

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

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, October 15, 1997, the Zoning Administrator approved with conditions a variance to allow a room addition project into the rear yard setback for an existing house for the project known as Z97-082. Findings of Fact and conditions of approval for the project are listed on pages 2 and 3.

Project Information

Request: Zoning Administrator Variance to reduce the required rear yard setback from 15 feet to 10 feet for a 465 square foot room addition to a single family residence on 0.14± developed acres in the Single Family Alternative (R-1A) zone.

Location: 5999 Lemon Park Way (D6, Area 3)

Assessor's Parcel Number: 038-0011-071

Applicant: RAL Builders (Mike Mitchell)
2398 Fair Oaks Boulevard
Sacramento, CA 95825

Property Owner: Lihn Tran
5999 Lemon Park Way
Sacramento, CA 95824

General Plan Designation: Low Density Residential (4-15 du/na)
South Sacramento

Community Plan: Residential (7-15 du/na)

Existing Land Use of Site: Single Family Residence

Existing Zoning of Site: Single Family Alternative (R-1A)(PUD)

Surrounding Land Use and Zoning:		Setbacks	Required	Existing	Proposed
North:	R-1; Single Family Residence	Front:	25'	47'	47'
South:	R-1; Vacant	Side(N.):	5'	5'	5'
East:	R-1; Vacant	Side(S.):	5'	5'	5'
West:	R-2A-R; Multi-Family	Rear:	15'	27'	10'

Property Dimensions: Irregular

Property Area: 0.14± acres

Square Footage of Building: Existing House- 1581 square feet

	Proposed addition-	465 square feet
	Total-	2,046
Exterior Building Materials:	House-	Wood siding
	Patio addition-	Aluminum and Glass
Roof Materials:		Composition Shingles
Topography:		Flat
Street Improvements:		Existing
Utilities:		Existing

Project Plans: See Exhibit A

Previous Files: P88-424

Additional Information: The applicant is requesting a variance to construct a 465 square foot patio room addition. The existing house was constructed far back on the lot with a 47 foot front yard setback. There is an existing unenclosed patio cover that projects into the rear yard setback area (constructed without permits). The applicant proposes to enclose the area that is 34 feet wide and 15 feet deep. The plans indicate the structure will encroach three feet into the rear yard at the narrowest point. However, a recent staff visit to the site found the existing foundation for the patio cover actually projects five feet at the narrowest portion. The Zoning Ordinance requires a 15 foot rear yard setback. The applicant is requesting a variance to the requirement.

The project has been noticed and staff has not received any calls.

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, Sections 15305(a)}.

Conditions of Approval

1. There shall be no further expansion of the house, porch, or any other structure into the rear setback area. (The allowed placement of the wall of the patio enclosure is 10 feet at the narrowest point, a two foot overhand into the setback is allowed.)
2. Size and location of the building shall conform to the plans submitted.
3. The applicant shall obtain all necessary building permits prior to commencing construction.

Findings of Fact:

1. The proposed project, as conditioned, is based upon sound principles of land use in that the proposed room projection 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 residential use that is permitted in the Single Family Alternative (R-1A) zone.
4. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
 - a. there is adequate rear yard area;
 - b. the proposed room projection will not substantially alter the characteristics of the site or the surrounding neighborhood; and
 - c. the lot is irregularly shaped and the house was placed 47 feet back from the front property line and sets back much further than any other house in the subdivision.
5. The project is consistent with the General Plan and the South Sacramento Community Plan which designates the subject site as Low Density Residential (4-15 du/na) and Residential (7-15 du/na) respectively.

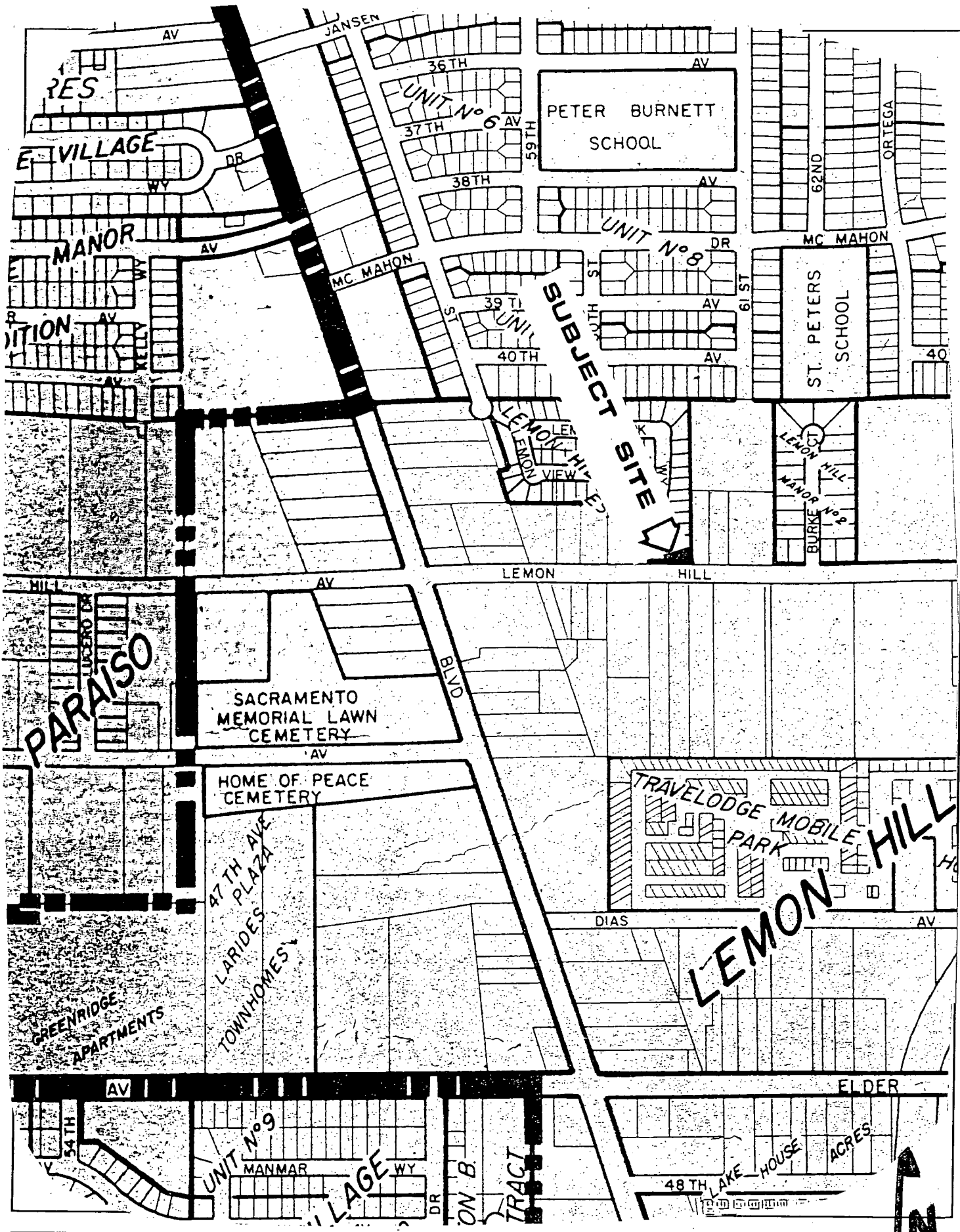


Joy D. Patterson
Zoning Administrator

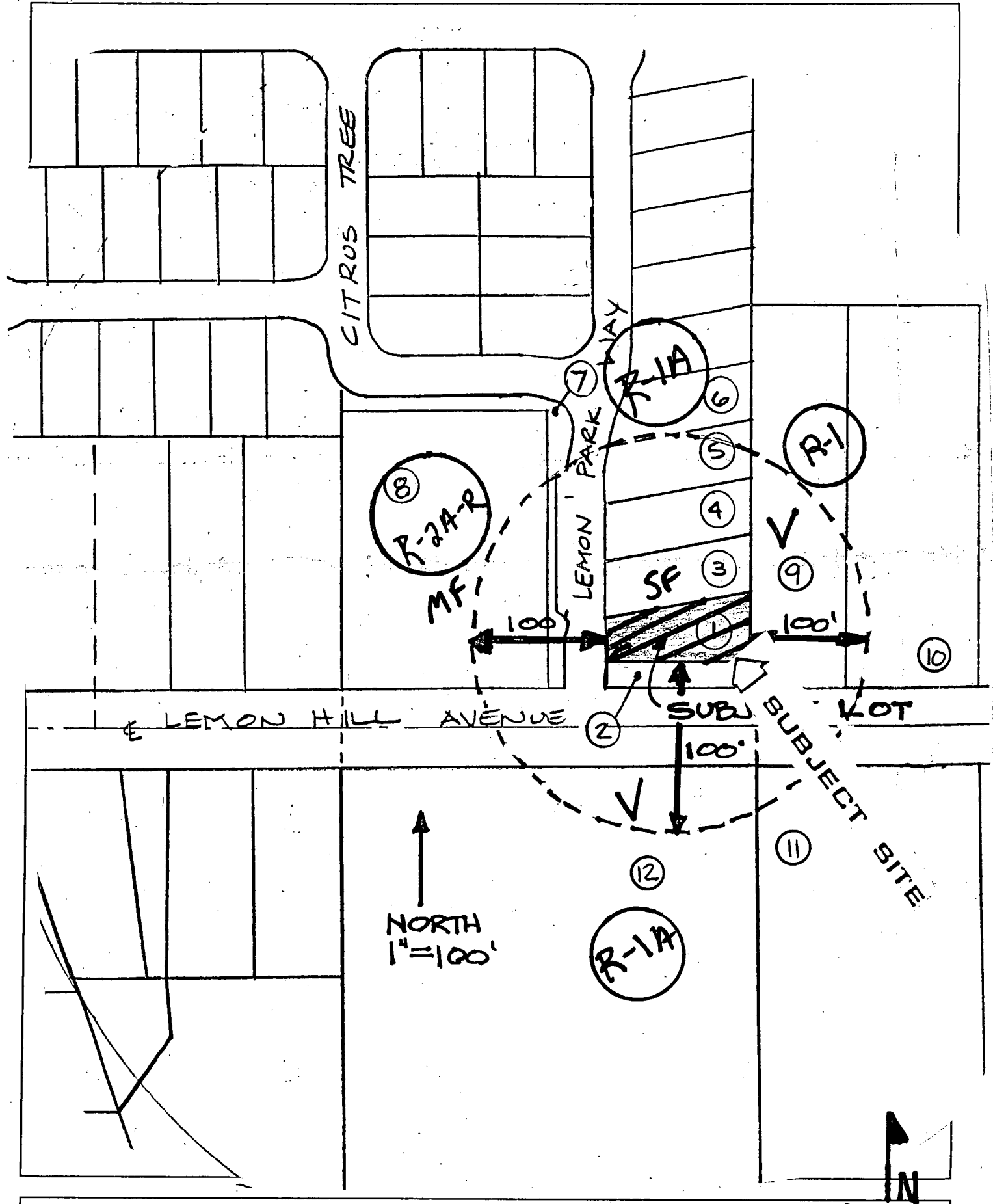
A use for which a Variance is granted must be established within two years after such permit is approved. If such use is not so established the Variance shall be deemed to have expired and shall be null and void. A Variance which requires a Building Permit shall be deemed established when such Building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



LAND USE & ZONING MAP