



## Legislation Details (With Text)

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<b>Title:</b>	Action on Variance from Parking Requirement for the Property at 417 Maria Street				
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<b>Attachments:</b>	1. Project Summary Data and Maps.pdf, 2. Development Plans.pdf, 3. Statement of Justification.pdf, 4. Resolution Approving the Variance.pdf, 5. Conditions of Approval.pdf				

Date	Ver.	Action By	Action	Result
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## REPORT TO PLANNING COMMISSION

### SUBJECT

Action on Variance from Parking Requirement for the Property at 417 Maria Street

### BACKGROUND

The applicant requests approval of a variance to the covered parking requirement of the R1-6L Single Family Zoning District in order to move forward with a proposed 980 square foot living area addition to the rear of an existing house. The property was originally developed with a house and attached one-car garage in 1951, predating the City's requirement for two covered parking spaces pursuant to Section 18.12.120(a) of the Santa Clara City Code (SCCC).

The proposal is subject to the parking requirements of the Zoning Code unless a variance is granted by the Planning Commission.

Pursuant to Chapter 18.108 of the City's Zoning Ordinance, where practical difficulties, unnecessary hardships and effects inconsistent with the general purposes of the Zoning Code may result from the strict application of certain provisions, variances may be granted.

### DISCUSSION

The application proposes to remodel the existing two-bedroom and one-bathroom house, and to add two additional bedrooms, one and one-half additional bathrooms and to expand the kitchen, dining and living room common area of the house. The proposed addition would result in a four-bedroom/two and one-half bathroom house. The project proposes to maintain an existing legal non-conforming one-car garage with substandard inside dimensions of 10'4" in width and 22'4" in depth.

To meet the City's two-car covered parking requirement with the living area addition, a significant alteration to the existing floor plan would be necessary to accommodate construction of a new garage or carport for two-car covered parking. The interior clearance requirements for new

garage/carport construction are 20 feet by 20 feet for side-by-side parking of two vehicles. The subject property is a relatively narrow lot measuring 50 feet in width, where properties in R1-6L zoning districts are required to be at least 60 feet in width. The existing residence measures 38'9" in width, and construction of a new two-car garage would result in a home design that overemphasizes the garage and would thereby appear out of character with the other houses with mostly one-car garages on the block. The construction of an attached two-car garage would also require reduction to the covered front entry porch, relocation of the front bedroom and living area to another part of the house, and reconfiguration of open living area and bedrooms in the home.

## **Consistency with the General Plan and Zoning**

### **General Plan Consistency**

The project site has a General Plan land use designation of Very Low Density Residential. This designation is intended for residential densities up to 10 units per acre and is typically represented in detached single-family neighborhoods. The proposed project to maintain an existing one-car garage is consistent with General Plan Land Use Policy 5.3.1-P3: Support high quality design consistent with the adopted design guidelines and the City's architectural review process. The required two-car garage would cause the design of the house to depart from the established neighborhood character of homes with predominantly one-car attached garages. The project is further supported by the following General Plan Residential Land Use Goals:

5.3.2 G2: A variety of housing types, sizes, location and tenure in order to maintain social and economic diversity in the City.

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5.3.2 G4: Respect for the existing character and quality of adjacent neighborhoods from new residential development and redevelopment.

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### **Zoning Conformance**

The project is consistent with the R1-6L zoning designation for the property, in that the proposed addition complies with the minimum side yard and rear yard building setback requirements, maintains useable private rear yard open space, does not exceed allowable lot coverage for the property, and would continue to be in keeping with the neighborhood character.

However, the project is not consistent with SCCC Section 18.12.120(a), minimum parking requirements, which requires each single-family property provide two covered parking spaces. As the subject property is located within a tract of one-story homes with attached one-car garages as originally constructed, a two-car garage would be less consistent with the building form and architecture of existing residences along the streetscape, and may be difficult to design in keeping with the neighborhood character as required through the City's architectural review process under Chapter 18.76 of the Zoning Ordinance. Therefore, the Variance is being sought to address the parking requirement. The expansion would not intensify the existing use of the property since it would remain a single family detached dwelling, and be occupied by a single housekeeping unit. Therefore the existing parking provided would continue to support one household. Additionally, one existing uncovered parking space is available in front of the existing garage, and the applicant proposes to widen the driveway by nine feet to provide two off-street driveway parking spaces for the property in front of the one car garage.

## **Circulation and Parking**

An existing one-car wide driveway pad measuring approximately 17 feet wide x 24 feet deep in front of the garage provides access to the one-car garage. While it would be difficult to provide the required two covered parking spaces on this property, the applicant is proposing to improve the off-street parking by relocating an existing washing machine and door to the house within the garage to achieve the minimum required 20-foot depth while still allowing the residents to gain entry to the home from the garage. The applicant is further proposing to widen the driveway in the front yard by approximately nine feet to provide room for an additional off street parking space in the front yard, bringing the proposed front yard paving to just over fifty percent (less than the maximum 65 percent allowed).

## **Conclusion**

Given the substandard lot width and location in which the house was constructed on the property, it is not possible to enlarge the garage outward to the side without encroaching into the required side yard setback; and is not practicably possible to enlarge the garage inward into the living area of the house without substantial demolition and reconstruction of the existing structure. Therefore, the proposed project meets the purpose and intent of the Zoning Code in that the enforcement of the two covered parking requirement for this property would result in practical difficulties and create unnecessary hardship for the applicant to implement a minor expansion of the single family residence. The findings required for a variance are included in the attached resolution.

## **ENVIRONMENTAL REVIEW**

The proposed is categorically exempt from the California Environmental Quality Act (CEQA) per Section 15303(a), Class 3 New Construction or Conversion of Small Structures, which exempts the construction of up to three single-family residences on properties in urbanized areas.

## **FISCAL IMPACT**

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

## **COORDINATION**

This report was coordinated with the City Attorney's Office.

## **PUBLIC CONTACT**

On November 30, 2018, a notice of public hearing of this item was posted in three conspicuous locations within 300 feet of the project site and mailed to property owners within 300 feet of the project site. At the time of preparation of this report no comments related to this project were received from the public.

## **RECOMMENDATION**

Adopt a Resolution approving a Variance from the two covered parking spaces requirement for the property located at 417 Maria Street subject to conditions of approval.

Prepared by: Jeff Schwilk, AICP, Associate Planner

Reviewed by: Diana Fazely, Deputy City Attorney

Reviewed by: Reena Brilliot, Planning Manager

## **ATTACHMENTS**

1. Project Summary Data and Maps

2. Development Plans
3. Statement of Justification
4. Resolution Approving the Variance
5. Conditions of Approval