

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

**ACTION OF THE ZONING ADMINISTRATOR**

On Tuesday, November 15, 1994, the Zoning Administrator approved with conditions special permits and variances to relocate an existing garage and construct a second residential unit above the garage for the project known as Z94-035. Findings of Fact and conditions of approval for the project are listed on pages 3 through 5.

**Project Information**

- Request:
1. Zoning Administrator Special Permit to allow a 533 square foot second residential unit on 0.15± developed acres in the Standard Single Family (R-1) zone.
  2. Zoning Administrator Special Permit to replace and expand an existing 400 square foot garage which is a non-conforming structure with a 450 square foot garage on 0.14± developed acres in the Standard Single Family (R-1) zone.
  3. Zoning Administrator Variance to reduce the required rear yard setback from 15 to 7.5 feet.
  4. Zoning Administrator Variance to reduce the required side yard setback from five feet to three feet.

Location: 3920 M Street

Assessor's Parcel Number: 008-0198-004

Applicant:	Mike McDermott	Property	Douglas and Candace Adams
	2696 Musgrave Place	Owner:	3920 M Street
	El Dorado Hills, CA 95762		Sacramento, CA 95819

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	Proposed
North: R-1; Duplex	Front:	25'	24' Existing
South: R-1; Single Family Residence	Side(East):	5'	3'
East: R-1; Single Family Residence	Side(West):	5'	7'
West: R-1; Single Family Residence	Rear:	15'	7.5'

Property Dimensions:	45 feet x 136 feet		
Property Area:	0.15± acres		
Square Footage of Buildings:	Existing Residence-	1,539 square feet	
	Existing Garage-	390 square feet	
	2nd Unit Addition-	533 square feet	
	New Garage-	405 square feet	
Height of Building:	Two Stories, 26.5 feet		
Exterior Building Materials:	Horizontal Siding		
Roof Materials:	Composition Shingles		
Topography:	Flat		
Street Improvements:	Existing		
Utilities:	Existing		

Project Plans:	See Exhibits A-D
Letters from Neighbors:	See Exhibit E 1-4
Previous Files:	None

#### Additional Information:

The applicant is requesting to replace an existing small garage that is in a state of disrepair with a larger garage that also has a second unit above the garage. The existing 390 square foot garage will be demolished and replaced with a new garage that is 405 square feet. The existing garage was 19.5 feet wide and 20 feet deep and located approximately five feet from the rear (south) property line. There is an alley along the east property line. The new garage will be located 7.5 feet from the rear property line and three feet from the alley (east property line). The existing garage is a non-conforming structure. The garage exceeds the allowed 25 per cent lot coverage for an accessory structure in the rear yard setback area and it is closer than six feet to the alley. The lot is substandard in width and the location of the existing pool prohibits a new garage to be constructed that meets all the Zoning Ordinance requirements. The Zoning Ordinance requires a Special Permit to replace a non-conforming structure.

The applicant also wishes to add a second unit above the garage. The applicant proposes to further expand the structure to the west on the first floor an additional 12 feet for a bathroom and entry area for the second unit (bathroom and entry are single story). The new bathroom area will replace an existing bathroom that is currently used as a bath house for the pool and will continue to serve the pool area as well as the second unit. The total living area for the residential unit will be 533 square feet. The Zoning Ordinance requires a Special Permit for a second residential unit. The two story

unit will be have horizontal siding exterior with a composition shingle roof. The new garage will have two parking spaces and has access off the alley. The alley is paved.

The proposed structure does not meet residential setback requirements. The relocated garage will be three feet from existing pool. The Zoning Ordinance requires a 15 foot rear yard setback and a five foot side yard setback for residential units. The applicant is requesting Variances for the reduced setbacks.

Agency and Neighborhood Comments

The proposed project has been reviewed by the City Building Division and the City Arborist. The comments received have been included as conditions of approval.

The site is located within the East Sacramento Improvement Association. The proposed plans were submitted to the neighborhood association. The public hearing on the project was also continued for one week so the association representative and applicant could review the project. The East Sacramento Improvement Association indicated that they were in opposition to the project because it is the policy of their organization to oppose all second units because they could be used as rentals. The association representative indicated to staff that they would not be present at the November 15th hearing.

The applicant contacted adjacent property owners regarding the proposed second unit. Four adjacent neighbors most directly affected by the project signed a letter indicating they had no objections to the project as proposed.

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, Section 15303(a) and Section 15305(a) and (b)}.

Conditions of Approval

1. No additional detached accessory structures shall be constructed or located on the site (this does not include any house additions that meet all Zoning Ordinance requirements).
2. No mechanical equipment shall be located on the roof of the second unit.
3. The structures shall conform to the submitted plans.
4. The applicant shall obtain all necessary building permits prior to commencing construction.
5. The applicant shall install an automatic garage door opener.

Findings of Fact:

1. Granting the variances does not constitute a special privilege extended to an individual applicant in that:
  - a. a variances for a setbacks would be and have been granted to other property owners facing similar circumstances;
  - b. the lot is substandard in width;
  - c. an existing pool prevents the garage with a second unit from being relocated to meet residential setback requirements;
  - d. the location of the new garage with the second unit is setback further from the property owner to the south than the existing 17 foot high garage; and
  - e. the three foot sideyard is adjacent to an alley and the second residential unit and garage is 23 feet from the adjacent single family residence to the east.
2. Granting the variance requests does not constitute a use variance in that a second residential unit is allowed in the Standard Single Family (R-1) 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 garage is an existing non-conforming structure;
  - b. the proposed second residential unit is compatible with the surrounding area, the existing residence on the property, and will not significantly alter the characteristics of the area;
  - c. there will be adequate on-site parking for both units;
  - d. there will be adequate yard area available for both units.
4. The proposed project, as conditioned, is based upon sound principles of land use in that:
  - a. the project is a residential use in a Standard Single Family Residential (R-1) zone;
  - b. the proposed project will not substantially alter the characteristics of the site or the surrounding neighborhood; and
  - c. the adjacent impacted property owners have signed letters of support for the project.

5. The project is consistent with the General Plan which designates the subject site as Low Density Residential (4-15 du/na).

*Joy D. Patterson*

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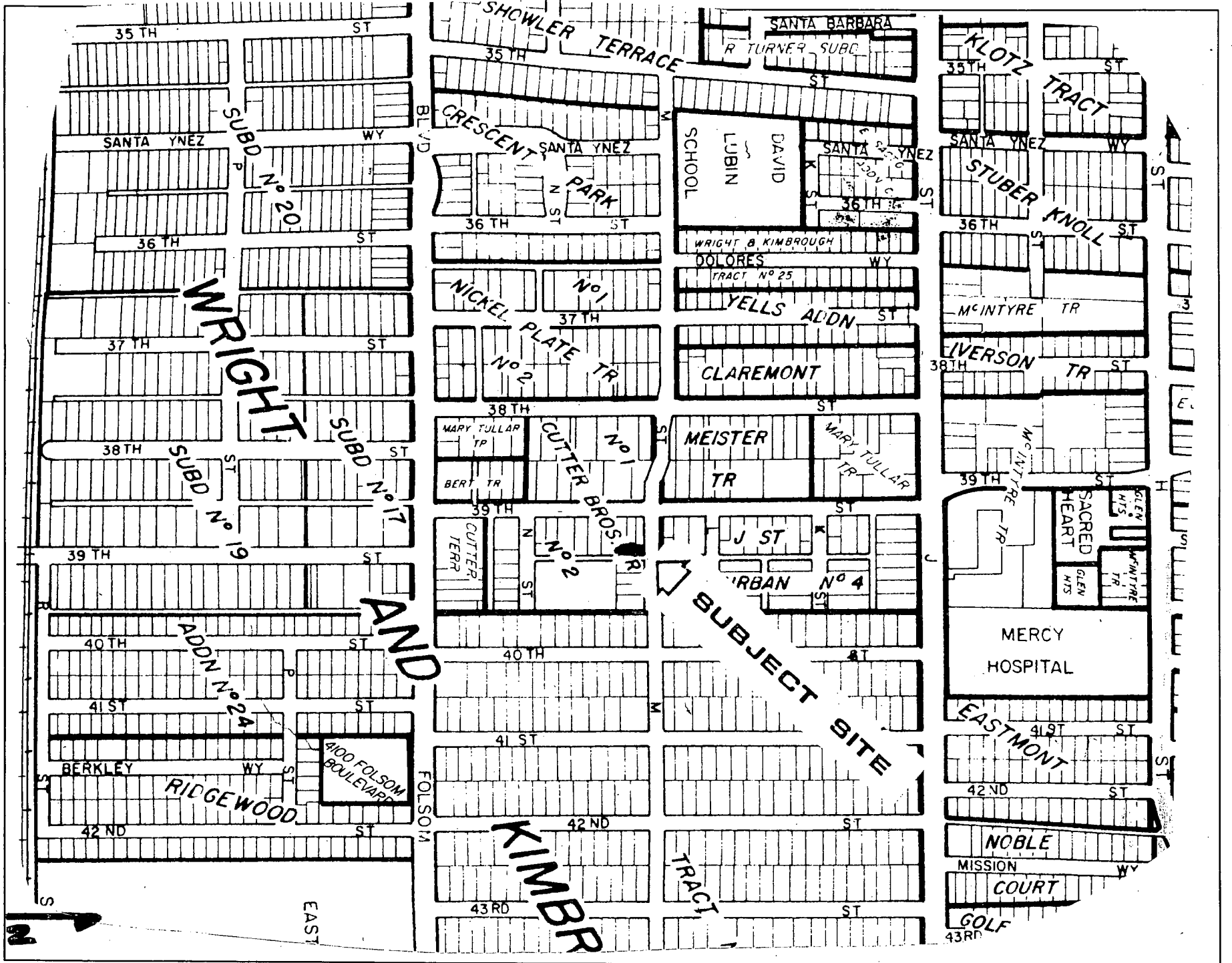
Joy D. Patterson  
Zoning Administrator

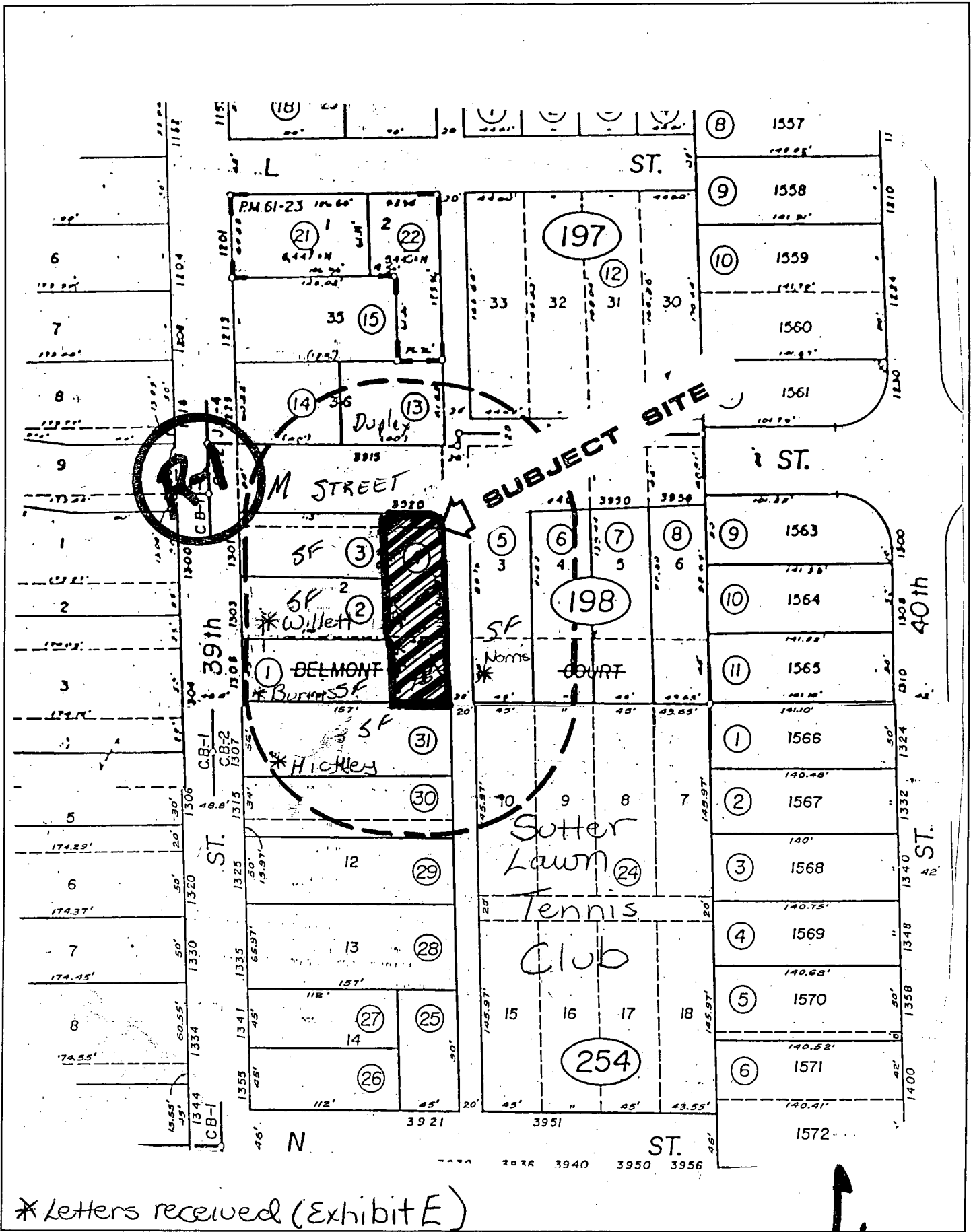
A use for which a Special Permit or Variance is granted must be established within two years after such permit is approved. If such use is not so established the Special Permit or Variance shall be deemed to have expired and shall be null and void. A Special Permit or Variance use which requires a Building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





\* Letters received (Exhibit E)

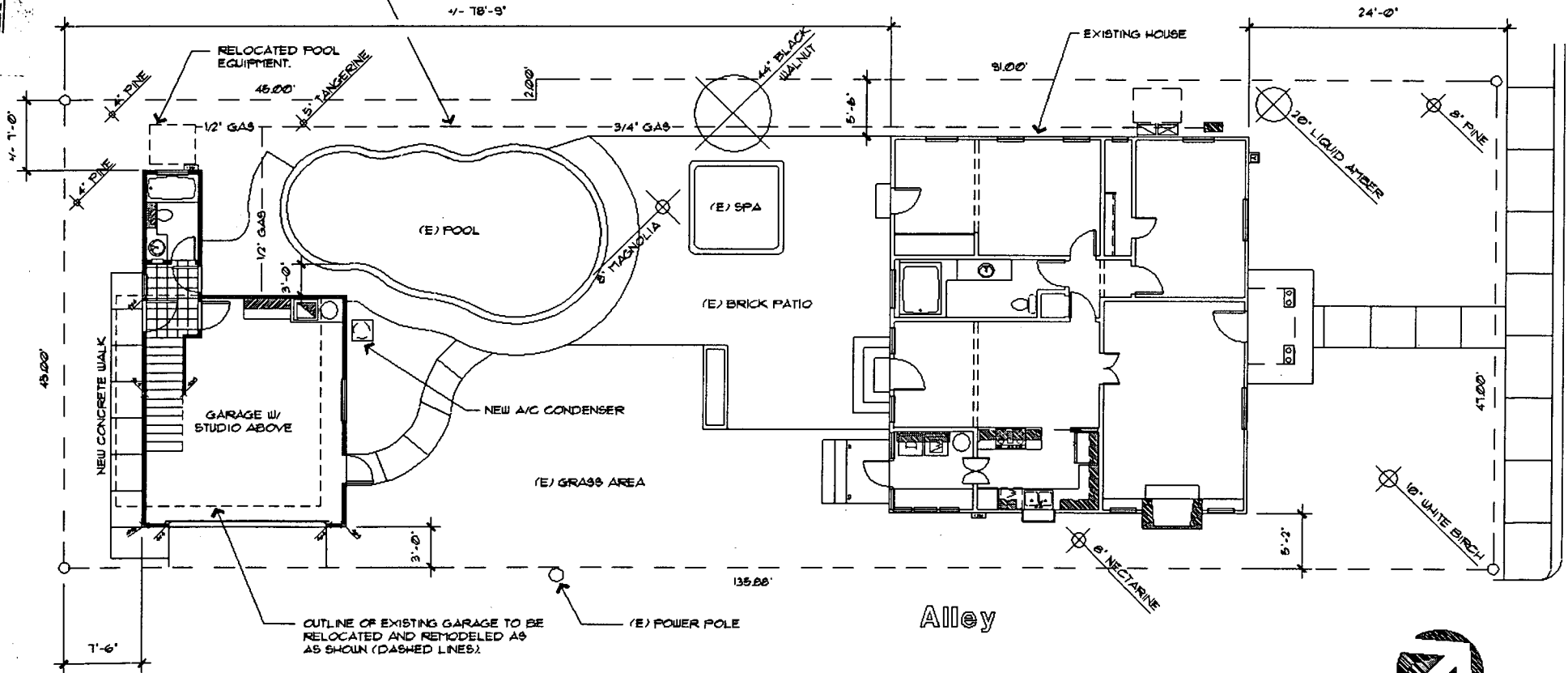
**LAND USE & ZONING MAP**

**GENERAL NOTES:**

NOTE: THIS SITE PLAN IS ONLY FOR THE PURPOSE OF LOCATING THE EXISTING HOUSE WITH THE NEW ADDITION ON THE PROPERTY. THIS SITE PLAN DOES NOT SHOW NOR LOCATE ANY OTHER AUXILIARY BUILDINGS, HARDSCAPE, OR EXISTING TREES AND LANDSCAPING WHICH ARE NOT PART OF THIS NEW CONSTRUCTION. FIELD VERIFY ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION. ANY CONFLICTS OR CONTRADICTIONS SHALL BE REPORTED TO THE DESIGNER IMMEDIATELY.

1. THIS BUILDING SHALL CONFORM TO THE REQUIREMENTS OF TITLE 24 OF THE CALIFORNIA ADMINISTRATIVE CODE AND COMPLY WITH REGULATIONS SET FORTH BY THE ENERGY COMMISSION. SEE ACCOMPANYING COMPLIANCE DOCUMENTATION.
2. ALL GLASS WITHIN 18" OF THE FLOOR SHALL BE IMPACT RESISTANT PER 1991 U.B.C. Sec. 9406.
3. GARAGE APPLIANCES SHALL HAVE IGNITION 18" ABOVE THE FLOOR AND SHALL BE PROTECTED FROM AUTO IMPACT.
4. GARAGE WALLS AND CEILINGS ADJACENT TO OR UNDER DWELLING SPACES SHALL HAVE 1 HOUR FIRE PROTECTION PER 1991 U.B.C. Sec. 903 (d).
5. PROVIDE A 1 3/4" SOLID CORE DOOR WITH AUTO CLOSER AT HOUSE TO GARAGE OR CARPORT.
6. FIELD VERIFY ALL EXISTING CONDITIONS PRIOR TO CONSTRUCTION. ALL CONDITIONS SHOWN OR NOTED AS EXISTING ARE BASED ON THE BEST INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE DRAWINGS. NO WARRANTY IS IMPLIED AS TO THE ACCURACY OF THE SAME. SHOULD CONDITIONS BECOME APPARENT WHICH DIFFER FROM THE CONDITIONS SHOWN, THE DESIGNER SHALL BE NOTIFIED IMMEDIATELY.
7. IN ALL CASES NOTED DIMENSIONS SHALL SUPERSEDE SCALED DIMENSIONS.
8. CONSTRUCTION SHALL BE OF THE HIGHEST QUALITY WORKMANSHIP. ALL WALLS SHALL BE PLUMB AND TRUE. ALL CONNECTIONS SHALL BE MADE SECURE ACCORDING TO ACCEPTED CONSTRUCTION PROCEDURES OR AS SPECIFIED HEREIN OR AS PER THE 1991 EDITION OF THE UNIFORM BUILDING CODE.
9. THE DESIGNER ASSUMES NO RESPONSIBILITY FOR ANY CHANGES, ERRORS, OMISSIONS, OR DEVIATIONS BY THE OWNER AND/OR CONTRACTOR, EITHER INTENTIONAL OR ACCIDENTAL.
10. THE OWNER IS ADVISED THAT THESE DRAWINGS AND ASSOCIATED CONSTRUCTION DOCUMENTS ARE THE ONLY MEDIUM AVAILABLE TO EXPRESS THE INTENT OF THE DESIGNER AND CANNOT BE ASSUMED ALL INCLUSIVE WITH REGARD TO SUCH.

FIELD VERIFY SIZE AND LOCATION OF BLACK IRON GAS LINE - UPGRADE AND/OR ADD IF REQUIRED.



**SITE PLAN w/ TREE SIZES, TYPE, AND LOCATION**

1/8" = 1'-0"

ITEM 1

NOVEMBER 15, 1994

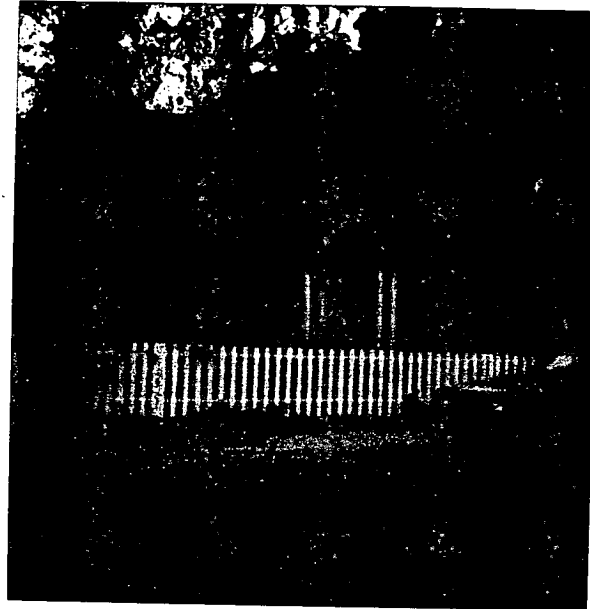
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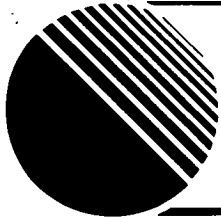
EXHIBIT D



2-94-106

NOVEMBER 15, 1994

ITEM 1



**McDermott Design**

2696 MUSGRAVE PLACE  
EL DORADO HILLS, CALIF  
Bys. (916) 933-6243  
Fax (916) 933-5791 95762

**EXHIBIT E**

E-1

City of Sacramento  
Department of Planning and Development  
1231 "I" Street  
Suite 200  
Sacramento, CA 95814-2998

October 3, 1994

Re: Garage/Studio for Douglas and Candace Adams  
3920 "M" Street  
Sacramento, CA 95819

Dear City of Sacramento:

This form letter has been given to all immediately adjacent neighbors to Douglas and Candace Adams at the above address. The neighbors have been shown a copy of the plans describing the scope of work, and have been given an opportunity to voice any concerns they may have to the Adams.

I/We Carole Burnis  
have been shown a copy of the proposed Garage/Studio plans for Douglas and Candace Adams at 3920 "M" Street, and offer no opposition to the project moving forward. Any reservations or concerns have been noted below on this form letter.

Signed: Carole Burnis  
Address: 1305 39th Street  
Sacramento CA 95816  
Phone: (916) 737-1158

Date: 10/8/94

<b>Exceptions/Concerns:</b>
<u>none at the moment.</u>



**McDermott Design**

2696 MUSGRAVE PLACE  
EL DORADO HILLS, CALIF  
Bus. (916) 933-6243  
Fax (916) 933-5791

95762

E-2

City of Sacramento  
Department of Planning and Development  
1231 "I" Street  
Suite 200  
Sacramento, CA 95814-2998

October 3, 1994

**Re:** Garage/Studio for Douglas and Candace Adams  
3920 "M" Street  
Sacramento, CA 95819

Dear City of Sacramento:

This form letter has been given to all immediately adjacent neighbors to Douglas and Candace Adams at the above address. The neighbors have been shown a copy of the plans describing the scope of work, and have been given an opportunity to voice any concerns they may have to the Adams.

I/We Elinor L. Hickey  
have been shown a copy of the proposed Garage/Studio plans for Douglas and Candace Adams at 3920 "M" Street, and offer no opposition to the project moving forward. Any reservations or concerns have been noted below on this form letter.

Signed: Elinor L. Hickey  
Address: 1307 39th St  
Sacto Ca 95816  
Phone: 456-3794

Date: Oct 6, 94

<b>Exceptions/Concerns:</b>



**McDermott Design**

2696 MUSGRAVE PLACE  
EL DORADO HILLS, CALIF  
Bus. (916) 933-6243  
Fax (916) 933-5791

95762

E-3

City of Sacramento  
Department of Planning and Development  
1231 "I" Street  
Suite 200  
Sacramento, CA 95814-2998

October 3, 1994

Re: Garage/Studio for Douglas and Candace Adams  
3920 "M" Street  
Sacramento, CA 95819

Dear City of Sacramento:

This form letter has been given to all immediately adjacent neighbors to Douglas and Candace Adams at the above address. The neighbors have been shown a copy of the plans describing the scope of work, and have been given an opportunity to voice any concerns they may have to the Adams.

I/We HOWARD NORDIS Stella M. Cullen-Norman  
have been shown a copy of the proposed Garage/Studio plans for Douglas and Candace Adams at 3920 "M" Street, and offer no opposition to the project moving forward. Any reservations or concerns have been noted below on this form letter.

Signed: Howard Nordis Stella M. Cullen-Norman Date: 10/6/94  
Address: 3932 M ST.  
SAC. CALIF.  
Phone: 451-6429

<b>Exceptions/Concerns:</b>



**McDermott Design**

2696 MUSGRAVE PLACE  
EL DORADO HILLS, CALIF  
Bus. (916) 933-6243  
Fax (916) 933-5791

95762

E-4

City of Sacramento  
Department of Planning and Development  
1231 "I" Street  
Suite 200  
Sacramento, CA 95814-2998

October 3, 1994

**Re:** Garage/Studio for Douglas and Candace Adams  
3920 "M" Street  
Sacramento, CA 95819

Dear City of Sacramento:

This form letter has been given to all immediately adjacent neighbors to Douglas and Candace Adams at the above address. The neighbors have been shown a copy of the plans describing the scope of work, and have been given an opportunity to voice any concerns they may have to the Adams.

I/We Gary J Willett  
have been shown a copy of the proposed Garage/Studio plans for Douglas and Candace Adams at 3920 "M" Street, and offer no opposition to the project moving forward. Any reservations or concerns have been noted below on this form letter.

Signed: Gary J. Willett  
Address: 13030 39th St  
Phone: 457-2754

Date: 11/15/94

<b>Exceptions/Concerns:</b>