



# VARIANCE JUSTIFICATIONS

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

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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 Signage Master Plan was developed with the intent that each building receives a tenant monument sign at the most appropriate entry drive to the building, off of either Borregas Ave., Bordeaux Drive, or Mathilda Ave. These signs offer tenants identity along the street and assist in visitor wayfinding. The new sewer easement at the entry drive to building 4 encroaches on, and is in direct conflict with the previously approved building 4 tenant monument location. This location had been approved per the October 10 2014 Signage Master Plan. In its present location the building monument sign would have to be reduced in size, or eliminated at the driveway approach to avoid being in the sewer easement. Doing either of these options would put building 4' tenants at a disadvantage relative to other tenants in this zoning district. As a result, JPC proposes that the sign encroach into the vision triangle as shown in the diagram included, so that it clears the sewer easement.

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 comprehensive design of the intersection of building 4's driveway and Borregas Avenue, including the generous distance (8ft) that the pedestrian path is from the edge of curb, the 6' width of the pedestrian path, and the overall width of the driveway, ensures that the intersection remains safe for the public, even though the tenant monument sign is placed slightly closer to the curb than originally approved .

In addition:

- With the new monument location, a driver of an average sized vehicle (as shown in our diagram) still completely passes the sign before the front of the vehicle enters the pedestrian path, as the vehicle exits the site
- A driver can still see 30 feet of pedestrian path to the right as the vehicle approaches the intersection with Borregas, as shown in the diagram included.

**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.

This sign has a special and unique circumstance due to the utility easement, and will not establish a new precedent for other tenant monuments on the site.

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