

CITY PLANNING COMMISSION
 1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT <u>Catherine W. Shephard, P.O. Box 1925, Sonoma, California 95476</u>		
OWNER <u>Catherine W. Shephard, et al, P.O. Box 1925, Sonoma, California 95476</u>		
PLANS BY <u>Varney Land Surveys, 2285 66th Avenue, Sacramento, California 95822</u>		
FILING DATE <u>July 9, 1992</u>	ENVIR DET <u>Exempt 15303a & 15305a</u>	REPORT BY <u>Cindy Gnos</u>
ASSESSOR'S PCL. NO. <u>015-0123-029</u>		

- APPLICATION:**
- A. Special Permit for a deep lot development and to reduce the minimum lot area required from 7,700 square feet to 7,680 square feet to allow two existing units on 0.17± developed acres in the Standard Single Family (R-1) zone.
 - B. Variance to reduce the side yard setback from five feet to three feet, four inches.
 - C. Variance to reduce the required courtyard from 10 feet to eight feet.

LOCATION: 5221 9th Avenue
 (Council District 5)

PROPOSAL: The applicant is requesting the necessary entitlements to make the existing two units legal on the subject property.

PROJECT INFORMATION:

General Plan Designation:	Low Density Residential (4-15 du/na)
Existing Zoning of Site:	R-1
Existing Land Use of Site:	Two Residential Units

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: Single Family Residence; R-1	Front:	23.5'	23.5'
South: Single Family Residence; R-1	Side(East):	5'	2.5'
East: Single Family Residence; R-1	Side(West):	5'	3.3'
West: Single Family Residence; R-1	Rear:	15'	37.5'

Property Dimensions:	48' x 160'
Property Area:	0.17± acres
Density of Development:	11.3 du/na
Parking Required:	2 spaces
Parking Provided:	2 spaces
Square Footage of Front Unit:	1,050 square feet
Square Footage of Rear Unit:	828 square feet
Height of Building:	17 feet, one story
Topography:	Flat

APPLC.NO. P92-194

MEETING DATE August 27, 1992

ITEM NO. 18

Street Improvements:	Existing
Utilities:	Existing
Exterior Building Materials:	Shingles and Horizontal Wood Siding
Roof Materials:	Composition shingle

BACKGROUND INFORMATION: The subject site was annexed to the City of Sacramento in 1911. The original house was constructed in 1947, and accessory structures were built in 1950. In 1951, the property owner requested the accessory structure be converted to living area. This request was denied due to lot size and setbacks. In 1952, the accessory structure was illegally converted to living area. In 1980 a building permit was issued to modify the rear unit for handicapped accessibility. The Building Department, at this time, did not verify whether the use was legal. The property owner is now requesting the approvals necessary to make the second unit legal.

PROJECT EVALUATION: Staff has the following comments:

A. Land Use and Zoning

The subject site consists of one lot totaling 0.17± acres in the Standard Single Family (R-1) zone. A 1,050 square foot residence is located at the front of the lot and a 828 square foot residence is located in the rear. The General Plan designates the site Low Density Residential (4-15 du/na). The surrounding land use includes single family residential, and the surrounding zoning is all Standard Single Family (R-1).

B. Applicant's Proposal

The applicant is requesting the necessary entitlements to make the existing two units on the property legal. The entitlements include a special permit to reduce the minimum lot area per unit for a deep lot development, a variance to reduce the side setback from five feet to three feet, four inches, and a variance to reduce the courtyard requirements from ten feet to eight feet. The applicant does not intend to do any additional building at this time.

C. Policy Considerations

The subject site is designated Low Density Residential (4-15 du/na) by the General Plan. The 11.3 du/na density of the proposed project is consistent with the plan designation. The project is also consistent with the following General Plan goals and policies:

- 1) Goal: "Maintain and improve the existing housing stock." (Sec. 3-45)
- 2) Goal: "Meet new housing needs for all income groups." (Sec. 3-47)
- 3) Policy: "Allow secondary units on qualifying parcels." (Sec. 3-48)

The existing secondary unit is consistent with the density and land use designation, provides adequate off-street parking, and supports deep lot development.

Although the unit was constructed illegally, and after the Planning Department's recommendation for denial, the policies regarding housing have changed significantly since

1950. Today, the General Plan supports the development of second residential units, and the provision of adequate housing for all income groups.

D. Site Plan Design

The primary residence located on the front of the site contains 1,050 square feet. The second residential unit to the rear contains 828 square feet. The Deep Lot Development section of the Zoning Ordinance requires a lot be at least 160 feet deep and contain 5,200 square feet per unit with an additional 2,500 square feet for an additional unit. The Deep Lot Development standards would require 7,700 square feet in order to allow two units. The 7,680 square feet of the subject site would only allow one unit. The Deep Lot Development Ordinance, however, allows the Planning Commission to approve a Special Permit to reduce the minimum lot area. Staff has no objection to the reduction in minimum lot area to allow the second unit. The project does not exceed the 40 percent lot coverage.

The applicant is also requesting a variance to reduce the courtyard requirements. The Zoning Ordinance requires ten feet of clear area from the street to the entrance of the second unit. The residence on the front of the parcel only has eight feet between the building and the property line. Staff has no objection to this variance. The eight feet provides adequate area to reach the second unit. A variance has also been requested to reduce the side setback from five feet to three feet, four inches. A detached garage, which was the original use of the structure, is allowed to be closer than five feet to the property line. A residential unit, however, requires a five foot setback. Staff has no objection to this variance. The structure is only one story, and other surrounding properties do not meet the five foot setback requirement.

E. Parking and Circulation

The Zoning Ordinance requires a garage for the first residence and a parking space for the second. The garage for the primary residence was converted prior to the Zoning Ordinance Amendment requiring a garage, therefore, no garage is required for this unit. The property currently has two concrete strips in the front yard used as a parking space for the front unit. The rear unit is able to park a car in the driveway which goes from 9th Avenue to the unit. The property, therefore, meets the parking requirements.

F. Building Design

The exterior building materials consist of wood shake and horizontal wood siding. The roof material is composition shingle. The existing rear unit is similar in design to the front unit. There is also a gate which prohibits complete view of the rear unit. Staff finds the design of the unit acceptable without modification.

G. Agency Comments

The proposed project was reviewed by Traffic Engineering, Engineering Development Services, Building Inspections, Fire Department, and the Stockton Boulevard Association. The following comment was received from Engineering Development Services:

This project is located within an area of the City which is serviced by a combination sewer and drainage system. The applicant may be required to share in the costs for improvements needed to upgrade the combination system.

The project was also reviewed by several adjacent property owners. Comments have been received from four neighbors. All the comments have been in support of the project.

ENVIRONMENTAL DETERMINATION: The Environmental Services Manager has determined that the project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15303a and 15305a).

RECOMMENDATION: Staff recommends the Planning Commission take the following actions:

- A. Approve the Special Permit for a deep lot development and to reduce the minimum lot area required from 7,700 square feet to 7,680 square feet subject to conditions and based upon findings of fact which follow.
- B. Approve the Variance to reduce the side yard setback from five feet to three feet, four inches subject to conditions and based upon findings of fact which follow.
- C. Approve the Variance to reduce the required courtyard from 10 feet to eight feet subject to conditions and based upon findings of fact which follow.

Conditions

1. The applicant shall obtain a Building Permit for the unit within 60 days of the Planning Commission approval.

Findings of Fact - Special Permit

1. The project, as conditioned, is based upon sound principles of land use in that the proposed two residential units are compatible with the surrounding area which includes single family uses.
2. The project, as conditioned, will not be detrimental to the public welfare nor result in the creation of a public nuisance in that adequate parking and open space has been provided on site.
3. The project is consistent with the General Plan which designates the site Low Density Residential (4-15 du/na).

Findings of Fact - Variance

1. Granting the variances does not constitute a special privilege extended to an individual property owner in that variances would be granted to other property owners facing similar circumstances.

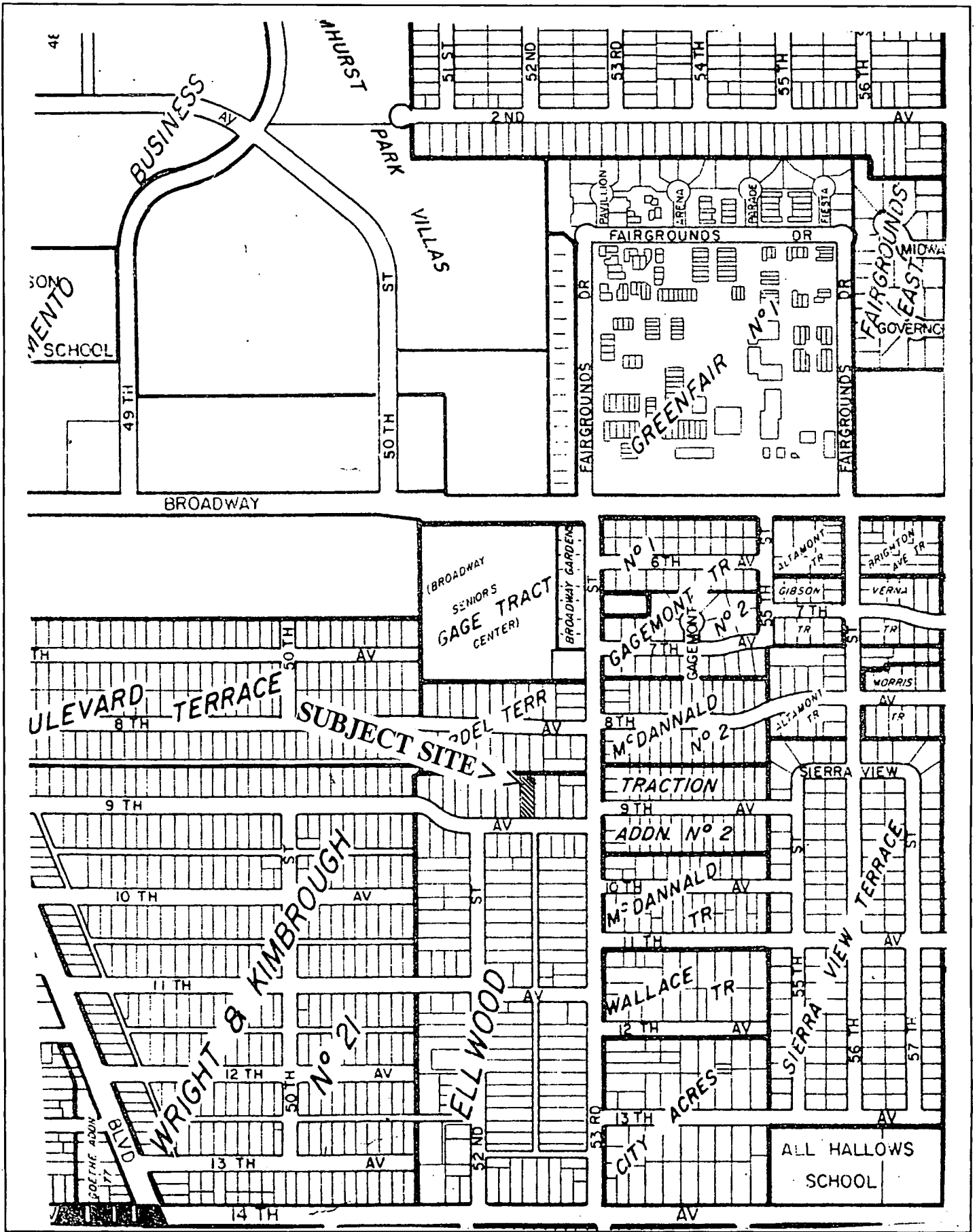
2. Granting the variance would not be detrimental to the public welfare nor result in the creation of a public nuisance in that adequate parking and open space are provided on site.
3. Granting the variance does not constitute a use variance in that two single family residences on one lot are allowed in the Standard Single Family (R-1) zone with Special Permit approval.
4. The project is consistent with the General Plan which designates the site Low Density Residential (4-15 du/na).

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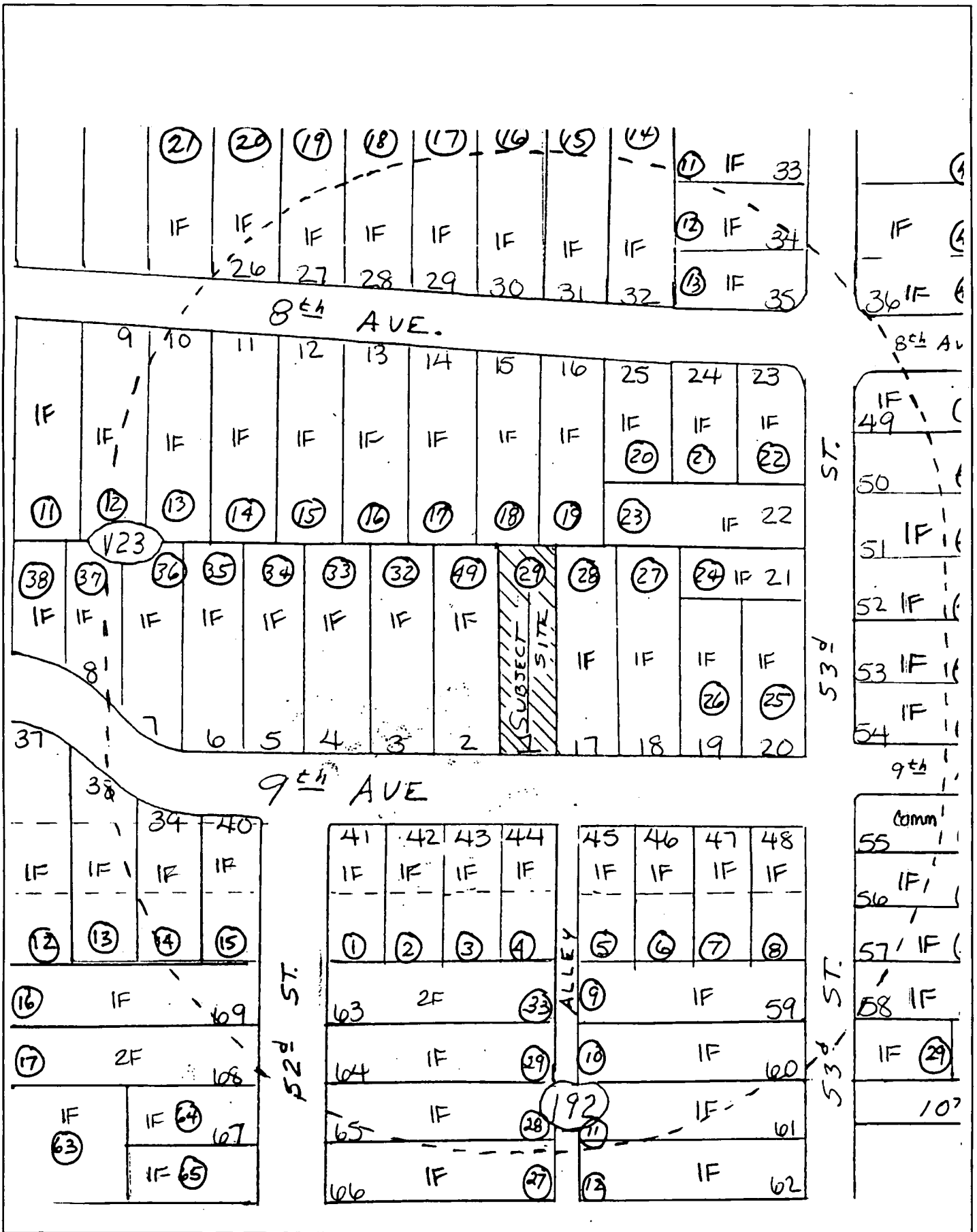
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VICINITY MAP

07



LAND USE & ZONING MAP

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PLAT OF SURVEY

EAST 48 FEET OF LOT 9, AMENDED PLAT OF ELLWOOD 8 BM 21

CITY OF SACRAMENTO
JUNE 1992

STATE OF CALIFORNIA
SCALE 1" = 10'

VARNEY LAND SURVEYS
SHEET 1 OF 1



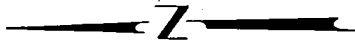
EXHIBIT - A
SITE PLAN



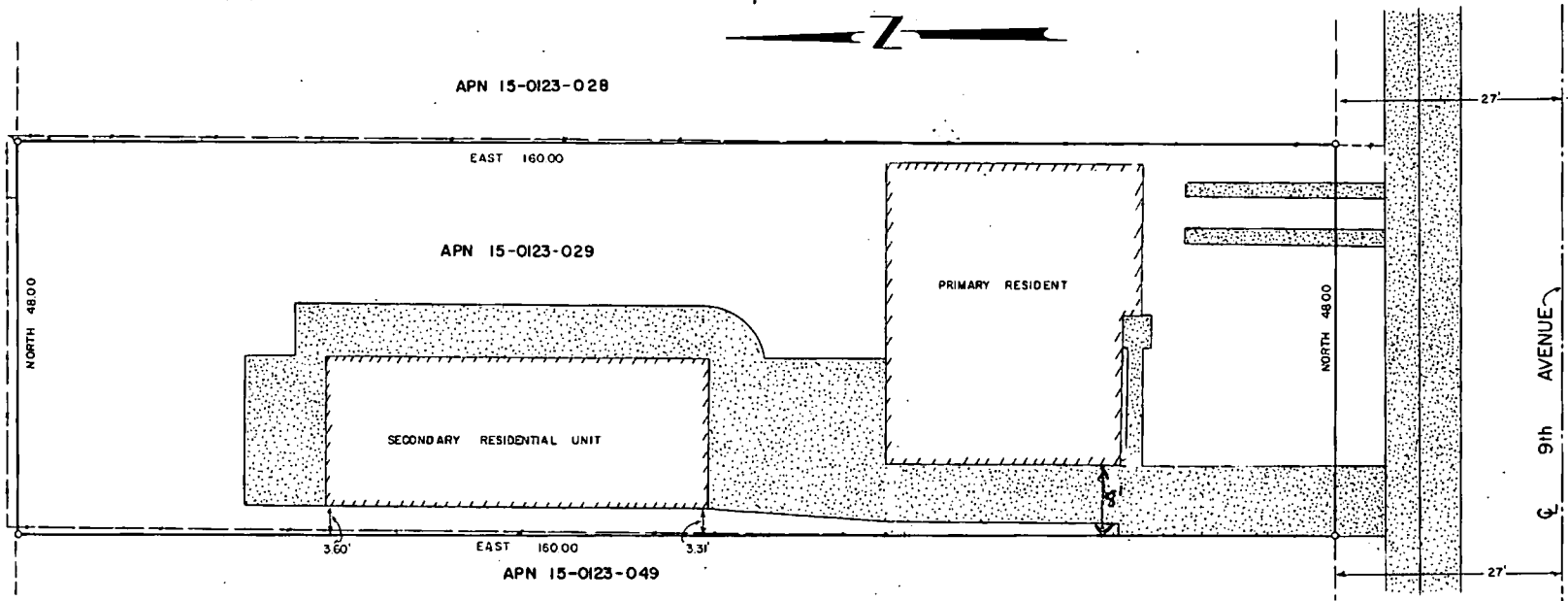
R
RICHARD SHEPARD
1000 N. ST.
SACRAMENTO, CA. 94423
(916) 425-5424

SURVEYOR
VARNEY LAND SURVEYS
2285 - 68th AVENUE
SACRAMENTO, CA. 95822
(916) 395-2822

LEGEND
--- FENCE LINE
[Stippled Area] CONCRETE
[Hatched Area] BUILDING LINE



APN 15-0123-019
APN 15-0123-018

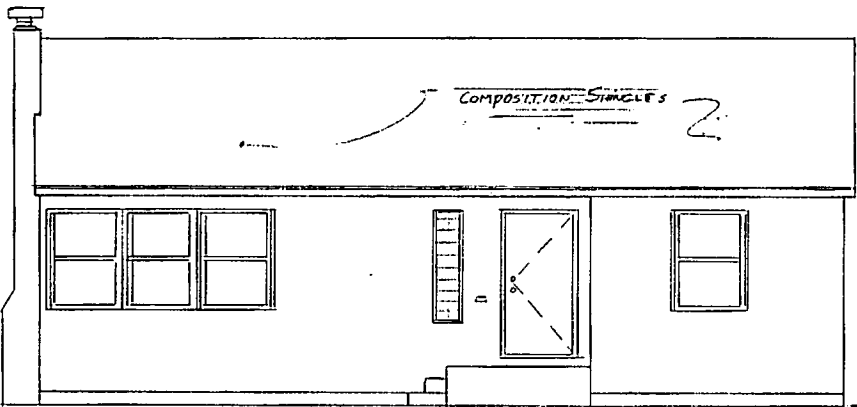


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Harris

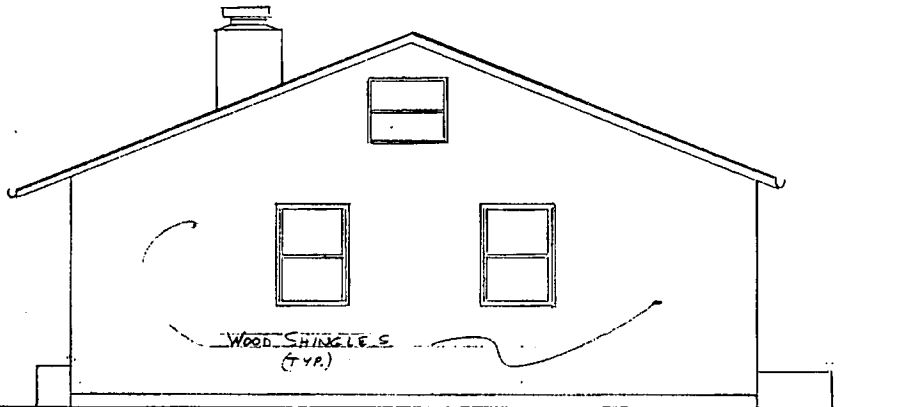
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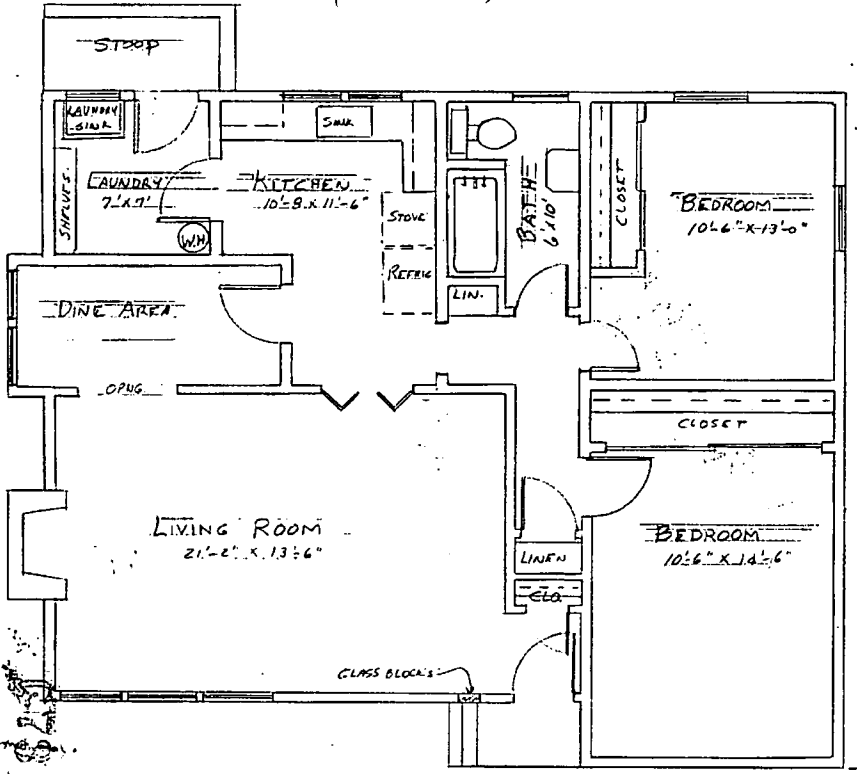


FRONT ELEVATION (SOUTH)
(FRONT HOUSE)

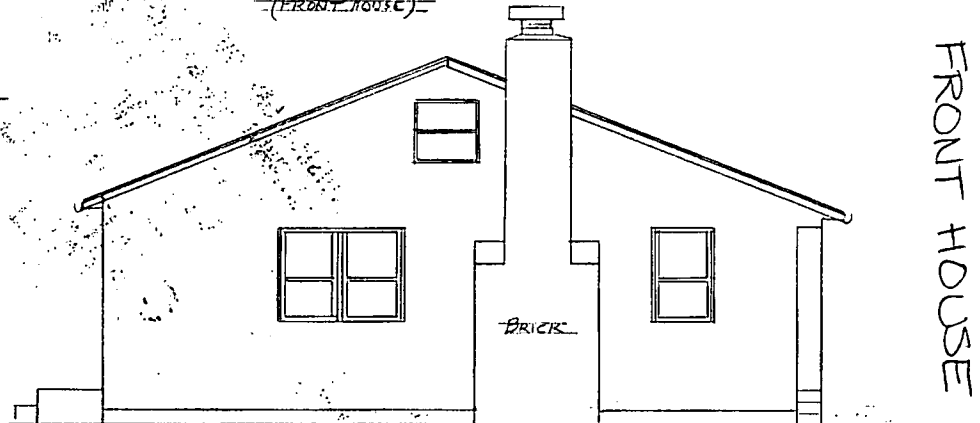


RIGHT SIDE ELEVATION (EAST)
(FRONT HOUSE)

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FLOOR PLAN
(FRONT HOUSE)



LEFT SIDE ELEVATION (WEST)
(FRONT HOUSE)

EXHIBIT - B
FRONT HOUSE

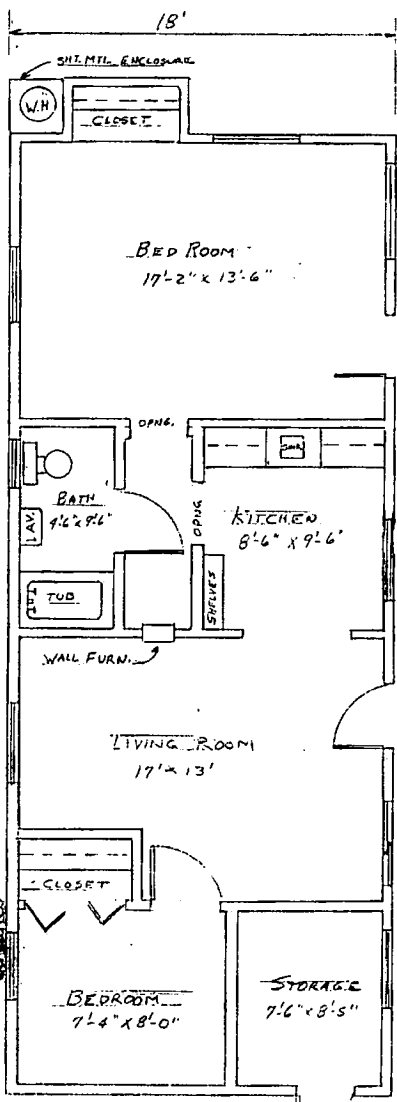
Hem #78

5221-9th AVE. (APN. 015-0123-029)			
SCALE: 1/4" = 1'-0" U.A.M.	APPROVED BY:	DATE:	DRAWN BY:
DATE: 7/1/92			
PLAN, ELEVATIONS, SECTION			
FRONT HOUSE			
DRAWING NUMBER			1 of 2

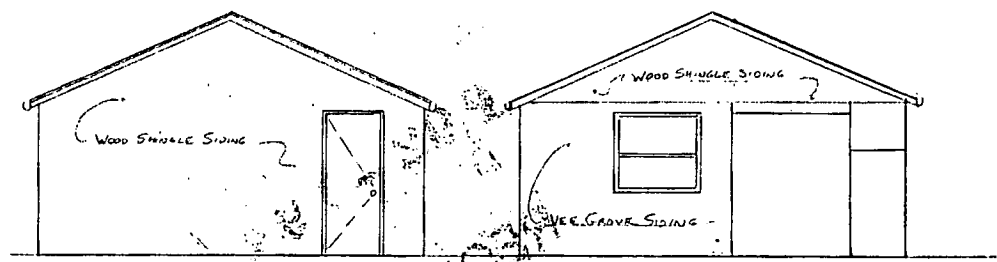
PQ2-194

August 27, 1992

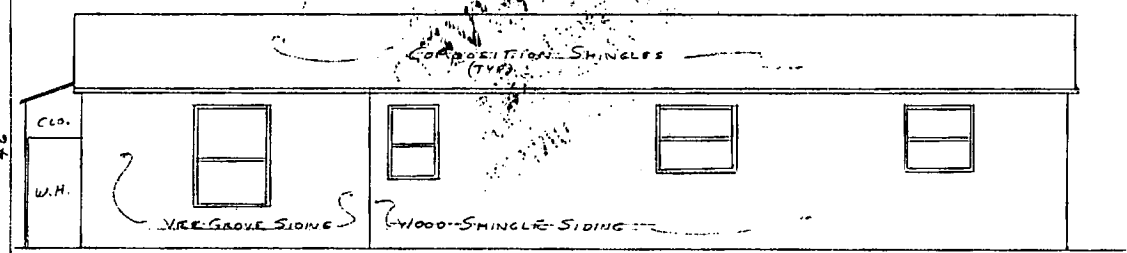
Home # 18



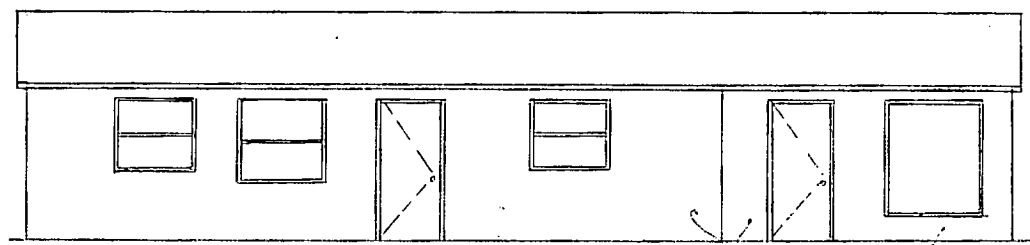
FLOOR PLAN REAR HOUSE



FRONT ELEVATION (SOUTH) REAR HOUSE REAR ELEVATION (NORTH) REAR HOUSE



LEFT SIDE ELEVATION (WEST) REAR HOUSE



RIGHT SIDE ELEVATION (EAST) REAR HOUSE

EXHIBIT - C REAR HOUSE

5221-9th AVE (A.P.N. 015-0123-029)

SCALE: 1/8" = 1'-0"	APPROVED BY:	DESIGNED BY: <i>[Signature]</i>
DATE: 6/1/92		REVISED BY:
PLAN & ELEVATIONS REAR HOUSE		
DRAWING NUMBER		2 of 2