

**CITY PLANNING COMMISSION**

915 "I" STREET - SACRAMENTO, CALIFORNIA 95814

APPLICANT F. Johnson, 1028 33rd Street, Sacramento, Ca. 95816		
OWNER Elwood Malewood, 2795 Fulton Avenue, Sacramento, Ca. 95821		
PLANS BY F. Johnson, 1028 33rd Street, Sacramento, Ca. 95816		
FILING DATE	6/20/80	50 DAY CPC ACTION DATE 8/9/80
REPORT BY: DP/jb		
Exempt	15103a	EIR ASSESSOR'S PCL. NO. 014-122-43

APPLICATION: Variance to reduce required 12½ foot street side yard to three feet in order to move a single family residence onto 0.1+ vacant acre in the Single Family (R-1) zone. (P-9001)

LOCATION: 2710 43rd Street

PROJECT INFORMATION:

General Plan Designation:	Residential
Oak Park Community Plan Designation:	Light Density Residential
Existing Zoning of Site:	R-1
Existing Land Use of Site:	Vacant
Surrounding Land Use and Zoning:	

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

P	Parking Required:	One
	Parking Provided:	Two
	Ratio Required:	1:1
	Ratio Provided:	2:1
	Property Area:	0.1 acre (5,000 square feet)
	Square Footage of Proposed Building:	1,200 square feet
	Significant Features of Site:	Trees
	Topography:	Flat
	Street Improvements:	No sidewalk
	Utilities:	Available to site
	School District:	Sacramento City Unified School District

STAFF EVALUATION:

The subject property is located in an area developed with single family residences. Many of the developed corner lots in the neighborhood have street side yard setbacks of approximately five feet.

The structure that the applicant is proposing to locate on the lot is currently sitting on "J" Street, near 57th Street. On July 16, 1980, the Architectural Review Board considered the architectural integrity of the structure in relationship to house styles in the neighborhood

and voted to approve the project.

Staff has the following concerns regarding the relocation of the residence and the detached garage:

1. While there are other corner lots in the neighboring area with street side yards of five feet, staff feels that three feet is objectionable. The additional one foot of roof eave overhang further decreases the amount of open area. Staff proposes that the applicant adjust the structure so as to allow a four foot interior side yard setback, thereby increasing the street side yard to a minimum of four feet for that portion containing the covered porch and to a maximum of six feet eight inches for that portion containing the remainder of the house.
2. The driveway as shown on the plot plan does not meet the City requirement of twenty feet in length. Staff recommends that the detached garage be shifted five feet to the interior side property line to allow the minimum twenty foot driveway.
3. There appears to be two clumps of mature trees on the lot. Staff recommends that the trees be retained and that the applicant submit a revised plot plan indicating the location of the trees on the site in relationship to the proposed driveway and garage prior to the issuance of a building permit and prior to moving the structures on site.
4. The Building Division has indicated that the applicant will have to provide one hour construction to be allowed to locate the residential structure four feet from the interior side property line and the detached garage adjacent to the side property line.

The Commission should note that a petition of opposition has been submitted from the neighborhood. Please see attached.

Staff believes that the variance is warranted because the ~~lot~~ is only 40 foot wide, which makes it very difficult to meet the required  $12\frac{1}{2}$  feet street sideyard setback. Also the lot is substandard in area.

RECOMMENDATION:

Staff recommends that a variance be approved subject to the following conditions:

1. The applicant shall meet all Building Code requirements.
2. The applicant shall locate the trees situated along the southern and western property lines on a plot plan and indicate their relationship to the proposed structures for the review and approval of the Planning Director prior to the issuance of a building permit and prior to moving structures on the site.
3. The applicant shall retain the mature trees located along the

southern and western property lines.

4. The building shall be shifted to the west in order to allow the porch to be situated four feet from the street side property line (easterly property line).

Findings of Fact - Variance

1. The variance request does not constitute a special privilege in that:
  - a. similar situations exist throughout the neighborhood;
  - b. the parcel is only 40 feet wide which makes it difficult to meet the  $12\frac{1}{2}$  foot setback;
  - c. the parcel is substandard in area.
2. The variance is not a use variance and will not be injurious to the public welfare in that sufficient open space is provided on the lot.
3. The variance is consistent with the General Plan in that the site is designated for residential use.

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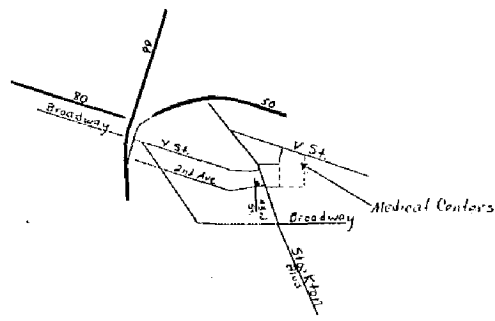
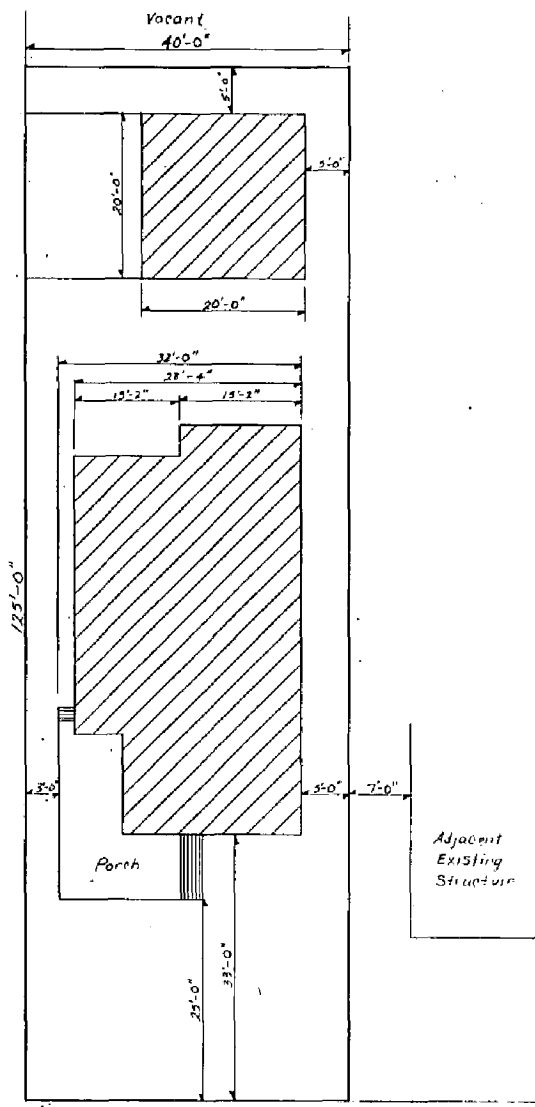
P-9101

July 24, 1980

NO. 23



Exhibit "A"



LOCATION

2nd Ave.  
**PLOT PLAN**  
 Scale: 1/32" = 1'-0"

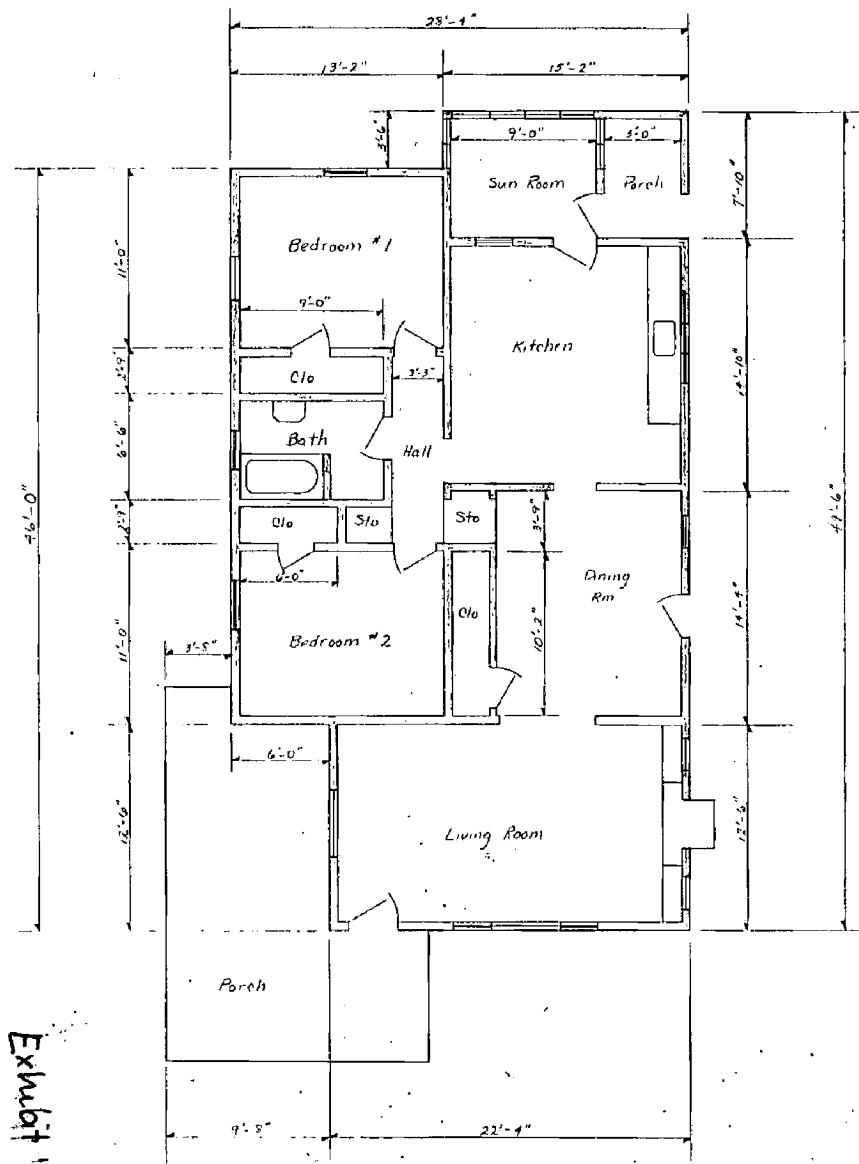
<b>FRANKLIN JOHNSON, General Contractor</b>		
SCALE: Shown	APPROVED BY:	DRAWN BY: J.P.
DATE: June 23, 1980		REVISED:
Parcel No. 014-122-43		
Plot Plan and Location		DRAWING NUMBER 1 of 3

P-9101

P-9101

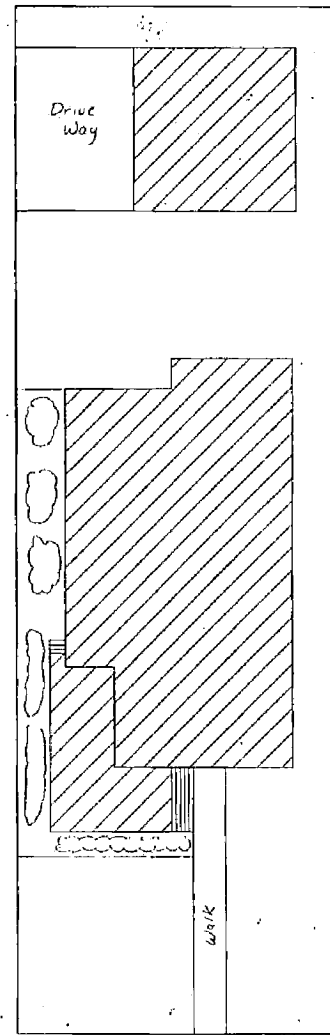
JULY 24, 1980

NO. 23



FLOOR PLAN  
Scale: 1/4" = 1'-0"

Exhibit "B"



LANDSCAPE PLAN Scale: 3/32" = 1'-0"



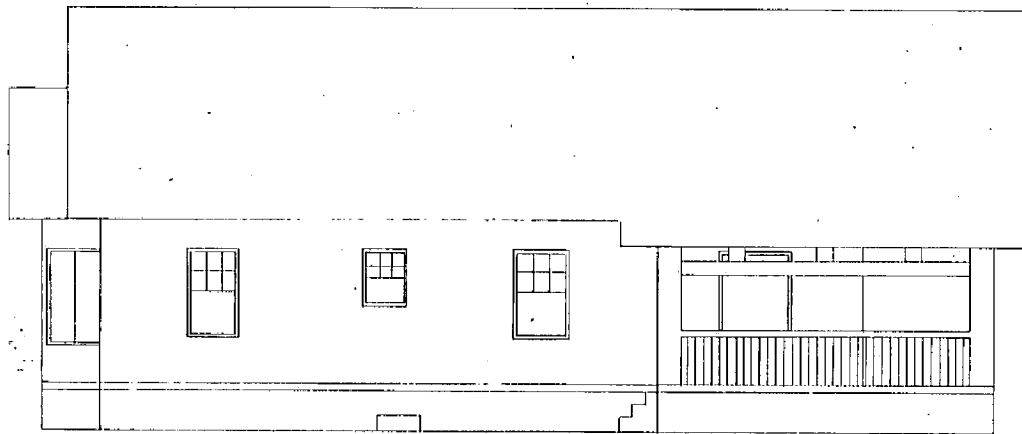
<b>FRANKLIN JOHNSON, General Contractor</b>		
SCALE: As Shown	APPROVED BY:	DRAWN BY: <i>[Signature]</i>
DATE: June 23, 1980		REVISED:
Parcel No. 01A-122-13		
Floor Plan and Landscape Plan		DRAWING NUMBER <b>2 of 3</b>

P-9101

001971

P-9101

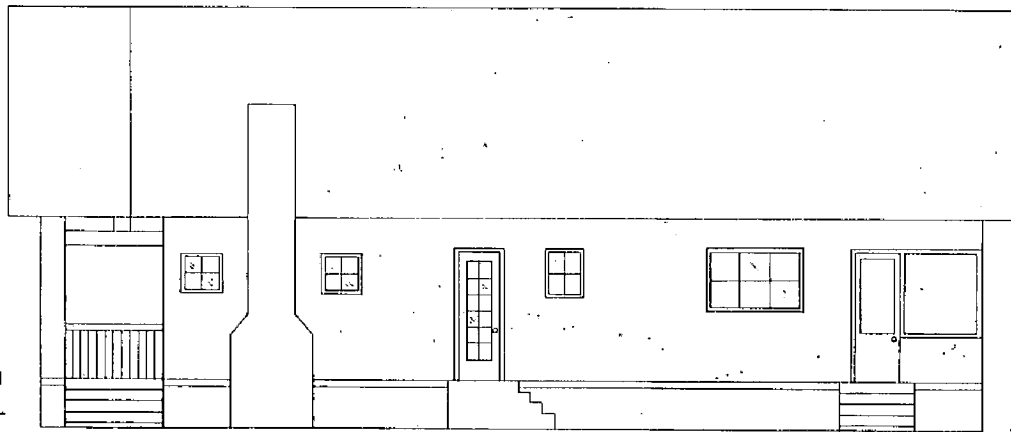
JULY 24, 1980



LEFT SIDE



FRONT



RIGHT SIDE



BACK

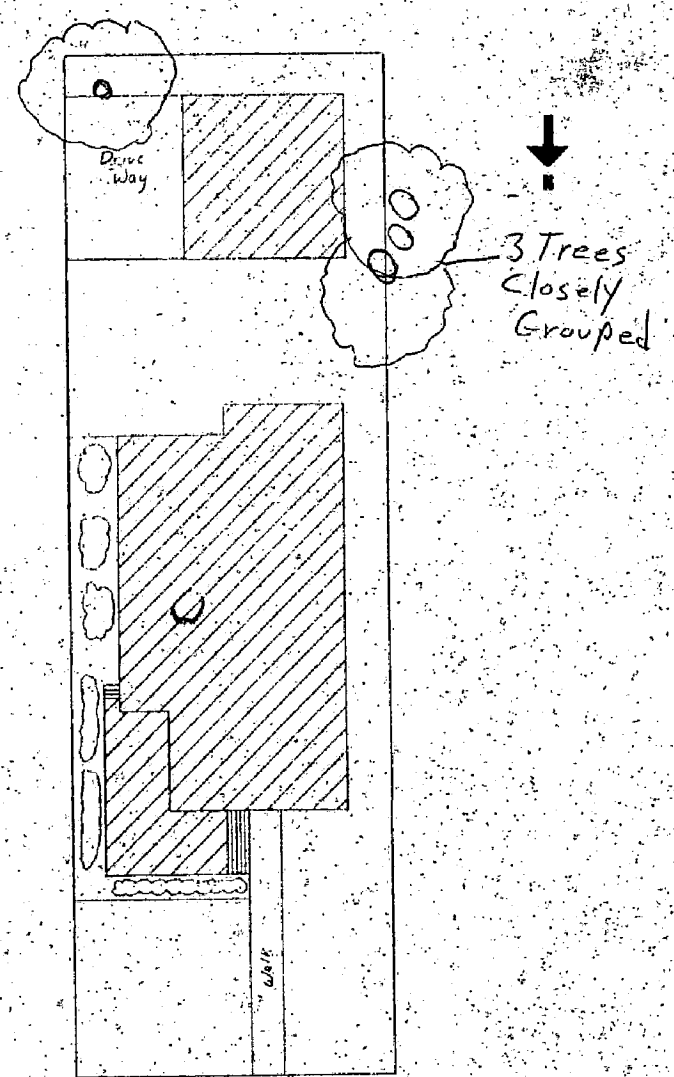
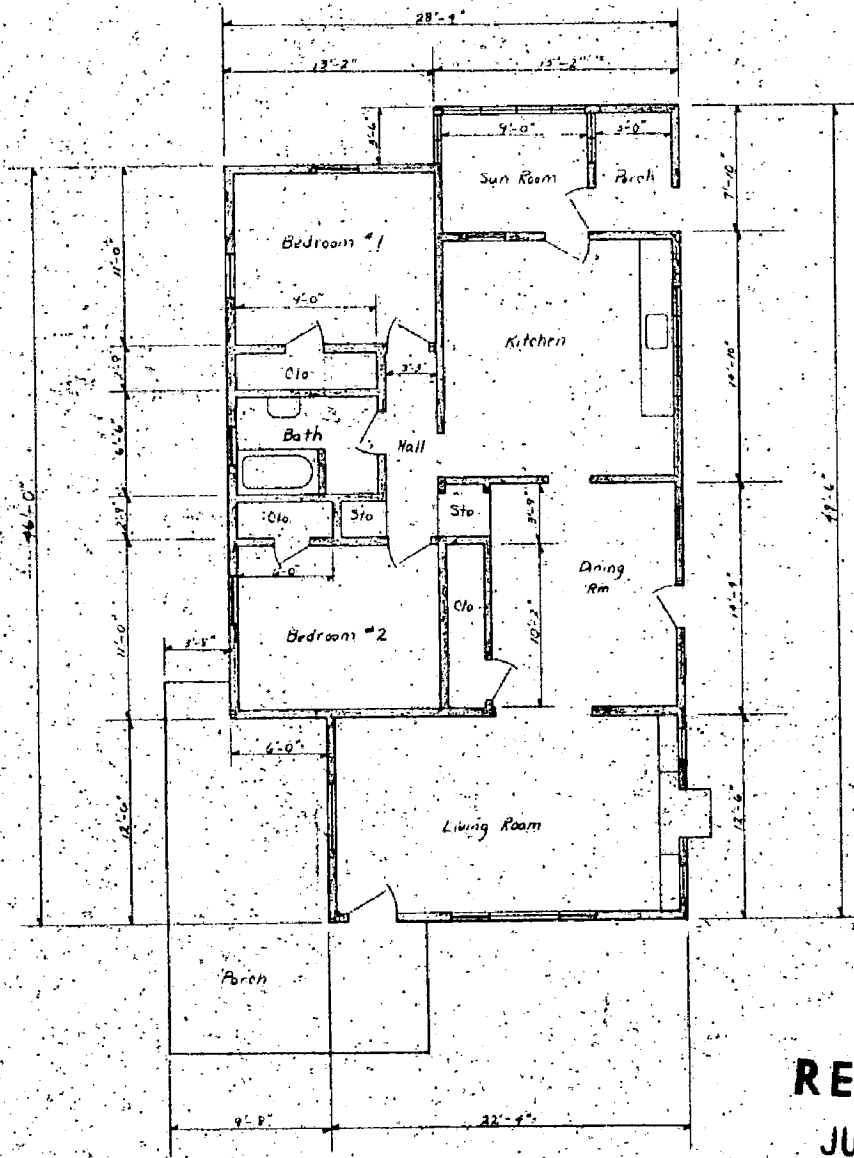
Exhibit "C"

No. 23

P-9101

<b>FRANKLIN JOHNSON, General Contractor</b>		
SCALE: 3/8" = 1'-0"	APPROVED BY:	DRAWN BY: J.P.
DATE: June 24, 1980		REVISED:
Parcel No. 014-122-43		
Elevations		DRAWING NUMBER
		3 of 3

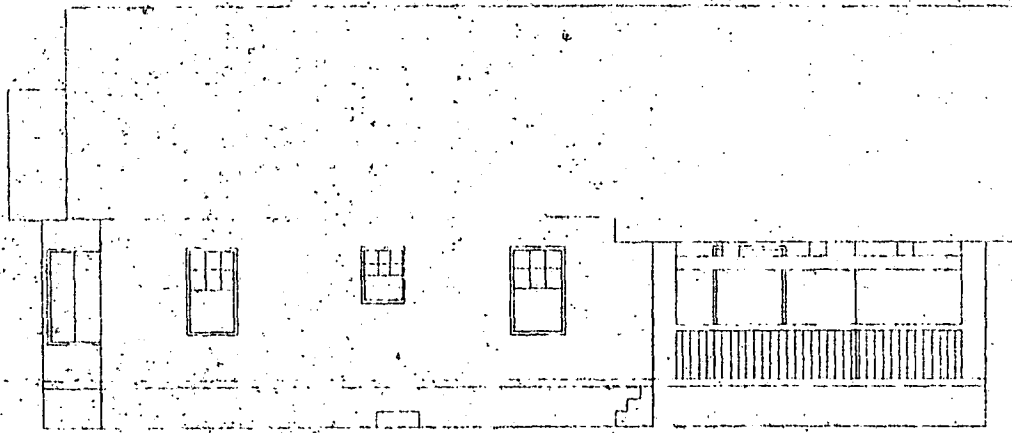
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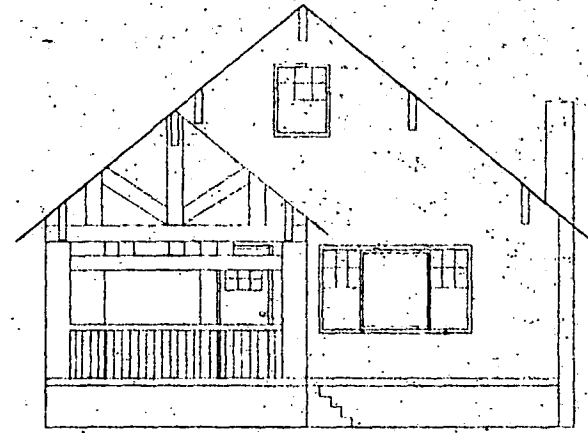
**RECEIVED**  
**JUL 23 1980**  
 City Planning Commission

<b>FRANKLIN JOHNSON, General Contractor</b>		
SCALE: As Shown	APPROVED BY:	DRAWN BY: J.P.
DATE: June 23, 1980		REVISED:
Parcel No. 014-122-43		
Floor, Plan and Landscape Plan		DRAWING NUMBER <b>2 of 3</b>

P-910-R



LEFT SIDE



FRONT



RIGHT SIDE



BACK

City Planning Commission

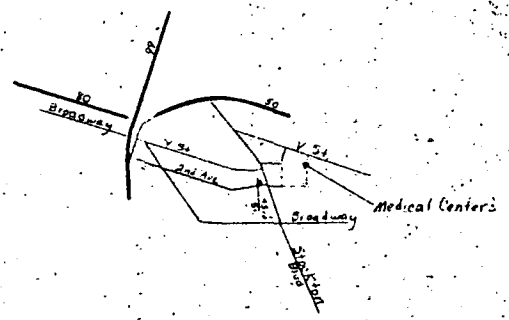
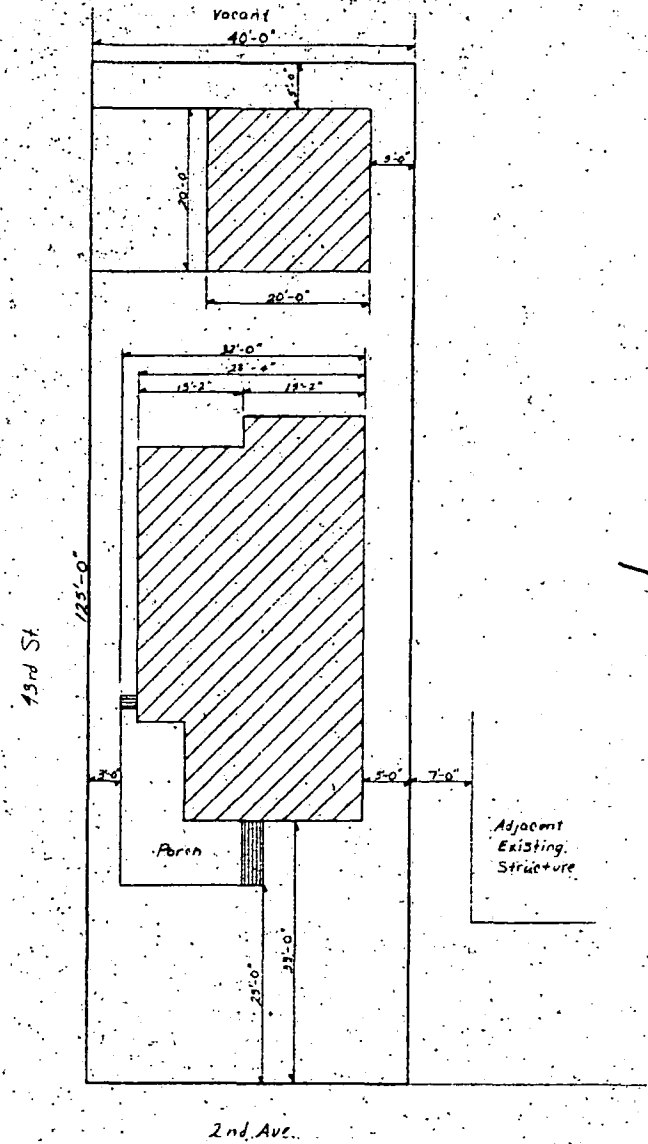
JUL 23 1980

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FRANKLIN JOHNS N., General Contractor		
SCALE: 1/4" = 1'-0"	APPROVED BY:	DRAWN BY: <i>X.P.</i>
DATE: June 21 1980		REVISED:
Parcel No. 019-122-43		
Elevations		DRAWING NUMBER: 3 of 3

301071





LOCATION

PLOT PLAN  
Scale: 3/8" = 1'-0"

RECEIVED  
 JUL 23 1980  
 City Planning Commission

FRANKLIN JOB 800, General Contractor		
SCALE: SHOWN	APPROVED BY:	DRAWN BY: <i>[Signature]</i>
DATE: June 23 1980		REVISED:
Parcel No. 014-122-45		
Plot Plan and Location		DRAWING NUMBER 1 of 3