

SACRAMENTO CITY PLANNING COMMISSION
1231 "I" STREET, SUITE 200, SACRAMENTO, CA 95814

APPLICANT Frank Siino, 6060 Sunrise Vista Dr., #1625, Citrus Heights, CA 95610
OWNER Frank Siino, 6060 Sunrise Vista Dr., #1625, Citrus Heights, CA 95610
PLANS BY Comstock-Johnson Architects, Inc., 10304 Placer Lane #A, Sacramento, CA 95827
FILING DATE 07-18-91 ENVIR. DET. Exempt 15303 REPORT BY Jeanne Corcoran
ASSESSOR'S PCL. NO. 013-0402-008

- APPLICATION:
- A. Tentative Map to subdivide one lot totaling 0.14+ partially developed acres into two lots in the Standard Single Family (R-1) zone.
 - B. Subdivision Modification to create two lots less than 100 feet in depth in the R-1 zone.
 - C. Subdivision Modification to create two lots less than 5200 square feet in the R-1 zone.
 - D. Variance to create two lots less than 100 feet in depth in the R-1 zone.
 - E. Variance to create two lots with less than 5200 square feet in the R-1 zone.
 - F. Variance to exceed the 25 percent rear yard coverage by allowing an existing garage and patio cover to cover 50 percent of the rear yard area.

LOCATION: 3516 38th Street

PROPOSAL: The applicant is requesting the necessary entitlements to subdivide an existing through lot into two lots in order to construct an additional single family unit for future sale.

PROJECT INFORMATION:

General Plan Designation: Low Density Residential (4-15 du/ac)
Existing Zoning of Site: R-1
Existing Land Use of Site: Single Family Residence

Surrounding Land Use and Zoning:	Setbacks:	Required	Provided
North: Single Family; R-1	Front:	22'6"	20'
South: Single Family; R-1	Side(No.):	5'	5'
East: Single Family; R-1	Side(So.):	5'	5'
West: Single Family; R-1	Rear:	15'	15'

Parking Required: 2 (one space per residence)

APPLC. NO. P91-200

MEETING DATE October 10, 1991

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Parking Provided: 2 single car garages
 Property Dimensions: 40' X 158'
 Property Area: 0.14± acres
 School District: Sacramento Unified School District
 Square Footage of Building: Existing house = 924± sq. ft.
 Garage = 252± sq. ft.
 Patio Cover = 168± sq. ft.

 Proposed house
 w/attached garage = 1,140± sq. ft.
 Height of Proposed Building: 15' (one story)
 Topography: Flat
 Street Improvements: Existing
 Utilities: Existing
 Exterior Building Materials: Wood Shingles
 Roof Materials: Composition shingle

Subdivision Review Committee Recommendation: On September 3, 1991, by a vote of seven ayes and two absent, the Subdivision Review Committee voted to recommend approval of the tentative map and the Subdivision Modifications subject to the attached conditions.

Project Evaluation: Staff has the following comments:

A. Land Use and Zoning

The subject site consist of a lot totaling 0.14± partially developed acres in the Standard Single Family (R-1) zone. The lot has street frontage on 37th Street and 38th Street. The Zoning Ordinance defines a lot with frontage on two public streets as a through lot. The east 85.4± feet is developed with a single family unit with a detached garage and a patio cover. The west 73 feet is vacant and currently used as yard area for the single family home. The General Plan designates the site as Low Density Residential (4-15 du/ac). The subject site is located in the Oak Park Redevelopment Area and any exterior modifications are subject to Design Review approval. The surrounding land use and zones are single family, R-1 to the north, south, east and west.

B. Applicant's Proposal

The applicant proposes to subdivide the 40' X 158' lot into two lots. The applicant proposes to construct a single family home on 37th Street. Due to the size of the property a number of variances and subdivision modifications are required.

C. Policy Considerations:

The Residential Land Use Element of the General Plan allows smaller lots to facilitate efficient urban use. Staff finds the applicant's proposal to be consistent with the General Plan Policy.

D. VariANCES/Subdivision Modifications:

Approval of the variances and subdivision modifications request will allow the creation of two substandard parcels. The two lots which will be created will be 40' X 85.4' (Parcel A) and 40' X 73' (Parcel B). The two lots will be substandard in lot depth and lot area resulting in Parcel A with 3400± square feet and Parcel B with 2920± square feet. The two lots will result in a substantial reduction in lot area from the standard 5200 square feet for single family lots. The proposed lots, although smaller than a standard lot, will be similar in size to the majority of lots on the block. Although the proposed lots will be substandard in area and depth staff supports approval of the tentative map. The lots to be created will be consistent in size and area of other lots in the surrounding neighborhood (See vicinity map). The lots will meet setbacks and lot coverage of a standard single family lot with the exception of the existing garage. The subject site is considered a through lot. The Zoning Ordinance states that a through lot with a depth of 125 feet or more, may be assumed to be two lots with the rear lines each approximately equal distance from the front of the lot lines, provided each such lot shall have an area of not less than 2,500 square feet; provided further that all yard requirements are complied with for the zone in which said through lot is located. The Zoning Ordinance allows the lot to be developed as two distinct lots, therefore, the applicant would be allowed to construct an additional unit facing 37th Street by right without review of the Planning Commission. The project is consistent with density and existing development in the area.

The lot split requires a variance for an existing single car garage and patio cover which will be located two feet from the proposed rear property line and will cover more than 25 percent of the required rear yard. Since the patio cover attaches the garage to the residential unit a five foot side setback is required from the structure to the property line. Currently a three foot setback is provided, therefore staff feels that this patio cover was not legally constructed. If the patio cover is removed the detached garage will conform to the Zoning Ordinance requirement for setbacks which allow a detached structure to be constructed on the property line if more than sixty feet back from the front property line and the structure must be six feet from the dwelling unit. However, the garage will still require a variance to cover 30 percent of the rear yard area. Staff recommends removing the patio cover and supporting the variance for the garage to exceed the rear yard coverage since the garage is existing and allows for a vehicle to be parked on the site rather than on the public street and provides safety and protection for personal property. The proposed unit on Parcel B will meet the fifteen foot rear yard setback and will provide adequate open space between structures. Staff has spoken to the engineer of the project, who is representing the owner, the owner would like to retain the patio cover but is willing to remove the cover in order to have the project approved. Staff further recommends that no future variances be approve for the construction of units, buildings or expansions on these two lots.

E. Building Design

The proposed unit is a single story, two bedroom one bath unit. The proposed building materials are a vertical wood siding with a composition shingle roof. The subject site is located in a the Oak Park Redevelopment Area, therefore the plans will be reviewed and approved by the Design Review staff.

Environmental Determination: The project is exempt from environmental review pursuant to State EIR Guidelines (CEQA Section 15303).

Recommendation: Staff recommends the Planning Commission take the following action:

- A. Recommend approval of the Tentative Map subject to the following conditions and forward to City Council.
- B. Recommend approval of the Subdivision Modification to create two lots less than 100 feet in depth and forward to City Council.
- C. Recommend approval of the Subdivision Modification to create two lots less than 5200 square feet and forward to City Council.
- D. Approve the Variance to create two lots less than 100 feet in depth subject to conditions and based upon findings of fact which follow.
- E. Approve the Variance to create two lots with less than 5200 square feet subject to conditions and based upon findings of fact which follow.
- F. Approve the Variance to exceed the 25 percent rear yard coverage subject to conditions and based upon findings of fact which follow.

Tentative Map Conditions

The applicant shall satisfy each of the following conditions prior to filing the Final Map unless a different time for compliance is specifically noted:

1. Pursuant to City Code Section 40.1302 (parkland dedication), the applicant shall submit to the City an appraisal of the property to be subdivided and pay the required parkland dedication in-lieu fees for the west parcel. The appraisal shall be dated not more than 90 days prior to the filing of the Final Map;
2. Dedicate a 14.5 foot public utility easement for underground and overhead facilities adjacent to 37th and 38th Streets;
3. Notice: Property to be subdivided in accordance with this map may be subject to flooding. Interested parties should ascertain whether and to what extent such flooding may occur. The applicable base flood elevations for the property should be reviewed. Base flood elevations are contained in the U.S. Army Corps of Engineers

Flood Insurance Study Working Map for the Sacramento Community, dated January 1989, available at the City of Sacramento's Public Works Department, Development Services Division, Room 100, 927 10th Street;

4. Locate the sewer service to the existing house. If the service currently connects to the sewer main in 37th Street, relocate the service as needed and provide a 5 foot, private easement across the western parcel prior to filing the Final Map. (The service may be relocated to connect to the main in 38th street, if desired prior to filing the Final Map.);
5. This project is located within an area of the City which is serviced by a combination sewer and drainage system. The applicant may be required to share in the costs for improvements needed to upgrade the combination system;
6. Place note on Final Map: Separate sewer and water services to the western parcel to be purchased and installed at time of obtaining building permits;
7. Existing sidewalk along 38th Street shall be removed and reconstructed per City standards.
8. Dedicate a two foot Irrevocable Offer of Dediccation along 37th and 38th Streets.
9. Provide a site grading plan for each lot. Each lot must comply with City grading standards and must drain to their respective street frontage;
10. Applicant may file a Certificate of Compliance and Waiver of Parcel Map in-lieu of a Final Map to record this lot split if no subdivision improvement agreement is required;

Conditions - Variance

1. The patio cover on Parcel A shall be removed.
2. No other structures or expansion of existing garage shall be allowed in the rear yard area of Parcel A.
3. The proposed building on Parcel B shall be reviewed by the Design Review staff prior to issuance of Building Permits.
4. Any proposed building on Parcel B shall conform to the setbacks of the R-1 zone.
5. The variance shall expire one year from date of Planning Commission approval unless a building permit has been issued and construction commenced. A one year time extension may be requested 30 days prior to expiration of the variance subject to review and approval of the Planning Commission.

Findings of Fact

1. The proposed project, as conditioned, is based upon sound principles of land use in that the project is compatible with the residential uses to the north, south, east and west.
2. The proposed project, as conditioned, will not constitute a special privilege in that several lots in the surrounding area are similar in width, depth and size.
3. The proposed project, as conditioned, will not be detrimental to the public health, safety, or welfare nor result in a nuisance in that:
 - a. a second single family home could be constructed on the lot without Planning approval; and,
 - b. adequate setbacks and lot coverage will be provided.
4. The proposed project, as conditioned, does not constitute a use variance in that single family dwellings are permitted in the Standard Single Family (R-1) zone.
5. The proposed project is consistent with the General Plan in that the site is designated low density residential.

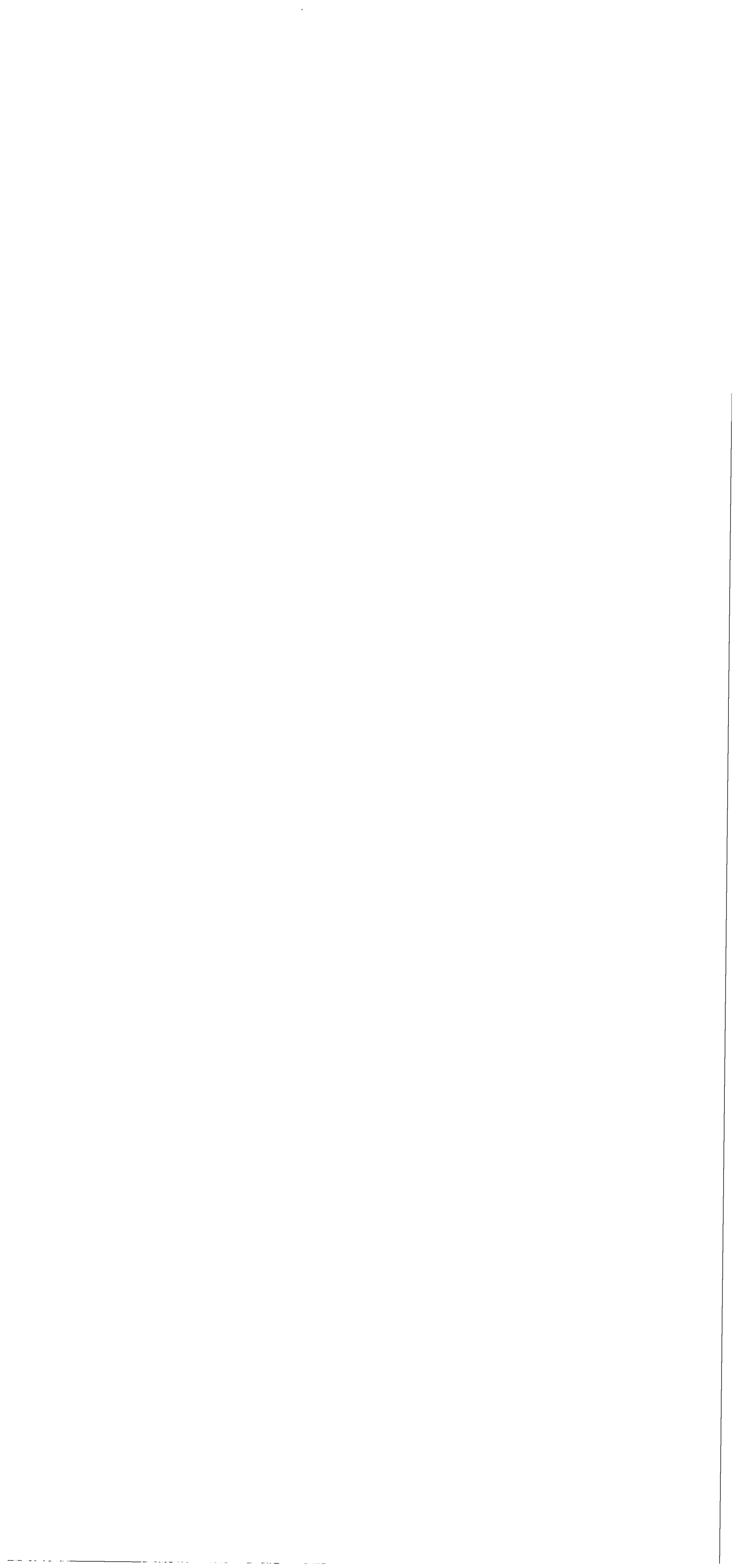
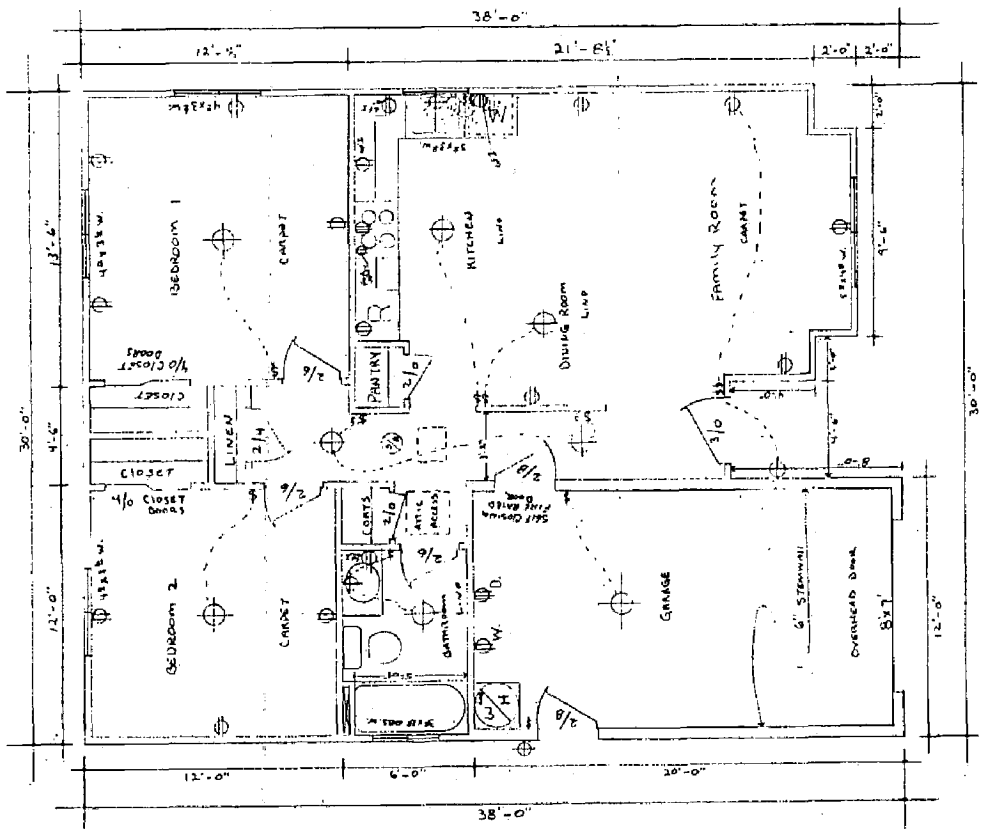


EXHIBIT B
FLOOR PLANS

- NOTES**
- 1. HALLWAY CONNECTION TO 14.1.200
 - 2. REAR PORCH CONNECTION
 - 3. 1/2" - 1/4" SLOPE AT RAMP
 - 4. 1/2" - 1/4" SLOPE AT RAMP
 - 5. 1/2" - 1/4" SLOPE AT RAMP
 - 6. 1/2" - 1/4" SLOPE AT RAMP
 - 7. 1/2" - 1/4" SLOPE AT RAMP
 - 8. 1/2" - 1/4" SLOPE AT RAMP
 - 9. 1/2" - 1/4" SLOPE AT RAMP
 - 10. 1/2" - 1/4" SLOPE AT RAMP
 - 11. 1/2" - 1/4" SLOPE AT RAMP
 - 12. 1/2" - 1/4" SLOPE AT RAMP
 - 13. 1/2" - 1/4" SLOPE AT RAMP
 - 14. 1/2" - 1/4" SLOPE AT RAMP
 - 15. 1/2" - 1/4" SLOPE AT RAMP
 - 16. 1/2" - 1/4" SLOPE AT RAMP
 - 17. 1/2" - 1/4" SLOPE AT RAMP
 - 18. 1/2" - 1/4" SLOPE AT RAMP
 - 19. 1/2" - 1/4" SLOPE AT RAMP
 - 20. 1/2" - 1/4" SLOPE AT RAMP



FLOOR PLAN - SCALE 1/4" = 1'-0"

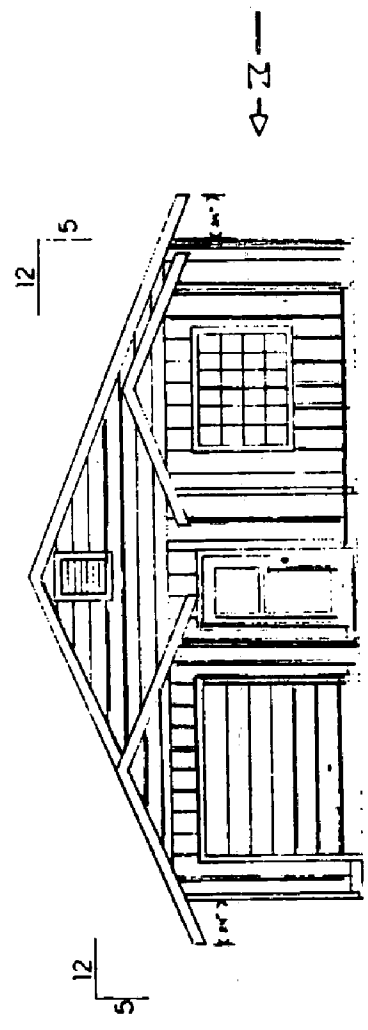
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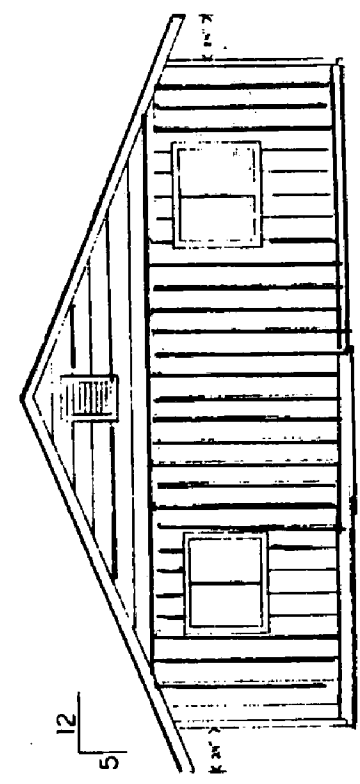
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EXHIBIT C
ELEVATIONS

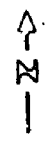
- NOTES**
- 1. ALL INTERIOR JOINTS ON LOW
 - 2. (GABLE) LAP SIDING ON ROOF
 - 3. 2x4 FLOOR
 - 4. 2x4 TRUSS
 - 5. 2x4x8x12 ORIGINAL INT. DOOR
 - 6. 55x58 FANCIER WINDOW TO RM
 - 7. 8'x12' ORIGINAL SECTIONAL GARAGE
 - 8. GABLED ROOF
 - 9. FAMILY ROOM EPISODES DRAWING TO BE IN THE HALL OF THIS 30.45 FT

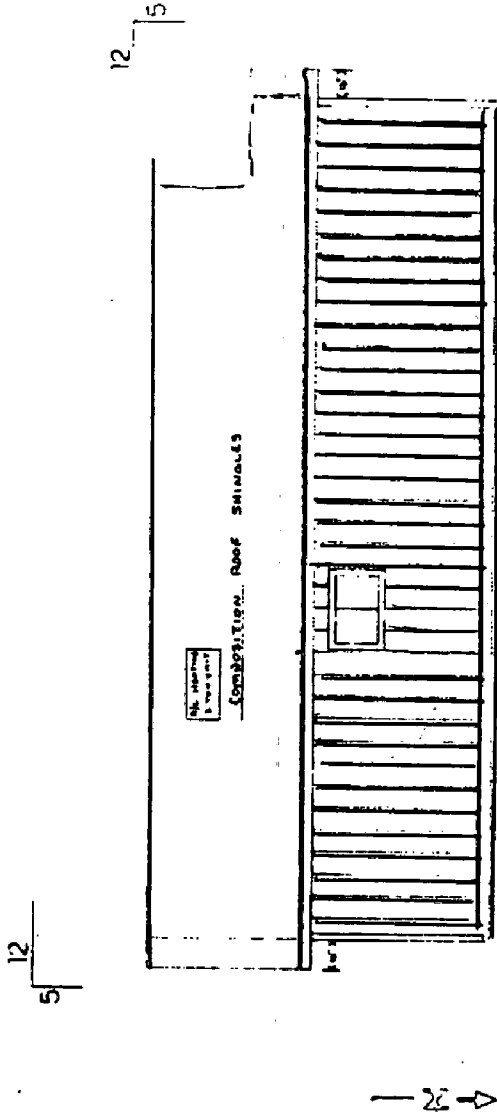


FRONT WEST ELEVATION

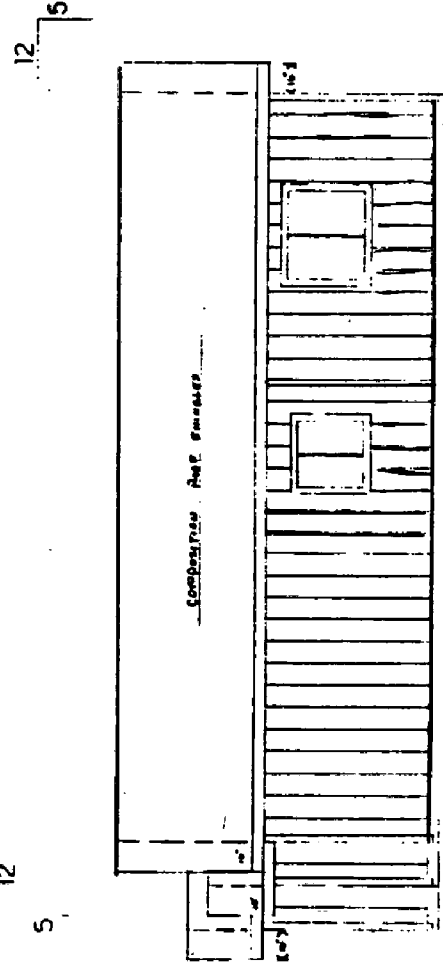


REAR EAST ELEVATION





NORTH SIDE ELEVATION scale 1/4" = 1'



SOUTH SIDE ELEVATION scale 1/4" = 1'

NOTES

- 1. ROOF TO BE COMBOSYN, TIGNO, ROOF SHIMULES
- 2. WALLS TO BE COMBOSYN, TIGNO, ROOF SHIMULES
- 3. FLOOR TO BE COMBOSYN, TIGNO, ROOF SHIMULES
- 4. ROOF TO BE COMBOSYN, TIGNO, ROOF SHIMULES

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