

**Appeal (PLN25-00561) of Development
Review Officer's Approval of an Architectural
Review (PLN25-00295) of Proposed Addition
at 2892 Mesquite Dr., Santa Clara, CA 95051**

Request to clarify and make Approval Conditions
P3 and P4 objectively enforceable

**City of Santa Clara Planning Commission Meeting
February 11, 2025**

Sorin Spanoche and Andrea Cosmin

Key issue of proposed extension



2892-2896 Mesquite Dr Aerial View

Forward first-floor extension in addition to the second floor extension and tall fence on **wedge lots** and **house angled towards neighbors' house** creates disproportionate **massing and encroaching impacts**

Graphic based on new project dated 01/18/2025

Summary

- Our appeal is only related to the measurability and enforceability of Approval Conditions P3 and P4.
- Approval Conditions P3 (Guest Bedroom Setback) and P4 (Front Yard Landscaping) were included as mitigation of sight line and privacy concerns.
- Request to Planning Commission is to adopt measurable standards to enable verification of project compliance.

Key facts

Conditional approval: Dec 10, 2025.

Applicant accepted the condition for greater front and side setbacks.

Appeal filed: Dec 17, 2025.

To clarify and make Approval Conditions P3 and P4 objectively enforceable.

Updated plans filed: Jan 18, 2026.

Token setbacks change. Even worse sight lines due to new tall fence.

Sight line: current status



Sight line at 4.5 ft from home wall (tangent to 2892 corner)

Sight line at 10 ft from home wall as for properties on rectangular lots

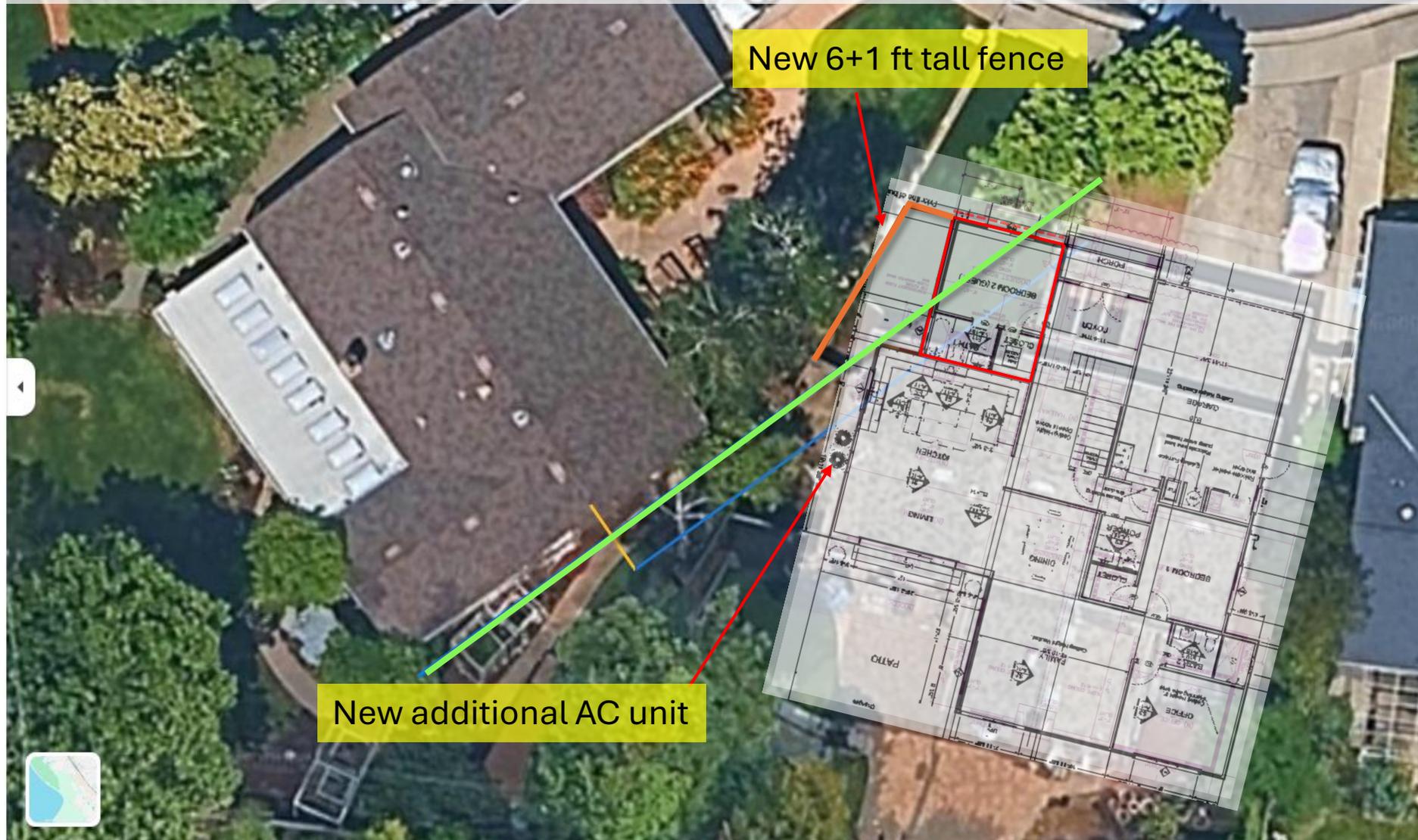
Sight line: current status vs initial plan



Sight line: current status vs initial vs new plan



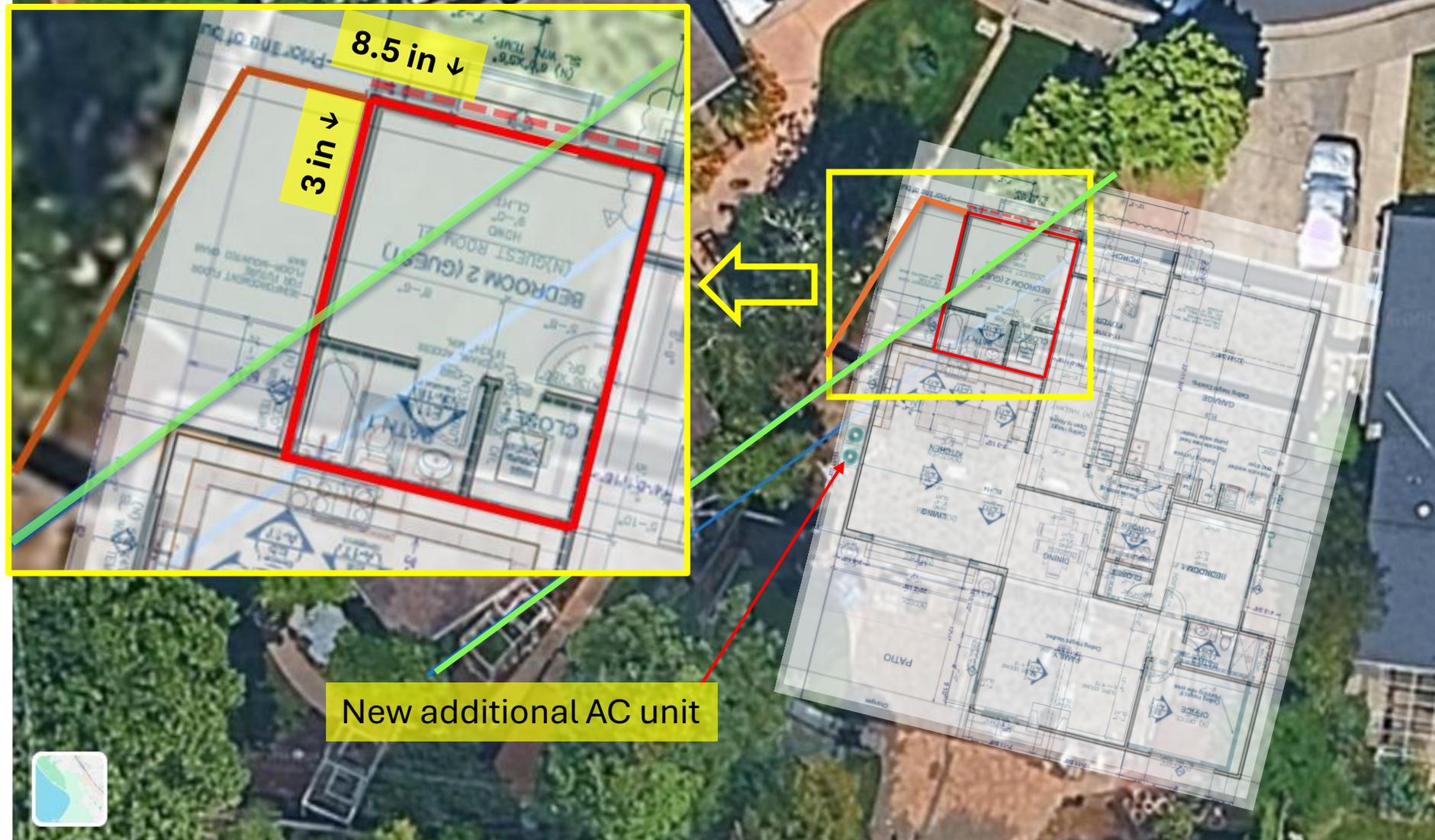
Sight line: current status vs initial vs new plan



Sight line: current status vs initial vs new plan

(zoom)

The corner of the new front bedroom was moved away from our home by 8½" and 3" respectively. **Negligible compared to the distance to the current sight line.**



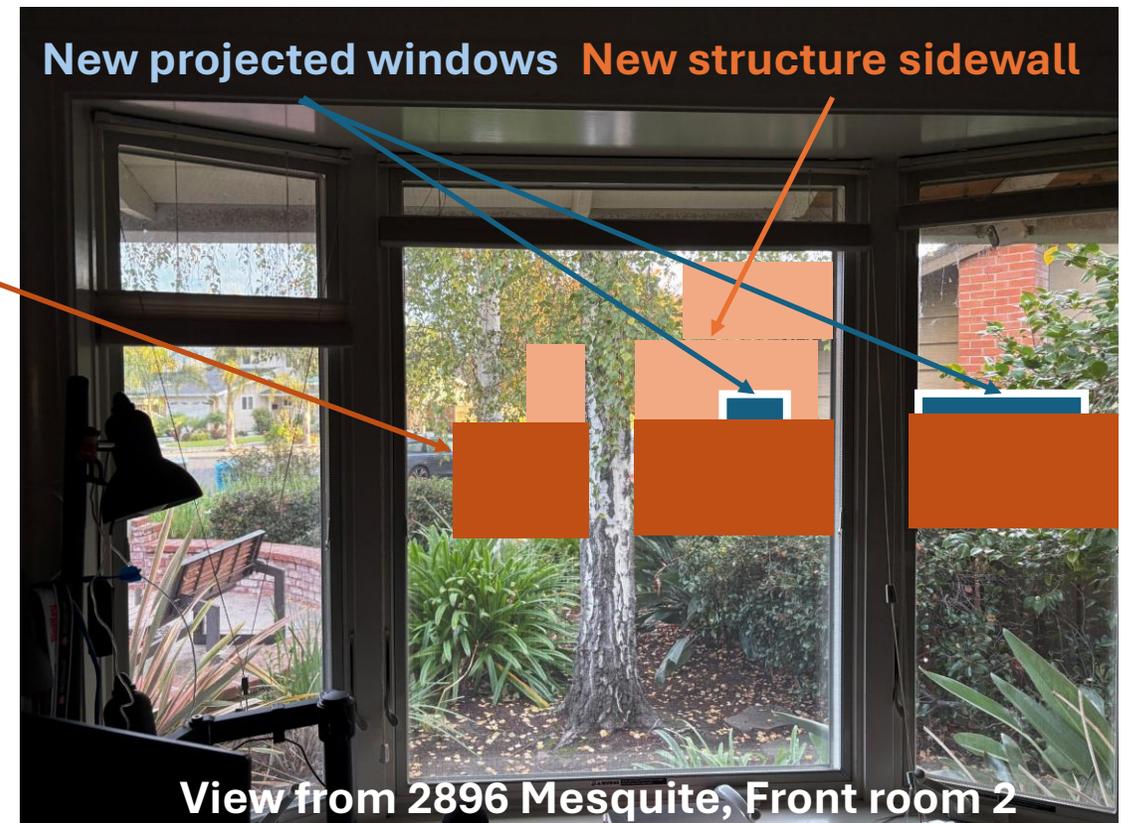
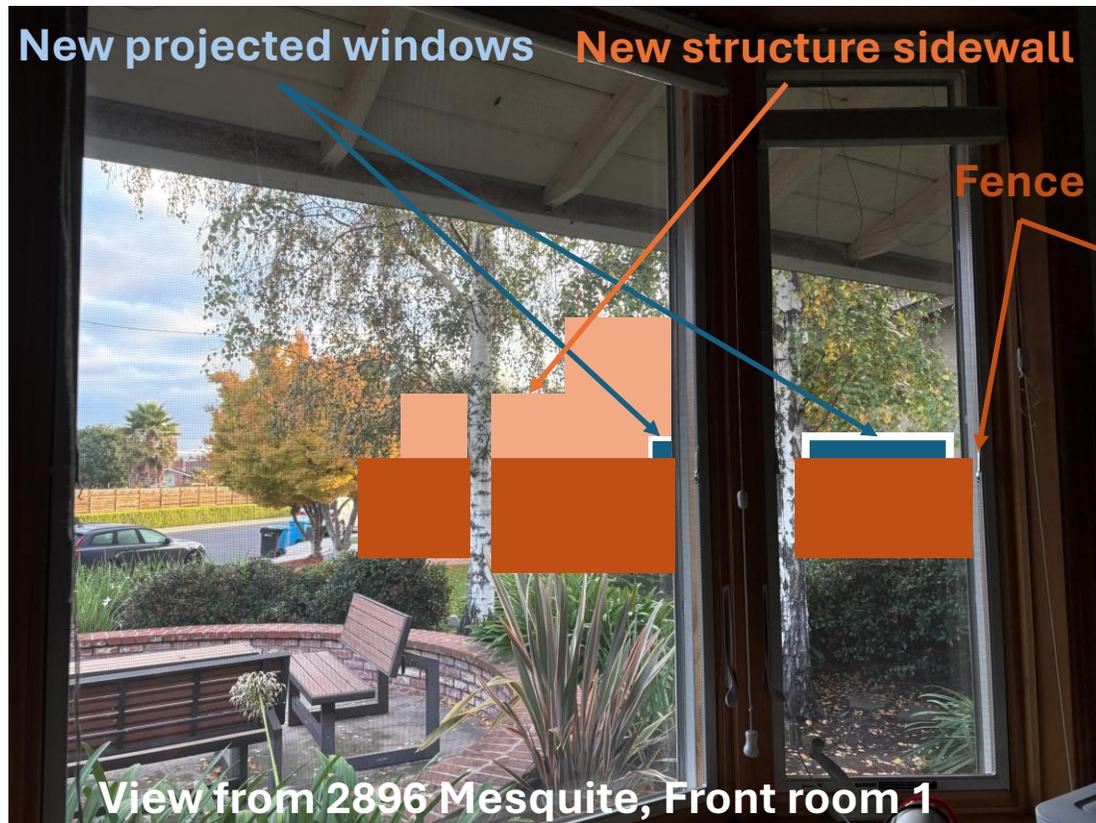
Updated plan issues



- Token footprint reduction: 3" × 8.5" does not improve sight line.
- The front part of the newly proposed 6+1ft fence further obstructs sight line.
- Additional AC unit / placement will increase noise exposure.

Boxed-in appearance

Photos with new extension and new fence simple rendering



This new appearance would further diminish the enjoyment of our home and lower its value and desirability.

Alignment with the General Plan

- Respect neighborhood scale and spacing (Community Character)
- Ensure compatibility with existing homes (Infill and Compatibility)
- Protect privacy and livability (Urban Design)
- Preserve street frontage openness (Neighborhood Design)

Requested relief

1. Clarify P3 with objective, measurable setbacks and sight line criteria (including how “prevailing development pattern” and “preserve sight line” will be measured).
2. Clarify P4 so landscaping (and/or fencing) cannot negate the sight line preservation required by P3.
3. New 6+1ft fence may only replace existing fence in its current location.
4. Require the applicant’s plan to address the extra AC unit noise impact prior to approval.
5. Require the applicant’s plan set to be revised to demonstrate compliance with the conditions prior to final approval.

Backup

P3 and P4 Conditions for Approval

P3. Guest Bedroom Setback: The proposed guest bedroom shall adhere to the prevailing development pattern in the subdivision by reducing the footprint of the proposed guest room by providing a greater front and side setback. The setbacks shall preserve the existing sight line of the adjacent property.

P4. Front Yard Landscape: Bushes and code-compliant hedges shall be added to the front yard.

Conditions P3 and P4 were presented as the key mitigation mechanisms for the very impacts we raised (sight line/openness and privacy/visibility). The enforceability of these conditions is therefore essential.

Reason for appeal

- The approval relies on Conditions P3 and P4 to support the required Architectural Review findings that the project will
 - not unreasonably interfere with neighboring properties' use and enjoyment and
 - is compatible with the neighborhood character
- P3 and P4 are vague and lack measurable compliance criteria, making them difficult to interpret and enforce during plan check and inspection.

P3 Condition for Approval

- P3 is still vague and lacks a measurable compliance standard. P3 does not define:
 - The target setback plane or a numeric setback requirement,
 - What constitutes “prevailing development pattern,”
 - What “preserve the existing sight line” means as an objective standard, or
 - How compliance will be demonstrated and verified (e.g., specific plan-view diagrams, fixed reference points, sight line corridor definition).
- P3 is currently open to interpretation and invites disputes at plan check and inspection

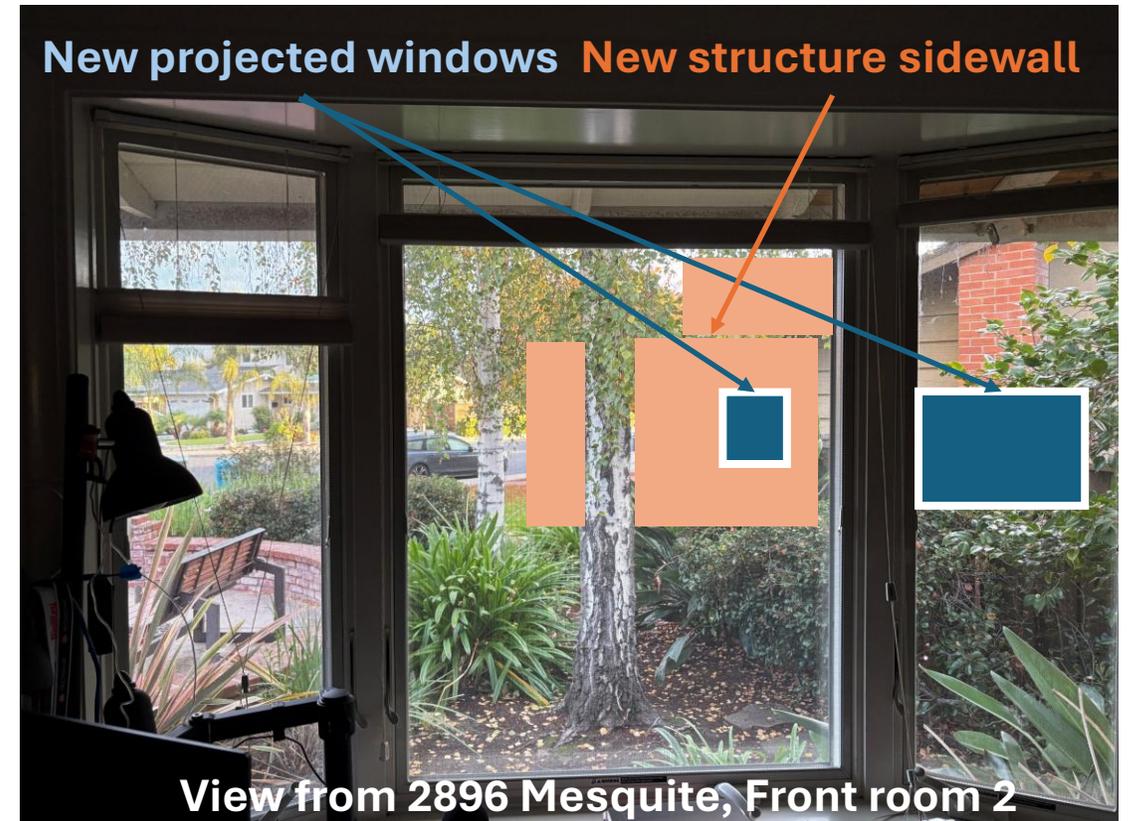
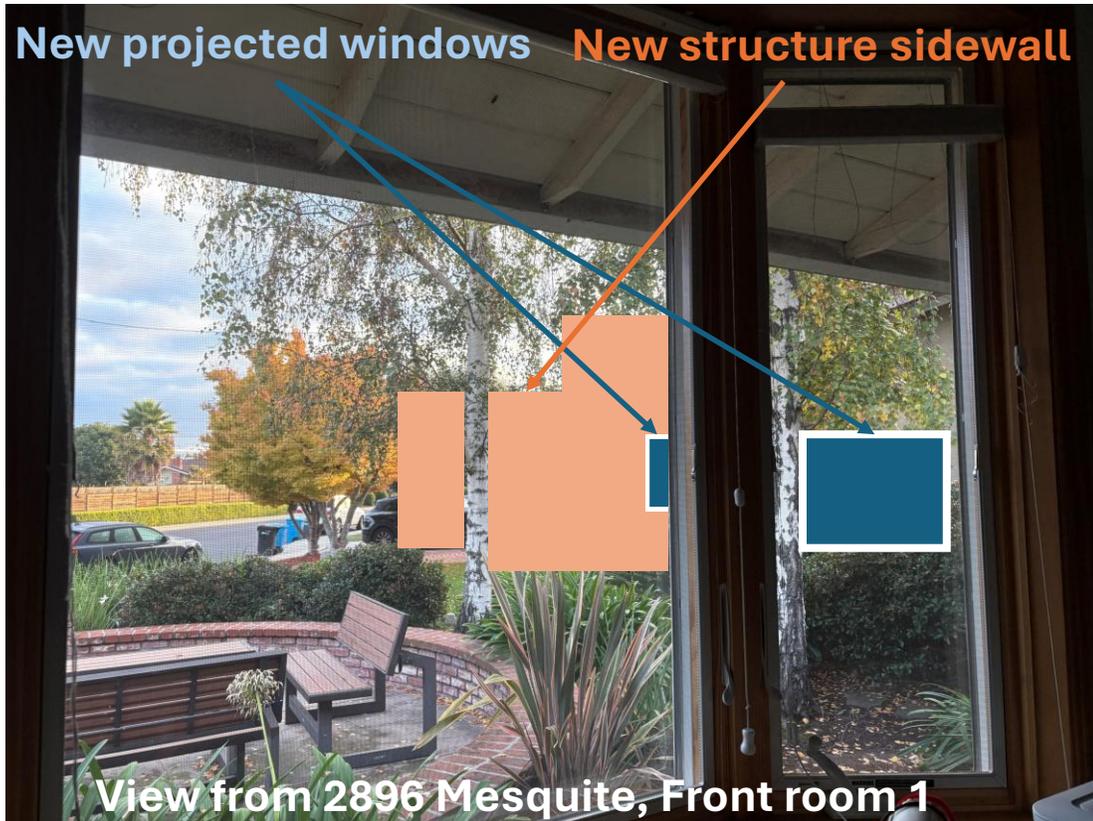
Sight line

Photos with current structure



Boxed-in appearance

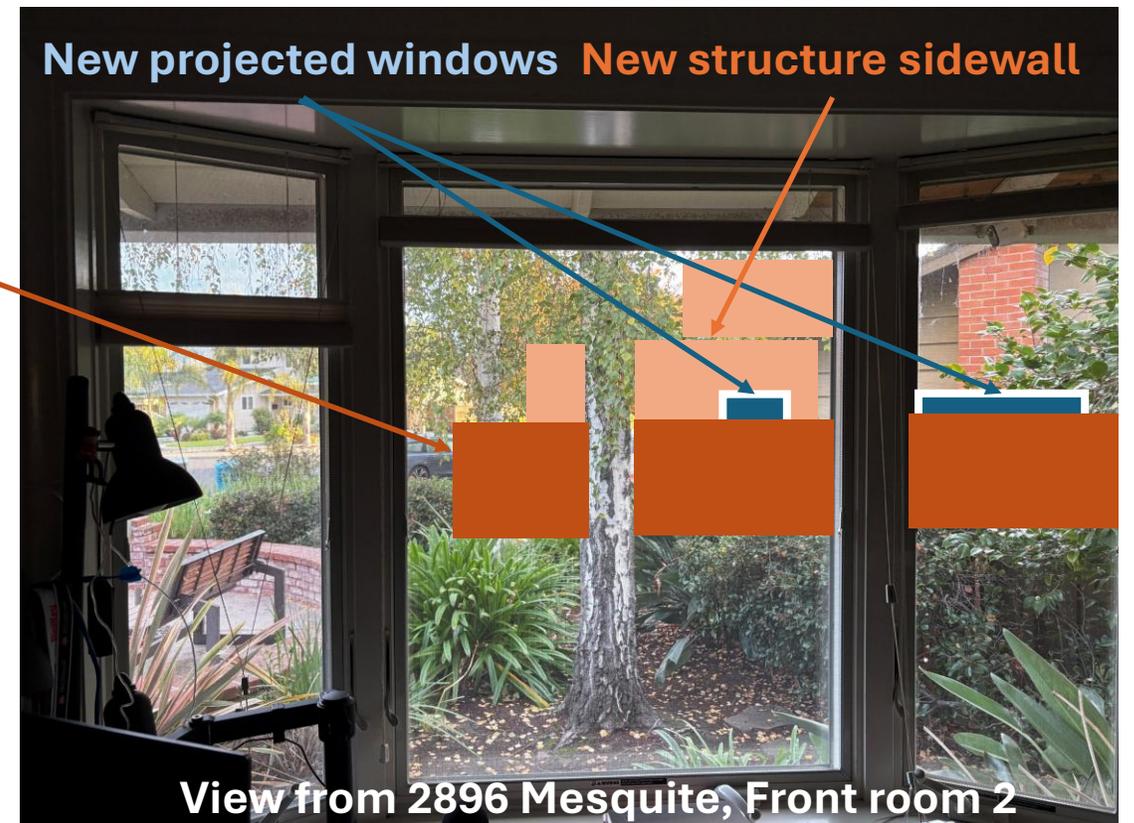
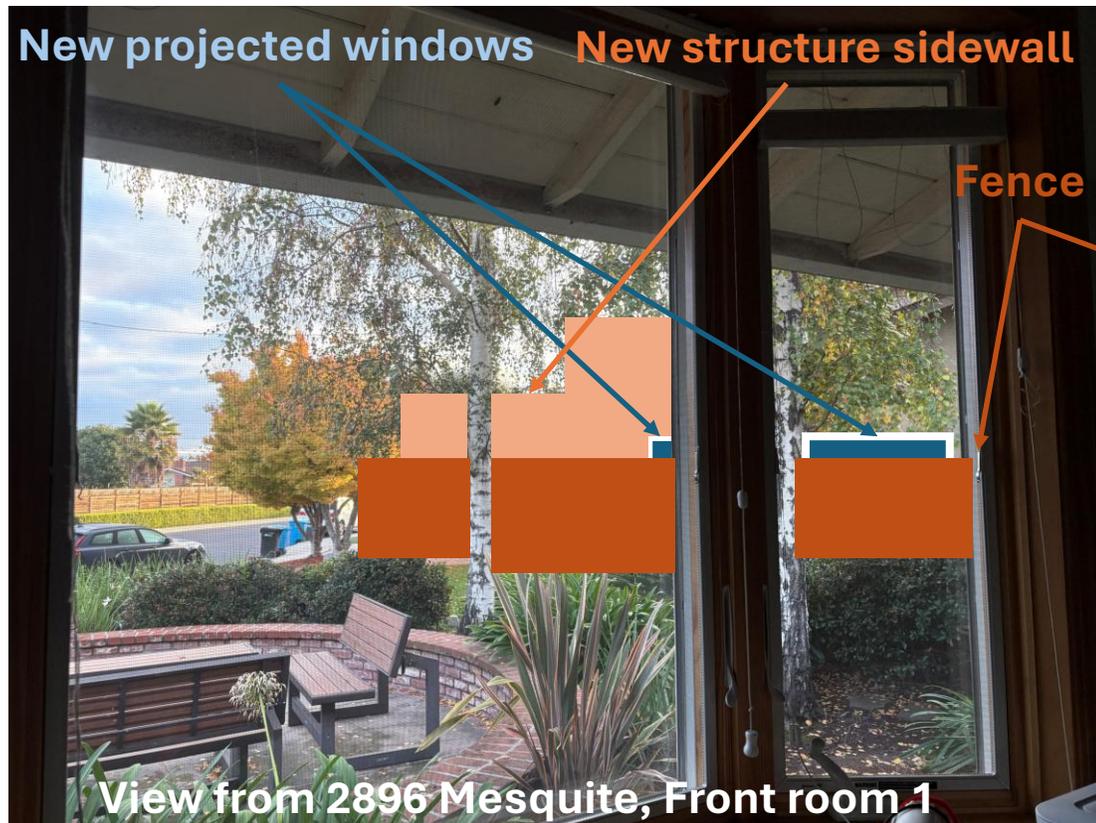
Photos with new extension simple rendering



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Boxed-in appearance

Photos with new extension and new fence simple rendering



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P4 Condition for Approval

P4 can undermine P3 without constraints or interpretive guidance.

- P4 requires hedges/bushes and contemplates front/side landscape elements.
- Without objective limits (height/opacity/location), these elements can create additional sight line obstruction and negate P3's intent,

New issue introduced in the new project proposal

- There will be a second AC unit near the existing one, both facing our bedrooms windows. (The original plan did not show any AC unit adjacent to the house)
 - The existing one is already noisy, having two will double the noise and will further impact our sleep during summer.
- An updated project proposal should either relocate units towards the back of the house or add noise control measures to at least attenuate to half the compound noise.

Conclusions

We support modernization, just need:

- Compatibility with guidelines
- Protection of spacing, openness, privacy and value of our homes.

Other similar lots in vicinity

