

# CITY PLANNING COMMISSION

1231 'I' STREET, SUITE 200, SACRAMENTO, CA 95814

**APPLICANT** Gardner-Feusi Company, 1722 Professional Drive, Sacramento, CA 95825  
**OWNER** Steware Irwin Slaff, 10840 Ballantrae Way, Rancho Cordova, CA 95670  
**PLANS BY** Gardner-Feusi Company, 1722 Professional Drive, Sacramento, CA 95825  
**FILING DATE** 8/6/87 **ENVIR. DET.** Cat.Ex. 15305(a) **REPORT BY** DJH:vf  
**ASSESSOR'S-PCL. NO.** 014-172-16

- APPLICATION:**
- A. Variance to waive one required onsite parking space on 0.05+ vacant acre in the Single Family (R-1) zone. (WITHDRAWN)
  - B. Variance to reduce the rear yard setback from 15 feet to 5 feet.
  - C. Variance to reduce the 20 ft. front yard setback to 12-1/2 ft.

**LOCATION:** 3123 39th Street

**PROPOSAL:** The applicant is requesting the necessary entitlements to construct a 870 sq. ft. single family residence.

**PROJECT INFORMATION:**

1974 General Plan Designation:	Commercial
1985 Oak Park Redevelopment Community Plan Designation:	Residential, 4-8 du/acre
Existing Zoning of Site:	R-1
Existing Land Use of Site:	Vacant

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: Single Family; R-1	Front:	20'	12' 8"
South: Vacant & Single Family; R-1	Side(Int):	5'	5'
East : Single Family; R-1	Side (St):	5'	5'
West : Single Family; R-1	Rear:	15'	5'

Parking Required:	1 space
Parking Provided:	1 space
Property Dimensions:	Irregular 39' x 48'
Property Area:	0.05+ acre
Density of Development:	19 d. u. per acre
Square Footage of Building:	870 sq. ft.; House = 630 sq. ft.; Garage 240 sq. ft.
Height of Building:	Single story
Topography:	Flat
Street Improvements & Utilities:	Existing
Exterior Building Materials:	Horizontal wood siding and vertical T-1-11 siding
Roof Material:	Asphalt Composition Shingles

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site is a 2,242 sq. ft. lot which is zoned Standard Single Family (R-1) zone. The lot is designated for Residential uses four to eight dwelling units per acre in the 1985 Oak Park Redevelopment Area Plan. The proposed project results in a density of 19 dwelling units per acre. The lot was created in 1951 and has been under separate ownership since then. The owner of the lot located to the south of the subject site is not interested in selling the property or a portion of the property to enlarge the lot.

Surrounding land uses are single family residential in all directions and zoning is Standard Single Family Residential (R-1) zone.

B. Site Plan - Variances

The applicant proposes to construct a single family dwelling of 870 sq. ft. and measuring 29 ft. in width and 30 ft. in depth. The building covers 39 percent of the lot, thereby under the maximum 40 percent lot coverage. Total lot area is 2,242 sq. ft. In order to construct the house, several variances are required due to the unusual lot dimensions.

A variance to reduce the minimum 20 foot front yard setback to 12-1/2 ft is requested. The building located to the north is located 12 feet back from the front property line. To the south, the existing building at 3911 - 7th Avenue fronts on 7th Avenue and has a 30+ foot sideyard setback from 39th Street. Since the nearest single family dwelling is 12 ft. from the right-of-way along 39th Street, staff supports the variance from the 20 ft. setback normally required due to the shallow depth of the lot.

A variance from the required 15 ft. rear yard setback is also requested to reduce the rear yard area to within five feet of the rear elevation. Total normal required rear yard area would cover 585 sq. ft. Total rear yard area provided is 565 sq. ft., a 20 sq. ft. deficit. The Planning Commission has approved substituted rear yard areas but none have looked as peculiar as the subject shaped lot. The 10' x 37' rear flag yard area is counted as part of the 565 sq. ft. of yard area. Sufficient rear yard area is provided for use by the residents of the project site. Due to the unique site constraints, staff recommends approval of the variance from the required 15 foot rear yard setback.

C. Design Review

The project is located within the Oak Park Design Review District and will be required to comply with the requirements of the Design Review Board and staff.

ENVIRONMENTAL DETERMINATION: The project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15305 (a)).

RECOMMENDATION: Staff recommends the Commission take the following actions:

- A. Approve the variance to waive one required onsite parking space subject to conditions and based upon findings of fact which follow; (WITHDRAWN)
- B. Approve the variance to reduce the rear yard setback from 15 feet to 5 feet subject to conditions and based upon findings of fact which follow; and
- C. Approve the variance to reduce the front yard setback from 20 feet to 12-1/2 feet based upon findings of fact which follow.

Conditions - Variance

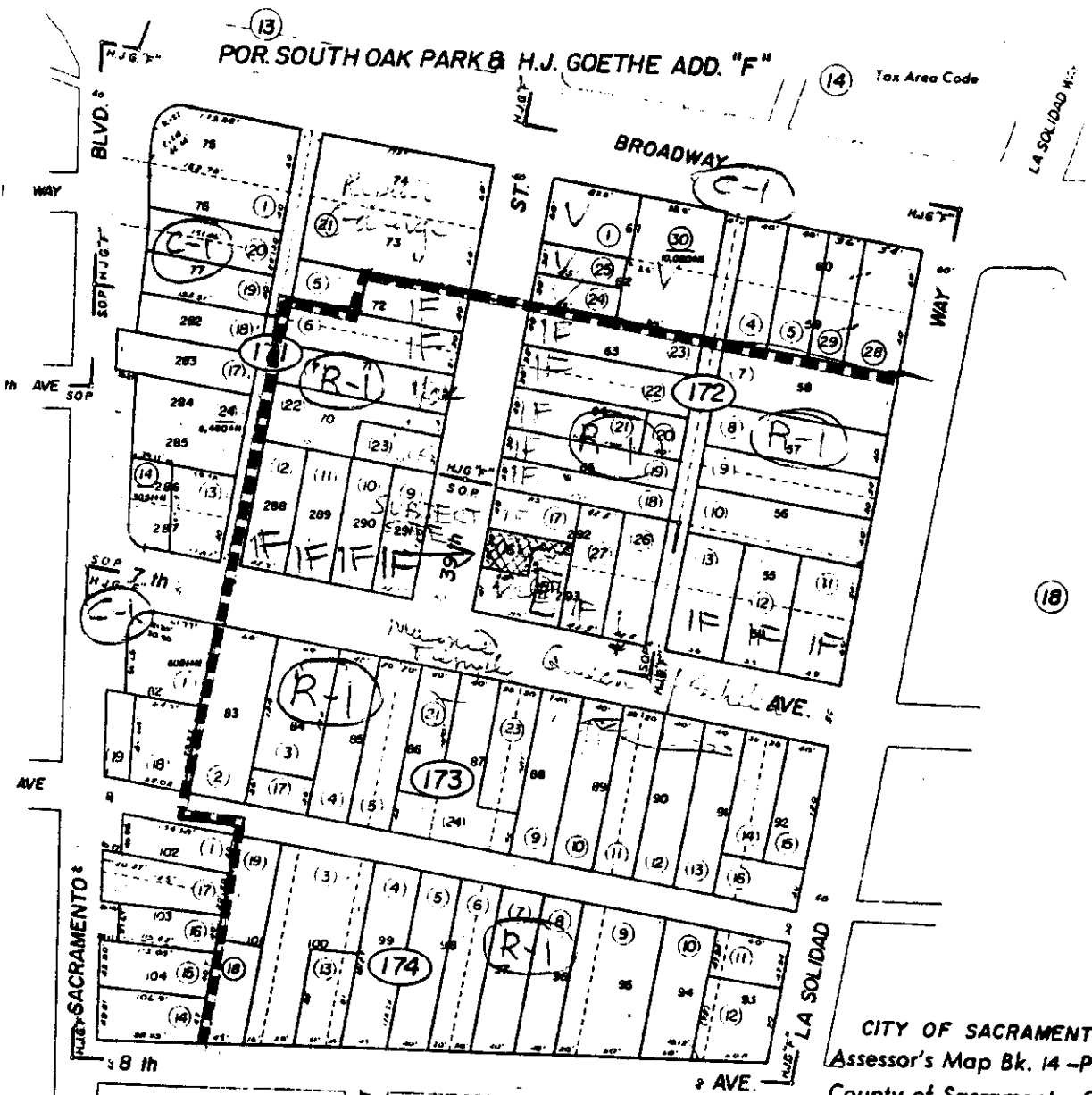
1. The applicant shall construct the new dwelling as per the approved site plan and elevations as modified by the Design Review Board; and
2. The applicant shall receive approval by the Design Review Board.

Findings of Fact - Variances

1. Granting the variances does not constitute a special privilege extended to one property owner in that:
  - a. rear yard setback of five feet still allows the use of a 10 ft. x 37 ft. rectangular area as a substitute rear yard; and
  - b. the reduced front yard setback to 12-1/2 ft. is parallel to the setback of the dwelling to the north.
2. Granting the variances does not constitute a use variance in that single family dwellings are allowed in the Single Family (R-1) zone.
3. The proposed variances will not be injurious to the public health, safety or welfare nor to property in the vicinity in that adequate setbacks from the side yard property lines are observed and a useable 10 ft. x 37 ft. rear yard is provided.
4. The proposed use is consistent with the City's Discretionary Interim Land Use Policy in that the site is designated for Residential 4-8 du/acre in the 1985 Oak Park Redevelopment Area Plan and the proposed single family dwelling conforms with the plan designation.

13 POR. SOUTH OAK PARK & H.J. GOETHE ADD. "F"

14 Tax Area Code

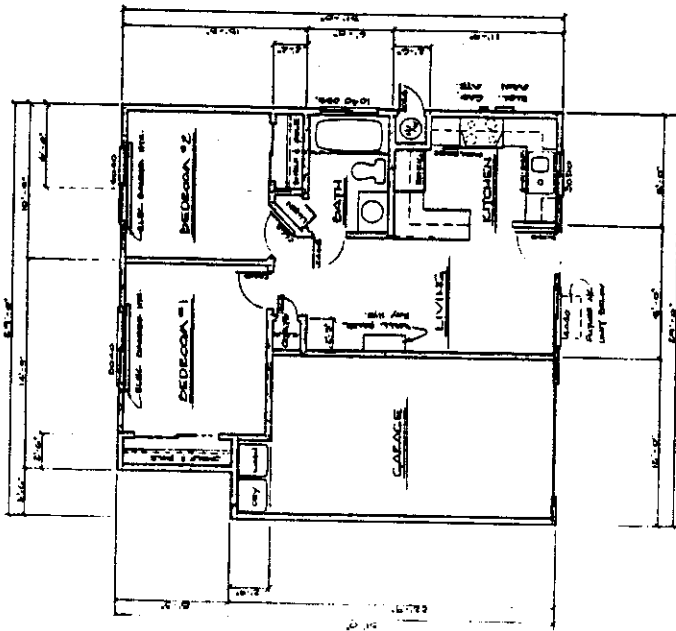


NOTE - Assessor's Block Numbers Shown in Ellipses.  
Assessor's Parcel Numbers Shown in Circles.

CITY OF SACRAMENTO  
Assessor's Map Bk. 14 -Pg. 17  
County of Sacramento, Calif.

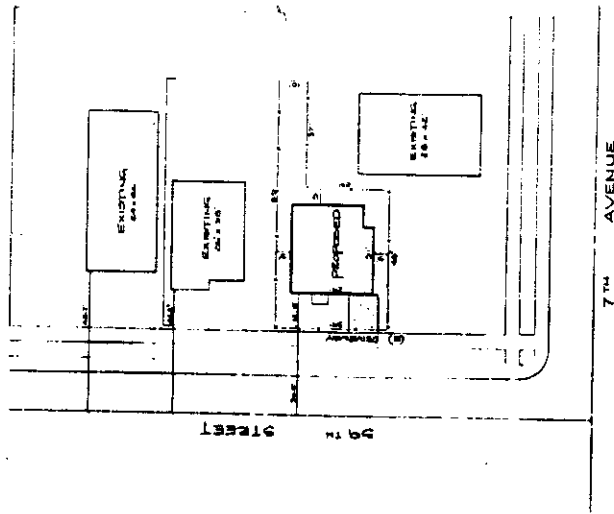
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# VICINITY - LAND USE - ZONING



**FLOOR PLAN**

SCALE: 1/8" = 1'-0"  
 NOTE: PLOP Plans



**SITE PLAN**

SCALE: 1/8" = 1'-0"

NO.	DESCRIPTION	DATE

BENCHMARK	

HORIZ. SCALE	AS SHOWN	DRAWN BY	J.S.P.
VERT. SCALE	1/8" = 1'-0"	DESIGNED BY	P.C.
SURVEYED BY		CHECKED BY	
FIELD BOOK NO.		DATE	10-5-87
MAP NO.	44-112-14		

1122 Professional Office  
 1122 Professional Office  
 Sacramento, CA. 95822  
 916-482-6177

**SITE and FLOOR PLAN**  
**39th STREET HOUSE**

1122  
 SACRAMENTO  
 AT THE

P-87-355

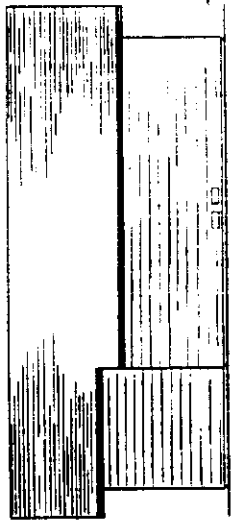
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item 9

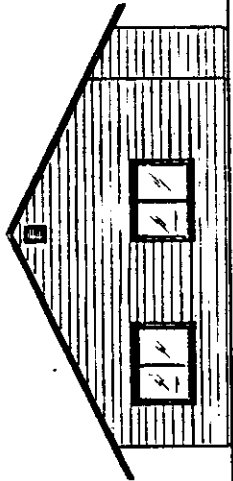
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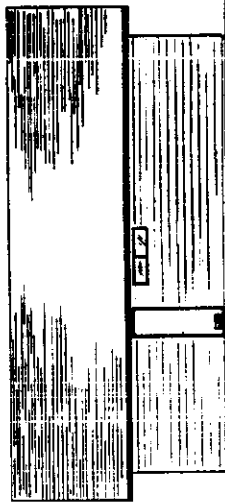
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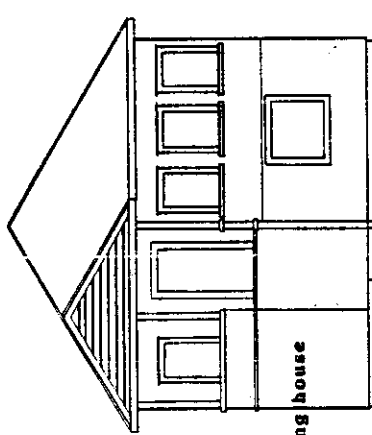
EAST



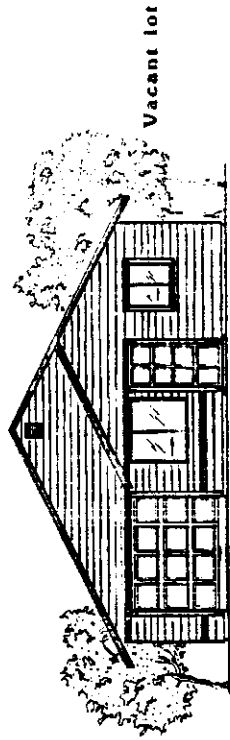
SOUTH



NORTH



Existing house



Vacant lot

NOTE: FLAP PLAN

WEST

SHEET 2  
PLAN NO. 11110  
AT 012

99 TH STREET HOUSE

ELEVATIONS

122 Professional Drive  
San Francisco, CA 94102  
510-488-6177



HORIZ. SCALE 1/8" = 1'-0"	DRAFTED BY: J.S.S.
VERT. SCALE N/A	DESIGNED BY: E.F.
SURVEYED BY:	CHECKED BY:
FIELD BOOK NO.	DATE: 6-3-87
AT NO. 14-172-16	

NO.	DESCRIPTION	DATE

NO.	DESCRIPTION	DATE