

SUNNYVALE VARIANCE JUSTIFICATION

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Application Number: 2018-7120

**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 current garage has been in the dilapidated condition for the last several decades under three previous owners. The garage is unsafe, and a part of its roof is missing. It lacks a foundation and the broken flat roof that does not match the main house. These conditions necessitate rebuilding the structure. The addition of a foundation and gabled roof is the expansion we seek for the legally non-conforming garage. The proposed gabled roof style matches the house character and other neighborhood garages. The following factors limit our ability to satisfy the current code.

Due to the lack of foundation and lack of gabled roof we need to increase the height of the garage to meet current structural requirements. The current garage is 2-car capacity and we intend to keep that size to comply with the covered parking requirement. We are unable to meet the current rear and side yard setback requirements for the garage as

1. It is at the rear of the property in accordance with the Heritage district guidelines.
2. Due to the house's layout on the substandard R0 (5000 sq. Ft.) lot, it is not possible to move the garage forward or inward to meet rear and side setbacks.

**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 existing detached garage has been in the current location for over 60 years and has not been materially detrimental to the public welfare or injurious to the property. We plan to keep the garage in rear and match the roof style to the house according the Heritage guidelines for S Taaffe and S Frances heritage district bringing the character of the house in line with the neighborhood. The new garage would be built in the same location with identical footprint and doors & windows of the same size. In addition, we are removing one rear window to reduce the light and noise impact to the neighbors. The remodel would improve the garage condition, safety, and enhance the streetscape.

Our neighbors to the north and to the south have reviewed the proposed design and strongly endorse our plans (see attached).

**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 garage's location and gabled roof is perfectly in keeping with the neighborhood homes and Heritage guidelines for S Taaffe and S Frances heritage district. In this neighborhood, many lots contain nonconforming detached structures that do not meet the current rear

and side yard setback requirements and have gabled roof matching the home roof style. Thus, the variance does not grant us any special privileges.

The garage remodel also serves the intent and purpose of ordinance by keeping the current footprint of the legal non-conforming garage. We intend to rebuild the garage and return it to functioning state to match the heritage district guidelines.