

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

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, February 23, 2000, the Zoning Administrator approved with conditions special permits and a variance to expand a non-conforming residence, to further exceed allowed lot coverage and to allow an existing raised patio in the street side yard setback with an eight foot fence on the property line for the project known as Z99-166. Findings of Fact and conditions of approval for the project are listed on pages 3-4.

Project Information

- Request:
1. **Zoning Administrator Special Permit** to expand a non-conforming structure along the existing 7.5 foot rear yard building setback for a proposed 105 square foot addition to a single family residence on 0.11± developed acres in the Standard Single Family (R-1) zone.
 2. **Zoning Administrator Special Permit** to expand a non-conforming structure by increasing lot coverage from 45.5 percent to 49.3 percent with two additions totaling 227 square feet.
 3. **Zoning Administrator Special Permit** to allow an existing raised terrace to extend to the property line in the street side yard setback.
 4. **Zoning Administrator Variance** to allow an existing eight foot high wall to be located at the property line in the street side yard setback.

Location: 2648 Rochon Way (D4, Area 1)

Assessor's Parcel Number: 013-0086-007

Applicant: Michael Malinowski (Kristy Lingner)
2420 K Street
Sacramento, CA 95816

Property Owner: Kenneth and Virginia Duffield
2648 Rochon Way
Sacramento, CA 95818

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	Required	Existing
North: R-1; Single Family Residence	Front:	25'	19.5'
South: R-1; Single Family Residence	Side(E.):	12.5'	17'
East: R-1; Single Family Residence	Side(W.):	5'	5'
West: R-1; Single Family Residence	Rear:	15'	7.5'

Property Dimensions:	60' x 100'		
Property Area:	0.11± acres		
Square Footage of Buildings:	Existing House/Trellis-	2,333 square feet	
	Existing Garage-	399 square feet	
	House Addition-	227 square feet	
	Total-	2,959 square feet	
Height of Garage Building:	One Story; 22 feet		
Exterior Building Materials:	Stucco		
Roof Materials:	Tile		
Topography:	Flat		
Street Improvements:	Existing		
Utilities:	Existing		

Project Plans: See Exhibits A-E

Previous Files: P83-074

Background Information: On March 24, 1983, the Planning Director approved a Variance to encroach 2.5 feet into the 12.5 foot street side yard setback for a garage addition, to encroach 3.5 feet into the street side yard setback for a terrace and wall addition; and to exceed the height limitation for a wall by two feet (P83-074). The patio addition and new wall were not built according to the plans or approved variance. Additionally, the original plans misrepresented the property line so the encroachments were even greater. The house was sold and the new owners want to legalize all the existing structures and make a small addition.

Additional Information: The applicant is requesting to legalize the previous additions and wall construction and to expand an existing residence by adding a 105 square foot room addition and a 122 square foot breezeway. The room addition will extend to an existing 7.5 foot rear yard setback. The rear yard setback was existing prior to the previous entitlement request and does not meet the 15 foot requirement making the structure non-conforming. A special permit is required to expand a non-conforming structure. The addition will be flush with the existing wall and will match the residence in materials, color and design. There is an existing trellis that covers the walkway between the back door and the garage. The trellis will be replaced with a solid cover. The addition and breezeway cover will increase the existing lot coverage from 45.5 percent to 49.3 percent. The Zoning Ordinance allows a maximum of 40 percent lot coverage. The existing structures exceeded the allowed coverage making the structure non-conforming for lot coverage also. A special permit is required to further expand the lot coverage. Additionally, the lot is substandard in width for a corner lot (60 feet wide).

The previous construction included a raised terrace that extended to the property line in the street side yard setback. The recent Zoning Ordinance requirements were changed allowing modifications to be made with a special permit to existing residences that enhance the desirability and vitality of an existing house in order to encourage the continued ownership and occupancy. The modifications allowed include reducing required setbacks. The raised terrace was previously allowed to reduced the street side yard setback to 8.5 feet; however, the terrace was expanded to the property line. The structure was never finalized by the Building Division although it has been built for 16 years. The special permit will permit the terrace to remain as constructed.

The previous entitlements allowed the eight foot high wall to be built within the street side yard setback area; however, the wall was actually built at the property line. The Zoning Ordinance requires a variance to allow a solid wall higher than four feet to be constructed in the first five feet of the street side yard setback area. The applicant is requesting a variance to legalize the existing wall.

The project has been noticed and staff has not received any calls.

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, Sections 15305(a) and 15303(e)}.

Conditions of Approval

1. There shall be no further expansion of the garage, house, patio, trellis or any other structure into the rear yard setback or street side yard setback areas nor any additional structures added any where on the site.
2. Size and location of the addition shall conform to the plans submitted.
3. The applicant shall obtain all necessary building permits prior to commencing construction and obtain/finalize building permits for all previous construction to include the terrace and eight foot high wall.

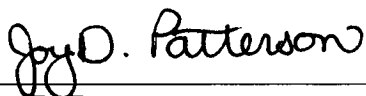
Findings of Fact-Special Permits:

1. The proposed project, as conditioned, is based upon sound principles of land use in that:
 - a. the proposed addition and legalizing the existing structures will not substantially alter the characteristics of the site or the surrounding neighborhood; and
 - b. the raised patio terrace has existed in the current location for 16 years and is not proposed to be expanded or altered.
2. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:

- a. the proposed addition is compatible in design with the other existing properties in the neighborhood;
 - b. the terrace areas are open providing adequate open space;
 - c. the lot is substandard in width; and
 - d. the addition to the existing residence adds vitality and desirability for the existing home to allow the present occupants to remain.
3. The project is consistent with the General Plan which designates the subject site as Low Density Residential (4-15 du/na).

Findings of Fact-Variance:

1. Granting the variance does not constitute a special privilege extended to an individual applicant in that a variance would be and has been granted to other property owners facing similar circumstances.
2. Granting the variance request does not constitute a use variance in that the single family dwelling is residential use that is permitted 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 wall does not impair visibility of the sidewalk and street for the adjacent neighbor; and
 - b. the wall has existed in the current location for 16 years without causing an impact to the neighborhood.

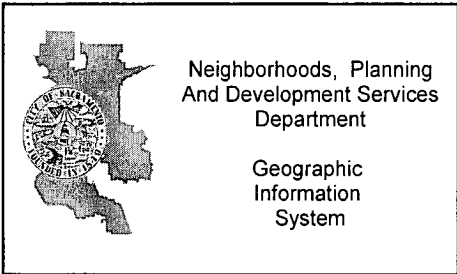
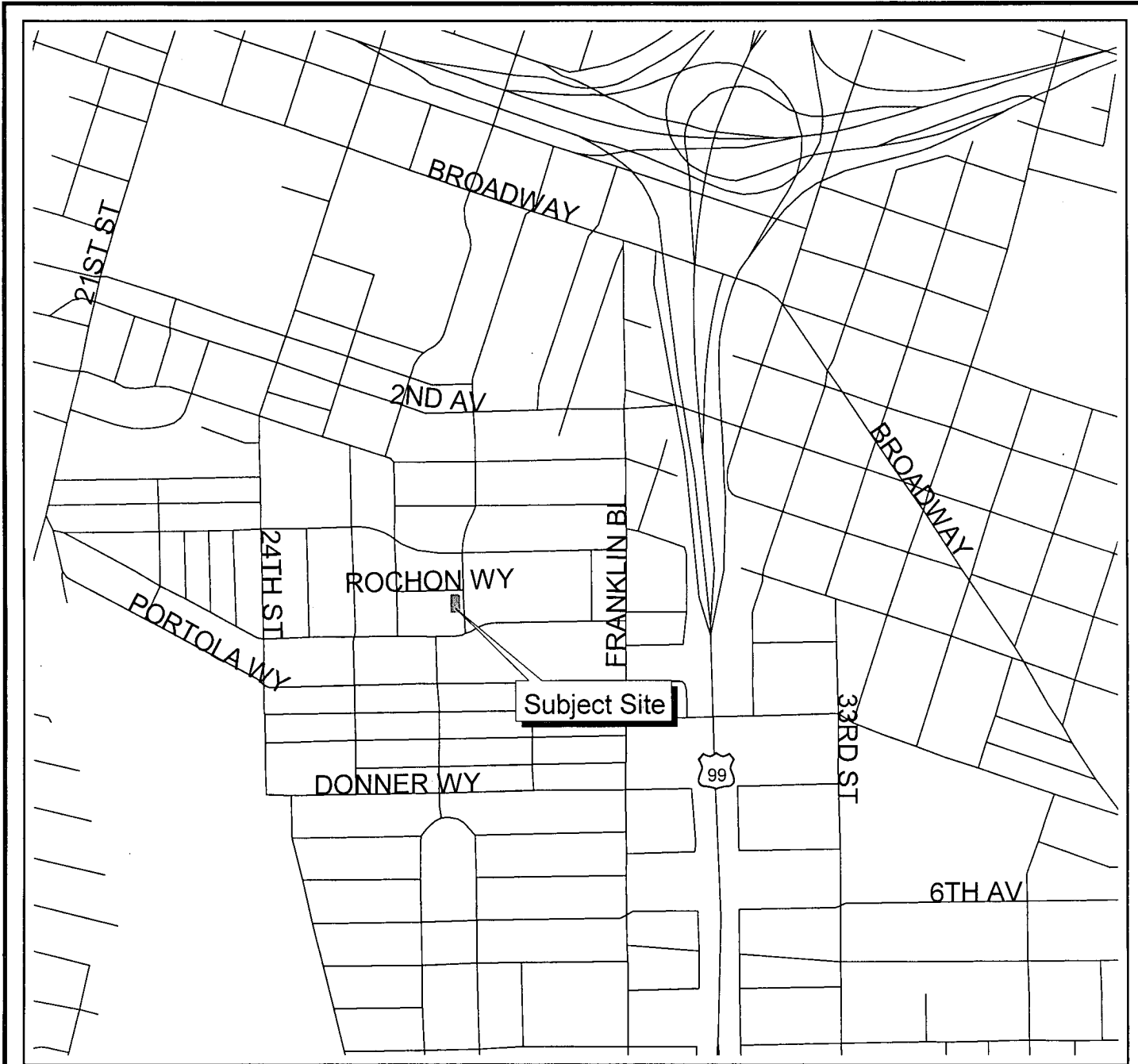


Joy D. Patterson
Zoning Administrator

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.

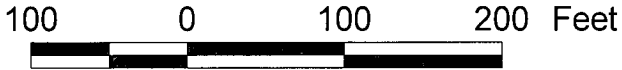
The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

cc: File Applicant ZA Log Book



VICINITY MAP





Neighborhoods, Planning
And Development Services
Department

Geographic
Information
System

LAND USE AND ZONING



DUFFIELD RESIDENCE

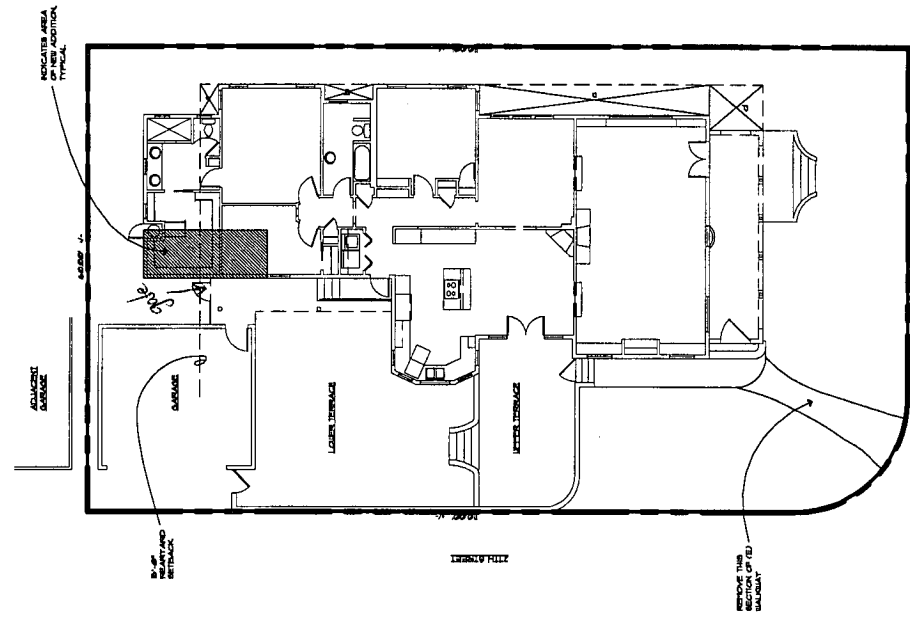
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99071

- A. REAR YARD ENCROACHMENT
7'-0" x 11'-1" = 88 sq. ft.
- B. SUBMITTED REAR YARD
 - a. 4'-0" x 7'-0" = 28 sq. ft.
 - b. 3'-0" x 6'-0" = 18 sq. ft.
 - c. 4'-0" x 5'-0" = 20 sq. ft.
 - d. 8'-0" x 11'-0" = 88 sq. ft.

"A" less than 10' therefore OK



APNs 013-286-001 NOT A SURVEY



SITE PLAN 1/8" = 1'-0"

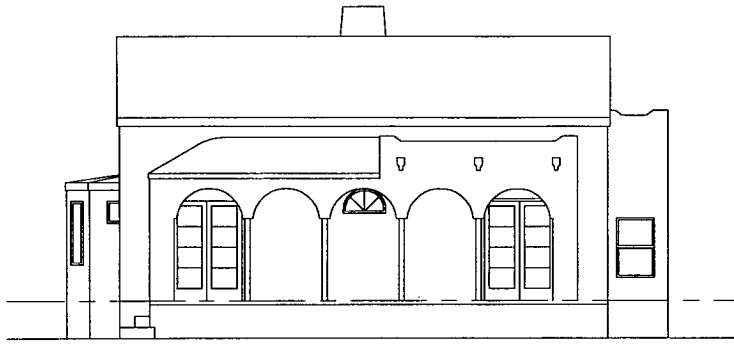
99-166

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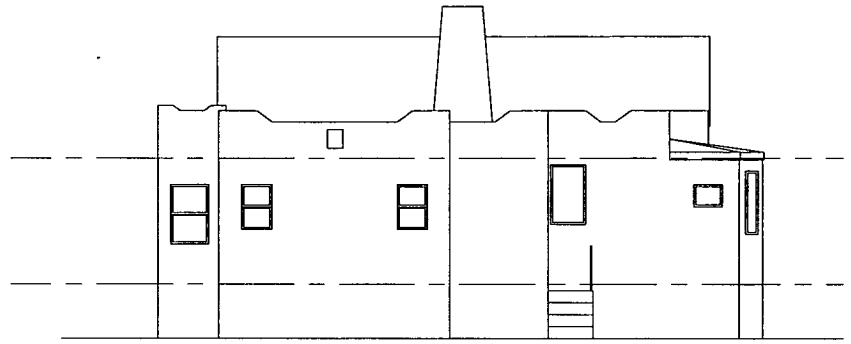
EXHIBIT

DEC 23 RECD

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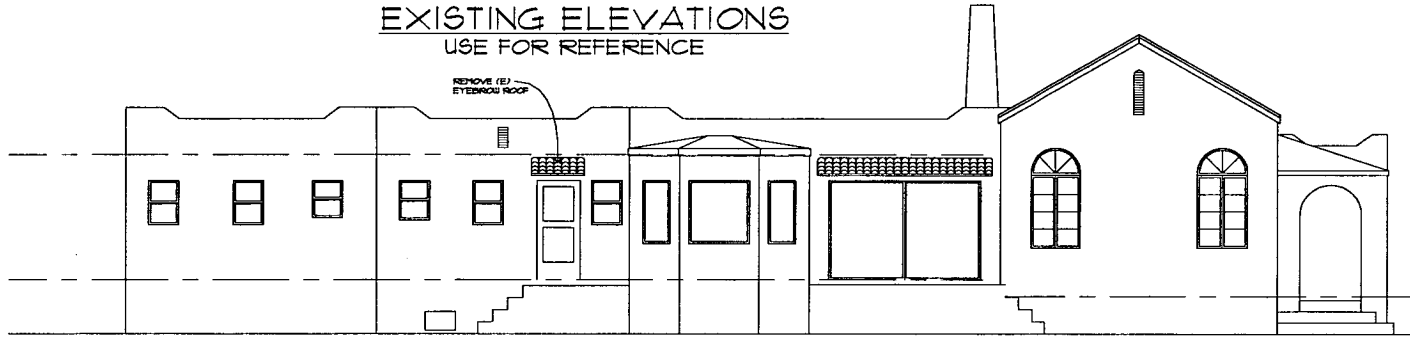


NORTH ELEVATION
1/4" = 1'-0"



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

EXISTING ELEVATIONS
USE FOR REFERENCE



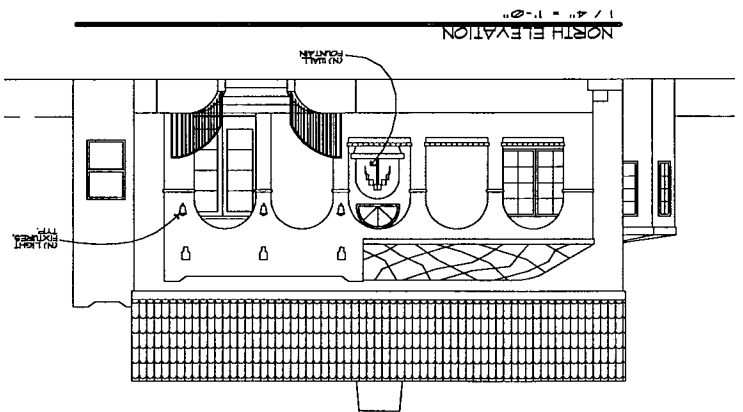
EAST ELEVATION
1/4" = 1'-0"



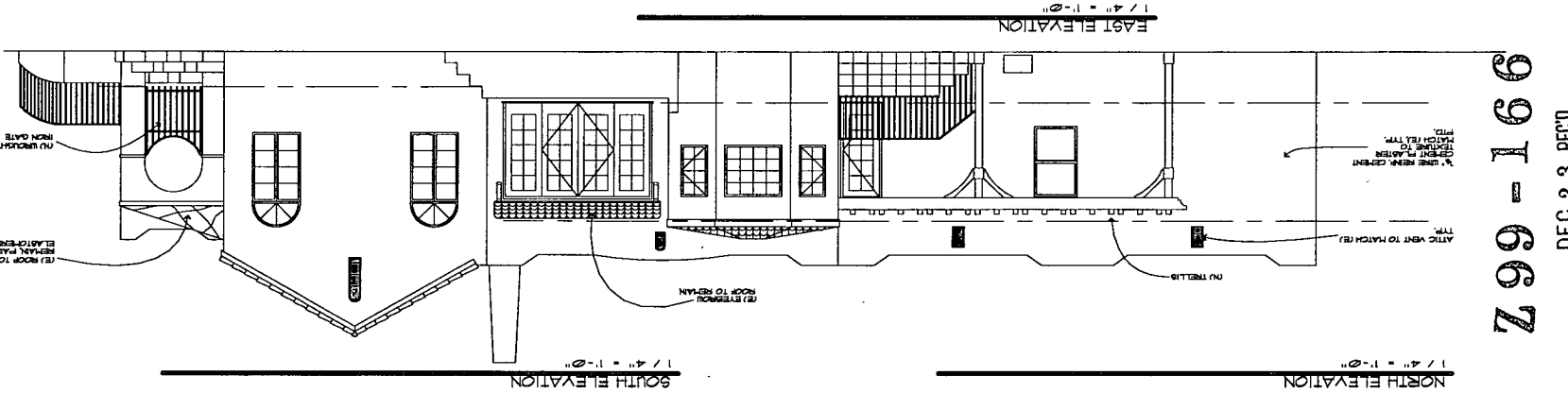
WEST ELEVATION
1/4" = 1'-0"

799-166
 3
 1/12/99
 AS NOTED
 1/17/99
 720296
 11-14-1998
 MADE IN
 CALIFORNIA
 CA 95818
 FEBRUARY 23, 2000
 DUFFIELD
 RESIDENCE
 2848 R
 CA 95818
 M 2

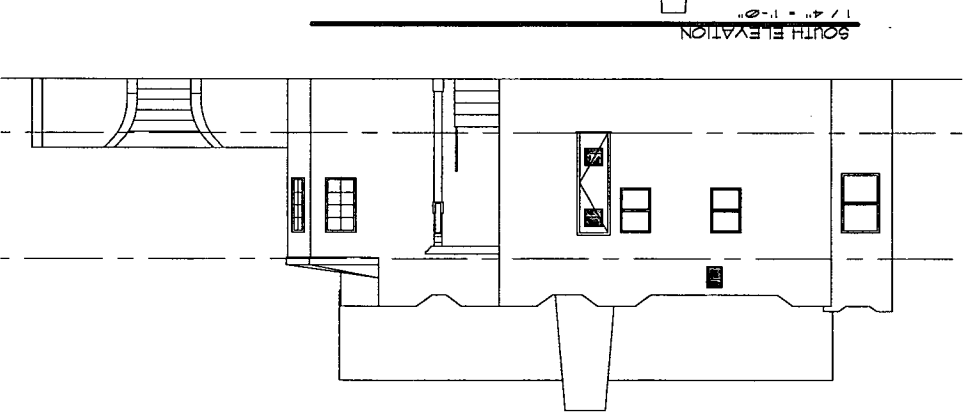
991-667



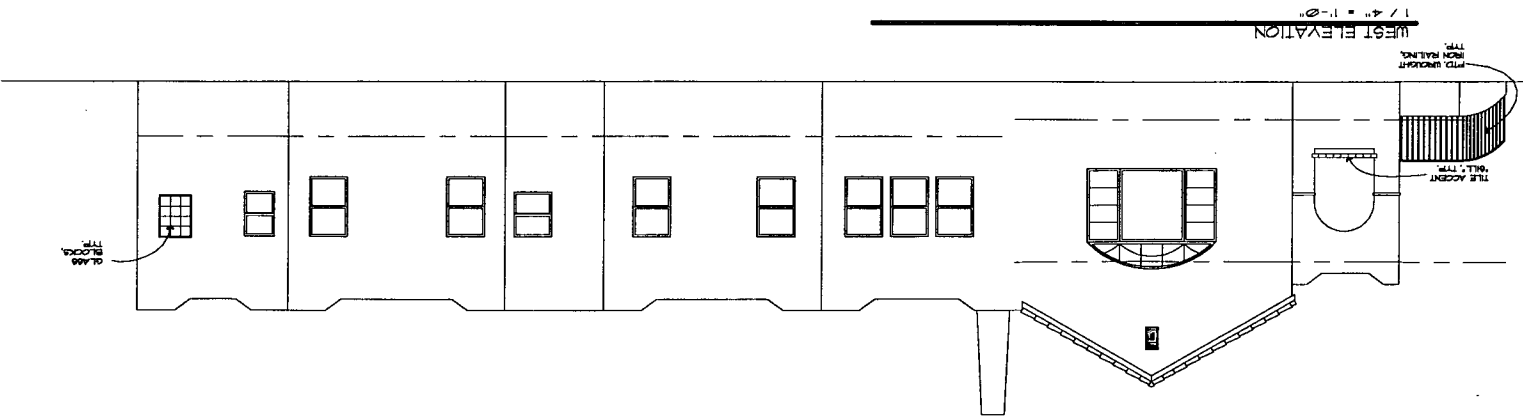
NORTH ELEVATION
1/4" = 1'-0"



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



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



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

GENERAL NOTES:
1. PROVIDE LATERAL BRACING AS REQUIRED PER CODE.
2. PAINT ALL NEW AND DISTURBED SURFACES, TYPICAL.
INTERIOR AND EXTERIOR.

5
99274
17/15
AS NOTED
1/17/99
160
SHEET
911-667-000
CA 95618

DUFFIELD
RESIDENCE
2648 Redwood Ave
Folsom, CA 95618

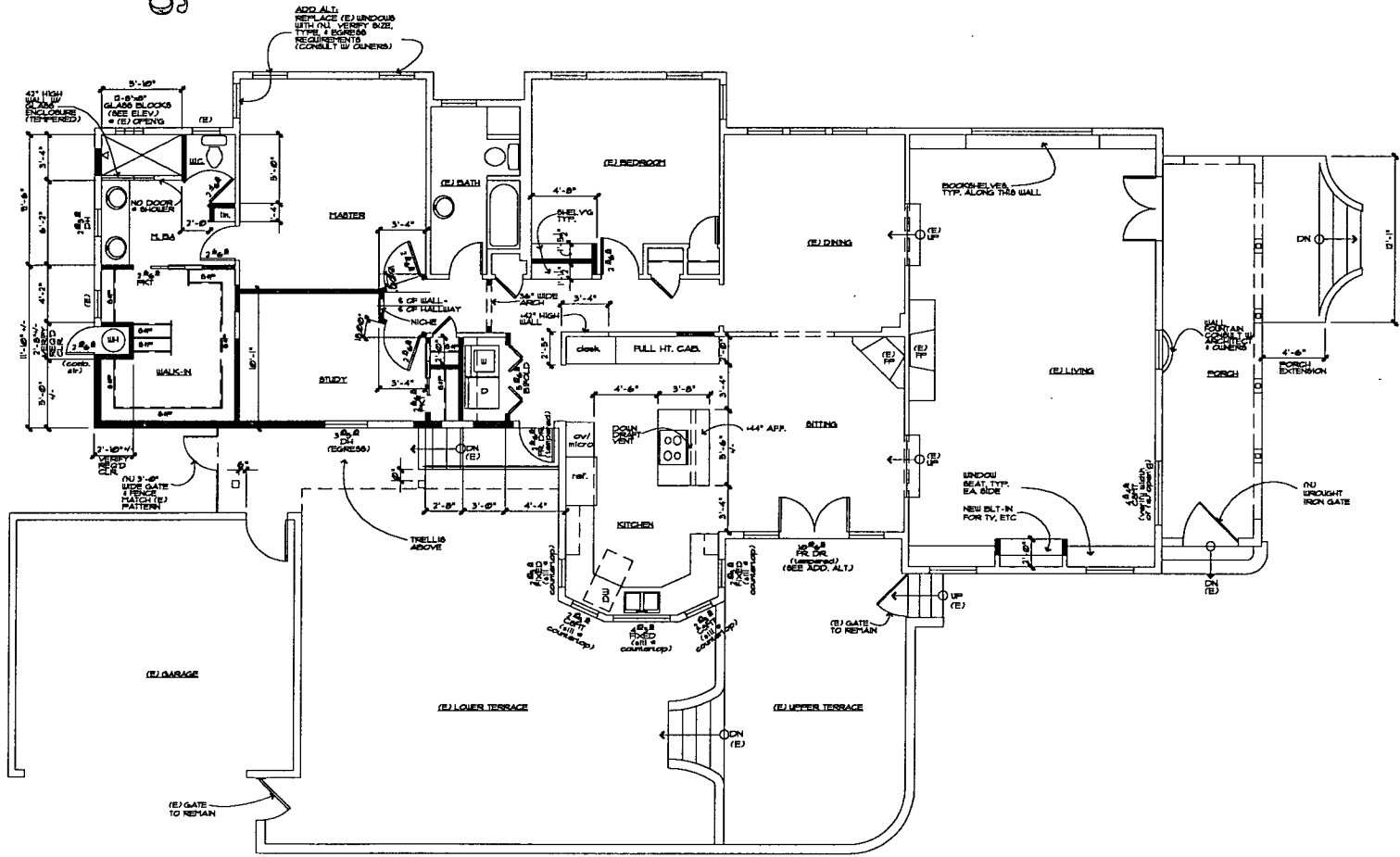


ITEM 2

799-166

DEC 23 RECD

EXHIBIT



WALL LEGEND	
	(U) 2x4 @ 16" O.C. STUD WALL TYPICAL, UNO.
	(E) WALL TO REMAIN TYPICAL, UNO.
	(E) WALL TO BE REMOVED TYP. UNO. SEE SHEET 2

AREA ANALYSIS	
AREA OF (U) ADDITION	= 189 SQ. FT. +/-
AREA OF EXISTING	= 2139 SQ. FT. +/-
TOTAL AREA	2328 SQ. FT. +/-

- GENERAL NOTES**
- VERIFY LAYOUT IN FIELD WITH ARCHITECT. DO NOT SCALE OFF PLANS.
 - INSULATION NOTE: R-38 @ CEILING TYPICAL UNO. (ENTIRE HOUSE)
R-5 @ (U) WALLS TYPICAL
ADD ALL (U) R-19 IN INSULATION @ ALL (E) EXTERIOR WALLS
R-15 @ (U) FLOORS TYPICAL
ADD ALL (U) BATT INSULATION @ (E) FLOOR COMPLETE
 - CONTRACTOR SHALL NOT PROCEED WITH ANY INTERIOR WORK WITHOUT CONSULTING ARCHITECT AND OWNERS.
 - WINDOW NOTES:
-ALL WINDOW SIZES SHOWN ARE NOMINAL
-ALL WINDOWS SHALL BE WOOD TYP. UNO
-ALL WINDOWS SHALL BE DOUBLE GLAZED, TYPICAL
-HEAD HEIGHT SHALL BE 44" AFF. TYPICAL UNLESS NOTED OTHERWISE
-CONSULT WITH OWNER REGARDING WINDOW MANUFACTURER
-WINDOW SIZES PER LIST VERIFY COMPLIANCE WITH ALL CODE REQUIREMENTS FOR TYPING AND EGRESS. EACH WINDOW SHALL HAVE AT LEAST ONE WINDOW TO TEST EGRESS REQUIREMENTS. FINISH SHALL BE 44" AFF. MAX.
-SEE EXTERIOR ELEVATIONS FOR MUNTIN PATTERNS, TYPICAL.
 - DOOR NOTES:
-CONSULT W/ OWNERS REGARDING DOOR MANUFACTURER
-ALL DOOR SIZES SHOWN ARE NOMINAL
-ALL EXTERIOR FRENCH DOOR SHALL BE DOUBLE GLAZED, TYPICAL.
-ALL GLAZING IN DOORS SHALL BE DOUBLE GLAZED, TYPICAL
-TYPICAL INTERIOR DOORS SHALL MATCH (E) TYP. UNO UNLESS NOTED OTHERWISE. VERIFY W/ OWNERS
-TYPICAL DOOR HARDWARE (MATCH (E) TYP. UNO)
ENTRY LOCKSET, DEADBOLT, WEATHERSTRIPPING
1 THRESHOLD
BATHROOM DOORS, PRIVACY LOCKSET
DOOR TO HALLWAY, PRIVACY LOCKSET
TYPICAL DOORS, PASSAGE LOCKSET
 - PROVIDE ATTIC ACCESS MINIMUM 27"x36" PER CODE TO ALL AREAS EXCEEDING 36" IN HEIGHT. VERIFY LOCATIONS.

FLOOR PLAN
1/4" = 1'-0"



ITEM 2

DUFFIELD RESIDENCE

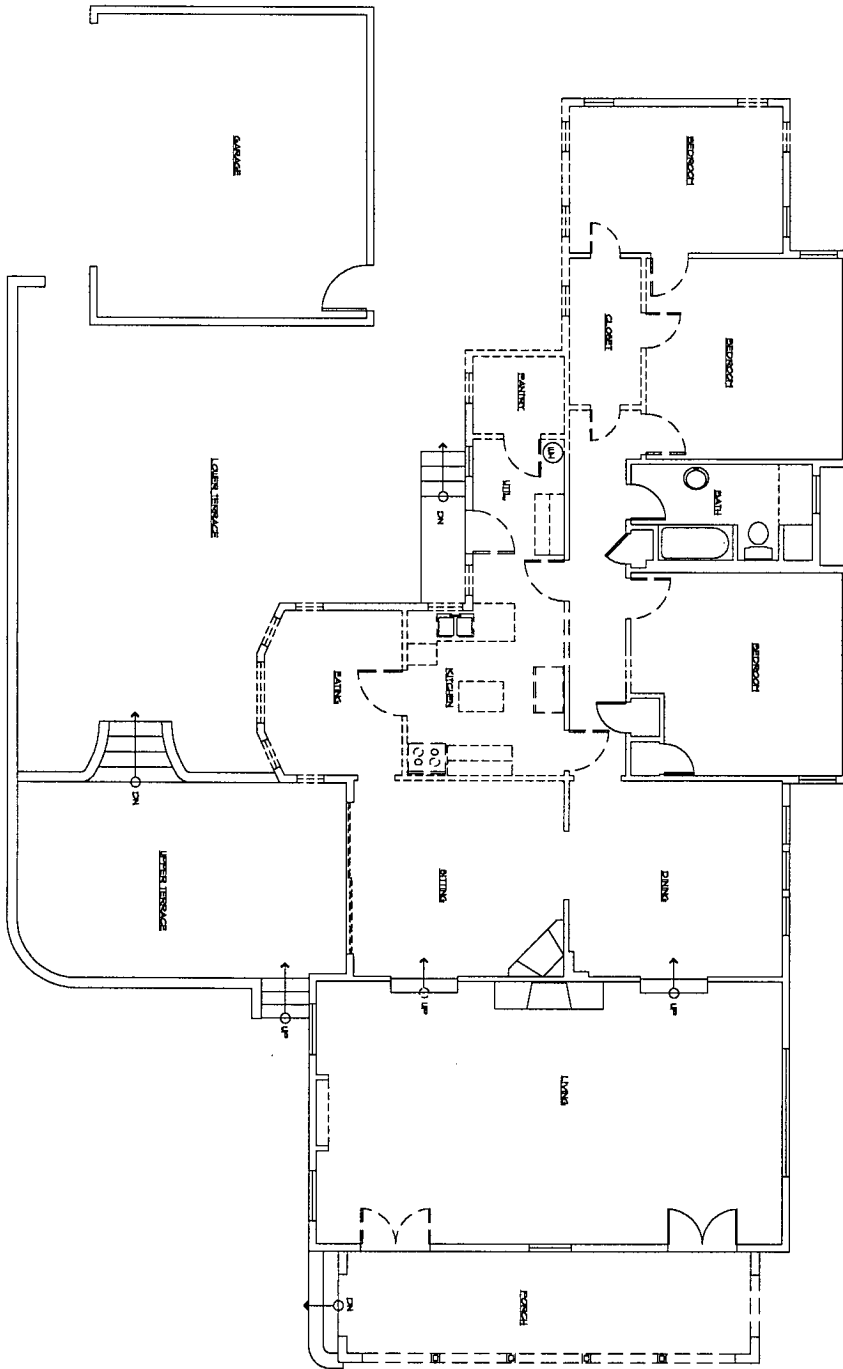
2648 R. February 29, 2000, CA 95818

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DATE: 11/12/99
AS NOTED
1/17/00
990274

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DEC 23 REC'D

Z 99 - 166



- GENERAL NOTES:
1. CONSULT WITH OWNERS REGARDING ALL ITEMS TO BE SALVAGED.
 2. CONSULT WITH OWNERS REGARDING STAGING AREA.
 3. PROVIDE APPROPRIATE SIGNING AS NECESSARY DURING CONSTRUCTION.

EXISTING FLOOR PLAN / DEMOLITION PLAN
1/4" = 1'-0"



**DUFFIELD
RESIDENCE**

2848 RIVERSIDE DRIVE, SAN JOSE, CA 95131

February 23, 2000



108872 618827
3480 F Street
SAN JOSE, CA 95131

1/17/98
AS NOTED
1/17/98
5/20/01
2

ITEM 2