



CITY OF SUNNYVALE ADMINISTRATIVE HEARING

MINUTES
Wednesday, March 12, 2008

2008-0117: Application for a Variance from Sunnyvale Municipal Code section 19.46.140 to allow a parked recreational vehicle in the corner vision triangle. The property is located at **520 Carroll Street** (at Bishop Ave.) in an R-0 (Low Density Residential) Zoning District. (APN: 209-31-026) GC

In attendance: Cynthia Gimenez, Applicant; Gustav Larsson, Neighbor; John Doupe, Neighbor; Barry Brewer, Neighbor; Bill Wright, Neighbor; Tony Moore, Neighbor; Andrew Miner, Administrative Hearing Officer; Gerri Caruso, Project Planner; Luis Uribe, Staff Office Assistant.

Mr. Andrew Miner, Administrative Hearing Officer, on behalf of the Director of Community Development, explained the format that would be observed during the public hearing.

Mr. Miner announced the subject application.

Gerri Caruso, Project Planner, stated that the project site is a single-family home located on a corner lot. The applicants constructed a concrete pad for a parking space for a 33' 8" long recreational vehicle (R.V.) next to the garage and driveway within the front yard setback. When parked in its designated space, the corner of the R.V. extends approximately 15 feet into the corner vision triangle which is an area required to be maintained free of visual obstructions at street corners. The R.V. is approximately 11 feet in height.

The Bishop Street frontage (where the side of the house with the garage and R.V. are located) is considered the property's front yard; however, the front entrance of the house faces Carroll Street. By code definition the Carroll Street frontage is actually the reducible front yard. Typically reducible front yards are screened in with fencing, but in this case the front door of the home faces Carroll Street and the yard is open to view and functions as a front yard. Since the report was circulated staff has received numerous emails in support of the project. Mr. Miner asked if any other similar applications have been approved, Ms. Caruso stated that the city has never approved a variance that created an increased non conformity. Ms. Caruso added a condition that if over time the public sidewalk or curb is damaged due to the entrance and exit of the R.V. that the applicant will be responsible for replacement.

Mr. Miner opened the public hearing.

Cynthia Gimenez, Applicant, stated that at the time of construction she was under the impression that they met all city requirements. The applicant stated that there is no other place on the property to place the recreational vehicle. Ms. Gimenez provided pictures that were taken from inside a vehicle on the street showing the vision triangle from three different angles.

Flo Gimenez, Applicant, stated that he called the city to find out if he needed a permit for the new parking strip and he was told that as long as it was parallel to the drive way and does not extend onto the sidewalk a permit is not required. Mr. Gimenez stated that he spoke to his neighbors and they did not have any objections to the project. He also stated that if a yield sign needs to be put in as an extra precaution he would be willing to pay for that.

Gustav Larsson, Neighbor, stated that he is in support of the project and sent an email to staff stating the same. He also stated that the R.V. does not create a vision problem but his vision of on-coming traffic is blocked by the cars parked on the street.

John Doupe, Neighbor, stated that he is in agreement with Mr.Larsson.

Barry Brewer, Neighbor, stated that he is in opposition of the project due to the size and feels that is should be stored at an R.V. park. He also feels that it is a disaster waiting to happen. Mr. Brewer also mentioned that the applicants' R.V. is parked up against the house and the applicant would need to back up at least ten feet to get a good view if he can back out all the way or not. He also stated that the City just repaired the curbs in that area and an R.V. is just going to ruin them.

Bill Wright, Neighbor, stated that he does not feel this is a disaster waiting to happen and that there should be no problems as long as two people are present to assist in the R.V.'s movement. Mr. Wright also mentioned that there is a neighbor that stores their R.V. in front of the property on Bishop Ave and if this has to be removed it is only fair that the other one must be removed.

Tony Moore, Neighbor, stated that there is no visibility problem. He also mentioned that the R.V. has cameras that show what is behind the vehicle.

Ms. Gimenez stated that the vehicle is equipped with rear and side cameras and that the R.V. would never be moved by just one person. She also stated that the curbs were replaced down the street and that their curb was not replaced. Mr. Brewer wanted it noted that City employee that gave him the information was Joe Gonzalez.

Mr. Miner closed the public hearing.

Mr. Miner denied the application due to the inability to make the findings.

Mr. Miner stated that the decision is final unless appealed to the Planning Commission with payment of the appeal fee within the 15-day appeal period.

The meeting was adjourned at 2:25 p.m.

Minutes approved by:

Andrew Miner

Principal Planner