

October 17, 2019  
Planning Department  
City of Santa Clara  
Santa Clara, CA

Application: Variance request for a substandard size lot (width and total area) to increase the lot coverage to 42.3% (2,160 SF) where 40% (2,000 SF) is allowed; and a Variance request to add 694 SF to convert the existing 2 Bedroom / 2 Bath home into a 4 Bedroom, 4 Bathroom Home.

Project Location: 655 Jefferson Street  
APN: 269-41-092

Dear Planning Staff,

We are requesting two Variances: 1) to increase the lot coverage to 42.3% (2,160 SF) where 40% (2,000 SF) is allowed by the zoning ordinance and 2) to add 694 SF to convert the existing 2 Bedroom / 2 Bath home into a 4 Bedroom, 4 Bathroom Home with a 1-car garage where 2-car covered parking is required.

This application includes plans for a 694 square foot addition to the rear of the existing single-family dwelling with an attached one car garage. During Planning Staff's initial review of this proposal they informed the applicant and homeowner that there is no building permit record for the existing 3<sup>rd</sup> Bedroom and 3<sup>rd</sup> Bathroom at the rear of the residence and so it seems our home is actually a 2 bedroom / 2 bathroom home. We purchased the home back in 2012 and were unaware that the rear bedroom and bath were unpermitted so it seems that 255 square feet of our existing home (noted as Bedroom and Bath 3 on the Demolition Plan) does not count as part of our existing habitable square footage. We explored various alternative design solutions that did not require a variance, such as a 2<sup>nd</sup> story addition or basement addition, but our architect felt that the massing of a 2<sup>nd</sup> story addition would look awkward on such a narrow structure (20'-2" wide) and negatively impact the historic streetscape of this block (there are 4 properties with the Mills Act on our street, one on either side and two across the street) and a basement would be far too costly. We looked into the option of creating a new detached 2-car garage to eliminate the variance, but this resulted in an awkward and dysfunctional solution on such an unusually narrow lot that would cost even more money to build (see sheet A-6 of the drawings for Alternate Site Plan). After much discussion, we decided that our long-term goal was to live in a 1-story home (for age-in-place) that creates the following:

1. Three bedrooms clustered at the rear of the residence.
2. A direct connection between the living area of our home and the rear yard as we currently have to walk through our garage to get to the rear yard.
3. A hall bathroom towards the rear of the house that is easily accessible from the rear bedrooms and the rear yard as we frequently entertain large groups of family/friends in our rear yard.

4. Maintain enough rear yard for a Dining Patio and plenty of lawn area for kids and dogs to play and enjoy our wonderful climate.
5. Preserve the historic streetscape of this block by maintaining a 1-story design. In a future project, when finances permit, we plan to: 1) replace the awkward vinyl windows at the front wall of the house with windows that are more historically compatible with a vintage home and 2) replace the modern plywood siding at the front porch, the entry door, the and front porch / steps with something more compatible with the historic neighborhood.

We understand that the Planning Commission must make the following four findings in order to grant the variances. Our justification for the variances is as follows:

***(A) That there are unusual conditions applying to the land or building which do not apply generally in the same district:***

The unusual condition that applies to this property is that is extremely narrow for the R1-6 Zoning District at 40 feet wide compared to the 60 foot standard. This lot is 33% narrower than the standard lot in this district and is more typical of lots in the Old Quad created prior to the 1969 Zoning Ordinance than those after. The 1969 Ordinance was created at a time when ranch-style homes were being developed in large tracts throughout Santa Clara's R1-6 Zoning District and these homes typically had 2-car garages attached to the front of the house which easily fit on the standard 60 foot wide lots while preserving large rear yards across the entire width of the property. The 1969 Ordinance did not take into consideration the older, narrower lot widths more common in the Old Quad, and actually created a hardship for the property owner by limiting development adapt the home to meet the modern family needs and this is why we are asking for the variances. In fact, the City realizes the challenges to further develop the unusually long and narrow lots and are in the process of updated the Zoning Ordinance to reduce the required covered parking to 1-car.

The unusual condition that applies to this property is that it is located in the historic Old Quad, on a historic street with 4 Mills Act properties (one on either side and two across the street). Although a 2<sup>nd</sup> story addition is possible, it would look awkward on such narrow, 1-story structure (due to the unusually narrow lot) and negatively impact the historic fabric of this block.

The combination of a long and narrow sub-standard lot with an unusually placed attached garage (most garages are detached in this particular Old Quad location whereas most attached garages are towards the front of the residence). To show you how the current 1969 Zoning Ordinance creates a development hardship for this property I have created an alternate site plan on sheet A-6 of the drawings that locates a new detached 2-car detached garage in the most practical place on the property. However, doing this greatly limits the amount of square footage on the 1<sup>st</sup> floor, in fact would really only permit a 1 bedroom / 1 bathroom addition which does not achieve the Homeowners long-term goals. Note how the driveway and garage take up the entire left side of the property, how awkwardly shaped the possible 1-story addition becomes and how small and disconnected the rear yard becomes. Although physically a 2-car garage could be built on the property, doing so would destroy the rear-yard which would greatly devalue the property.

***(B) That the granting of the variance is necessary for the preservation and enjoyment of substantial property rights of the petitioner:***

The existing 1-story, 2-bedroom dwelling has an awkward layout in that the two bedrooms are far apart which is not practical for a family with a young child; also, the existing front bedroom is unusually narrow at 7'-9" results in an awkward furniture layout. The proposed design removes the awkward elements of the home, preserves the 1-story massing of the residence to preserve the historic streetscape, while adapting the dwelling for long-term enjoyment of the Homeowner.

***(C) That the granting of such variance shall not, under the circumstances for 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:***

There are no indications that the proposed building addition harms the health, safety, peace, morals, comfort, or general welfare of the neighborhood. The proposed additions meet the required rear and side yard setbacks as required by the Zoning Ordinance while maintaining a large rear yard. The proposed design alters the existing exterior wall line (South side) to increase the side yard setback from a legally-nonconforming 2'-6" to a legally conforming 4'-0" (10% of lot width for lots less than 50 feet wide) to create greater separation to the neighbor and this is an added benefit. Although this dwelling is not designated historically significant, it is an older building form (steeper pitched hip roof) with wood siding and situated on a historic block in the Old Quad with 4 Mills Act properties. The proposed 1-story design is a historically sensitive solution that helps preserve and benefit the neighborhood whereas an alternative 2-story design could be considered materially detrimental to the neighborhood.

***(D) That the granting of the variance is in keeping with the purpose and intent of this title:***

Granting these variances does not allow the property owner to by-pass the developmental requirements for all future buildings or improvements, it merely helps mitigate the hardship presented by this unusually narrow and substandard lot to create a more cohesive living space with 3-bedrooms clustered together, a direct connection between the living spaces and the rear yard, while still meeting the building setbacks requirements for the zoning district.

We appreciate your time in considering our request and hope that you would agree that granting these variances are justified and would have a huge impact on improving the long-term livability of and quality of life for our family.

Sincerely,

Wayne Machado & Susie Fernandez  
Homeowners and Residents  
655 Jefferson Street