

# County of Santa Clara

## Department of Planning and Development

County Government Center, East Wing, 7th Floor  
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Phone: (408) 299-5700  
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March 10, 2022

Ashutosh Jha  
163 Cromart Court  
Sunnyvale, CA 94087

**\*\*\*via email only\*\*\***

**FILE NUMBER:** PLN21-112  
**SUBJECT:** Building Site Approval, Grading Approval, and Design Review (Tier I)  
**SITE LOCATION:** 0 West San Martin Avenue (APN: 779-47-007)  
**DATE RECEIVED:** February 8, 2022 (second resubmittal)

Dear Ashutosh Jha:

Staff has preliminarily reviewed the application, resubmitted on February 8, 2022, and would like to provide staff's initial assessment of the proposed design with respect to the County Zoning Ordinance. Please note that this is a preliminary assessment of the issues of concern that Staff is finding with the current design of the project, and a full assessment would not occur until the Department has a "complete" application for processing. Staff highly encourages you to address the following issue prior to your next submission. Staff would be happy to meet with the property owner/applicant to discuss these issues of concern if desired.

As currently designed, Staff has concerns size of the Accessory Dwelling Unit (ADU) garage. To better meet the intent of the required County's regulations, Staff recommends reducing the size of the attached garage (or remove said garage) and synchronizing the listed area throughout the plans to meet the requirements in the Zoning Ordinance. Specifically, the concern is:

1. Garages attached to a detached ADU cannot exceed 400 square feet. **See County Zoning Ordinance § 4.10.015(D)(4). The current design is 430 square feet according to the ADU Plan Area on page GA-0. The floor plan on the same sheet states 397 square feet, but the measurements do not support this.**

*Adjusted ADU floor plan so that the garage area is under 400 sf.*

The information in this letter are not incomplete items and are not required to deem the application complete for processing.

Below are excerpts from County policies, regulations, findings and guidelines whereby Staff is having difficulty supporting the project as currently designed.

**Accessory Dwelling Units (§ 4.10.015):**

ADU development must comply with specific size limitations:

*(D) Detached Accessory Dwelling Units. A detached accessory dwelling unit is a structure that is separated from the primary residence by no less than six (6) horizontal feet. Detached accessory dwelling units are subject to all the following provisions:*

*4. An attached garage or carport of up to 400 square feet in floor area may be incorporated in the design of a detached accessory dwelling unit, provided the dwelling portion of the building does not exceed the applicable maximum floor area for the detached accessory dwelling unit (1,200 square feet).*

Building Site and Grading Approval, and Tier 1 Design Review, involve a staff-level review and takes an action to either grant, deny, or elevate the project to a public hearing. The decision may be appealed to the Planning Commission. Decisions of the Planning Commission may be appealed to the Board of Supervisors. Should the applicant voluntarily choose to modify the project design based on the information provided above, to better meet the County's Findings, Guidelines and Policies, please include with the resubmittal to address the items listed in the Incomplete Letter dated March 10, 2022. For questions regarding this letter, please call me at (408) 299-5706 or [robert.cain@pln.sccgov.org](mailto:robert.cain@pln.sccgov.org) to discuss by telephone or to schedule an appointment to do so.

Sincerely,



Robert Cain  
Associate Planner

**cc:**

Leza Mikhail, Planning Manager  
Ninh Le, Applicant