



CITY OF SUNNYVALE REPORT ZONING ADMINISTRATOR HEARING

August 28, 2013

File Number: 2013-7581

Permit Type: Variance

Location: 346 S. Pastoria Ave. (near W. McKinley Ave.) (165-12-008)

Applicant/Owner: Ray House/Ulrich A. Bonne

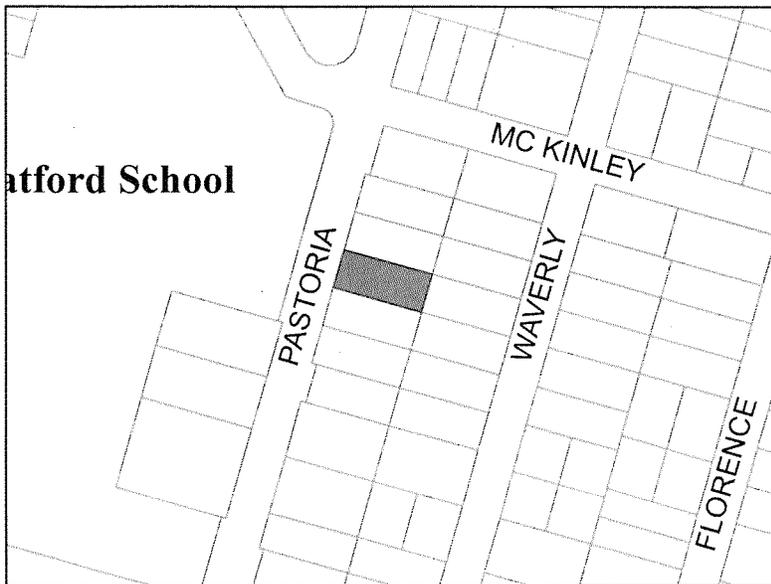
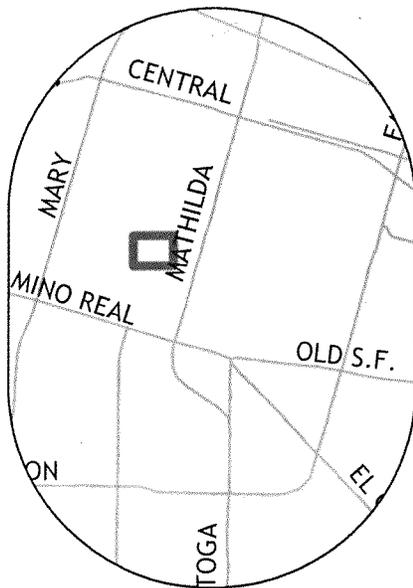
Staff Contact: Timothy Maier, Assistant Planner, (408) 730-7257

Project Description: To allow a reduced front yard setback of 11'-6" for a covered porch, where 20' is required

Reason for Permit: A Variance is required to allow an addition which results in substandard setbacks.

Issues: Setbacks

Recommendation: Approve with Conditions



500

Feet

PROJECT DESCRIPTION

	Existing	Proposed
General Plan:	Residential Low-Medium Density	Same
Zoning District:	R-2	Same
Lot Size:	5,922 sq. ft.	Same
Total Sq. Ft. on Site:	2,569 sq. ft.	2,659 sq. ft.
Lot Coverage:	33.3%	34.8%
Parking:	2 covered (1 in detached garage, 1 in detached carport)	2 covered (1 in detached garage, 1 in detached carport)
Front Yard Setback	16.5'	11.5'

Previous Planning Projects related to Subject Application: In February of 2013, a Design Review and Use Permit were approved for a new carport and residential addition to the existing single-story home. The Design Review allowed new floor space on the home's first floor, a new second story addition, a new basement, as well as a new carport. These changes resulted in a 1,918 sq. ft. home with a Floor Area Ratio (FAR) of 43%. Along with the Design Review, a Use Permit was approved, permitting accessory structures located at the subject property to exceed 450 square feet. The Use Permit authorized a new 200 sq. ft. carport to supplement the existing 451 sq. ft. one-car garage/storage facility.	Yes
Neighborhood Preservation Complaints	No
Deviations from Standard Zoning Requirements: The home features a concrete landing and entry step in front of the main entrance, which are not included as part of the existing, legal non-conforming 16'-6" front yard setback. The proposed project would extend the porch feature toward the street and reduce the front yard setback to 11'-6."	No

Site Plan: The existing home is situated on a mid-block lot in a neighborhood predominantly developed with older homes built from the 1930s to 1950s, including a few homes constructed from the 1980s to 2000s. The existing home is located toward the front of the lot.

The existing 16'-6" front yard setback is considered legal nonconforming, as the Sunnyvale Municipal Code (SMC) requires a front yard setback of 20' for the R-2 Zoning District. The existing living area wall is located approximately 16'-6" from the front property line. The subject property currently features a concrete landing and entry step, which extend three to four feet beyond the facade

toward the front property line, covered by no posts. The new porch would replace the landing and entry step and would project 5' from the home, resulting in a front yard setback of approximately 11'-6" as measured from the front property line to proposed supporting posts. The length of the porch adjacent to the home would total 18' (See Site Plan on Page 3 of Attachment B).

The proposed project also incorporates an extension of the existing roof eave 2' toward the front of the home, addition of a gabled roof entry, and placement of 3 new columns above the porch and below the extended eave (See Elevation Plan on Page 4 of Attachment B).

Floor Plan: A Design Review was approved for this home in February 2013, permitting significant changes to the floor plan and outward appearance of the home (File #2012-7274). The proposed variance pertains only to the reduced front yard setback created by the addition of a porch located at the front of the house, adjacent to the main entrance. There are no changes proposed to the living area as approved. That project is under construction.

Architecture: Prior to approval of modifications via the recent Design Review, the architecture of the home can be described as Craftsman or California Bungalow in style, with the use of a low pitched roof and gabled front element. With permitted alterations, the structure will contain a second story but retain the overall character of a Craftsman home. Proposed changes to the front of the home involve a gabled eave projecting over the front entryway.

The proposed porch addition would help to maintain the original architectural style of the home. The roof eave would be extended two feet toward the front of the lot, supported by a series of three Craftsman-style columns. The new gabled roof entry would serve to connect the two separate elements of the first-floor roofline as visible from the street, and would provide additional definition to the entrance of the home. The porch would feature a new decorative rail. Most homes in the neighborhood of the subject property do not include decorative railings. Nevertheless, the proposed rail has an attractive linear design which would complement the exterior treatment of stucco and horizontal shiplap as included in the Design Review approved in early 2013.

The extended porch and associated structures would create additional architectural interest and functionality, while enhancing the home's street presence and offsetting the apparent mass of its second story. The finished product would help to create a façade of unified theme, similar in appearance to those of other homes found in the subject property's surrounding area. (Some examples of other front porches in the neighborhood are shown on Page 2 of Attachment B.)

Parking: Parking capacity consists of a detached one-car garage/storage facility located toward the rear of the property, as well as a recently approved detached carport, also located in the rear yard. This variance application does not affect on-site parking.

Variance Justification: The applicant has provided justifications for the Variance in Attachment C. The applicant notes that each home adjacent to (i.e. on both the left and right side of) the subject property features a porch, and that homes located within a few blocks of the subject property have nonconforming front yard setbacks of less than 10.'

Public Contact: Seven (7) notices were sent to surrounding property owners and residents adjacent to the subject site in addition to standard noticing practice. No letters were received.

Environmental Determination: A Categorical Exemption Class 1 (minor changes in use) 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)**

Although the subject property's size and shape is not unique to the neighborhood or to the R-2 Zoning District, the existing home was built in 1950 with a substandard front yard setback. Replacement of the existing concrete landing and step with the new porch would increase nonconformity of the property's front yard setback, but would achieve a facade that is commonly found in the surrounding area, and would help to harmonize the home with the prevailing neighborhood pattern of reduced front yard setbacks.

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 porch extension will be a visual enhancement to the home and is consistent with its architectural style and those of homes throughout the neighborhood. The surrounding area features homes with porches of varying sizes and compositions, and the intended materials and

dimensions of the porch will conform to the pattern of mixed porch styles and sizes observed in the neighborhood.

The proposed porch would include an extended eave, 3 new Craftsman-style columns, and a new decorative rail. Although most homes in the neighborhood have simple beam columns, some incorporate more ornate designs, with several in the vicinity of the subject property featuring columns of the variety associated with Craftsman homes. The width of the proposed columns, though larger than most in the property's immediate surroundings, conforms to the architectural character of the home and helps to balance the appearance of bulk created by the recent addition of a second story.

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. Many homes in the neighborhood of the subject property feature similar front yard porches that encroach into their lots' respective front yard setbacks, as seen on page 2 of Attachment B. The proposed porch will serve to establish a greater connection with the streetscape and surrounding built environment, while fostering greater social interaction and increased architectural uniformity throughout the neighborhood.

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:



Gerri Caruso
Principal Planner

Prepared By: Timothy Maier, Assistant Planner

Attachments:

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

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
August 28, 2013**

Planning Application 2013-7581

346 S. Pastoria Ave.

Variance from front yard setbacks to allow a 11'-6" setback
for an extended front porch.

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, Permitted 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)

GC-3. CONFORMANCE WITH PREVIOUS PLANNING PERMIT:

The subject site shall comply with all conditions of approval and requirements of planning application 2012-7274. [PLANNING] [COA]

GC-4. TREES:

No protected trees are approved for removal as part of this project. [PLANNING] [COA]

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]

BP-2. 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-3. EXTERIOR COLORS AND MATERIALS:

All new exterior colors and materials shall match the existing home. [COA] [PLANNING]

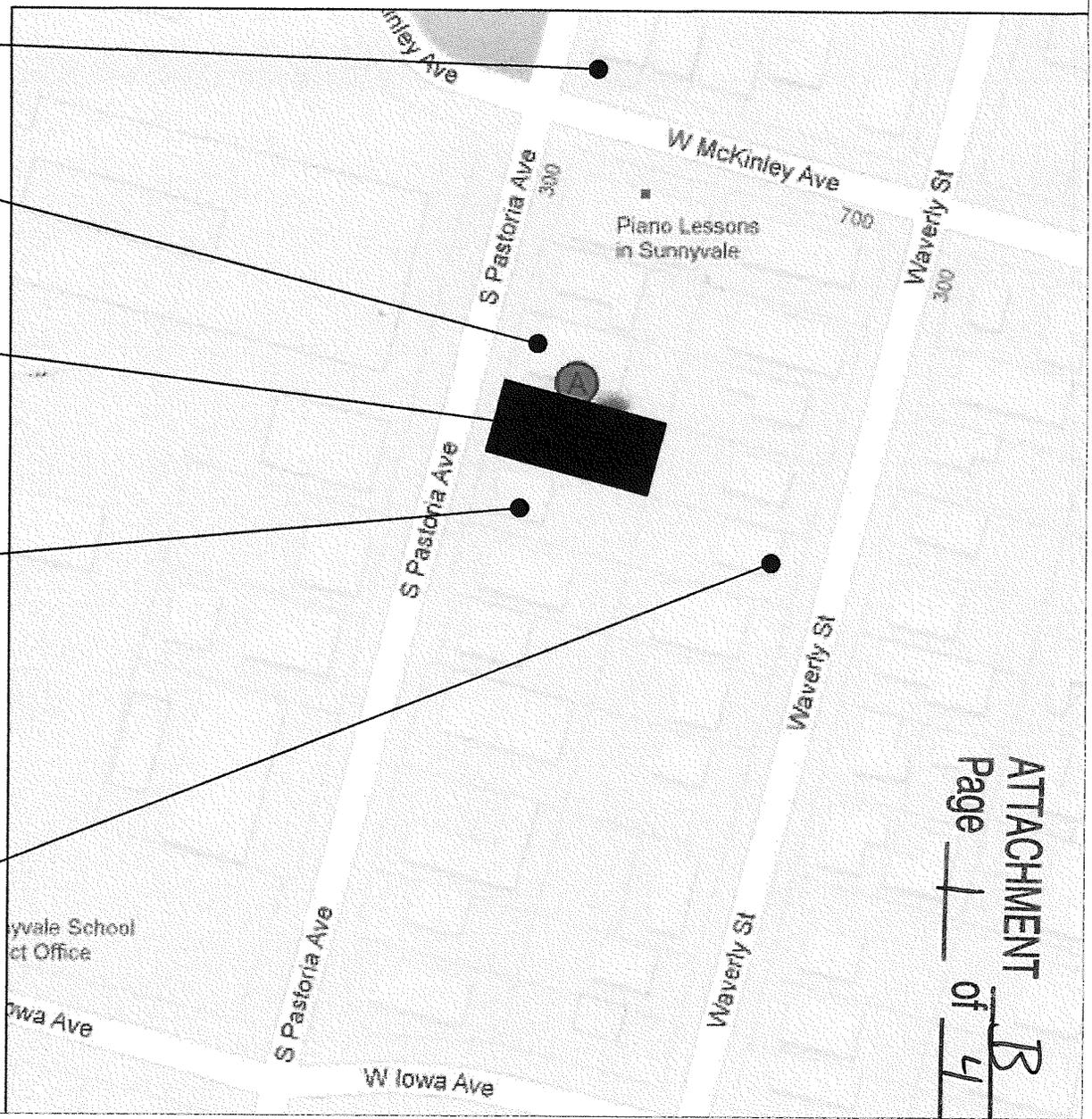
PHOTO 4
(795 MCKINLEY)

PHOTO 1
(330 S. PASTORIA)

PROJECT
LOCATION
SEE SITE PLAN

PHOTO 2
(360 S. PASTORIA)

PHOTO 3
(359 WAVERLY)



ATTACHMENT
Page 1 of 4
B

VICINITY/PHOTO KEY PLAN

FRONT PORCH 346 S. PASTORIA AVE.



PHOTO 1
(E) PORCH
(330 S. PASTORIA)



PHOTO 2
(E) PORCH
(360 S. PASTORIA)



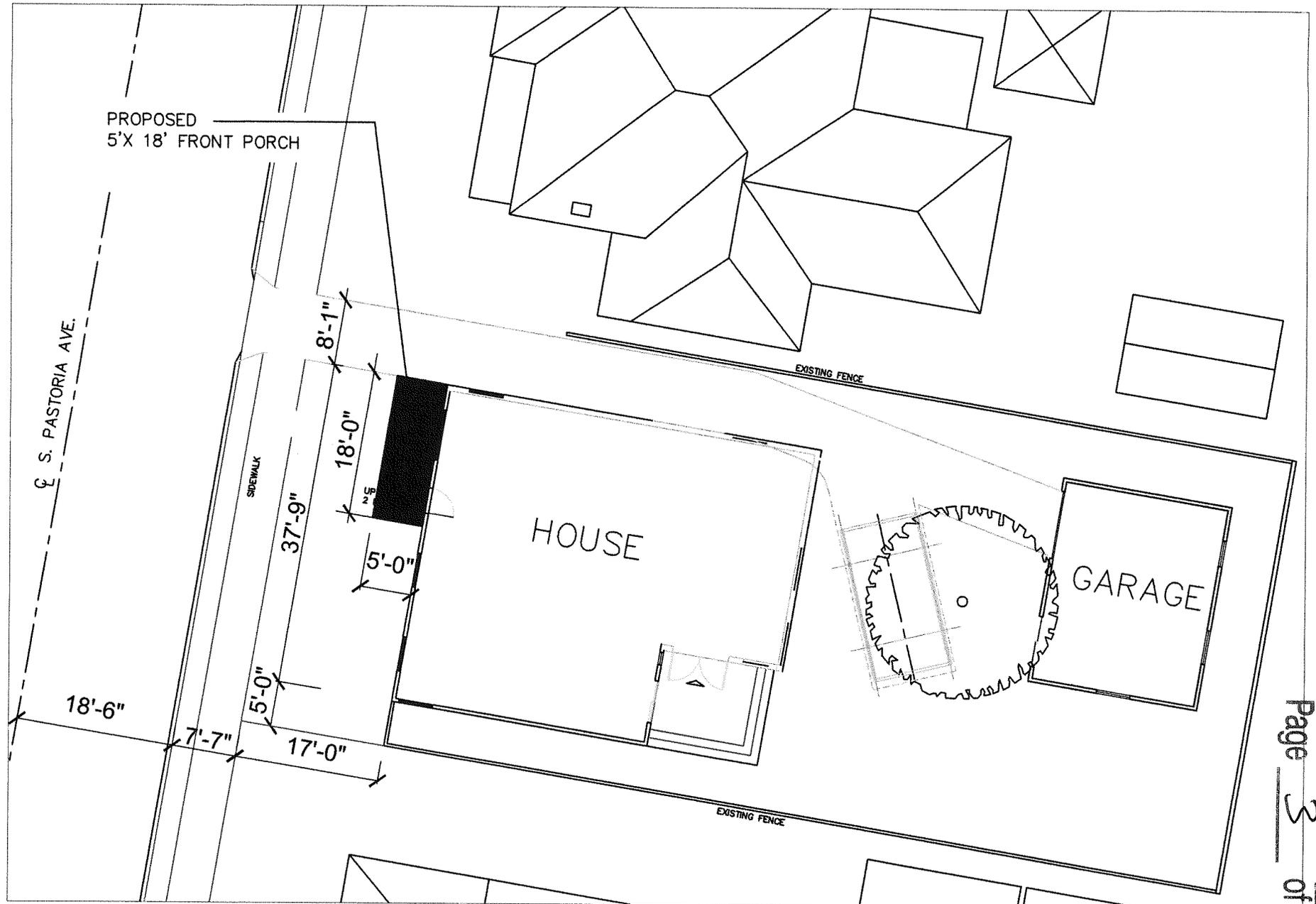
PHOTO 3
(E) PORCH- WITH 12'
SETBACK
(359 Waverly)



PHOTO 4
SIDEYARD ALONG PASTORIA
WITH 8' SETBACK

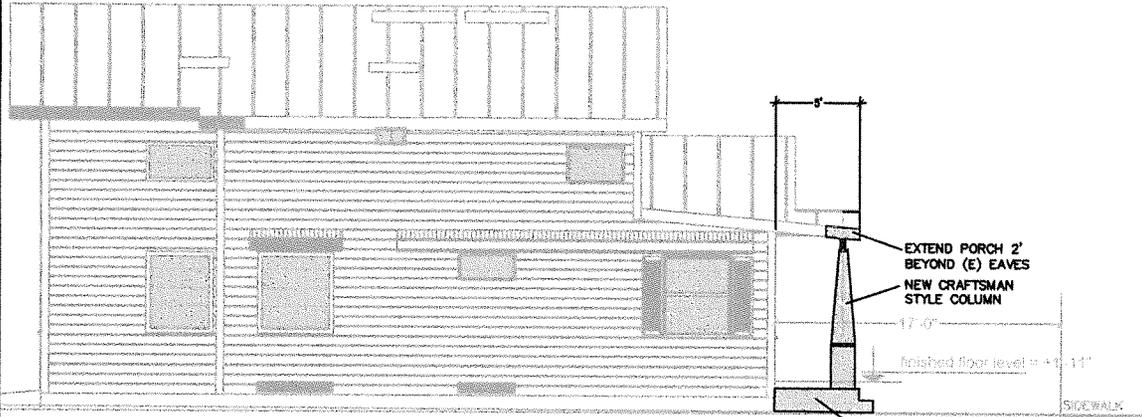
PHOTOS

FRONT PORCH
346 S. PASTORIA AVE.

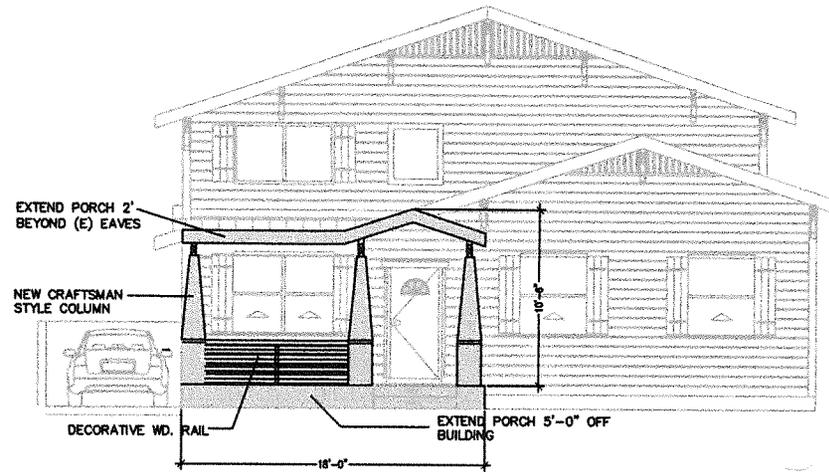


SITE PLAN

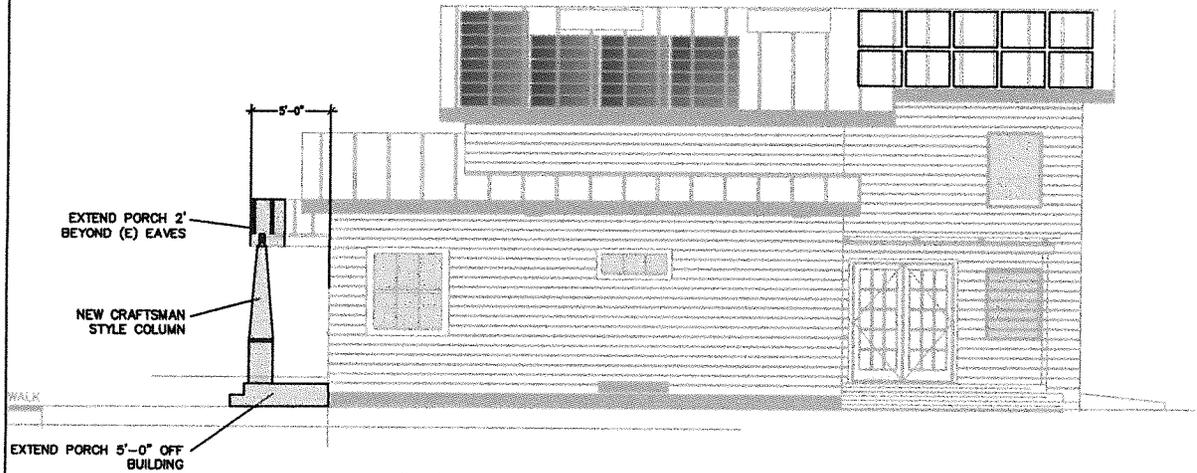
FRONT PORCH
 346 S. PASTORIA AVE.



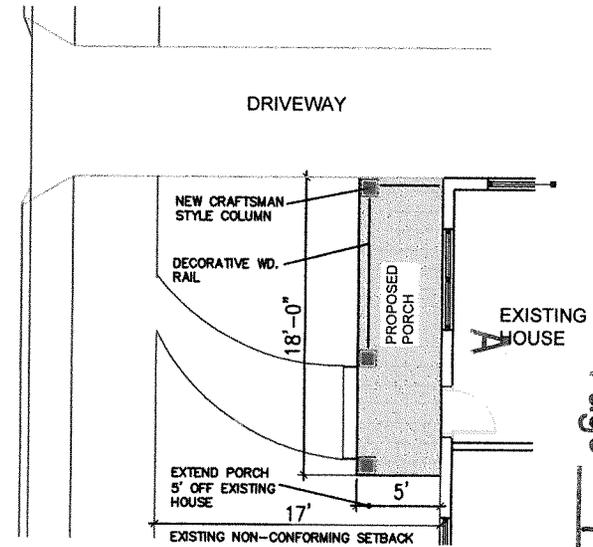
SIDE (NORTH) ELEVATION



FRONT (WEST) ELEVATION -
(VIEW FROM PASTORIA AVE.)



SIDE (SOUTH) ELEVATION



PLAN OF PROPOSED PORCH

**PROPOSED ELEVATIONS
AND ENTRY PLAN**

**FRONT PORCH
346 S. PASTORIA AVE.**

ATTACHMENT B
Page 1 of 4

Sunnyvale Variance Justification

The Sunnyvale Municipal Code states that all three of the following justifications must be met before granting the variance. Please provide us information on how your project meets all of the following criteria:

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.

Response: The House is located only 17 feet from the front of the property line, so to comply with the ordinance would prevent us from having a porch like many of our neighbors, including the neighbors on either side of our home.

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.

Response: Adding a 5 ft. deep Porch to our house will not have any impact on surrounding properties. It will not affect anyone's view, light or access. Per the attached vicinity plan, the side yard of a neighbor has an 8'-0" setback (along Pastoria).

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.

Response: Granting the variance wil allow us to reduce our front set back to 12 feet. Some houses within a few blocks of our street have setbacks of less than 10'.