



# CITY OF SUNNYVALE REPORT ZONING ADMINISTRATOR HEARING

September 14, 2011

**File Number:** 2011-7505

**Permit Type:** Variance

**Location:** 150 N. Taaffe St. (near Beemer Ave.) (APN: 204-50-015)

**Applicant/Owner:** Alfonso & Harmon Architects / Paul & Lisa Harmon

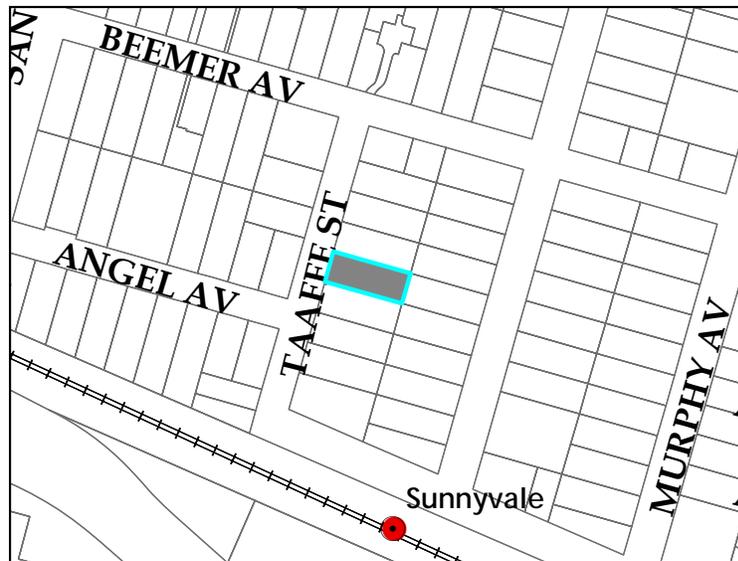
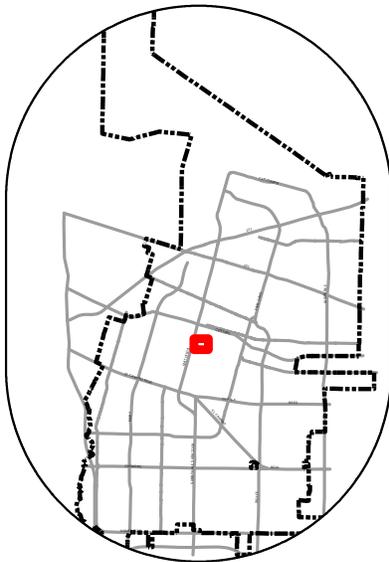
**Staff Contact:** Ryan Kuchenig, Associate Planner, (408) 730-7431

**Project Description:** To allow a reduced front yard setback of 14' for a covered porch where 20' is required

**Reason for Permit:** A Variance is required for an addition that results in substandard setbacks.

**Issues:** Setbacks

**Recommendation:** Approve with Conditions



500

Feet

**PROJECT DESCRIPTION**

	<b>Existing</b>	<b>Proposed</b>
General Plan:	Residential Low Density	Same
Zoning District:	R-2	Same
Lot Size	6,375	Same
Total Sq. Ft. on Site:	1,799	1,833
Lot Coverage	26.2%	28.7%
Parking:	1 (covered) + 1 (uncovered)	Same
Front Yard Setback	14' 10"	13' 9"

<b>Previous Planning Projects related to Subject Application:</b> Recently a design review was approved for a single story addition, primarily located at the rear of the home. The addition is under construction.	<b>Yes</b>
<b>Neighborhood Preservation Complaints</b>	<b>No</b>
<b>Deviations from Standard Zoning Requirements:</b> The existing front porch is located approximately 14' 10" from the front property line. The proposed porch extension would allow for an approximately 13' 9" setback.	<b>Yes</b>

**Site Plan:** The existing home is situated on a mid-block lot in a neighborhood predominately developed with older homes built during the 1930s and 1940s. The positioning of the existing home is located towards the front of the lot.

The existing home is considered to be legal nonconforming with regard to the front yard setback, as the Sunnyvale Municipal Code (SMC) requires 20' for the R-2 Zoning District. The living area is located approximately 18' 6" from the front property line and the existing porch extends another three to four feet beyond the home closer to the front property line. As stated in the preceding section, the new porch would result in an approximately 13' 9" setback. The length of the porch adjacent to the home, as measured from the posts, would be extended from 6 feet to approximately 11 to 12 feet (See Site Plan on Page 1 of Attachment B.).

The applicant has provided a neighborhood layout plan and photos on page 6 of Attachment B. The diagram illustrates the common themes and predominance of non-conforming setbacks in the neighborhood. In particular, it can be noted that there are two instances along N. Taaffe Street (105 & 116 N. Taaffe) where setbacks are less than the proposed request. In all instances on this block, the setbacks along the same (east) side of N. Taaffe Street are

less than the required 20 feet. In some cases, the setback is less than 20 feet for the living area as well as a front porch.

**Floor Plan:** The floor plan consists of two bedrooms, two bathrooms, a living/dining room, and a kitchen. The affected porch area is located at the front of the house and extends from the living room.

**Architecture:** The architecture of the existing home can be described as Craftsman or California Bungalow in style with the use of a low pitched roof and gabled front element. The home includes eaves that extend over the front entryway as a small porch. The proposed porch extension would further mimic the architectural style as well as be similar to other front porches found in the neighborhood. (Some examples of other front porches in the surrounding neighborhood are shown in Page 6 of Attachment B.)

**Parking:** The site currently maintains a detached one-car garage located towards the rear of the property. Due to the size the home, and the requirements to provide two covered spaces for homes with over 1,800 square feet of floor area, staff is requiring that the proposed porch, if approved, be restricted from being converted to living area unless additional covered parking is also created (Condition of Approval GC-4)

**Variance Justification:** The applicant has provided justifications for the Variance in Attachment C. The applicant notes that the adjacent home (166 N. Taaffe St.) contains a front porch that is similarly designed as the proposed porch and the layout is common throughout the neighborhood.

**Public Contact:** Nine notices were sent to surrounding property owners and residents adjacent to subject site in addition to standard noticing practice. No letters were received at the time of the draft of this report.

**Environmental Determination:** A Categorical Exemption Class 1 (minor changes in use) relieves this project from CEQA provisions.

## **FINDINGS**

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In order to approve the Variance the following three 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 size and shape is not unique to the neighborhood or the R-2 Zoning District, the existing home was built in 1936 with a substandard front yard setback. The proposed porch extension is keeping with the neighborhood pattern which consists of similar reduced front yard setbacks. The increased size results in a porch layout that is commonly found in the neighborhood.

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 in character with its architectural style and those found in the neighborhood. The addition utilizes similar materials as the existing home and would not create a detrimental impact to the property or immediate neighborhood. The extended porch allows for additional architectural interest to be added to a home with little street presence. Conditions of Approval restrict the added area to be converted to living space unless parking conditions are upgraded at the site.

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. Several of the surrounding homes in the neighborhood were originally constructed with similar front yard porches that encroach into the front yard setback.

**ALTERNATIVES:**

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1. Approve the Variance with recommended Conditions in Attachment A.
2. Approve the Variance with modifications.
3. Deny the Variance.

**RECOMMENDATION**

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Alternative 1. Approve the Variance with recommended Conditions in Attachment A.

Reviewed by:

Shaunn Mendrin  
Senior Planner

Prepared By: Ryan Kuchenig, Associate Planner

Attachments:

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

**RECOMMENDED  
CONDITIONS OF APPROVAL AND  
STANDARD DEVELOPMENT REQUIREMENTS  
September 14, 2011**

**Planning Application 2011-7505**

150 N. Taaffe Street

Variance from front yard setbacks to allow a 13' 9" 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, Permittee 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. TITLE 25:  
Provisions of Title 25 of the California Administrative Code shall be satisfied with dependence on mechanical ventilation. [SDR] [BUILDING]

GC-4. TREES:  
No protected trees are approved for removal as part of this project. [SDR] [PLANNING]

GC-5 FRONT PORCH:  
The front porch shall not be converted into living area at any future date unless covered parking for two or more vehicles is provided on-site. Alternatively, existing floor area would be required to be removed resulting in less than 1,800 square feet of total floor area for the home including covered parking area. [SDR] [PLANNING]

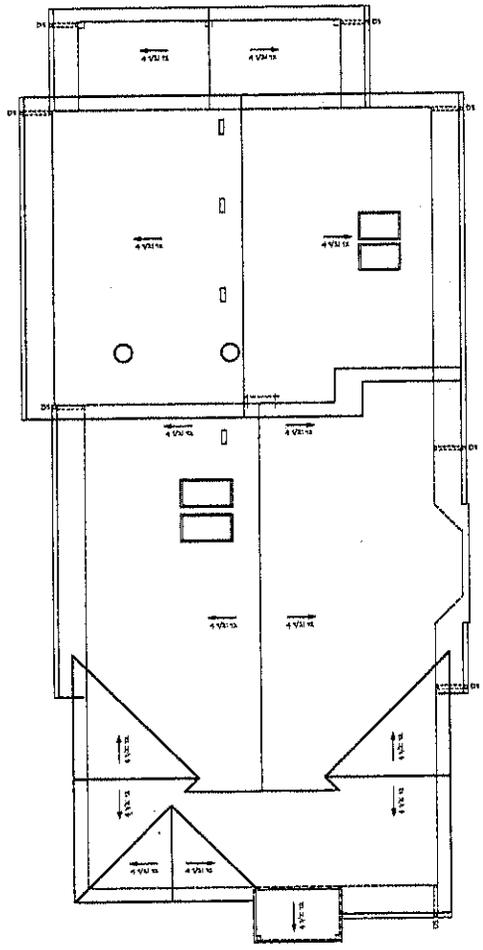
**BP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY DEMOLITION PERMIT, BUILDING PERMIT, GRADING PERMIT, AND/OR ENCROACHMENT PERMIT AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).**

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]

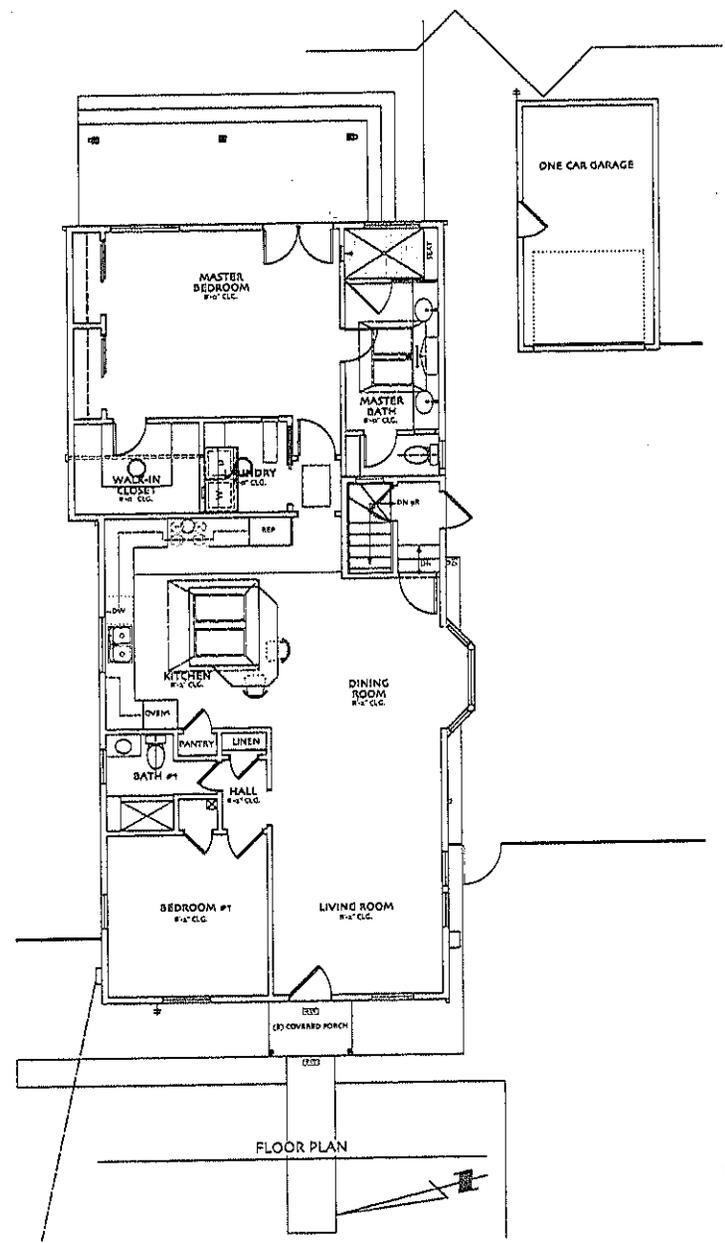
BP-3. EXTERIOR COLORS AND MATERIALS:  
All new exterior colors and materials shall match the existing home. [COA] [PLANNING]





ROOF PLAN

LEGEND  
 (D) ROOF AREA



FLOOR PLAN

LEGEND  
 (D) WALL  
 (D) FLOOR AREA

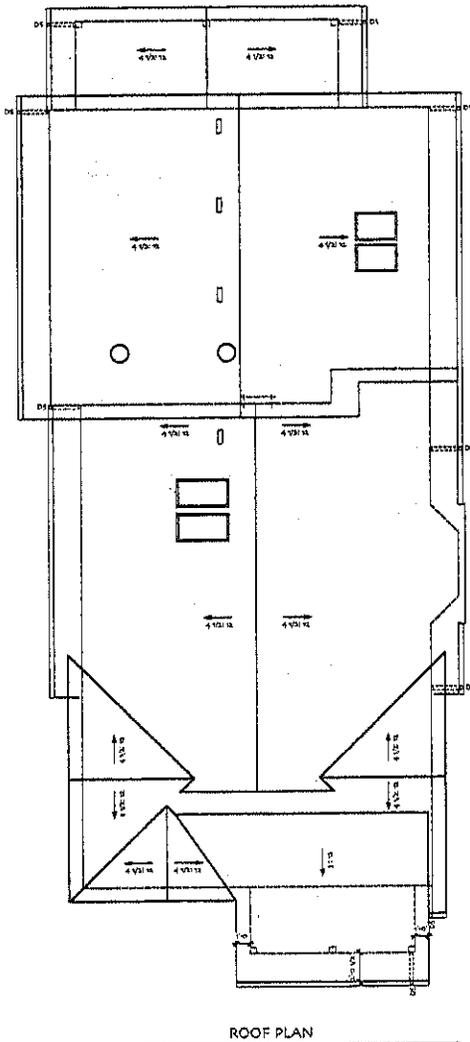
111 Main St. Suite A  
 Los Altos, CA 94022  
 Tel. (650) 559-9394  
 Fax. (650) 559-9397



Revisions:

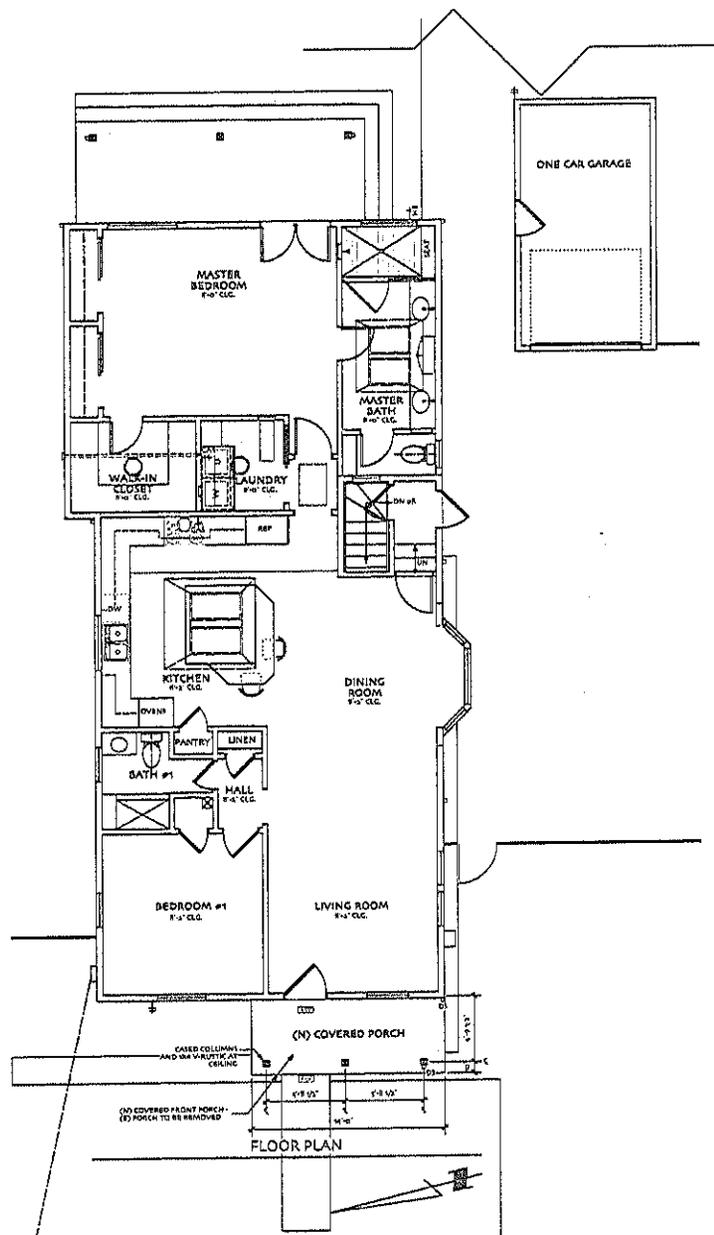
An Addition and Remodel for  
 Paul and Linda Harmon  
 150 N. Taaffe St., Sunnyvale, Ca

ATTACHMENT  
 Page 2 of 2



**LEGEND**

- (1) ROOF AREA
- (2) ROOF AREA
- (3) ROOF TO BE REMOVED



(N) COVERED PORCH  
 (O) COVERED PORCH  
 (D) PORCH TO BE REMOVED

**FLOOR PLAN**

**LEGEND**

- (1) WALL
- (2) PORCH TO BE REMOVED
- (3) FLOOR AREA
- (4) PORCH FLOOR AREA

**ALONSO ARCHITECTS**  
 111 Main St. Suite A  
 Los Altos, CA 94022  
 Tel. (650) 558-0384  
 Fax. (650) 558-9397



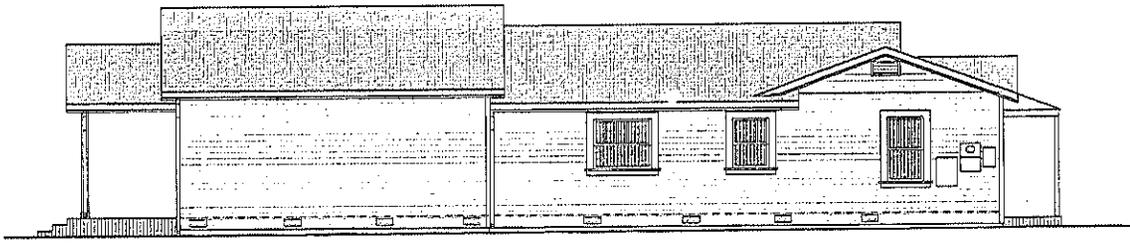
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An Addition and Remodel for:  
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 150 N. Taaffe St., Sunnyvale, Ca

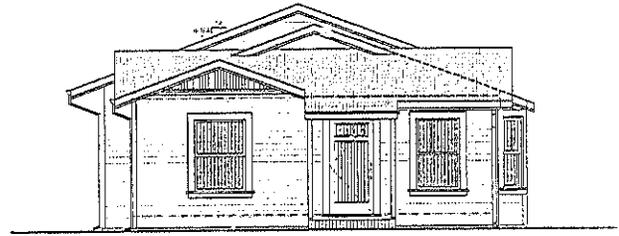
**ATTACHMENT**  
 Page 3 of 6



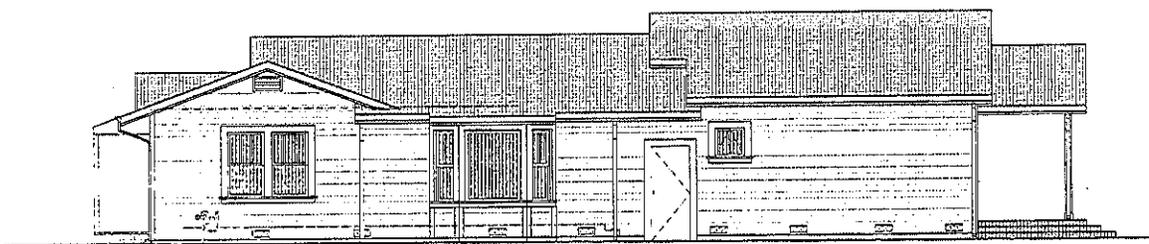
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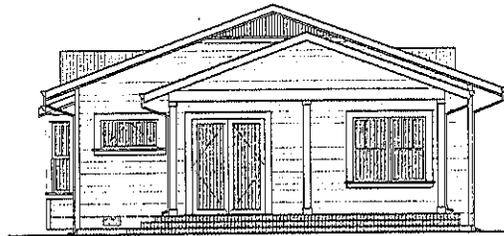
SIDE ELEVATION (NORTH)



FRONT ELEVATION (WEST)

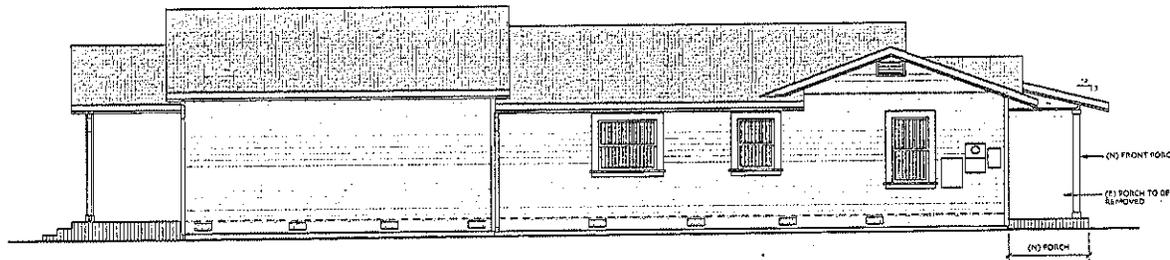


SIDE ELEVATION (SOUTH)

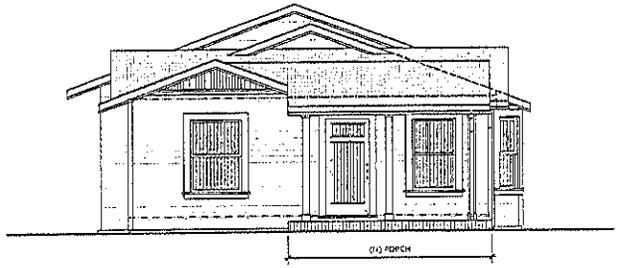


REAR ELEVATION (EAST)

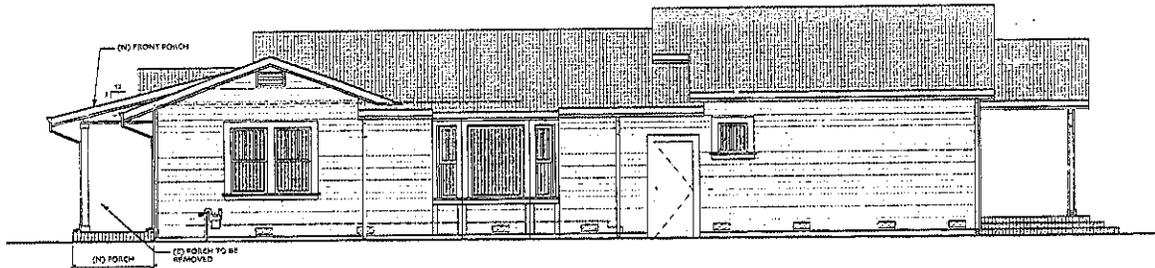
An Addition and Remodel for:  
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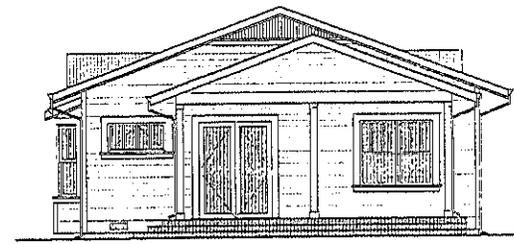
SIDE ELEVATION (NORTH)



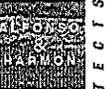
FRONT ELEVATION (WEST)



SIDE ELEVATION (SOUTH)



REAR ELEVATION (EAST)



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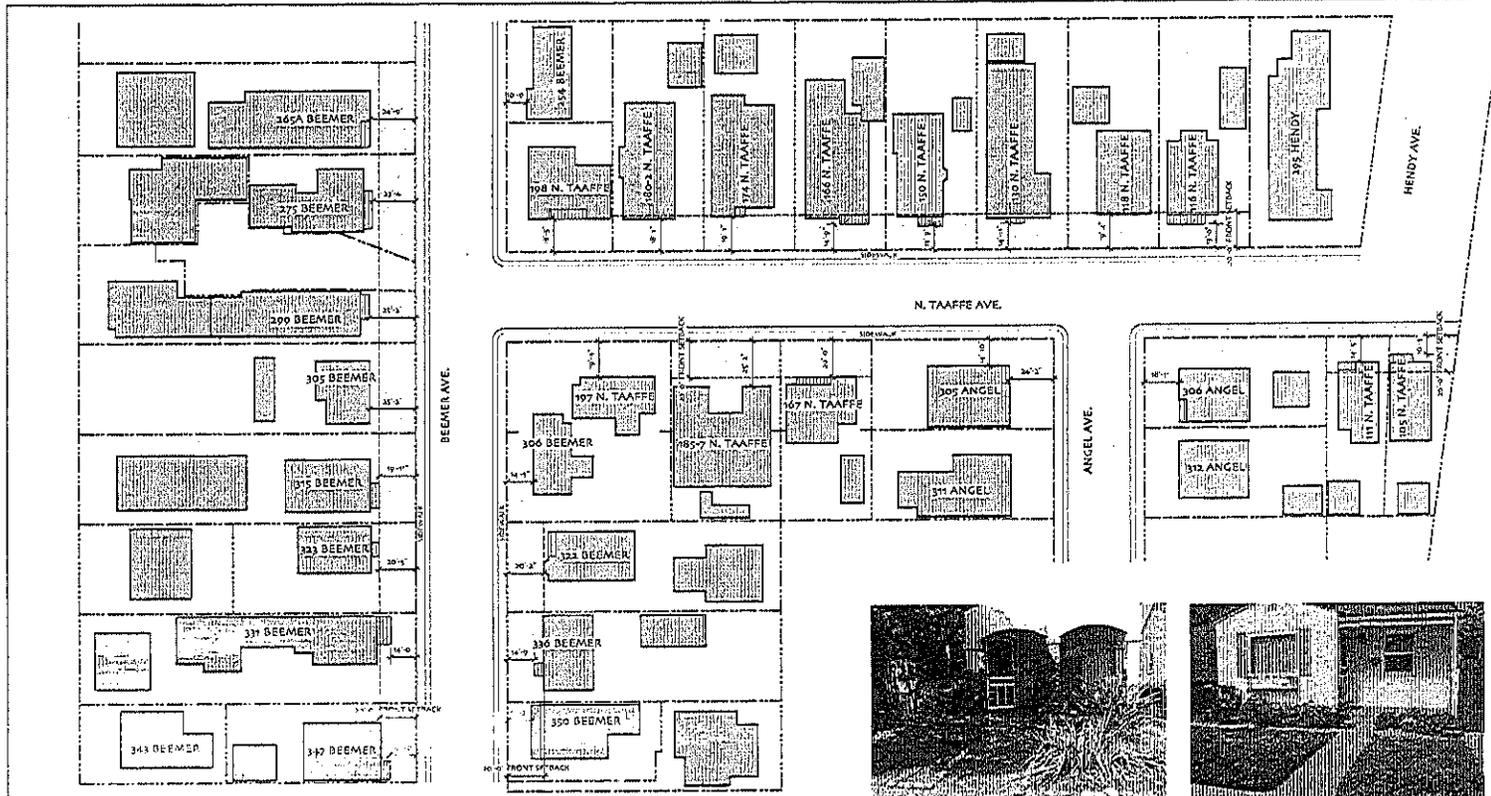
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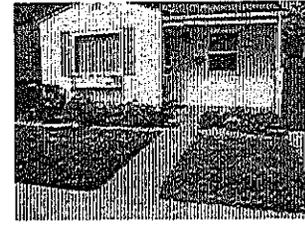
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 150 N. Taaffe St., Sunnyvale, Ca

ATTACHMENT  
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105 Taaffe Ave.



111 Taaffe Ave.



167 Taaffe Ave.

WEST SIDE OF TAAFFE AVE.



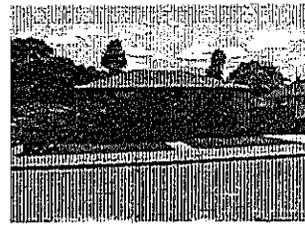
174 Taaffe Ave.



166 Taaffe Ave.



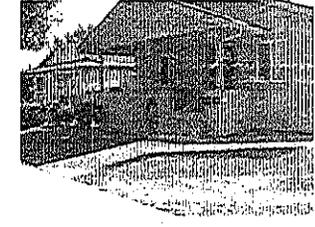
150 Taaffe Ave.



130 Taaffe Ave.



118 Taaffe Ave.



116 Taaffe Ave.

EAST SIDE OF TAAFFE AVE.



# VARIANCE JUSTIFICATIONS

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

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.

THE EXISTING HOUSE AND FRONT PORCH ENCOACHES INTO THE FRONT YARD SETBACK, THEREFORE, A NEW PORCH WOULD ALSO EXTEND BEYOND THE FRONT SETBACK, THIS EXISTING CONDITION DEPRIVES THE PROPERTY OWNER FROM IMPROVING THEIR FRONT PORCH.

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.

NEIGHBORING HOUSES ON TAAFFE STREET ALSO HAVE ENLARGED PORCHES THAT ENCOACH BEYOND THE FRONT SETBACK. THE HOUSE ON THE LEFT OF <sup>(166 TAAFFE ST)</sup> 150 N. TAAFFE STREET HAS A SIMILAR PORCH AND ROOF LAYOUT TO THIS PROPOSAL. BY ADDING A NEW PORCH, WE WILL MAINTAIN THE EXISTING FRONT SETBACK ALONG THE STREET AND ENHANCE THE ARCHITECTURAL CHARACTER OF THE NEIGHBORHOOD.

AND

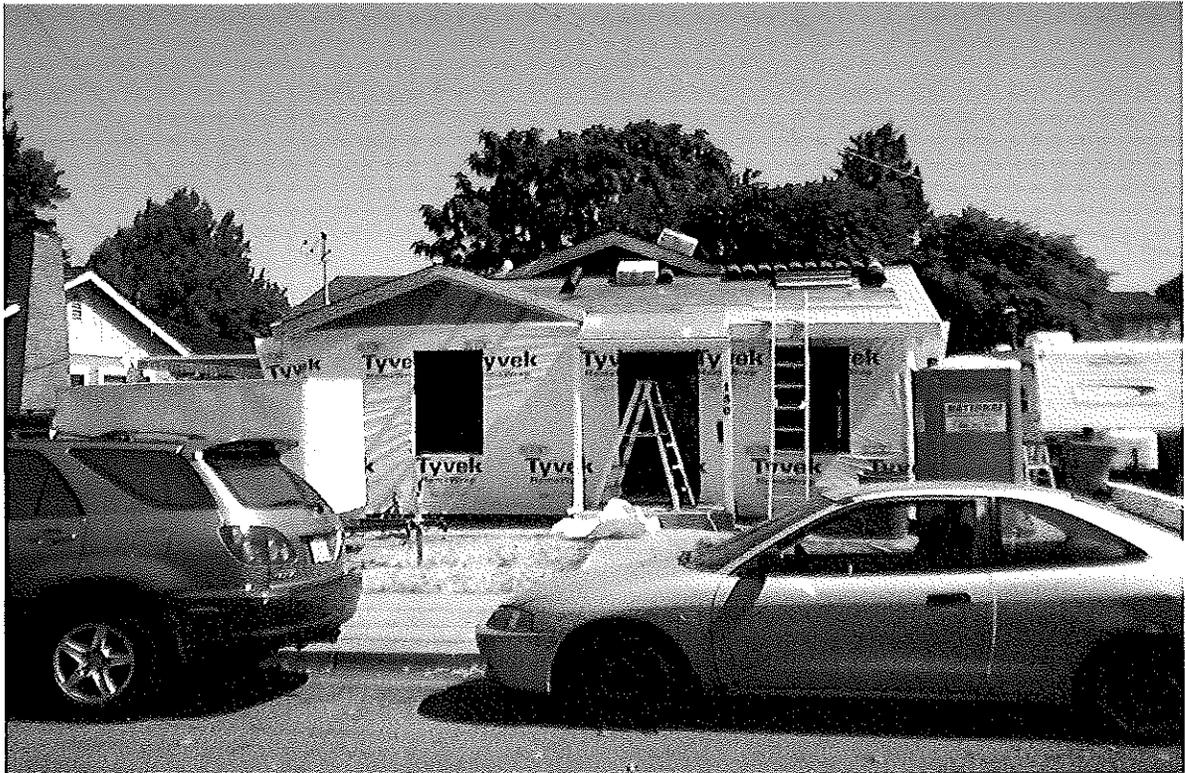
3. Upon granting of the Variance, the intent and purpose of the ordinance will still be served and the recipient of the Variance will not be granted special privileges not enjoyed by other surrounding property owners within the same zoning district.

THE PROPERTY OWNER WILL IMPROVE THE FRONT PORCH AND WILL NOT BE GRANTED SPECIAL PRIVILEGES NOT ENJOYED BY OTHER SURROUNDING PROPERTY OWNERS WITHIN THE SAME ZONING DISTRICT.

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



150 N. Taaffe Street



Under Construction

Nearby Homes



