

**CITY OF SACRAMENTO  
DEPARTMENT OF PLANNING & DEVELOPMENT  
ZONING ADMINISTRATOR  
1231 I Street, Sacramento, CA 95814**

**ACTION OF THE ZONING ADMINISTRATOR**

On Thursday, October 31, 2002, the Zoning Administrator approved with conditions a special permit to build a garage that will exceed the maximum allowed wall and total height for the project known as Z02-170. Findings of Fact and conditions of approval for the project are listed on pages 2-4.

**Project Information**

**Request:** Zoning Administrator Special Permit to allow a two story 928 square foot accessory building (two car garage with recreation room above) with a 18 foot wall height and a 23.5 foot overall building height and 52 percent rear yard setback coverage (zoning code accessory building requirements: maximum- 10 foot wall height, 18 foot building height, 33 percent rear yard setback coverage) for a single family dwelling on 0.28+ developed acres in the Standard Single Family (R-1) zone.

**Location:** 1535 39th Street (D3, Area 1)

**Assessor's Parcel Number:** 008-0411-034

**Applicant:** Michael F. Malinowski, AIA Architect Inc  
2420 K Street  
Sacramento, CA, 95816

**Property Owner:** David/Suzanne Mering  
1535 39th St  
Sacramento, CA 95816

**Project Planner:** Sandra Yope

**General Plan Designation:** Low Density Residential (4-15 du/na)  
**Existing Land Use of Site:** Single Family Residence  
**Existing Zoning of Site:** Standard Single Family (R-1)

Surrounding Land Use and Zoning:	Setbacks (Residence)	Required	Existing
North: R-1; Single Family Residence	Front:	25'	44'
South: R-1; Single Family Residence	Side (N):	5'	5'
East: R-1; Single Family Residence	Side (S):	5'	7'
West: R-1; Single Family Residence	Rear:	15'	54'

**Property Dimensions:** 75 feet x 168 feet  
**Property Area:** 0.28<sub>±</sub> acres

Square Footage of Buildings:	House-	2,873 square feet
	Accessory Building (N)	928 square feet
	Existing Guest House	525 square feet
	Total-	4,326 square feet
Height of Garage Building:	Two Stories;	24 feet
Exterior Building Materials:	Stucco	
Roof Materials:	Tile	
Topography:	Flat	
Street Improvements:	Existing	
Utilities:	Existing	

Project Plans: See Exhibits A-C

Previous Files: None

Additional Information: The applicant is requesting to construct a 928 square foot two car garage with a second story recreation room above the garage. There is an existing 528 square foot garage that is in a state of disrepair. The existing garage will be removed and the proposed structure will be constructed on the same footprint. The existing structure is located along the east and south property lines. The entrance to the garage is off the unpaved alley to the east. The existing garage does not meet the required 26 feet of maneuvering and the new structure will also not meet the requirement. The propose garage will have a second floor for an exercise room. The structure will have a wall height of 18 feet and a total height of 23.5 feet. The Zoning Code allows a maximum wall height of 10 feet for an accessory building and a maximum overall height of 18 feet. The proposed structure will not be located in any setback area. A Zoning Administrator Special Permit is necessary to vary from the accessory building requirements.

The site is located within the East Sacramento Improvement Association (ESIA) neighborhood area. The project plans were sent to ESIA and they did not provide comments. The project has been noticed and staff received several calls requesting additional information and stating concern about the use of the structure and the location of windows. Staff indicated the structure is not a guesthouse or a second unit and that no windows were allowed along the south property line per building code.

Environmental Determination: This project will not have a significant effect on the environment and is exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15303(e).

#### Conditions of Approval

1. The accessory structure shall not be used for a living unit. If the property owner wishes to convert the accessory structure to a guesthouse or second residential unit in the future, all necessary entitlements must be obtained.
2. Size and location of the structure shall conform to the plans submitted.
3. The applicant shall obtain all necessary building permits prior to commencing construction.
4. All roof jacks and roof ventilation protruding from the roof shall be painted to match

the roof color or the trim.

5. There shall be no HVAC or mechanical equipment located on the roof.
6. There will be no overhang permitted for the walls within two feet of a property line.
7. **Advisory Note:** The proposed project is located in the 100-year floodplain, designated as an A99 zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective May 22, 2000. Within the A99 zone, there are no requirements to elevate or flood proof.

Findings of Fact:

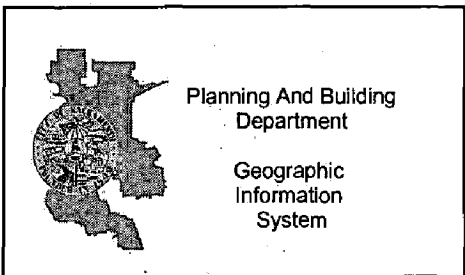
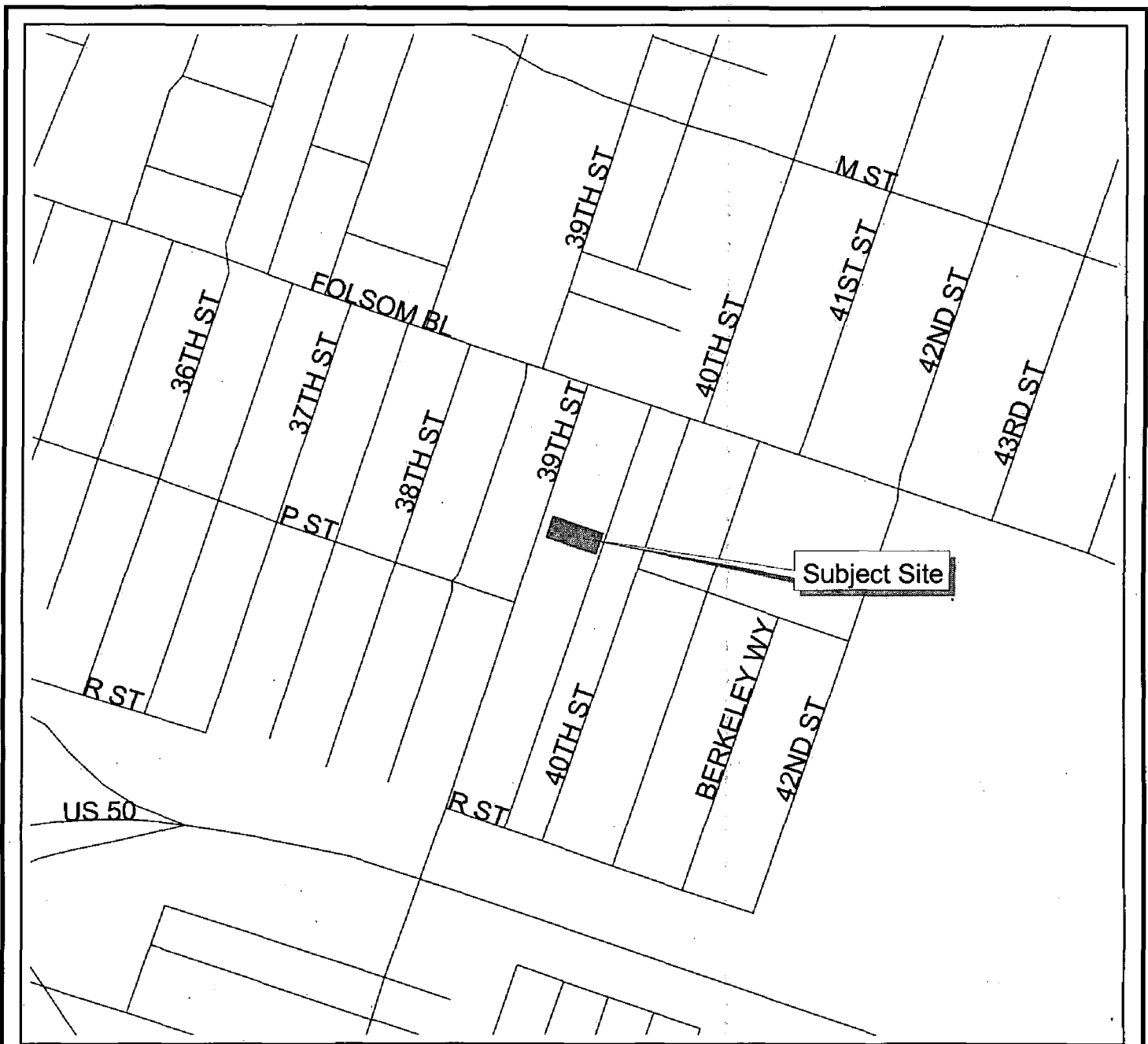
1. The proposed project, as conditioned, is based upon sound principles of land use in that:
  - a. the proposed garage will not substantially alter the characteristics of the site or the surrounding neighborhood; and
  - b. the proposed garage will meet all setback requirements.
2. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
  - a. the proposed garage is compatible in design with the existing house and other properties in the neighborhood;
  - b. the second floor area will not be used as living area;
  - c. there will still be adequate yard area; and
  - c. the structure will replace an existing dilapidated structure on the same footprint.
3. The project is consistent with the General Plan which designates the subject site as Low Density Residential.

  
\_\_\_\_\_  
Joy D. Patterson  
Zoning Administrator

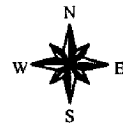
A use for which a Special Permit is granted must be established within two years after such permit is approved. If such use is not so established the Special Permit shall be deemed to have expired and shall be null and void. A Special Permit use which requires a Building Permit shall be deemed established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

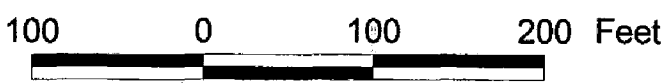
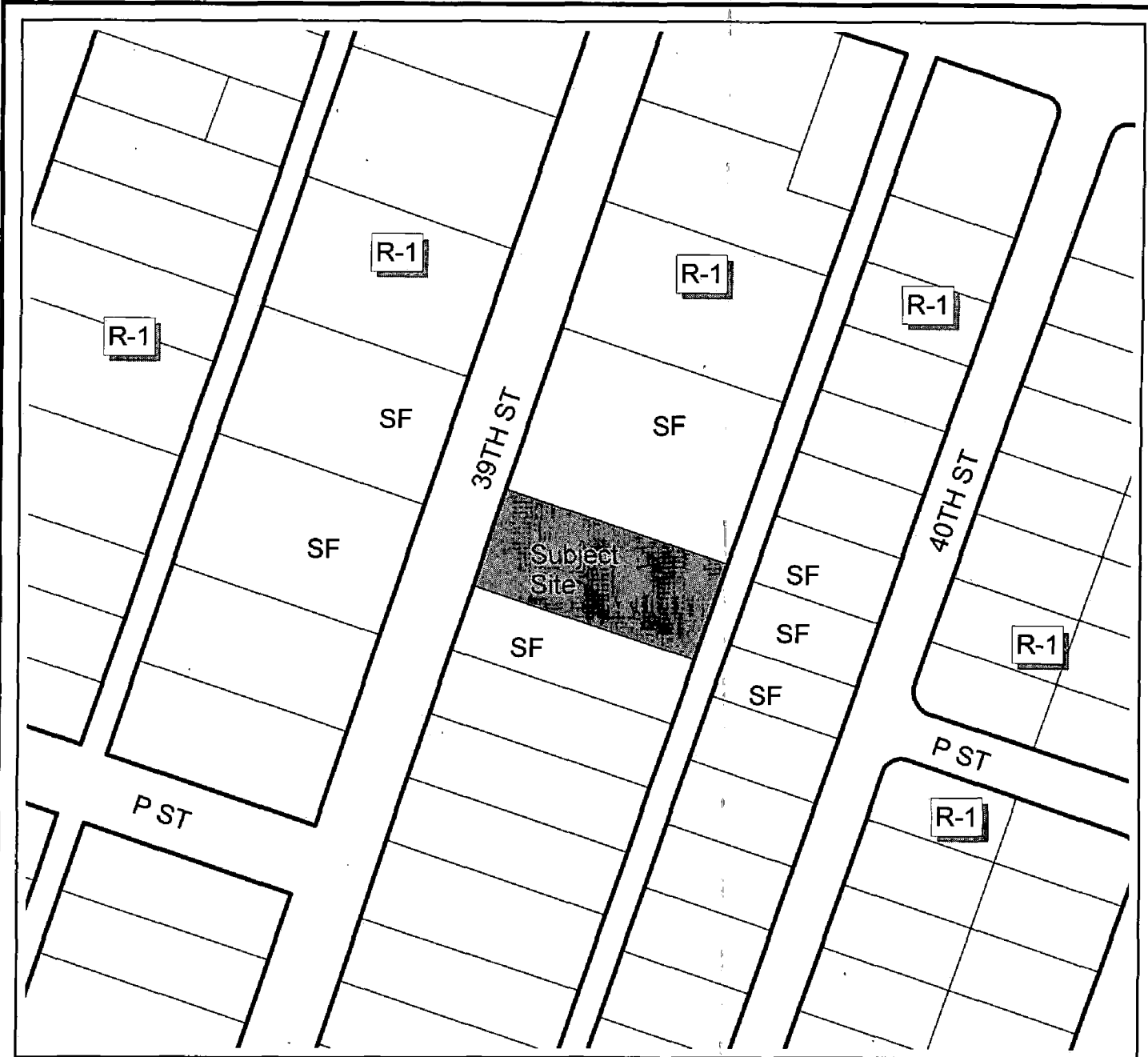
The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

cc: File                      Applicant                      ZA Log Book



# VICINITY MAP





Planning And Building  
Department

Geographic  
Information  
System

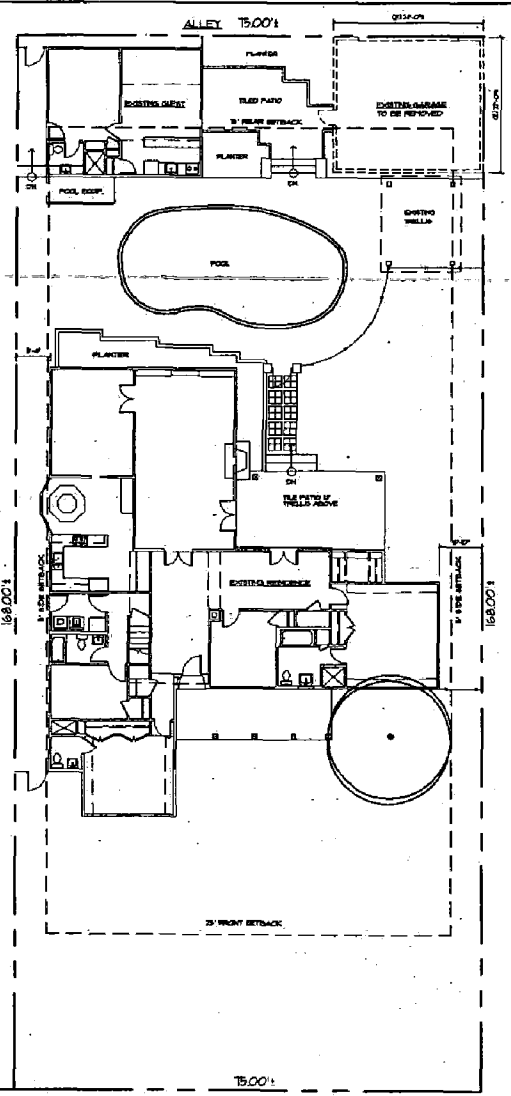
# LAND USE AND ZONING



# MERING GARAGE

EXHIBIT A

Drawn by: [unreadable] Date: 10/23/02



**SITE NOTES**

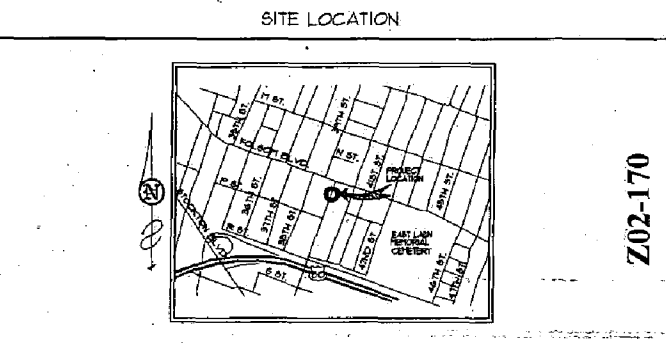
1. VERIFY LAYOUT IN FIELD WITH ARCHITECT. DO NOT SCALE OFF PLANS.
2. CONTRACTOR TO SITE VERIFY GRADING FOR DRAINAGE AWAY FROM BUILDING.
3. CONSULT WITH OWNER REGARDING CONSUMER LOCATION AND STAGING AREA.
4. CONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGE TO ALL ITEMS INCLUDING LANDSCAPE NOT INTENDED TO BE DEMOLISHED.
5. CONSULT WITH OWNER REGARDING ALL ITEMS TO BE SALVAGED AND STORAGE LOCATION OF SALVAGED ITEMS.
6. PROVIDE ADEQUATE SUPPORT AND BRACINGS DURING DEMOLITION AND CONSTRUCTION.

**SHEET INDEX**

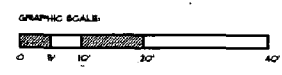
DRAWING DESCRIPTION	SHEET NUMBER
COVER SHEET / SHEET INDEX / SITE PLAN	A1
PROPOSED FLOOR PLAN	A2
PROPOSED GARAGE ELEVATIONS	A3

**PROJECT DATA**

<b>PROJECT ADDRESS:</b>	1535 39th Street Sacramento, CA 95816
<b>ASSESSOR PARCEL NUMBER:</b>	008-0411-034
<b>AREA ANALYSIS:</b>	
EXISTING GARAGE	528 <sup>sq</sup> ft
PROPOSED LOWER LEVEL	504 <sup>sq</sup> ft (Unconditioned)
PROPOSED UPPER LEVEL	424 <sup>sq</sup> ft (Conditioned)
TOTAL AREA	428 <sup>sq</sup> ft
<b>OWNER:</b>	David Mering 1535 39th Street Sacramento, CA 95816 (916) 911-0363
<b>ARCHITECT:</b>	Michael F. Malinowski, AIA, Inc. 2420 K Street, Suite 200 Sacramento, CA 95814 (916) 442-6955 (916) 442-6649 (fax)



APN: 008-0411-034  
NOT A SURVEY!



**SITE PLAN**  
1" = 10'-0"

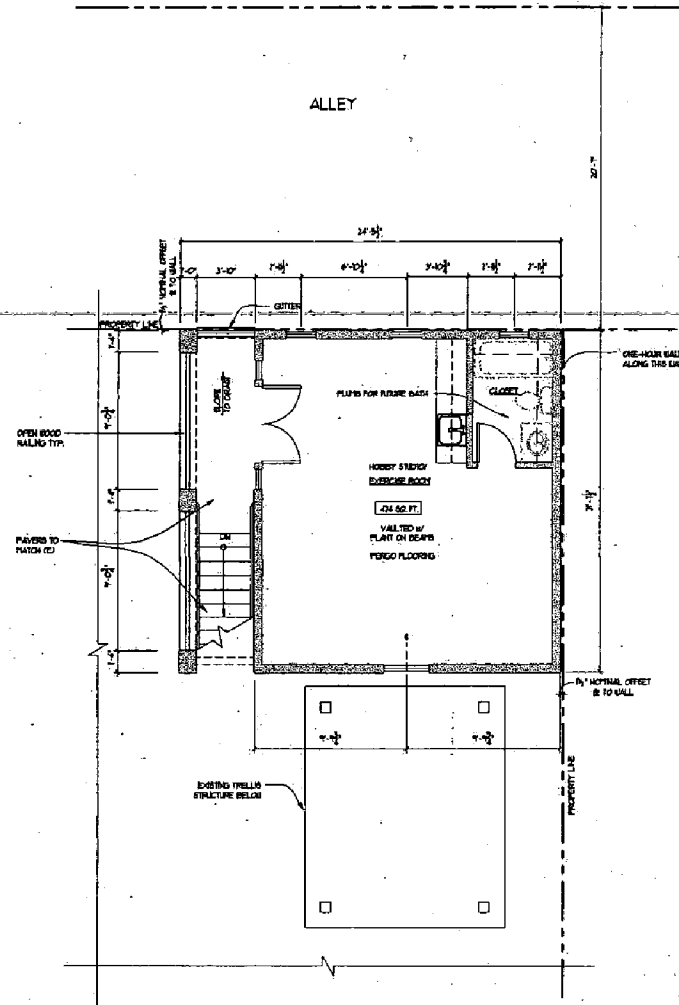
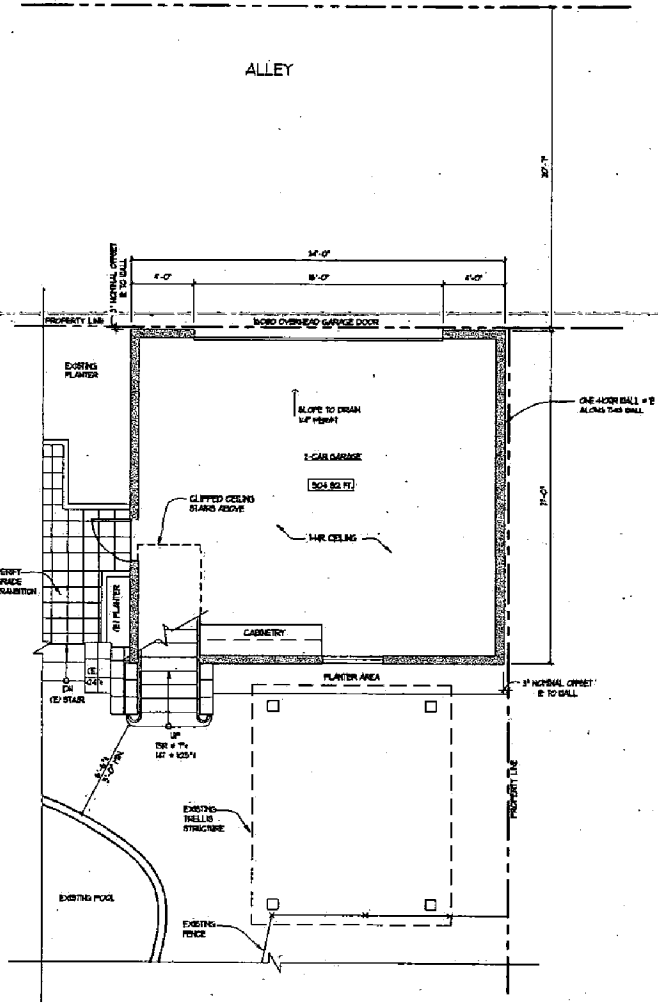
39th STREET

October 31, 2002

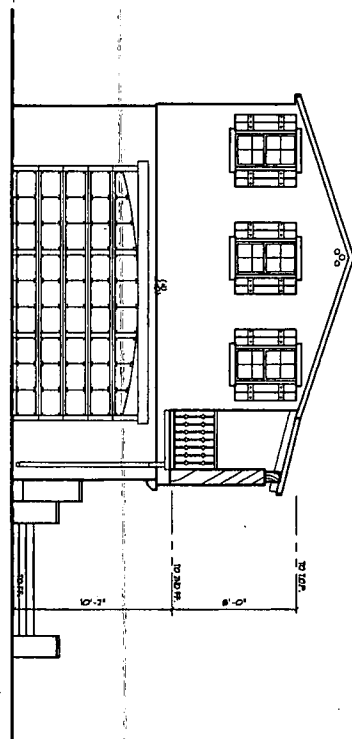
Z02-170

MERING GARAGE

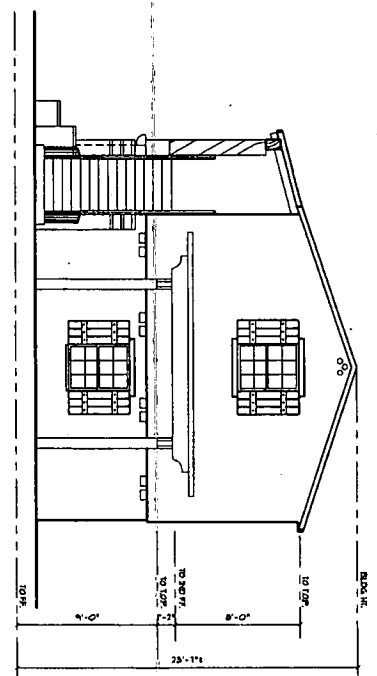
EXHIBIT B



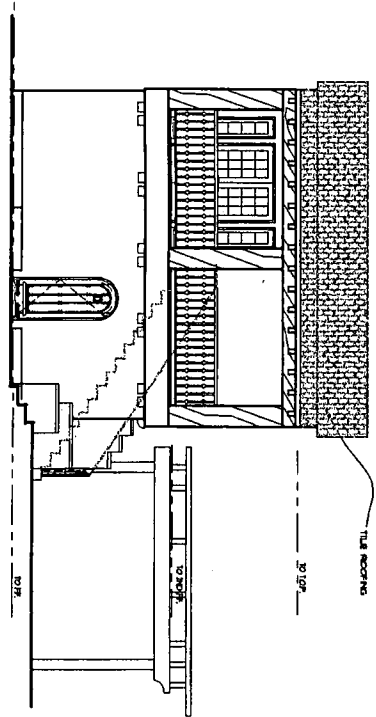
REVISION



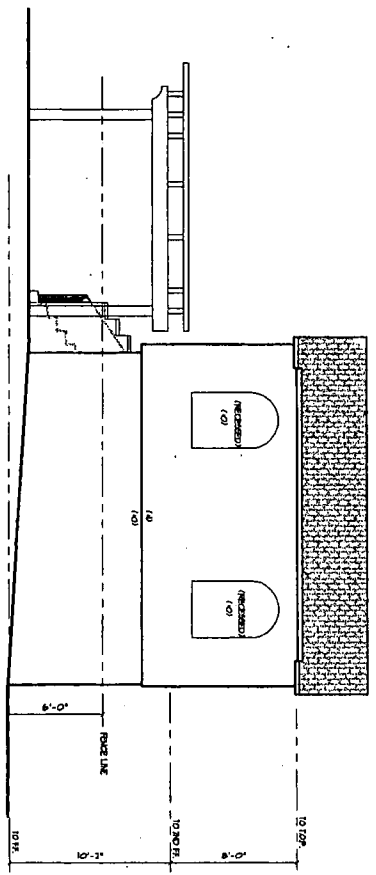
EAST ELEVATION  
1/4" = 1'-0"



WEST ELEVATION  
1/4" = 1'-0"



NORTH ELEVATION  
1/4" = 1'-0"



SOUTH ELEVATION  
1/4" = 1'-0"



**CITY OF SACRAMENTO  
DEPARTMENT OF PLANNING AND BUILDING**

RECEIPT NUMBER: R0210923	APD #: Z020170
TRANSACTION DATE: 08/13/2002	SITE ADDRESS: 1535 39TH ST SAC
TRANSACTION AMOUNT: 1,495.00	PARCEL:
NOTATION: Mering & Associates, Inc.	TYPE: Plng Zoning Administratr
	SUB-TYPE: RSF
	STATUS: IN PROG

**TRANSACTION LIST**

Type	Method	Description	Pymt Amount
Payment	Check	30534	1,495.00

**RECEIPT ACCOUNT ITEM LIST**

Class #	Description	Item #	Total Fee	Prev Pymt	Current Pymt
231	Plng Entitlement/Env Fee	31	1,245.00	.00	1,245.00
269	Plng Entitlement-PW 269	69	250.00	.00	250.00

**PLANNING ENTITLEMENTS**

SP      OTH

**PAID  
CITY OF SACRAMENTO**

AUG 13 2002

**NEIGHBORHOODS PLANNING  
AND DEVELOPMENT SERVICE**

\$1,150.00  
\$0.00  
\$0.00  
\$0.00  
\$0.00  
\$0.00  
\$0.00

Environmental Review:	\$95.00	Hearing Fees:	\$0.00
Utilities:	\$0.00	Notices:	\$0.00
Water Test:	\$0.00	Appeal Fees:	\$0.00
Public Works:	\$250.00	<b>TOTAL:</b>	<b>\$1,495.00</b>

I understand that additional fees may be required if the cost to process the application is greater than the minimum fee and/or if this application involves an existing violation of the Zoning Ordinance. Also on some applications additional processing charges may be required after the requested entitlements are approved.

Received From: Michelle M. Moore      Signature: Michelle M. Moore  
 (Print)      (Sign)

(Not valid unless stamped)