



# **City of Santa Clara**

**Planning Commission**

**November 9, 2022**

**2121 Sheraton Drive**

**Public Hearing Item # 3**

**PLN22-00441**



# 2121 Sheraton Dr.

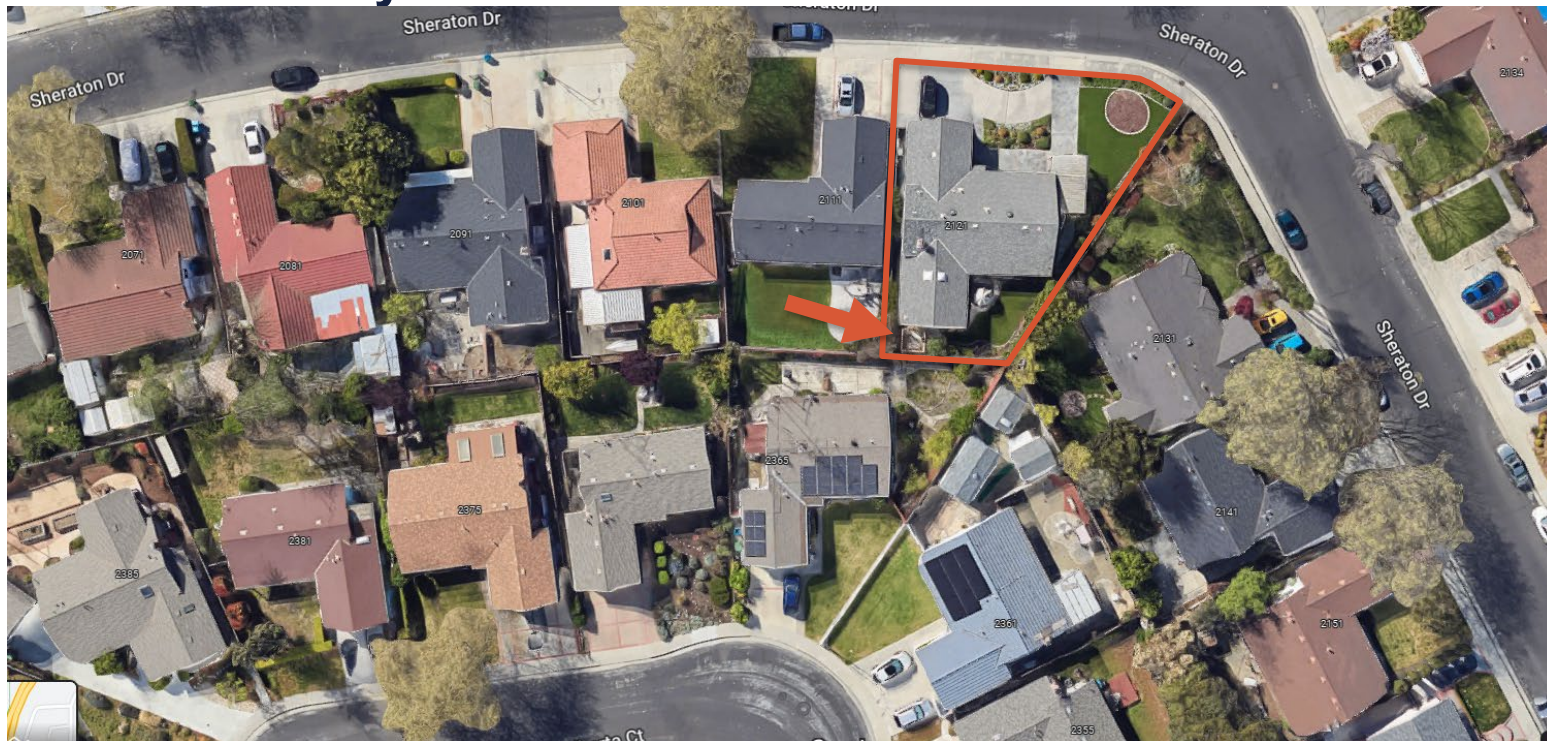
## Request

- **Variance** to the Rear Accessory Building Setback and the Accessory Building Setback from the Main Building, in Order to Allow a 68 square foot accessory building in the rear of a Single-Family Residence at 2121 Sheraton Drive



# 2121 Sheraton Dr.

## Parcel and 'hobby hut' location





# 2121 Sheraton Dr.

## Background

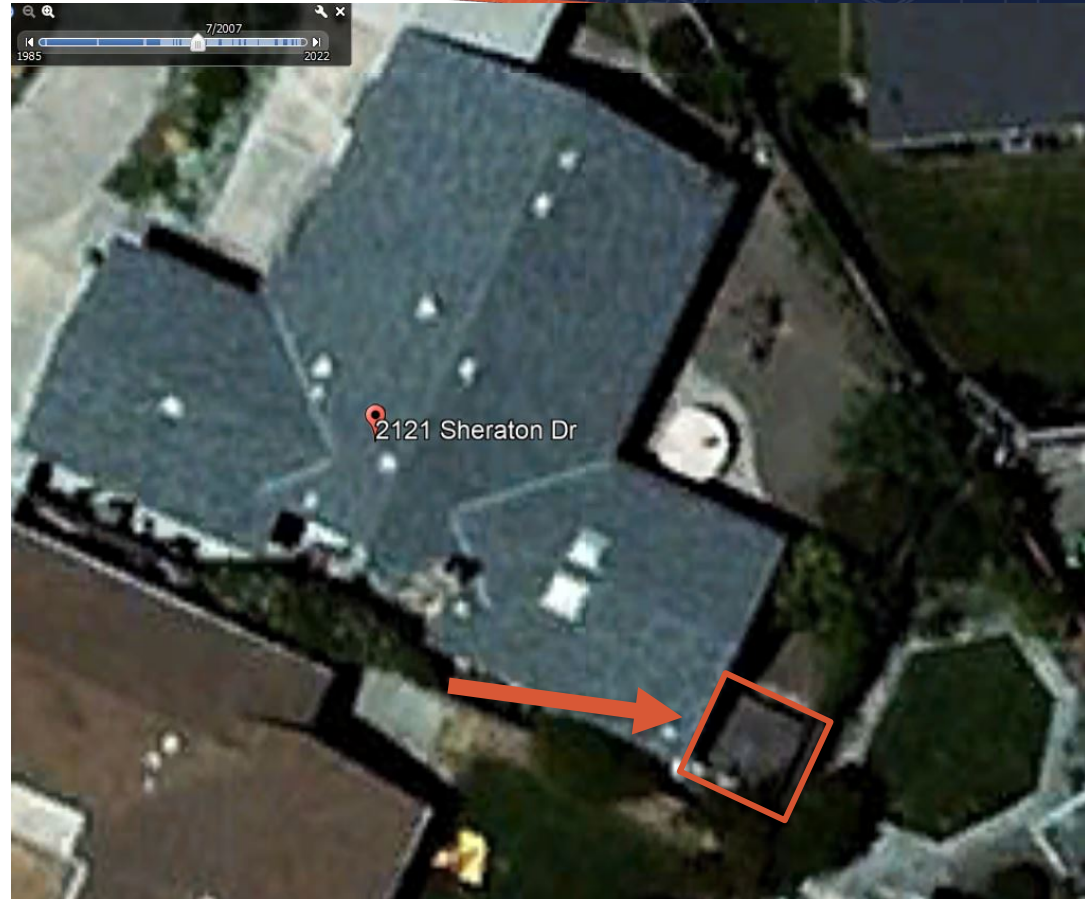
- Applicant began replacing rear spa with hobby hut in the same location
- The accessory building is within the required setbacks for accessory structures
- Applicant was alerted to the noncomplying location with a code case
- Applicant worked with the City to apply for a variance for the hobby hut location
- The proposed shed would have electricity but no plumbing
- The proposed shed would be 68 square feet





# 2121 Sheraton Dr. Background

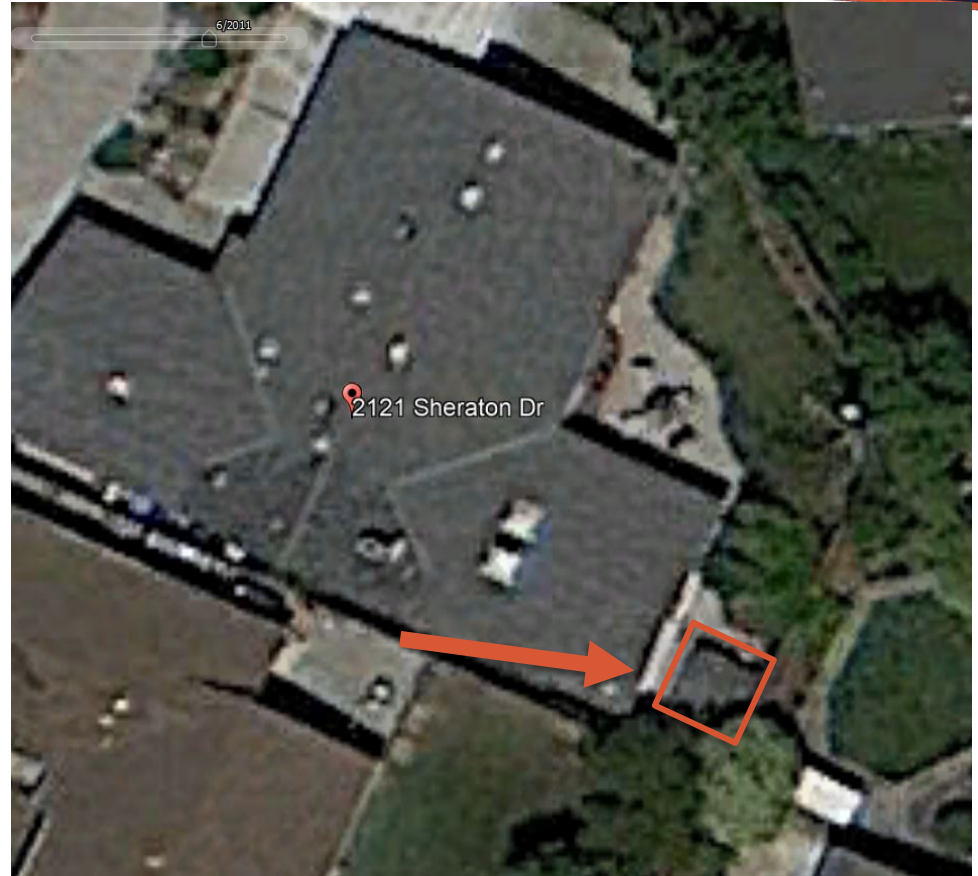
Aerial image - 2007





# 2121 Sheraton Dr. Background

Aerial image - 2011



- Per the Santa Clara City Code (SCCC) – Accessory structures must be five feet from the rear property line, three feet from the side property line, and six feet from the main structure
- No accessory building is allowed in front of the main building, except for garages or carports





# 2121 Sheraton Dr.

## Required Accessory Building Setbacks

- Per the Santa Clara City Code (SCCC) – Accessory structures must be five feet from the rear property line, three feet from the side property line, and six feet from the main structure
- No accessory building is allowed in front of the main building, except for garages or carports







# 2121 Sheraton Dr.

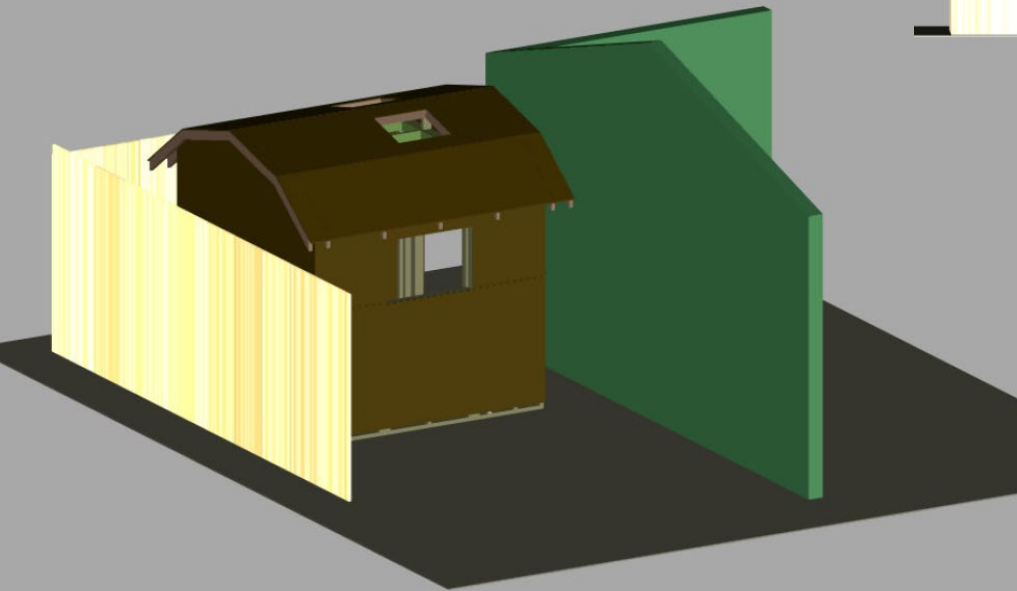
## Applicants Proposal

- Applicant is applying for a three feet five inches for the rear accessory building setback, where five feet is required, and a variance of three feet seven inches for the accessory building setback from a main building, where six feet is required.

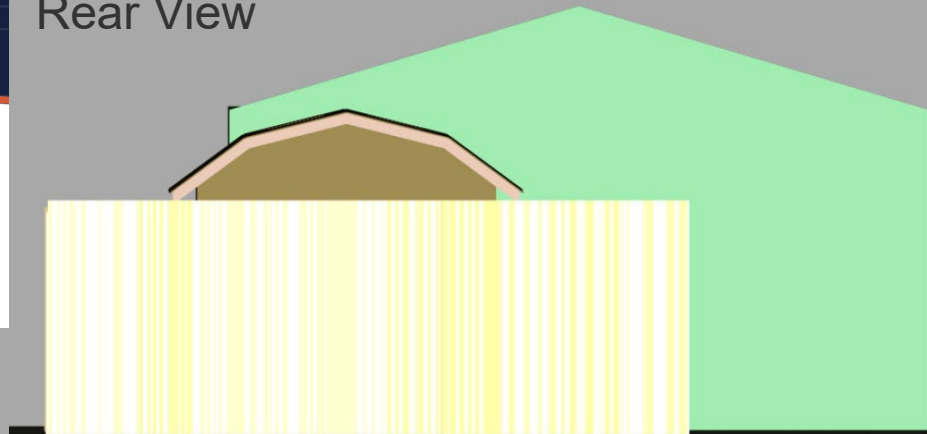
# 2121 Sheraton Dr.

## Applicants Proposal

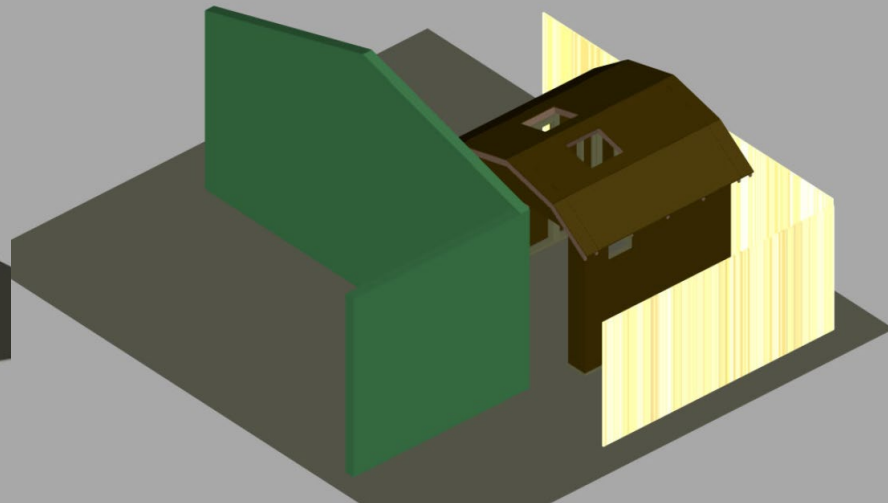
Side View



Rear View



Side View





# 2121 Sheraton Dr.

## Department Review

- The Building Dept. has stated that structures less than 120 square feet are exempt from the requirement to receive a building permit
- The Fire Dept. has stated that given the square footage, the fire department has no comments or conditions
- The Planning Dept. does not require planning permits for structures of this size, but all structures must conform with the SCCC
- The Engineering Dept. requires encroachment agreements
- SVP requires the structure be at least 8 feet from the span wires, to meet G.O. 95 requirements



# 2121 Sheraton Dr.

## Department Review

- The lot is trapezoid in shape and meets the length, front width, and square footage requirements of the Code but does not meet the rear width requirement.
- The lot is 44-feet wide in the rear, the minimum lot width is 60-feet. The lot dimensions and size are not unusual in the City.
- The placement of the structure, while not code compliant, is not unusual in the City.





# 2121 Sheraton Dr.

## Analysis – Zoning Code Variance Findings

### 18.108.040 Findings.

In order to grant any variance, the findings of the Planning Commission shall be:

- (a) That there are unusual conditions applying to the land or building which do not apply generally in the same district.
- (b) That the granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner.
- (c) That the granting of such variance shall not, under the circumstances of the particular case, materially affect adversely the health, safety, peace, morals, comfort or general welfare of persons residing or working in the neighborhood of the applicant's property, and will not be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.
- (d) That the granting of the variance is in keeping with the purpose and intent of this title. (Zoning Ord. § 54-4).



# **2121 Sheraton Dr.**

## **Recommendation**

- Deny the Variance to the Rear Accessory Building Setback and the Accessory Building Setback from the Main Building, in Order to Allow a 68 square foot hobby hut.



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