

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

**ACTION OF THE ZONING ADMINISTRATOR**

On Wednesday, October 6, 1999, the Zoning Administrator approved with conditions a variance to allow a ten foot high fence in a portion of the rear yard and street side yard setback areas for the project known as Z99-111. Findings of Fact and conditions of approval for the project are listed on pages 2-3.

**Project Information**

Request:     **Zoning Administrator Variance** to allow a 10 foot high wrought iron fence to be constructed in the street side yard and rear yard setbacks for an apartment complex on 9.53± developed acres in the Multi-Family (R-3) and Standard Single Family (R-1) zones.

Location:     6501 Elder Creek Road (D6, Area 3)

Assessor's Parcel Number:     038-0210-062, 063

Applicant:    Rural California Housing Corporation (Stephan Daues)  
                  3120 Freeboard Dr., Ste #202  
                  West Sacramento, CA 95691

Property:     Kennedy Estates Housing Associates (KEHA)  
Owner:        3120 Freeboard Dr., Ste #202  
                  West Sacramento, CA 95691

Project Planner:     Sandra Yope

General Plan Designation:	Medium Density Residential (16-29 du/na)
South Sacramento	
Community Plan	Medium Density Residential (16-29 du/na)
Existing Land Use of Site:	Apartment Complex
Existing Zoning of Site:	Multi-Family (R-3) and Standard Single Family (R-1)

Surrounding Land Use and Zoning:

North:	R-1; Morrison Creek
South:	R-1A; Vacant
East:	R-1; Vacant and Church
West:	R-1; Single Family Residence

Property Dimensions:	Irregular
Property Area:	9.53± acres
Fence Building Materials:	Wrought Iron
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

Project Plans: See Exhibits A-C

Previous Files: Z97-086

Additional Information: The applicant is requesting to replace an existing six foot high chain link fence along the northwest corner of the site with a ten foot decorative wrought iron fence. The proposed fence will extend to the south 150 feet (along the west property line) from the northwest corner and 20 feet to the east along the northern property line. The grade changes significantly along this area as the road rises to cross Morrison Creek. There is more than a four foot grade difference from the property side and the bank of the creek. The fence will be approximately six feet high along the adjacent property. The Zoning Ordinance allows a maximum height of six feet for residential decorative wrought iron fences in the street side yard and rear yard setback areas. The applicant is requesting a variance to this requirement.

The project has been noticed and staff has received one call concerning the project. The caller sought clarification of the proposed project and had no objections.

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, Sections 15303(e) and 15305(a).

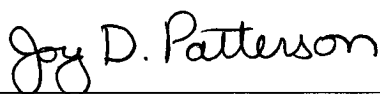
Conditions of Approval

1. The fence shall be constructed as shown on submitted plans. The ten foot high section shall not extend south beyond the proposed 150 feet.
2. The applicant shall plant climbing vines along the fence.
3. The applicant shall obtain building permits for the fence.

Findings of Fact-Variance:

1. Granting the variance does not constitute a special privilege extended to an individual applicant in that:
  - a. there is a significant grade change due the road elevating to go over the adjacent creek to the north, creating a significant height differential between the location of the fence and the street yard setback area; and

- b. 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 the apartment complex is a residential use that is permitted in the Multi-Family (R-3) and Standard Single Family (R-1) zones.
- 3. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
  - a. the height of the wrought iron fence will appear to be around six feet to a pedestrian on the sidewalk or a vehicle on 65th Expressway; and
  - b. the additional height will allow for an approximate six foot high fence on the adjacent property side, affording more security to the apartment complex from the adjacent creek levee.
- 4. The project is consistent with the General Plan and the South Sacramento Community Plan which designate the subject site as Medium Density Residential (16-29 du/na) and Residential (11-29 du/na) respectively.



Joy D. Patterson  
Zoning Administrator

A use for which a Variance is granted must be established within two years after such permit is approved. If such use is not so established the Variance shall be deemed to have expired and shall be null and void. A Variance 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.

cc: File  
Applicant  
ZA Log Book



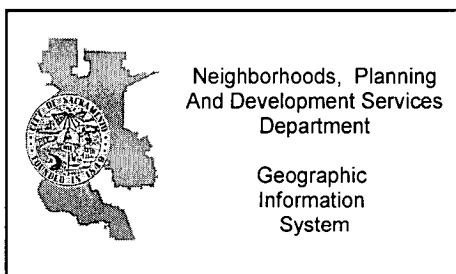
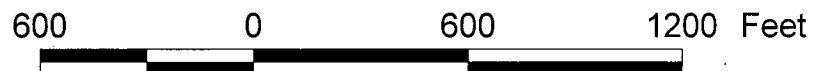
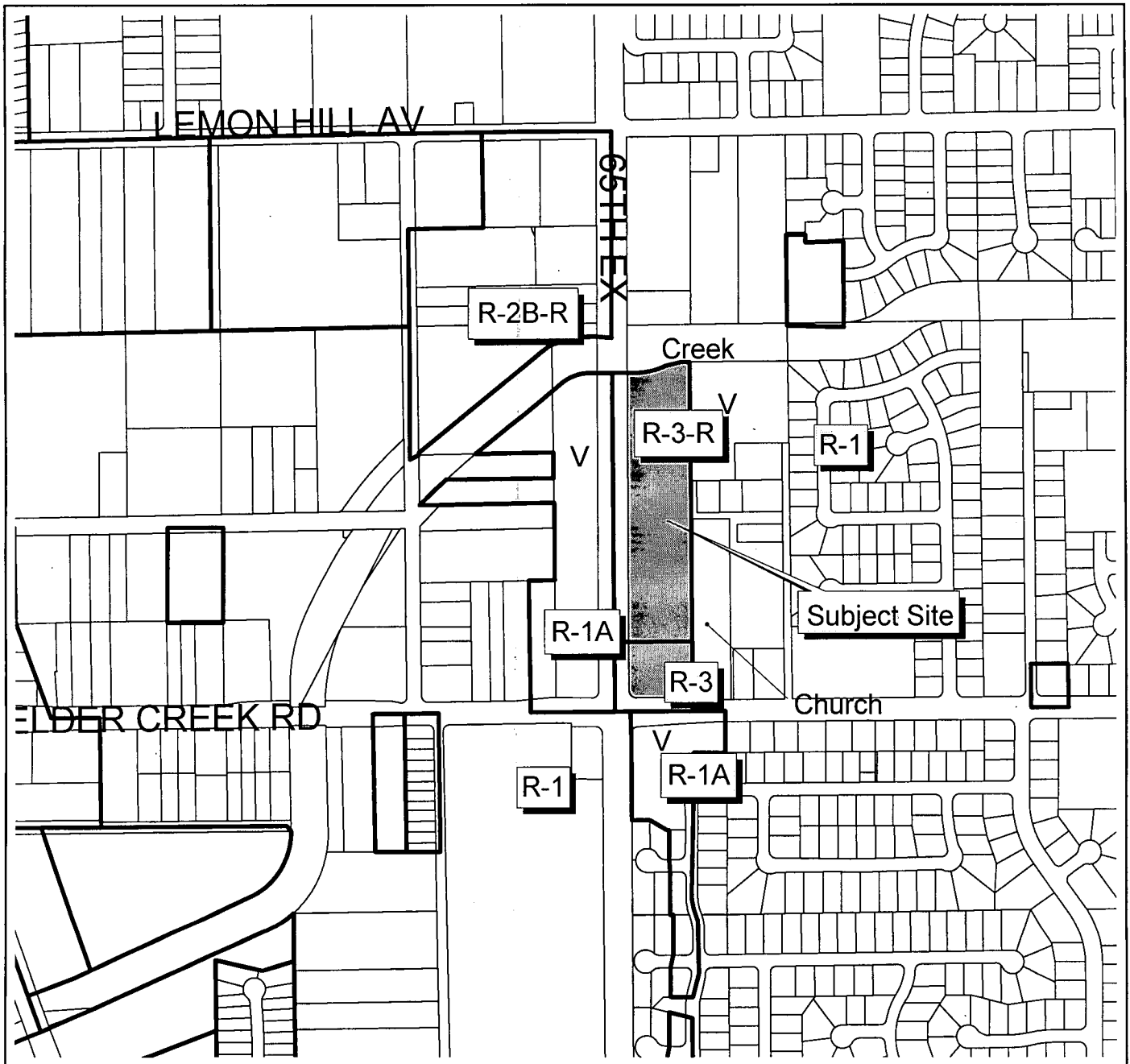
Neighborhoods, Planning  
And Development Services  
Department

Geographic  
Information  
System

1000 0 1000 2000 Feet

## VICINITY MAP





# LAND USE AND ZONING



980-tbz

CITY OF SACRAMENTO  
CITY PLANNING DIVISION

AUG 28 1999

RECEIVED



### — DOING MAIL BOX STRUCTURE

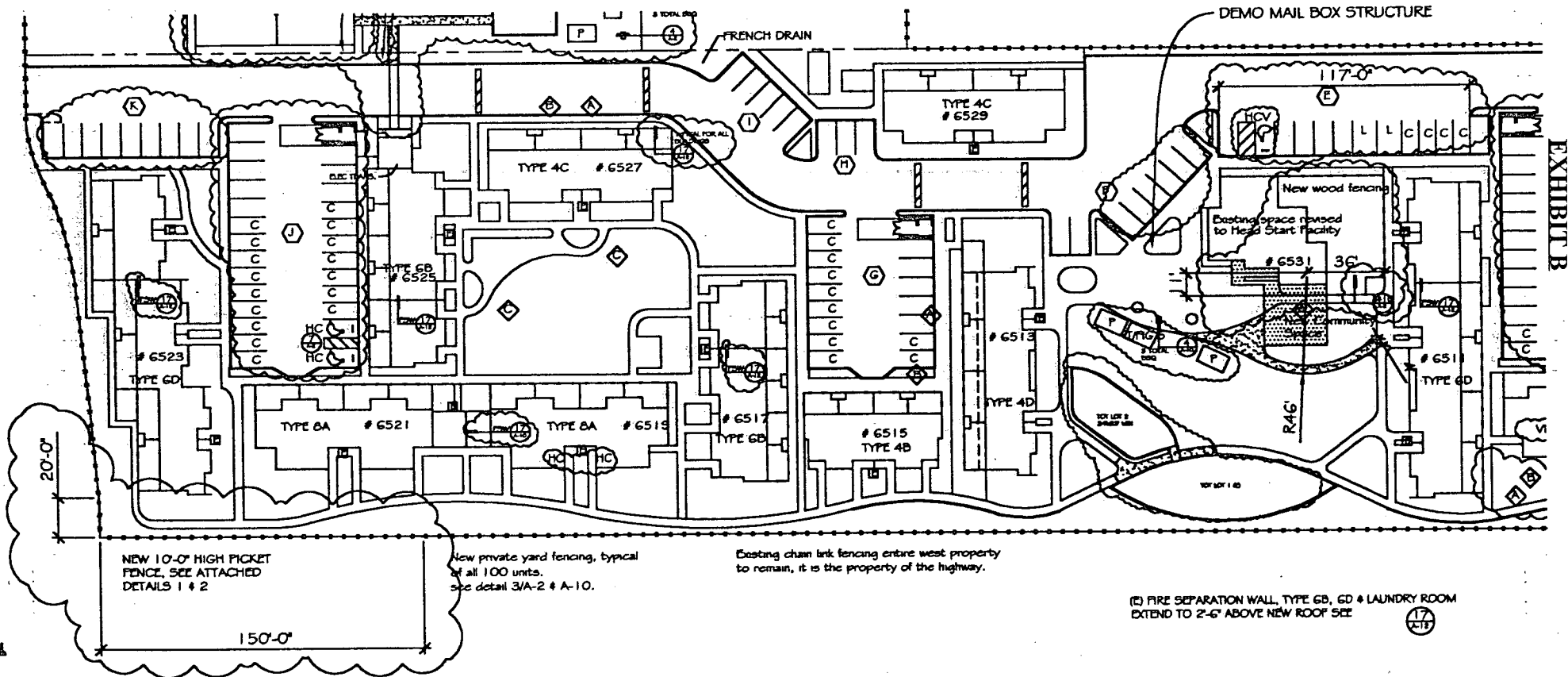
ITEM 4 - 66Z

## SITE PLAN

17-40-07

NORTH

**NOTE:**  
THE EXISTING BUILDINGS CONTAIN  
ASBESTOS. ASBESTOS CONTAMINATED  
MATERIAL TO BE REMOVED OR  
ABATED AT THE DISCRETION OF THE  
CONTRACTOR IN AGREEMENT WITH  
THE OWNER.



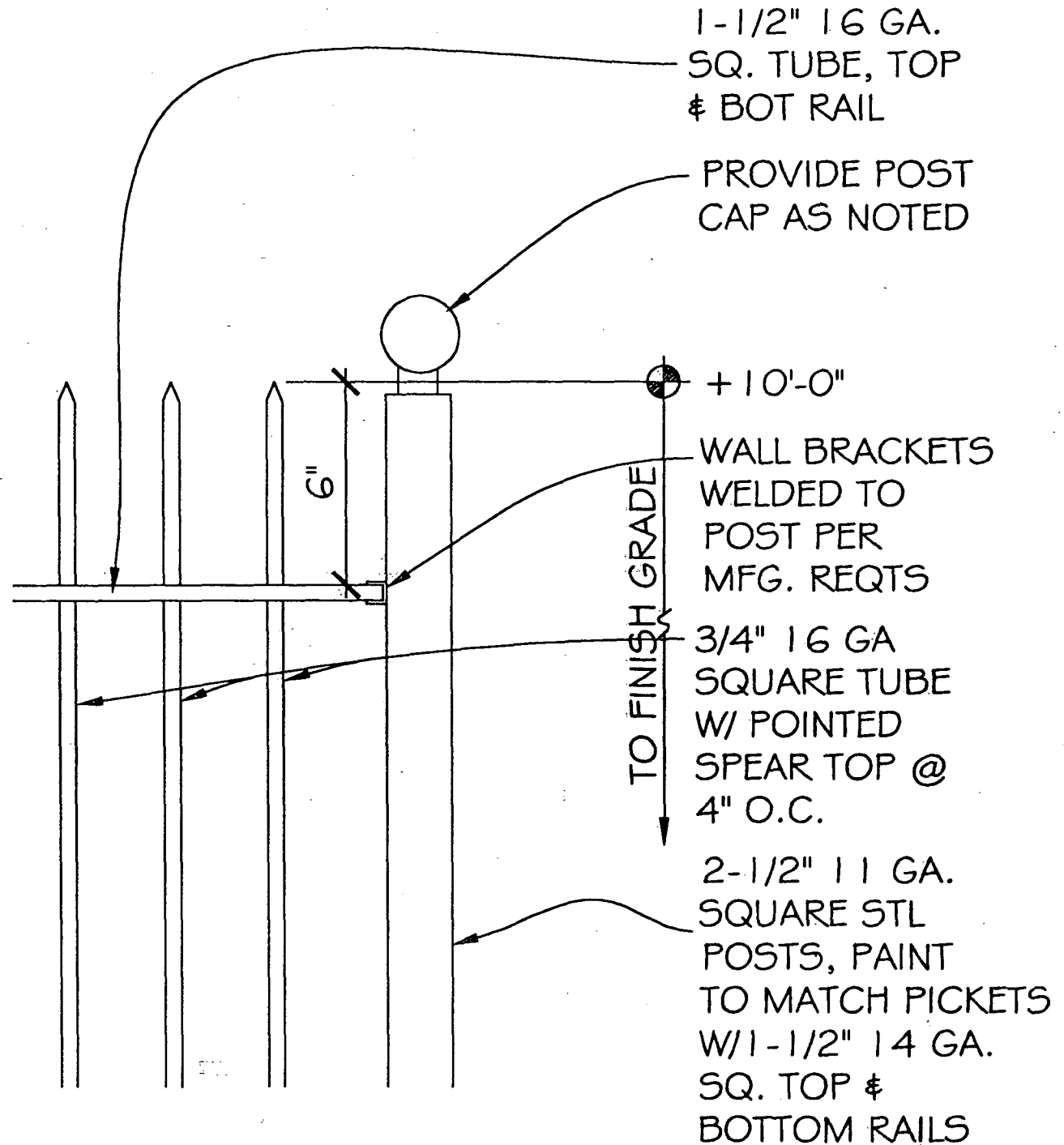
PARTIAL SITE PLAN

1" = 40'-0"

(C) FIRE SEPARATION WALL, TYPE 6B, 6D & LAUNDRY ROOM  
EXTEND TO 2'-6" ABOVE NEW ROOF SEE

17  
A11

EXHIBIT B



DETAIL 2  
Z99-HI

October 6, 1999 Z99-111

8/27/99  
14 EN 4