



City of Sunnyvale

Meeting Minutes

Zoning Administrator Hearing

Wednesday, March 29, 2017

3:00 PM

West Conference Room, City Hall, 456 W.
Olive Ave., Sunnyvale, CA 94086

CALL TO ORDER

Gerri Caruso, Principal Planner, called the meeting to order at 3 p.m.

PUBLIC HEARINGS

File #: 2016-7950

Location: 313 North Sunnyvale Avenue (APN: 204-35-028)

Applicant / Owner: Adolfo M. Martinez / Arun & Deepa Jangity

Proposed Project:

USE PERMIT to allow a 798-square foot detached accessory habitable structure, 13 feet one inch in height, in the rear yard of an existing single-family residence, and a 125-square foot addition to the garage of the main residence, for a total floor area of 2,772 square feet for the site (38.4% FAR).

Reason for Permit: A Use Permit is required to allow areas of all accessory structures to exceed 450 square feet.

Issues: Rear yard coverage

Project Planner: Momoko Ishijima, (408) 730-7532,
mishijima@sunnyvale.ca.gov

Recommendation: Approve with conditions

Ms. Caruso stated the project planner, Momoko Ishijima, was not able to attend and Ryan Kuchenig will attend in her place.

Mr. Kuchenig summarized the project. Prior to issuance of a Building Permit, a required recorded deed restriction stating that conversion to an Accessory Dwelling Unit and installing a kitchen are restricted. Another condition of approval about the demolition of sheds may require another permit, as stated in Attachment 3 of the staff report.

Ms. Caruso clarified the structure is not an Accessory Living Unit, however is habitable. A line in the report stated staff recommends Conditions of Approval that restrict use of the building for habitation, there is no restriction for habitation by code however a kitchen cannot be added and the structure cannot be used as a separate living unit.

Ms. Caruso inquired if the applicant had any questions. Ms. Caruso clarified the deed restriction states that the structure is not an Accessory Dwelling Unit.

Deepa Jangity, applicant, inquired if the property assessment will reflect the addition of the rooms. Ms. Caruso stated the county assessor will be the authority to determine the status of the property assessment, and not the city. The applicant stated she had no further comments.

Ms. Caruso opened the hearing to the public.

Ruth Schwarz, neighbor, stated she also has an accessory structure, however her deed restriction stated she could not add a bathroom with a shower to the building. While in support of Mrs. Jangity's new structure, she inquired as to why she wasn't able to add a shower or bathtub unit while Mrs. Jangity was approved for one. This restricts her property value while her neighbor's value will increase.

Ms. Caruso stated staff will look into her project and inquired if Ms. Schwarz had space for the shower, to which the answer was yes. Ms. Schwarz stated construction of the structure, an artist's studio, was completed less than a year ago and wants her deed restriction lifted. Ms. Caruso stated staff will not be able to respond by the end of the week as an in depth review of the project will be needed, after which staff will contact Ms. Schwarz.

Ms. Caruso asked if the applicant had anything else to add.

Mrs. Jangity inquired if her initial design with the tandem garage to be changed to a carport instead, to avoid major structural change. There are many nice carports in the neighborhood and the addition of the carport would greatly reduce the cost of construction.

Ms. Caruso stated there are two requirements the garage would satisfy: 1) covered space and 2) storage space. There is a possibility the carport might be considered as a covered space, however Ms. Caruso stated she would rather approve the project the way it was submitted to include the tandem parking and review whether the carport can be considered as covered space at a later date. Staff can then decide if the project will need to come back to a public hearing.

Mrs. Jangity stated her concern that the tandem parking will reduce the kitchen space and lighting from the window.

Ms. Caruso and Mr. Kuchenig stated the applicant may not have room to place the carport out front, as a twenty foot setback is required. The applicant might want to

add the carport to the rear of the house instead. Momoko Ishijima can discuss further with Mrs. Jangity if she decides to go forward with the change. Carports, if fully covered, do qualify as covered parking, however there are other standards that need to be met. Ms. Caruso stated she cannot redesign the plans at the hearing.

Seeing no one else at the hearing, Ms. Caruso closed the public hearing.

ACTION: Ms. Caruso approved the project subject to the findings and conditions of approval located in the staff report with the following modification:

1) Correction to the staff report to state the structure will be habitable.

ADJOURNMENT

Ms. Caruso adjourned the meeting at 3:12 p.m.