

City Planning Commission
Sacramento, California

Members in Session:

SUBJECT: Variance to encroach into the side yard setback (P84-074)

BACKGROUND INFORMATION: The Planning Commission, at its regular meeting of April 12, 1984, considered the requested variance. Based on the applicant's verbal information, the hearing was continued to May 8, 1984 in order for the applicant to provide revised information on the width of the lot and width of the house.

The revised site plans indicate the following changes:

	<u>Original</u>	<u>Revised</u>	<u>Difference</u>
Width of Lot	34'6"*	35'8"	1'2"
Width of House	29'4"	27'½"	2'8½"
True Setback from Alley	2"	3'1½"	1'1½"
Total Width of House for Move	29'4"	27'½"	2'3½"
First Floor Roof Overhang	1'8"	1'8"	

*Note: Sacramento County Assessor's Parcel page shows 34'6"

The applicant re-measured the subject property and found the width of the lot to be 35 feet, eight inches. The applicant also redesigned the southerly window/den projection (alley side) into a bay window similar to the northerly bay window. The redesigned bay window reduced the width of the structure by approximately two feet, three inches. Therefore, the alley side yard setback (measured from bay window) increased from two inches to three feet, seven and one-half inches. The revised variance would therefore reduce the side yard setback (alley side) from five feet to three feet, seven and one-half inches.

According to the County Assessor's map, the subject property is 34 feet, six inches wide. After reviewing the new dimensions from the applicant and the Assessor's map, it appears there is a discrepancy of one foot, two inches. The most accurate method is to have a licensed surveyor survey the property. If the Assessor's map is correct, then the side yard setback would be reduced to approximately two feet, five inches instead of three feet, seven and one-half inches. Whether the applicant is correct or the Assessor's map is correct, a variance is still required.


After reviewing the applicant's changes, staff has determined that the structure is still too big for the lot. The indicated five-foot setback on the right (north) side of the house may be less, as a portion of the adjacent house encroaches over the common property line (see original drawing). Furthermore, the applicant could redesign the bay window on the alley side with a standard window and comply with the required five-foot setback. Staff, therefore, cannot justify this variance request.

STAFF RECOMMENDATION: Staff recommends that the Commission deny the requested variance to reduce the side yard setback based on the following Findings of Fact.

Findings of Fact

1. The subject variance constitutes a special privilege extended to one individual property owner and would not be appropriate for any other property in that:
 - a. The applicant has not presented any unusual circumstance to warrant justification for approval of the variance;
 - b. The subject project is a self-imposed hardship in that the structure is too large for the lot;
 - c. The structure could be redesigned to comply with the side yard setback requirements.

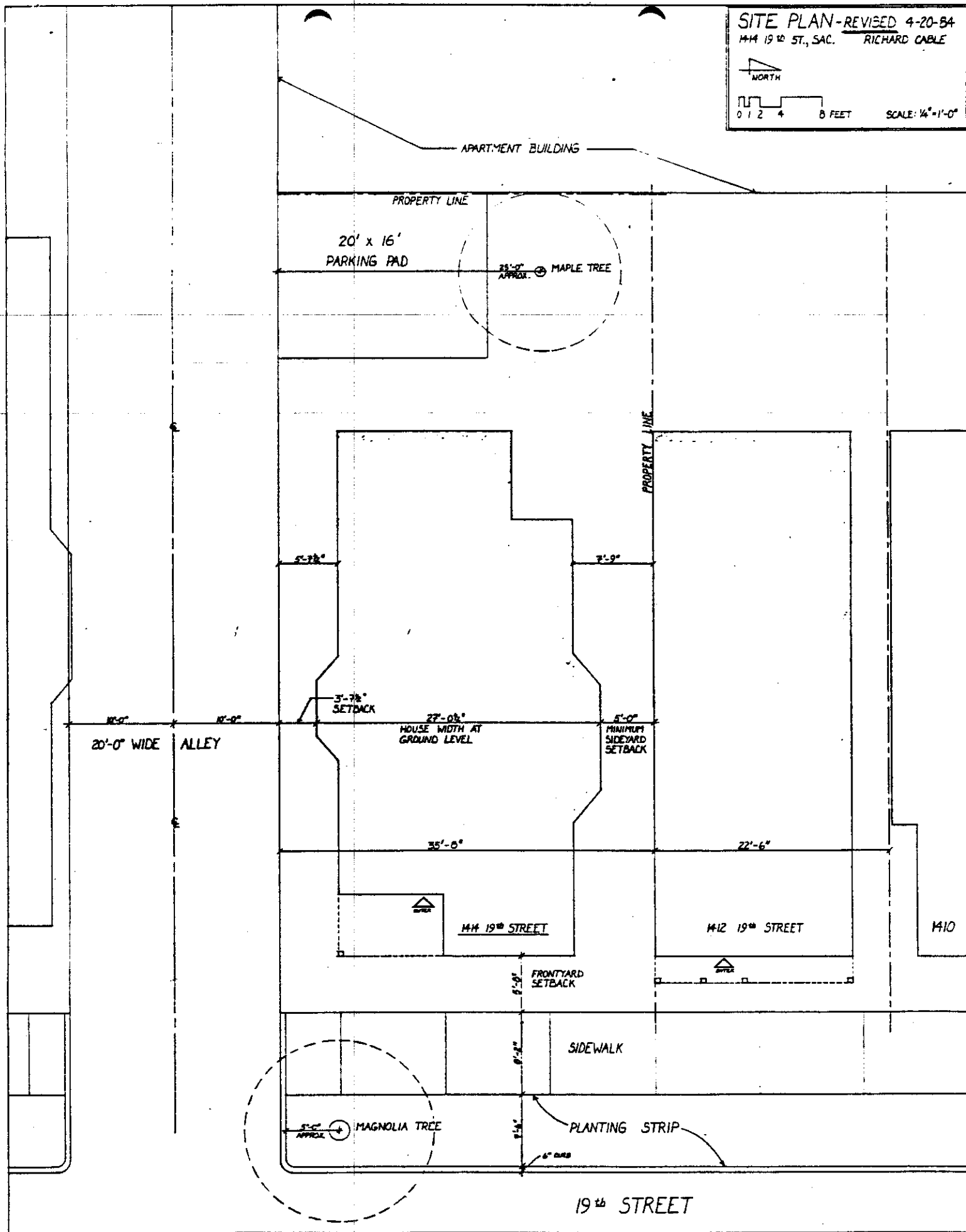
Respectfully submitted,


Wilfred Weitman
Senior Planner

PB:bw

SITE PLAN - REVISED 4-20-84
 1414 19th ST., SAC. RICHARD CABLE

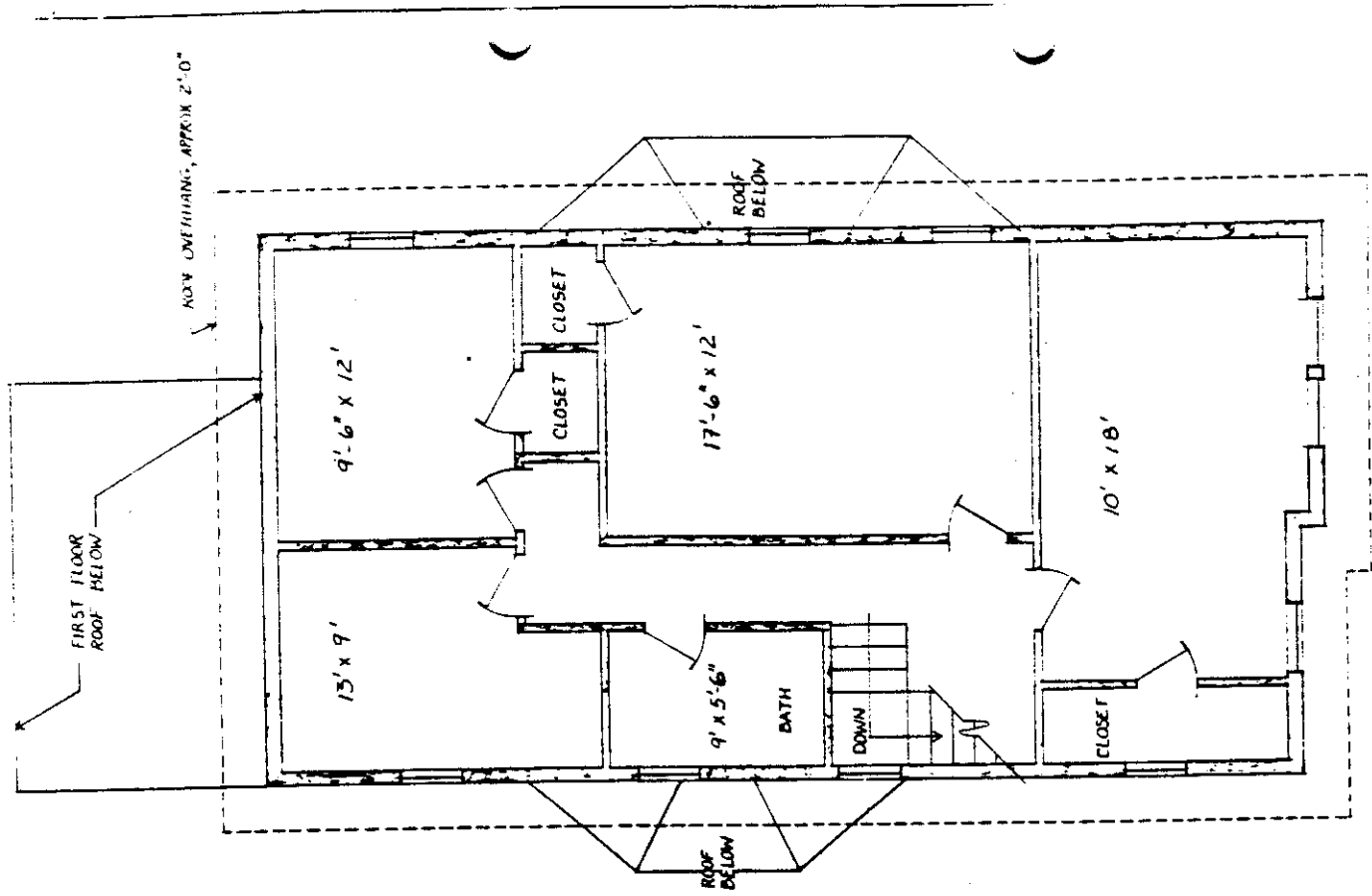
NORTH
 0 2 4 8 FEET
 SCALE: 1/4" = 1'-0"



P84-074

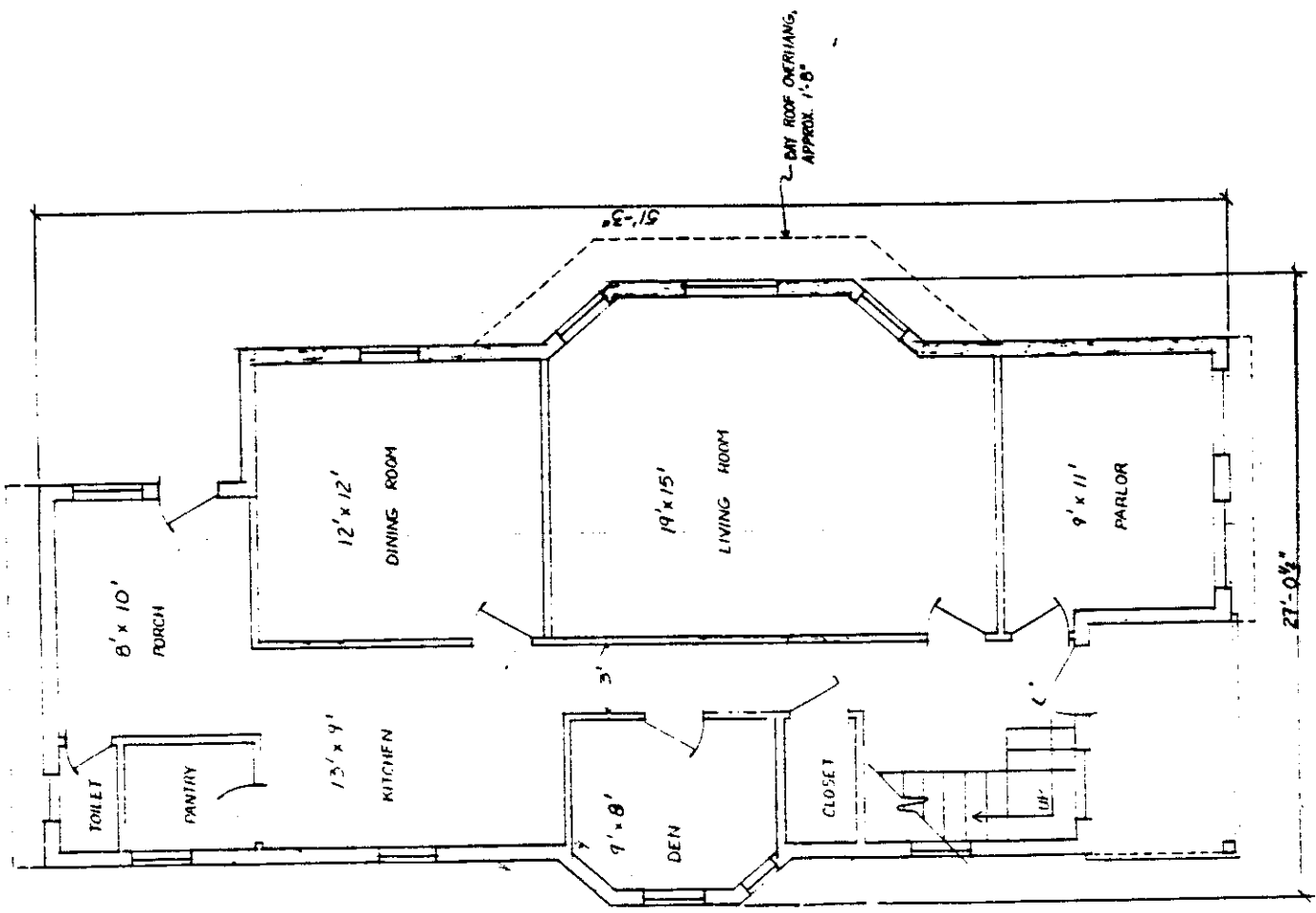
5-8-84

No. 7

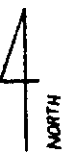


PLAN: SECOND FLOOR

REVISED: 4-20-84
 1444 19th Street, Syc. Richard Cable



PLAN: FIRST FLOOR



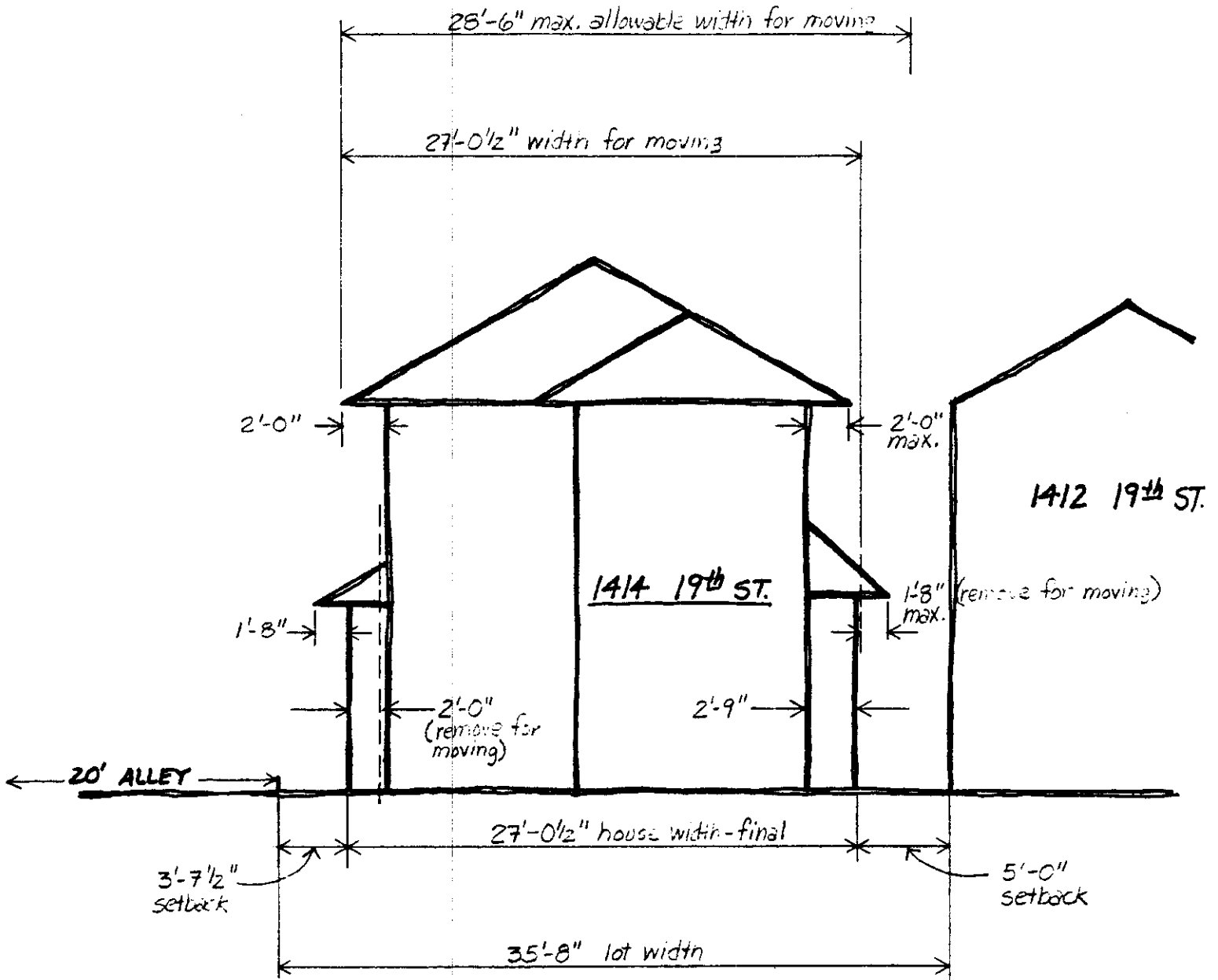
SCALE 1/4" = 1'-0"

8 FEET

P84-074

5-8-84

No. 7



SKETCH REVISED: 4-20-84.

RICH CABLE
 1414 19th ST.
 SACRAMENTO

P84-074

5-8-84

No. 7

CITY PLANNING COMMISSION

927 10TH STREET, SUITE 300 - SACRAMENTO, CALIFORNIA 95814

APPLICANT	Richard Cable - 947 Fulton Avenue #523, Sacramento, CA 95816		
OWNER	Mary Jeanette Cable - 917 38th Street, Sacramento, CA 95816		
PLANS BY	_____		
FILING DATE	2-17-84	50 DAY CPC ACTION DATE	REPORT BY: PB:sg
NEGATIVE DEC. EX.	15305(a)	EIR	ASSESSOR'S PCL. NO. 007-241-13

APPLICATION: Variance to encroach four feet 10 inches into the required five foot side yard setback.

LOCATION: 1414 19th Street

PROPOSAL: The applicant is requesting the necessary entitlement to move a house onto a vacant lot.

PROJECT INFORMATION:

1974 General Plan Designation: Commercial
1980 Central City Community
Plan Designation: Multi-family
Existing Zoning of Site: R-5
Existing Land Use of Site: Vacant

Surrounding Land Use and Zoning:

North: Residential; R-5
South: Residential; R-5
East: SMUD Station; C-2
West: Residential; R-5

Parking Required: One
Parking Provided: Two
Ratio Required: One per dwelling unit
Ratio Provided: Two per dwelling unit
Property Dimensions: 80' x 34.5'
Property Area: 2,720 square feet
Density of Development: 16 du./ac.
Significant Features of Site: Mature, healthy Magnolia at street
Topography: Flat
Street Improvements: Existing
Utilities: Existing
Exterior Building Colors: Yellow with blue trim
Exterior Building Materials: Wood

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

1. The subject site is located in the Central City Multi-Family Residential zone (R-5). The site reportedly has been vacant since the mid-1960's when the original house was demolished. The applicant proposes to move a 29'4" wide house onto a 34'6" wide site.

APPLC. NO. P84-074

MEETING DATE April 12, 1984

CPC ITEM NO. 7

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2. The applicant is requesting a variance to encroach four feet 10 inches into the required five foot side yard setback along the alley. The full five feet is provided along the north (right) side. It should be noted that at least the chimney portion of the adjacent house to the north crosses the common property line.

The subject lot is substandard, being 34'6" wide - narrower than the more common 40' x 80' lots. The house to be moved is 29'4". This leaves a difference of 5'2". The two foot roof overhang off of the den projection would overhang into the 20 foot alley.

3. The project has been reviewed by City Building Inspections and the City Tree Services. Tree Services recommends that the mature, healthy Magnolia tree between the sidewalk and curb remain undisturbed.

The above-mentioned tree poses a major problem. This healthy, mature Magnolia should not be damaged in any way, including trimming or compaction of root system. It stands approximately eight feet west of the alley boundary and would be severely damaged by the house move.

4. There is no hardship to justify the placement of this particular house onto this site. The structure is too large for the subject site. The structure is currently located on a 40' x 80' lot. The structure should be relocated onto a 40' x 80', or larger, lot. An alternative would be to reduce the width of the den and comply with the five foot side yard setback.

ENVIRONMENTAL DETERMINATION: The requested variance is exempt from environmental review pursuant to State EIR guidelines (CEQA 15305(a)).

STAFF RECOMMENDATION: Staff recommends that the Commission deny the requested variance to encroach 4'10" into the required five foot alley side yard setback based on the following findings of fact:

Findings of Fact

The variance to encroach 4'10" into the required five foot side yard setback would be a special privilege extended to this applicant in that the house is too wide for the lot and a healthy, mature tree would be severely damaged by the house move.

Vicinity Map



CONVENTION CENTER

MALL

MEMORIAL

STATE CAPITOL BUILDING AND PARK

Subject Site

CITY SCH ADMIN

CAPITOL

FREMONT PARK

WHITNEY AV

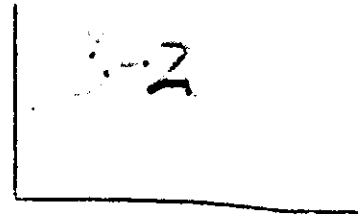
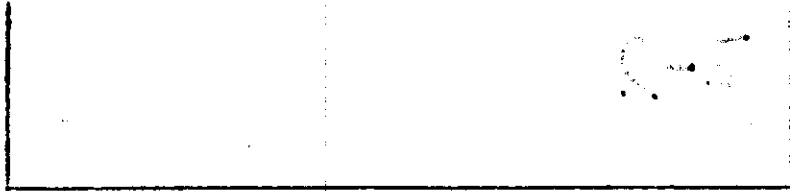
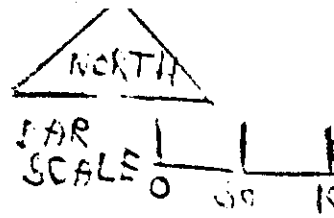
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12 April 1984

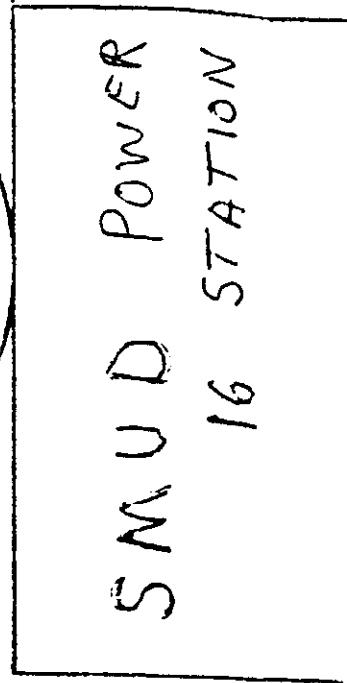
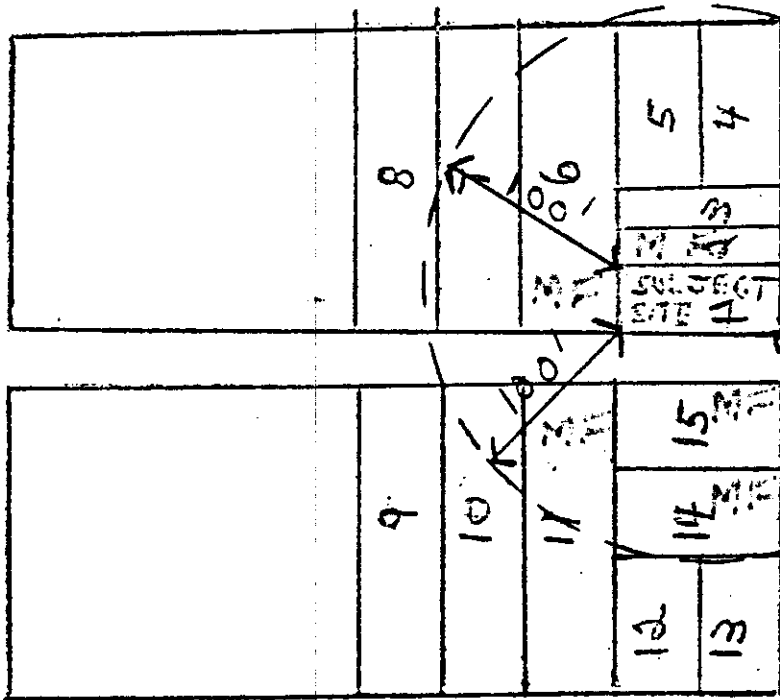
WILLIAM LAND SCHOOL

No. 227

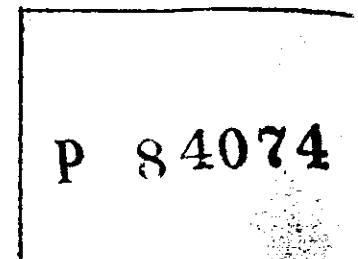
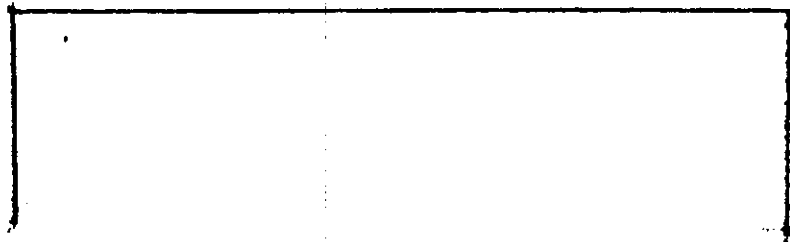
Surrounding Land Use



N STREET



O STREET



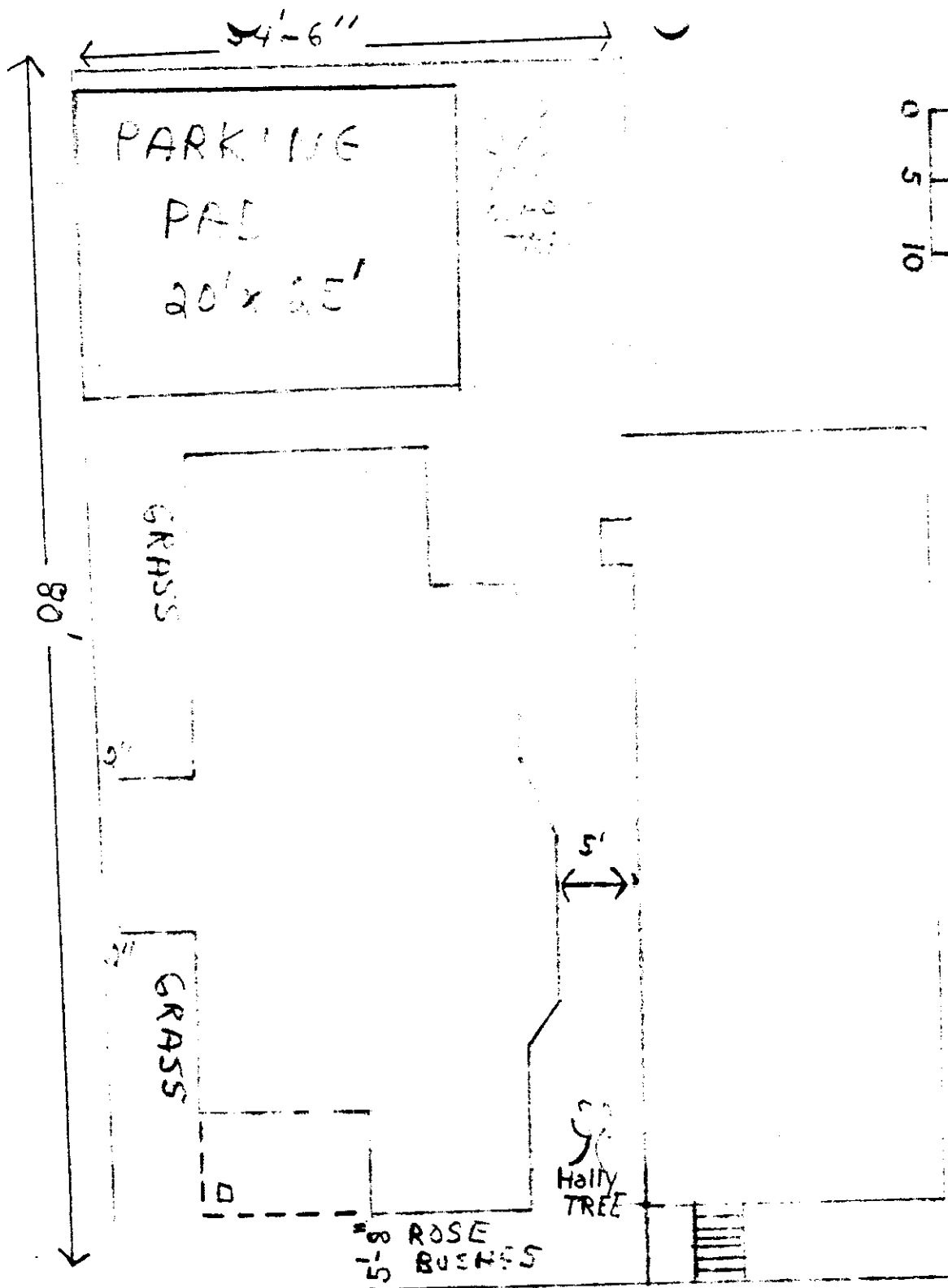
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4237

NORTH
BAR SCALE
0 5 10



ALLEY

SIDEWALK

MAGNOLIA TREE

GRASS

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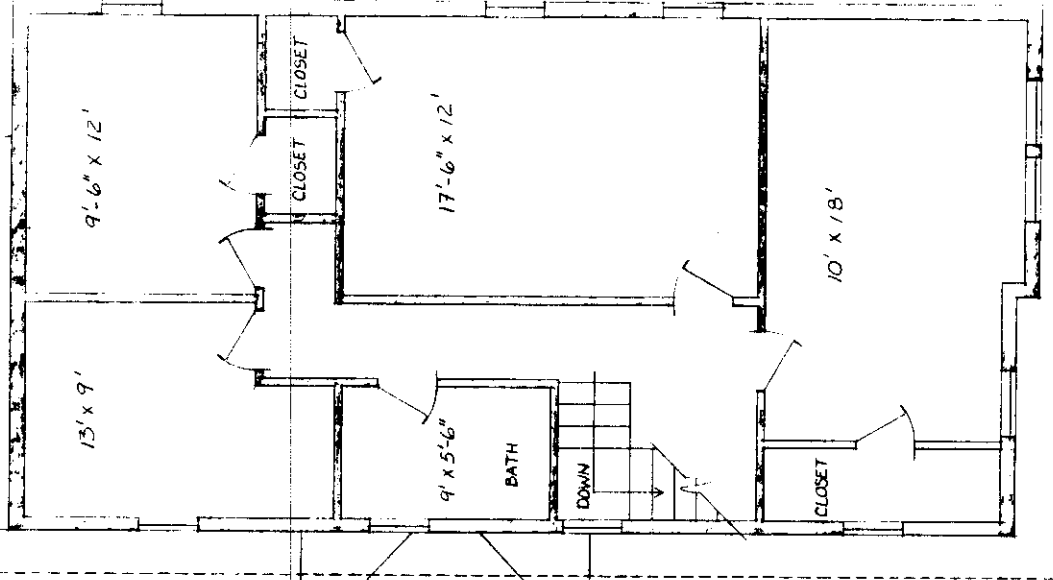
7
#23

104 STREET

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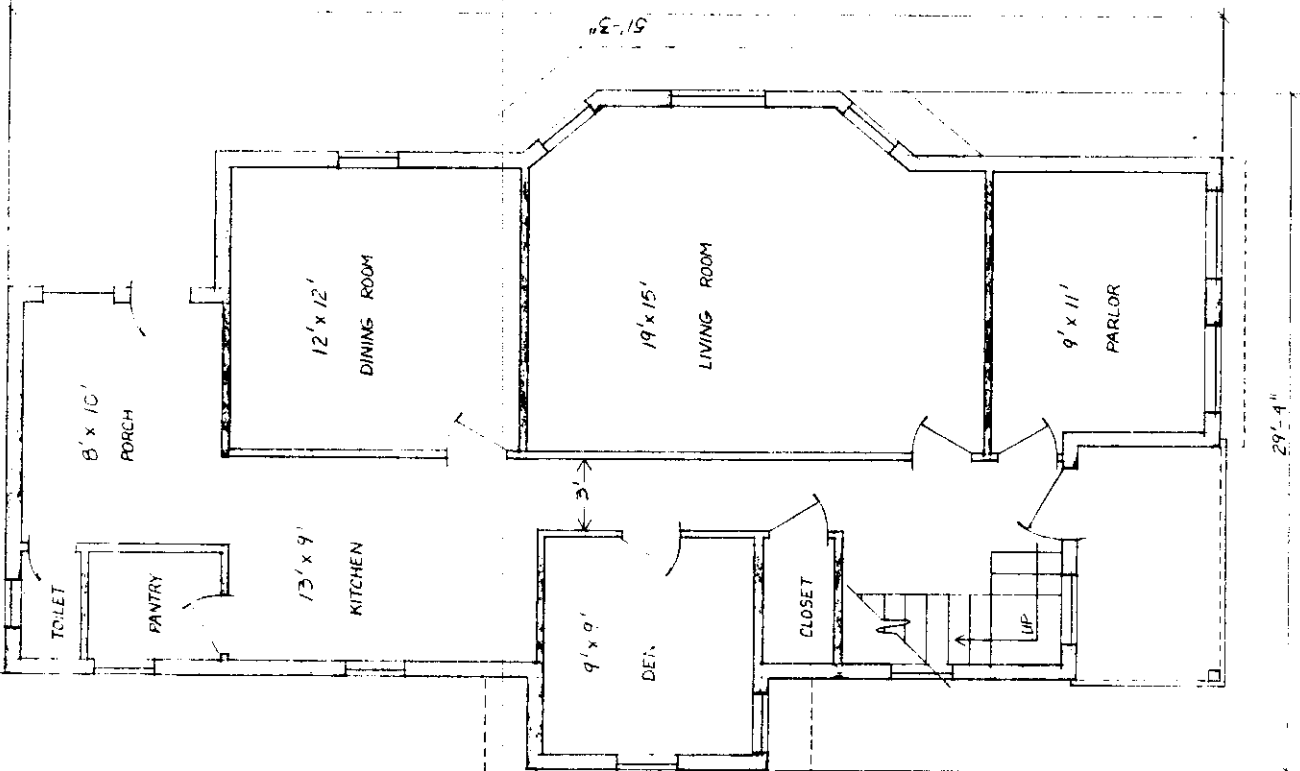
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PLAN: SECOND FLOOR



PLAN: SECOND FLOOR

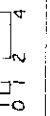
1414 19th Street, Sec. Kirilind Cal.



PLAN: FIRST FLOOR

SCALE: 1/4" = 1'-0"

8 FEET

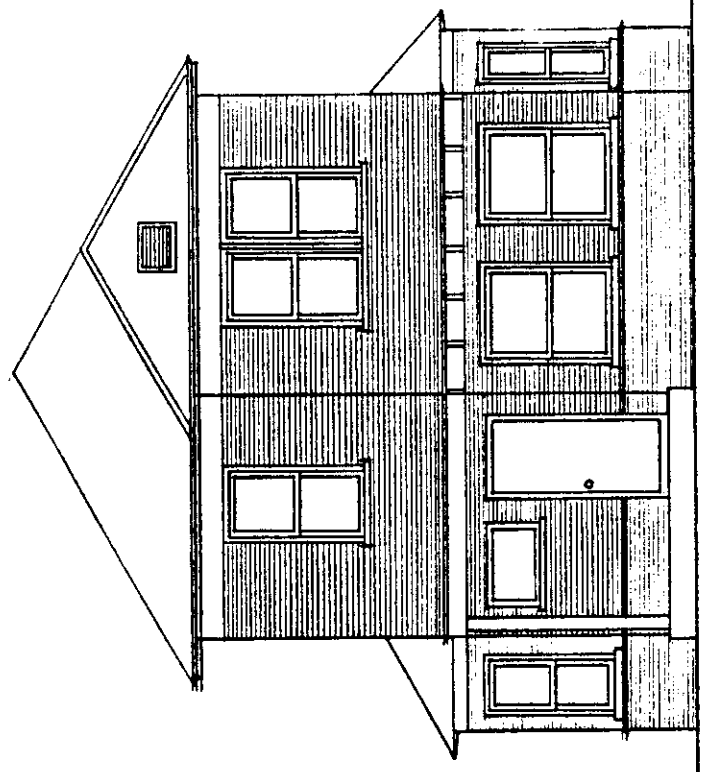


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EAST ELEVATION

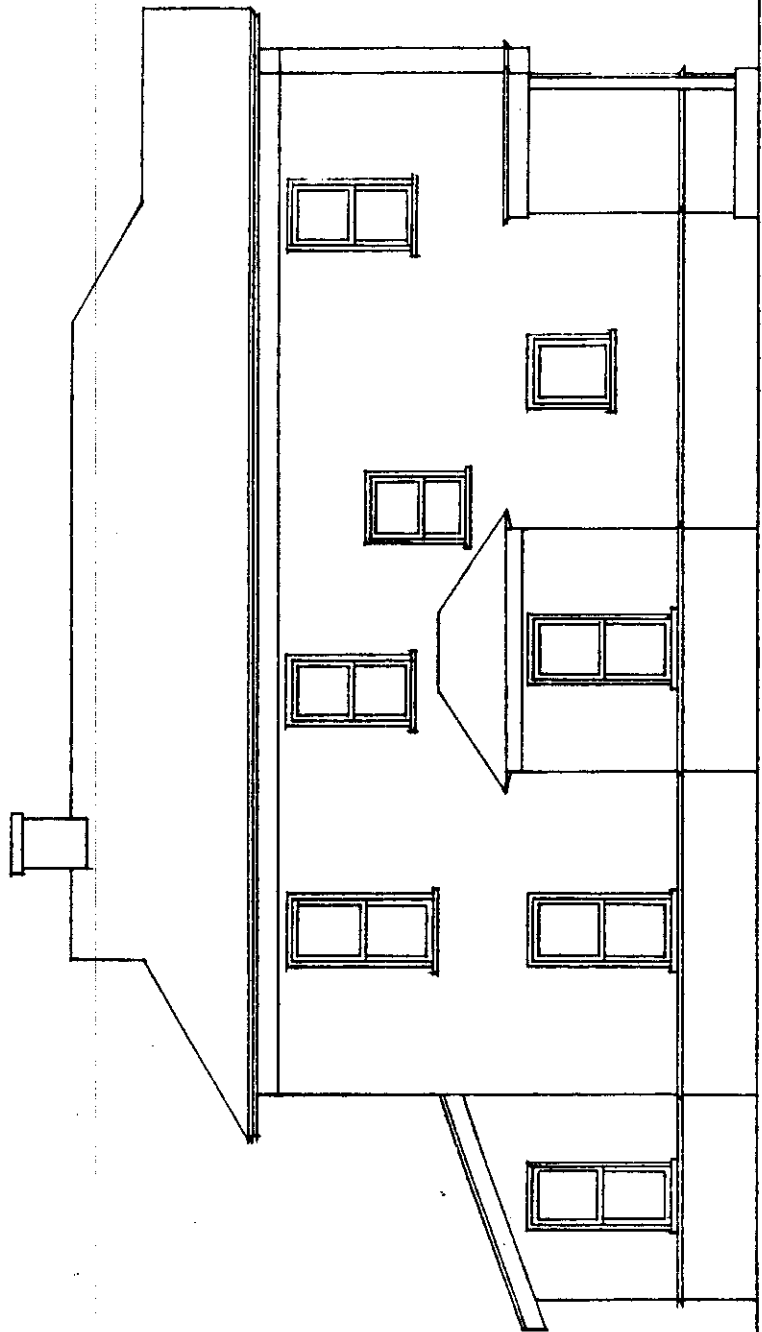


SCALE: 1/8" = 1'-0"

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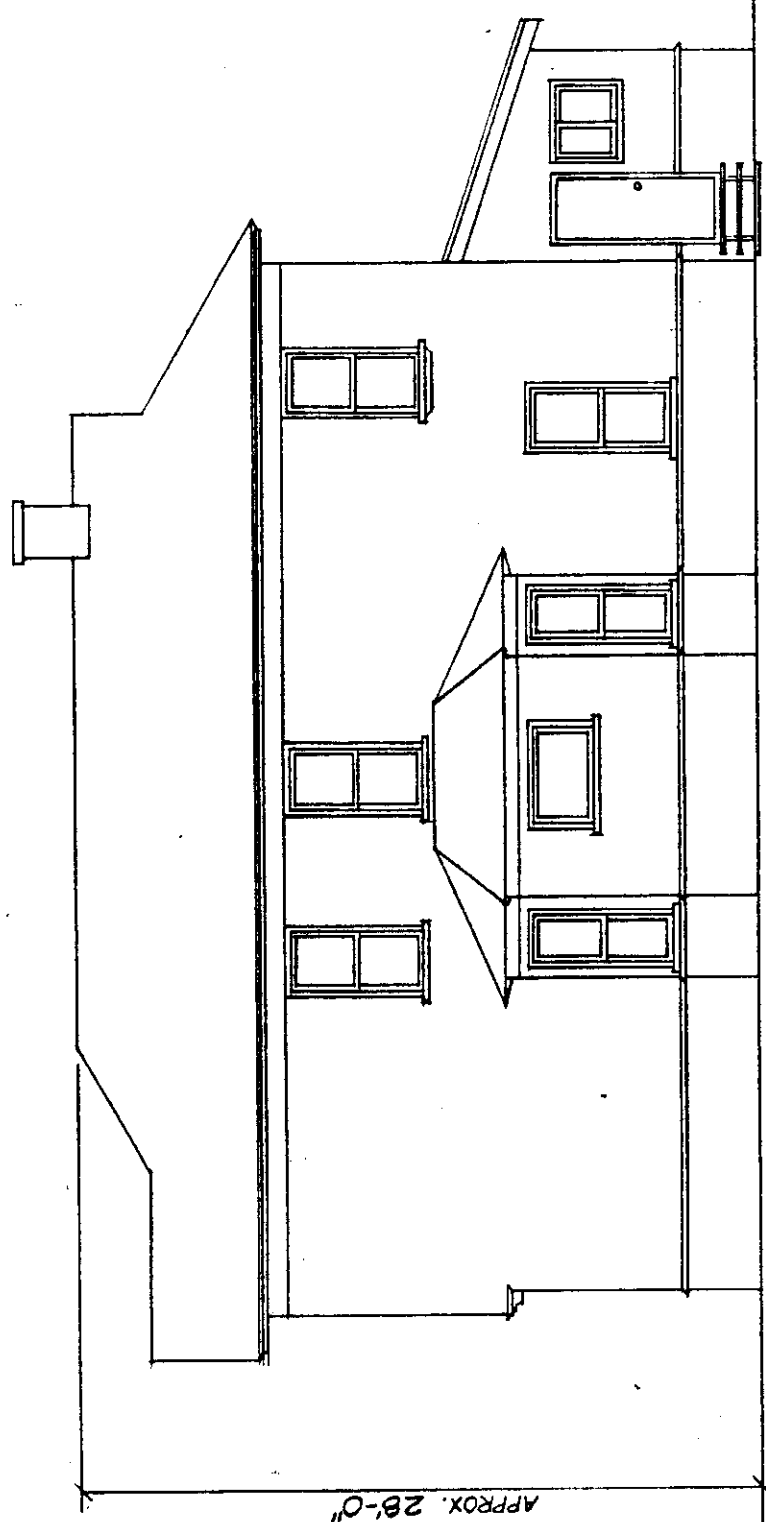
SOUTH ELEVATION

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237

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NORTH ELEVATION

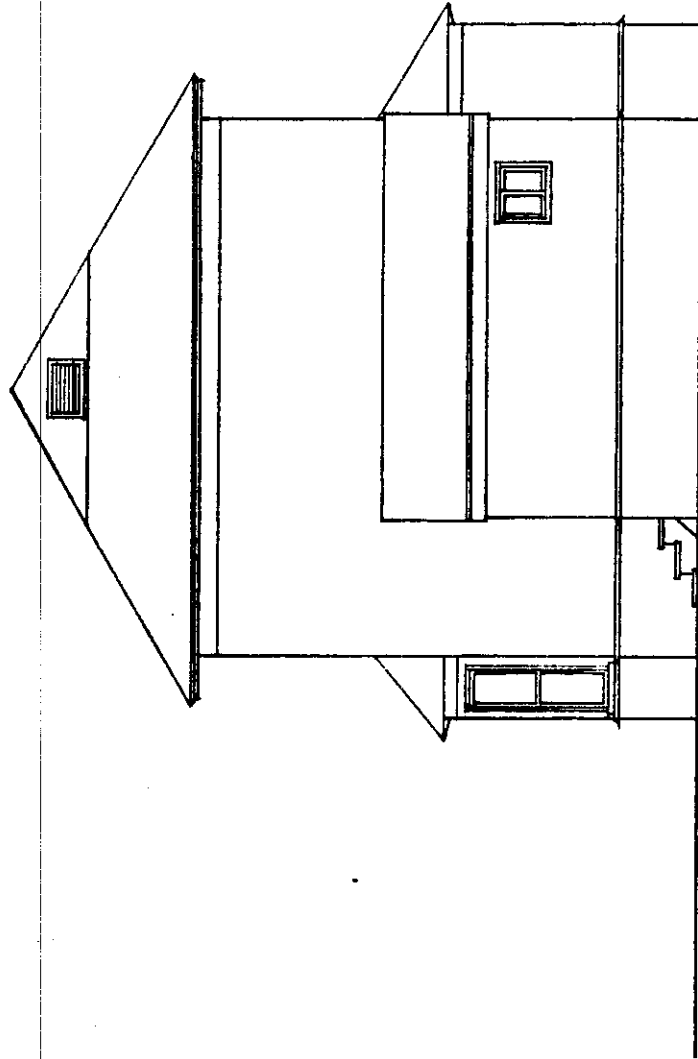
1414 19th Street, Sac. Richard Cable

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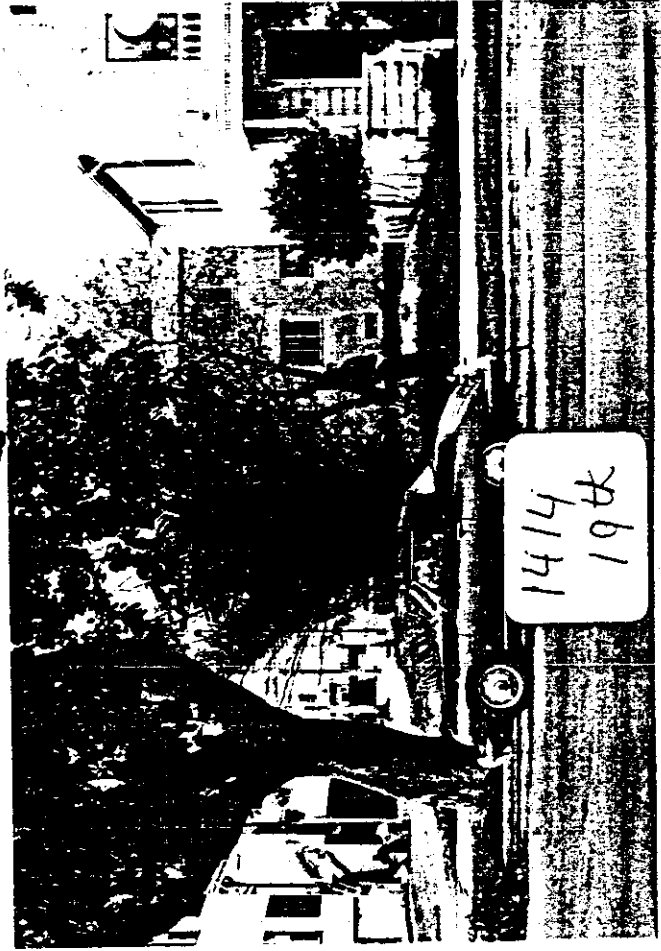


WEST ELEVATION

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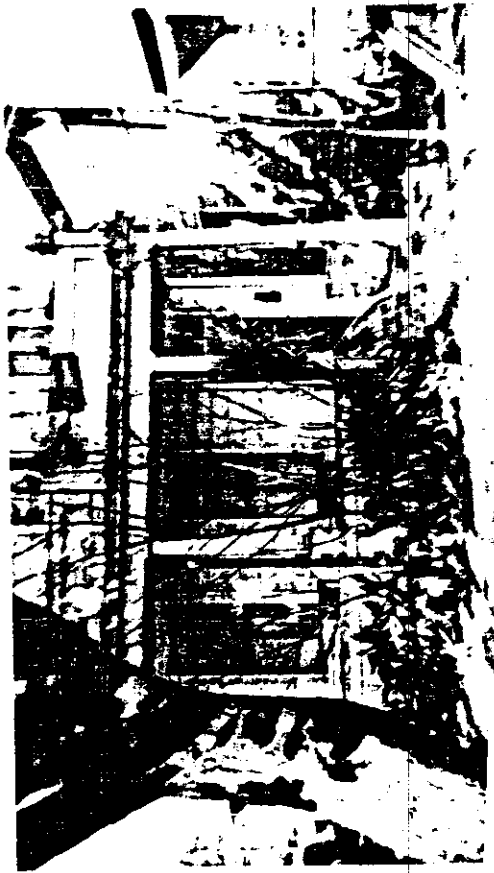
SUBJECT SITE



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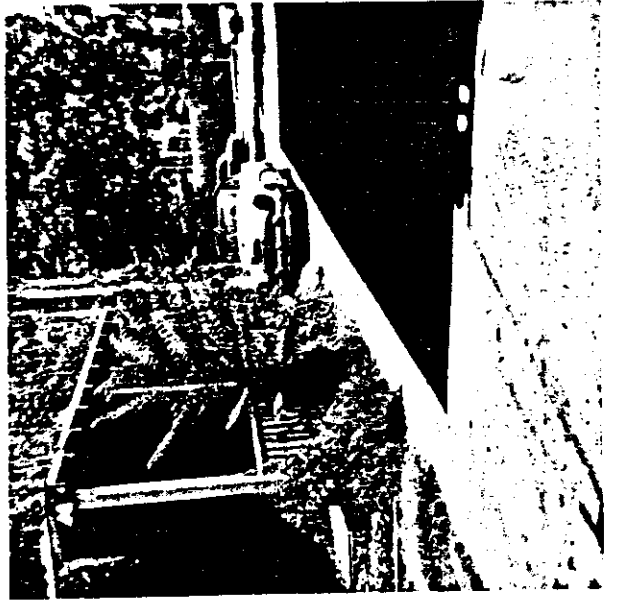
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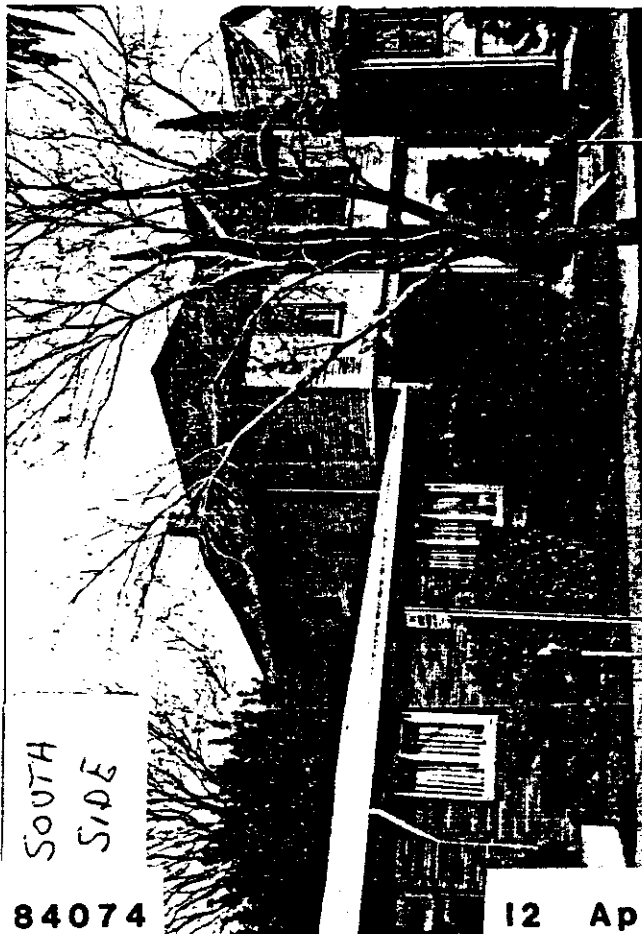
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1414
19th St

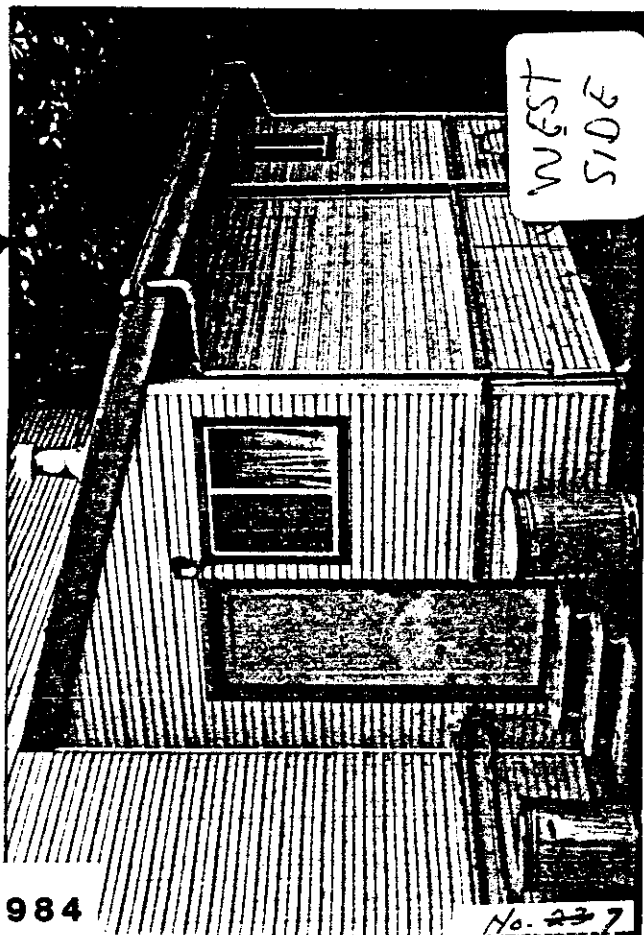
ORIGINAL HOUSE ON SUBJECT SITE





SOUTH
SIDE

HOUSE TO BE MOVED



WEST
SIDE

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EAST
SIDE



HOUSE TO BE MOVED



NORTH
SIDE



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