

City Planning Commission  
Sacramento, California

Members in Session:

Subject: Appeal of the Planning Director's approval of a Special Permit to reconstruct a non-conforming detached garage in the Standard Single Family (R-1) zone.

Location: 2647 Donner Way

Background Information: On June 28, 1991, the Planning Director approved a Special Permit to reconstruct a non-conforming detached garage. The entitlements were requested in order to demolish the detached garage which currently covers more than 40 percent of the required rear yard and reconstruct a new garage in the same location. An adjacent neighbor has appealed the Planning Director's approval of the Special Permit.

Staff Analysis: Attached is the staff report for the Planning Director's Special Permit. Staff could find no impacts associated with the proposed reconstruction. The proposed garage will not be detrimental to the public safety or welfare in the immediate area. The proposed garage is compatible with the surrounding neighborhood, in that, there are existing garages which sit closer than six feet to the rear property line and cover more than 25 percent of the required rear yard. The applicant's appeal request is attached (Exhibit 1).

Recommendation: Staff recommends the Planning Commission deny the appeal of the Planning Director's decision based upon finding of fact identified in the attached staff report.

Respectfully submitted,



Joy Patterson,  
Senior Planner

Report Prepared By:

Jeanne Corcoran,  
Junior Planner

CITY OF SACRAMENTO

DEPARTMENT OF PLANNING AND DEVELOPMENT  
1231 "I" STREET, SACRAMENTO, CA 95814

PLANNING ROOM 200 449-5504

APPEAL OF THE DECISION OF THE SACRAMENTO CITY PLANNING DIRECTOR

DATE: JULY 8, 1991

TO THE PLANNING DIRECTOR:

I do hereby make application to appeal the decision of the City Planning Director of JUNE 28, 1991 (approval date), project # P 91-129

when: Special Permit For to reconstruct a non-conforming 475+ Sq. foot detached garage  
Variance For on 0.13+ developed acres in the standard single family (R-1) zone.

was:        Granted /        Denied by the City Planning Director

the structure adjoins our fence.  
GROUNDS FOR APPEAL: (explain in detail)

The large structure has 2 upper storey windows which overlook our garden and rear of house. We object to the loss of privacy caused by these windows. We object to the approval of an unfinished ceiling/floor since we feel it will be easy to convert at some future date to an upper room with further loss of privacy.

PROPERTY LOCATION: 2647 Donner Way

APPELLANT: Margaret Ryan Richard Lambert Jr. (print) PHONE # 916-453-1526  
W-916-929-3500

ADDRESS: 2651 DONNER WAY, SACRAMENTO 95818

APPELLANT'S SIGNATURE: Margaret Ryan

THIS BOX FOR OFFICE USE ONLY

Filing Fee:        by Applicant: \$125.00        by 3rd Party \$ 40.00

Received By: Sandra L. Gipe Date: 8-JUL-91

Distribute Copies To: NVD AG WW SS (original & receipt)  
RT

P# 91-129 Scheduled for Commission On:

Since it could then be used for melting purposes.  
Also we have never been provided details or an interior plan of the "garage".

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

APPLICANT Mary Ann Karrer, 2647 Donner Way, Sacramento, CA 95818  
OWNER Mary Ann Karrer, 2647 Donner Way, Sacramento, CA 95818  
PLANS BY J. Paul Serrao, 817 25th Street, #1E, Sacramento, CA 95816  
FILING DATE 5-29-91 ENVIR. DET. Exempt 15303 REPORT BY JC  
ASSESSOR'S PCL. NO. 013-0211-015

APPLICATION: A. Planning Director's Special Permit to reconstruct a non-conforming 475± square foot detached garage on 0.13± developed acres in the Standard Single Family (R-1) zone.

LOCATION: 2647 Donner Way

PROPOSAL: The applicant is requesting the necessary entitlements to demolish the existing detached garage, which currently covers 40 percent of the required rear yard area, and reconstruct a detached garage in the same location as the existing garage.

PROJECT INFORMATION:

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

Surrounding Land Use and Zoning:

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

Parking Required: 1  
Parking Provided: 2  
Property Dimensions: 50' X 121'  
Property Area: 0.13± acres  
Square Footage of Building: 500 sq. ft.  
Height of Building: 10' wall height; 18' to the top of roof  
Topography: Flat  
Street Improvements: Existing  
Utilities: Existing  
Exterior Building Materials: Wood Shingle Siding  
Roof Materials: Wood Shingle

Project Evaluation: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of 0.13± acres in the Single Family (R-1)

zone. The site is currently developed with 1,465± square foot residence and a 475± square foot detached garage. The General Plan designates the site as Low Density Residential (4-15 du/ac). The surrounding land uses and zones are single family, R-1 to the north, south, east and west.

B. Site Plan

The existing garage currently exceeds the allowable rear yard coverage by 15 percent. The garage measures 25' X 19' with 300 square feet (12' X 25') in the required rear yard area. The garage is located 2'8" from the rear (north) property line and 1'8" from the side (east) property line. The applicant proposes to rebuild the garage on the existing foundation, extending the foundation one foot to the south to provide a 20 foot deep garage. Currently on the site is a deck and hot tub off the rear of the house. The applicant proposes to remove the deck and hot tub and construct a pool, spa and deck in the remaining useable rear yard area. The proposed pool will be 3.5' from the south wall of the proposed garage.

C. Building Plan

The Zoning Ordinance stipulates that a detached accessory structure shall not exceed 18 feet as measured from grade to the highest point on the roof. The wall of the building shall not exceed 10 feet in height. The building shall have only one floor. The proposed plan indicates that the measurements for the garage were taken one foot above the grade of the property depicting a 10 foot wall height and 17 foot building height. However, the wall height is 11 feet from grade and the height of the building is 18 feet from grade. The wall height will need to conform to the 10 foot height as required by the Zoning Ordinance. A second floor shall not be allowed.

The floor plan of the garage indicate a 7' X 20' area for washer/dryer, freezer, sink, toilet facilities and cabinets (storage area). This will leave 18 feet to park two cars, which is the minimum requirement for standard parking spaces. The applicant proposes two window dormers on the south elevation for light. The building materials will be wood shingle siding and wood shingle roof to match the house.

D. Neighborhood Comments

One neighbor has contacted staff with concerns regarding the windows. They have indicated that the windows in the south elevation will allow the applicant to intrude into their privacy in their back yard. Staff informed the neighbor that a second floor was not allowed in an accessory structure, therefore protecting their privacy.

E. Agency Comments

The plans were reviewed by Traffic Engineer, City Engineering, Development Section, City Electrical Engineer, Water and Sewer Division and Councilmember Serna. The following comments were received:

Traffic Engineer

Garage will be setback six feet from the alley right of way to provide 26 feet of maneuvering.

Engineering, Development Section

The water main and combination sewer and drainage pipe are located in the alley. Services may require relocation. If not now with the garage reconstruction, perhaps with the proposed pool construction.

Notice: Property to be developed in accordance with this special permit may be subject to flooding. Interested parties should ascertain whether and to what extent such flooding may occur. The applicable base flood elevations for the property should be reviewed. Base flood elevations are contained in the U.S. Army Corps of Engineers Flood Insurance Study Working Map for the Sacramento Community dated January 1989, available for review at the City of Sacramento's Public Works Department, Development Services Division, Room 100, 927 10th Street.

Building Division

Storage above a ceiling required to meet but shall not be limited to the following building code requirements:

- o Engineering for floor loads
- o One electrical outlet and one light switch in storage area
- o the storage area cannot be finished

Environmental Determination: This project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15303).

Recommendation: Staff recommends the Planning Director approve the special permit subject to conditions and based upon findings of fact which follow:

Conditions

1. The garage shall not exceed the 10 foot wall height and the 18 feet roof height as measured from grade level.
2. The garage shall not encroach further into the required rear yard area.
3. The garage shall not be used as a living area or habitable area including but not limited to office, den, sleep area and rumpus room.
4. The garage shall have only one floor. The area between the between the ceiling joist and the roof shall be limited to storage only and shall conform, but not be limited to, the following building codes:

- a. Engineered for floor loads
  - b. One electrical receptacle and one light switch
  - c. storage area shall remain unfinished
5. The applicant shall record the conditions of approval on the deed to the property. Proof of recording shall be submitted prior to issuance of building permits.
- \*6. (See Below)

Findings of Fact

- 1. The project, as conditioned, is based upon sound principles of land use in that the proposed project will not alter the residential character of the neighborhood.
- 2. The project, as conditioned, is not detrimental to the public health, safety, or welfare nor to the neighboring properties in the vicinity, in that the existing garage encroaches into the required rear yard area.
- 3. The project, as condition, is consistent with the City's General Plan which designates the site as residential.

Report Prepared By:

*Jeanne Corcoran*  
 Jeanne Corcoran, Planner

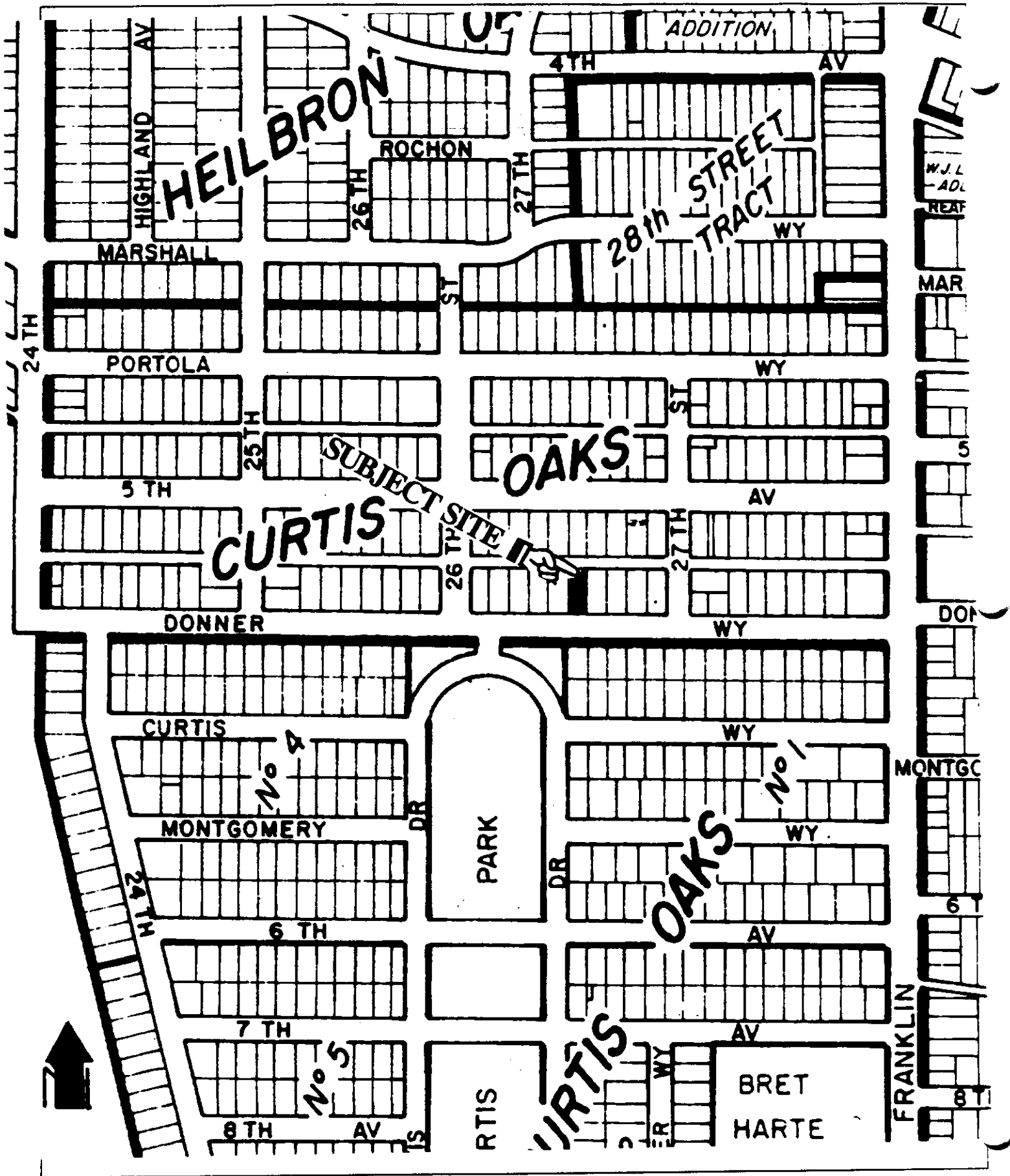
6-26-91  
 Date

Recommendation Approved By:

*Marty Van Duyn*  
 Marty Van Duyn, Planning Director

6-28-91  
 Date

\*6. The dormer windows on the South elevation of the garage shall be opaque, translucent or frosted. (CPC ADDED).



VICINITY MAP



5th

ST.

|     |     |     |           |           |           |           |           |     |      |
|-----|-----|-----|-----------|-----------|-----------|-----------|-----------|-----|------|
| 145 | 144 | 143 | SF<br>142 | SF<br>141 | SF<br>140 | SF<br>139 | SF<br>138 | 137 | 136  |
| (1) | (2) | (3) | (4)       | (5)       | (6)       | (7)       | (8)       | (9) | (10) |

ST.

|      |     |
|------|-----|
| 35   | 34  |
| (23) | (3) |

26th

|             |             |             |             |             |             |             |             |             |             |
|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| (20)<br>184 | (19)<br>185 | (18)<br>186 | (17)<br>187 | (16)<br>188 | (15)<br>189 | (14)<br>190 | (13)<br>191 | (12)<br>192 | (11)<br>193 |
|             |             | SF          | SF          |             |             | SF          | SF          |             |             |

27th

|      |      |
|------|------|
| 34   | 35   |
| (21) | (23) |

DONNER

C.O.  
SCO-1

**21** SUBJECT SITE

|      |         |         |         |         |      |      |      |      |
|------|---------|---------|---------|---------|------|------|------|------|
| (1)  | SF<br>2 | SF<br>3 | SF<br>4 | SF<br>5 | 6    | 7    | 8    | 9    |
| (34) | (33)    | (32)    | (31)    | (30)    | (29) | (28) | (27) | (26) |
| 34   | 33      | 32      | 31      | 30      | 29   | 28   | 27   | 26   |

EAST CURTIS DRIVE

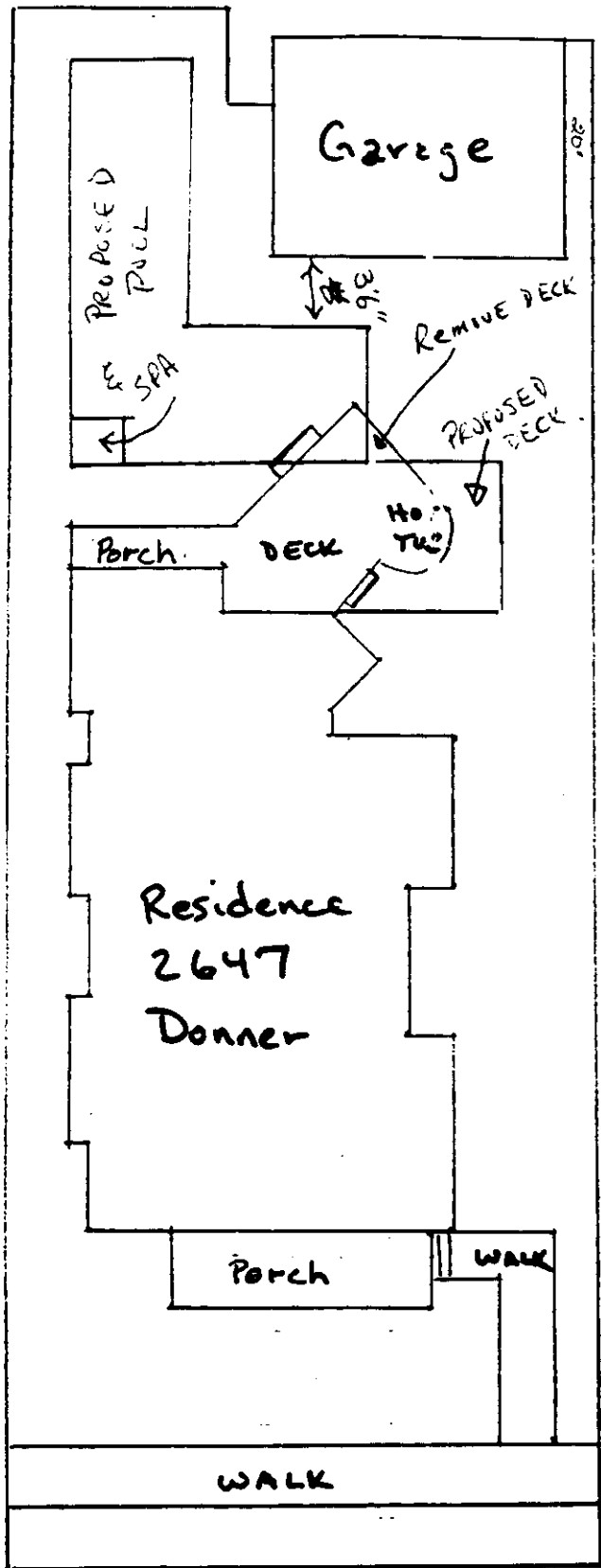
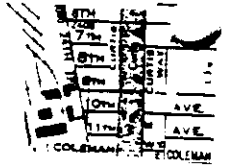


CURTIS

LAND USE AND ZONING MAP

c/L Alley

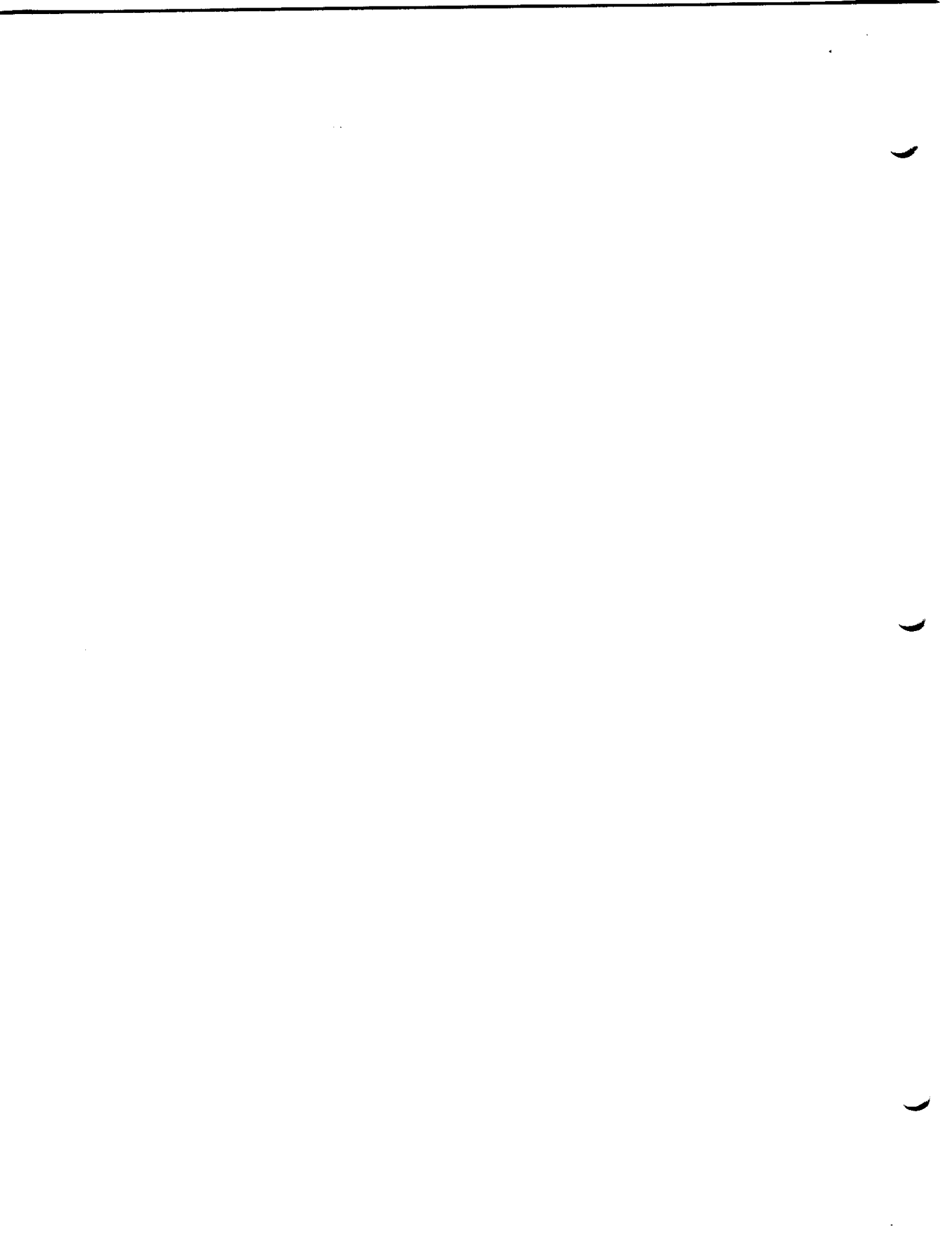
# EXHIBIT - A SITE PLAN



W = 4 feet

c/L Donner Way





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Staff Analysis: Attached is the staff report for the Planning Director's Special Permit. Staff could find no impacts associated with the proposed reconstruction. The proposed garage will not be detrimental to the public safety or welfare in the immediate area. The proposed garage is compatible with the surrounding neighborhood, in that, there are existing garages which sit closer than six feet to the rear property line and cover more than 25 percent of the required rear yard. The applicant's appeal request is attached (Exhibit 1).

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Also we have never been provided details of the  
interior plan of the "garage".

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|                     |  |             |              |           |    |
|---------------------|--|-------------|--------------|-----------|----|
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| FILING DATE         | 5-29-91  | ENVIR. DET. | Exempt 15303 | REPORT BY | JC |
| ASSESSOR'S PCL. NO. | 013-0211-015   |             |              |           |    |

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Recommendation: Staff recommends the Planning Director approve the special permit subject to conditions and based upon findings of fact which follow:

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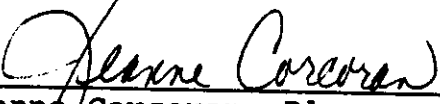
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Findings of Fact

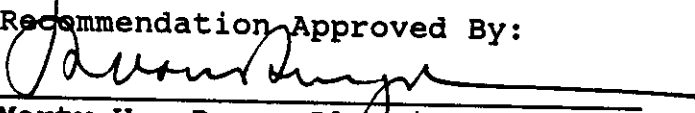
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3. The project, as condition, is consistent with the City's General Plan which designates the site as residential.

Report Prepared By:

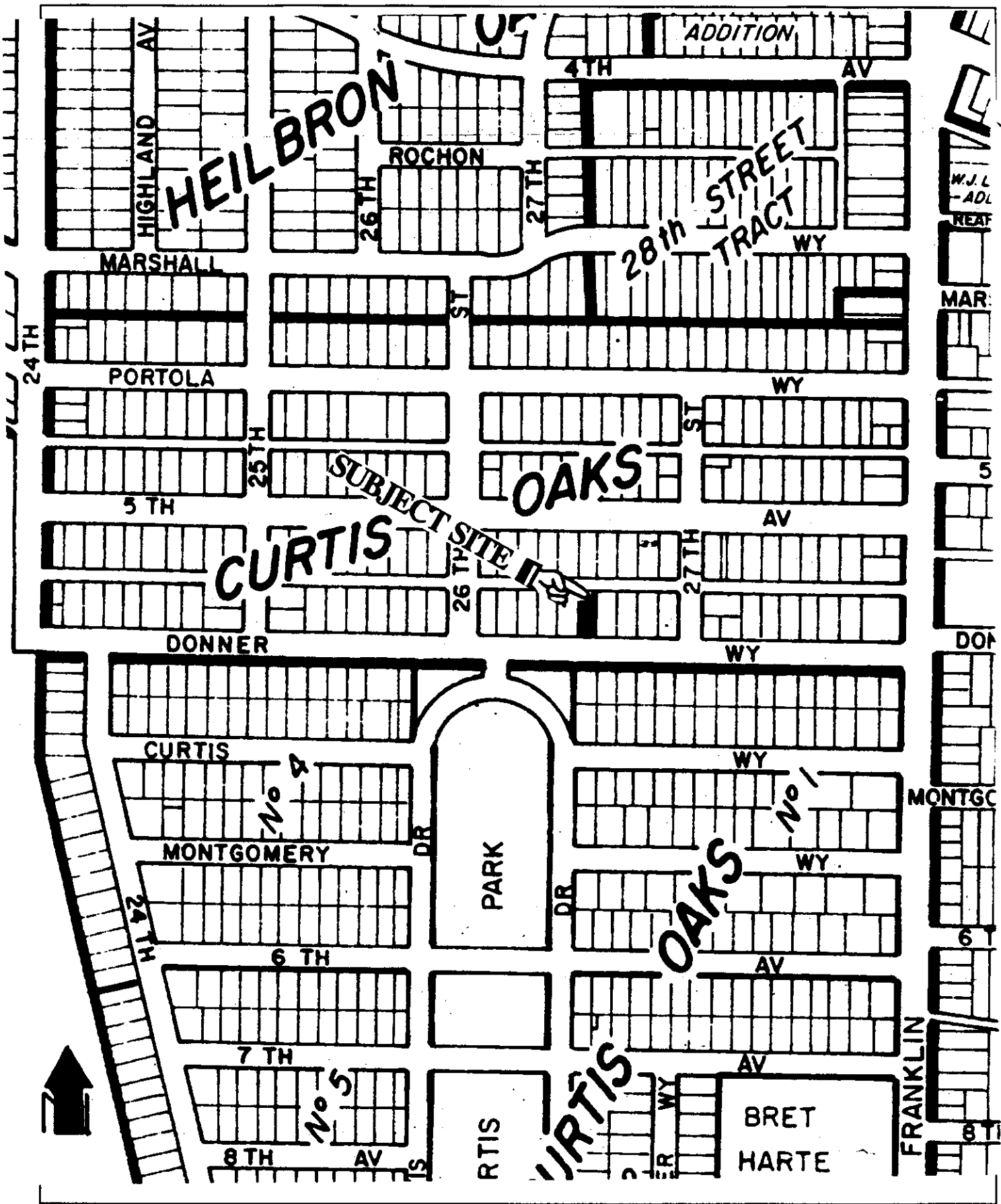
  
\_\_\_\_\_  
Jeanne Corcoran, Planner

6-26-91  
Date

Recommendation Approved By:

  
\_\_\_\_\_  
Marty Van Duyn, Planning Director

6-28-91  
Date



VICINITY MAP

5th ST.

26th

|     |     |     |           |           |           |           |           |     |      |
|-----|-----|-----|-----------|-----------|-----------|-----------|-----------|-----|------|
| 145 | 144 | 143 | SF<br>142 | SF<br>141 | SF<br>140 | SF<br>139 | SF<br>138 | 137 | 136  |
| (1) | (2) | (3) | (4)       | (5)       | (6)       | (7)       | (8)       | (9) | (10) |

|             |             |             |             |             |             |             |             |             |             |
|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| (20)<br>184 | (19)<br>185 | (18)<br>186 | (17)<br>187 | (16)<br>188 | (15)<br>189 | (14)<br>190 | (13)<br>191 | (12)<br>192 | (11)<br>193 |
|             |             | SF          | SF          |             |             | SF          | SF          |             |             |

|      |     |
|------|-----|
| 135  | 134 |
| (23) | (3) |

|      |      |
|------|------|
| 194  | 195  |
| (21) | (20) |

DONNER

C.O. SCO-1

**21** SUBJECT SITE

|      |         |         |         |         |      |      |      |      |      |
|------|---------|---------|---------|---------|------|------|------|------|------|
| (1)  | SF<br>2 | SF<br>3 | SF<br>4 | SF<br>5 | 6    | 7    | 8    | 9    | 10   |
| (34) | (33)    | (32)    | (31)    | (30)    | (29) | (28) | (27) | (26) | (25) |
| 34   | 33      | 32      | 31      | 30      | 29   | 28   | 27   | 26   | 25   |

EAST CURTIS DRIVE

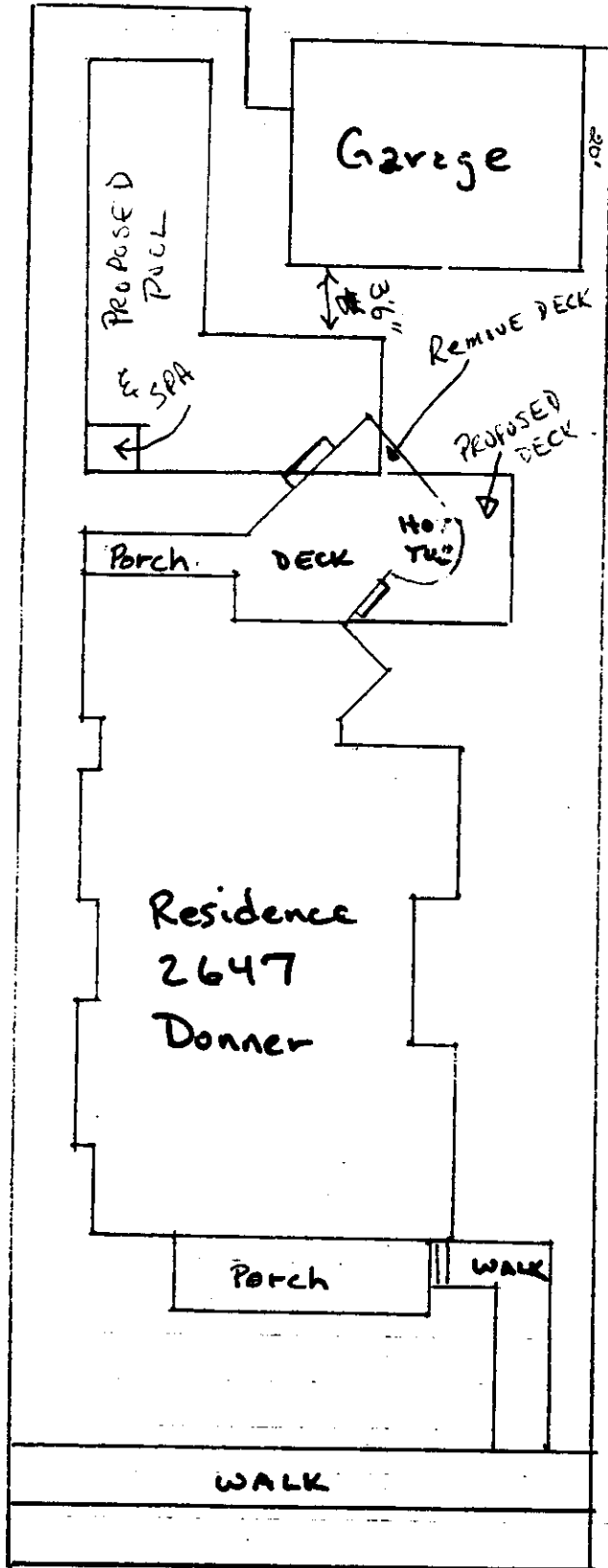
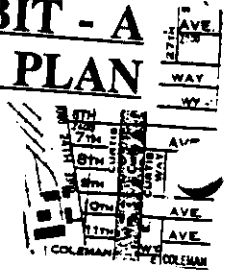


CURTIS

### LAND USE AND ZONING MAP

1/2 Alley

# EXHIBIT - A SITE PLAN

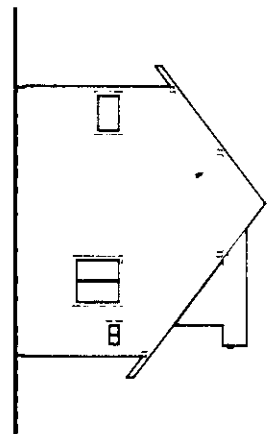
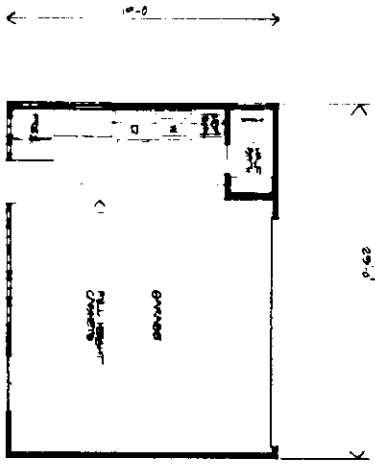
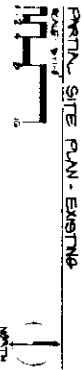
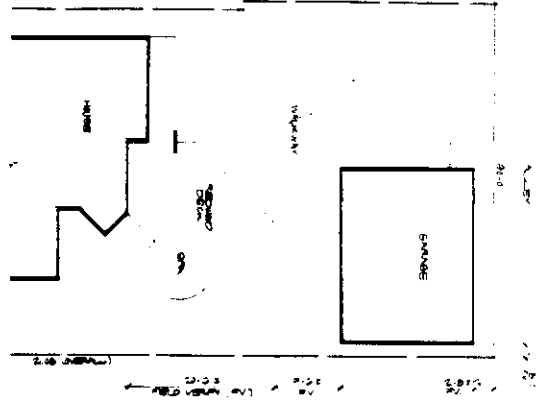


4 = 4 feet

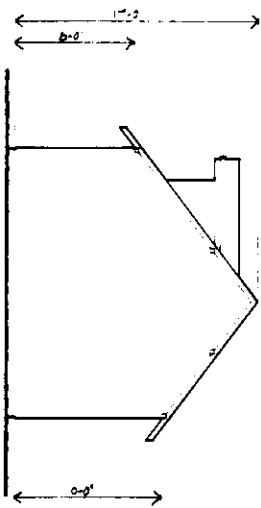
1/2 Donner Way

# EXHIBIT - B ELEVATIONS FLOOR PLANS

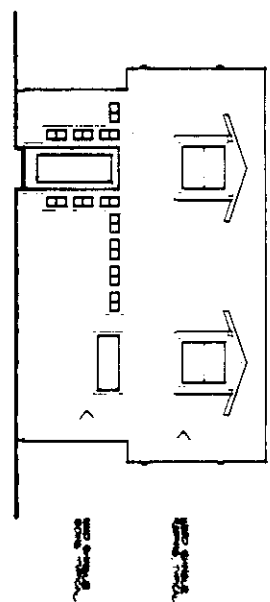
BASE/OVERLAY NO. \_\_\_\_\_  
COMPOSET INSTRUCTIONS \_\_\_\_\_



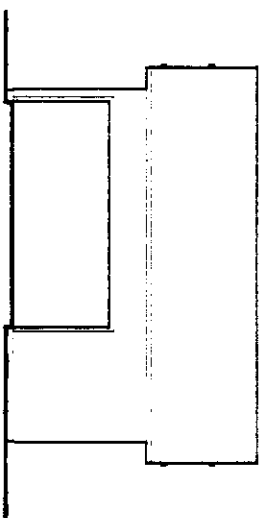
WEST ELEVATION



EAST ELEVATION



SOUTH ELEVATION



NORTH ELEVATION

817 25th STREET #18 SACRAMENTO CALIFORNIA 95816 (916) 443-8315

**J. PAUL SERRAO**  
B U I L D I N G   D E S I G N

OWNER: \_\_\_\_\_  
DATE: \_\_\_\_\_  
DRAWN BY: JAY  
CHECKED BY: \_\_\_\_\_  
SHEET NO. **1**