

**CITY OF SACRAMENTO  
DEPARTMENT OF PLANNING & BUILDING  
ZONING ADMINISTRATOR  
1231 I Street, Sacramento, CA 95814**

**ACTION OF THE ZONING ADMINISTRATOR**

On Thursday, July 21, 2005, the Zoning Administrator approved a Special Permit to allow three (3) single-family dwellings on a deep lot in the Standard Single Family (R-1) zone for the project known as (File Z04-366). Findings of Fact and conditions of approval are on pages 2-4.

**Project Information**

Request: **Zoning Administrator Special Permit** for deep lot development to construct three (3) single-family dwellings on a 0.5± acre vacant parcel which is more than 160 feet deep in the Standard Single-Family Residential (R-1) zone.

Location: 5650 Belleview Avenue (D6, Area 3)

Assessor's Parcel Number: 027-0052-005

Applicant: Kevin Fong  
2 Blue Dun Court  
Sacramento, CA 95831

Owner: Tom Phong  
7100 Fruitridge Road  
Sacramento, CA 95820

Project Planner: Philip Reed

General Plan Designation: Community/Neighborhood Commercial & Offices  
Community Plan Designation: Residential 4-8 du/na (South Sacramento CP)  
Existing Zoning of Site: Standard Single Family (R-1)  
Existing Land Use of Site: vacant

**Surrounding Land Use and Zoning:**

North: C-2; Commercial / Retail, Grocery, Auto Service  
South: R-1; Single-family and deep-lot developments  
West: R-1; Single-family and deep-lot developments  
East: R-1 & R-3; Single-family, duplex, four-plex

Property Dimensions: 74± feet by 253± feet

Property Area: 0.5± acres

Type of Construction: One story, stucco, with composition shingle roofing

Previous Files: None

Project Plans: See Exhibits A through D

Additional Information:

The subject property is sufficient in total area to allow four dwelling units under the provisions of City Zoning Code §17.24.050 (footnote 62) governing deep lot development and the original application submitted requested four dwelling units in the form of two duplex structures. However, given the constraints of having an identified heritage oak tree in the back corner of the property, plus the requirements for Fire Department access and turnaround area, it is not practical to place more than three dwellings on the property, and the revised project indicates three dwelling units in the form of single-family houses. Proper access and turnaround area is now provided, and the heritage tree is preserved as a prominent amenity for the development itself, as well as being visible from the street thereby retaining it as an amenity for the neighborhood. The house plans are well designed and oriented in such a way as to provide good visibility of front entries from the street, as well as good "eyes on the street" for residents to maintain surveillance of the main driveway. There are no vacant properties surrounding the subject site and the parcel is of size and dimensions that preclude practical subdivision.

The project site was posted and legal notice was sent to all property owners within 100 feet of the project site. No calls or other inquiries were received about the project.

Agency Comments:

The project was reviewed also by the City of Sacramento Utilities and Fire Departments, and the Development Engineering and Finance (Public Works) Division of the City's Development Services Department. The comments received have been included as conditions of approval.

Environmental Determination:

This project will not have a significant effect on the environment and is exempt from environmental review pursuant to California Environmental Quality Act Guidelines, Section 15332, Infill.

**Conditions of Approval:****PLANNING**

1. Applicant must obtain all necessary building permits prior to commencing construction.
2. An equivalent of street lighting shall be provided for the project to provide illumination of all common areas sufficient to eliminate shadows and dark spots. Lighting for this purpose may be separate individual fixtures along the driveway, fixtures attached to houses and over garage doors, or a combination of both.
3. A six-foot high solid fence shall be installed along the entire width of the rear property line, as well as along the sides, in order to minimize the ability for nonresidents to get into the back area of the property undetected by the residents of the development. The City Arborist shall be consulted prior to installing any permanent fencing within the dripline of the existing heritage oak tree at the rear, northwest corner of the property.
4. Six-foot high fencing shall not be allowed to extend forward of the front façade or facades facing the private 20-foot drive per staff recommendation.
5. Garage doors, carports, and gates across driveways, shall be a minimum of six (6) feet from the edge of pavement of the 20-foot private drive. (Minimum 26 feet of maneuvering space)
6. All garages shall be equipped with remote operated electric garage door openers.
7. Trash, recycling, and greenwaste collection shall be handled with individual containers for each house, and NOT with a central dumpster.

8. The lease agreement for renting any of these dwellings shall include language prohibiting the parking of vehicles within designated Fire Department access and turnaround areas.
9. Any alterations or deviations from this approval, as well as any future proposals to modify the development in any way, shall require additional application for review and approval by the Planning Division.
10. All doors, including garage doors, shall be decorative raised panel design.
11. All windows visible from Belleview Avenue or facing the 20-foot private drive and turnaround area (where not hidden behind six-foot fencing) shall be gridded (if horizontal sliders) or vertical single-hung or double-hung windows.
12. All landscaping exposed to public view (that is, not within a fenced private yard area for any of the dwellings) shall be provided with automatic irrigation. This will include all front and side areas adjacent to the 20-foot private drive accessing the development.
13. In general, all house plans shall provide a door (such as a slider or single or double French doors) accessing the primary private yard area from a common living area of the house or the master bedroom. The primary yard area is considered to be the widest or largest yard area between the house and the property line, or between the house and a fence, whether it be in back of the house or on one side or the other.
14. Exterior siding material for all three new houses shall be three-coat stucco on all sides, as shown on the plans submitted.
15. Minimum roofing allowed shall be 30-year laminated dimensional composition.
16. Each dwelling shall provide a porch/front door light fixture and an attached light fixture over or adjacent to (on each side of) the garage door, as well as additional lighting along any sides facing the 20-foot private drive that are not otherwise illuminated.

#### **DEVELOPMENT ENGINEERING and FINANCE (DEaF)**

17. Construct standard improvements as noted in these conditions pursuant to section 16.48.110 of the City Code. Improvements shall be designed and approved to City standards before the Building Permit is issued. All improvements shall be designed and constructed to the satisfaction of the Development Engineering and Finance Division. Any public improvement not specifically noted in these conditions shall be designed and constructed to City Standards.
18. All new driveways shall be designed and constructed to City Standards to the satisfaction of the Development Engineering and Finance Division. Any existing site driveways shall be redesigned and reconstructed, if necessary, to City Standards to the satisfaction of the Development Engineering and Finance Division.
19. The applicant shall construct full frontage improvements on Bellview Avenue. Frontage improvements shall include construction of curb, gutter, and sidewalk to match any existing improvements along Bellview Avenue. The design and construction of such improvements shall be to City Standards and to the satisfaction of the Development Engineering and Finance Division. If frontage improvements are in place, then the applicant/owner shall repair or replace/reconstruct any existing deteriorated curb, gutter and sidewalk per City standards to the satisfaction of the Development Engineering and Finance Division.
20. The design of walls, fences, signage, and landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height at maturity. The Development Engineering and Finance Division shall determine the area of exclusion.

**POLICE**

21. Single-family residences shall have front doors that are visible from the street as proposed on the site plan.
22. Address numbers shall be visible from the street and visible during night time hours.

**FIRE**

23. Timing and Installation. When fire protection, including fire apparatus access roads and water supplies for fire protection, is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.
24. Provide a water flow test as soon as possible to ensure the feasibility of the project. (Make arrangements at the North Permit Center's walk-in counter: 2101 Arena Blvd., Suite 200, Sacramento, CA 95834)
25. Provide required fire hydrants in accordance with CFC 903.4.2 and Appendix III-B, Section 5.
26. Roads used for Fire Department access that are less than 28 feet in width shall be marked "No Parking Fire Lane" on both sides. Roads used for Fire Department access that are less than 36 feet in width shall be so marked on one side.

**UTILITIES**

27. Only one domestic water service is allowed per parcel. Any new domestic water services shall be metered. Section 13.04.060 of the City Water Code states that for a single-family domestic service connection, the maximum size shall be one (1) inch, or one and one half (1-½) inches if residential fire sprinkler systems are present, unless otherwise authorized by the Director of the Department of Utilities. Prior to submitting plans to the Building Division, applicant should contact the Chief Plumbing Inspector with the Building Division to determine the size of the domestic water tap required for this project. If the required size is greater than one and one half (1-½) inches, then applicant must submit a request to the Department of Utilities for approval of a larger tap size. Approvals must be obtained prior to issuing the building permit.
28. A grading plan showing existing and proposed elevations is required. The lot shall be graded to surface drain to Belleview Avenue. Adjacent off-site topography shall also be shown to the extent necessary to determine impacts to existing surface drainage paths. The grading plan shall identify all existing off-site flows that are blocked by the proposed project and shall propose drainage facilities to convey these flows. No grading shall occur until the grading plan has been reviewed and approved by the Department of Utilities.
29. Lot pad elevations shall be a minimum of 1.5 feet above the controlling overland release elevation and a minimum of 1.2 feet above the highest adjoining back of sidewalk elevation. Finished lot pad elevations shall be accepted by the Department of Utilities.
30. The applicant must comply with the City of Sacramento's Grading, Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
31. Post construction, stormwater quality control measures shall be incorporated into the development to minimize the increase of urban runoff pollution caused by development of the area. Only source control measures are required. This will not affect site design. Refer to the "Guidance Manual for On-Site Stormwater Quality Control Measures" dated January 2000 for appropriate source control measures.
32. The proposed development is located within County Sanitation District No. 1 (CSD-1). Satisfy all CSD-1 requirements.

**PARKS**

33. The applicant must provide proof of compliance with City Code 16.64 (Parkland Dedication) prior to approval of special permits or issuance of building permit if the parcel was created after March 5, 1981, the effective date of City Ordinance #81-007 relating to the Dedication of Land, Payment of Fees, or both, for Park and Recreational Purposes.
34. The applicant must provide proof they have initiated and completed the formation of a parks maintenance district (assessment or Mello-Roos special tax district), or annexed the project to existing parks maintenance district prior to the issuance of any building permit. The applicant shall pay all city fees for formation of or annexation to special districts. Purpose of the district is to equitably spread cost of neighborhood park maintenance on the basis of special benefit, in the case of an assessment district. In the case of a special tax district, costs will be spread based upon the hearing report, which specifies the tax rate and method of apportionment. (Contact Development Services Department, Special Districts, Project Manager)

**TREE SERVICES**

35. A 40-inch Interior Live Oak (*Quercus wislizenii*), which is of heritage status, is located at the rear, northwest corner of the property. Before construction can start, the tree shall be professionally trimmed by a certified tree contractor who has been registered by the Urban Tree Services Division. A permit shall be required for this work and must be obtained through the City of Sacramento Tree Services Division at no charge to applicant or contractor.
36. Prior to commencement of construction, a 6-foot high chain-link protective fence shall be installed at the outer edge of the tree's drip line. As documented on the revised site plan, the fence shall be placed at a minimum of 40 feet out from the stem/trunk of the tree. This fence shall be temporary, but shall be maintained through all phases of construction and then removed only after the project is completed and ready for occupation.
37. There shall be no parking of equipment, storage of material, or any construction / mechanical activity within the tree's protective zone.
38. There shall be no grade changes within the tree's drip zone unless authorized by the City Arborist, Mike Butcher (phone number 916-719-9514).
39. No turf and/or landscaping which requires irrigation will be placed within and/or around the drip line of the tree. An appropriate drought resistant landscape may be utilized to compliment the area beneath the tree canopy. The City Arborist shall be consulted prior to planting.
40. Placement of picnic tables or other recreational items is not encouraged within the dripline.

**Advisory Notes:**

41. Prior to design of the subject project, the Department of Utilities suggests that the applicant request a water supply test to determine what pressure and flows the surrounding public water distribution system can provide to the site. This information can then be used to assist the engineers in the design of the fire suppression systems.
42. The proposed project is located in the Flood zone designated as an X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective February 18, 2005. Within the X zone, there are no requirements to elevate or flood proof.
43. Planning recommends that there be a minimum five foot setback from the edge of the pavement of the 20 foot private drive to any wall or corner of any dwelling or structure.

**Findings of Fact – Special Permit:**

1. The proposed project, as conditioned, is based upon sound principles of land use in that:
  - a. the proposed development will not substantially alter the characteristics of the site or the surrounding neighborhood;
  - b. the proposed structures are compatible in architecture with the surrounding area; and
  - c. the proposed development meets the requirements of the Zoning Ordinance for deep lot development.
  
2. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
  - a. there is adequate available yard area;
  - b. there will be adequate setbacks, landscaping, and on-site parking for the proposed development; and
  - c. the additional residences will not substantially alter the characteristics of the surrounding neighborhood.
  
3. The project is consistent with the General Plan and the South Sacramento Community Plan which designate the subject site as Low Density Residential (4-15 du/na) and Residential (4-8 du/na) respectively. The three unit development project is permitted on a deep lot that meets the Zoning Code area requirements with a Special Permit.

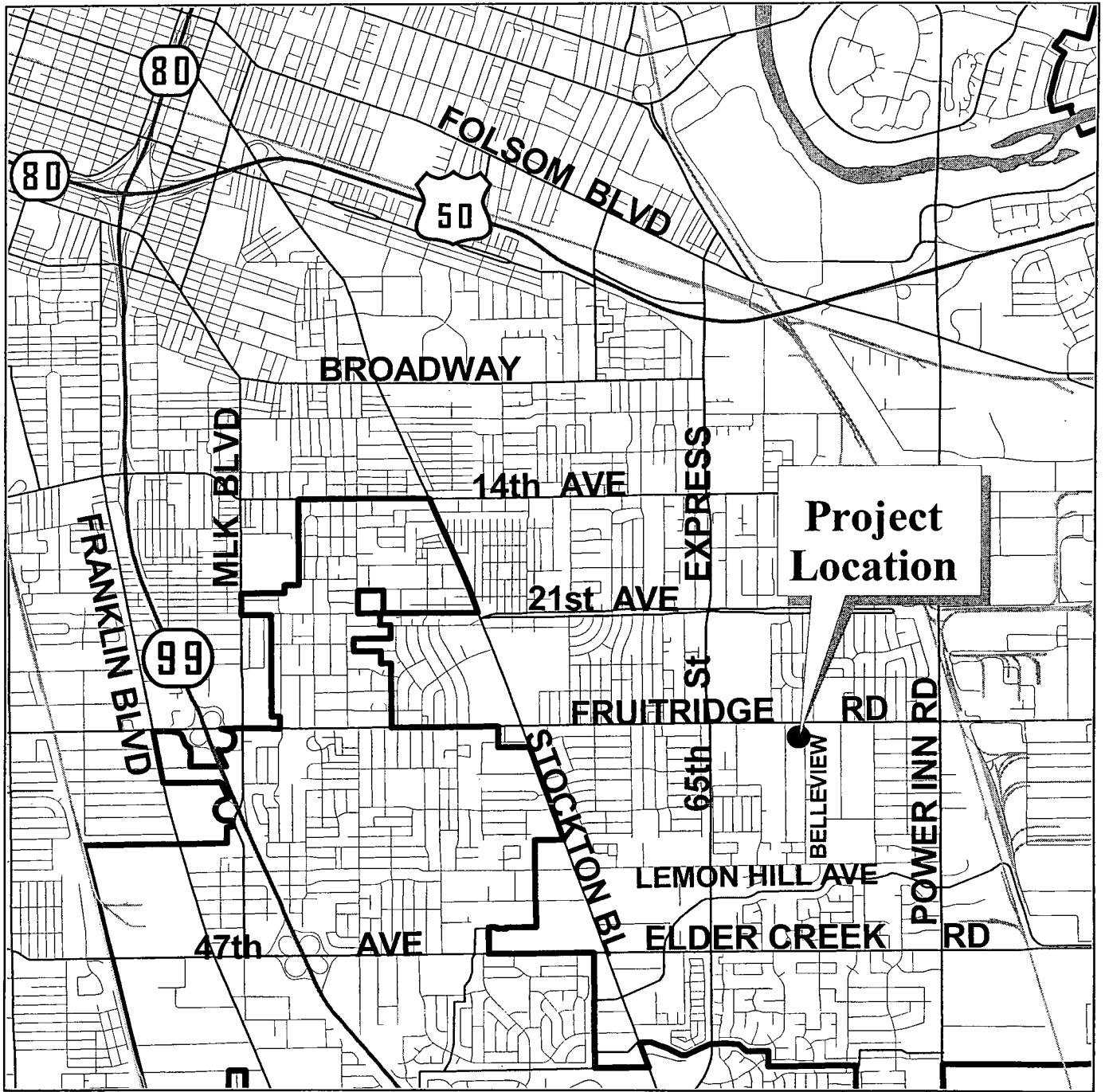


Joy D. Patterson  
Zoning Administrator

A use for which a Special Permit is granted must be established within three years from the date of approval. If such use is not so established, the Special Permit shall be deemed to have expired and shall be null and void. A Special Permit use which requires a Building Permit shall be deemed established when such Building Permit is secured and construction thereunder physically commenced. If no building permit is required, the use shall be deemed established when the activity permitted has been commenced.

The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

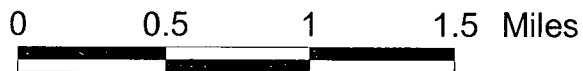
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Property Owner  
Applicant

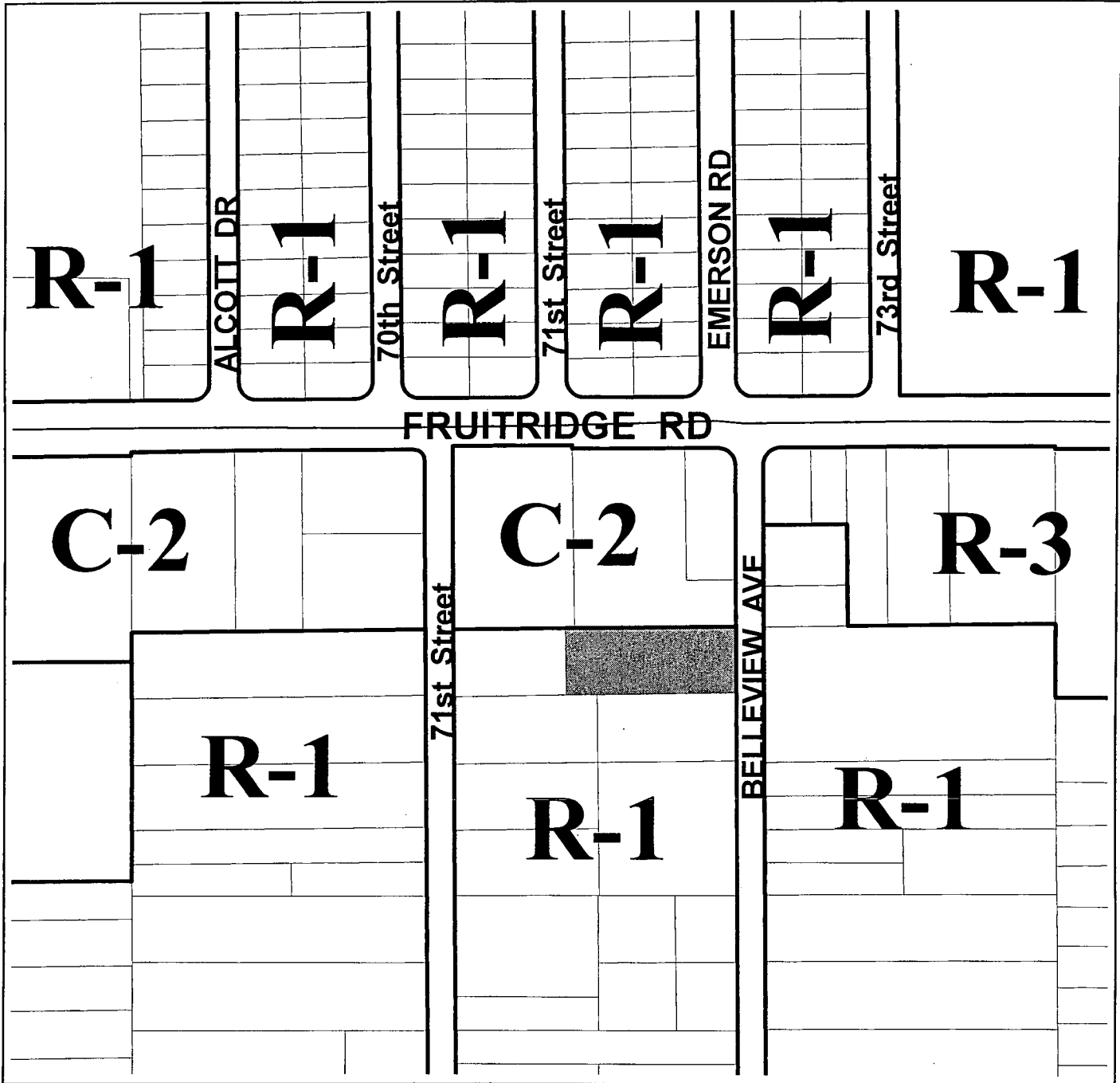



Development Services  
Department

Geographic  
Information  
Systems

### Vicinity Map

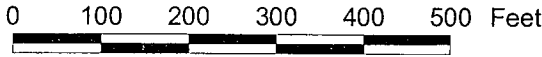


Development Services  
Department

Geographic  
Information  
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### Land Use & Zoning



204-366

7-21-05

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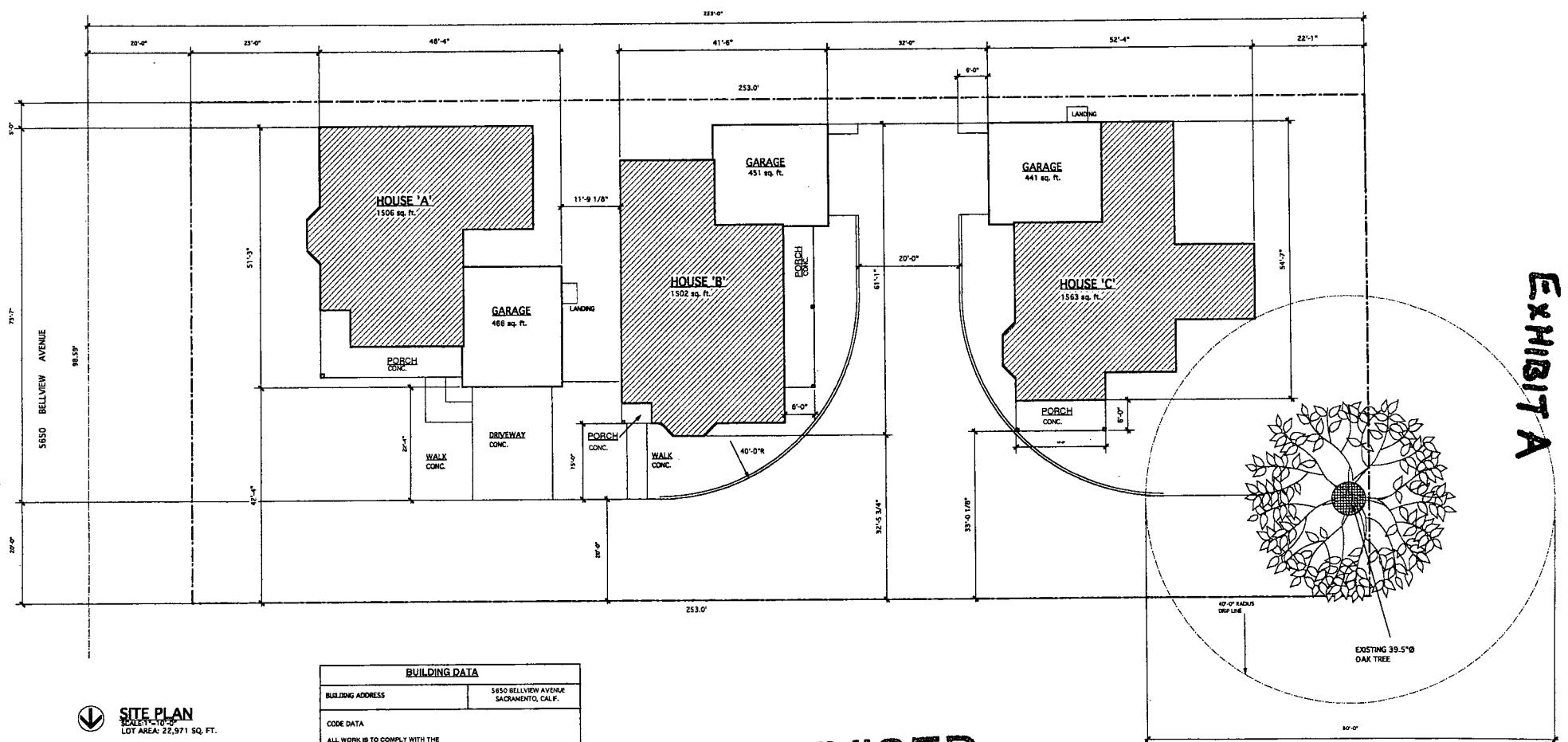


EXHIBIT A



**SITE PLAN**  
 SCALE: 1/8" = 1'-0"  
 LOT AREA: 22,971 SQ. FT.

| BUILDING DATA        |  |
|----------------------|--|
| BUILDING ADDRESS     | 5650 BELLVIEW AVENUE<br>SACRAMENTO, CALIF.   |
| CODE DATA            | ALL WORK IS TO COMPLY WITH THE:<br>- 2001 CALIFORNIA BUILDING CODE(CBC)<br>- 2001 CALIFORNIA MECHANICAL CODE(CMC)<br>- 2001 CALIFORNIA PLUMBING CODE(CPC)<br>- 2001 CALIFORNIA ELECTRICAL CODE(CEC)<br>AND AMENDMENTS LOCAL JURISDICTION ARE APPLICABLE TO THIS PROJECT. |
| OCCUPANCY GROUP(S)   | R-1A   |
| TYPE OF CONSTRUCTION | V-H  |
| STORES               | 1  |
| HEIGHTS              | HOUSE 'A' 14'-9"<br>HOUSE 'B' 14'-9"<br>HOUSE 'C' 14'-9"   |
| BUILDING AREA        | HOUSE 'A' DWELLING-1506 SQ. FT.<br>GARAGE-466 SQ. FT.<br>HOUSE 'B' DWELLING-1502 SQ. FT.<br>GARAGE-451 SQ. FT.<br>HOUSE 'C' DWELLING-1563 SQ. FT.<br>GARAGE-441 SQ. FT.  |
| LOT COVERAGE         | LOT AREA - 22,971 SQ. FT.<br>MAX. ALLOWABLE COVERED AREA 40% - 9,188 SQ. FT.<br>ACTUAL COVERED AREA<br>TOTAL DWELLING FOOT PRINTS- 4371 SQ. FT.<br>TOTAL GARAGE- 1358 SQ. FT.<br>TOTAL COVERED PORCHES- 814 SQ. FT.<br>TOTAL COVERED AREA - 6543 SQ. FT.(28%)            |

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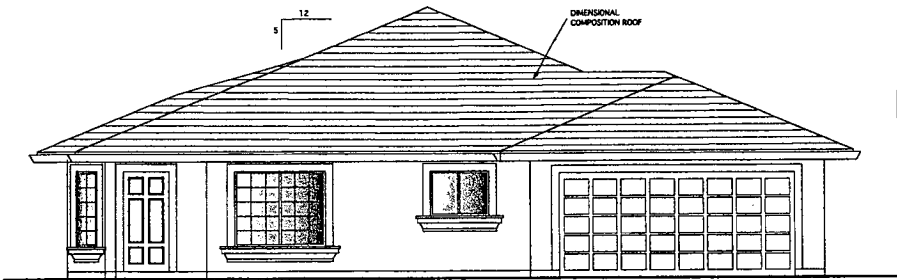
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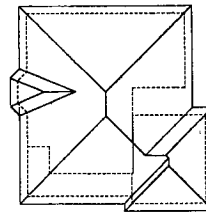
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| <p><b>KEVIN FONG DESIGN</b></p> <p>2 BLUE DUN COURT<br/>         SACRAMENTO, CALIF. 95811<br/>         PHONE: (916) 428-5008<br/>         FAX: (916) 428-1240</p> | <p><b>TOM PHONG</b><br/>         5650 BELLVIEW AVENUE<br/>         SACRAMENTO, CALIF.</p> |                       |
|   | <p>DATE: AS SHOWN</p>   | <p>APPROVED BY:</p>   |
| <p>RESIDENTIAL AND LIGHT COMMERCIAL DESIGN</p>  | <p>DATE:</p>  | <p>DATE/REVISION:</p> |

204-366

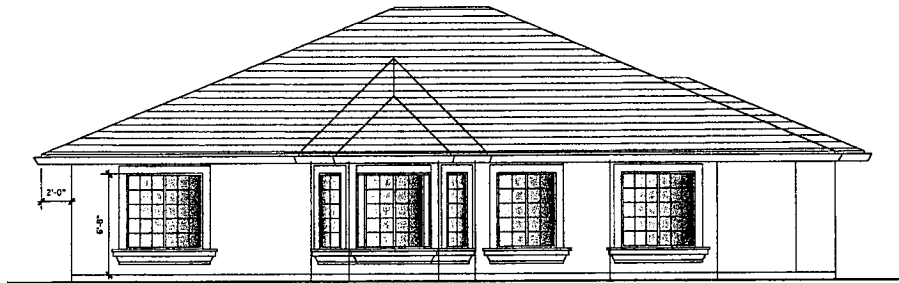
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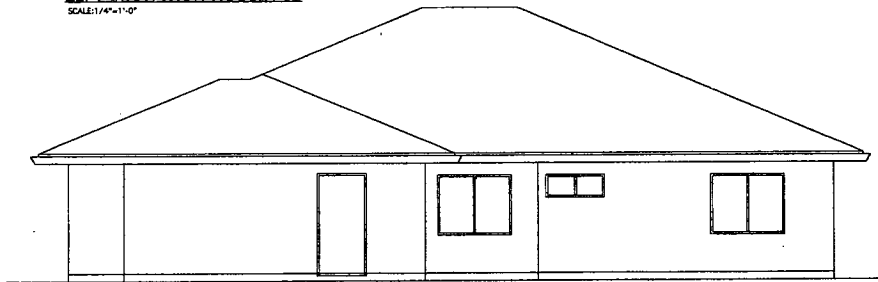
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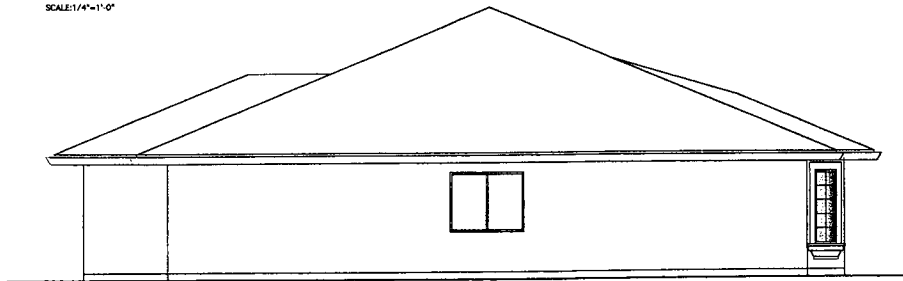
ROOF PLAN



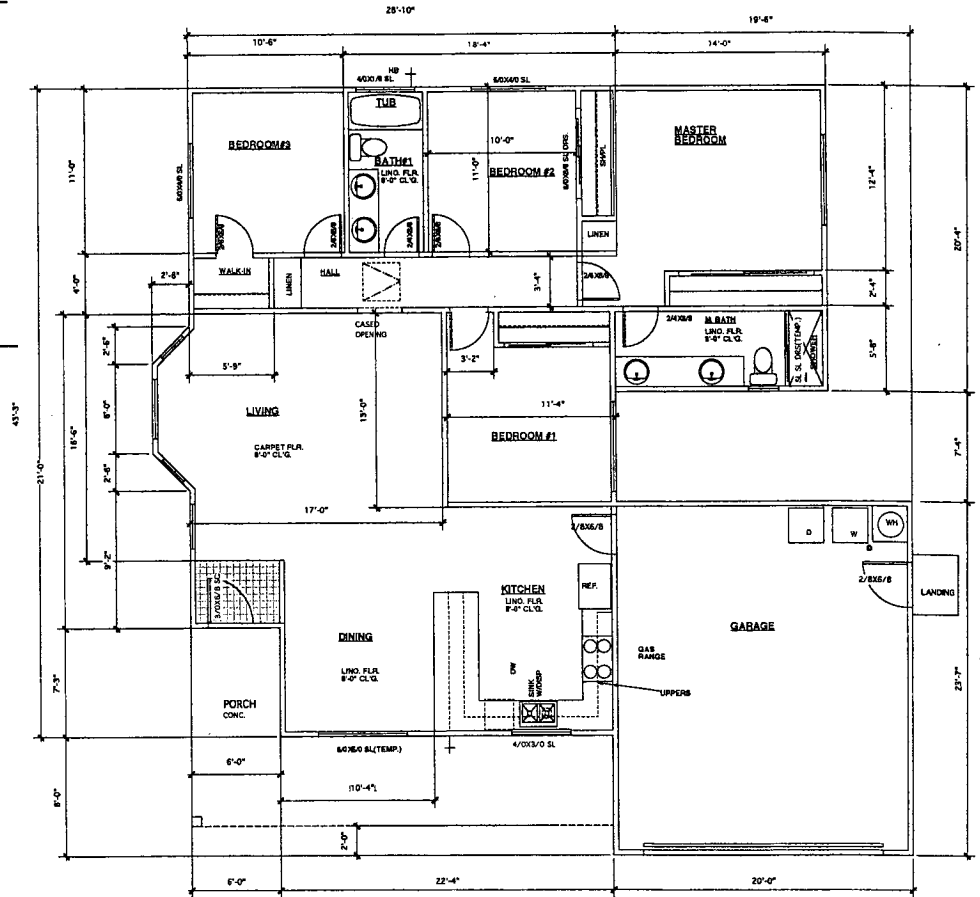
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REAR ELEVATION-HOUSE 'A'  
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RIGHT ELEVATION-HOUSE 'A'  
SCALE:1/4"=1'-0"



FLOOR PLAN-HOUSE 'A' 1501 SQ. FT.  
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EXHIBIT B

7-21-05

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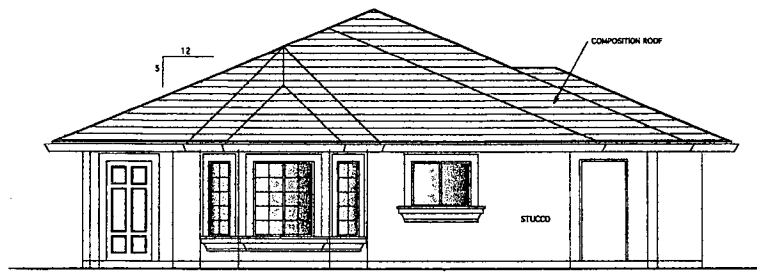
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| <p><b>KEVIN FONG DESIGN</b></p> <p>2 BLUE DUN COURT<br/>SACRAMENTO, CALIF. 95811<br/>PHONE: 916-368-3008<br/>FAX: 916-368-1449</p> | <p><b>TOM PHONG</b><br/>5650 BELLVIEW AVENUE<br/>SACRAMENTO, CALIF.</p> |                         |
|  | <p>DATE: 07/18/05</p>   | <p>PROJECT: 204-366</p> |
| <p>RESIDENTIAL AND LIGHT COMMERCIAL DESIGN</p>   | <p>DATE: 07/18/05</p>   | <p>SCALE: AS SHOWN</p>  |
| <p>PROJECT NUMBER</p>  | <p>2</p>  | <p>SCALE: AS SHOWN</p>  |

Z04-366

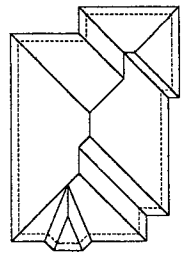
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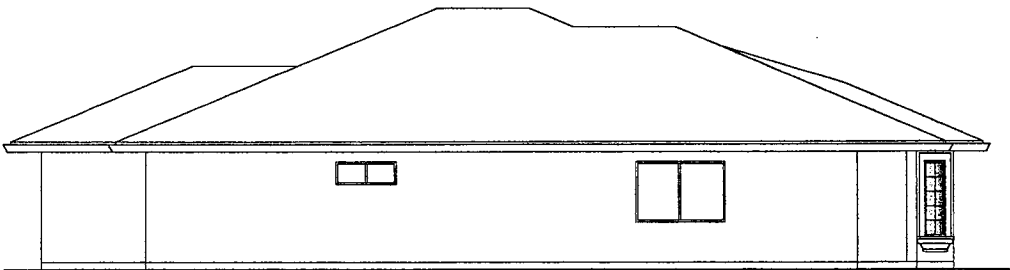
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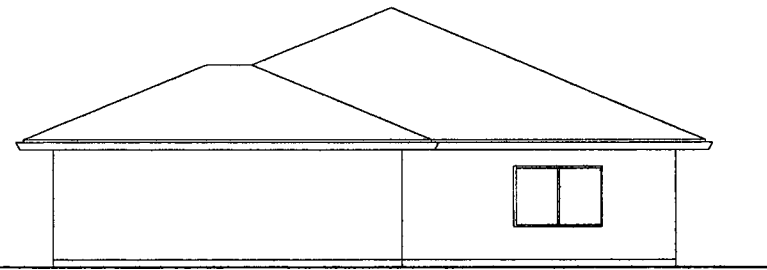
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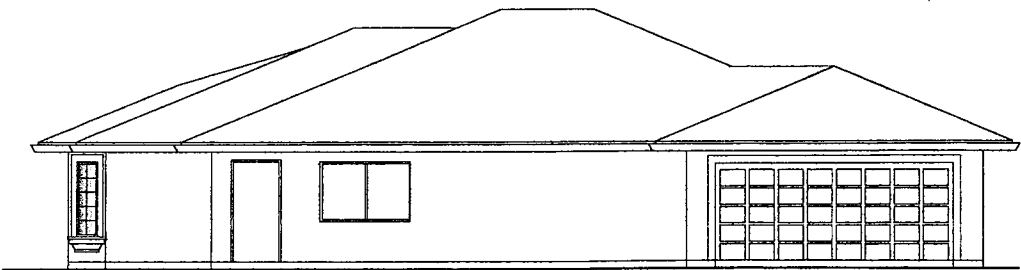
ROOF PLAN



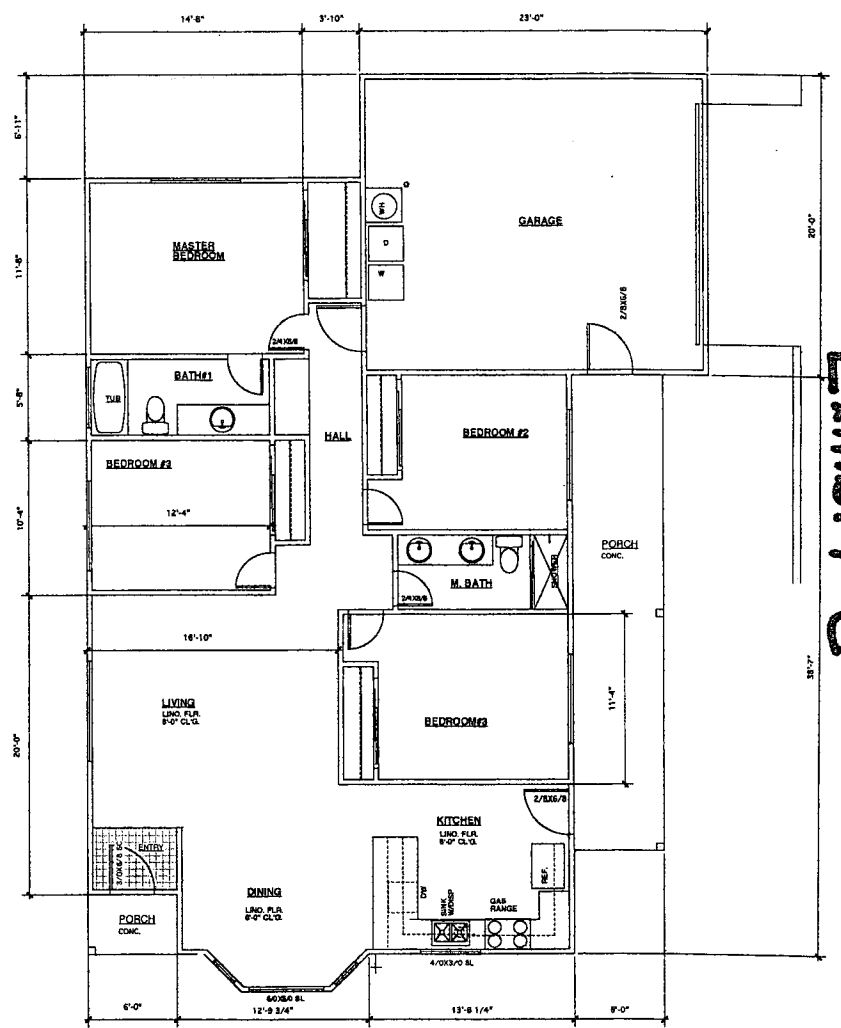
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REAR ELEVATION-HOUSE 'B'  
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RIGHT ELEVATION-HOUSE 'B'  
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FLOOR PLAN-HOUSE 'B' 1503 sq. ft.  
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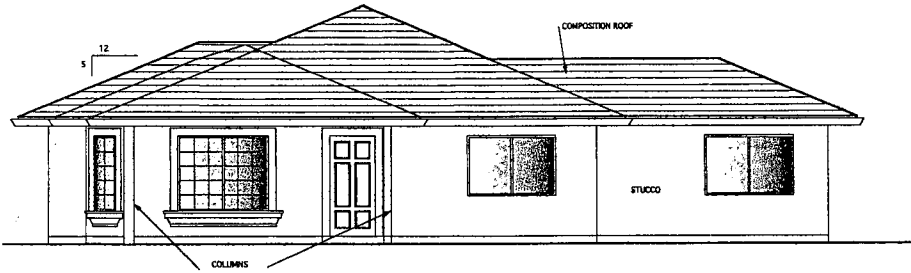
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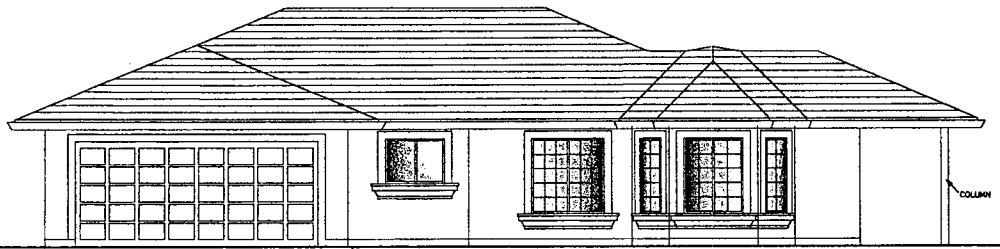
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| <p><b>KEVIN FONG DESIGN</b></p> <p>2 BLUE DUN COURT<br/>SACRAMENTO, CALIF. 95811<br/>PHONE: (916) 481-4208<br/>FAX: (916) 481-1440</p> | <p><b>TOM PHONG</b><br/>5650 BELLVIEW AVENUE<br/>SACRAMENTO, CALIF.</p> |                     |
|  | <p>DATE: AS SHOWN</p>   | <p>APPROVED BY:</p> |
| <p>RESIDENTIAL AND LIGHT COMMERCIAL DESIGN</p>   |   | <p>3</p>            |

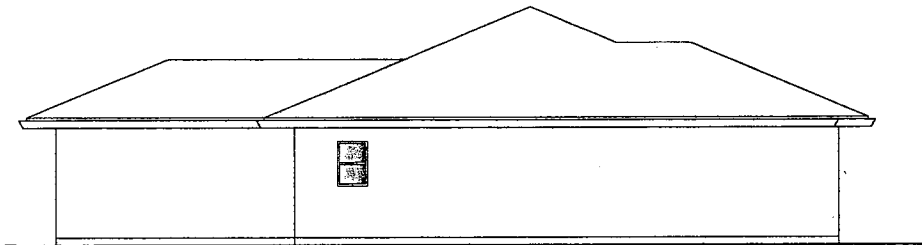
204-366



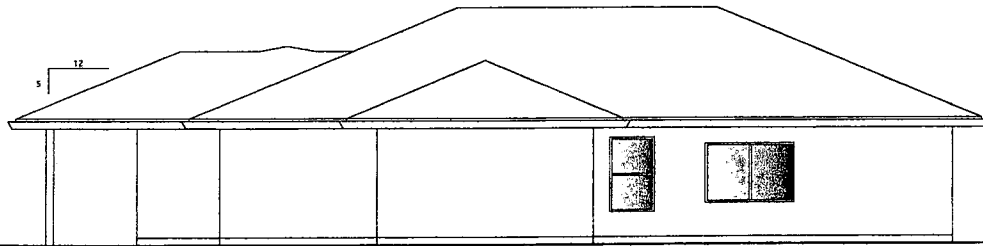
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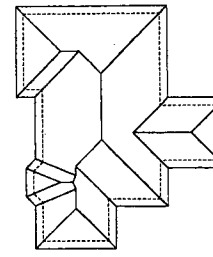
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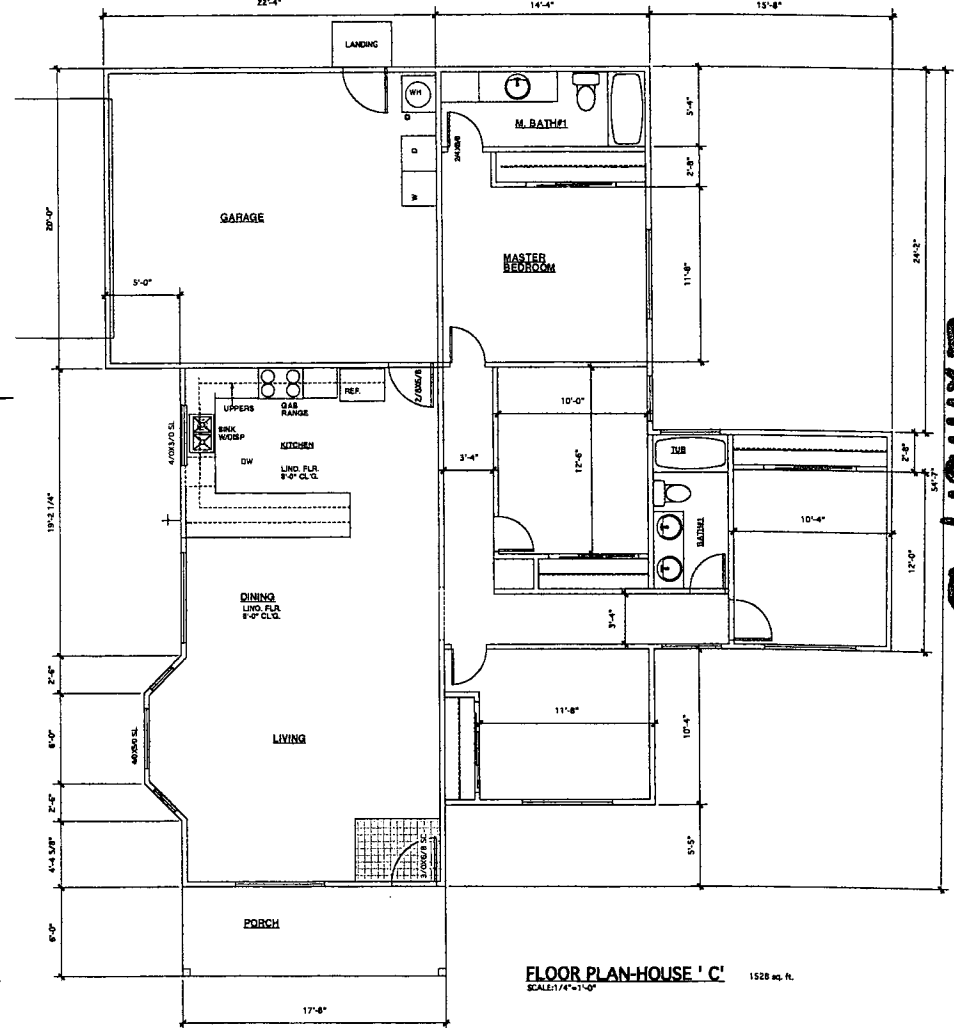
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ROOF PLAN

REVISED  
204-366  
REC'D JUN 07 2005



FLOOR PLAN-HOUSE 'C' 1528 sq. ft.  
SCALE: 1/4"=1'-0"

EXHIBIT D

|  |   |   |
|--|---|---|
| <p><b>KEVIN FONG DESIGN</b></p> <p>2 BLUE DUN COURT<br/>SACRAMENTO, CALIF. 95831<br/>PHONE (916) 268-2006<br/>FAX (916) 268-1449</p> | <p><b>TOM PHONG</b><br/>3650 BELLVIEW AVENUE<br/>SACRAMENTO, CALIF.</p> |   |
|  | <p>SCALE: AS SHOWN</p> <p>DRAWN BY:</p> <p>CHECKED BY:</p>              | <p>DESIGNED BY:</p> <p>REVIEWED BY:</p> |
| <p>RESIDENTIAL AND LIGHT COMMERCIAL DESIGN</p>   |   | <p>4</p>                                |