

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

APPLICANT Luis S. Colmenarez, 516 13th Street, Sacramento, CA 95814
OWNER Luis S. Colmenarez, 516 13th Street, Sacramento, CA 95814
PLANS BY Luis S. Colmenarez, 516 13th Street, Sacramento, CA 95814
FILING DATE May 20, 1992 ENVIR. DET. Cat. Ex. 15301a REPORT BY Don Smith
ASSESSOR'S PCL. NO. 002-0122-013

APPLICATION: A. Variance to reduce rear yard from 15 feet to 0 feet; and,
B. Variance to reduce side yard from five feet to four feet on
.073± developed acres in the Multi-Family (R-3A) zone.

LOCATION: 516 13th Street

PROPOSAL: The applicant is requesting the necessary entitlements to
replace an existing deteriorated porch and carport which
encroach into the side and rear yard areas.

PROJECT INFORMATION:

General Plan Designation: High Density Residential (30+ du/na)
Central City Community Plan: Multi-Family Residential
Existing Zoning of Site: R-3A
Existing Land Use of Site: Residential

Surrounding Land Use and Zoning:

North: Single Family Residence; R-3A	Setbacks:	Required:	Provided:
South: Multi-Family Residence; R-3A	Front:	25'	16'3"
East: Multi-Family Residence; R-3A	Side(Int):	5'	0'
West: Single Family Residence; R-3A	Side(Alley):	5'	4'
	Rear:	15'	0'

Existing Building Size: 1,500± sq.ft.
Property Dimensions: 40' X 80'
Property Area: 0.073± gross acres, 3200 square feet
Topography: Flat
Street Improvements: Existing
Utilities: Existing
Exterior Building Materials: Wood siding
Roof Material: Composition Shingle

BACKGROUND INFORMATION:

In 1985, the applicant requested the same entitlements that are before the
Planning Commission today. On October 10, 1985, the Planning Commission
approved the applicant's request for the two variances provided that the top
of the carport was not to be used as a deck. The applicant did not, however,
pursue obtaining building permits for the new construction. After one year
the variances expired.

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PROJECT EVALUATION:

A. Land Use and Zoning

The subject site is designated High Density Residential (30+ du/na) in the General Plan. The Central City Community Plan designates the site Multi-Family Residential. The property is 0.073± developed acres located at 516 13th Street. A two story single family residence constructed around the turn of the century, and a carport structure occupy the site. The subject and surrounding properties are zoned Multi-Family Residential (R-3A) and contain a mix of single and multi-family residential dwellings.

B. Applicant's Proposal

The applicant is reapplying for the same entitlements that were requested in 1985. Those include two variances which will allow the demolition of the existing rear porch and carport and reconstruction of a bedroom, service porch and new carport within the required 15 foot rear yard setback and five foot side yard setback area. The rear yard setback is proposed to be reduced to zero feet and the side yard setback to four feet for the structure.

C. Staff Analysis

The property is a 40 foot wide by 80 foot deep parcel located in the R-3A zone. It is developed with a single family residence. The entire building is too close to all of the property lines. It may be considered a non-conforming structure in that the existing structure does not conform to any of the existing setback requirements. In addition, the 40' X 80' lot is not large enough to offer many opportunities for building addition without variances.

Variances- The applicant requests two variances. The first variance requests a reduction of the rear setback area from 15 feet to zero feet in order to add on a bedroom, a service porch and a new carport. The new construction would replace a substandard porch and carport that is currently in the rear of the building. The new addition would essentially be located in the same area as the old construction. A second variance request is to reduce the alley side yard setback from five feet to four feet. The proposed new construction will be located in the same area as the existing construction. Staff supports these variances as the new construction permitted by them will not have any greater impact than what is already on-site. In addition, the 40' X 80' parcel size may be considered the hardship necessary to support the variance.

Building Design and Materials- The project is located within the Central City Design Review area. The building is also a victorian listed on the City's historical register. The building plans are, therefore, subject to the review and approval of the Design Review staff prior to the issuance of a building permit. All new construction would be required to be compatible with the existing architecture of the building.

D. Agency Comments

The proposed project has been sent to Traffic Engineering, Development Services, Building Division and others. Their comments are included in the conditions of approval below.

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ENVIRONMENTAL DETERMINATION:

The Environmental Services Manager has determined that the project is exempt from environmental review pursuant to State EIR Guidelines (California Environmental Quality Act, Section 15301(e)(2)(A)).

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

- A. Approve the Variance to reduce rear yard from 15 feet to 0 feet subject to conditions and findings of fact which follow; and,
- B. Approve the Variance to reduce side yard from five feet to four feet on .073± developed acres in the Multi-Family (R-3A) zone subject to conditions and findings of fact which follow.

Conditions

- 1. Any gates off alley shall remain out of the City right-of-way.
- 2. The building's design, including materials, shall meet the approval of the Design Review Board staff prior to the issuance of any building permit.
- 3. The top of the carport shall not be used as a deck.

Findings of Fact

- 1. Granting of the variance does not constitute a special privilege extended to an individual applicant in that:
 - a) the variances would be granted to other property owners facing similar circumstances; and,
 - b) the substandard parcel size is an existing condition.
- 2. Granting of the variance does not constitute a use variance in that residential uses are allowed in the R-3A zone.
- 3. Granting the request will not be injurious to public welfare nor to property in the vicinity in that:
 - a) the existing building is located in the same proximity;

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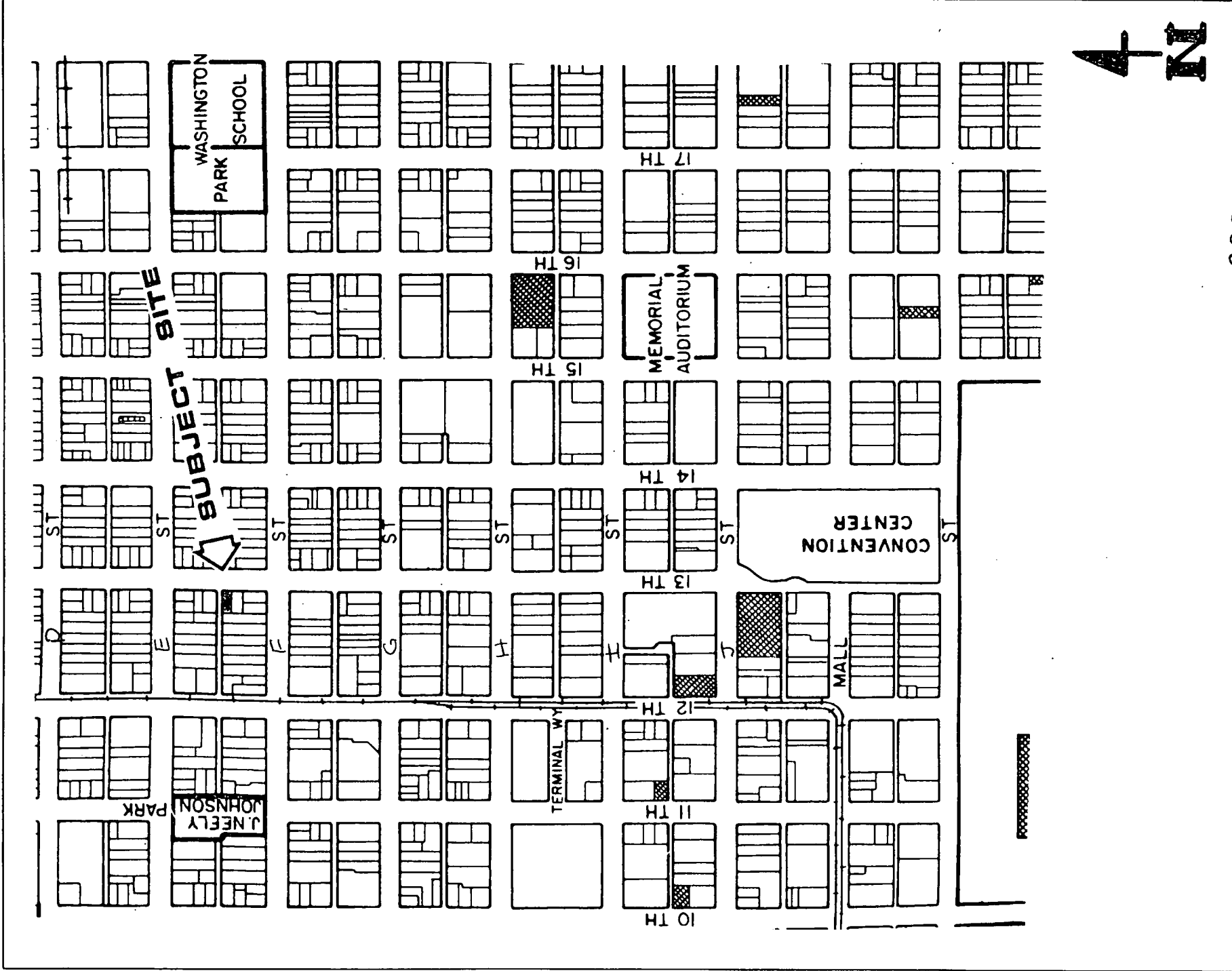
- b) architectural and structural elements shall be incorporated into the project that will contribute to the overall quality of the neighborhood.
- 4. The proposed project is consistent with the intent of the General Plan which designates the site for residential uses.

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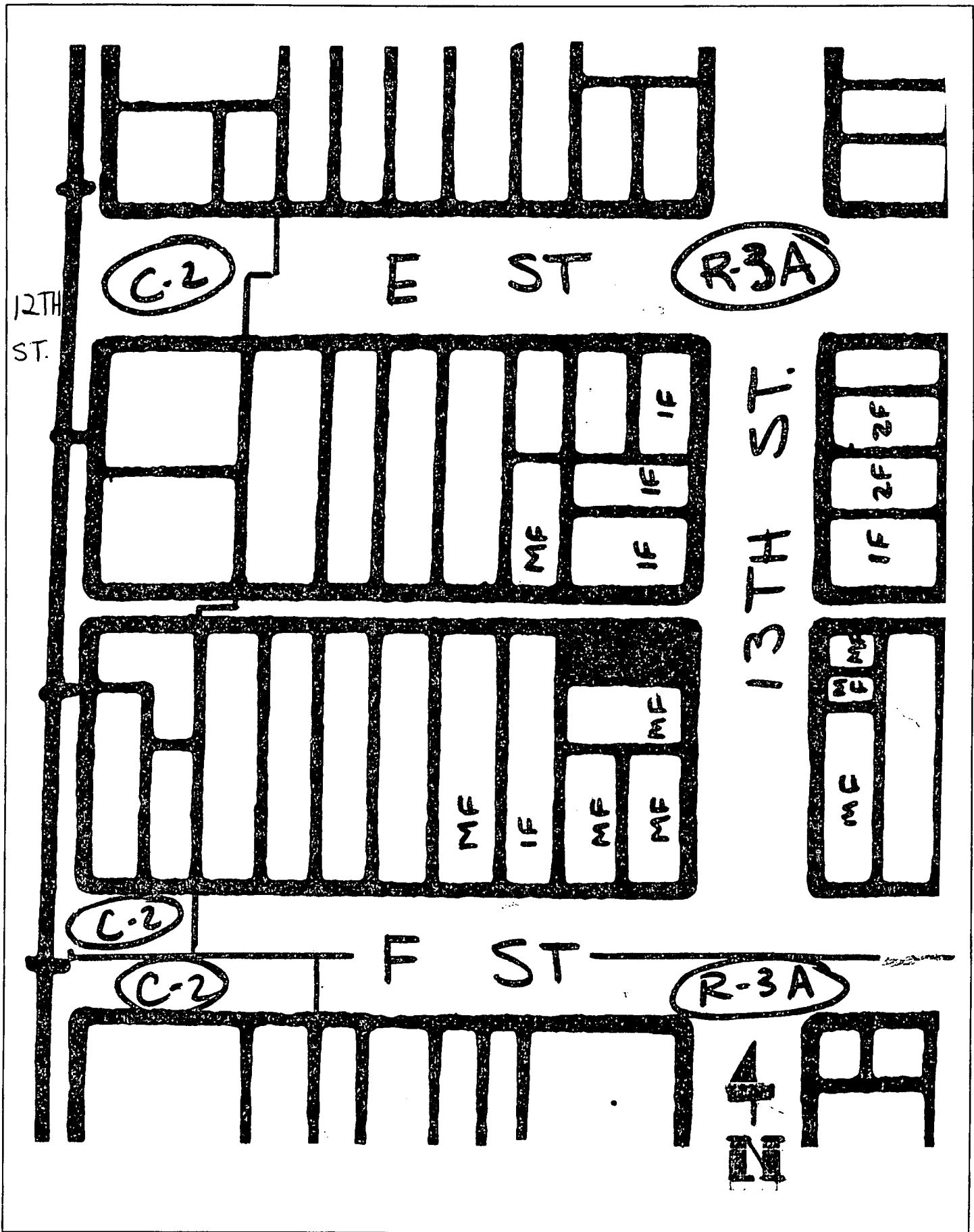
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VICINITY MAP



LAND USE & ZONING MAP

