



City of Santa Clara

Meeting Agenda

Planning Commission

Wednesday, September 23, 2020

6:00 PM

City Hall Council Chambers

Pursuant to the provisions of California Governor's Executive Order N-29-20, issued on March 17, 2020, to prevent the spread of COVID-19, the City of Santa Clara has implemented methods for the public to participate remotely:

- Via Zoom:
 - o <https://santaclaraca.zoom.us/j/961068578> or
 - o Phone: 1(669) 900-6833
- Via the City's eComment (now available during the meeting)

The public may view the meetings on SantaClaraCA.gov, Santa Clara City Television (Comcast cable channel 15 or AT&T U-verse channel 99), or the livestream on the City's YouTube channel or Facebook page.

Public Comments prior to meeting may be submitted via email to planningcommission@santaclaraca.gov no later than noon on the day of the meeting; and also before and during the meeting via eComment. To utilize eComment, please visit the following website: <https://santaclaraca.legistar.com/Calendar.aspx>, and select the "eComment" link next to the Planning Commission meeting for September 23.

The meeting set-up is in line with the recommendations of the COVID-19 White House Task Force, which notes no more than 10 people gatherings. Planning Commissioners will be participating remotely. A limited number of staff will also be present.

We highly encourage interested members of the public to stay at home and provide public comment remotely. Any members of the public wishing to come in person should first check-in at the City Council Chambers. City staff may direct you to wait in the City Hall cafeteria or outside the Council Chambers until your item of interest is discussed in order to maintain sufficient social distancing guidelines.

PUBLIC PARTICIPATION IN ZOOM WEBINAR: Please follow the guidelines below when participating in a Zoom Webinar:

- The meeting will be recorded so you must choose 'continue' to accept and stay in the meeting.
- If there is an option to change the phone number to your name when you enter the meeting, please do so as your name will be visible online and will be used to notify you that it is your turn to speak.
- Mute all other audio before speaking. Using multiple devices can cause an audio feedback.
- Use the raise your hand feature in Zoom when you would like to speak on an item and lower when finished speaking. Press *9 to raise your hand if you are calling in by phone only.
- Identify yourself by name before speaking on an item.
- Unmute when called on to speak and mute when done speaking. If there is background noise coming from a participant, they will be muted by the host. Press *6 if you are participating by phone to unmute.
- If you no longer wish to stay in the meeting once your item has been heard, please exit the meeting.

6:00 PM REGULAR MEETING

Call to Order

Pledge of Allegiance and Statement of Values

Roll Call

DECLARATION OF COMMISSION PROCEDURES

CONTINUANCES/EXCEPTIONS

CONSENT CALENDAR

Consent Calendar items may be enacted, approved or adopted, based upon the findings prepared and provided in the written staff report, by one motion unless requested to be removed by anyone for discussion or explanation. If any member of the Planning Commission, staff, the applicant or a member of the public wishes to comment on a Consent Calendar item, or would like the item to be heard on the regular agenda, please notify Planning staff, or request this action at the Planning Commission meeting when the Chair calls for these requests during the Consent Calendar review. Items listed on the Consent Calendar with associated file numbers constitute Public Hearing items.

1.A 20-889 [Planning Commission Meeting Minutes of April 22, 2020 Meeting](#)

Recommendation: Approve the Planning Commission Minutes of the April 22, 2020 Meeting.

1.B 20-850 [Planning Commission 2021 Calendar of Meetings](#)

Recommendation: Approve the Planning Commission 2021 Calendar of Meetings.

PUBLIC PRESENTATIONS

Members of the public may briefly address the Commission on any item not on the agenda.

PUBLIC HEARING

Items listed above under Items for Council Action will be scheduled for Council review following the conclusion of hearings and recommendations by the Planning Commission. Due to timing of notices for Council hearings and the preparation of Council agenda reports, these items will not necessarily be heard on the date the minutes from this meeting are forwarded to the Council. Please contact the Planning Division office for information on the schedule of hearings for these items.

2. 20-801 [Public Hearing: Action on an Appeal of a Zoning Administrator Denial of a Minor Modification for the property at 2133 Santa Cruz Avenue](#)

Recommendation: 1. Adopt a resolution to deny the appeal and uphold the Zoning Administrator's decision denying the minor modification.

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items
2. Development Review Hearing
3. Commissioner Travel and Training Reports, Requests to attend Trainings

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Update
Allocate Funds to Purchase Headsets for Commissioners
2. Upcoming Agenda Items
3. City Council Actions

ADJOURNMENT:

The next regular scheduled meeting is on Wednesday, October 14, 2020 at 6:00 PM in the City Hall Council Chambers.



City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
[@SantaClaraCity](https://twitter.com/SantaClaraCity)

Agenda Report

20-889

Agenda Date: 9/23/2020

REPORT TO PLANNING COMMISSION

SUBJECT

Planning Commission Meeting Minutes of April 22, 2020 Meeting

RECOMMENDATION

Approve the Planning Commission Minutes of the April 22, 2020 Meeting.



City of Santa Clara

Meeting Minutes

Planning Commission

04/22/2020

6:00 PM

City Hall Council Chambers

Recission of Prior Cancellation Notice: The City previously issued a cancellation notice for this meeting on March 16, 2020. The cancellation notice is hereby rescinded.

COVID-19 NOTICE - Consistent with the California Governor's Executive Order No. N-29-20 and the Santa Clara County Health Officer's March 31, 2020 Shelter in Place Order which supersedes the March 16, 2020 Order, Planning Commissioners will be teleconferencing from remote locations. A limited number of staff will be present. The meeting set-up is in accordance with the recommendations of the COVID-19 White House Task Force, which notes no more than 10 people in gatherings.

The public can view the meeting online at Santacalaraca.gov, City of Santa Clara Television (Comcast cable channel 15 or AT&T U-verse channel 99) or the livestream on City of Santa Clara Facebook page and City of Santa Clara Youtube Channel.

Public Comments prior to meeting may be submitted via email to planning@santacalaraca.gov no later than 4 p.m. on the day of the meeting; and also before and during the meeting via Ecomment. To utilize Ecomment, please visit the following website: <https://santacalara.legistar.com/Calendar.aspx>, and select the "Ecomment" link next to the Planning Commission meeting for April 22.

We highly encourage citizens to stay at home and provide public comment remotely however, the City Cafeteria has been set up to accommodate up to 10 people at a time and public comment may be made from that location.

6:00 PM REGULAR MEETING

Call to Order

Chair Becker called the meeting to order at 6:05 p.m.

Pledge of Allegiance and Statement of Values

Roll Call

Present 7 - Commissioner Steve Kelly, Commissioner Yuki Ikezi, Commissioner Sudhanshu Jain, Chair Lance Saleme, Commissioner Anthony Becker, Vice Chair Nancy A. Biagini, and Commissioner Priya Cherukuru

DECLARATION OF COMMISSION PROCEDURES

Chair Becker read the Declaration of Procedures.

CONTINUANCES/EXCEPTIONS

None.

CONSENT CALENDAR

1. No Items

PUBLIC PRESENTATIONS**PUBLIC HEARING**

2. [20-302](#) STUDY SESSION: Update on Proposed Changes to the City's Transportation Analysis Methodology from Level of Service to Vehicle Miles Traveled

Transportation Consultant Karen Mack provided a Powerpoint presentation and announced that this policy will be presented at an upcoming Council Meeting Study Session.

Staff presented information on existing VMT levels in the City, County, and regionally, how the VTA's Evaluation Tool calculates VMT, and staff's recommendations for key policy items. Planning Commissioners provided feedback about the proposed threshold of significance and the level of VMT reduction that a project would be required to target in order to receive a "less-than-significant" finding.

Public Comments received via ecomment (read by Staff):

Betsy Megas spoke in support of the proposed policy and spoke urging staff to continue to further review TDM measures to reduce traffic and increase air quality, health and quality of life.

Diane Harrison spoke in support of the proposed policy and added that the Commission should consider bicycle safety and provided a copy of a presentation she made at a previous BPAC meeting.

REPORTS OF COMMISSION/BOARD LIAISON AND COMMITTEE:

1. Announcements/Other Items

2. Development Review Hearing

Planning Manager Reena Brilliot provided updates and noted that projects going forward at this time, during COVID, are deemed essential.

3. Commissioner Travel and Training Reports, Requests to attend Trainings

Planning Manager Reena Brilliot noted that there will be a training by Urban Land Institute (ULI) on June 15.

Commissioner Biagini reported that she attended the League of California Cities Planning Commissioner Academy in Sacramento, March 4 - 6, 2020 and it was excellent and very informative.

DIRECTOR OF COMMUNITY DEVELOPMENT REPORTS:

1. Planning Commission Budget Update

Planning Manager Reena Brilliot announced that the ULI presentation is expected to cost \$3,000.

2. Upcoming Agenda Items

Planning Manager Reena Brilliot provided updates.

3. City Council Actions

No items were discussed.

ADJOURNMENT:

The meeting adjourned at 8:42 p.m.

The next meeting is Wednesday, May 27, 2020 at 6 p.m.

A motion was made by Commissioner Biagini, seconded by Commissioner Jain to adjourn the meeting.

Aye: 7 - Commissioner Kelly, Commissioner Ikezi, Commissioner Jain, Chair Saleme, Commissioner Becker, Vice Chair Biagini, and Commissioner Cherukuru



City of Santa Clara

1500 Warburton Avenue
Santa Clara, CA 95050
santaclaraca.gov
@SantaClaraCity

Agenda Report

20-850

Agenda Date: 9/23/2020

REPORT TO PLANNING COMMISSION

SUBJECT

Planning Commission 2021 Calendar of Meetings

DISCUSSION

Attached is the proposed regular meeting schedule for 2021 which includes thirteen (13) meetings to take place at 6:00 p.m. on Wednesday evenings.

ENVIRONMENTAL REVIEW

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

FISCAL IMPACT

There is no fiscal impact other than administrative time and expense to set the meetings.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

Public contact was made by posting the agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, e-mail clerk@santaclaraca.gov [<mailto:clerk@santaclaraca.gov>](mailto:clerk@santaclaraca.gov)

RECOMMENDATION

Approve the Planning Commission 2021 Calendar of Meetings.

Reviewed by: Gloria Sciara, Development Review Officer

Approved by: Reena Brilliot, Planning Manager

ATTACHMENTS

1. Planning Commission 2021 Meeting Calendar



Schedule of Meetings 2021

Regular meetings are held on Wednesday evenings, beginning at 6:00 p.m., in the City Council Chambers at 1500 Warburton Avenue, Santa Clara, in accordance with the following schedule.

Meeting Dates

January 27, 2021

August 25, 2021

February 24, 2021

September 22, 2021

March 24, 2021

October 13, 2021

April 14, 2021

October 27, 2021

April 28, 2021

November 17, 2021

May 26, 2021

December 8, 2021

June 16, 2021



Agenda Report

20-801

Agenda Date: 9/23/2020

REPORT TO PLANNING COMMISSION

SUBJECT

Public Hearing: Action on an Appeal of a Zoning Administrator Denial of a Minor Modification for the property at 2133 Santa Cruz Avenue

REPORT IN BRIEF

Project: Appeal of a Zoning Administrator Denial of a Minor Modification for an encroachment into the required 20-foot setback associated with a proposed 427 square-foot addition at the rear and side of the existing single-family home located at 2133 Santa Cruz Avenue

Applicant: Ramin Zohoor

Owner: Devin and Nicole Bissman

General Plan: Very Low Density Residential

Zoning: Single-Family Residential (R1-6L)

Site Area: 5,062 square feet

Existing Site Conditions: One-story 1,104 square-foot residence with an attached 410 square-foot garage

Surrounding Land Uses

North: Single-family residences

South: Single-family residences

East: Single-family residences

West: Single-family residences

Issues: Consistency with the City's General Plan and Zoning Ordinance.

Staff Recommendation: Deny the appeal and uphold the Zoning Administrator denial of the Minor Modification.

BACKGROUND

On June 8, 2020 the applicant, Ramin Zohoor, on behalf of the owners, Devin and Nicole Bissman, submitted a proposal to remodel and construct a 427 square-foot rear and side addition and 50 square-foot front porch addition to their existing 1,104 square-foot house. In order to permit the proposed addition, the owners filed an application for Architectural Review Approval and a Minor Modification to allow the rear addition at a 17'4" setback from the rear property line, where a minimum 20-foot rear yard is required for a house in the R1-6L Zoning District. The existing rear setback is 17'4" and is considered legal nonconforming as it was permitted at the time of the house's construction in 1955. Section 18.94.020(b) of the Zoning Ordinance states that a legal nonconforming building, the use of which is not legal nonconforming, may be expanded in conformance with all of the current development standards of the zoning district in which it is located. The portion of the addition within the required 20-foot setback area would total approximately eight square feet and requires a Minor Modification to permit the nonconforming expansion.

The request for a Minor Modification was denied by the Zoning Administrator on August 3, 2020 (Attachment 3) because the findings required for the modification were not met. On August 10, 2020, the applicants filed a timely appeal of the Zoning Administrator determination.

DISCUSSION

The property is zoned Single Family Residential (R1-6L). The subject property is substandard in size and width at approximately 5,062 square feet where 6,000 square feet it required and 50 feet wide where 60 feet is required. However, the lot is of a standard rectangular shape with ample side setbacks, and Santa Clara has many lots this size. The existing house is positioned on the property at a 20-foot front setback, side setbacks ranging from five feet to 14'4", and a rear setback of 17'4", where 20 feet is required.

The applicant has provided a statement of justification for the Modification to permit the rear addition at a proposed 17'4" setback from the rear property line (Attachment 4). Based on Chapter 18.90 of the Santa Clara City Code (SCCC), a "Minor Modification" shall in no event be deemed to be greater than twenty-five percent (25%) of the dimensions of an area, space, height, or other requirement provided for in this title, and where the proposed alteration or variation exceeds such twenty-five percent (25%) of any requirement, the modification shall be deemed to be a "Variance".

Minor Modifications require the Zoning Administrator to make the same findings that are required for a Variance listed in Section 18.108.040 of the SCCC. The Planning Commission must also make these findings to in order to approve the subject appeal and approve the variance. Staff was not able to make the key finding "that there are unusual conditions applying to the land or building which do not apply generally in the same district," because the lot is rectangular in shape, is one of many lots of this size, and the applicants can expand the square footage within the required setback area.

ENVIRONMENTAL REVIEW

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301(e), (Class 1 "Existing Facilities"), because the project is a 477 square foot addition to an 1,104 square foot existing structure that will not result in an increase of more than 50 percent of the floor area of the structure before the addition.

FISCAL IMPACT

There is no impact to the City for processing the requested application other than administrative staff time and expense typically covered by processing fees paid by the applicant.

COORDINATION

This report has been coordinated with the City Attorney's Office.

PUBLIC CONTACT

On September 11, 2020, a notice of public hearing of this item was posted in at least three conspicuous locations within 300 feet of the project site and mailed to property owners within 300 feet of the project.

ALTERNATIVES

1. Adopt a resolution to deny the appeal and uphold the Zoning Administrator's decision denying the minor modification.
2. Sustain the appeal by adopting legally sufficient factual findings for a variance, overturn the Zoning Administrator's decision, and approve the requested Minor Modification.

RECOMMENDATION

1. Adopt a resolution to deny the appeal and uphold the Zoning Administrator's decision denying the minor modification.

Prepared by: Rebecca Bustos, Senior Planner

Reviewed by: Alexander Abbe, Assistant City Attorney

Approved by: Reena Brilliot, Planning Manager

ATTACHMENTS

1. Resolution to Uphold the Zoning Administrator Denial of Minor Modification
2. Project Data Summary
3. Development Plans
4. Zoning Modification Denial Letter
5. Applicant's Statement of Justification

RESOLUTION NO. _____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SANTA CLARA, CALIFORNIA TO DENY THE
APPEAL AND UPHOLD THE ZONING ADMINISTRATOR'S
DENIAL OF THE MINOR MODIFICATION REQUEST FOR THE
PROPERTY LOCATED AT 2133 SANTA CRUZ AVENUE,
SANTA CLARA, CALIFORNIA**

PLN2020-14445

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

WHEREAS, on June 8, 2020, Devin and Nicole Bissman, ("Owners") filed a Planning Application for the 5,062 square-foot property located at 2133 Santa Cruz Avenue ("Project Site");

WHEREAS, the Owners request Architectural Review Approval for a proposed 427 square-foot addition to an existing three bedroom and two bathroom house, resulting in a four bedroom and two bathroom house as well as a 50 square-foot porch addition with an attached 410 square-foot two car garage to remain; and a Zoning Administrator Minor Modification to permit the building addition in the rear yard at a proposed 17'4" setback from the rear property line, where a minimum 20-foot rear yard building setback is required ("Project"), as shown on the Development Plans, attached hereto and incorporated herein by this reference;

WHEREAS, the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301(e) (Class 1 "Existing Facilities"), because the project is a 477 square foot addition to an 1,104 square foot existing structure that will not result in an increase of more than 50 percent of the floor area of the structure before the addition;

WHEREAS, on August 3, 2020, the request for Minor Modification was denied by the Zoning Administrator, since modifications are limited to those situations where there are unusual

conditions applying to the land or building which do not apply generally in the same district, and the Zoning Administrator was unable to make a finding that unusual conditions existed;

WHEREAS, on August 10, 2020, the Owners appealed the decision to the Planning Commission;

WHEREAS, on September 11, 2020, the notice of public hearing for the September 23, 2020, Planning Commission meeting for this item was posted at least three conspicuous locations within 300 feet of the project site and was mailed to property owners within 300-foot radius; and

WHEREAS, on September 23, 2020, the Planning Commission held a duly noticed public hearing to consider the appeal of the Zoning Administrator's Denial of the Minor Modification request, at which time all interested persons were given an opportunity to provide testimony and present evidence, both in support of and in opposition to the appeal.

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 pursuant to SCCC Sections 18.90.030 and 18.108.040, the Planning Commission determines that the lot is rectangular in shape and similarly sized to many lots in the R1-6L zone, and therefore, the Commission is unable to make the required finding for a minor modification that there are unusual conditions applying to the land or building which do not apply generally in the same district.
3. That, based on the findings set forth in this Resolution and the evidence in the City Staff Report, the Planning Commission hereby denies the appeal and upholds the Zoning Administrator's denial of the Minor Modification as set forth herein, and as detailed in the attached development plans.

4. 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 23rd DAY OF SEPTEMBER 2020, 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. Development Plan

\\WSRVFSPROD01\inter-dept-data\Datafile\PLANNING\2020\Project Files Active\PLN2020-14445 2133 Santa Cruz Ave\Resolution.doc

Project Data

General Plan Designation	Very Low Density Residential
Zoning District	Single Family Residential (R1-6L)
Land Use	Single family Residence
Lot Size	5,062 square feet
Lot Width	50 feet

Site Location



General Plan Map



Zoning Map



SANTA CLARA, CA

VICINITY MAP:



PROJECT DATA:

ASSESSOR'S PARCEL NUMBER:	220-24-043
PROJECT TYPE:	ADDITION & REMODEL
PROJECT LOCATION:	2133 SANTA CRUZ AVE, SANTA CLARA, CA
ZONING:	R1-6L
OCCUPANCY GROUP:	R - 3 / U
CONSTRUCTION TYPE:	V - B
NUMBER OF FLOORS:	1
FIRE PROTECTION:	NON SPRINKLERED
BEDROOM NUMBER:	3 + 1 OFFICE
BATHROOM NUMBER:	2
LOT AREA:	5062 SQ.FT

CODE EDITIONS:

A.	CALIFORNIA RESIDENTIAL	2019 EDITION
B.	CALIFORNIA BUILDING	2019 EDITION
C.	CALIFORNIA GREEN BUILDING	2019 EDITION
D.	CALIFORNIA MECHANICAL	2019 EDITION
E.	CALIFORNIA PLUMBING	2019 EDITION
F.	CALIFORNIA ELECTRICAL	2019 EDITION
G.	CALIFORNIA ENERGY	2019 EDITION
H.	CALIFORNIA FIRE	2019 EDITION
	ANY OTHER APPLICABLE LOCAL AND STATE LAWS AND REGULATIONS.	2019 EDITION

PROJECT CONTACT:

OWNER: Nicole Truesdale & Devin Bissman
2133 SANTA CRUZ AVE,
SANTA CLARA, CA 95051
EMAIL: nicole.truesdale@gmail.com
EMAIL: Devin Bissman <devin.bissman@gmail.com>

DESIGNER: BARON CONSTRUCTION
14510 BIG BASIN WAY B, SARATOGA, CA
RAMIN@BARONCNR.COM
408-497-5071
LIC. 991076
WWW.BARONCNR.COM

STRUCTURAL: SS DESIGN
15643 SHERMAN WAY, SUITE 170
VAN NUYS, CA 91406
TEL: 818-300-4072

BUILDER: BARON CONSTRUCTION
14510 BIG BASIN WAY B, SARATOGA, CA
BARON.CNR@GMAIL.COM
1-800-965-2028
LIC. 991076
WWW.BARONCNR.COM

DRAWING INDEX:

A-00.01: COVER SHEET
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A-01: EXISTING & PROPOSED SITE PLAN
A-02: EXISTING FLOOR PLAN
A-03: PROPOSED FLOOR PLAN
A-04: EXISTING ELEVATIONS
A-05: PROPOSED ELEVATIONS

AREA CALCULATION:

EXISTING CONDITION:		
"E" LIVING SPACE:	1104.86	SQF
"E" GARAGE:	410	SQF
"N" ADDITION:	427	SQF HABITABLE SPACE
"N" ADDITION:	50	SQF NON-HABITABLE SPACE

PROPOSED CONDITION:		
"N" LIVING SPACE:	1531.86	SQF
"E" GARAGE:	410	SQF
"N" FRONT PORCH:	50	SQF
LOT AREA:	5062	SQF

LOT AREA: 5062 SQF

LOT COVERAGE: (LIVING AREA + GARAGE + COVERED PORCH)

(E) LOT COVERAGE AREA:
 $(1104.86+410) = 1514.86 / 5062 = 0.299 = 29.9$ PERCENT
 (N) LOT COVERAGE AREA:
 $(1531.86+410+50) = 1991.86 / 5062 = 0.3934 = 39.34$ PERCENT

FLOOR AREA : (LIVING AREA + GARAGE)

"E" FLOOR BLDG AREA	(1104.86+410)	SQF
"N" FLOOR BLDG AREA	(1531.86+410)	SQF
"E" TOTAL %	1514.86/5026 = 0.3014 = 30.14 %	
"N" TOTAL %	1941.86/5062 = 0.3836 = 38.36 %	

GENERAL NOTES:

ALL WORK DESCRIBED IN THE DRAWINGS SHALL BE VERIFIED FOR DIMENSION, GRADE, EXTENT AND COMPATIBILITY TO THE EXISTING SITE. ANY DISCREPANCIES AND UNEXPECTED CONDITIONS THAT AFFECT OR CHANGE THE WORK DESCRIBED IN THE CONTRACT DOCUMENTS SHALL BE BROUGHT TO THE DESIGNER' ATTENTION IMMEDIATELY. DO NOT PROCEED WITH THE WORK IN THE AREA OF DISCREPANCIES UNTIL ALL SUCH DISCREPANCIES ARE RESOLVED. IF THE CONTRACTOR CHOOSES TO DO SO HE SHALL BE PRECEEDING AT HIS OWN RISK

OMISSIONS FROM THE DRAWINGS AND SPECIFICATIONS OR THE MIS-DESCRIPTION OF THE WORK WHICH IS MANIFESTLY NECESSARY TO CARRY OUT THE INTENT OF THE DRAWINGS AND SPECIFICATIONS, OR WHICH IS CUSTOMARILY REFORMED, SHALL NOT RELIEVE THE CONTRACTOR FROM PERFORMING SUCH OMITTED OR MIS-DESCRIBED DETAILS OF THE WORK AS IF FULLY AND COMPLETELY SET FORTH AND DESCRIBED IN THE DRAWINGS AND SPECIFICATIONS.

SITE CONDITIONS: ALL CONTRACTORS AND SUB-CONTRACTORS SHALL VERIFY DIMENSIONS AND CONDITIONS AT THE SITE PRIOR TO COMMENCEMENT OF THEIR WORK. FAILURE TO DO SO SHALL NOT RELEASE THEM FROM THE RESPONSIBILITY OF ESTIMATING THE WORK. IF ANY VARIATION, DISCREPANCY OR OMISSION (BETWEEN THE INTENT OF THESE CONTRACT DOCUMENTS AND THE EXISTING CONDITIONS ARE FOUND, THE CONTRACTOR OR SUB-CONTRACTOR SHALL NOTIFY DESIGNER IN WRITING AND OBTAIN WRITTEN RESOLUTION FROM DESIGNER PRIOR TO PROCEEDING WITH ANY RELATED WORK.

ABBREVIATIONS:

ABV	Above	FDN	Foundation	P.L.T.	Plate
A/C	Air Conditioner	FLR	Floor	P.L.R.	Property line
A.D.	Access Door	FURN	Furniture	PLYWD.	PLYwood
ADD	Addition	G.C.	General Contractor	PIWR	Power
A.F.F.	Above Finished Floor	G.F.C.I.	Ground Fault Circuit Interrupt	R.O.	Rough Opening
A.F.G.	Above Finished Grade	GYP	Gypsum	R.O.W.	Right of way
B.L.	Building Line	H.B.	Hose bib	REFG.	Refrigerator
B.L.D.G.	Building	HGT.	Height	REF.	Reference
B.O.	Bottom of	HR.	Hour	REV.	Revision
BTM	Bottom	H.R.	Handrail	RMV.	Remove
CABT.	Cabinet	HTR.	Heater	S.C.	Self-Closing
C.C.	Construction document	H.V.A.C.	Heating, Ventilating and Air Conditioning	SCHEDULE	Schedule
C.L.	Center Line	INSUL.	Insulation	S.D.	Smoke Detector
CL.	Closet	INT.	Interior	SECT.	Section
CLG.	Ceiling	LAM.	Laminates	SHEET	Sheet
C.O.	Clean Out	LAV.	Lavatory	T.O.C.	Top of curb
CONC.	Concrete	MAX.	Maximum	T.O.F.	Top of footing
D.S.	Down spout	MED.	Medium	TH.	Threshold
D.D.	Dishwasher	MIN.	Minimum	TYP.	Typical
DBL	Double	MTL.	Metal (steel)	UNF.	Unfinished
DEM.O.	Demolition	MUL.	Mulch	TOILET	Toilet (water closet)
DIA.	Diameter	N.T.S.	Not to scale	W.C.T.	Wainscot
DR.	Door	N.F.C.	Not for construction	W.H.	Water Heater
ELEV.	Elevation	O.C.	On center	W.I.	Wrought Iron
EXT.	Existing	O.H.	Overhead	W.C.	Walk in Closet
EXT.	Exterior	OPNG.	Opening	Y.D.	Yard

ADDITION and REMODELING FOR

**SANTA CRUZ AVE
RESIDENCE**

2133 SANTA CRUZ AVE,
SANTA CLARA, CA 95051

REVISION TABLE



SHEET TITLE:

COVER SHEET

PROJECT ID :	
DATE :	MAY, 2020
SCALE :	
DRAWN BY :	RZ

SHEET NUMBER

A-00.01

OWNERSHIP

R. Johnson

GRADING and DEMO NOTES:

1. CONTACT PUBLIC WORKS. FOR DRAINAGE AND FINAL GRADE INSPECTION, WHICH INCLUDES DRAIN LINES AND ROOF DRAINS/DOWN SPOUTS.
2. ALL PUBLIC IMPROVEMENTS MUST BE COMPLETED PRIOR TO OCCUPANCY.
3. CONTRACTOR IS RESPONSIBLE FOR DUST CONTROL AND INSURING THE AREA ADJACENT TO THE WORK IS LEFT IN A CLEAN CONDITION.
4. THE CONTRACTOR SHALL REVIEW STD. DETAIL 6.4 ON TREE PROTECTION PRIOR TO ACCOMPLISHING ANY WORK OR REMOVING ANY TREES.
5. UTILIZE BEST MANAGEMENT PRACTICES (BMP'S), AS REQUIRED BY THE STATE WATER RESOURCES CONTROL BOARD, FOR ANY ACTIVITY, WHICH DISTURBS SOIL.
6. ALL NEW ELECTRICAL SERVICE (POWER, PHONE, AND OR CABLE) SHALL BE UNDER GROUND.
7. TO INITIATE RELEASE OF BONDS, CONTACT THE PUBLIC WORKS INSPECTOR FOR FINAL INSPECTION.
8. ALL DOWNSPOUTS TO BE RELEASED TO THE GROUND SURFACE, DIRECTED AWAY FROM BUILDING FOUNDATIONS AND DIRECTED TO LANDSCAPE AREAS.
9. PRIOR TO BEGINNING ANY WORK WITHIN THE PUBLIC RIGHT OF WAY, THE CONTRACTOR WILL BE RESPONSIBLE FOR PULLING AN ENCROACHMENT PERMIT FROM THE PUBLIC WORKS DEPARTMENT.
10. PROVIDE MIN. 5% GRADE SLOPE AWAY FROM FOUNDATION FOR A MIN. DISTANCE OF 10 FEET MEASURE PERPENDICULAR TO THE FACE OF THE WALL, WITH EXCEPTION:
 - a. IF BUILDING SITE DOES NOT ALLOW 10 FEET OF SLOPE, INDICATE THE INSTALLATION OF DRAINS OR SWALES TO ENSURE DRAINAGE AWAY FROM THE STRUCTURE.
 - b. IMPERVIOUS SURFACES WITHIN 10 FEET OF THE BUILDING FOUNDATION SHALL BE SLOPED A MIN 2% AWAY FROM THE BUILDING.
11. (E) DRAINAGE SHALL REMAIN THROUGHOUT CONSTRUCTION.

TREE PROTECTION NOTES:

1. A PLOT PLAN SHALL BE PREPARED DESCRIBING THE RELATIONSHIP OF PROPOSED GRADING AND UTILITY TRENCHING TO THE TREES DESIGNATED FOR PRESERVATION. CONSTRUCTION AND GRADING SHOULD NOT SIGNIFICANTLY RAISE OR LOWER THE GROUND LEVEL BENEATH TREE DRIP LINES. IF THE GROUND LEVEL IS PROPOSED FOR MODIFICATION BENEATH THE DRIP LINE, THE ARCHITECT/ARBORIST SHALL ADDRESS AND MITIGATE THE IMPACT TO THE TREE(S).
2. ALL TREES TO BE PRESERVED ON THE PROPERTY AND ALL TREES ADJACENT TO THE PROPERTY SHALL BE PROTECTED AGAINST DAMAGE DURING CONSTRUCTION OPERATIONS BY CONSTRUCTING A FOUR-FOOT-HIGH FENCE AROUND THE DRIP LINE, AND ARMOR AS NEEDED. THE EXTENT OF FENCING AND ARMORING SHALL BE DETERMINED BY THE LANDSCAPE ARCHITECT. THE TREE PROTECTION SHALL BE PLACED BEFORE ANY EXCAVATION OR GRADING IS BEGUN AND SHALL BE MAINTAINED IN REPAIR FOR THE DURATION OF THE CONSTRUCTION WORK.
3. NO CONSTRUCTION OPERATIONS SHALL BE CARRIED ON WITHIN THE DRIP LINE AREA OF ANY TREE DESIGNATED TO BE SAVED EXCEPT AS IS AUTHORIZED BY THE DIRECTOR OF COMMUNITY DEVELOPMENT.
4. IF THE TRENCHING IS REQUIRED TO PENETRATE THE PROTECTION BARRIER FOR THE TREE, THE SECTION OF TRENCH IN THE DRIP LINE SHALL BE HAND DUG SO AS TO PRECLUDE THE CUTTING OF ROOTS. PRIOR TO INITIATING ANY TRENCHING WITHIN THE BARRIER, APPROVAL BY STAFF WITH CONSULTATION OF AN ARBORIST SHALL BE COMPLETED.
5. TREES WHICH REQUIRE ANY DEGREE OF FILL AROUND THE NATURAL GRADE SHALL BE GUARDED BY RECOGNIZED STANDARDS OF TREE PROTECTION AND DESIGN OF TREE WELLS.
6. THE AREA UNDER THE DRIP LINE OF THE TREE SHALL BE KEPT CLEAN, NO CONSTRUCTION MATERIALS NOR CHEMICAL SOLVENTS SHALL BE STORED OR DUMPED UNDER A TREE.
7. FIRES FOR ANY REASON SHALL NOT BE MADE WITHIN FIFTY FEET OF ANY TREE SELECTED TO REMAIN AND SHALL BE LIMITED IN SIZE AND KEPT UNDER CONSTANT SURVEILLANCE.
8. THE GENERAL CONTRACTOR SHALL USE A TREE SERVICE LICENSEE, AS DEFINED BY CALIFORNIA BUSINESS AND PROFESSIONAL CODE, TO PRUNE AND CUT OFF THE BRANCHES THAT MUST BE REMOVED DURING THE LANDSCAPE ARCHITECT/ARBORIST WITH APPROVAL OF STAFF.
9. ANY DAMAGE TO EXISTING TREE CROWNS OR ROOT SYSTEMS SHALL BE REPAIRED IMMEDIATELY BY AN APPROVED TREE SURGEON.
10. NO STORAGE OF CONSTRUCTION MATERIALS OR PARKING SHALL BE PERMITTED WITHIN THE DRIP LINE AREA OF ANY TREE DESIGNATED TO BE SAVED.
11. TREE PROTECTION REGULATIONS SHALL BE POSTED ON PROTECTIVE FENCING AROUND TREES TO BE PROTECTED.

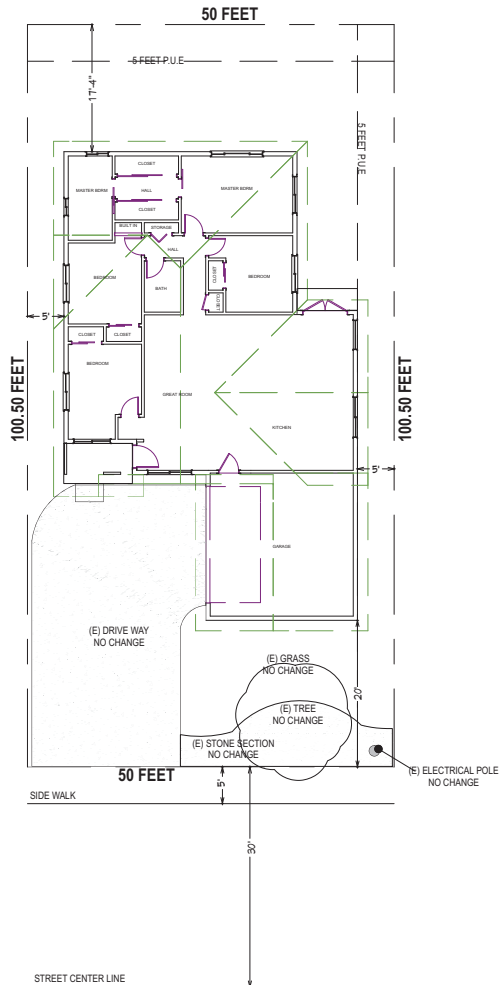
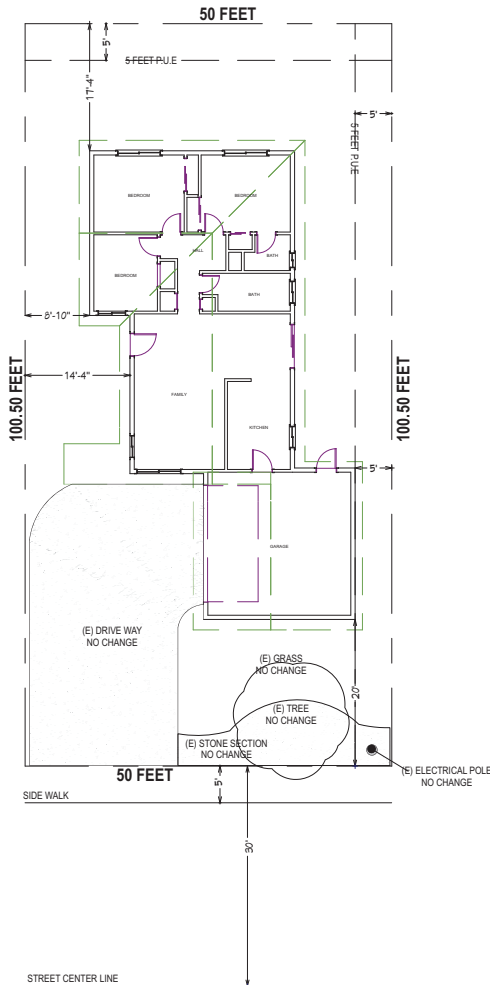
LEGEND:

- PROPERTY LINE
- BLDG FOOT PRINT



1 EXISTING SITE PLAN
SC: 1/8" = 1'-0"

2 PROPOSED SITE PLAN
SC: 1/8" = 1'-0"



ADDITION and REMODELING FOR:

SANTA CRUZ AVE
RESIDENCE

2133 SANTA CRUZ AVE,
SANTA CLARA, CA 95051

REVISION TABLE:

NO.	DESCRIPTION

SHEET TITLE:

SITE PLAN

PROJECT ID: _____
DATE: _____ MAY 2020
SCALE: 1/8" = 1'-0"
DRAWN BY: _____

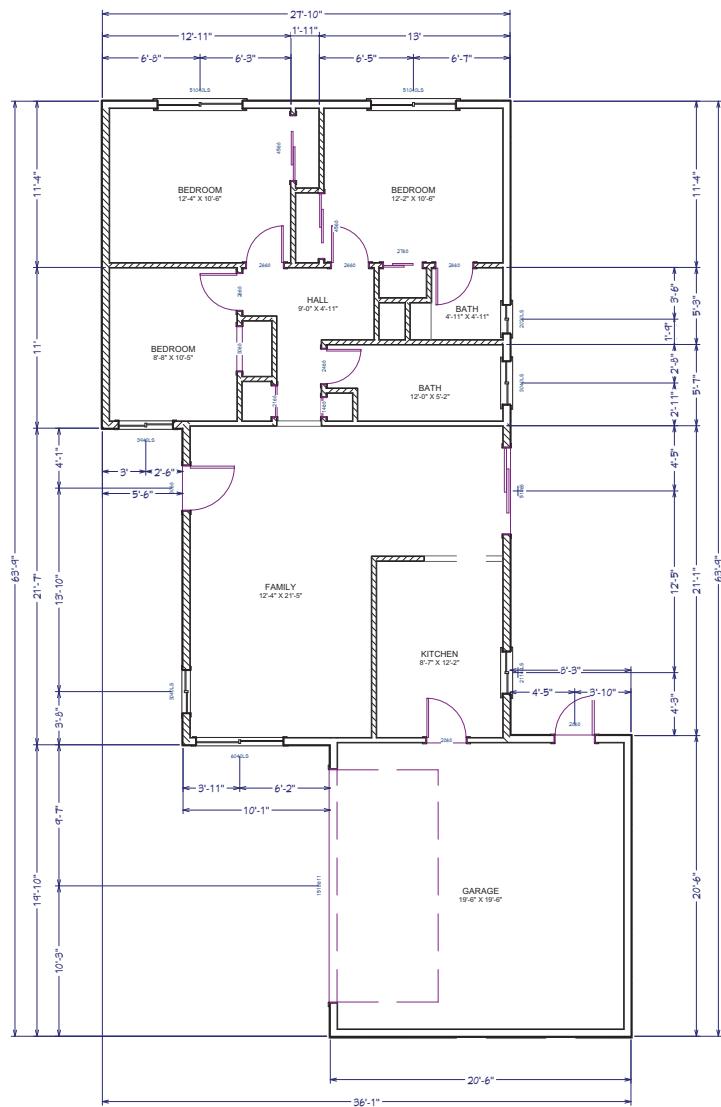
SHEET NUMBER:

A-01

OWNER'S:

[Signature]



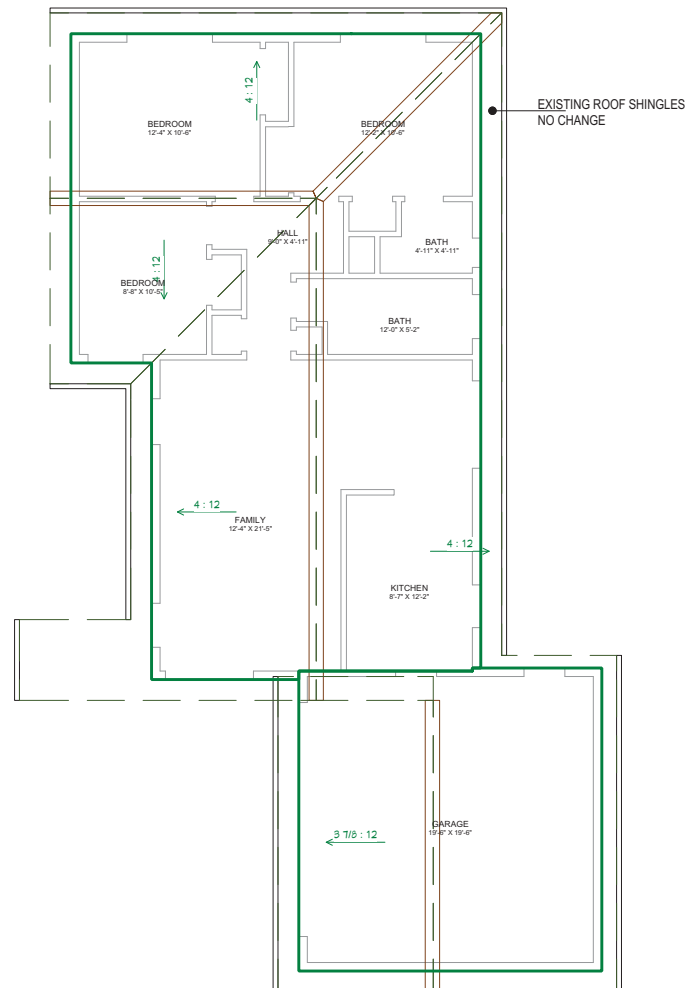


1 EXISTING FLOOR PLAN

SC: 1/8" = 1'-0"

LEGEND:

- EXISTING WALL TO STAY
- NEW CONSTRUCTION WALL
- EXISTING WALL TO BE REMOVED



2 EXISTING ROOF PLAN

NTSC

ADDITION and REMODELING FOR:

SANTA CRUZ AVE RESIDENCE

2133 SANTA CRUZ AVE,
SANTA CLARA, CA 95051

REVISION TABLE:

NO.	DATE	DESCRIPTION

SHEET TITLE:

FLOOR PLAN EXISTING

PROJECT ID:

DATE: MAY, 2020

SCALE: 1/8" = 1'-0"

DRAWN BY: RZ

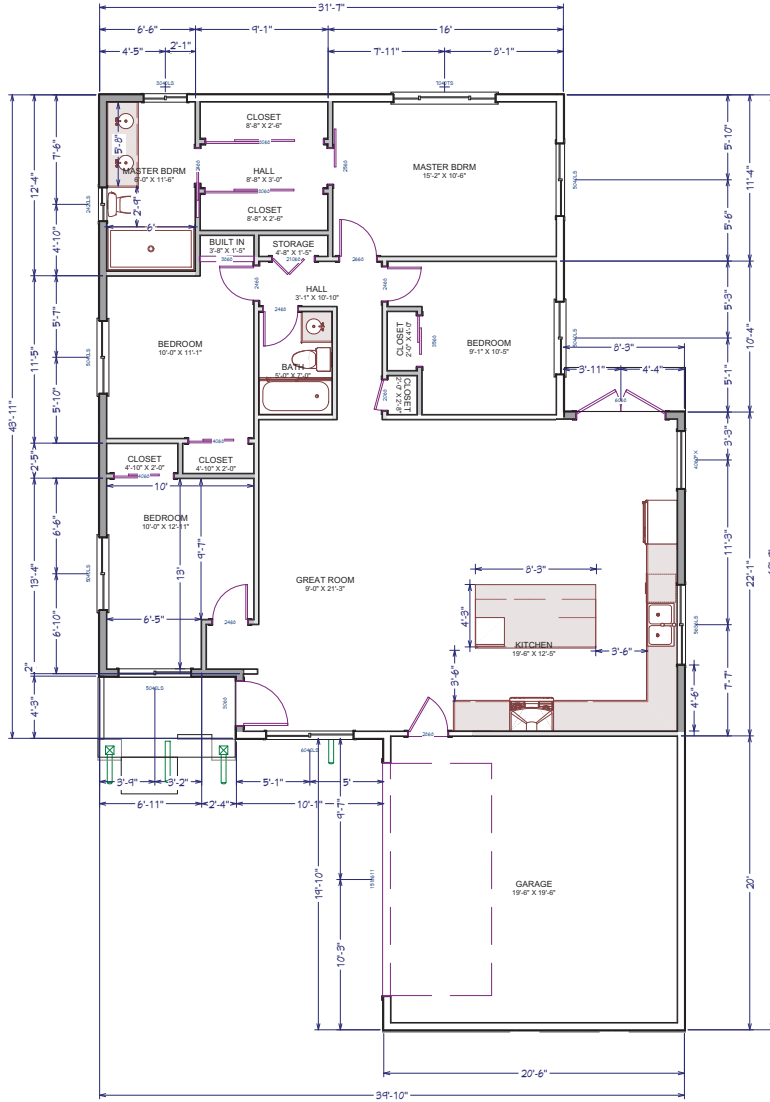
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A-02

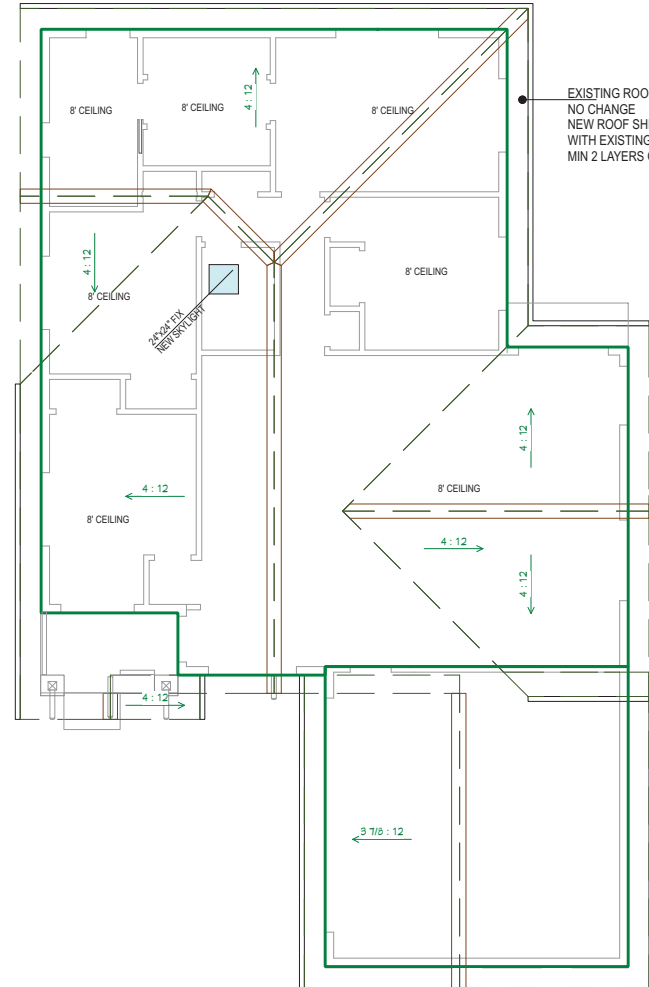
OWNER/SHIP:

R. P. Johnson





1 PROPOSED FLOOR PLAN
 SC: 1/8" = 1'-0"



2 PROPOSED ROOF PLAN
 NTSC

LEGEND:

EXISTING WALL TO STAY
 NEW CONSTRUCTION WALL



ADDITION and REMODELING FOR:

SANTA CRUZ AVE RESIDENCE

2133 SANTA CRUZ AVE,
 SANTA CLARA, CA 95051

REVISION TABLE:

NO.	DATE	DESCRIPTION

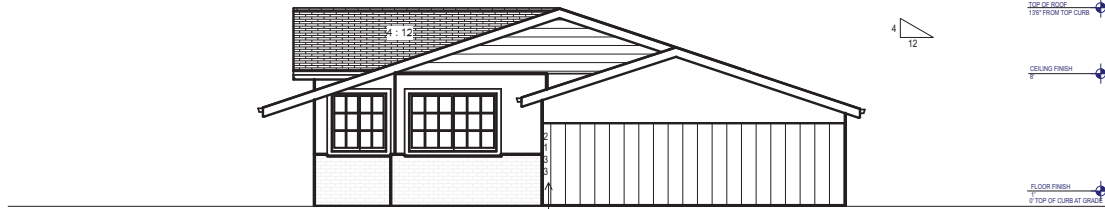
SHEET TITLE:

FLOOR PLAN NEW

PROJECT ID: _____ DATE: MAY 2020
 SCALE: 1/8" = 1' DRAWN BY: _____
 SHEET NUMBER: **A-03**
 OWNER: *[Signature]*

NORTH

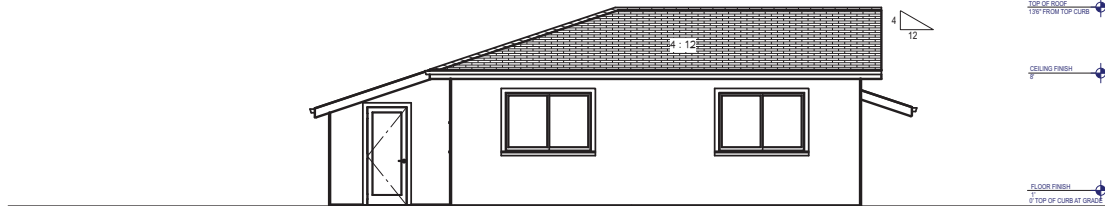
EXISTING FRONT ELEVATION
SCALE 1/4" = 1'



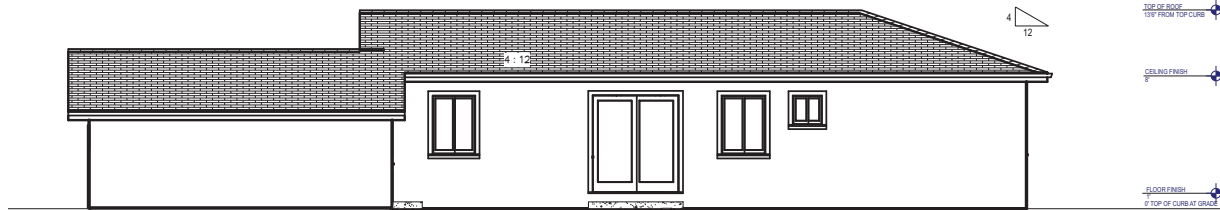
HOUSE NUMBER NOTES:

1- EXISTING HOUSE NUMBER : APPROVED ADDRESS NUMBER SHALL BE LEGIBLE AND PLACED IN A POSITION THAT IS VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. THE CONTRASTING ADDRESS NUMBERS SHALL BE ARABIC NUMBERS OR ALPHABETICAL LETTERS. EACH CHARACTER SHALL BE NOT LESS THAN 4 INCHES IN HEIGHT WITH A STROKE WIDTH OF NOT LESS THAN 0.5 INCH. (CRC 319.1)

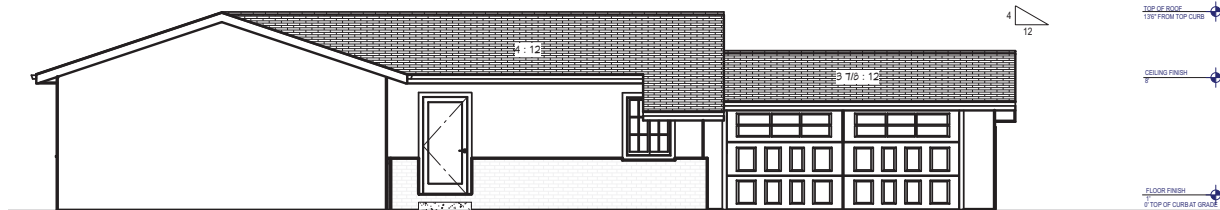
EXISTING REAR ELEVATION
SCALE 1/4" = 1'



EXISTING RIGHT ELEVATION
SCALE 1/4" = 1'



EXISTING LEFT ELEVATION
SCALE 1/4" = 1'



ADDITION and REMODELING FOR:
**SANTA CRUZ AVE
RESIDENCE**
2133 SANTA CRUZ AVE,
SANTA CLARA, CA 95051

REVISION TABLE:

1	

SHEET TITLE:
**EXISTING
ELEVATIONS**

PROJECT ID :
DATE : MAY, 2020
SCALE :
DRAWN BY : RZ

SHEET NUMBER:
A-04

OWNER:
R. Johnson

ALL AROUND ROOF NOTE :

ROOF SHINGLES MIN CLASS 'B' FIRE RATED ROOF MATERIAL PER SMC
TO MATCH W/ EXISTING HOUSE
IN COLOR

TOP OF FRONT PORCH
1" FROM TOP CURB

(N) FRONT STONE
TO MATCH WITH EXISTING
STYLE

(E) WOOD SIDING
TO REMAIN AS IS

(E) WOOD SIDING
TO REMAIN AS IS

TOP OF ROOF
15" FROM TOP CURB

CEILING FINISH

FLOOR FINISH
0" TOP OF CURB AT GRACE

PROPOSED FRONT ELEVATION

SCALE 1/4" = 1'

HOUSE NUMBER NOTES:

- 1- EXISTING HOUSE NUMBER : APPROVED ADDRESS NUMBER SHALL BE LEGIBLE AND PLACED IN A POSITION THAT IS VISIBLE FROM THE STREET OR ROAD FRONTING THE PROPERTY. THE CONTRASTING ADDRESS NUMBERS SHALL BE ARABIC NUMBERS OR ALPHABETICAL LETTERS. EACH CHARACTERS SHALL BE NOT LESS THAN 4 INCHES IN HEIGHT WITH A STROKE WIDTH OF NOT LESS THAN 0.5 INCH. (CRC 319.1)

ALL AROUND STUCCO
PER STUCCO NOTE:
COLOR TO MATCH (E)

TOP OF ROOF
15" FROM TOP CURB

CEILING FINISH

FLOOR FINISH
0" TOP OF CURB AT GRACE

PROPOSED REAR ELEVATION

SCALE 1/4" = 1'

ELEVATIONS NOTES:

1. STUCCO 7/8" THICK IS TO BE APPLIED WITH A 3 COAT APPLICATION WHEN APPLIED OVER METAL LATH OR WIRE LATH PER CRC R703.6.2.
2. PROVIDE WEEP SCREED AT THE BOTTOM OF STUCCO WALLS AT A LOCATION A MINIMUM OF 4" ABOVE EARTH OR 2" ABOVE PAVED AREAS PER CRC R703.6.2.1.
3. PROVIDE TWO LAYERS OF TYPE "D" UNDERLAYMENT AT STUCCO WALLS WHERE THE STUCCO IS APPLIED OVER WOOD SHEATHING PER CRC R703.6.3.
4. NO EAVE VENTS ARE ALLOWED WHERE SHEAR TRANSFER IS REQUIRED AT FRIEZE BLOCK.
5. PROVIDE GALVANIZED STEEL METAL FLASHING AND COUNTER FLASHING AT ALL ROOF TO WALL AND CHIMNEY INTERSECTIONS AS PER CBC 1503.2. ALSO PROVIDE STEPPED FLASHING WHERE THE SLOPED ROOF ABUTS THE WALL.
6. PROVIDE HIGH RIBBED METAL LATH AT ALL HORIZONTAL STUCCO SURFACES.

ROOF FINISH
AT GARAGE 1"

TOP OF ROOF
15" FROM TOP CURB

CEILING FINISH

FLOOR FINISH
0" TOP OF CURB AT GRACE

PROPOSED RIGHT ELEVATION

SCALE 1/4" = 1'

ALL AROUND STUCCO
PER STUCCO NOTE:
COLOR TO MATCH (E)

TOP OF ROOF
15" FROM TOP CURB

TOP OF FRONT PORCH
1" FROM TOP CURB

CEILING FINISH

FLOOR FINISH
0" TOP OF CURB AT GRACE

PROPOSED LEFT ELEVATION

SCALE 1/4" = 1'

ADDITION and REMODELING FOR:

SANTA CRUZ AVE RESIDENCE

2133 SANTA CRUZ AVE,
SANTA CLARA, CA 95051

REVISION TABLE:

NO.	DESCRIPTION	DATE

SHEET TITLE:

PROPOSED ELEVATIONS

PROJECT ID :

DATE : MAY, 2020

SCALE : RZ

DRAWN BY :

SHEET NUMBER:

A-05

OWNER:

R. Johnson



August 3, 2020

Nicole Truesdale
2133 Santa Cruz Avenue
Santa Clara, CA 95051

Subject: Zoning Administrator Modification for 2133 Santa Cruz Avenue

Dear Nicole:

This letter is in response to the Planning Application that was filed on June 8, 2020 for the property at 2133 Santa Cruz Avenue. The application includes a request for Architectural Review Approval and a Zoning Administrator Modification to permit a 426 square-foot side and rear addition to the existing house, an eight square-foot portion of which would encroach into the required 20-foot rear yard setback.

Staff reviewed the application, including the proposed development plans and the statement of justification provided. The subject property at 2133 Santa Cruz Avenue is zoned R1-6L Single Family Residential. While the proposed single-story addition may not adversely impact neighboring single-family properties, staff is not able to make the required findings outlined in Section 18.108.040 of the Zoning Ordinance. There are no unusual conditions applying to this land or the building which do not apply generally to all other properties located in the R1-6L zoning district.

For the reasons noted above, this application for a Zoning Administrator Minor Modification to permit construction at a substandard 17'4" rear yard building setback is hereby denied. To appeal this decision, you must submit a written petition to the Planning Division within seven calendar days of this action, and the request would be referred to the City's Planning Commission for review and consideration.

If you have any questions, please feel free to contact me at 408-615-2450 or rbustos@santaclaraca.gov.

Sincerely,

Rebecca Bustos
Senior Planner

Statement of Circumstances – Justification for the Requested Variance

Santa Clara County Planning Office
70 W. Hedding Street, 7th Floor, East Wing
San Jos, CA 95110

Re: Property: 2133 Santa Cruz Avenue, Santa Clara, CA 95051
Issue: Variance – 20 ft. setback of rear lot

Dear Commissioner:

Thank you for reviewing our application for Variance to our single-story addition of 426 square feet to our existing home of 1078 square feet. At issue is an approximately 8 square foot area of the addition, to our side lot. Currently, this 8 square foot area of the addition would be in violation of the 20-foot rear lot setback requirements.

Variance Application Request: We humbly request that the Zoning Administrator grant our application for Variance for an approximately 8 square foot area of our single-story addition to our side lot, despite its violation of the 20-foot rear setback requirements.

In this case, variance should be granted under § 5.65.020 because [1] special circumstances exist, notably, all 37 homes on Santa Cruz Avenue, all 42 homes on San Rafael Avenue, and all 32 homes on Ventura Place are on lots of less than 6000 sq. feet lots with rear setbacks of approximately 17 feet 4' inches, less than the 20 feet required by the ordinance; and [2] a grant of a variance permit would not constitute a grant of special privilege because the rear setback is not being changed and will remain consistent with the prevailing patterns found on the street and in the neighborhood because the 8 square foot single story area at issue is being added to the side lot, rather than extending the rear lot. The only reason this side lot addition violates 20-foot setback ordinance is due to the existing lot sizes and home placements, not the proposed addition.

1. Special Circumstances Applicable to the Property – Size and Location: All Properties on Santa Cruz Avenue and the two neighboring streets have Setbacks of 17'4", less than 20 feet.

The lot at issue has a setback of 17 feet, 4 inches. With the exception of end lots, all 37 homes on Santa Cruz Avenue and all 74 homes on the two abutting streets of San Rafael Avenue and Ventura place have similar lots of less than 6,000 square feet and rear setbacks of approximately 17 feet, 4 inches, less than the 20 feet required by the zoning ordinance.

For variance to be granted in Santa Clara County, the Zoning Administrator must find that because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance is found to deprive subject property of privileges enjoyed by other properties in the vicinity and under identical zone classification.

In this case, the current prevailing rear set back distances in the neighborhood constitute a special circumstance by which the Zoning Administrator should find that a special circumstance exists to justify a variance. Given that all rear setbacks on Santa Cruz Avenue and the two abutting streets are less than 20 feet, any additions to the side lot would automatically violate the rear setback zoning ordinance without changing the rear setback distance, which is exactly the case here. The property at issue is not changing the rear setback distance of the home. The single-story addition will retain a rear setback distance of 17'4".

In addition to the fact that the rear setback is not changing, special circumstances exist regarding the size of the requested variance. Here, the variance requested is for an area which is less than 10 square feet in total size. Although we understand that the Planning Office is not amenable to arguments alleging variance should be granted due to the minor nature of the variance, the Applicant is concerned that a 4 feet by 2'9" foot cut out, on the corner of a single story structure would be unsightly and inconsistent with the prevailing patterns found on the street and on neighboring streets in the neighborhood. Whereby, other single-story structures generally meet at a corner, rather than having an indented corner. We understand this may not be the case for a two-story remodel, which may necessitate further rear setback for the second story. However, where the Applicant is requesting a variance to a single-story structure, the prevailing pattern is for the homes to be rectangular in shape at the rear of the home.

2. A Grant of Variance would Not Constitute a Grant of Special Privilege -

For variance to be granted in Santa Clara County, the Zoning Administrator must find that the grant of a variance permit would not constitute a grant of special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which subject property is situated.

In this case, the location and orientation of the addition to the new home on the lot will be consistent with the prevailing patterns found in the neighborhood. Moreover, the front, side and rear yard setbacks will continue to match and NOT extend beyond that which is typical for the block and appropriate for the scale of the proposed building. As discussed earlier, the 17'4" setback, which is prevailing in the neighborhood, will remain the same for the home addition.

Furthermore, a grant of variance will not constitute a grant of special privilege because the 8 square foot area at issue will not effect that fact that the single-story addition will remain well under the 40% total lot size allowable under the zoning ordinance. Under the zoning ordinance, all structures on lot sizes of less than 6,000 feet must not make up more than 40% of all space on the lot. In this case, even if the variance is granted, the home will only occupy 30% of the total lot size. This 30% occupancy of the single-story structure is well within the zoning requirement

and much more modest than many other homes on Santa Clara Avenue and abutting streets which occupy nearly 40% of the lot size with more imposing two-story structures.

3. **Other Considerations**

Although we understand the Zoning Administrator is not amenable to arguments regarding practicality, aesthetics, profitability or convenience, we would be remiss to not mention that a denial of our Application for Variance would force us to eliminate a large rear window of current design because the wall would need to move three feet while retaining room for a bathroom and closet. Currently, one of our favorite features of our home is a rear window in this location where we can see our rose bushes and watch the sunrise. Certainly, we could have avoided this issue by attempting to renew our prior two-story remodel application which was granted. However, we were hoping to retain the homes' charm while also keeping our family on a single-story. A grant of variance would mean a lot to us and help us meet this goal.

Conclusion

We humbly request that you grant our Application for Variance, regarding an 8 square foot area of our single-story addition to our side-lot which currently violates the 20-foot rear setback requirements.

Thank you for your prompt attention to this matter. Please contact me if you have any questions.

Very truly yours,

Devin & Nicole Bissman