

RESOLUTION NO. _____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SANTA CLARA, CALIFORNIA APPROVING A
VARIANCE TO THE TWO-CAR COVERED PARKING
REQUIREMENT TO CONSTRUCT A 980 SQUARE FOOT
ADDITION TO A SINGLE FAMILY RESIDENCE WITH AN
ATTACHED ONE-CAR GARAGE LOCATED AT 417 MARIA
STREET, SANTA CLARA**

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

WHEREAS, Andrea Su and Ruud Vinke (“Property Owner”) filed a Planning Application (PLN2018-13361) requesting a Variance for the property located at 417 Maria Street (APN: 269-39-064) (“Project Site”) in the City of Santa Clara;

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

WHEREAS, the General Plan designation for the Project Site is Very Low Density Residential, which is intended to allow up to 10 dwelling units per acre; and,

WHEREAS, the Property Owner has submitted an application for a Variance to the City’s two-car covered parking requirement in order to construct a 980 square foot living area addition at the rear of an existing two-bedroom and one-bathroom single family residence with attached one-car garage, resulting in a four-bedroom, two- and one-half-bathroom house with an attached one-car garage;

WHEREAS, the Project is Categorically Exempt per Section 15303(a), New Construction or Conversion of Small Structures, of the Guidelines of the California Environmental Quality Act (“CEQA”), Public Resources Code § 21000 *et seq*, which exempts the construction of up to three single-family residences on properties in urbanized areas, in that the project would increase the floor area of the existing single-family residence by more than 50 percent from 832 square feet to 1,812 square feet;

WHEREAS, on November 30, 2018 the notice of meeting date for this item was posted within 300 feet of the Project Site and mailed to property owners within a 300 foot radius of the Project Site; and,

WHEREAS, on December 12, 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.

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 the two-car covered parking requirement in order to allow construction of a 980 square foot addition to the existing single family residence with an attached one-car garage that is to remain.
3. That pursuant to SCCC Section 18.108.040, the Planning Commission determines that the following findings exist in support of the Variance:

A. That there are unusual conditions applying to the land or building, in the same district, in that the property is a narrow lot and that replacement construction of the existing one-car garage with a two-car garage would occupy a large percentage of the lot frontage and require significant demolition and reconstruction of the home, thereby creating a practical difficulty for the Property Owner. Furthermore, the property is located in a residential neighborhood originally constructed with one-story homes with attached one-car garages, and that replacement construction of the existing garage with a two-car garage would result in a house design less compatible with the established neighborhood.

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 proposal would

provide additional living area to meet family needs without necessitating a significant remodel and reconstruction of the home, creating a greater hardship than is generally expected for similar requests.

C. That the granting of such Variance will not, under the circumstances of the particular case, materially affect adversely the health, safety, peace, comfort, or general welfare of persons residing or working in the neighborhood of the Project Site, 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 the construction of a rear addition to the existing single family residence that is not visible from the street; is designed in keeping with the existing building form, materials and roofline; and, retains the existing one-car garage. Furthermore, the expansion would not intensify the existing use of the property since it would remain a single family dwelling.

D. That the granting of the Variance is in keeping with the purpose and intent of the Zoning Ordinance, in that the Project is compatible with the use, scale and architectural style of the homes in the surrounding neighborhood and is consistent with City's Single Family and Duplex Residential Design Guidelines.

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3. 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 12th DAY OF DECEMBER, 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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