

CITY PLANNING COMMISSION
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT	The Keith Companies, c/o Jennifer Martin, 735 Sunrise Av. #250, Roseville, CA 95661				
OWNER	Christopher J. Crowley, 8341 Crestshire Circle, Orangeville, CA 95662				
PLANS BY	The Keith Companies, c/o Jennifer Martin, 735 Sunrise Av. #250, Roseville, CA 95661				
FILING DATE	06-14-91	ENVIR. DET.	Exempt 15305 (a)	REPORT BY	D. Holm
ASSESSOR'S PCL. NO.	251-0243-011-0000 and 251-0243-010-0000				

- APPLICATION:**
- A. Lot Line Adjustment to relocate the common property line between two parcels totaling .26± partially developed acres in the Standard Single Family (R-1) zone;
 - B. Variance to establish two lots with less than the required 100 foot of depth; and
 - C. Variance to reduce the required 25 foot front yard setback for an existing single family residence to 20 feet.

LOCATION: NW corner of Carmel Street and Cypress Street

POSAL: The applicant is requesting the necessary entitlements to relocate the existing common property line from an east/west orientation to a north/south orientation in order to allow for future development of the subject site.

PROJECT INFORMATION:

General Plan Designation:	Low Density Residential (4-8 du/na)
1984 North Sacramento Community Plan Designation:	Residential (7-15 du/na)
Existing Zoning of Site:	R-1
Existing Land Use of Site:	Single Family Residence

Surrounding Land Use and Zoning:

- North: Single Family; R-1
- South: Single Family, Two Family & Vacant; R-1 & R-2A
- East: Single Family; R-1
- West: Single Family & Vacant; R-2A

Property Dimensions:	80' x 141'
Property Area:	.26± acres
Existing Lot Area for Lots 12 & 13	5,640± sq. ft. each

Proposed Lot Area for Interior Parcel	5,240± sq. ft.
Proposed Lot Area for Corner Parcel	6,040± sq. ft.
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site is .26± partially developed acres located in the Standard Single Family (R-1) zone. The subject site is designated for Low Density Residential (4-15 du/na) in the General Plan and Residential (7-15 du/na) in the 1984 North Sacramento Community Plan. The surrounding land uses and zoning include: single family zoned Standard Single Family (R-1) to the north and east, vacant and single family zoned Multiple Family (R-2A) to the west and two family and vacant zoned Multiple Family (R-2A) and single family zoned Standard Single Family (R-1) to the south.

B. Applicant's Proposal

The subject site currently consists of two 40 foot wide by 141 foot deep parcels. The applicant is requesting to relocate an existing common property line between two parcels an east/west orientation to a north/south orientation (See Exhibit A).

C. Staff Analysis

Lot Line Adjustment

The existing single family residence was constructed over an existing property line and is therefore considered a non-conforming structure. By relocating the existing property line from an east/west orientation as proposed the existing residence would no longer have a property line running through the structure. In order to eliminate the non-conforming structure existing over a property line a need for variances on the lot depths and building setbacks will be required.

Variances

The Zoning Ordinance does not allow a structure to be constructed over a property line. The subject property became part of the City when North Sacramento merged with the City of Sacramento in 1964. As the existing residence was on the property when the merger occurred it is considered to be a legal non-conforming structure due to the fact that it exists over a property line.

The existing parcels are currently 40 feet wide by 141 feet deep which is considered a substandard lot. By relocating the property line from a north/south orientation to an east/west orientation Parcel A will be 65.5± feet wide by 80± feet deep and Parcel B will be 75.5± feet wide by 80± feet deep. The existing lots are substandard due to the width of the lot and the area of the corner parcel. As proposed Parcels A and B will be substandard in lot depth and the lot area of the corner parcel (Parcel B). Without relocating the existing property line further development of the subject site is not possible unless the existing structure was removed. If the existing structure was removed the homes that could be built on the existing lots would be long and narrow. By relocating the existing property line there is a potential to develop a better unit which will meet the required setbacks. After the lot line is readjusted Parcel B will be able to be developed with a single family or two family development. The existing parcels are substandard in size and by relocating the property line staff feels that there will be better opportunity to develop the subject site and therefore, has no objections to the variance for the lot area of Parcel B and the depth of the lots.

The existing single family residence meets all of the required front, rear, side and street side yard setbacks. Currently the existing residence fronts onto Cypress Street. By relocating the existing property line the residence will now front onto Carmel Street. The residence is currently located 20 feet from the property line as measured to the main wall of the building. There is an existing small covered concrete porch which is located 14 feet from the property line. The applicant should be aware that the existing house and porch shall not be expanded to encroach any closer to the front property line than it currently exists. Also, when Parcel B is developed in the future the front setback for that property shall not be less than 20 feet. As the residence is existing on Parcel A and the appearance along the street will not be affected by the approval of this variance staff has no objections to the proposed variance for the front yard setback.

D. Agency Comments

The proposed project was reviewed by Traffic Engineering, Engineering Development Section, Building, and Fire Divisions. The following comments have been received from the Engineering Development Division:

We request that the following conditions and comments be made a condition for approval of this lot line adjustment:

- 1) File a Certificate of Compliance, submit all required documents according to the submittal requirements checklist, and pay necessary fees;
- 2) File a waiver of Parcel Map;

- 3) Sewer service to the existing house at 905 Carmel shall be relocated to the north lot line and a private 5' easement across the north side of the easterly lot shall be provided, or sewer shall be extended in Carmel Street and service extended to existing house;
- 4) Notice: Property to be adjusted in accordance with this certificate of compliance 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 at the City of Sacramento's Public Works Department, Development Services Division, Room 100, 927 10th Street;
- 5) Comment: No sewer exists in Carmel Street, therefore private easement across easterly lot is required, or a main extension and service in Carmel Street shall be provided; and
- 6) Comment: Excess Right-of-Way behind sidewalks along Cypress and Carmel could be abandoned if requested by owners.

ENVIRONMENTAL DETERMINATION: The proposal is exempt from environmental review pursuant to State EIR Guidelines {CEQA, Section 15305 (a)}.

RECOMMENDATION: Staff recommends that the Planning Commission take the following action:

- A. Approve the Lot Line Adjustment to relocate the existing common property line between two parcels by adopting the attached resolution;
- B. Approve the Variance to establish two lots with less than the required 100 foot of depth subject to conditions and based upon findings of fact which follow; and
- C. Approve the Variance to reduce the required 25 foot front yard setback for an existing single family residence to 20 feet subject to conditions and based upon findings of fact which follow.

Variance Conditions

1. A certificate of compliance shall be obtained prior to issuance of any building permits for the subject site.

2. On Parcel A the setback shall be 20 feet as measured from the main wall of the building (as exists, see Exhibit A). The unenclosed covered porch shall not be expanded or enclosed.
3. The minimum front yard setback on Parcel B shall not be less than 20 feet from the property line off of Carmel Street and all other setbacks as required by the Zoning Ordinance shall be maintained.

Findings of Fact

1. Granting the variances does not constitute a special privilege extended to an individual applicant in that:
 - a. the variance would be granted to other property owners facing similar circumstances;
 - b. the subdivision in which the subject site is located has other existing lots which have substandard front yard setbacks less than 25 feet in depth.
2. Granting of the variance does not constitute a use variance in that residential uses are allowed in the Standard Single Family (R-1) zone.
3. Granting the request will not be injurious to public welfare nor to property in the vicinity in that adequate landscaping and open space is provided.
4. The proposed project is consistent with the General Plan and the 1984 North Sacramento Community Plan which designate the site as residential.

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY PLANNING COMMISSION

ON DATE OF

APPROVING A LOT LINE ADJUSTMENT TO RELOCATE AN EXISTING PROPERTY LINE BETWEEN TWO PARCELS, KNOWN AS LOTS 12 AND 13 AS SHOWN ON BLOCK 14 OF NORTH SACRAMENTO HEIGHTS, RECORDED IN BOOK 12 OF MAPS, MAP NO. 22, TOTALING .26± ACRES AT THE NORTHWEST CORNER OF CARMEL STREET AND CYPRESS STREET.

(APN: 251-0243-011 & 010)

(P91-148)

WHEREAS, the Planning Director has submitted to the Planning Commission a report and recommendation concerning the lot line adjustment for property located at the northwest corner of Carmel Street and Cypress Street; and

WHEREAS, the lot line adjustment is categorically exempt pursuant to Section 15305(a) of the California Environmental Quality Act (CEQA) Guidelines; and

WHEREAS, the lot line adjustment is consistent with the General Plan and The 1984 Sacramento Community Plan; and the proposed lot line merger conforms with the Plan Designation;

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of Sacramento:

that the lot line adjustment for property located at the northwest corner of Carmel Street and Cypress Street, City of Sacramento, be approved as shown and described in Exhibits A and B hereto, subject to the following conditions:

1. Applicant shall complete the following at the Public Works Department, Development Services Division, prior to a lot line merger being recorded:
 - 1) File a Certificate of Compliance, submit all required documents according to the submittal requirements checklist, and pay necessary fees;
 - 2) File a waiver of Parcel Map;
 - 3) Sewer service to the existing house at 905 Carmel shall be relocated to the north lot line and a private 5' easement across the north side of the easterly lot shall be provided, or sewer shall be extended in Carmel Street and service extended to existing house;

- 4) Notice: Property to be adjusted in accordance with this certificate of compliance 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 at the City of Sacramento's Public Works Department, Development Services Division, Room 100, 927 10th Street;
- 5) Comment: No sewer exists in Carmel Street, therefore private easement across easterly lot is required, or a main extension and service in Carmel Street shall be provided; and
- 6) Comment: Excess Right-of-Way behind sidewalks along Cypress and Carmel could be abandoned if requested by owners.

CHAIRPERSON

TEST:

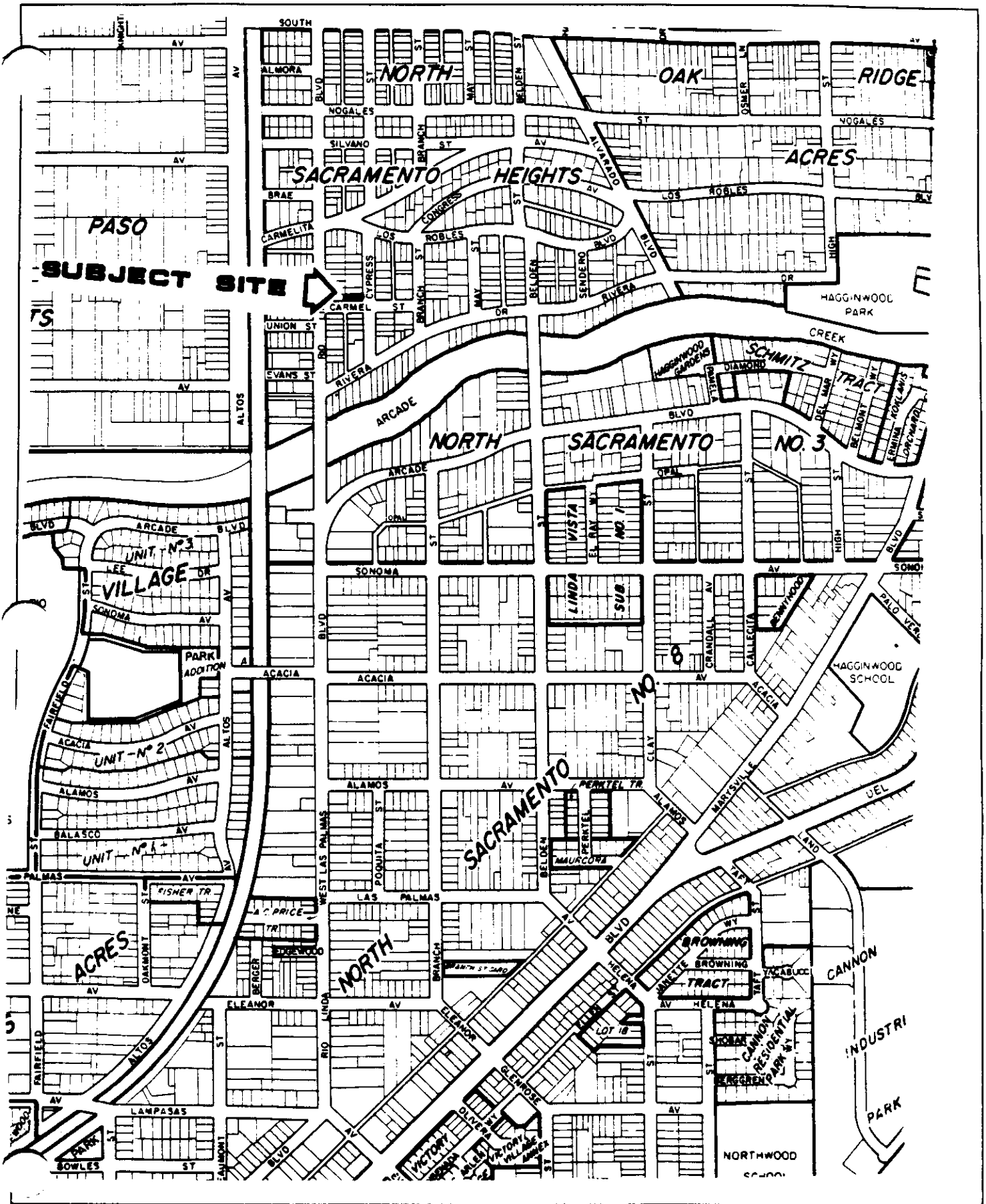
SECRETARY TO CITY PLANNING COMMISSION

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- 5) Comment: No sewer exists in Carmel Street, therefore private easement across easterly lot is required, or a main extension and service in Carmel Street shall be provided; and
- 6) Comment: Excess Right-of-Way behind sidewalks along Cypress and Carmel could be abandoned if requested by owners.

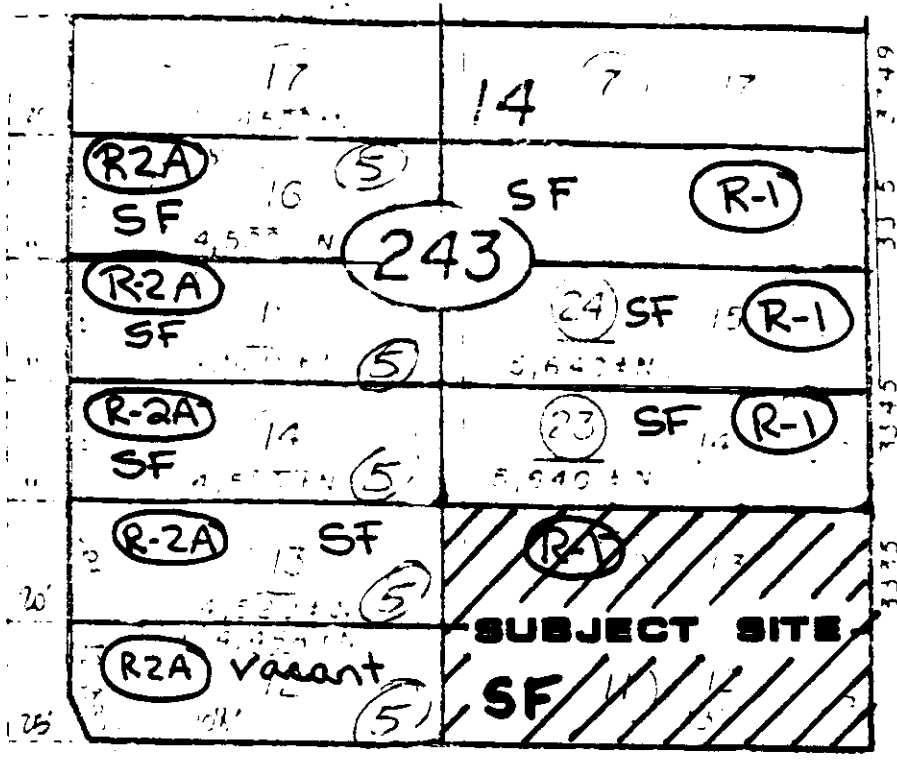
ATTEST:

CHAIRPERSON

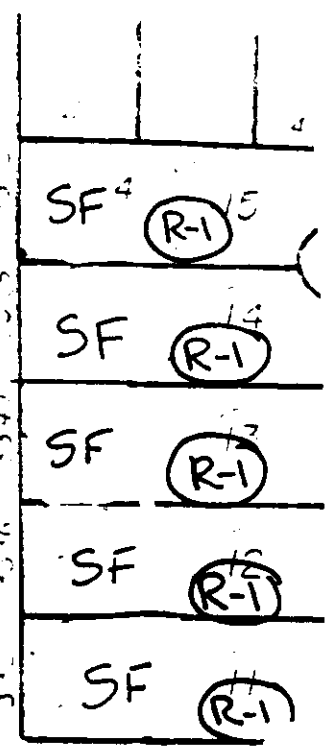
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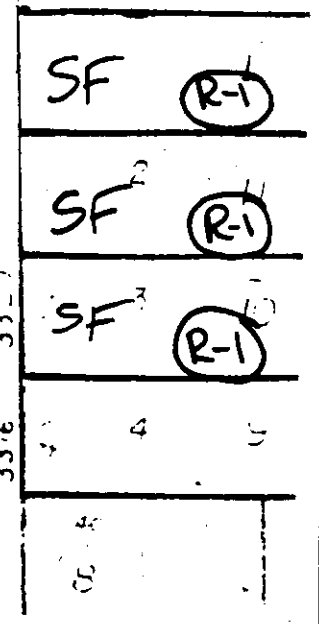
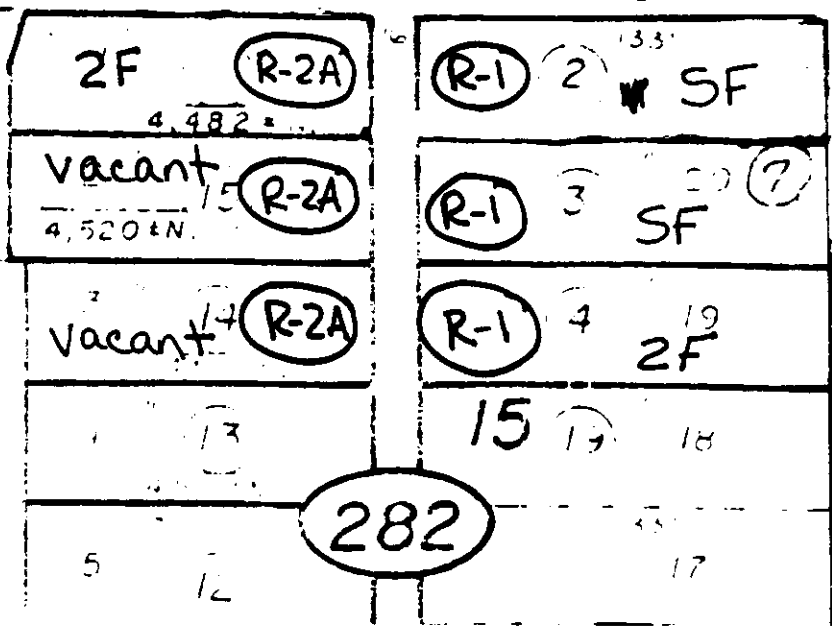
VICINITY MAP



CYPRESS

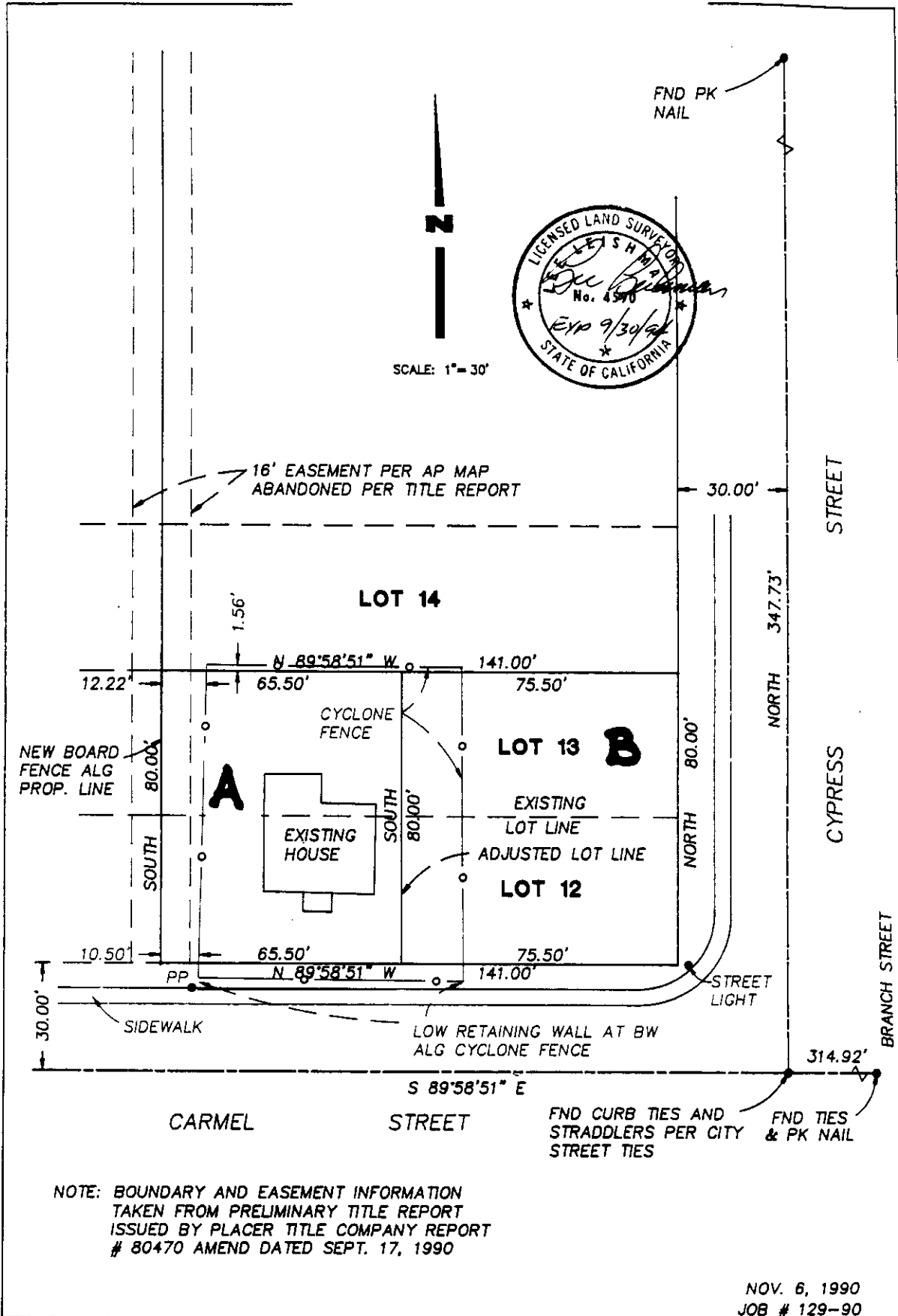


CARMEL * Entire Page is in a Design Review Area



LAND USE & ZONING MAP

EXHIBIT - A



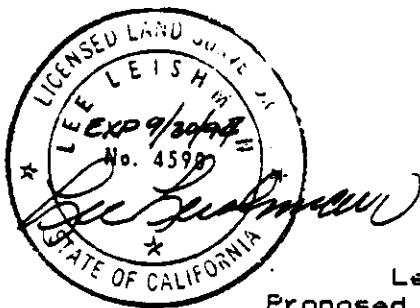
PLAT TO ACCOMPANY
BOUNDARY LINE ADJUSTMENT
905 CARMEL STREET
APN 251-243-10&11
LOTS 12 & 13 R.M. 12/22

P91-148

CITY OF SAC

Item No. 12

EXHIBIT - B



Job 129-90

Legal Description
Proposed Boundary Line Adjustment
" West Portion "

Being all that certain real property situate in the City of Sacramento, State of California, being a portion of Lots 12 and 13 in Block 14 as shown on the map of "North Sacramento Heights" as filed for record in Book 12 of Maps at page 22 and being more particularly described as follows:

Commencing at the northeast corner of said Lot 13, said point being on the westerly line of Cypress Street and running thence along the northerly line of said Lot 13, N 89 58' 51" W, 75.50 feet, to the True Point of Beginning; thence continuing along said northerly line, N 89 58' 51" W, 65.50 feet to the center of the 16' wide alleyway (abandoned) shown along westerly lines of said Lots 12 and 13; thence along the center of said alleyway; South, 80.00 feet to a point on the northerly line of Carmel Street thence along said northerly line, S 89 58' 51" E, 65.50 feet; thence leaving said northerly line North, 80.00 feet to the True Point of Beginning.

Containing approx. 5240 Sq.'

Legal Description
Proposed Boundary Line Adjustment
"East Portion"

Being all that certain real property situate in the City of Sacramento, being a portion of Lots 12 and 13 in Block 14 as shown on the map of "North Sacramento Heights" as filed for record in Book 12 of Maps at page 22 and being more particularly described as follows:

Beginning at the northeast corner of said Lot 13, said point being on the westerly line of Cypress Street and running thence along the northerly line of said Lot 13, N 89 58' 51" W, 75.50 feet, thence leaving said northerly line; South 80.00 feet to the southerly line of said Lot 12, said point being on the northerly line of Carmel Street; thence along said southerly line S 89 58' 51" E, 75.50 feet to the southeast corner of said Lot 12; thence along the easterly line of said Lots 12 and 13; North 80.00 feet to the point of beginning.

Containing approx. 6040 Sq.'

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August 8, 1991

Item# 12