



CITY OF SUNNYVALE REPORT ADMINISTRATIVE HEARING

September 16, 2009

File Number: 2009-0567

Permit Type: Variance and Design Review

Location: 468 Southwood Avenue (near S Bayview Ave.) (APN: 209-22-046)

Applicant/Owner: Peggy Meier

Staff Contact: Shaunn Mendrin, Senior Planner, (408) 730-7429

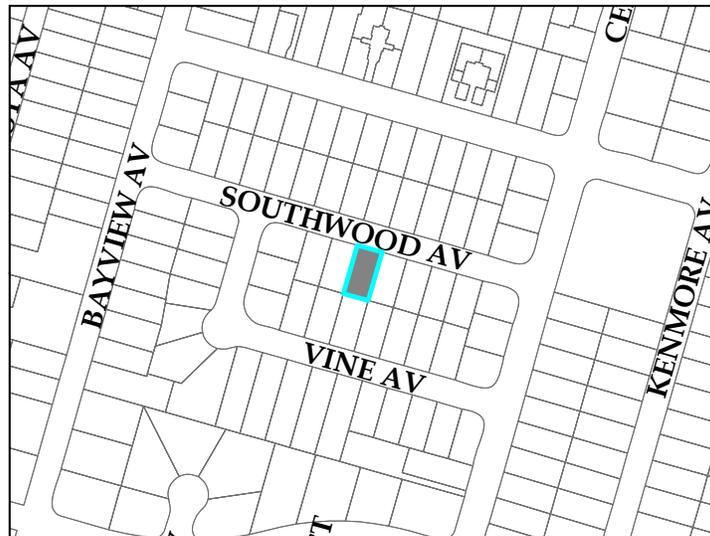
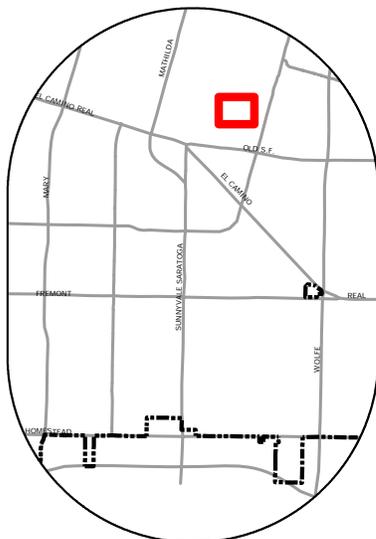
Project Description:

1. **Variance** from Sunnyvale Municipal Code section 19.34.040 to a covered front porch to encroach into the required front yard setback of 20' by approximately 4', **and**
2. **Design Review** for the subject accessory structure and a 654 square foot addition to an existing home.

Reason for Permit: A Variance is required to allow an encroachment into the required front yard setback. Design Review is required for an addition exceeding 20% of the existing floor area.

Issues: Neighborhood Compatibility

Recommendation: Approve with Conditions



500

Feet

PROJECT DESCRIPTION

	Existing	Proposed
General Plan:	Residential Low Density	No Change
Zoning District:	R-O	No Change
Lot Size:	5,000	No Change
Total Sq. Ft. on Site:	1,192	1,725
Parking:	1 (uncovered)	No Change
FAR:	23%	35%

Previous Planning Projects related to Subject Application	No
Neighborhood Preservation Complaints	No
Deviations from Standard Zoning Requirements include a Variance to allow the proposed covered entry element to encroach into the required front setback of 20'.	Yes

Background: The subject property is located on Southwood Avenue between South Bayview Avenue and Central Avenue and currently contains a single-family home. The existing residence was constructed without a garage and currently provides one uncovered parking space located on the side of the existing home.

The proposal includes: A 455 square foot rear addition to the existing home and a 40 square foot addition for the front entry, which requires the front yard variance. Many of the home on the south side of Southwood Avenue are built to the same front setback, which is slightly less than the required 20'. The additions to the home provide additional living area (no bedrooms) therefore no additional parking is required.

Variance: The proposed project requires a deviation from the front yard setback requirement of the Zoning Code. The Zoning Code requires a 20' front yard setback. The front wall of the existing home currently encroaches into the required front yard setback approximately 3'. This is in the same line as a majority of all the homes on the south side of Southwood Avenue. The proposed addition to the front entry would be 20' from the front property line; however, the covered front porch would extend approximately 4' into the required front yard setback. The code only allow for extensions of 2' for eaves and similar features. The proposed covered front porch is a feature that is common in the neighborhood and it would not extend further than the existing home.

Public Contact: 11 notices were sent to surrounding property owners and residents adjacent to subject site in addition to standard noticing practice. Staff has not received any letters in support or opposition of the proposed project

Environmental Determination: A Categorical Exemption Class 1 (minor changes in use) relieves this project from CEQA provisions.

FINDINGS - VARIANCE

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 of privileges enjoyed by other properties in the vicinity and within the same zoning district, **and**

The south side of Southwood Avenue contains small lots of 5,000 square feet and the homes were all originally constructed with a 15' setback. In addition, a common neighborhood characteristic is an enclosed or covered front entry porch. The requested variance will allow the home to provide a covered front porch element that is consistent with the adjacent homes on the block. Strict application of the Zoning Code would deprive the property owner of providing an architectural element that is consistent with and at the same setback as neighboring homes.

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, **and**

The addition would not be detrimental in that the proposed front entry living area will meet the front yard setback requirement of 20' and the variance will allow a minor encroachment of 4' into the front yard. This would not extend beyond the face of the existing home and would be consistent with the existing neighborhood pattern.

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 requested variance will not result in the property owner being granted special privileges in that the addition will be similar to adjacent homes in the

immediate neighborhood and zoning district. The addition will result in an architectural element that is consistent with the character of the area.

FINDINGS - DESIGN REVIEW

In order to approve the Design Review the following finding must be made:

1. The projects design and architecture conform with the Single Family Home Design Techniques.

Staff was able to make the findings as the design meets the guidelines described above.

ALTERNATIVES:

1. Approve the Variance and Design Review with recommended Conditions in Attachment A.
2. Approve the Variance and Design Review with modifications.
3. Deny the Variance and Design Review.

RECOMMENDATION

Alternative 1. Approve the Variance and Design Review with recommended Conditions in Attachment A.

Reviewed by:
Steve Lynch
Senior Planner

Prepared By: Shaunn Mendrin, Senior Planner

Attachments:

- A. Standard Requirements and Recommended Conditions of Approval
- B. Site and Architectural Plans
- C. Letter from the Applicant
- D. Aerial of Southwood Avenue

Standard Requirements

The following is a list of standard requirements. This list is intended to assist the applicant and public in understanding basic related requirements, and is not intended as an exhaustive list. These requirements cannot be waived or modified.

- A. **Permit Expiration:** The Use Permit and Variance shall expire if the use is discontinued for a period of one year or more.
- B. **Permit Lapse if not Exercised (Ordinance 2895-09):** The Use Permit and Variances shall be valid for three (3) years from the date of approval by the final review authority (as adopted by City Council on April 21, 2009, RTC 09-094). Extensions of time may be considered, for a maximum of two one year extensions, if applied for and approved prior to the expiration of the permit approval. If the approval is not exercised within this time frame, the permit is null and void.
- C. **Building Permits:** Obtain Building Permits for interior improvements as required by the Building Safety Division.
- D. **Clean Site:** All exterior recycling and solid waste shall be confined to approved receptacles and enclosures.

Recommended Conditions of Approval

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following conditions of approval of this Permit:

- 1. **Project Conformance:** Project shall be in conformance with the plans approved at the public hearing(s). Minor changes may be approved by the Director of Community Development; major changes may be approved at a public hearing.
- 2. **Conditions of Approval on Plans:** The Conditions of Approval shall be reproduced on a page of the plans submitted for a Building permit for this project.

19.34.120. Tree protection during construction.

Protected trees designated for preservation shall be protected during construction of a project by use of the following methods:

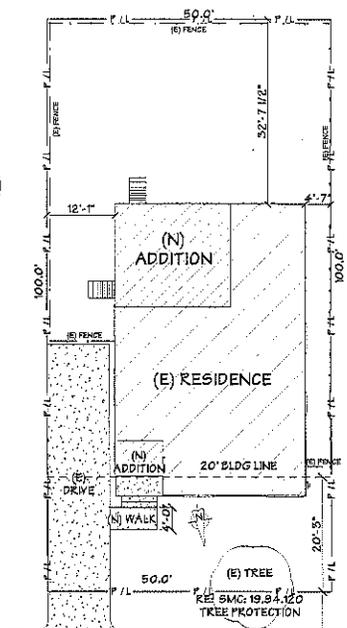
(a) Protective fencing shall be installed no closer to the trunk than the dripline, and far enough from the trunk to protect the integrity of the tree. The fence shall be a minimum of four feet in height and shall be set securely in place. The fence shall be of a sturdy but open material (i.e., chain link) to allow visibility to the trunk for inspections and safety.

(b) The existing grade level around a tree shall normally be maintained out to the dripline of the tree. Alternate grade levels, as described in the tree protection plan, may be approved by the director of community development.

(c) Drain wells shall be installed wherever impervious surfaces will be placed over the root system of a tree (the root system generally extends to the outermost edges of the branches).

(d) Pruning that is necessary to accommodate a project feature, such as a building, road or walkway shall be reviewed and approved by the department of community development and the department of public works.

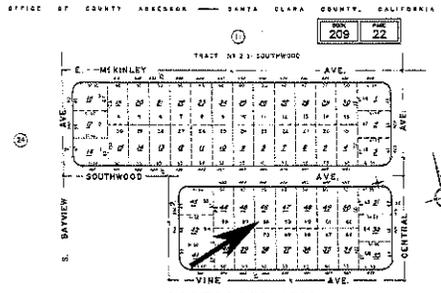
(e) New landscaping installed within the dripline of an existing tree shall be designed to reproduce a similar environment to that which existed prior to construction. (Ord. 2825-99 § 1 (part); prior zoning code § 19.81.130).



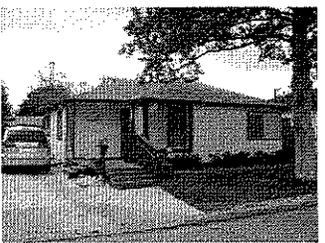
SITE PLAN
SCALE: 1" = 10'

1608 HOURS OF CONSTRUCTION AND MOBILIZATION
CONSTRUCTION ACTIVITY SHALL BE PERMITTED BETWEEN THE HOURS OF SEVEN A.M. AND SIX P.M. DAILY MONDAY THROUGH FRIDAYS, SATURDAY HOURS OF OPERATION SHALL BE BETWEEN EIGHT A.M. AND FIVE P.M. THERE SHALL BE NO CONSTRUCTION ACTIVITY ON SUNDAYS OR NATIONAL HOLIDAYS WHEN CITY OFFICES ARE CLOSED.
NO LOUD ENVIRONMENTALLY DISRUPTIVE NOISES SUCH AS AIR COMPRESSORS WITHOUT MUFFLERS, CONTINUOUSLY RUNNING MOTORS OR GENERATORS, LOUD PLAYING MUSICAL INSTRUMENTS, MACHINES, ETC. WILL BE ALLOWED WHERE SUCH NOISES MAY BE A NUISANCE TO ADJACENT RESIDENTIAL NEIGHBORHOODS.

VICINITY MAP



ASSESSOR'S MAP



EXISTING FRONT ELEVATION

SUPPLEMENTAL TO THESE DOCUMENTS IS THE OWNER AND HIS/HER CONTRACTOR'S RESPONSIBILITY FOR FOLLOWING MATERIAL AND EQUIPMENT MANUFACTURER'S INSTRUCTIONS AND USING RECOMMENDED STANDARDS FOR EACH BUILDING CRAFT TRADE AS WELL AS COMPLIANCE IN FULL WITH ALL GOVERNING CODE REQUIREMENTS FOR THE GEOGRAPHIC AREA FOR WHICH THIS DWELLING IS TO BE BUILT. DESIGNER DOES NOT ASSUME LIABILITY FOR ANY ERRORS AND/OR OMISSIONS ON THESE PLANS. ALL INFORMATION MUST BE CONFIRMED PRIOR TO COMMENCEMENT OF CONSTRUCTION.

GENERAL NOTES

- ALL WORK SHALL CONFORM TO THE CONTRACT DOCUMENTS WHICH INCLUDES THE DRAWINGS, ALL ADDENDUM AND/OR MODIFICATIONS ISSUED BY THE DRAWER AND OR THEIR CONSULTANTS. IN THE EVENT OF CONFLICT BETWEEN THE DRAWINGS AND SPECIFICATIONS MANUAL, THE MANUAL SHALL PREVAIL.
- THE GENERAL CONTRACTOR SHALL REVIEW ALL DOCUMENTS AND VERIFY ALL DIMENSIONS AND FIELD CONDITIONS AND SHALL CONFIRM THAT WORK IS SUITABLE AS SHOWN. ANY CONFLICTS OR OMISSIONS, ETC. SHALL BE IMMEDIATELY REPORTED TO THE OWNER FOR CLARIFICATION PRIOR TO THE PERFORMANCE OF ANY WORK IN QUESTION.
- COORDINATION OF WORK: THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING ALL TRADES AND ALL WORK INCLUDING BUT NOT LIMITED TO: ARCHITECTURAL, STRUCTURAL, PLUMBING, MECHANICAL, AND ELECTRICAL. IN CASE OF CONFLICT BETWEEN DRAWINGS OR CONDITIONS LOCATING MATERIALS/EQUIPMENT, THE OWNER SHALL BE NOTIFIED FOR CLARIFICATION.
- COMMENCEMENT OF WORK SHALL BE DEEMED AS THE G.C.'S ACKNOWLEDGMENT OF ALL WORK NEEDED TO COMPLETE PROJECT IN CONFORMANCE WITH CONTRACT. IT IS THE RESPONSIBILITY OF THE G.C. TO OBTAIN ORDERS, SUBMITTALS AND IMPLEMENTATION OF LOW VOLT ITEMS. SUBSTITUTIONS WILL NOT BE CONSIDERED RESULTING FROM THE G.C.'S UNTIMELY ORDERING OF PRODUCTS AND/OR MATERIALS.
- PERMITS: THE CONTRACTOR SHALL APPLY FOR AND OBTAIN ALL NECESSARY CONSTRUCTION PERMITS REQUIRED BY ALL APPLICABLE REGULATORY AGENCIES GOVERNING THIS WORK. THE G.C. SHALL ARRANGE FOR INSPECTIONS NECESSARY TO OBTAIN A CERTIFICATE OF OCCUPANCY.
- BUILDING OWNER REGULATIONS:
A. THE CONTRACTOR SHALL COMPLY WITH THE RULES AND REGULATIONS OF THE BUILDING OWNER REGARDING SITE ACCESS, DELIVERIES, HANDLING OF MATERIAL, DEBRIS, ETC.
B. SCHEDULE CONSTRUCTION ACTIVITIES TO AVOID INTERFERENCE WITH OWNERS. IF APPLICABLE.
- WHERE U.G. OR UEG CONSTRUCTION ASSEMBLIES ARE DESIGNATED, THE COMPONENTS AND INSTALLATION DETAILS MUST CONFORM IN EVERY DETAIL OF THE DESIGN NUMBER SPECIFIED.
- WORK AREAS TO REMAIN SECURE AND LOCKABLE DURING CONSTRUCTION.
- DO NOT SCALE DRAWINGS. WRITTEN DIMENSIONS GOVERN PARTITION LOCATIONS, DIMENSIONS AND TYPES. ROOM AND FINISH LOCATIONS SHALL AS SHOWN ON CONSTRUCTION PLANS. IN CASE OF CONFLICT, NOTIFY OWNER FOR WRITTEN CLARIFICATION PRIOR TO PROCEEDING WITH CONSTRUCTION.
- THE CONTRACT DOCUMENTS ARE COMPLEMENTARY. WHAT IS SHOWN OR REFERRED TO AT A GIVEN LOCATION SHALL BE PROVIDED AS TROUGH SHOWN ON ALL (U.G.)
- ALL DIMENSIONS ARE TO FACE OF STUD, FACE OF CONCRETE, TO CENTERLINES OF COULMNS AND OTHER SPINDERS TO CENTERLINES OF DOORS AND OTHER SCHEDULED OPENINGS UNLESS OTHERWISE NOTED. ALL DIMENSIONS ARE TO BE SHOWN WITHIN THE FULL WIDTH OF WALLS. CONTRACTOR SHALL NOT ADJUST ANY DIMENSIONS MARKED "CLEAR" OR "CLTY".
- SUBSTITUTIONS, REVISIONS, OR CHANGES MUST BE SUBMITTED TO OWNER FOR REVIEW (IN CONFORMANCE WITH SPECIFIED PROCEDURE) PRIOR TO PURCHASE, FABRICATION OR INSTALLATION.
- ALL MANUFACTURED ARTICLES, MATERIALS AND EQUIPMENT SHALL BE APPLIED, INSTALLED, CONNECTED, ERECTED, CLEANED, AND CONDITIONED PER M.P.'S INSTRUCTIONS. IN CASE OF DIFFERENCES BETWEEN THE M.P.'S INSTRUCTIONS AND CONTRACT DOCUMENTS, THE U.G. SHALL NOTIFY THE OWNER BEFORE PROCEEDING.
- ALL ENTRANCES FROM THE PUBLIC STREETS OF THE CITY OF SUNNYVALE TO BUILDINGS FRONTING THEREON SHALL BE NUMBERED AS PROVIDED IN THE CHAPTER. THE NUMBERS SHALL BE PLACED UPON OR IMMEDIATELY ABOVE OR TO ONE SIDE OF THE DOOR OR BAY OR POST OF SUCH ENTRANCE OR SHALL BE OTHERWISE CONSPICUOUSLY LOCATED NEAR SAID ENTRANCE SO THAT THE NAME SHALL BE IN PLAIN VIEW. ALL NUMERALS IN THE NUMBER SHALL BE AT LEAST THREE INCHES IN HEIGHT AND PLACED TO READ FROM LEFT TO RIGHT. (O.N.L. 1989-70 § 1 (9)(H)).

ABBREVIATIONS

(E)	EXISTING	MM	MINIMUM
(NI)	NEW/PROPOSED	MECH.	MECHANICAL
A.F.F.	ABOVE FINISH FLOOR	MFR.	MANUFACTURER
C.C.A.	CORROLATED COPPER ARSENATE	MIN.	MINIMUM
C.C.J.	CONTROL JOINT	MICRO.	MICROWAVE OVEN
C.L.	CENTER LINE	M.O.	MASONRY OPENING
C.L.G.	CEILING	N.L.C.	NOT IN CONTRACT
C.M.U.	CONCRETE MASONRY UNIT	N.	NUMBER
C.O.	CASB OPENING	NOM.	NOMINAL
CONC.	CONCRETE	N.T.S.	NOT TO SCALE
CONT.	CONTINUOUS	O.C.	ON CENTER
C.T.	CERAMIC TILE	O.D.	OUTSIDE DIAMETER
D.	DRYER	O.H.	OVERHEAD OVERHANG
D.H.	DOUBLE HUND	O.P.	OPPOSITE
DI.	DIAMETER	P.	PAIR
DN.	DOWN	P.S.I.	POUNDS SQUARE INCH
D.S.	DOWNSPOUT	P.S.F.	POUNDS SQUARE FOOT
D.W.	DISHWASHER	P.T.	PRESSURE TREATED
EA.	EACH	R.	RISER
E.F.J.S.	EXTERIOR INSULATION FINISH SYSTEM (DRY-VIT)	REF.	REFER (TO)
E.L.	EXPANSION JOINT	REQ.	REQUIRED
ELEV.	ELEVATION	REP.	REPROBATOR
EQ.	EQUAL	RM.	ROOM
E.W.	EACH WAY	R.O.P.	ROUGH OPENING
F.B.O.	FURNISHED BY OWNER	S.C.	SOLID COKE
F.D.	FLOOR DRAIN	S.D.	SMOKE DETECTOR
F.O.C.	FACE OF CONCRETE	S.F.	SQUARE FEET
F.O.S.	FACE OF STUD	SIM.	SMILAR
F.R.	FIRE-RETARDANT	S.Q.	SQUARE
F.V.	FIELD VENTRY	S.S.	STAINLESS STEEL
GA.	GALVE OR GAGE	STD.	STANDARD
GA.	GALVANIZED IRON	T.C.	THREAD
GYP. BD.	GYP. BOARD	T.C.	TOP OF BEAM - STEEL
H.B.	HOSE BIB (PROOF)	T.O.C.	TOP OF CONCRETE
H.C.	HOLLOW CORE	T.O.W.	TOP OF WALL
H.M.	HOLLOW METAL	T.V.	TELEVISION
H.T.	HIGHT	TYP.	TYPICAL
I.D.	INSIDE DIAMETER	UN.C.	UNLESS NOTED OTHERWISE
J.	JOINT	W.	WASH
J.S.T.	JOIST	W.	WATER
K.S.	KNEE SPACE	W.L.C.	WALK IN CLOSET
L.V.	LAVATORY	W.H.	WATER HEATER
L.B. (P)	POUND	W.R.	WATER RESISTANT
L.V.L.	LAMINATED VENEER LUMBER	W.W.F.	WELDED WIRE FABRIC
		1ST	FIRST
		2ND	SECOND

PROJECT DIRECTORY

OWNER:
PEGGY & PASCAL MEIER
488 SOUTHWOOD AVENUE
SUNNYVALE, CA 95056
408-830-8663 PEGGY CELL
408-830-8313 PASCAL CELL
peggyandpascal@yahoo.com

DESIGNER:
JOHN HARPER
10925 STEVENS CREEK BLVD
CUPERTINO, CA 95015
888 331 1828 OFFICE
408 426 8760 CELL
888 343 8300 FAX
John@palladiodesignstudio.com

STRUCTURAL ENGINEER:
SEZEN STRUCTURAL ENGINEERING
274 E. HANFORD AVE SUITE C
CAMPBELL, CA 95008
408 871 7873 OFFICE
sezenstructural@gmail.com

GENERAL CONTRACTOR:
CLARAGE HOMES, INC.
TOM CLARK
451 VINE ST.
SUNNYVALE, CA 94086
408 507 2124 CELL
clarage_homes@yahoo.com
89456 LICENSE #

SCOPE OF WORK

NEW SINGLE STORY ADDITIONS TO SINGLE STORY RESIDENCE. (FAMILY ROOM IN REAR & ENTRY IN FRONT).
REMODEL KITCHEN
NEW ARCHITECTURAL COMP SHINGLES ENTIRE RESIDENCE.
ZONING OCCUPANCY CONSTRUCTION AUTOMATIC FIRE SPRINKLERS
R1 R3 V-N NC

CODE DATA

2007 CALIFORNIA BLDG CODE, VOLS 1 & 2
2007 CALIF MECH CODE 2007 CALIF PLBG CODE
2007 CALIF ELEC CODE 2007 CALIF ENERGY CODE
2007 CALIF FIRE CODE CITY OF SUNNYVALE ORDINANCES

AREA CALCULATION

LOT SIZE: 5000 S.F.
EXISTING RESIDENCE: 1,182 S.F.
EXISTING PORCH: 70 S.F.
PROPOSED PORCH: 38 S.F.
PROPOSED REAR ADDITION: 433.3 S.F.
PROPOSED ENTRY ADDITION: 39.8 S.F.
TOTAL PROPOSED ADDITION: 494.9 S.F.
NEW TOTAL LIVING AREA: 1,686.9 S.F.
TOTAL LOT COVERAGE: 1,725.9 S.F.
F.A.L. (1.72% (0.002))

SHEET INDEX

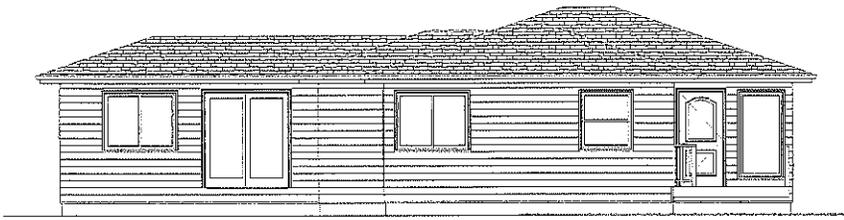
A0 NOTES, SITE PLAN, VICINITY MAP
A1 FLOOR PLANS
A2 ELEVATIONS
A3 SECTIONS & CABINET ELEVATIONS
A4 MECHANICAL, ELECTRICAL PLUMBING
S1 SHEARWALL, HOLDING & FOUNDATION PLANS
S2 CEILING FRAMING & ROOF PLANS
SD-105 STRUCTURAL DETAILS
T1 TITLE 24 COMPLIANCE REPORTS

NOTICE OF COOPERATION
DESIGNER: PALLADIO DESIGN STUDIO
OWNER: PEGGY & PASCAL MEIER
GENERAL CONTRACTOR: CLARAGE HOMES, INC.
STRUCTURAL ENGINEER: SEZEN STRUCTURAL ENGINEERING
The Designer and the Contractor have prepared these plans for the use of the contractor. The contractor shall be responsible for obtaining all necessary permits and for the accuracy of the information provided to the Designer. The Designer shall not be responsible for the contractor's interpretation of the plans or for the contractor's failure to obtain all necessary permits or for the contractor's failure to comply with all applicable laws, codes, and regulations. The Designer shall not be responsible for the contractor's failure to obtain all necessary permits or for the contractor's failure to comply with all applicable laws, codes, and regulations. The Designer shall not be responsible for the contractor's failure to obtain all necessary permits or for the contractor's failure to comply with all applicable laws, codes, and regulations.

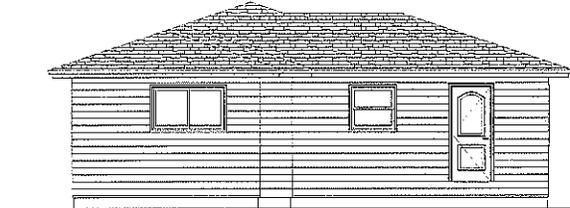
Palladio Design Studio
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CUPERTINO, CA 95014
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www.palladiodesignstudio.com

MEIER RESIDENCE
468 SOUTHWOOD
SUNNYVALE, CA
94086

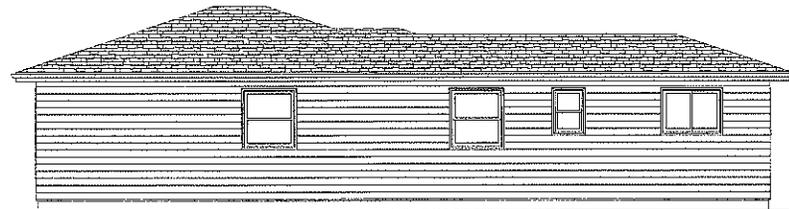
APN: 985-22-045
ADDITION TO RESIDENCE
TACHTMENT
DATE: 30 JUNE 2009
DRAWING: [Signature]



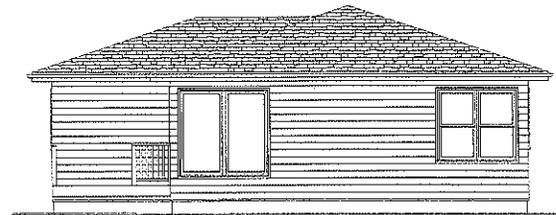
4. EXISTING LEFT ELEVATION
SCALE: 1/4" = 1'-0"



3. EXISTING REAR ELEVATION
SCALE: 1/4" = 1'-0"



2. EXISTING RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



1. EXISTING FRONT ELEVATION
SCALE: 1/4" = 1'-0"

NOTICE: DUTY OF COOPERATION
 Release of these plans constitutes further cooperation among the owner, his contractor(s), and the designer. Although the designer and his consultants have prepared their plans in accordance with the applicable laws and regulations, the designer does not warrant that the plans are free of errors or omissions. The user of these plans shall be responsible for the accuracy of the information provided by the contractor's specifications, construction will require that the contractor advise the plans to the designer in writing immediately upon discovery of any errors or omissions. The user of these plans shall be held liable for the consequences of any errors or omissions. The contractor of any aspect of the project, within what is reasonably practicable, shall be held liable for the consequences of any errors or omissions. The designer shall not be held liable for the consequences of any errors or omissions.

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 650 331 1626 OFFICE
 650 343 6050 FAX
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DESIGNER
MEIER RESIDENCE
 468 SOUTHWOOD
 SUNNYVALE, CA
 94086
 APN: 209-22-046
ADDITION TO RESIDENCE
 EXISTING ELEVATIONS
 REVISIONS
 PLANNING REVIEW
 DATE: 29 JUNE 2009
 DRAWN BY: jeh

EX1

August 8, 2009

City of Sunnyvale Variance Justifications
The Meiers Residence
468 Southwood Ave, Sunnyvale, CA 94086

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 houses on Southwood Avenue have small lots of 5000 square feet. These houses were built 66 years ago with a 15-foot front-yard setback.

The Meiers' proposed enclosed entrance addition to the house meets the current front-yard setback requirement. However, strict enforcement of the current 20-foot front-yard setback requirement denies the Meiers an aesthetically pleasing roof hanging over the new entrance.

Many properties in the neighborhood have already had additions done to the front of the house that are similar to or larger than that proposed by the Meiers (i.e. enclosing the entire entrance area so to make the front of the house a straight line 15 feet from the front property line). Examples of properties with such an addition on the same block of Southwood Ave are:

423 Southwood Ave
439 Southwood Ave
450 Southwood Ave
481 Southwood Ave

Please see attached photographs.

Strict enforcement of the current 20-foot front-yard setback requirement deprives the Meiers of privileges already enjoyed by other homeowners in the vicinity.

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.

This variance involves a very minor open air roof encroachment in the front setback region only. The granting of this variance will have no negative impact to the Meier property, their neighbors or the public because the main part of the existing house (and of all houses on Southwood Ave) already has a 15-foot front-yard setback.

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 Southwood neighborhood was built in 1943 with a 15-foot front-yard setback on lots much smaller than those currently required by Sunnyvale residential standards. Granting this variance will maintain the intent and purpose of the front-yard setback requirement because the proposed addition keeps the overall front-yard setback at 15 feet as originally built. Since the neighbors of the Meiers have already made similar or larger additions to the front of their houses, the granting of the Variance will not give the Meiers special privileges not already enjoyed by other surrounding homeowners today.



Subject Property