



Sunnyvale

Appeal of ZA Denial of  
PLNG-2022-7714  
424 Bryan Avenue

Drew Taplin, Associate Planner  
Planning Commission, May 22, 2023



# Site

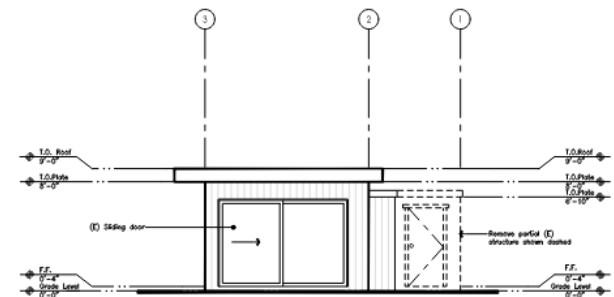
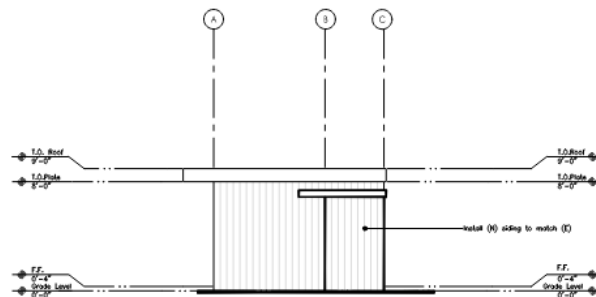
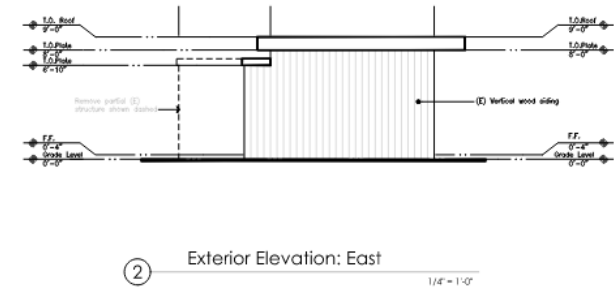
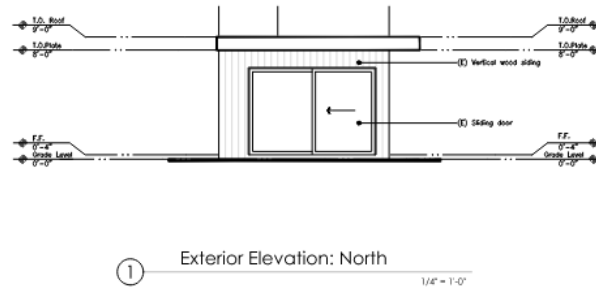
- Location:  
424 Bryan Avenue
- Zoning = R-2



# Variance Request

- Applicant's Justifications:

- ◆ Limited site options due to pool and existing structures
- ◆ No privacy impacts
- ◆ Legal alternatives would be more imposing



# Application History

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## Zoning Administrator

- The project was considered by the Zoning Administrator at a public hearing on March 1, 2023.
- Following the staff presentation, applicant presentation, and public comments, the Zoning Administrator determined that findings could not be made to approve the project and denied the Variance application.

# Variance Findings

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## Not Met

1. Because of exceptional circumstances applicable to the property, the strict application of the ordinance deprives the property owner of privileges enjoyed by other nearby properties.
2. The Variance will not be detrimental to nearby properties.
3. The Variance will not grant special privileges not enjoyed by nearby property owners.

# Discussion of Findings

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1. The subject parcel is scaled appropriately compared to adjacent properties and is not constrained by floor area ratio, lot coverage, or lot configuration. (Not met)
2. The accessory structure has not been materially detrimental to the public welfare or injurious to adjacent properties. (Met)
3. Many properties in the vicinity are developed similarly in configuration, though few contain accessory structures exceed the standards of the Zoning Code. Granting a variance for the subject property would constitute a special privilege. (Not met)

# Recommendation

## Alternatives

1. Deny the appeal and uphold decision of the Zoning Administrator (deny Variance)
2. Grant the appeal and approve the Variance subject to conditions (approve Variance)
3. Grant the appeal and approve the Variance with modified conditions (approve Variance)

## Staff Recommendation

1. Deny the appeal and uphold the decision of the Zoning Administrator to deny the Variance for the accessory structure.