

PLANNING DIRECTOR'S VARIANCE

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

APPLICANT	Dennis N. Scott, 719-37th Street, Sacramento, CA 95816		
OWNER	Dennis N. Scott, 719-37th Street, Sacramento, CA 95816		
PLANS BY	Dennis N. Scott, 719-37th Street, Sacramento, CA 95816		
FILING DATE	3-14-84	50 DAY CPC ACTION DATE	REPORT BY: JP:bw
NEGATIVE DEC	Ex. 15205(a)	EIR	ASSESSOR'S PCL. NO. 004-282-18

- APPLICATION:
1. Planning Director's Variance to exceed the 25 percent maximum rear yard setback area coverage for a 510± square foot detached accessory structure (Sec. 5-B-9);
  2. Planning Director's Variance to reduce the required six-foot setback between the main building and an accessory structure to five feet (Sec. 5-B-5) (P84-107)

LOCATION: 719-37th Street

PROPOSAL: The applicant is requesting the necessary entitlements to replace an existing 288± square foot detached garage with a 510± square foot detached garage.

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:	Residential

Surrounding Land Use and Zoning:

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

Property Dimensions:	50' x 113'±
Property Area:	6,650± square feet
Square Footage of Proposed Garage:	510±
Significant Features of Site:	Existing deck built in portion of side and rear yard setback areas
Exterior Building Colors:	Tan w/brown trim to match existing residence
Exterior Building Materials:	Wood siding and composition shingles

STAFF EVALUATION: Staff has the following comments regarding this proposal:

1. The subject site is a 5,650± square foot interior parcel located in the Single Family (R-1) zone. A single family residence is located on the site, with a 288± square foot detached garage. In April of 1981 the applicant obtained a building permit to construct 512± square feet of decking and attach it to the rear of the residential structure. One hundred sixteen (116±) square feet of this decking encroaches into the 15-foot rear yard setback and covers 15.5 percent of this required setback area (Exhibits A and B).

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2. The applicant proposes to remove the existing garage, currently in a state of disrepair, and replace it with a 510 square foot, two-car garage (Exhibits C and D). One hundred eighty-seven (187±) square feet, or 25 percent of this structure will be located in the required 15 foot rear yard setback area. The area covered by the proposed garage, in addition to the area covered by the existing decking, exceeds the 25 percent maximum required rear yard coverage allowed accessory structures by 15.5 percent. The applicant, therefore, is requesting a variance to exceed the maximum 25 percent rear yard setback area coverage for an accessory structure. The proposed garage will also come within five feet of the attached deck, and a variance is requested to reduce the required six-foot setback between the two structures to five feet.
3. Staff checked with the Building Division regarding building code requirements for decks. A detached deck up to 30 inches high and at least two inches away from the main structure does not require a building permit. Decks over 30 inches high and decks attached to the main building on the site are required to have building permits. No deck is to be constructed in any required setback areas. In April of 1981 the applicant obtained building permits for an attached patio deck and hot tub (Exhibits E and F). A portion of this deck was constructed, as per submitted plans, in the required rear and side yard setback areas.
4. Staff can find no justification to approve the requested variances. There is sufficient area on the subject site to construct a new garage large enough for one vehicle that also meets setback and lot coverage requirements (Exhibit G). The applicant, however, prefers a 17-foot wide, 510 square foot garage so that there is room for two vehicles and storage space. A garage of this size is also possible if the applicant removes the decking erroneously approved in the required rear yard setback area and removes a foot from the existing 30-inch high deck (Exhibit H). Staff, therefore, recommends denial of the variance requests.

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

STAFF RECOMMENDATION: Staff recommends denial of the variance requests, based upon Findings of Fact which follow:

Findings of Fact

- a. Staff cannot find, nor has the applicant presented, any unusual circumstances to warrant justification for approval of the variances;
- b. The proposed variances constitute a special privilege extended to one individual property owner in that a detached garage can be constructed on the subject site which meets setback and lot coverage requirements.

REPORT PREPARED BY:

Joy D. Patterson  
Joy D. Patterson, Assistant Planner

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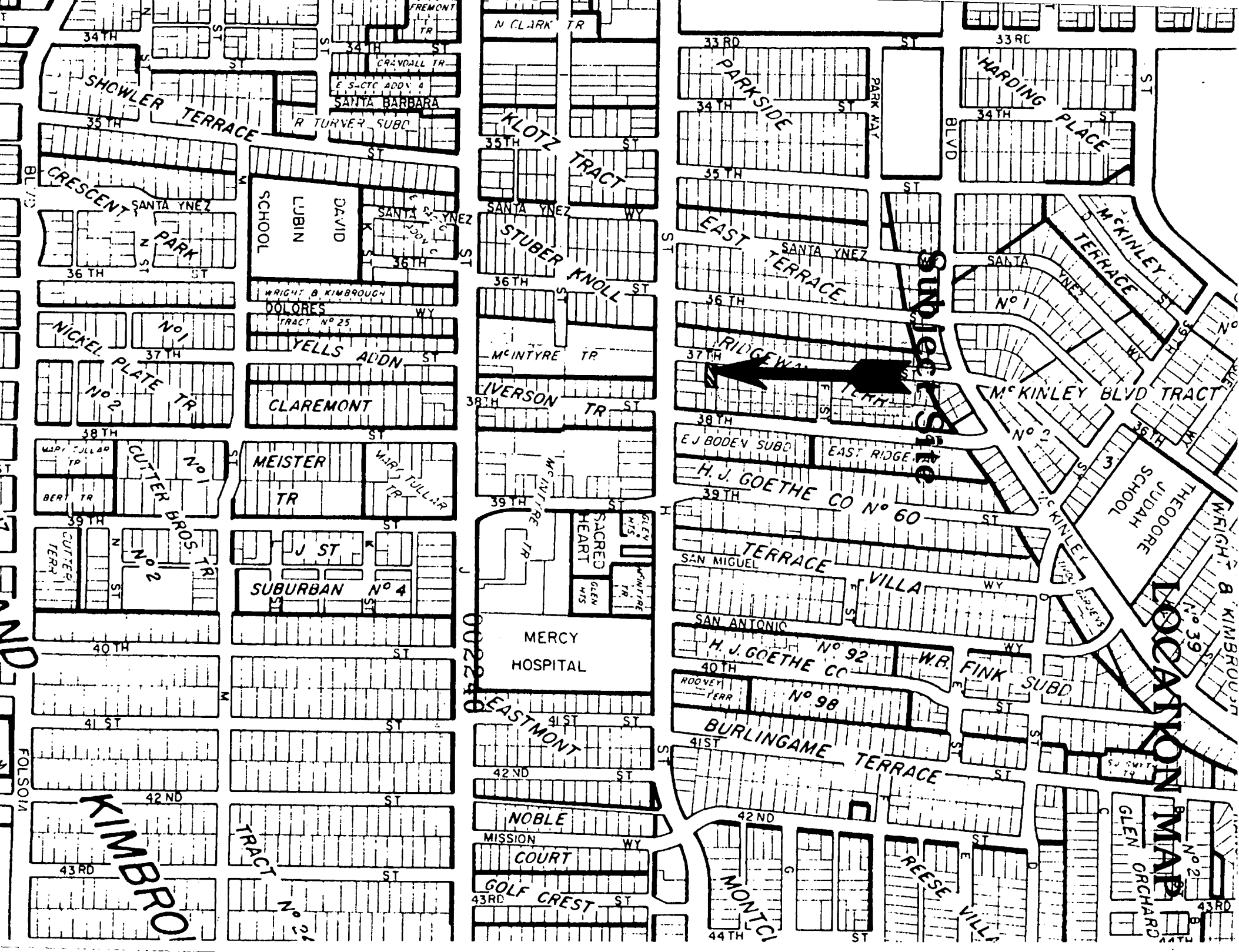
RECOMMENDATION APPROVED:

Marty Van Duyn  
Marty Van Duyn, Planning Director

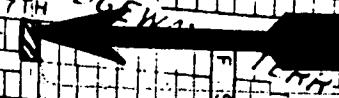
4/27/84  
Date Approved

JDP:bw

P84-107



Subject Site



LOCATION MAP

SHOWLER TERRACE

CRESCENT PARK

NICHEL PLATE TR

CUTTER BROS TR

CUTTER TR

40TH

41ST

42ND

SCHOOL LUBIN DAVID

WRIGHT B KIMBROUGH DOLORES TRACT NO 25 YELLS ADDN

CLAREMONT

MEISTER TR

SUBURBAN NO 4

42ND

43RD

N CLARK TR

KLOTZ TRACT

STUBER KNOLL

MCINTYRE TR

IVERSON TR

SACRED HEART

MERCY HOSPITAL

EASTMONT

43RD

PARKSIDE

EAST TERRACE

RIDGEWAY

H. J. GOETHE CO NO 60

TERRACE

H. J. GOETHE CO NO 92 NO 98

BURLINGAME TERRACE

42ND

44TH

HARDING PLACE

33RD

34TH

35TH

36TH

37TH

38TH

39TH

40TH

33RD

34TH

35TH

36TH

37TH

38TH

39TH

40TH

41ST

BLVD

FOLSOM

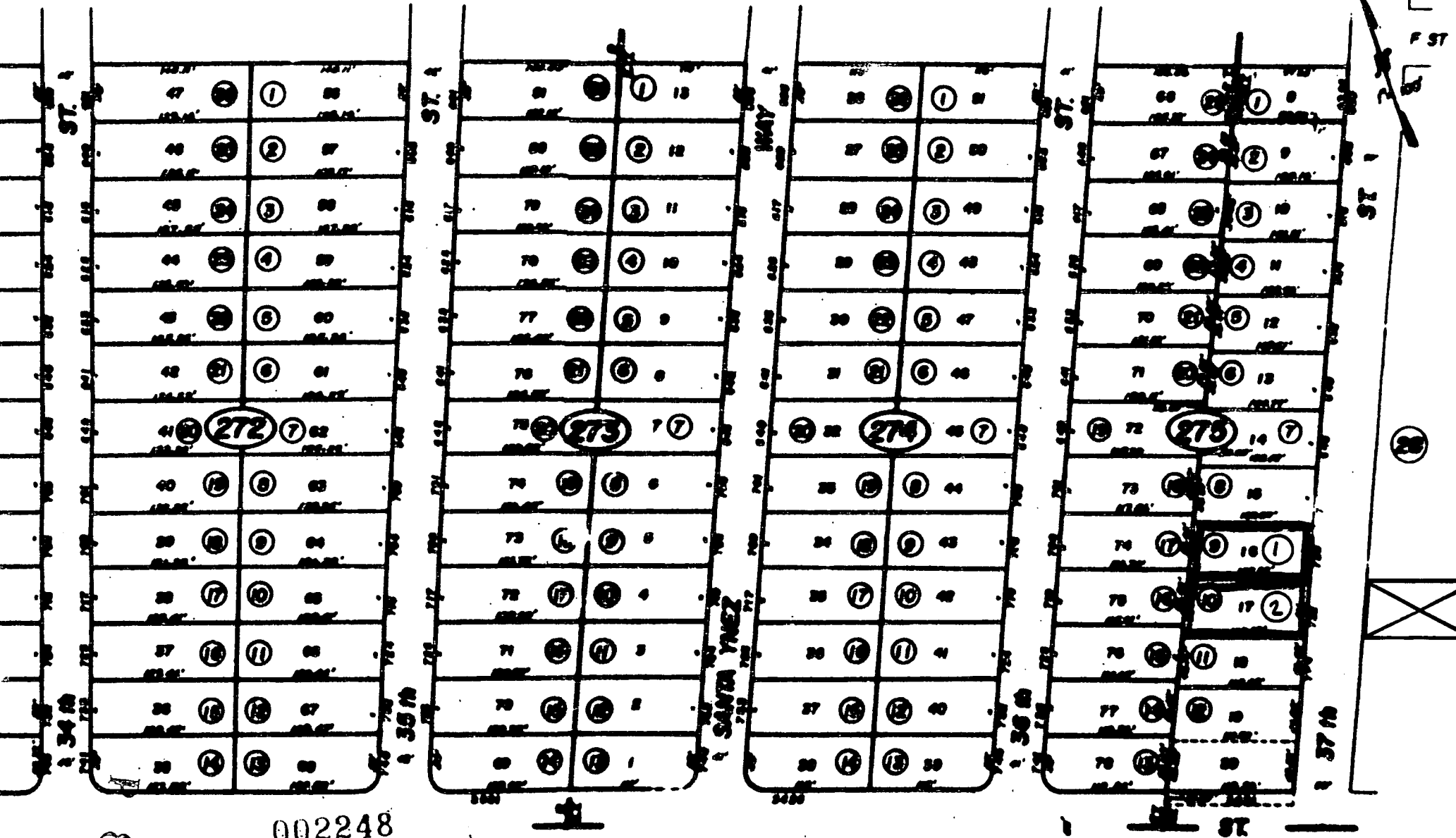
KIMBRO TRACT NO 2

GLEN ORCHARD

WRIGHT B KIMBROUGH



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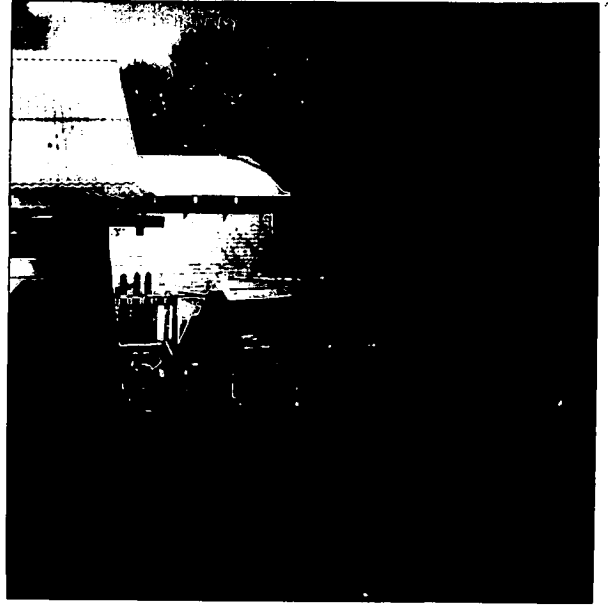
(Bk. 7)

CITY OF SACRAMENTO  
 Assessor's Map Bk. 4 p. 27  
 County of Sacramento, Calif.

# EXHIBIT B



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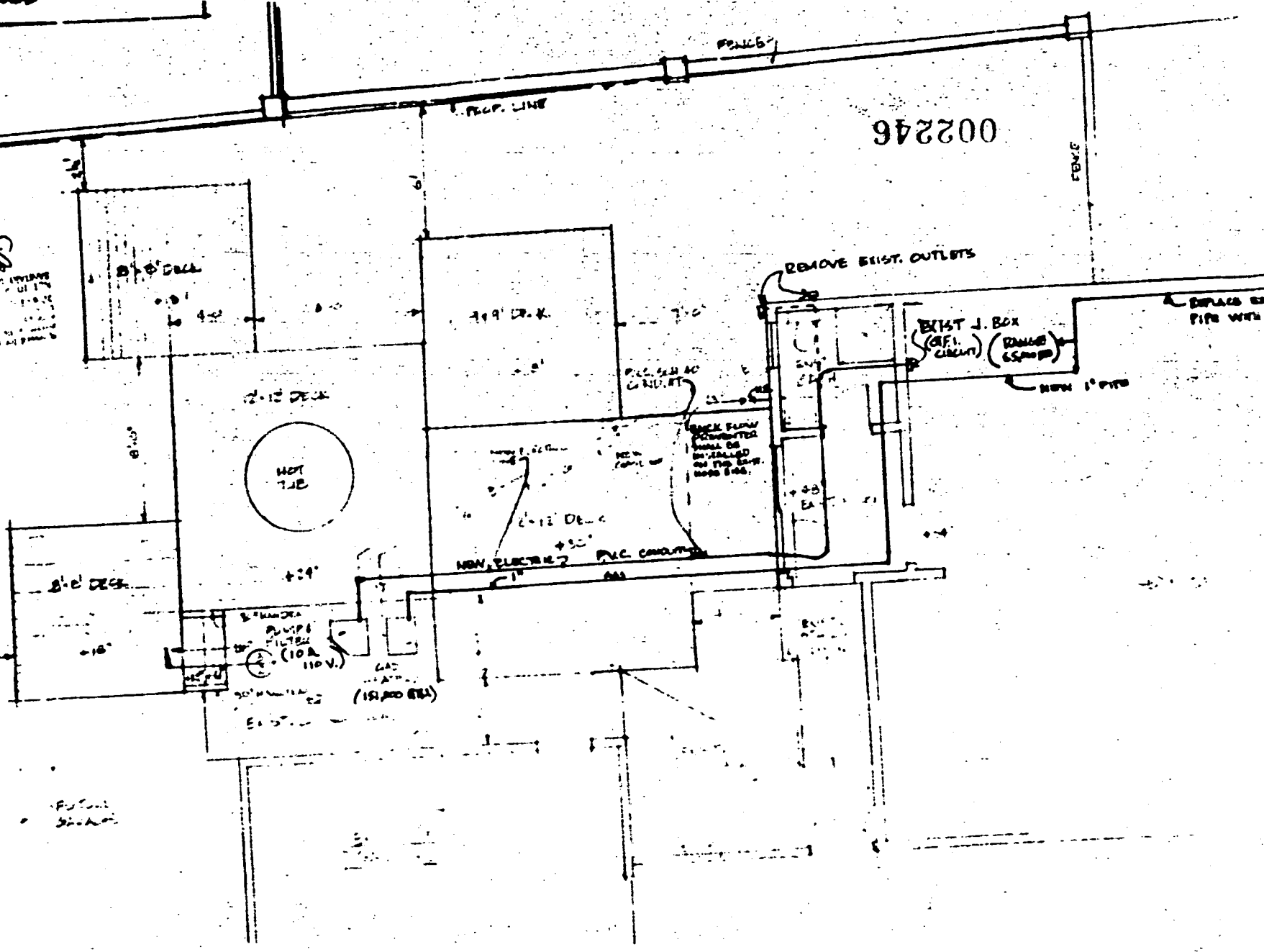




EXHIBIT

002246

NO WORK ON SITES  
UNLESS THE  
OWNER HAS  
APPROVED THE  
WORK AND THE  
OWNER HAS  
SIGNED THE  
PERMIT



FOOT  
SCALE



