

*Amended by CPC 3-17-94*

**RESOLUTION NO. 1546**

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION

ON DATE OF March 17, 1994

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A SPECIAL PERMIT AND VARIANCES FOR PROPERTY LOCATED AT 5331 CALLISTER AVENUE

(P94-001) (APN: 005-0121-035)

WHEREAS, the City Planning Commission on March 17, 1994, held a public hearing on the request for approval of a special permit and variances to construct a second residential unit for property located at the above described location;

WHEREAS, the proposed project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Sections 15301(e)(2) and 15305(a)).

WHEREAS, the Planning staff has submitted to the City Planning Commission its report and recommendations on the proposed development;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF SACRAMENTO THAT:

1. The Special Permit and Variances are hereby approved based upon the following findings of fact:
  - A. The project, as conditioned, is based upon sound principles of land use in that:
    - 1) The second residential unit is compatible with the existing residential unit;
    - 2) adequate off-street parking is provided;
  - B. The project, as conditioned, will not be detrimental to the public welfare nor result in the creation of a public nuisance in that the project will be building code requirements.
  - C. Granting the variance does not constitute a special privilege extended to an individual property owner in that variances would be granted to other property owners facing similar circumstances.

- D. The project does not constitute a use variance in that a second residential unit is allowed in the R-1 zone subject to a special permit.
- E. The project is consistent with the General Plan designation of Low Density Residential (4-15 du/ac).
2. The Special Permit for the proposed second residential unit (Exhibits C-1,2 & 3) is hereby approved subject to the following conditions:
- A. The project shall not exceed 27 feet to the top of the roof and 18 feet wall height on the north elevation.
- B. A gutter shall be provided on the north elevation to prevent run off from the roof. The gutter shall drain onto the applicant's property not the adjacent neighbor's. The gutter shall not encroach over the property line.
- C. No other encroachment, expansions or additional accessory structures, into the rear yard setback shall be allowed.
- D. Construction of the second unit shall commence within two years from the date of the Planning Commission approval. If construction has not commenced within the two year period, the special permit and variances shall be deemed to have expired. A one year time extension for both the special permit and variances may be requested, in writing, 30 days prior to expiration.
- E. *The applicant shall provide a landscaping plan prior to issuance of a building permit for the review and approval of staff. The landscaping is to provide a screen to protect the privacy of the properties to the rear (east) and side (south) due to the placement of windows on these elevations. (Added CPC 3-17-94).*

  
CHAIRPERSON

ATTEST:

  
SECRETARY TO PLANNING COMMISSION