



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 ^{East} south side of ~~South side~~ of McKinley Avenue contains small lots of 5,000 square feet and the homes were all originally constructed with a 15' setback. In addition, a common neighborhood characteristic is an enclosed or covered front entry porch. The requested variance will allow the home to provide a covered front porch element that is consistent with the adjacent homes on the block. Strict application of the Zoning Code would deprive the property owner of providing an architectural element that is consistent with and at the same setback as neighboring homes.

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 would not be detrimental in that the proposed front entry living area will meet the same set back as the existing home, and that of all the other homes in the area. The variance will allow a minor encroachment of 5' into the front yard of the entryway. We would ask to be allowed to install a 3' deep by 8'6" wide front porch covering at the front door. This would be consistent with the existing neighborhood homes. Because this property has a garage that is located at the back of the property and a driveway which runs on the right side of the property, this is the only opportunity that this home has for a front addition.

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 requested variance will not result in the property owner being granted special privileges in that the addition will be similar to adjacent homes in the immediate neighborhood and zoning district. The addition will result in an architectural element that is consistent with the character of the area. Examples of these homes would be 457 McKinley Ave. which has a 11.31' setback to its front porch, 473 McKinley Ave. which has a 16.24' setback to its front porch, 485 McKinley Ave. which has a 18.34' setback to the house and 13.53' setback to its front porch, 493 McKinley Ave. which has a 19' setback to the house and 14.5' setback to its front porch, 468 Southwood Ave. which has a 15' setback to the front porch and who received a variance from the city on Sept. 16, 2009. Please see attached **Examples of non-conforming Neighborhood Setbacks around 462 E. McKinley Ave. Sunnyvale CA**

**Examples of non-conforming Neighborhood Setbacks
around
462 E. McKinley Ave. Sunnyvale CA**

1. 457 E. McKinley Ave.
A) House Front Setback 11.31'
B) Front Porch Setback 11.31'
2. 473 E. McKinley Ave.
A) House Front Setback 20'
B) Front Porch Setback 16.24'
3. 479 E. McKinley Ave.
A) House Front Setback 20'
B) Front Porch Setback 16.24'
4. 485 E. McKinley Ave.
A) House Front Setback 18.34'
B) Front Porch Setback 13.53'



5. 493 E. Mckinley Ave.
A) House Front Setback 19.24'
B) Front Porch Setback 14.56'



6. 345 Central Ave.
A) House Front Setback 16.96'
B) Front Porch Setback 14.56'
7. 325 Central Ave.
A) House Front Setback 19.14'
B) Front Porch Setback 15.25'

8. 481 Southwood Ave.
A) House Front Setback 15'
B) Porch Front Setback 13'



9. 439 Southwood Ave.
A) House Front Setback 15'
B) Front Porch Setback 15'

10.305 Bayview Ave.

A) House Front Setback 16'

B) Front Porch Setback 16'



- 11.468 E. McKinley Ave.
A) House Front Setback 15'
B) Front Porch Setback 15'

