

PLANNING DIRECTOR'S VARIANCE

927-10th Street, Suite 300 . SACRAMENTO, CALIFORNIA 95814

APPLICANT	Victoria Z. Rivers, 2131-51st Street, Sacramento, CA 95817		
OWNER	Victoria Z. Rivers, 2131-51st Street, Sacramento, CA 95817		
PLANS BY:			
FILING DATE	5/15/84	50 DAY CPC ACTION DATE	REPORT BY: GM:bw
NEGATIVE DEC.	Ex 15305(b)	EIR	ASSESSOR'S PCL. NO. 011-142-28

APPLICATION: Request for Planning Director's Variance (P84-192) to allow an eight-foot redwood fence to extend 18 feet into the front yard setback area. (P84-192)

LOCATION: 2131-51st Street

PROJECT INFORMATION:

1963 East Broadway Community  
 Plan Designation: Low Density Residential  
 Existing Zoning of Site: R-1  
 Existing Land Use of Site: Converted residence, structure formerly a commercial building

Surrounding Land Use and Zoning:

North: Single Family; R-1  
 South: Single Family; R-1  
 East: Single Family; R-1  
 West: Grocery store; R-1

STAFF EVALUATION:

1. The subject site is a small 40' x 86' corner lot located on the northeast corner of 51st and 'V' Streets. The structure was originally developed as a commercial building. The property, however, is zoned R-1, Single Family.
2. The applicant has acquired the property and has converted the building into a residence and artist studio. The applicant is in the process of rehabilitating and repainting the structure.

Since the property was originally developed as a commercial building, the site is developed with substandard setbacks. The main building has no setback along the east property line and only a three-foot setback along the west property line (street side yard). A detached garage is developed on the northeast corner of the property. The main building is set back approximately 19 feet from the sidewalk along 'V' Street (front yard).

2. The applicant has enclosed approximately 18 feet of the front yard area with an eight-foot high redwood fence without a building permit. The property was "red tagged" and the applicant subsequently filed a Planning Director's Variance application requesting approval of the completed work.
3. The staff, after conducting a site inspection of the property, has found justification for approving this variance request. The property is substandard in size and developed with no usable yard area other than the front yard area. The fence was installed with a diagonal setback at the corner of 51st and 'V' Streets (measured 25 feet from the corner in each direction) to allow for traffic visibility.

P-84-192

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The fence is set back one foot from 'V' Street. The applicant has installed landscaping along the base of the fence and within diagonal setback area with a combination of climbing vines, shrubs and trees.

Both 'V' Street and 51st Street are developed with a four-foot wide landscape strip in the public right-of-way between the curb and sidewalk which provides some additional landscape relief. The four-foot wide landscape in combination with the four-foot wide sidewalk provides visibility for auto backout on the adjacent driveway to the east. 'V' Street at this location is a minor residential street with very little through traffic.

4. The subject fence is a six-foot high solid redwood fence with a two-foot open louvered section on top (total height eight feet). The climbing vines planted at the base of the fence will provide a landscape screen upon maturity in a year or two.
5. The applicant has submitted letters from surrounding property owners which indicate support of the applicant's variance request.
6. Staff recommends approval of the variance request, based upon the hardship criteria due to the substandard size and setbacks of the property.
7. As a condition of approval, staff requests that the applicant verify the location of the south property line. If the fence is located in the public right-of-way, a revocable permit from the City Public Works Department would need to be obtained by the Applicant.

STAFF RECOMMENDATION: Staff recommends approval of the variance request, subject to conditions and based on Findings of Fact which follow.

Condition

The applicant shall verify the location of the south property line in relationship to the existing fence. If the fence is located in the public right-of-way, the applicant shall obtain a revocable permit from the City Department of Public Works.

Findings of Fact

- a. The request for the variance does not constitute a special privilege to extend an eight-foot high redwood fence 18 feet into the front yard setback area in that:
  - 1) the lot is substandard in size with substandard building setbacks along the east, north and west property lines. Therefore, there is no area available for a private patio other than the front yard setback area;
  - 2) Under similar circumstances the granting of the variance would be appropriate for other property owners.
- b. The granting of the variance will not be injurious to the public welfare nor to the properties in the vicinity in that the fence is set back sufficiently to allow for traffic visibility;

- c. The project is in conformance with the 1974 City General Plan and the policy which states, "Encourage comprehensive neighborhood beautification programs through landscaping, tree planting, home improvement, and general maintenance to increase neighborhood pride and improved neighborhood appearance."

REPORT PREPARED BY:

*Gene Masuda*

Gene Masuda, Associate Planner

RECOMMENDATION APPROVED:

*Marty Van Duyn*

Marty Van Duyn, Planning Director

*6-4-84*

Date

GM:bw

Attachments

P84-192

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