

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

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, October 6, 2004, the Zoning Administrator approved a variance to allow a room addition to a single-family home to encroach into the rear yard setback area, from minimum rear setback of 15 feet to 8± feet, in the Standard Single Family (R-1) zone for the project known as (File Z04-241). Findings of Fact and conditions of approval are listed on pages 2-3.

ACTION OF DESIGN REVIEW STAFF

On Wednesday, October 6, 2004, Design Review staff conditionally approved plans for an addition and exterior rehabilitation of a single-family dwelling in the Oak Park Design Review District. The conditions of approval are included with this staff report on page 4.

Project Information

Request: **Zoning Administrator Variance** to reduce the required rear yard setback, from the minimum 15 feet to 8 feet, on 0.10± developed acres in the Standard Single-Family Residential (R-1) zone.

Location: 3808 Martin Luther King Blvd (D5, Area 3)

Assessor's Parcel Number: 020-0033-019

Applicant: Titus and Company
P.O. Box 163558
Sacramento, CA 95816

Property Owner: Clinton S. Patton
3808 Martin Luther King Blvd
Sacramento, CA 95822

Project Planner: Philip Reed

General Plan Designation: Low Density Residential 4-15 du/na
Community Plan Designation: none (no community plan)
Existing Zoning of Site: Standard Single Family (R-1)
Existing Land Use of Site: Single Family Residence

Surrounding Land Use and Zoning:

North: R-1; Residential, Single Family
South: R-1; Residential, Single Family
East: R-1; Residential, Single Family
West: R-1; Residential, Single Family

Property Dimensions: 49 feet by 91± feet
Property Area: 0.10± acres (4474 square feet)

Character of House: One story, two bedroom / one bath
Nature of Addition: Entertainment Room, with new 2nd bath, and new laundry room

Existing Footprint:	1211± square feet
New Room Addition:	450± square feet
Total New Footprint:	1661± square feet
New Overall Lot Coverage:	37 %

Project Plans: See Exhibit A

Previous Files: None

Additional Information: The subject property is a substandard lot in that it is narrower and not as deep as the standard sized 52' x 100' lot; it is only 49 feet wide and just slightly over 91 feet deep, and at 4474 square feet, the lot is smaller in area than the current standard of 5200 square feet. Furthermore, the existing house is placed farther back on the lot than is required by the current minimum front setback requirement, leaving less rear yard area than would be available with the house located as close to the street as it could be; and even with the additional footprint of the addition, the house will be well within the allowable 40% maximum lot coverage. Therefore, there is a valid basis for granting a variance of the minimum rear setback requirement to allow a reasonable addition of living space to an otherwise relatively small house.

The site is located within the Oak Park Redevelopment Area. Staff sent the plans to the Project Area Committee (PAC) and to all property owners within 100 feet of the project site. Only one call was received in response the notice sent out, and that call was simply for clarification of what the notice was all about and did not express any opposition to the project. No other comments were received from neighbors.

Agency Comments: The project is located within Oak Park Design Review District. The project plans were reviewed by design review staff and their conditions of approval included with this staff report. The project was reviewed also by the City of Sacramento Department of Utilities and the Building Division of the City's Development Services Department. There were no comments received.

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 15303 (a), New Construction or Conversion of Small Structures.

Conditions of Approval:

GENERAL

1. There shall be no additional structures added in the rear yard area without an additional entitlement application and approval by the Planning Division;
2. Applicant shall submit revised plans for final approval by Design Review staff prior to submitting plans for the building permit;
3. Applicant must obtain all necessary building permits prior to commencing construction;
4. Applicant shall comply with all Design Review conditions prior to finaling building permits;
5. This approval is for a variance for a rear yard setback of no less than eight (8) feet. Any deviations from or alterations to this approval shall require an additional review and approval by the Planning Division.

Findings of Fact:

1. Granting the Variance does not constitute a special privilege extended to an individual in that:
 - a. the reduction of the rear yard setback will be compatible with the surrounding residential properties; and
 - b. the variance ensures that the existing residential development will be rehabilitated and preserved.
2. Granting the Variance request does not constitute a use variance in that there is no change in the existing use of a single-family residence in the Standard Single-Family (R-1) zone.
3. Granting the Variance will not be injurious to the public health, safety, or welfare, nor result in a nuisance, in that the reduced rear yard setback will still provide an adequate rear yard for the house and will be compatible with the surrounding neighborhood.
4. The project is consistent with the General Plan which designates the site as Low Density Residential 4-15 du/na.



Joy D. Patterson
Zoning Administrator

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

cc: File (original)
ZA Log Book
Applicant

DESIGN REVIEW

Conditions of Approval:

1. All new windows shall be single or double-hung to match the existing, with trim to match.
2. The new siding on the addition, as well as any exterior repair areas, shall match the existing horizontal lap siding on the rest of the house, with trim to match.
3. The addition shall be painted to match the rest of the house, with respect to both siding and trim painted a complimentary accent color; and any areas of siding or trim on the main house that are in need of maintenance shall also be repaired and painted to match existing;
4. Roofing material on the addition shall match existing in type and color, unless the addition plus any necessary repairs on the existing roof areas constitute more than 50% of total roof area, in which case a complete re-roof shall be required using a minimum 30-year laminated dimensional composition shingle;
5. The scope of exterior work is limited to the above listed items. Any changes are subject to Design Review staff approval.


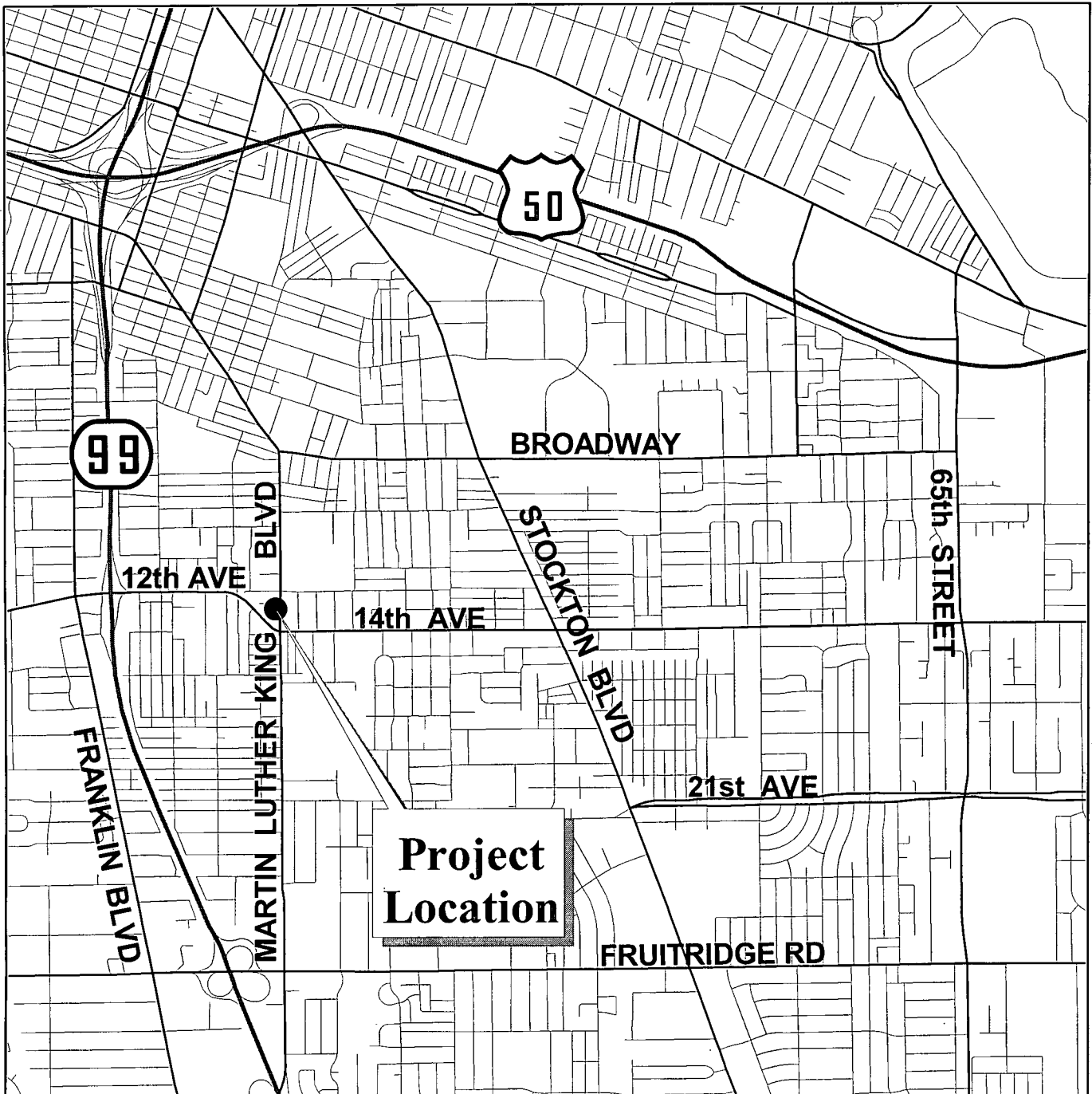
Advisory Note:

6. The pole and tarp "structure" in the front yard area may be a code violation subject to Code Enforcement action; inspector to field verify.


Luis Sanchez
Design Review

No building permit shall be issued until expiration of the 10-day appeal period. If an appeal is filed, no permit shall be issued until final approval is received. The applicant and the owners of all properties adjoining the subject property have the right to appeal this decision to the Design Review and Preservation Board. Appeals must be filed within 10 days of the staff action.

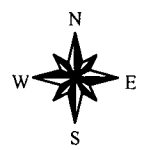
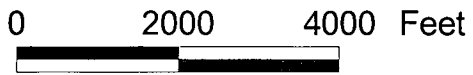
Any questions about the Design Review conditions of approval shall be directed to Luis Sanchez at (916) 808-5957.

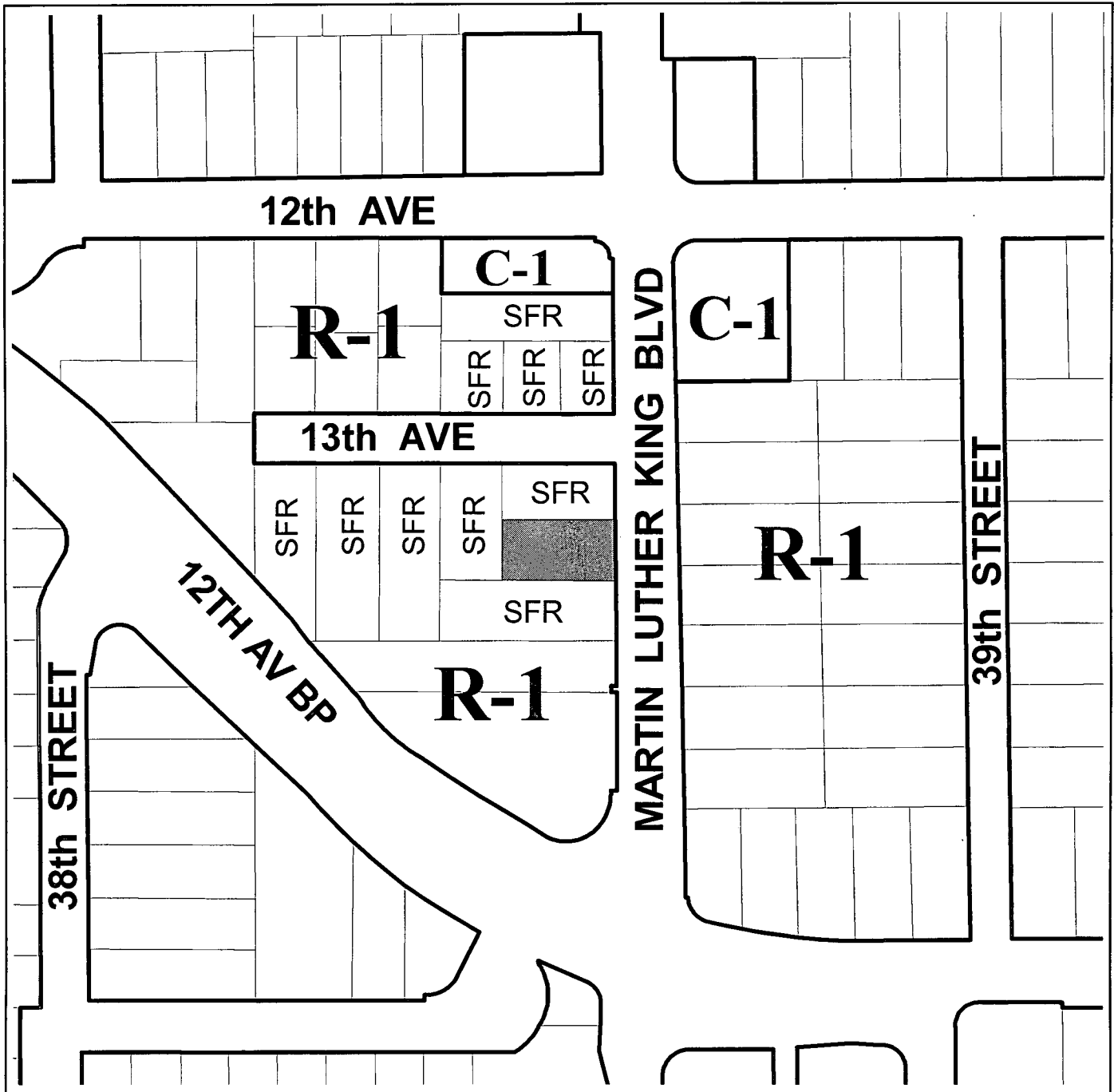



Development Services
Department

Geographic
Information
Systems

Vicinity Map

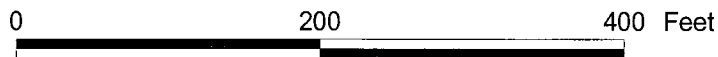
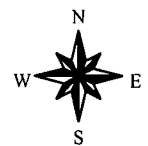


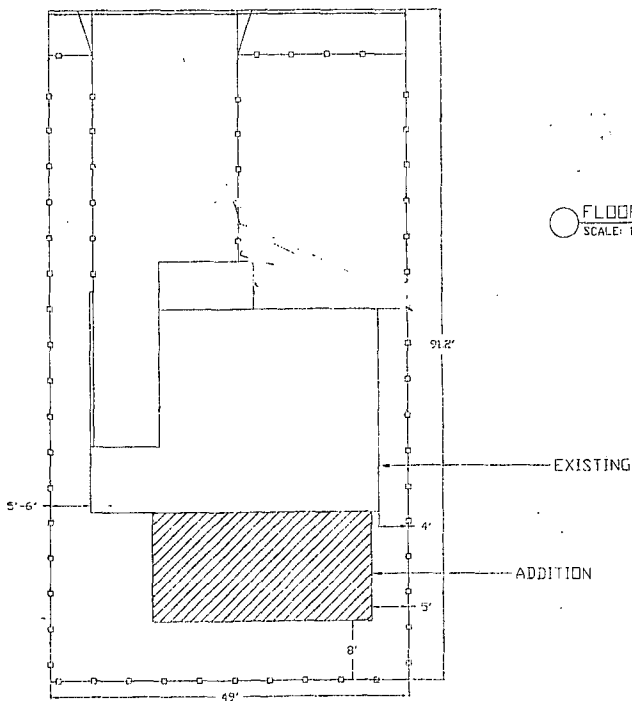
Development Services
Department

Geographic
Information
System

Land Use & Zoning



MARTIN LUTHER KING BLVD.



FLOOR FRAMING PLAN
SCALE: 1/8" = 1'-0"

GENERAL INFORMATION

OWNER: CLINTON S. PALTON
 SITE ADDRESS: 3808 MARTIN LUTHER KING BLVD.
 PROJECT: REAR ADDITION

BUILDING INFORMATION

OCCUPANCY: R-3
 ALL CONSTRUCTION ACCORDING TO 2001 CBC, CMC, CPC, CFC, OR 1999
 CODE: NEC OCCUPANCY GROUP R-3, CONSTRUCTION TYPE V-N, AS
 AMENDED BY THE STATE OF CALIFORNIA AND LOCAL JURISDICTIONS
 ARE APPLICABLE TO THIS PROJECT
 BUILDING TYPE: VN
 BUILDING AREA: EXISTING HOUSE - 910 SF
 NEW TOTAL HABITABLE - 450 SF

SOIL BEARING: PER CODE

SITE INFORMATION

JURISDICTION: SACRAMENTO
 ACCESSORS PARCEL NO:
 SITE AREA: 102 ACRES
 FIRE DISTRICT: SACRAMENTO
 WATER: SMUD
 SEWAGE DISPOSAL:

ENERGY STATEMENT

THE BUILDING SHOWN ON THESE PLANS SUBSTANTIALLY CONFORMS TO THE
 REQUIREMENTS OF THE TITLE 24 PART 2, CHAPTER 2-53, OF THE
 CALIFORNIA ADMINISTRATION CODE.

NOTE ON DIMENSIONS

WRITTEN DIMENSIONS AND NOTES ON THIS SET OF PLANS SHALL TAKE
 PRECEDENCE OVER SCALED DIMENSIONS. IF A DISCREPANCY OF AN ERROR
 IS FOUND, CONTACT THE ARCHITECT BEFORE PROCEEDING WITH THE WORK.

SHEET INDEX

- 1) PLOT PLAN & GENERAL NOTES
- 2) EXISTING & NEW FLOOR PLAN
FOUNDATION PLAN
- 3) ROOF PLAN, SHEAR PLAN
ELECTRICAL PLAN
- 4) ELEVATIONS
- 5) NOTES & DETAILS
- 6) NOTES & DETAILS
- 7) NOTES & DETAILS

VICINITY MAP

EXHIBIT A

Z04-241

REC'D 08-06-2004

REVISIONS BY

NO.	DATE	BY



CLINTON S. PALTON
 3808 MARTIN LUTHER KING BLVD
 SACRAMENTO, CA

COVER SHEET

DRAWN: R/JN
 DATE:
 SCALE:
 JOB NO:
 SHEET

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