

STAFF REPORT AMENDED 5-24-83  
**CITY PLANNING COMMISSION**

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

APPLICANT	Allied Engineering - P.O. Box 2077, Citrus Heights, CA 95611	969-7533	
OWNER	Martin & Karol Mehnert - 2147 Ocaso Camino, Fremont, CA 94538		
PLANS BY	Allied Engineering - P.O. Box 2077, Citrus Heights, CA 95611		
FILED DATE	4-20-83	60 DAY CPC ACTION DATE	REPORT BY: SD:sg
NEGATIVE DEC.	4-16-83	EIR	ASSESSOR'S PCL. NO. 007-025-01

- APPLICATION:**
1. Environmental Determination
  2. Variance to reduce interior side yard setback for Parcel A from five feet to four feet (Sec. 3-8-4a)
  3. Variance to reduce front yard setback for Parcel B from 17.5 feet to 11.5 feet (Sec. 3-8-4a) (Withdrawn)
  4. Variance to reduce interior side yard setback for Parcel B from five feet to four feet (Sec. 3-8-4a)
  5. Variance to reduce front, side and rear yard setback for Parcel C to 0 feet (Sec. 3-8-4a)
  6. Variance to exceed 50% lot coverage requirement for Parcel C (Sec. 3-8-4a)
  7. Variance to waive three required parking spaces for Parcels A and C (Sec. 6-A-1) (Withdrawn)
  8. Variance/Subdivision Modification to create lots substandard in width, depth and area (Subdivision Ordinance 41.322 a,b,c,d,e)
  9. Tentative Map

**LOCATION:** Southeast corner of 23rd and H Streets

**PROPOSAL:** The applicant is requesting the necessary entitlements to divide .292 acres located in the Central City into three parcels which contain three structures.

**PROJECT INFORMATION:**

1974 General Plan Designation:	Residential
1980 Central City Community Plan Designation:	Multi-Family
Existing Zoning of Site:	R-3A
Existing Land Use of Site:	Residential
Surrounding Land Use and Zoning:	
North:	Multiple family: R-3A
South:	Multiple family: R-3A
East:	Single and multiple family: R-3A
West:	Multiple family: R-3A
Parking Required:	7 spaces
Parking Provided:	4 spaces
Parking Ratio:	1:6 dwelling units

APPLIC. NO. P83-120

MEETING DATE Nov 26, 1983

CPC ITEM NO. 14

003095

3. The structures are already situated on the site. Staff therefore has no objection to the front, sides, and rear setback variance requests. The appearance and character of the site will not be altered.
4. Width, depth and area requirements of the Subdivision Ordinance are applicable only to single and two family development. Subdividing the parcel into two parcels eliminates the need for lot coverage variance.
5. Since the structures are more than five years old, subdivision of the property is not subject to parkland dedication requirements. If building permits should be requested within four years of the filing of the map for additional units, the applicant will be required to pay parkland dedication in-lieu fees for any additional units. A note to this effect should be placed on the final map.
6. To comply with building code requirements, it may be necessary to move the proposed lot line three feet from the duplex. The applicant should check with the Building Inspection Department.

**STAFF RECOMMENDATION:** Staff recommends the following:

1. Ratification of the Negative Declaration.
2. Approval of the variance to reduce the interior side yard setback on Parcel A from five feet to four feet, based on findings of fact which follow.
3. Approval of the variance to reduce the interior side yard setback for Parcel B from five feet to four feet, based on findings of fact which follow.
4. Approval of the variance to reduce the interior side yard setback for Parcel A to 0 feet, based on findings of fact which follow.
5. Denial of the variance to exceed the 50% lot coverage requirement, based on findings of fact which follow. (CPC approved)
6. Denial of the variance/subdivision modification to create lots of substandard width, depth and area, based on findings of fact which follow. (CPC approved variance & recommended approval of subdivision modification)
7. Approval of the tentative map, subject to conditions which follow.

**Conditions - tentative Map**

The applicant shall satisfy each of the following conditions prior to filing the final map unless a different time for compliance is specifically noted:

- a. Provide separate sewer and water service to each parcel. Existing services must be located. Dedicate reciprocal access easements as needed. Eliminate interconnecting water services between the structures.
- b. Comply with all building code requirements.
- c. ~~Demolish the existing garage structure on Parcel B and provide four surfaced parking spaces on that parcel.~~ (CPC deleted)
- d. Demolish the existing garage structure on Parcel B and provide four surfaced parking spaces on that parcel.

- e. Provide four parking spaces at the rear of Parcel B which comply with the requirement of the Zoning Ordinance.
- f. Place a note on the final map referencing parkland dedication requirements.
- g. The following note shall be placed on the final map: If building permits for additional dwelling units are requested within four years of the date of filing the final map, the applicant will be responsible for parkland dedication in-lieu fees.

**Findings of Fact - Approval of Variances 2, 3 and 4:**

- a. Approval of the variance does not constitute a special privilege in that there are many lots existing in the Central City of similar size and structural setbacks.
- b. The request does not constitute a use variance in that residential uses are allowed in the R-3A zone.
- c. The project will not be injurious to public welfare and safety in that:
  - 1. building code requirements will be complied with.
  - 2. four new off-street parking spaces will replace the unused garage.
- d. The proposal is in harmony with the 1980 Central City Plan and the 1974 General Plan which designate the site for residential use.

**Findings of Fact - Denial of Variances 5 and 6**

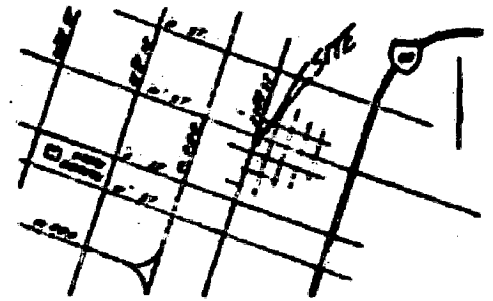
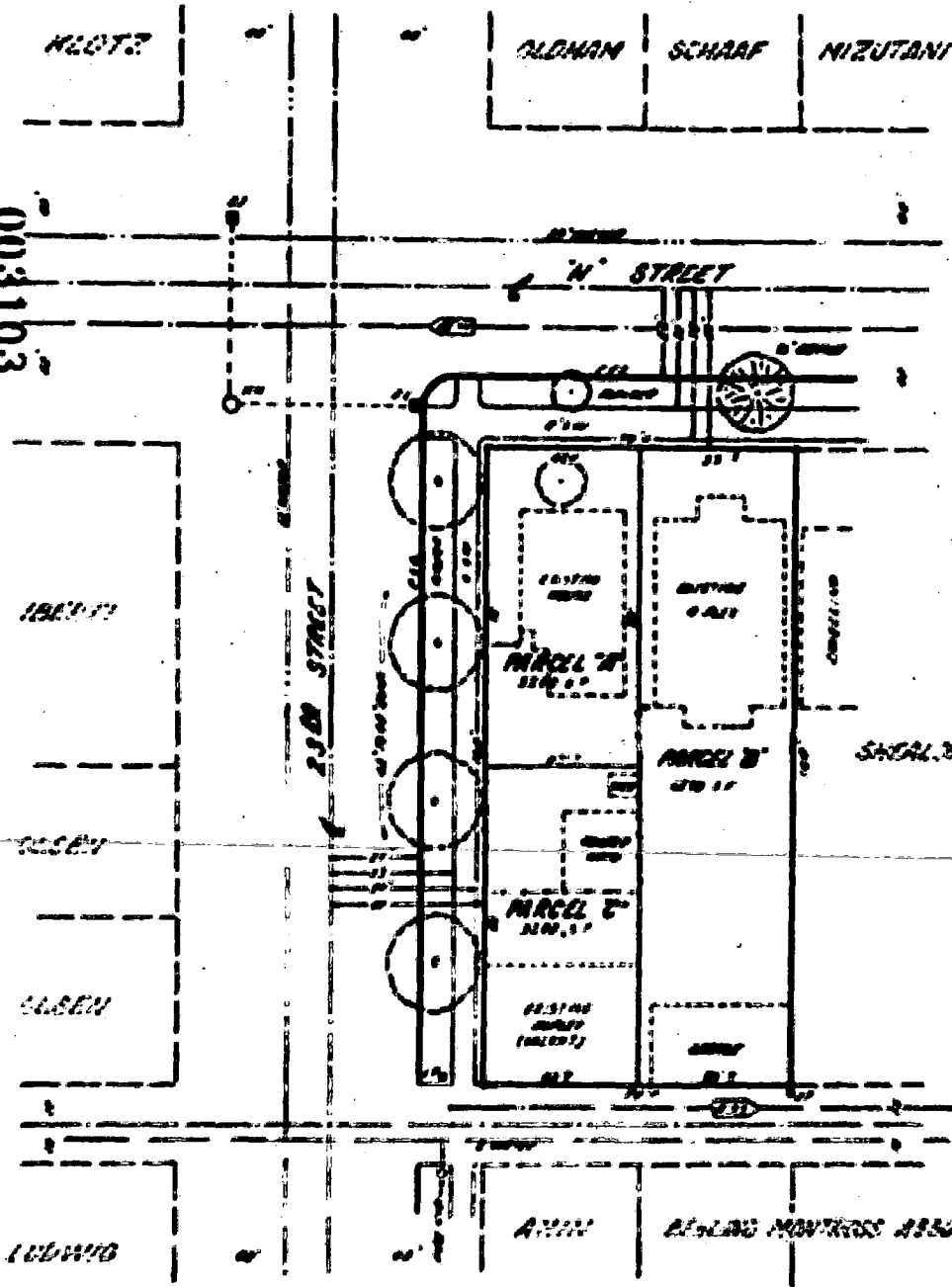
- a. Granting the variances constitutes a special privilege in that the hardship is self-imposed. The proposed lots will be smaller than the majority of lots in the vicinity.
- b. The project constitutes a disservice to public welfare in that it will offer lots for individual sale which have inadequate light and air and open-space.

P. 03120

003103

MAY 24, 1985

JUN 1985



NEIGHBORHOOD MAP

OWNER	ALLEN & BEALING MONTROSS ASSOC 1417 COLLEGE AVENUE, SUITE 100 SACRAMENTO, CA 95811
PREPARED BY	ALLEN & BEALING MONTROSS ASSOC 1417 COLLEGE AVENUE, SUITE 100 SACRAMENTO, CA 95811
DATE	5/24/85
SCALE	AS SHOWN
PROJECT	REDEVELOPMENT OF LOT 1
REVISIONS	1. 5/24/85
REVISION 2	5/24/85
REVISION 3	5/24/85
REVISION 4	5/24/85
REVISION 5	5/24/85
REVISION 6	5/24/85
REVISION 7	5/24/85
REVISION 8	5/24/85
REVISION 9	5/24/85
REVISION 10	5/24/85
REVISION 11	5/24/85
REVISION 12	5/24/85
REVISION 13	5/24/85
REVISION 14	5/24/85
REVISION 15	5/24/85
REVISION 16	5/24/85
REVISION 17	5/24/85
REVISION 18	5/24/85
REVISION 19	5/24/85
REVISION 20	5/24/85

### TENTATIVE PARCEL MAP

A PORTION OF LOT 1, IN THE BLOCK BOUNDED BY N STREET AND S STREET & 21ST STREETS, CITY OF SACRAMENTO, CA

ALLEN & BEALING MONTROSS ASSOC  
1417 COLLEGE AVENUE, SUITE 100  
SACRAMENTO, CA 95811