

PLANNING DIRECTOR'S VARIANCE
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT <u>Richard N. Barton, 4217 C Street, Sacramento, CA 95819</u>		
OWNER <u>Richard N. Barton and Michael Springer ETAL, 4217 C Street, Sacramento, CA 95819</u>		
PLANS BY <u>Dennis Scott, 719 37th Street, Sacramento, CA 95816</u>		
FILING DATE <u>May 11, 1992</u>	ENVIR. DET. <u>Negative Declaration</u>	REPORT BY <u>SLY</u>
ASSESSOR'S PCL. NO. <u>011-0054-026</u>		

- APPLICATION:**
- A. Negative Declaration
 - B. Mitigation Monitoring Plan
 - C. Planning Director's Variance Time Extension to reduce the required side yard setback from five feet to three feet on 0.11 ± vacant acres in the Standard Single Family (R-1) zone.

LOCATION: 1832 51st Street

PROPOSAL: The applicant is requesting a time extension for the necessary entitlements to construct a 2,200 square foot single family residence on a substandard lot.

PROJECT INFORMATION:

General Plan Designation: Low Density Residential (4-15 du/na)
Existing Zoning of Site: R-1
Existing Land Use of Site: Vacant

Surrounding Land Use and Zoning:		Setbacks	Required	Provided
North:	Highway 50, TC	Front:	23.5'	23.5'
South:	Single family residential, R-1	Side(North):	5'	20'
East:	Single family residential, R-1	Side(South):	5'	3'
West:	Vacant, R-1	Rear:	15'	20'

Property Dimensions: 40 feet x 120 feet
Property Area: 0.11 ± acres
Square Footage of Building: 2,200 square feet
Height of Building: 26 feet
Topography: Flat
Street Improvements: Existing
Utilities: Existing
Exterior Building Materials: Lap Siding
Roof Material: Composition shingle

BACKGROUND INFORMATION: On June 6, 1991, the Planning Director approved a Variance to reduce the required side yard setback from five feet to three feet for a proposed residence for this site. The

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Variance at that time had a one year time limit for building permits to be obtained and activate the Variance.

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site is 40 foot by 120 foot parcel in the Standard Single Family, R-1, zone. The site is currently vacant. The General Plan designates the subject site as Low Density Residential (4-15 du/na). The surrounding land use and zoning for the subject site are Highway 50 zoned, Transportation Corridor, TC, to the north; single family residential zoned, R-1 to the south and east; and vacant zoned, R-1 to the west.

B. Applicant's Proposal

The applicant is proposing to construct a 2,200 square foot, two story single family residence on the subject site. The project utilizes a lot that is substandard in size (see Exhibit A).

C. Staff Analysis

Staff has no objections to the applicant's request. The parcel is a very narrow substandard lot adjacent to Highway 50 with a 20 foot utility easement along the north property line. Previously, there was a single family residence on the site that was demolished when Highway 50 was constructed. The applicant proposes to construct a two story single family dwelling on the subject site (see Exhibits B and C). The proposed design for the house is similar to the adjacent residential properties. Allowing the south sideyard setback to be reduced to three feet will permit a house to be built that is seventeen feet wide. There is adequate space between the proposed project and the existing adjacent house. The new structure will be 17.5 feet from the existing house and three feet between garages. Staff supports this reduction because the lot is substandard in width.

The applicant is required by the Negative Declaration to construct an eight foot solid masonry wall along the north property line to mitigate noise associated with Highway 50. The applicant has agreed to construct the wall. According to the Zoning Ordinance a wall may have a height of eight feet along rear and interior property lines when adjacent to a non-residential use. The wall will not affect any adjacent property nor obstruct any adjacent property.

The proposed elevations show horizontal lap siding with a composition shingle roof. Staff recommends a 2x12 wood band painted in the trim color be added to the north and south elevation to align with the first story roof. Staff also recommends the roof be constructed with 25 year laminated dimensional composition shingles and the garage door be a metal sectional door.

Staff supports the approval of the Planning Director Variance Time Extension in that the proposed house is compatible with the existing adjacent residential properties; the project proposes development of a substandard parcel; and the project will not negatively affect the other land uses in the area.

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ENVIRONMENTAL DETERMINATION: The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact on 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 the following mitigation measures into the project plans to avoid identified effects or to mitigate such effects to a point where clearly no significant effects will occur. The Mitigation Monitoring Plan is attached.

RECOMMENDATION: Staff recommends the Planning Director take the following actions:

- A. Ratify the Negative Declaration.
- B. Adopt the Mitigation Monitoring Plan.
- C. Approve the Planning Director's Variance Time Extension to reduce the required minimum side yard setback from five feet to three feet subject to the conditions and based upon the findings of fact which follow.

Conditions:

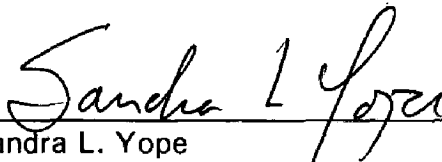
- 1. The applicant shall add a 2x12 wood band painted in the trim color to the north and south elevation to align with the first story roof. The roof shall be constructed with 25 year laminated dimensional composition shingles and the garage door shall be a metal sectional door. The elevations shall be revised and submitted to Planning Staff for review and approval prior to the issuance of building permits.
- 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.
- 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.
- 6. The Variance Time Extension shall expire on June 6, 1993.

Findings of Fact:

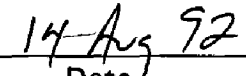
- 1. Granting the variance does not constitute a special privilege extended to an individual applicant in that a variance would be and has been granted to other property owners facing similar circumstances with substandard lots.
- 2. Granting the variance request does not constitute a use variance in 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 17.5 feet between residences;
 - c. adequate off-street parking will be provided;
 - d. the proposed house will meet fire and building code requirements;
 - e. there will be a masonry wall to mitigate the noise associated with Highway 50; and
 - f. 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).

Report Prepared By:




Sandra L. Yope
Assistant Planner

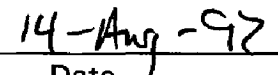


Date

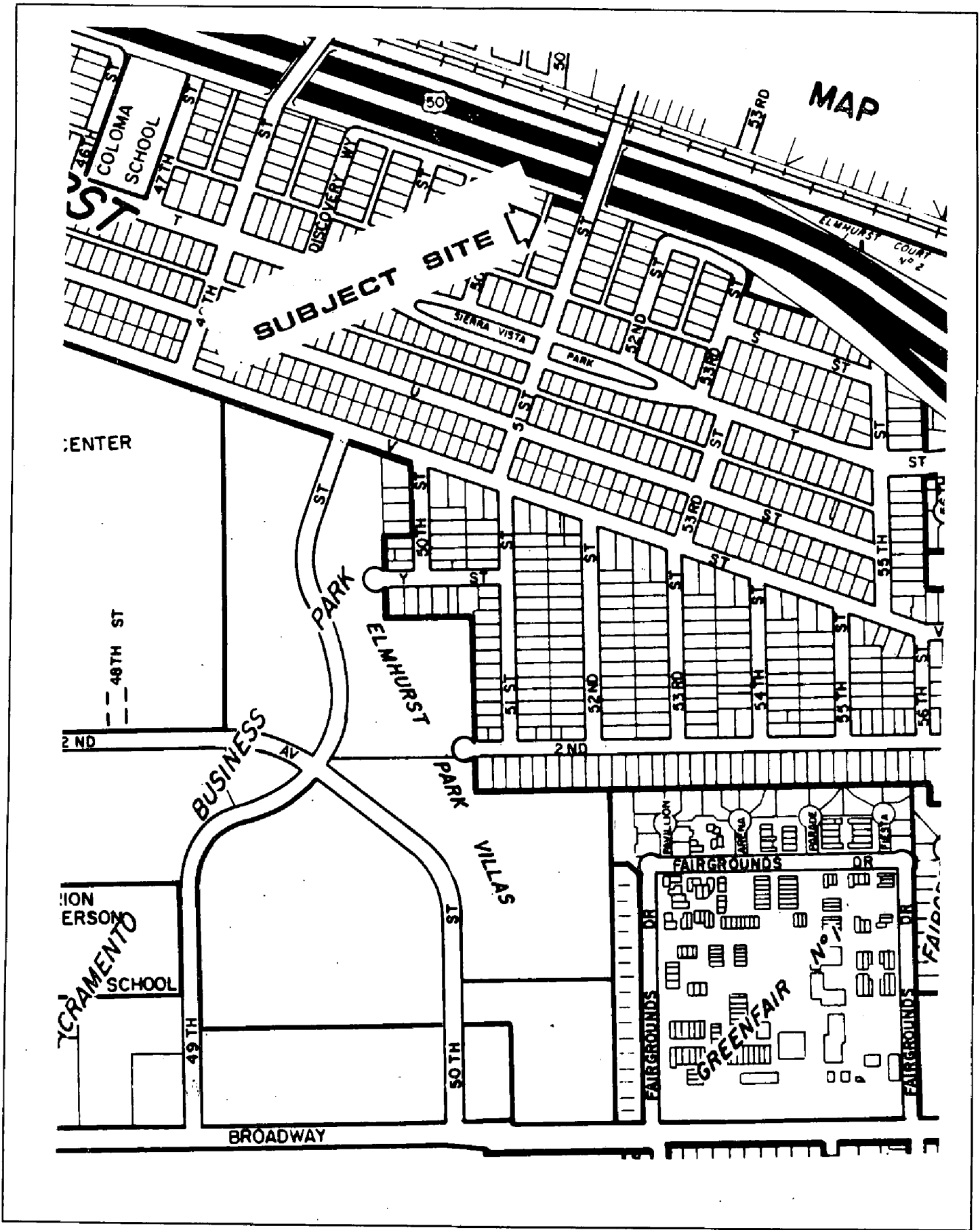
Recommendation Approved By:



Gary Stonehouse
Planning Director



Date



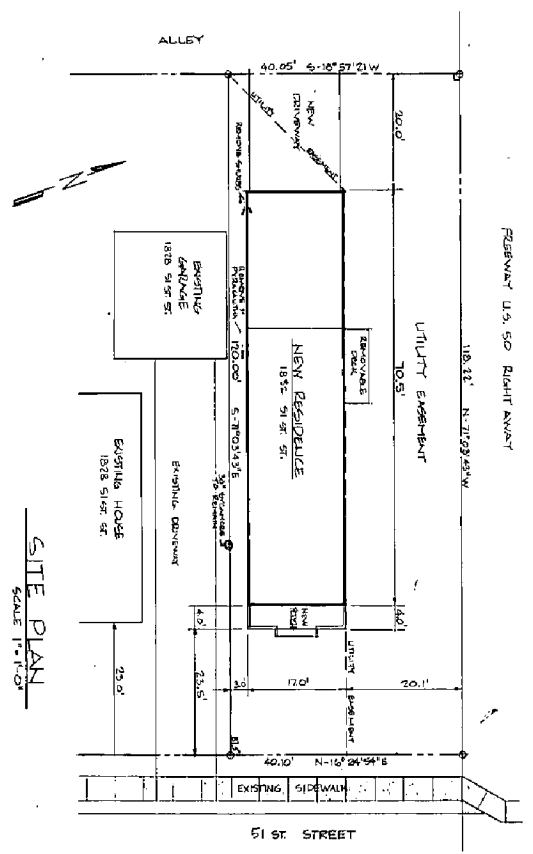
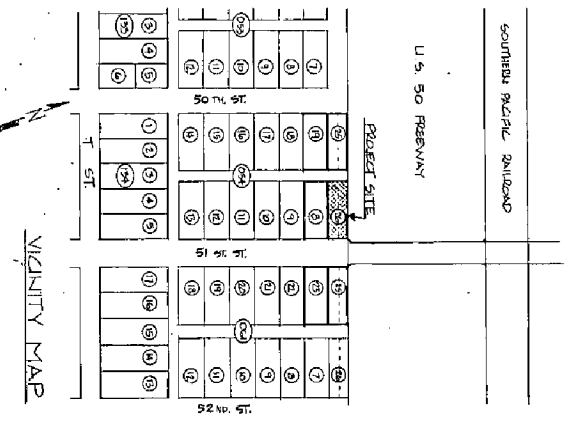
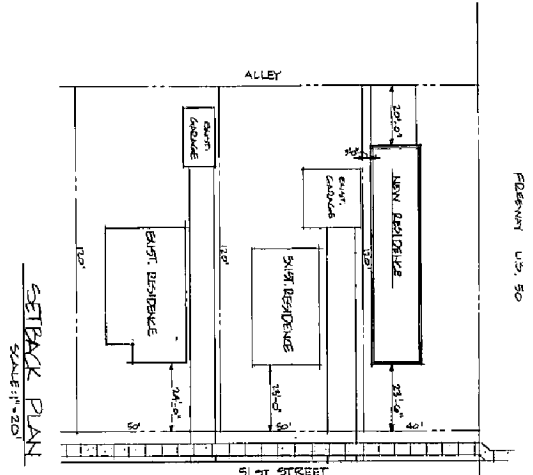
MAP

ENTER

VICINITY MAP

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EXHIBIT A



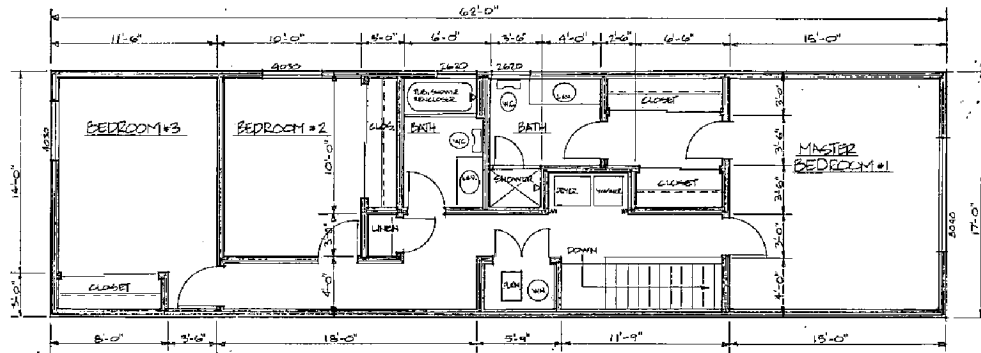
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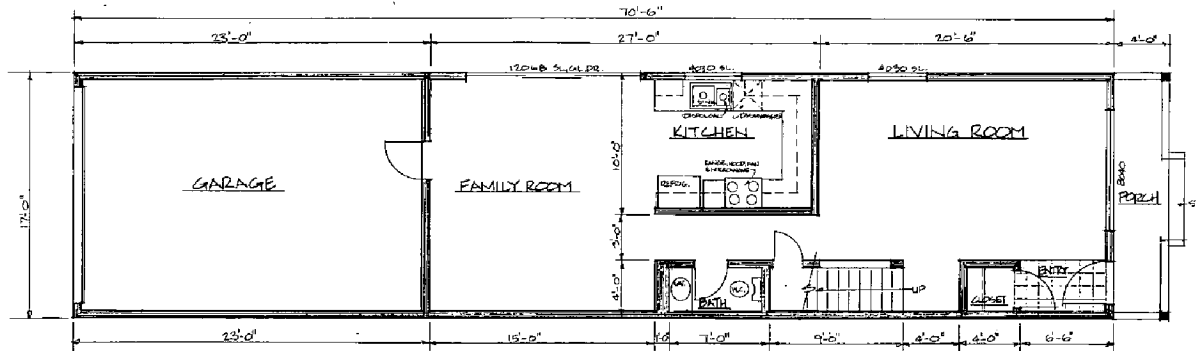
RESIDENCE
1832 51 ST. STREET
SACRAMENTO, CA.

DATE	1
SCALE	1" = 1'-0"
BY	THOMAS D. SAFFERT
NO.	1
TOTAL	1
OF 5 SHEETS	

REVISIONS	BY



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



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

FIRST FLOOR - 808 sq
SECOND FLOOR - 1054 sq
GARAGE - 405 sq

001560

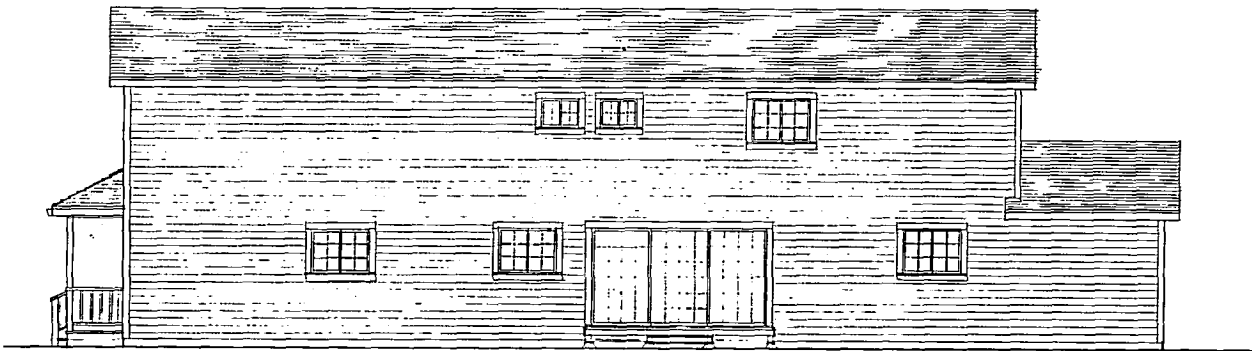
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RESIDENCE
1832 51 ST. STREET
SACRAMENTO, CA.

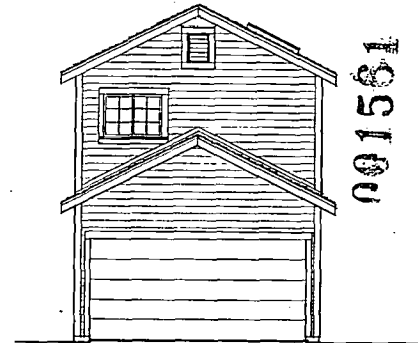
REVISIONS	BY

Date	
Scale	
Drawn by	D. SCOTT
Job	
Sheet	2
Of	5 Sheets

EXHIBIT C

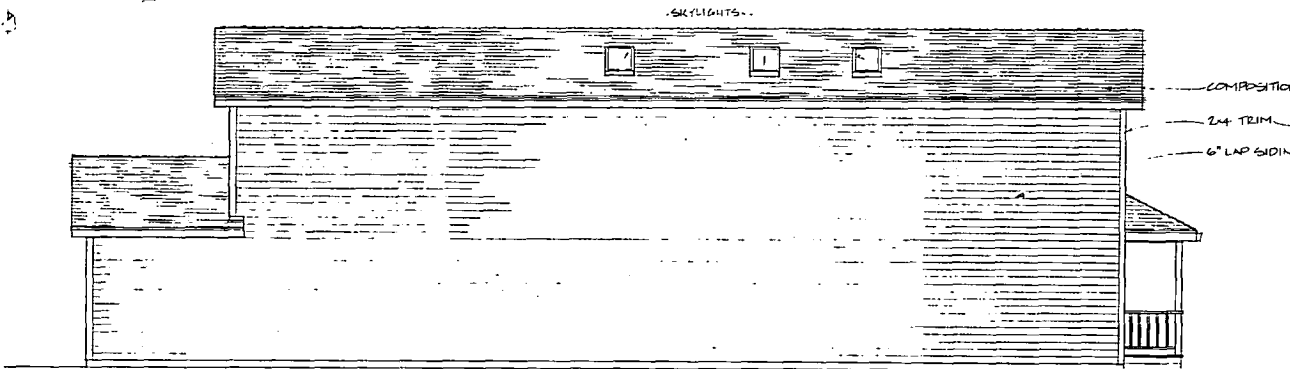


NORTH ELEVATION
SCALE: 1/4" = 1'-0"

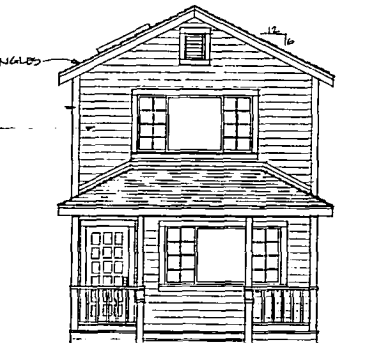


WEST ELEVATION
SCALE: 1/4" = 1'-0"

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



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

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REVISIONS	BY

RESIDENCE
1832 51 ST. STREET
SACRAMENTO, CA

Date	
Scale	
Drawn D. SCOTT	
Job	
Sheet	3
Of 5 Sheets	

Recording
Not
Required

MITIGATION MONITORING PLAN

FOR

1832 51st Street
P92-126

Initial Study

Prepared By:
City of Sacramento Environmental Services Division
August 12, 1992

Adopted By:
City of Sacramento Planning and Development Department

Date: Aug 14, 1992

Gary L Stonehouse
PLANNING DIRECTOR

Secretary to the Planning Director

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.

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.

4/5. Plant Life

- A. If during construction or grading, tree roots 3" in diameter or greater are encountered, work shall stop immediately and the City Arborist shall be contacted for a root inspection (# (916) 264-6345). If a large number of roots require cutting, the tree will then have to be evaluated for possible removal.

ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE

Department of Planning and Development, City of Sacramento

Department of Public Works, City of Sacramento

MONITORING PROGRAM

Prior to the issuance of any Building Permit, the Building Division shall require that the project plans incorporate the tree protection measures as specified by the above mitigation measure. Prior to the issuance of any 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. If a preserved tree requires removal, the replacement, planting and location requirements shall be determined by the City Arborist. In the case of trees to be transplanted or of replacement tree planting, the Building Division/Department of Public Works shall transmit the project plans to the City Arborist for verification that planting requirements have been correctly shown on the project plans.

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 within 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.

6. Noise Barrier

- B. The applicant shall build an 8 foot high sound barrier, as measured from pad elevation, along the north property line. The barrier must have a minimum surface weight of 3.75 to 4 lbs./sq.ft., and no air gaps are permitted along the barrier or at the bottom. Barrier materials must be airtight and massive, with no gaps in construction. Suitable materials for barriers include masonry block, precast concrete panels, and 3/4" plywood sheathing with caulked, overlapping joints. The barrier can be constructed on ground above the pad elevation, i.e., using a partial berm as the base. The total barrier height is to be the height of the earth berm plus the constructed wall.

ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE

Department of Planning and Development, City of Sacramento

MONITORING PROGRAM

Prior to construction of the noise barrier, the applicant shall obtain City Council approval of a revocable encroachment permit for work done within the utility easement. Prior to issuance of any Building Permit, a suitable noise barrier shall be approved by the Building Division and the Planning Department. The Building Inspection Division will verify that the wall is in place prior to finaling building permits/or issuing a Certificate of Occupancy.

6. Noise Exposure

I. General Requirements

- A. All joints in exterior walls shall be grouted or caulked airtight.
- B. All penetrations of exterior wall shall include a 1/2 inch airspace around the perimeter. This space shall be filled loosely with fiberglass insulation. The space shall then be sealed airtight on both sides of the wall with a resilient, non-hardening caulking or mastic.
- C. Window or through-the-wall ventilation and air condition units shall not be permitted.
- D. All sleeping spaces shall be provided with carpet and pad.
- E. There shall be no through-the-door or through-the-wall mail or paper chutes.
- F. Basic exterior wall construction for walls common to habitable interior spaces shall include the following or an equivalent:

1. 2"x4" wood studs
 2. R-11 insulation in the cavities
 3. 1/2" or 5/8" gypsum wallboard fastened to wood studs. Wall shall be fully taped and finished and also sealed around the perimeter with a resilient caulking.
 4. The exterior surface shall be finished with 5/8" T-111 siding over either 1/2" insulation board or 3/8" structural plywood or material of equivalent or greater surface weight. For example, 3/8" or 1/2" gypsum board can be placed on the interior face of studs instead of insulation board or 3/8" plywood on the exterior. This would result in two layers of gypsum board on interior face. Three coat stucco can be used in place of the T-111 plus exterior insulation board.
- G. Ceilings shall be finished with a minimum 1/2" gypsum board with minimum R-19 insulation in the ceiling.
- H. The roof shall be finished with a minimum 7/16" OSB or plywood of equivalent weight, 30 lb. felt paper and minimum 220 lb/square composition shingles or equivalent. Skylights shall not be used unless they have and STC rating of 28 or better.
- I. Fireplaces shall contain a fully operable damper.
- J. Windows must have a minimum STC rating of 28 or better. Windows shall have an air infiltration rate of less than or equal to 0.20 CFM/lin. ft. when tested with a 25 mile hour wind per ASTM standards.
- K. Exterior entrance doors should have a minimum STC rating of 28. They must include complete perimeter door seals.
- L. A mechanical ventilation system shall be installed that will provide minimum air circulation and fresh air requirements. There shall be no need to open windows, doors, or other exterior openings to provide adequate ventilation.
- M. Gravity vent openings in attic space shall not exceed code minimums in number and size. Openings facing or with a view of U.S. 50 shall be fitted with transfer ducts at least 3 ft. in length and shall be lined with 1" duct liner full length. Each duct shall include a lined 90 degree bend to prevent direct line of sight from the exterior through the duct into the attic.
- N. If a fan is used for forced ventilation, the attic inlet and discharge openings shall be fitted with sheet metal transfer ducts of at least 22 gauge galvanized steel. The duct shall be a minimum of 6 feet long and lined for its entire length with 1" duct liner. Each duct shall include a lined 90 degree bend to prevent direct line of sight from the exterior through the duct into the attic.
- O. All exhaust fans connecting the interior to the exterior shall be connected with a minimum 10 ft. duct, lined with 1" fiberglass liner and containing one 90 degree bend. The kitchen range exhaust is exempted.
- P. Alternative methods or materials may be substituted for the identified mitigation measures where it is demonstrated to the satisfaction of the Environmental Services Manager that adequate noise attenuation will be provided.

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II. Special Requirements

- A. 1st Story - Barrier height equal to or greater than 8 feet
 - 1. No special construction required beyond that described in Section I.
- B. 2nd Story - Barrier height equal to or greater than 8 feet
 - 1. Exterior Wall
 - a. **Either** three coat dense stucco must be used on exterior walls (or a material of equal surface weight),
 - b. **Or**, resilient channels at a maximum 24 inches on center must be used between wood stud and interior gypsum board on all walls facing or with a view of the road if wood siding is used. A material of equal surface weight may be used in place of the wood siding. Resilient channels may be replaced by gypsum board as described above.
 - 2. Windows
 - a. Windows shall have a minimum STC rating of 34. They shall have a maximum air infiltration rate of 0.15 CFM/lin. ft. of window with a 25 MPH wind per ASTM standard.

ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE

Department of Planning and Development, City of Sacramento

MONITORING PROGRAM

Prior to issuance of any Building Permit, the Building Division shall require that the approved construction plans incorporate all applicable noise attenuation measures. The Building Division shall also require that site inspections are included on the Special Conditions Attachment. Prior to issuance of any Final Permits or Certificate of Occupancy, the Building Division shall require full compliance and completion of the specified noise attenuation measures.

14-16. Public Services/Energy/Utilities

- D. Prior to issuance of any building permit by the Building Division, the applicant shall submit detail of sound wall footing at the location indicated on the attached drawing (Attachment D) for review and approval by the Water Division.
- E. PG & E maintains an 8-inch gas line along the northerly property line of the project (Refer to Attachment D). The applicant shall maintain a minimum of 12" between the outside edge of the footing for the proposed sound wall and the outside edge of the existing gas pipe.
- F. Prior to issuance of any building permit by the Building Division, the applicant shall submit a detail of sound wall footings and residence footings for review and approval by

the Flood Control and Sewer Division.

ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE

Department of Planning and Development, City of Sacramento
Department of Public Works, City of Sacramento

MONITORING PROGRAM

No construction shall be allowed in the utility easement until a revocable encroachment permit has been processed by the Department of Public Works and approved by the City Council. Prior to issuance of any Building Permits by the Building Division, the Building Division shall require that the approved construction plans incorporate all utility protection measures required by the affected utilities. The Building Division shall also require that site inspections are included on the Special Conditions Attachment. Prior to issuance of any Final Permits or Certificate of Occupancy and/or Certificate of Compliance the Building Division shall require full compliance and completion of the specified utility mitigation measures.

- G. The applicant agrees to pay such lawful fees, taxes or assessments imposed through the use of development fees, impact fees, fee districts, community facilities districts, assessment districts, or other fair, equitable, and appropriate mechanisms designed to address project impacts on the existing combined stormwater sewer system , and shall execute an agreement satisfactory to the City Attorney and suitable for recordation which obligates the applicant to pay fair, equitable, and appropriate development or related fees, impact fees or assessments or taxes as and when enacted, imposed, or levied.

ENTITY RESPONSIBLE FOR ENSURING COMPLIANCE

City Attorney, City of Sacramento
Department of Planning and Development, City of Sacramento
Department of Public Works, City of Sacramento

MONITORING PROGRAM

Prior to issuance of a Notice to Proceed by the Public Works Department, and prior to issuance of any Building Permits by the Building Division, the applicant shall execute an agreement as described above subject to approval by the City Attorney. The two City Entities shall be provided a copy of the executed agreement from the applicant prior to issuance of a Notice to Proceed or any Building Permits.