

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

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, January 28, 1998, the Zoning Administrator approved with conditions a special permit to allow a bed and breakfast and a variance to waive the masonry wall requirement for the project known as Z97-113. Findings of Fact and conditions of approval for the project are listed on pages 3-5.

Project Information

- Request: 1. Zoning Administrator Special Permit to allow a four room bed and breakfast inn within a 3,200 square foot residence on 0.11± developed acres in Single Family or Two Family (R-1B) zone.
2. Zoning Administrator Variance to waive the required six foot masonry wall.

Location: 1300 T Street (D4, Area 1)

Assessor's Parcel Number: 009-0143-002, 014

Applicant: Michael Seinato Jr.
 2756 Marty Way
 Sacramento, CA 95818

Property Owner: Phillip Farley
 1300 T Street
 Sacramento, CA 95814

General Plan Designation: Low Density Residential (4-15 du/na)
Central City
Community Plan: Low Density
Existing Land Use of Site: Single Family Residence
Existing Zoning of Site: Single Family or Two Family (R-1B)

Surrounding Land Use and Zoning:	Setbacks	Required	Existing
North: C-2; Commercial	Front:	25'	14'
South: R-1B; Single Family Residence	Side(E.):	3'	7'
East: R-1B; Single Family Residence	Side(W.):	3'	5.5'
West: C-2; Commercial	Rear:	15'	66'

Property Dimensions:	40' x 120'
Property Area:	0.11 ± acres
Parking Required:	3 spaces
Parking Provided:	3 Spaces
Square Footage of Buildings:	Existing House- 3,200 square feet
	Garage- 272 square feet (To be demolished)
	Total- 4,472 square feet
Height of Building:	Two Stories
Exterior Building Materials:	Wood Siding
Roof Materials:	Dimensional Composition Shingles
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

Project Plans: See Exhibits A-C

Previous Files: None

Additional Information: The applicant is requesting to convert an existing single family "Victorian" residence into a four room bed and breakfast with a manager's quarters. The site is located at the southeast corner of 13th Street and I Street. The house has two stories and a basement. The bedrooms are on the second story and there is an office in the basement. There is an existing garage that will be removed to create a parking area at the rear of the site. There are two Heritage size city street trees along the west side of the parcel that limits the driveway width and location. There are no proposed exterior changes or additions planned for the main structure. A Zoning Administrator Special Permit is necessary to locate a bed and breakfast within the R-1B zone.

The applicant is also requesting a variance to waive the required masonry wall along the south and east property lines. The Zoning Ordinance requires a masonry wall between residential and non-residential uses. A bed and breakfast is considered a non-residential use. The zoning prohibits any outdoor functions, conventions, or weddings on the premise. The applicant proposes to replace an existing fence between the properties rather than construct a wall.

The site is located within the Richmond Grove Neighborhood Watch, SOCA, Central City Alliance of Neighborhoods (CCAN), Southside Park Neighborhood Association, and the Fremont Park Neighbor Association areas. The proposed plans were submitted to the neighborhood association and staff received no comments. The project has been noticed and staff received one call from an adjacent commercial use indicating concern for adequate on-site parking. Staff informed the caller that the required on-site parking would be provided and the caller had no other concerns or objections.

The site is also within the Southside Preservation Area. The applicant has submitted an

application to the Preservation Board for demolition of the existing garage to create the access for the proposed parking area (PB98-002).

Agency Comments

The proposed project has been reviewed by the City Utilities Department, the Public Works-Transportation and Engineering Planning Divisions, the Building Division, the City Arborist, and the Police Department. The comments received pertaining to the project have been included as conditions.

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, Sections 15303}.

Conditions of Approval

1. The applicant shall comply with all conditions of PB98-002 in the demolition of the garage and if the application to demolish the garage is denied, then the applicant shall apply for a special permit to waive parking prior to occupancy.
2. The proposed parking area shall comply with all Zoning Ordinance and Public Works requirements to include shading, dimensions, and maneuvering. Additionally, the proposed parking area shall be reviewed and approved by Public Works prior to construction.
3. There shall be only four rooms used for the commercial bed and breakfast use.
4. The applicant shall obtain a "Change of Use" permit from the Building Division and comply with all Building Code requirements. All requirements must be met prior to Certificate of Occupancy.
5. The existing driveway shall be reconstructed to a width of twelve feet.
6. Lighting levels shall be as follows: 1.5 foot-candles of minimum maintained illumination per square foot of parking space between the hours of dusk and one hour after sunrise. A minimum of .25 foot-candles of illumination shall be provided at the surface of any walkway, alcove, or passageway related to the building project during the same hours. All adjacent residential uses shall be shielded from any lighting.
7. All landscaping shall be maintained as at a minimum plant and/or shrub height of 30 inches and trees maintained at a minimum distance of six feet from the lowest branch to the ground.
8. Decorative planting shall be maintained as not to obstruct or diminish lighting level throughout project.

9. All outdoor activities shall be in conformance with the City Noise Ordinance. Bed and breakfast guests shall not be permitted to use the backyard area before 8:00 a.m. in the morning or after 10:00 p.m. at night.
10. The bed and breakfast use is for lodging of guests only. Conferences, weddings, fund raisers or other similar gatherings of lodgers and/or non-lodgers is prohibited at the site. This condition does not prohibit the owner of the property from having normal family events on the property.
11. Any signage shall meet the requirements of the Sign Ordinance and be reviewed and approved by the Preservation Board staff.
12. The applicant shall stay ten feet away from the most southern English Elm street tree with any new driveway work, construction, or paving.

Findings of Fact- Special Permit:

1. The proposed project, as conditioned, is based upon sound principles of land use in that:
 - a. the project site is located in the Central City;
 - b. the bed and breakfast will be operated in a large residence that was constructed to accommodate the number of people that would be staying in a four bedroom bed and breakfast inn; and
 - c. the proposed project will not significantly alter the characteristics of the site or the surrounding neighborhood.
2. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
 - a. the bed and breakfast will comply with all Building Code requirements;
 - b. the bed and breakfast is limited to lodging guests only; and
 - c. adequate parking and vehicle maneuvering will be provided.
3. The project is consistent with the General Plan and the Central City Community Plan which designate the subject site as Low Density Residential (4-15 du/na) and Low Density respectively.

Findings of Fact- Variance:

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.

2. Granting the variance request does not constitute a use variance in that the bed and breakfast is a permitted use in the Single Family or Two Family (R-1B) zone with a Special Permit.
3. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
 - a. the noise that may be generated in the back yard of the bed and breakfast is similar to the noise that would be generated by the occupants of a single family residence; and
 - b. the site is located in a mixed use area with commercial uses on two sides of the project.



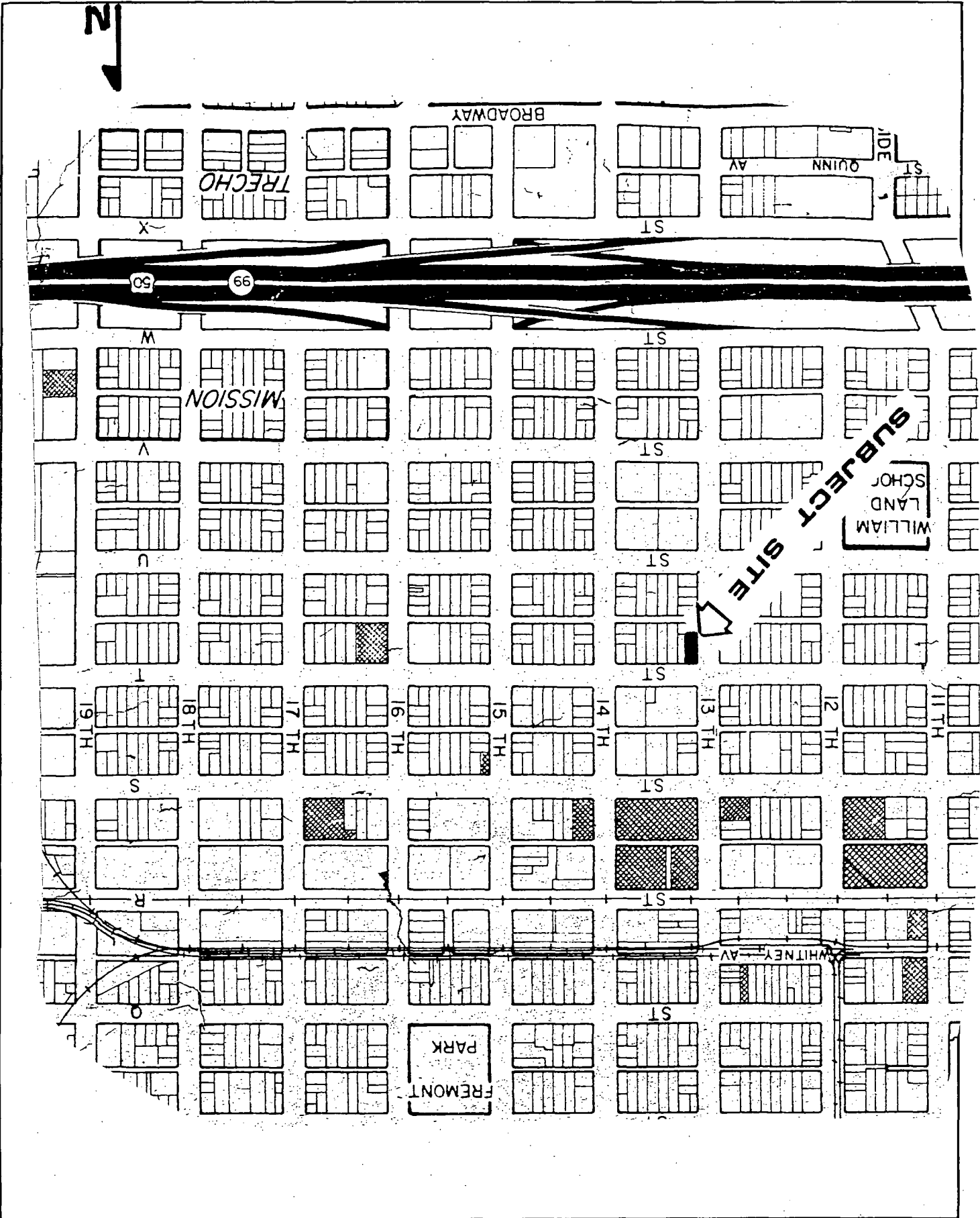
Joy D. Patterson
Zoning Administrator

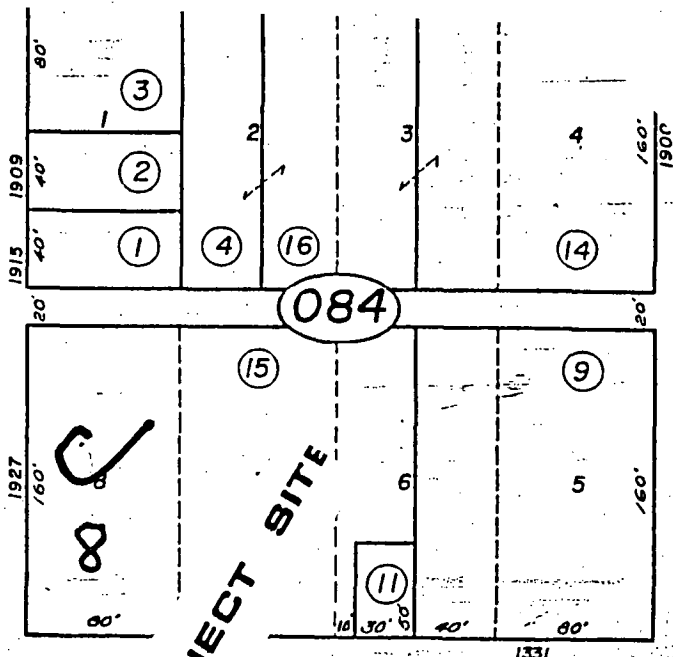
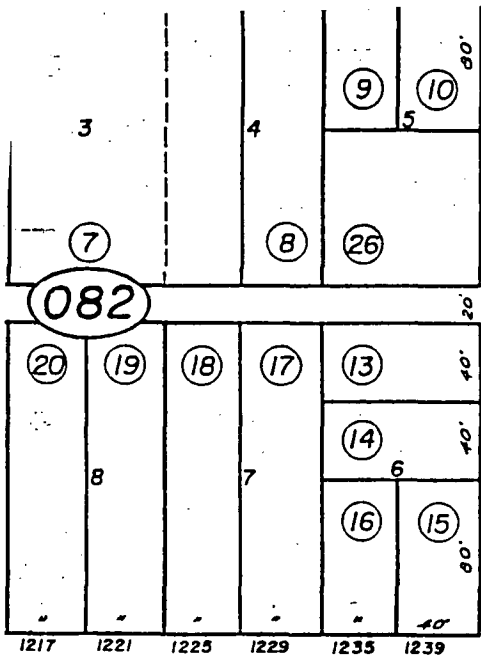
A use for which a Special Permit is granted must be established within two years after such permit is approved. If such use is not so established the Special Permit shall be deemed to have expired and shall be null and void. A Special Permit use which requires a Building Permit shall be deemed established 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
ZA Log Book

VICINITY MAP



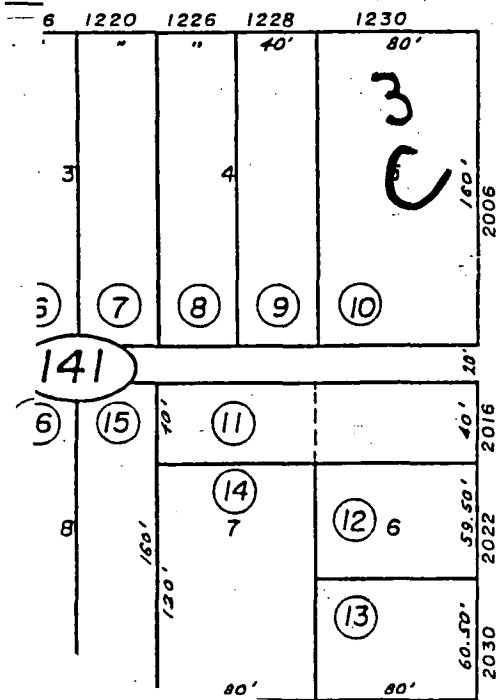


T ST.

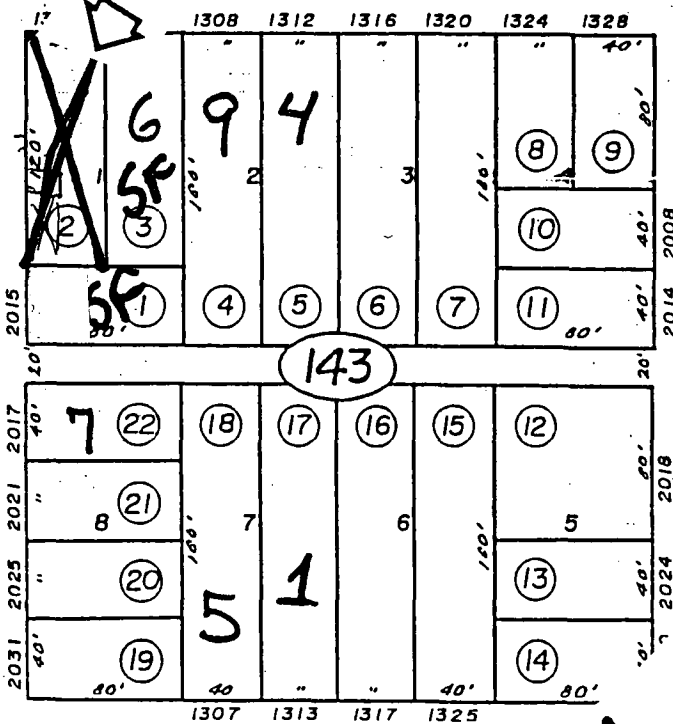
SUBJECT SITE

13th

14th



ST.



CT



LAND USE & ZONING MAP

1ST FLOOR 1/4" SCALE

LIVING ROOM
DINING ROOM
KITCHEN
HALL
BATH

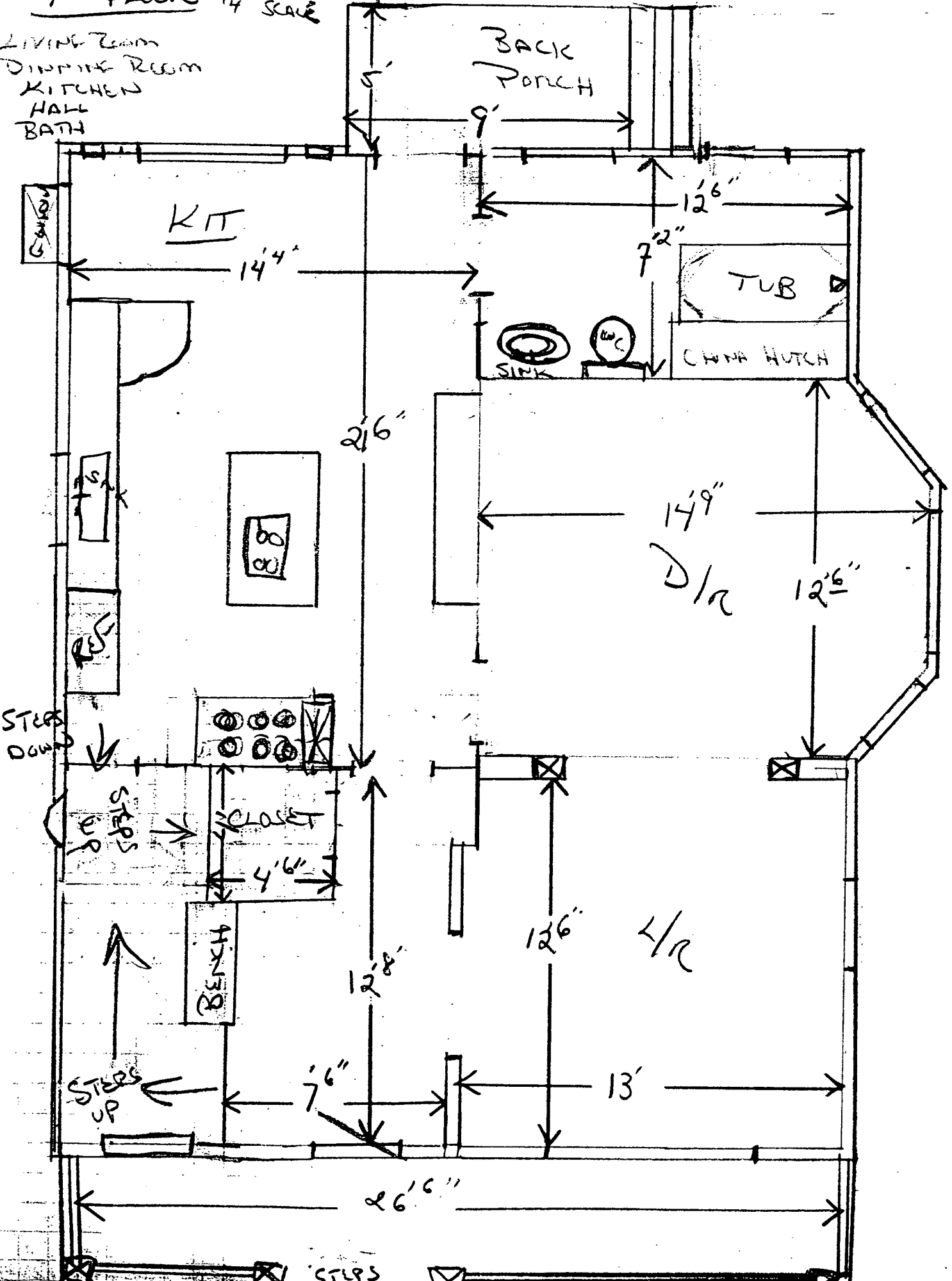
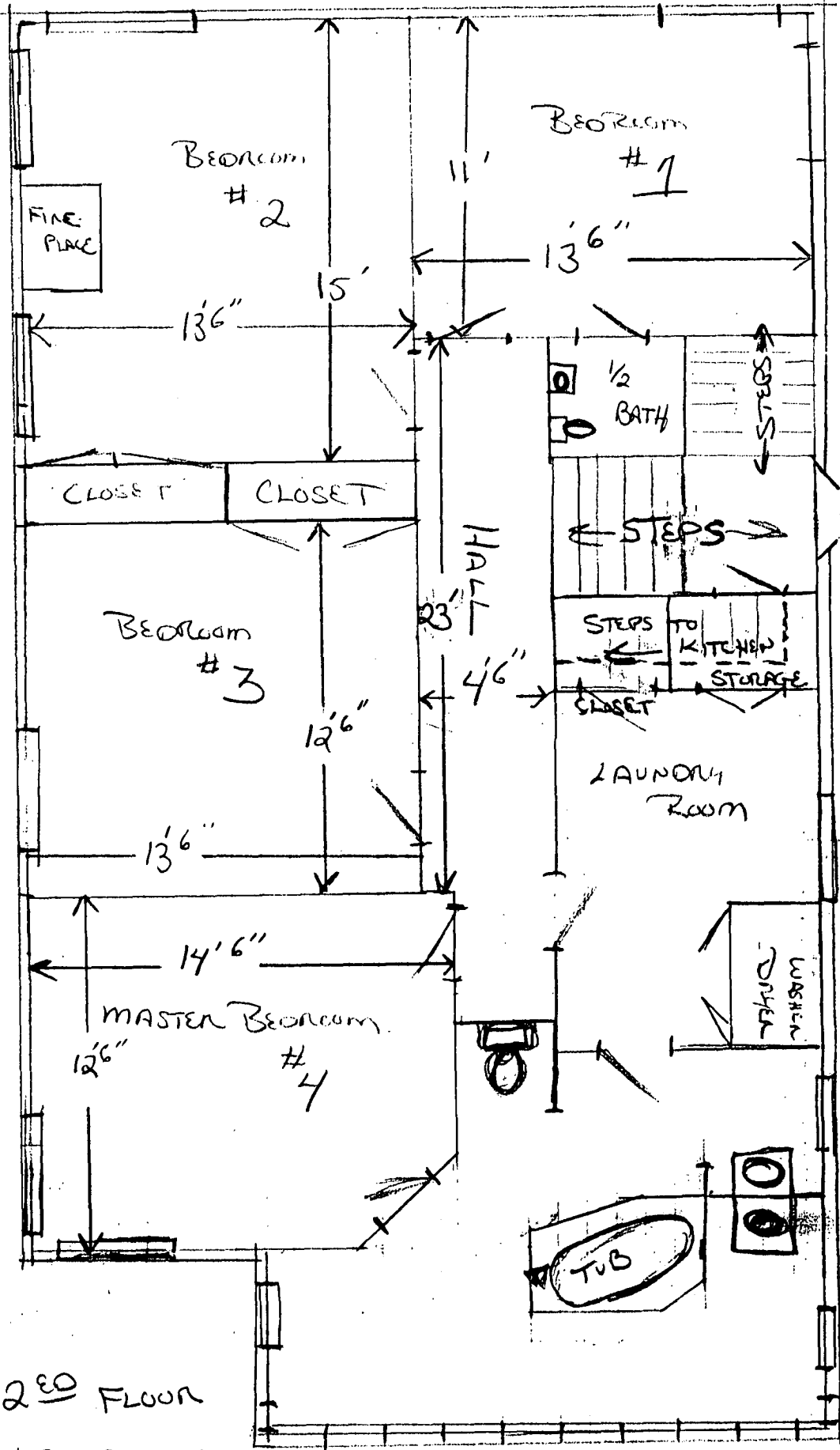


EXHIBIT - C



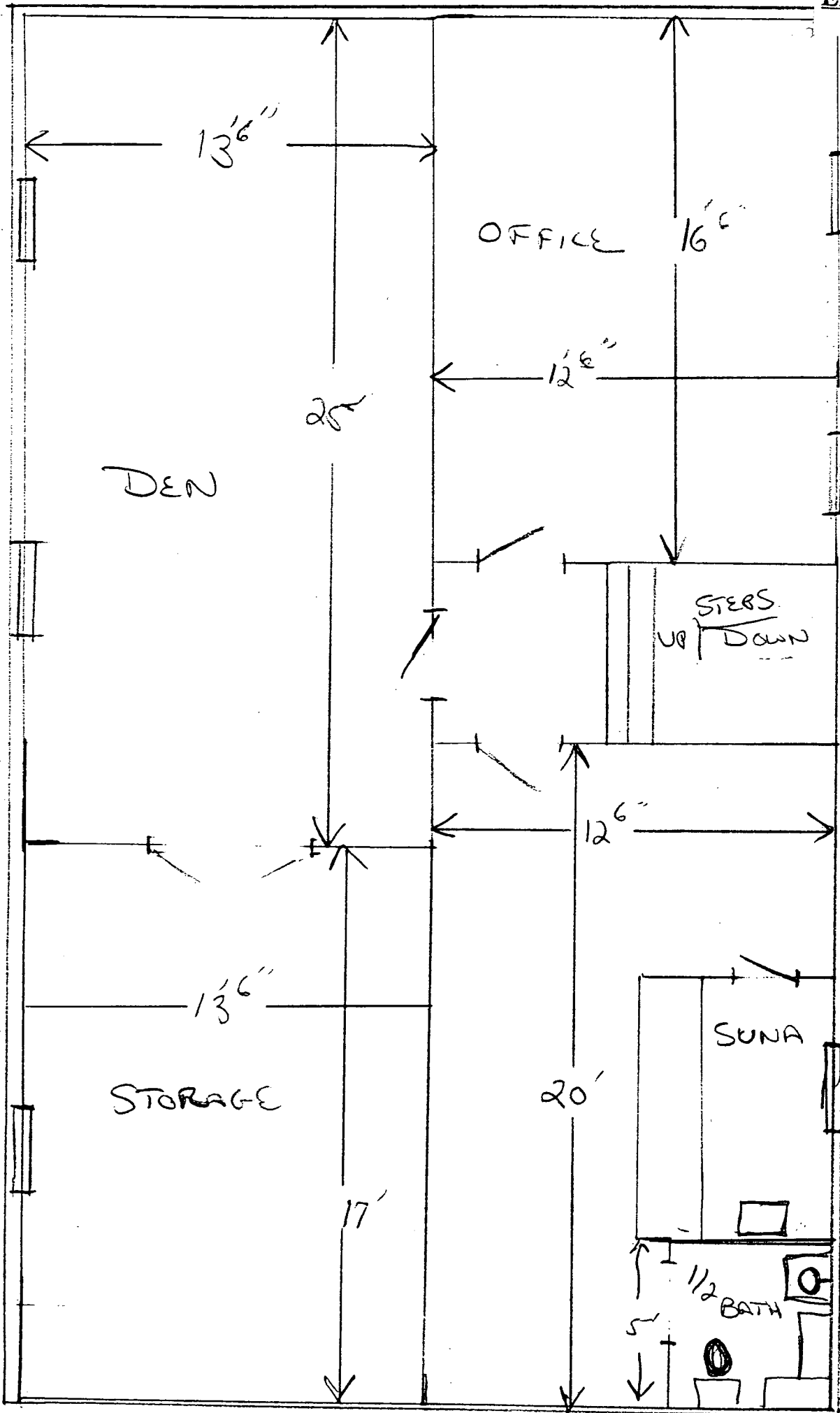
2ND FLOOR

4 BEDROOMS

1 1/2 BATHS

LAUNDRY ROOM

1/4" SCALE



BASMENT

OFFICE
DEN
STORAGE
SUNA
1/2 BATH

1/4" SCALE