



CITY OF SUNNYVALE ADMINISTRATIVE HEARING

MINUTES
Wednesday, January 14, 2009

2008-1212: Application for a Variance from Sunnyvale Municipal Code section 19.34.030 to allow a 280 square foot detached garage in the rear of the property with a side setback of 3' where 4' is required and a rear setback of 5' where 10' is required. The property is located at **421 E. Washington Avenue** (near S. Bayview Ave) in an R-2/PD (Low Medium Density Residential/Planned Development) Zoning District. (APN: 209-04-034) NC

In attendance: Geraldine Medina, Applicant; Dennis Shafer, Architect; Gerri Caruso, Administrative Hearing Officer; Noren Caliva, 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.

Noren Caliva, Project Planner, stated that the existing duplex includes an attached carport for Unit #417 and a detached garage (accessory utility building) for Unit #421, which is located towards the back of the property. The existing 165 square foot detached garage was legally-built with substandard rear and right side yard setbacks, and does not meet the City's minimum size requirements for one-covered parking space.

The applicant proposes to demolish the existing detached garage and replace it with a new 280 square foot detached garage, which will meet the City's minimum parking requirements and provide additional storage area. No modifications are proposed to the main duplex structure. The garage new structure will be in the same location and will be 115 square feet larger than the existing.

The structure will extend along the existing nonconforming setback lines; therefore, the following deficiencies are requested:

- Rear yard setback of 5 feet, where 10 feet minimum is required; and
- Right side yard setback of 3 feet, where 4 feet minimum is required.

Setback deficiencies can be considered through a Special Development Permit for properties located within a Planned Development Combining District, which are reviewed on a case-by-case basis and assess unique conditions about the existing property.

Ms. Caruso opened the public hearing.

Dennis Shafer, Applicant, received and reviewed a copy of the staff report. Mr. Shafer stated that they will be replacing the dilapidated garage. He also mentioned that the owners do not want to put in Hollywood strips and would prefer to put in an entire driveway.

Ms. Caruso closed the public hearing.

Ms. Caruso approved the application subject to the findings and conditions of approval located in the staff report modifying condition 2.B. the applicant shall modify the drive-way to meet the City's code requirements for stabilized permanent surface and front yard paving, subject to review and approval by the Director of Community Development.

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 3:03 p.m.

Minutes approved by:

Gerri Caruso

Principal Planner