

PLANNING DIRECTOR'S VARIANCE

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

APPLICANT	Michael F. Silver, 7501 Myrtle Vista Ave., Sacto., CA 95831				
OWNER	Michael F. Silver, 7501 Myrtle Vista Ave., Sacto., CA 95831				
PLANS BY	Frank Sturgeon, Architect 3005 Anza Ave., Davis, CA 95616				
FILING DATE	3/15/88	ENVIR. DET.	Cat. Ex. 15305(a)	REPORT BY	DH:pe
ASSESSOR'S-PCL. NO.	031-0083-001				

APPLICATION: Planning Director's Variance to construct a two car garage addition which is 22 feet from the front property where 25 ft. is required on 0.6+ developed acres in the Standard Single Family (R-1) zone.

LOCATION: 7501 Myrtle Vista Avenue

PROPOSAL: The applicant is requesting the necessary entitlements to construct a garage within the 25 ft. front yard setback.

PROJECT INFORMATION:

General Plan Designation: Residential - Low Density
Existing Zoning of Site: R-1
Existing Land Use of Site: Single Family Dwelling without garage; former garage converted to living area.

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: Single Family; R-1	Front:	25'	22'
South: Single Family; R-1	Side(Int):	5'	8 1/2'
East: Single Family; R-1	Side(St):	5'	10'
West: Single Family; R-1	Rear:	15'	105'

Parking Required: 1 space
Parking Provided: 2 spaces
Property Dimensions: 135 ft. x 200 ft., irregular
Property Area: 0.6+ acres
Density of Development: 2 d.u. per acre
Square Footage of Building: Existing dwelling - 2,191 sq. ft.; Addition - 743 sq. ft.
Height of Building: One story
Topography: Flat
Street Improvements: Existing
Utilities: Existing
Exterior Building Materials: Adobe and plaster
Roof Material: To match existing dwelling

001624

PROJECT EVALUATION:

Staff has reviewed the project and makes the following comments:

- A. Land Use and Zoning: The subject site is a large 0.6 acre parcel containing one 2,190 sq. ft. single story single family dwelling in the Standard Single Family (R-1) zone. The General Plan designates the site for Residential Low Density. Adjacent land uses and zoning are single family and R-1 respectively. The applicant seeks to construct a 743 square foot two car garage addition which protrudes three feet into the required 25 foot front yard setback area. A Planning Director's Variance is being requested due to the unique situation created by efforts to preserve a large tree located to the rear of the proposed garage.
- B. Variance Request and Analysis: The applicant proposes the construction of a 743 sq. ft. two car garage and storage area on the north elevation of the dwelling. Materials and colors are to be compatible with the main structure. The area above the car parking is proposed for storage. Wall height in the garage is ten feet with framing peaking to seventeen feet in height. The storage area complies with minimum height areas for garage additions. Staff notes that the addition is two feet higher than the eight foot high front facia line of the structure. The garage may appear out of scale with the house.

The tree located to the east of the garage is healthy and provides shade for the area of the lot. Efforts to preserve the tree yet allow the addition of a two car garage requires a variance. This will allow a three foot intrusion into the front yard setback area of twenty-five feet. Staff notes that a mix of garages and no garages are present in the neighborhood. Many dwellings appear to have had garage conversions without providing replacement covered parking.

Vehicles currently park on what appears to be an old driveway to a former garage located on the south side of the property. The applicant has not stated what will happen to that driveway area.

Staff field inspected the site and finds that removal of the large tree would not be beneficial and that a unique circumstance exists which forces the new addition three feet into the front yard area. Staff supports the proposed variance.

ENVIRONMENTAL DETERMINATION:

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

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RECOMMENDATION:

Staff recommends approval of the variance request subject to the following conditions and based upon Findings of Fact which follow:

Conditions: Variance

1. Exterior materials and colors of the garage addition shall match the existing dwelling.
2. The garage shall be no closer than 22 feet from the street right-of-way.
3. The driveway shall be designed to City standards and a driveway permit shall be secured from City Public Works Department prior to construction activity.
4. In order to preserve the tree, no surface disruption shall occur within the dripline which removes roots. Work within the dripline shall be done by hand. No earthmoving equipment shall be allowed to work under the dripline.
5. Garage doors shall be painted a color to match the wall.

Findings-of Fact: Variance

1. The requested variance does not constitute a special privilege in that:
 - a. preservation of the existing tree warrants moving the garage within 22 feet of the front property line.
 - b. a variance would be granted to any other property owner facing similar circumstances.
2. Granting the variance will not be injurious to the public welfare nor to properties in the vicinity in that:
 - a. encroachment by three feet in to the front yard area will not interfere with adjacent property owner's privacy; and
 - b. it will not significantly alter the characteristics of the surrounding residential neighborhood.
3. Granting the variance does not constitute a use variance in that single family dwellings and attached garages are allowed in the R-1 zone.
4. The proposed variance to consistent with the 1988 General Plan in that the site is designated for Residential Low Density and garage additions are consistent with the Plan designation.

001626

Report Prepared By:

Dan Hendrycks

Dan Hendrycks, Associate Planner

May 2, 1988

Date

Recommendation Approved:

Nieppef Weitzman, Senior Planner

For Marty Van Duyn, Planning Director

5-2-88

Date

PLANNING DIRECTOR'S SPECIAL PERMIT/VARIANCE:

CERTIFICATION OF NOTICE

Copies of this letter are to be signed by the abutting property owners or mailed by the applicant for a Planning Director's Special Permit or Variance to abutting property owners and returned with the application with Post Office Proof of Mailing attached (no Return Receipt required).

Date: December 18, 1987

PROPERTY OWNER:

Name: Usrey, John A./Julie Marie

Address: 1304 Lynette Way

Assessor's Parcel Number: 031-0083-002

Dear: Neighbor :

I am in the process of requesting a Planning Director's
 Variance/~~Special Permit~~ (circle one) for the property located at:
7501 Myrtle Vista Avenue. I am requesting the
 Variance/~~Special Permit~~ (circle one) in order to add a garage which
will extend 3 feet into the front setback.


As part of this request, the City Planning Division requires that I notify you of my intentions. Receipt of this letter does not mean that you approve of this project. If you wish to make any comments regarding this request, use the space provided below and return a copy of this letter to:

City Planning Division
 1231 'I' Street, Room 200
 Sacramento, CA 95814

Sincerely,

Michael F. Fisher

Applicant

COMMENTS FROM PROPERTY OWNER: 

P88130

001642

PLANNING DIRECTOR'S SPECIAL PERMIT/VARIANCE:

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Date: March 6, 1988
~~December 18, 1987~~

PROPERTY OWNER:

(New Owner)
Name: James J. Kaufman

Address: 1308 Lynette Way

Assessor's Parcel Number: 031-0083-003

Dear: Neighbor :

I am in the process of requesting a Planning Director's
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City Planning Division
1231 'I' Street, Room 200
Sacramento, CA 95814

Sincerely,

Michael F. Miller
Applicant

COMMENTS FROM PROPERTY OWNER:

Thomas R. Childers

P88130

901643

PLANNING DIRECTOR'S SPECIAL PERMIT/VARIANCE:

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Date: December 18, 1987

PROPERTY OWNER:

Name: Jane J. Nelson

Address: 1300 Lynette Way

Assessor's Parcel Number: 031-0083-004

Dear: Neighbor :

I am in the process of requesting a Planning Director's
~~Special Permit~~ Variance (circle one) for the property located at:

7501 Myrtle Vista Avenue

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~~Special Permit~~ Variance (circle one) in order to add a garage which

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 Sacramento, CA 95814

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Sincerely,

Michael F. Silver

Applicant

001644

COMMENTS FROM PROPERTY OWNER:

Its OK with me as a Neighbor, if Mr. Silver cleans out the Ivy next to the fence that comes into my Property and even climbs up the trees & kills them. Jane J. Nelson

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Date: December 18, 1987

PROPERTY OWNER:

Name: Namikawa, Ken/Nadine N.

Address: 1312 Lynette Way

Assessor's Parcel Number: 031-0083-005

Dear: Neighbor :

I am in the process of requesting a Planning Director's

Variance ~~Special Permit~~ (circle one) for the property located at:

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Sacramento, CA 95814

Sincerely,

Michael F. Hilmer
Applicant

001645

COMMENTS FROM PROPERTY OWNER: K. N. N.

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Date: December 18, 1987

PROPERTY OWNER:

Name: Nevins, Roger O./Betty J.

Address: 7517 Myrtle Vista Ave.

Assessor's Parcel Number: 031-0092-001

Dear: Neighbor :

I am in the process of requesting a Planning Director's Variance ~~Special Permit~~ (circle one) for the property located at: 7501 Myrtle Vista Avenue. I am requesting the Variance ~~Special Permit~~ (circle one) in order to add a garage which will extend 3 feet into the front setback.

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City Planning Division
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Sacramento, CA 95814

Sincerely,

Michael F. Hilmer
Applicant

001646

COMMENTS FROM PROPERTY OWNER: Roger O. Nevins

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Date: December 18, 1987

PROPERTY OWNER:

Name: Urbani, Eno S/Mary

Address: 7512 Myrtle Vista Avenue

Assessor's Parcel Number: 031-0091-008

Dear: Neighbor :

I am in the process of requesting a Planning Director's

Variance ~~Special Permit~~ (circle one) for the property located at:

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I am requesting the

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1231 'I' Street, Room 200
Sacramento, CA 95814

Sincerely,

Michael F. Silber
Applicant

COMMENTS FROM PROPERTY OWNER:

188130

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PLANNING DIRECTOR'S SPECIAL PERMIT/VARIANCE:

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Date: December 18, 1987

PROPERTY OWNER:

Name: Newington, Michael/Betsy

Address: 7506 Myrtle Vista Ave.

Assessor's Parcel Number: 031-0081-012

Dear: Neighbor :

I am in the process of requesting a Planning Director's Variance ~~Special Permit~~ (circle one) for the property located at: 7501 Myrtle Vista Avenue. I am requesting the Variance ~~Special Permit~~ (circle one) in order to add a garage which will extend 3 feet into the front setback.

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1231 'I' Street, Room 200
Sacramento, CA 95814

Sincerely,

Michael F. Miller
Applicant

Michael Newington

COMMENTS FROM PROPERTY OWNER: _____

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Date: December 18, 1987

PROPERTY OWNER:

Name: Hostman, John/Marilyn J.

Address: 7500 Myrtle Vista Avenue

Assessor's Parcel Number: 031-0081-011

Dear: Neighbor :

I am in the process of requesting a Planning Director's

Variance ~~Special Permit~~ (circle one) for the property located at:

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Sacramento, CA 95814

Sincerely,

Michael F. Melner

Applicant

COMMENTS FROM PROPERTY OWNER: [Signature]

P88130

001649