

PLANNING DIRECTOR'S VARIANCE

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

APPLICANT James Plumb, 1033 54th Street, Sacramento, CA 95819
OWNER James Plumb, 1033 54th Street, Sacramento, CA 95819
PLANS BY James Plumb, 2230 Capitol Avenue, Sac., CA 95816
FILING DATE 3/24/87 **ENVIR. DET.** Exempt 15305 (a) **REPORT BY** KMB/vf
ASSESSOR'S-PCL. NO. 008-202-04

APPLICATION: Planning Director's Variance to reduce the required side yard setback from five ft. to three ft. for a proposed house addition on a 0.16+ acre lot in the Single Family (R-1) zone.

LOCATION: 1335-40th Street

PROPOSAL: The applicant is requesting the necessary entitlements to add on to an existing single family residence, carrying forward an existing three foot side yard setback.

PROJECT INFORMATION:

1974 General Plan Designation: Residential
Existing Zoning of Site: R-1
Existing Land Use of Site: Single Family Residence

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: Residential; R-1	Front:	25'	37'
South: Residential; R-1	Side(North):	5'	10'
East : Residential; R-1	Side(South):	5'	3'
West : Residential; R-1	Rear:	15'	55'

Parking Required: one space
Parking Provided: one space
Property Dimensions: 50' x 143'
Property Area: .16+ acres
Square Footage of Building: Existing, approximately 1,350; Addition 350'
Height of Building: 20 feet
Topography: Flat
Street Improvements: Existing
Utilities: Existing
Exterior Building Materials: Stucco
Roof Material: Medium shake

PROJECT EVALUATION

A. Land Use and Zoning:

The subject site consists of a single family residence on a 50' x 143' lot in the Single Family (R-1) zone. The site is designated "Residential" by the 1974 General Plan. Surrounding zoning is also R-1, and surrounding land uses consist of single family residences.

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B. Project Description:

The applicant proposes to add a 19-1/2' by 18' addition to the front of an existing residence for use as a bedroom. The applicant is requesting a variance to the required five ft. side-yard setback to allow a three ft. setback. The existing house has only a three ft. setback and the applicant desires to carry this three foot setback forward for the proposed addition.

C. Front and Sideyard Setbacks:

Existing residences along 40th Street have deep front yard setbacks, ranging from approximately 36 feet to 56 feet. In the R-1 zone, the maximum required front yard setback is 25 feet, unless modified by some other requirement such as a restriction in the Conditions, Covenants and Restrictions (C,C and R'S) recorded in the title to the property. The applicant has examined the title to his property and states that there is no mention of any required front yard setback. Staff can find no other regulation that would require a greater than 25 foot setback. The applicant has spoken with his neighbors and with Rick McWilliams, the president of the East Sacramento Community Association and no knowledge of a deeper front yard setback requirement was found. For these reasons, then, the front yard setback itself, is not an issue. Rather, the issue is the proposed three foot sideyard setback that would be carried forward an additional 19 ft. 6 in. from the existing structure.

The applicant's residence with a 56 ft. 9 in. front yard setback, is located further back than most other residences on this street. The house to the north has a detached garage which is set only 36 ft. 9 in. from the front property line. The house to the south has approximately a 45 foot front setback. The applicant proposes to have the setback for the proposed addition equal that of the garage to the north, which is 36 ft. 9 in. The applicant has contacted the property owner to the south and this person has no objection to the proposed addition with its variance for the sideyard setback.

ENVIRONMENTAL DETERMINATION:

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


STAFF RECOMMENDATION: Staff recommends approval of the variance request, based on the findings of fact which follow:

1. The variance request is not a special privilege extended to one property owner in that a variance would be granted to other property owners facing similar circumstances;

2. The project will not be injurious to the public health, safety or welfare, nor to surrounding properties, in that:
 - a. the side-yard setback is an extension of an existing setback;
 - b. the property to the north has a front yard setback equal to that proposed for the subject site;
 - c. no evidence of any requirement for a greater than 25 foot front yard setback has been found;
 - d. the property owner to the south does not object to the proposed project.

3. The proposed project is consistent with the City's Discretionary Land Use Policy in that the site is designated for Residential use by the 1974 General Plan and the proposed addition to a single family residence is consistent with the plan designation.

Approved:


Marty Van Duyen Planning Director

by: 
Will Weitmar, Senior Planner

Date: 5-5-87

MVD:WW:vf

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