

RESOLUTION NO. _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SANTA CLARA, CALIFORNIA, DENYING A VARIANCE TO THE LOT COVERAGE REQUIREMENT AND TWO-CAR COVERED PARKING REQUIREMENT TO CONSTRUCT A 694 SQUARE FOOT ADDITION TO A SINGLE-FAMILY RESIDENCE WITH AN EXISTING ATTACHED ONE-CAR GARAGE LOCATED AT 655 JEFFERSON STREET, SANTA CLARA

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

WHEREAS, on October 17, 2019 Wayne Machado and Susie Fernandez (“Property Owners”) filed a Planning Application (PLN2019-14163) requesting a Variance for the property located at 655 Jefferson Street (APN: 269-35-029) (“Project Site”) in the City of Santa Clara;

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

WHEREAS, the General Plan land use designation for the Project Site is Very Low Density Residential;

WHEREAS, the Property Owner has submitted an application for a Variance to the City’s 40% lot coverage maximum of the R1-6L Zoning District to allow 43.2% lot coverage, and to the two-car covered parking requirement, in order to construct an 694 square foot living area addition which would result in a four-bedroom, four-bathroom house with an attached one-car garage;

WHEREAS, the Project is not subject to review under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15270, which states that CEQA does not apply to projects that a public agency rejects or disapproves;

WHEREAS, on February 13, 2020, the notice of meeting date for this item was posted in three conspicuous locations within 300 feet of the Project Site and mailed to property owners within a 300 foot radius of the Project Site for the Planning Commission hearing on February 26, 2020; and,

WHEREAS, on February 26, 2020, 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 denies the Variance to the lot coverage maximum and two-car covered parking requirement that would have allowed construction of a 694 square foot addition to the existing single family residence with an attached one-car garage.

3. That pursuant to SCCC Section 18.108.040, the Planning Commission hereby makes the following findings related to the Variance request:

A. That there are no unusual conditions applying to the land or building which do not apply generally in the same district, in that property is located in a residential neighborhood originally constructed with one-story homes on narrower lots with attached one-car garages.

B. That the granting of the Variance is not necessary for the preservation and enjoyment of substantial property rights of the Property Owner, in that project could propose alternative designs to meet the two-car covered parking requirement or propose alternative designs, up to a 500 square foot addition, that would not trigger the two-car covered parking requirement.

C. That the granting of the Variance is not in keeping with the purpose and intent of the Zoning Ordinance, which establishes a requirement of two covered parking spaces for residences in the R1-6L zone, and the proposed Variance would grant an exception as compared to the other similarly situated properties in the neighborhood.

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 26TH DAY OF FEBRUARY 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. Conditions of Approval
2. Development Plans

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