

**PLANNING DIRECTOR'S VARIANCE**  
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

<b>APPLICANT</b> Richard N. Barton, 4217 C Street, Sacramento, CA 95819
<b>OWNER</b> Richard N. Barton and Michael Springer ETAL, 4217 C Street, Sacramento, CA 95819
<b>PLANS BY</b> Dennis Scott, 719 37th Street, Sacramento, CA 95816
<b>FILING DATE</b> December 12, 1990 <b>ENVIR. DET.</b> Negative Declaration (May 16, 1991) <b>REPORT BY</b> SLV
<b>ASSESSOR'S PCL. NO.</b> 011-0054-026

- APPLICATION:**
- A. Negative Declaration
  - B. Planning Director's Variance to reduce the required side yard setback from five feet to three feet on 0.11 ± vacant acres in the Standard Single Family (R-1) zone.
  - C. Planning Director's Variance to allow a masonry wall to exceed the six foot height requirement by two feet.

**LOCATION:** 1832 51st Street

**PROPOSAL:** The applicant is requesting the necessary entitlements to construct a 2,200 square foot single family residence on a substandard lot.

**PROJECT INFORMATION:**

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

Surrounding Land Use and Zoning:		Setbacks	Required	Provided
North:	Highway 50, TC	Front:	23.5'	23.5'
South:	Single family residential, R-1	Side(North):	5'	20'
East:	Single family residential, R-1	Side(South):	5'	3'
West:	Vacant, R-1	Rear:	15'	20'

Property Dimensions: 40 feet x 120 feet  
Property Area: 0.11 ± acres  
Square Footage of Building: 2,200 square feet  
Height of Building: 26 feet  
Topography: Flat  
Street Improvements: Existing  
Utilities: Existing  
Exterior Building Materials: Lap Siding  
Roof Material: Composition shingle

**PROJECT EVALUATION:** Staff has the following comments:

A. Land Use and Zoning

The subject site is 40 foot by 120 foot parcel in the Standard Single Family, R-1, zone. The site is currently vacant. The General Plan designates the subject site as Low Density Residential (4-15 du/na). The surrounding land use and zoning for the subject site are Highway 50 zoned, Transportation Corridor, TC, to the

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north; single family residential zoned, R-1 to the south and east; and vacant zoned, R-1 to the west.

**B. Applicant's Proposal**

The applicant is proposing to construct a 2,200 square foot, two story single family residence on the subject site. The project utilizes a lot that is substandard in size (see Exhibit A).

**C. Staff Analysis**

Staff has no objections to the applicant's request. The parcel is a very narrow substandard lot adjacent to Highway 50 with a 20 foot utility easement along the north property line. Previously, there was a single family residence on the site that was demolished when Highway 50 was constructed. The applicant proposes to construct a two story single family dwelling on the subject site (see Exhibits B and C). The proposed design for the house is similar to the adjacent residential properties. Allowing the south sideyard setback to be reduced to three feet will permit a house to be built that is seventeen feet wide. There is adequate space between the proposed project and the existing adjacent house. The new structure will be 17.5 feet from the existing house and three feet between garages. Staff supports this reduction because the lot is substandard in width.

The applicant is required by the Negative Declaration to construct an eight foot solid masonry wall along the north property line to mitigate noise associated with Highway 50. The applicant has agreed to construct the wall. According to the Zoning Ordinance a wall over six feet high requires a variance. Staff supports the variance for the wall height in order that the surrounding highway noise may be reduced for the proposed residence. The wall will not affect any adjacent property nor obstruct any adjacent property.

The proposed elevations show horizontal lap siding with a composition shingle roof. Staff recommends a 2x12 wood band painted in the trim color be added to the north and south elevation to align with the first story roof. Staff also recommends the roof be constructed with 25 year laminated dimensional composition shingles and the garage door be a metal sectional door.

Staff supports the approval of the Planning Director's Variances in that the proposed house is compatible with the existing adjacent residential properties; the project proposes development of a substandard parcel; and the project will not negatively affect the other land uses in the area.

**ENVIRONMENTAL DETERMINATION:** The Environmental Services Manager has determined that the project, as proposed, will not have a significant impact on the environment; therefore, a Negative Declaration has been prepared. In compliance with Section 15070(B)1 of the California Environmental Quality Act Guidelines, the applicant has incorporated the following mitigation measures into the project plans to avoid identified effects or to mitigate such effects to a point where clearly no significant effects will occur:

**A. Tree Preservation Mitigation Measures:**

1. Only the following trees are acceptable for removal:
  1. 18" Live Oak located at the NE property corner.
  2. 6" Tree of Heaven located just below the NW property corner.
  3. 9" Honey Locust located just below and east of the NW property corner.
2. A chain link construction barrier fence shall be installed around the dripline of each tree prior to commencement of grading on the site.
3. No surface or grade changes and no trenching shall be made within the driplines of the trees.

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4. No parking of vehicles or storage of materials shall occur within the driplines of the trees.
5. The fences may be removed after construction is complete.
6. Grading and construction plans for the proposed project shall include a note of the aforementioned mitigation measures (A through E).
7. If, during construction or grading, tree roots 3" in diameter or greater are encountered, work shall stop immediately and the City Arborist shall be contacted for a root inspection (# (916)449-5304). If a large number of roots require cutting, the tree will then have to be evaluated for possible removal.

B. The applicant shall build an 8 foot high sound barrier along the north property line. The barrier must have a minimum surface weight of 3.75 to 4 lbs./sq.ft., and no air gaps are permitted along the barrier or at the bottom. Barrier materials must be airtight and massive, with no significant gaps in construction. Suitable materials for barriers include masonry block, precast concrete panels, and 3/4" plywood sheathing with caulked, overlapping joints. The barrier can be constructed on ground above the pad elevation, i.e., using a partial berm as the base. The total barrier height is to be the height of the earth berm plus the constructed wall. A note shall be placed on the final map to require that any dwelling unit constructed on the undeveloped lot will adhere to the noise mitigation measures.

I. General Requirements (With or Without an 8 foot Sound Wall)

- A. All joints in exterior walls shall be grouted or caulked airtight.
- B. All penetrations of exterior wall shall include a 1/2 inch airspace around the perimeter. This space shall be filled loosely with fiberglass insulation. The space shall then be sealed airtight on both sides of the wall with a resilient, non-hardening caulking or mastic.
- C. Window or through-the-wall ventilation and air condition units shall not be permitted.
- D. All sleeping spaces shall be provided with carpet and pad.
- E. There shall be no through-the door or through-the-wall mail or paper chutes.
- F. Basic exterior wall construction for walls common to habitable interior spaces shall include the following or an equivalent:
  1. 2'x4' wood studs
  2. R-11 insulation in the cavities
  3. 1/2" or 5/8" gypsum wallboard fastened to wood studs. Wall shall be fully taped and finished and also sealed around the perimeter with a resilient caulking.
  4. The exterior surface shall be finished with 5/8" T-111 siding over either 1/2" insulation board or 3/8" structural plywood or material of equivalent or greater surface weight. For example, 3/8" or 1/2" gypsum board can be placed on the interior face of studs instead of insulation board or 3/8" plywood on the exterior. This would result in two layers of gypsum board on interior face. Three coat stucco can be used in place of the T-111 plus exterior insulation board.
- G. Ceilings shall be finished with a minimum 1/2" gypsum board with minimum R-19 insulation in the ceiling.
- H. The roof shall be finished with a minimum 7/16" OSB or plyboard of equivalent weight, 30 lb. felt paper and minimum 220 lb/square composition shingles or equivalent. Skylights shall not be used unless they have and STC rating of 28 or better.
- I. Fireplaces shall contain a fully operable damper.
- J. Windows must have a minimum STC rating of 28 or better. Windows shall have an air infiltration rate of less than or equal to 0.20 CFM/lin. ft. when tested with a 25 mile hour wind per ASTM standards.
- K. Exterior entrance doors should have a minimum STC rating of 28. They must include complete

perimeter door seals.

- L. A mechanical ventilation system shall be installed that will provide minimum air circulation and fresh air requirements. There shall be no need to open windows, doors, or other exterior openings to provide adequate ventilation.
- M. Gravity vent openings in attic space shall not exceed code minimums in number and size. Openings facing or with a view of U.S. 50 shall be fitted with transfer ducts at least 3 ft. in length and shall be lined with 1" duct liner full length. Each duct shall include a lined 90 degree bend to prevent direct line of sight from the exterior through the duct into the attic.
- N. If a fan is used for forced ventilation, the attic inlet and discharge openings shall be fitted with sheet metal transfer ducts of at least 22 gauge galvanized steel. The duct shall be a minimum of 6 feet long and lined for its entire length with 1" duct liner. Each duct shall include a lined 90 degree bend to prevent direct line of sight from the exterior through the duct into the attic.
- O. All exhaust fans connecting the interior to the exterior shall be connected with a minimum 10 ft. duct, lined with 1" fiberglass liner and containing one 90 degree bend. The kitchen range exhaust is exempted.
- P. Alternative methods or materials may be substituted for the identified mitigation measures where it is demonstrated to the satisfaction of the Environmental Services Manager that adequate noise attenuation will be provided.

II. Special Requirements (With an 8 foot Sound Wall)

- A. 1st Story - Barrier height equal to or greater than 8 feet
  - 1. No special construction required beyond that described in Section I.
- B. 2nd Story - Barrier height equal to or greater than 8 feet
  - 1. Exterior Wall
    - a. **Either** three coat dense stucco must be used on exterior walls (or a material of equal surface weight),
    - b. **Or**, resilient channels at a maximum 24 inches on center must be used between wood stud and interior gypsum board on all walls facing or with a view of the road if wood siding is used. A material of equal surface weight may be used in place of the wood siding. Resilient channels may be replaced by gypsum board as described above.
  - 2. Windows
    - a. Windows shall have a minimum STC rating of 34. They shall have a maximum air infiltration rate of 0.15 CFM/lin. ft. of window with a 25 MPH wind per ASTM standard.

C. Implement all the General Requirements of Section I (A-P). *(Without a Sound Wall)*

II. Special Requirements (Without a Sound Wall)

- A. 2nd Story - No barrier at north property line
  - 1. Exterior Wall
    - a. Dense 7/8" 3-coat stucco shall be applied over building paper and wire mesh shall be used or a material of equal surface weight.

- b. Resilient channels shall be used between wood stud and gypsum board on interior face. Flange of channel shall face down except near floor. Spacing shall be less than or equal to 24 inches on center or as required by fire codes and manufacturer. Resilient channel can be replaced with a layer of 5/8" gypsum board.

2. Windows

- a. Windows shall have a minimum STC rating of 44. They shall have a maximum air infiltration rate of 0.15 CFM/lin.ft. of window with a 25 MPH wind per ASTM standard.

B. 1st Story - No Barrier at north property line

1. Exterior Wall

- a. *Either* three coat dense stucco must be used on exterior walls (or a material of equal surface weight),
- b. *Or*, resilient channels at a maximum 24 inches on center must be used between wood stud and interior gypsum board on all walls facing or with a view of the road if wood siding is used. A material of equal surface weight may be used in place of the wood siding. Resilient channels may be replaced by gypsum board as described above.

2. Windows

- a. Windows shall have a minimum STC rating of 34. They shall have a maximum air infiltration rate of 0.15 CFM/lin. ft. of window with a 25 MPH wind per ASTM standard.

- D. Prior to issuance of a building permit, the applicant shall submit detail of sound wall footing at the location indicated on the attached drawing (Attachment D) for review and approval by the Water Division.
- E. PG & E does maintain an 8-inch gas line along the northerly property line of the project (Refer to Attachment D). The applicant shall maintain a minimum of 12" between the outside edge of the footing for the proposed sound wall and the outside edge of the existing gas pipe.
- F. Prior to issuance of a building permit, the applicant shall submit a detail of sound wall footings and residence footings for review and approval by the Flood Control and Sewer Division.
- G. The applicant agrees to pay such lawful fees, taxes or assessments imposed through the use of development fees, impact fees, fee districts, community facilities districts, assessment districts, or other fair, equitable, and appropriate mechanisms designed to address project impacts on the existing combined stormwater sewer system, and shall execute an agreement satisfactory to the City Attorney and suitable for recordation which obligates the applicant to pay fair, equitable, and appropriate development or related fees, impact fees or assessments or taxes as and when enacted, imposed, or levied.

**RECOMMENDATION:** Staff recommends the Planning Director take the following actions:

- A. Ratify the Negative Declaration.

- B. Approve the Planning Director's Variance to reduce the required minimum side yard setback from five feet to three feet subject to the conditions and based upon the findings of fact which follow.
- C. Approve the Planning Director's Variance to allow a masonry wall to exceed the six foot height requirement by two feet subject to the conditions and based upon the findings of fact which follow:

Conditions:

- 1. The applicant shall add a 2x12 wood band painted in the trim color to the north and south elevation to align with the first story roof. The roof shall be constructed with 25 year laminated dimensional composition shingles and the garage door shall be a metal sectional door. The elevations shall be revised and submitted to Planning Staff for review and approval prior to the issuance of building permits.
- 2. The size, style, and location of the house on the site shall conform to the plans submitted.
- 3. The applicant shall obtain all necessary building permits prior to commencing construction.
- 4. The applicant shall comply with the mitigation measures of the Negative Declaration.
- 5. The applicant shall comply with all applicable ordinances pertaining to hours of operation for on-going construction. All equipment and debris shall remain on the subject parcel.

Findings of Fact:

- 1. 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 with substandard lots.
- 2. Granting the variance request does not constitute a use variance in that a single family residence is allowed in the Standard Single Family, R-1 zone.
- 3. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
  - a. the proposed project is compatible in size and style with the adjacent residential properties;
  - b. there is adequate space between the proposed house and the existing adjacent house in that there will be 17.5 feet between residences;
  - c. adequate off-street parking will be provided;
  - d. the proposed house will meet fire and building code requirements;
  - e. there will be a masonry wall to mitigate the noise associated with Highway 50; and
  - f. the proposed project will permit development of a vacant substandard parcel.
- 4. The project is consistent with the General Plan which designates the site as Low Density Residential (4-15 du/na).

Report Prepared By:

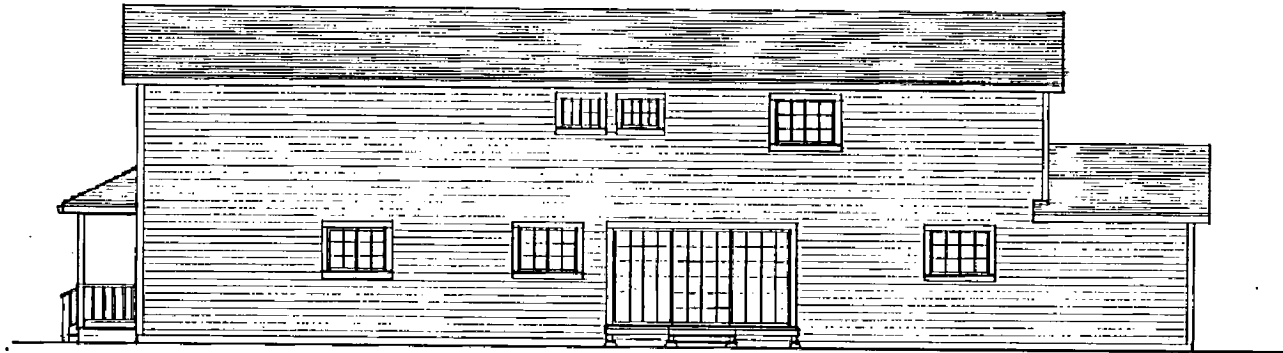
Sandra L. Yope  
Sandra L. Yope  
Junior Planner

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Date

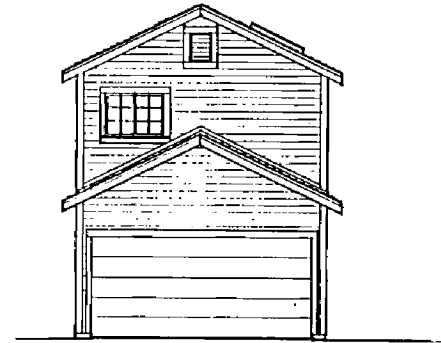
Recommendation Approved By:

Joy Patterson, Sr. Planner  
for Marty VanDuyn  
Planning Director

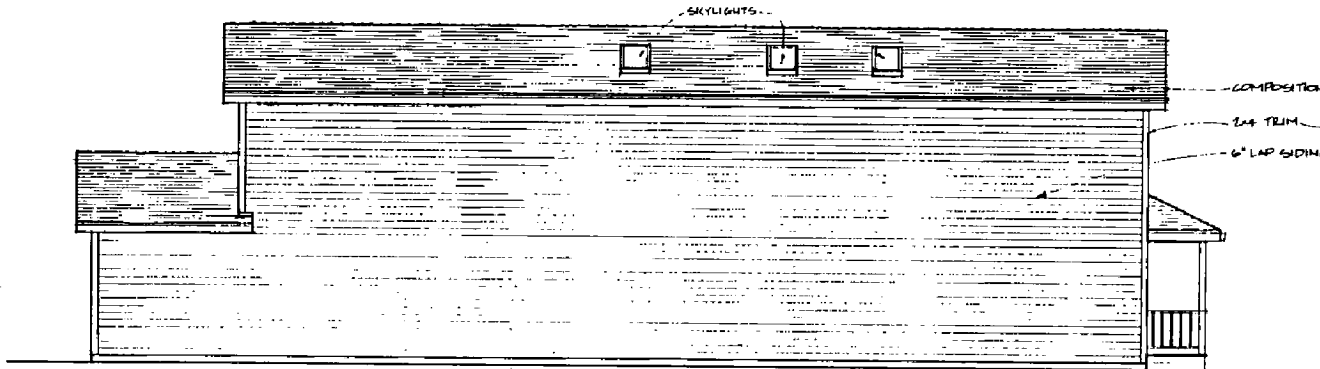
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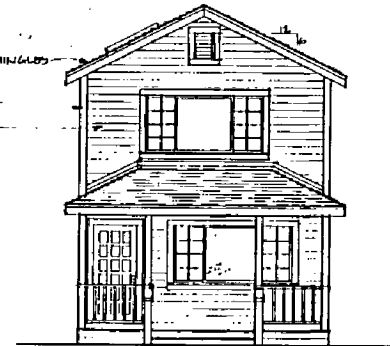
NORTH ELEVATION  
SCALE 1/4" = 1'-0"



WEST ELEVATION  
SCALE 1/4" = 1'-0"



► P90 478 SOUTH ELEVATION  
SCALE 1/4" = 1'-0"



EAST ELEVATION  
SCALE 1/4" = 1'-0"

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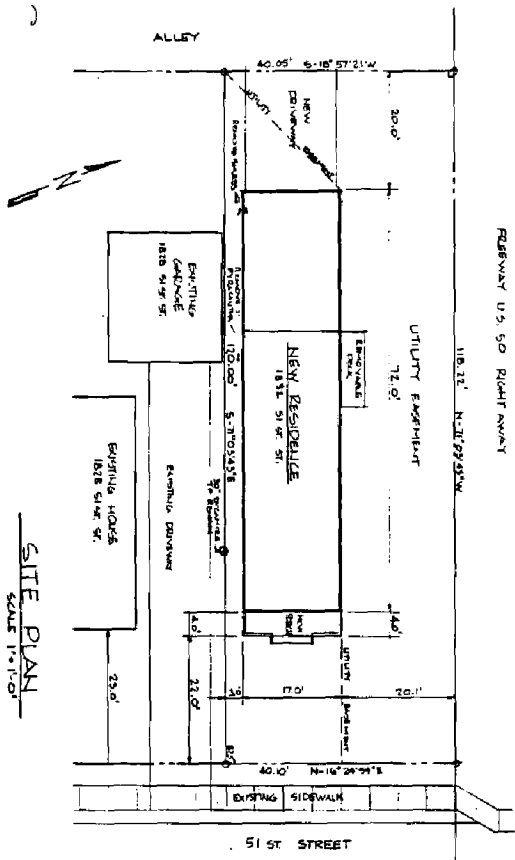
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SACRAMENTO, CA

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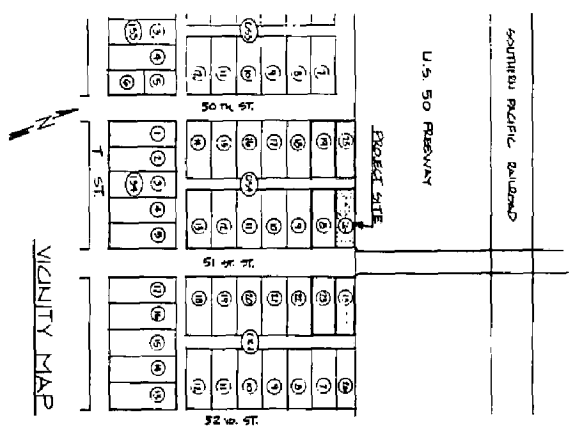


# EXHIBIT - A

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SITE PLAN  
SCALE 1" = 1'-0"



VICINITY MAP

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RESIDENCE  
1831 - 51 ST. STREET  
SACRAMENTO, CA.

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