

CITY PLANNING COMMISSION

1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT Peter A. Nowinski & Cynthia J. Larsen, 1501 41st St., Sacramento, CA 95819
OWNER Peter A. Nowinski & Cynthia J. Larsen, 1501 41st St., Sacramento, CA 95819
PLANS BY _____
FILING DATE 8-8-86 **ENVIR. DET.** Ex. 15303(a), 15305(a) **REPORT BY** SD:ldc
ASSESSOR'S-PCL. NO. 008-0414-022

- APPLICATION:**
- A. Variance to reduce sideyard setback from 5 feet to 0 feet.
 - B. Variance to reduce rear yard setback from 15 feet to 5 feet.
 - C. Variance to reduce street sideyard setback from 12.5 feet to 12 feet.
 - D. Variance to reduce driveway length from 20 feet to 12 feet.

LOCATION: 1501 41st Street

PROPOSAL: The applicant is requesting the necessary entitlements to convert an existing garage into a second residence on a corner lot in the R-1 zone.

PROJECT INFORMATION:

1974 General Plan Designation:	Residential
1963 East Sacramento Community Plan Designation:	Light Density Residential
Existing Zoning of Site:	R-1
Existing Land Use of Site:	Single Family

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: Single Family; R-1	Front:	25'	21'
South: Single Family; R-1	Side(Int):	5'	0'
East: Condominiums; R-2B-R	Side(St):	12.5'	12'
West: Single Family; R-1	Rear:	15'	5'

Parking Required:	2 spaces
Parking Provided:	2 spaces
Property Dimensions:	61' x 97'
Property Area:	.13+ acres
Square Footage of Building:	600 square feet
Height of Building:	One Story
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Exterior Building Materials:	Stucco

PROJECT EVALUATION: Staff has made the following findings:

A. Land Use:

The subject site is designated for residential uses in the 1974 General Plan and the 1963 East Sacramento Community Plan. The site is surrounded by single family development to the north, south and west, and by multi-family residential to the east. The site is developed with a single family residence with a detached garage.

B. Street Sideyard Setback and Driveway Variance:

A carport is attached to the garage which the applicant uses to park cars. The substandard sideyard setback and driveway exist and are workable since they are in use. There appear to be no previous variance approvals for this situation. Staff supports the requests to reduce the street sideyard setback and driveway setback since the situation exists.

C. Side and Rear Yard Setback Variance:

The applicant proposes to convert the existing garage area into living quarters for a babysitter for their children. This will change the nature of the structure from a detached accessory building to a residence. The residence must maintain residential setbacks. Since the existing development does not meet setback requirements, the applicant has requested variances to these requirements. The Fire Department has indicated that the rear yard setback is acceptable. The sideyard setback is acceptable if a one hour firewall is installed. The Building Division indicates that a pre-inspection would be advisable to determine if the building is structurally sound enough for conversion. The driveway to the multi-family development to the east is located along the eastern property line. Light and air are not blocked to a neighboring residence.

In conclusion, since the setbacks exist, the exterior of the structure will not be modified and there will be no windows into the neighboring rear yard. Staff supports the request. In addition, adequate space for two parking spaces is available in the carport.

ENVIRONMENTAL DETERMINATION: The project is exempt from review pursuant to State EIR Guidelines (CEQA, Section 15303(a), 15305(a)).

RECOMMENDATION: Staff recommends the following subject to conditions and based upon Findings of Fact to follow:

1. Approve the variance to reduce the sideyard setback from 5 feet to 0 feet.
2. Approve the variance to reduce the rear yard setback from 15 feet to 5 feet.

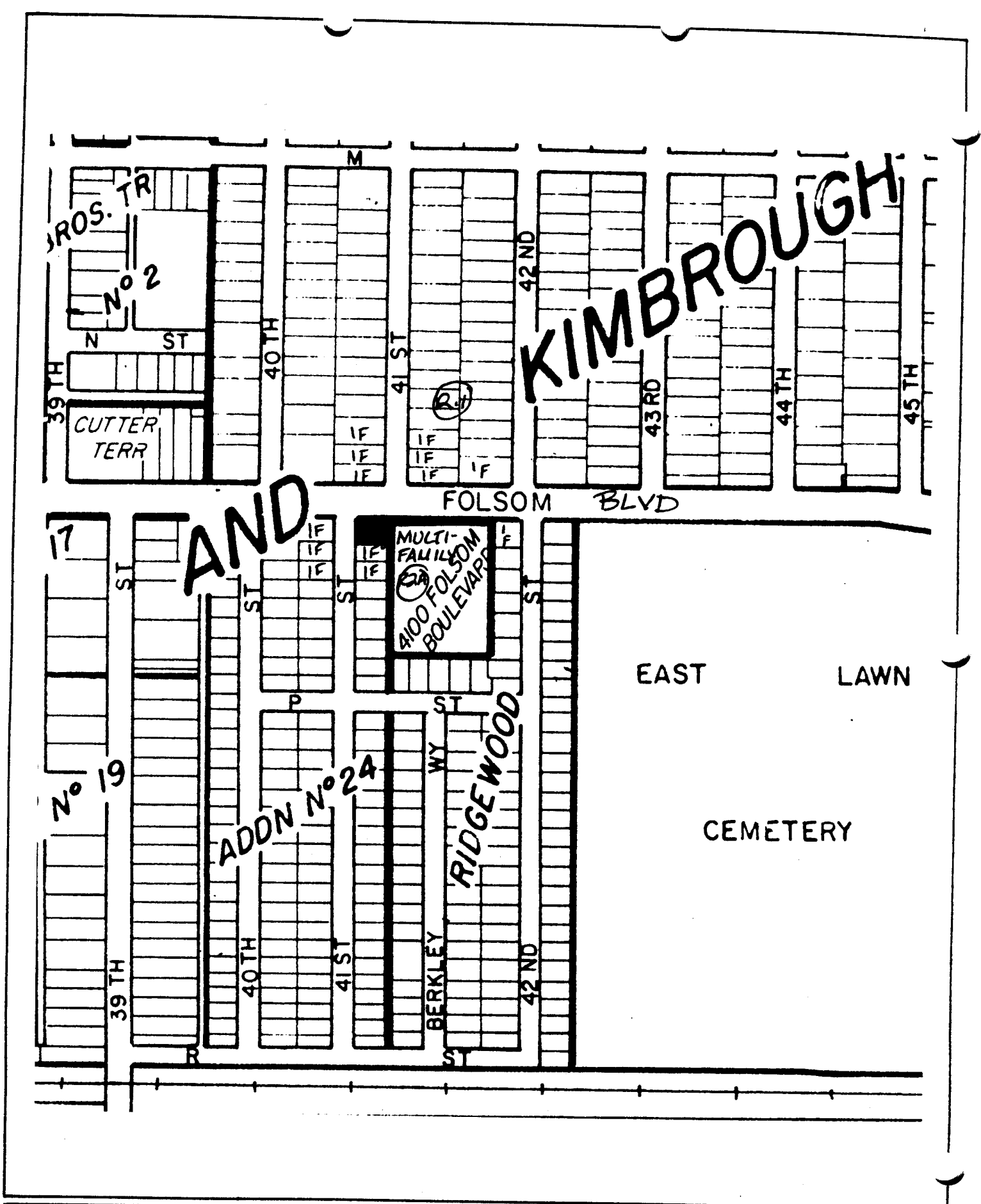
3. Approve the variance to reduce the street sideyard setback from 12.5 feet to 12 feet.
4. Approve the variance to reduce the driveway from 20 feet to 12 feet.

Condition:

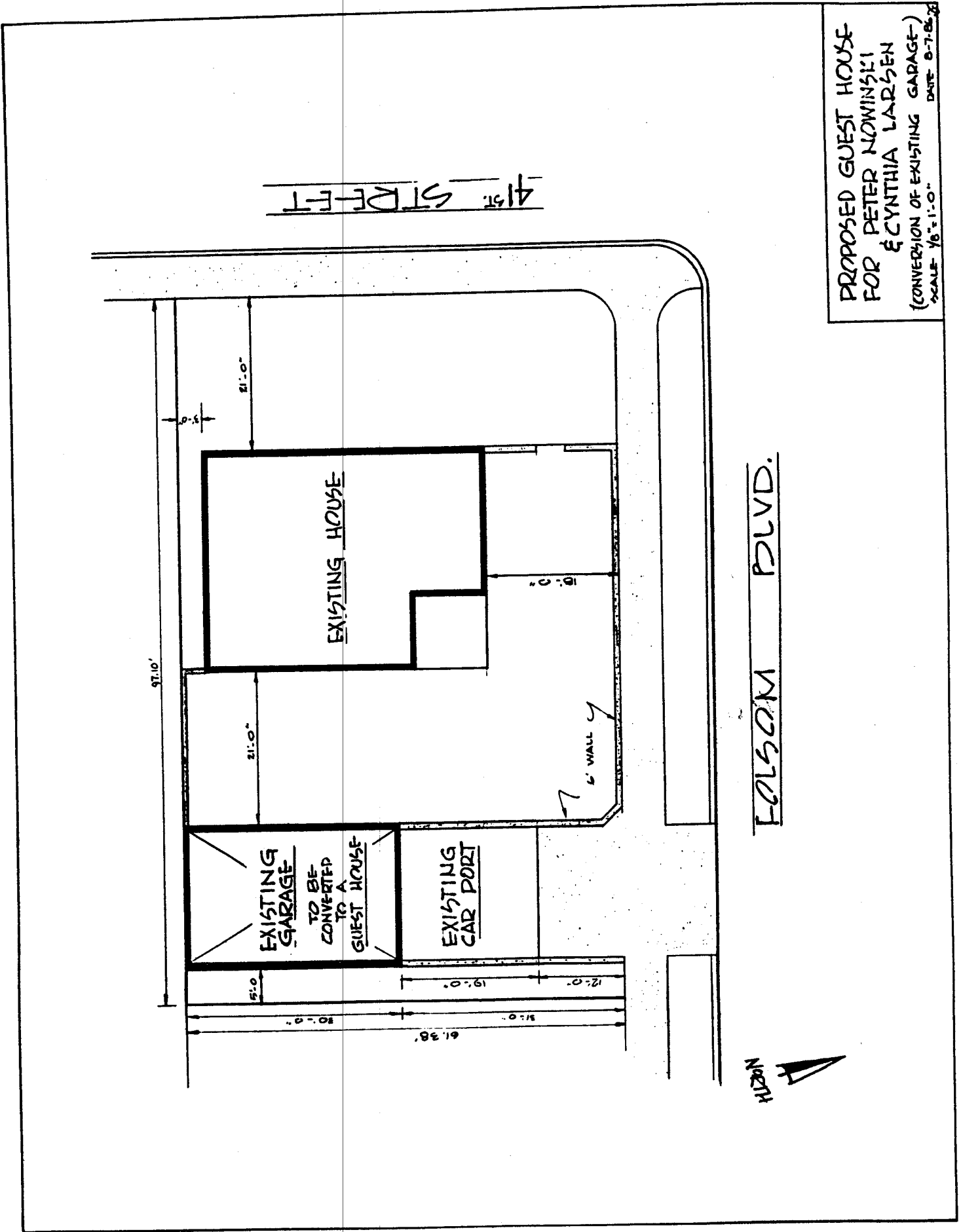
A fire wall shall be included in the plans for a building permit for the south wall of the proposed residence.

Findings of Fact:

1. Granting the variances does not constitute a special privilege extended an individual applicant in that any applicant would be granted a variance under similar circumstances.
2. Granting the variances does not constitute a use variance in that two residences are allowed on corner lots in the R-1 zone.
3. Granting the variances would not be injurious to public welfare or surrounding property in that:
 - a. a fire wall will be installed;
 - b. a 5 foot rear yard setback is sufficient for Fire and Building purposes;
 - c. a driveway to multi-family development is located along the east property line;
 - d. the carport is currently being used with a 12 foot driveway/setback;
 - e. adequate on-site parking and maneuvering is provided.
4. The proposed project is consistent with the City's Discretionary Interim Land Use Policy in that the site is designated for residential uses by the 1974 General Plan and the proposed second unit conforms with the plan designation.



VICINITY - LAND USE - ZONING



PROPOSED GUEST HOUSE
 FOR PETER NOWINSKI
 & CYNTHIA LARSEN
 (CONVERSION OF EXISTING GARAGE)
 SCALE 1/8" = 1'-0"
 DATE 8-7-82

FOLSOM BLVD.



4th STREET

EXISTING GARAGE
 TO BE
 CONVERTED
 TO A
 GUEST HOUSE

EXISTING HOUSE

EXISTING
 CAR PORT

6' WALL

NORTH

