

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

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, June 01, 2005, the Zoning Administrator approved with conditions a special permit to rebuild and expand a single family residence with a non-conforming side yard setback for the project known as Z05-118. Findings of Fact and conditions of approval for the project are listed on pages 2-3.

Project Information

Request: **Zoning Administrator Special Permit** to rebuild and expand a non-conforming single family residence from 2,052 square feet to 3,948 square feet using the previous non-conforming setback (three feet) on 0.11± developed acres in the Standard Single Family (R-1) zone.

Location: 942 41ST Street (D3, Area 1)

Assessor's Parcel Number: 008-0041-013

Applicant: Jim Bob Kaufmann
1808 Q Street
Sacramento, CA 95814

Property Owner: Bill and Anne Rapp
942 41ST Street
Sacramento, CA 95819

Project Planner: Sandra Yope

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

Surrounding Land Use and Zoning:	Setbacks	Required	Proposed
North: R-1; Single Family Residence	Front:	25'	25'
South: R-1; Single Family Residence	Side (N.):	5'	5'
East: R-1; Single Family Residence	Side(S):	5'	3' (Previous Setback)
West: H; Hospital	Rear:	15'	27'

Property Dimensions: 50 feet x 100 feet
Property Area: 0.11± acres
Square Footage of Buildings: House: 2,736 square feet
Basement: 1,212 square feet
Garage: 232 square feet
Total: 4,329 square feet

Height of Building: 2 Stories, 31.5 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 a special permit to reconstruct a residence with the previous three foot setback. The Zoning Code requires a three foot side yard setback. The applicant demolished the existing structure to provide a larger house. The original house had a three foot south side setback. The new larger structure will be built along the previous south setback line. The new house will be larger than the original structure. The original two story structure was 1,832 square feet and the rebuilt structure will be 3,948 square feet. The lot is substandard in width and area as it is only 50 feet by 100 feet totaling 5,000 square feet. The standard lot size is 52 feet by 100 feet and 5,200 square feet of area. All other setbacks and lot coverage requirements will be met.

The site is located within the East Sacramento Improvement Association and McKinley-Elvas Neighborhood Alliance, and Friends of H Street areas. The project plans were sent to the associations and McKinley-Elvas NA indicated no opposition to the project. Staff received no other comments from the remaining two neighborhood associations. The applicant provided letters from both adjacent property owners to the north and south that indicated no opposition to the project. The project was noticed and staff received a call of opposition from a nearby property owner based on creating a two story structure which was not part of the review.

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 15305(a).

Conditions of Approval

1. The applicant shall obtain a building permit.
2. There shall be no further encroachment of the structures along the south property line.

Building:

3. An exit that leads directly to the exterior grade shall be provided from the basement per CBC Section 1007.6.3.8.
4. The roof overhang on the south side of the building shall comply with CBC Section 503.2 and shall have a fire rating per CBC Section 705.
5. The drainage system for the retaining system shall not drain in the City of Sacramento combined sewer system

Findings of Fact:

1. The proposed project, as conditioned, is based upon sound principles of land use in that:
 - a. the proposed single family residence will not substantially alter the characteristics of the surrounding neighborhood; and
 - b. the lot is substandard in width and area.

2. The project will not be detrimental to the public health, safety, or welfare nor result in a nuisance in that:
 - a. there is adequate available yard area; and
 - b. there was a previous structure on the lot that was demolished with the same reduced side yard setback.
3. The project is consistent with the General which designate the subject site as Low Density Residential (4-15 du/na).

Joy D Patterson

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 (Original)



0 500 Feet



Development Services
Department

Geographic
Information
System

Land Use & Zoning



