

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

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, August 23, 2000, the Zoning Administrator approved with conditions a variance to allow a residence to reduce the front yard setback for the project known as Z00-099. Findings of Fact and conditions of approval for the project are listed on pages 2 and 3.

Project Information

Request: **Zoning Administrator Variance** to reduce the required front yard setback from 25 feet to 20 feet for a proposed single family residence in the Standard Single Family (R-1) zone.

Location: 3604 Pinell Street (D2, Area 4)

Assessor's Parcel Number: 252-0182-013

Applicant: Toma Dumitrasesu
5001 64th Street
Sacramento, CA 95820

Property Owner: Florin Dumitrasesu
5001 64th Street
Sacramento, CA 95820

Project Planner: Sandra Yope

General Plan Designation: Low Density Residential (4-15 du/na)
North Sacramento
Community Plan Designation: Residential (4-8 du/na)
Existing Land Use of Site: Single Family Residence
Existing Zoning of Site: Standard Single Family (R-1)

Surrounding Land Use and Zoning:	Setbacks	Required	Proposed
North: R-1; Single Family Residence	Front:	25'	20'
South: R-1; Single Family Residence	Side(N.):	5'	5'
East: R-1; Single Family Residence	Side(S.):	5'	10'
West: R-1; Single Family Residence	Rear:	15'	82'

Property Dimensions: 48' x 107'
Property Area: 0.12± acres
Square Footage of Building: 1,108 square feet

Z00-099

August 23, 2000

ITEM 3

Exterior Building Materials: Stucco
Roof Materials: Composition Shingles
Topography: Flat
Street Improvements: Existing
Utilities: Existing

Project Plans: See Exhibit A

Previous Files: None

Background Information: The applicant was stopped by a field inspector when setting up forms for a new residence because the setback for the house did not match the approved plans. The plans indicated a sufficient 26 foot front setback from back of sidewalk; however, the actual property line is located five feet behind the sidewalk reducing the proposed setback to 21 feet. When staff visited the site, the actual poured foundation was 25 feet from the sidewalk. The applicant was directed to apply for a variance to allow the house to remain in the current location. The previous house located on the lot had been set back further.

Additional Information: The applicant is requesting a variance to allow an existing partially constructed new residence located five feet in the front yard setback area to remain. The new residence has a room projection and the main wall in the required front yard setback area. The Zoning Ordinance requires a 25 foot front yard setback and the house reduces the setback to 20 feet from the property line; however, the house is actually located 25 feet from the back of the sidewalk. The applicant is requesting relief from the requirement.

The site is located within the Expanded North Area Design Review area. The project plans have been approved (ER00-024). The project has been noticed and staff received no calls.

Environmental Determination: This project will not have a significant effect on the environment and is exempt from environmental review pursuant to State EIR Guidelines {California Environmental Quality Act, Sections 15305(a) and 15303(a)}.

Conditions of Approval

1. There shall be no further expansion of the house, porch, or any other structure into the front yard setback area.
2. Size and location of the building shall conform to the plans submitted.
3. The applicant shall obtain all necessary building permits to complete construction.

Findings of Fact:

1. The proposed project, as conditioned, is based upon sound principles of land use in that the proposed setback reduction will not substantially alter the characteristics of the site or the surrounding neighborhood.

2. 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.
3. Granting the variance request does not constitute a use variance in that the single family dwelling is residential use that is permitted in the Standard Single Family (R-1) zone.
4. 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 front yard area;
 - b. there is additional five feet of street right-of-way that will most likely never be utilized located behind the public sidewalk and part of the lot's front yard area; and
 - c. there are many houses with reduced front yard setbacks in the area.
5. The project is consistent with the General Plan and the North Sacramento Community Plan which designates the subject site as Low Density Residential (4-15 du/na) and Residential (4-8 du/na).

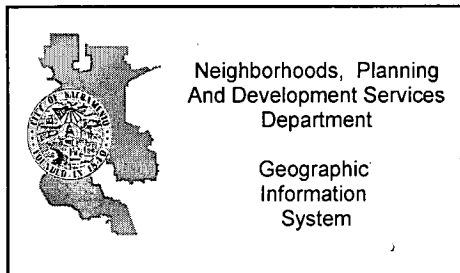
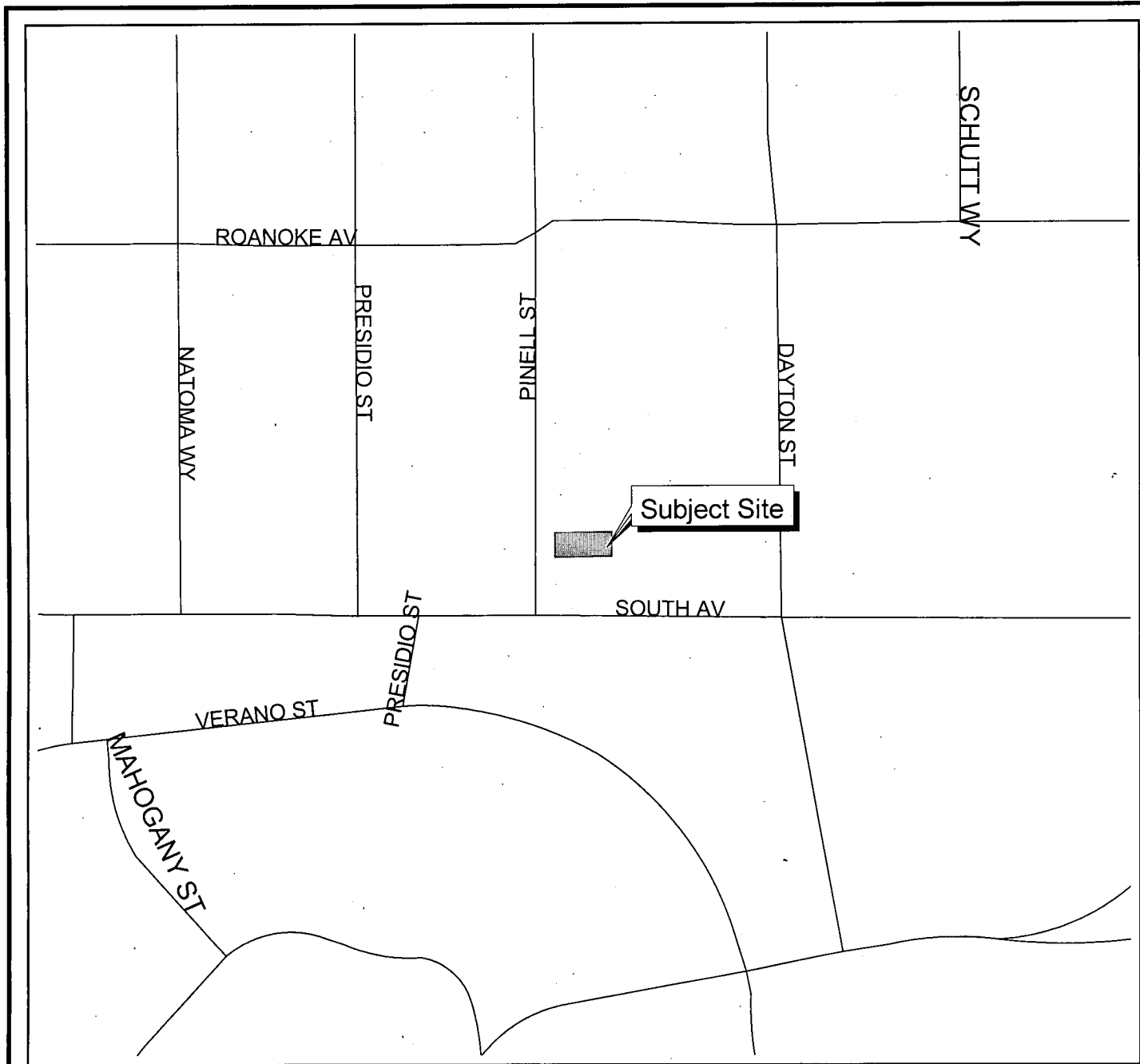


Joy D. Patterson
Zoning Administrator

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.

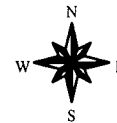
The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

cc: File
Applicant
ZA Log Book



300 0 300 600 Feet

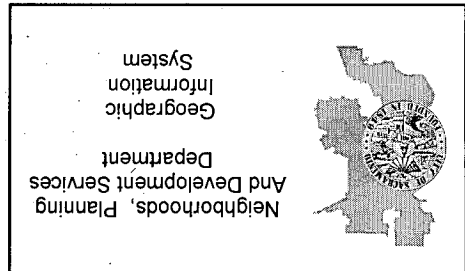
VICINITY MAP



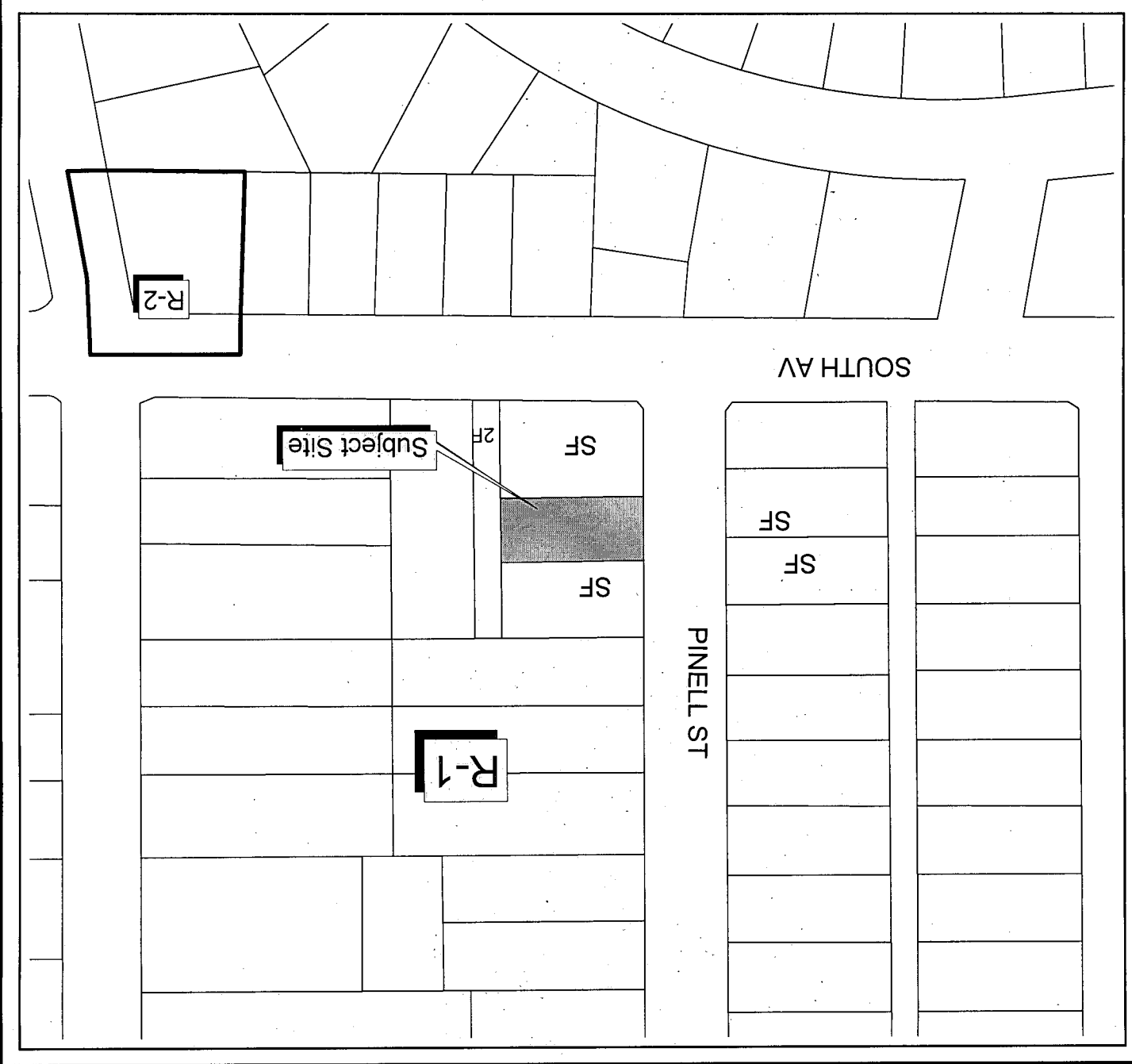
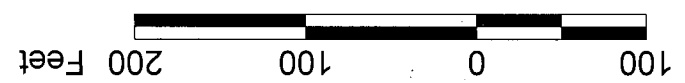
Z00-099

August 23, 2000

Item 3



LAND USE AND ZONING



Z00-099

August 23, 2000

HEM 3

FLOOD ZONE DETERMINATION

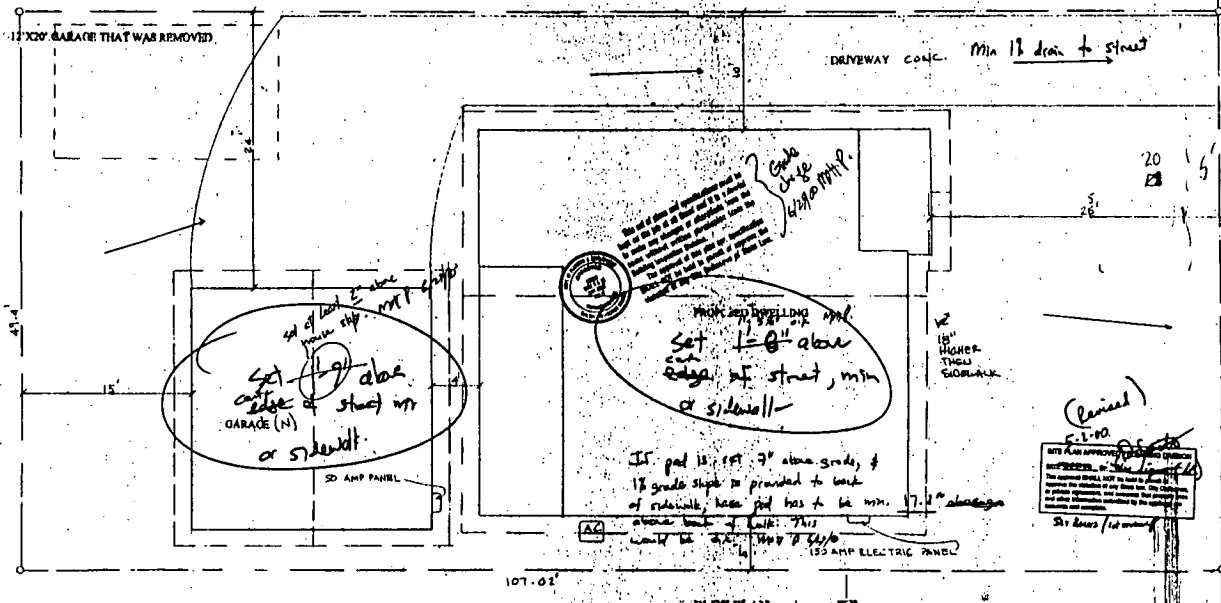
FLOOD ZONE: X
 Date: 4/27
 1. Name of Owner: _____
 2. Address: 3649 Pinell Street
 3. City: Sacramento State: CA Zip Code: 95820
 4. FEMA Community / Flood Number: 5
 5. APN Number: 258-0182-017
 6. Location of Property: _____

U.M.C. Sec. 708 and 1208
 Heating and/or Air Cond. Equip. in atts.
 Min. access required - 30" x 30" clear
 working platform in front of controls
 and electrical connections with a 30" x 30"
 clear passageway from attc access to platform.
 Passageway max. length is 20 ft. and shall
 have a min. 24" clearing the entire length.
 Min. 30" x 30" attic access with conventional trussing.

The approval of all Plumbing
 Mechanical and Electrical
 work is subject to field inspection

PERSONAL SAFETY BUILDING CODE
 SEE ATTACHED INSTRUCTIONS

ROOF OVERHANG (INCLUDING GUTTER)
 CANNOT PROJECT MORE THAN 24
 INCHES INTO REQUIRED SIDEYARD



**1997
U.B.C**

ISSUED
 JUN 21 2000
 CITY OF SACRAMENTO
 DEVELOPMENT SERVICES DIV.

RECEIVED
 MAY 8 2000
 CITY OF SACRAMENTO
 PERMIT ASSISTANCE

RECEIVED
 JUL 21 2000
 CITY OF SACRAMENTO
 CITY PERMITTING DIVISION

**CITY OF SACRAMENTO
 DESIGN REVIEW**
 PROJECT NO. 1997-02-017
 APPROVED BY: [Signature]
 OFFICIAL DATE: 5-27-00

1967A-000
 000499P
 TONY DUBATSKY
 1500 PINELL ST
 SACRAMENTO, CA 95820

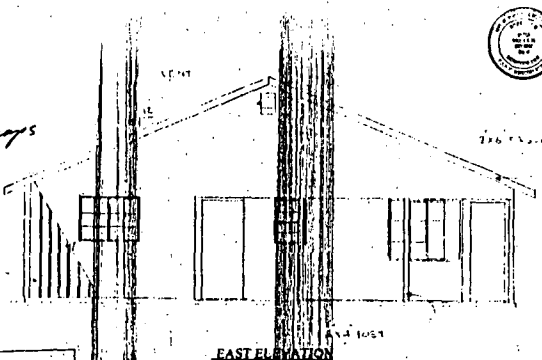
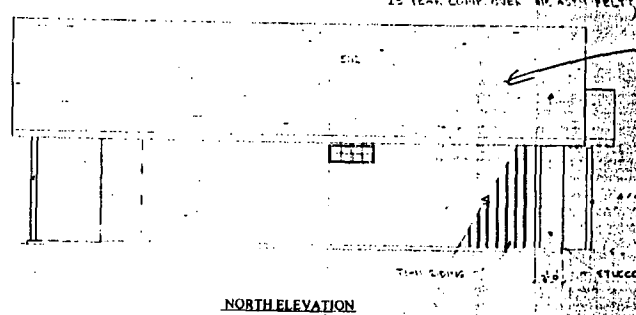
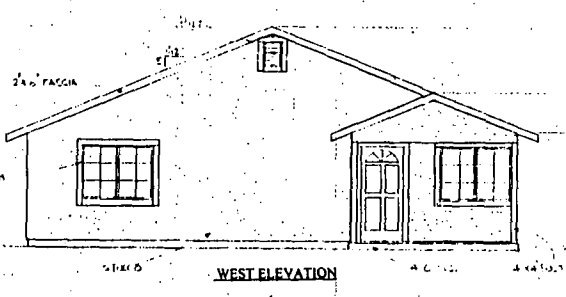
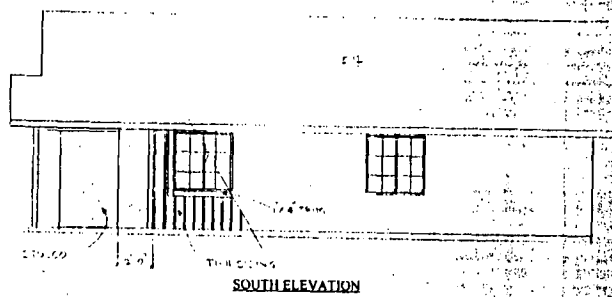
EXHIBIT A

U.M.C. Sec. 708 and 1208
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 Min. 30" x 30" attic access with conventional trussing.

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25 yr. low dist. comp. of heavy ridge caps

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 JUL 21 2000
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 CITY PLANNING DIVISION



ISSUED
 JUL 21 2000
 CITY OF SACRAMENTO
 CITY PLANNING DIVISION
 RECEIVED

EXHIBIT B

7 00-099

