

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

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, May 12, 2004, the Zoning Administrator approved with conditions a variance to allow a garage conversion for an existing house for the project known as Z04-071. Findings of Fact and conditions of approval for the project are listed on pages 2 and 3.

Project Information

Request: **Zoning Administrator Variance** to allow a converted garage to remain and provide the required parking pad in the front setback for a single family residence on 0.12± developed acres in the Standard Single Family (R-1) zone.

Location: 4600 76th Street (D2, Area 4)

Assessor's Parcel Number: 021-0355-005

Applicant: Esperanza Magana
4600 76th Street
Sacramento, CA 95820

Property Owner: Same as applicant

Project Planner: Sandra Yope

General Plan Designation: Low Density Residential (4-15 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	Existing
North: R-1; Single Family Residence	Front:	25'	27'
South: R-1; Single Family Residence	Side (N):	5'	5.5'
East: R-1; Single Family Residence	Side (S):	5'	6.5'
West: R-1; School	Rear:	15'	15'

Property Dimensions: 54 feet x 98 feet
Property Area: 0.12± acres
Square Footage of Buildings: Existing House- 1,262 square feet
Garage Area 370 square feet
Total- 1,632 square feet
Height of Building: Single Story, 15 feet
Exterior Building Materials: Stucco
Roof Materials: Composition Shingles
Topography: Flat

Street Improvements: Existing
 Utilities: Existing

Project Plans: See Exhibits A-D

Previous Files: None

Additional Information: The applicant is requesting to legalize a previously converted attached garage into living space as part of an existing single family house. There is an existing driveway to the garage that will serve as the parking pad; however, the driveway is located within the front setback. The Zoning Code allows a garage to be converted if a ten foot by twenty foot parking pad is provided outside of the front setback area. There is no way to locate a pad out of the setback area for this site the way it is developed. The applicant is requesting a variance to locate the parking pad in the front yard setback area.

The project has been noticed and staff received several calls requesting additional information regarding the project. There were no objections to the proposed project. There is a housing case for the structure with Housing and Dangerous Buildings.

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 15305(a).

Conditions of Approval

1. The applicant shall obtain all necessary building permits to legalize the garage conversion to a room. The applicant shall apply for appropriate building permits within 60 days of approval (July 12, 2004).
2. Size and location of the structure shall conform to the revised plans submitted. The garage door shall be removed and replaced with a permanent façade as shown on the revised plans. The windows and exterior materials shall match the existing house exterior and windows on the front elevation. **Should the room not be connected, the Building Division will call the structure a duplex per building code and required significant structural upgrades to the house.**
3. The room conversion shall be connected to the interior of the remaining section of the house. If the area is used as a second residential unit then the area shall meet the Zoning Code requirements for a second residential unit and meet building code requirements.
4. The following are advisory notes from the Building Department regarding requirements for the area to meet all applicable Building Codes (all disciplines):
 - a. The garage door will need to be removed and in-filled, details required.
 - b. The project must meet Title 24 Energy requirements.

Findings of Fact:

1. The proposed project, as conditioned, is based upon sound principles of land use in that:

- a. The garage conversion using the existing driveway for parking will not substantially alter the characteristics of the site or the surrounding neighborhood, and
 - b. The structures and paving are existing with adequate open space remaining.
2. Granting the variances does not constitute a special privilege extended to an individual applicant in that a variance would be and have been granted to other property owners facing similar circumstances.
 3. Granting the variance requests do not constitute use variances 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 front and rear yard area;
 - b. There is a parking space for two vehicles; and
 - c. There is no way to provide an accessible parking pad out of the front setback area without demolishing a part of the house or acquiring additional property.
 5. The project is consistent with the General Plan which designates the site as Low Density Residential (4-15 du/na).

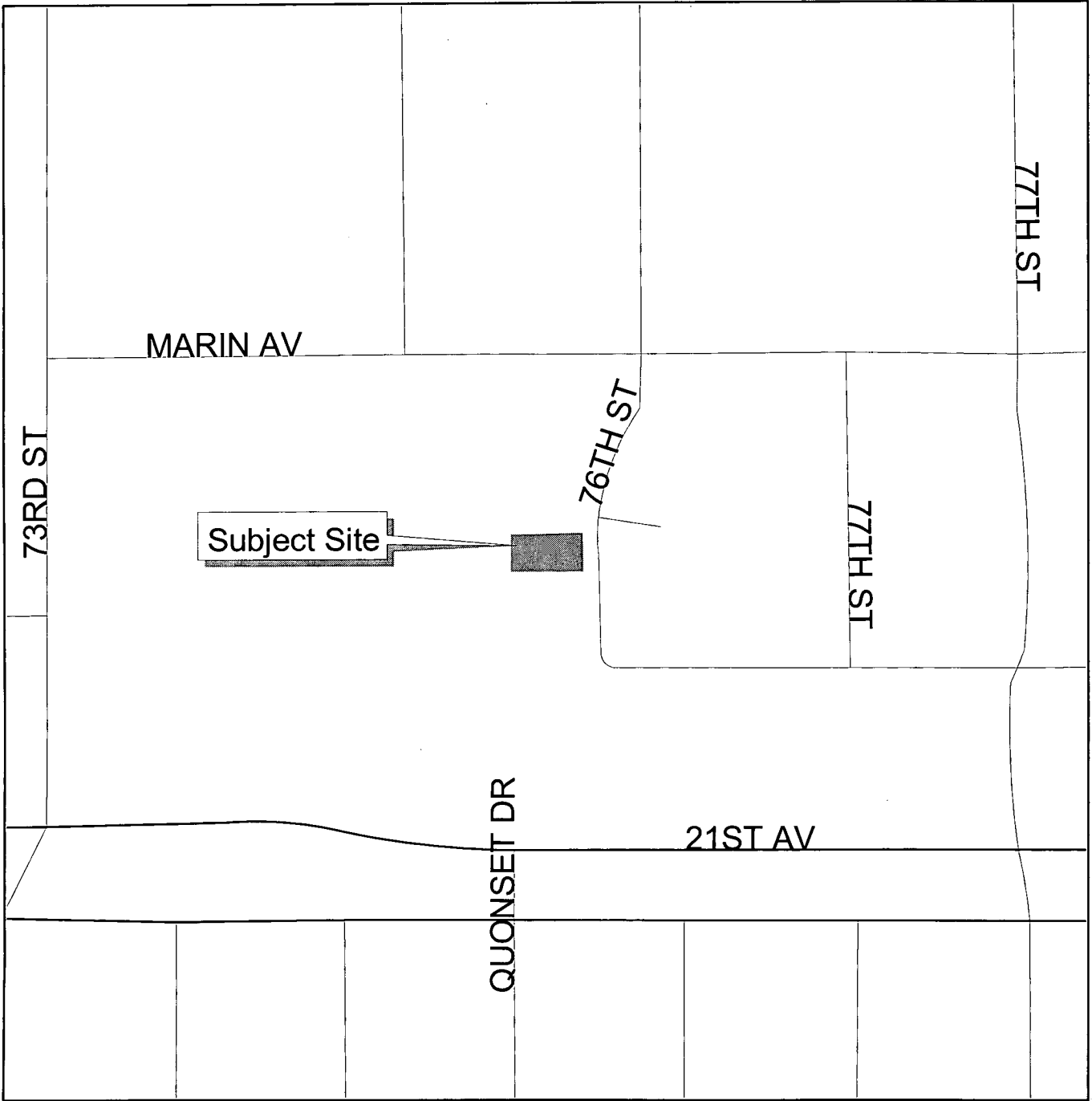


Joy D. Patterson
Zoning Administrator

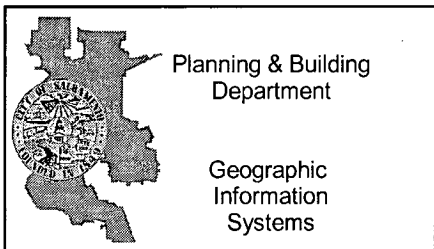
A use for which a Variance is granted must be established within two years after such permit is approved. If such use is not so established the Variance shall be deemed to have expired and shall be null and void. A Variance which requires a Building Permit shall be deemed established when such Building 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
Richard Leiker, Housing and Dangerous Buildings (808-8370)

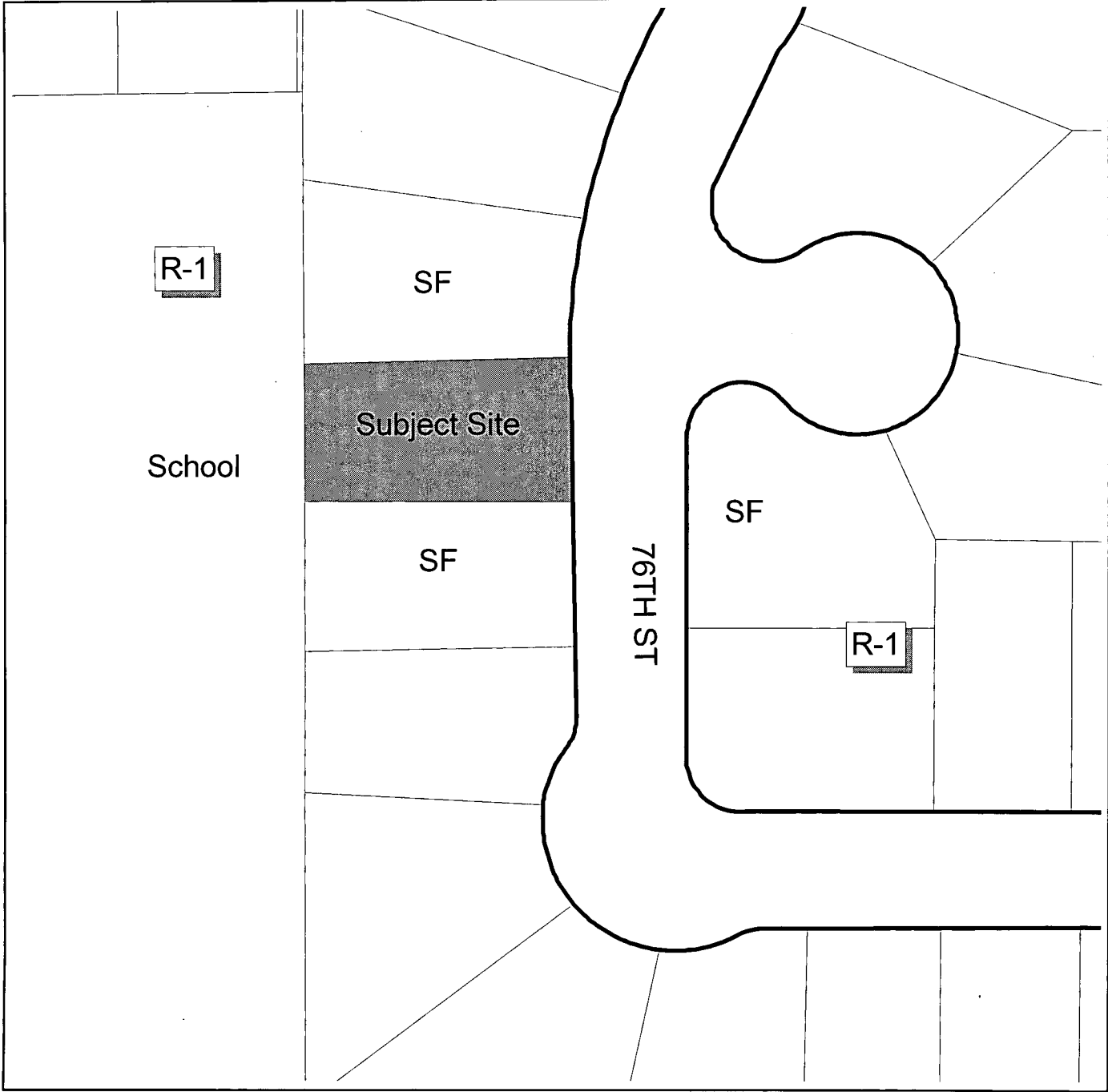


0 100 200 Feet



Vicinity Map





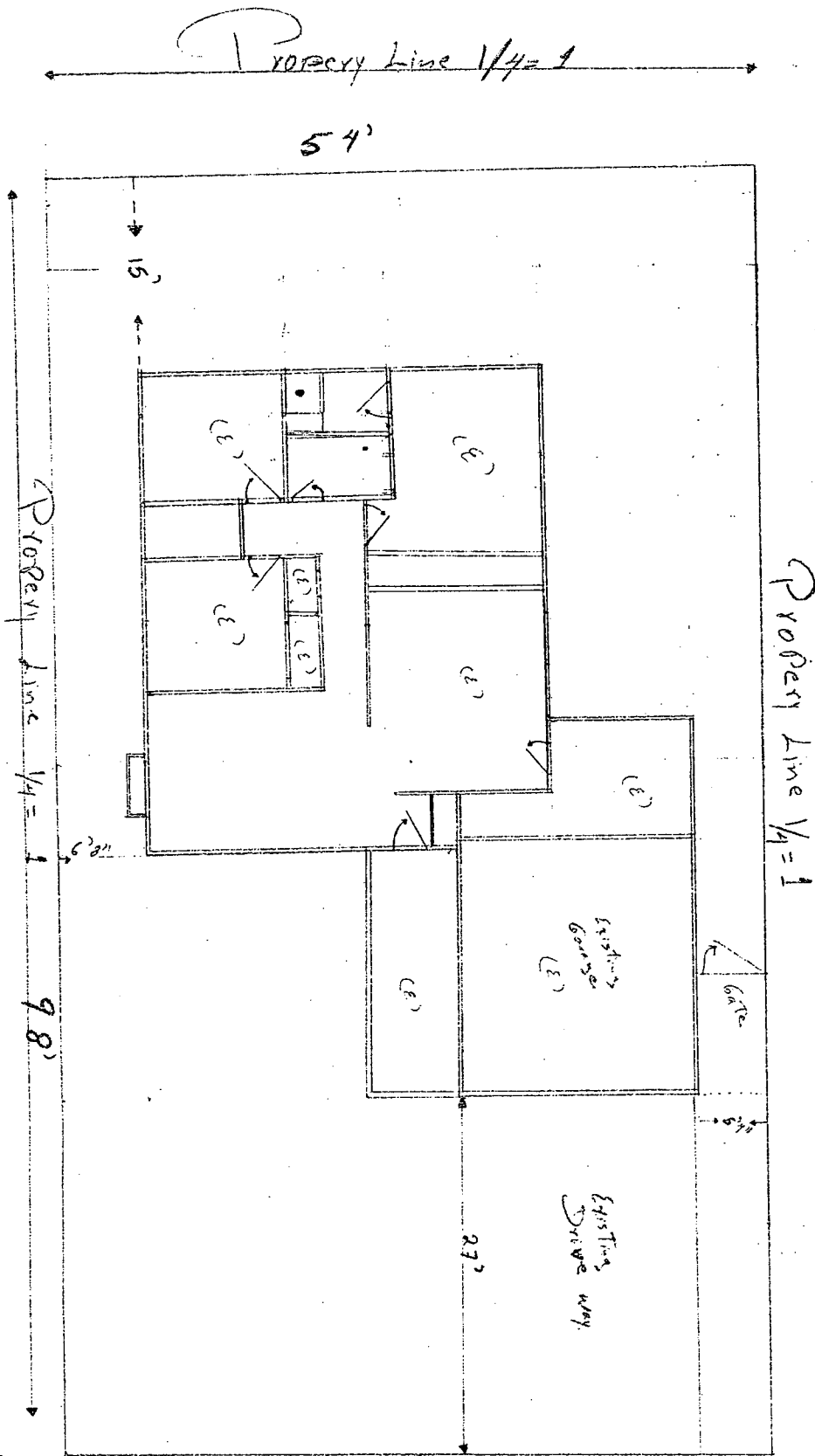
Planning & Building
Department

Geographic
Information
Systems

Land Use & Zoning



EXHIBIT A



Property Line
and Floor Plan
SET BACK
4600 76 H-271
May 12, 2004

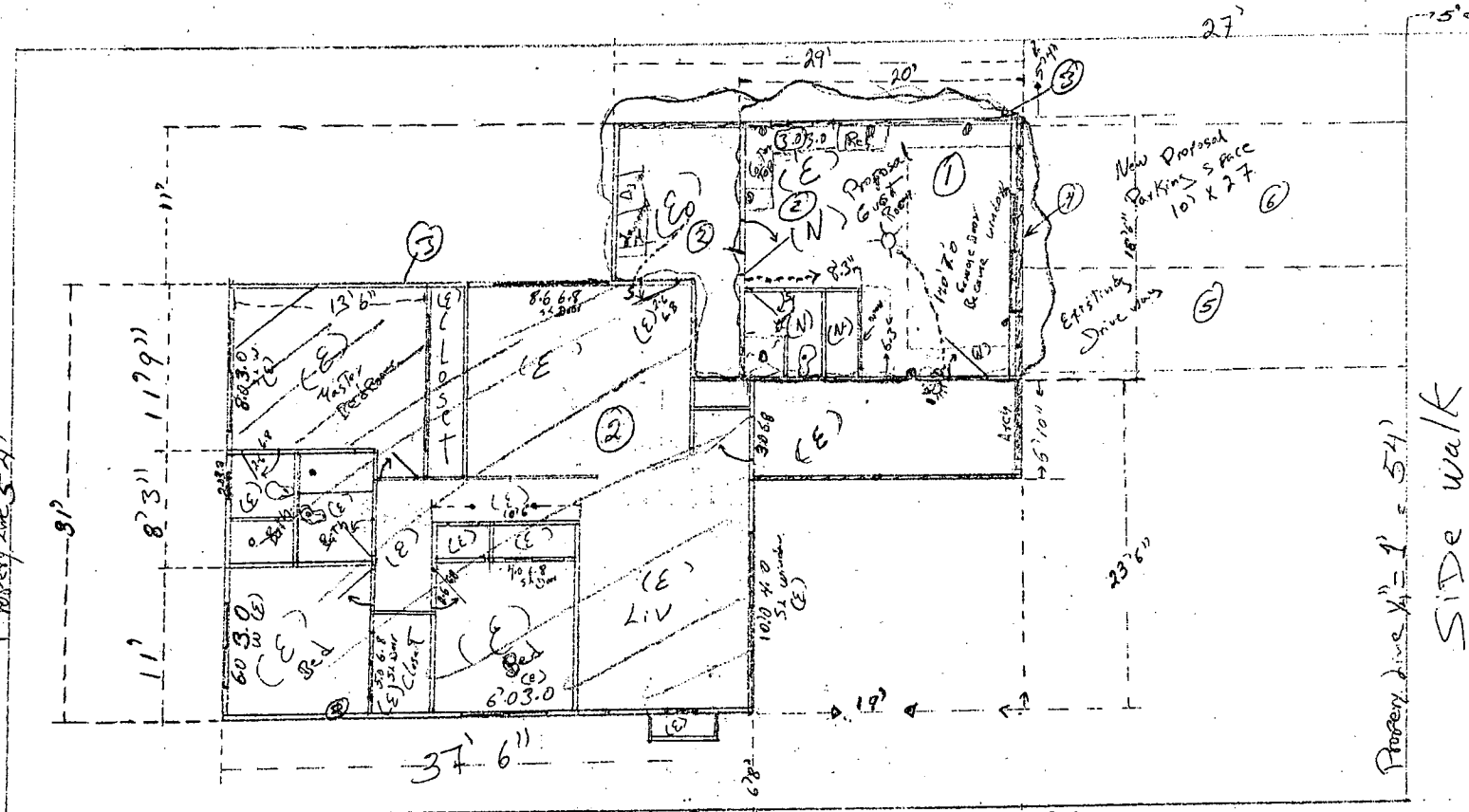
OWNER:
ESPERANZA
MAGANA
SCALE:
1/4" = 1'

Floor plan DiTel

(E) Existing
(N) New/Proposed

- 1) Existing Garage Became Guest Room.
- 2) Existing floor plan.
- 3) Existing footings.
- 4) Existing Garage Door frame in to 8.0 x 4.0 SL window
- 5) Existing Drive way
- 6) Proposal Parking space 10' x 27' on existing Drive way.

Property line 54'

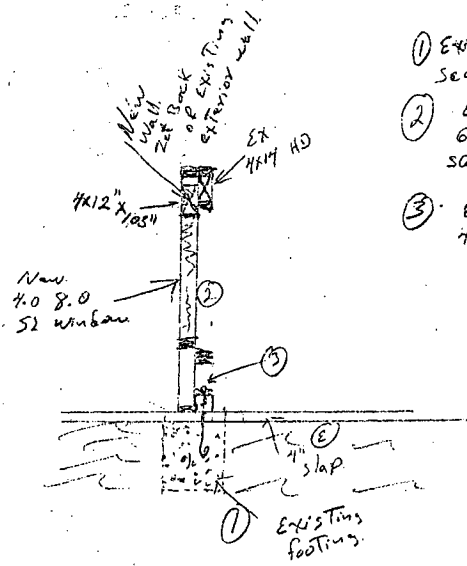
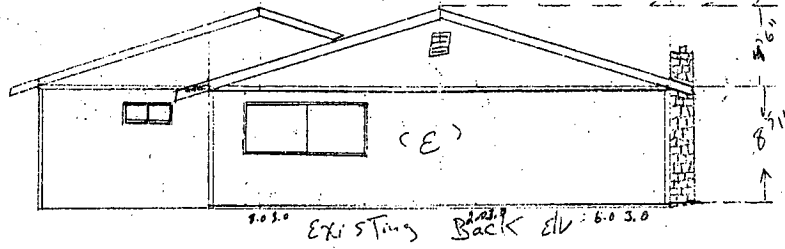


Owner — E S PERAZA MAGAYA
 Address — 4600 76 TH ST
 SACRAMENTO CA
 Zip Code — 95820
 Telephone # — 455-46-89

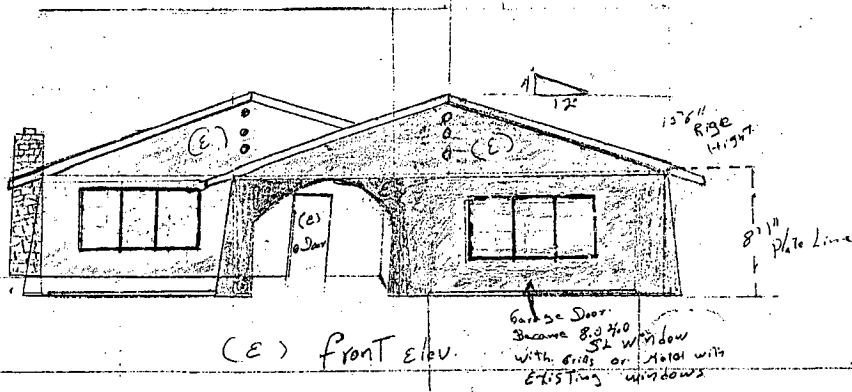
SCALE
 $\frac{1}{4}'' = 1'$

Property Line $\frac{1}{4} = 1 = 98'$

Property line $\frac{1}{4} = 1 = 54'$
SIDE WALK



- ① Existing footing
Scale 1" = 1' foot
- ② Existing front
Garage wall.
Scale = 1/2" = 1'
- ③ Existing A bolts
4" on #



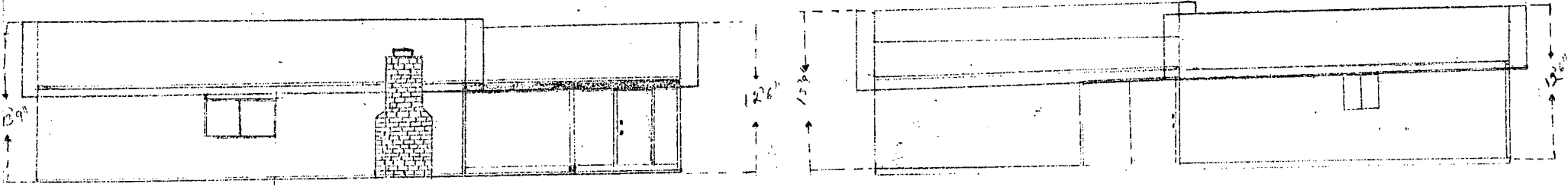
Scale
1/4" = 1'

Residence owner
ESPERANZA HAGAÑA
ADDRESS
4600 76TH ST
SACTO CA
ZIP Code 95820

E. EXISTING.
Home Phone 455 46 89

REC'D APR 15 2004

REVISED



EXISTING LEFT ELEV

EXISTING RIGHT ELEV

SCALE = 1/4" = 1'
EXISTING ROOF COMP. SHINGLES

OWNER -- ESPERANZA MAGAÑA
ADDRESS 4600 76TH ST
ZIP CODE 95820

SCALE 1/4" = 1'