

Holland & Knight

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June 3, 2020

Via E-Mail

Michelle King
Zoning Administrator
City of Sunnyvale
456 W. Olive Ave.
Sunnyvale, CA 94086

Re: Applicant Clarifications - June 10, 2020 Zoning Administrator Hearing - 814 Selkirk Place

Dear Ms. King,

On behalf of our clients Ladan and Ralph Dalla Betta (“Applicants”), we appreciate your and City staff’s attention and consideration to Applicants’ pending variance request for the proposed accessory dwelling unit (“ADU”) at 814 Selkirk Place. In anticipation of the June 10, 2020 Zoning Administrator hearing to consider this variance request, Applicants respectfully submit the following three clarifications on the proposed ADU project:

1. Applicants have learned that at least one member of the community is concerned that the proposed ADU could be used for short-term rentals (*e.g.*, Airbnb rentals). State ADU law (Gov’t Code § 65852.2(a)(6)) provides that ADUs cannot be used for such short-term rentals, and may only be rented for periods longer than (30) days. **Once approved, Applicants are fully committed to complying with all aspects of state laws, including those concerning ADU rental duration. Further, it is Applicants’ intention to make the proposed ADU available as a long-term living space for a young family or young professionals in the community.**
2. The City’s public notice distributed to nearby residents partially describes the project as a “999-square foot attached [ADU] that ... includes a 522-square foot addition to the front of the existing family home...” **Applicants would like to clarify that the proposed project would also consist of the removal of 342 sq. ft. of the existing addition.** Applicants have attached a site plan with embedded comments at **Exhibit A** to this letter. We feel this clarification is needed, so that the Zoning Administrator, City staff and nearby residents have a clear understanding of the spatial extent to the proposed ADU.

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3. Lastly, the City's public notice notes that the proposed ADU (together with the existing primary dwelling) would result in a Floor Area Ratio ("FAR") of 42%. **For clarification purposes, Applicants would like to clarify that the maximum allowable FAR for the R-0 district is 45%, and thus, Applicants are not seeking a density/FAR increase in this variance request.** The proposed ADU, together with the existing primary dwelling, would satisfy both the maximum FAR and lot coverage requirements for the property. Applicants are seeking a limited variance from the City's 25% rear yard requirement.

Respectfully,

A handwritten signature in blue ink, appearing to read "Kevin Ashe", is positioned above the typed name.

Kevin J. Ashe
Holland & Knight, LLP

cc: Momoko Ishijima, Senior Planner
Rebecca Moon, Assistant City Attorney

EXHIBIT A

Site Plan with Applicant Comments

Large corner Lot
Existing main house 1958 sqft
Remodeled main house 2123sqft
Granny Unit/ADU 999sqft
Lot coverage 42%, which is below the 45% max allowed.

ADU on the east side yard to replace the master bedroom room and gated storage area.

