



CITY OF SUNNYVALE REPORT ZONING ADMINISTRATOR HEARING

June 27, 2012

File Number: 2012-7363 **Permit Type:** Special Development Permit

Location: 449 S Sunnyvale Ave. (near E. Olive Ave.) (APN: 209-26-030)

Applicant/Owner: Kjeld Christensen Trustee

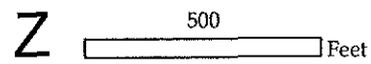
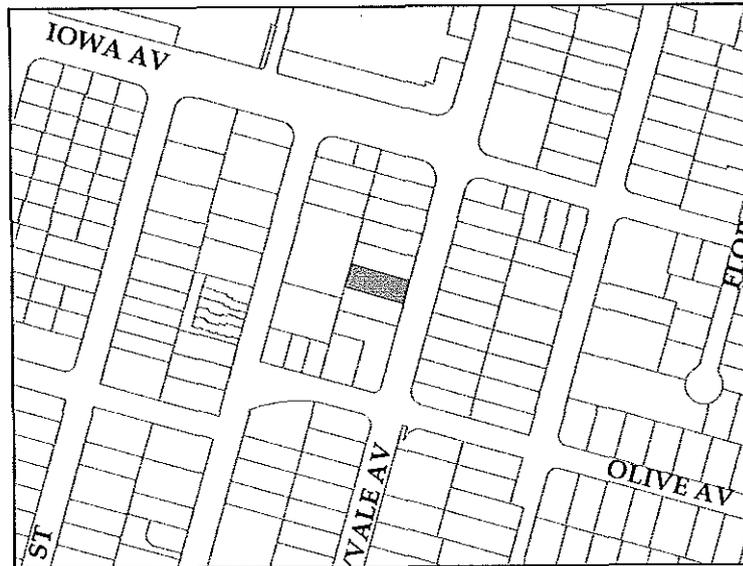
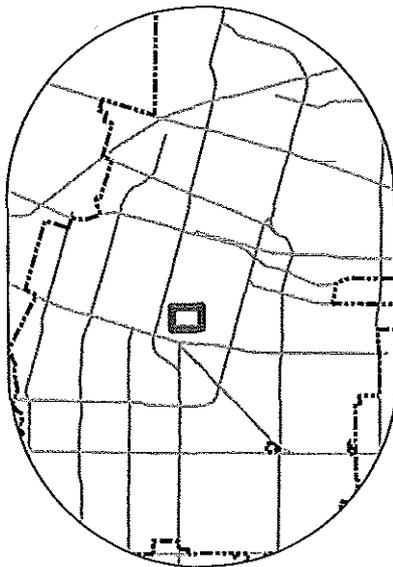
Staff Contact: Shétal Divatia, Associate Planner, (408) 730-7422

Project Description: To allow a reduced front yard setback of 12.5 feet where 18 ft. is required to accommodate a front porch addition to an existing single-family home

Reason for Permit: A Special Development Permit is required for the porch addition that results in a substandard front setback.

Issues: Front setback

Recommendation: Approve with Conditions



PROJECT DESCRIPTION

	Existing	Proposed
General Plan:	Downtown Specific Plan	Same
Zoning District:	DSP-Block 10	Same
Lot Size	6.050 s.f.	Same
Total Sq. Ft. on Site:	776 s.f.	+80 s.f. (front porch)
Lot Coverage:	12.8%	14.1%
FAR	12.8%	Same (porches not included in FAR)
Front Setback	13'6"	12'6"
Parking:	None	None

Previous Planning Projects related to Subject Application: UP 4124 – Approved in 1/14/80, to allow conversion of residence to Office, associated floor plan and additional parking. <i>Permit not exercised - Project not implemented</i>	Yes
Neighborhood Preservation Complaints:	No
Deviations from Standard Zoning Requirements: A portion of the existing residence has a 13'6" front setback; proposed porch would result in a 12'6" front setback, where a minimum of 18 foot setback is required	Yes

Site Plan: The project site is located mid-block in a downtown neighborhood that is predominantly developed with older homes built in the 1930s and 1940s.

The existing home is setback 13'6" from the front property line and is considered legal nonconforming with regard to the front yard setback. Sunnyvale Municipal Code (SMC 19.28.100(d)) requires an 18 foot front setback for DSP-Block 10 zoning district. The proposed porch (5' in depth and 16'3" across) is adjacent to a portion of the residence that is setback 17'6" from the front property line and will result in a reduced setback of 12 feet 6 inches (See Site Plan and Floor Plan in Attachment 2). The proposed front porch further reduces the non-conforming front setback by an additional foot.

The applicant has provided neighborhood photos (Attachment 3). The photos illustrate the common theme of porches and predominance of non-conforming setbacks in the neighborhood. Properties adjacent to the subject site also do not conform to front setback requirements. Staff believes that this addition will enhance the appearance of this residence and the neighborhood.

Floor Plan: The floor plan for the proposed addition notes that the porch provides a covered entry feature to the residence. The porch is 5' deep and 16'3" in width. The porch will be supported by 1 foot sized square columns along the frontage and on the side.

Architecture: The architecture of the existing house can be described as pueblo style with a flat roof, clay tiled parapet, and stucco exterior finish. This architectural style is not a common style of architecture found in this neighborhood which has a variety of architectural styles. The most common theme in the neighborhood is the variety of front porches and a mix of architectural styles. The proposed porch with a shed roof, covered with clay tiles, and arched columns enhances its pueblo styled architecture and provides continuity of the common theme of porches and a variety of architectural styles in the neighborhood.

Parking: The subject site does not include any form of covered parking. It has a gravel finished driveway along its north property line. The site would require one covered and one uncovered parking spaces (SMC 19.28.140). The site is legal non-conforming for parking. Since the proposed porch addition does not enlarge the living area, it is not considered as increasing its non-conformity with respect to parking. 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 No. GC-4).

Public Contact: Six 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

In order to approve the Special Development Permit the following findings must be made:

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale.

The proposed porch, as conditioned, provides for a use that is consistent with the neighborhood. It functions as an entry feature and enhances the aesthetic appearance of the residence, and is consistent with the streetscape design theme of front porches. The proposed use attains the objectives and purposes of the Downtown Specific Plan and the General Plan of City of Sunnyvale.

Staff was able to make the findings as the design meets the guidelines described above.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair the orderly development of, or the existing uses being made of, adjacent properties.

The proposed porch, as conditioned, enhances the appearance of the residence and improves the streetscape in a manner that does not impair the orderly development of, or the existing uses being made of, adjacent properties.

The project is expected to have no adverse impacts on surrounding properties.

ALTERNATIVES:

1. Approve the Special Development Permit with recommended Conditions in Attachment A.
2. Approve the Special Development Permit with modifications.
3. Deny the Special Development Permit.

RECOMMENDATION

Alternative 1. Approve the Special Development Permit with recommended Conditions in Attachment A.

Reviewed by:



Shaunn Mendrin
Senior Planner

Prepared By: Shétal Divatia, Associate Planner

Attachments:

- A. Standard Requirements and Recommended Conditions of Approval
- B. Site and Architectural Plans
- C. Justification and photos from the Applicant

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
June 27, 2012**

**Planning Application 2012-7363
449 S. Sunnyvale Ave.**

SDP – To allow a reduced front yard setback of 12.5 feet where 18 ft. is required to accommodate a front porch addition to an existing single-family home

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. TREES:

No protected trees are approved for removal as part of this project. [SDR] (PLANNING)

GC-4. 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 (or the applicable zoning code requirements) for the home including covered parking area. [SDR] (PLANNING)

BP: THE FOLLOWING 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]

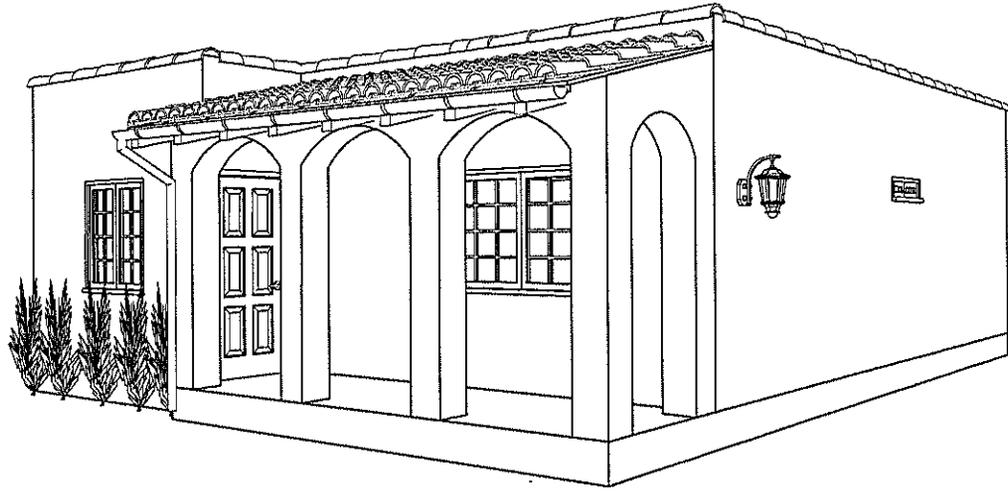
BP-2. BLUEPRINT FOR A CLEAN BAY:

The building permit plans shall include a "Blueprint for a Clean Bay" on one full sized sheet of the plans. [SDR] [PLANNING]

b) Be of masonry construction. [COA] [PLANNING]

BP-3. EXTERIOR COLORS AND MATERIALS

All new exterior colors and materials shall match the existing home. (COA) (PLANNING)



THE CHRISTENSEN RESIDENCE

THE CHRISTENSEN RESIDENCE
 " EXTERIOR FACADE IMPROVEMENT "
 49 S. SUNNYVALE AVENUE SUNNYVALE CALIFORNIA

VICINITY MAP



PROJECT DATA/ SCOPE

THE PROPOSED SCOPE OF WORK CONSISTS OF ENCLOSING AN EXISTING PORCH WITH TILE ROOF AND ARCHED OPENINGS.

ZONING DATA

ZONED	DSP-10
APN	209-26-030
OCCUPANCY	R-3
CONSTRUCTION TYPE	TYPE IV
LOT SIZE	6,050 SQ. FT.
EXISTING RESIDENCE PORCH	776 SQ. FT. 80 SQ. FT.
FAR	(776/6050) X 100 = 12.8%
LOT COVERAGE	((776+80)/6050) X 100 = 14.1%

* NO CHANGE TO FLOOR AREA.

CODES

CBC	2010 CALIFORNIA BUILDING CODE
CEC	2010 CALIFORNIA ELECTRICAL CODE
CPC	2010 CALIFORNIA PLUMBING CODE
CMC	2010 CALIFORNIA MECHANICAL CODE
UL	UNDERWRITERS LABORATORY
ICBO	INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS
CRC	2010 CALIFORNIA RESIDENTIAL CODE 2010 CALIFORNIA GREEN BUILDING STANDARDS

PROJECT DIRECTORY

SITE
449 S. SUNNYVALE AVENUE
SUNNYVALE, CA 94086

OWNERS
MR. CHRISTENSEN
449 S. SUNNYVALE AVENUE
SUNNYVALE, CA 94086
(408) 823-0734

DESIGN DOCUMENTS
FRANK GARCIA, ASSOCIATE AIA
(415) 944-0236

GOVERNMENT
CITY OF SUNNYVALE
SUNNYVALE, CA 94086

STRUCTURAL ENGINEER
BETTA GROUP
2058 LINCOLN AVENUE, SUITE A
SAN JOSE, CA 95125
(408) 267-7190

SHEET INDEX

- T1.0 VICINITY MAP, PROJECT SCOPE/DATA, & PROJECT DIRECTORY
- A1.0 SITE PLAN
- A2.0 FLOOR PLAN, ROOF PLAN, ELEVATIONS & SECTION A
- A3.0 EXTERIOR EXISTING & PROPOSED ELEVATIONS

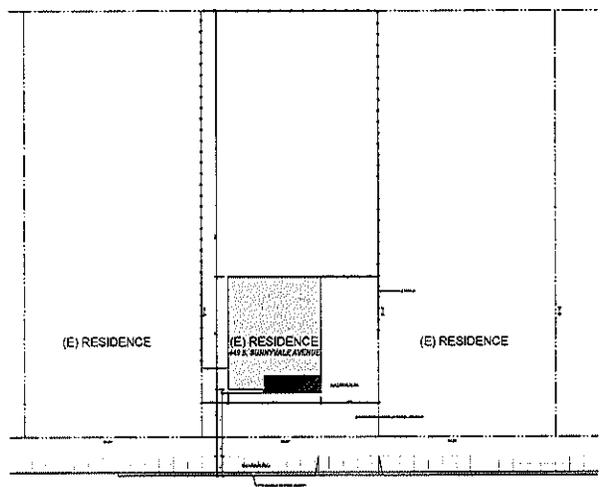


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REVISION: ...



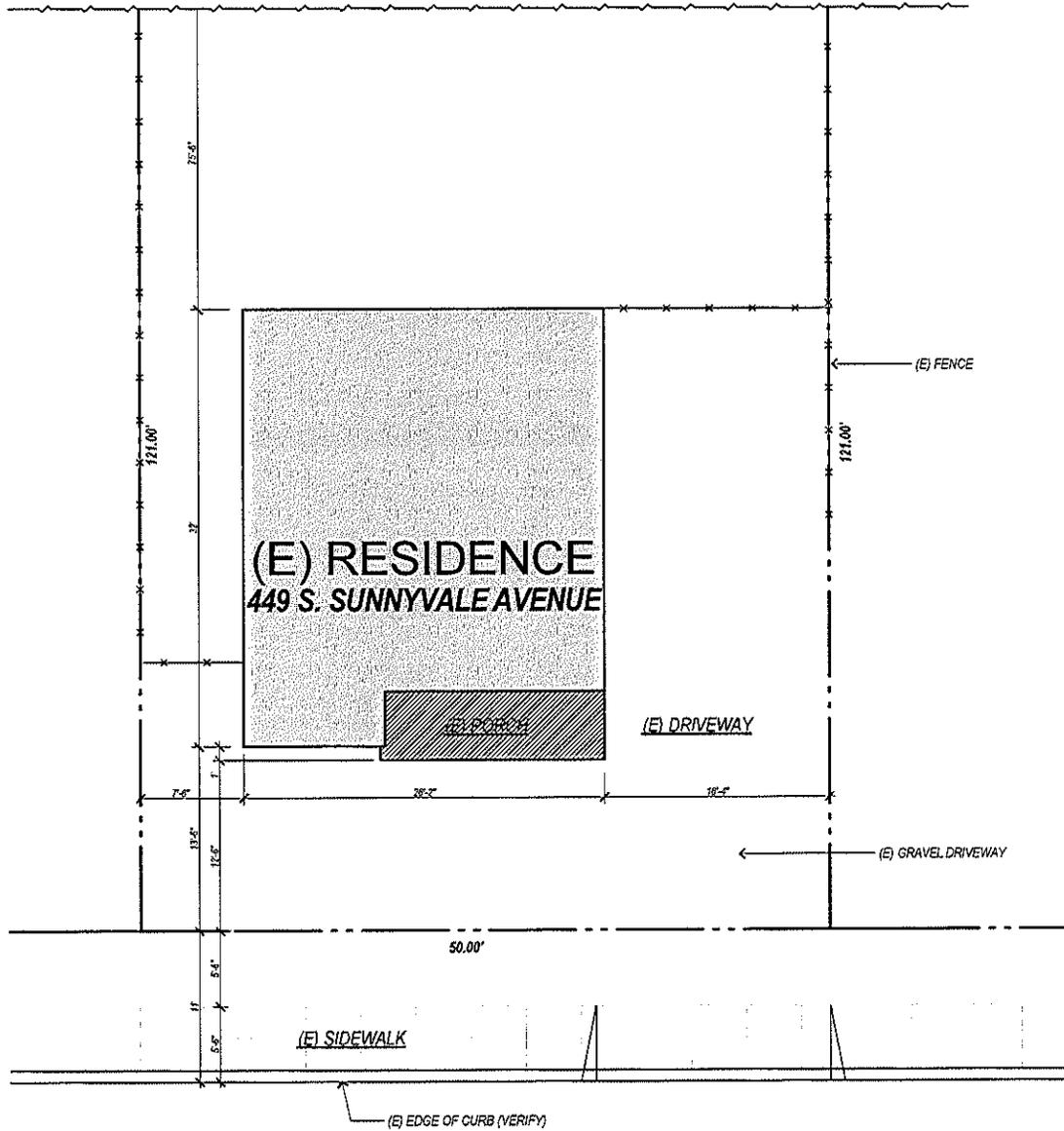
THE CHRISTENSEN RESIDENCE
EXTERIOR FACADE IMPROVEMENT
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ATTACHMENT 5
Page 2 of 4



KEY PLAN SCALE: 1/16"=1'0"

SUNNYVALE AVENUE



SITE PLAN SCALE: 1/4"=1'0"

SHEET

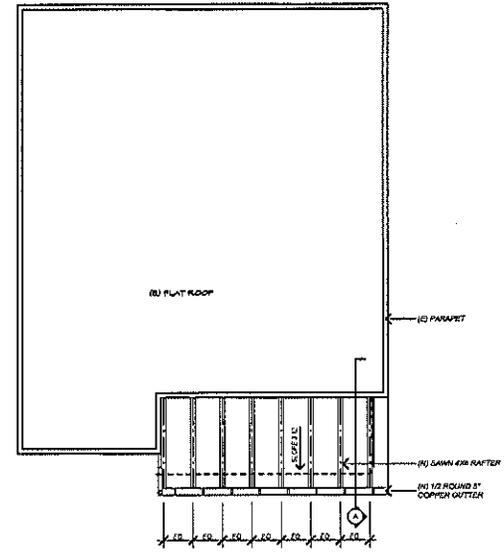
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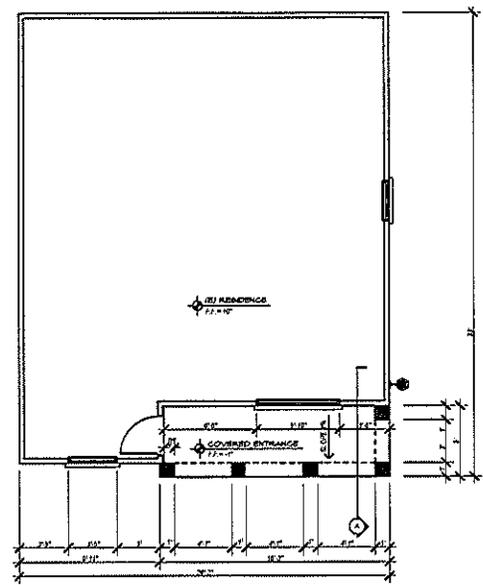


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N EXTERIOR FACADE IMPROVEMENT"
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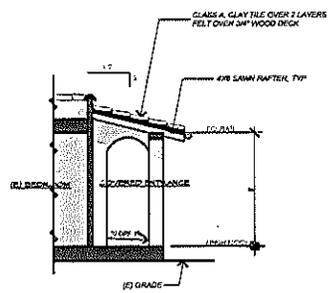
ATTACHMENT
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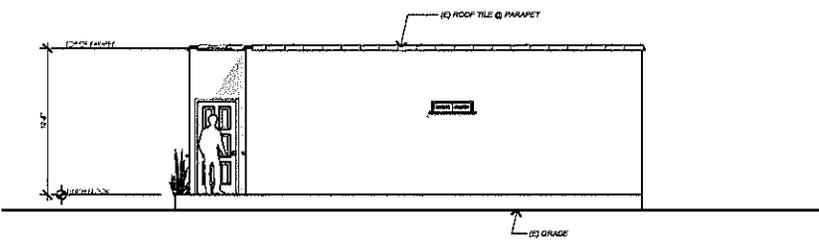
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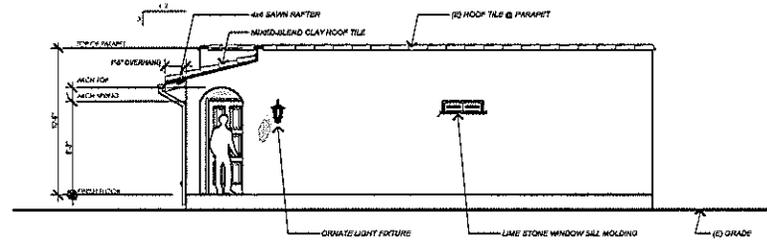
FLOOR PLAN SCALE: 1/4"=1'0"



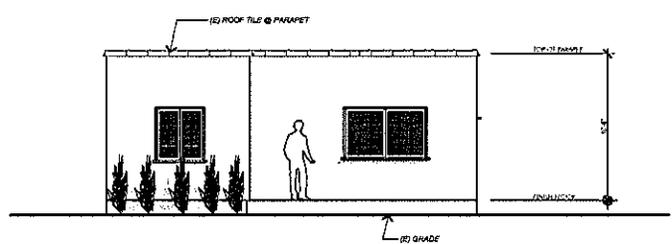
SECTION A-A SCALE: 1/4"=1'0"



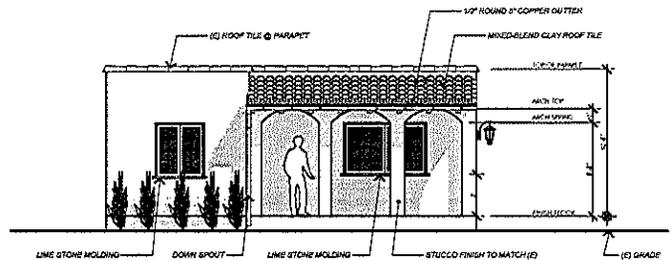
(E) RIGHT ELEVATION SCALE: 1/4"=1'0"



RIGHT ELEVATION SCALE: 1/4"=1'0"



(E) FRONT ELEVATION SCALE: 1/4"=1'0"



FRONT ELEVATION SCALE: 1/4"=1'0"

THE CHRISTENSEN RESIDENCE
AN EXTERIOR FACADE IMPROVEMENT"
444 S. SUNNYVALE AVENUE SUNNYVALE CALIFORNIA

ATTACHMENT
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B



Attachment A: Variance Justification

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.*

Owner comments:

- Please note, the proposed scope of work consists of only covering an existing entrance porch to match those of adjacent properties.
- As it stands today, this Sunnyvale Avenue house is the only single family home within the zoning district that does not have a covered porch or a covered entrance area.
- This project will result in the appearance of this home being aligned with similar homes in the immediate neighborhood while retaining its original character.
- The proposed covered porch will add both curb appeal and visual appearance without increasing lot coverage. At the same time, the project will make the house fit into and add to the unique and pleasing blend of styles in this area.
- Please see provided photos of subject property and adjacent homes on Sunnyvale Avenue, as requested.

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.*

Owner's comments:

- This project will improve the overall area appeal, and have no detrimental effect of any kind.

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.*

Owner's comments:

- Correct.

SUNNYVALE AVE



524



533



525

SUNNYVALE AVE



505



506



520

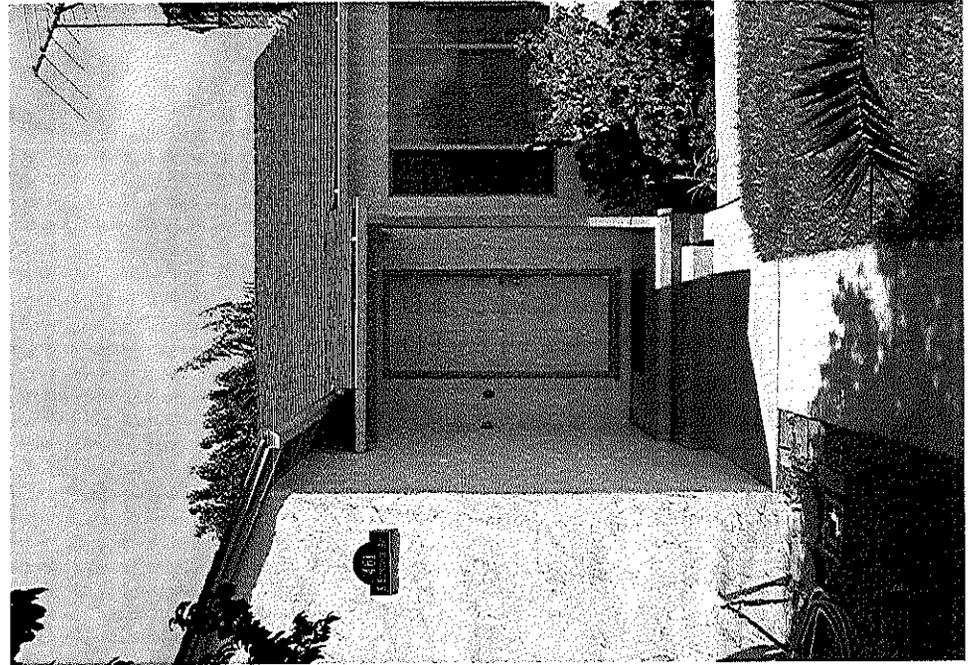


505

SUNNYVALE AVE



450



480



464

SUNNYVALE AVE.



421



441



449 (Project)
No covered porch or entry



440