

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

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, September 27, 2000, the Zoning Administrator approved with conditions a Special Permit for a second residential unit for the project known as Z00-101. Findings of Fact and Conditions of Approval for the project are listed on pages 2-3.

Project Information

Request: Zoning Administrator Special Permit to construct a second residential unit and to waive the required parking space on 0.125± developed acre in the Standard Single Family (R-1) zone.

Location: 1608 4th Avenue(D4, Area 2)

Assessor's Parcel Number: 012-0125-003

Applicant: Christine Minnehan
1608 4th Avenue
Sacramento, CA 95818

Property Owners: Same as above

Project Planner: Donna Decker

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

Surrounding Land Use and Zoning:		Setbacks(Exist.) Required	Proposed
North:	R-1; Standard Single Family	Front (N): 85'	85'
South:	R-1; Standard Single Family	Side (E): 5'	0'
East:	R-1; Standard Single Family	Side(W): 5'	31'
West:	R-1; Standard Single Family	Rear(S): 15'	3.67'

Property Dimensions: 50' x 109'
Property Area: 0.13± acre
Topography: Flat
Street Improvements: Existing
Utilities: Existing

Project Plans: Exhibits A-E
Letters: Exhibits F-O

Previous Files: None

Additional Information The applicant proposes to convert a detached accessory structure into a second residential unit. The proposed residential unit is approximately 328 square feet which includes a small kitchenette, living area, bedroom and bathroom. The conversion will be handicap accessible.

Z00-101

September 27, 2000

Item 2

The detached structure matches the existing residence. New components will be compatible with the primary residence. The exterior of the structure will continue to be stucco. New windows will be vinyl clad casement windows. Roofing will be cedar shake and new gutters will match the existing residence.

The Zoning Ordinance requires a second residential unit provide one additional parking space for use by the occupant. The parking space is required to work independently. The applicant has requested the Zoning Administrator waive the required parking because the property has ample tandem parking for the residence to accommodate three vehicles outside of the setback area. If the required parking space was constructed adjacent to the existing driveway so that it could work independently, it would change the residential character of the site and necessitate the vehicle be parked within the setback area directly in front of the entry. This neighborhood is characterized by garages generally located at the rear of the property providing long driveways accommodating multiple vehicles per residence. Tandem parking has not seemed to be a problem for the homeowners or rental units within this neighborhood. There will not be a parking impact associated with the second residential unit as there is ample parking in the existing driveway.

The project was noticed to the Land Park Community Association. The Land Park Community Association had no comments regarding the project. The project was noticed and staff received multiple calls from neighbors. Generally, concerned individuals requested information describing the project and did not oppose the project. Nine letters of support for the project were received from neighbors adjacent, behind and across the street from the subject site. One letter of opposition was received expressing concern over the second residential unit long term impact on the reduction of the off-site parking. Seven people attended the public hearing all of whom expressed support of the project. No one testified in opposition to the project. Individuals in support of the project, whether personally attending the hearing, or via letters of support, evidenced support by stating the project should be granted without restriction as to who should live there, conversion to a rental property, owner occupation of the site, or parking restrictions.

The Zoning Administrator reviewed the concerns outlined in the letter of opposition. It was determined that adequate on-site parking was being provided and that the additional unit would not have an adverse impact on the parking in the neighborhood.

Agency Comments

The proposed project has been reviewed by the Building Division and the Utilities Department. Based upon the Building Division's initial comments, the applicant revised the submitted plans to meet building code requirements.

Environmental Determination

This project will not have a significant effect on the environment and is categorically exempt from environmental review pursuant to the California Environmental Quality Act Guidelines, Sections 15303(c) and 15303(a).

Conditions of Approval:

1. The existing structure shall be remodeled to conform to the plans submitted for the second residential unit. The applicant shall submit revised plans to the Planning Division for review should changes to the submitted plans occur.
2. The applicant shall obtain all necessary building permits prior to commencement of construction on the second residential unit.

3. The second residential unit shall have an address installed that is visible from 4th Avenue. An exterior light shall be provided at the entry to the unit.

Findings of Fact

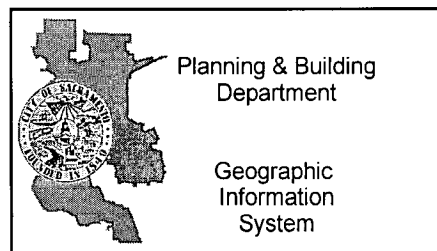
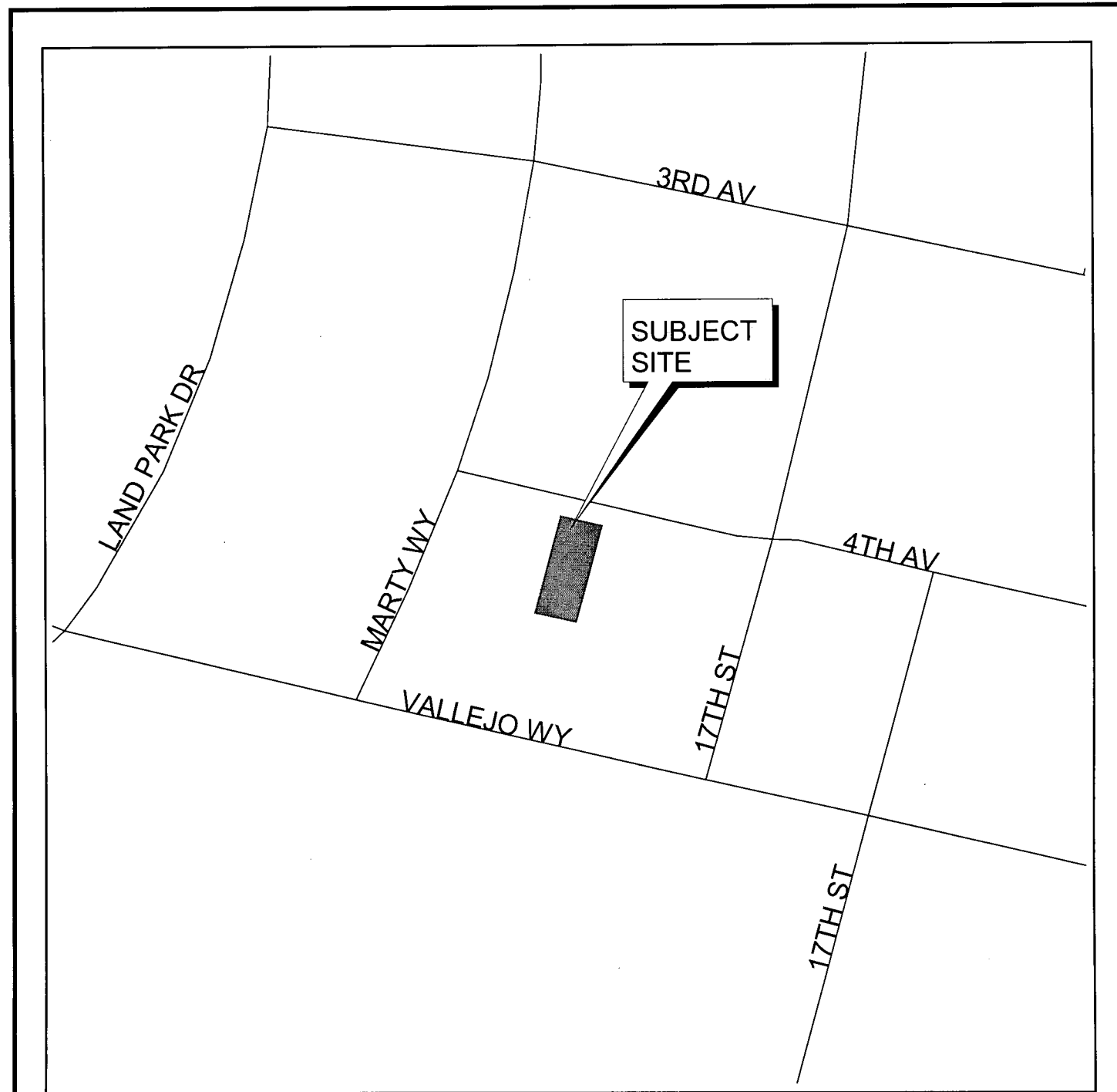
1. The proposed project, as conditioned, is based upon sound principles of land use in that:
 - A. The proposed project will not substantially alter the characteristics of the surrounding neighborhood; and,
 - B. A second residential unit is allowed in the Standard Single Family (R-1) zone with a Zoning Administrator's Special Permit.
 - C. The General Housing Supply Policy of the City of Sacramento supports well designed and compatible second units and carriage homes, and other non-conventional housing opportunities such as artist live-work spaces.
2. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
 - A. The proposed project is compatible in design with the existing property and existing surrounding properties in the neighborhood;
 - B. Adequate off-street parking is available for the second residential unit; and,
 - C. The addition will be compatible in materials and design with the existing building.
3. The project is consistent with the General Plan Designation which designates the subject site as Low Density 4-15 du/na.

Joy D. Patterson
Zoning Administrator

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

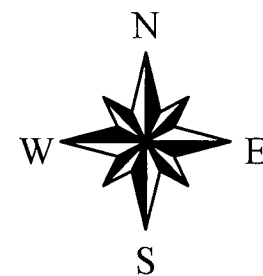
The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

cc: File (original)
ZA Log Book
Applicant



80 0 80 160 Feet

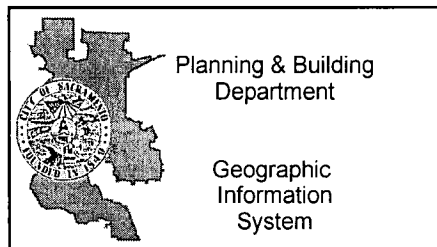
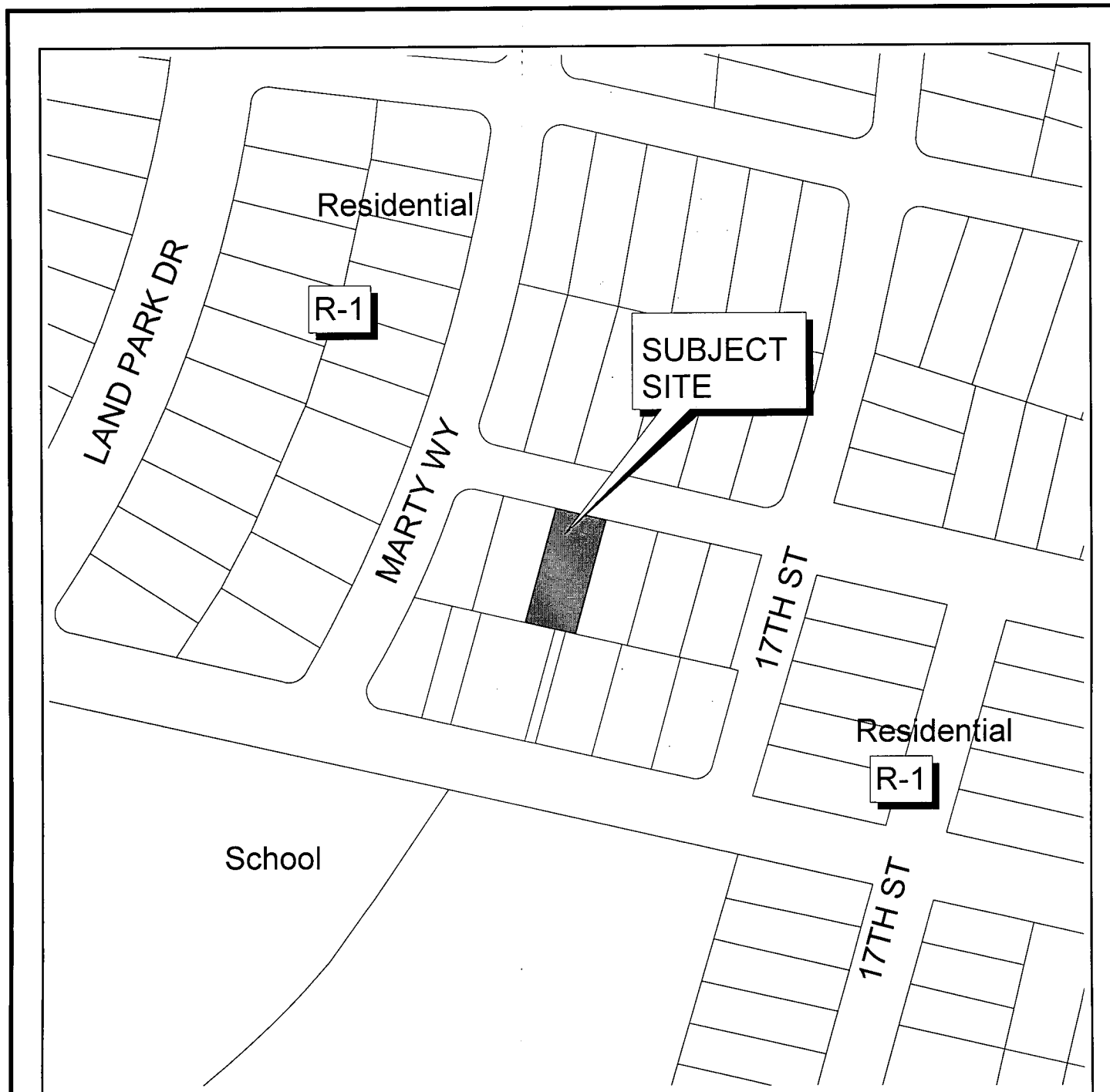
VICINITY MAP



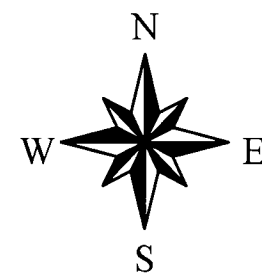
Z00-101

September 27, 2000

Item 2



Land Use & Zoning

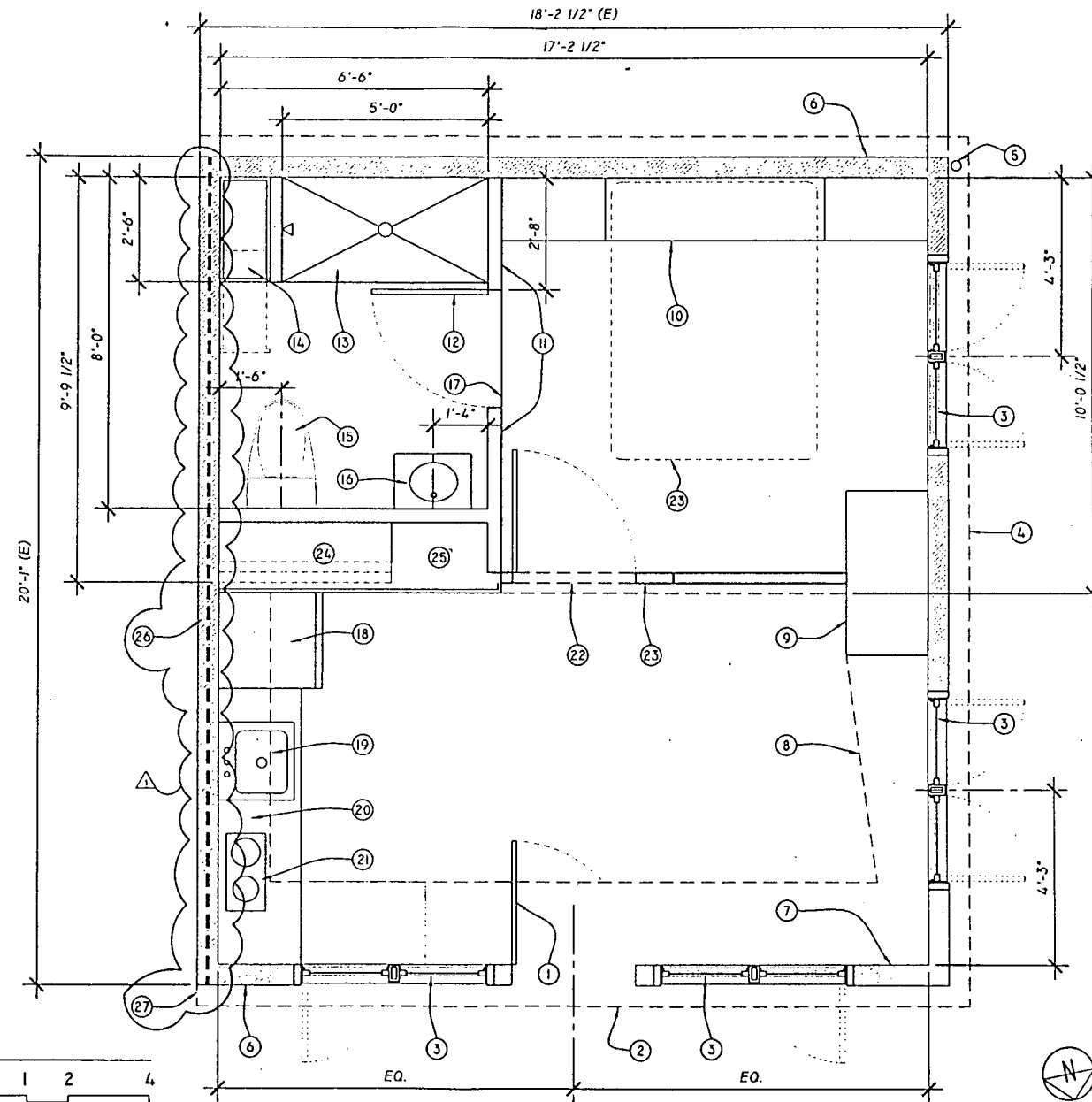


Z00-101

September 27, 2000

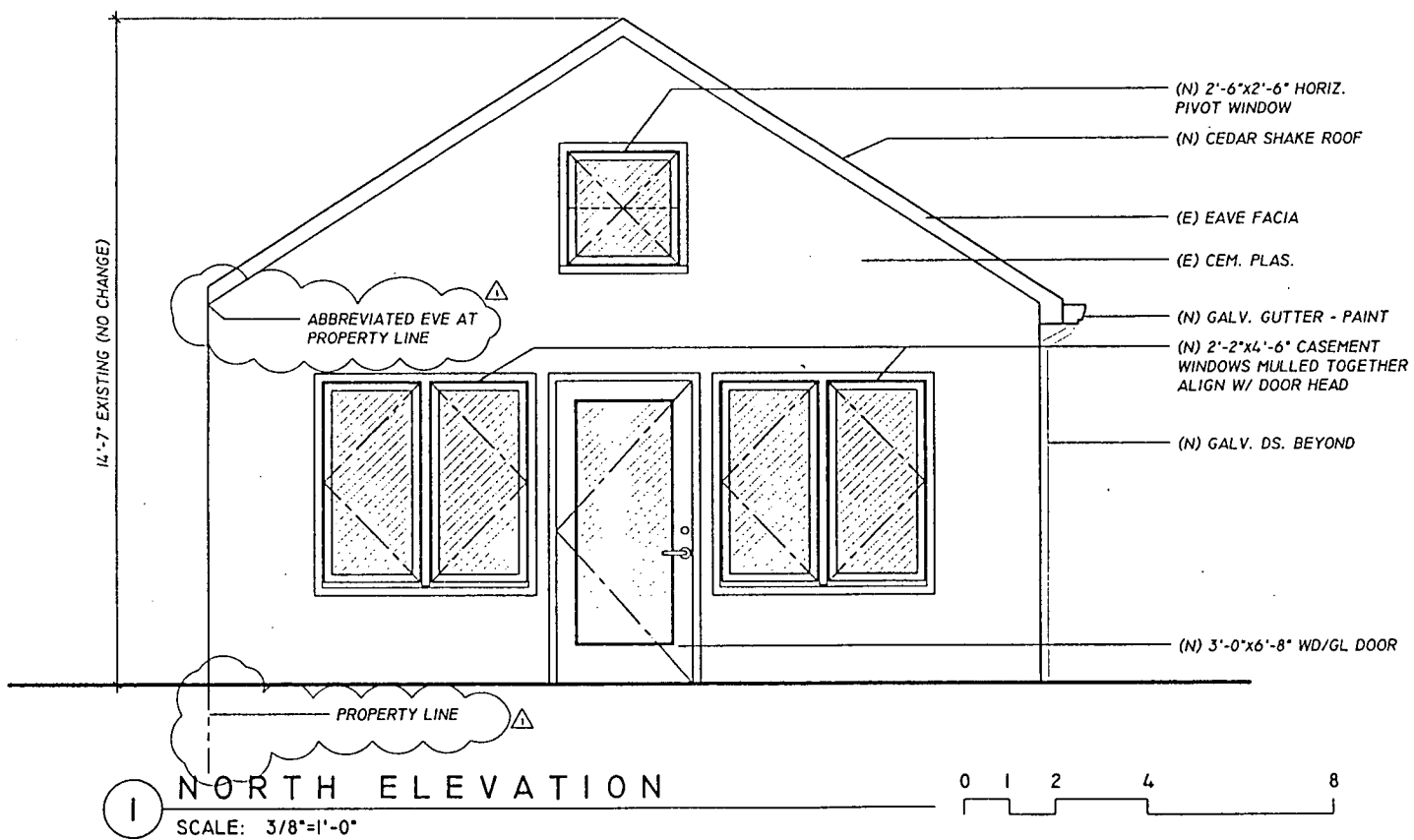
Item 2

LEGEND	
①	WD/GL. ENTRY DOOR - SEE SCHEDULE
②	LINE OF EAVE ABOVE
③	VINYL CLAD WOOD WINDOW - SEE SCHEDULE
④	LINE OF RAIN GUTTER ABOVE
⑤	2" GALV. DOWNSPOUT
⑥	(E) CEM. PLAS. - (N) PAINT
⑦	1/2" GYP. BD. OVER (E) 2x STUD WALL
⑧	LINE OF SOFFIT ABOVE
⑨	LIBRARY LADDER/STOR. CABINET SEE SHEET _____
⑩	CONTINUOUS WALL CABINETS
⑪	1/2" GYP. BD. OVER 2x4 STUD WALL
⑫	DOOR - SEE SCHEDULE
⑬	SHOWER
⑭	BUILT-IN PULL-PULL OUT CABINET
⑮	TOILET
⑯	LAV. IN WALL MTD. VANITY
⑰	THRESHOLD/TRANSITION STRIP
⑱	REFRIDGERATOR - SEE SCHEDULE
⑲	SINK - SEE SCHEDULE
⑳	SOLID POLYMER COUNTER
㉑	2-EYE ELEC. COOK TOP
㉒	1 3/4" DOOR IN SLIDING PANEL
㉓	WD. SLIDING ROOM DIVIDER PANELS
㉔	"MURPHY" BED IN WALL CABINET
㉕	SLIDING PANELS STOWED
㉖	STORAGE
㉗	1 HOUR RATED FIRE WALL AT PROPERTY LINE
㉘	ABBREVIATED EVE NOT TO EXTEND OVER PROP. LINE



1 FLOOR PLAN
SCALE: 3/8"=1'-0"

0 1 2 4



Z00-101

September 27, 2000

Item 2

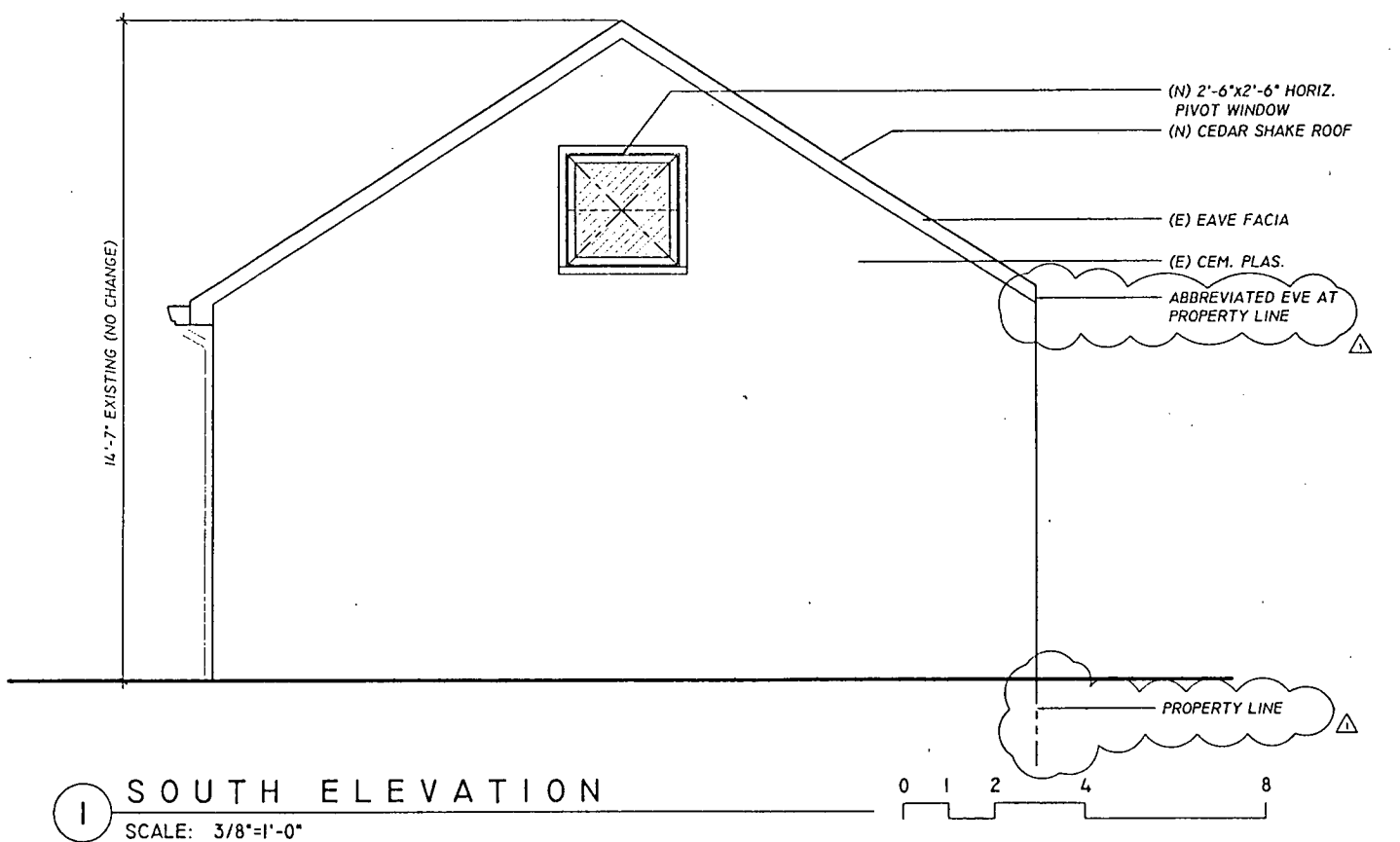
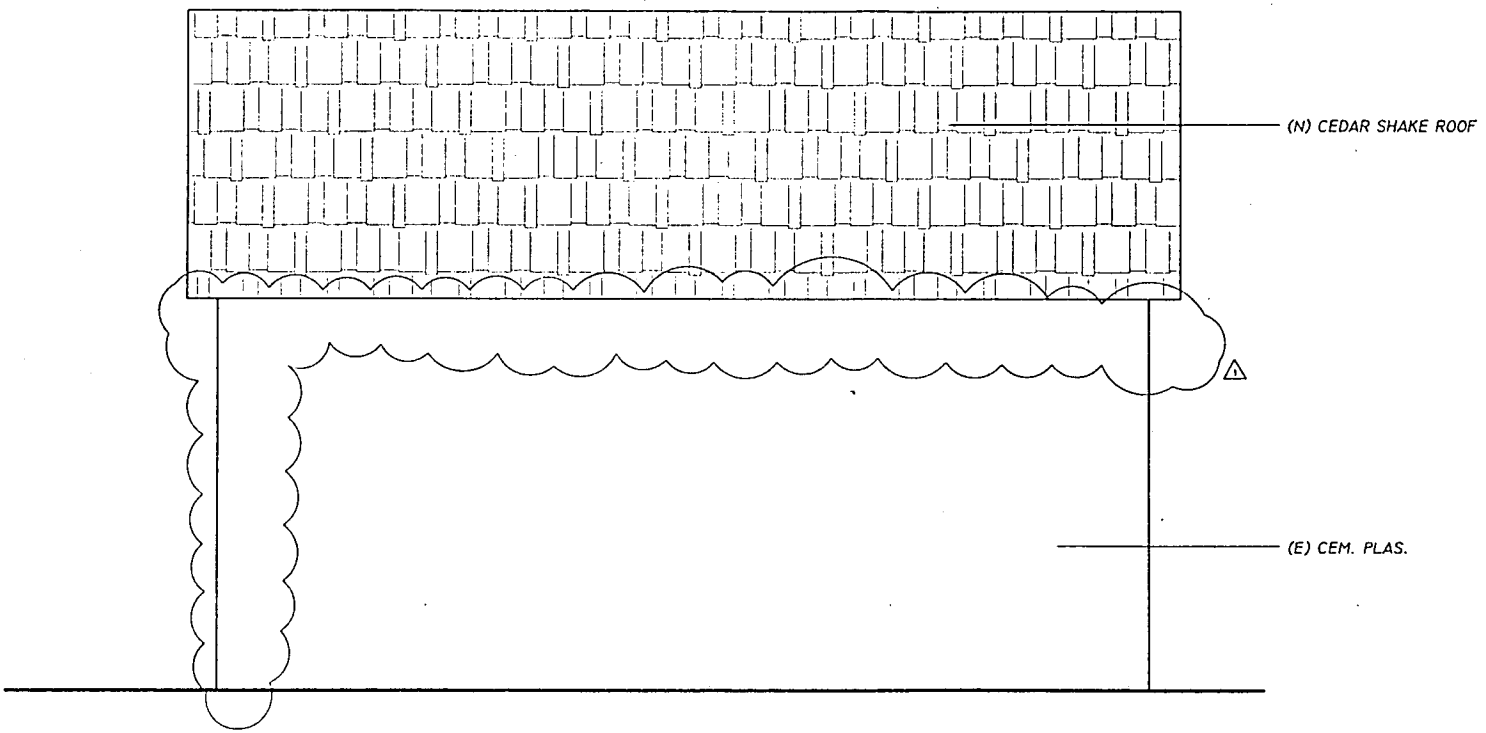


EXHIBIT D

Z00-101

September 27, 2000

Item 2



1 EAST ELEVATION
SCALE: 3/8"=1'-0"

0 1 2 4 8

EXHIBIT E

EXHIBIT F



PO Box 2430
Sacramento, CA 95812
(916) 442-1198
(916) 442-2851 Fax
sha@tomatoweb.com

Member Organizations

Chicano Consortium
Efren Gutierrez

**Community Housing
Opportunities Corp.**
Nancy Conk

**Congress of California
Seniors**
Bill Powers

Loaves and Fishes
Tim Brown

Nehemiah Corporation
Kenneth Watkins

**Resources For
Independent Living**
Larry Stenzel

Mercy Housing California
Chris Glaudel

**Sacramento Area
Emergency Housing**
Ron Javor

**Sacramento Home Loan
Counseling Center**
Jayna Bower

**Sacramento Homeless
Organizing Committee**
Paula Lomazzi

**Sacramento Mutual
Housing Association**
Rachel Iskow

Self Help Housing
John Foley

Brian Augusta

Executive Director
Arlene Krause

September 26, 2000

Donna Decker
City Planning Department
1231 I Street
Sacramento, CA 95814

Re: Application #Z00-101
Minnehan, C. 1608 4th Ave, Sacramento, 95818

Dear Ms. Decker,

The Sacramento Housing Alliance (SHA) is a coalition of organizations and concerned individuals whose mission is to promote quality affordable housing and enhanced opportunities for lower income households and homeless people through advocacy, education, and participation in public discourse.

SHRA urges your approval of the garage conversion requested by Ms. Minnehan, without any conditions on her ability to rent the unit in the future. This unit could potentially serve the future needs of the elderly, students, and service workers living in the area.

As indicated in the Sacramento Housing Element, there is a great need for additional housing units in our community. The City of Sacramento should be encouraging, rather than discouraging, urban infill.

We thank you for your consideration.

Sincerely,


Arlene Krause
Executive Director

CC: Christine Minnehan
1608 4th Ave
Sacramento, CA 95818

EXHIBIT G

September 14, 2000

Donna Decker
Project Planner
City of Sacramento
Department of Planning and Development
1231 I Street, Suite 200
Sacramento, CA 95814

In Re: Proposed Project Z00-101

Dear Ms. Decker:

The purpose of this letter is to convey my unqualified support for Ms. Minnehan's Second Unit Project. My name is David Milton, and I reside at 1604 4th Avenue, the property immediately east of Ms. Minnehan's property. I would have preferred to offer personal testimony, but my place of business is in Grass Valley, thereby making a trip back to the midday hearing impossible.

I have reviewed the plans which Ms. Minnehan has submitted, and I am entirely satisfied and supportive. The proposed project is sensitive to the neighborhood in that the Second Unit will be constructed entirely within the existing garage structure, without any increase in height, width or the like. The only apparent external changes will be removal of the garage door, and installation of a front door and windows which will be consistent with those in the primary residence. She plans to re-roof the Primary and Second unit and paint both, thereby providing a particularly pleasing appearance.

I understand that Ms. Minnehan has requested a variance for parking for her Second Unit. She is requesting the variance rather than provide an additional space on her front lawn adjacent to her existing driveway. I support the variance for two reasons. Her driveway, like all of ours in this neighborhood, can accommodate three cars parked in tandem. While Ms. Minnehan has only one car, most of us have two to three; she should be permitted to use her property in the same manner as the rest of us. Secondly, a pad on her lawn would be unsightly, and I would oppose it. It would be in the line of sight of the windows of my home.

Ms. Minnehan's Second Unit and parking variance will have a de minimis impact on the neighborhood both now and in the future. Her Second Unit is consistent with the City's Residential Accessory Structure and Use Regulations. Her proposed structure will contain a mere 328 square feet, hardly square footage which will produce occupancy impacts on the neighborhood. I have reviewed the restriction that Mr. Kahn has proposed, and find it an unnecessary restriction of Ms.

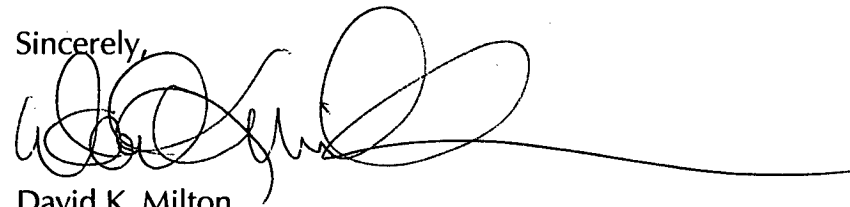
Minnehan's property rights. Incidentally, the provisions are much more restrictive than the current practice in the neighborhood. Mr. Kahn's restrictions would limit occupancy of her Second Unit "to the property owner's immediate family which is defined as a parent, brother, sister or child of the property owner." And incidentally, as an attorney, I would alert you to the potential discriminatory aspects and possible unenforceability of such a condition. I know that Ms. Minnehan has worked for nearly three decades in the Legislature on housing issues, including fair housing issues, and would surmise that she has raised this concern with you.

In any event, I oppose adding this occupancy restriction both because of the undue and unnecessary reduction of Ms. Minnehan's property rights, the possible discriminatory nature of the restriction and for several immediate and practical reasons. Ms. Minnehan is raising her granddaughter. If this restriction were attached, it would prohibit her own granddaughter from living in the Second Unit while she attended college, would prevent cousins or nieces, or close friends from living there, or even a tenant should Ms. Minnehan find herself in a situation where such a financial arrangement became necessary or advisable. It is folly to attempt to limit occupancy in this manner because of its possible real life detriments.

I am most willing to discuss these issues and any others which may arise in the course of the consideration of this special permit. My phone number is 442-8197.

I urge approval of the Second Unit as submitted.

Sincerely,

A handwritten signature in black ink, appearing to read "David K. Milton", with a long horizontal flourish extending to the right.

David K. Milton

Cc: Council Member Joe Yee
Mayor Jimmie Yee

EXHIBIT H

September 22, 2000

Donna Decker
Project Planner
City of Sacramento
Department of Planning and Development
1231-I Street, Suite 200
Sacramento, CA 95814

Re: Proposed Project Z00-101

Dear Ms. Decker:

We are the Nakashima's and we live at 1613 Vallejo Way, adjacent to and behind the structure, which Christine Minnehan proposes to convert from a garage to a 327 square-foot second unit for her elderly mother. We plan to appear at the scheduled hearing on September 27, 2000 before the Zoning Administrator to offer our unconditional support for her project.

Christine discussed her proposed project with us last weekend, and showed us the architectural drawings of her conversion. We find the project to be most attractive, well-thought out and would increase the value of her property and consequently, surrounding properties. Because she plans to simply convert the existing garage without increasing the square footage or height in any way, it has minimum impact on anyone. Someday, a tenant may have another car, but in the present, her mother does not drive. The long driveway at her home can easily accommodate another vehicle if necessary; therefore, we support waiving the Second Unit parking requirement.

We talked with Christine about our interest last year in just such a project on our property when one of our elderly parents needed just such an accommodation. As our parents age, or we need to care for family members, close friends, or others, we too may need to consider such a conversion. Christine's project, therefore, should be considered precedential. We fully support the project, and urge you to resist placing the conditions sought by Mr. Kahn on the approval of the special permit. We do not believe that conditions are either necessary or desirable because the square footage is well below what is allowed by the city's ordinance, driveway parking is ample, it meets all the other zoning requirements, height, coverage, and the like, and occupancy restrictions would appear to be discriminatory, unduly limiting and would prohibit the use of this valuable handicapped accessible unit for others who could profit by its use without any harm to the neighborhood.

Donna Decker
Page 2

We plan to attend the hearing to express these views.

Sincerely,

A handwritten signature in cursive script, appearing to read "Larry and Laverne Nakashima". The signature is written in dark ink and is positioned above the typed name.

Larry and Laverne Nakashima
1613 Vallejo Way
Sacramento, CA 95818

cc: Jimmie Yee, Mayor
Joe Yee, Council Member

EXHIBIT I

September 18, 2000

Donna Decker
Project Planner
City of Sacramento
Department of Planning and Development
1231 I Street, Suite 200
Sacramento, CA 95814

Re: Proposed Project Z00-101

Dear Ms. Decker:

My name is Carl Naluai and I own the property at 1612 4th Avenue, next door to Ms. Minnehan's proposed Second Unit. I am unable because of my professional responsibilities to take several hours away midday on 9/27/00.

I would like you and the Zoning Administrator to take note of my support for Ms. Minnehan's proposed Second Unit. The garage where the Second Unit will be constructed abuts the rear of my property. Her plans for constructing the new unit entirely within the existing structure are most acceptable to me. I understand that she wishes to have any cars associated with the second unit, parked tandem-style on her driveway. That plan is consistent with the parking practices of everyone in this neighborhood; she of course should be permitted the same arrangement. A number of renters are scattered throughout the blocks of the neighborhood; I find her current plans and any possible future uses to be perfectly acceptable and consistent with the current practice in our Land Park neighborhood.

I would request that approval of Ms. Minnehan's project.

Sincerely,



Carl Naluai

Cc: Mayor Jimmie Yee
Council Member Joe Yee

EXHIBIT J

JERRY and KYMBERLY PIPKIN
2936 Land Park Drive
Sacramento CA 95818
Ph: (916) 443-8010
fax: (916) 443-1383

September 21, 2000

Donna Decker
City Planning Department
1231 "T" Street
Sacramento CA 95814

RE: Application Z00-101
1608 4th Avenue; Minnehan

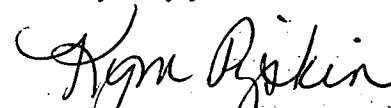
Dear Ms. Decker:

My husband and I are long-time homeowners around the corner from Ms. Minnehan, as you can see from our above-listed address. I wish to register our strong support for her application to convert her garage to a living unit.

I understand that Ms. Minnehan wishes to move her mother in this unit. As the demographics in this country are shifting with greater longevity, Ms. Minnehan's decision should be applauded. Such a unit will permit her mother independence, yet with the close proximity that Ms. Minnehan might need to attend to her mother's ultimate declining mobility and/or last illness. I wish all senior citizens could have such comfort.

Beyond the need to provide such an arrangement for her mother, the conversion of a garage to a living unit on the same property that the landowner resides upon is no real threat to the neighborhood. I wish that all rental units, everywhere, would receive the same sort of scrutiny and care that a resident landlord could provide! As prices escalate, the need for small, affordable units within our neighborhoods will escalate as well. Ours is a lovely neighborhood, and this unit will not diminish that at all.

Very truly yours,


KyMBERLY PIPKIN

cc: Christine Minnehan

EXHIBIT K

September 15, 2000

Donna Decker
Project Planner
City of Sacramento
Department of Planning and Development
1231 I Street, Suite 200
Sacramento, CA 95814

Re: Project Z00-101

Dear Ms. Decker:

My name is Gerald Shuper, and I live at 1609 4th Avenue, directly across the street from Ms. Minnehan's. As such, the potential visual impact of her project could have a significant impact on my view, property and parking options.

Because of my work schedule, it is impossible for me to present my views at the 1 p.m. hearing on 9/27/00. I therefore wish to be reflected as in complete support of Ms. Minnehan's Second Unit project as submitted. The size and design of the small unit will have no impact on the neighborhood, and her driveway provides ample space for any cars generated as a result. Ms. Minnehan should be permitted to exercise her property rights, and allow any family members or tenants she chooses to rent the cottage. In fact, I would imagine that fair housing laws would mandate this non-discrimination in any event.

Please reflect in the record of the hearing that I support providing the special permit to Ms. Minnehan without occupancy or parking conditions attached.

Sincerely,



Gerald Shuper

Cc: Council Member Joe Yee
Mayor Jimmie Yee

EXHIBIT L

September 21, 2000

Donna Decker
Project Planner
City of Sacramento
Department of Planning and Development
1231 I Street, Suite 200
Sacramento, CA 95814

Re: Project Z00-101

Dear Ms. Decker:

My name is Helen Solinas, and I live at 1609 Vallejo Way, directly behind the property which Christine Minnehan proposes to convert to a second unit. I plan on attending the hearing, and offering my full and unconditional support of Christine's project.

Christine came over to my home and spent a good deal of time showing me the architectural drawings, and describing her plans. Obviously, since her project will occupy only the existing structure with no increase in height and width, there will be no change in the structure observable from my yard.

I understand that this second unit will be used initially by Christine's elderly mother, and later for her terminally ill son when his health begins to decline further. However, I commend this type of state-of-the-art handicapped accessible unit in our neighborhood for its possible future use either for a tenant in need of such a specialized living unit (perhaps someone like myself). Christine who has a deep love of this neighborhood has even talked about someday moving into the Second unit herself and renting out her large front home when she no longer feels she wants such spacious quarters. And of course, her granddaughter loves the notion of living in the Second unit while she attends college. All of these uses are very commendable, and have my complete support.

I will speak to these issues when I appear before the Zoning Administrator, Joy Patterson, next Wednesday.

Sincerely,

HELEN A. SOLINAS

Helen Solinas

Cc: Mayor Jimmie Yee
City Council Member Joe Yee

EXHIBIT M

September 18, 2000

Donna Decker, Project Planner
City of Sacramento
Department of Planning and Development
1231 I Street, Suite 200
Sacramento, Ca 95814

Submitted for: Proposed Project z00-101

Dear Mrs. Decker:

My name is Dorothy Vendley and I own the property at 1605 4th Avenue, across the street from Christine Minnehan's property. I am submitting this letter instead of testifying at the 9/27/00 hearing because my eyesight is such that I am no longer able to drive, and must therefore remain at my job during the hearing time scheduled.

I would like, however, to submit my statement of complete support for Christine Minnehan's Second Unit. She has explained that the Second Unit will be contained in the building which is her garage, and that if anyone living in the unit has a car, that it will be parked in her driveway along with her car. Most of the homeowners in the neighborhood have several cars, so her arrangement will be entirely consistent with the way the rest of us park. She has explained that the Second Unit will first be home to her aged Mother, and then likely to her son who, while living independently now, has a disease which eventually will require him to live there with an attendant. At some other time, she envisions that other people whom she cares for may live there, and/or that she may live there herself when she reaches the age where she no longer chooses to live in the large house. I am entirely supportive of her plans, and request that you approve her Second Unit as submitted.

Sincerely,



Dorothy Vendley
Cc: Councilman Joe Yee
Mayor Jimmie Lee

EXHIBIT N

September 13, 2000

Donna Decker
Project Planner
City of Sacramento
Department of Planning and Development
1231 I Street, Suite 200
Sacramento, CA 95814

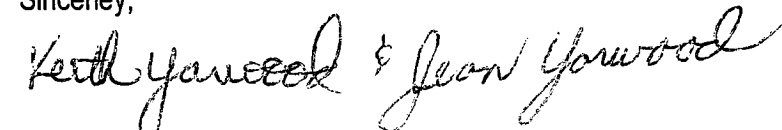
Re: Proposed Project Z00-101

Dear Ms. Decker:

My name is Keith Yarwood and I reside at 1613 4th Avenue, across the street from Ms. Minnehan's property. I am writing to provide my unqualified support for her proposed Second Unit Project. Ms. Minnehan has walked us through her plans, and find that this 327 square foot unit will fit well, (and unobserved) into the neighborhood. She plans to have her aged mother (who does not drive) live with her as soon as it is finished, and when her Mother no longer requires the unit, Ms Minnehan plans to care for her son (with a terminal degenerative disease) occupy it. We do not foresee additional cars anytime in the foreseeable future, but if someone eventually rented the house with a car, Ms. Minnehan's front driveway easily accommodates three cars. This is the customary parking arrangement in the neighborhood.

I cannot be away from my office on 9/27/00 but most of us in the neighborhood would attend and present testimony if this hearing were in the evening. Therefore, please accept my written letter as a showing of my complete support and concern that Ms. Minnehan receive the special permit without attaching conditions limiting whom she may assist with her tiny cottage.

Sincerley,



Keith Yarwood

Cc: Council Member Joe Yee
Mayor Jimmie Yee



JONES LANG
LASALLE.

One Front Street Suite 1200 San Francisco California 94111
tel +1 415 395 4900 fax +1 415 421 7736

September 5, 2000

Donna Decker
Project Planner
City of Sacramento, Department of Planning & Development
1231 I Street, Suite 200
Sacramento, CA 95814

Dear Donna:

I live at 1616 4th Avenue and have received a copy of the Zoning Administrator Special Permit application for 1608 4th Avenue (Project Number Z00-101).

While I understand the desire of my neighbor to provide close housing for her mother, I am concerned with the long term impact the reduction of off-street parking and increased density will have on our neighborhood. The proposed project is only a block from California Middle School. The school has increased its after school programs significantly and our street has become a defacto parking lot for the school. In addition, one of our neighbors rents rooms out. The cumulative impact of school parking and rental uses will decrease available street parking for existing residents and their guests. The lot widths on this block of 4th Avenue allow for only one vehicle to be parked in front of each existing home.

It appears from the application that the proposed use of the converted garage by the current owner of 1608 4th Avenue is for her elderly mother and minimal kitchen facilities are provided. It would be easy to increase the kitchen facilities and rent this unit in the future. A renter with an additional vehicle will impact neighborhood parking.

In order to provide the current owner with housing for her mother and preserve the single family nature of the neighborhood, I suggest that the following restriction be placed on this permit:

"The Second Residential Unit may only be occupied by a member of the property owner's immediate family (immediate family being defined as a parent, brother, sister or child of the property owner). The rental of the second unit shall otherwise be prohibited. The property owner shall be required to park at least one vehicle in the existing off-street parking area. The occupant of the second residential unit shall also