

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

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, May 26, 1999, the Zoning Administrator approved, with conditions, a request for a Major Modification to a Zoning Administrator's Special Permit to allow the expansion of a two bedroom bed and breakfast inn to four bedrooms (four guest bedrooms plus the manager's bedroom all located in the 2,843 square foot residence). Findings of Fact and conditions of approval are listed on pages 4-5 of this report.

Project Information

Request: Major Modification to a Zoning Administrator's Special Permit to increase the number of guest rooms within a bed and breakfast from two to four bedrooms (plus manager's quarters) in an existing 2,843 square foot home with a 443 square foot studio above the garage.

Location: 3322 H Street (D3, Area 1)

Assessor's Parcel Number: 007-0061-003

Applicant/ Owner: Robert and Patricia Ansell
 3322 H Street
 Sacramento, CA 95816

Project Planner: Don Smith

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-SPD*)

Surrounding Land Use and Zoning:
North: McKinley Park; R-1-SPD*
South: Two Family Residence; Duplex; R-1-SPD*
East: Single Family Residence; R-1-SPD*
West: Single Family Residence; R-1-SPD*

*these sites are within the Alhambra Corridor Special Planning District

Property Dimensions: 64' X 140'
Property Area: 0.205± acres
Parking Required: 3 spaces
Parking Provided: 3 spaces
Square Footage of Building: 2,843 square feet main residence,
 890± studio/garage

Height of Building: 2 stories, 20± feet
 Exterior Building Materials: Plaster-stucco
 Roof Materials: Composition
 Topography: Flat
 Street Improvements: Existing
 Utilities: Existing

Previous Files: Z96-121

Project Plans: See Exhibits A-C

Background Information:

Approximately five years ago, the applicant began to operate the bed and breakfast inn within the existing residence on the site. At the time, the Zoning Ordinance did not permit bed and breakfast facilities in the R-1 zone. In May, 1996 an amendment to the Zoning Ordinance made bed and breakfast uses possible at the site with an approved Special Permit. In September, 1996, the applicant made a formal request to the Zoning Administrator for a four bedroom bed and breakfast inn. On December 18, 1996, the Zoning Administrator heard the request and approved a two bedroom bed and breakfast facility at the site (Z96-121). The Zoning Administrator's decision was appealed to the Planning Commission by neighbors who were opposed to the use in the neighborhood. The Planning Commission heard the appeal on February 27, 1997 and upheld the Zoning Administrator's decision to approve the bed and breakfast facility with two bedrooms. Conditions of the Special Permit prohibited use of the room above the garage as part of the bed and breakfast inn.

Additional Information:

The applicant has requested a modification to the original special permit to allow two additional rooms (four guest bedrooms total) to be used for the bed and breakfast use. The property is located on the south side of H Street facing McKinley Park. There are two structures on the site (Exhibit A). The main building (a 2,843 square foot home, Exhibit B) and a detached garage with a bedroom on the second floor (890 square feet, Exhibit C). These structures were originally constructed around 1925.

City Planning Division and Building Division staff inspected the site in April 1999. Building Division staff found that the low ceiling height, narrow staircase and other structural circumstances of the room above the garage are substandard to building codes. It was determined, based on non-conformance with Uniform Building Code standards, that the room above the garage could not meet building code requirements for use as a guest room of the bed and breakfast.

Because the room above the garage does not meet the requirements of the Uniform Building Code (UBC), the applicant requested that four bedrooms in the main structure be used for the bed and breakfast inn. The owners proposed to relocate their bedroom from the main residence to the room

above the garage. The Building Division indicated that use of the room above the garage by the owner as a bedroom would be permissible.

The site plan shows three parking spaces (Exhibit A). Two spaces are located in front of the building. The third space is in front of the garage. The three spaces will meet the parking requirement of one space per every two guest rooms plus one space for the owner/manager. The owner also stores his personal vehicle (usually covered) on the driveway on the west side of the house in front of the gate. The site plan also indicates a maneuvering area behind the required spaces. A reciprocal maneuvering agreement provides additional back up space on the adjacent property. There is no parking allowed on the south side of H Street.

Neighborhood Concerns and Comments:

Staff received letters from adjacent neighbors who have concerns about intrusion of commercial uses into the residential neighborhood and intrusion on privacy. They indicate that the use may be violating the conditions of approval of the February, 1997 action in that they believe the room above the garage has been rented to bed and breakfast guests. A petition was submitted in opposition to the project with 16 names of nearby property owners. The project was noticed and staff also received phone calls in opposition to the project.

The site is located within the East Sacramento Improvement Association (ESIA) area. The project plans were sent to the association. The ESIA has submitted a letter in opposition to the request (Exhibit D). The letter echoed the neighbors' concerns over the encroachment of commercial uses into the residential zone, disturbance to the neighbor's privacy and a lack of adequate parking.

The applicant sent postcards to residents in the area summarizing their request for a special permit to expand the bed and breakfast and inviting them to an open house on May 24th. The applicant indicated that two people attended the open house.

Zoning Administrator Hearing:

There were approximately 12 people in attendance at the two hour public hearing. Testimony in support and in opposition to allowing the additional rooms for the bed and breakfast unit was heard by the Zoning Administrator. The large opposition contingent echoed the previously mentioned concerns that had been submitted in letters. The Zoning Administrator asked the applicant if he had rented the room above the garage to bed and breakfast guests. He indicated that bed and breakfast guests did not use the room above the garage. The Zoning Administrator also asked if he rented more than two rooms to bed and breakfast guests. He indicated that he did not and that an advertisement on the Bed and Breakfast Channel web page was done in anticipation of receiving approval for the two additional rooms.

After listening to public testimony, the Zoning Administrator closed the public hearing, and approved the special permit modification subject to conditions. One condition of approval is that the bed and breakfast use (including the manager's quarters) shall be confined to the main house and no one shall use the detached garage/accessory building as living/sleeping quarters.

Agency Comments:

Project information was sent to various city departments. The Building Division was primarily concerned about the room above the garage in that it does not conform to the Uniform Building Code.

Environmental Determination:

This project will not have a significant effect on the environment and is exempt from environmental review pursuant to State EIR Guidelines California Environmental Quality Act, Section 15301.

Conditions of Approval:

1. The bed and breakfast inn shall use no more than four rooms in the main house as guest bedrooms for the business. The fifth bedroom in the main house shall be used by the owner/manager. The garage/accessory building to the south of the main building shall not be used for any type of living/sleeping quarters by anyone as long as the property is used as a bed and breakfast (see Exhibits A, B and C). The room above the garage shall have all bedroom furniture removed and the room restored to an accessory building by June 15, 1999 (the date does not apply if project is appealed). The applicant shall call Sandra Yope, at 264-7158, for an inspection of the accessory structure.
2. The bed and breakfast use is for lodging of guests only. Conferences, weddings, fund raisers or other similar gatherings of lodgers and/or non-lodgers is prohibited at the site. This condition is not to prohibit Mr. and Mrs. Ansell (or any future owners of the property) from having normal family events on the property.
3. All outdoor activities shall be in conformance with the City Noise Ordinance. Bed and breakfast guests shall Not be permitted to use the backyard area before 8:00 a.m. in the morning or after 10:00 p.m. at night.
4. The applicant shall meet building code requirements (including fire code) for the two additional guest bedrooms. Before renting the two additional rooms, the applicant shall contact Planning Division staff for an inspection of the bed and breakfast.
5. No sign advertising the bed and breakfast shall be permitted on the subject property except for the existing sign on the premises as stipulated in the conditions of approval in Z97-121.
6. No more than four (4) cars shall be parked on-site at any time in the front yard area. Specifically, no more than two cars shall be parked in the two parking spaces in front of the front door and no more than two cars shall be parked in the driveway on the west side of the residence in front of the solid fence/gate (see Exhibit A).

Findings of Fact:

1. Granting of the Special Permit is based upon sound principles of land use in that:
 - a. the use, as conditioned, is compatible with the residential uses in the neighborhood; and,
 - b. the use is in an appropriate location across from a park with access from a major street.
2. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
 - a. adequate parking is provided;
 - b. the bed and breakfast inn will not have more than four guest rooms in the main structure and no living space/quarters above the garage; and,
 - c. outdoor activities will be in conformance with the City Zoning and Noise Ordinances. No weddings, receptions or other similar activities are permitted at the site and, no outdoor activities of the bed and breakfast guests are permitted before 8:00 am or after 10:00 pm each day.
3. The project is consistent with the General Plan which designates the subject site as Low Density Residential (4-15 du/na). A bed and breakfast inn is allowed in a residential zone with an approved Special Permit.

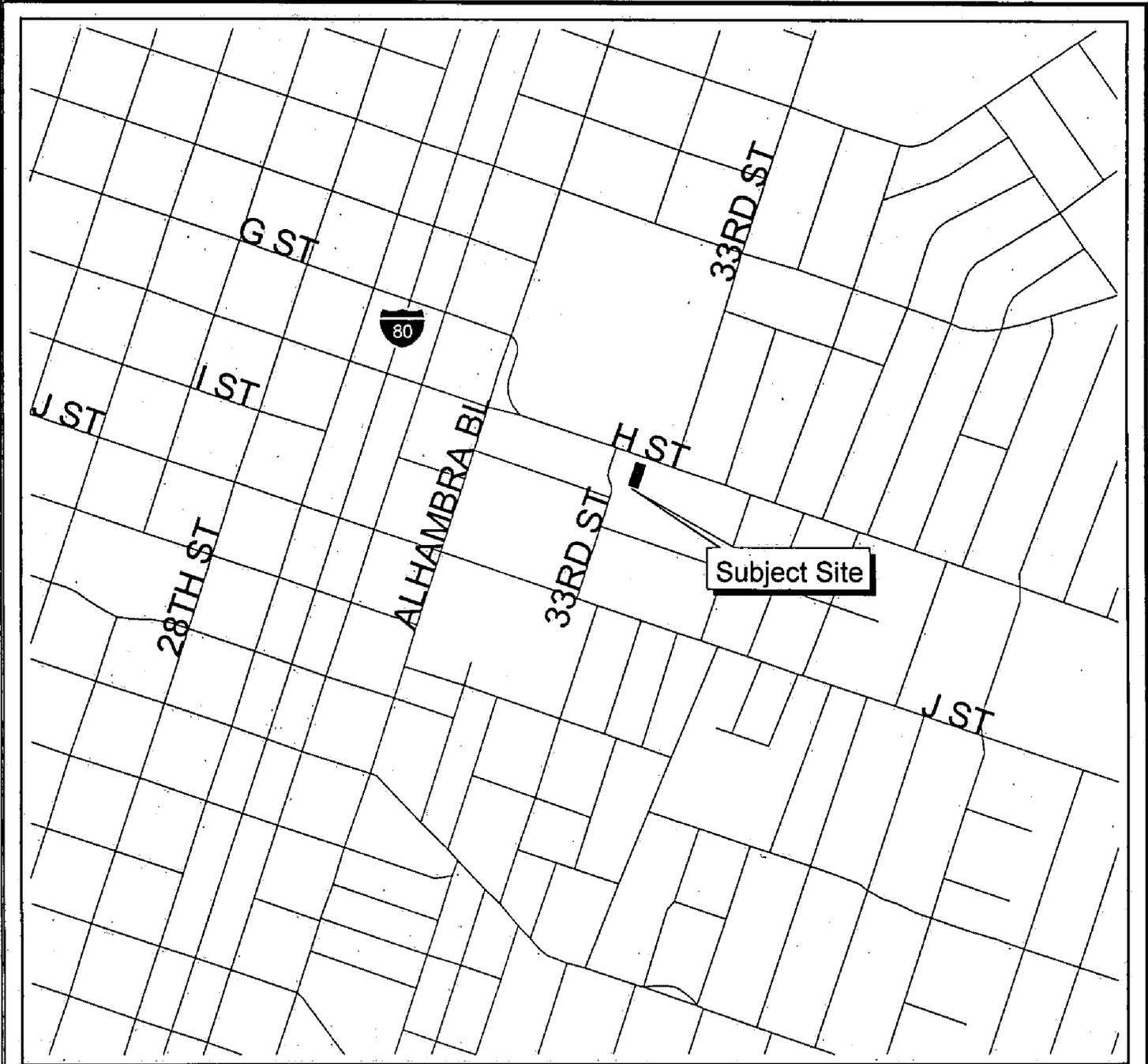


Joy D. Patterson
Zoning Administrator

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.

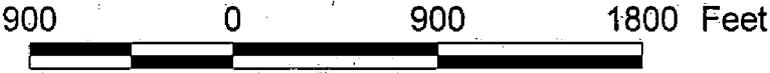
The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

cc: File
Applicant/ Owner- R. Bruce Ansell
ZA Log Book

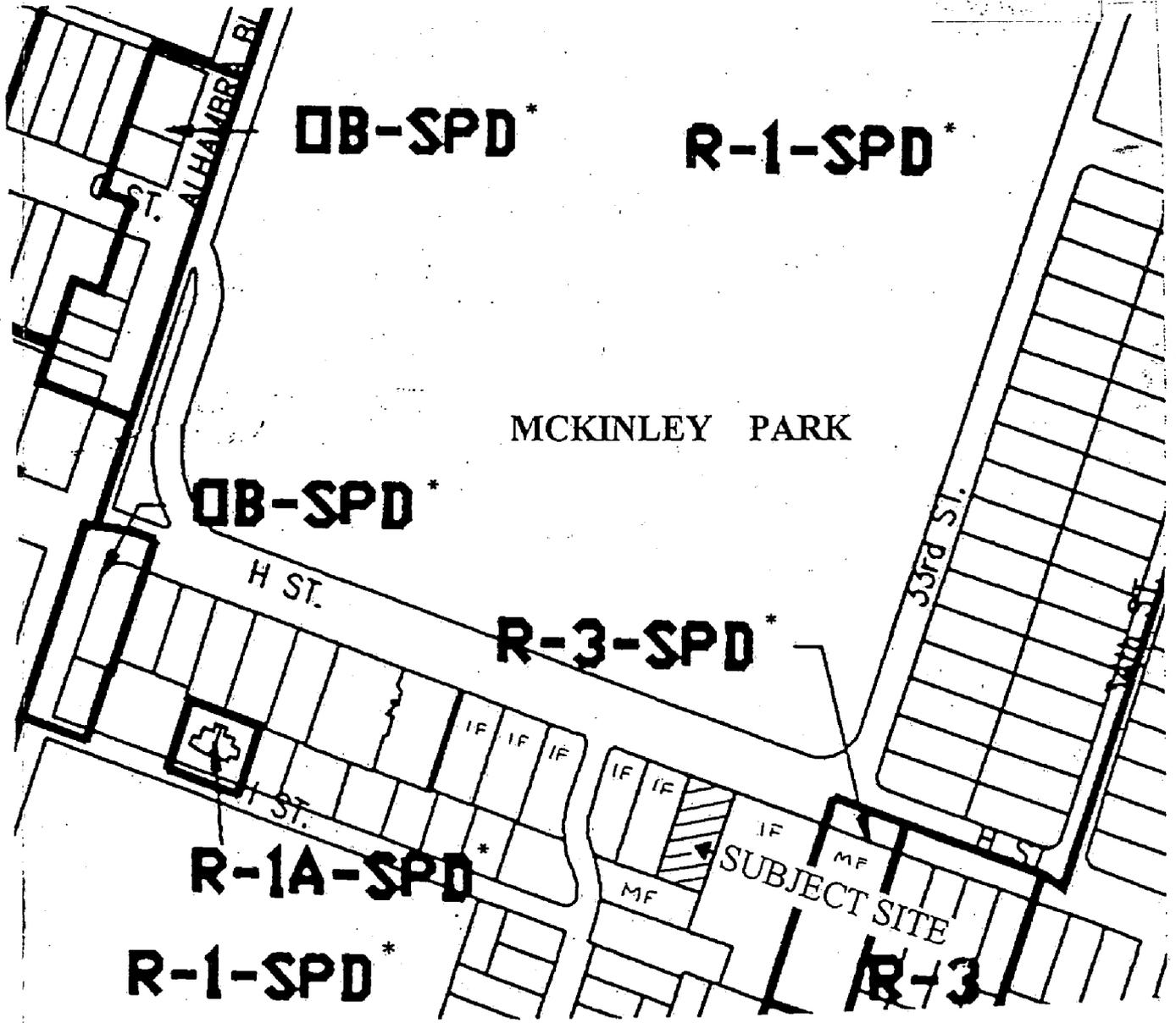



Neighborhoods, Planning
And Development Services
Department

Geographic
Information
System



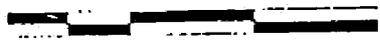
VICINITY MAP



*Alhambra Corridor Special Planning District



LAND USE AND ZONING



Z 99 - 029

RECEIVED
MAR 26 1999
CITY OF SACRAMENTO
CITY PLANNING DIVISION

Fence
Gate

ROP. LINE

PARKING (1 AUTO) DRIVEWAY

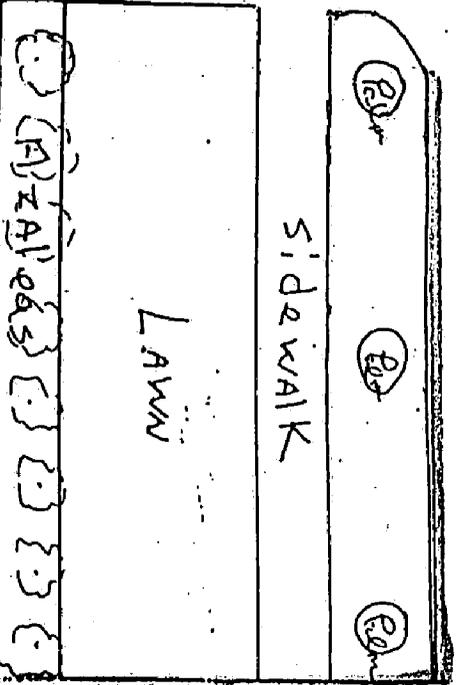
STUDIO
GARAGE /
Accessory
Structure

PARKING
(2 AUTOS)

Maximum 2
cars in this area (condition 6)

Main
House
3322 H STREET

GARDEN



1 parking space for B+B
1 car may be parked here
(condition 6)

SY = Old structure

170'

GARDEN

Not to be used as
living quarters / bedroom
Accessory structure only.
(condition 1)

64'

H ESQUIRE 21

P = Old Palm

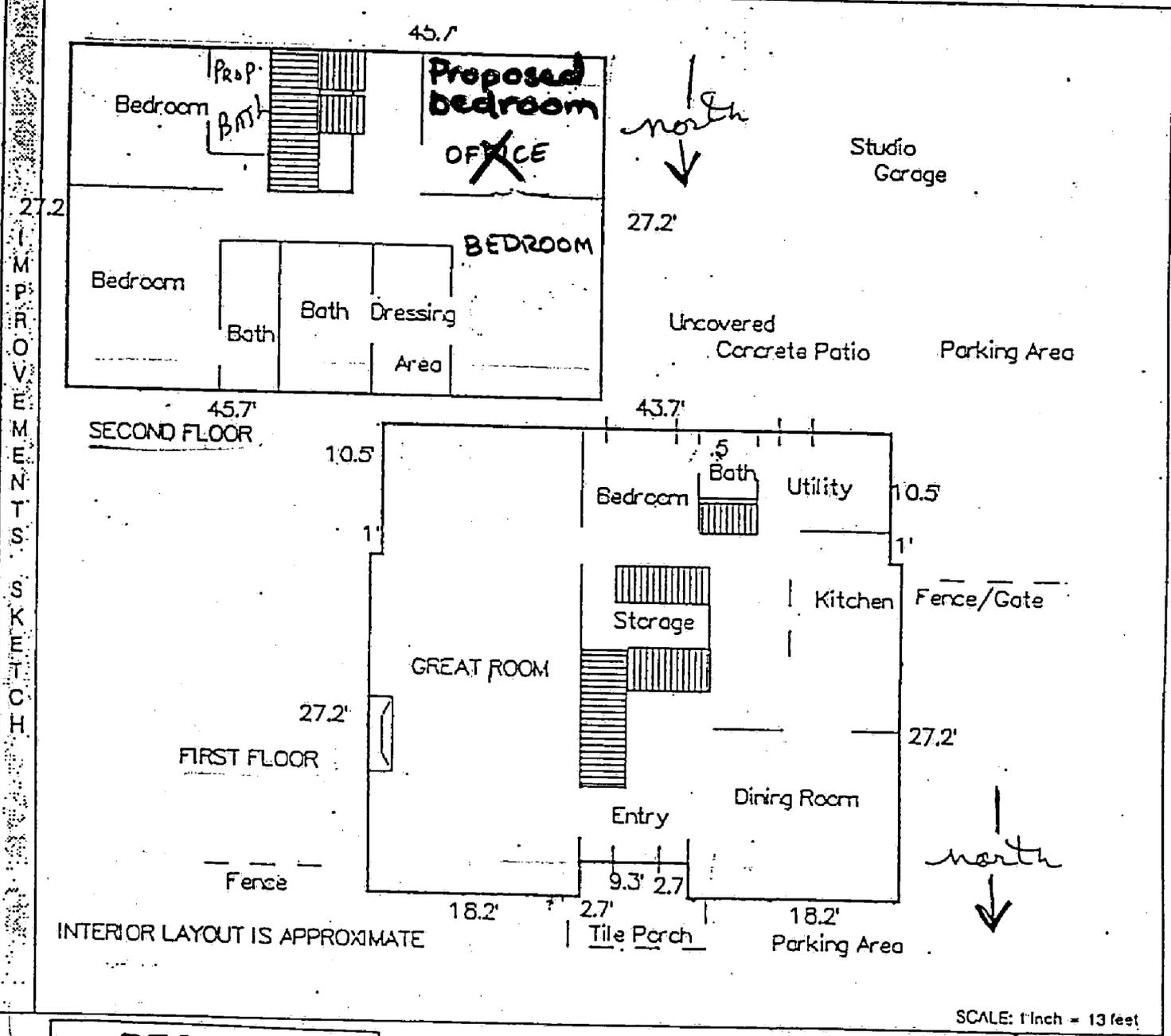
SKETCH/AREA TABLE ADDENDUM

EXHIBIT B

MAIN House Floor Plan

File No: 2875

SUBJECT	Borrower/Client	Ansell / McClellan Federal Credit Union		
	Property Address	3322 H Street		
	City	County	State	Zip Code
	SACRAMENTO	Sacramento	California	95816
	Lender	MCLELLAN FEDERAL CREDIT UNION		



INTERIOR LAYOUT IS APPROXIMATE

SCALE: 1/4" = 13 feet

RECEIVED
 MAR 26 1999
 CITY OF SACRAMENTO
 CITY PLANNING DIVISION

FLOOR PLAN
 MAIN STRUCTURE

Z 99 - 029

(Bedrooms to be used)
 (FOR GUEST ROOMS)

SKETCH/AREA TABLE ADDENDUM

STUDIO - GARAGE FLOOR PLAN

DATE: 2/11/99

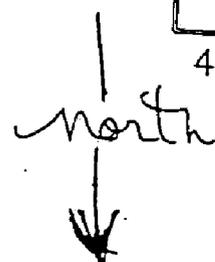
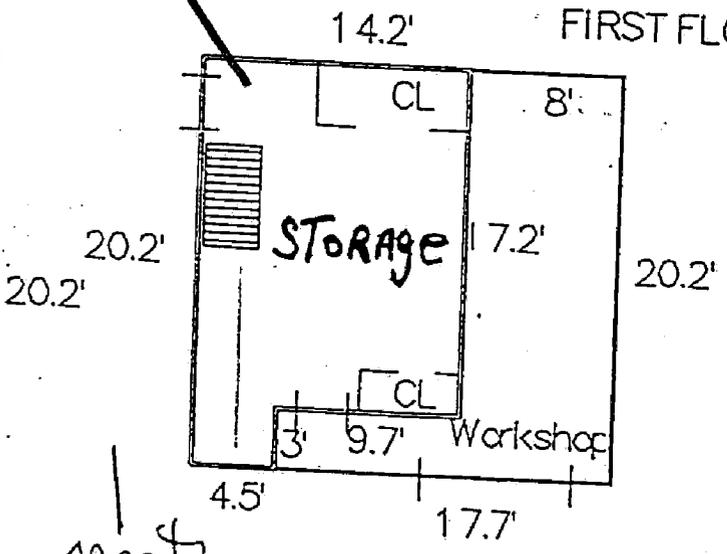
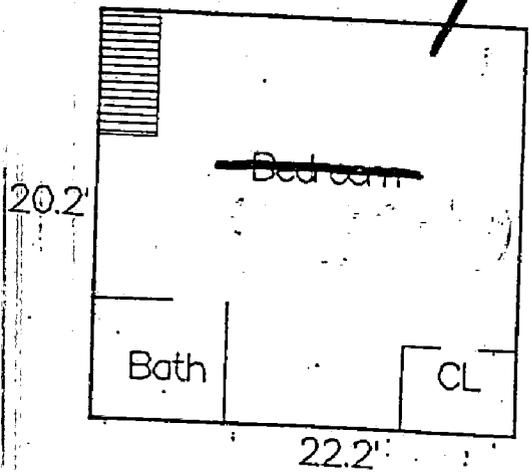
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Borrower/Client	Ansell / McClellan Federal Credit Union			File No:	2875
Property Address	3322 H Street Studio Unit				
City	County	State	Zip Code		
SACRAMENTO	Sacramento	California	95816		
Lender	MCLELLAN FEDERAL CREDIT UNION				

Accessory uses only
Not to be used as
living quarters/bedroom
(condition 1)

SECOND FLOOR
22.2'

FIRST FLOOR



SCALE: 1 inch = 10 feet

RECEIVED

MAR 26 1999

799-029



EAST SACRAMENTO IMPROVEMENT ASSOCIATION

Neighbors helping neighbors since 1958

May 14, 1999

Joy Patterson
Zoning Administrator
Planning Department
1231 I Street, Room 200
Sacramento, CA 95814

Re: Request of the Savoyard Bed & Breakfast for entitlement to rent four rooms and post signage.

Dear Ms. Patterson:

The East Sacramento Improvement Association (ESIA) strongly opposes Mr. Ansell's request to enlarge the commercial use of his residential house locate at 3322 H Street.

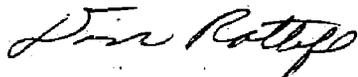
The zoning for this block is R-1. ESIA supported the Alhambra Corridor Guidelines to try to limit the impact of that corridor on the viability of nearby East Sacramento residences. As you know, ESIA and many nearby residents opposed Ansell's original application for entitlements for commercial use of his property to rent out two rooms for transient occupation. The issues regarding the current application are the same: creeping commercialization in the residential area, disturbance of neighbors' privacy, and adequate parking.

ESIA believes that several nearby residents are unhappy with the impacts of the current commercial use. We request that the Planning Staff speak privately with neighbors in the 3300 block of H Street to determine whether there are in fact difficulties with the current operation prior to considering entitlements for any expanded use.

Expansion of the existing use will seriously undermine any efforts to monitor permitted usage by doubling the number of transient visitors. The proposed new signage symbolizes commercial encroachment, and has no place on this otherwise residential street.

Please listen to the neighbors before considering this action.

Yours truly ,

A handwritten signature in cursive script, appearing to read "Dick Ratliff".

Dick Ratliff, ESIA Vice President

cc: Gary Stonehouse, Planning Director
Councilman Steve Cohn