



## Legislation Details (With Text)

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<b>Title:</b>	Action on a Variance to Maintain a One-Car Garage with a 597 Square Foot Addition to a Single-Family Residence at 723 Scott Boulevard				
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<b>Attachments:</b>	1. Statement of Justification, 2. Project Data, 3. Resolution Approving the Variance, 4. Conditions of Approval, 5. Development Plan				

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

### SUBJECT

Action on a Variance to Maintain a One-Car Garage with a 597 Square Foot Addition to a Single-Family Residence at 723 Scott Boulevard

### BACKGROUND

On April 18, 2022, the applicant, Dimpy Sanduja, filed an application for a variance to construct a 597 square foot rear addition to an existing single-family home and maintain an attached one-car garage. The project requires a variance to maintain the existing one-car garage where two covered parking spaces are required for a single-family addition of 500 square feet or more.

The subject site is located in a residential development tract that was originally constructed with one-car garages. Many of the homes in this neighborhood have requested variances to retain a one-car garage for additions over 500 square feet.

### DISCUSSION

The project proposes a 597 square foot addition to an existing 936 square foot single-story residence with two bedrooms and one bathroom. The proposal as completed would be a 1,533 square foot single-story residence with three bedrooms, two bathrooms, and an attached one-car garage.

The minimum required driveway access to a garage per Santa Clara City Code (SCCC) Section 18.74.050(a)(2) is ten feet in width with one foot of landscaping on each side. The required minimum lot width in the R1-6L zone is 60 feet and the subject property has 57 feet with a seven-and-a-half-foot side yard setback from the existing garage. The substandard 57-foot width of the lot and the existing layout of the home would require a significant demolition of the existing structure to accommodate the required dimension for a covered parking space of 20 feet depth by 20 feet width. The applicant has provided a statement of justification for the proposed Variance attached to this staff report as Attachment 1 for review.

Prior to 2014, the City's General Plan included a policy that additions not exceeding 500 square feet (and less than four bedrooms) could be constructed without having to meet the Zoning Code parking requirements. As this Policy is not currently in the General Plan and further because the proposed addition would exceed 500 square feet, the proposal is subject to the parking requirements of the Zoning Code, unless a variance is granted by the Planning Commission.

### ***Zoning***

The proposed project does not comply with the R1-6L parking requirement for the attached garage per SCCC Section 18.12.120(a) and 18.74.010(b)(3). Pursuant to SCCC Section 18.108.010, 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. The location of the house on the 57-foot wide lot and the existing house configuration preclude the construction of a detached garage in the rear yard or expansion of the existing garage. For these reasons and the findings in the Resolution attached to this staff report, there is sufficient evidence to support the Variance request.

### ***Conclusion***

The proposed Variance would allow the property owner to reasonably use the property without incurring the substantial burden of reconstructing the house to accommodate a two-car garage. The owner's intent is to optimize the use of the property and meet personal family needs. The design of the garage is consistent with the type and location of covered parking in the surrounding neighborhood. Additional on-site parking is provided on the paved driveway in front of the garage. Approval of the proposal would allow the property owners to submit the requisite plans to the City to obtain building permits.

### **ENVIRONMENTAL REVIEW**

[The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15301(e)(2), additions to existing facilities. 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.

### **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 June 3, 2022, 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 site. Planning Staff has not received public comments for this application during the preparation of this report.

### **RECOMMENDATION**

Approve the Variance to allow a 597 square foot rear addition to a single-family residence and maintain an attached one-car garage, subject to conditions of approval

Prepared by: Steve Le, Assistant Planner I  
Reviewed by: Alexander Abbe, Assistant City Attorney  
Approved by: Lesley Xavier, Planning Manager

**ATTACHMENTS**

1. Statement of Justification
2. Project Data
3. Resolution Approving the Variance
4. Conditions of Approval
5. Development Plan