

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

ACTION OF THE ZONING ADMINISTRATOR

On Thursday, November 30, 2000, the Zoning Administrator approved with conditions a Special Permit and Variance to locate pool equipment and to construct a 6 foot solid wall in the front setback area for the project known as Z00-156. Findings of Fact and Conditions of Approval for the project are listed on pages 3-4.

Project Information

Request: **Zoning Administrator Special Permit** to locate pool equipment in the front setback area located on 0.24± developed acre in the Standard Single Family (R-1) zone.

Zoning Administrator Variance to construct a six foot solid wall within the front setback area.

Location: 4000 Folsom Blvd. (D3, A1)

Assessor's Parcel Number: 008-0412-017

Applicant: Brian Vail
4000 Folsom Blvd.
Sacramento, CA 95819

Property Owner: Same as Above

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

Surrounding Land Use and Zoning:

North: R-1; Residential
South: R-1; Residential
East: R-1; Residential
West: R-1; Residential

Property Dimensions: 107' x 97'
Property Area: 0.24 ± acre

Topography: Flat
Street Improvements: Existing
Utilities: Existing

Project Plans: Exhibit A-C

Previous Files: None

Additional Information The applicant requests a Special Permit to locate pool equipment and to surround the equipment with a six foot solid wall in the front setback area. The applicant was issued a building permit to construct an in-ground swimming pool and had shown the proposed location of the equipment, located the farthest distance from either property owner, lying within the front setback area. During construction inspection, it was discovered the location of the equipment is not permitted without a planning entitlement and work was stopped on the site. The development standards for the location of pool equipment is contained within the Zoning Ordinance regulations for accessory structures. Any modification of the accessory structure regulations requires a Zoning Administrator Special Permit. Solid walls six feet in height are not allowed by the Zoning Ordinance and require a Zoning Administrator Variance to allow the wall within the front setback area.

The subject site is located in an old established neighborhood where six foot solid fences, both wood and masonry, have been constructed within a street side yard and front setback area. Some of these fences are considered non-conforming and may be replaced by right if the replacement is done in the same location. Some of the walls in the surrounding area have received variances to buffer noise. The applicant surveyed the immediate area and provided a spreadsheet identifying these fences near and adjacent to his property. It was found that the existing conditions in the surrounding area have fences any where from 0 feet to 8 feet from the property line, all lying within the established setback areas. The applicant proposes to place the solid wall in order to secure his private outdoor area and to fully screen in the pool equipment.

The project was noticed and staff did not receive any calls for additional information. The project was also noticed to the McKinley Elvas Neighborhood Association and the East Sacramento Improvement Association. No comment was received from the neighborhood groups.

Agency Comments

The proposed project has been reviewed by the Building Division. Any comments received 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 California Environmental Quality Act Guidelines, Section 15303(e) and 15305(a).

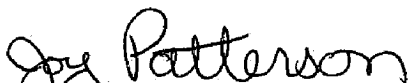
Conditions of Approval:

1. The applicant shall comply with all requirements of the building department and obtain all necessary building permits, if required, prior to construction.
2. There shall be no further expansion of fencing, accessory structures, or pool equipment into the setback areas.
3. Size and location of the equipment and wall shall conform to the plans submitted. The applicant shall construct the wall to match the existing residence and existing wall.
4. Pool equipment shall comply with the City Code for allowable levels of noise. The applicant shall repair or replace any equipment which does not comply, now or in the future so as not to impact neighbors directly adjacent to the equipment.
5. The wall shall comply with all requirements of the Zoning Ordinance.

Findings of Fact:

1. The proposed project, as conditioned, is based upon sound principles of land use in that the proposed setback reduction will not substantially alter the characteristics of the site or the surrounding neighborhood.
2. 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.
3. Granting the variance request does not constitute a use variance in that the single family dwelling is a residential use that is permitted in the Standard Single Family (R-1) zone.
4. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
 1. There is adequate available front yard area;
 2. There is additional street right-of-way that will most likely never be utilized located behind the public sidewalk and part of the front yard area;

3. There are many houses with reduced front yard setbacks in the area; and,
4. The project is consistent with the General Plan which designates the subject site as Low Density Residential (4-15 du/na).

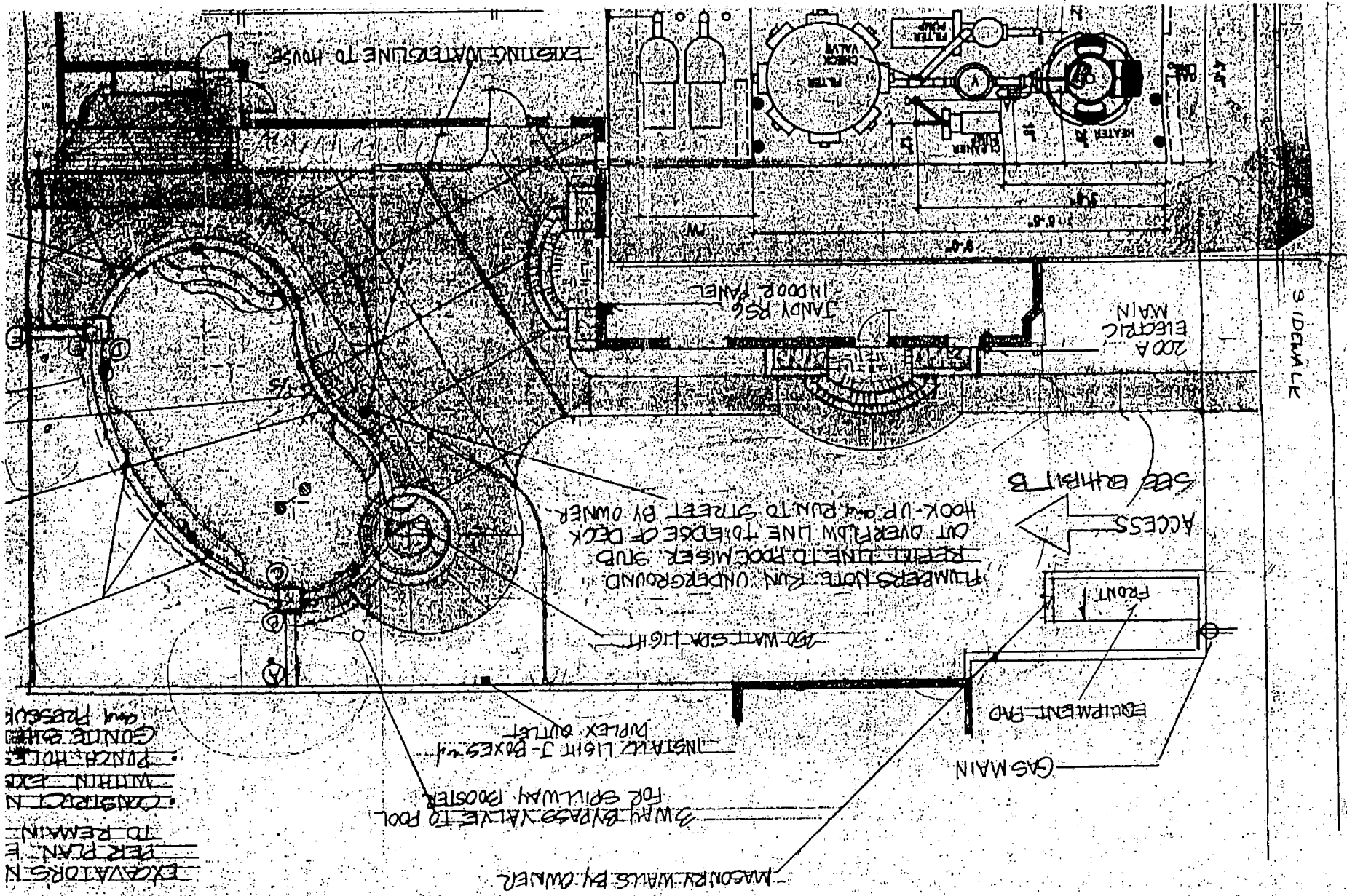


Joy D. Patterson
Joy D. Patterson
Zoning Administrator

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



EXCAVATORS N
 PER PLAN E
 TO REMAIN
 CONSTRUCTION
 WITHIN EXIST
 PUNCH HOLES
 GOING TO BE
 AND PRESSURE

MASONRY WALLS BY OWNER
 3" W/ BYPASS VALVE TO POOL
 FOR EPILWAY BOOSTER
 INSTALL LIGHT J-BOXES w/
 DUPLEX OUTLET
 150 WATT SIDE LIGHT

PLUMBERS NOTE: RUN UNDERGROUND
 REFRIG LINE TO ROOM W/SEER STUB
 OUT OVER FLDW LINE TO EDGE OF DECK
 HOOK-UP ONLY RUN TO STREET BY OWNER

ACCESS
 SEE EXHIBIT B

EXHIBIT B

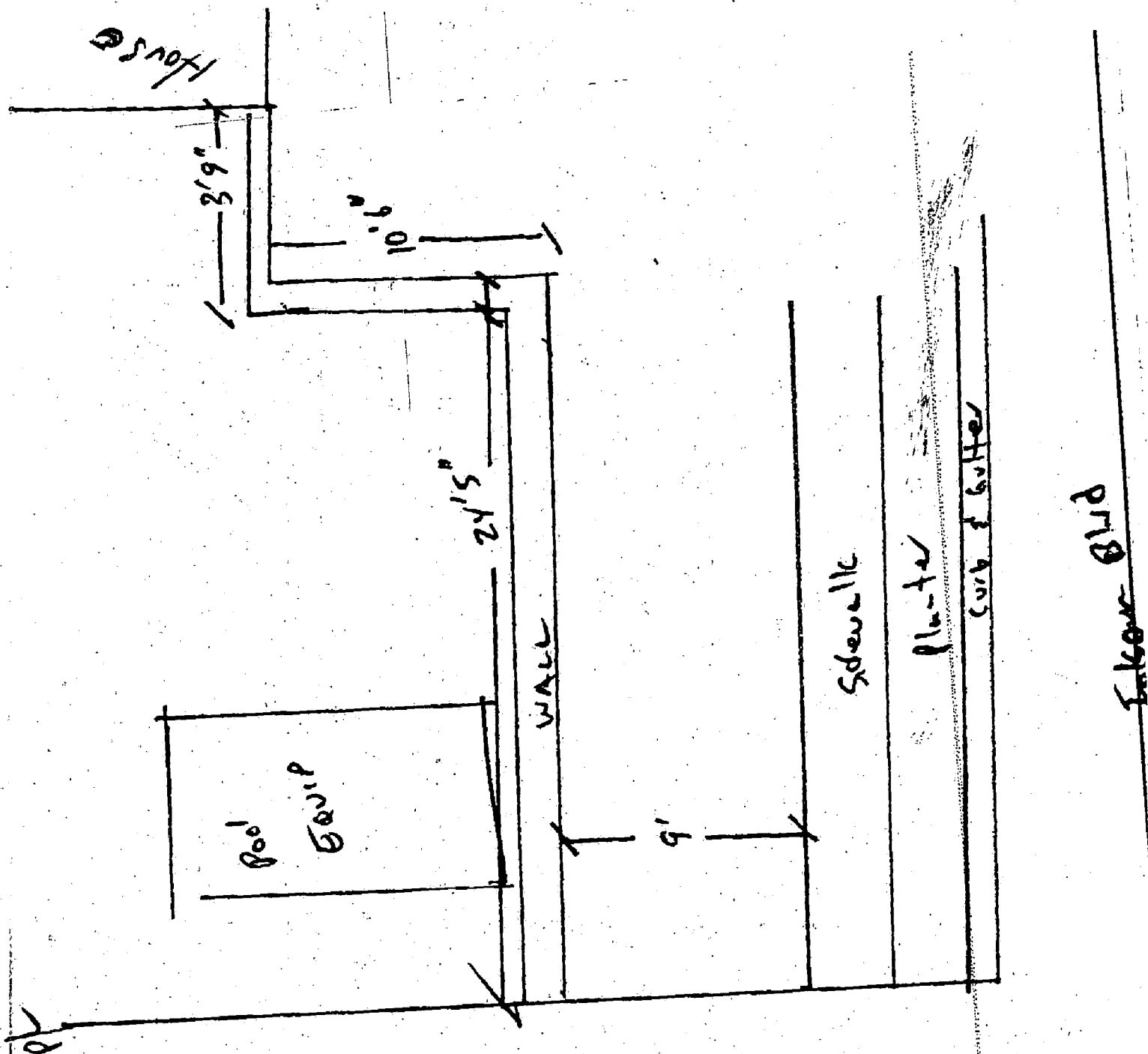


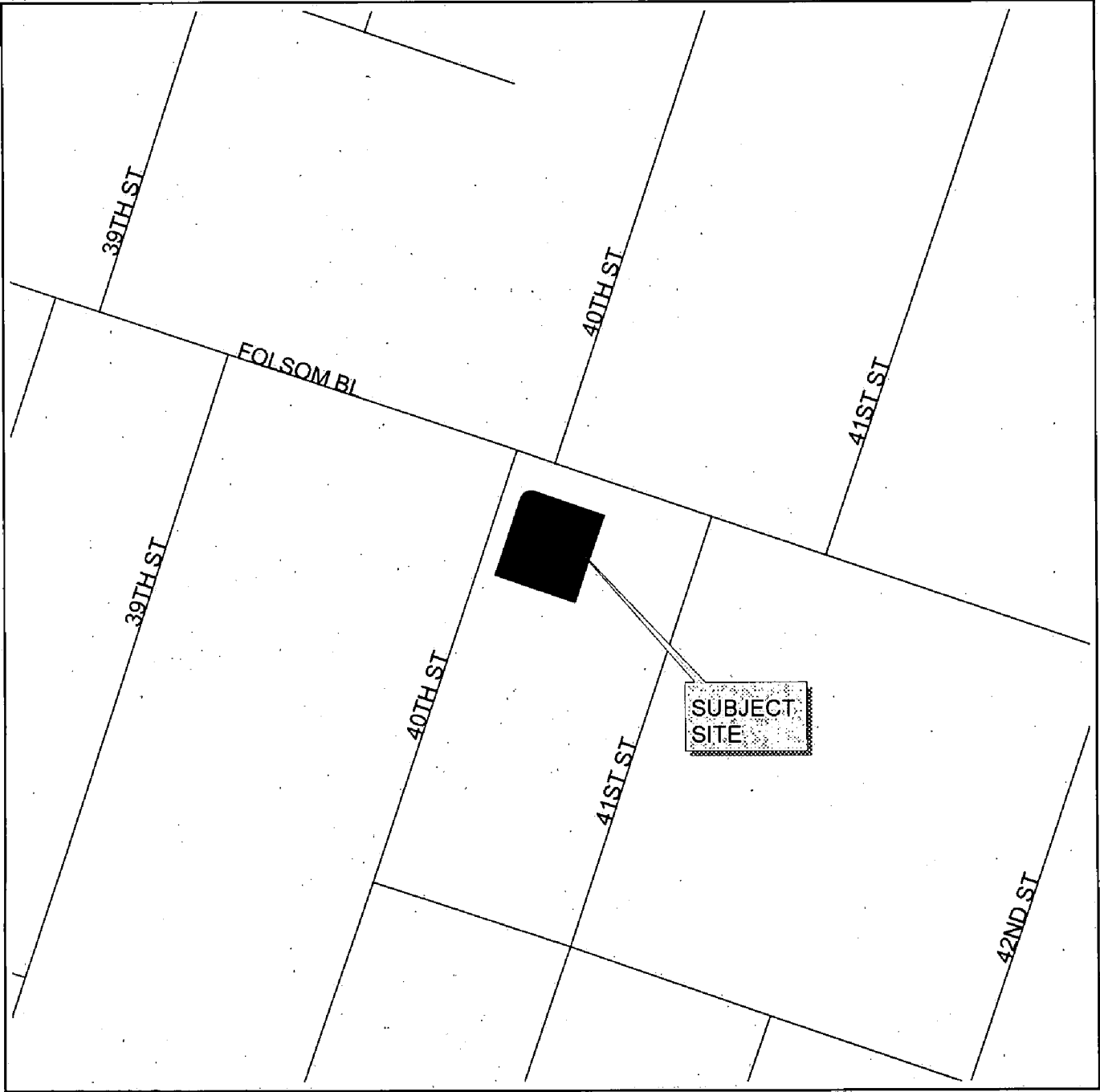
EXHIBIT C

Folsom Boulevard Fences

<u>Street</u>	<u>Corner</u>	<u>Fence</u>	<u>Distance Back of Walk</u>
37th	NE	No	
	NW		Vacant Lot
	SE	Yes	4'
	SW	N/A	House 8' BoW
38th	NE	Yes	3'
	NW	Yes	4'
	SE	Yes	4'
	SW	Yes	6'
39th	NE	Yes	6"
	NW	Yes	Open Fence
	SE	No	
	SW	Yes	4'
40th	NE	Yes	0'
	NW	Yes	0'
	SE	Propose	10'
	SW	Yes	3'
41st	NE	No	
	NW	Yes	0'
	SE	No	
	SW	Yes	0'
42nd	NE	Yes	0'
	NW	Yes	0'
	SW	No	
43rd	NE	No	
	NW	No	
44th	NE	Yes	2'
	NW	No	
45th	NE	Yes	8'
	NW	Yes	0'
46th	NE	No	
	NW	Yes	0'
	SE	No	
	SW	No	
47th	NE	Yes	6'
	NW	Yes	0'
	SE	No	
	SW	No	

MY HOUSE - HOUSE 20' BoW

7 00 156



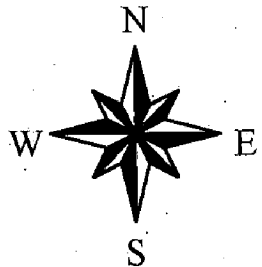
70 0 70 140 Feet

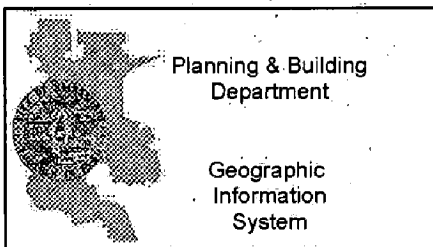
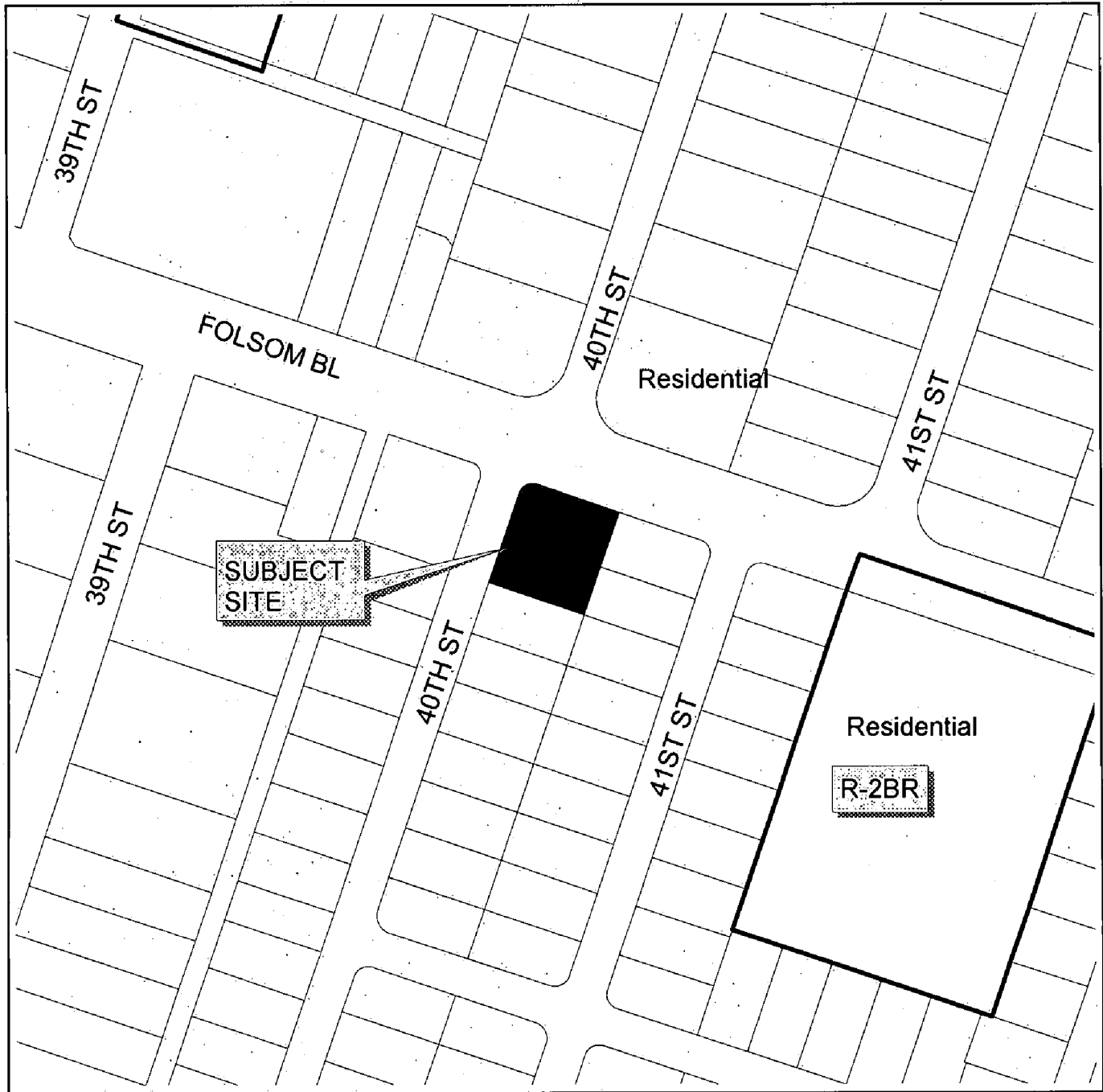
A logo consisting of a stylized map of a region with a grid overlay. To the right of the map, the text reads "Planning & Building Department" and "Geographic Information System".

Planning & Building
Department

Geographic
Information
System

VICINITY MAP





LAND USE & ZONING

