

CITY PLANNING COMMISSION

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

APPLICANT Sharon L. Caudle, 1713 41st Street, Sacramento, CA 95819
OWNER Sharon L. Caudle, 1713 41st Street, Sacramento, CA 95819
PLANS BY Sharon L. Caudle, 1713 41st Street, Sacramento, CA 95819
FILING DATE 10-31-86 **ENVIR. DET.** Exempt 15303 **REPORT BY** KMB:tc
ASSESSOR'S PCL. NO. 008-463-24

- APPLICATION:**
- A. Special Permit to construct a second residential unit on 0.11+ developed acres in the Single Family (R-1) zone.
 - B. Variance to allow conversion of a garage to living quarters.
 - C. Variance to allow tandem parking
 - D. Variance to allow a dwelling within the 15 foot rear yard setback.

LOCATION: 1713 41st Street

PROPOSAL: The applicant is requesting the necessary entitlements to demolish an existing garage and construct a second residential unit for additional family living space.

PROJECT INFORMATION:

1974 General Plan Designation: Residential
 1963 East Sacramento Community
 Plan Designation: Light Density Residential
 Existing Zoning of Site: R-1
 Existing Land Use of Site: Single Family Residence

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: Single Family; R-1	Front:	25'	22'
South: Single Family; R-1	Side(Int):	5'	5'6"
East: Single Family; R-1	Side(St):	-	-
West: Single Family; R-1	Rear:	15'	6'9"

Parking Required: Two spaces
Parking Provided: Two tandem spaces
Property Dimensions: 50' x 96.2
Property Area: 0.11+ acres
Density of Development: 18 d.u. per acre
Square Footage of Building: 344 square feet
Height of Building: 12 feet
Topography: Flat
Street Improvements: Existing
Utilities: Existing
Exterior Building Materials: Stucco
Roof Materials: Existing Unit: Tile
 New Unit: Tile on edges, asphalt shingles in matching color on the rest of the roof.

PROJECT EVALUATION

- A. Land Use and Zoning: The subject site consists of a 50' x 96', .11 acre lot developed with a single family residence and a detached garage. The site is zoned R-1, and is designated "Residential" by both the General Plan and 1963 East Sacramento Community Plan. The surrounding area is also zoned R-1 and developed with single family residences.
- B. Project Description: The applicant is requesting a Special Permit to demolish an existing garage and to construct a 344 square foot second residential unit over area presently occupied by the garage. This proposal necessitates a request for three variances:
1. to allow conversion of a garage to living quarters,
 2. to allow tandem parking, and
 3. to allow a dwelling within the 15 foot rear yard setback.

The second unit is designed to be compatible with the existing residence, and is intended for use by the applicant's daughter.

- C. Conversion of Garage to Living Quarters: Section 2E (26)(i) of the Zoning Ordinance provides that a "dwelling or mobile home must have an enclosed garage (either attached or detached) if more than 50% of other dwellings or mobile homes located within one thousand (1,000) feet, measured structure to structure, have enclosed garages." Through a field check conducted by staff, it was determined that nearly all houses within the 1,000 foot radius had enclosed garages. The existing house on the subject site is, therefore, required to retain the existing garage and staff does not support a variance to allow demolition of the garage in order to provide area for a second residential unit of the six previous second residential projects reviewed that were located on an interior lot in the R-1 zone, four retained a two car garage and two built a new two car garage. One other project was located in the C-2 zone, and the last project (of eight reviewed) was located on a corner lot in the R-1 zone, where duplexes are permitted by right and are not required by Section 2E (26)(i) to have a garage if more than 50% of the dwellings within 1,000 feet have garages.
- D. Parking: Section 6C(a)(b)(1) of the Zoning Ordinance states that "off-street parking facilities shall be designed so that each parking space can function independently of any other parking space." Tandem parking does not meet this requirement, thus staff cannot support a variance to allow tandem parking

A side-by-side parking arrangement is also undesirable in this case. There is only 15 feet from the side of the existing residence to the southern property line, and 16 feet is necessary (or 15 1/2 for one regular and one compact car space). This option would also require that existing landscaping be removed in order to pave all the way to the southern property line. Of the eight previous second residential unit projects reviewed, all were able to provide adequate parking which met City parking standards.

- E. Rear Yard Setback: A dwelling in the R-1 zone has a required 15 foot rear yard setback. The applicant proposes to provide 6'9", which is the existing setback of the garage which is to be demolished. Of the six previous second residential unit projects located on interior lots in the R-1 zone, all were able to retain the required 15 foot rear yard setback. The other project located in the R-1 zone, which was located on a corner lot, was granted a variance to reduce to rear yard setback to five feet. Staff does not support a variance to reduce the rear yard setback for an interior lot in the R-1 zone to 6'9".
- F. Secondary Residential Unit Criteria/Size of Lot: Staff recognized that two units are allowed by right on a corner lot, but that a Special Permit is necessary to develop a second unit on an interior lot. Ordinance 83-075 states that a special permit shall not be granted for a second residential unit unless the following five criteria are met:
1. The architecture is compatible with that of the main residential unit;
 2. parking requirements of the Zoning Ordinance shall be complied with for the additional unit;
 3. the height, lot coverage and set back requirements are met;
 4. the area of the second residential unit will not exceed 640 square feet; and,
 5. the second residential unit will comply with those conditions established by the Planning Commission to mitigate any adverse impact on neighboring residence.

Staff finds that criteria 2 and 3 above will not be met, and thus cannot support the request for a Special Permit. All other requests for a Special Permit to construct a second residential unit were able to meet all five criteria, with the exception that one project was incompatible in design. This was a mobile home, and the Permit was conditioned to only allow the unit for three years.

Staff feels that the subject site is simply too small to accommodate a second residential unit as proposed and comply with zoning regulations. Similar past projects located on an interior lot in the R-1 zone had lot depths of 135' to 158'. These projects have been able to comply with setbacks, some by going to a two-story structure or adding directly on to an existing structure. Approval of the subject project would set an undesirable precedent of allowing demolition of existing garages and construction of secondary units that do not meet setbacks nor parking requirements.

- G. Agency Review: This project was sent for review to Traffic Engineering, the Water Division, and the East Sacramento Improvement Association, and the following comment was received:

Traffic Engineering - No objections provided occupancy is limited to immediate relative of occupant of main house or a domestic employee of same.

ENVIRONMENTAL DETERMINATION

This project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15303).

RECOMMENDATION

Staff recommends that the Commission take the following action:

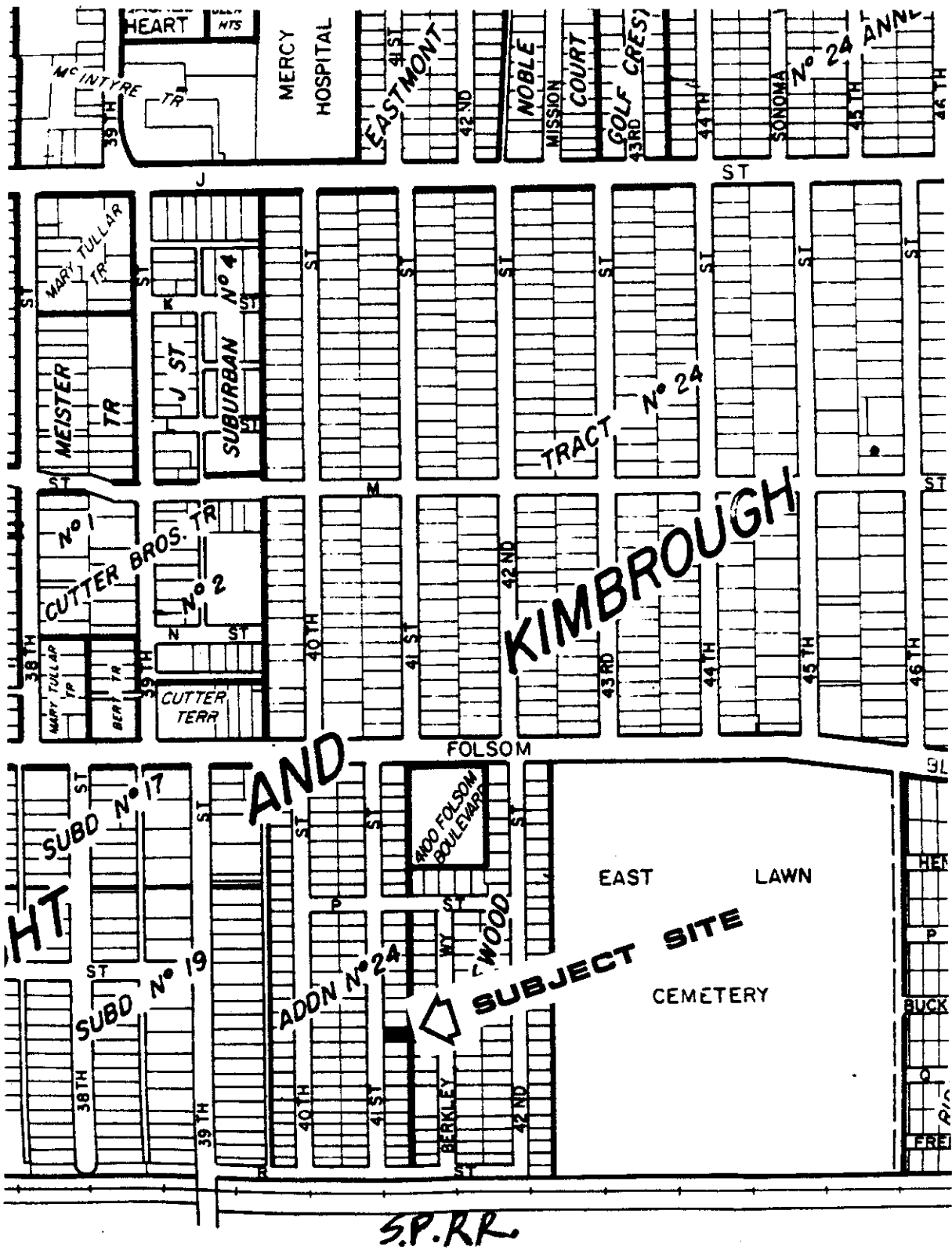
- A. Deny the Special Permit based on the Findings of Fact which follow:
- B. Deny the Variance to allow conversion of a garage to living quarters based on Findings of Facts which follow:
- C. Deny the Variance to allow tandem parking based on Findings of Fact which follow:
- D. Deny the Variance to allow a dwelling within the 15 foot rear yard setback based on Findings of Fact which follow:

Findings of Fact - Special Permit

1. The project is not based on sound principles of land use, in that:
 - a. there is insufficient area on the subject parcel to accommodate a detached second residential unit while meeting zoning requirements,
 - b. the proposed use would alter the single family residential character of the neighborhood by locating dwellings more closely than provided for by zoning requirements.
2. The project would be detrimental to the public health, safety and welfare, in that:
 - a. a precedent would be set to allow demolition of necessary parking garages in order to construct second residential units, which could lead to significant density increases and parking shortages in single family areas.

Findings of Fact - Variances

1. Granting the variances would constitute a special privilege extended to an individual applicant, as a variance would not be granted to other property owners facing similar circumstances, and there is no hardship nor unusual circumstances involved to support the request.
2. Granting the variances would be injurious to the public health, safety and welfare, in that inadequate setbacks and parking would change the single family character of the area.

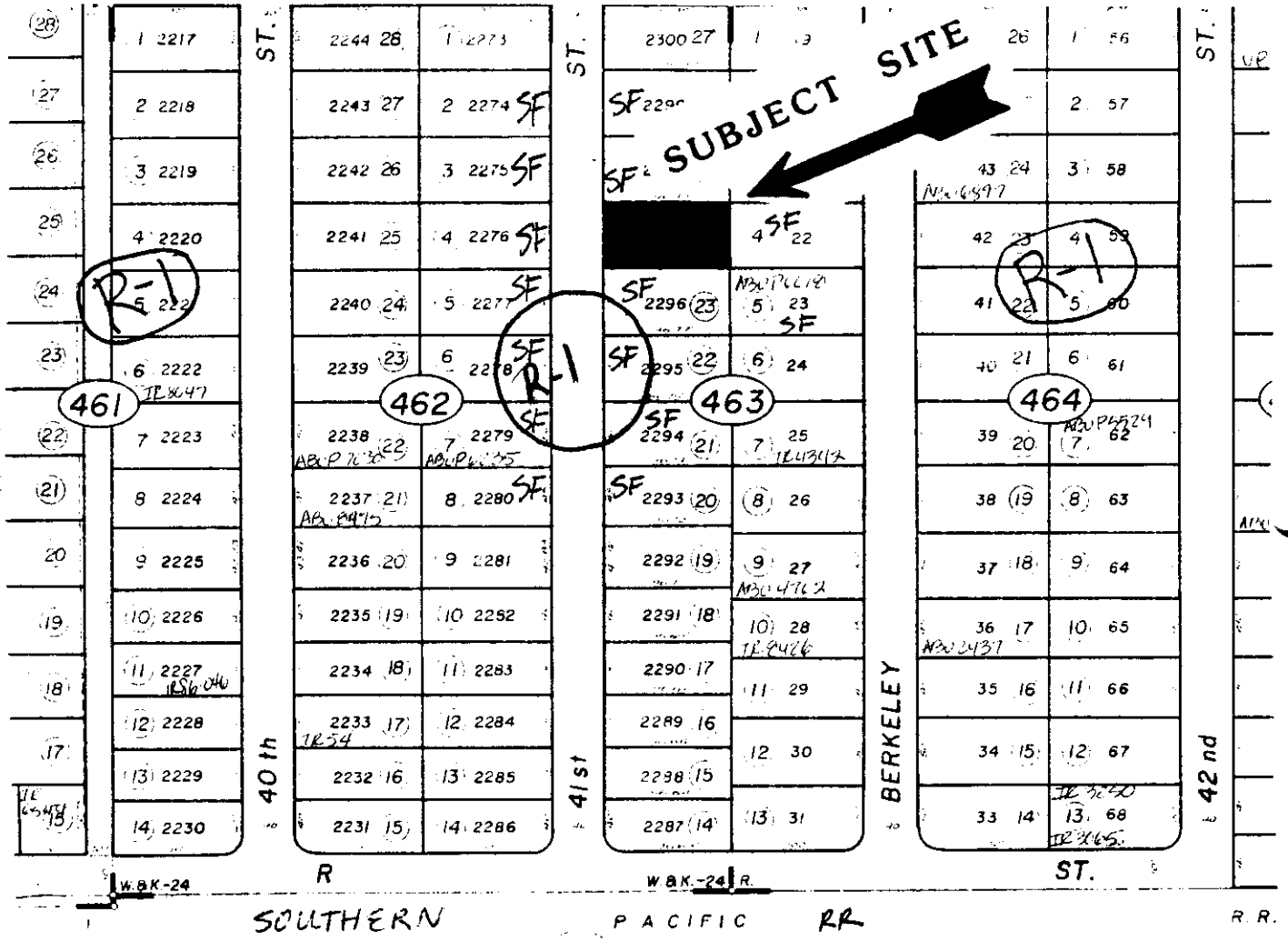


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VICINITY MAP

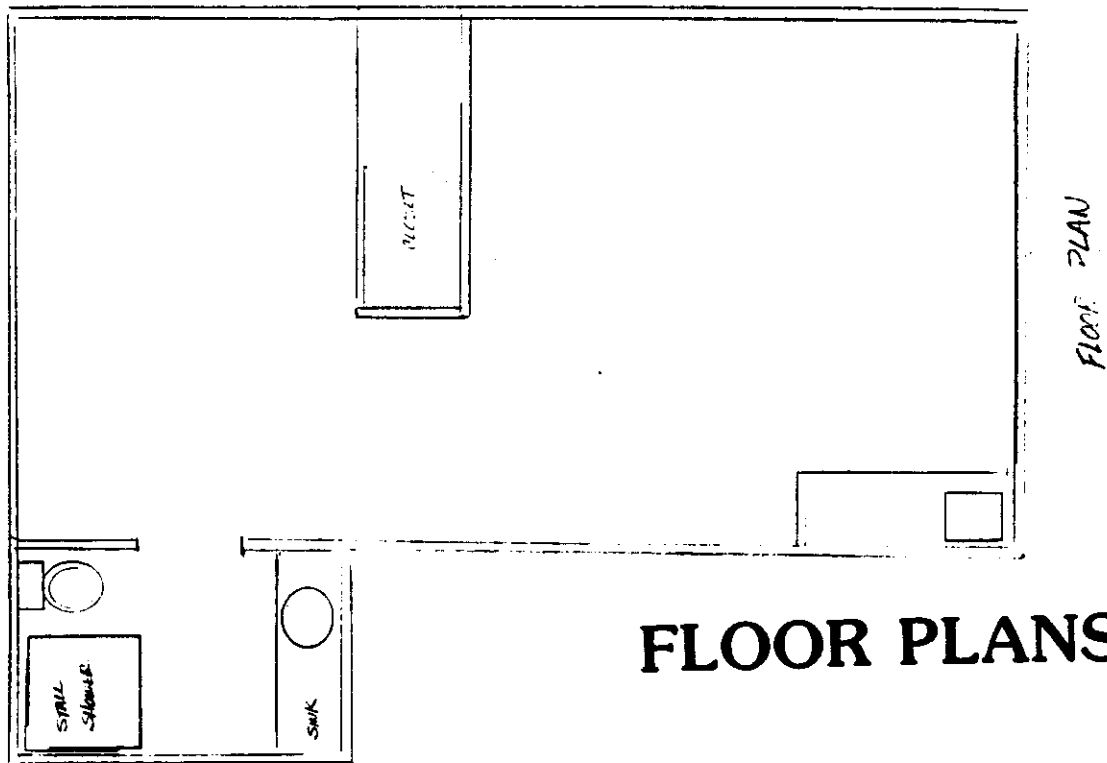


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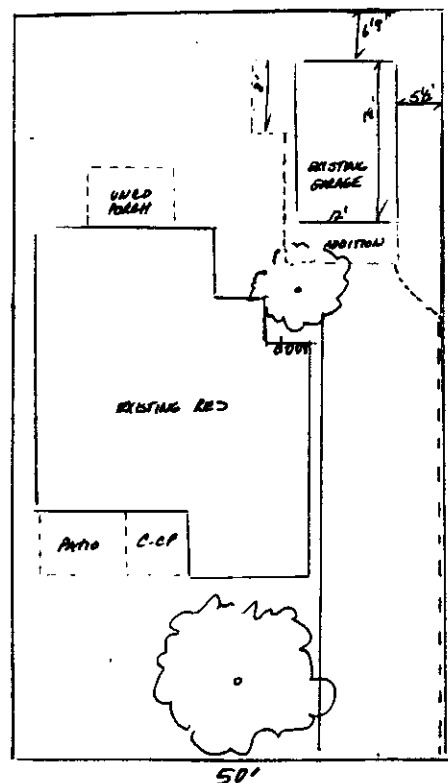
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LAND USE & ZONING MAP



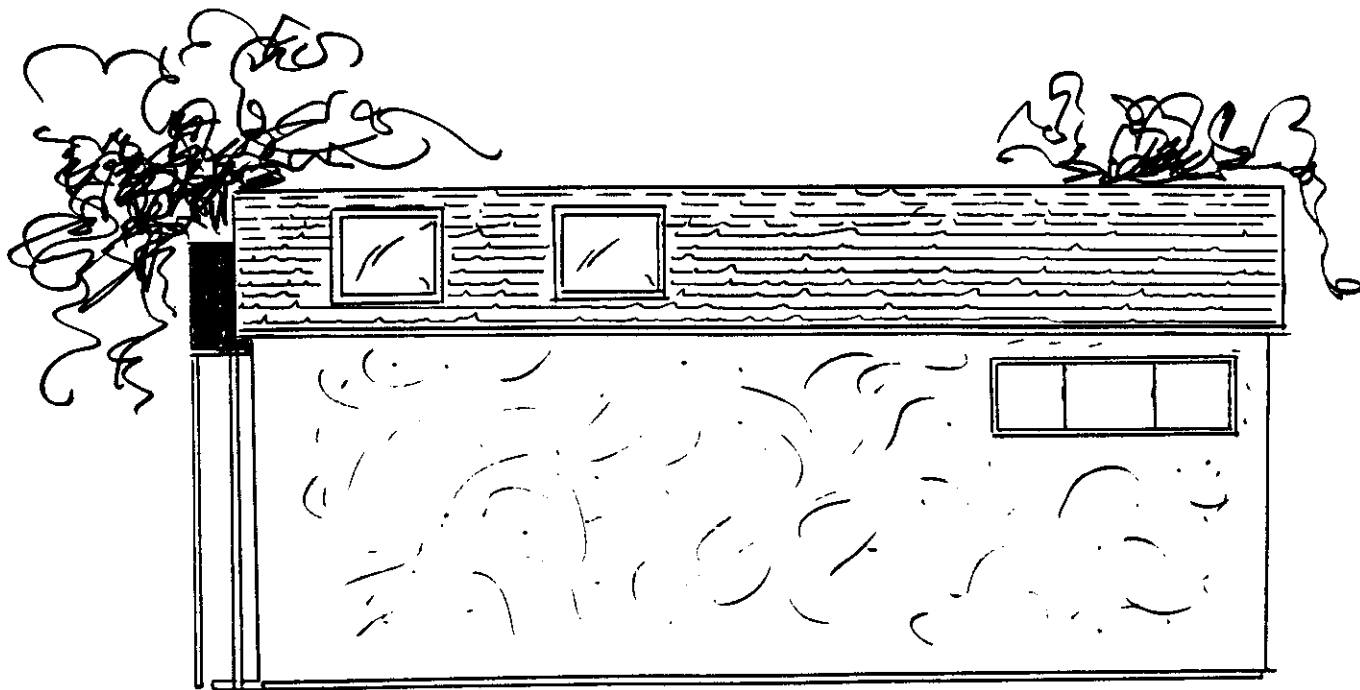
FLOOR PLAN

FLOOR PLANS

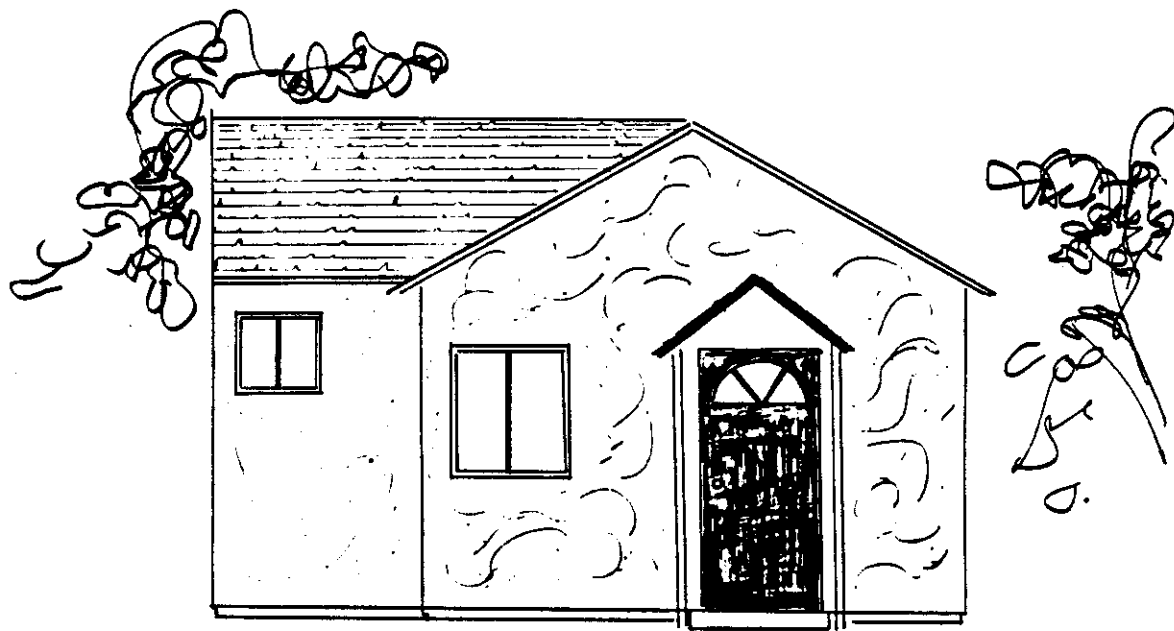


SITE PLAN

SITE PLAN



SOUTH SIDE ELEVATION



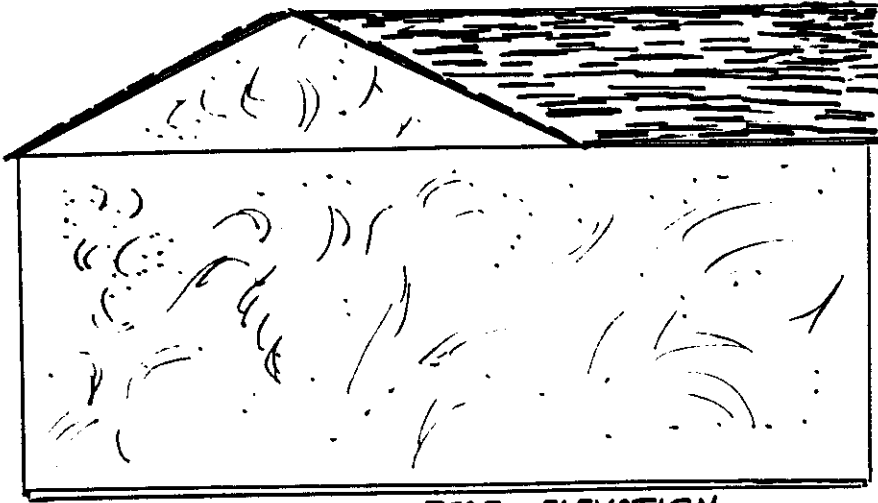
FRONT ELEVATION

ELEVATIONS

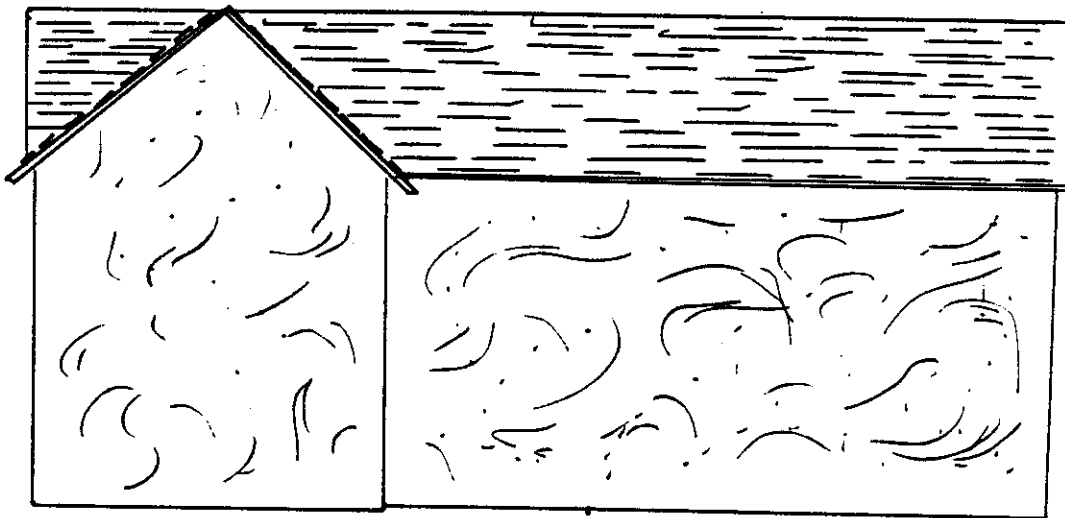
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REAR ELEVATION



NORTH SIDE ELEVATION

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