

CITY OF SACRAMENTO

Permit No: 9811852

1231 I Street, Sacramento, CA 95814

Insp Area: 1

Site Address: 2609 E ST SAC

Sub-Type: RES

Parcel No: 0030145021 (Rear)

Housing (Y/N): N

CONTRACTOR

OWNER

ARCHITECT

OTT MERVIN
2522 E ST
SACRAMENTO CA 95816

Nature of Work: INSTALL 2ND METER AND 2ND KITCHEN

CONSTRUCTION LENDING AGENCY: I hereby affirm under penalty of perjury that there is a construction lending agency for the performance of the work for which this permit is issued (Sec. 3097, Civ. C).

Lender's Name Lender's Address

LICENSED CONTRACTORS DECLARATION: I hereby affirm under penalty of perjury that I am licensed under provisions of Chapter 9 (commencing with section 7000) of Division 3 of the Business and Professions Code and my license is in full force and effect.

License Class License Number Date Contractor Signature

OWNER-BUILDER DECLARATION: I hereby affirm under penalty of perjury that I am exempt from the contractors License Law for the following reason (Sec. 7031.5, Business and Professions Code; any city or county which requires a permit to construct, alter, improve, demolish, or repair any structure, prior to its issuance, also requires the applicant for such permit to file a signed statement that he or she is licensed pursuant to the provisions of the Contractors License Law (Chapter 9 (commencing with Section 7000) of Division 8 of the Business and Professions Code) or that he or she is exempt therefrom and the basis for the alleged exemption. Any violation of Section 7031.5 by any applicant for a permit subjects the applicant to a civil penalty of not more than five hundred dollars (\$500.00);

I, as a owner of the property, or my employees with wages as their sole compensation, will do the work, and the structure is not intended or offered for sale (Sec. 7044, Business and Professional Code: The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who does such work himself or herself or through his/her own employees, provided that such improvements are not intended or offered for sale. If, however, the building or improvement is sold within one year of completion, the owner-builder will have the burden of proving that he/she did not build or improve for the purpose of sale.)

I, as owner of the property, am exclusively contracting with licensed contractors to construct the project (Sec. 7044, Business and Professions Code: The Contractors License Law does not apply to an owner of property who builds or improves thereon, and who contracts for such projects with a contractor(s) licensed pursuant to the Contractors License Law).

I am exempt under Sec. B & PC for this reason:

Date 12/1/98 Owner Signature Mervin Ott

IN ISSUING THIS BUILDING PERMIT, the applicant represents, and the city relies on the representation of the applicant, that the applicant verified all measurements and locations shown on the application or accompanying drawings and that the improvement to be constructed does not violate any law or private agreement relating to permissible or prohibited locations for such improvements. This building permit does not authorize any illegal location of any improvement or the violation of any private agreement relating to location of improvements.

I certify that I have read this application and state that all information is correct. I agree to comply with all city and county ordinances and state laws relating to building construction and herby authorize representative(s) of this city to enter upon the abovementioned property for inspection purposes.

Date 12/1/98 Applicant/Agent Signature Mervin Ott

WORKER'S COMPENSATION DECLARATION: I hereby affirm under penalty of perjury one of the following declarations:

I have and will maintain a certificate of consent to self-insure for workers' compensation as provided for by Section 3700 of the Labor Code, for the performance of work for which the permit is issued.

I have and will maintain workers' compensation insurance, as required by Section 3700 of the Labor Code, for the performance of the work for which this permit is issued. My workers' compensation insurance carrier and policy number are:

Carrier Policy Number Exp Date

(This section need not be completed if the permit is for \$100 or less) I certify that in the performance of the work for which this permit is issued, I shall not employ any person in any manner so as to become subject to the workers' compensation laws of California and agree that if I should become subject to the workers' compensation provisions of Section 3700 of the Labor Code, shall forthwith comply with those provisions.

Date 12/1/98 Applicant Signature Mervin Ott

WARNING: FAILURE TO SECURE WORKER'S COMPENSATION COVERAGE IS UNLAWFUL AND SHALL SUBJECT AN EMPLOYER TO CRIMINAL PENALTIES AND CIVIL FINES UP TO ONE HUNDRED THOUSAND DOLLARS (\$100,000) IN ADDITION TO THE COST OF COMPENSATION, DAMAGES AS PROVIDED FOR IN SECTION 3706 OF THE LABOR CODE, INTEREST AND ATTORNEY'S FEE.

THIS PERMIT SHALL EXPIRE BY LIMITATION IF WORK IS NOT COMMENCED WITHIN 180 DAYS.

**City of Sacramento Development Services Division  
Planning and Zoning Information Request**

Project Address: 2609 E ST.

Assessor's Parcel Number: 003-0145-021

Current Land Use: Duplex

Description of Request/Proposed Use: \_\_\_\_\_

Duplex approved by  
Special Permit  
Permit to meet conditions

Zoning Designation: R-1-B

Prior Applications for Project Site(P#,Z#,DRPB#): P98-047

Comments: \_\_\_\_\_

Approved subj. to Spec. Permit  
& Variance conditions  
Any exterior work requires  
Design Review approval

Are There Any Planning Issues?: (Circle One) YES  NO

Site Plan Check Required? (Circle One) YES  NO

Design Review/ Preservation Required?: (Circle One) YES  NO

Planning Review by/Date: W. JIGOUR 12/1/98

A list of items that must be reviewed by Planning is provided on the reverse side of this form.

E Street Second Unit - P98-047

- REQUEST:
- A. **Environmental Determination:** Categorically Exempt (Section 15301 - 1(a))
  - B. **Special Permit** for a 1,518± total square foot duplex on an interior lot on 0.14± developed acres in the Single Family or Two Family (R-1B-SPD) zone in the Alhambra Corridor Special Planning District.
  - C. **Variance** to waive the garage requirement for a second unit.

LOCATION: 2609 E Street  
APN: 003-0145-021  
Central City Community Plan Area  
Alhambra Corridor Special Planning District  
Council District 3

APPLICANT:	Mervin Ott 2522 E Street Sacramento, CA 95816
OWNER:	Mervin Ott 2522 E Street Sacramento, CA 95816
APPLICATION FILED:	May 7, 1998
STAFF CONTACT:	Brad Shirhall, 916-264-7483

**SUMMARY:** The applicant is requesting the necessary entitlements to convert an existing single family residential home into a two family unit. The structure has already been constructed but needs a Special Permit to allow the conversion to a duplex. The basic issues include consistency with the general and community plans, and adequate supply of parking.

OTHER APPROVALS REQUIRED: In addition to the entitlements requested, the applicant will also need to obtain the following permits or approvals, including, but not limited to:

<u>Permit</u>	<u>Agency</u>
Certificate of Compliance	Public Works, Development Services
Building Permit	Building Division

BACKGROUND INFORMATION: A review of the entitlement history for the project site revealed no historical activity. Building permits were reviewed to determine a construction history of the property. No building permit could be produced for the original structure or the detached garage. The earliest building permit produced was for a "playhouse near garage" issued in 1939. The addition to the original structure that will be used as a second unit was issued a building permit in 1945. The project is located in the Alhambra Corridor Special Planning District which was established by City ordinance in 1992.

STAFF EVALUATION: Staff has the following comments:

A. Policy Considerations

*General Plan*

- |                         |  |
|-------------------------|--|
| GP Sec. 3-48 - Policy 5 | Allow additional units on qualifying parcels in excess of 160 feet of depth. |
| GP Sec. 3-49 - Goal     | Provide affordable housing for all income groups.                            |
| GP Sec 3-51 - Goal      | Provide a mixture of housing types and styles throughout the city.           |

*Community Plan*

- |                   |   |
|-------------------|---|
| CP - Pg. 3 - Goal | Provide adequate housing for all residents of the Central City at all socio-economic levels, and in particular provide the opportunity for low and moderate income persons to reside within the Central City. And further, provide a choice of housing types by developing new housing and conserving existing housing. |
|-------------------|---|

3. Parking

Section 2 of the City Zoning Ordinance requires that each unit of a duplex have an enclosed garage. The original structure has a detached garage. However, the proposed second unit has an existing carport with access off the alley. Staff supports the Variance to waive the garage requirement because the site includes adequate parking for both units; and the existing carport is contained on-site, is accessed through the backyard, is shielded from the view of the street, and has been conditioned to include a paved driveway from the alley.

D. Building Design

No changes to the existing exterior building design have been proposed. The existing building was originally constructed prior to 1945. In 1945 the three rooms that would now comprise the second unit were constructed. The building's total square feet is 1,518. Upon conversion the front unit will be 1,060 square feet and the back unit will be 456 square feet. To complete the legal conversion of this addition to a second unit the applicant will construct a kitchen within the confines of the existing walls.

PROJECT REVIEW PROCESS:

A. Environmental Determination

The proposed project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15301 - 1(a)).

B. Public/Neighborhood/Business Association Comments

Staff requested comments from the New Era Park Neighborhood Association. They indicated by phone that they had no concerns with the project.

C. Summary of Agency Comments

The project has been reviewed by several City Departments and other agencies. The following summarizes the comments received:

1. Police Department

The Police Department requested that the rear driveway be paved and that

**NOTICE OF DECISION AND FINDINGS OF FACT FOR E STREET SECOND UNIT,  
LOCATED AT 2609 E STREET, SACRAMENTO, CALIFORNIA IN THE SINGLE  
FAMILY OR TWO FAMILY (R-1B-SPD) ZONE IN THE ALHAMBRA CORRIDOR  
SPECIAL PLANNING DISTRICT (P98-047)**

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At the regular meeting of October 8, 1998, the City Planning Commission heard and considered evidence in the above entitled matter. Based on verbal and documentary evidence at said hearing, the Planning Commission took the following actions for the location listed above:

- A. **Environmental Determination:** Categorically Exempt (Section 15301 - 1(a))
- B. **Special Permit** to allow a 1,518± total square foot duplex on 0.14± developed acres in the Standard Single Family or Two Family (R-1B - SPD) zone of the Alhambra Corridor Special Planning District.
- C. **Variance** to waive the garage requirement for a second unit.

These actions were made based upon the following findings of fact and subject to the following conditions:

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**FINDINGS OF FACT**

- A. Categorical Exemption: The City Planning Commission finds and determines that the proposed project is exempt from environmental review pursuant to Section 15301 - 1(a) of the CEQA Guidelines.
- B. The Special Permit to allow a 1,518± total square foot duplex on 0.14± developed acres in the Standard Single Family or Two Family (R-1B - SPD) zone of the Alhambra Corridor Special Planning District is hereby approved subject to the following findings of fact:
  - 1. The Special Permit, as conditioned, is granted upon sound principles of land use in that:
    - a. the proposed use is compatible with the existing single family and multi-family residential units in the neighborhood;
    - b. the project will support city policies to develop residential uses in the Central City.
  - 1. Granting of the Special Permit shall not be detrimental to the public health, safety, or welfare, and it will not create a public nuisance in that:

concrete, a standard 10 foot wide driveway from the alley to the rear yard carport.

A4. Applicant shall clearly indicate, visible from E Street, a rear unit separate address.

A5. Applicant shall clearly indicate address for second unit at entry door.

B. The Variance to waive the garage requirement for a second unit is hereby approved subject to the following conditions:

B1. Any modification to the project shall be subject to review and approval by Planning Department staff prior to issuance of any building permits.

B2. The applicant shall obtain all necessary building permits prior to construction.

B3. Applicant shall pave, using either portland cement concrete or asphaltic concrete, a standard 10 foot wide driveway from the alley to the rear yard carport.

B4. Applicant shall clearly indicate, visible from E Street, a rear unit separate address.

B5. Applicant shall clearly indicate address for second unit at entry door.

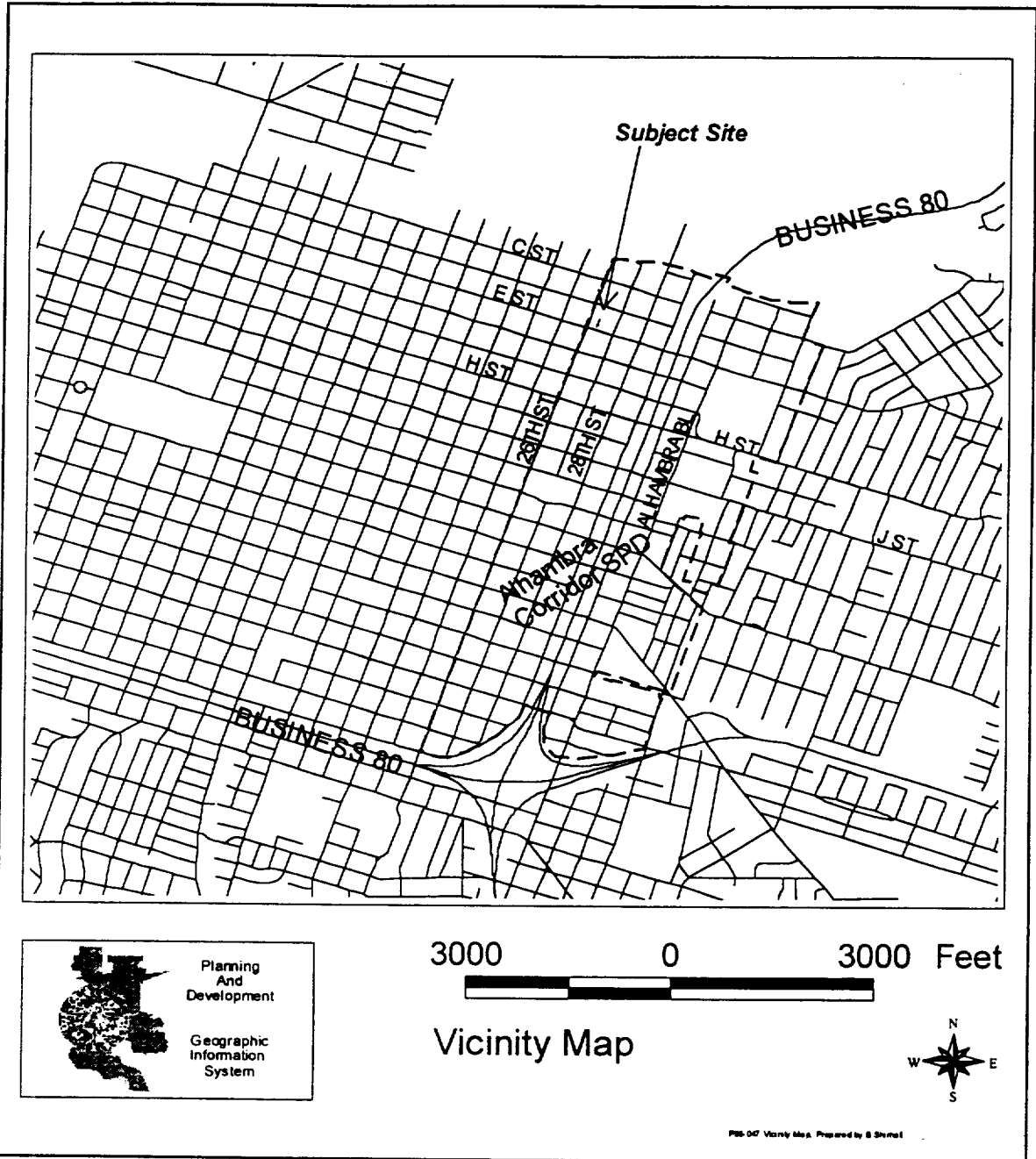
\_\_\_\_\_  
CHAIRPERSON

ATTEST:

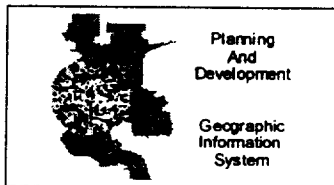
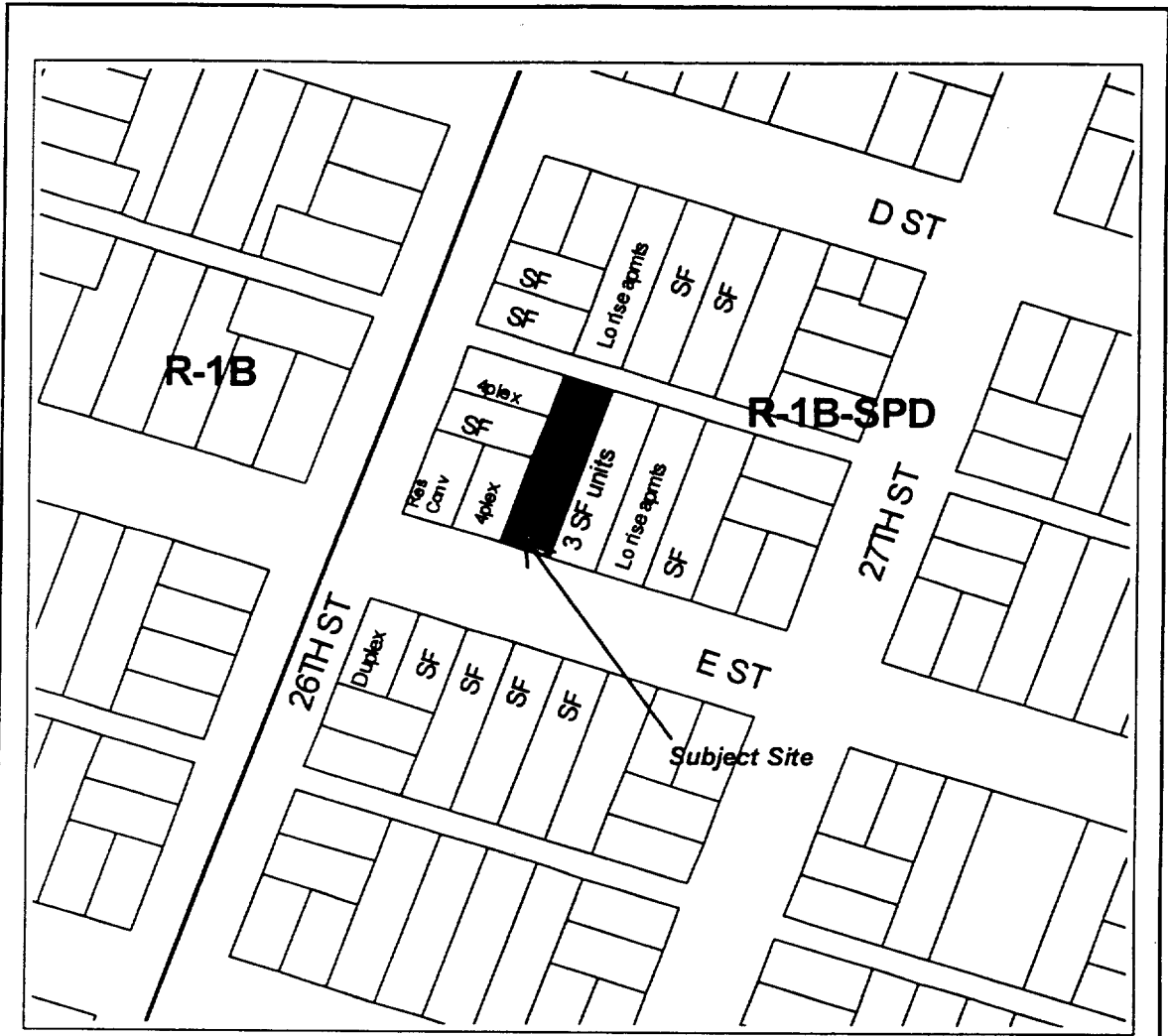
\_\_\_\_\_  
SECRETARY TO CITY PLANNING COMMISSION

\_\_\_\_\_  
DATE (P98-047)

Exhibit 1A Site Plan







200 0 200 Feet

### Land Use & Zoning Map





- a. adequate on-site parking will exist;
  - b. adequate access from the street and the alley will exist
3. The proposed use will be compatible with the objectives of the general plan and community plan for the area in that they support the creation of affordable and diverse housing types.
- C. The Variance to waive the garage requirement for a second unit is hereby approved subject to the following findings of fact:
1. granting the variance 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 and not result in the creation of a public nuisance in that;
    - a. adequate screening of the carport from view of the street will be achieved in that the carport is located in the backyard;
    - b. the carport already exists, and as conditioned, will have an adequate driveway for access to the alley.
  3. granting the variance does not constitute a use variance in that the proposed land use is allowed in the Single Family or Two Family (R-1B-SPD) zone.

#### CONDITIONS OF APPROVAL

- A. The Special Permit to allow a 1,518± total square foot duplex on 0.14± developed acres in the Standard Single Family or Two Family (R-1B - SPD) zone of the Alhambra Corridor Special Planning District is hereby approved subject to the following conditions:
- A1. Any modification to the project shall be subject to review and approval by Planning Department staff prior to issuance of any building permits.
  - A2. The applicant shall obtain all necessary building permits prior to construction.
  - A3. Applicant shall pave, using either portland cement concrete or asphaltic

both addresses be clearly indicated from the street and on each unit. These issues have been addressed as conditions of approval.

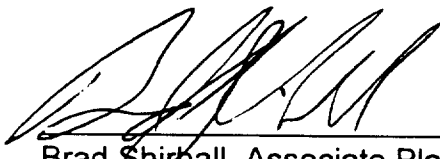
**PROJECT APPROVAL PROCESS:** Of the entitlements below, Planning Commission has the authority to approve or deny A and B. The Planning Commission action may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

**RECOMMENDATION:**

Staff recommends the Planning Commission take the following actions:

- A. Adopt the attached Notice of Decision and Findings of Fact which finds that the project is Exempt pursuant to CEQA Section (15301 - 1(a));
- B. Adopt the attached Notice of Decision and Findings of Fact approving the Special Permit for a 1,518± total square foot duplex on 0.14± developed acres in the Standard Single Family or Two Family (R-1A - SPD) zone of the Alhambra Corridor Special Planning District.
- C. Adopt the attached Notice of Decision and Findings of Fact approving the Variance to waive the garage for a second unit

Report Prepared By,



Brad Shirhall, Associate Planner

Report Reviewed By,



Steve Peterson, Senior Planner

**Attachments**

Attachment 1	Notice of Decision & Findings of Fact
Exhibit 1C	Site Plan
Attachment 2	Vicinity Map
Attachment 3	Land Use & Zoning Map

*Alhambra Corridor Special Planning District*

- Goal 2. Maintain the diverse character and housing opportunities provided in these urban neighborhoods.

The proposed project furthers these goals and policies in that it diversifies the existing housing stock.

C. Site Plan Design/Zoning Requirements

1. Setbacks

The original structure and the 1945 addition were both legally constructed and currently exist with a non-conforming 2½ foot sideyard setback. The minimum sideyard setback specified in Section 3 of the Zoning Ordinance is 3 feet. Otherwise, the existing structure meets all setback requirements. The conversion of the legally constructed rear portion of the existing structure to a second unit will not result in exterior modifications or changes to the existing setbacks. Therefore no setback entitlements are required.

Section 3 of the Zoning Ordinance limits the total lot coverage on R-1B zoned lots to 60 percent. The project site has and will continue to have lot coverage of 40 percent.

2. Accessory Structures

The detached garage for the first unit currently exists and was probably constructed with the original residential unit prior to 1939, although no building permit could be produced for either. The garage is located 4'8" away from the existing 1945 addition that will be the second unit.

Section Five of the Zoning Ordinance requires that detached accessory structures be placed at least six feet from the main structure. Since the detached garage with a nonconforming distance between buildings already exists next to the legally constructed 1945 addition, and predates the Zoning Ordinance requirements, no additional entitlements are necessary.

**RECOMMENDATION:** Staff recommends approval of the project subject to conditions of approval.

**PROJECT INFORMATION:**

General Plan Designation: Low Density Residential  
 Community Plan Designation: Low Density Residential  
 Existing Land Use of Site: Single Family Residential  
 Existing Zoning of Site: Single Family or Two Family Residential - Alhambra  
 Corridor Special Planning District (R-1B - SPD)

**Surrounding Land Use and Zoning:**

North: Apartment; Single Family or Two Family Residential (R-1B - SPD)  
 South: Single Family; Single Family or Two Family Residential (R-1B - SPD)  
 East: Three single family units; Single Family or Two Family Residential (R-1B - SPD)  
 West: Two fourplexes / Single family; Single Family or Two Family Residential (R-1B - SPD)

Setbacks:	Required	Provided
Front <sup>1</sup> :	15'	15'
Side(St):	N/A	N/A
Side(Int):	3'	2' 6"
Rear:	15'	44'

Property Dimensions:	40' x 160'
Property Area:	6,400± square feet
	0.14± gross acres
Square Footage of Building:	1,518± square feet
Height of Building:	17 feet, 1 story
Exterior Building Materials:	Stucco
Roof Material:	Composition
Parking Provided:	2 spaces
Parking Required:	2 spaces
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

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<sup>1</sup>The minimum front yard setback shall be the average of the two nearest buildings on the same side of the street on the same block. In no event shall the required front yard setback be greater than 25 feet.