

CITY PLANNING COMMISSION

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

APPLICANT	W. S. Freitag - 990 Jonas Avenue, Sacramento, CA 95825		
OWNER	C. Alan & Deborah Corr - 1553 38th Street, Sacramento, CA		
PLANS BY	W. S. Freitag (dba, The Kitchen Shoppe) - 990 Jonas Avenue, Sacto., CA 95825		
FILING DATE	7-20-84	50 DAY CPC ACTION DATE	REPORT BY: FG:lr
NEGATIVE DEC.	Ex. 15305	EIR	ASSESSOR'S PCL. NO. 008-403-08

- APPLICATION:**
- A. Variance to reduce the 12 1/2 ft. street sideyard to 0 ft. to construct a fence and retaining wall.
 - B. Variance to reduce the street sideyard setback from 12 1/2 ft to 5 ft. to construct a garage.
 - C. Variance to exceed maximum 25% rear lot coverage with a garage.
 - D. Variance to reduce 20 ft. driveway depth to 5 ft.

LOCATION: 1553 38th Street

PROPOSAL: The applicant is requesting the necessary entitlements to construct a fence, retaining wall and garage.

PROJECT INFORMATION:

1974 General Plan Designation:	Residential
1963 East Sacramento Community Plan Designation:	Light density residential
Existing Zoning of Site:	R-1
Existing Land Use of Site:	Residence
Surrounding Land Use and Zoning:	
North: Residence, R-1	
South: Residence, R-1	
East: Residence, R-1	
West: Residence, R-1	
Parking Required:	1 space
Parking Provided:	Proposed 2 spaces
Property Dimensions:	50' x 160'
Property Area:	8,000 sq. ft.
Square Footage of Garage:	440 sq. ft.
Height of Structure(s):	14'
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing
Exterior Building Colors:	Brown
Exterior Building Materials:	Shingle siding

PROJECT EVALUATION: Staff has the following concerns and comments:

- A. The subject site is designation for residential and light density residential on the General Plan and Community Plan respectively. The site is zoned Single Family (R-1). An existing residence is located on site and is surrounded by single family residences.

APPLC. NO. P84-284

MEETING DATE August 23, 1984

CPC ITEM NO. 23

002554

B. The applicant is requesting the necessary entitlements to construct a garage and retaining wall/fence within required height, setback and coverage areas. The applicant's plan indicates that the proposed double garage will be located within 5 ft. of the street sideyard property line, that a 5 ft. driveway will be provided and that the proposed garage will cover more than 25% of the rearyard area. In addition, a six foot high wall/fence would be constructed on the street sideyard property line. The following is an outline of concerns and project alternatives:

1. Retain Wall/Fence - The subject site slopes from north to south and a retaining wall would provide erosion control if such a problem existed. It is most likely that the wall/fence would provide privacy and safety for the proposed pool. An 18" high concrete wall topped with a 4' 6" wood fence might not be compatible with adjacent development and the wall/fence would create a "blind spot" for a driver backing out of the garage or for someone walking, riding or playing along the sidewalk.
2. Garage - Construction of the garage as proposed would create a situation whereby the property owner would not utilize the garage and instead park in front of the garage blocking the sidewalk. The garage would also create a "blind spot" for cars coming out of the alley; although this would not be a significant factor since the garage is located 5 ft. back of the sidewalk.

Given these concerns, staff cannot support the Variance requests, however, the following alternatives are suggested:

Alternative 1 - Rebuild the garage on its previous site and reconstruct to original size and height; and locate the wall/fence along the setback line.

Alternative 2 - Proposed garage could be located five feet from the rear property line and turned so that the garage entrance is located on the alley. This would eliminate the "blind spot" on both the alley and sidewalk (see Exhibit E).

In either case, the retaining wall/fence should be no higher than three feet high. A six foot high privacy/security fence should be erected behind the sideyard setback area. The New Fence Ordinance which takes effect on August 30, 1984 allows a street sideyard setback of 5 feet. Therefore, a six foot high wall/fence could be located within 5 feet of property line.

3. The applicants plans have been reviewed by the City Fire Department, Traffic Engineering and the East Sacramento Improvement Association. No comments were received.

ENVIRONMENTAL DETERMINATION: The proposed Variances are exempt from environmental review, pursuant to State CEQA Guidelines (Section 15305).

RECOMMENDATION:

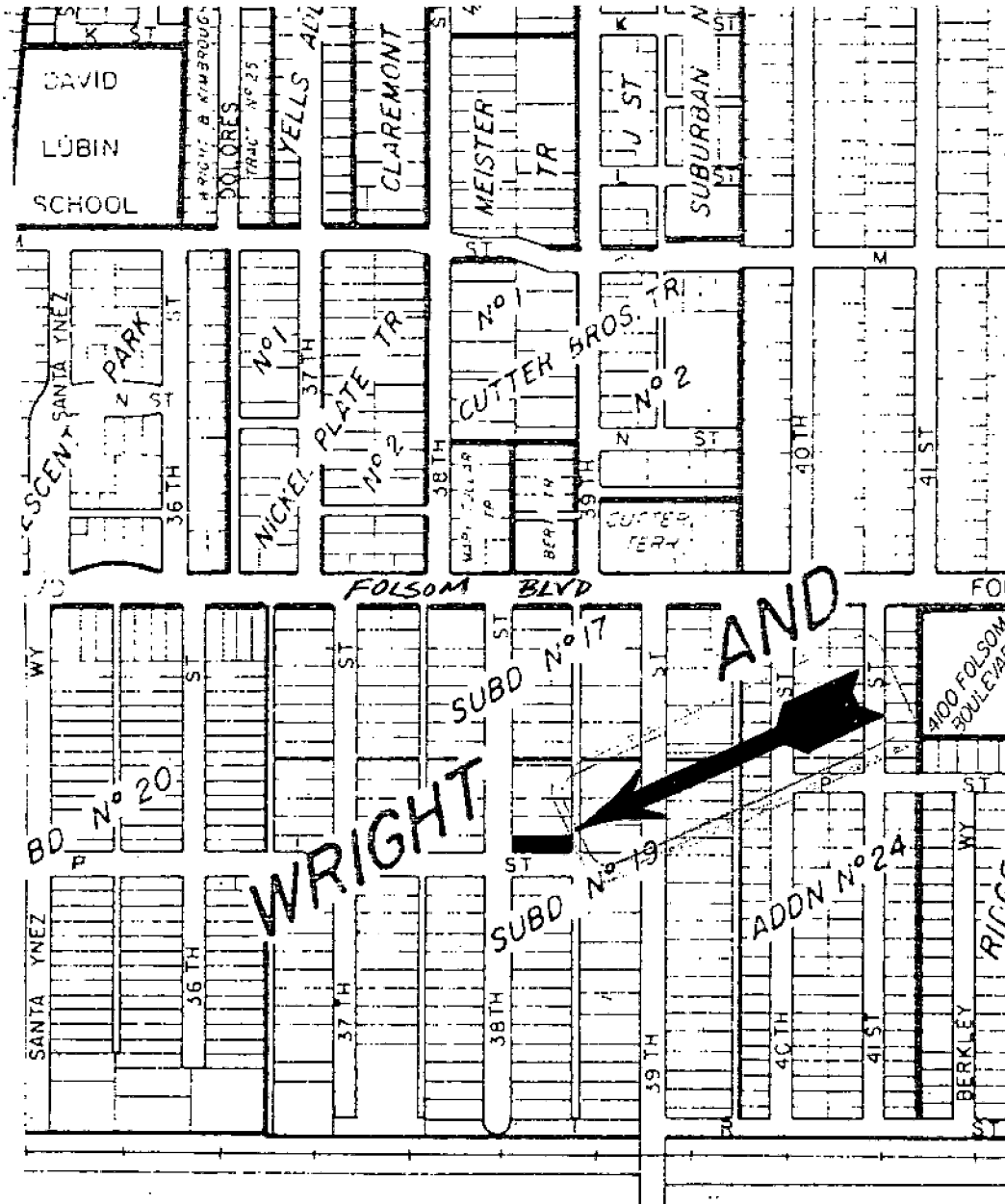
- A. Denial of Variance to reduce the 12 1/2 foot street sideyard to 0 feet based upon Findings of Fact which follow.
- B. Denial of Variance to reduce the street sideyard setback from 12 1/2 feet to 5 feet based upon Findings of Fact which follow.
- C. Denial of Variance to exceed maximum 25% rear lot coverage based upon the Findings of Fact which follow.
- D. Denial of Variance to reduce 20 foot driveway depth to 5 feet based upon the Findings of Fact which follow.

Variance - Findings of Fact

The Variances would be a special privilege extended to the property owner in that:

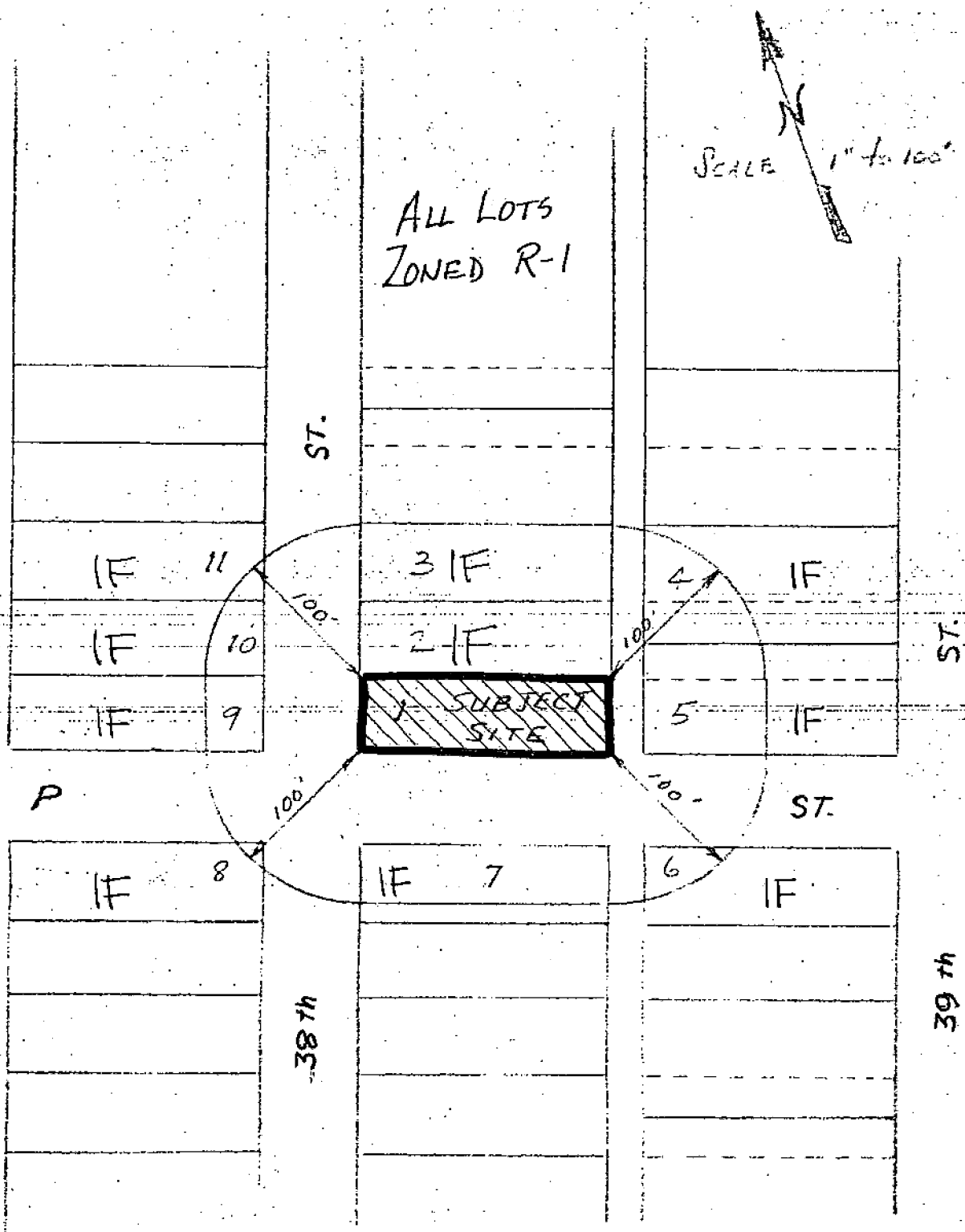
- 1. The subject project is a self-imposed hardship in that the structures could be redesigned to comply with height and setback requirements.
- 2. The applicant has not presented any usual circumstances to warrant justification for approval of the Variances.

EXHIBIT A

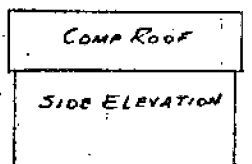
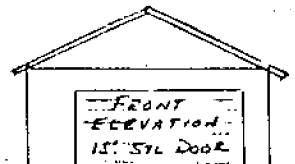
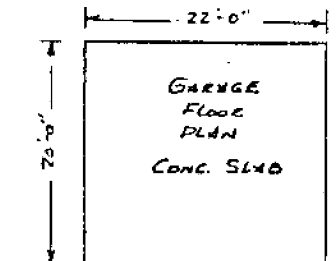
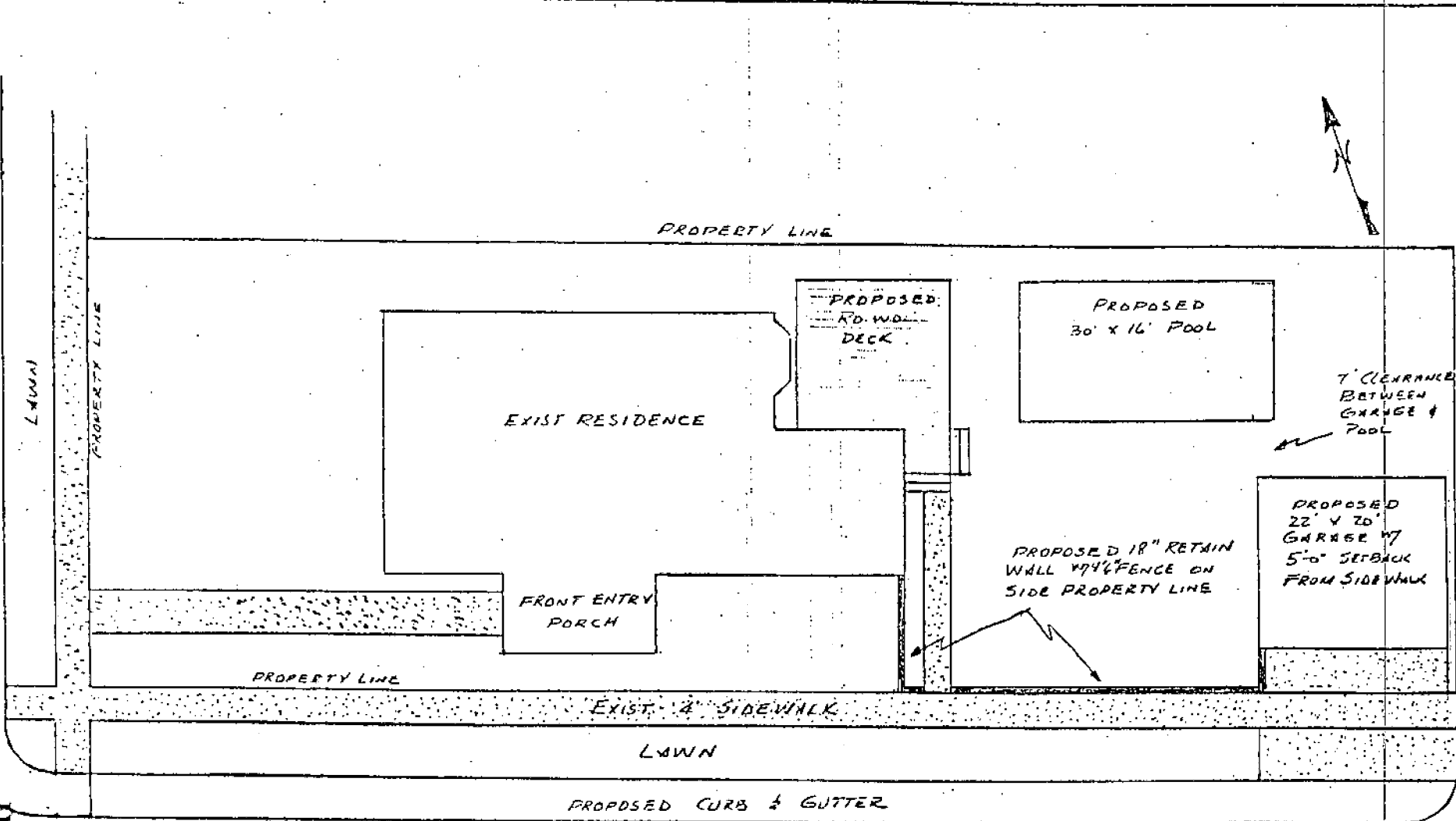


VICINITY MAP

EXHIBIT B



LAND USE & ZONING MAP



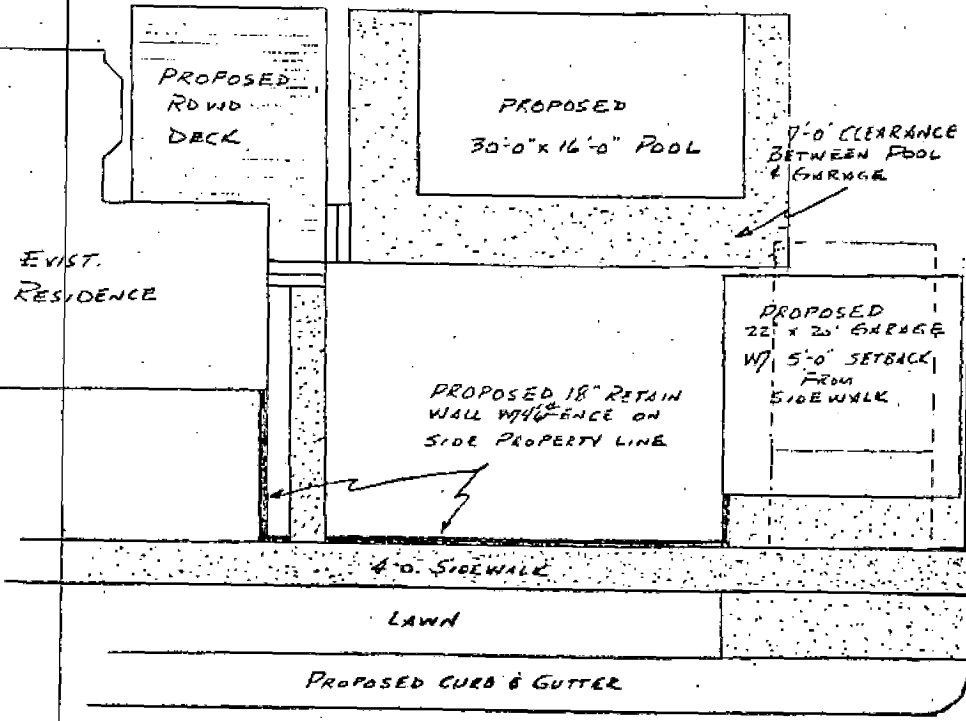
ELEVATIONS - Floor &
PLOT PLAN - 1553-30"
SHOWING P-ST APPROACH
MR & MRS A. CORR.
SCALE 3/32"

20' RAKE 0' RISE
SITE PLAN

EXHIBIT C

P 84284

002561



20' PAVED ALLEY

P STREET

20' GRAVEL ALLEY

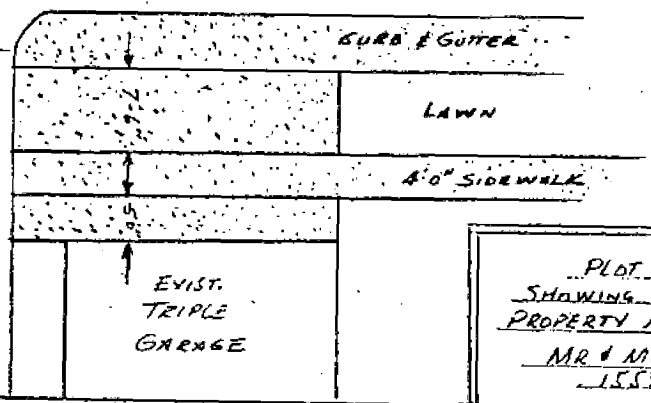
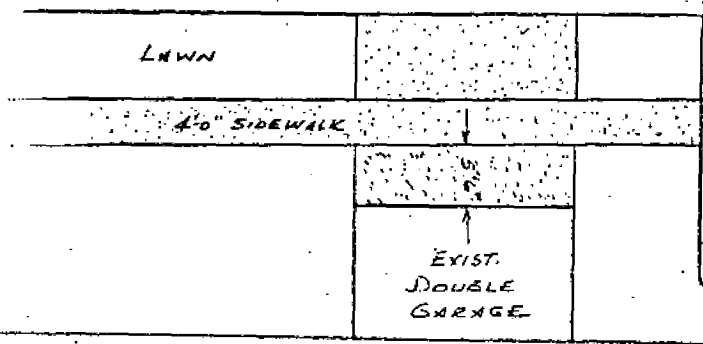
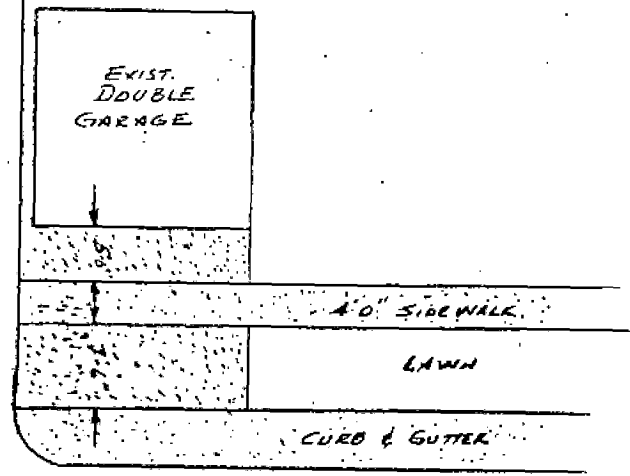
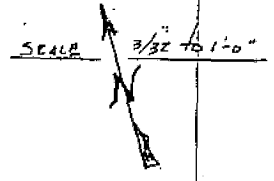
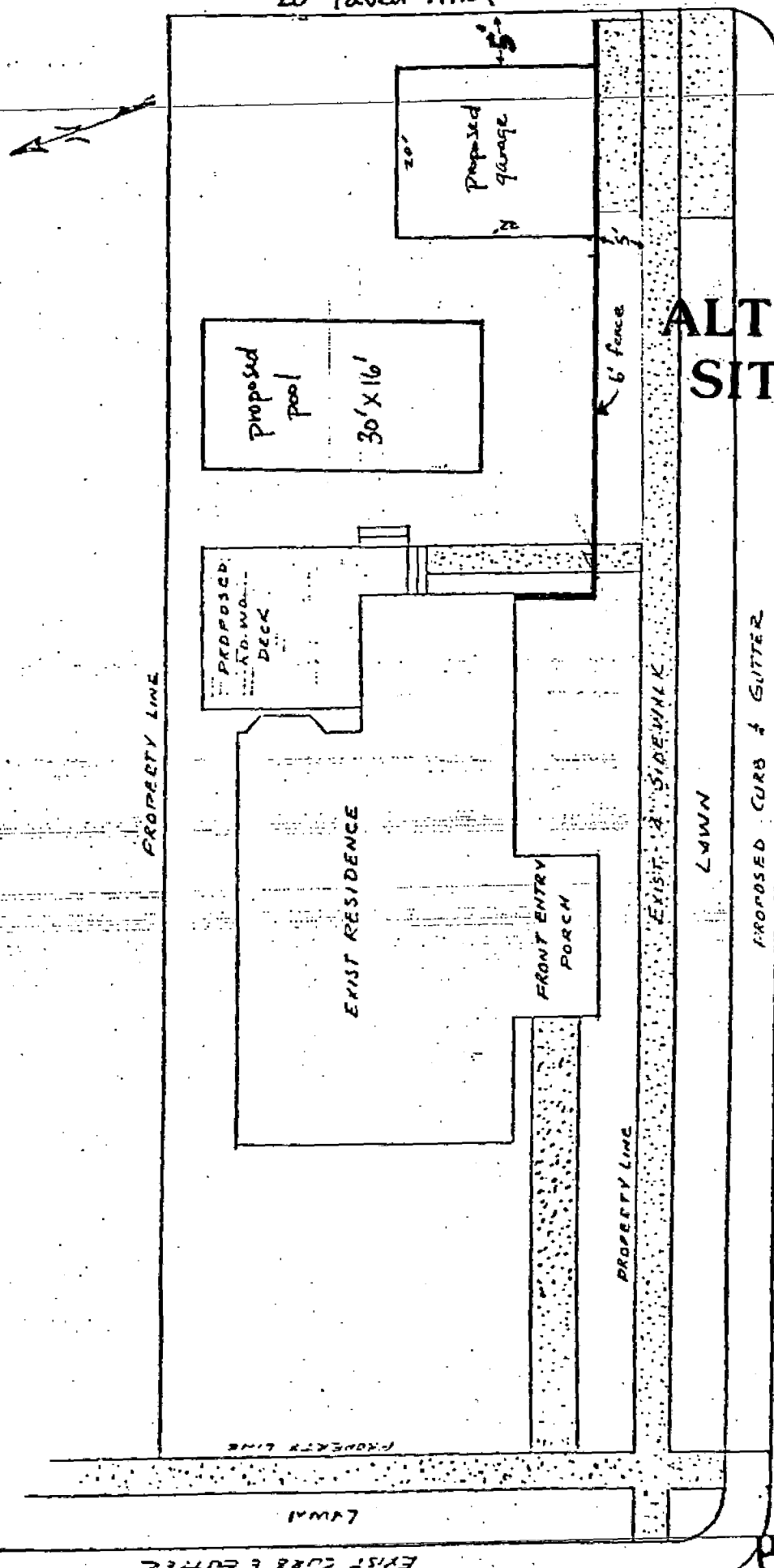


EXHIBIT D

39TH ST

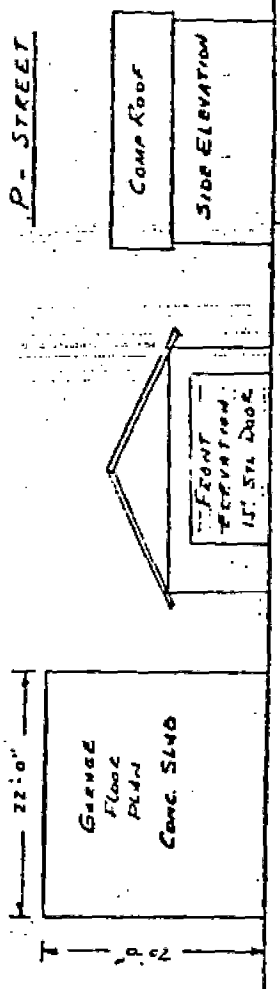
...PLOT PLAN
SHOWING ADJACENT
PROPERTY IMPROVEMENTS
MR & MRS A. CORR
1553 - 38TH ST.

20' Paved Alley



ELEVATIONS - Floor
 PLOT PLAN - 1553.3
 SHOWING P - ST APPROX
 MR LMAS X CORR
 SCALE 3/8"

ALTERNATIVE SITE PLAN



48248

P84-284
#23 8-23-84



Subject
site



Alley



Garage
and
retaining wall
adjacent to
alley

002563