

CITY OF SACRAMENTO
1231 I Street, Sacramento, CA 95814

Permit No: **0103511**
Insp Area: **3**

Site Address: **3601 CUTTER WY SAC**
Parcel No: **013-0372-001**

Sub-Type: **RES**
Housing (Y/N):

CONTRACTOR
AQUATIQUE
6049 DOUGLAS BL #25
RSVL CA

OWNER
TERHAAR JOYCE M
3601 CUTTER WY
SACRAMENTO CA 95818

ARCHITECT

Nature of Work: **POOL**

CONSTRUCTION LENDING AGENCY: I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civ. C.)

Lender's Name _____ Lender's Address _____

LICENSED CONTRACTORS DECLARATION: I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with section 7000) of Division 3 of the Business and Professions Code and my license is in full force and effect.

License Class 253 License Number 64234 Date 4/23/01 Contractor Signature Don Burke

OWNER-BUILDER DECLARATION: I hereby affirm under penalty of perjury that I am exempt from the contractors License Law for the following reason (Sec. 7031.5, Business and Professions Code: any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors License Law (Chapter 9 (commencing with Section 7000) of Division 8 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500.00).

I, as a owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professional Code. The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his/her own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he/she did not build or improve for the purpose of sale.

I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code. The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractors License Law).

I am exempt under Sec. _____ B & PC for this reason: _____

Date _____ Owner Signature _____

IN ISSUING THIS BUILDING PERMIT, the applicant represents, and the city relies on the representation of the applicant, that the applicant verified all measurements and locations shown on the application or accompanying drawings and that the improvement to be constructed does not violate any law or private agreement relating to permissible or prohibited locations for such improvements. This building permit does not authorize any illegal location of any improvement or the violation of any private agreement relating to location of improvements.

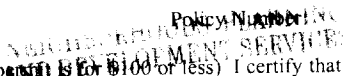
I certify that I have read this application and state that all information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction and hereby authorize representative(s) of this city to enter upon the abovementioned property for inspection purposes.

Date 4/23/01 Applicant/Agent Signature Don Burke

WORKER'S COMPENSATION DECLARATION: I hereby affirm under penalty of perjury one of the following declarations:
I have and will maintain a certificate of consent to self-insure for workers' compensation as provided for by Section 3700 of the Labor Code, for the performance of work for which the permit is issued.

I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier EXEMPT Policy Number _____ Exp Date _____



(This section need not be completed if the permit is for \$100 or less) I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, I shall forthwith comply with those provisions.

Date 4/23/01 Applicant Signature Don Burke

WARNING: FAILURE TO SECURE WORKER'S COMPENSATION COVERAGE IS UNLAWFUL AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000) IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST AND ATTORNEY'S FEE.

THIS PERMIT SHALL EXPIRE BY LIMITATION IF WORK IS NOT COMMENCED WITHIN 180 DAYS.

#0103511R

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

ACTION OF THE ZONING ADMINISTRATOR

On Tuesday, December 19, 2000, the Zoning Administrator approved with conditions a special permit to allow a swimming pool to be constructed in the front yard setback for an existing house for the project known as Z00-141. Findings of Fact and conditions of approval for the project are listed on pages 2 and 3.

Project Information

Request: **Zoning Administrator Special Permit** to allow a swimming pool to be located in the front setback area for an existing single family residence on 0.13± total developed acres in the Standard Single Family (R-1) zone.

Location: 3601 Cutter Way (D5, Area 3)

Assessor's Parcel Number: 013-0372-001

Applicant: Geoffrey Long and Joyce Terhaar
3601 Cutter Way
Sacramento, CA 95818

Property Owner: Same as applicant

Project Planner: Sandra Yope

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

Surrounding Land Use and Zoning:		Setbacks	Required	Existing
North:	R-1; Single Family Residence	Front:	25'	26'
South:	R-1; Single Family Residence	Side(N.):	5'	6'
East:	R-1; Single Family Residence	Side(S.):	12.5'	6'
West:	R-1; Single Family Residence	Rear:	15'	17'

Property Dimensions: 52 feet x 110 feet
 Property Area: 0.13± acres
 Square Footage of Buildings: House: 3,000 square feet
 Garage: 312 square feet
 Total: 3,312 square feet
 Height of Building: House: 2 Stories

Z00-141

December 19, 2000

ITEM 2

Exterior Building Materials:	Brick
Roof Materials:	Wood Shake Shingles
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

Project Plans: See Exhibits A-D

Previous Files: None

Additional Information: The applicant is requesting a special permit to construct a swimming pool in the required 25 foot front yard setback. The applicant is proposing a swimming pool, a water fountain on the east end, a pit on the west end, and the pool equipment either on the east side or northwest corner. The lot is on the southeast corner of Cutter Way and 11th Avenue with the front of the parcel on 11th Avenue although the front of the house actually faces Cutter Way. The existing front yard area is currently elevated and heavily landscaped behind a wrought iron fence. The area appears to have been used as the yard area for a lengthy period of time. There is no other yard area on the site as a garage is in the defined rear yard area. The lot is also substandard in width for a corner lot, the lot is 52 feet wide and the standard is 62 feet wide. The Zoning Ordinance stipulates that no accessory structures including swimming pools are allowed in the front setback area. The Zoning Ordinance requires a Zoning Administrator special permit to waive any of accessory structure requirements and the applicant is requesting the special permit under those provisions.

The site is located within the Sierra Curtis Neighborhood Association. The project plans were sent to the association and they indicated they had no comments on the project. The project was noticed and staff received calls from two affected neighbors. One neighbor to the west was opposed to allowing the swimming pool in the front yard because it would become an attractive nuisance. The neighbor to the east was concerned about noise and the location of pool equipment near their house. The applicant has indicated a willingness to soundproof the equipment or relocate the pool equipment.

Environmental Determination: This project will not have a significant effect on the environment and is exempt from environmental review pursuant to State EAR Guidelines (California Environmental Quality Act, Sections 15305(a)).

Conditions of Approval

1. The applicant shall submit revised plans to Planning for review and approval that accurately portray the property lines with the pool and proposed equipment and all hardscape shown. The total hardscape area (including pool) shall not exceed 50 percent coverage of the front setback area (first 25 feet). The pool equipment shall be relocated to the west side if the equipment cannot be soundproofed to the satisfaction of the adjacent neighbor in the present proposed location. The existing fence line shall not be pushed out any further north, east or west in the front setback area to maintain proper clear vision zones (as defined in the City Code) adjacent to the east driveway and street corner.

2. The applicant shall obtain a building permit for the pool, retaining wall/fence and meet the building code requirements for the fencing around a pool.
3. No other structures may be added to the front setback area.

Findings of Fact:

1. The proposed project, as conditioned, is based upon sound principles of land use in that:
 - a. the proposed swimming pool will be located in the area that has functioned as the rear yard area for the house;
 - b. the swimming pool will not substantially alter the characteristics of the site or the surrounding neighborhood; and
 - c. the lot is a substandard lot in width.
2. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
 - a. there will be adequate fencing and screening of the pool area; and
 - b. the pool equipment will be located and screened to severely restrict the noise output so as not to disturb adjacent properties.
3. The project is consistent with the General Plan which designates the subject site as Low Density Residential (4-15 du/na).

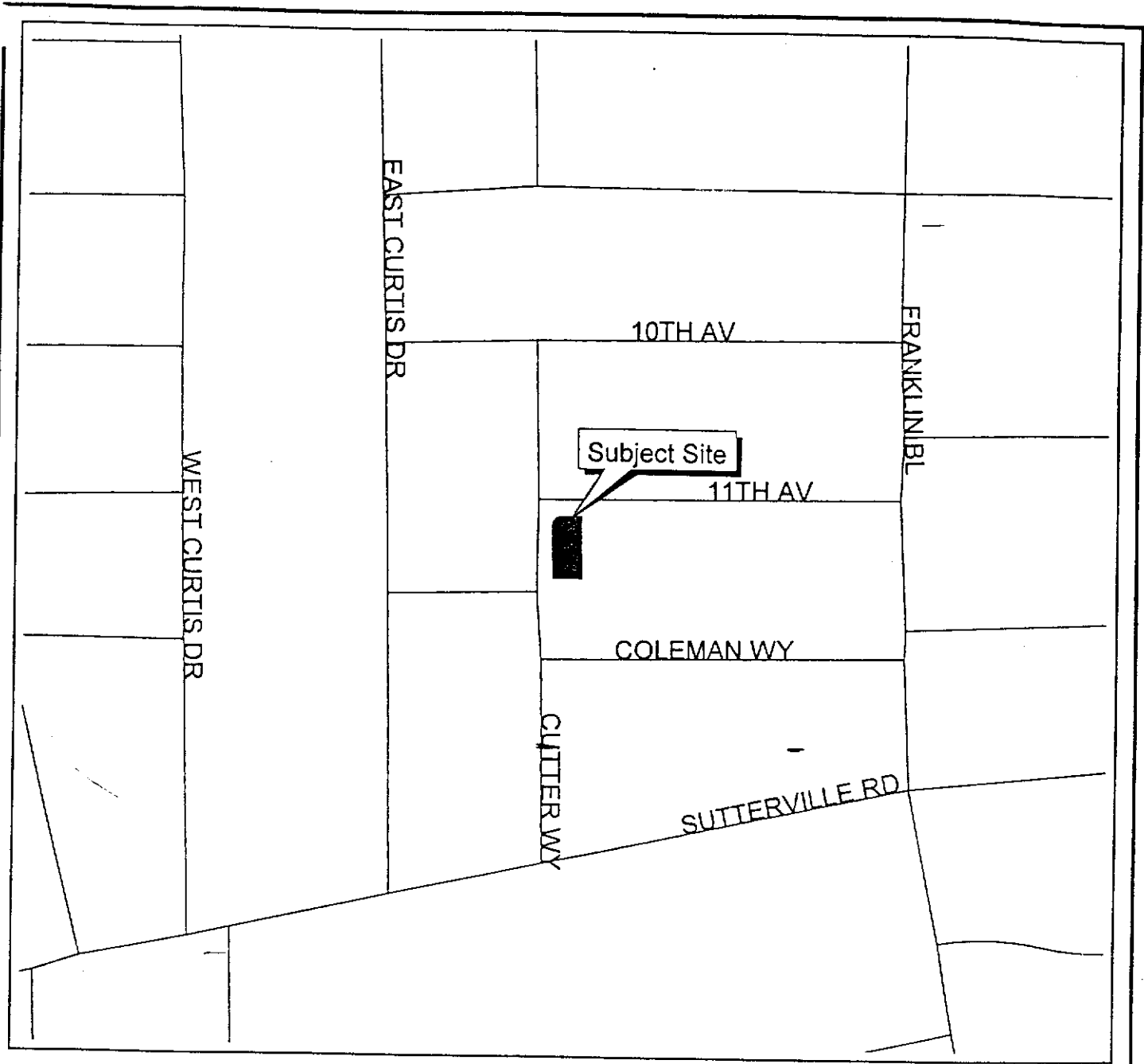


Joy D. Patterson
Zoning Administrator

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 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.

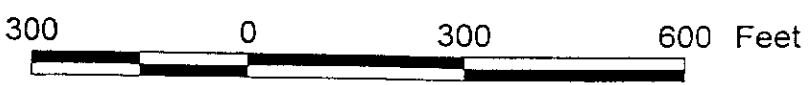
The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

cc: File
Applicant
ZA Log Book
Marty Steiner; 3600 Cutter Way; Sacramento, CA 95818



Neighborhoods, Planning
And Development Services
Department

Geographic
Information
System



VICINITY MAP



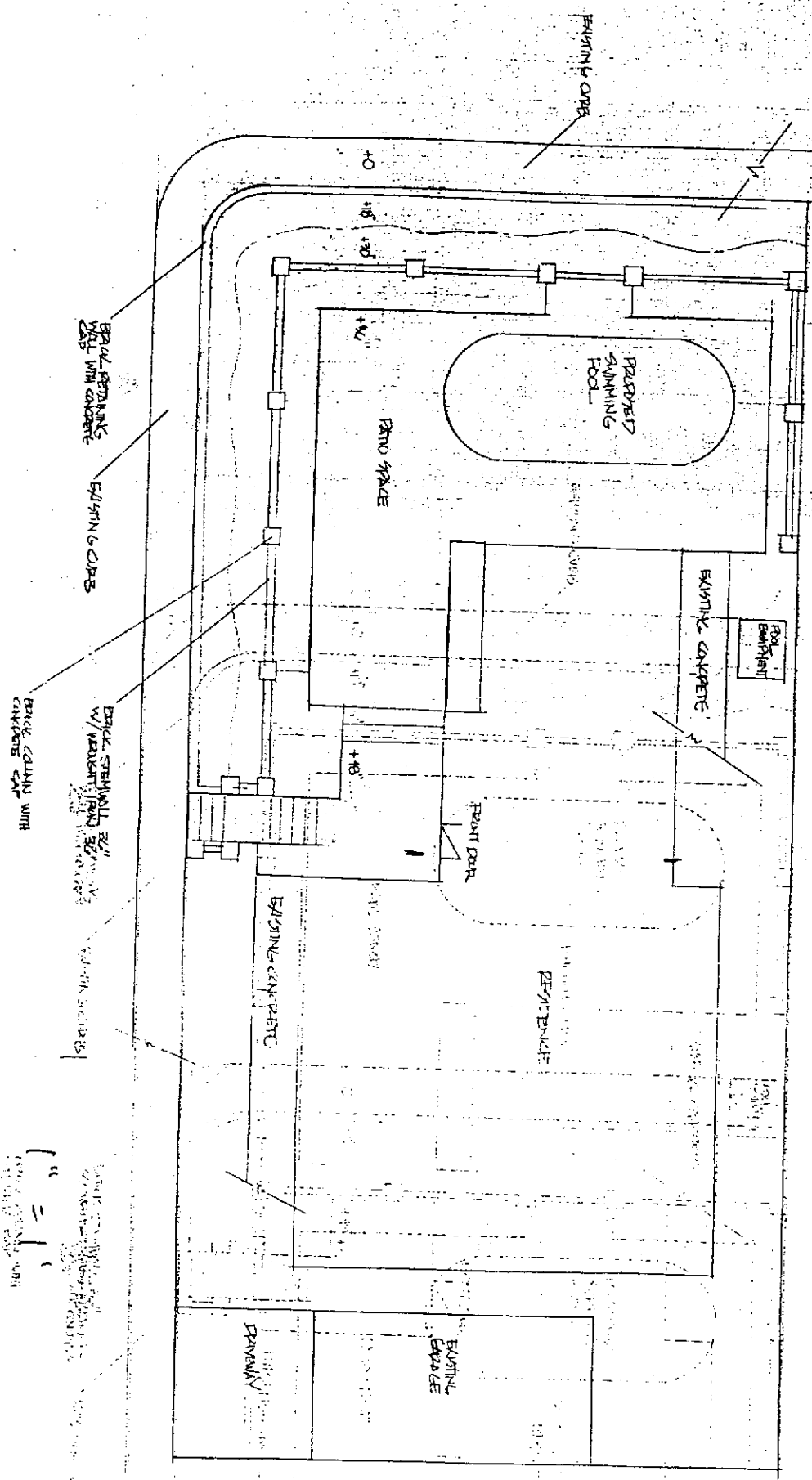
Neighborhoods, Planning
And Development Services
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Geographic
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LAND USE AND ZONING



EXHIBIT A



GEORGEY LONG AND JOYCE TERLAPPA
 3701 CUTLER WAY
 SACRAMENTO, CA 95818

1" = 1'