

**PLANNING DIRECTOR'S VARIANCE**  
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

<b>APPLICANT</b> Pacific Builders, 5421 84th Street, Sacramento, CA 95826		
<b>OWNER</b> Conley and Helen Sanders, 2273 11th Avenue, Sacramento, CA 95818		
<b>PLANS BY</b> Pacific Builders, 5421 84th Street, Sacramento, CA 95826		
<b>FILING DATE</b> December 29, 1992	<b>ENVIR. DET.</b> Exempt 15303(e)	<b>REPORT BY</b> SLY
<b>ASSESSOR'S PCL. NO.</b> 013-0195-009		

**APPLICATION:** Planning Director's Variance to exceed the maximum allowed 25 percent rear yard setback coverage by 17 percent on 0.13± developed acres in the Standard Single Family (R-1) zone.

**LOCATION:** 2273 11th Avenue

**PROPOSAL:** The applicant is requesting the necessary entitlements to allow an existing 228 square foot enclosed patio area attached to the detached garage to remain.

**PROJECT INFORMATION:**

General Plan Designation: Low Density Residential (4-15 du/na)  
Existing Zoning of Site: R-1  
Existing Land Use of Site: Single family residence

Surrounding Land Use and Zoning:		Setbacks	Required	Provided
North:	Single Family, R-1	Front:	25'	25'
South:	Two Family, R-2	Side(East):	5'	9'
East:	Single Family, R-1	Side(West):	5'	5.5'
West:	Single Family, R-1	Rear:	15'	4'

Property Dimensions: 50 feet x 110 feet  
Property Area: 0.13± acres  
Square Footage of Building: House- 1,550 square feet  
Garage- 360 square feet  
Patio- 228 square feet  
Total- 2,138 square feet  
Height of Patio Building: 8.5 feet  
Topography: Flat  
Street Improvements: Existing  
Utilities: Existing  
Exterior Building Materials: Stucco  
Roof Material: Composition shingle

**BACKGROUND INFORMATION:** The applicant applied for and was erroneously granted a building permit for the project from the Building Permits Division. The site plan was approved without noticing the proposed structure partially located in the rear yard setback would exceed the allowable rear yard

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lot coverage. After completing construction of the patio, the applicant was denied a final building inspection sign off by a Building Inspector who noticed the structure exceeded the rear yard lot coverage. The applicant was informed a variance was required to allow the structure to remain.

**PROJECT EVALUATION:** Staff has the following comments:

**A. Land Use and Zoning**

The subject site is 50 foot by 110 foot parcel in the Standard Single Family (R-1) zone. The site is developed with a single family residence. The General Plan designates the subject site as Low Density Residential (4-15 du/na). The surrounding land use and zoning for the subject site are single family, zoned (R-1) to the north, east, and west; and single family, zoned Two Family (R-2) to the south.

**B. Applicant's Proposal**

The applicant is proposing to allow an existing 228 square foot enclosed screened patio area to remain (see Exhibit A). The patio is attached to the detached garage located in the rear yard. Both structures are partially in the rear yard setback area and the combined lot coverage exceeds the maximum allowed 25 percent. The applicant is requesting a variance for the excess lot coverage.

**C. Staff Analysis**

Staff has no objections to the applicant's request. The garage and new enclosed patio cover 318 feet or 42.4 percent of the rear yard setback area. The Zoning Ordinance allows a maximum 25 percent coverage of the rear yard setback area. The garage and patio enclosure maintains a four foot and five foot setback, respectively from the rear property line. There is still adequate rear yard available as open space for the existing house.

The 228 square foot single story enclosed patio was constructed along the west wall of the existing garage. It has a stucco finish with a sloped roof and is painted to match the garage.

Staff supports the approval of the Planning Director's Variance in that the proposed patio is compatible with the existing house and adjacent residential properties, an adequate rear yard area will still remain, and the project will not negatively affect the other land uses in the area.

**ENVIRONMENTAL DETERMINATION:** The Environmental Services Manager has determined that this project is exempt from environmental review pursuant to State EIR Guidelines (California Environmental Quality Act, Section 15303{e}).

**RECOMMENDATION:** Staff recommends the Planning Director approve the Planning Director's Variance to exceed the maximum allowed 25 percent rear yard setback coverage by 17 percent subject to conditions and based upon the findings of fact which follow.

Conditions:

1. The applicant shall not construct or locate any additional structures in the rear yard setback area nor expand the existing structures without obtaining additional variances.
2. The applicant shall obtain all necessary building permits prior to occupancy.
3. The structure shall not be used as a second residential unit or living unit.

Findings of Fact:

1. Granting the variance does not constitute a special privilege extended to an individual applicant in that a variance would be and has been granted to other property owners facing similar circumstances.
2. Granting the variance request does not constitute a use variance in that a single family residence is allowed in the Standard Single Family (R-1) zone.
3. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
  - a. the proposed project is compatible in size and style with the existing house and garage;
  - b. there is adequate rear yard area for the existing house; and
  - c. adequate setbacks are still provided.
4. The project is consistent with the General Plan which designates the site as Low Density Residential (4-15 du/na)

Report Prepared By:

Sandra L. Yope  
 Sandra L. Yope  
 Assistant Planner

19 JAN 93  
 Date

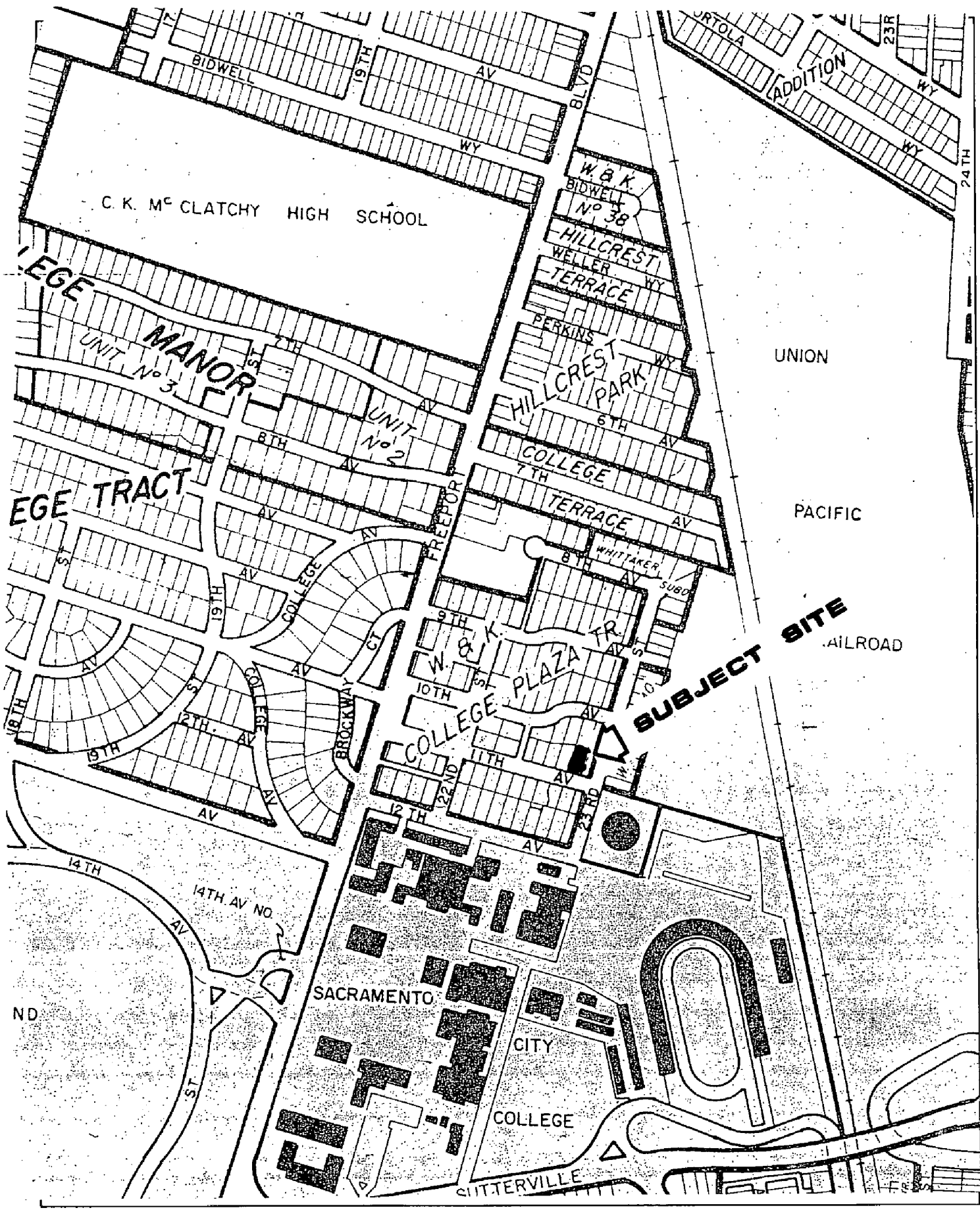
Recommendation Approved By:

Gary Stonehouse  
 Gary Stonehouse  
 Planning Director

1-19-93  
 Date

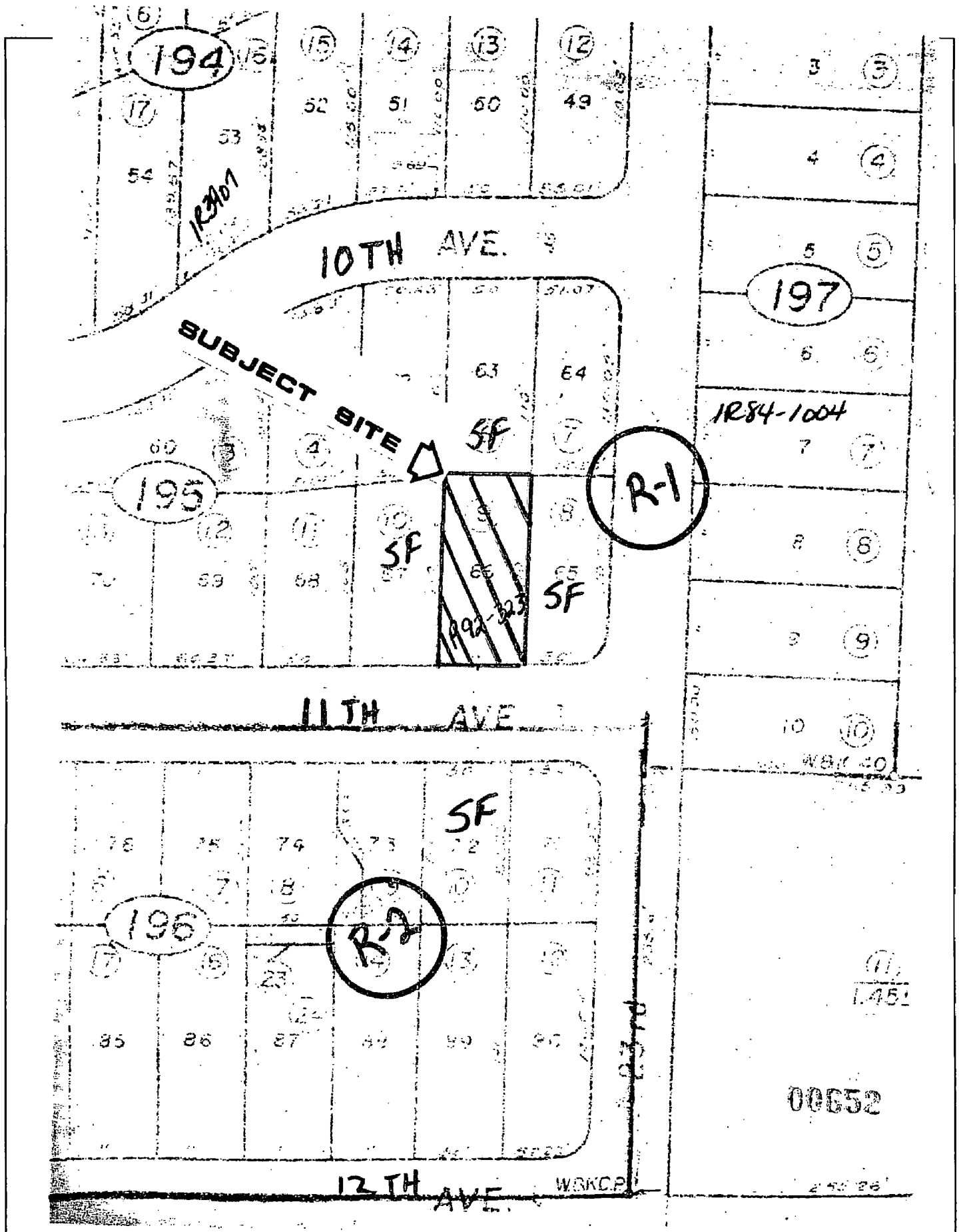
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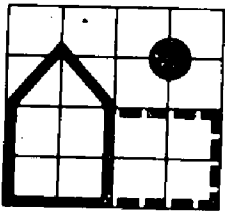


VICINITY MAP

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**LAND USE & ZONING MAP**



**PACIFIC BUILDERS**

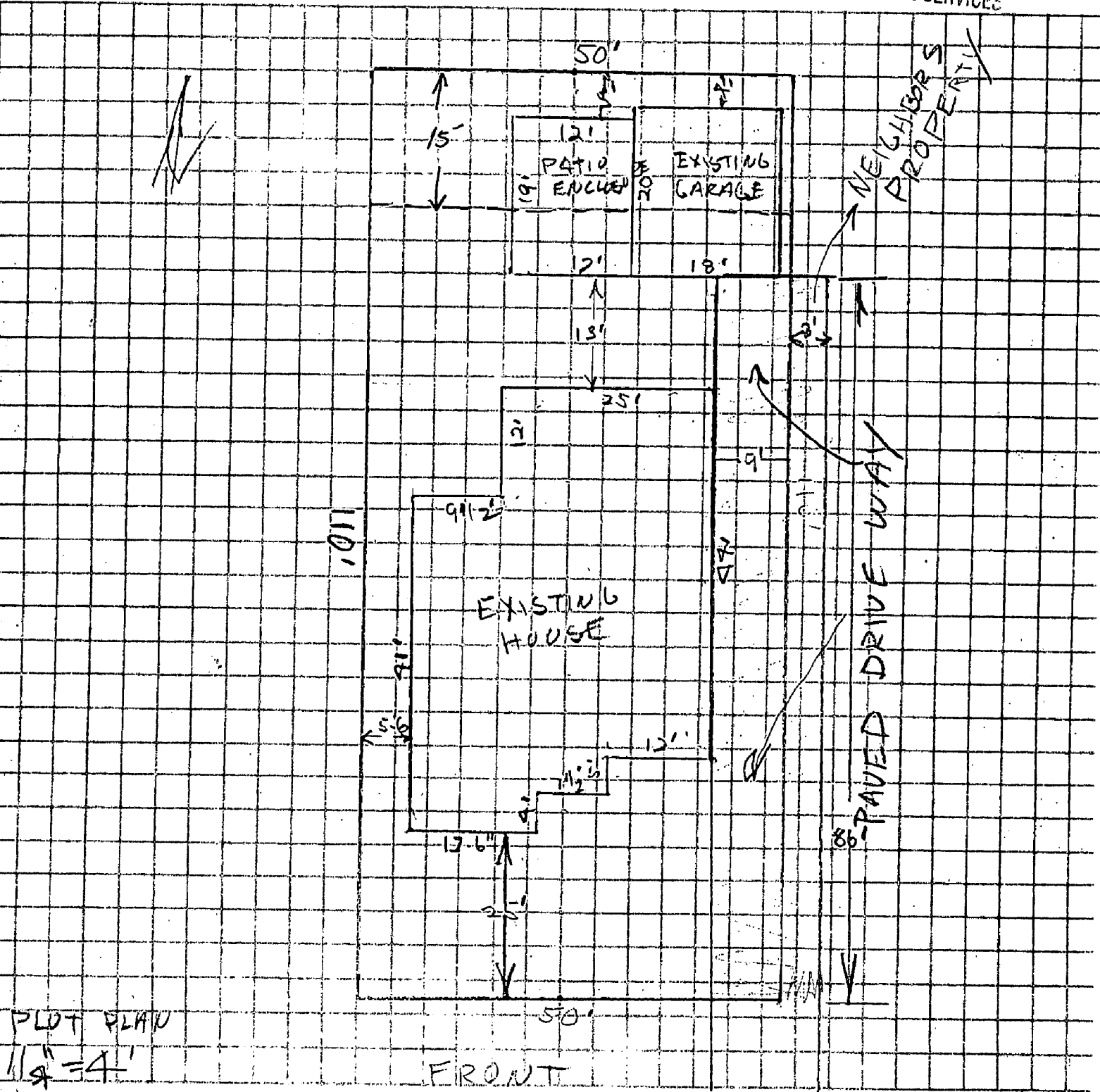
5421 - 84th Street  
Sacramento, CA 95826  
(916) 383-3168

**EXHIBIT A**

RECEIVED

JAN 12 1983

**Work Sheet**  
ENVIRONMENTAL SERVICES



PLOT PLAN  
1/8" = 4'

FRONT

Name: CONLEY SANDERS  
Address: 2273 11<sup>th</sup> AVE  
City: SAC CALIF  
Phone: 992-323

Diagram and size approved by customer

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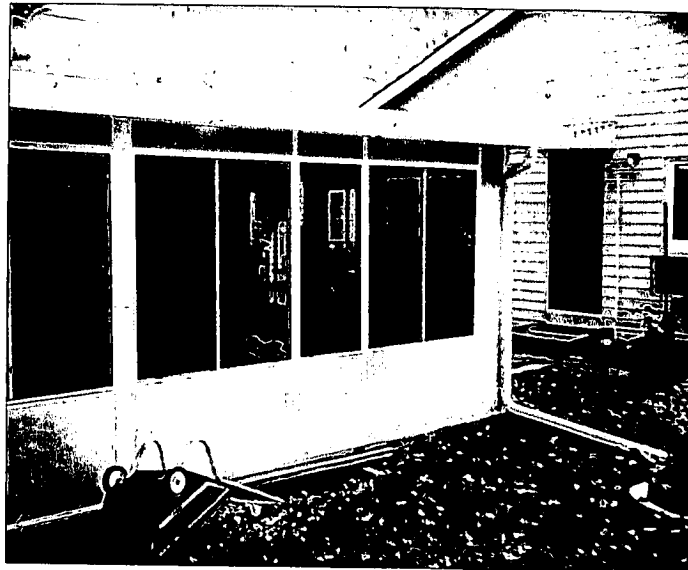
EXHIBIT B



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