

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

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, February 18, 2004, the Zoning Administrator approved with conditions a special permit to allow a guesthouse and a variance to waive the garage and allow parking in the front setback for the project known as Z03-384. Findings of Fact and conditions of approval for the project are listed on pages 2-4.

Project Information

- Request: 1. **Zoning Administrator Special Permit** to allow an existing garage to be converted into a 190 square foot guesthouse on 0.10₊ developed acres in the Standard Single Family (R-1) zone.
2. **Zoning Administrator Variance** to waive the garage requirement and allow a parking space within the front yard setback area.

Location: 2641 Rochon Way (D5, Area 3)

Assessor's Parcel Number: 013-0085-009

Applicant: Abrahams Construction (Mark Abraham)
 2774 14th Street
 Sacramento, CA 95818

Property Owner: Fred and Peggy Heistand
 2641 Rochon Way
 Sacramento, CA 95818

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	Proposed
North: R-1; Single Family Residence	Front:	25'	25'	25'
South: R-1; Single Family Residence	Side (E.):	5'	3'	3'
East: R-1; Single Family Residence	Side (W.):	5'	8.7'	8.7'
West: R-1; Single Family Residence	Rear:	15'	17'	17'

Property Dimensions: 50 feet x 90 feet
Property Area: 0.10₊ acres
Square Footage of Buildings: House: 1,600 square feet
 Converted Garage: 280 square feet

	Total:	1,880 square feet
Height of Building:	Existing House:	2 Story, 30 feet
	Existing Garage:	1 Story, 18 feet
Exterior Building Materials:	Stucco	
Roof Materials:	Composition Shingles	
Topography:	Flat	
Street Improvements:	Existing	
Utilities:	Existing	

Project Plans: See Exhibits A-C

Previous Files: None

Additional Information: The applicant is requesting a special permit to construct a 280 square foot guesthouse with a storage area and waive the garage requirement. The guesthouse will be 190 square feet. The existing single car garage in a state of disrepair will be demolished. The new structure will be 17.5 feet by 16 feet. The new structure will meet all accessory building requirements to include height. The Zoning Code allows a guesthouse that meets all accessory building requirements and does not exceed 640 square feet with a special permit.

The existing garage is not usable in the current condition and the driveway to the garage is only 8.5 feet wide. Therefore, the applicant cannot provide the Zoning Code required ten foot by twenty foot parking pad outside the front setback area necessary to convert an existing garage. The applicant is requesting a variance to allow the garage conversion.

The project is located within the Sierra Curtis Neighborhood Association neighborhood area. The plans were sent to the neighborhood association and staff received no comments. The project was noticed and staff received a call from an adjacent property owner in opposition to the proposed guest unit. The owners came to the hearing to express their concerns with the use and the size of the building. The project was conditioned to not have any windows or mechanical equipment facing their property.

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 15303(a)}.

Conditions of Approval

1. The proposed guesthouse shall conform to the revised submitted plans.
2. The applicant shall obtain a building permit for the project.
4. All vents or any other mechanical projections on the roof shall be painted to match the roof. No mechanical equipment is allowed on the roof or along the rear of the guesthouse.
5. There shall be no kitchen installed in the guest house and additional planning review and approval will be required to use the guest house as a second unit.
6. The proposed trellis on the west side will need to be relocated to not cross the property line.
7. There are currently City sanitary sewer and water mains within a three foot easement adjacent

to the rear property line of the subject parcel. The proposed structure including overhangs and footings shall not encroach within this easement area. Prior to design the applicant shall field verify the exact location of all City sanitary sewer and water mains and show these utilities with the distances dimensioned from the property line on the construction plans.

8. Show all existing easements on the construction drawings.
9. There shall be no windows in the rear elevation.
10. **Advisory Note:** The proposed project is located in the 100-year floodplain, designated as an A99 zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective May 22, 2000. Within the A99 zone, there are no requirements to elevate or flood proof.
11. **Advisory Note:** The applicant is responsible for the protection and repair of the City sanitary sewer and water mains during construction of the proposed structure. Contact Underground Service Alert at 1-800-642-2444, 48 hours before work is to begin.

Findings of Fact Special Permit:

1. The proposed project, as conditioned, is based upon sound principles of land use in that:
 - a. the proposed guest house will not substantially alter the characteristics of the surrounding neighborhood; and
 - b. the proposed guest house meets the size requirements of the Zoning Code to include not exceeding 18 feet in height or 640 square feet in size.
2. The project will not be detrimental to the public health, safety, or welfare nor result in a nuisance in that:
 - a. there will be adequate yard area;
 - b. there will be no kitchen and the unit can not be used as a second residential unit; and
 - c. the guest house is compatible with the main house in architecture.
3. The project is consistent with the General Plan which designates the subject site as Low Density Residential (4-15 du/na).

Findings of Fact Variance

1. The proposed project, as conditioned, is based upon sound principles of land use in that:
 - a. the garage conversion will not substantially alter the characteristics of the surrounding neighborhood;
 - b. the existing driveway will provide adequate off-street parking for the residence.; and
 - c. the lot is substandard in width and depth.

2. Granting the request will not be injurious to public health, safety, or welfare nor result in a nuisance in that:
 - a. there is adequate off-street parking in the existing driveway;
 - b. the existing driveway does not meet current width requirements, but has functioned as the parking area for the existing residence for years.
3. Granting the variance does not constitute a special privilege extended to an individual applicant in that a variance would be and has been granted to other property owners facing similar circumstances.
4. Granting the variance request does not constitute a use variance in that the single family residence is residential use that is permitted in the R-1 zone.

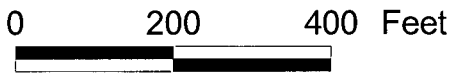


Joy D. Patterson
Zoning Administrator

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.

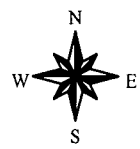
The decision of the Zoning Administrator may be appealed to the Planning Commission. An appeal must be filed within 10 days of the Zoning Administrator's hearing. If an appeal is not filed, the action of the Zoning Administrator is final.

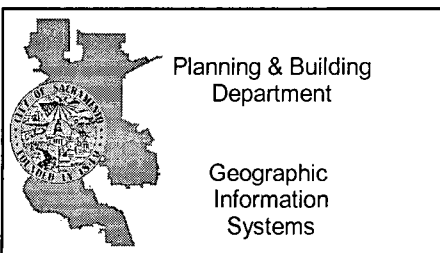
cc: File
Applicant
ZA Log Book
Shirley Craine; 2633 Rochon; Sacramento, CA 95818
Jerry Piering; 3640 4th Avenue; Sacramento; CA 95818
2640



A logo for the Planning & Building Department and Geographic Information Systems. It features a circular seal on the left and the text 'Planning & Building Department' and 'Geographic Information Systems' on the right.

Vicinity Map

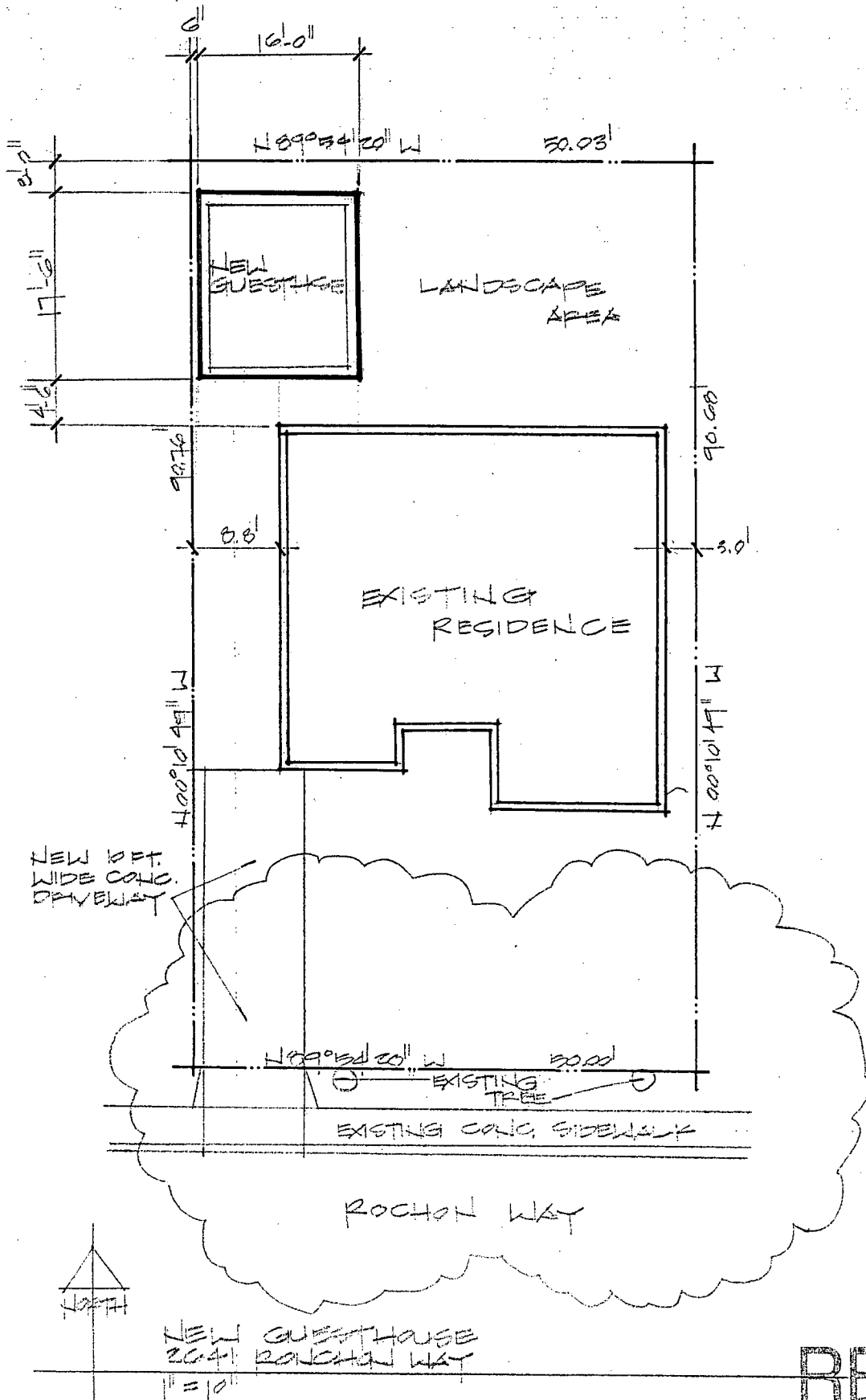




Land Use & Zoning



EXHIBIT A

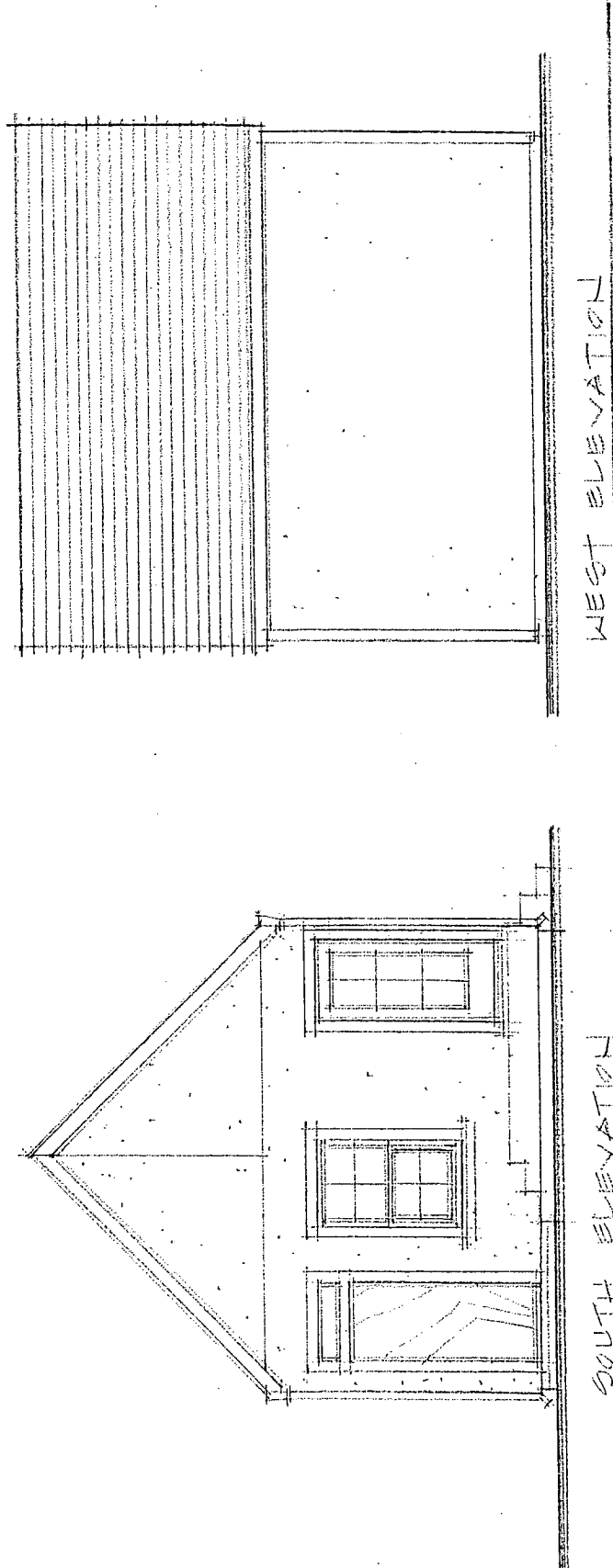


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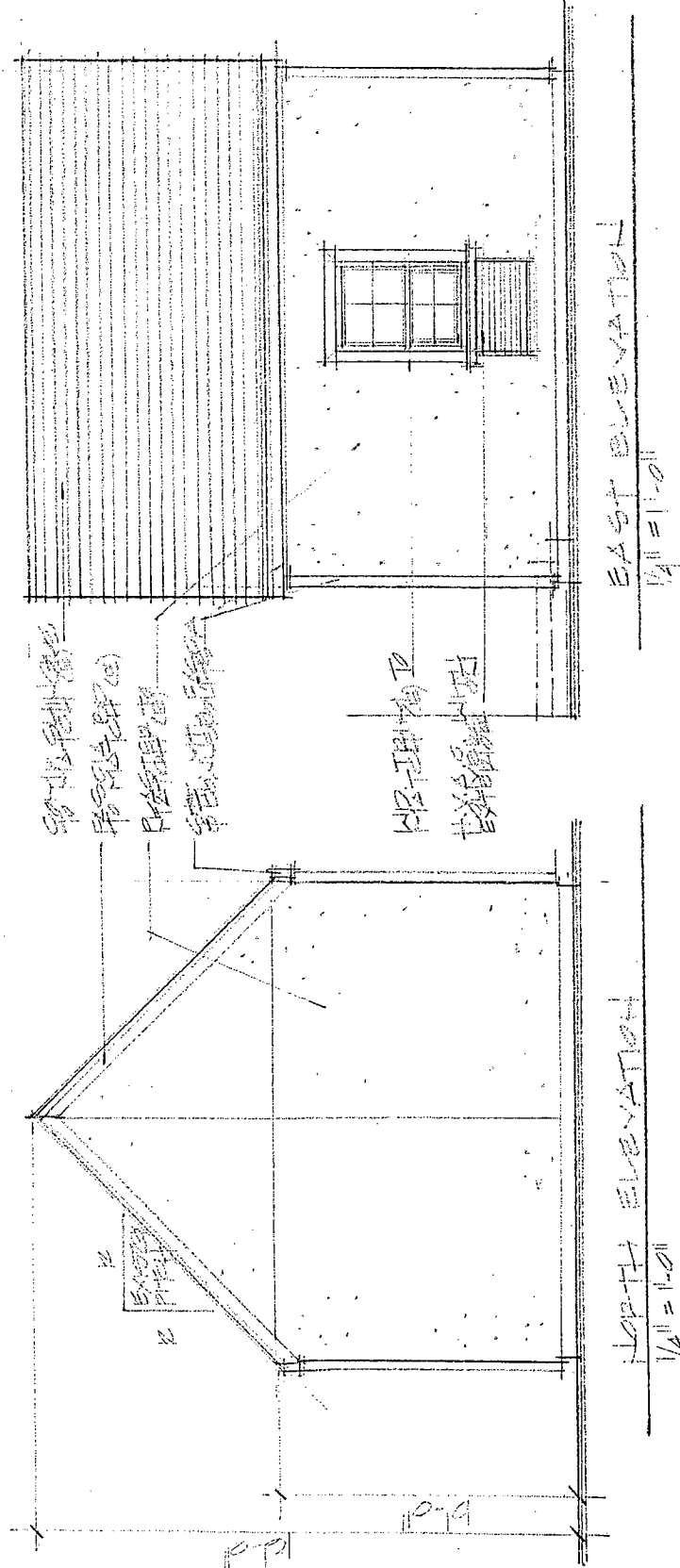
February 18, 2004

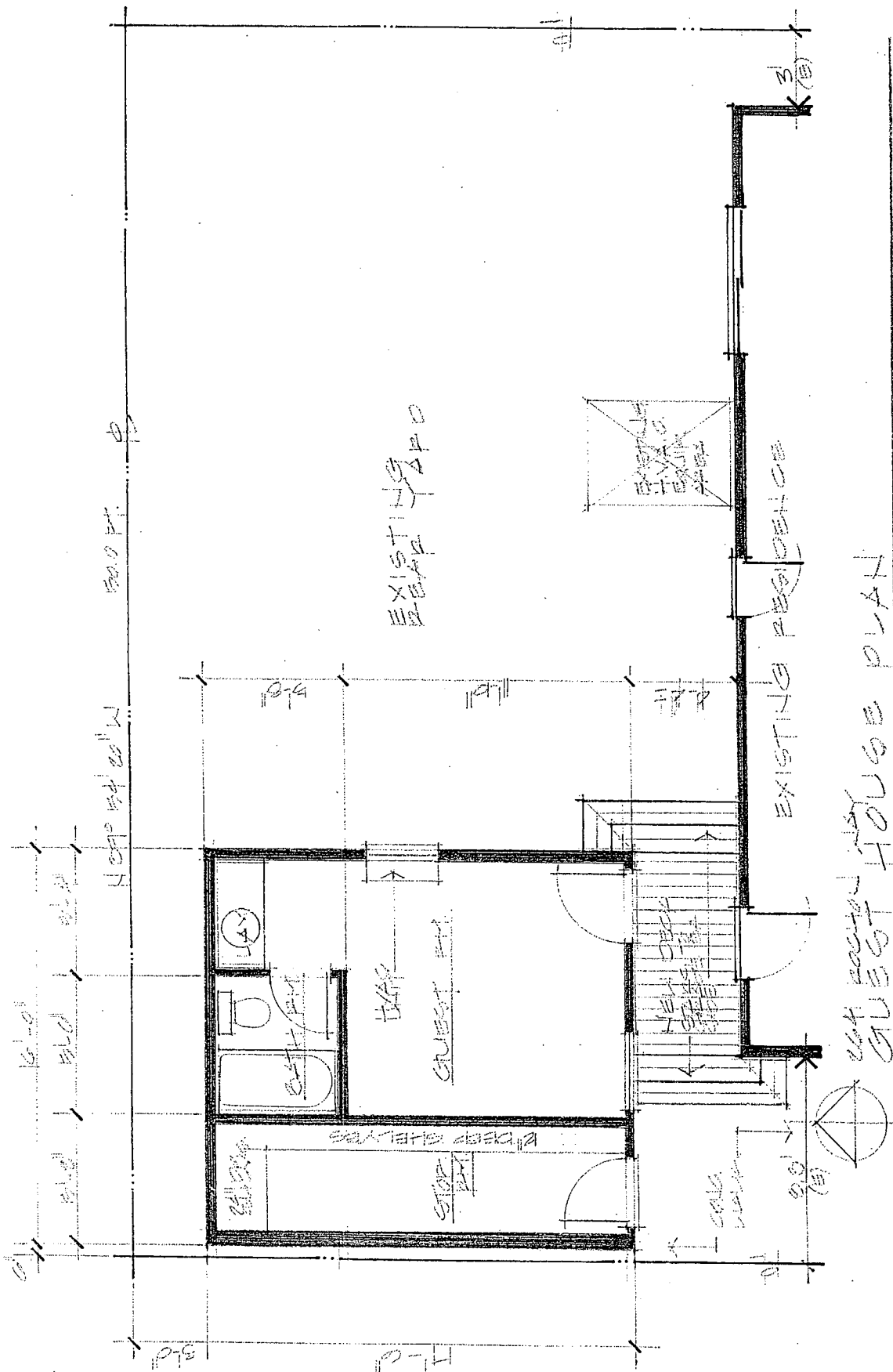
EXHIBIT B



SHEET 3 OF 3

Z03-384
12-11-2003





Z03-384

12-11-2003

HEISTAND GUESTHOUSE
2641 ROCHER WAT, SACRAMENTO

SHEET 1 OF 2