



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.

Variance Request – Greater than 10% shade (12%) impact to existing roof of adjacent property.

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 lot on which the property is located is very narrow, with an east west orientation and 0 ft setback on the right side. The existing house is built to the extent of the rear setback limit. Because of that, the only possible location for an addition is at the front of the house, on the second floor, over the garage, which is what we propose. The proposed plate line is 7 feet, with the intention to minimize the height of the addition, while still allowing the owners reasonable use of the property. The proposed addition is consistent with the neighboring properties in the immediate vicinity.

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 PM solar analysis shows that at 3:00 PM of Dec. 21st the shade cast by the existing house covers an area of the first floor roof situated between the 2 houses, at 10.5% of the total roof. The front section of the first floor roof is also self shaded (7.8% of total). The proposed addition shade is situated between the two shaded areas, on the left front corner, making that an impractical location for solar panel installation.

The AM solar analysis shows less than 10% shade over neighbor's house.

Furthermore, the roof over the first floor is not practical for solar panel installation, even without an addition, because it's area is too small for the installation of solar panels.

Therefore the proposed addition will not be detrimental to the neighbor's solar access.

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 proposed addition will be consistent with the neighboring properties in the immediate vicinity; it is consistent with the intent of the zoning rules and does not create any impediment for the neighbors' ability to install solar panels, or create special privileges for our proposed plan.

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