



**CITY OF SUNNYVALE
REPORT
Planning Commission**

April 28, 2008

SUBJECT: **2007-1322:** Application located at **1320 Norman Drive** (at Bryant Wy.) in an R-1 (Low Density Residential) Zoning District. (APN: 313-02-022)

Motion **Design Review** to allow a new 6,554 square foot one-story home and accessory living unit where 4,050 square feet may be allowed without Planning Commission review,

Motion **Variance** from Sunnyvale Municipal Code Section 19.34.060 to allow encroachment into the required 40-foot corner vision triangle.

REPORT IN BRIEF

Existing Site Conditions One-Story Single Family Home

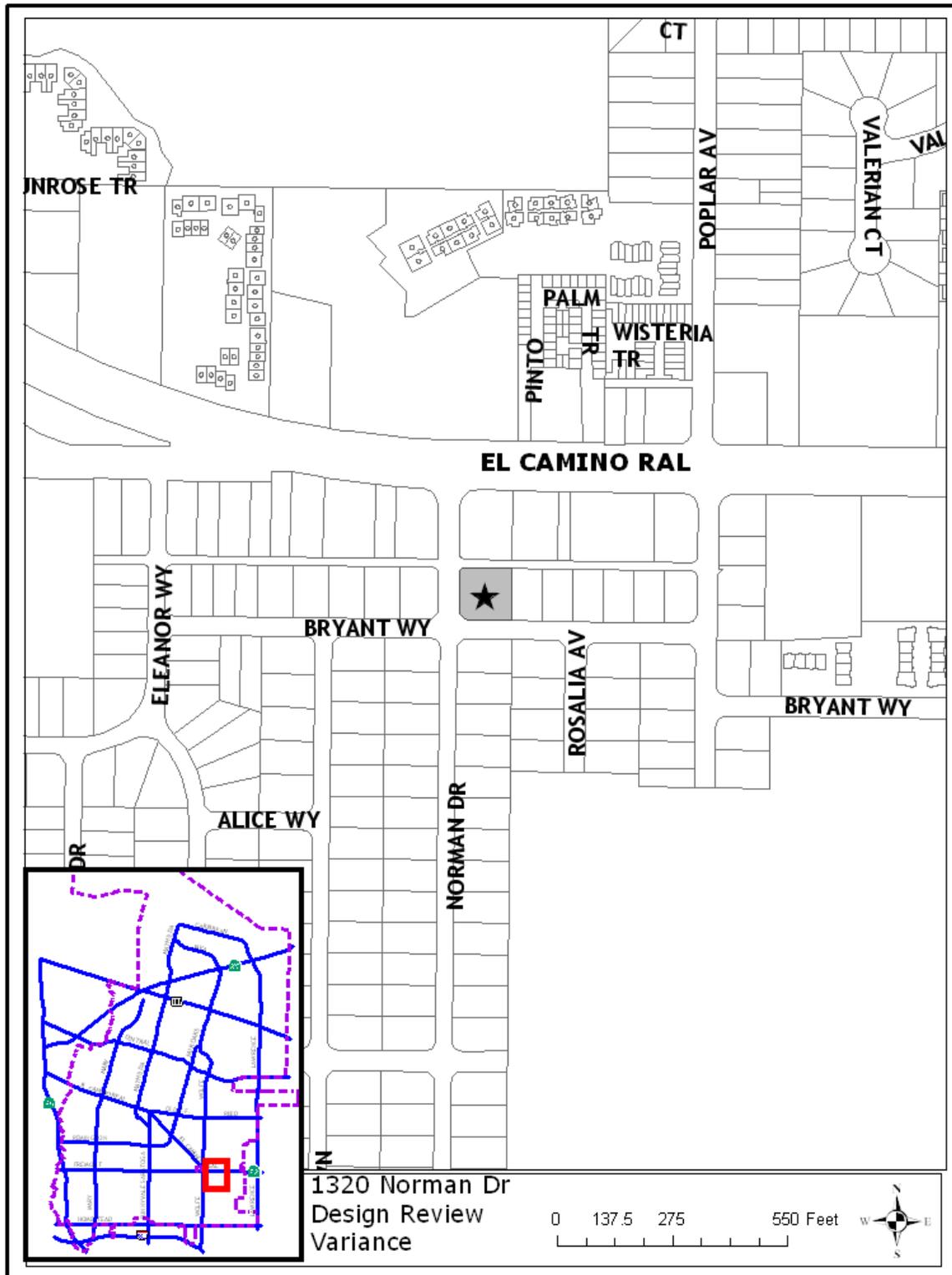
Surrounding Land Uses

- North Commercial-Retail (across alley facing El Camino Real)
- South One-Story Single Family Home
- East Duplex
- West One-Story Single Family Home

Issues Floor Area, Vision Triangle

Environmental Status A Class 3 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Approve the Design Review and Deny the Variance with Conditions



PROJECT DATA TABLE

	EXISTING	PROPOSED	REQUIRED/ PERMITTED
General Plan	Residential Low Density	Same	Residential Low Density
Zoning District	R-1	Same	R-1
Lot Size (s.f.)	15,773	Same	8,000 min.
Gross Floor Area (s.f.)	Approx. 2,121	6,554 (includes 700 s.f. accessory living unit)	No max. (4,050 without P.C. review)
Lot Coverage (%)	13%	41.6%	45% max.
Floor Area Ratio (FAR)	13%	41.6%	No max
No. of Units	1	1 + accessory living unit	1 + accessory living unit
No. of Buildings On-Site	2	1	---
Building Height (ft.)	14'	19'	30' max.
No. of Stories	1	1	2 max.
Setbacks (First/Second Facing Property)			
Front (Bryant Way)	24'	20'	20' min. / 25' min.
Left Side (Norman Drive)	26'	9'	6' min. (15' total)
Right Side	18' (to detached garage)	6'1"	6' min. (15' total)
Rear	5' (to detached garage)	12'	20' min. (10' permitted with 25% encroachment)
Parking			
Total Spaces	4	8	5 min.
Covered Spaces	2	4	2 min.

ANALYSIS

Description of Proposed Project

The proposal is for a new one-story home and attached accessory living unit on a 15,773 s.f. lot at the northeast corner of Norman Drive and Bryant Way. The existing home and detached garage will be demolished. The size of the home would make it one of the largest in Sunnyvale. The intent of the home, as described by the applicant, is to provide a home for their growing daughter who was born with a disability. According to the applicant, the size of the home is necessary in order to provide adequate maneuvering space for the wheelchair and for a large therapy equipment room. See Justifications from the Applicant in Attachment D for more information.

Background

Previous Actions on the Site: There are no previous planning applications related to this site.

Environmental Review

A Class 3 Categorical Exemption relieves this project from California Environmental Quality Act provisions. Class 3 Categorical Exemptions include construction of a new single family home in an urban area.

Design Review & Variance

Site Layout: The project site is a corner lot at the intersection of Norman Drive and Bryant Way. Although the address is taken from Norman Drive, the front yard for the development, as defined by the Sunnyvale Municipal Code, is considered along the narrower Bryant Way frontage. The Norman Drive frontage is considered the reducible front yard. All setbacks are met for the proposal. The rear yard setback is 12 feet; however, the allowable 25% rear yard encroachment is not exceeded. The accessory living unit is positioned at the northwest corner of the site.

The home contains three bedrooms and three full bathrooms and one half bathroom. Additional rooms include a study, exercise room, family room, dining room, living room, kitchen and laundry room. The 700 s.f. accessory living unit contains one bedroom, living room, kitchen and one bathroom. The proposal includes a 4-car garage that provides additional storage and maneuvering area for accessibility needs

The lot is adjacent to an alley that is shared with commercial uses to the north (along El Camino Real). Due to this condition, the site contains two street

corners. The Variance request is to enable an exception to the 40-foot vision triangle requirement where Norman Drive and the alley intersect. The proposed layout would meet the 40-foot vision triangle at the intersecting streets of Norman Drive and Bryant Way but would only have a 21-foot clearance at the intersection of the alley. The applicant has noted that nearby properties that also have an alley corner have existing deficient setbacks including the commercial building directly north of the site across the alley. Justification from the Applicant are provided in Attachment D.

Architecture: The proposed architecture is contemporary in form. The new home will be composed of a variety of materials including painted cement plaster siding with a stone veneer base along portions of each elevation. Pre-cast stone columns are utilized at the formal entryway along the Bryant Way elevation. Decorative window trim and planters are utilized along windows. The two garage doors are composed of wood paneling with high windows to add additional interest. A tile roof material is also proposed.

Due to the overall size of the home, staff was initially concerned of the overall mass and scale with respect to neighboring properties. Along with the one-story design, the layout has incorporated various breaks in wall plane and pop-outs that soften the appearance of the structure from the street. The layout helps the design blend in better with nearby newer homes that have been constructed within the neighborhood. Along Bryant Way, the four car garage is also broken up visually with two 2-car garage doors.

The following Guidelines were considered in the analysis of the project architecture.

Single Family Home Design Techniques (Architecture)	Comments
<p><i>3.9 C. Decorative Elements - The use of building bases is encouraged for homes constructed largely of stucco. Bases may be composed of projected wall planes at the building base, special materials such as stone, and projecting mouldings.</i></p>	<p>The home incorporates an alternative base material (stone) and detailing along each window. Planters at specific locations of windows are also proposed.</p>

Landscaping: The proposal does not include any modifications to the landscaping on site. A tree protection plan is required at the time of submittal for building permits. For trees that are proposed to be removed, an arborists report shall be submitted for review (Condition of Approval #5A). The applicant has indicated that a pervious surface will be utilized for each driveway surface. To ensure that paved area will be minimized where possible within the front

yards, staff had included Condition of Approval #1E to provide more details of the paving surface on plans submitted for Building Permits.

Parking/Circulation: The site meets the requirement for two covered and two uncovered parking spaces as required by Sunnyvale Municipal Code. The proposed home would actually contain four covered and four uncovered spaces because of a proposed 4-car garage and four driveway spaces facing Norman Drive. The proposal includes an accessory living unit which requires a fifth parking space (covered or uncovered). This requirement is met with the additional driveway parking spaces. The site also contains a circular driveway along the Bryant Way frontage. The purpose of the additional circular driveway is to provide additional assistance for drop-off and pick-up of the disabled daughter that will reside in the home. It is proposed that this one-way driveway will also be composed of a pervious surface. In each case, less than 50% of the front yards are paved as required by the Municipal Code.

The following Guidelines were considered in the analysis of the project parking and circulation.

<p align="center">Single Family Home Design Techniques (Parking)</p>	<p align="center">Comments</p>
<p><i>3.2 C. Limit paving in front setbacks for vehicles and walkways to a maximum of 50% of the front yard setback area. Where paving exceeds 25% of the front setback area, the use of modular pavers or other techniques to add scale and texture to the paving are encouraged.</i></p>	<p>The applicant proposes to utilize a turf block surface for the front yard driveway along Bryant Way and some form of pervious surface along Norman Drive.</p>

Compliance with Development Standards/Guidelines: The site complies with all development standards for properties in the R-1 Zoning District. The R-1 Zone does not restrict the Floor Area Ratio (FAR) for a home, but instead utilizes FAR and total floor area as a threshold that triggers Planning Commission review for homes over 45% FAR or 4,050 square feet. The proposed 6,554 square feet is, therefore, in conformance with R-1 development standards upon approval of the Design Review by the Planning Commission.

As stated previously, the project does not meet the current Code standard for the 40-foot corner vision triangle for the intersection at the alley and Norman Drive. A 21-foot triangle is provided. The applicant has provided justifications in Attachment D.

Expected Impact on the Surroundings: The proposed home should not have a significant impact to the surrounding homes. Although, the proposed home and attached accessory living would be the largest in the surrounding neighborhood and among the largest in the City, the one-story profile appear in scale to surrounding development.

Fiscal Impact

A Transportation Impact Fee of \$1,186.71 is required for the additional accessory living unit (Condition of Approval #6A). No fiscal impacts other than normal fees and taxes are expected.

Public Contact

Staff has not received any written comments from the public regarding this proposal.

Notice of Public Hearing	Staff Report	Agenda
<ul style="list-style-type: none"> • Published in the <i>Sun</i> newspaper • Posted on the site • 7 notices mailed to property owners and residents adjacent to the project site 	<ul style="list-style-type: none"> • Posted on the City of Sunnyvale's Website • Provided at the Reference Section of the City of Sunnyvale's Public Library 	<ul style="list-style-type: none"> • Posted on the City's official notice bulletin board • City of Sunnyvale's Website

Conclusion

Discussion: The proposed home (and accessory living unit) would be considered larger than any nearby single family development. Staff finds the site design and layout of the home to be acceptable as proposed with the exception of the request for a reduced corner vision triangle at the alley to the rear. The one-story home is designed to appear less massive than its overall size would suggest and will be in scale with neighboring development.

The applicant has submitted justifications of the corner vision triangle Variance based on existing conditions of nearby properties which do not conform. It is further noted that the requirement to maintain two vision triangles hinders the flexibility for site design. The applicant concludes that the alley less conducive to higher speed driving as a normal street; therefore, less than the 40' standard should be considered. The applicant also points out that the proposed layout is an improvement over the current condition of 17 feet clearance.

Staff finds that many of the applicant's points are valid in terms of the existing situation and the layout of neighboring properties. However, in consultation with the Public Works Department, a 20-foot wide alley should be treated similarly to a public street and that an adequate vision triangle that meets Code requirements should be provided. Furthermore, staff does not find that a redesign of the site layout would impair or limit the use of the property.

Staff has included Conditions of Approval that require conformance to the corner vision triangle requirement. Staff finds that adequate options exist on the site to meet this requirement and still provide an adequately functional floor plan that meets the applicant's special needs.

Findings and General Plan Goals: Staff was able to make the required Findings for the Design Review. Findings and General Plan Goals are located in Attachment A. Staff is recommending denial of the Variance because the Findings (Attachment A) were not made. However, if the Planning Commission is able to make the required findings, staff is recommending the Conditions of Approval (Attachment B).

Conditions of Approval: Conditions of Approval are located in Attachment B.

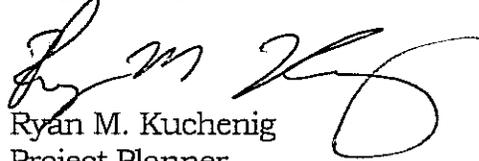
Alternatives

1. Approve the Design Review and deny the Variance with the attached conditions.
2. Approve the Design Review and Variance with the attached conditions with the exception of Condition of Approval 1.A.
3. Approve the Design Review and deny the Variance with modified conditions.
4. Deny the Design Review and Variance.

Recommendation

Alternative 1.

Prepared by:



Ryan M. Kuchenig
Project Planner

Reviewed by:



Gerri Caruso
Principal Planner

Attachments:

- A. Recommended Findings
- B. Recommended Conditions of Approval
- C. Site and Architectural Plans
- D. Letter and Variance Justifications from the Applicant

Recommended Findings – Design Review

The proposed project is desirable in that the project's design and architecture conforms with the policies and principles of the Single Family Home Design Techniques.

Basic Design Principle	Comments
<i>2.2.1 Reinforce prevailing neighborhood home orientation and entry patterns</i>	The orientation of the home is consistent with other homes in the neighborhood.
<i>2.2.2 Respect the scale, bulk and character of homes in the adjacent neighborhood.</i>	As designed, the proposed one-story home will be compatible to the neighboring one-story homes in scale and bulk.
<i>2.2.3 Design homes to respect their immediate neighbors</i>	The proposed home meets all the required setbacks and should not impact the privacy of adjacent homes
<i>2.2.4 Minimize the visual impacts of parking.</i>	The garage and parking area are located at the front of the home.
<i>2.2.5 Respect the predominant materials and character of front yard landscaping.</i>	Front yard landscaping will be supplied at the discretion of the home owner.
<i>2.2.6 Use high quality materials and craftsmanship</i>	The newly constructed home is constructed with a stucco siding and a tile roof material as conditioned. A stone base is also utilized.
<i>2.2.7 Preserve mature landscaping</i>	Per Conditions of Approval, a tree protection plan is required for trees to be preserved. A separate valuation shall be submitted for those trees proposed to be removed prior to issuance of building permits.

Recommended Findings - Variance

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 Not Met*) Staff finds that project site is not unique to the surrounding area. Although the development area is limited with two corner vision triangles, adequate area exists on this large parcel to accommodate the addition and meet each of the required corner vision triangles. A 40-foot vision triangle is considered appropriate here due to the 20-foot width of the alley that exists
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 it appears that compliance to the corner vision triangle is not met on nearby properties, the intent of the requirement is to ensure the safety of pedestrians and other forms of traffic at intersections. The opinion of the Public Works Transportation Division is that this 20-foot wide alley shall provide similar clearance as two streets that intersect.
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*) The proposed encroachment will not result in a special privilege being granted for the subject site as nearby properties with frontages along this alley already contain existing encroachments into the corner vision triangle. The proposal would improve upon an existing deficiency that exists at this corner.

Recommended Conditions of Approval – Design Review & Variance

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:

Unless otherwise noted, all conditions shall be subject to the review for compliance or minor of approval of the Director of Community Development.

1. GENERAL CONDITIONS

- A. The site layout shall be modified to meet the required 40-foot corner vision triangle (*Applicable if Variance is denied*)
- B. The Variance Permit for the use shall expire if the use is discontinued for a period of one year or more (*Applicable if Variance is approved*).
- C. The Variance 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 and approved prior to the expiration date (*Applicable if Variance is approved*).
- D. 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 require approval at a public hearing.
- E. Provide details regarding pervious surface areas utilized for driveways on plans submitted for Building Permits.

2. DESIGN/EXTERIOR COLORS AND MATERIALS

- A. Final exterior building materials and color scheme are subject to review and approval of the Director of Community Development prior to issuance of a building permit.

3. ACCESSORY LIVING UNIT

- A. The applicant shall at all times comply with the requirements of the Accessory Living Unit Code as noted in SMC 19.68.
- B. Record a 20-year deed restriction requiring owner occupancy of one unit prior to issuance of Building permit.

4. FENCES

A. Design and location of any proposed fencing and/or walls are subject to the review and approval by the Director of Community Development.

5. TREE PRESERVATION

A. A tree protection plan shall be submitted for any existing trees on the site. Where possible, trees shall be protected and saved. Provide an inventory and valuation of any trees proposed to be removed prior to issuance of building permits.

6. FEES

A. A Traffic Impact fee estimated at \$1,186.71 will be required for the accessory living unit. This fee is required prior to issuance of a Building Permit. (SMC 3.50)

YIN RESIDENCE

NEW SINGLE FAMILY RESIDENCE

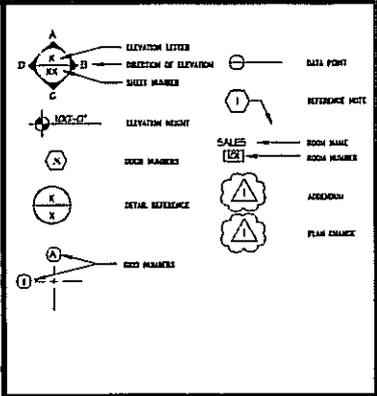
1320 NORMAN DRIVE
SUNNYVALE, CA 94087



ABBREVIATIONS

A	AND	F.E.	FIRE EXTINGUISHER	OPNG.	OPENING
∠	ANGLE	F.O.	FACE OF	OPP.	OPPOSITE
⊙	AT	F.O.F.	FACE OF FINISH	PLAM.	PLASTIC LAMINATE
⊘	CENTERLINE	F.D.B.	FACE OF STUDS	PL.	PLATE
∅	DIAMETER	F.W.	FEATURE WALL	PLAD.	PLASTER
#	POUND OR NUMBER	F.J.	FIRE RETARDANT	PLYWD.	PLYWOOD
ACOUS.	ACOUSTICAL	F.S.	FULL SIZE	PL.	POINT
ADJ.	ADJUSTABLE	FIN.	FINISH	PT.	RISER
A.F.F.	ABOVE FINISH FLOOR	FL.	FLOOR	FL.	RISER
AL.	ALUMINUM	FLUOR.	FLUORESCENT	RAD.	RADIUS
ARCH.	ARCHITECTURAL	FT.	FOOT OR FEET	REGTR.	REGISTER
BD.	BOARD	G.B.	GRAB BAR	REQD.	REQUIRED
BLDG.	BUILDING	GA.	GAUGE	RESUL.	RESULFENT
BLK.	BLOCK	GL.	GLASS	RM.	ROOM
BLKD.	BLOCKING	GYP.	GYPSTUM	RYWD.	REDWOOD
BM.	BEAM	H.B.	HOSE HOOD	S.	SOUTH
BDT.	BOTTOM	H.C.	HOLLOW CORE	S.C.	SOLID CORE
CAB.	CABINET	H.M.	HOLLOW METAL	S.STL.	STAINLESS STEEL
CEL.	CEMENT	HCP.	HANDICAPPED	SCHED.	SCHEDULE
CEL.	CERAMIC	HWD.	HARDWOOD	SHT.	SHEET
CLD.	CEILING	HORIZ.	HORIZONTAL	SIM.	SMOOTH
CLKD.	CAULKING	HGT.	HEIGHT	SPEC.	SPECIFICATION
CLR.	CLEAR	HR.	HOUR	SQ.	SQUARE
COL.	COLUMN	HVAC	HEATING, VENTILATING & AIR CONDITIONING	STD.	STANDARD
CONC.	CONCRETE	ID.	INSIDE DIAMETER (DIM.)	STL.	STEEL
CONT.	CONTINUOUS	INSUL.	INSULATION	STORL.	STORAGE
D.F.	DRINKING FOUNTAIN	JT.	JOINT	SUSP.	SUSPENDED
DBL.	DOUBLE	LAM.	LAMINATE	T.O.	TOP OF
DET.	DETAIL	L.T.	LIGHT	TEL.	TELEPHONE
DIA.	DIAMETER	L.	LAMP	THK.	THICK
DIM.	DIMENSION	M.	MOTOR	TYP.	TYPICAL
DN.	DOWN	MAX.	MAXIMUM	U.O.N.	UNLESS OTHERWISE
DR.	DOOR	MECH.	MECHANICAL	NOTED	NOTED
DB.	DOWNSPOUT	MFR.	MANUFACTURER	UNF.	UNFINISHED
DWG.	DRAWING	MNL.	MINIMUM	VERT.	VERTICAL
E.P.	ELECTRICAL PANELBOARD	MISC.	MISCELLANEOUS	W.	WEST
EA.	EACH	MTL.	METAL	W.	WITH
EL.	ELEVATION	N.	NORTH	WC	WATER CLOSET
ELEC.	ELECTRICAL	N.C.	NOT IN CONTRACT	WO	WITHOUT
EMER.	EMERGENCY	N.T.S.	NOT TO SCALE	WR	WATER RESISTANT
EQ.	EQUAL	(N)	NEW	WD.	WOOD
(E)	EXISTING	(N.O. OR #)	NUMBER	WSET.	WAINSCOT
		HOM.	HOMINAL	WT.	WEIGHT
		O.D.	OUTSIDE DIAMETER		

SYMBOL / LEGEND

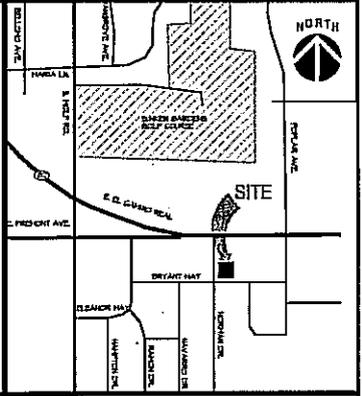


DRAWING INDEX

ARCHITECTURAL

- A-1 TITLE SHEET
- A-2 EXISTING SITE PLAN w/ DEMOLITION
- A-3 PROPOSED SITE PLAN & GROUND FLOOR PLAN
- A-4 PROPOSED ROOF PLAN
- A-5 PROPOSED EXTERIOR ELEVATIONS
- A-6 PROPOSED EXTERIOR ELEVATIONS

VICINITY MAP



PROJECT CONTACT

OWNER:
ROBERT AND LILY YIN
1320 NORMAN DRIVE
SUNNYVALE, CA 94087
(408) 739-1185

ARCHITECT:
MICHAEL MA
20840 STEVEN'S CREEK BLVD., #189
CLIFTON, CA 95014
(925) 302-1987
(925) 648-2927 FAX

PROJECT SCOPE

DEMOLISH EXISTING ONE-STORY HOUSE. BUILD A DISABLED ACCESSIBLE, SINGLE STORY, SINGLE FAMILY HOUSE WITH 4,856 S.F. OF LIVING SPACE, 700 S.F. ATTACHED IN-LAW UNIT, & 159 S.F. GARAGE

PROJECT SUMMARY

APN:	313-02-022
ZONING:	R-1
CONSTRUCTION TYPE:	TYPE V-H
LOT SIZE:	15,773 S.F.
MAXIMUM FLOOR AREA (40% F.A.R.):	7,299 S.F.
EXISTING FLOOR AREA (3 STRUCTURES):	2,121 S.F.
PROPOSED FLOOR AREA:	4,856 S.F.
PROPOSED GARAGE:	958 S.F.
PROPOSED ATTACHED IN-LAW UNIT:	700 S.F.
TOTAL FLOOR AREA:	6,554 S.F.
LOT COVERAGE:	41.6%

CODES & ORDINANCES

CALIFORNIA BUILDING CODE 2007 EDITION
CALIFORNIA FIRE CODE 2007 EDITION
CALIFORNIA PLUMBING CODE 2007 EDITION
CALIFORNIA ELECTRICAL CODE 2007 EDITION
CALIFORNIA MECHANICAL CODE 2007 EDITION
ALONG WITH ANY OTHER LOCAL AND STATE LAWS AND REGULATIONS.

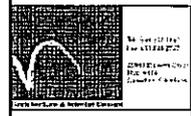
REVISIONS

YIN RESIDENCE
NEW SINGLE FAMILY RESIDENCE
1320 NORMAN DRIVE
SUNNYVALE, CA 94087
APN: 313-02-022

CLIENT	
DATE	01/12/07
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TITLE SHEET

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ATTACHMENT C



A. ASSIGNED PARCEL NUMBER	95-03-023
B. ADDRESS OF PROJECT	1320 NORMAN DRIVE
C. OWNER'S NAME	YIN RESIDENCE
D. EXISTING USE	RESIDENTIAL
E. ZONING DISTRICT	R4
F. SIZE OF LOT	8,733 SF
G. ALLOWABLE FLOOR AREA	10,948 SF
H. SIZE OF STRUCTURE	EXISTING HOUSE AREA = 3,120 SF PROPOSED BRICK FLOOR AREA = 4,896 SF PROPOSED GARAGE AREA = 408 SF PROPOSED 3-CAR GARAGE = 702 SF TOTAL PROPOSED FLOOR AREA = 8,926 SF
J. EXISTING AND PROPOSED LAND USE	SINGLE FAMILY HOME
K. LOT COVERAGE	100% (8,733 SF / 8,733 SF)
L. FRONT YARD LANDSCAPE COVERAGE	34% (2,984 SF / 8,733 SF)

PROJECT INFORMATION

YIN RESIDENCE
 NEW SINGLE FAMILY RESIDENCE
 1320 NORMAN DRIVE
 SUNNYVALE, CA 94087
 APN: 313-02-022

GENERAL NOTES

CLIENT

DATE 03/12/07

CHECKED

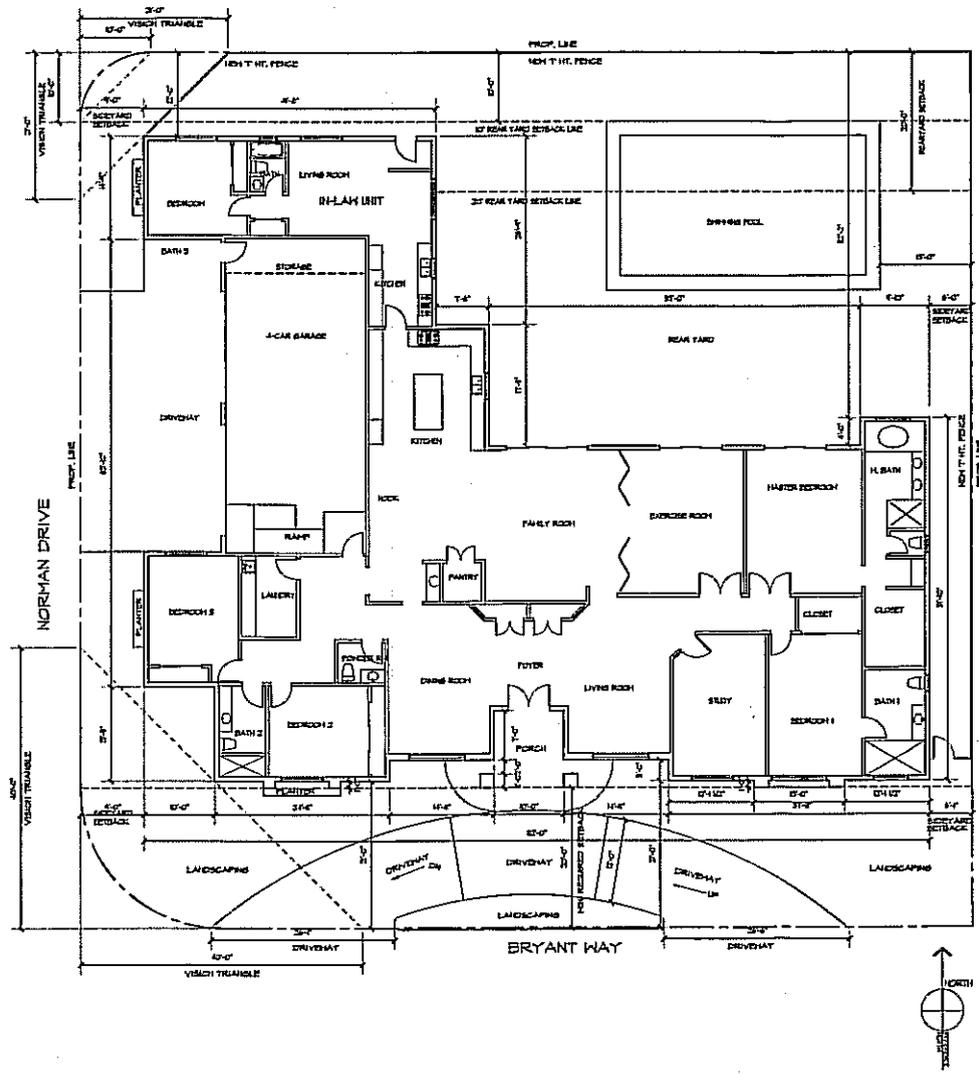
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KEYNOTES

PROPOSED SITE PLAN & GROUND FLOOR PLAN

LEGEND



1 PROPOSED SITE PLAN/ GROUND FLOOR PLAN

1/8" = 1'-0"

1/8" = 1'-0"

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2 of 4

ATTACHMENT C



NO.	REVISIONS

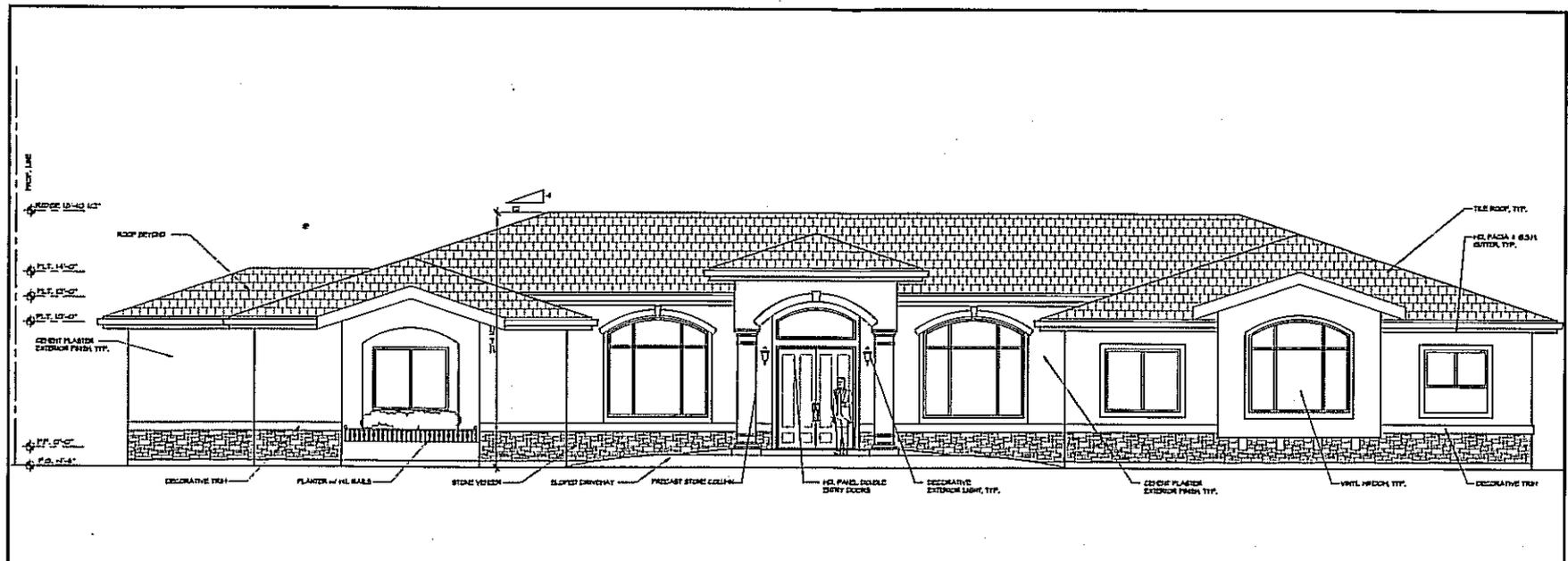
YIN RESIDENCE
NEW SINGLE FAMILY RESIDENCE
 1320 NORMAN DRIVE
 SUNNYVALE, CA 94087
 APN: 313-02-022

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DATE	03/12/08
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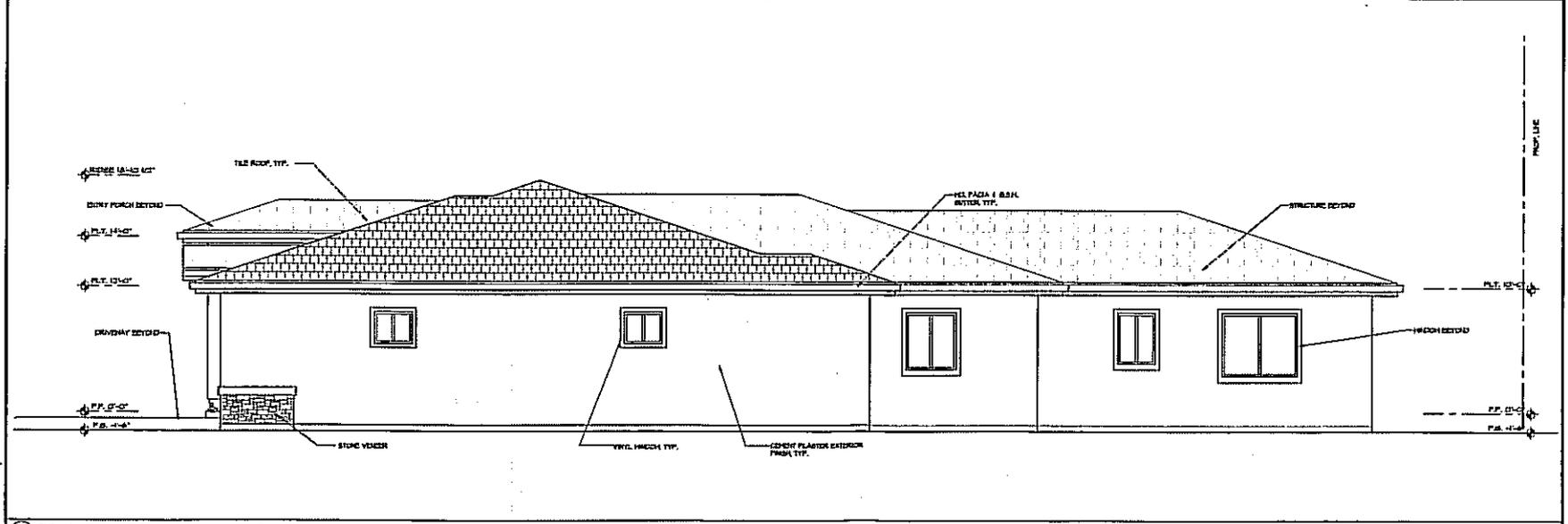
PROPOSED
 EXTERIOR
 ELEVATIONS

A-5

ATTACHMENT 1
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① PROPOSED STREET ELEVATION (SOUTH) 1/4" = 1'-0"



② PROPOSED SIDE ELEVATION (EAST) 1/4" = 1'-0"



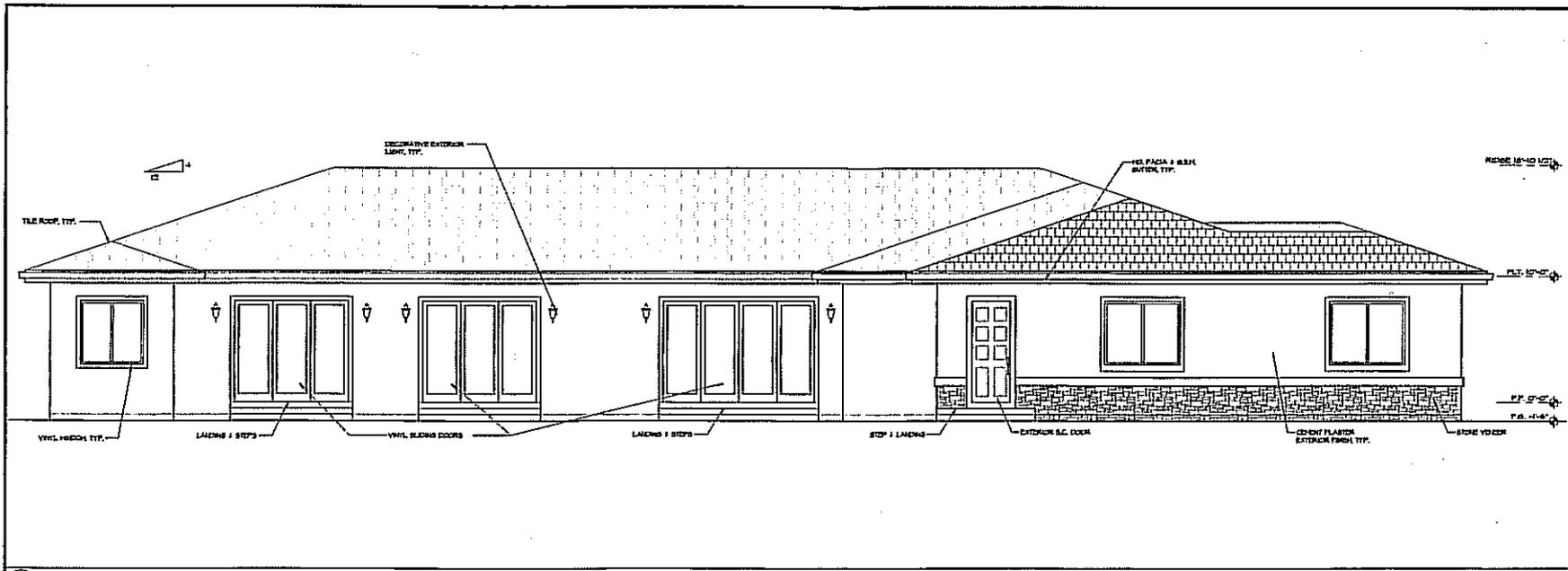
KEYSIGHTS

YIN RESIDENCE
NEW SINGLE FAMILY RESIDENCE
 1320 NORMAN DRIVE
 SUNNYVALE, CA 94087
 APN: 319-02-022

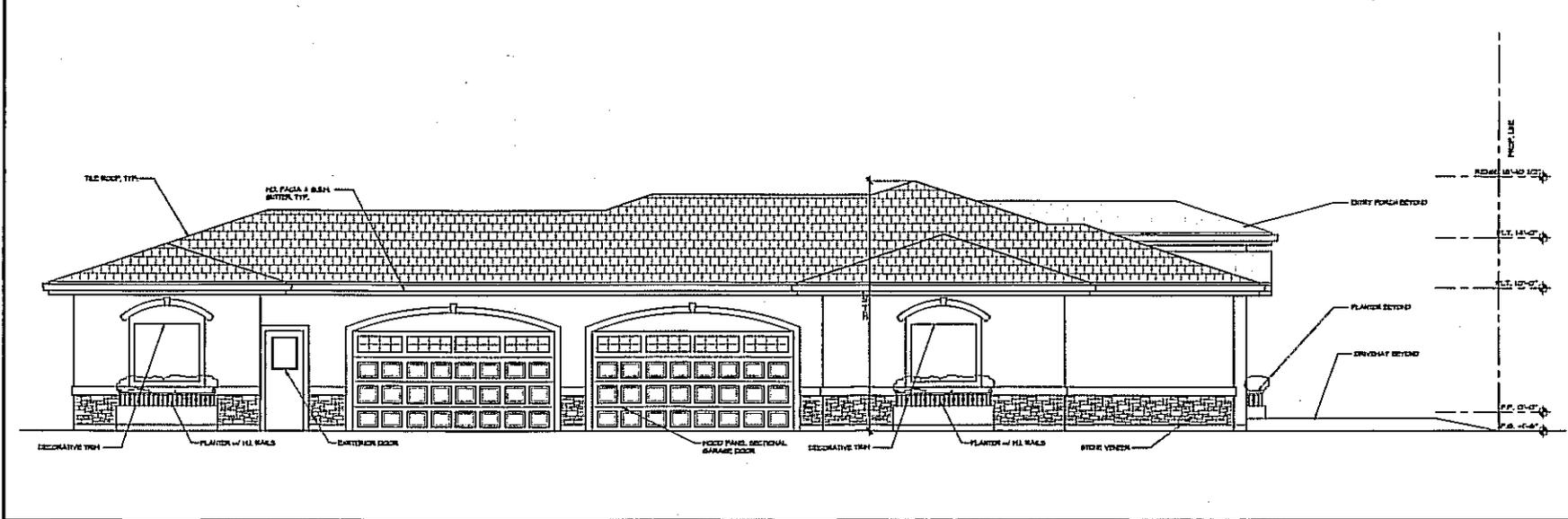
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PROPOSED
 EXTERIOR
 ELEVATIONS

ATTACHMENT C
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① PROPOSED REAR ELEVATION (NORTH) 1/4" = 1'-0"



② PROPOSED SIDE ELEVATION (WEST) 1/4" = 1'-0"



VARIANCE JUSTIFICATIONS

All three of the following findings must be made in order to approve a Variance application.

1320 NORMAN DRIVE

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.

SEE ATTACHED STATEMENT 1.

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.

SEE ATTACHED STATEMENT 2.

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.

SEE ATTACHED STATEMENT 3.

If you need assistance in answering any of these justifications, contact the Planning Division staff at the One-Stop Permit Center.

Variance Justifications for 1320 Norman Drive

We request that the vision triangle requirement for the north-west corner (Norman x an alley) of our property be reduced from 40' to 20'.

Our property is measured 15,773 sq. ft. (about 125' x 127') but with 2 corners (a peninsula lot?) --- 1 at Norman x Bryant (with a 20' radius) and 1 at Norman x an alley (with a 10' radius). The alley is 20' wide and without a street name.

Please also refer to our Statement for 1320 Norman Drive House Design Application dated 3/9/08 (attached) for additional background information.

Statement 1.

Because our lot has 2 corners, the strict compliance of 2 vision triangles will severely hinder the design flexibility. Our Norman Street frontage will be $125' - 40' - 40' = 45'$ which is very narrow and restrictive from a design point of view. We need a bigger house in order to accommodate our power-wheelchair bound daughter, Joyce. Meanwhile, we also wish to retain a big backyard for Joyce to enjoy outdoor activities. We have already given up some ground due to the compliance of the Norman x Bryant vision triangle and the placement of the garage on the Norman side in order to design around the Norman x Bryant vision triangle. Joyce requires the same footprint (26' x 44') to move around whether she is inside or outside of the house. Granting us the variance will greatly facilitate the layout and design of our house and result in a bigger backyard for Joyce to enjoy outdoor activities with the rest of the family.

Statement 2.

The north-west corner is located at Norman x an alley. The alley is only 20' wide. It is not conducive to two-way traffic and high speed driving. It is not a thoroughfare and the traffic volume is definitely lighter than a normal street. Furthermore, the traffic pattern is lighter at our end of the alley as opposed to the other end at Poplar. Norman does not cut across El Camino Real. It Ts with El Camino Real. From Norman, one can only make a right turn at El Camino Real. So, for people living, working around the alley, it is naturally more convenient for them to go through Poplar to make right or left turn at El Camino Real. It also has a traffic light at Poplar x El Camino Real which makes crossing or turning safer.

The current vision triangle of this corner is approximately 17'. Notwithstanding the request to reduce it from 40' to 20', it is still an improvement of the existing condition.

Statement 3.

There are 7 other corner lots along the alley and all 7 of them have vision triangles less than 40'. Granting us the variance will just put us on par with the other property owners.

We are requesting a reduction, not elimination, of the vision triangle. Both the width of the alley and the curvature of the corner are proportionally smaller than a regular street and corner. As such, and akin to a driveway vision triangle, the vision triangle that associates with this smaller corner can be sized down accordingly without affecting the intent and purpose of the ordinance.

Statement for 1320 Norman Drive House Design Application

To The Planning Commission:

We are building the house primarily for our daughter, Joyce Yin, who is a 12-yr old disabled child. Joyce was born 28 weeks premature with a birth weight of 1 kg (2.2lb). She was diagnosed with quadriplegic spastic cerebral palsy as a result of brain injury from premature and low-weight birth. There is no cure for cerebral palsy. She needs a power wheelchair to get around for the rest of her life. We hope this custom built house will facilitate and provide her a certain quality of life that our current house is not providing---mobility (by a power wheelchair) within the house.

As Joyce grows and as we get to know her conditions better, we wish to find a house, instead of building a new one, which will accommodate her needs---single story, barrier-free and designed for a power wheelchair resident. We are not in the building business so we have always preferred to buy. Unfortunately, we have searched for the last 8 years and did not come across a single house that will fit Joyce's needs. So, we have no choice but to build a house that will meet Joyce's current and future needs.

There is no question that our house will be huge. But if we account for the extra space that Joyce needs in order to maneuver her power wheelchair (26" x 44") inside the house and store many of her bulky therapy equipment, the size is not monstrous.

Gross floor area	6,554 sq. ft.
Less (the enlarged portion):	
1-car garage for ramp	200
Joyce's therapy room	380
Joyce's oversized bedroom and bathroom	250
Oversized hallway and landing/foyer areas	250
Oversized kitchen, family room and nook	200
1 In-law unit	700
Others (like extra storage area for Joyce's equipment and 2 nd handicapped bathroom for redundancy)	200
	<hr/>
As if a normal house	4,374 sq. ft.
Less: 3-car garage	600
	<hr/>
Net living area	3,774 sq. ft.

Besides Joyce, we have an 11 years old son, Victor. And Robert's father, who is 88 years old, is also living with us.

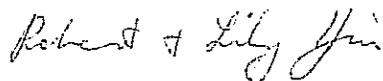
We have been living in Sunnyvale since 1988 and enjoy the community very much. When we saw 1320 Norman Drive was listed for sale, we thought it was a gift from heaven to Joyce. First, it is a double lot that we can build the size of the house we need and has a large backyard for Joyce to have some outdoor activities. At that time, we had no idea about the vision triangle requirement, let alone double vision triangles. Second, the property is on a side street and a short distance from El Camino Real. In the future, Joyce can avail herself to the public transportation and many, many commercial stores along El Camino Real. It will provide her a greater degree of independence and social life with respect to places to go and things to do by herself although she will forever need someone to look after and take care of her.

As we all know, helpers are difficult and expensive to find in our area. We hope the addition of an in-law unit will attract and retain aides to take care of Joyce.

Both Lily and I have back problems from years of lifting and taking care of Joyce. And many aides quit because Joyce has become too heavy for them to take care. We hope the new house with customized features built in for a disabled person will make it easier for the aides to take care of Joyce. It is a win-win situation for Joyce.

The Sunnyvale community, the Santa Clara school district and the California Children's Services, a State agency, have all been very good to Joyce. We feel Joyce is very fortunate notwithstanding her birth defects. We hope our special house will enhance her independence and foster her self esteem and confidence in what she can achieve with her life instead of just being a burden on the welfare systems. Currently, she is a 6th grader at Peterson Middle School and will go on to Wilcox High School. One day, we hope she can attend De Anza College.

Sincerely,



Robert & Lily Yin
Applicants/Owners/Parents
March 9, 2008