

In the matter of the decision of the City )  
Planning Commission on an application for )  
a variance to reduce the rear yard setback )  
from 15 feet to five feet in the Single )  
Family (R-1) zone, located at 761 48th )  
Street. (P86-372) )

NOTICE OF DECISION  
AND  
FINDINGS OF FACT

On October 23, 1986, the Planning Commission indicated an intent to approve the request, based upon Findings of Fact due November 13, 1986. Based upon documentary and oral evidence, the Planning Commission approved the variance and hereby finds:

1. The variance does not constitute a special privilege extended to an individual property owner in that an existing 50 year old cement fish pond on the site makes it impossible to build the proposed dwelling unit with a fifteen foot rear yard setback.
2. The request does not constitute a use variance in that two residential units, either attached or detached, are allowed on a corner lot in the R-1 zone.
3. Granting the variance would not be detrimental to surrounding properties in that:
  - a. minimum five foot setback will be provided between the proposed unit and adjacent properties;
  - b. adequate open space on the site would be provided;
  - c. The proposed second residential unit is compatible in design and materials with the existing residential unit on the site; and
  - d. on-site parking for both residential units would be provided.
4. The proposed project is consistent with the City's Discretionary Interium Land Use Policy in that the site is designated for residential use by the 1974 General Plan and the proposed residential unit conforms with the plan designation.

Approved by the Planning Commission  
October 23, 1986 for the November 13,  
1986 City Planning Commission meeting

CHAIR