

RESOLUTION NO. _____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SANTA CLARA, CALIFORNIA, APPROVING A
VARIANCE TO REDUCE THE MINIMUM REQUIRED PARKING
SPACES FOR THE PROPERTY LOCATED AT 741 ENRIGHT
AVENUE, SANTA CLARA, CALIFORNIA**

PLN2018-13407 (Variance)

**BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS
FOLLOWS:**

WHEREAS, Jie Wei ("Property Owner") filed an application on July 12, 2018 requesting a Variance for the property located at 741 Enright Avenue (APN: 294-17-043) ("Project Site") in the City of Santa Clara;

WHEREAS, the Project Site is a developed property with a single-family residence, as shown on the attached Development Plans;

WHEREAS, the Project Site is zoned Single Family Residential (R1-6L);

WHEREAS, the General Plan land use designation for the Project Site is Very Low Density Residential;

WHEREAS, the Property Owner has submitted an application for a Variance to allow an 809 square foot front and rear addition to a single-family residence and retain an attached one-car garage where two covered parking spaces are required for single-family additions of 500 square feet or more;

WHEREAS, the existing garage backs up to the minimum five foot side yard setback;

WHEREAS, the Project is Categorically Exempt per Section 15301(e)(2) (Additions to Existing Facilities) of the California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 *et seq.*, *because the Project would make an addition to an existing structure of less than 10,000 square feet, the Project is located in an area where all public services and facilities are available, and the area where the Project is located is not environmentally sensitive;*

WHEREAS, on September 14, 2018, the City posted notices of a public hearing before the Planning Commission at three locations within 300 feet of the Project Site, and mailed notices of the public hearing to all property owners located within 300 feet of the Project Site; and,

WHEREAS, on September 26, 2018, the Planning Commission held a duly noticed public hearing to consider the Variance application, during which the Planning Commission invited and considered any and all verbal and written testimony and evidence offered in favor of and in opposition to the proposed Variance application.

NOW THEREFORE, BE IT FURTHER RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA AS FOLLOWS:

1. That the Planning Commission hereby finds that the above Recitals are true and correct and by this reference makes them a part hereof.

2. That the Planning Commission hereby approves the Variance to allow an 809 square foot rear addition to a single-family residence and retain an attached one-car garage where two covered parking spaces are required for single-family addition with 500 square feet or more at the Project Site.

3. That pursuant to SCCC Section 18.108.040, the Planning Commission determines that the following findings exist for approval of the Variance:

A. That there are unusual conditions applying to the land or building which do not apply generally in the same district, in that the location of the house on the substandard lot with 50 foot width and the existing house configuration preclude the construction of a detached garage in the rear yard or expansion of the existing garage.

B. That the granting of the Variance is necessary for the preservation and enjoyment of substantial property rights of the Property Owner in that the front and rear addition to remodel the kitchen, create a third bedroom, and retaining a one-car garage reasonably meets personal family needs and will optimize the use of the property.

C. That the granting of such Variance, under the circumstances of the particular case, will not materially affect adversely the health, safety, peace, comfort, or general welfare of persons residing or working in the neighborhood of the Property Owner's property, and will not be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood, in that the proposed Project is compatible in layout and appearance of homes in the surrounding neighborhood. The proposed frontage with one-car garage is in keeping with the pattern of the frontage of the neighborhood.

D. That the granting of the Variance is in keeping with the purpose and intent of the Zoning Ordinance, in that the proposed Project would provide and maintain on-site parking on the driveway and in the existing garage as current conditions.

5. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 26th DAY OF SEPTEMBER, 2018, BY THE FOLLOWING VOTE:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAINED: COMMISSIONERS:

ATTEST: _____
ANDREW CRABTREE
DIRECTOR OF COMMUNITY DEVELOPMENT
CITY OF SANTA CLARA

Attachments Incorporated by Reference:
1. Conditions of Approval
2. Development Plans

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