

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

**ACTION OF THE ZONING ADMINISTRATOR**

On Tuesday August 9, 1994, the Zoning Administrator approved with conditions a variance to reduce the side yard setback requirement for a single family residence for the project known as Z94-071. Findings of Fact and conditions of approval for the project are listed on pages 2 and 3.

**Project Information**

Request: Zoning Administrator's Variance to reduce the required side yard setback from five to three feet on 0.18± developed acres in the Standard Single Family (R-1) zone.

Location: 1550 38th Street

Assessor's Parcel Number: 008-0402-011

Applicant: Michael and Linda Allen      Property      Same as Applicant  
1141 38th Street      Owner:  
Sacramento, CA 95816

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

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: R-1; Single Family Residence	Front:	25'	48'
South: R-1; Single Family Residence	Side(N.):	5'	3'
East: R-1; Single Family Residence	Side(S.):	5'	7'
West: R-1; Single Family Residence	Rear:	15'	58'

Property Dimensions: 50 feet x 160 feet  
Property Area: 0.18± acres  
Square Footage of Building: 2,648 square feet  
Height of Building: Two Stories, 18.5 feet (to plate line)  
Exterior Building Materials: Stucco  
Roof Materials: Composition Shingles  
Topography: Flat

Z94-071

AUGUST 9, 1994

ITEM 1

Street Improvements: Existing  
Utilities: Existing

Project Plans: See Exhibits A-H

Previous Files: None

Additional Information: The applicant is requesting to expand an existing porch roof into the side yard setback area as part of remodel project for a single family residence. The proposed covered patio area will remain open and the columns will be located three feet from the north property line. The covered patio area will total 340 square feet. The patio area will be at grade level and will not be raised like the porch on the front of the home. There will be no openings to the patio from the side of the house. The houses to the north and south have a three foot setback. The Zoning Ordinance requires a five foot side yard setback. The proposed house remodel with the patio addition meets all other setback and lot coverage requirements.

The site is located in the East Sacramento Improvement Association Neighborhood organization. The proposed plans have been submitted to the neighborhood association and they have no comments. The property owner to the north of the subject property, Julianna Hagan, was at the August 9, 1994 Zoning Administrator's hearing. She indicated that she had no objection to the variance request as long as the conditions imposed by the Zoning Administrator (listed below) are followed.

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 into the side yard setback area of the covered patio and the patio shall remain open and never be enclosed.
2. Size and location of the structure shall conform to the plans submitted. The patio shall be built at grade (not raised like the front porch) and the posts for the patio cover shall be placed as shown on Exhibit A.
3. The applicant shall obtain all necessary building permits prior to commencing construction.

Findings of Fact:

1. Granting the variance does not constitute a special privilege extended to an individual applicant in that:

- a. a variance would be and has been granted to other property owners facing similar circumstances; and
  - b. the lot is substandard in width.
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 proposed porch expansion is compatible in size and style with the adjacent residential properties;
    - b. the properties to the north and south have a three foot setback; and
    - c. the area that encroaches into the setback will not be enclosed and has no entrances to the porch area from the side of the house.
  4. The project is consistent with the General Plan which designates the subject site as Low Density Residential (4-15 du/na).

*Joy D. Patterson*

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Joy D. Patterson  
Zoning Administrator

A use for which a or 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.

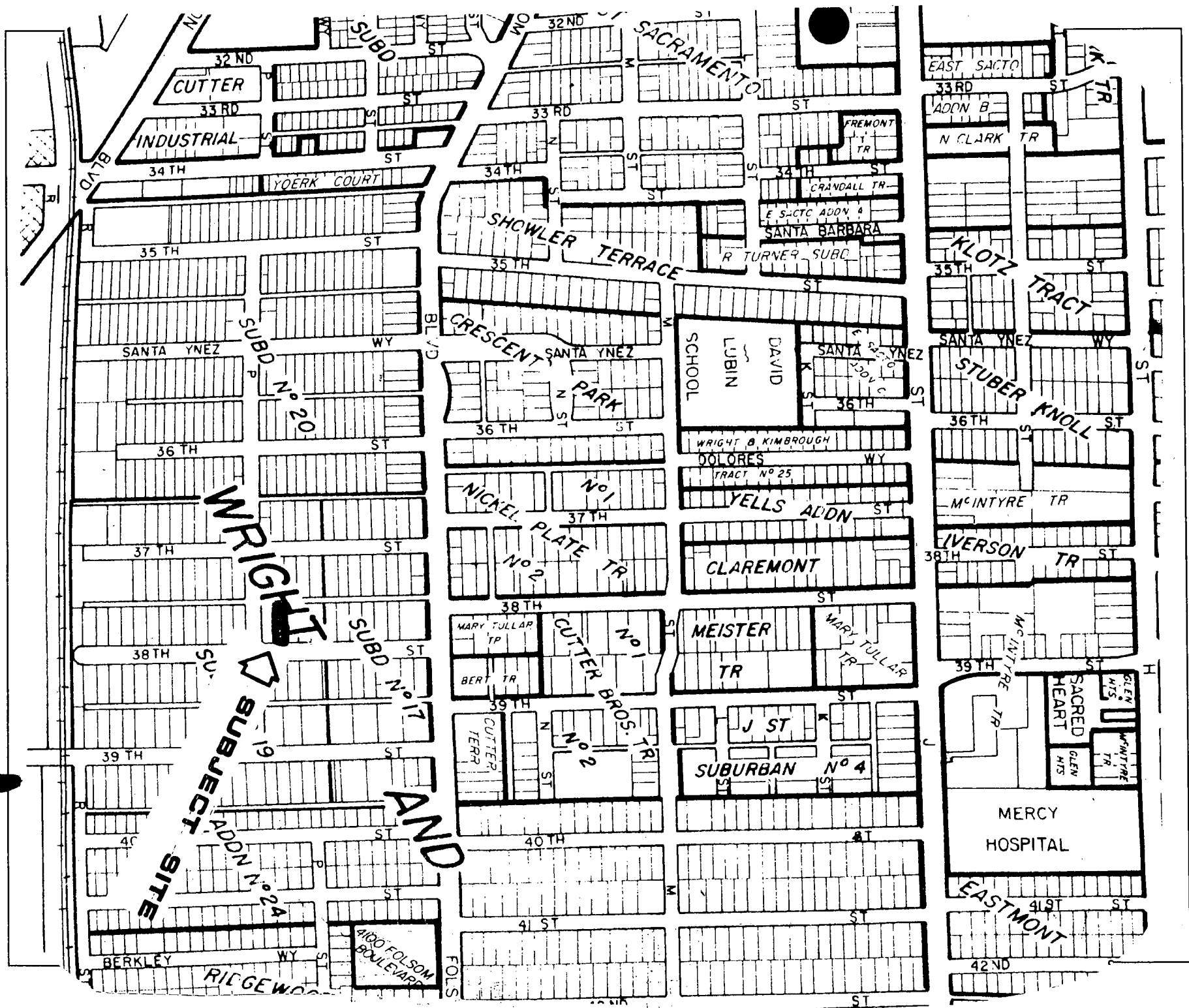
cc: File  
Applicant  
Julianna Hagan, 1544 38th St., Sacramento, 95816  
ZA Log Book

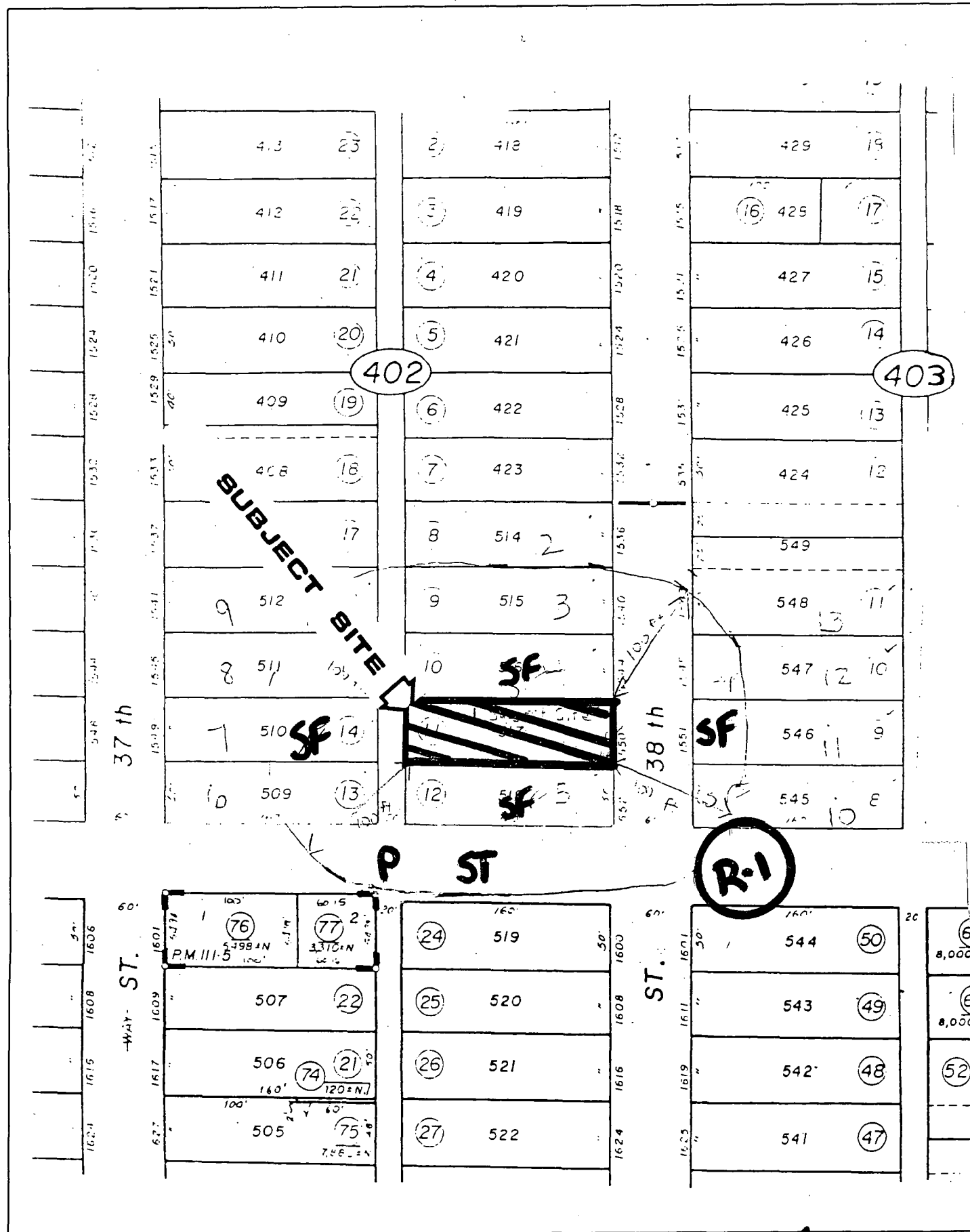
Z94-071

August 9, 1994

VICINITY MAP

ITEM NO. 1

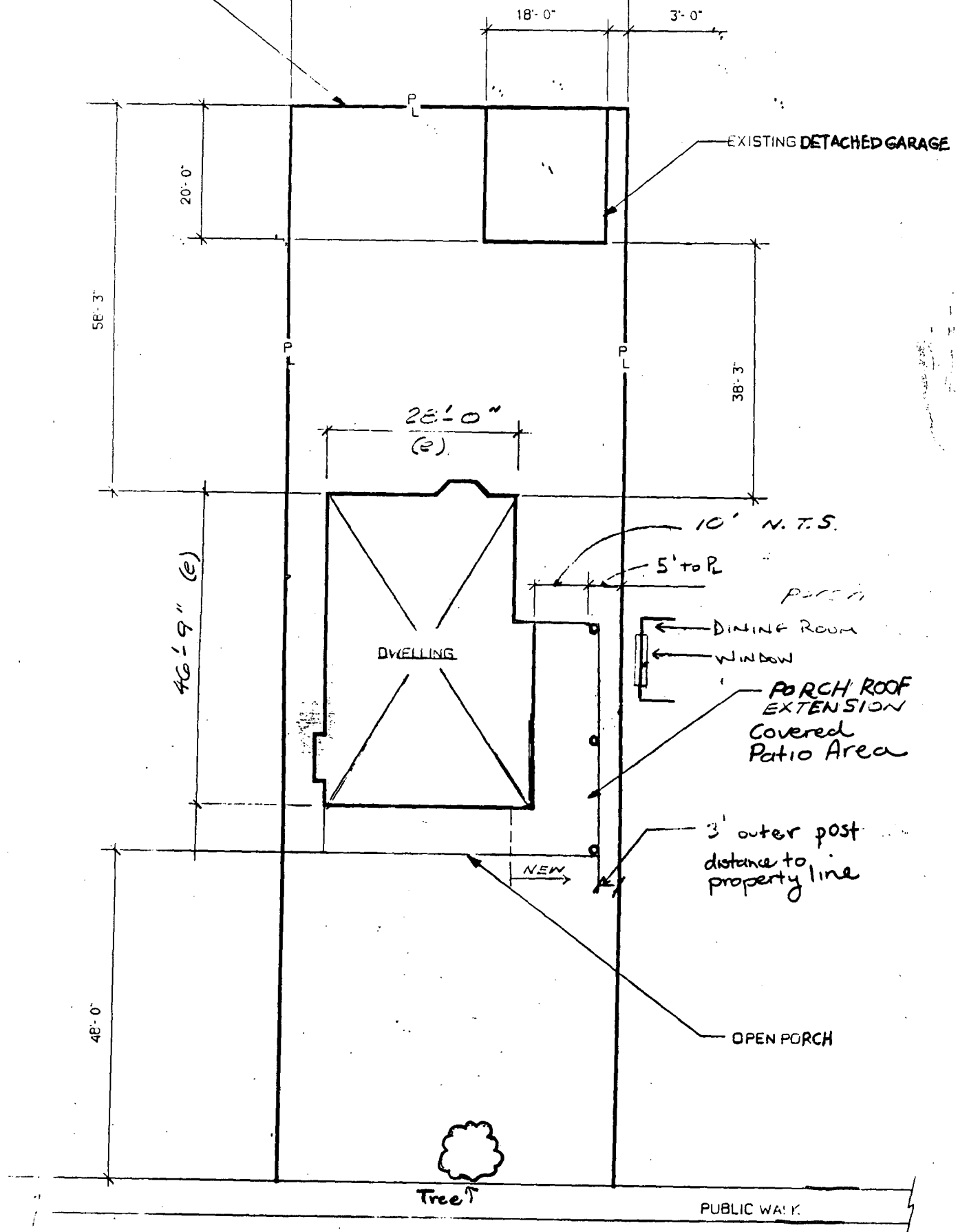




LAND USE & ZONING MAP

**EXHIBIT - A**

(Shows revised post locations)

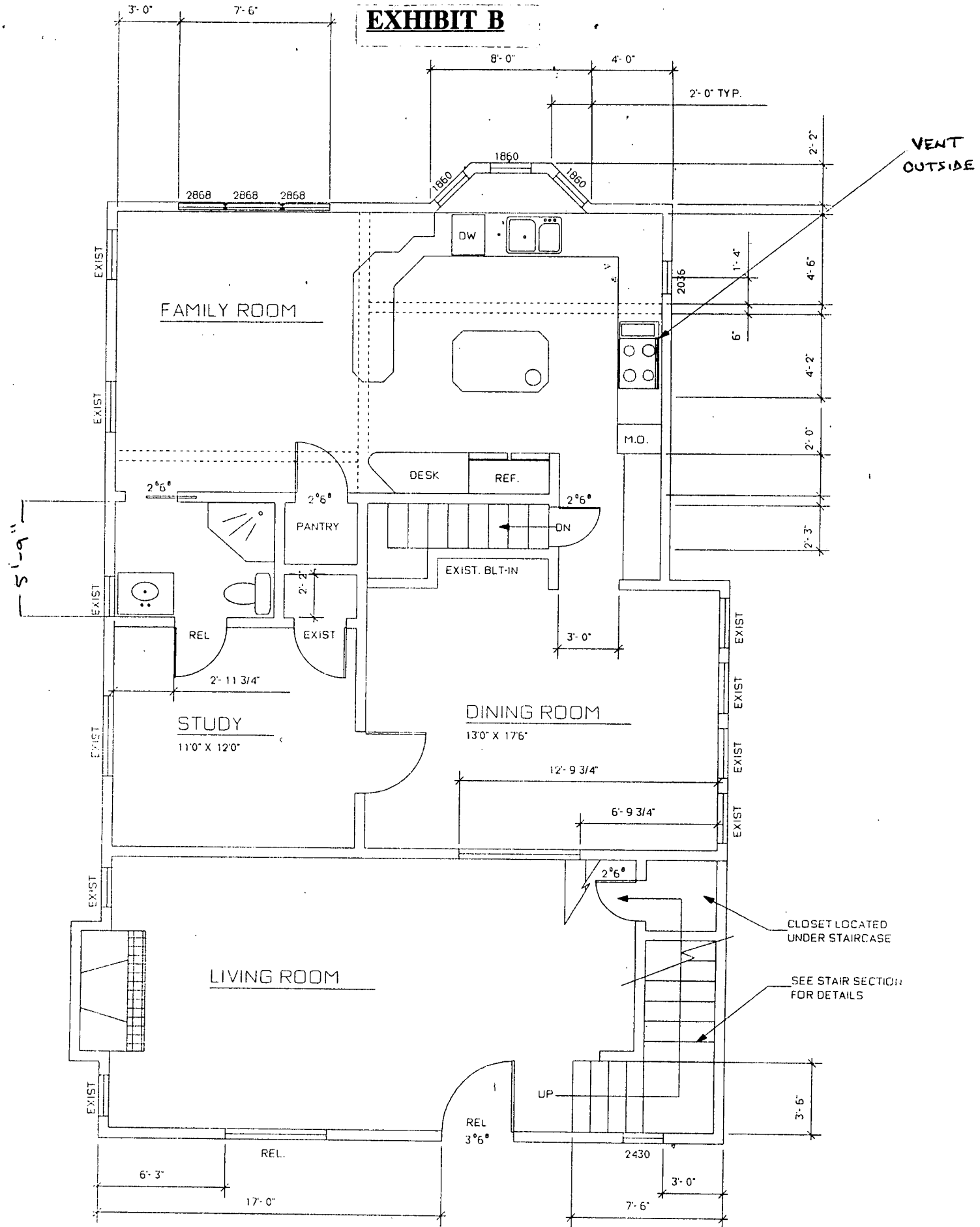


294-071

August 9, 1994

Item 1

**EXHIBIT B**



FLOOR PLAN

FIRST FLOOR

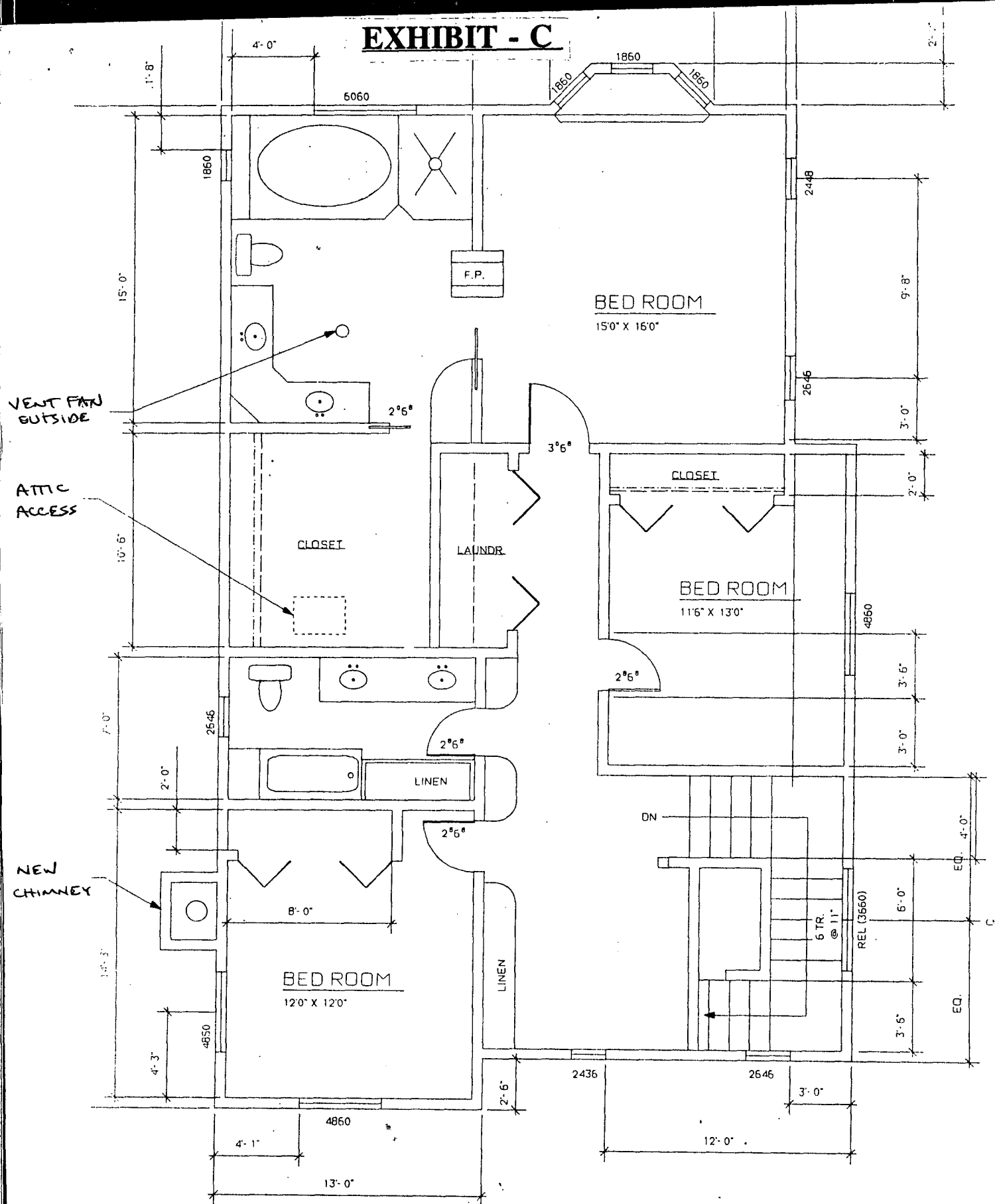
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294-071

August 9, 1994

Item 1

# EXHIBIT - C



## FLOOR PLAN SECOND FLOOR

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

294-071

August 9, 1954

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JOB

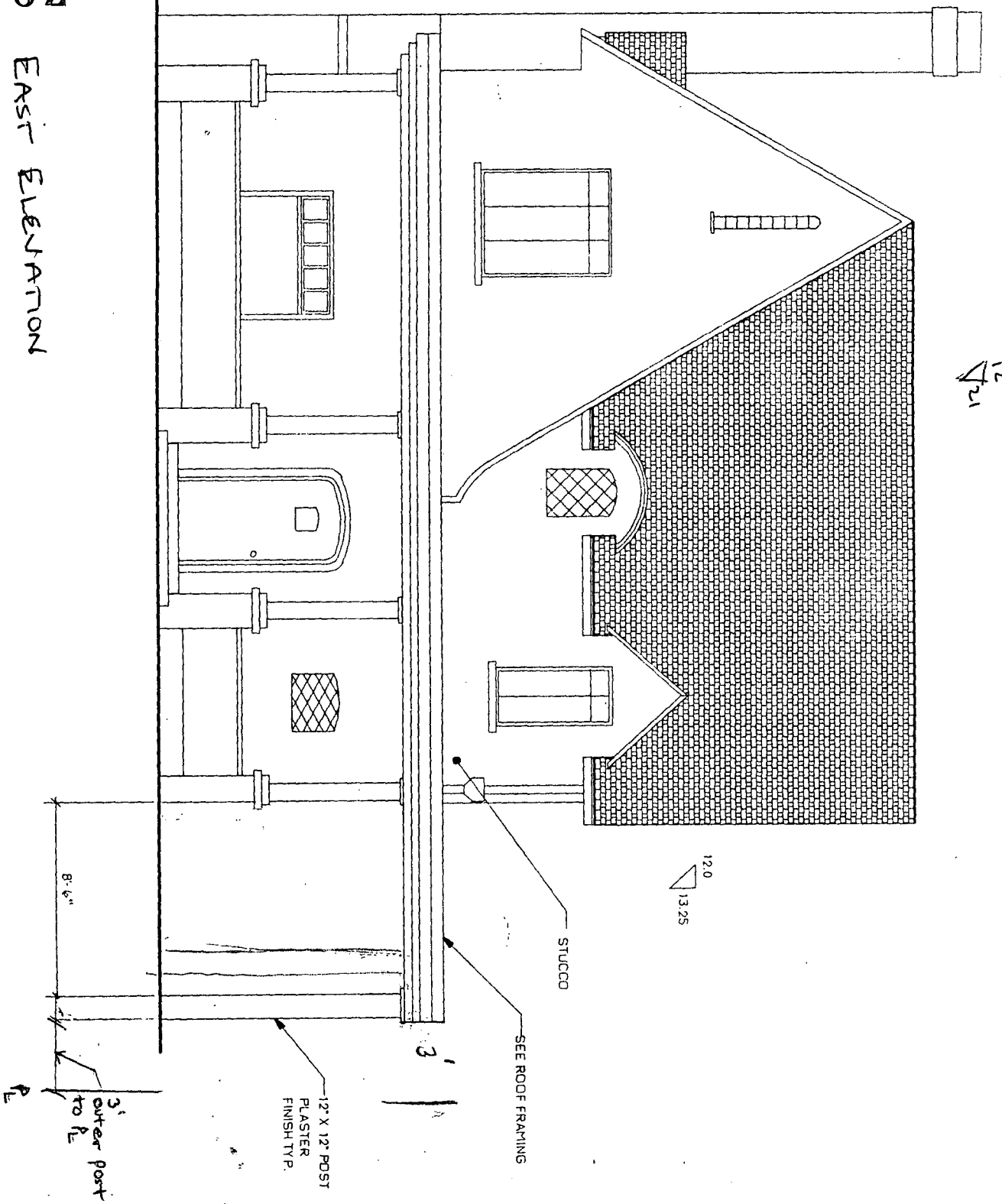
August 9, 1994

BACKED!  
1 AND 2 MIN.

ITEM 1

294 071

EAST ELEVATION



12/13.25

12/13.25

STUCCO

SEE ROOF FRAMING

12" X 12" POST  
PLASTER  
FINISH TYP.

3' outer post  
to R

8'-6"

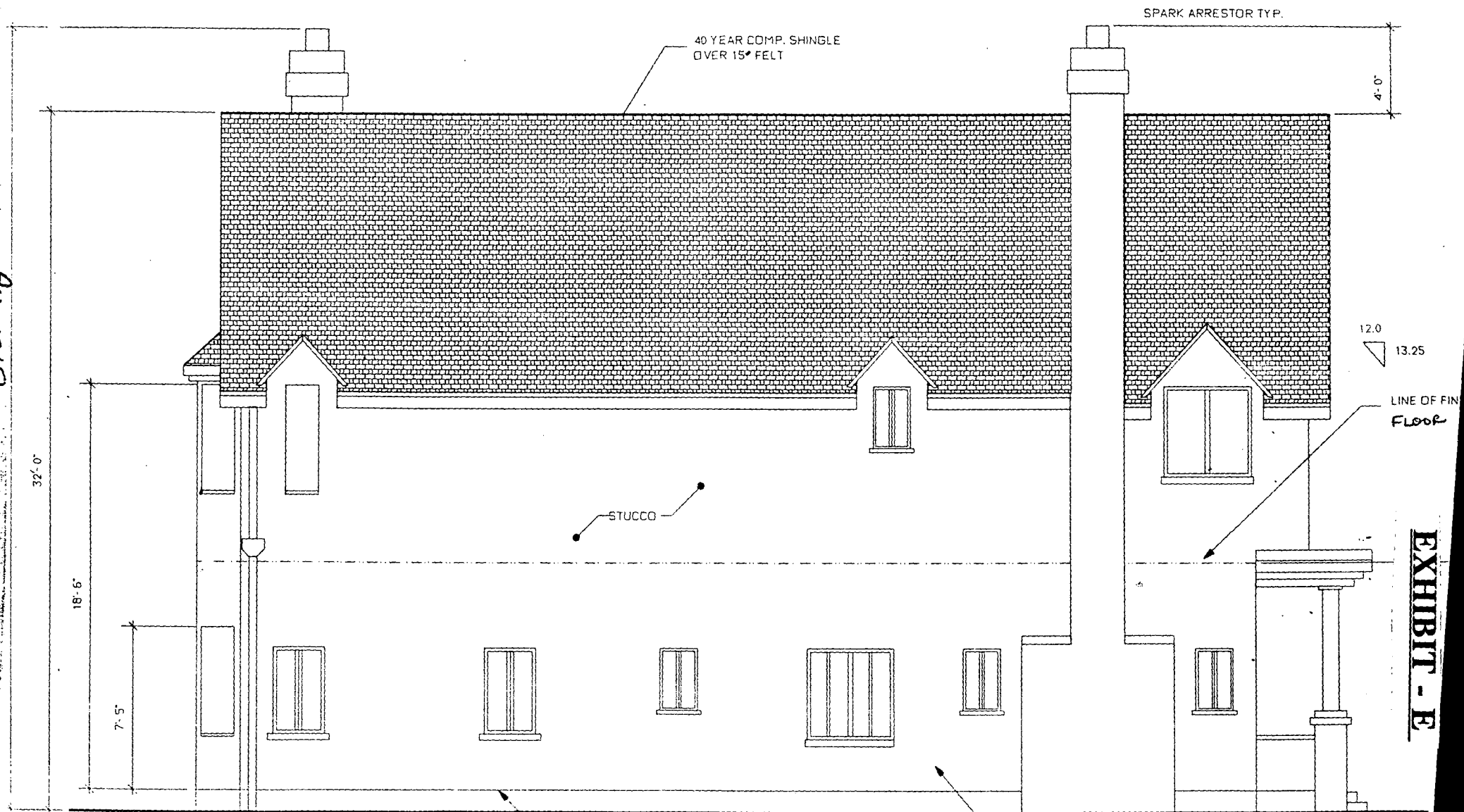
EL AND LINDA ALLEN  
 30 38TH STREET  
 CRAMENTO, CA. 95816  
 (510) 452-9440  
 RCEL NO. 008-0402-011

EXHIBIT - D

294-071

August 19, 1994

Draw 1



SOUTH ELEVATION

1/2\"/>

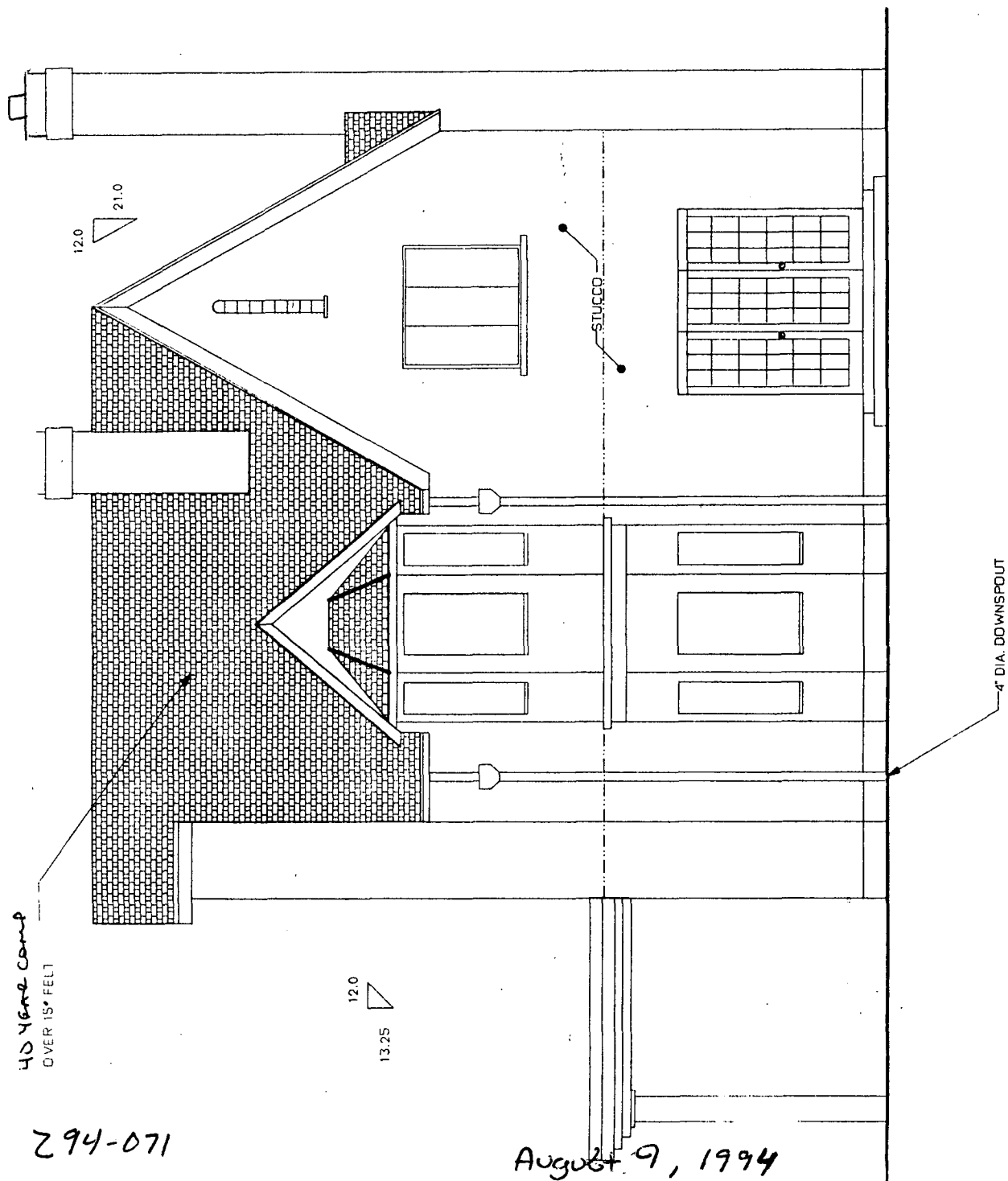
294 071

EXHIBIT - E

EXHIBIT F

LINDA ALLEN  
DRAFTSMAN  
O. CA. 95816  
008-0402-011

Z94 071



WEST ELEVATION

Z94-071

August 9, 1994

ITEM 1

294-071

August 9, 1994

Item 1

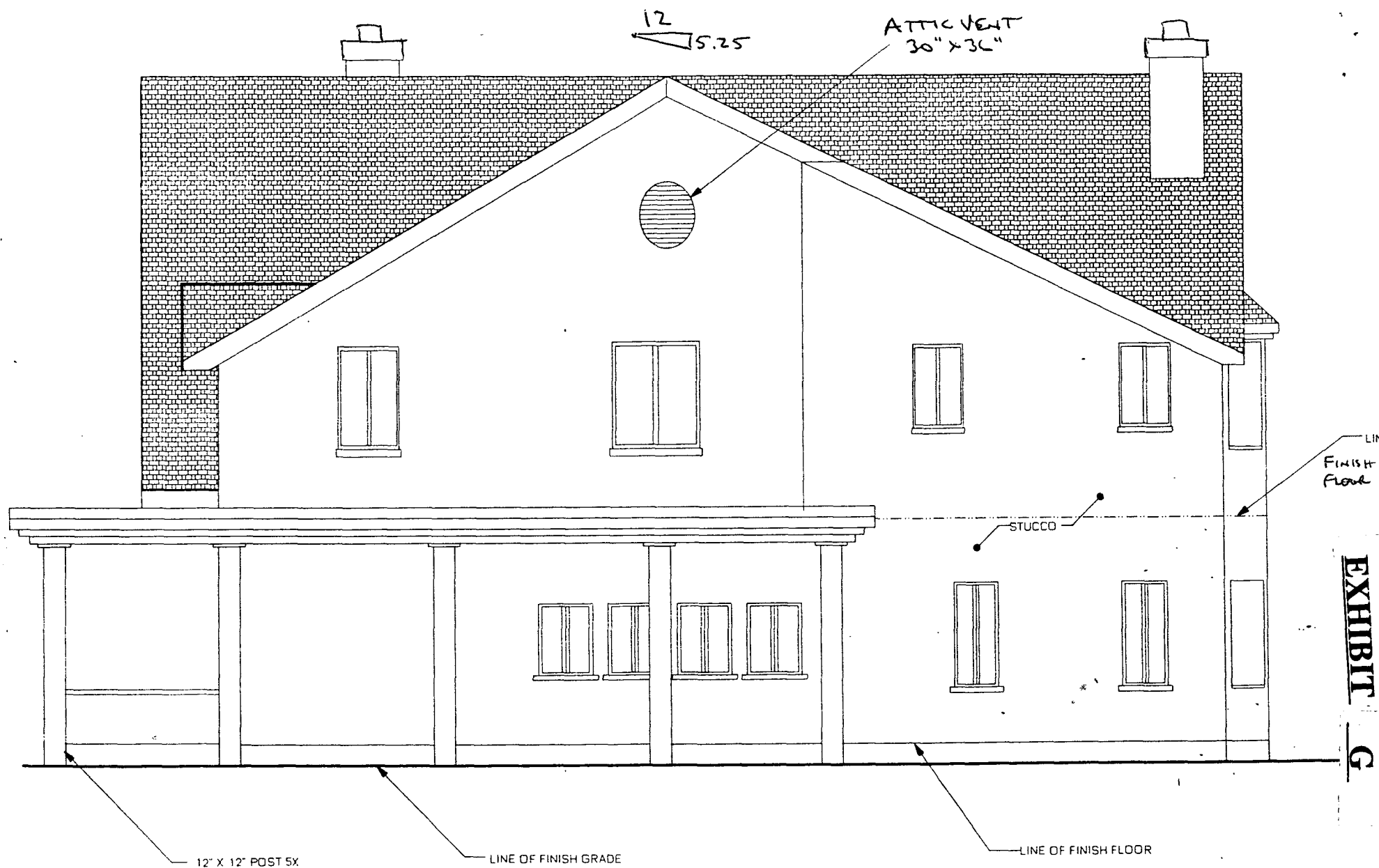


EXHIBIT G

NORTH ELEVATION

294 071

EXHIBIT H



294-071

August 9, 1994

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