

PLANNING DIRECTOR'S VARIANCE

927-10th Street, Suite 300 . SACRAMENTO, CALIFORNIA 95814

APPLICANT	Lawrence J. Bernstein, 1730-13th Street, Sacramento, CA 95814		
OWNER	Lawrence J. Bernstein, 1730-13th Street, Sacramento, CA 95814		
PLANS BY	Lawrence J. Bernstein, 1730-13th Street, Sacramento, CA 95814		
FILING DATE	9/25/84	50 DAY CPC ACTION DATE	REPORT BY: JP:bw
NEGATIVE DEC.	Ex. 15305(a)	EIR	ASSESSOR'S PCL. NO. 008-474-12,13

APPLICATION: Planning Director's Variance to reduce required 15-foot rear yard setback to eight feet (Sec. 3-B-1 and Sec. 14-B-1) (P84-364)

LOCATION: 1710-48th Street

PROPOSAL: The applicant is requesting the necessary entitlement to convert an existing structure into a single family residence.

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 Residence, accessory workshop structure and boat hull with scaffolding

Surrounding Land Use and Zoning:

North:	Single Family Residential; R-1
South:	Single Family Residential; R-1
East:	Single Family Residential; R-1
West:	Single Family Residential; R-1

Property Dimensions:	50' x 150'
Property Area:	7,500± square feet
Square Footage of Building:	Existing Dwelling: 368± Existing Workshop: 800±

	<u>Proposed Workshop</u>	<u>Proposed Dwelling</u>
Exterior Building Colors	White	Natural
Exterior Building Materials:	Wood Siding	Cedar Siding

PROJECT EVALUATION:

1. The subject site consists of two parcels totaling 7,500± square feet in the Single Family (R-1) zone. The 368± square foot structure, located approximately 60 feet from the front property line of the site, is currently used as a dwelling unit. An 800± square foot structure is located eight feet from the rear property line. Some restoration work on this structure has been attempted; however, it was never completed, and the structure is in a state of disrepair (Exhibits A and B). The applicant proposes to complete the restoration of the rear structure as a single family residence and convert the existing residence into a workshop. As the rear structure is located eight feet from the rear property line, a variance to reduce the 15-foot rear yard setback is required.

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Staff inspection of the subject site revealed that a 14-foot high boat hull and scaffold structure, erected in the 1970's, is still located on the site (C-27) (Exhibit C). Boat construction is prohibited in the R-1 zone. The applicant has indicated that he intends to remove the boat hull and scaffolding from the subject site.

Staff has no objections to the applicant's request to reduce the rear yard setback to eight feet. The 1952 Sanborn Map indicates that the original dwelling unit on the subject site was the rear structure and the front structure was the accessory building (Exhibit D). The restoration of the 800± square foot structure into a residential unit does not require any further encroachment into the rear yard setback than what presently exists. With the conversion of the 368± square foot structure (existing dwelling) into a workshop, only one dwelling unit will remain on the site. In addition, the restoration of the structure and removal of the boat hull will enhance the appearance of the neighborhood. Both structures, the proposed residential structure and workshop structure, will comply with the five-foot side yard setback when the lot line adjustment is recorded. Staff, therefore, recommends approval of the variance request.

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

STAFF RECOMMENDATION: Staff recommends approval of the variance request, subject to conditions, and based upon Findings of Fact which follow.

Conditions

- a. The applicant must apply for a lot line adjustment to merge two parcels prior to issuance of building permits;
- b. Prior to approval of the final inspection of the proposed 800± square foot residential structure, the applicant shall complete the following:
 - 1) the lot line adjustment to merge the two parcels must be recorded;
 - 2) the existing 368± square foot structure on the site must be converted from a residential unit to an accessory building or be removed;
 - 3) the boat hull and scaffolding structure must be removed from the subject site.

Findings of Fact

- a. The requested variance does not constitute a special privilege extended to one individual property owner, in that:
 - 1) the existing rear yard setback is eight feet;
 - 2) a variance would be granted to other property owners facing similar circumstances.

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- b. The variance does not constitute a use variance, in that single family dwellings are allowed in the R-1 zone;
- c. The variance, as conditioned, will not be injurious to the public welfare nor to neighboring properties in the vicinity, in that:
 - 1) it will not significantly change the existing single family residential characteristics of the area;
 - 2) an existing illegal structure will be removed from the site.
- d. The proposed project is consistent with the 1974 General Plan and the 1963 East Sacramento Community Plan which designate the site for residential uses.

REPORT PREPARED BY:

Joy D. Patterson

Joy D. Patterson, Assistant Planner

RECOMMENDATION APPROVED:

Marty Van Duyn

Marty Van Duyn, Planning Director

10-25-84

Date

JDP:bw

P84-364

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SUBJECT SITE





EXHIBIT B

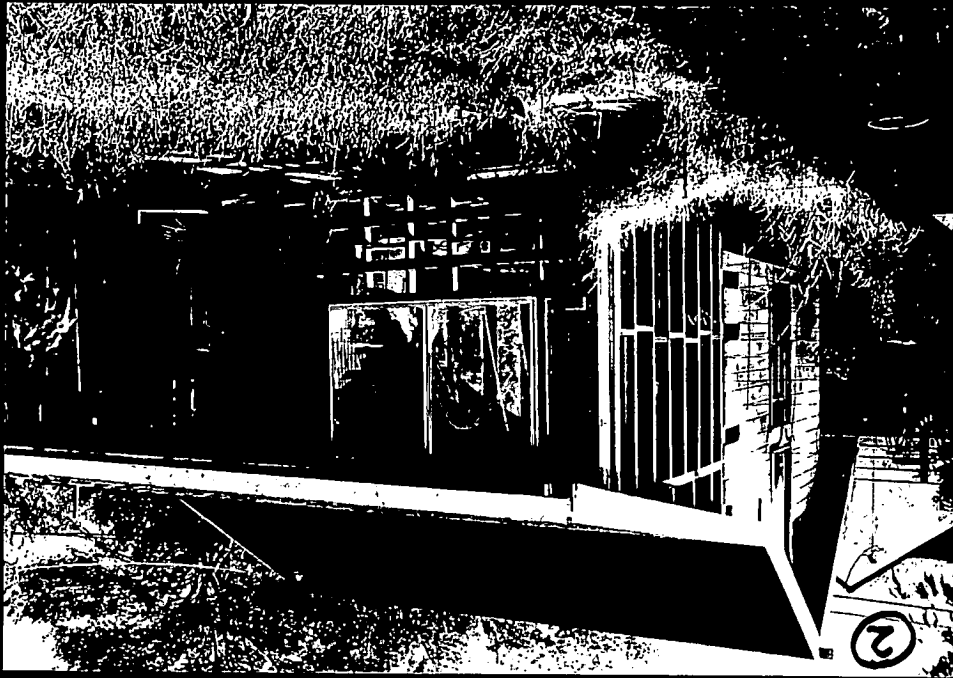


EXHIBIT B
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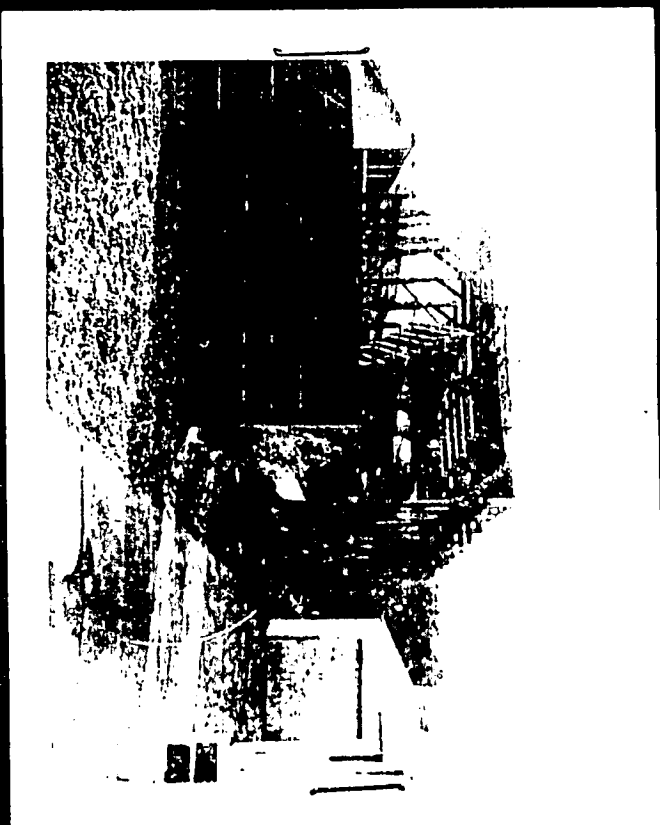
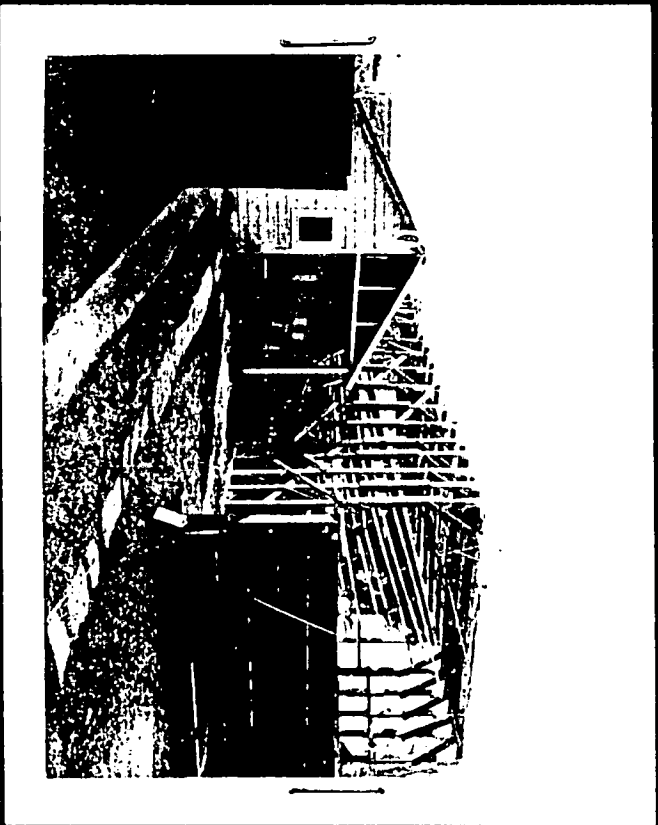


EXHIBIT C