

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

ACTION OF THE ZONING ADMINISTRATOR

On Tuesday, September 12, 1995, the Zoning Administrator approved with conditions a variance to allow an existing patio cover to encroach into the rear yard setback for the project known as Z95-071. Findings of Fact and conditions of approval for the project are listed on page 2-3.

Project Information

Request: Zoning Administrator Variance to reduce the required rear yard setback from 15 feet to eight feet for an existing patio cover for a single family residence on 0.14± developed acres in the Standard Single Family (R-1) zone.

Location: 3119 Mill Oak Way

Assessor's Parcel Number: 225-0683-055

Applicant: Cecilio and Lucila Madrideojos **Property** Same as applicant
3119 Mill Oak Way **Owner:**
Sacramento, CA 95833

General Plan Designation: Low Density Residential (4-15 du/na)
South Natomas
Community Plan Designation: Residential (4-8 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'	25'
South: R-1; Single Family Residence	Side(E.):	5'	8'
East: R-1; Single Family Residence	Side(W.):	5'	6'
West: R-1; Single Family Residence	Rear:	15'	8'

Property Dimensions: 60 feet x 105 feet
Property Area: 0.14± acres
Square Footage of Buildings: Existing House/Garage- 1,923 square feet
Patio Cover Addition- 143 square feet
Total- 2,068 square feet

Z95-071

September 12, 1995

ITEM 1

Height of Building:	Single Story, 17 feet
Exterior Building Materials:	Stucco and Horizontal siding
Roof Materials:	Composition Shingles
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

Project Plans: See Exhibits A-C

Previous Files: None

Additional Information: The applicant is requesting to allow an existing patio cover that encroaches seven feet into the rear yard setback area to remain. The patio cover was constructed several years ago with a room addition. The applicant had a building permit for the room addition that has never been finalized because the patio cover was not a part of the approved plans or permit. The patio cover is structurally a continuation of the room addition roof line. The eleven by thirteen (143 square foot) area is open on three sides and has a concrete deck with a built in brick outdoor grill. A Zoning Administrator Variance is necessary to encroach into the required 15 foot rear yard setback area.

The site is located within the Natomas Community Neighborhood Association area. The proposed plans have been submitted to the neighborhood association and they support the project provided that there is no objection from the adjacent neighbors. 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 State EIR Guidelines {California Environmental Quality Act, Section 15303(e) and Section 15305(a)}.

Conditions of Approval

1. There shall be no further expansion or addition of other structures in the rear yard setback area.
2. Size and location of the structure shall conform to the plans submitted.
3. The applicant shall obtain all necessary building permits for the existing patio cover.
4. The patio area shall never be enclosed.

Findings of Fact:

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 patio cover is existing and has been in place for over three years with no complaints;
 - b. there is still adjacent rear yard area; and
 - c. the proposed patio addition will not substantially alter the characteristics of the site or the surrounding neighborhood.
4. The project is consistent with the General Plan and the South Natomas Community Plan designations which designate the subject site as Low Density Residential (4-15 du/na) and Residential (4-8 du/na) respectively.

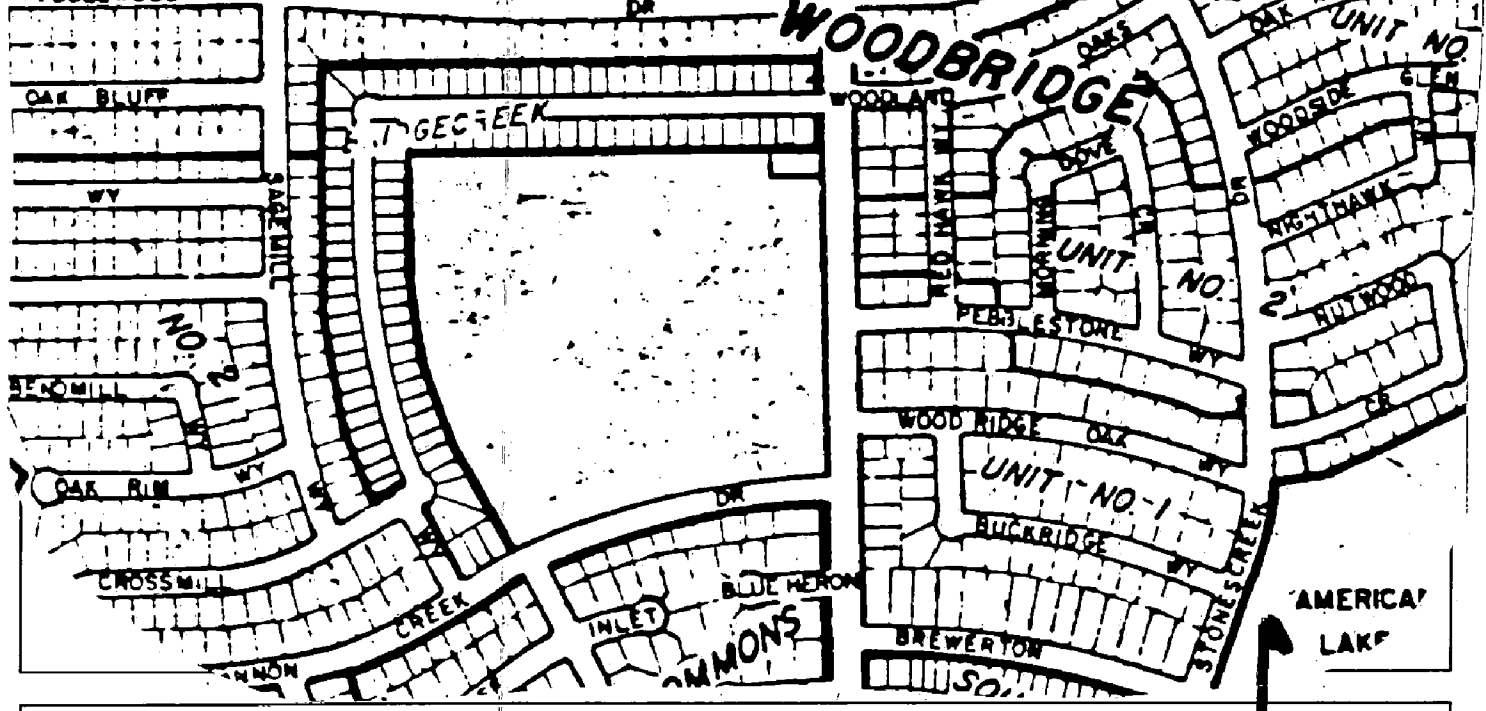
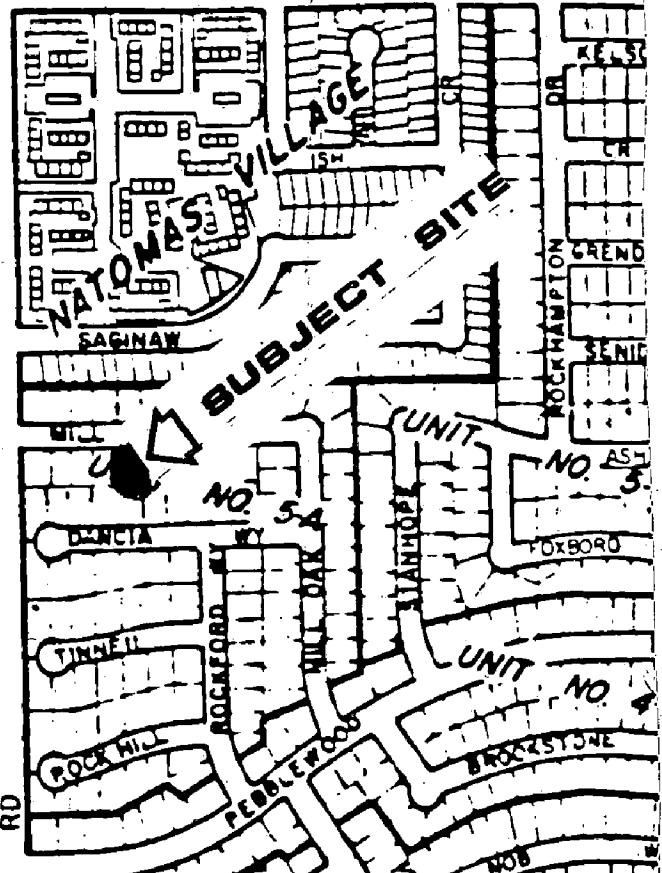
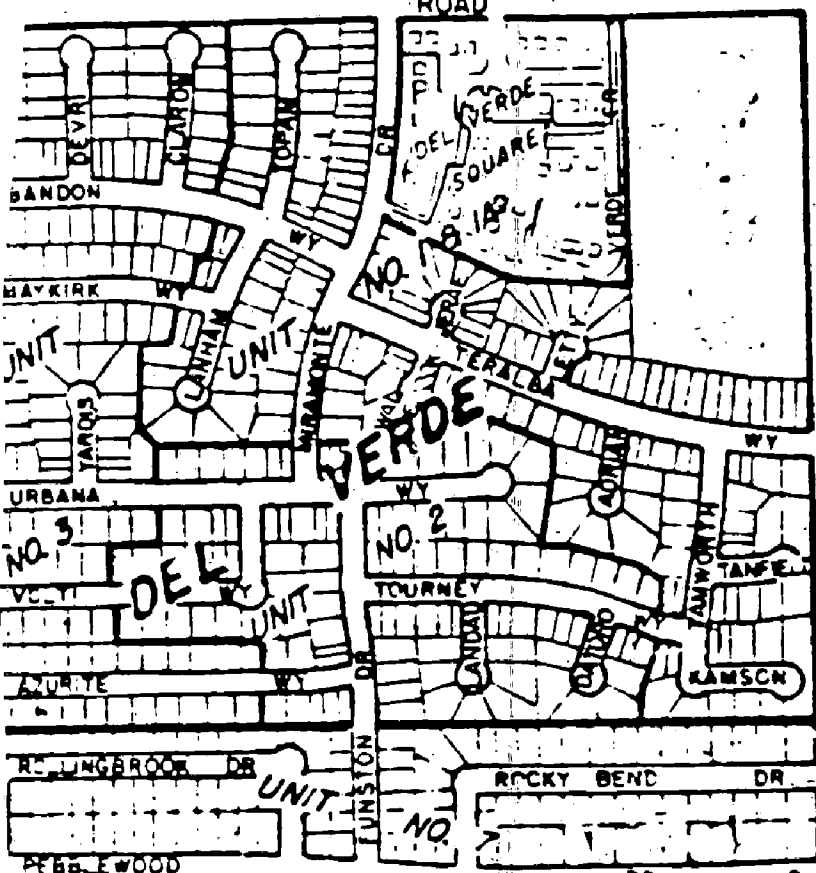
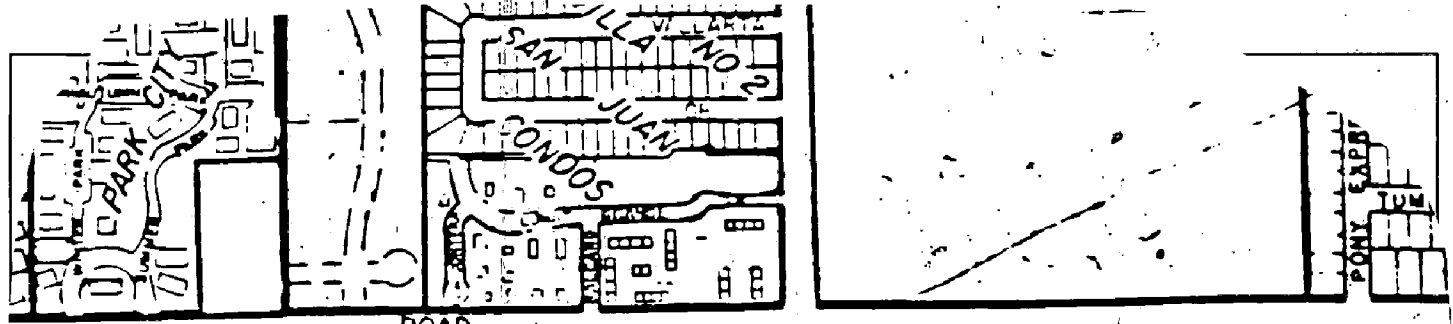
Joy D. Patterson

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 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.

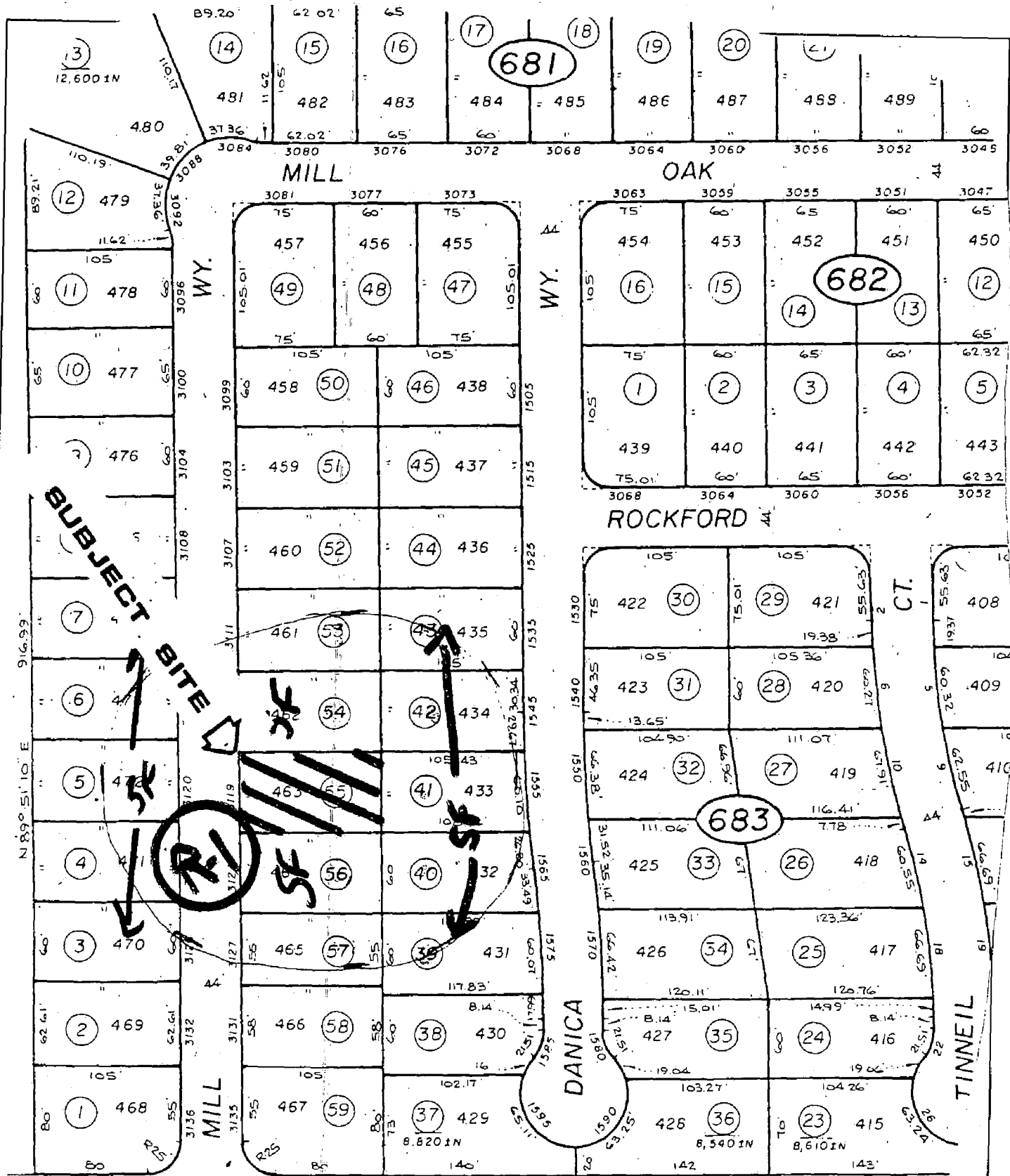
The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

cc: File
Applicant
ZA Log Book



VICINITY MAP



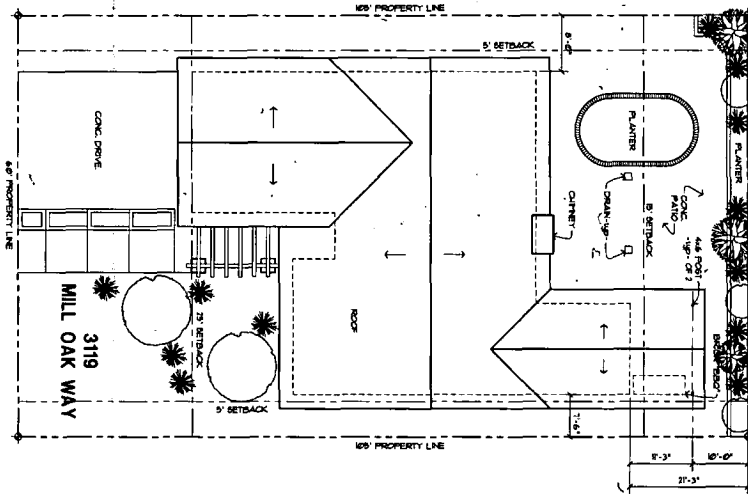


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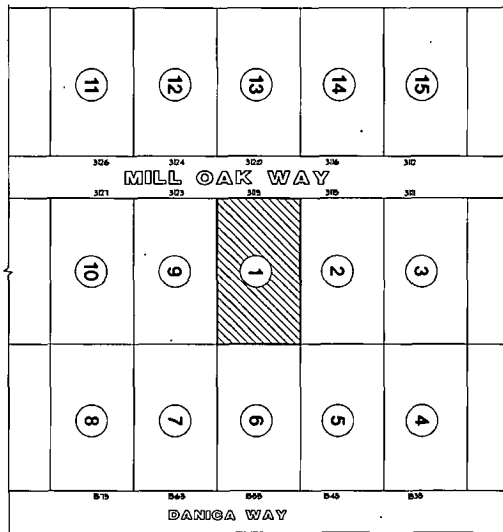
LAND USE & ZONING MAP

EXHIBIT - A

SITE PLAN



PROPERTY MAP



HOUSE PLANS FOR MR & MRS C. MADRIDEJOS
 3119 MILL OAK WAY
 SACRAMENTO, CA 95833

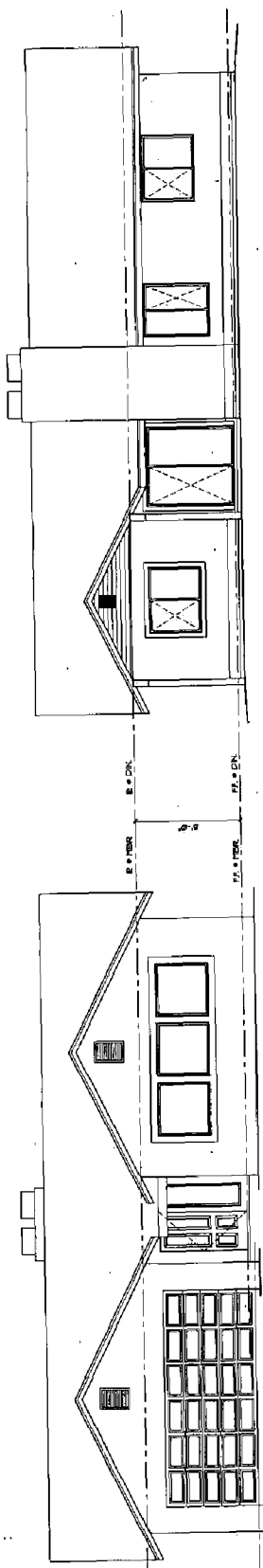
DATE	REVISIONS

EXHIBIT - B

ELEVATIONS
1/4" = 1'-0"

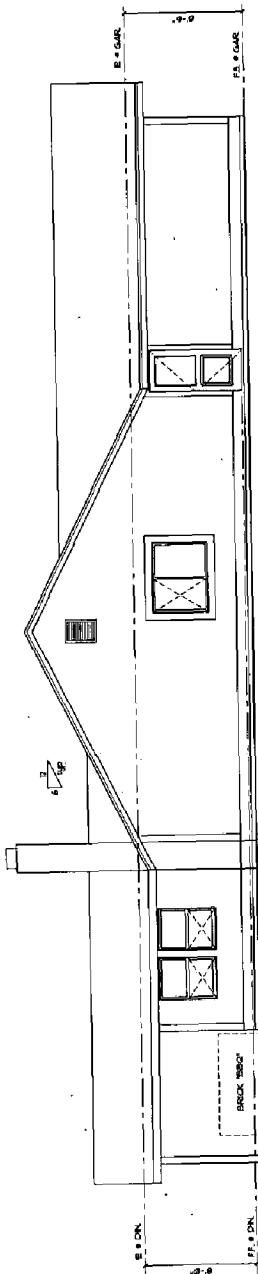
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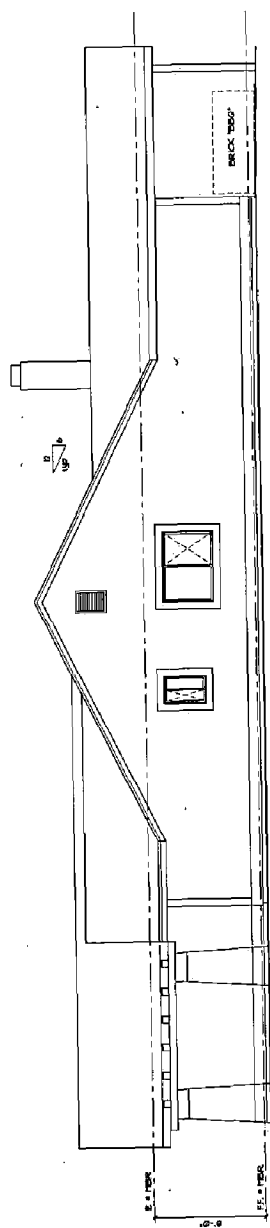


REAR

FRONT



LEFT



RIGHT

295-071

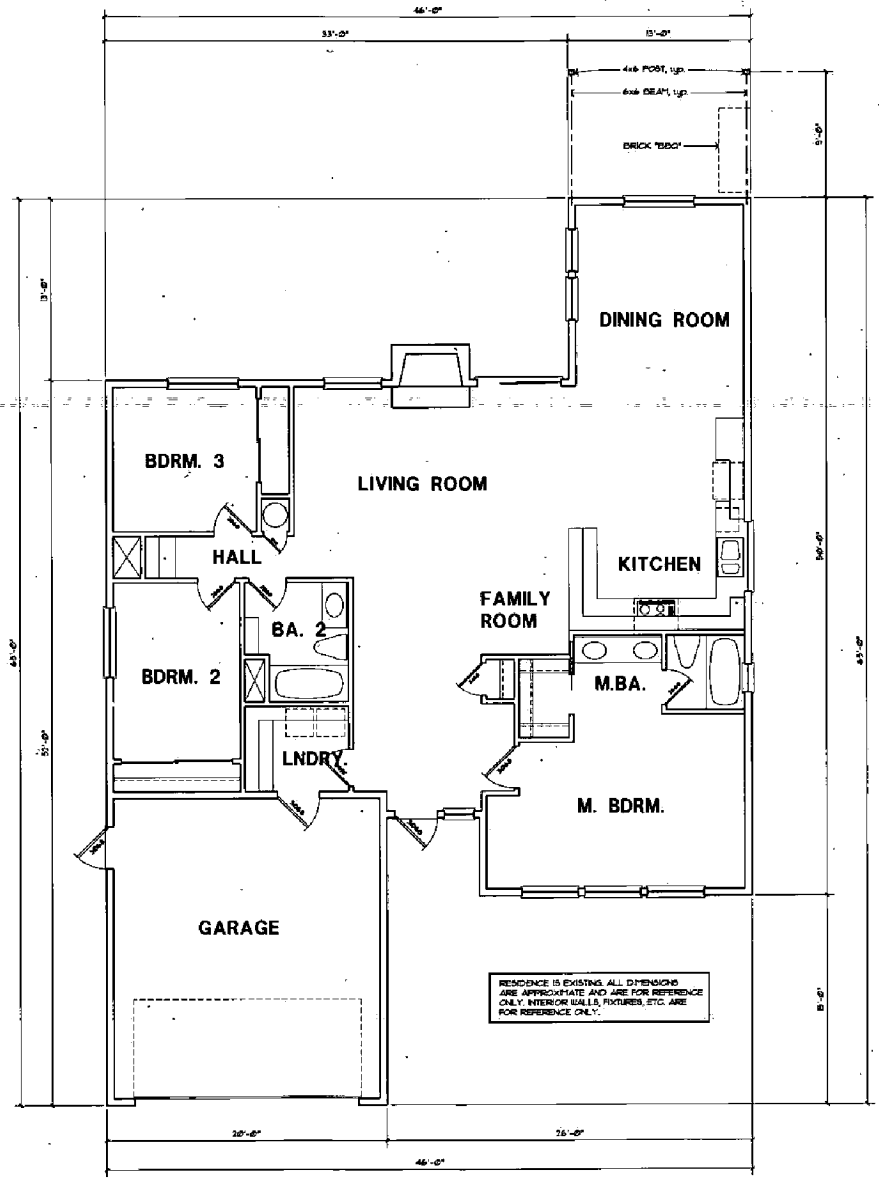
SEPTEMBER 12, 1985

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

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

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EXHIBIT C