

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

**ACTION OF THE ZONING ADMINISTRATOR**

On Tuesday, April 30, 1996, the Zoning Administrator approved with conditions a variance to increase the fence height for a multi-family residential redevelopment project known as Z96-028. Findings of Fact and conditions of approval for the project are listed on page 3.

**Project Information**

- Request:
1. Zoning Administrator Variance to allow the construction of an eight foot masonry wall which exceeds the allowed three foot solid fence in the street side yard setback area for a multi-family residential project on 5.6± developed acres in the Multi-Family-Review (R-3R) zone.
  2. Zoning Administrator Variance to allow the construction of an eight foot masonry wall which exceeds the allowed six foot solid fence in the rear yard setback area.
  3. Zoning Administrator Plan Review Modification to remodel an existing apartment complex and add new amenities to the site.

Location: 2814 and 2815 5th Street

Assessor's Parcel Number: 012-0010-026, 023

Applicant: 2814 Fifth Street Associates, A California Limited Partnership  
2125 19th Street, Suite 101  
Sacramento, CA 95818

Property Owner: Same as applicant

General Plan Designation: Medium Density Residential (16-29 du/na)  
Existing Land Use of Site: Vacant Apartments  
Existing Zoning of Site: Multi-Family-Review (R-3R)

**Surrounding Land Use and Zoning:**

North: R-3 and R-1; Apartments and Single Family Residence  
South: R-1; Single Family Residence  
East: R-1; Single Family Residence  
West: T-C; Interstate 5

Property Dimensions:	Irregular
Property Area:	5.6± acres
Fence Building Materials:	Split Face and Smooth Face Concrete Block
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

**Project Plans:** See Exhibits A-D

**Previous Files:** P95-080 (Street Abandonment)

**Additional Information:** The applicant is requesting to construct an eight foot solid masonry wall around the east and south perimeter of an existing apartment complex. The apartment complex is in a state of disrepair and the applicant has obtained building permits to remodel the complex. There is an existing six foot decorative wrought iron fence around the entire perimeter of the property. The project was also recently approved for a street abandonment which changes the established setback orientations. The Zoning Ordinance allows a maximum height of six feet for residential fences/walls in the rear yard setback area. The Zoning Ordinance also only allows a maximum height of three feet for residential fences/walls on the property line of a street side yard setback. The applicant is requesting a variance to this requirement.

The R designation in the zoning requires a Plan Review modification for any exterior additions made to the site. The proposed project requires minor modifications to the existing exterior and no modifications to the site. There will be a slight increase in some of the unit's square footage and a pool will be added at the south side of the site.

The project has been noticed and staff has not received any calls. The adjacent neighbors have requested the eight foot high solid wall and there are 13 letters of support from adjacent property owners (see sample- Exhibit D). A representative of the neighbors was at the public hearing to support the variance requests.

**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, Section 15303(e)}.

Conditions of Approval

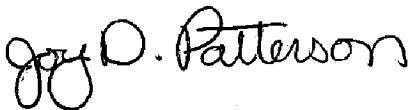
1. Size and location of the wall shall conform to the site plan submitted.
2. The applicant shall obtain all necessary building permits prior to commencing construction.

Findings of Fact-Variance:

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.
2. Granting the variance request does not constitute a use variance in that the apartments are a residential use that is permitted in the Multi-Family (R-3R) zone.
3. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that the wall will provide additional buffering of the apartment complex for the adjacent property owners and is a desire of the adjacent property owners.
4. The project is consistent with the General Plan which designates the subject site as Medium Density Residential (16-29 du/na).

Findings of Fact-Plan Review Modification:

1. The proposed project, as conditioned, is based upon sound principles of land use in that:
  - a. the vacant apartments in extreme disrepair will be remodeled and repaired and a new decorative wall will be installed around the perimeter; and
  - b. new amenities will be available.



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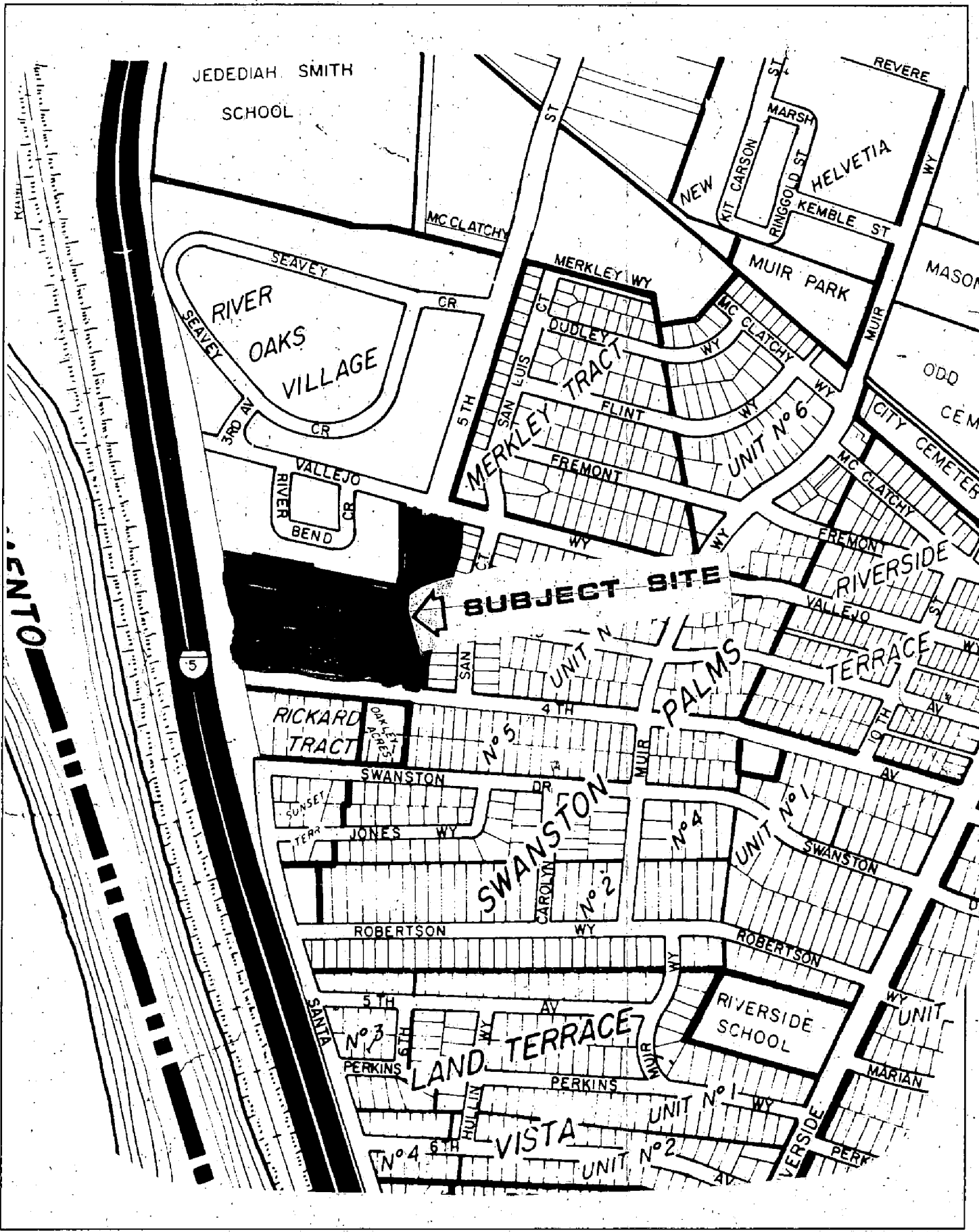
Joy D. Patterson  
Zoning Administrator

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

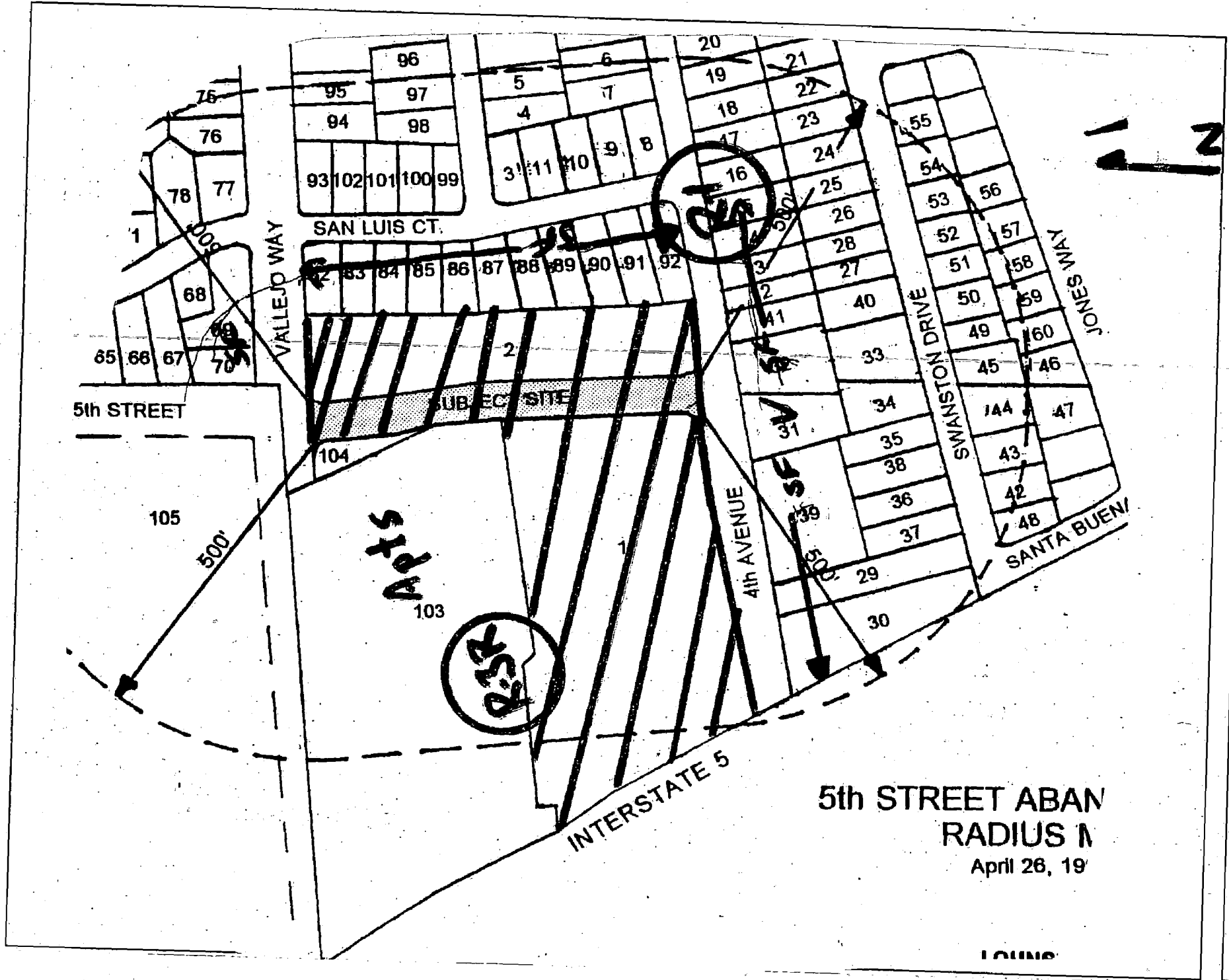
Variance which requires a Building Permit shall be deemed established when such Building Permit is secured and construction thereunder physically commenced. If no building permit is required, the use shall be deemed established when the activity permitted has been commenced.

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  
Site Conditions Unit- Wes Jigour



VICINITY MAP



5th STREET ABAN  
 RADIUS 1/4  
 April 26, 19

LOUIS

LAND USE & ZONING MAP

APRIL 26, 1967

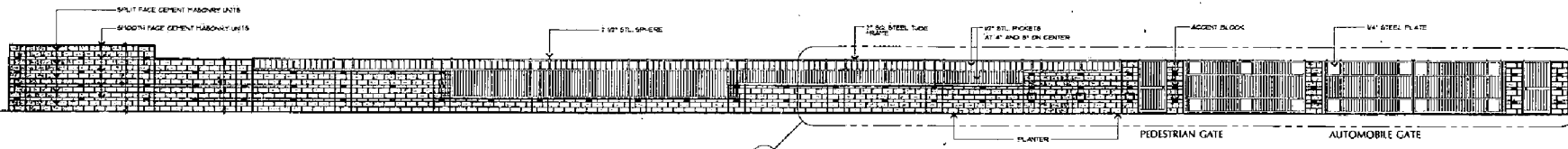
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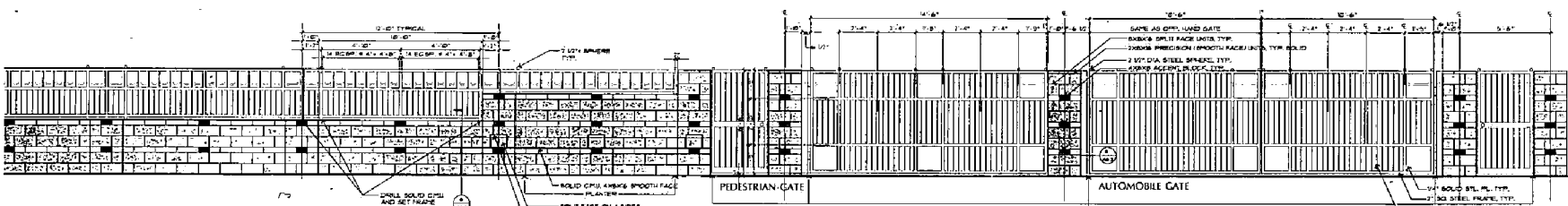
ITEM 3

APRIL 30, 1996

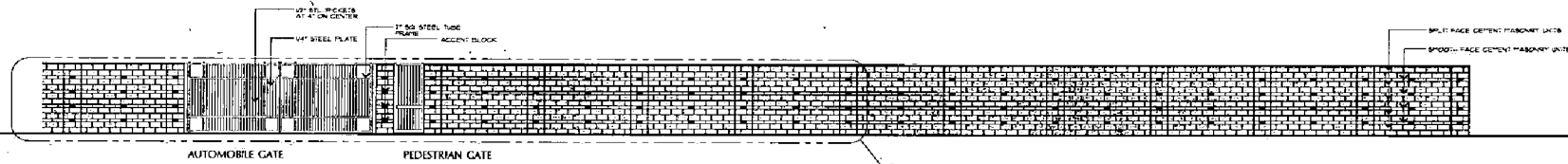
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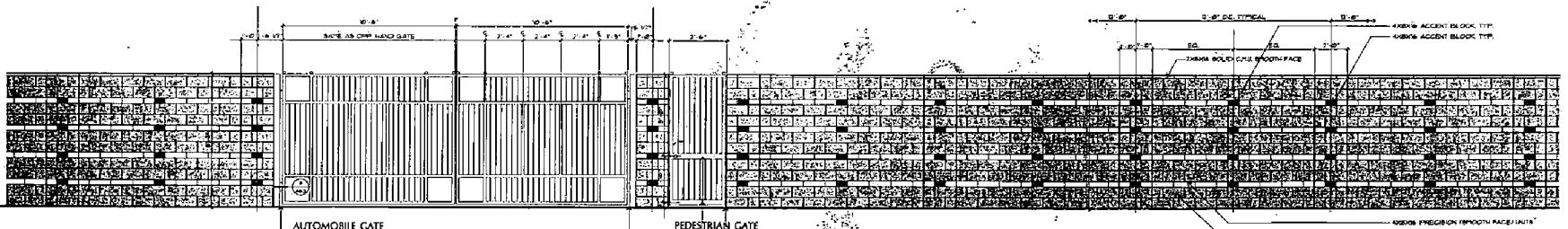
1 ELEVATION SITE BOUNDARY WALL AT VALLEJO WAY  
SCALE: 3/8\"/>



2 PARTIAL ELEVATION SITE BOUNDARY WALL AT VALLEJO WAY  
SCALE: 3/8\"/>



3 ELEVATION SITE BOUNDARY WALL AT 4TH AVENUE  
SCALE: 3/8\"/>



4 PARTIAL ELEVATION SITE BOUNDARY WALL AT 4TH AVENUE  
SCALE: 3/8\"/>

ELEVATION DETAILS  
SITE BOUNDARY  
WALL

Table with columns: DATE, PROJECT NUMBER, DRAWN BY, SCALE, REVISION, DATE, BY.

SHEET NUMBER

A 61



