

# Variance Request for As-Built Addition Constructed in Side Setback

ZV23-001

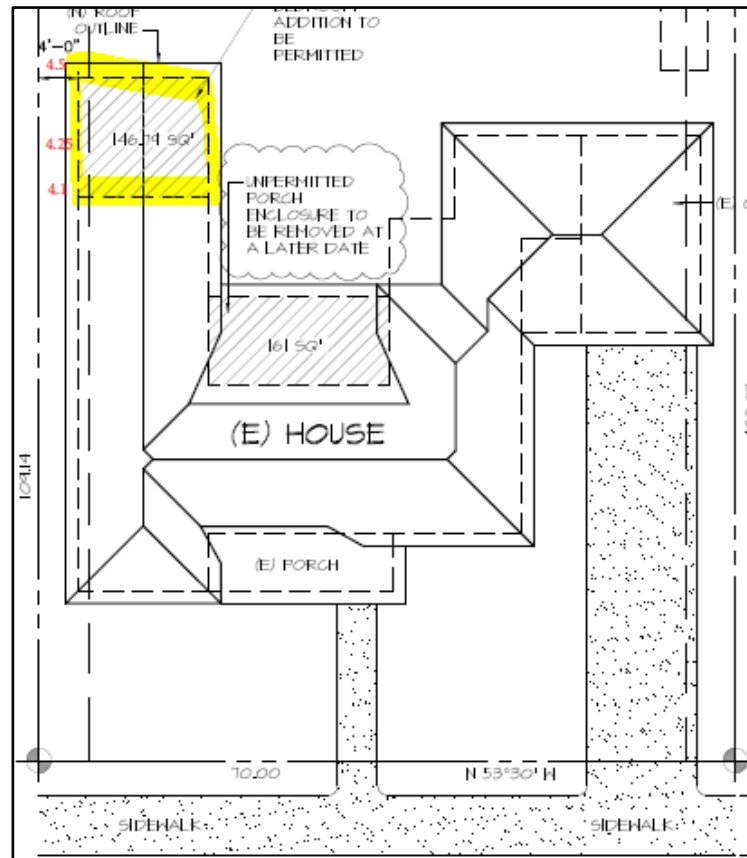
2113 Terrace Way

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November 16, 2023

Sheila Wolski, City Planner  
Planning and Economic Development

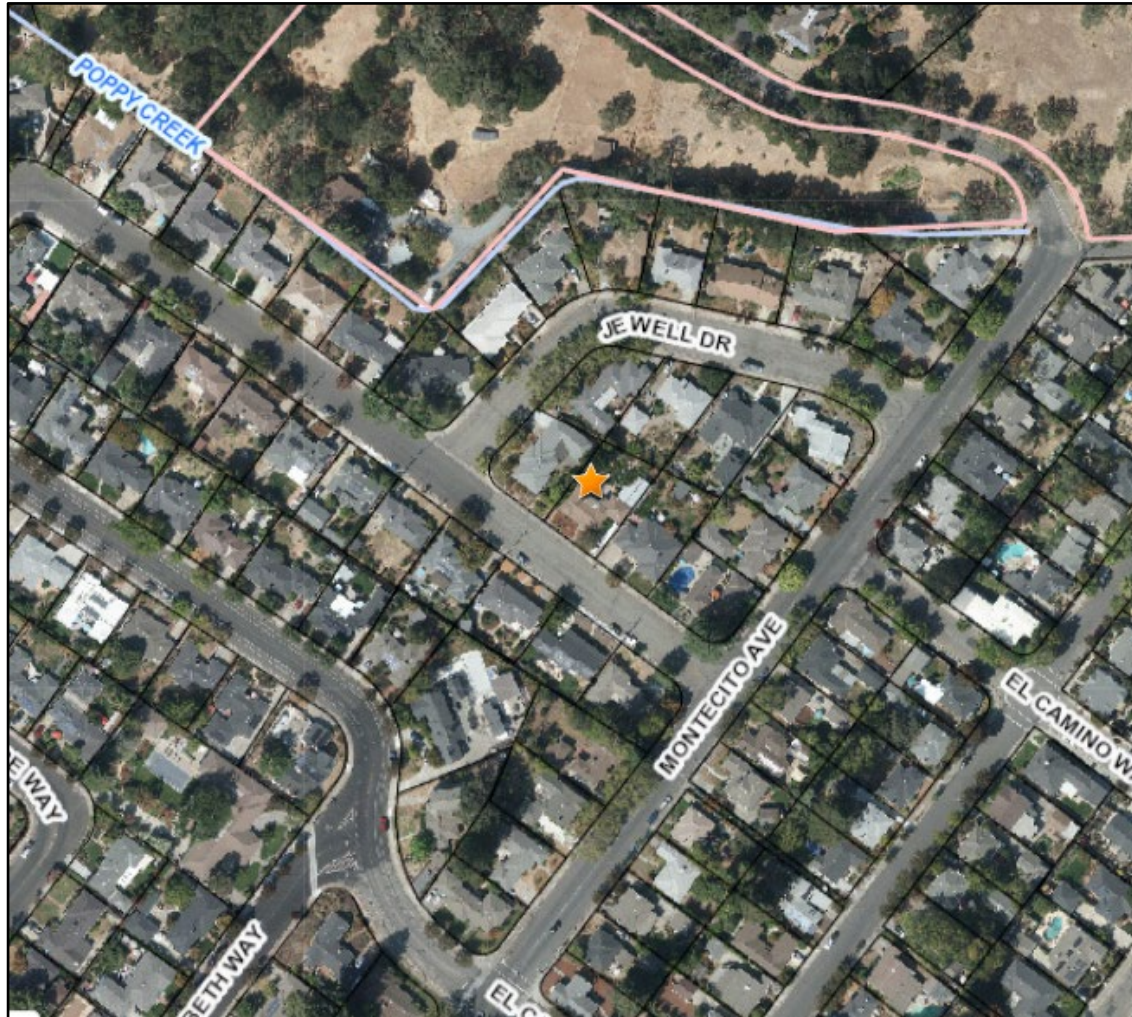
The applicant is requesting a Variance to allow unpermitted construction to encroach into the side setback



# 2113 Terrace Way

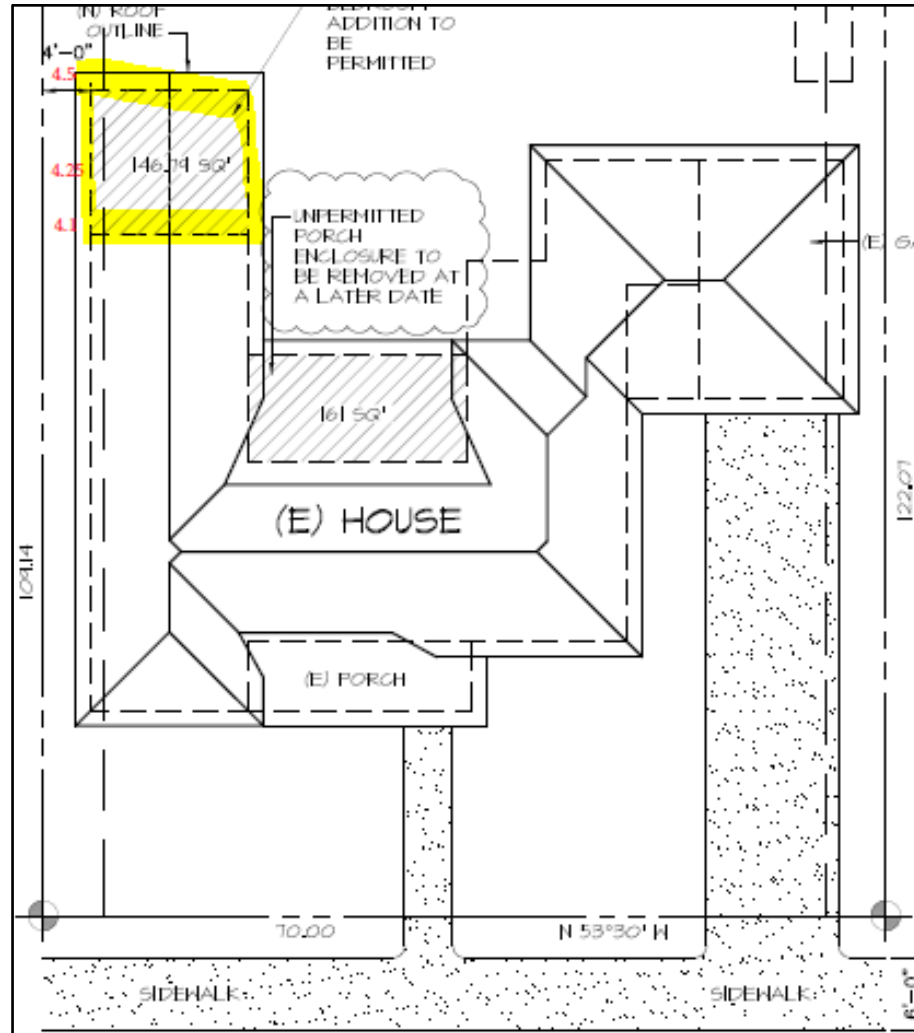
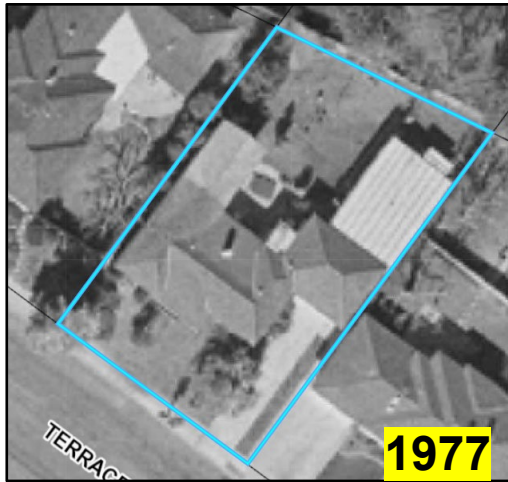


# Neighborhood Context



- Zoning District: R-1-6 (Single-Family Residential)
- General Plan Land Use Designation: Low Density Residential







# Setbacks Neighboring Properties





## Required Variance Findings

- 1) There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, topography, or other conditions), so that the strict application of this Zoning Code denies the property owner privileges enjoyed by other property owners in the vicinity and under identical zoning districts or creates an unnecessary and non-self-created hardship or unreasonable regulation which makes it obviously impractical to require compliance with the applicable development standards.
  - Non-self-created
  - Hardship and impractical to demolish one foot of structure
  - Multiple primary homes in subdivision constructed at less than five-foot setback

## Required Variance Findings

- 2) A non-self-created hardship peculiar to the subject property does exist by reason of the conditions, and that these conditions are not common to all or most of the properties in the immediate area which are also within the identical zoning district.
- Non-self-created hardship
  - Addition could have been permitted at this setback when it was constructed in the mid-1970s; however, it is not consistent with current Zoning Code standards

## Required Variance Findings

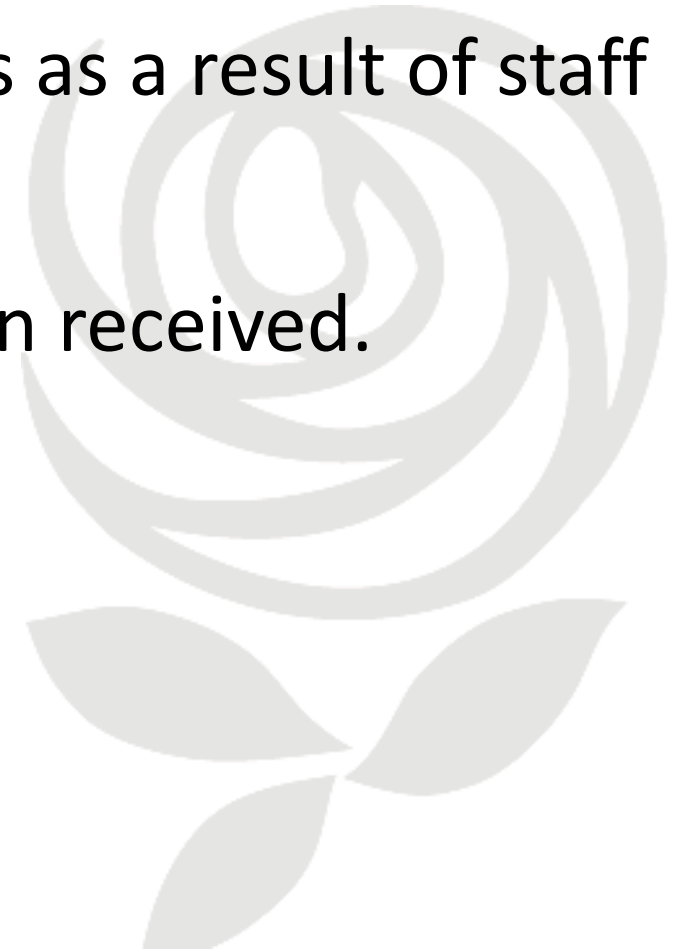
- 3) Granting the Variance is necessary for the preservation and enjoyment of a substantial property right possessed by other properties in the vicinity which are within the identical zoning district as the subject property, and that a Variance, if granted, would not constitute a special privilege to the subject property which is not held or enjoyed by neighboring properties within the identical zoning district.
- Multiple primary homes in subdivision constructed at less than five-foot setback

## Required Variance Findings

- 4) The Variance would not be of substantial detriment to adjacent properties and would not be in conflict with the purposes and intent of this Zoning Code, the General Plan, any applicable specific plan, or the public interest or welfare.
  - No code enforcement record for this property/addition

- 5) The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA) and has been found to be Categorically Exempt from further evaluation under CEQA, pursuant to Section 15301 (Existing Facilities) in that the addition will not result in an additional 50 percent of the floor area of the existing home.

- There are no unresolved issues as a result of staff review.
- No public comments have been received.



It is recommended by the Planning and Economic Development Department that the Zoning Administrator, by Resolution, approve a Minor Variance that would allow a primary home addition at a four-foot setback, at 2113 Terrace Way.

Sheila Wolski, City Planner  
Planning and Economic Development  
[swolski@srcity.org](mailto:swolski@srcity.org)  
(707) 543-4705

