

PLANNING DIRECTOR'S VARIANCE

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

APPLICANT	Joseph Rendon, 4390 Ardwell Way, Sacramento, CA 95823		
OWNER	Joseph Rendon, 4390 Ardwell Way, Sacramento, CA 95823		
PLANS BY	Joseph Rendon & Holcomb Pools, 3992-14th Ave., Sacramento, CA 95820		
FILING DATE	9-2-83	50 DAY CPC ACTION DATE	REPORT BY: JP:bw
NEGATIVE DEC.	N/A	EIR	ASSESSOR'S PCL. NO. 119-321-01

APPLICATION: Planning Director's Variance to encroach 11.5 feet into the required 12.5 street side yard setback to construct a six-foot high red wooden fence.

LOCATION: 4390 Ardwell Way (P83-293)

PROPOSAL: The applicant is requesting the necessary entitlements to construct a fence in the street side yard setback to enclose a spa and pool equipment.

PROJECT INFORMATION:

1974 General Plan Designation: Residential
1968 Valley Hi 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:

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

Property Dimensions: 120' x 75'
Property Area: 9,000 square feet
Street Improvements/Utilities: Existing

STAFF EVALUATION: The subject site is a 9,000 square foot corner lot in the Single Family (R-1) zone. In August of 1983 the applicant was issued a building permit to locate a spa and pool equipment on the subject site. A portion of the pool equipment was erroneously approved for construction in the required street side yard setback area. The applicant is required by law to build a fence to enclose the spa and future pool area, and is requesting a Planning Director's Variance to place the fence in the required street side yard setback.

The applicant proposes to construct a six-foot high redwood fence three feet from the interior of the existing sidewalk and one foot from the right-of-way line (Exhibit A). The Zoning Ordinance, however, stipulates that a fence over three feet in height cannot extend into the required street side yard setback. As the pool equipment has been already constructed in the setback area and would be difficult to remove, staff recommends that the applicant construct the fence approximately six feet from the side of the house and approximately nine feet from the street right-of-way line (12± feet from the sidewalk) (Exhibit B). This would give the applicant access to the pool equipment while still maintaining a substantial street side yard setback area.

002223

STAFF RECOMMENDATION: Staff recommends approval of the variance to construct a six-foot high fence in the required street side yard setback, subject to the following conditions:

1. The applicant shall construct the fence approximately nine feet from the right-of-way line, directly east of the existing trench for the gas line as shown in Exhibit B.
2. The area between the interior edge of the sidewalk and the fence shall be planted in low ground cover or other landscaping.

Findings of Fact

- a. The variance, as conditioned, does not constitute a special privilege extended to one property owner in that the variance would be granted to other property owners facing similar circumstances;
- b. The variance does not constitute a use variance in that swimming pools and spas are allowed in the rear yards of single family residences in the R-1 zone;
- c. The proposal, as conditioned, will not be injurious to the general public or surrounding properties in that:
 - 1) a sufficient street side yard setback shall be maintained so as not to obscure traffic visibility;
 - 2) the street side yard setback area will be landscaped.
- d. The variance is consistent with the 1974 General Plan and the 1968 Valley Hi Community Plan which designate the site for residential use.

REPORT PREPARED BY:



Joy Patterson, Planner

RECOMMENDATION APPROVED:



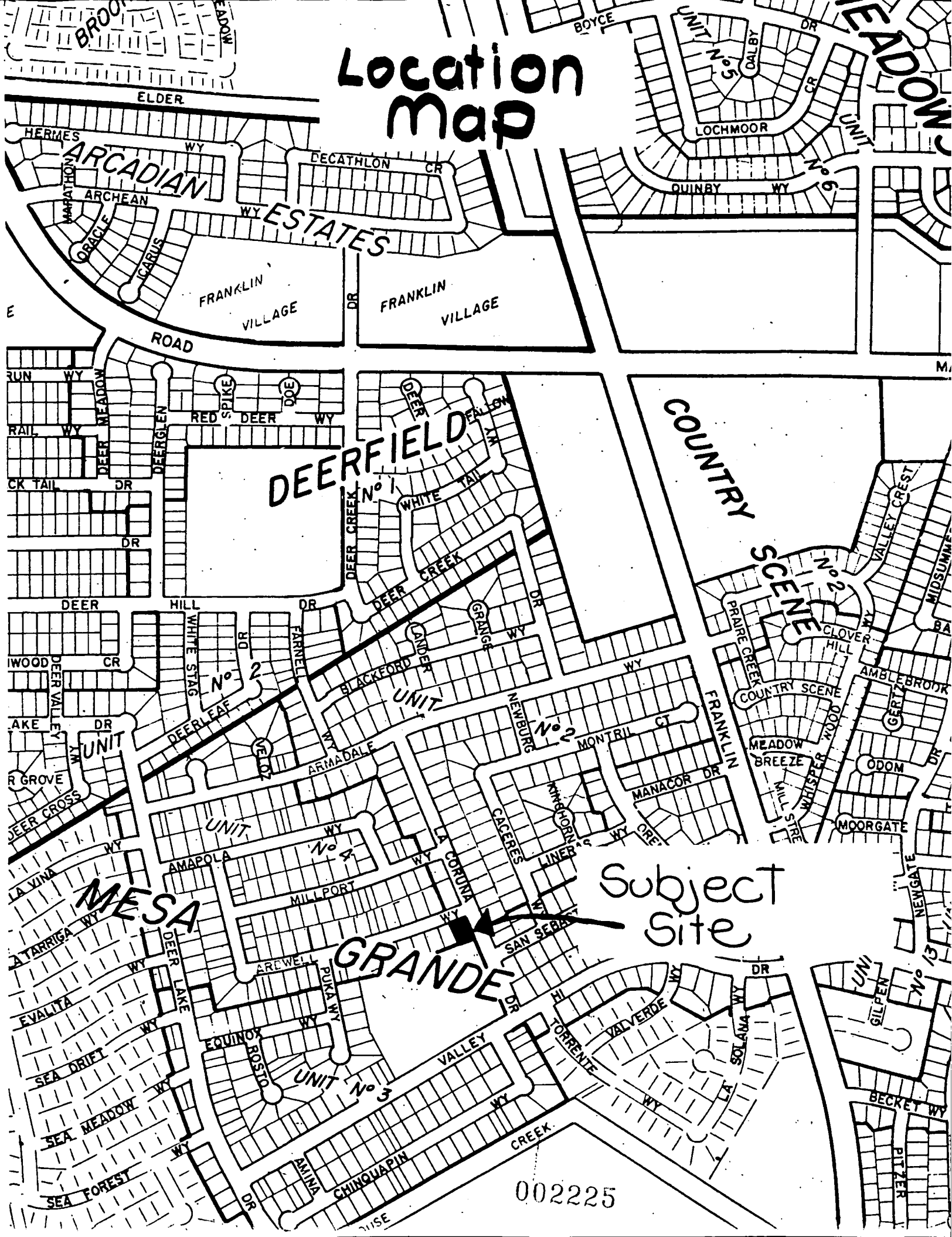
Marty Van Duyn, Planning Director

JP:bw

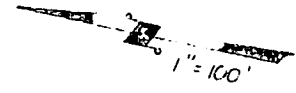
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Location Map



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POR. SECS. 8 & 17, T. 7 N., R. 5 E. (3)

KINGHORN CT.

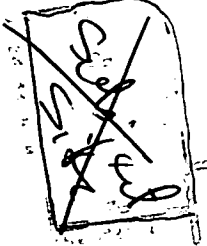
(30)

LINERAS

CACERES

ARDWELL WY

(37)



(321)

KINGHORN WY

(323)

SEBASTIAN

(07)

002227

DR.

VALLEY

HI

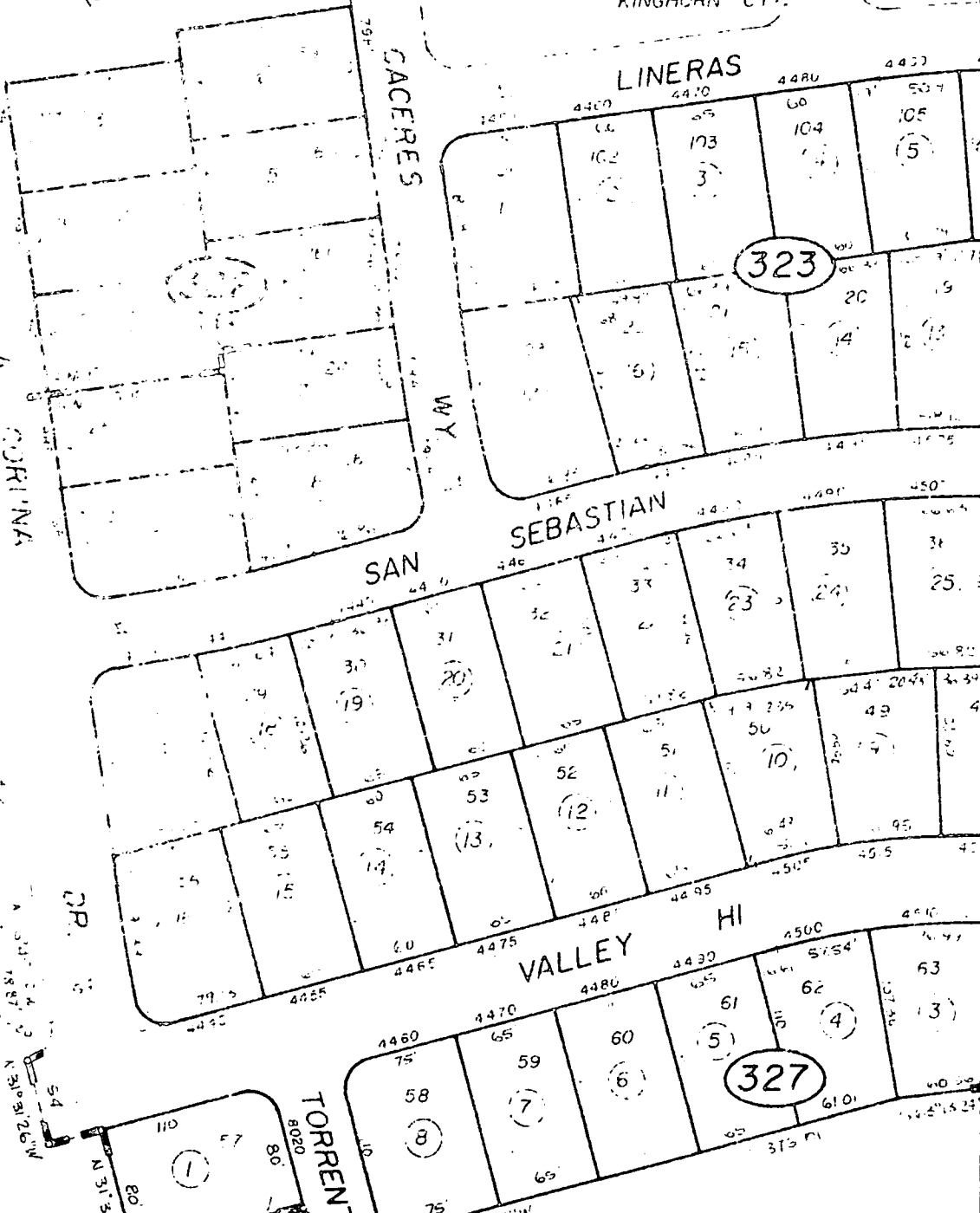
54' N 31° 31' 20" W

TORRENT

(327)

80' N 31° 3'

(1)



119-30



(31)



(32)

002228

(37)

12.5' sideyard setback

Low Planting

Interior Edge of Sidewalk

3'-0"

GAS 42L
6' FT Redwood FENCE

Future Pool

RESIDENCE

6'-0" 50'

Exhibit A

002229

DETAIL A - SUGS

2" SUCTION
1 1/2" SWEEP LINE

OWNER	AS
1. To determine approximate elevation of soil on date of installation.	1.8' 3.23

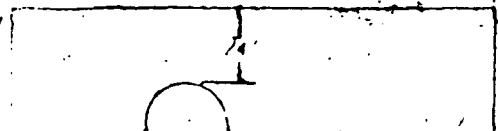
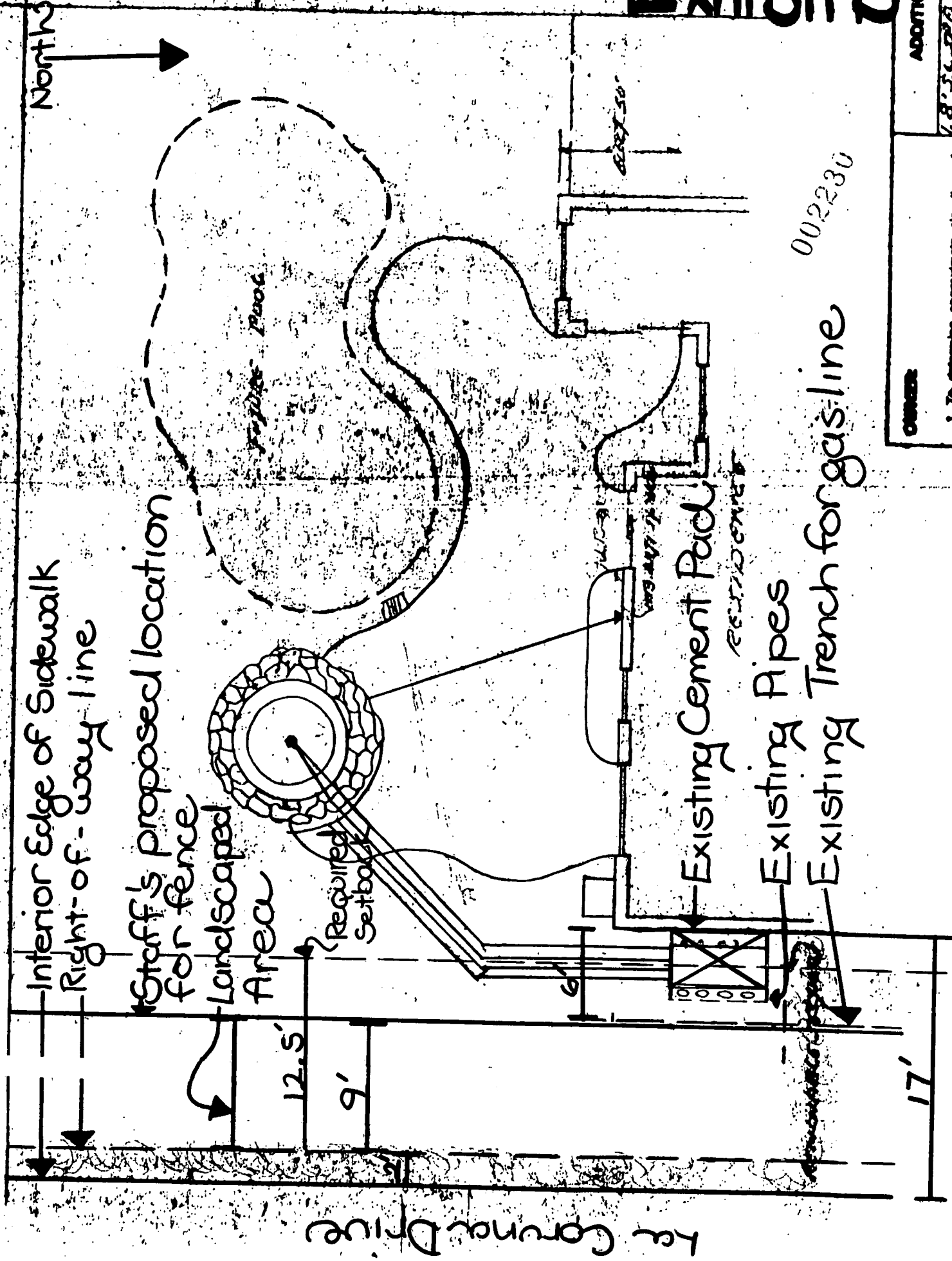


Exhibit B



ADDITIONAL N
 7-8-52-5079 V-8
 1 To describe approximate location of

Lee Cornua Drive

Sidewalk

Easement

Future Pool

RESIDENCE

Existing Pool Equipment and Spa

(August 1983)

DESIGN NOTES

- 1. SECTION
- 2. RETRACTION
- 3. CONDUIT

002231

OWNER:

ADDN

- 1. To determine approximate location of pool on day of installation.
- 2. Pool is to be located per county or city ordinances. Owner to be satisfied with all markings.
- 3. This design concerns pool of liquid. Pools shall be 7 days. Do not use on and how.

18'5" 031	ADDN
1986. 1.1	
1986. 1.1	
1986. 1.1	