



CITY OF SUNNYVALE ADMINISTRATIVE HEARING

MINUTES
Wednesday, July 16, 2008

2008-0638: Application for a Use Permit to allow an approximately 200 square foot accessory utility structure attached to an existing detached garage for a total of approximately 640 square feet. The property is located at **399 Lastreto Avenue** (at E. Taylor Ave.) in an R-2 (Low Medium Density Residential) Zoning District. (APN: 204-40-013) RZ

In attendance: Alfonso Sanchez, Applicant; Gerri Caruso, Administrative Hearing Officer; Rosemarie Zulueta, Project Planner; Luis Uribe, Staff Office Assistant.

Ms. Gerri Caruso, Administrative Hearing Officer, on behalf of the Director of Community Development, explained the format that would be observed during the public hearing.

Ms. Caruso announced the subject application.

Rosemarie Zulueta, Project Planner, stated that this application is a result of an anonymous complaint made to the Neighborhood Preservation Division in June 2008. Staff was notified that an accessory structure was being constructed in the rear yard without permits.

The proposed structure is a patio cover that is attached to the south wall of the existing detached garage. The detached garage and the attached covered patio are considered one accessory utility building. Sunnyvale Municipal Code (SMC) required that an accessory utility building greater than 450 square feet be approved through the Use Permit process. Because the addition of the attached patio cover increases the overall size of the accessory utility building to over 450 square feet, a Use Permit is required.

As built, the structure is approximately two feet from the south (left side facing property) property line and does not meet the required minimum side yard setback of four feet. However, the applicant proposes to modify the structure to meet the minimum required side yard setback of four feet. The existing detached garage is 440 square feet and the proposed structure would cover an area of 120 square feet. The resulting area of the patio cover and detached garage would be 560 square feet.

Ms. Caruso opened the public hearing.

Alfonso Sanchez, Applicant, received and reviewed a copy of the staff report. The applicant had no questions or comments at the time.

Ms. Caruso closed the public hearing.

Ms. Caruso approved the project subject to the findings and conditions of approval located in the staff report.

Ms. Caruso 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 2:21 p.m.

Minutes approved by:

Gerri Caruso, Principal Planner