

ITEM 5.2: **Variance – INFILL PCL 10 – 123 Alta Ave Rear Addition – File # PL20-0229**

REQUEST

The project applicant requests a variance to allow an addition of 138 square feet to the rear of a home. The variance includes a reduction in the required side yard setback for a corner lot from 15 feet to 5 feet. The proposed addition will be set back from the side property line the same distance as the existing house.

Applicant/Owner – Beverly Calkins

SUMMARY RECOMMENDATION

The Planning Division recommends that the Planning Commission take the following actions:

- A. Adopt the three (3) findings of fact and approve the Variance subject to three (3) conditions of approval.

SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues associated with this request. The applicant has reviewed and is in agreement with the recommended conditions of approval.

BACKGROUND

The project site is located on the southwest corner of Alta Avenue and Grove Street in the Infill area of the City (Figure 1). The property is zoned Single-Family Residential (R1) and has a land use designation of Low-Density Residential (LDR-5). Surrounding uses are all low-density residential. The property is a part of the Los Cerritos subdivision which was created in 1906, before the City incorporated in 1909. Many houses in the neighborhood appear to have been constructed in the early 20th century, prior to the City's first Zoning Ordinance.

The lot is approximately thirty-five (35) feet wide by one hundred fifty (100) feet long. The 3,596 square foot parcel is currently developed with a 1,056 square-foot single-family residence and a detached approximately 150 square-foot garage (see Exhibit A).

The current project request is for a variance to allow construction of an addition of 138 square feet to the rear of the home. The proposed addition will maintain the existing non-conforming street side yard setback of the home. The request varies from the Zoning Ordinance requirement by 67%. Chapter 19.74.020 of the Zoning Ordinance states that the Planning Commission shall be the approving authority for any variance exceeding 35% of a development standard.

SITE INFORMATION

Address: 123 Alta Avenue

Parcel Size: .08 acres (3,596 square feet)

Topography and Setting: The project site is a developed infill parcel on a generally flat lot.

Figure 1: Project Location



EVALUATION

In accordance with the Chapter 19.78.060.G of the Zoning Ordinance, three (3) findings must be made in order to approve a Variance. The required findings for a Variance are listed below in ***italicized bold*** print and are followed by an evaluation:

- 1. There are special circumstances applicable to the property, including size, shape, topography, location or surroundings, such that the strict application of the provisions of this Zoning Ordinance deprives the property of privileges enjoyed by other property in the vicinity and under identical land use district classification.***
- 2. The granting of the variance will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in such vicinity and land use district in which the property is located.***
- 3. The granting of the variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel and will not constitute a grant of special privilege inconsistent with the limitations upon other property in the vicinity and under identical zoning classification.***

As previously referenced, the project site is located in the Los Cerritos subdivision, which was established in the early 1900s. As shown in Figure 1 the neighborhood is characterized by small lots and structures that are built within close proximity to property lines. This development pattern is typical of older neighborhoods of the City.

Since the subject property is located within a neighborhood that was largely developed prior to the establishment of zoning standards, many of the existing structures do not meet current setback requirements. The existing home at 123 Alta Ave does not meet most of the development standards that

would be required if the same home were built today. Table 1 compares the home to the current Zoning Ordinance requirements.

Table 1. Zoning Ordinance Comparison

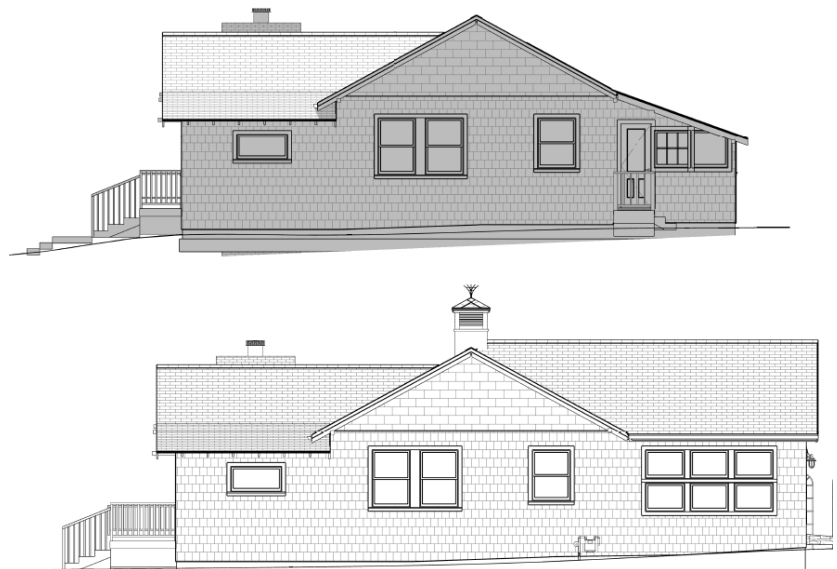
Development Standard	Zoning Ordinance Requirement	123 Alta Ave	% Difference
Minimum Corner Lot Area	7,500 sf	3,596 sf	52%
Minimum Corner Lot Width	75 ft	35 ft	53%
Front Setback	15 ft	12 ft 3 in	18%
Street Side Yard Setback	15 ft	5 ft	67%

The small lot area and width of the property are a special circumstance that deprives the property of privileges enjoyed by other properties in the area with the same land use designation. Enforcing the setbacks adhering to the current Zoning Ordinance would deprive the property owner from adding a small addition to their home in a way that is usable.

The granting of the variance will not be materially detrimental to the public health, safety, or welfare, or injurious to the property or improvements in such vicinity and land use district in which the property is located because the addition is a minor expansion of an existing condition. The variance request is for a reduction in the required side yard setback. The project will increase the lineal feet of the house by approximately 6 feet. The project includes 9 feet of remodel and an addition of 6 feet to the rear of the home to create a larger and more usable laundry room and bedroom. The design and materials of the addition will match those of the existing home to create a seamless addition. The existing laundry room at the rear of the home is an unattractive and unpermitted addition that was not constructed to meet building codes. The proposed remodel and addition will meet building codes and create an attractive rear of the home. Figure 2 compares the existing and proposed rear of the home.

The granting of the variance does not allow a use or activity which is not otherwise expressly authorized by the regulations governing the subject parcel and will not constitute a grant of special privilege inconsistent with the limitations upon other property in the vicinity because the addition does not change the use of the home or increase the land use density of the property.

Figure 2. Existing (above) and Proposed (below) Home



PUBLIC OUTREACH

The proposed project was distributed to the various agencies and departments which have requested notice of City applications, and all comments were considered and

incorporated into the Conditions of Approval, as appropriate. Notice of the application was also distributed to the Roseville Coalition of Neighborhood Associations. No comments were received. A public notice of the Planning Commission hearing was published on January 29th, and was distributed to all property owners within 300 feet of the project site. To date, no comments have been received.

CONCLUSION

Staff has reviewed the development plans for the variance and found them to be consistent with the applicable standards and guidelines. As discussed above and with the following conditions, staff supports approval of the proposed project.

ENVIRONMENTAL DETERMINATION

This project is categorically exempt from the environmental review requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15305, "Minor Alterations in Land Use Limitations". The project involves a minor setback variance not resulting in any changes to land use density and is therefore exempt per the CEQA guideline listed above.

RECOMMENDATION

The Planning Division recommends the Planning Commission take the following actions:

- A. Adopt the findings of fact as stated in the staff report and approve the **VARIANCE – INFILL PCL 10 – 123 ALTA AVE REAR ADDITION – FILE # PL20-0229** subject to three (3) conditions of approval.

CONDITIONS OF APPROVAL FOR VARIANCE FILE # PL20-0229

1. This Variance approval shall be effectuated within a period of two (2) years from this date and if not effectuated shall expire on **February 11, 2023**. Prior to said expiration date, the applicant may apply for an extension of time, provided, however, this approval shall be extended for no more than a total of one year from **February 11, 2023**. (Planning
2. The street side yard fence shall be reduced to 3 feet in height if it is not relocated to meet the required Zoning Ordinance setback.
3. A building permit is required for the new addition and remodel of the existing house.

Exhibits

- A. Plans

Note to Applicant and/or Developer: Please contact the Planning Division staff at (916) 774-5276 prior to the Commission meeting if you have any questions on any of the recommended conditions for your project. If you challenge the decision of the Commission in court, you may be limited to raising only those issues which you or someone else raised at the public hearing held for this project, or in written correspondence delivered to the Planning Manager at, or prior to, the public hearing.