

Surrounding Land Use and Zoning:	Setbacks	Required	Provided
North: R-1; Single Family Residence	Front:	16'	16'
South: R-1; Single Family Residence	Side(East)	5'	3.33'
East: R-1; Single Family Residence	Side(West):	12.5'	3.33'
West: R-1; Single Family Residence	Rear:	15'	46'

Parking Required:	1 spaces
Parking Provided:	0 spaces
Property Dimensions:	33.67 feet x 100 feet
Property Area:	0.07± acres
Square Footage of Building:	1,450 sq.ft.
Height of Building:	Two Stories, 23 feet
Exterior Building Materials:	Horizontal wood lap siding
Roof Materials:	Composition shingles
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

Project Plans: See Attachments A, B, C, and D

Background Information:

On December 8, 1992, the applicant submitted this project for Planning Director's Variances for both side yard setbacks (P92-314). The Zoning Ordinance has been changed during the course of the project processing and the Planning Director entitlements no longer exist. The entitlements previously granted by the Planning Director have been delegated to the newly created Zoning Administrator. Therefore, this project has been withdrawn by staff as a planning file (indicated by the P number) and resubmitted as a Zoning Administrator file (indicated by a Z number). The entitlements have been changed to Zoning Administrator entitlements.

Additional Information:

The original application for the proposed single family dwelling included a single car attached garage (see Attachment D). The City Arborist indicated there is a City tree located in the front of the site that is to be preserved. There was no way to relocate the garage and required driveway or to use alternative paving for a driveway that would not impact the tree. Additionally, the site is not adjacent to an alley in the rear. Therefore, staff agreed that a Variance was needed to waive the required enclosed garage requirement in order to preserve the tree. The applicant was agreeable to staff's request and provided a revised plan that eliminated the enclosed garage (see Attachment A).

The site is located in the Oak Park Design Review area and proposed plans have been submitted to the Design Review/Preservation Board staff. The Oak Park PAC recommended approval of the project.

Environmental Determination:

The Environmental Services Manager has determined the project, as proposed, will not have a significant impact to the environment; therefore, a Negative Declaration has been prepared. In compliance with Section 15070(B)1 of the California Environmental Quality Act Guidelines, the applicant has incorporated mandatory mitigation measures into the project plans to avoid identified impacts or to mitigate such impacts to a point where clearly no significant impacts will occur. The mitigation measures are listed in the attached Mitigation Monitoring Plan.

Conditions:

1. The roof shall be constructed with 30 year laminated dimensional composition shingles. The project shall comply with the conditions of City Design Review staff.
2. The size, style, and location of the house on the site shall conform to the plans submitted.
3. The applicant shall obtain all necessary building permits prior to commencing construction.
4. The applicant shall comply with the mitigation measures of the Negative Declaration (Tree Preservation Plan - see page 2 of attached Mitigation Monitoring Plan).
5. The applicant shall comply with all applicable ordinances pertaining to hours of operation for on-going construction. All equipment and debris shall remain on the subject parcel.

Findings of Fact:

1. Granting the variance does not constitute a special privilege extended to an individual applicant in that:
  - a. the lot is substandard in width;
  - b. other residences in the area do not have garages; and
  - c. a variance would be and has been granted to other property owners facing similar circumstances with substandard lots.
2. Granting the variance request does not constitute a use variance in that a single family residence is allowed in the Standard Single Family, R-1 zone.

3. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
  - a. the proposed project is compatible in size and style with the adjacent residential properties;
  - b. there is adequate space between the proposed house and the existing adjacent house in that there will be a minimum of nine feet between residences;
  - c. the lot is substandard in size and requires a reduced side yard setback in order to construct a compatible house with surrounding properties;
  - d. the existing street tree is in such a location that a parking pad or a garage cannot be provided without removing the tree and the street tree will be preserved if the driveway and garage are not constructed; and
  - e. the proposed project will permit development of a vacant substandard parcel.
4. The project is consistent with the General Plan which designates the site as Low Density Residential (4-15 du/na).

*Joy D. Patterson*

Joy D. Patterson  
Zoning Administrator

A use for which a Variance is granted must be established within two years after such permit is approved. If such use is not so established the Variance shall be deemed to have expired and shall be null and void. A Variance use which requires a Building Permit shall be deemed established when such Building Permit is secured and construction thereunder physically commenced. If no building is required, the use shall be deemed established when the activity permitted has been commenced.

The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

cc: File (original)                      Design Review staff (Luis Sanchez)  
Applicant  
ZA Log Book

Z93-071

OCTOBER 5, 1993

ITEM 2

Z93-071

OCTOBER 5, 1993

ITEM 2

# CITY OF SACRAMENTO

## MITIGATION MONITORING PLAN

This Mitigation Monitoring Plan has been required and prepared by the Department of Planning and Development, Environmental Services Division, 1231 I Street, Suite 301, Sacramento, CA 95814, (916) 264-7037, pursuant to California Environmental Quality Act Guidelines Section 21081.

### SECTION 1: PROJECT IDENTIFICATION

Project Name / File Number: Oak Park New Construction Project / Z93-071 (P92-314)  
Applicant/Owner/Developer: Sacramento Housing and Redevelopment Agency  
Address: 600 I Street STE 250  
Sacramento, CA 95814

Project Location / Legal Description of Property (if recorded):

**The project site is located at 3882 3rd Avenue.  
Sacramento, CA Sacramento County**

### SECTION 2: GENERAL INFORMATION

The project as approved includes mitigation measures placed on Trees. The intent of the Plan is to prescribe and enforce a means for properly and successfully implementing the mitigation measures as identified within the Negative Declaration for this project. Unless otherwise noted, the cost of implementing the mitigation measures as prescribed by this Plan shall be funded by the applicant/owner/developer identified above.

### SECTION 3: PLAN CONTENTS

#### A: Tree Preservation Plan

- A. A six foot high construction barrier shall be installed around the dripline of the 27-inch London Plane tree prior to the commencement of any work on the site. No surface or grade changes, parking of vehicles, installation of incompatible landscaping, trenching for utility or irrigation lines, or storage of materials shall occur along the parkstrip of this tree. This tree and protective measures shall be noted on any grading and improvement plans and on project plans submitted for Building Permits.
- B) If during construction, the barriers are penetrated or tree branches are damaged or disturbed, construction shall stop and a certified arborist contacted for development of appropriate tree protection measures (subject to approval by the City Arborist).
- C) If any utilities must be installed within the driplines of the tree protected by the construction barriers, horizontal boring shall be permitted. No trenching shall occur within the dripline of this tree.
- D) If during construction or grading, tree roots of 2" in diameter or greater are encountered, work shall stop immediately and a Certified Arborist shall be contacted for a root inspection. Root cutting of any roots over 2" in diameter must have prior approval of the City Arborist.

#### ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE

Department of Planning and Development, City of Sacramento

Department of Public Works, City of Sacramento

Department of Parks and Community Services, City of Sacramento

#### MONITORING PROGRAM

Prior to the issuance of any Building Permit, the Building Division shall require that the project plans incorporate tree protection measures as specified above and by the above mitigation measure C. Prior to the issuance of a Notice to Proceed, the Department of Public Works shall require that the project plans incorporate the tree protection measures as specified by the above mitigation measure C.

If any protective barriers are penetrated, moved or removed as a result of construction activities, the Building Division/Department of Public Works shall require the developer to provide an analysis from a certified arborist identifying the condition of the affected trees. In such a case, the responsible City department shall be that department with responsibility for inspection of the particular component of the project which is affected by the discovery.

In the event that any protective barriers are penetrated, moved or removed as described above, the responsible City department shall require that all work within the driplines of affected trees,

as shown on the original project plans, be ceased. The responsible City department shall verify the accuracy of the required arborist report by referring the report to the Environmental Services Division for review. If the trees are determined to be damaged or removed as a result of construction activities, the Building Division/Department of Public Works shall require that alternative mitigation measures be developed and implemented subject to approval by the Environmental Services Division. The Building Division/Department of Public Works shall require the approved alternative measures to be incorporated into the project plans, prior to resumption of work with the affected area.

In the case of additional review as required above, the developer shall deposit with the City, adequate funds as determined by the Environmental Services Division, to provide funding for City review of revised mitigation measures and monitoring program provisions. These funds will be deposited prior to resumption of work within the affected area.

Documentation of completion of the required mitigation measures shall be placed in the project record by the applicable City Entity as follows:

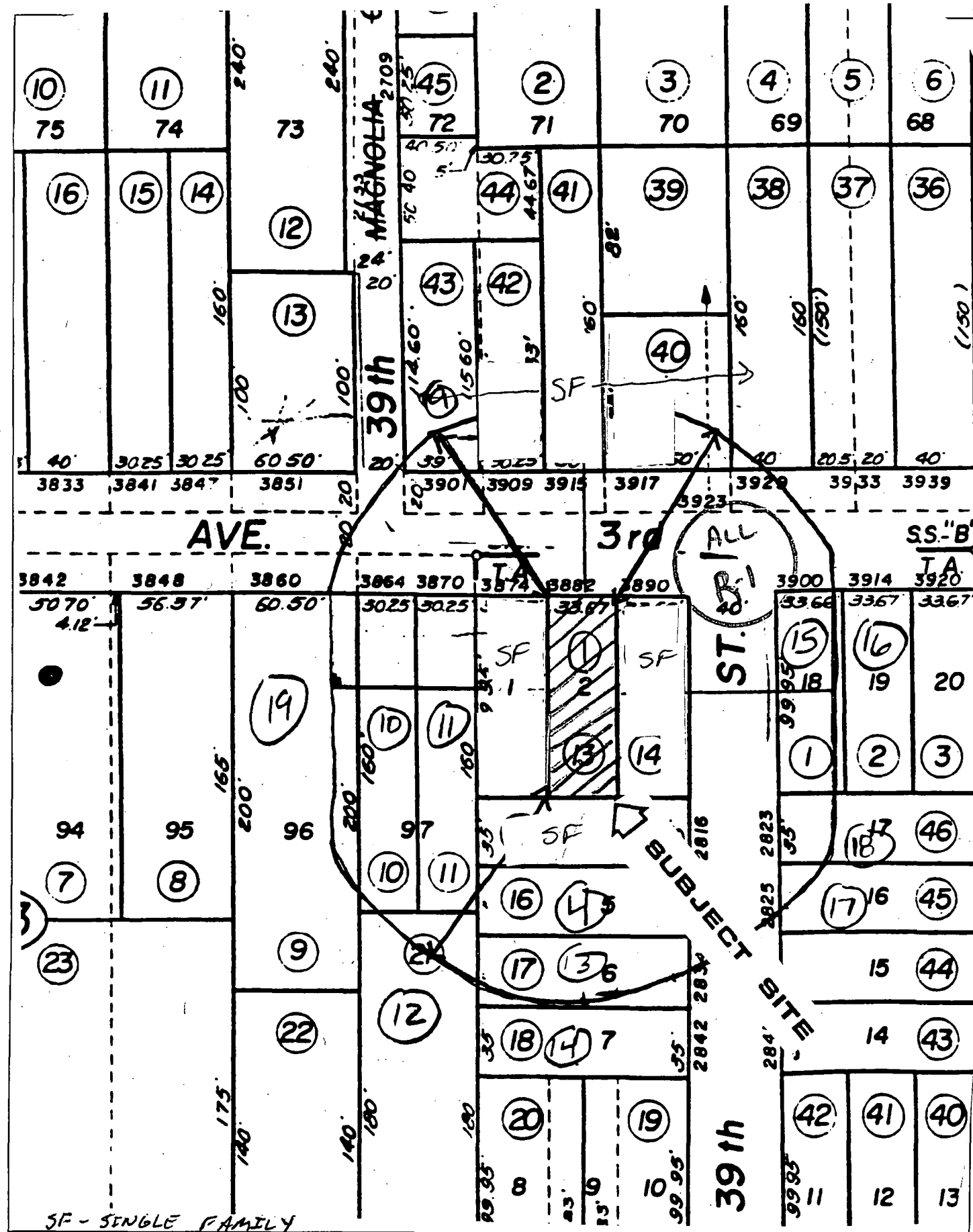
-The Building Division shall document implementation of all mitigation measures prior to issuance of final building permits, a Certificate of Occupancy or a Certificate of Compliance for the project.

-The Department of Public Works shall document implementation of all mitigation measures prior to the issuance of a Notice of Completion.



VICINITY MAP

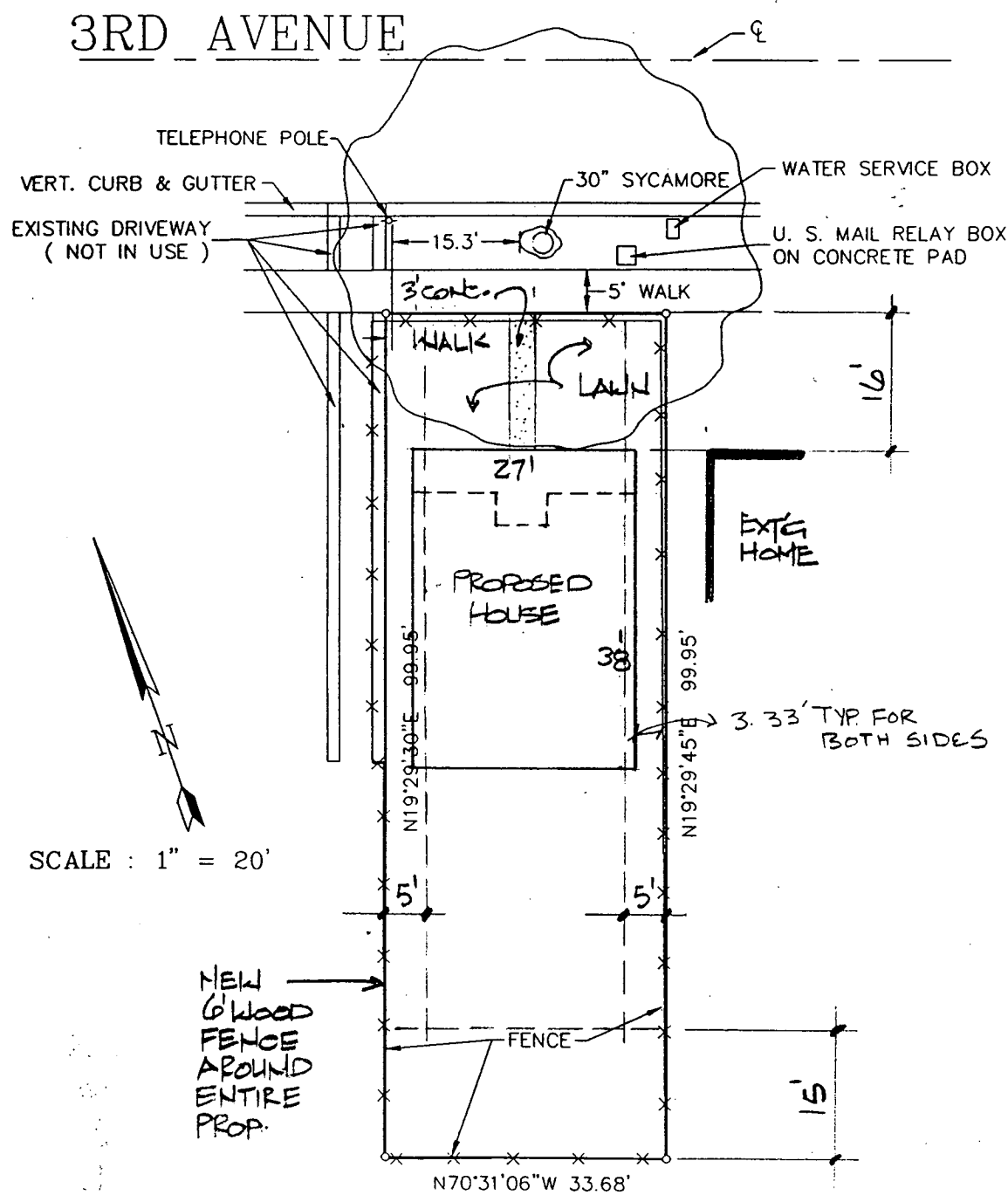




LAND USE & ZONING MAP



ATTACHMENT A  
**TOPOGRAPHIC MAP** **REVISED**  
 OF  
**LOT 2 of "TAYLOR ADDITION"**  
 BOOK 12 of MAPS, MAP NO. 34  
 FEBRUARY 1993  
 APN: 014-0093-013



293-071

OCTOBER 5, 1993

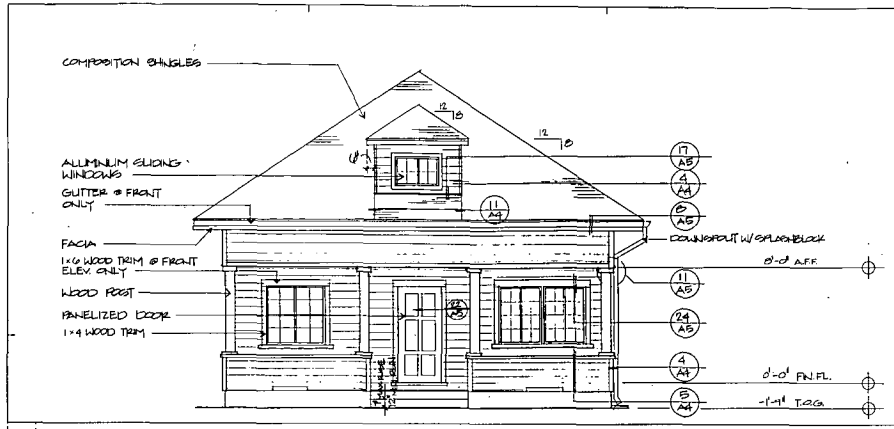
ITEM 2



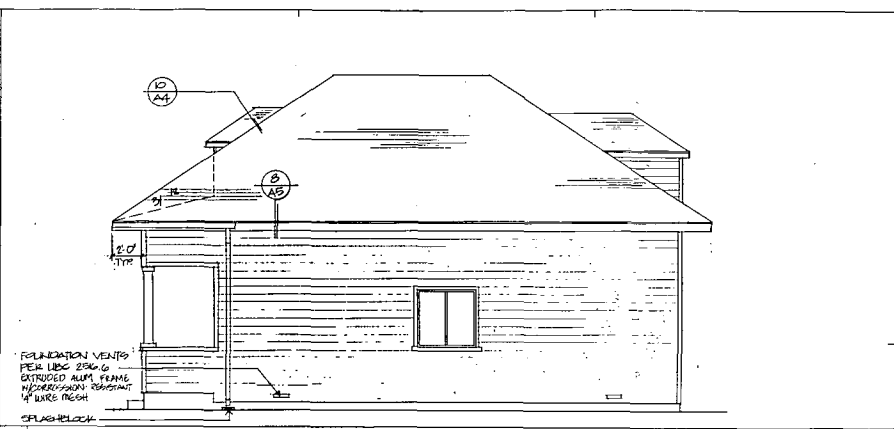
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OCTOBER 5, 1993

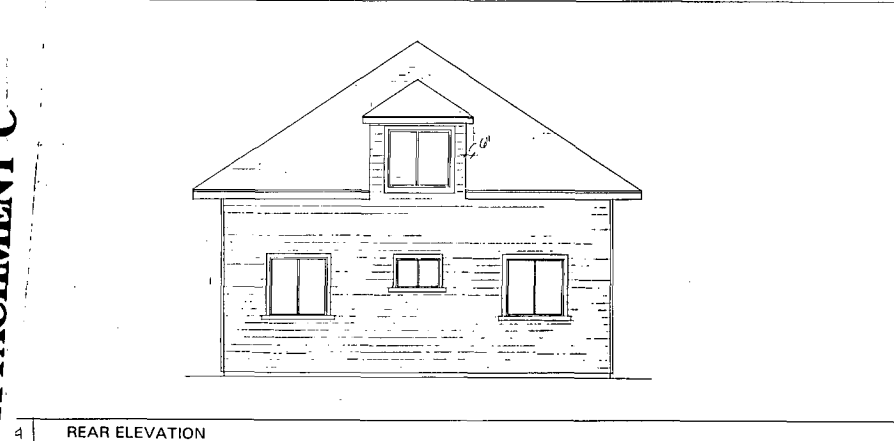
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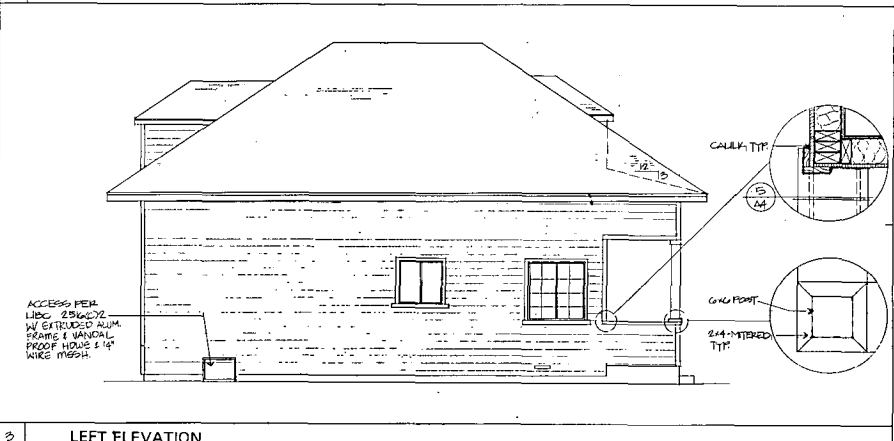
FRONT ELEVATION



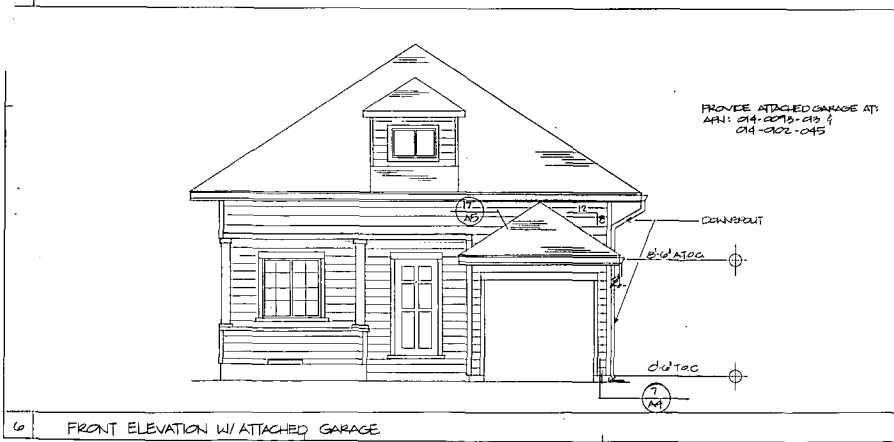
RIGHT ELEVATION



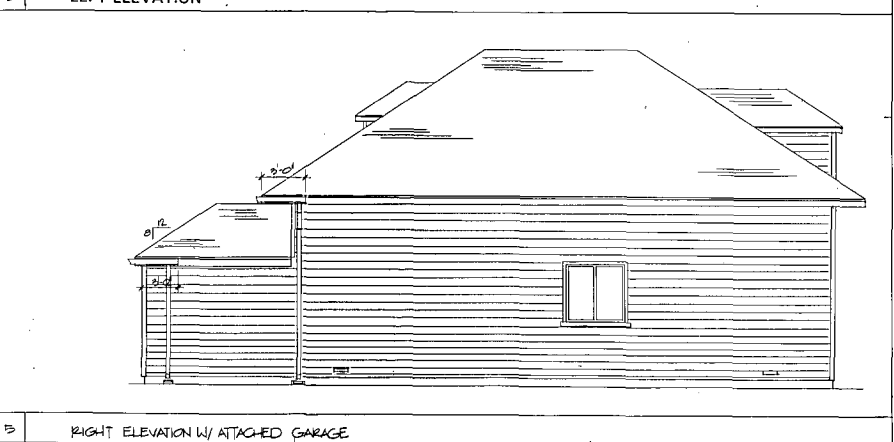
REAR ELEVATION



LEFT ELEVATION



FRONT ELEVATION W/ ATTACHED GARAGE



RIGHT ELEVATION W/ ATTACHED GARAGE

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Architect

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Consultants

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OAK PARK  
HOUSING  
TYPE 'A'

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Revisions

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Drawings

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EXTERIOR ELEVATIONS

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Drawn: \_\_\_\_\_

Date: 10/1/93

Job No: 293-071

Sheet: \_\_\_\_\_

A-2

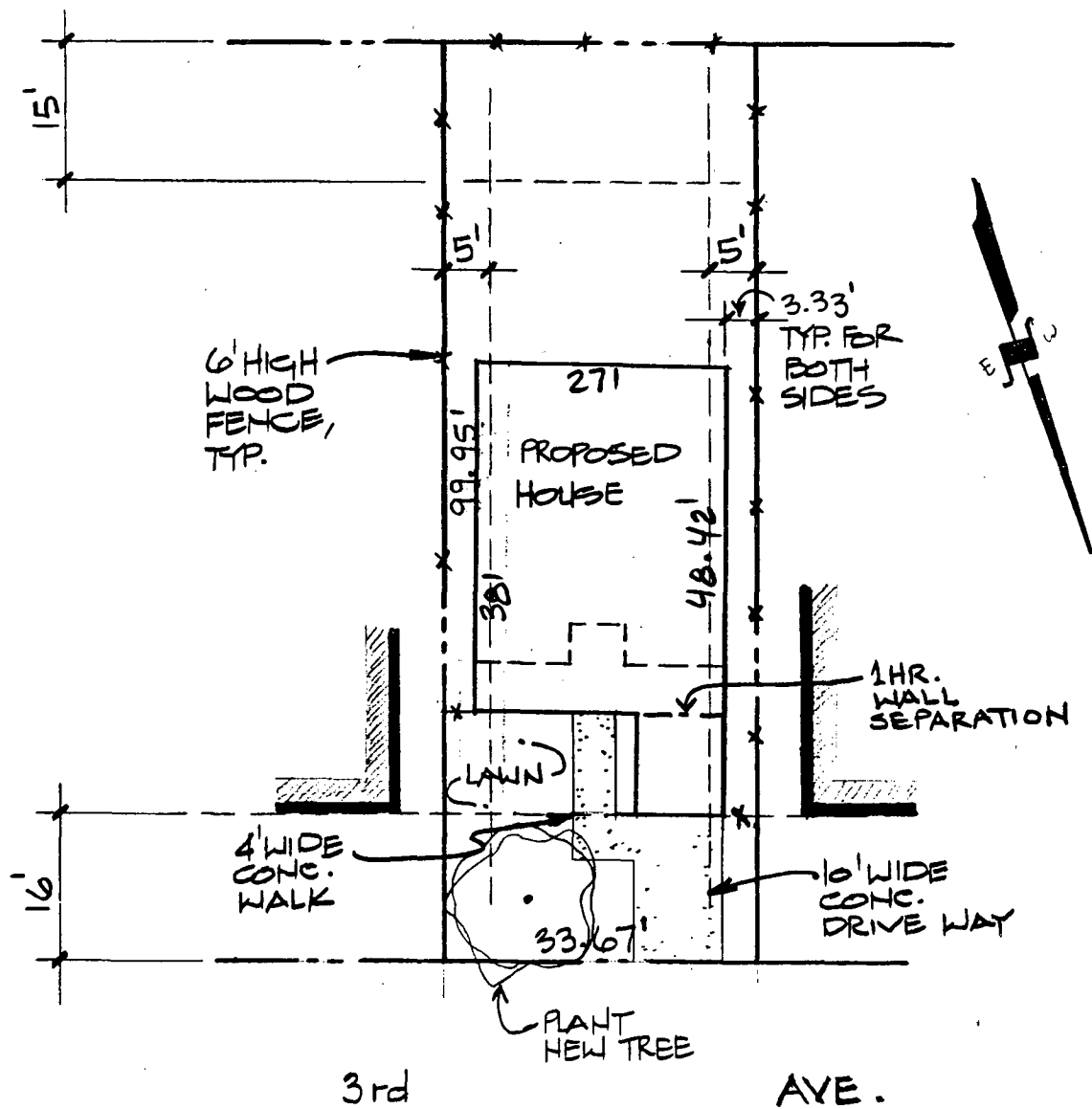
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3 of 6 Sheets

ATTACHMENT C

**ATTACHMENT D**

Previously Submitted Plan  
With Driveway/Garage



293-071

OCTOBER 5, 1993

ITEM 2

SACRAMENTO HOUSING AND REDEVELOPMENT AGENCY

PROPERTY ADDRESS:

3882 3rd AVE.

SACRAMENTO, CA

OAK PARK DISTRICT

DATE:

APN: 014-0093-013

SCALE: 1" = 20'-0"

STYLE: A

12