

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

ACTION OF THE ZONING ADMINISTRATOR

On Wednesday, December 18, 1996, the Zoning Administrator approved, with conditions, a special permit to allow the operation of a two guest room bed and breakfast inn (plus manager's quarters) and the waiver of a required masonry wall for the project known as Z96-121. Findings of Fact and conditions of approval for the project are listed on pages 5 and 6 of this report.

Project Information

- Request:
1. Zoning Administrator Special Permit to allow a four guest room bed and breakfast inn (plus manager's quarters) on an existing 2,843 square foot home and a 443 square foot studio above the garage; and,
 2. Zoning Administrator Variance to waive the required masonry wall which is required between the subject site and the neighboring properties on a .205± acre developed parcel in the Standard Single Family (R-1) zone.

Location: 3322 H Street

Applicant/ Owner: Robert and Patricia Ansell
3322 H Street
Sacramento, CA 95816

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:

North: McKinley Park; R-1-SPD
South: Two Family Residence; Duplex; R-1-SPD
East: Single Family Residence; R-1-SPD
West: Single Family Residence; R-1-SPD

Property Dimensions: 64' X 140'
Property Area: 0.205± acres
Parking Required: 3 spaces (1 space per 2 guest rooms, 1 for manager)
Parking Provided: 3 spaces
Square Footage of Building: 2,843 square feet main residence, 890± square foot studio/garage

Height of Building:	2 stories, 20+ feet
Exterior Building Materials:	Plaster-stucco
Roof Materials:	Composition
Topography:	Flat
Street Improvements:	Existing
Utilities:	Existing

Project Plans: See Exhibits A through G

Additional Information:

A. Background/Applicant's Proposal

The applicant requested to convert an existing single family residence into a four bedroom bed and breakfast inn. The property is located on H Street facing McKinley Park. There are two structures on the site. The main building and a detached garage with a bedroom above. These structures were originally constructed around 1925.

Both structures on the site have two floors. The first floor of the main residence consists of a large living room ("great room"), dining room, kitchen, bedroom (owner's quarters), utility room and bathroom (Exhibit D). As proposed, the second floor of the main residence would consist of three guest bedrooms, three bathrooms and the office for the business. The detached garage has a workshop and storeroom on the first floor. A guest bedroom with a full bathroom is located on the second floor (Exhibit E). The applicant proposed to use this room as the fourth bedroom for the bed and breakfast inn.

The site plan shows three parking spaces (Exhibit C). Two spaces are located in front of the building. The third space is in front of the garage. The three provided spaces meet the parking requirement of one space per every two guest rooms plus one space for the owner/manager. The site plan also indicates a maneuvering area behind the required spaces. A reciprocal maneuvering agreement is required to provide additional back up space on the adjacent property. This agreement will formalize the use of the adjacent property and will allow vehicles to turn around discouraging backing out into the H Street traffic. There is no parking allowed on the south side of H Street.

A freestanding four foot high, six foot wide wooden sign was requested with the application to advertise the bed and breakfast inn (Exhibit F).

The applicant also requested a waiver of the masonry wall required between residential and non-residential uses. The intent of the wall requirement is to reduce noise typically associated with commercial uses from the adjacent residential use. There is an existing wooden fence along the side and rear property lines. The applicant indicated that this fence would remain in place.

B. Neighborhood Comments

The applicant's proposed project was noticed and staff received numerous letters and calls from surrounding neighbors and interested persons. The calls and letters were both in support and in opposition to the applicant's request. Generally, those opposed to the request indicated that they believed that the bed and breakfast inn: would turn a residential neighborhood into a commercial neighborhood, causing a change in the residential character and property values of the neighborhood; and is an improper land use in the R-1 zone and is more properly located in the central city area or a multiple family or commercial zone. Letters in opposition also noted that there is a lack of trust in the applicant since a bed and breakfast inn has been operating illegally on the property for the past several years and that the applicant is inconsiderate of his neighbors as his gardener comes on Sundays. Letters in support of the applicant's request were primarily from people who had used the bed and breakfast inn or had relatives/friends stay at the inn, owners of bed and breakfast inns in the central city area, and people who live in the neighborhood of bed and breakfast inns in the central city area. Letters in support and opposition to the proposal are on file in the Zoning Administrator's office.

The project was also review by the two neighborhood associations in the East Sacramento area. The McKinley-Elvas Neighborhood Association (MENA) indicated general support of the proposal subject to conditions. The East Sacramento Improvement Association (ESIA) recommended denial of the applicant's request. MENA's letter is attached as Exhibit H and the ESIA letter is attached as Exhibit I.

3. City Agency Comments

The proposed project was reviewed by the City Police Department, Fire Department, Public Works Department (Transportation and Engineering Divisions), Utilities Department, and Building Division. Their comments are as follows:

Police Department:

1. Recommend a minimum of 1.5 foot-candles of illumination per square foot of parking space between the hours of dusk and one hour after sunrise. A minimum of .25 foot-candles of illumination should be provided at the surface of any walkway, alcove, or passageway related to the building project during the same hours.
2. Recommend that all landscaping be maintained at a minimum plant and/or shrub height if 30 inches and trees maintained at a minimum distance of 6 feet from lowest branch to the ground.
3. Recommend that decorative planting be maintained as not to obstruct or diminish lighting level throughout project.

Fire Department

1. All requirements of the City Fire Department shall be met prior to occupancy as a bed and breakfast inn. Fire Department requirements may include providing fire alarms and possible modification of walls and windows as necessary.

Public Works, Transportation and Engineering

1. Parking spaces and driveway shall meet city standards.

Utilities Department

1. No comment.

Building Inspections - Fire Protection

1. Size of windows must be escape/ rescue size. Minimum net clear openable area = 5.7 sq.ft. minimum net clear openable height = 24" etc. (UBC 310.4).
2. Light and ventilation are of concern (UBC 310.5).
3. Ceiling height: "Habitable space shall have a ceiling height of not less than 7'6". If any room in a building has a sloped ceiling, the prescribed ceiling height (7'6") for the room, is required in only one half the area thereof. No portion of the room measuring less than 5 feet from the finished floor to the finished ceiling shall be included in any computation of the minimum area thereof." (UBC 310.6.1)
4. Smoke detectors are required (UBC 310.9.1).
5. Occupancy separation between first and second floor of garage needs 1 hour fire rating including shaft (stair) and rated door (UBC Table 3B).

Zoning Administrator's Hearing

There were approximately 19 people in attendance at the three hour public hearing. Testimony in support and in opposition to allowing the bed and breakfast inn at the site was heard by the Zoning Administrator. The applicant and the opposition presented the Zoning Administrator with written summaries of their presentations and petitions. These items are on file in the Zoning Administrator's office.

After listening to public testimony, the Zoning Administrator closed the public hearing, and approved a special permit for a two guest room bed and breakfast inn, subject to

conditions. The Zoning Administrator also approved the request to waive the wall requirement subject to conditions:

Environmental Determination

This project will not have a significant effect on the environment and is exempt from environmental review pursuant to State EIR Guidelines California Environmental Quality Act, Section 15301.

Conditions of Approval

1. This permit has been granted for a total of two guest rooms (plus manager's quarters). The applicant shall designate to the Zoning Administrator by January 18, 1997, which two rooms in the main dwelling will be used for the lodging of guests.
2. The bed and breakfast use is for lodging of guests only. Conferences, weddings, fund raisers or other similar gatherings of lodgers and/or non-lodgers is prohibited at the site. This condition is not to prohibit Mr. and Mrs. Ansell (or any future owners of the property) from having normal family events on the property.
3. All outdoor activities shall be in conformance with the City Noise Ordinance. Bed and breakfast guests shall not be permitted to use the backyard area before 8:00 a.m. in the morning or after 10:00 p.m. at night.
4. The applicant shall provide a copy of the driveway easement with original signatures prior to January 18, 1997.
5. The applicant shall obtain all necessary building permits to operate the bed and breakfast prior to January 18, 1997.
6. No sign advertising the bed and breakfast shall be permitted on the subject property.
7. The garage structure is not permitted to be used as lodging for bed and breakfast guests.
8. The Zoning Administrator will not accept an application to modify any conditions of this special permit prior to April 15, 1997.

Findings of Fact

1. The project, as conditioned is based upon sound principles of land use in that:
 - a. the project site is located on a major street (H Street);

- b. the bed and breakfast inn will be operated on a large lot in a residence that was constructed to accommodate the number of people that would be staying in a two guest room bed and breakfast inn; and
 - c. adequate parking and vehicle maneuvering will be provided.
2. The project, as conditioned, is not detrimental to the public health, safety or welfare, nor result in the creation of a nuisance in that:
 - a. the bed and breakfast inn will comply with building code requirements;
 - b. the bed and breakfast inn use is limited to the lodging of guests only; and
 - c. adequate parking and vehicle maneuvering will be provided.
 3. The variance to waive the solid wall, as conditioned, is not a special privilege extended to one property owner in that:
 - a. the noise that may be generated in the back yard of the bed and breakfast inn is similar to the noise generated by occupants of a single family residence; and
 - b. a variance would be granted to other property owners facing similar circumstances.
 4. The variance request is not a use variance in that bed and breakfast inns are permitted in the Central City and Alhambra Corridor in the R-1 zone with special permit approval.
 5. The project is consistent with the General Plan which designates the site as Low Density Residential (4-15 du/ac). Bed and breakfast inns are permitted in this land use designation with special permit approval.

Joy D. Patterson

Joy D. Patterson
Zoning Administrator

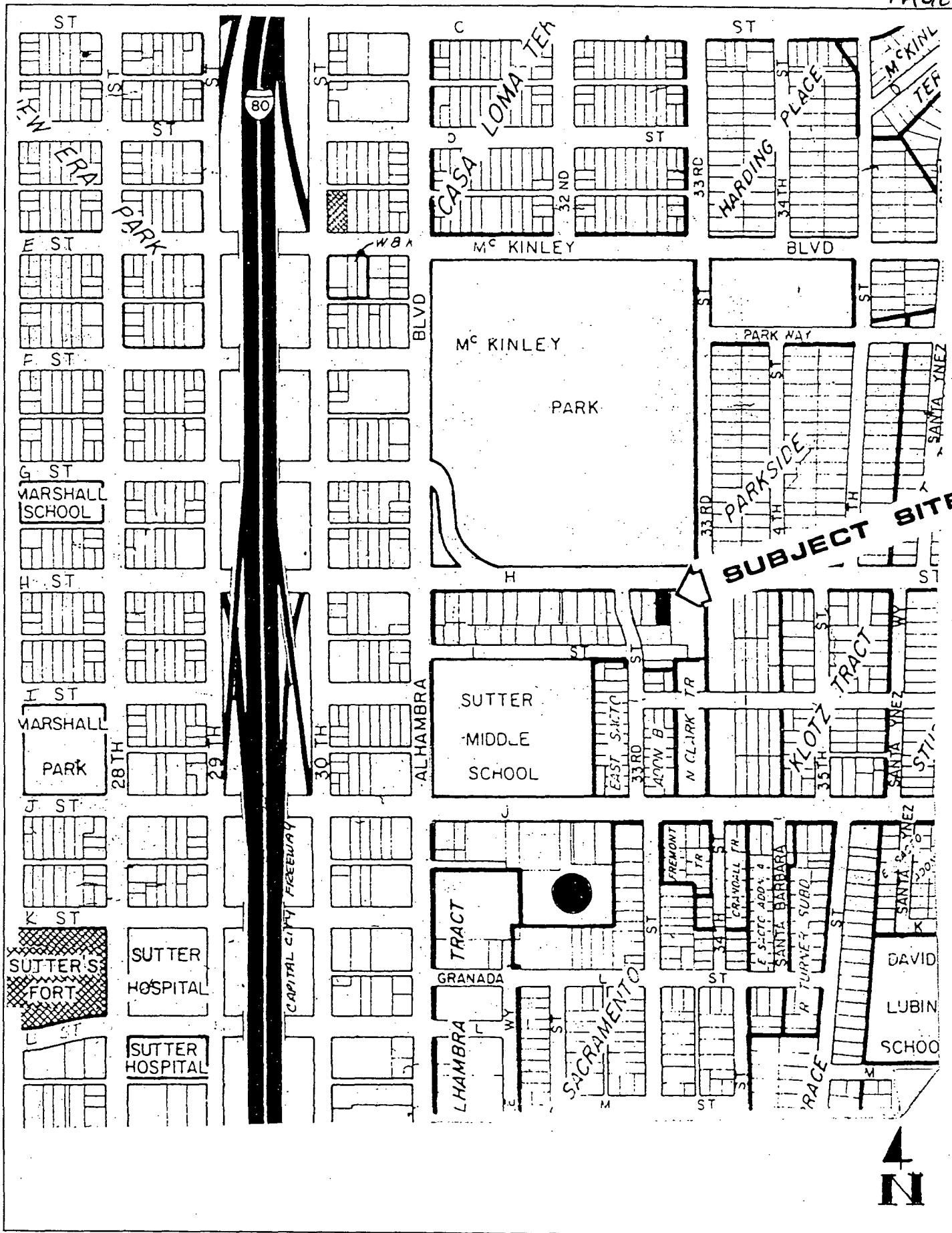
A use for which a Special Permit and Variance is granted must be established within two years after such permit is approved. If such use is not so established the Special Permit/Variance shall be deemed to have expired and shall be null and void. A Special Permit/Variance use which requires a Building 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/ Owner- Robert Ansell
ZA Log Book

Exhibits

- Exhibit A: Vicinity Map
- Exhibit B: Land Use and Zoning Map
- Exhibit C: Site Plan
- Exhibit D: Main Residence Floor Plan
- Exhibit E: Garage Floor Plan
- Exhibit F: Proposed Sign
- Exhibit G: Photograph of Front of Residence
- Exhibit H: MENA Letter
- Exhibit I: ESIA Letter



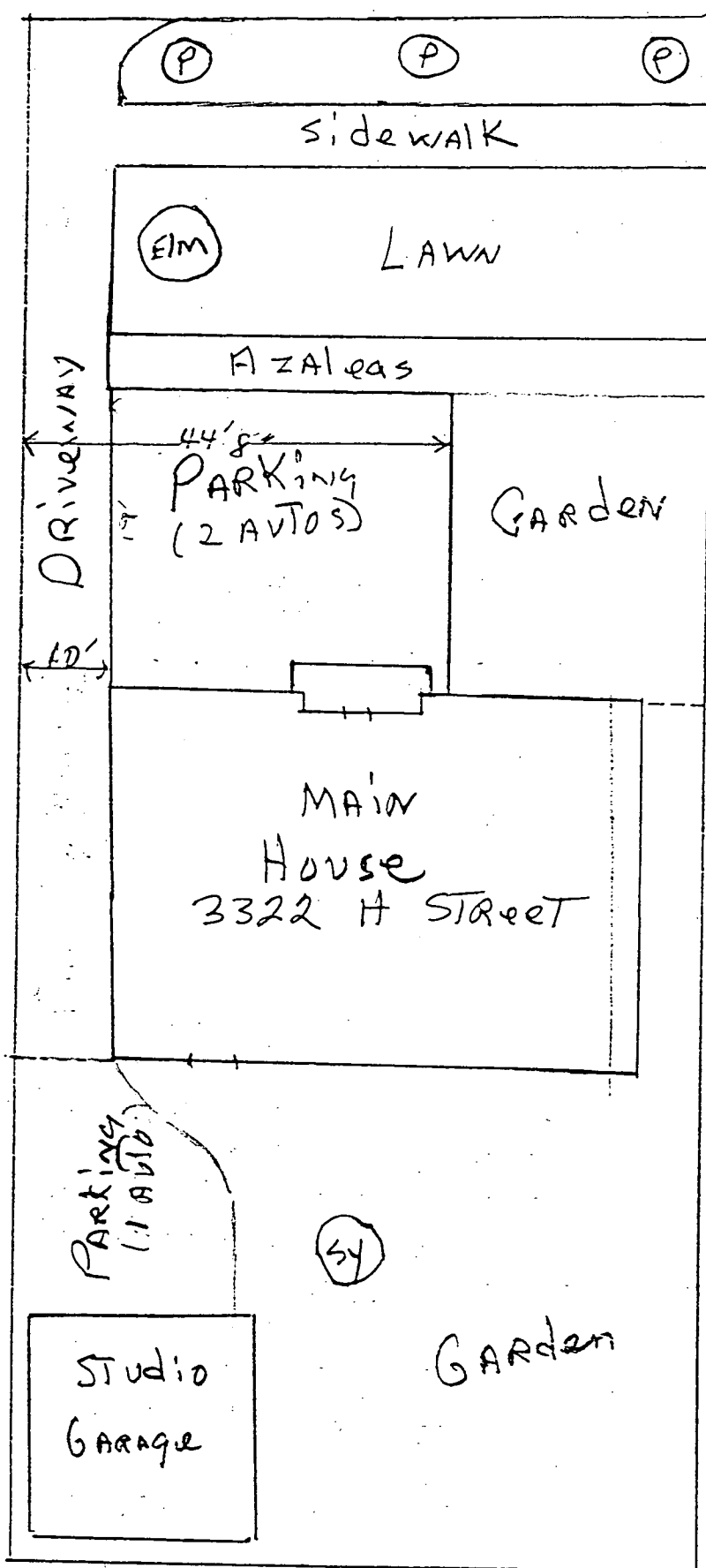
VICINITY MAP

H STREET

EXHIBIT C
ITEM #11
PAGE 17

P = Old Palm

Elm = Old Elm



SY = Old Sycamore



60'

296 121

Site Plan

1" = 16'

SKETCH/AREA TABLE ADDENDUM

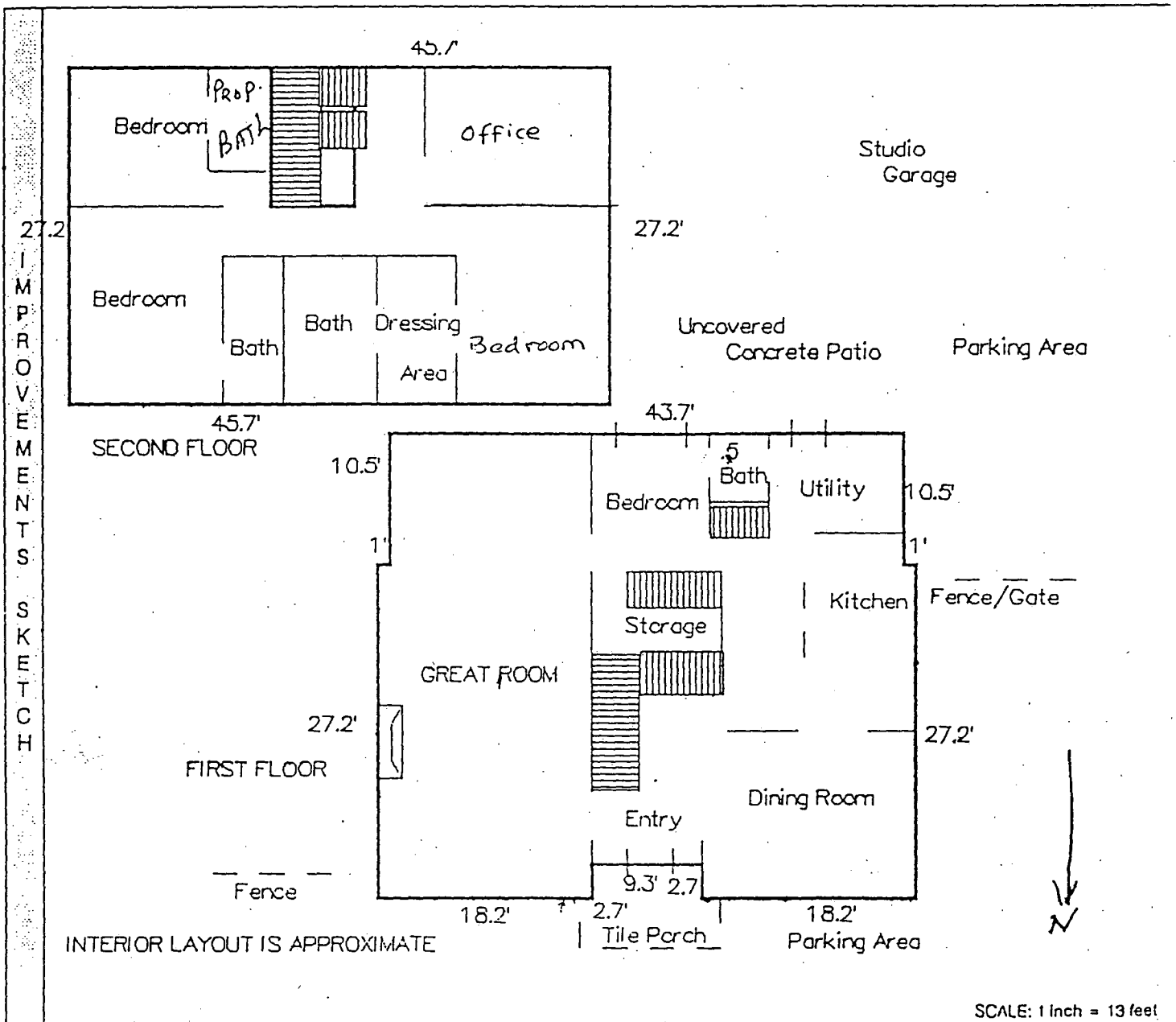
MAIN HOUSE FLOOR PLAN

File No:

2875

ITEM #11
EXHIBIT D
PAGE 18

SUBJECT	Borrower/Client			
	Ansell / McClellan Federal Credit Union			
	Property Address			
	3322 H Street			
	City	County	State	Zip Code
SACRAMENTO	Sacramento	California	95816	
Lender				
McCLELLAN FEDERAL CREDIT UNION				



Z96 121

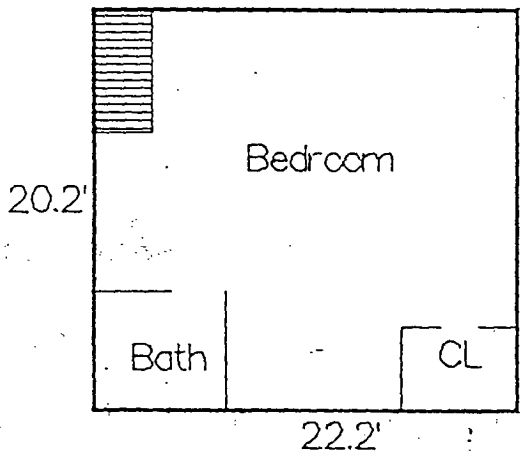
SKETCH/AREA TABLE ADDENDUM
STUDIO - GARAGE FLOOR PLAN

File No: 2875

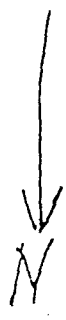
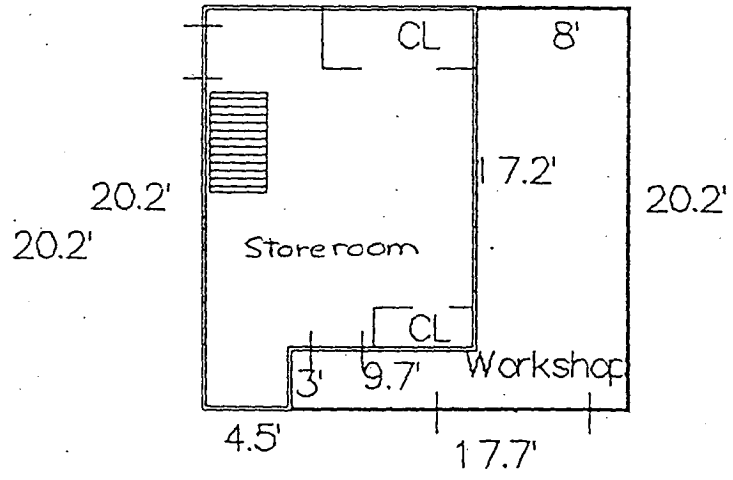
SUBJECT

Borrower/Client	Ansell / McClellan Federal Credit Union		
Property Address	3322 H Street Studio Unit		
City	County	State	Zip Code
SACRAMENTO	Sacramento	California	95816
Lender	McCLELLAN FEDERAL CREDIT UNION		

SECOND FLOOR
22.2'



FIRST FLOOR



SCALE: 1 Inch = 10 feet



WOOD - white
 BACKGROUND - Royal Blue Tile
 LETTERS - white Tile

Proposed sign FOR THE
 SAVOYARD, 3322 H STREET, SACTO

1" = 1'

ZTEMZII
PAGE 21

9



SAVOYARD, 3322 H ST. SACRAMENTO

McKinley Elvas Neighborhood Alliance

Preserving The Valuable Qualities Of Our Neighborhood



December 13, 1996
(Via hand delivery)

Ms. Joy Patterson
Zoning Administrator
City of Sacramento Planning Department
1231 I Street
Sacramento, California 95814

Re: Ansell Application for Special Permit--Bed and Breakfast in R-1 Zone Within the Alhambra Corridor

Dear Ms. Patterson:

As noted in our letter of August 20, 1996, the McKinley Elvas Neighborhood Alliance ("MENA") generally supports Mr. Ansell's application to operate a Bed and Breakfast establishment, the Savoyard, in the Alhambra Corridor. MENA has revisited the Special Permit issue since submitting our letter of August 20. We are writing now to provide you with specific comments on the application and with proposed conditions MENA requests be included in any Special Permit which may be issued.

1. Signage

MENA opposes the installation of a free-standing sign on the property and suggests that the prohibition against such signs at rooming and boarding houses be applied here. (See Sacramento City Code Section 3.04.061(b)).

Proposed Condition: Signs associated with the Savoyard shall be attached to the main building. Illumination of the sign shall be consistent with Section 3.04.061(f) of the Sacramento City Code.

2. Termination of Special Permit

MENA would like to ensure that the Ansell's continue to own *and* operate the Savoyard. Therefore, MENA requests that the applicants consent to a condition which provides that any Special Permit which is granted will terminate upon the sale, transfer or change in operator or management of the property.

Proposed Condition: The Special Permit shall terminate upon the sale, transfer or change in operator or management of the property. The current owner(s) of record,

Ms. Joy Patterson
December 13, 1996
Page 2

Bruce and Patricia Ansell, shall provide the City Planning Department with a statement identifying the owner and operator or manager of the property each January or immediately upon sale, transfer or change in operator or management.

Applicants' shall submit written consent to this Condition to the Zoning Administrator concurrent with issuance of this Special Permit. Such consent shall be maintained in the Planning Department file for this Special Permit.

3. On-site Parking

MENA requests that the Special Permit limit the number of cars which may be parked on-site at any time to four (4) to reduce traffic safety concerns on H Street, to preserve the aesthetic conditions of the area and given the availability of nearby street parking.

Proposed Condition: No more than four (4) cars shall be parked on-site at any time.

Thank you for considering MENA's comments on and proposed conditions for the requested Savoyard Special Permit. We want to emphasize that this letter modifies and supersedes the representations of the MENA Board as reflected in our letter of August 20, 1996 to the extent it is inconsistent therewith. If you have any questions, or require additional information, please contact me at (916)653-4829.

Sincerely,



Ward Tabor
MENA Board President

cc: Don Smith



EAST SACRAMENTO IMPROVEMENT ASSOCIATION

Neighbors helping neighbors since 1958

December 17, 1996

Joy Patterson
Zoning Administrator
1231 I Street
Sacramento, CA 95814

Re: 3322 H Street - Conversion to Bed & Breakfast

The East Sacramento Improvement Association (ESIA) opposes a Bed & Breakfast at 3322 H Street located in a R-1 zoned property.

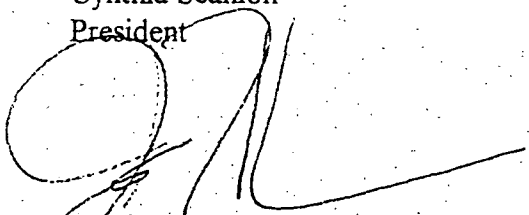
Our Board received a presentation from the applicant, as well as a presentation and several letters from neighbors who oppose this Bed & Breakfast. Adjacent neighbors cited several problems including: parking, invasion of privacy, noise, fire & safety, commercial use in a residential block, and decreased property values.

ESIA was instrumental in the City Council's adoption of the Alhambra Corridor Guidelines and understands its scope. The Alhambra Corridor Guidelines are extremely broad, and leave room for appropriate interpretation, especially in the fringe area where this residence lies. As this residence is entirely surrounded by residential properties of substantial value --- half million dollar range, ESIA believes it is not appropriate to introduce a commercial use in this neighborhood. This Homestay or Bed & Breakfast has been operating illegally in a residential neighborhood for several years, and now as they have applied for a Special Permit, we support the numerous neighbors who have asked for our assistance.

We urge you to deny the applicant a Special Permit and request that this property be returned to a residential use.

Sincerely,

Cynthia Scanlon
President



Jeanine Fuller
Board member

with Buckingham way
Sacto, alt 95819
451-7475

Dec. 5, 1996

ATTACHMENT:
SAMPLE LETTERS - FOR
B+E

ITEM #11
PAGE 25

Dear Mr. Smith,

On my fiftieth birthday I invited two relatives to celebrate with me - they live in San Mateo. Our small East Sacto home is not set up for overnight guests and I was delighted to put them up at the nearby Savoyard.

The proprietors graciously allowed me to join my guests for breakfast, and our visiting was enhanced by the good food and lovely surroundings.

I believe the proposed expansion to a four room B+B is totally compatible with East Sac. Please support it.

Sincerely,
Dorinda Jensen

DEC 02 1996

RECEIVED



BED & BREAKFAST INN

November 25, 1996

Don Smith
Associate Planner
1231 I Street
Sacramento, California 95814

RE: Savoyard application for Bed & Breakfast Use Permit

Dear Mr. Smith:

I have owned and operated Hartley House Bed & Breakfast Inn for ten years.

When I first purchased my facility, the neighborhood was just beginning to improve greatly. Many of my neighbors say that I started the renaissance in the Boulevard Park area of the rehabilitation of our grand old homes.

My neighbors all agree that the Inn has been good for their property values and a great place for their out of town guests to stay.

I have never had one complaint regarding noise, improper behavior or anything else since I have been in business.

I have worked very closely with the City of Sacramento in the Midtown Traffic Plan and was the Police Liaison for Boulevard Park.

I have known Bruce and Pat Ansell at the Savoyard for many years and can testify that they operate a professional business. Both have been very active in their community and have worked hard to earn their excellent reputation as neighbors and business people.

I urge you to approve the application for their Bed & Breakfast Use Permit.

If you have any questions or need further information, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Randy Hartley'.

Randy Hartley
Owner-Innkeeper



RECEIVED

DEC 17 1996

CITY OF SACRAMENTO
CITY PLANNING DIVISION

Anne Juzek Pomer
170 Gifford Way
Sacramento, CA 95864

December 15, 1996

Don Smith
Associate Planner
1231 I Street #200
Sacramento, CA 95814

Dear Mr. Smith:

I am writhing this letter in support of the application for a special permit for a four room Bed and Breakfast by Bruce and Pat Ansell in their home at 3322 H Street.

Their stately home overlooks the beautiful McKinley Park rose garden and I found myself envious of the Ansell's because they can wake up and look at that every morning. If you allow a few more people to stay with the Ansell's by granting the permit for a Bed and Breakfast Inn, they too will have the opportunity to appreciate this wonderful garden the way very few of us in Sacramento ever have. I have driven past this garden for forty some years and have never enjoyed it as much as I did when I sat in their living room and looked out at it through their picture window.

The house on 3322 H Street feels and looks like a home and not a homestay business. It is very well maintained both inside and out. I saw no deferred maintenance and as a Realtor, I do notice such things. I feel that the Ansell's are very aware of the special home that they have and will continue be as careful in maintaining it in the future as they have in the past. Bed and Breakfast Inns usually end up being the showplace of the street. I am sure knowing the owners of the Savoyard that they will continue with their high standards. The change of the home to a Bed and Breakfast will be an improvement to the house and the immediate surrounding neighborhood as well.

Sincerely,



Anne Juzek Pomer

McKinley Elvas Neighborhood Alliance

Preserving The Valuable Qualities Of Our Neighborhood



ATTACHMENT 3
LETTERS - FOR

P91 of 2

ITEM #11
PAGE 28

December 13, 1996
(Via hand delivery)

Ms. Joy Patterson
Zoning Administrator
City of Sacramento Planning Department
1231 I Street
Sacramento, California 95814

Re: Ansell Application for Special Permit--Bed and Breakfast in R-1 Zone Within
the Alhambra Corridor

Dear Ms. Patterson:

As noted in our letter of August 20, 1996, the McKinley Elvas Neighborhood Alliance ("MENA") generally supports Mr. Ansell's application to operate a Bed and Breakfast establishment, the Savoyard, in the Alhambra Corridor. MENA has revisited the Special Permit issue since submitting our letter of August 20. We are writing now to provide you with specific comments on the application and with proposed conditions MENA requests be included in any Special Permit which may be issued.

1. Signage

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Proposed Condition: Signs associated with the Savoyard shall be attached to the main building. Illumination of the sign shall be consistent with Section 3.04.061(f) of the Sacramento City Code.

2. Termination of Special Permit

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Ms. Joy Patterson
December 13, 1996
Page 2

Bruce and Patricia Ansell, shall provide the City Planning Department with a statement identifying the owner and operator or manager of the property each January or immediately upon sale, transfer or change in operator or management.

Applicants' shall submit written consent to this Condition to the Zoning Administrator concurrent with issuance of this Special Permit. Such consent shall be maintained in the Planning Department file for this Special Permit.

3. On-site Parking

MENA requests that the Special Permit limit the number of cars which may be parked on-site at any time to four (4) to reduce traffic safety concerns on H Street, to preserve the aesthetic conditions of the area and given the availability of nearby street parking.

Proposed Condition: No more than four (4) cars shall be parked on-site at any time.

Thank you for considering MENA's comments on and proposed conditions for the requested Savoyard Special Permit. We want to emphasize that this letter modifies and supersedes the representations of the MENA Board as reflected in our letter of August 20, 1996 to the extent it is inconsistent therewith. If you have any questions, or require additional information, please contact me at (916)653-4829.

Sincerely,

Ward Tabor / as

Ward Tabor
MENA Board President

cc: Don Smith

October 4, 1996

to: Joy Patterson
Zoning Administer, City of Sacramento

Objections to conversion of home at 3322 H street, Sacramento to commercial B&B.

GATEWAY

The first two blocks on H street east of Alhambra Blvd are a beautiful gateway to the East Sacramento area. On the right, is a row of very stately homes generally meticulously cared for by owners illustrating their pride in the area. Across the way is Mckinley Park and its rose gardens. The residents have repeatedly fought to preserve that beautiful residential atmosphere for those who pass through. The introduction of a commercial element and its 6x4 ft. sign into this scene would be out of place and signal the deterioration to business use of these fine homes and the homes beyond.

INAPPROPRIATE LOCATION and PRECEDENT

This action would establish a precedent : **The first B&B in an R-1 zone.** Sacramento yellow page listed B&Bs occur only in multifamily R-3 or commercial zones. We believe that they integrate better in these areas which also contain small office uses and are inside the "old city" area bounded by the freeways and rivers. Approval here would set a precedent affecting fine homes everywhere.

This is a business, and not to be taken lightly. At a 30% vacancy rate, just two guests would yield almost \$4800 gross per month.

PARKING

Whatever city requirements are, the reality is that each guest will come with a car. The two cars most of us have will be joined there with 4 or 5 more and all will be visible from the street (the garage has been converted to an apartment over an office and work shop and the apron area contains patio furniture). While there may be physical space for the cars, which is questionable, their physical presence will be an eyesore and a nuisance to the area, especially so with the tandem parking that would be required. The front driveway is common and shared with the westerly neighbor and the required maneuvering will add to the interference and disturbance to them.

Street parking is already a problem nearby, as the area is often subjected to more demand than supply. 33rd street along the park has limited its parking. The city has restriped H street for the umteenth time, this time with stalls along the park in a constant effort to accommodate the too many trying to park, while coping with too large a traffic flow. The park is intensively used, and has special events that bring an extra parking load. The addition of the B&B's needs would further decrease the available resources.

TRAFFIC

The probable need to back out onto H street is a safety concern. H street is quite busy at times. Residents understand the problem, which is compounded by the vision-obscuring large trunk palm trees which line the curb strip, and have learned to cope. Transients are more likely to become involved in accidents, especially when exiting forward is unlikely.

BUSINESS / RESIDENCE CONFLICTS

Business and residence activities often conflict. The resident may need a basketball backstop, a place for his teenager to practice drums, a ramp for skate boarding or a barking dog to signal presence of strangers, each undesirable to B&B guests. Likewise, the resident desires privacy in his activities, but is subjected to scrutiny from above by strangers and the constant activity of the enterprise. Visitors to the residence are confronted with a sign and the unscreenable front yard parking lot next door.

OCCUPANCY

This proposal is not a small increase in use. The potential is far too large. The proprietor has moved from the master suite to the first floor bedroom, possibly to gain more rental opportunities. Plans indicate that five rooms will be rented, not four (the two in the master area are called a "suite"). Also, the room over the garage contains over 300 s.f. and is likely to be set up for four or more (we believe that this room is in violation of the building code as it is only two feet from the property line). Probably, the proprietor would equip the complex to handle at least 12 guests, or more if he chooses to furnish larger rooms with more than one double bed - a giant leap from the two allowed guests he now claims.

SECURITY

A home owner opposite a public area must be aware of the possibility of intruders and has learned to be alert to indications of them. Introduction of strangers coming and going into a B&B at all hours would tend to lesson that alertness and heighten apprehension of loss of security and security itself.

ABUSE OF ORDINANCE

We believe that the R-1 code provision under which the owner is now operating is being violated. "Rooming and boarding of not more than two guests" was intended to allow for visiting friends and relatives and long term boarders, not transients. The B&B definition contrasts by designating "temporary night to night lodging", a significant difference. We are also disturbed to note that more than two additional cars are often present overnight now and that the establishment is listed in the yellow pages as a B&B. What recourse is available ?

We urge denial of the special permit and variance and curtailment of current activities.

Sincerely,

Norman and Mary Healy, 3310 H Street

Mary Healy

Otto and Helene Rohwer, 3344 H Street

Otto Rohwer
Helene R Rohwer

October 30, 1996

Joy Patterson
Zoning Administrator
Sacramento Planning Commission
12311 I Street, Suite 200
Sacramento, California 95814

Re: Conversion of Residential Home & Property at 3322 H Street
Sacramento, to Commercial Use: i.e. Fully Licensed Bed &
Breakfast

We are the owners of the property at 3300 H Street, two
residences west of the subject property. Our family has owned and
lived in the home since it was built in 1929.

Without reservation, we object strongly to a zone variance, not
only because of the intrusion of privacy, the influx of
strangers, the increased traffic problems, but also, since we are
planning on living in our home forever, and hopefully pass it on
to our children, we are gravely concerned about the property
value being lowered. This home is a major investment that we do
not wish to lose. Mr. Ansell's opinion that his establishment
would increase property values is false. Most B & B's in
Sacramento have been opened in depressed neighborhoods while ours
is an already upgraded neighborhood.

We are also concerned about this variance due to the fact that
Mr. Ansell has told us that when our neighboring house to the
East goes on the market, he has plans to purchase that property.
Once he has a variance to run a B & B at 3322, what is to stop
him from obtaining one for the property next door to us and
invading our privacy and property values even more?

Of even greater concern is that Mr. Ansell is apparently
operating a B & B illegally, and has been for more than three
years. Three years ago, when we first discovered that Mr. Ansell
was renting rooms on a short term basis, we went to the planning
commission to find out how he was doing this without a notice to
neighbors and a variance. We were told that it would be looked
into. After several very frustrating calls to the Neighborhood
Services, we were told they were told by Planning that a permit
was issued to Mr. Ansell. Several more calls were made to the
Planning Commission. We were finally advised that Mr. Ansell was
operating illegally; that he could, with R-1 zoning, have two
long term boarders, but that he could not have any short term
customers. We were told finally that he had applied for a
variance, and at that time we asked that his operation be shut
down until he received approval. When checking your files, no
mention had been made of our numerous calls. The only thing that
appeared was a request for an investigation, which we had asked

for. As far as we know, nothing was ever done.

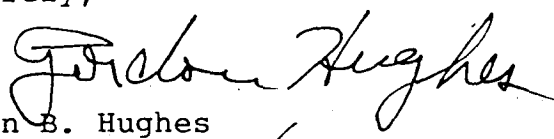
It is appalling that we have an enforcement agency to prevent the abuse of zone ordinances, and still have someone operate illegally for this long.

We have (over the last two years) anonymously called Mr. Ansell to inquire about his B & B. He told us each time that he can accommodate up to eight people at a time. This clearly is against the R-1 ordinance allowing two long term boarders or roomers. Mr. Ansell has also blatantly advertised in several newspapers and the Pacific Bell Yellow Pages as a Bed & Breakfast establishment.

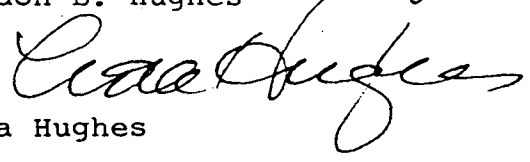
Mr. Ansell is thumbing his nose at other zoning ordinances insomuch as he has a room over his garage that he also rents on short term basis. Also, his garage has been converted into a workshop on one side and a bedroom on the other side. In checking the zoning ordinance, we understand that he must build a carport if the garage is converted to other space. He has not done this.

Besides the loss of privacy, the loss of property value, the impact on traffic on H Street, it is of major concern that somehow Mr. Ansell has been able to persuade the higher ups to allow him to do what no one else can do -- operate a business illegally to the detriment of his neighbors.

Sincerely,



Gordon B. Hughes



Nora Hughes

Mark Whisler
3237 I Street
Sacramento, CA 95816
(916) 446-6666

ATTACHMENT 3
SAMPLE LETTERS -
Against
ITEM #11
PAGE 34

TO: Joy Patterson
Zoning Administrator
City of Sacramento

RE: 3322 H Street B&B Request

We've always had a problem with any room rentals at this property. The parking lot in the front yard is not particularly attractive. 33rd Street north and south of H Street is narrow and already overly impacted for parking. I Street, on which I live (and where people park to use McKinley Park already), is one of Sacramento's narrowest (22 feet) urban streets and is already impacted by two schools (Sutter Middle School/Lincoln Law School) 12 hours a day. On parking alone the application should be denied.

It has always been one of my core beliefs about B&B's that they are great at preserving older buildings in declining neighborhoods. The neighborhood gets a building with income sufficient to maintain it in return for the increases in noise, cars, outdoor events and disruptions in-general during the hours people are home.

H Street is not a declining neighborhood. Property values are not falling and neighbors are maintaining their homes. I see no need to grant a hotel, B&B or any other type of overnight use for this property.

It also appears that the present owner has remodeled and expanded the current use without the necessary permits. The Zoning Administrator (with this new knowledge) should ask Code Enforcement to investigate and report back.

As you are aware, many B&B's cater to weddings. In effect they become mini restaurants and reception areas with large crowds and lots of people. This location would be ideal for after rose garden wedding events. Such events will dramatically and negatively impact the neighborhood.

As such, if you ignore the neighbors' protests and grant this action I would request that:

1. The number of rooms be limited
2. The total number of guests be limited
3. There be no receptions, catering (coming to or emanating from the property), or any gathering of over 2 people allowed.

Please let me know that this letter has been received in time to be considered at the hearing.

Sincerely yours,



Mark Whisler
Former Chair, Alhambra Corridor Citizens Advisory Committee
Past President, Sacramento Old City Association



EAST SACRAMENTO IMPROVEMENT ASSOCIATION

Neighbors helping neighbors since 1958

ITEM #11
PAGE 35

December 17, 1996

Joy Patterson
Zoning Administrator
1231 I Street
Sacramento, CA 95814

Re: 3322 H Street - Conversion to Bed & Breakfast

The East Sacramento Improvement Association (ESIA) opposes a Bed & Breakfast at 3322 H Street located in a R-1 zoned property.

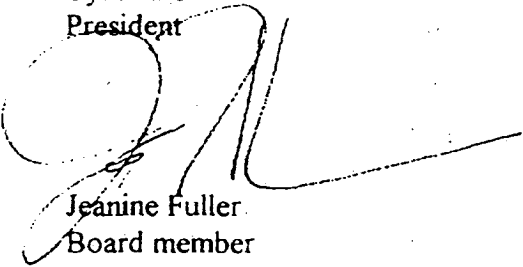
Our Board received a presentation from the applicant, as well as a presentation and several letters from neighbors who oppose this Bed & Breakfast. Adjacent neighbors cited several problems including: parking, invasion of privacy, noise, fire & safety, commercial use in a residential block, and decreased property values.

ESIA was instrumental in the City Council's adoption of the Alhambra Corridor Guidelines and understands its scope. The Alhambra Corridor Guidelines are extremely broad, and leave room for appropriate interpretation, especially in the fringe area where this residence lies. As this residence is entirely surrounded by residential properties of substantial value --- half million dollar range, ESIA believes it is not appropriate to introduce a commercial use in this neighborhood. This Homestay or Bed & Breakfast has been operating illegally in a residential neighborhood for several years, and now as they have applied for a Special Permit, we support the numerous neighbors who have asked for our assistance.

We urge you to deny the applicant a Special Permit and request that this property be returned to a residential use.

Sincerely,

Cynthia Scanlon
President


Jeanine Fuller
Board member

CITY OF SACRAMENTO
DEPARTMENT OF PLANNING AND DEVELOPMENT

1231 I Street, Room 200
Sacramento, CA 95814

916-264-5604

APPEAL OF THE DECISION OF THE ZONING ADMINISTRATOR

Date: 12.30.96

TO THE PLANNING DIRECTOR:

I do hereby amke application to appeal the decision of the Zoning Administrator on 12.18.96 for project number Z 96121,
(date)

when a: Special Permit Variance
(check appropriate entitlement(s)) Lot Line Adjustment Lot Line Merger
 other _____

was: Granted Denied by the Zoning Administrator.
(check appropriate action)

Property Location: 3322-H St.

Grounds For Appeal: (explain in detail, may attach additional page(s))
A business should not be allowed in a R-1 zone.

Appellant: Gordon Hughes Daytime Phone: 441-2623

Address: 3300-H St. Sacramento

Appellant's Signature: Gordon B Hughes

OFFICE USE ONLY

Filing Fee (\$340) Received: \$340

Received by: L. Souza Date: 12-30-96

Distribute Copies to: Planning Director _____
(3 copies + original) Zoning Administrator
Secretary to Planning Commission _____
Original & receipt in file _____