpose of the landscape requirement as it decreases usable open space, does not promote conservation and increases runoff.