



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 homeowner has suffered several incidents of vehicles entering their front yard and an even worse case when a police documented crash, in which a car has crashed into the living-room and causing severe damages to property and traumatizing the homeowner significantly. The homeowner is wishing to build a secured surrounding to their property. A fence with 2x2 feet and 4' 11" high post were built with a minimum distance 9.5 feet to 10' 6" between the posts. With a cinder rail 2' 11"

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 new fence does not cause any block of vision to drivers who are driving on E Duane who are driving West on E Duane, as the decorative wrought iron fence above the cinder rail is spaced apart with clear vision between the metal bar, despite the peak's height of 2' 8.5" See the enclosed photos to demonstrate these facts.

Furthermore, driver's who are driving on Worley Ave North, approaching E Duane's intersection, have an extended vision at the Stop sign, due to the insert at this intersection; please refer to the enclosed photos to demonstrate this.

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 homeowner will not benefit from any additional space, not even special privacy due to the nature of the wrought iron fence.

The only homeowner's benefit will be its protection against future cars ramming into their property and home, yet the entire neighborhood can enjoy along with the homeowners themselves a unique eye pleasing fence to enhance the overall look of the neighborhood

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





