REPORT TO COUNCIL
City of Sacramento

26

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

PUBLIC HEARING
April 3, 2007

Honorable Mayor and
Members of the City Council

Title: Call-Up of 1812 1st Avenue Second Unit (Z05-338)

Location/Council District: 1812 1st Avenue, APN: 010-0272-004, Council District 4

Recommendation: Conduct a public hearing and upon conclusion: 1) adopt a **Resolution** determining the project exempt under the California Environmental Quality Act, 2) adopt a **Resolution** approving Special Permit to allow the second floor of an existing accessory structure to be converted into a Second Residential Unit which does not meet the required fifteen (15) foot rear (south) setback and the required three (3) foot interior (left) side (east) setback, on 0.10± developed acres in the Standard Single Family (R-1) zone.

Contact: Robert W. Williams, Assistant Planner, (916) 808-7686; Joy Patterson, Principal Planner (916) 808-5607

Presenters: Robert W. Williams, Assistant Planner, (916) 808-7686

Department: Development Services

Division: Current Planning

Organization No: 4881

Description/Analysis

Issue: The applicant is proposing a 768 square foot second residential unit on the second floor of an existing two-story 1296 square foot accessory structure which is located to the rear of a one-story home. A Special Permit is required to establish the second unit because the structure does not comply with the required setbacks for a structure which contains a residential use. Due to a lack of necessary votes, the project was denied at Planning Commission on October 26, 2006; Councilmember Fong has called up the project for review.

Background: In 1976, a two-story accessory structure was constructed on this parcel. In November 2001, when the structure was being used illegally as a second residential unit, a fire severely damaged the structure. In order to repair the structure to be legally used as a second residential unit, the previous property owner applied to the Planning Commission for a Special Permit. That project, which was to allow an 1152 square foot, two-story, second residential unit without a garage (P02-112), was denied by the Planning Commission on September 25, 2003.

Since 2003 the accessory structure has remained in a dilapidated state and is a Housing and Dangerous Buildings case. The current property owner, as part of his plan to bring the building up to code, is requesting a Special Permit to allow a garage and 192 square feet of laundry-storage and bathroom area on the ground level and a residential unit on the second floor. (Second floor is 576 square feet).

Committee/Commission Action: This project was first noticed for a hearing to be held before the Zoning Administrator on May 11, 2006. The noticing of the hearing generated several calls from neighbors opposed to the project. Staff continued the project until June 1, 2006, in order to allow the applicant some additional time to consult with the immediate neighbors. Staff received additional calls of opposition to the project during this period. On May 30, 2006, the Zoning Administrator elevated this project to be heard before the Planning Commission, due to the increased amount of opposition the project continued to generate.

On July 13, 2006 the project was heard before the Planning Commission. Commissioners requested that the applicant revise his plans to improve the design of the existing structure and to provide for additional privacy for the immediate neighbors. The commissioners voted seven ayes and zero noes to continue the project. The applicant made some minor revisions to the plans and on October 26, 2006, the project was again heard by the Commission. The Planning Commission voted three ayes, two noes and two abstentions to approve the Special Permit to allow a second unit. The motion to approve failed due to lack of four affirmative votes. Two commissioners abstained as they were recently appointed and had not been at the previous Commission meeting. Since the Planning Commission meeting, the applicant has significantly revised the plans to clearly show the building materials, awnings, privacy screening and design details for the unit.

Policy Considerations: The proposed project is consistent with City and State requirements to provide secondary dwelling units for additional housing opportunities. The General Plan supports secondary units on single family lots. This site is also within a 1/4 mile radius (walking distance) of a light rail station.

Smart Growth Principles: City Council adopted a set of Smart Growth Principles in December 2001 to promote growth or sustain existing development that is economically sound, environmentally friendly, and supportive of community livability. The subject proposal aids in the creation of a range of housing opportunities and choices with a diversity of affordable housing.

Strategic Plan Implementation: The project conforms with the City of Sacramento Strategic Plan, specifically by advancing the goals to achieve sustainability, enhance livability, and increase opportunities for all Sacramento residents to live in safe and affordable housing.

Environmental Considerations: The proposed project is exempt from environmental review pursuant to California Environmental Quality Act

Guidelines (CEQA Section 15303(a)). Section 15303 allows for projects such as the current application to be categorically exempt from CEQA guidelines because the proposed use involves a second dwelling in a residential zone.

Rationale for Recommendation: Staff recommends approval of the Special Permit request. The size of the second residential unit (as defined by the zoning code) has been reduced in size to a total of 768 square feet (including ground floor laundry, storage room and bathroom). The project has adequate onsite parking (including a garage), and the existing structure will be modified to be compatible with the surrounding neighborhood.

Financial Considerations: This project has no fiscal considerations.

Emerging Small Business Development (ESBD): No goods or services are being purchased under this report.

Respectfully Submitted by: _____
DAVID KWONG
Planning Manager

Approved by: _____
WILLIAM THOMAS
Director of Development Services

Recommendation Approved:

_____
for RAY KERRIDGE
City Manager

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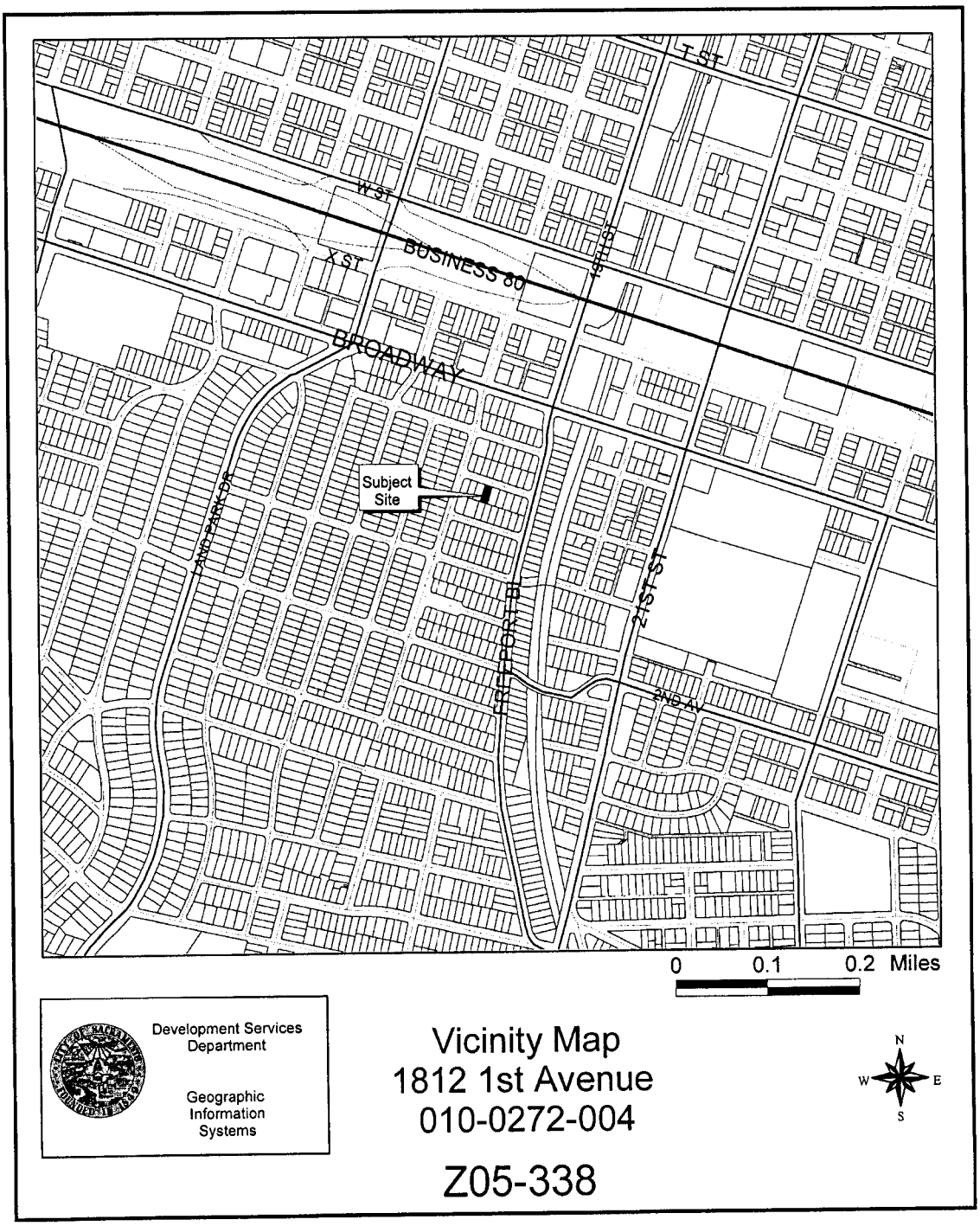
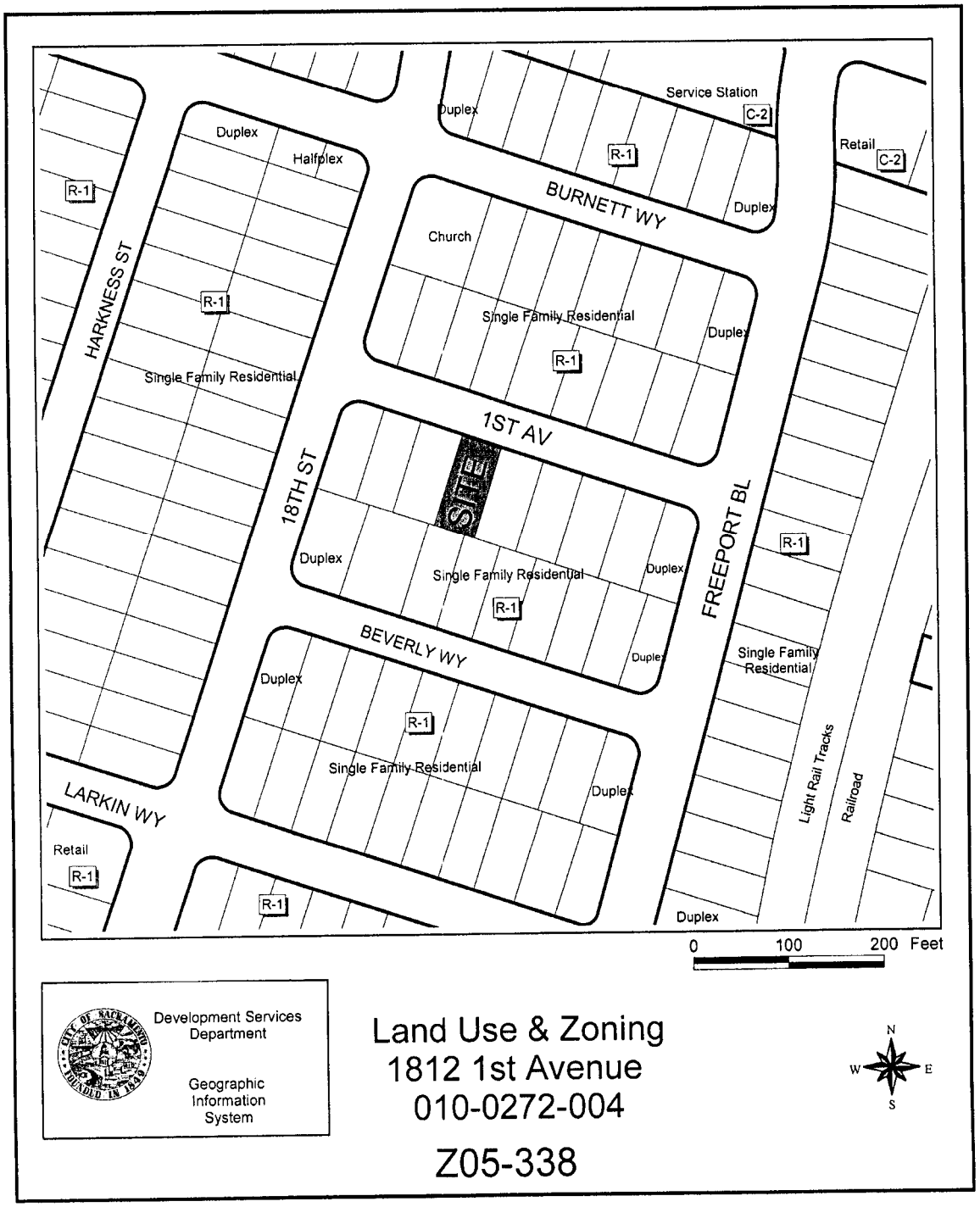
Attachment 1 – Vicinity Map



Attachment 2 – Land Use and Zoning Map



Attachment 3 – CEQA Exemption

RESOLUTION NO. 2007-

Adopted by the Sacramento City Council

DETERMINING PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (1812 1ST AVENUE – SECOND UNIT – Z05-338)

BACKGROUND

A. The City of Sacramento's Environmental Planning Services has reviewed 1812 1st Avenue – Second Unit (Z05-338) ("Project") and has determined the Project is exempt from review under the California Environmental Quality Act as follows:

   a. The Project is exempt under the following provisions of the California Environmental Quality Act and/or Guidelines: Section 15303(a)-New Construction or Conversion of Small Structures.

   b. The factual basis for the finding of exemption is as follows: The project involves a second dwelling unit in a residential zone.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The City Council has reviewed and considered the Environmental Planning Services determination of exemption and the comments received at the hearing on the Project and determines that the Project is exempt from review under the California Environmental Quality Act for the reasons stated above.

Attachment 4 – Resolution Approving Special Permit

RESOLUTION NO. 2007-

Adopted by the Sacramento City Council

APPROVING THE SPECIAL PERMIT FOR THE 1812 1ST AVENUE SECOND UNIT (Z05-338) (APN: 010-0272-004)

BACKGROUND

A. On May 30, 2006, the Zoning Administrator acted to elevate the Special Permit to be determined by the Planning Commission; and,

B. On October 26, 2006, the Planning Commission denied the Special Permit for the 1812 1st Avenue Second Residential Unit; and,

C. On November 3, 2006, the project was called-up to be heard by the City Council by Council Member Fong; and,

D. On April 3, 2007 the City Council heard and considered evidence in the above-mentioned matter.

E. The City Council has determined that the project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines (section 15303 New Construction or Conversion of Small Structures)

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Based on verbal and documentary evidence at said hearing, the City Council approves the 1812 1st Avenue Second Unit Special Permit to allow a Second Residential Unit on 0.10± developed acres in the Standard Single Family (R-1) zone.

Section 2. The approval of the 1812 1st Avenue Second Unit Special Permit is made upon the following Findings of Fact and subject to the following Conditions of Approval.

A. FINDINGS OF FACT

1. Granting the Special Permit is based upon sound principles of land use in that:
   a. A Second Residential Unit is a permitted use in the Standard Single Family (R-1) zone.
   b. The proposed project, as conditioned, is compatible in design with the existing home on the property and existing homes on surrounding properties in the neighborhood.
   c. The project is conditioned to minimize impacts to surrounding properties.

2. Granting the Special Permit would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
   a. The use will not generate significant new impacts to the nearby residential properties.
   b. Adequate parking is provided.
   c. The reduced setbacks are for the conversion of an existing legal structure into a secondary dwelling and will have minimal impact on any neighboring properties.

3. The proposed project is consistent with the General Plan which designates the site for Low Density Residential (4/15).

B. CONDITIONS OF APPROVAL

GENERAL:

1. The proposed Second Residential Unit shall be constructed in conformance to the submitted plans. (Except as required to be revised by the Building Division and by these Conditions of Approval).
2. The applicant shall obtain the necessary building permits for the second residential unit.
3. The structure shall contain an approved residential fire sprinkler system.
4. The existing vertical siding shall be removed and replaced with horizontal lap siding as shown on plans.
5. New roofing shall be provided and shall be a minimum standard of 30-year laminated dimensional composition shingle. All deteriorated eaves shall be repaired or replaced and painted to match. Any proposed gutters shall be ogee style.
6. Any deteriorated driveway shall be repaired and be fully paved per the City paving regulations. The site plan shall show the all paved driveway and parking

areas.

7. The garage door shall have a decorative raised panel design.
8. All vents or any other mechanical projections on the roof shall be painted to match the roof. No new mechanical equipment is allowed on the roof.
9. All windows and sills that are deteriorated must be repaired or replaced. The window on the front (north-facing) of the structure shall be single or double hung style windows. Decorative awnings with side panels shall be placed on the north and south facing windows to shield view of adjacent properties. If a bathroom window is required on the south elevation, it shall be opaque. The only other window permitted on the south elevation is the kitchen window.
10. Addressing for the second unit shall be located on the property such that is visible from the street.
11. The 144 square foot deck on the second floor porch/balcony shall remain unenclosed on the north and south elevations. A privacy wall shall be added to the west elevation as shown on the attached plans.
12. The floor plan submitted to the building division shall label all rooms. Only one bedroom is permitted in the second unit.
13. Any modification to the project shall be subject to review and approval by Planning Department staff.
14. *Planning Advisory Note:* The Zoning Code currently requires the property owner to live on the property as long as there is a second unit on the property. If, in the future, the property owner does not live on the property, the building will cease use as a second residential unit and only be used as an accessory structure.

BUILDING:

15. The East wall shall have a one-hour fire-resistive rating per CBC Table 5-A or a parapet per CBC Section 709.4

UTILITIES:

16. Only one domestic water service per parcel is allowed. Any new domestic water services shall be metered. Excess domestic water services must be abandoned to the satisfaction of the Department of Utilities. The location of the existing public water main in the rear of the lots shall be verified and the main shall be protected during construction activities. The location of the existing water service in the rear of the lot shall be verified to determine if it needs to be relocated and/or replaced with another service.
17. *Utilities Advisory Note:* This project is served by the Combined Sewer System (CSS), however based on the project description there will be no significant

impact to the CSS.

18. *Utilities Advisory Note:* The applicant is responsible for the protection and the repair of the City combined sanitary sewer and water mains during the construction of the proposed structure. Contact Underground Service Alert at 1-800-642-2444, 48 hours before work is to begin.
19. *Utilities Advisory Note:* The lot must be graded so that drainage does not cross property lines.
20. *Utilities Advisory Note:* The applicant must comply with the City of Sacramento's Grading and Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.
21. *Utilities Advisory Note:* The proposed project is located in the Flood zone designated as Shaded X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective February 18, 2005. Within the Shaded X zone, there are no requirements to elevate or flood proof.

Exhibit A – Site Plan (with existing floor plans)
Exhibit B – Floor Plans (and roof plans)
Exhibit C – Elevations

Exhibit A – Site Plan

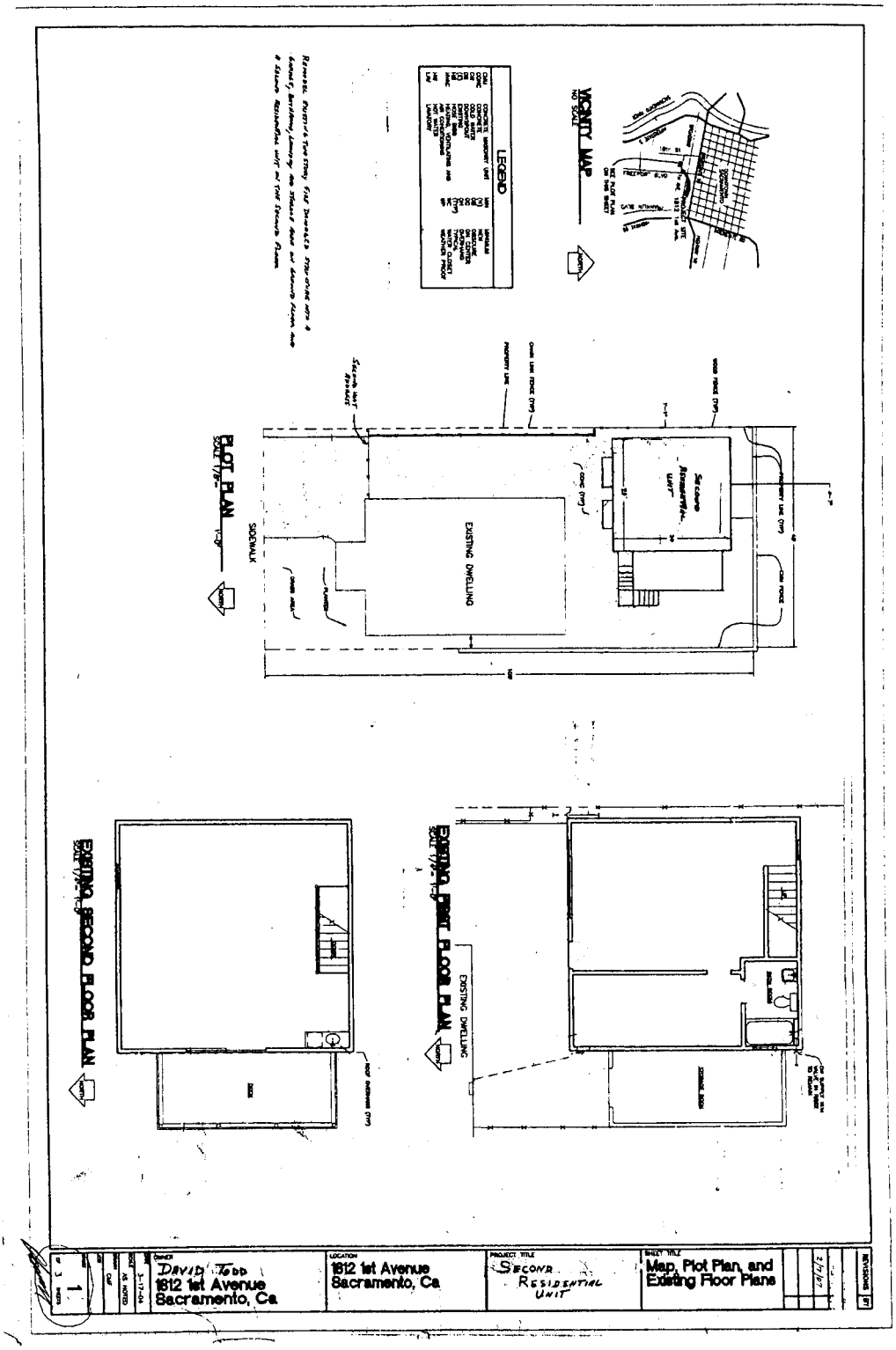


Exhibit B – Floor Plan

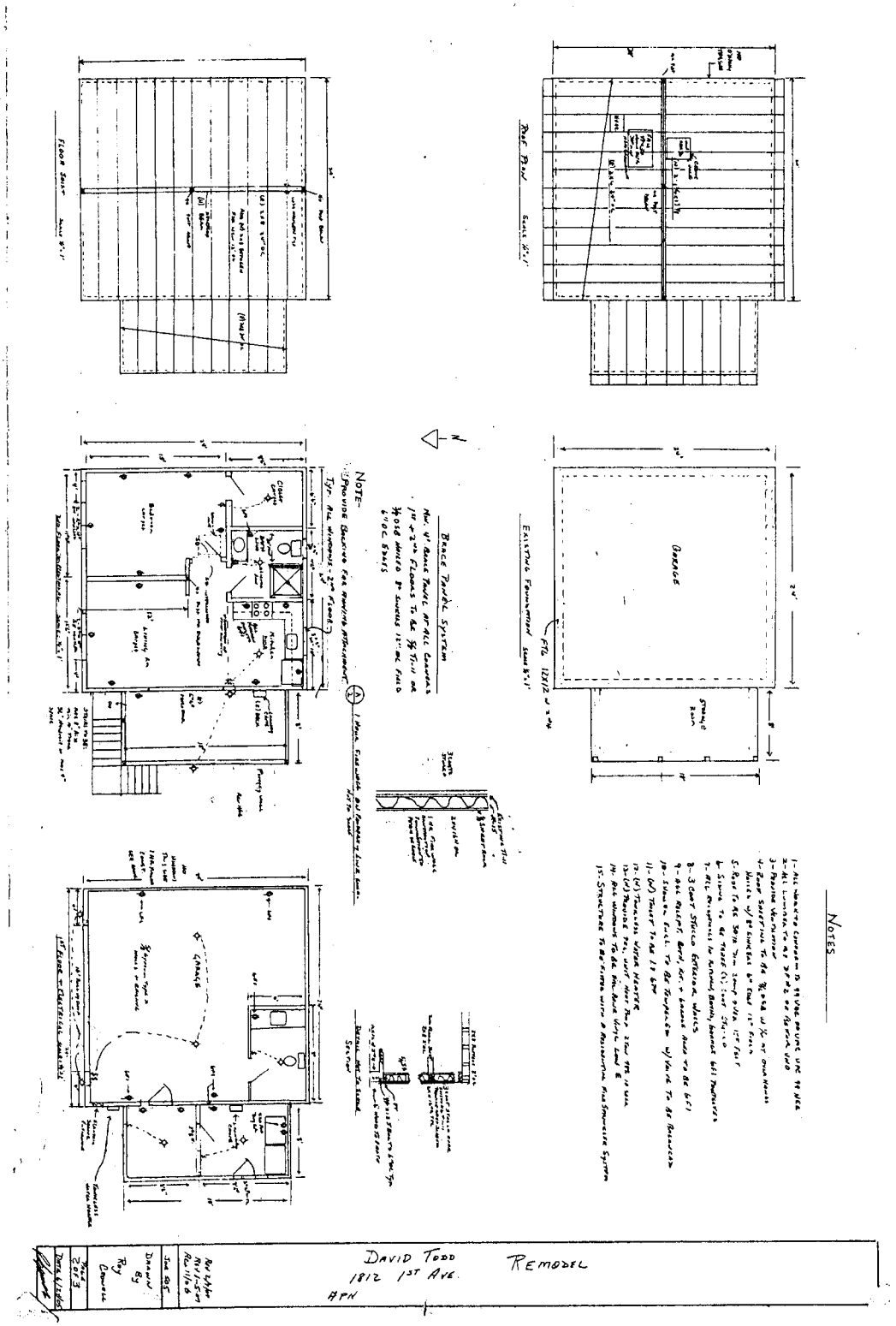
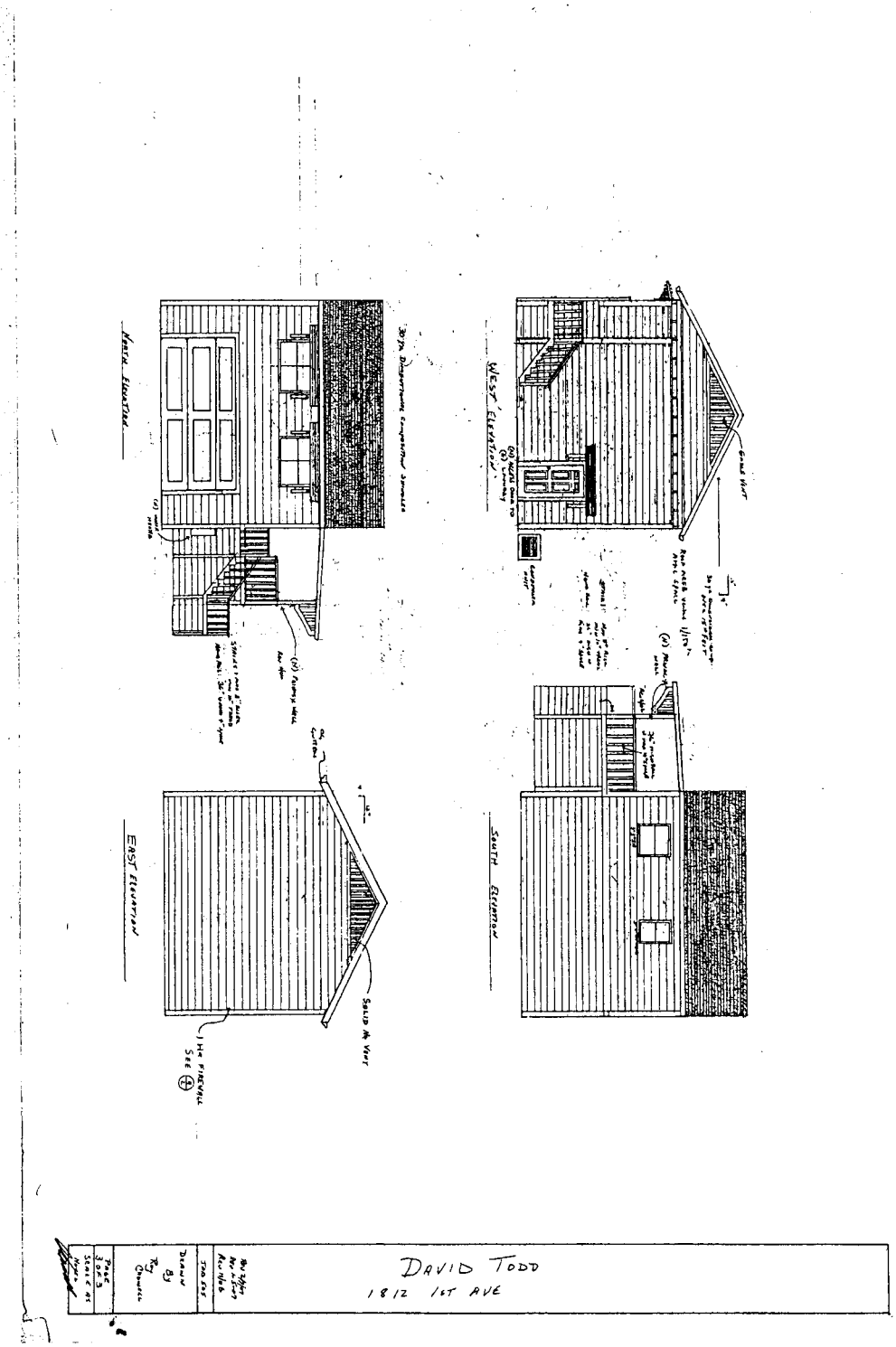


Exhibit C – Elevations



Attachment 5 – Planning Commission Staff Report

REPORT TO PLANNING COMMISSION City of Sacramento

915 I Street, Sacramento, CA 95814-2671

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HEARING
October 26, 2006

Honorable Members of the Planning Commission

Subject: Entitlements to allow a Second Residential Unit in the Single Family (R-1) zone. Council District 4; APN: 010-0272-004

A. Environmental Determination: Exempt CEQA 15303(a).;

B. Special Permit to allow the existing second floor of an accessory structure to be converted to a second residential unit that does not meet the required 15 foot rear (south) setback and the required 3 foot interior (left) side (east) setback, on 0.10± developed acres in the Standard Single Family (R-1) zone;

Location/Council District:

1812 1st Avenue, Sacramento, CA 95818

Assessor's Parcel Numbers: 010-0272-004.

Council District 4

Recommendation: Staff recommends the Commission approve the request based on the findings and subject to the conditions listed in Attachment 1. The Commission has final approval authority over items A-B above, and its decision is appealable to City Council.

Contact: Robert W. Williams, Assistant Planner, 916-808-7686

Applicant: Dave Todd, (916) 448-1834, 1812 1st Avenue, Sacramento, CA 95818
Owner: Same as Applicant.

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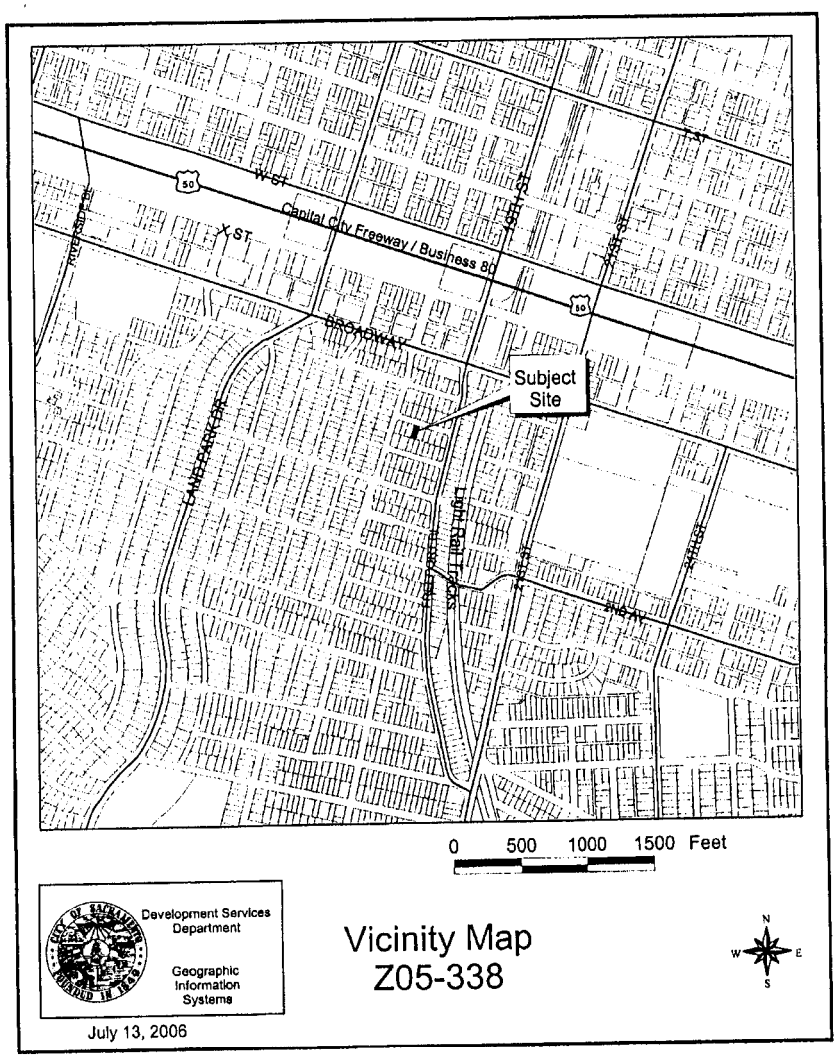
Subject: 1812 1st Avenue Second Unit (Z05-338) October 26, 2006



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Item #2

Subject: 1812 1st Avenue Second Unit (Z05-338) October 26, 2006

Summary: The applicant is proposing a 576 square foot second residential unit on the second floor of an existing two story 1296 square foot accessory structure located to the rear of a one-story home at 1812 1st Avenue. A Special Permit is required to establish the second unit because the structure does not comply with the required setbacks for a second unit. In 2003 a previous property owner had attempted to convert the structure into an 1152 square foot second unit (P02-112). This request was denied by the Planning Commission. As the previous project had neighborhood opposition and had been denied by the commission, the Zoning Administrator has elevated the current special permit request to the Planning Commission for their review.

Staff recommends approval of the special permit request. The second unit has been reduced in size to a total of 768 square feet (including ground floor laundry, storage room and bathroom), has adequate on site parking (including a garage), and the existing structure will be modified to be compatible with the surrounding neighborhood

Table 1: Project Information
General Plan designation: Low Density Residential (4-15 du/na)
Community Plan designation: Not Applicable
Existing zoning of site: R-1 (Standard Single-Family Zone)
Existing use of site: Single Family Residential
Property area: 4,500 square feet

Background Information: The subject site consists of one 4500 square foot parcel with an existing one-story 1170± square foot single-family residence built in 1920. A two-story 1296 square foot accessory structure is in the rear of the property. This structure was granted a building permit in August 1976. The structure has had a number of renovations to meet building code requirements. It was never approved to be used as a dwelling unit; however, the structure was being used as a residential unit when it was partially destroyed by fire in November 2001. The property owner at that time then requested a Special Permit from the Planning Commission to exceed the 850 square foot limit for a second unit, proposing that the entire structure be used as a dwelling. Planning staff did not support the project at the time, mainly because the project exceeded 850 square feet, and the omission of a garage would further impact available neighborhood parking along 1st Avenue. The Planning Commission denied the entitlements to allow the accessory structure to be used as a Second Residential Unit.

Public/Neighborhood Outreach and Comments: The Land Park Community Association was notified of the proposed project. No comments were received from the Association. As previously noted, Staff notified to all property owners within 100 feet of the project site. Staff received comments from at least five neighbors, all of whom opposed the project. The project has since been notified to all property owners within a

500 foot radius. As of the date of the Staff Report, one letter was received for inclusion in this report.

Environmental Considerations: The proposed project is exempt from environmental review pursuant to CEQA Guidelines (CEQA Section 15303(a)). Section 15303 allows for projects such as the current application to be categorically exempt from CEQA guidelines because the proposed use involves a second dwelling in a residential zone.

Policy Considerations: The proposed project is consistent with City and State requirements to provide for Secondary Dwelling units for additional housing opportunities. The General Plan supports secondary unit on single family lots. This site is also within a 1/4 mile radius of a light rail station.

Project Design:

Land Use

As noted above, a 1296 square foot accessory building is located on the property. The two story building is fire damaged and the current property owner proposes to repair the structure and use it for a 528 square foot garage, 48 square foot ground floor bathroom, a 144 square foot laundry/storage room, and a 576 square foot one bedroom residential unit on top of the garage. The accessory building meets setback requirements; however, a second unit has the same minimum setback requirements as a primary unit. An applicant can request a special permit, to utilize the existing setbacks of the existing accessory building for the proposed second unit.

The existing building is located 1'1" from the interior side (east) property line and 4'7" from the rear (south) property line. Building code does not permit windows on the east elevation of the building as it is less than three feet from the property line and only one window is proposed along the south elevation of the building. The applicant has indicated that he is willing to install decorative awnings to shield the view of the windows from adjacent neighbors to the north and south of the second residential unit.

Access, Circulation and Parking

The Zoning Code requires one parking space for the main residence and one space per bedroom. Parking spaces may not be located in the front setback. The second unit is proposed to have one bedroom. There will be at least one space in the garage and one space in the driveway.

Subject: 1812 1st Avenue Second Unit (Z05-338) October 26, 2006

Setbacks, height and bulk

Table 3: Height and area standards			
Standard	**Required**	**Existing**	**Deviation?**
Height:	35'(to plate line)	24' (to roof peak)	no
Front setback:	Neighbor Average	72'	no
Side (east) setback:	3'	1'-01"	1'-11"
Side (west) setback:	3'	12'	no
Rear setback:	15'	4'-07"'	10'-05"'
Lot coverage:	2500 sq. ft. or 40% (not over 50%)	1984 sq. ft. (44.1%)	no

The existing accessory structure meets setback requirements. In converting the structure to a second residential unit the applicant proposes no changes to the existing setbacks, height or lot coverage of the property.

Building design, signage and landscaping

The 1296 square foot two-story accessory structure was constructed in 1976. The structure is proposed to be mostly garage on the first floor with a half bathroom. Above this area is the proposed second unit. There is an attachment that consists of a utility room / storage area. Above that is a balcony to which stairs will be added and it will be the landing area for the entrance to the second unit. The vertical siding is proposed to be removed and replaced with a smooth stucco finish. The structure is to be re-roofed with compositional roofing. Existing landscaping is to remain.

At the original hearing on July 13, 2006, the Planning Commission requested that the applicant revise his plans to provide more privacy to the neighbors. The applicant has met with Design Review staff and the applicant has revised the plans to add a privacy wall on the west elevation of the porch and balcony (condition B10), and agreed to change the front facing windows to be single or double hung style, and add privacy awnings on the windows (condition B8). A raised panel design will also be provided on the garage door.

Subject: 1812 1st Avenue Second Unit (Z05-338) October 26, 2006

Respectfully submitted by: Robert W. Williams
ROBERT W. WILLIAMS
Assistant Planner

Recommendation Approved:

Joy Patterson
JOY PATTERSON
Senior Planner

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Pg 15 Exhibit 1F - P02-112 Staff Report

Subject: 1812 1st Avenue Second Unit (Z05-338) October 26, 2006

Attachment 1
Recommended Findings and Conditions of Approval
1812 1st Avenue Second Unit (Z05-338)

Findings Of Fact:

A. **Environmental Determination:** Categorical Exemption 15303

B. The **Special Permit** to allow Second Residential Unit in existing accessory building in the Standard Single Family (R-1) zone is approved subject to the following Findings of Fact and Conditions of Approval:

1. Granting the Special Permit is based upon sound principles of land use in that:
   a. A Second Residential Unit is a permitted use in the Standard Single Family (R-1) zone.
   b. The proposed project, as conditioned, is compatible in design with the existing home on the property and existing homes on surrounding properties in the neighborhood.
   c. The project is conditioned to minimize impacts to surrounding properties

2. Granting the Special Permit would not be detrimental to the public welfare nor result in the creation of a public nuisance in that:
   a. The use will not generate significant new impacts to the nearby residential properties.
   b. Adequate parking is provided.
   c. The reduced setbacks are for the conversion of an existing legal structure into a secondary dwelling is and will have minimal impact on any neighboring properties.

3. The proposed project is consistent with the General Plan which designates the site for Low Density Residential (4/15).

Conditions Of Approval:

The Special Permit to allow a Second Residential Unit is hereby approved subject to the following conditions:

GENERAL:

B1. The proposed Second Residential Unit shall be constructed in substantial conformance to the submitted plans. (Except as required to be revised by the building division and by these Conditions of Approval).

B2. The applicant shall obtain the necessary building permits for the second residential unit.

B3. The existing vertical siding shall be removed and replaced with a smooth stucco finish.

B4. New roofing shall be provided and shall be a minimum standard of 30-year laminated dimensional composition shingle. All deteriorated eaves shall be repaired or replaced and painted to match. Any proposed gutters shall be ogee style.

B5. Any deteriorated driveway shall be repaired be fully paved per the City paving regulations. The site plan shall be revised to show the second parking space.

B6. The garage door shall have a decorative raised panel design.

B7. All vents or any other mechanical projections on the roof shall be painted to match the roof. No new mechanical equipment is allowed on the roof.

B8. All windows and sills that are deteriorated must be repaired or replaced. The window on the front (north-facing) of the structure shall be single or double hung style windows. Decorative awnings with side panels shall be placed on the north and south facing windows to shield view of adjacent properties. If a bathroom window is required on the south elevation, it shall be opaque. The only other window permitted on the south elevation is the kitchen window.

B9. Addressing for the second unit shall be located on the property such that is visible from the street.

B10. The 144 square foot deck on the second floor porch/balcony shall remain unenclosed on the north and south elevations. A privacy wall shall be added to the west elevation.

B11. The floor plan submitted to the building division shall label all rooms. Only one bedroom is permitted in the second unit.

B12. Any modification to the project shall be subject to review and approval by Planning Department staff.

B13. *Planning Division Advisory Note:* The Zoning Code currently requires the property owner to live on the property as long as there is a second unit on the property. If, in the future, the property owner does not live on the property, the building will cease use as a second residential unit and only be used as an accessory structure.

Subject: 1812 1st Avenue Second Unit (Z05-338) October 26, 2006

BUILDING:

B14. The East wall shall have a one-hour fire-resistive rating per CBC Table 5-A and a parapet per CBC Section 709.4

Utilities:

B15. Only one domestic water service per parcel is allowed. Any new domestic water services shall be metered. Excess domestic water services must be abandoned to the satisfaction of the Department of Utilities. The location of the existing public water main in the rear of the lots shall be verified and the main shall be protected during construction activities. The location of the existing water service in the rear of the lot shall be verified to determine if it needs to be relocated and/or replaced with another service.

ADVISORY NOTES:

The following advisory notes are recommendations from the Utilities Department and are not requirements of the Special Permit.

1. This project is served by the Combined Sewer System (CSS), however based on the project description there will be no significant impact to the CSS.

2. The applicant is responsible for the protection and the repair of the City combined sanitary sewer and water mains during the construction of the proposed structure. Contact Underground Service Alert at 1-800-642-2444, 48 hours before work is to begin.

3. The lot must be graded so that drainage does not cross property lines.

4. The applicant must comply with the City of Sacramento's Grading and Erosion and Sediment Control Ordinance. This ordinance requires the applicant to prepare erosion and sediment control plans for both during and after construction of the proposed project, prepare preliminary and final grading plans, and prepare plans to control urban runoff pollution from the project site during construction.

5. The proposed project is located in the Flood zone designated as Shaded X zone on the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Maps (FIRMs) that have been revised by a Letter of Map Revision effective February 18, 2005. Within the Shaded X zone, there are no requirements to elevate or flood proof.

Subject: 1812 1st Avenue Second Unit (Z05-338) October 26, 2006

Exhibit 1A - Land Use and Zoning Map

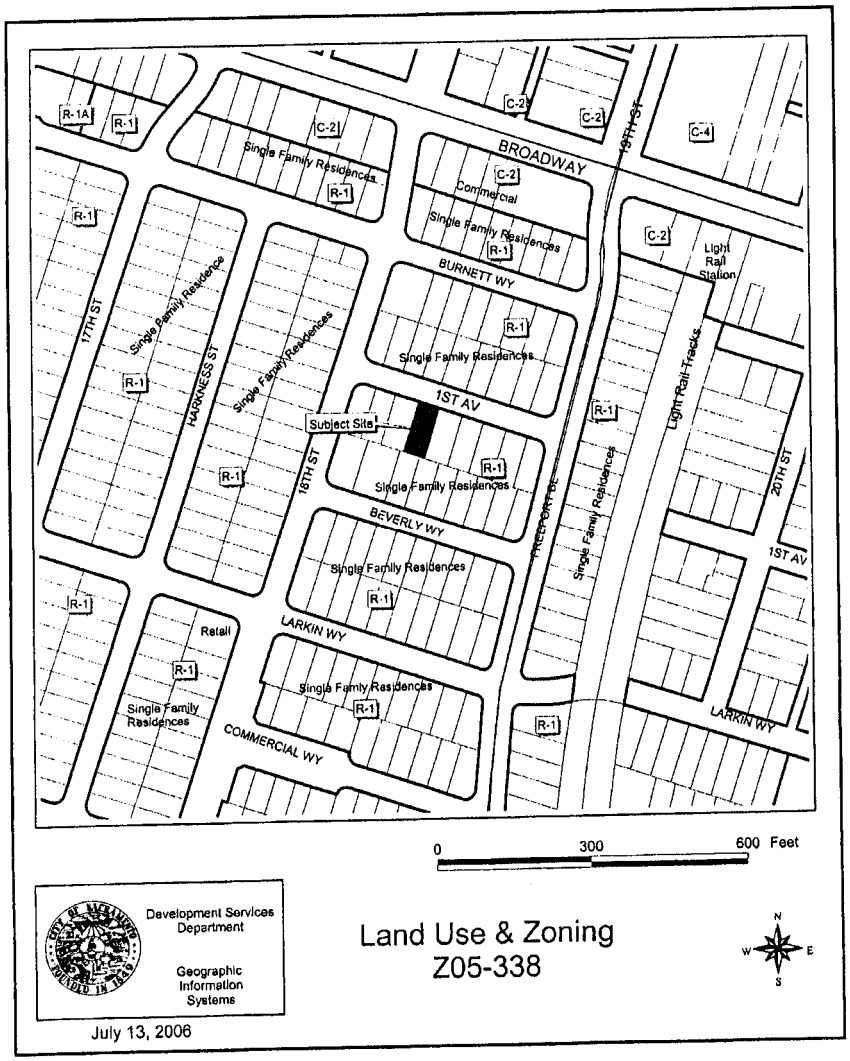

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Exhibit 1B - Site Plan (with existing floor plan)

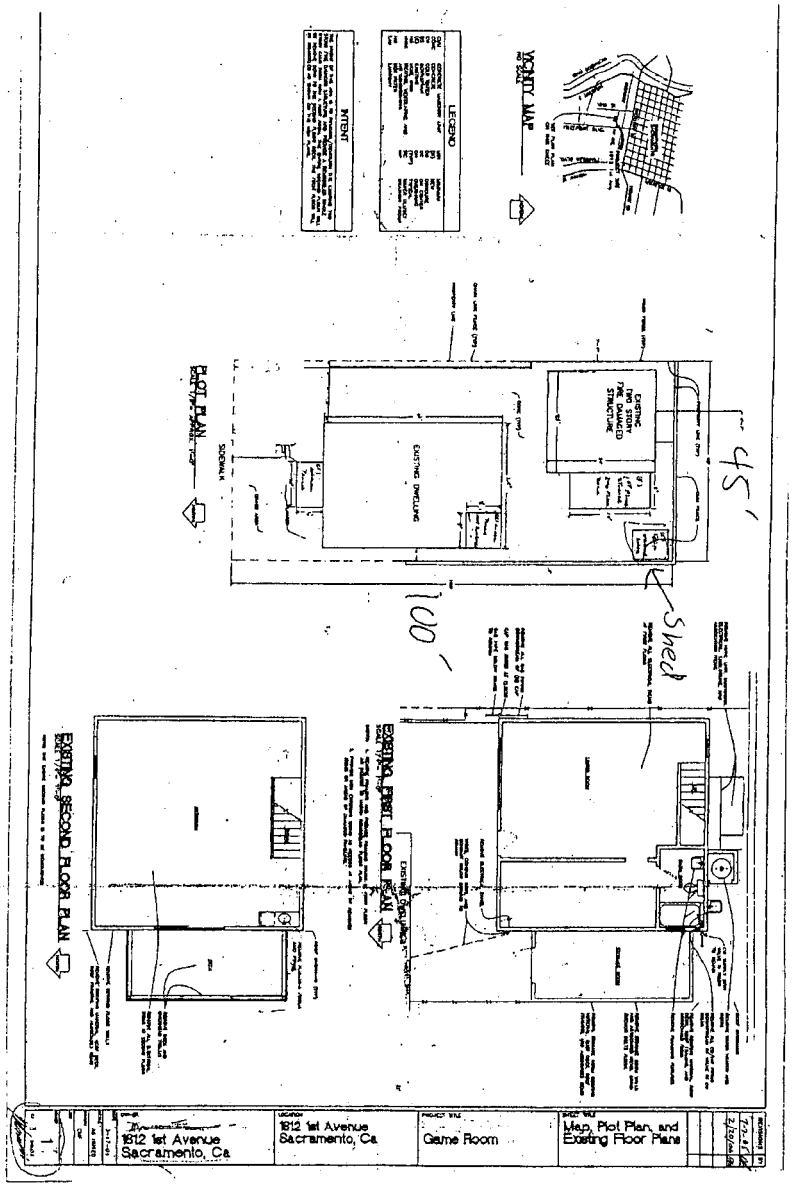

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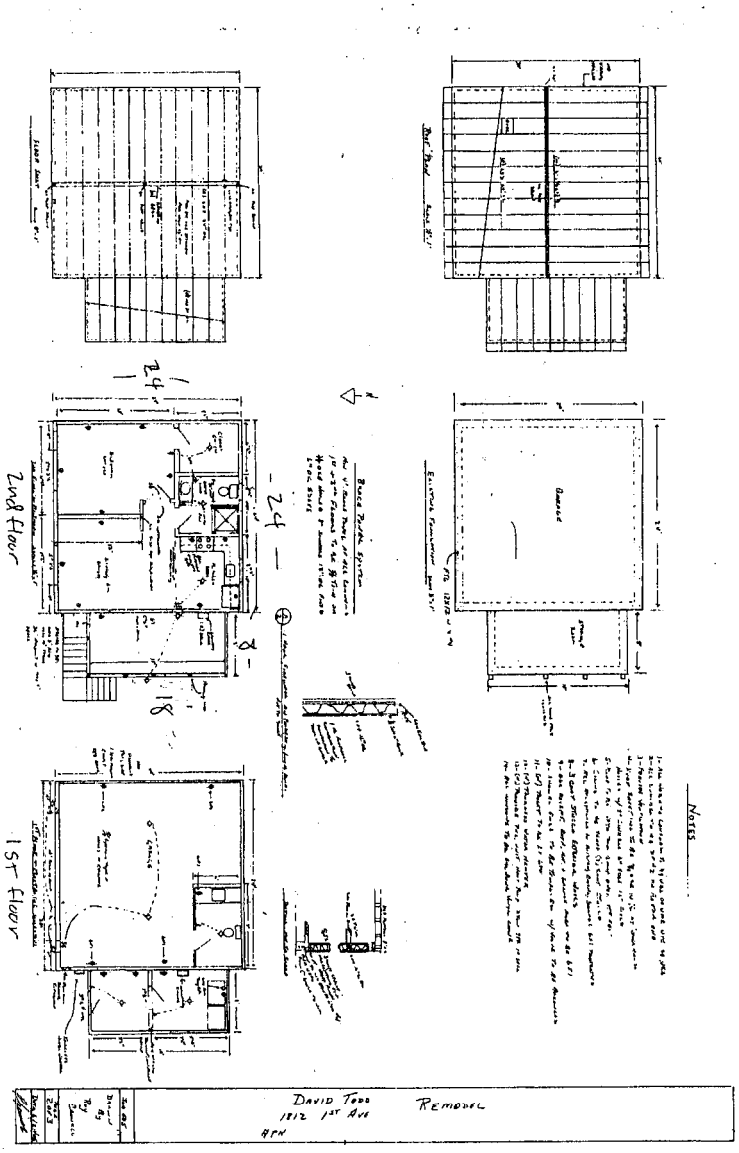
Exhibit 1C - Floor Plan



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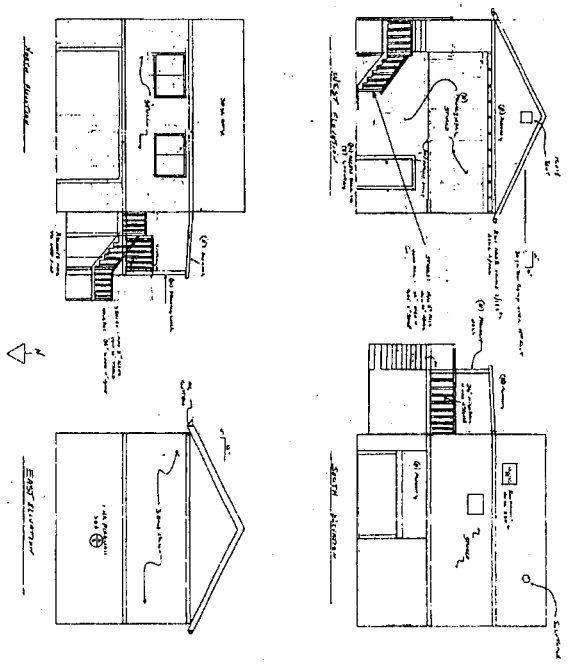
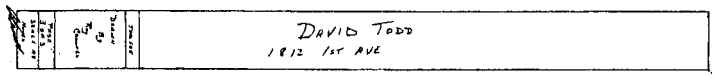
Subject: 1812 1st Avenue Second Unit (Z05-338) October 26, 2006

Exhibit 1D – Elevations





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Item #2

Subject: 1812 1st Avenue Second Unit (Z05-338) October 26, 2006

Exhibit 1E – Letter from Neighbors at 1816 1st Avenue

Jerome King & M. Kathleen Davis
1816 1st Ave.
Sacramento, CA 95818
(916)-492-2276

June 26, 2006

Robert Williams
City of Sacramento
Development Services Department
915 I Street, 3rd Floor
Sacramento, CA 95814-2998

RE: Second Residential Unit at 1812 1st Avenue (APN 0100272004)

Dear Mr. Williams:

We are writing to express our opposition to the proposed project.

Along with many other neighbors, we opposed this project the last time it came before the Planning Commission, back in 2002. The concerns we expressed then are essentially unchanged, namely: that the existing structure is far out of proportion to other houses in the neighborhood, and to the size of the lot; that rental occupancy will generate a lot of noise and foot traffic directly outside our bedroom windows; and that its inaccessability from the street and proximity to our house present a continued fire hazard.

While we consider the applicant to be a good neighbor with good intentions, and as much as we would like to see some kind of resolution to the issue, we simply can't agree that a second unit is a good idea in this neighborhood.

Regards,

Jerome King and Kathy Davis

attachment