



NORTH FAIR OAKS COMMUNITY COUNCIL

Owner: Carlos Vargas

Applicant: Carlos Vargas

File Number: PLN 2022-00074

Location: 2796 Westmoreland Avenue, North Fair Oaks

APN: 054-273-090

Project Description:

Non-conforming Use Permit to legalize 342 sq. ft. of additions to an existing 909-sq.-ft. non-conforming one-story single -family residence on a substandard 2,479 sq. size parcel. No tree removal and no grading are proposed.



Westmoreland Ave

Dumbarton Ave



A



B



C



(E) STD CURB

WESTMORLAND AVENUE

40' WIDE

(839.73') (1)
840.58' MEAS
S 52°20'16" E MEAS.

S 52°20'00" E (1)

135.10'

20 ft setback required

10 side yard required.

(E) WATER METER

(E)

~~(E) CONC SIDEWALK~~

○ (E) WATER VALVE

(E) POLE

S 52°20'00" E (1)

S 52°20'16" E

GATE

6' HIGH WOOD FENCE

70.07'
(70.00') (1)

5.47'

W

20

0.77

ED

(E) ONE STORY DWELLING

N 52°20'16" W

100.10'

N 52°20'00" W

2.28

6' HIGH WOOD FENCE

(E) POLE

(E) CONC SIDEWALK

MP

1000

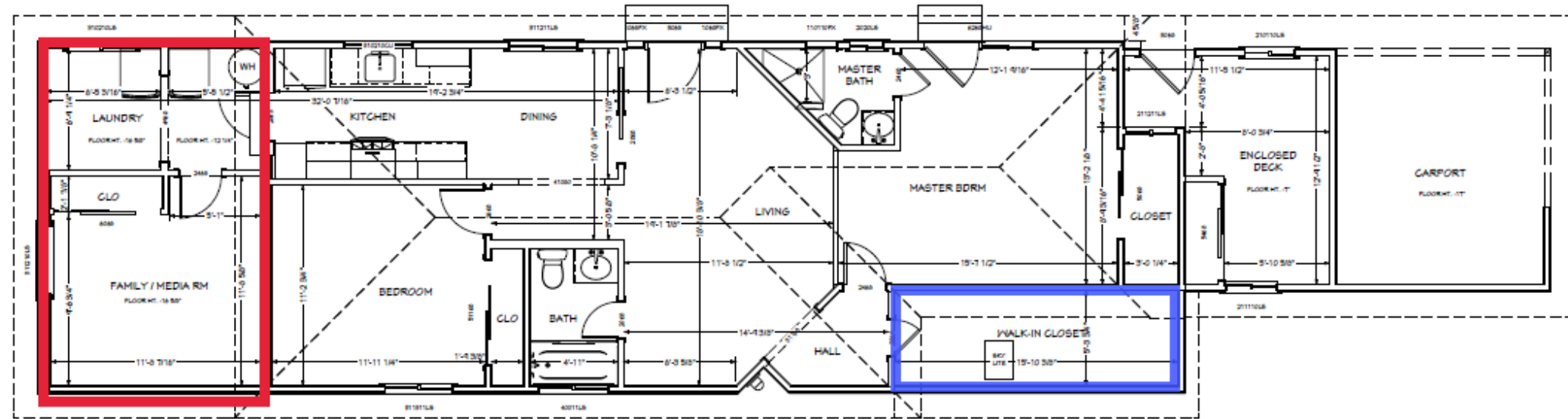
WORKING SIGNATURE

35.00

5 ft setback required

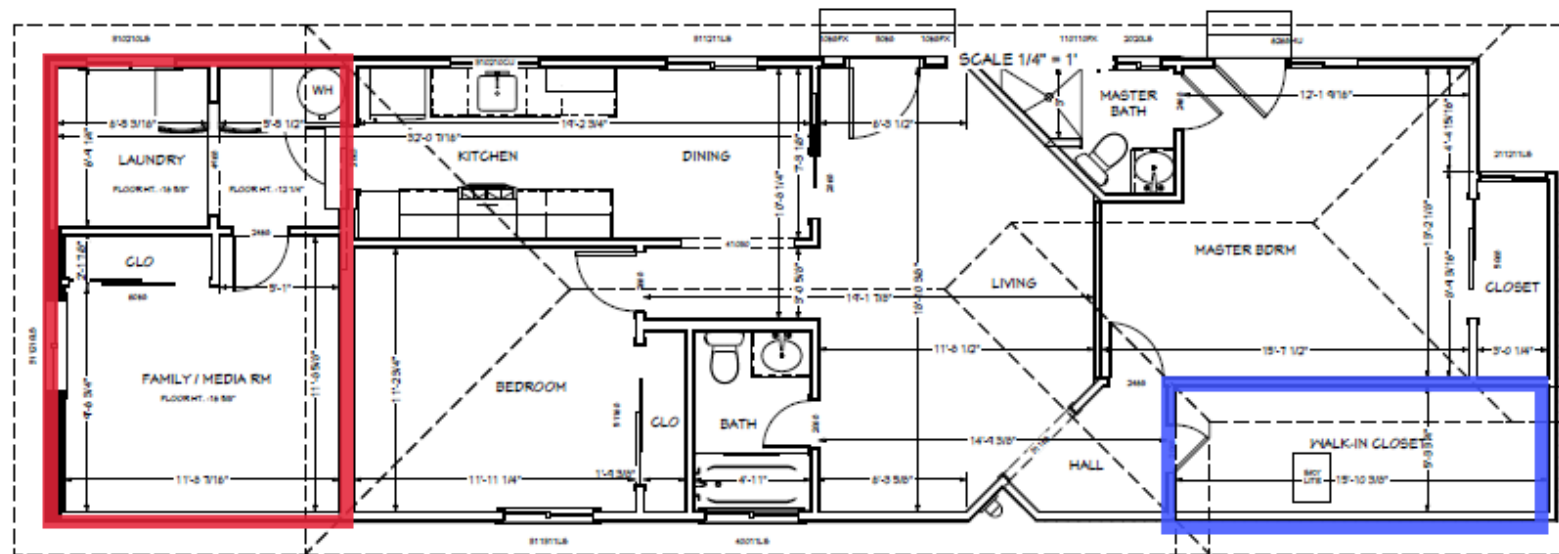
(E) GARAGE

Existing



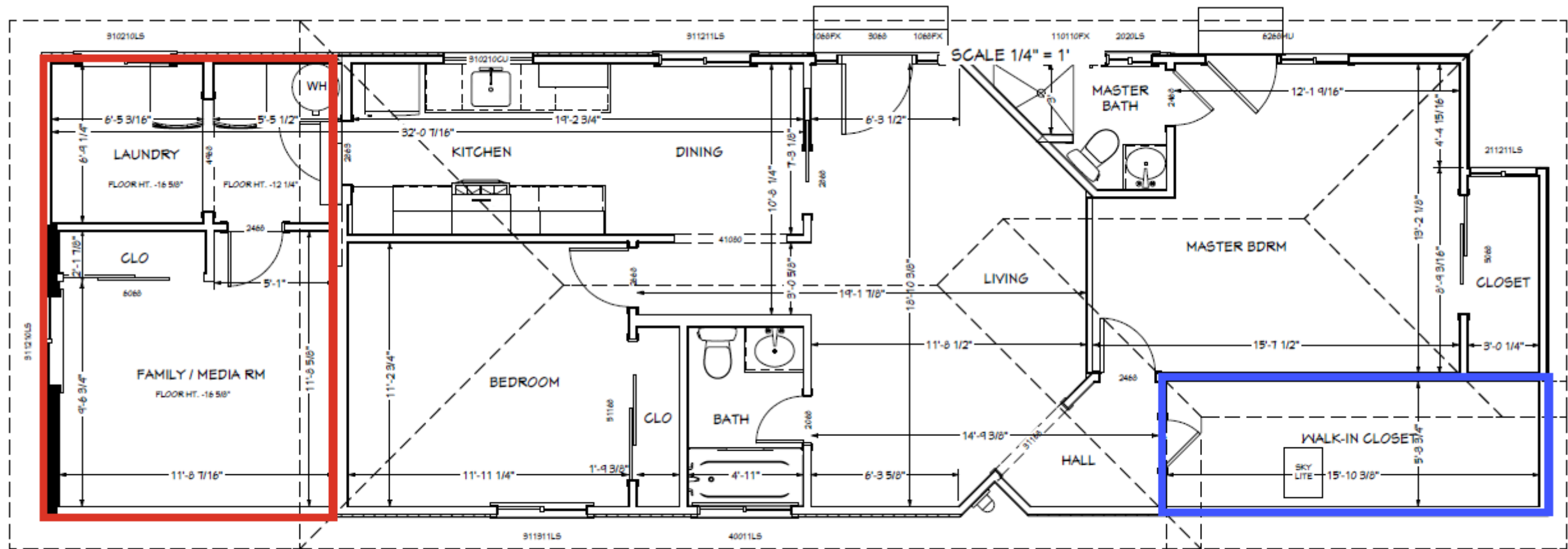
EXISTING FLOOR PLAN

Proposed



PROPOSED FLOOR PLAN

Floor Plan



PROPOSED FLOOR PLAN

Enlarged Floor Plan



Project conformity

- General Plan /North Fair Oaks Community plan
- R-3/ S-3 Zoning District
 - For height
 - No floor area limit



Use Permit

- **The proposed development is proportioned to the size of the parcel on which it is being built.**
- **All opportunities to acquire additional contiguous land in order to achieve conformity with the zoning regulations currently in effect have been investigated and proven to be infeasible.**
- **The proposed development is as nearly in conformance with the zoning regulations currently in effect as is reasonably possible.**
- **The establishment, maintenance, and/or conducting of the proposed use will not, under the circumstances of the particular case, result in a significant adverse impact to coastal resources, or be detrimental to the public welfare or injurious to property or improvements in the said neighborhood.**
- **Use permit approval does not constitute a granting of special privileges.**



ENVIRONMENTAL REVIEW

The project is categorically exempt pursuant to California Environmental Quality Act Guidelines Section 15301, Class 1(e), for a residential addition to an existing structure where the addition will not result in an increase of more than 50 % of the floor area of the structure before the addition, or 2,500 sq. ft., whichever is less.



RECOMMENDATION

That the North Fair Oaks Council recommend approval of the Use Permit to legalize the front closet addition and the rear room addition with substandard setbacks on a substandard 2,479 sq. ft. non-conforming parcel.



Public Comment Received

Opposes the project, there is already a shortage of parking in the community.







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	S-5 Development Standard	Existing (based on legal building area)	Proposed Addition
Minimum Lot Size	5,000 sq. ft	2,479 sq. ft.	No change
Minimum Front Setback	20 ft.	28 ft.	No change
Minimum Rear Setback	20 ft.	17 ft. 2 in.	5 ft. 3 in.
Minimum Side Setback	10 ft., right side yard 5 ft. left side yard	8 ft. 7 in. (right side) 2 ft. 5.2 in. (left side)	8 ft. 7 in. (right side) 2 ft. 2 in. (left side) **
Maximum Height	36 ft.	11 ft. 9 in.	11 ft. 9 in.
Lot Coverage	50%/1,250 sq. ft.	50%/909 sq. ft.	50%/1,252 sq. ft.

**Non-conforming Use Permit required



PROJECT PROPOSAL

- Reduced left side yard setback of 2.2 ft. , the interior side, where 5 ft. is required,
- 8.85 ft. along the right street side property line where 10 feet is required
- 5.47 ft. along the rear property line where 20 feet is required.
- Exceed the maximum allowed lot coverage by 2 square feet
- Waive the requirement for two off-street parking spaces