

P95-091 - Second Residential Unit at 515 Southgate Road

- REQUEST:
- A. **Special Permit** for an existing 945± square foot second residential unit addition to a garage on 0.22± acres in the Standard Single Family (R-1) zone;
 - B. **Variance** to exceed by 305 square feet of floor area to an existing 640 square feet for a second residential unit in the Standard Single Family (R-1) zone.
 - C. **Variance** from the required 15 foot rear yard setback to 7 feet for an existing 945± square foot second residential unit in the Standard Single Family (R-1) zone;

LOCATION: 515 Southgate Road
APN: 275-0184-012
North Sacramento Community Plan Area
Woodlake Neighborhood
Grant Joint Union School District
Council District 2

APPLICANT:	Keith and Sherri Kerth-Pershall (916) 441-0131 515 Southgate Road Sacramento, CA 95815
OWNER:	Keith and Sherri Kerth-Pershall (916) 441-0131 515 Southgate Road Sacramento, CA 95815
APPLICATION FILED:	September 21, 1995
STAFF CONTACT:	Hilary Perry, 264-5698

SUMMARY:

The project proponent purchased the house and second residential unit on the subject site after the second residential unit was constructed. Entitlements to allow the second residential unit as an addition to an existing garage were never granted; therefore, the applicant is requesting the necessary entitlements to make the existing residential unit a

legal use. The subject site is developed with a 1,867 square foot main residence and an existing 945 square foot second residential unit. Therefore, the applicant has requested a Special Permit and a Variance to allow a second residential unit that exceeds 640 square feet, and a Variance to reduce the required rear yard setback.

RECOMMENDATION:

Staff recommends approval of the project. This recommendation is based on the fact that the second residential unit is existing and that the unit is compatible with other second residential units in the area.

PROJECT INFORMATION:

General Plan Designation:	Low Density Residential (4-15 dwelling units per net acre)
Community Plan Designation:	Residential (4-8 dwelling units per net acre)
Existing Land Use of Site:	2 Residential Units
Existing Zoning of Site:	Standard Single Family (R-1)

Surrounding Land Use and Zoning:

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

Setbacks:	Required	Provided
Front:	23'	51±'
Side(east):	5'	8±'
Side(west):	5'	18'6"±
Rear:	15'	7±' [Requires Variance]

Property Dimensions:	157' x 61'
Property Area:	0.22± gross acres (9,577 sq. ft.)
Square Footage of Second Unit:	945 square feet [Exceeds 640 sq. ft.]
Height of Building:	19.5 feet, 1 story
Exterior Building Materials:	Wood
Roof Material:	Wood shingle
Parking Provided:	3 spaces
Parking Required:	3 spaces
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

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:

Permit
Building Permit

Agency
Building Division

BACKGROUND INFORMATION:

At the time that the project applicant purchased the property at 515 Southgate Road, it was developed, as it is today, with a 1,867 square foot main residential structure and a 945 square foot second residential unit. Unbeknownst to the current owner, the project proponent, entitlements had not been granted nor had a building permit been issued for the second residential unit. The Zoning Ordinance allows second residential units in cases where adequate lot size/open space is provided. The maximum allowable square footage for a second residential unit is 640 square feet. In order to legitimize the additional square footage for the second residential unit, the applicant is requesting a Special Permit and a Variance. An additional Variance is requested because the 7 foot rear yard setback for the existing second unit/garage is less than the required 15 foot rear yard setback.

STAFF EVALUATION:A. Policy Considerations

The General Plan designates the subject site as Low Density Residential (4-15 dwelling units per net acre) and the North Sacramento Community Plan designates the site as Residential (4-8 dwelling units per net acre). The existing second residential unit is consistent with the General Plan and North Sacramento Community Plan land use designations. The General Plan has a specific goal which states "Maintain and improve the quality and character of residential neighborhoods in the City." The existing second unit is an enhancement to the quality of the neighborhood in which it exists.

B. Site Plan Design/Zoning Requirements

1. Special Permit and Variance

The City's Zoning Ordinance allows second residential units subject to a Special Permit. Second units are required to not exceed 640 square feet; the unit shall not cover more than 25% of the rear yard setback area; and two parking spaces shall be provided on the lot. The existing second unit meets the requirements for lot coverage and parking, however, the subject proposal exceeds 640 square feet by 305 square feet.

The subject site is in an area that is developed with predominately single family residential units. An informal survey of the neighborhood indicated that there are a number of second residential units in the vicinity of the proposed project (Site visit, 10-24-95). The applicant is proposing to legalize an existing 945 square foot second residential unit. A Special Permit, a Variance to allow a second residential unit which exceeds the maximum 640 square feet by 305 square feet, and a Variance to reduce the required 15 foot rearyard setback to 7 feet is requested by the applicant. These requests are necessary to legalize the second residential unit.

The subject second residential unit is compatible with the existing residential development in the surrounding area. The second unit does not appear to encroach on the surrounding neighbors. Because the project site is large enough to support the second residential unit and because adequate parking is provided, staff supports the Special Permit and the Variances. Furthermore, staff supports the project because the resulting lot coverage, 29 percent, is not in excess of the maximum allowable 40 percent lot coverage.

2. Setbacks

The two residential units and garage on the project site total 2,812 square feet. Frontage is on Southgate Road. The submitted site plan indicates that the second residential unit does not exceed the required front setbacks, or lot coverage. The existing rearyard setback is 7 feet which is less than the required 15 foot rearyard setback, and, therefore, a Variance has been requested.

C. Building Design

The exterior building materials consist of wood batts and boards. The exterior colors are light grey with white trim. Wood singles have been used as the roofing material. The second residential unit is consistent with the design of and the materials used for the primary residential unit, and is compatible with the surrounding residential neighborhood. The City of Sacramento Zoning Ordinance allows a maximum height limit of 35 feet in the Standard Single Family (R-1) Zone. The second residential unit is in compliance with the 35 foot height limit, in that the second residential structure is 19.5 feet (2 stories).

PROJECT REVIEW PROCESS:

A. Environmental Determination

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

B. Public/Neighborhood/Business Association Comments

The proposed project site is within the Woodlake Neighborhood. The project application packet was sent to the Woodlake Improvement Club and no comments were received. The proposed project application packet was also sent to the surrounding land owners within a 500 foot radius of the project site. No comments were received.

C. Summary of Agency Comments

The proposal was routed to the City's Traffic Engineer, Engineering Development Section, Building Department, Police Department, and Utility Department. No comments were received.

PROJECT APPROVAL PROCESS:

The Planning Commission has the authority to approve or deny the requested Special Permit and Variances. The decision of the Planning Commission may be appealed to the City Council. The appeal must occur within 10 days of the Planning Commission action.

RECOMMENDATION:

Staff recommends approval of the proposed development for the following reasons:

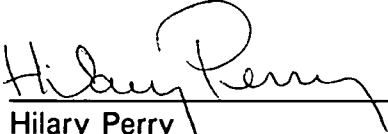
- The proposed project will be consistent with the General Plan and the North Sacramento Community Plan and policies.
- The proposed project meets the density for the site.
- The proposed project will provide adequate front and rear setbacks, landscaping, and is compatible with adjacent residential development.
- The proposed project does not result in an increase in the size of the footprint for the existing garage and does not exceed the maximum rearyard coverage.

Staff recommends the Planning Commission take the following actions:


- A. Adopt the attached Resolution approving the Special Permit for an existing 945 square foot second residential unit in the Standard Single Family (R-1) Zone.
- B. Adopt the attached Resolution approving the Variance to allow an additional 305 feet of floor area for a second residential unit in the Standard Single Family (R-1) Zone.

- C. Adopt the attached Resolution approving the Variance to allow an the required 15 foot rearyard setback to be reduced to 7 feet for an existing second residential unit in the Standard Single Family (R-1) Zone.

Report Prepared By,


Hilary Perry
Associate Planner

Report Reviewed By,


Scot Mende
Senior Planner

Attachments

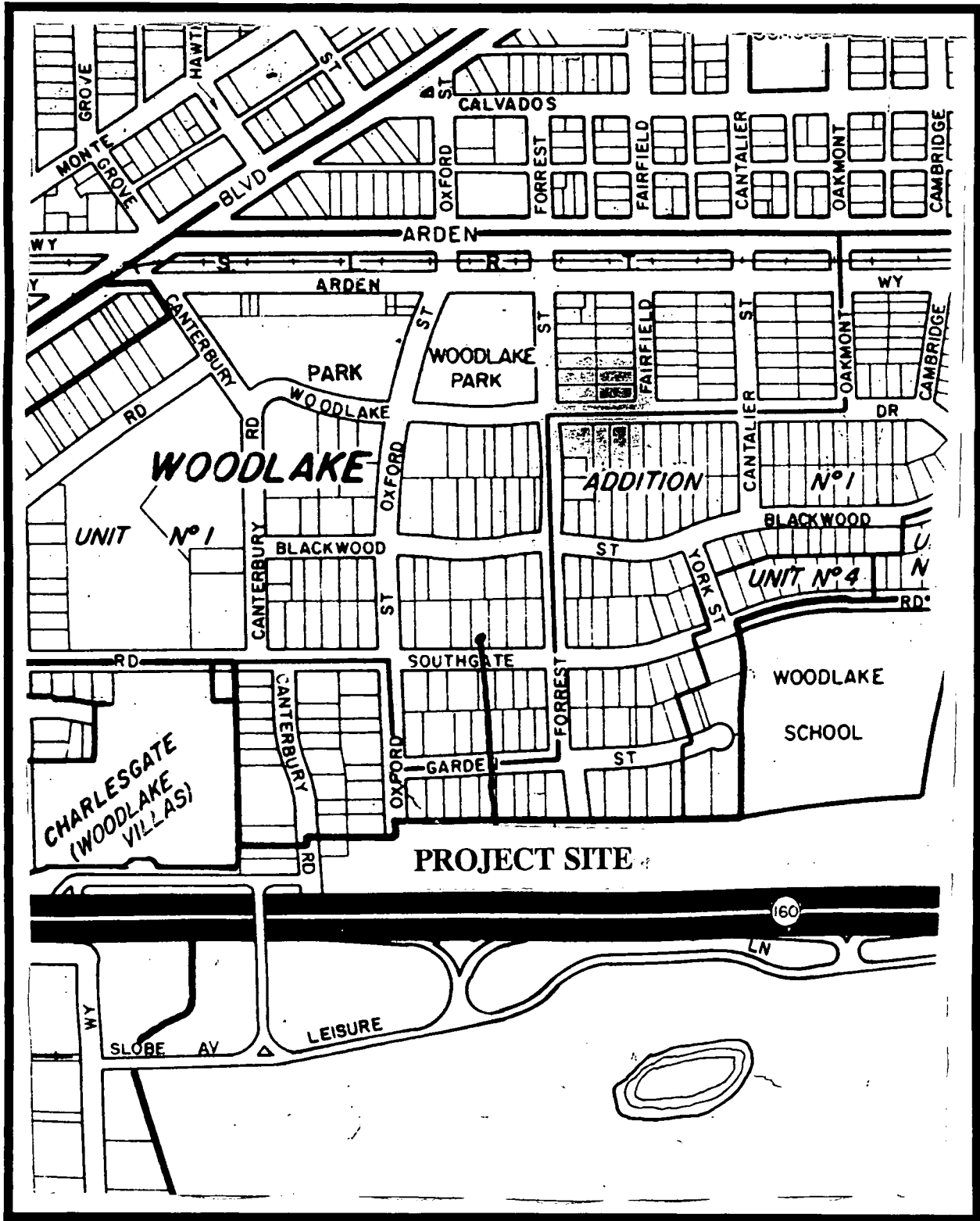
Attachment 1	Vicinity Map
Attachment 2	Land Use and Zoning Map
Attachment 3	Resolutions
Exhibit 3-A	Site/Floor Plan

ATTACHMENT 1

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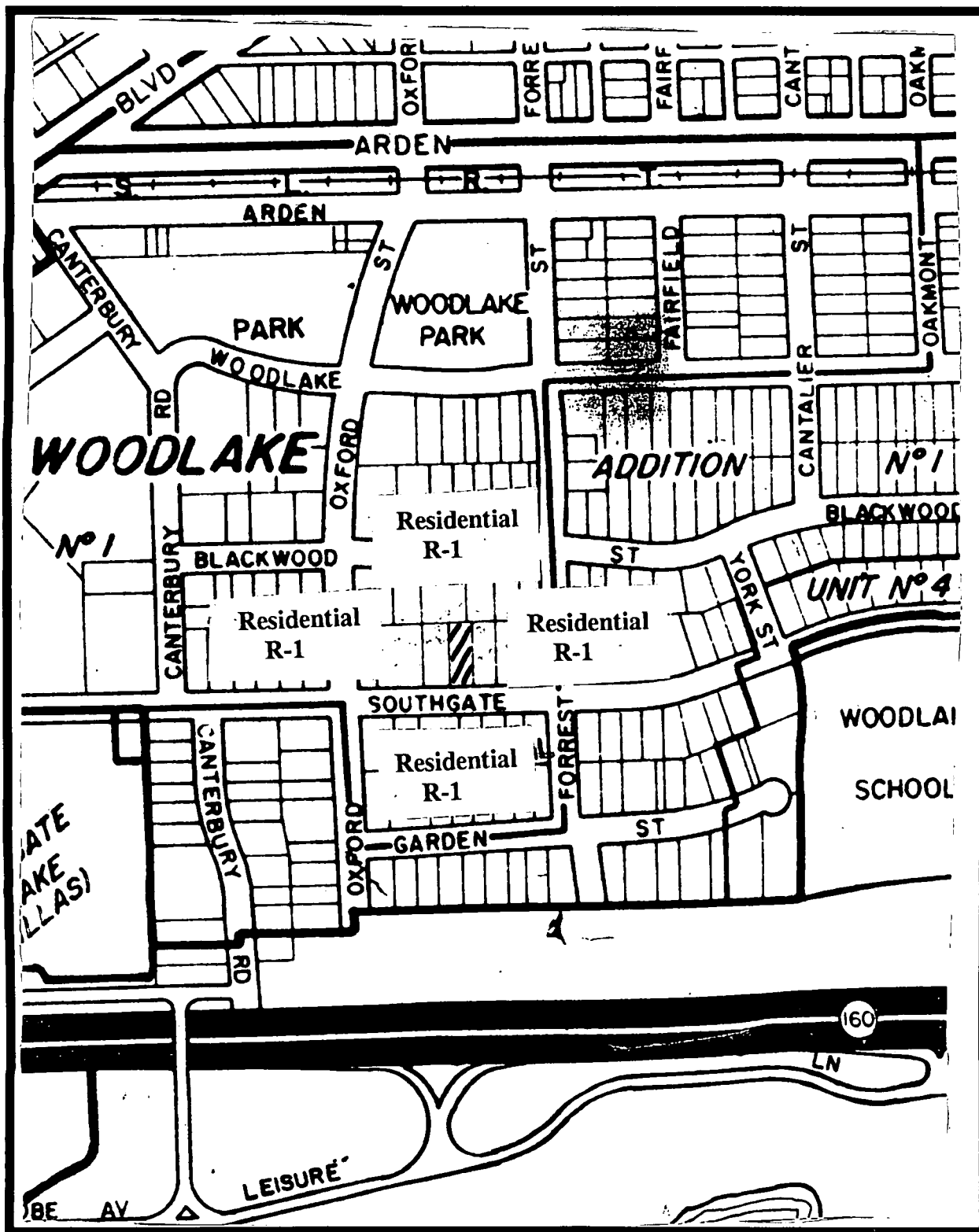
VICINITY MAP

ATTACHMENT 2

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LAND USE AND ZONING MAP

RESOLUTION NO.

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION

ON DATE OF NOVEMBER 16, 1995

**A RESOLUTION ADOPTING FINDINGS OF FACT
AND APPROVING A SPECIAL PERMIT FOR
PROPERTY LOCATED AT 515 SOUTHGATE
ROAD (P95-091)(APN:252-0262-018)**

WHEREAS, the City Planning Commission on November 16, 1995, held a public hearing on the request for approval of a special permit to allow an additional 305 square feet of floor area for a second residential unit for property located at the above described location;

WHEREAS, the proposed project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15301(E)(1)).

WHEREAS, the Planning staff has submitted to the City Planning Commission its report and recommendations on the proposed development;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF SACRAMENTO THAT:

1. The Special Permit is hereby approved based upon the following findings of fact:
 - a. The proposed project meets the density for the site.
 - b. Granting the Special Permit would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
 - 1) The proposed project does not result in an increase in the size of the existing footprint, and does not exceed the maximum rearyard coverage;
 - 2) The second residential unit is compatible with the front dwelling unit and the adjacent residential units in the area.
 - c. The project is consistent with the General Plan and North Sacramento Community Plan which designate the site for Residential land use.

2. The Special Permit for the existing residential unit is hereby approved subject to the following conditions:
- A. The applicant shall obtain a Building Permit for the existing second residential unit.
 - B. Any future addition or expansion of the existing second residential unit shall be reviewed and approved by the Planning Commission prior to issuance of a Building Permit.

CHAIRPERSON

ATTEST:

SECRETARY TO PLANNING COMMISSION

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RESOLUTION NO.

ADOPTED BY THE SACRAMENTO PLANNING COMMISSION

ON DATE OF NOVEMBER 16, 1995

A RESOLUTION ADOPTING FINDINGS OF FACT AND APPROVING A VARIANCE FOR AN ADDITIONAL 305 SQUARE FEET OF FLOOR AREA FOR A SECOND RESIDENTIAL UNIT AND A VARIANCE TO REDUCE THE REQUIRED 15 FOOT REAR YARD SETBACK TO 7 FEET FOR PROPERTY LOCATED AT 515 SOUTHGATE ROAD (P95-091)(APN:275-0184-012)

WHEREAS, the City Planning Commission on November 16, 1995 held a public hearing on the request for approval of a variance to allow an additional 305 square feet of floor area for second residential unit for property located at the above described location;

WHEREAS, the proposed project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15301(E)(1)).

WHEREAS, the Planning staff has submitted to the City Planning Commission its report and recommendations on the proposed development;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE CITY OF SACRAMENTO THAT:

1. The variance to allow an additional 305 square feet of floor area in excess of the allowable 640 square foot second residential unit is hereby approved based upon the following findings of fact and subject to the following conditions:

A. Findings of Fact

1. The proposed project meets the density for the site.
2. Granting the Variance would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
 - a) The proposed project does not result in an increase in the size of the existing footprint and does not exceed the maximum rearyard coverage;

maximum rearyard coverage;

- b) The second residential unit is compatible with the front dwelling unit and the adjacent residential units in the area.
- c) The project is consistent with the General Plan and North Sacramento Community Plan which designate the site for Residential land use.

B. Conditions

- 1. The applicant shall obtain a Building Permit for the existing second residential unit.
- 2. Any future addition or expansion of the existing second residential unit shall be reviewed and approved by the Planning Commission prior to issuance of a Building Permit.

- 2. The variance from the required 15 foot rear yard setback to 7 feet for an existing second residential unit is hereby approved based upon the following findings of fact, and subject to the following conditions:

A. Findings of Fact

- 1. The proposed project meets the density for the site.
- 2. Granting the Variance would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
 - a) The proposed project does not result in an increase in the size of the existing footprint and does not exceed the maximum rearyard coverage;
 - b) The second residential unit is compatible with the front dwelling unit and the adjacent residential units in the area.
 - c) The project is consistent with the General Plan and North Sacramento Community Plan which designate the site for Residential land use.

B. Conditions

- 1. The applicant shall obtain a Building Permit for the structure.
- 2. Any future addition or expansion of the existing second residential unit shall be reviewed and approved by the

Planning Commission prior to issuance of a Building Permit.

CHAIRPERSON

ATTEST:

SECRETARY TO PLANNING COMMISSION

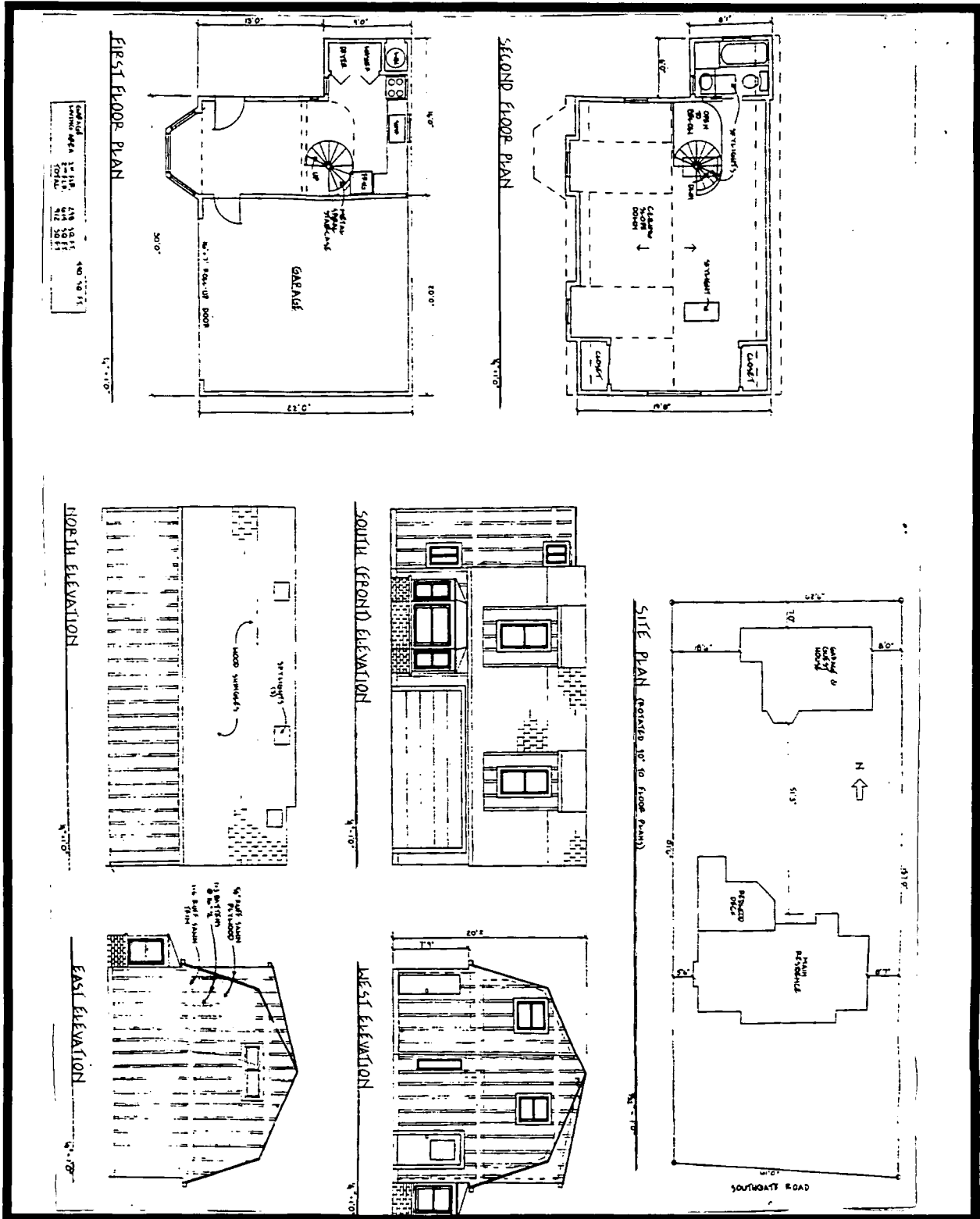
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EXHIBIT A

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SITE/FLOOR PLAN

