



# 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.

1. The unique topology and surrounding of the lot in 568 South Frances is limiting our ability to comply current municipal code. The specific challenge is pertained to a large Redwood tree that fundamentally restrict our ability to re build the garage per municipal code and guideline

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.

2. Reviewing other properties located in the heritage district (same zoning district) we noticed that there are serval homes that have one or two car garage that are situated within setback lines and are not comply with city code. Moreover, our Variance request (allowing us to renovate the existing garage in its present location) will not in any manner harm or negatively impact the public or the neighbors of our home. We simply request to maintain the garage in it current location and we strongly believe it won't be different than today's situation (just nicer and updated to 21<sup>st</sup> century needs)

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.

3. Granting such variance will NOT award the owners of 568 South Frances any special privileges compare to other property owners in the same zoning district

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