



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.

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 property is a corner lot uniquely constrained by a sight triangle, PUE, and WCE, severely reducing the usable area. Due to the driveway's location on S. Mary Ave, the southern side (currently setback at 7' 7") functions as a side yard rather than the required 20-foot rear yard. Strict application of the code would force an inefficient expansion, ignoring the existing foundation and roofline, and creating a hardship unique to this site's orientation.

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 addition will have minimal impact on neighbors. The southern-facing orientation ensures that sunlight to adjacent homes is not blocked. Additionally, the new wall on the southern side will align with the existing structure and will not extend beyond the original footprint, minimizing the visual impact on the surrounding environment and maintaining the character of the neighborhood.

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 addition will align with the existing structure and not extend beyond the original footprint, maintaining neighborhood character. The variance ensures functional use without granting special privileges.

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