



## Agenda Report

19-098

Agenda Date: 2/27/2019

### REPORT TO PLANNING COMMISSION

#### **SUBJECT**

Public Hearing: Action on a Variance from the parking requirement for the single family residence at 648 Robin Drive

#### **REPORT IN BRIEF**

Project: Variance to allow an 891 square feet rear addition, resulting in a 1,828 square foot 4 bedroom and 3 bathroom one-story single family residence with an existing 292 square feet one car garage to remain.

Applicant/Owner: Sanchali Srivastava, SAN Interior Design/Sean Randolph

General Plan: Very low density residential

Zoning: Single Family Residential (R1-6L)

Site Area: 5,880 square feet (0.13 acres)

Existing Site Conditions: Developed with a one-story single family residence

#### **Surrounding Land Uses**

North and South: Single Family residences along Robin drive

West: Single Family residences along Armanini Avenue

East: Robin Drive and Single family residences

Issues: Consistency with the City's General Plan and Zoning Ordinance

Staff Recommendation: Alternative 1: Deny the request for a variance from the parking requirement for the single family residence.

#### **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 891 square foot addition to the rear of the 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. However, granting of a variance would require making the findings in SCCC Section 18.108.040, including that there are unusual conditions applying to the land or building which do not apply generally in the same district.

#### **DISCUSSION**

The application proposes to remodel the existing two-bedroom and two-bathroom house, and remove the existing rear porch to add two additional bedrooms, one additional bathroom and a family room. The proposed addition would result in a four bedroom/three bathroom house. The project proposes to remove the existing 80 square foot shed in the rear and maintain an existing legal nonconforming one-car garage with substandard inside dimensions of 11' 3 1/2" in width and 21'7" in depth. The interior clearance requirements for new garage/carport construction are 20 feet by 20 feet for side-by-side parking of two vehicles.

Pursuant to the General Plan, an expansion to an existing home beyond three bedrooms or by another 500 square feet triggers the requirement for a two-car garage. The subject property is somewhat narrow, measuring 56 feet in width, where properties in R1-6L zoning districts are required to be at least 60 feet in width. The existing residence measures 42' in width with a side yard of 8'7" on one side that exceeds the minimum required setback of 5' in the R1-6L zoning district. While the existing lot is narrower than the standard lot in the R1-6L zoning district, the excess side yard provides an opportunity to expand the garage. The proposed addition is substantial, almost doubling the size of the existing house. Alternative designs are possible that would meet the two-car covered parking requirement. The property is located in a residential neighborhood originally constructed with one-story homes on narrower lots with attached one-car garages. Therefore, there are no unusual conditions applying to the land or building, which is one of the required findings for granting a variance.

*Consistency with General Plan:*

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 not consistent with following:

General Plan Implementation Action 4: One- and Two-Story Additions: Santa Clara's zoning regulations for single family homes are liberal enough that virtually every home can be added onto. The major exception is when older homes with only a one car garage are expanded beyond three bedrooms or by another 500 square feet. This triggers a two car covered parking requirement. However, parking variances are usually granted when the house layout makes a two car garage impossible.

Given that the project proposes a substantial addition, alternative designs with a different floor plan can be incorporated to meet the two car covered parking requirement. The existing house has an 8'-7" side yard providing 3'-7" beyond the required side setback of 5' in the R1-6L zoning district. The extra space in the side yard, together with reconfiguration of the proposed plan, could be utilized to widen the garage to meet the Zoning Administrator modification standard, allowing a 17 foot interior width.

*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 that each single-family property provide two covered parking spaces. Pursuant to SCCC Section 18.108.010, where practical difficulties, unnecessary hardships, and effects, inconsistent with the general purpose of the Zoning Ordinance may result from the strict application of certain provisions, variances may be granted. The granting of a variance would require making the findings in SCCC Section 18.108.040, including that there are unusual conditions applying to the land or building which do not apply generally in the same district.

The property is located in a residential neighborhood originally constructed with one-story homes on narrower lots with attached one-car garages. Therefore, there are no unusual conditions applying to the property. Allowing one covered parking would be an exception as compared to the other single family homes in the R1-6L zone, similarly situated in the neighborhood and in the City.

#### *Circulation and Parking*

An existing one-car wide driveway pad measuring approximately 16 feet wide x 20'-3" feet deep in front of the garage provides access to the 11' 3 1/2" wide x 21' 7" deep one-car garage. The applicant is proposing to utilize the existing driveway as an additional parking space.

#### *Conclusion:*

Given that this is a substantial addition, there may be alternative designs that would meet the Zoning Code requirement for two covered parking spaces. The property is located in a residential neighborhood originally constructed with one-story homes on narrower lots with attached one-car garages. Therefore, the proposed project does not meet the purpose and intent of the Zoning Code in that there are no unusual conditions applying to the land or building that do not apply generally in the same district. The findings required for denying the variance are included in the attached resolution.

### **ENVIRONMENTAL REVIEW**

The proposed is categorically exempt from the California Environmental Quality Act (CEQA) per Section 15301(e)(2), Class 1 "Existing Facilities," as the activity consists of the minor alteration of existing public or private structures, consisting of an addition of not more than 10,000 square feet in an area where all public services and facilities are available and the area is not environmentally sensitive.

### **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 February 15, 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.

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website

and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>> or at the public information desk at any City of Santa Clara public library.

### **ALTERNATIVES**

1. Deny the variance to allow an 891 square feet rear addition, resulting in a 4 bedroom and 3 bathroom one-story single family residence with an existing 292 square feet one car garage to remain.
2. Approve the variance to allow an 891 square feet rear addition, resulting in a 4 bedroom and 3 bathroom one-story single family residence with an existing 292 square feet one car garage to remain.

### **RECOMMENDATION**

Alternative 1: Adopt a resolution denying the variance to allow an 891 square feet rear addition, resulting in a 4 bedroom and 3 bathroom one-story single family residence with an existing 292 square feet one car garage to remain.

Prepared by: Nimisha Agrawal, Assistant Planner I  
Reviewed by: Alexander Abbe, Assistant City Attorney  
Approved by: Reena Brilliot, Planning Manager

### **ATTACHMENTS**

1. Project Data Summary Sheet
2. Applicant's Statement of Justification
3. Development Plans
4. Resolution Denying the Variance
5. Conditions of Approval