

In the matter of the decision of the City)
Planning Commission to approve a variance)
to construct a deck addition into the)
rear yard and side yard setback in the)
R-1 zone at 2541 10th Avenue (P87-331))

NOTICE OF DECISION
AND
FINDINGS OF FACT

At its regular meeting of September 10, 1987, the City Planning Commission indicated an intent to approve the variance based upon documentary and oral evidence presented at the meeting and upon the Conditions and Findings of Fact which follow:

CONDITIONS

1. The applicant shall install wooden louvers (screen wall) on the raised deck to provide screening onto adjacent properties.
2. The applicant shall provide a large tree for the adjacent owner's property. Size and location of the tree shall be reviewed and approved by the Planning Director.
3. The applicant shall install the wooden louvers and provide the tree within 30 days or by October 24, 1987.
4. The applicant shall obtain a City building permit for the raised deck and lower addition.
5. The applicant shall record the above conditions on the deed of the subject parcel in the County Recorders Office. Proof of this recordation shall be submitted to the Planning Director.

FINDINGS OF FACT:

1. Granting the variance does not constitute a special privilege extended an individual applicant, in that:
 - a. the property does not have a usable rear yard area (10' rear yard setback);
 - b. the raised deck provides an outdoor living area;
 - c. other properties with similar circumstances (reduced rear yard) would also warrant approval of a variance.
2. Granting the variance does not constitute a use variance in that additions to single family homes are permitted in the R-1 zone.
3. Granting the request as conditioned will not be injurious to public welfare or property in the vicinity in that:
 - a. privacy for the adjacent neighbors will be retained with the addition of a louvered screening element to the raise deck and installation of a large tree;

- b. the design of the raised deck will be compatible with surrounding dwellings.
- 4. The variance is compatible with the 1974 General Plan which designates the site for residential use.

Approved by the Planning Commission
on September 24, 1987 for the
September 10, 1987 City Planning
Commission Meeting.

CHAIRPERSON