

PLANNING DIRECTOR'S VARIANCE

1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT	Geremia Pools, Inc. 1327 65th Street, Sacramento, CA 95819				
OWNER	Paul & Alice Salinas, 19 Beecham Court, Sacramento, CA 95833				
PLANS BY	Geremia Pools, Inc. 1327 65th Street, Sacramento, CA 95819				
FILING DATE	9/9/87	ENVIR. DET.	Exempt 15305 a	REPORT BY	DTH:vf
ASSESSOR'S-PCL. NO.	262-0290-009-0000				

APPLICATION: Planning Director's Variance to allow a swimming pool to be constructed within three feet of the interior side property line (P87-404).

LOCATION: 19 Beecham Court

PROJECT INFORMATION:

1974 General Plan Designation:	Residential
Existing Zoning of Site:	R-1
Existing Land Use of Site:	Single Family Residential
Property Dimensions:	Irregular
Property Area:	13,646 sq. ft.
Topography:	Flat
Street Improvements & Utilities:	Existing

BACKGROUND INFORMATION: The applicant was issued a building permit in error by the Building Division to construct a 17' x 27' swimming pool in the side yard setback area. Once construction had commenced the field inspector determined that the pool was located within the required five feet side yard setback area.

PROJECT EVALUATION: Staff has the following comments regarding this project.

- A. The subject site consists of a 0.17± acre lot on which a single family dwelling is located. The lot is zoned single family (R-1) and is designated for residential uses by the General Plan. Surrounding uses are exclusively single family.
- B. A half-constructed swimming pool is located three feet from the interior (side yard) property line. A minimum five foot sideyard setback is required, however, the Planning Director may grant a variance from the setback requirements of up to 50 percent provided a hardship exists.

The swimming pool was proposed in the present location due to the irregular shape of the lot, existing structures and landscaping; and to maintain a maximum six foot separation between the house and the pool.

- C. The adjacent property owners have been notified of the proposed variance. No objections have been made opposing the request.

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ENVIRONMENTAL DETERMINATION: This project is exempt from environmental review pursuant to State EIR Guidelines (CEQA, Section 15305 a).

RECOMMENDATION: Staff recommends the variance be approved subject to conditions and based on the findings of fact which follow:

Conditions

The applicant shall meet the following minimum noise ordinance requirements for the pool equipment pad:

1. Mechanical equipment shall not emit noises which would cause the maximum noise level to exceed:
 - a) 60 dba, 1 foot inside adjacent properties;
 - b) 55 dba in the center of a neighboring patio;
 - c) 55 dba outside of the neighboring living area nearest the equipment location.

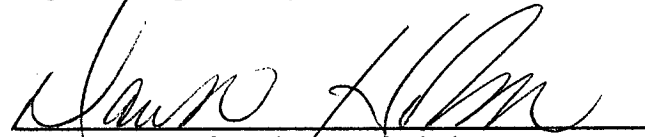
Findings of Fact

1. Granting the variance does not constitute a special privilege extended an individual applicant in that the lot is irregularly shaped and that variances have been granted for other uses on irregular shaped lots.
2. Granting the variance does not constitute a use variance in that a swimming pool is allowed in the R-1 zone.
3. Granting the variance will not be injurious to public welfare nor to property in the area in that:
 - a. the lot is compatible with adjoining development; and
 - b. it will not alter the residential character of the neighborhood.

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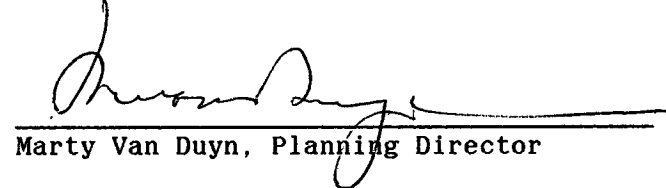
4. The proposed project is consistent with the City's Discretionary Interim Land Use Policy in that the site is designated for residential uses in the 1978 South Natomas Community Plan and the proposed swimming pool conforms with the plan designation.

Report Prepared by:


Dawn Holm, Planning Technician

9-24-87
Date

Approved by:


Marty Van Duyn, Planning Director

9/25/87
Date

DTH:MVD:vf