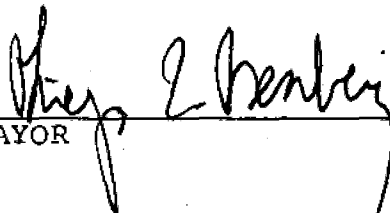


Appeal of Henry L. Meyer vs City)
Planning Commission's approval of)
a Variance request to allow con-)
struction of a portion of a fence)
and swimming pool within the street)
side yard area in the R-1 zone located)
at 561-46th Street (P-9078))


NOTICE OF DECISION
and
FINDINGS OF FACT

At its regular meeting of August 26, 1980, the City Council heard and considered evidence in the above entitled matter. Based on the oral and documentary evidence at such hearing, the Council denied the appeal based on the following findings:

1. The proposal does not constitute a special privilege in that:
 - a. The subject lot is an irregular shaped corner lot.
 - b. The existing fence, dwelling and garage extend into the street side yard setback.
 - c. Other properties in the neighborhood have fences (wood and stucco) on the property line and within the setback areas.
2. The variance will not constitute a use variance in that swimming pools and fences are allowed in the R-1 zone.
3. The proposal will not be injurious to the general public or surrounding properties in that:
 - a. The modified fence/wall location will improve the sight clearance for traffic visibility.
 - b. The modified fence/wall design will blend with the stucco material of the dwelling.
 - c. The proposal as conditioned will provide a four-foot planting area between the sidewalk and new fence.
 - d. The proposal will not impact the character of the neighborhood.
4. The variance is in harmony with the 1974 General Plan and the East Sacramento Community Plan in that these plans designate the subject site as residential use.


MAYOR

ATTEST:


CITY CLERK

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PHILLIP L. ISENBERG

MAYOR

ATTEST:

LORRAINE MAGANA

CITY CLERK

APPROVED
BY THE CITY COUNCIL

SEP 10 1980

OFFICE OF THE
CITY CLERK

P-9078



CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK

915 I STREET

CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814

TELEPHONE (916) 449-5426

LORRAINE MAGANA
CITY CLERK

September 11, 1980

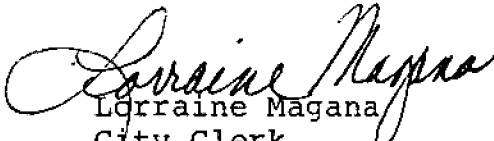
Henry L. Meyer
591 Pico Way
Sacramento, CA 95819

Dear Mr. Meyer:

On August 26, 1980, the City Council adopted by motion, its intent to deny your appeal of City Planning Commission action approving variance to reduce street side yard setback to allow a 6 foot fence in street side yard at 561 - 46th Street (P-9078), contingent on Findings of Fact due September 10th.

On September 10, 1980, the City Council adopted the Findings of Fact upon which your appeal is denied.

Sincerely,


Lorraine Magana
City Clerk

LM/mm/2

Encl: Findings of Fact

cc: Patrick Weagraff
Planning Department