

YARD MODIFICATION STATEMENT OF FINDINGS

Pursuant to County Code Section [22.196.030](#): Findings and Decision, the applicant shall substantiate the following facts:

(Do not repeat the statements or provide one word or Yes/No responses. If necessary, attach additional pages.)

B.1. Topographic features, subdivision plans, or other site conditions create an unnecessary hardship or unreasonable regulation or make it obviously impractical to require compliance with the yard requirement or setback line.

We are requesting a yard modification to keep the proposed Single Family Dwelling addition with, what we should consider a side setback, of no more than 5 feet due to the unique shape of the lot; and the fact that the adjacent lot's side property line is the one shared with the subject property.

Furthermore, the subject property is considered a reversed corner lot from TWO adjacent key lots, thus, the property does not have a truly defined rear or front yard. Given the aforementioned, requiring a 10-foot setback on any of the 3 street-facing sides of the lot is impractical. Because the lot has 3 street frontages, the 6' high fence was built for security and privacy purposes.

The patio cover to be legalized was positioned within the property setbacks and cannot be placed anywhere else given the unique lot shape, and location of the detached garage.

B.2. The proposed structure is similar to the setbacks of other legally-built structures on adjacent or neighboring properties.

The proposed addition and patio cover comply with the setbacks of the main dwelling unit. The existing fences are also similar in height, if not taller, and design to the existing fences of neighboring properties and similar front and side setback conditions. Please reference the following addresses:

- 5700 Alviso Ave, CA 90043. - APN: 5007-030-001 (Fence)
- 5356 West Blvd, CA 90043 - APN: 5007-002-012 (Fence)
- 5401 West Blvd, CA 90043 - APN: 5007-018-001 (Fence)
- 5357 Brynhurst Ave, CA 90043 - APN: 5007-001-011 (Fence)
- 5485 Valley Ridge, CA 90043 - APN: 5008-004-006 (Fence and front /setback reduction)
- 5481 Valley Ridge Ave, CA 90043 - APN: 5008-004-005 (Setback reduction)
- 5475 Valley Ridge Ave, CA 90043 - APN: 5008-004-004 (Setback reduction)
- 5471 Valley Ridge Ave, CA 90043 - APN: 5008-004-003 (Setback reduction)
- 5465 Valley Ridge Ave, CA 90043 - APN: 5008-004-002 (Setback reduction)
- 5459 Valley Ridge Ave, CA 90043 - APN: 5008-004-001 (Setback reduction)
- 4004 W 57th St, CA 90043 - APN: 5008-006-042 (Setback reduction)

B.3. The use, development of land, and application of development standards is in compliance with all applicable provisions of this Title 22.

The proposed patio cover is a private recreational space attached to and accessed from the main dwelling unit, it is integral to the primary use and would have no adverse impacts on public safety or general welfare.

The 6' high fence is also being proposed to increase privacy for security reasons. The owners are deeply concerned about intruders. People have attempted and successfully entered their property several times!

B.4. The use, development of land, and application of development standards, when considered on the basis of the suitability of the site for the particular use or development intended, is so arranged as to avoid traffic congestion, provide for the safety and convenience of bicyclists and pedestrians, including children, senior citizens, and persons with disabilities, insure the protection of public health, safety, and general welfare, prevent adverse effects on neighboring property and is in conformity with good zoning practice.

The proposed addition meets development standards and will be developed within the property line to maintain the safety and convenience of pedestrians and mobility.

The project would not adversely impact public access or impact traffic or create congestion as it will be developed within the property boundaries.

B.5. The use, development of land, and application of development standards is suitable from the standpoint of functional developmental design.

The proposed addition, 6' fence, and patio cover (As well as the proposed closing of the driveway and curb cut) maintains functionality and meets development standards by complementing the existing design of the Single Family Dwelling.