



City of Sunnyvale

Agenda Item-No Attachments (PDF)

File #: 15-0731, Version: 1

REPORT TO THE ZONING ADMINISTRATOR

File #: 2015-7427

Location: 1222 Susan Way (APN: 198-13-071)

Applicant / Owner: Qian Pietila

Proposed Project:

Variance for a 10 foot combined side yard setback where 12 feet is required. Design Review for a 433 square foot addition (406 square foot garage and 27 square foot half bathroom) to an existing 2,176 two-story single-family residence. Project will result in 2,609 square feet total and 45% FAR.

Reason for Permit: A variance is required for the combined side yard setback.

Project Planner: Jonathan Caldito, (408) 730-7452, Jcaldito@sunnyvale.ca.gov

Issues: Combined side yard setbacks

Recommendation: Approve with conditions

PROJECT DESCRIPTION

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Residential Low Density	Same	Same
Zoning District	R-0	Same	Same
Lot Size (s.f.)	5,800	Same	8,000 min.
Lot Width	58'	Same	76'
Gross Floor Area (s.f.)	2,176	2,609	3,600
Lot Coverage (%)	27% (1,573 s.f.)	37% (2,156 s.f. includes covered porch in rear)	40% max.
Floor Area Ratio (FAR)	38%	45%	45%
Building Height (ft.)	21'10"	Same	30' max.
No. of Stories	Two	Same	Two max.
Setbacks			
Front	27'6"	22'8"	20' min.
Left Side (ft.)	5'	5'	4' min.

Right Side (ft.) 1 st Floor 2 nd Floor	5' N/A	5' 8'9"	7' min. 10' min. - see total
Side Total (ft.) 1 st Floor 2 nd Floor	10' N/A	10' 17'1"	12' min. 17' min.
Rear (ft.) 1 st Floor 2 nd Floor	30' N/A	Same 20'1"	20' min. 20' min.

Previous Planning Projects related to Subject Application:	2005-0723 , Variance to allow an attached garage with a 5' side yard setback on the right side instead of the required 7'. Approved but was never built. Permit has expired.
Neighborhood Preservation Complaint	No
Deviations from Standard Zoning Requirements	Yes, the combined side setbacks do not meet the current municipal code standard

Background

Site Layout: The existing home is an "L"-shaped building situated in the center of the 5,800 square foot lot. The home meets the required four foot setback on the left and right side but has a substandard combined side yard setback of 10 feet in the rear section of the home. The home was built in 1952 prior to the requirement for combined side yard setbacks. The front section of the home where the proposed garage addition will take place has a left side yard setback of five feet and a combined side yard setback of 35 feet.

The proposed 433 square foot garage addition will add to the front of the home and will result in the home becoming a "U" shape. The addition will extend the 5 foot setback from the rear section of the home all the way to the front of the garage and the new combined side yard setback for the home will be 10 feet.

Floor Plan: The existing home is approximately 2,176 square feet which includes a covered patio in the rear yard. The home has three bedrooms and two bathrooms with no garage. Prior permit history shows that there were building permits issued in 1988 and 1989 for work on the garage. The permit information is unclear and this work may have been a legal conversion from garage to living space. The proposed addition will add a 406 square foot garage to the front of the home and a 27 square foot half bathroom resulting in a 2,609 square foot home. There will be no additional changes to the existing home.

Architecture: The proposed 433 square foot addition will be added to the front of the home and will maintain the five foot setback of the existing rear section of the home. If the applicant designed the home to meet current standards, the required setback on the right side would be need to seven feet, which would create a two foot break in the structure of the home.

A design that meets current setback standards would cause issues with the garage as the minimum 2 car garage size needs to 400 square feet with an interior clearance of 17 feet by 18 feet. Although it may be possible to move the proposed garage to the left to meet setback requirements doing so would create a narrow entry way into the home.

In addition to the garage, this project will also include a change to the roof over the front door to

create an improved entry way. The primary exterior materials will be stucco to match the existing house and glass windows will be similar in size, shape, and placement as the originals. The new portion of the home will be painted to match the existing home.

Variance Justification: In the Variance application letter, the applicant outlines issues and points associated with the project. In summary, the applicant noted the following:

- The house does not have a garage due to the past owner converting the old garage into living space.
- The addition is for a garage similar to neighboring houses.
- There are homes with similar additions and configurations in the immediate and surrounding neighborhood.

Neighborhood Impacts / Compatibility: The two-story home is located in a predominantly single story neighborhood with both “U” and “L” shaped homes. Nearly all of the homes in the immediate neighborhood have a garage oriented on the left or right side of the home similar to the applicant’s proposal. Staff believes that there will be minimal impact on the existing neighborhood as homes on the block have similar configurations.

Public Contact: 77 notices were sent to surrounding property owners and residents adjacent to the subject site in addition to standard noticing practices, including advertisement in the Sunnyvale Sun Newspaper and on-site posting. No letters or calls were received from the public by staff.

Environmental Determination: A Categorical Exemption Class 1 (minor alterations to existing structure) relieves this project from CEQA provisions.

FINDINGS

In order to approve the Variance the following findings must be made:

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 or privileges enjoyed by other properties in the vicinity and within the same zoning district. **(Finding Met)**

Meeting the combined side yard setback would be difficult due to minimum garage size and configuration. The required minimum size for a two car garage is 400 square feet with an interior clearance of 17 feet wide by 18 feet in length. The applicant is proposing a garage width of 17 feet 9 inches. Shifting the garage over two feet to meet the combined side yard setback may require the frontage of the home to be redesigned including reconfiguration of two bedrooms and a bathroom and create a very narrow entry way. The home is already at a maximum floor area ratio of 45 percent.

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. **(Finding Met)**

Granting the Variance will not be detrimental to the public welfare as there are many homes in the immediate and surrounding neighborhood that are similarly designed. There are homes that have an "L" and "U" shape and many of them have a garage on the left and right side of the home. The garage would still meet the minimum 4 foot setback allowed for the R-0 zoning district.

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. **(Finding Met)**

No special privileges will be granted by the approval of the permit. The applicant is asking for a two car garage similar to what neighbors have to for parking and what is currently required by code. The previous owner of the home converted the existing garage into living space which left no covered parking for the applicant.

ALTERNATIVES

1. Approve the Variance Permit with recommended Conditions in Attachment 2.
2. Approve the Variance Permit with modifications.
3. Deny the Variance Permit.

RECOMMENDATION

Alternative 1. Approve the Variance Permit with recommended Conditions in Attachment 2.

Prepared by: Jonathan Caldito, Project Planner

Approved by: Gerri Caruso, Principle Planner

ATTACHMENTS

1. Noticing and Vicinity Map
2. Recommended Conditions of Approval
3. Site and Architectural Plans
4. Letter from the Applicant
5. Site Photographs