



**CITY OF SUNNYVALE REPORT
ZONING ADMINISTRATOR HEARING**

August 24, 2011

FILE #: 2011-7485

Location: 843 Trenton Dr. (APN: 202-22-046)

Proposed Project: Design Review and Variance for a 67 square foot single story front addition to an existing single story Eichler residence for a total of 2,323 square feet and 25% Floor Area Ratio.

Environmental Review: Categorically Exempt Class 1

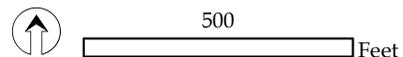
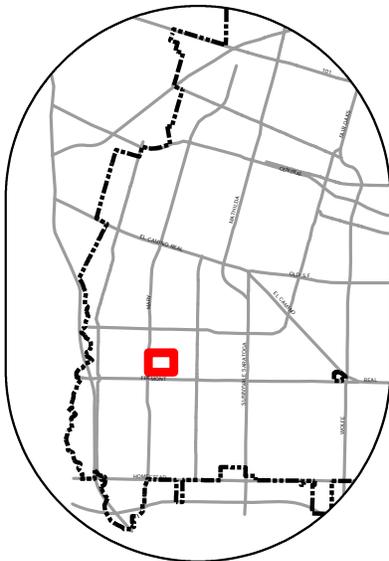
Staff Contact: Steve Lynch, 408-730-2723, slynch@ci.sunnyvale.ca.us

Project Description: To allow a 67 sf. single-story front addition to an existing single story Eichler residence for a total floor area of 2,323 sf. and 25% Floor Area Ratio.

Reason for Permit: A Design Review and Variance is required for the 20' front yard setback.

Issues: Variance Findings

Recommendation: Approve with Conditions.



PROJECT DESCRIPTION

	Existing	Proposed	Required
General Plan:	Residential Low Density	Same	Residential Low Density
Zoning District:	R-1	Same	R-1
Lot Size:	9,098	Same	9,000
Gross Floor Area:	1,755	1,822	N/A
Lot Coverage:	19%	20%	45%
Parking:	4	Same	4
Left Side Yard Setback:	8' 5"	Same	6' min.
Right Side Yard Setback:	7' 10"	Same	6' min.
Combined Side Yard Setback:	17'10"	Same	14' 9"
Rear Setback	53'	Same	20'
Front Setback	17' 10"	15' 6"	20'

★ Starred items indicate deviations from Sunnyvale Municipal Code requirements.

Previous Planning Projects related to Subject Application: In 2007 this neighborhood was rezoned to a single-story overlay district. As a result, second story additions are no longer allowed at this property.	Yes
Neighborhood Preservation Complaints	No
Deviations from Standard Zoning Requirements: The addition will result in a front yard setback deficiency.	Yes

Site Layout: The existing home is located in an Eichler neighborhood (Rancho Verde), with similar-sized site layouts. The home is sited near the front the lot and is currently within the front yard setback.

The proposed 67 sf. addition will extend into the front of the home by almost 3' (~28") and will line up with the existing right side-wall of the home. The addition will maintain the existing right side yard setback of 7' 10" and the combined side yard setback of 16' 3". The existing home is considered to be legal nonconforming with regard to the front yard setback, as the Sunnyvale Municipal Code (SMC) requires 20' for the R-0 Zoning District. The proposed addition will increase the nonconformity from 17' 10" to 15' 6".

Floor Plan: The existing home has a typical Eichler floor plan with an atrium at the center with living areas around it. There are four existing bedrooms and

two bathrooms. The proposed addition will expand the front two bedrooms by 67 square feet.

Architecture: The home is an Eichler-style home and located in the Rancho Verde neighborhood. The proposed addition will be located underneath the existing roof eave along the front/right side of the home. There will still be a portion of the eave overhang remaining and the roofline line will not be modified. The pushed-out wall design is intended to mimic the existing wall and will have a minimal visual change as seen from the street.

Primary exterior materials include vertical wood (Eichler-style siding) and glass windows of similar size, shape, and placement as the originals. New wall colors and materials will match the existing home. No additional exterior modifications are proposed to the remaining home.

Variance Justification: The applicant has submitted their justification for the Variance request (see Attachment C for details) and has raised a number of possible reasons for supporting the request. They are as follows:

- The home is located on a short curve of, or bump in, the street, which has an unusual street configuration. Other homes on the curve have a similar front yard setback issue.
- The home was intentionally sited close to the street to avoid dramatic setbacks of the homes on the short bump/curve. The front setbacks of the homes vary only slightly from the adjoining home by an average of 5’.
- The home, as built by Eichler, is currently within the front yard setback. This indicates there was an acknowledgement of a unique circumstance for this property.
- The front yards in this 1959 subdivision achieve the average 20’ setback. The current front yard deviation and requested Variance meets the intent of the yard average as well as current City code requirements.

Discussion: Staff finds there is sufficient justification to approve the Variance request, based on the following.

At the time Eichler subdivided the land (1959), he purposely designed curves streets, cul-de-sacs, and other non-grid patterns into the street layouts of all his projects. The intent was to create varied views of the homes, increase privacy for residents, and create quieter/slower streets. As a result, homes such as the subject site have a bump in the street on an otherwise straight street. The front yard setbacks of the homes only partially reflect this bump, with some being closer than 20’ and others across the street, having larger front yard setbacks up to 31’. If the front yard setbacks of the homes directly reflected the short curve, the homes on both sides of the street would have dramatic front yard jumps between properties, rather than the gentle transition seen today. The aerial photo in Attachment C and applicants map in Attachment B, shows the varying setbacks for Trenton.

Under SMC 19.34.030 the front yard minimum is 15' and the average is 20'. This means the front yard setback on each block must average 20'. The intent is to allow variations in the rhythm or pattern of home placement on each block. Front yards in this 1959 subdivision achieve the average 20' setback, with some at 17' and others 25' – 31' setback. The current front yard deviation and requested Variance meet the intent of the yard average as well as current City code requirements and this block of Trenton will achieve the minimum setback average of 20'.

Parking: The site provides two covered garage and two uncovered driveway spaces, which meets the minimum parking requirement.

Public Contact: 9 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 (minor single-family home additions) relieves this project from CEQA provisions.

FINDINGS

In order to approve the Variance the following three 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)**

Although the subject property size and shape is not unique to the neighborhood or the R-1 Zoning District, the existing home was built in 1959 with a substandard front yard setback. As discussed in the report above, this setback deviation was intentional for the benefit of a superior rhythm and pattern of the front yard setbacks on the block. The proposed addition is keeping with this original neighborhood pattern.

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)**

The proposed single-story addition respects the character, size and bulk of homes in the neighborhood and is meet the City's Eichler Design Guidelines for additional. The exterior colors and materials include vertical wood (Eichler-style siding) and glass windows of similar size, shape, and placement as the originals. New wall colors and materials will

match the existing home as well as other Eichler design home 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)**

Approval of the Variance will not grant special privileges not enjoyed by other surrounding property owners, or within the same zoning district. Several of the Eichler homes in the neighborhood were also originally constructed with similar nonconforming setbacks.

ALTERNATIVES:

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

RECOMMENDATION

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

Reviewed by:



Shaunn Mendrin
Senior Planner

Prepared By: Steve Lynch, Senior Planner

Attachments:

- A. Standard Requirements and Recommended Conditions of Approval
- B. Applicant's Variance Justifications
- C. Aerial Photo of Trenton Drive
- D. Site and Architectural Plans

**ATTACHMENT A
RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
August 24, 2011**

Planning Application 2011-7485

843 Trenton Drive

To allow a 67 sf. single-story front addition to an existing single story Eichler residence, within the required front yard setback, for a total floor area of 2,323 sf. and 25% Floor Area Ratio.

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:

<p style="text-align:center">GC: THE FOLLOWING GENERAL CONDITIONS AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.</p>

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]

GC-3. TITLE 25:
Provisions of Title 25 of the California Administrative Code shall be satisfied with dependence on mechanical ventilation. [SDR] [BUILDING]

GC-4. TREES:
No protected trees are approved for removal as part of this project. [SDR] [PLANNING]

BP: THE FOLLOWING CONDITIONS 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]

BP-2. RESPONSE TO CONDITIONS OF APPROVAL:
A written response indicating how each condition has or will be addressed shall accompany the building permit set of plans. [COA] [PLANNING]

BP-3. BLUEPRINT FOR A CLEAN BAY:
The building permit plans shall include a “Blueprint for a Clean Bay” on one full sized sheet of the plans. [SDR] [PLANNING]

BP-4. EXTERIOR COLORS AND MATERIALS:
All new exterior colors and materials shall match the existing home. [COA] [PLANNING]

DC: THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT.

DC-1. BLUEPRINT FOR A CLEAN BAY:
The project shall be in compliance with stormwater best management practices for general construction activity until the project is completed and either final occupancy has been granted. [SDR] [PLANNING]

Projects description: Move front bedroom wall two and one half feet closer to the street, without changing the roof line and staying within the existing eave overhang. The project would impact in the Front Setback. Only a portion of the project will encroach in the setback. The intent is to maintain all the Eichler details of the existing siding and windows.

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 variance is requested for the addition. This is caused by the layout of the street. This property is right at a curve in the street. This causes the challenge. Several houses are in the "curve", they have this challenge. Houses that are not in the curve don't have this challenge.
- As the house was originally built, it is already impacting into the front setback. This is obviously an original deviation that was granted to the developer. This indicates there was already an understanding of the unique challenges of the property. There have been no complaints or issues over the years because of this.
- The house is purposefully placed forward (towards the street) on the property. Because of the curve in the street to try and reduce a "jutting out effect" for the alignment of the homes on the street, this home was placed forward on the property. If this home had been placed at the same distance from the street as other homes then there would be a weird alignment of the homes. There would be a large separation in how the homes align from the street.
 - Because this property was selected as one of the "alignment" properties, I am running into this setback issue. Other homes on the street would be able to implement this room expansion without running into this setback issue.
- If this variance was requested as part of the original development and averaged over the entire project, it is very possible this would be granted. If this variance is approved, the overall cumulative effect on the setbacks for the entire street or zoning district is very minor.
- The project could only expand one of the front bedrooms (instead of both). This would keep the project within the designed setbacks, but it would go against the Eichler Design Guidelines of having a "solid wall front façade".
 - The project will stay within the definitions of the Eichler Design Guidelines adopted July 28, 2009 even though they only apply when increasing the floor area by 20% or more.
 - Creating additions that blend with the existing architectural design. (Page 7)
 - Relatively solid wall front facades
 - Vertical-grooved wood siding
 - Vertical slot windows on front facades and sidelights, often with translucent glazing
 - 3.1.4 – Design homes with architectural integrity
 - 3.2.1.b – at the front of the house, design the forms and details to appear as though they are part of the original house.
 - 3.5.1 – Match the original house material and details.
 - 3.7.1

- a) Use simple floor plans with rectangular shapes similar to Eichler homes.
- B) Provide front façade offsets and/or inserts similar to typical Eichler floorplans.
- D) Use flat or low pitched roofs with overhangs.
- E) Use post and beam construction methods.
- Appendix B:
 - Maintain one-story character
 - Keep original roof pitch
 - Do not enclose an entryway or carport
 - Use exterior materials that are identical to or closely resemble the original materials, especially where they will be visible from the public way.
 - Preserve defining architectural features such as eave overhangs, supporting rafters....front windowsor other original design aspects.

AND

- 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 would not be materially detrimental to the public welfare or injurious to the property, improvements or other uses within the immediate area.

This addition is designed to mimic the existing structure. The project does this by building the extended wall within the existing roof line. Some portion of the existing eave will be maintained. Windows of similar size, shape and placement will be used. Eichler siding will be used. The intent is for the replacement wall to be indistinguishable from the prior wall. It will just be two and one half feet closer to the property line. If you did not see the construction happen, it should not be obvious that it occurred.

By staying within the existing roof line and not expanding the area of the roof, the project does not have as much visible impact to the view of pedestrians or residents on the street. There is no vision triangle or other line-of-sight challenge with this property.

Other homes in the District have done this type of expansion, see attached pictures. They are on straight streets and do not appear to have dealt with this variance issue. (Sheraton and Pome).

AND

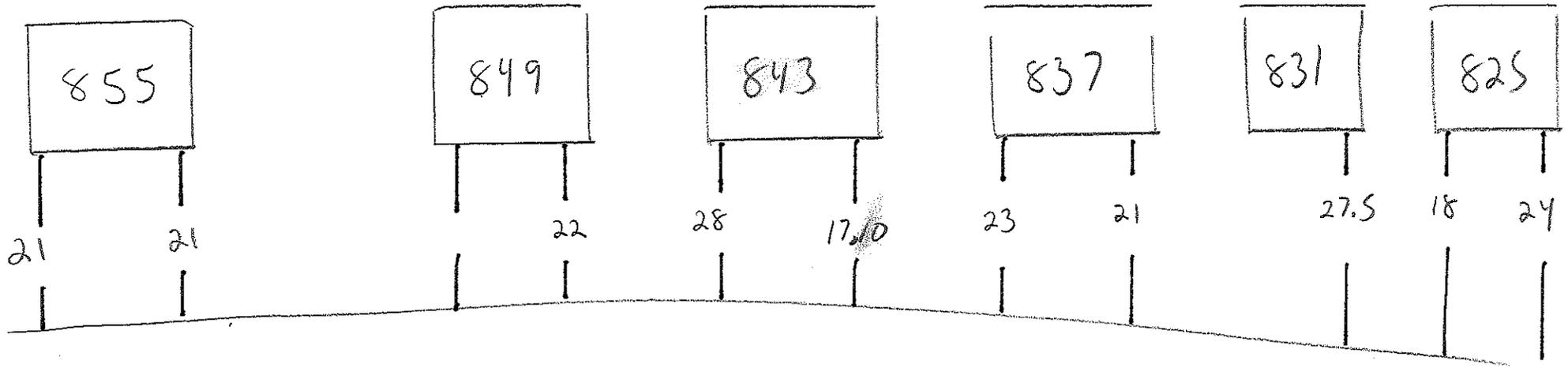
- 3. Upon granting of the Variance, the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district.**

The purpose of the ordinance will be served. There will still be plenty of room for landscaping in front of the property. The appearance of the neighborhood will not be negatively impacted as the elevation of the front of the property will remain very similar.

Because we are not changing or expanding the roof line of the house there will not be much appearance of any encroachment towards the street.

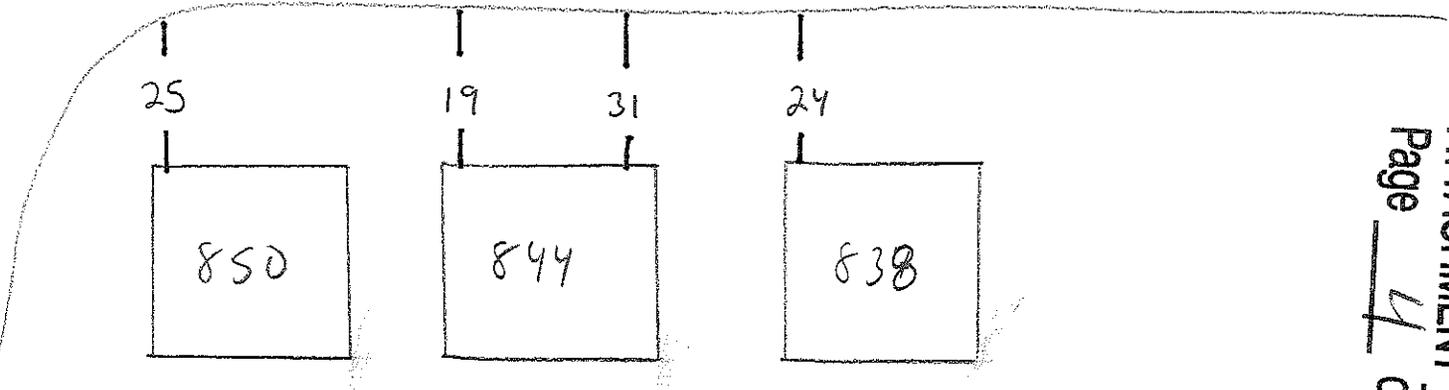
By allowing this variance, the City is not granting any special privilege. This property will be allowed to do similar things that other homes on the street or zoning district could do. The reason this property needs the variance is because of the unique issues that were presented the original developers because of the curve in the street and the solution they choose to implement.

8-7-11

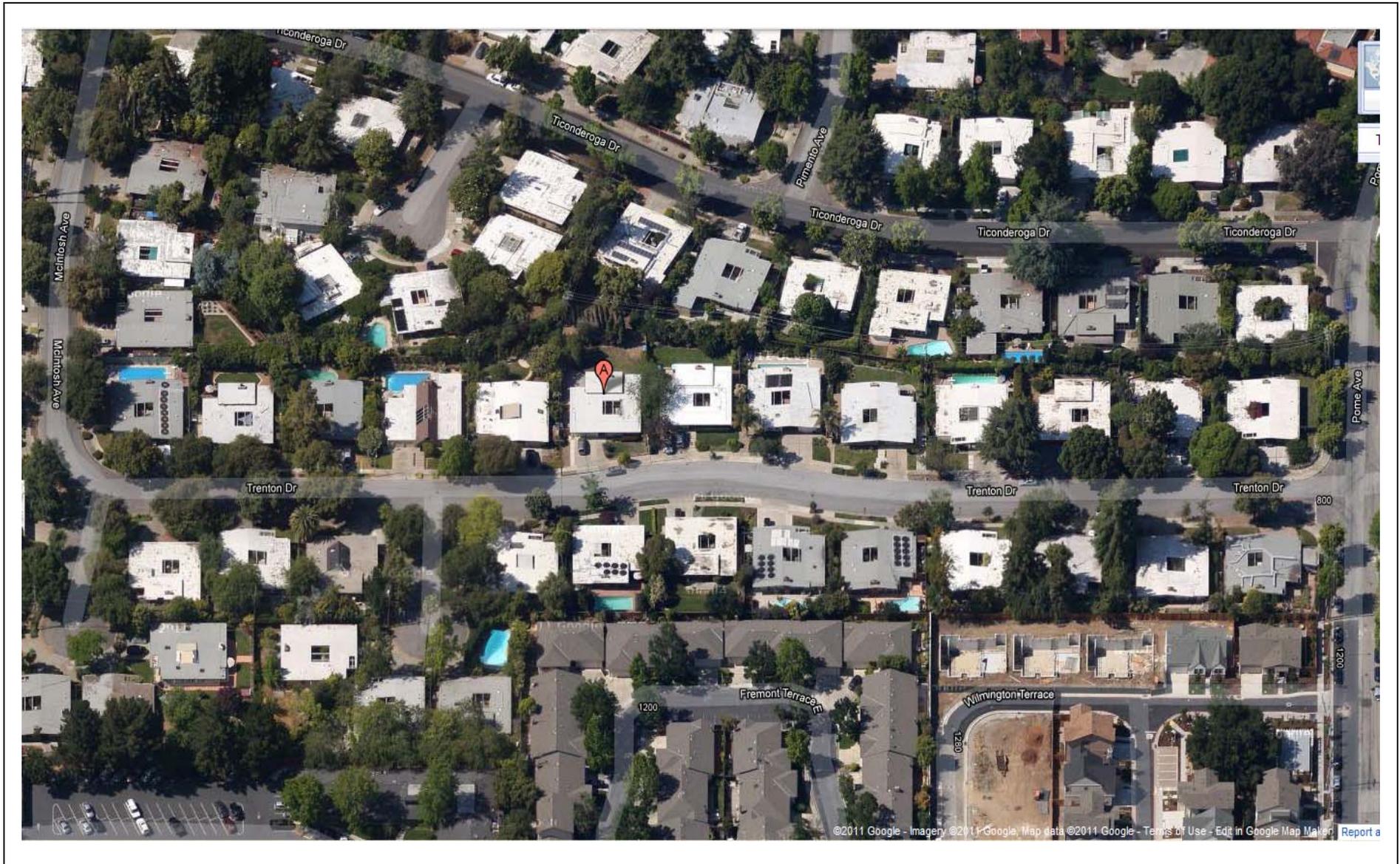


Trenitou Dr

Nelis ct

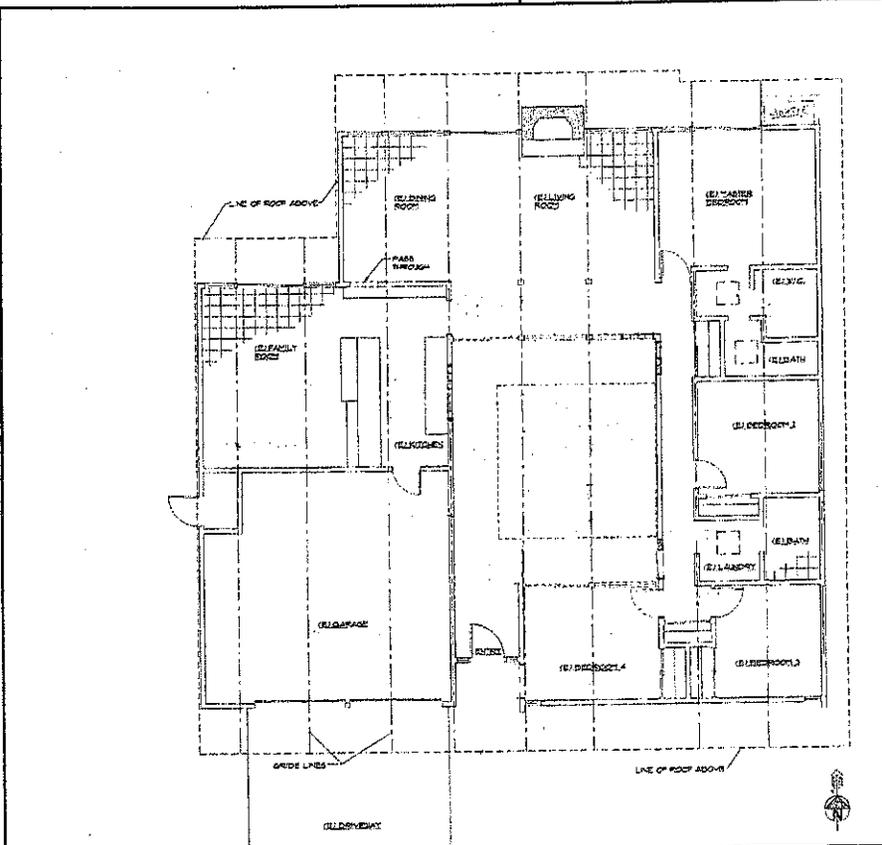
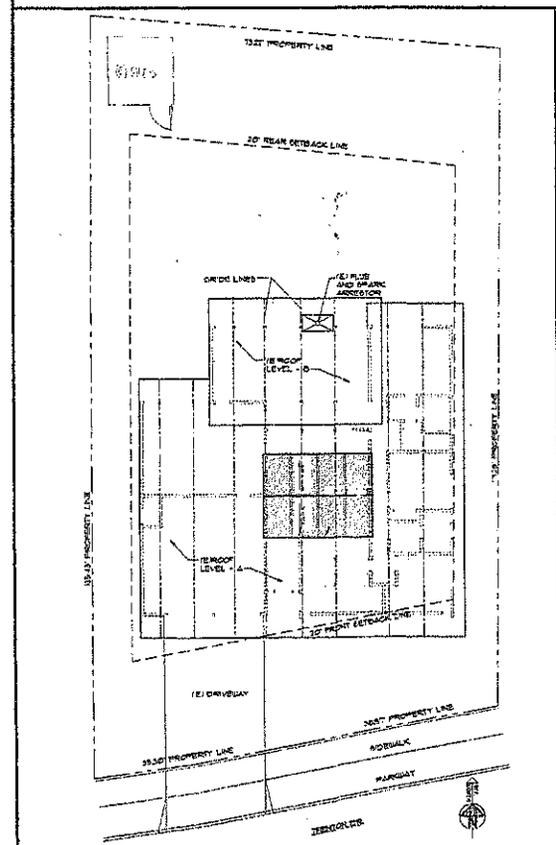


- * - Note to scale
- * - All measurements are approx. might be off by an inch or two
- * - measurements from house to sidewalk



A1

PROJECT DATA		NOTES		SHEET LEGEND							
GENERAL INFORMATION: Project Address: 843 TRENTON DRIVE, SUNNYVALE, CA 94087 Governing Jurisdiction: HENRICKS RESIDENCE PRO PLANNING & ARCHITECTURE Zone: R-1 Lot Size: 6,255.44 SF Proposed Detacher: Actual Subareas: Front: 38'-0" x 11'-0" Rear: 30'-0" x 11'-0" Side: 47'-0" x 16'-0" (TOTAL) 9'-0" x 11'-0"		LOT COVERAGE: Allowable (C1): 40% Allowable (SF): 2,502.18 SF (C1) Lot Coverage (Pending): 2,236.12 SF New Building Area: 57 SF Total New Coverage: 57 SF New Lot Coverage (C1): 5%		FLOOR AREA RATIO: Allowable (C1): 45% Allowable (SF): 2,812.94 SF Existing Floor Area: 2,256.43 SF Maximum Addition Area: 1,612.03 SF PROPOSED NEW FLOOR AREA: NEW FLOOR AREA: 57 SF		TOTAL NEW FLOOR AREA: NEW FLOOR AREA: 57 SF NEW FLOOR AREA %: 0.91% FIRE SPRINKLER ANALYSIS: EXISTING LIVING AREA: 1,235.47 SF NEW LIVING AREA: 57 SF 436.83 / 1,255.47 = .35 (25%) < 50%		NOTES: NEW CALL EXISTING WALL REMOVE EXISTING WALL REMOVE EXISTING WALL		SHEET LEGEND: A-1 EXISTING SITE PLAN	

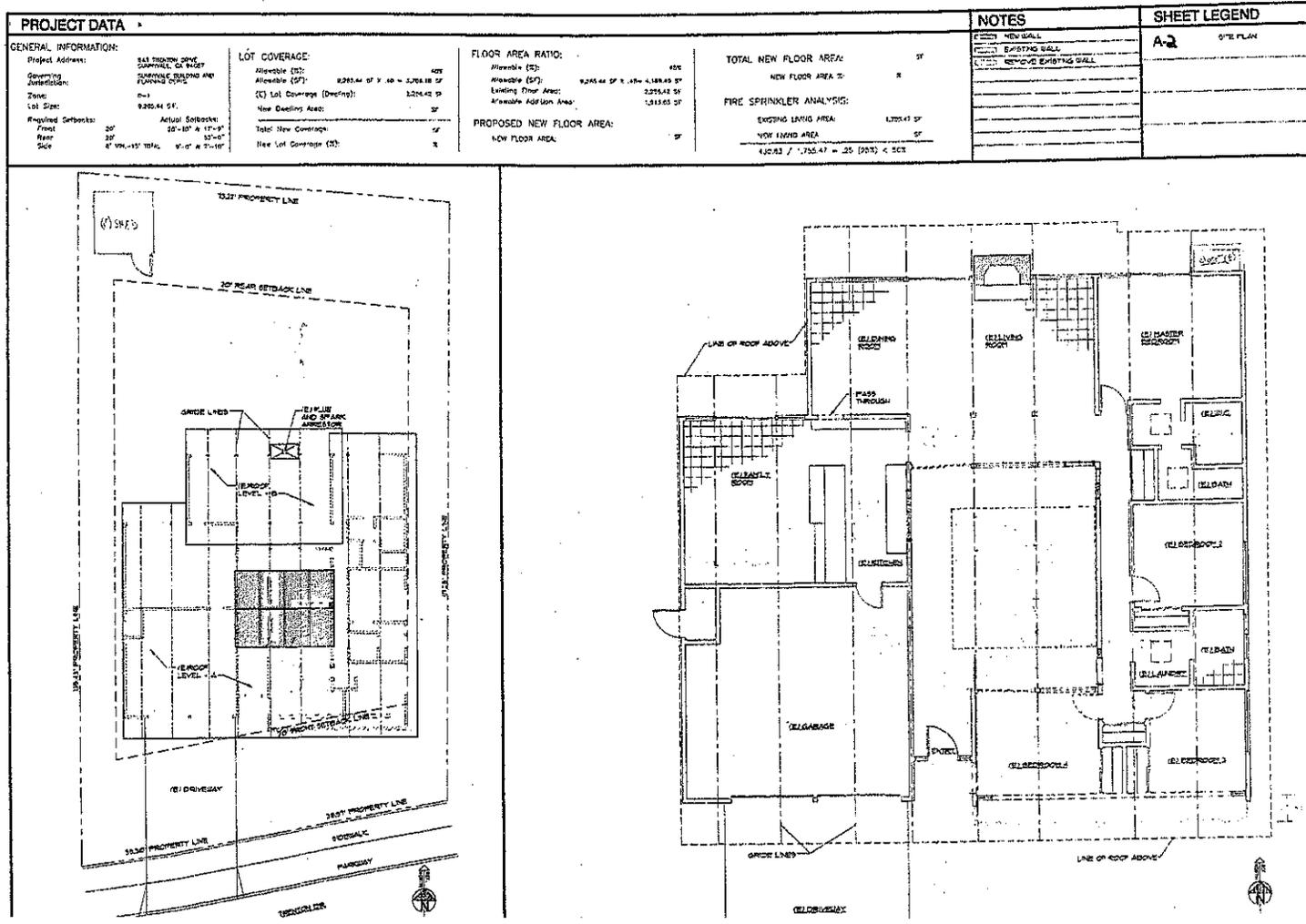


MODIFICATIONS TO THE HOME OF:
HENDRICKS RESIDENCE
 843 TRENTON DRIVE, SUNNYVALE, CA 94087

SITE PLAN
 ROOF PLAN
 FLOOR PLAN

JOB NO. DRAWN BY
 DATE
 REVISIONS
 SHEET NO.
A1

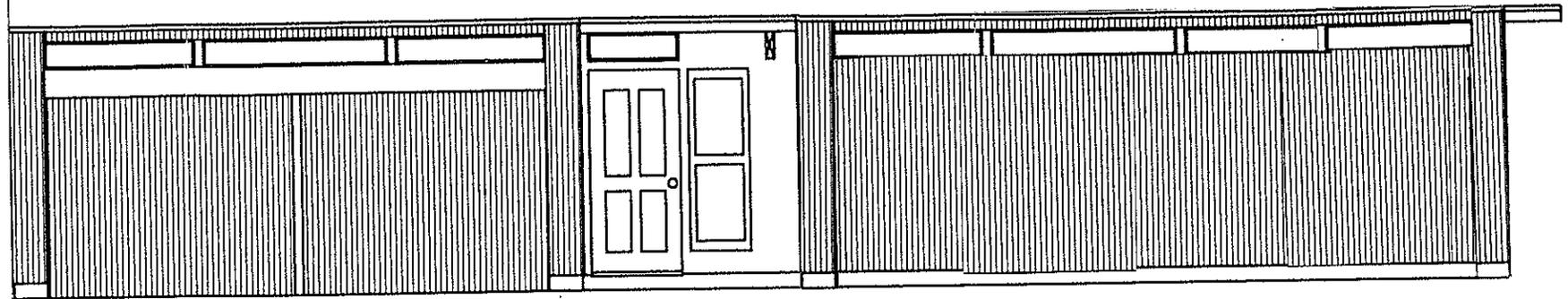
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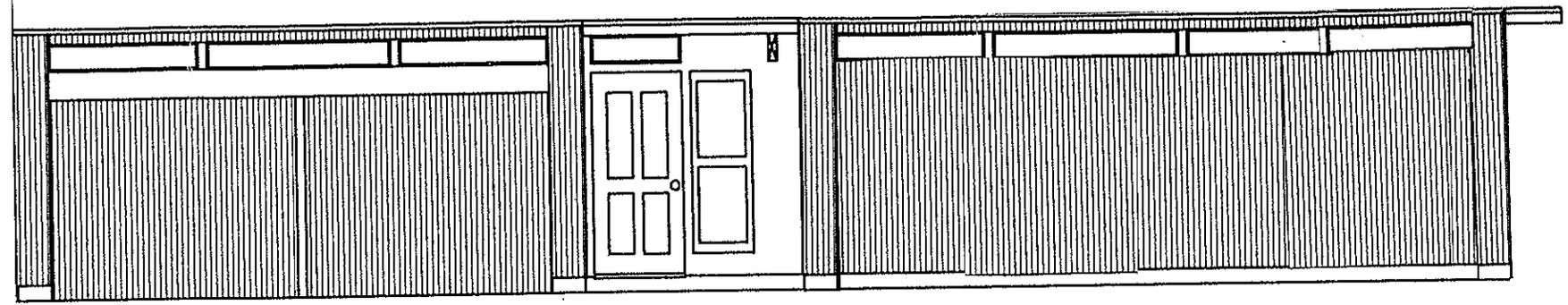
MODIFICATIONS TO THE HOME OF:
HENDRICKS RESIDENCE
 843 TRENTON DRIVE, SUNNYVALE, CA 94087

PROPOSED SITE PLAN
 PROPOSED ROOF PLAN
 PROPOSED FLOOR PLAN

DESIGNED BY: []
 DATE: []
 REVISIONS: []
 DRAWING: []



Existing Front (North) Elevation



Proposed Front (North) Elevation