

**RESOLUTION NO. XX-XX**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF SANTA CLARA, CALIFORNIA APPROVING A  
VARIANCE TO MAINTAIN A ONE-CAR GARAGE WITH A NEW  
589 SQUARE FEET ADDITION TO A SINGLE-FAMILY  
RESIDENCE AT THE SITE LOCATED AT 2663 SONOMA  
PLACE, SANTA CLARA**

PLN22-00209 (Variance)

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

**WHEREAS**, on April 3, 2022, Ramin Zohoor (“Applicant”) filed an application for a Variance to construct a 589 square foot second story addition to an existing single-family home and maintain an attached one-car garage where two covered parking spaces would be require for addition over 500 square foot for the single-family residence located at 2663 Sonoma Place, Santa Clara (“Project Site”);

**WHEREAS**, the Project Site is currently zoned as R1-6L, Single-family Residential Zoning District;

**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**, the subject property is a substandard lot with 40-foot width where 60 feet is the minimum lot width in the Single-family Residential Zoning District (R1-6L).

**WHEREAS**, on July 22, 2022 the notice of public hearing for this item was posted within 300 feet of the Project Site and was mailed to property owners within a 300-foot radius of the Project Site; and,

**WHEREAS**, a duly noticed public hearing was held before the Planning Commission on August 3, 2022 to consider the application. At the public hearing, the Planning Commission invited and considered any and all verbal and written testimony offered in favor of and in opposition to the Project.

**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 the above Recitals are true and correct and by this reference makes them a part thereof.

2. That the Planning Commission hereby finds that approving a Variance to construct a 589 square foot second story addition to an existing single-family home and maintain an attached one-car garage falls within the CEQA Exemption of the CEQA Guidelines Sections 15301 (e)(2) Additions to Existing Facilities, 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.

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 which do not apply generally in the same district, in that the location of the house on the substandard lot with 40 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 second story addition to create a new bedroom and maintain 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.

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 3<sup>rd</sup> DAY OF AGUST, 2022, 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 Plan