



CITY OF SUNNYVALE REPORT ZONING ADMINISTRATOR HEARING

April 13, 2011

File Number: 2011-7115

Permit Type: Variance

Location: 156 Florence Street (near W. Washington Ave.) (APN: 165-14-008)

Applicant/Owner: Kevin and Monica Donohue

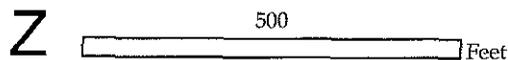
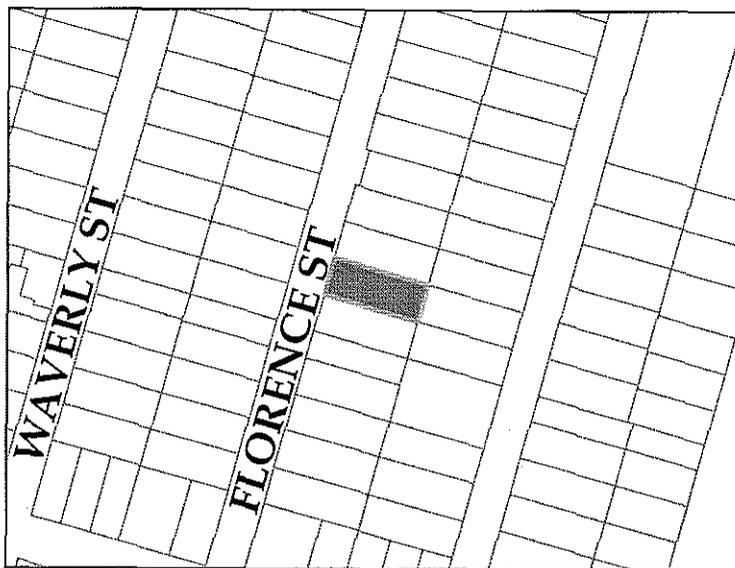
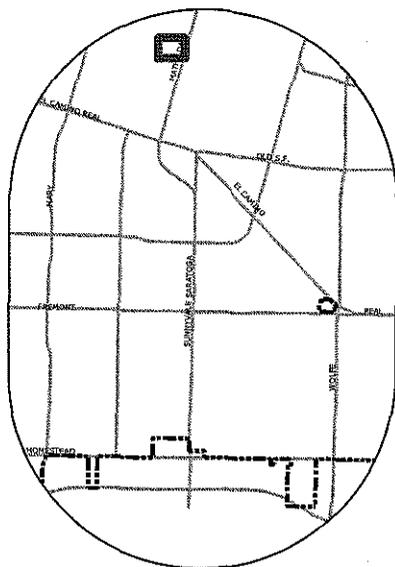
Staff Contact: Noren Caliva, Associate Planner, (408) 730-7637

Project Description: To allow a one car garage where two covered parking spaces are required for a single family home.

Reason for Permit: A Variance is required from Sunnyvale Municipal Code (SMC) Section 19.46.060, which requires that two covered parking spaces be provided when an addition results in a home with at least 1,800 square feet or four bedrooms.

Issues: Parking and neighborhood compatibility

Recommendation: Deny



PROJECT DESCRIPTION

	Existing	Proposed
General Plan:	Residential High Density	Same
Zoning District:	R-2	Same
Total Sq. Ft. on Site (w/ 253 sq. ft. garage):	1,155	2,025
Bedrooms	3	Same
Parking:	2 total (1 covered + 1 uncovered)	Same

Previous Planning Projects related to Subject Application	No
Neighborhood Preservation Complaints	No
Deviations from Standard Zoning Requirements The proposed project results in a covered parking space deficiency.	Yes

Description of Proposed Project: The applicant proposes to modify the existing floor plan by converting an existing bedroom along the front of the home into a dining room and a second bedroom along the right side into a walk-in closet and laundry room. An existing third bedroom will remain unchanged. An 870 square foot addition at the back of the home would replace the two converted bedrooms. One bedroom would be approximately 143 square feet and the master bedroom would be approximately 727 square feet (including master bathroom and walk-in closet). The addition would result in a 2,025 square foot home with three bedrooms and a one car garage.

Sunnyvale Municipal Code (SMC) Section 19.46.060 requires that two covered parking spaces be required when an addition results in a home with at least 1,800 square feet or four bedrooms. The applicant requests relief from this standard in order to maintain the existing one car garage.

Project Alternatives: The applicant has explored the following options to meet the parking requirement (see Attachment D):

1. Expand existing garage – The applicant found this option to be infeasible, as the wall between the living area and garage are load-bearing and would require re-engineering of the roof system and reconfiguration of the newly-remodeled kitchen and family room. Staff concurs that this option is not feasible and may result in a side yard setback deficiency due to the narrowness of the lot (50 feet).
2. Building new detached garage – The applicant states that demolishing the existing garage and building a new detached two-car garage at the back of the property would involve extensive modifications to the existing gas line, water heater and plumbing system of the home.

Although there may be significant costs associated with this option, the City's code requirements for setbacks and driveway widths could be met.

3. Reduce addition by 225 square feet – The applicant states that the addition is needed for their growing family. Although the project does not result in a change to the existing number of bedrooms, staff finds that the master bedroom could be reduced to 502 square feet.
4. Add one driveway parking space – In order to meet the intent of the code to require an additional parking space, the applicant is willing to modify the driveway to accommodate two cars. Although this option would not meet the code requirement, this can be considered as a condition of approval if the Zoning Administrator is able to support the Variance.

Neighborhood Compatibility: The neighborhood primarily consists of a mix of single-family homes on 6,500 square foot lots that are approximately 50 feet wide. Although there are several single-family homes along Florence, Pastoria, and Waverly that exceed 1,800 square feet in size with one car garages, these additions were completed after SMC 19.46.060 took effect in 2003. Approved variances approved in this neighborhood are limited to setback deviations, as demonstrated in the applicant's photos in Attachment E; however, no parking deviations have been approved in this neighborhood since 2003.

Although not in the same neighborhood or zoning district, the applicant's letter refers to a similar Variance that was approved at 275 W. Arbor Avenue in 2008. The project involved an expansion of an existing from 150 square foot bedroom to approximately 400 square feet, which resulted in a 2,015 square foot home in an R-0 zoning district. The Variance was approved due to the difficulty of expanding the existing one-car garage and because the lot was 52 feet wide, while other properties within the same zone are at least 57 feet wide.

It is difficult to compare both projects as the subject property is zoned R-2, with lots that are generally 8,000 square feet in size, 76 feet wide, and allows for denser developments (e.g. duplexes) than the R-0 zone. If the Zoning Administrator is able to make the findings to approve the Variance, staff recommends that the one additional parking space be accommodated on the driveway, which is consistent with the condition imposed on the 275 W. Arbor project (see Attachment A).

Public Contact: 8 notices were sent to surrounding property owners and residents adjacent to subject site in addition to standard noticing practice. No letters were received.

Environmental Determination: A Categorical Exemption Class 1 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 of privileges enjoyed by other properties in the vicinity and within the same zoning district. **[Finding not met]**

More recently approved additions in the neighborhood have been restricted to less than 1,800 square feet in order to meet the current parking requirement. In addition, a sizable master bedroom can still be accommodated without exceeding 1,800 square feet.

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 not met]**

Although the project does not increase the number of bedrooms, a larger home could result in additional cars parked on the street, which may negatively impact surrounding properties. If the Variance is approved, precedent could be set and there could be an increase in Variance requests in the neighborhood.

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]**

Although subject to different parking standards before SMC 19.46.060 took effect, there are several homes within the neighborhood that at least 1,800 square feet in size and have maintained a one car garage.

ALTERNATIVES:

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

RECOMMENDATION

Alternative 1. Deny the Variance.

Reviewed by:



Shaunn Mendrin
Senior Planner

Prepared By: Noren Caliva, Associate Planner

Attachments:

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

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
April 13, 2011**

**Planning Application 2011-7115
156 Florence Street**

Variance to allow a one car garage where two covered parking spaces are required for a single family home.

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Applicable mitigation measures are noted with "Mitigation Measure" and placed in the applicable phase of the project.

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 and Standard Development Requirements of this Permit:

**GC: THE FOLLOWING GENERAL CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE
APPROVED PROJECT.**

- GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:
All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing.
[COA] [PLANNING]
- GC-2. PERMIT EXPIRATION:
The permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is received prior

to expiration date and is approved by the Director of Community Development. [SDR] (PLANNING)

PS: THE FOLLOWING SHALL BE MET PRIOR TO SUBMITTAL OF BUILDING PERMIT, AND/OR GRADING PERMIT.

PS-1. REQUIRED REVISIONS TO PROJECT PLANS:

The plans shall be revised to address comments from the Zoning Administrator including the following [COA] [PLANNING]:

- a) The driveway shall be modified to accommodate two uncovered parking spaces with a minimum width of 17 feet.
- b) No more than 50% of the front yard shall be impervious surface.

BP: THE FOLLOWING SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY DEMOLITION PERMIT, BUILDING PERMIT, GRADING PERMIT, AND/OR ENCROACHMENT PERMIT AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).

BP-1. CONDITIONS OF APPROVAL:

Final plans shall include all Conditions of Approval included as part of the approved application starting on sheet 2 of the plans. [COA] [PLANNING]

EP: THE FOLLOWING SHALL BE ADDRESSED AS PART OF AN ENCROACHMENT PERMIT APPLICATION.

EP-1. UPGRADED CURB CUT:

The existing curb cut shall be upgraded to meet standards to allow for a two-car driveway, subject to Department of Public Works standards. [COA] [PUBLIC WORKS]

Proposed Addition to:
 156 Florence St.
 Sunnyvale, CA 94086

Project Data:

Lot Size: 50'x130', 6,500 sq. ft.
 Existing square footage: 902 sq. ft.
 Proposed square footage: 1,772 sq. ft.
 Garage square footage: 253 sq. ft.
 Floor Area Ratio: 2,025 sq. ft. = 31% of Lot Area
 Building Height from top of curb: 18' 6"

Impervious Coverage:

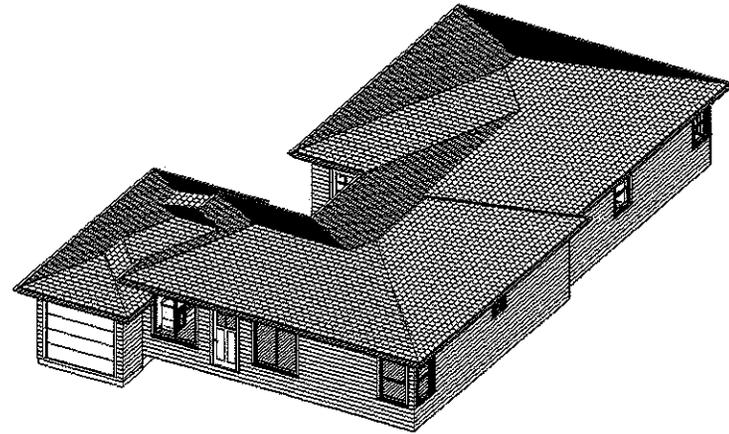
House Footprint: 2,025 sq. ft.
 Driveway: 173 sq. ft.
 Walkway: 60 sq. ft.
 Patio: 60 sq. ft.
 Total Impervious Coverage: 2,318 sq. ft.

Property Owners:
 Kevin & Monica Donohue

Phone:
 (408) 203-9003

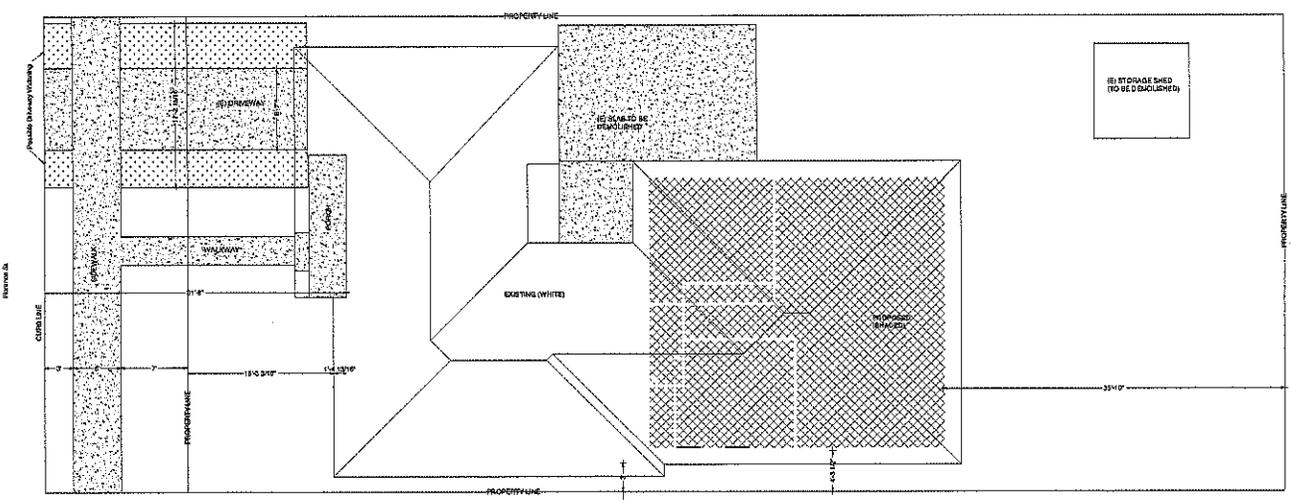
Parcel:
 165-14-008-00

Zoning:
 R-2, City of Sunnyvale



ATTACHMENT 8
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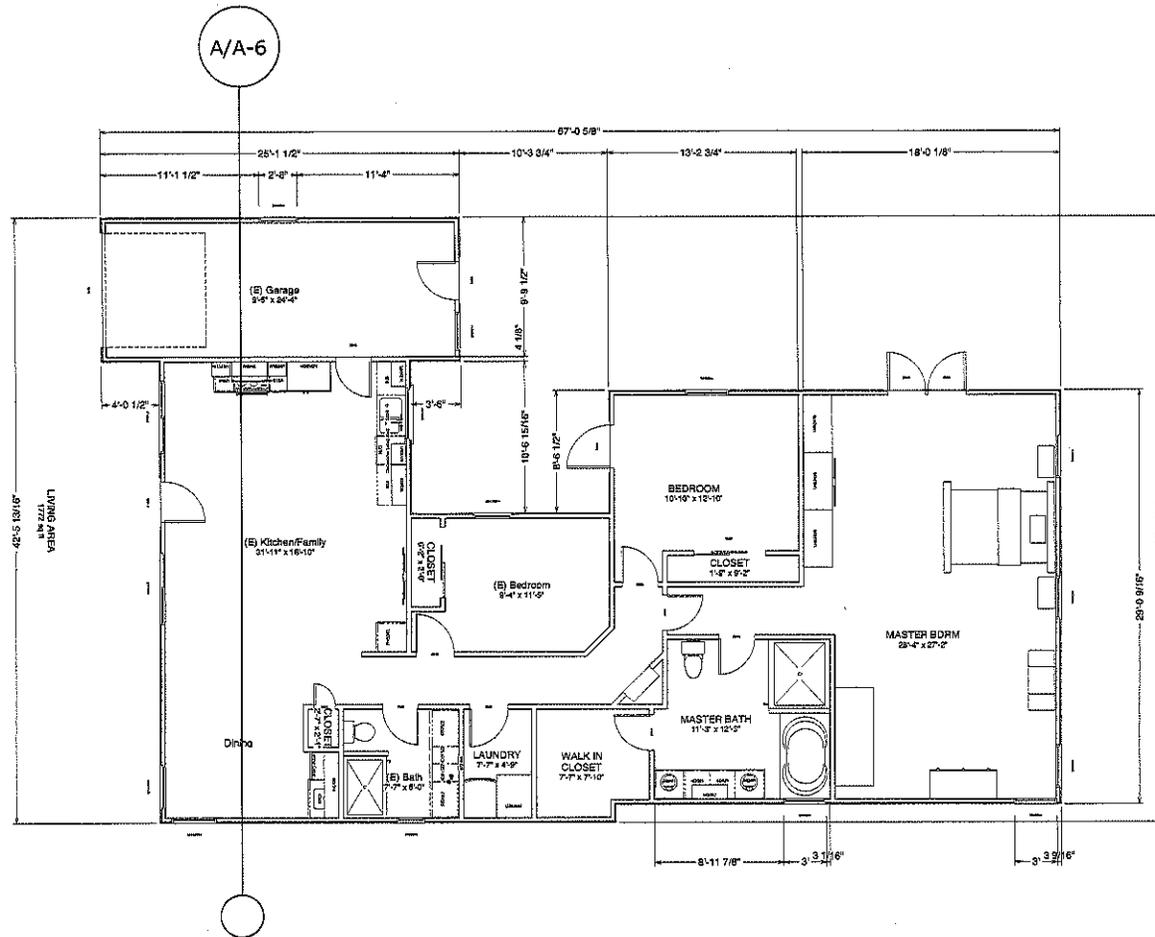
DRAWINGS PROVIDED BY: KD <small>Street City, State ZIP Phone - Website</small>	PROJECT DESCRIPTION: Donohue Residence Addition	SHEET TITLE: Project Data	NO.	DESCRIPTION	BY	DATE	SCALE:	DATE: 2/16/2011	A-1



ATTACHMENT B
 Page 2 of 7

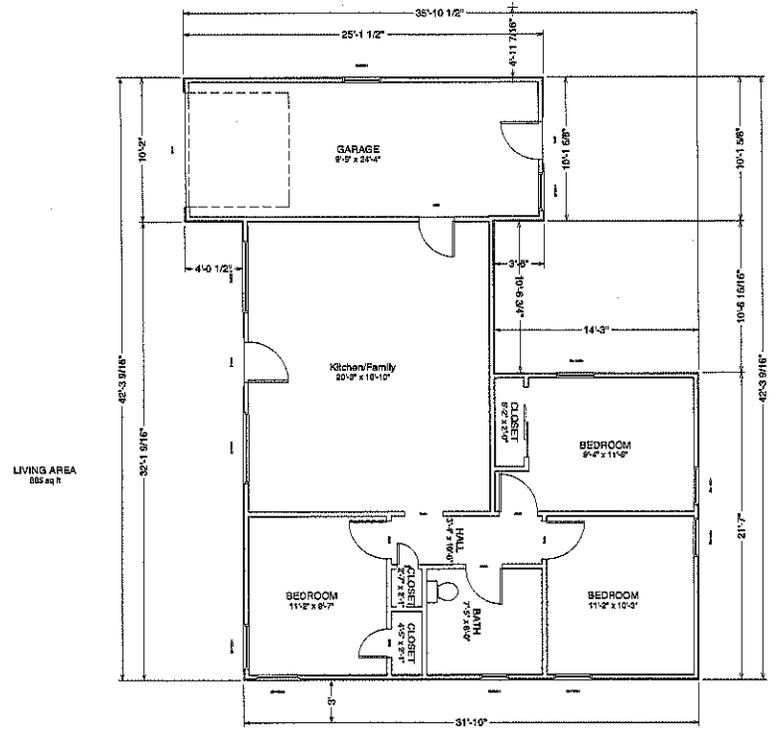
DRAWINGS PROVIDED BY: KD	PROJECT DESCRIPTION: Donohue Residence Addition	SHEET TITLE: Site Plan	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DESCRIPTION</th> <th>BY</th> <th>DATE</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	NO.	DESCRIPTION	BY	DATE													SCALE: 1/4" = 3'	DATE: 2/16/2011	A-2
NO.	DESCRIPTION	BY	DATE																			

Street
 City, State ZIP
 Phone - Website



ATTACHMENT B
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DRAWINGS PROVIDED BY: KD	PROJECT DESCRIPTION: Donohue Residence Addition	SHEET TITLE: Proposed Floor Plan	NO.	DESCRIPTION	BY	DATE	SCALE: 1/4" = 1'	DATE: 2/16/2011	A-3



DRAWINGS PROVIDED BY: **KD**
 Street:
 City, State ZIP
 Phone - Website

PROJECT DESCRIPTION:
**Donohue Residence
 Addition**

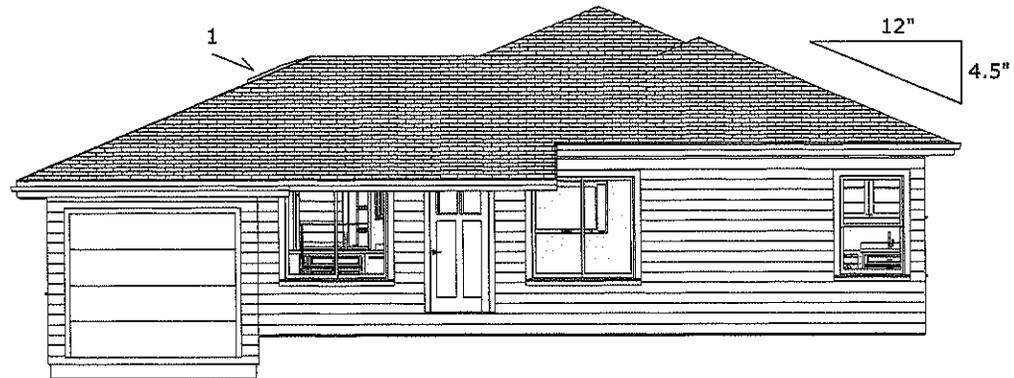
SHEET TITLE:
**Existing
 Floor Plan**

NO.	DESCRIPTION	BY	DATE

SCALE:
1/4" = 1'

DATE:
 2/16/2011

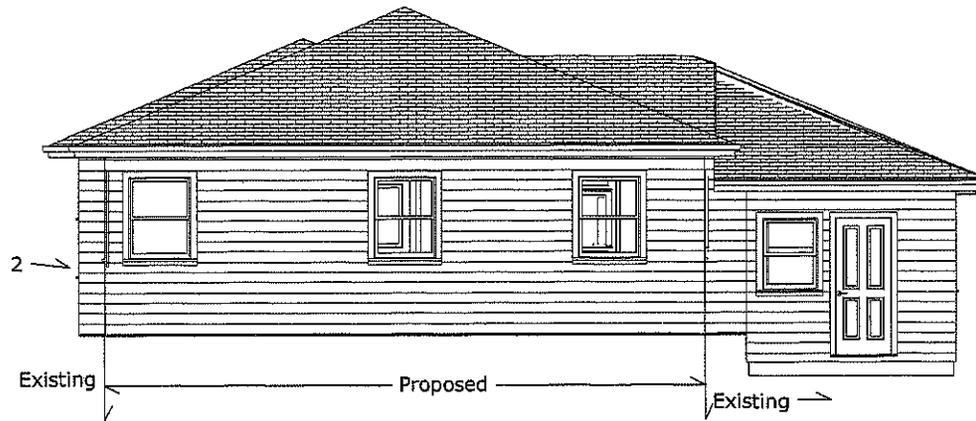
A-3.1



Front Elevation

Notes:

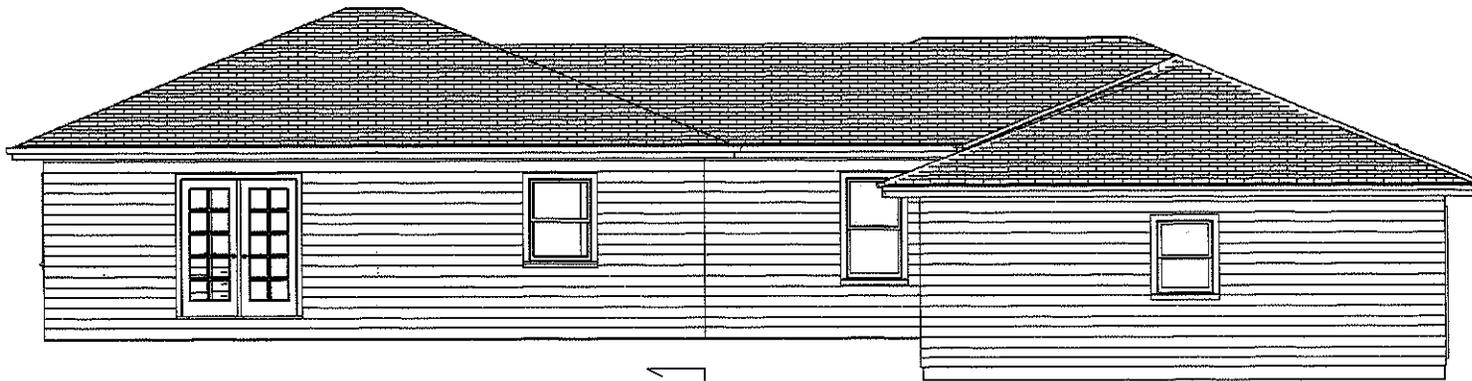
- 1. Composition shingles to match existing.
- 2. Wood siding to match existing.



Rear Elevation

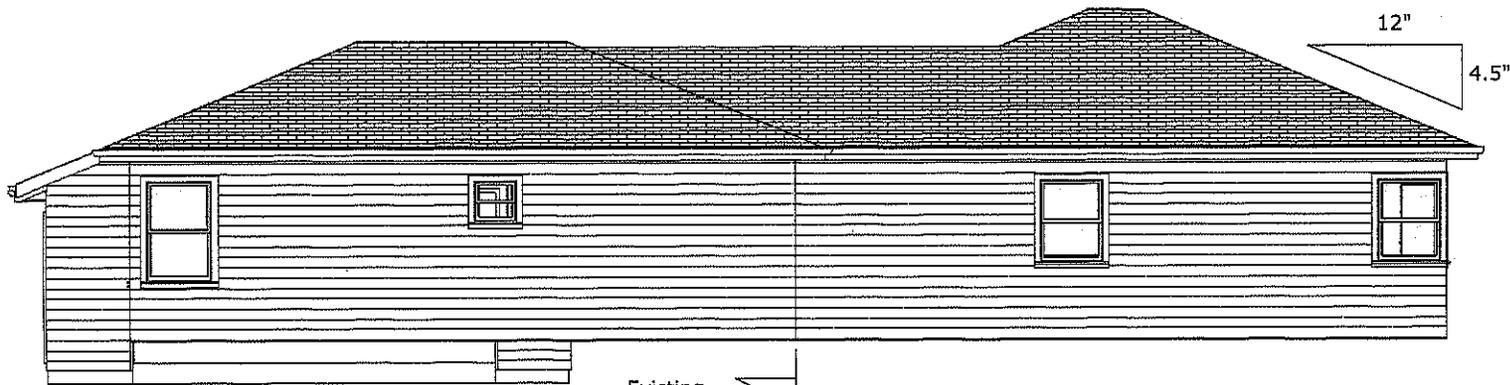
ATTACHMENT
Page 5 of 7

DRAWINGS PROVIDED BY: KD <small>Street City, State ZIP Phone - Website</small>	PROJECT DESCRIPTION: Donohue Residence Addition	SHEET TITLE: Front & Rear Elevations	NO.	DESCRIPTION	BY	DATE	SCALE:	DATE: 2/16/2011	A-4



Proposed ← Existing

North Elevation



Existing ← Proposed

South Elevation

ATTACHMENT B
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DRAWINGS PROVIDED BY: KD <small>Street City, State ZIP Phone - Website</small>	PROJECT DESCRIPTION: Donohue Residence Addition	SHEET TITLE: Side Elevations	NO.	DESCRIPTION	BY	DATE	SCALE:	DATE: 2/16/2011	A-5



A

DRAWINGS PROVIDED BY: **KD**
 Street
 City, State ZIP
 Phone - Website

PROJECT DESCRIPTION:
Donohue Residence Addition

SHEET TITLE:
Building Section

NO.	DESCRIPTION	BY	DATE

SCALE:

DATE:
 2/16/2011

2/28/2011

Kevin & Monica Donohue

156 Florence St.

Sunnyvale, CA 94086

Donohue.kevin@gmail.com

(408) 203-9003

To Whom It May Concern:

The purpose of this letter is to explain our application for a variance for our proposed addition to our house at 156 Florence St. The requirement for which we are requesting a variance is the necessity for a two car garage. Our house has an existing one car garage which is located five feet from the north side property line. In order to convert the garage to two cars, we would have to demolish our newly remodeled kitchen and relocate it. This is economically not feasible. Also, I have included examples in our zoning district that are of equal or greater size of our proposed addition that have only one car garages. In addition, there are a number of houses in our district that have no garages or covered parking.

We feel that the granting of this variance will not be detrimental to the public welfare or to uses within the immediate vicinity as we are not adding to the number of bedrooms in our house. For this reason we will not impact parking on our street. We are simply adding area to our house in order to expand our family. We have even considered widening our existing driveway to accommodate another vehicle.

In conclusion, we do not feel that the granting of this variance will grant us special privileges not enjoyed by other surrounding property owners within the same zoning district.

Sincerely,

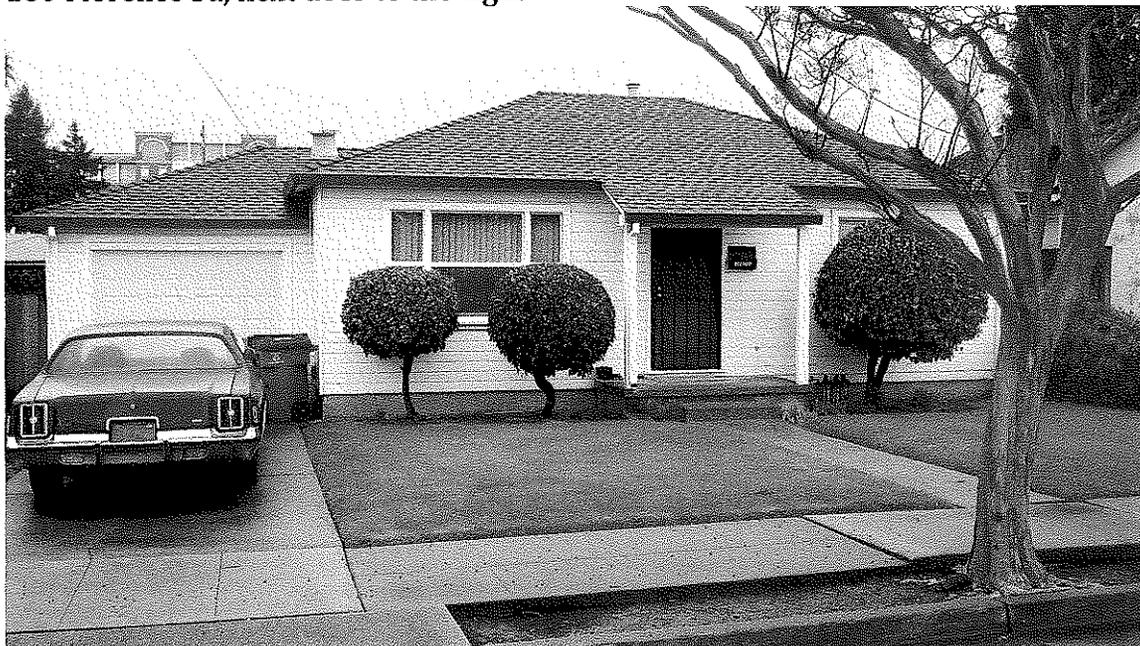
Kevin & Monica Donohue

Photos of Adjacent Homes

152 Florence St: Next door to the left:



160 Florence St., next door to the right:



Photos of Adjacent Homes

159 Florence St., across street to the right:



155 Florence St., directly across the street:



Photos of Adjacent Homes

151 Florence St., across the street to the left:



ATTACHMENT D
 Page 1 of 1

Noren Caliva - Re: 156 Florence - Variance

From: Kevin Donohue < >
To: Noren Caliva <NCaliva@ci.sunnyvale.ca.us>
Date: 3/18/2011 1:55 PM
Subject: Re: 156 Florence - Variance

Noren,

1. I have redrawn the site plan and included the roof plan and proposed addition on this page. I have also included all property lines as well as a storage shed that we plan on demolishing. Walks and driveway are included.
2. See above.
3. We have no trees greater than 38" in circumference on our property.
4. The "office" is actually a bedroom, and it does not have a closet.
5. I have redrawn the elevation sheets (pages A-4 and A-5) to include labels as to what is existing and what is proposed. Hopefully this is clear enough.

Project alternatives:

1. Demolition of the existing garage is not feasible due to the fact that the gas meter is located at the front corner of the garage and the gas line runs through the garage into the house. Also, the water heater is in the garage and this would require re-plumbing a large portion of the existing plumbing system to relocate. This is beyond the scope of our budget. Further, we feel that removing the garage would not be in keeping with the look of adjacent houses which all have one car garages attached to the house.
2. We would consider expanding the width of the existing driveway to 17' and I have included this option on the site plan. We would propose to demolish the existing driveway and install pavers to reduce the impervious coverage.
3. We feel that we need this square footage to accommodate our family. Also, to build an addition with less square footage would require a larger demolition of the existing structure to make it work architecturally, and this is beyond the scope of our budget.

I have found a house located at 275 West Arbor Avenue that is similar in nature to what we are proposing. This project required a variance.

Thank you,

Kevin Donohue

On Mar 15, 2011, at 8:33 AM, Noren Caliva wrote:

Hi Kevin,

Your project is incomplete, with a few pending items needed in order to schedule your project for a Zoning Administrator hearing. If all items pending below are submitted by 9am on March 22nd, I can schedule the project for hearing on April 13th. The next submittal date would be on April 5th, with a hearing on April 27th.
