

City of Santa Barbara

California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: March 8, 2006
AGENDA DATE: March 15, 2006
PROJECT ADDRESS: 14 N. Voluntario Street (MST2006-00080)

TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Zoning & Enforcement Supervisor *DJK*
 Roxanne Milazzo, Associate Planner *Rm*

I. PROJECT DESCRIPTION

The 5,000 square foot project site is currently developed with a 1,032 square foot residence and detached two-car garage. The proposed project involves legalization of an existing 300 square foot covered deck attached to the rear of the residence. The discretionary application required for this project is a Modification to permit the deck to be located within the required open yard area (SBMC §28.15.060).

II. SITE INFORMATION

Parcel Number:	017-141-018	Zoning:	R-2 Two-Family Residence Zone
General Plan Designation:	12 Units Per Acre	Topography/Slope:	2% Average Slope
Existing Use:	One-Family Residence	Proposed Use:	One-Family Residence

Adjacent Land Uses

North: One-Family Residence
 South: One-Family Residence

East: One-Family Residence
 West: One-Family Residence

Lot Coverage (Proposed):

- Building: 1,432 s.f. (29%)
- Paving/Driveway 2,729s.f. (55%)
- Landscaping 839 s.f. (16%)
- Lot Area: 5,000 s.f.

Parking:

- Required 2 Covered
- Provided 2 Covered

Date Application Accepted: February 13, 2006

Date Action Required: May 13, 2006

III. DISCUSSION

This project was exempt from review by the Architectural Board of Review per #10 of the Neighborhood Preservation Ordinance (NPO).

Staff has determined that the project qualifies for an exemption from further environmental review under Section 15305 (Minor Alterations in Land Use Limitations) of the California Environmental Quality Act (CEQA) Guidelines.

The purpose and intent of the required open yard area is to provide private enjoyment of the outdoor area exclusively for the occupants of the residence. This request to maintain an "as-built" deck is an effort to abate violations noted on a recent Zoning Information Report (ZIR). The property owners would like to maintain the deck which provides a usable 225 square foot shaded outdoor living area. The 225 square foot deck plus the remaining open yard area of 980 square feet almost provide the entire 1,250 square foot area required by the code. It is Staff's position that the "as-built" structure secures an appropriate improvement that meets the purpose and intent of the ordinance. Also being proposed is a request to install a 27 square foot closet at one end of the deck for purposes of housing the water heater and laundry facilities. Staff's position is that these amenities are necessary and appropriate for the residential use and that the closet provides a screening benefit between the new outdoor living space and the neighboring property to the south.

IV. RECOMMENDATION/FINDINGS

Staff recommends that the Staff Hearing Officer approve the project, making the findings that the Modification to permit reduction of the outdoor living space will still provide adequate, usable area for the private outdoor recreational uses, and that the deck and shade area provides an appropriate amenity for that purpose.

Exhibits:

- A. Project Plan
- B. Applicant's letter dated February 6, 2006

Contact/Case Planner: Roxanne Milazzo, Associate Planner
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Phone: (805)564-5470

Souter Land Use Consulting

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Santa Barbara, CA 93150

(805) 695-0046

syndisouter@aol.com

February 13, 2006

Bettie Weiss
Staff Hearing Officer
City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101

Re: 14 N. Voluntario Street; APN 017-141-018; R-2

Dear Ms. Weiss,

On behalf of the property owner, the Herrera Family Trust, I am requesting a Modification to the required 1,250 sq. ft. Open Yard Area on their property at 14 N. Voluntario Street.

The property at 14 N. Voluntario Street is 5,000 sq. ft. in size and is currently developed with a 1,032 sq. ft. single family residence, a 400 sq. ft. detached 2-car garage, and a 297 sq. ft. "as-built" covered deck off the rear of the residence. A new 36 sq. ft. laundry closet is proposed under a portion of the covered deck. The existing residence and garage were originally constructed in 1954 under building permit #F-1860. The covered deck was constructed approximately 30-35 years ago by the Herrera family.

A modification is being requested to allow the "as-built" 297 sq. ft. covered deck to encroach into the required Open Yard Area. A 36 sq. ft. portion of the covered deck adjacent to the existing residence is also proposed to be converted to a laundry closet. The property currently contains 1,428 sq. ft. of Open Yard Area, not including the deck encroachment. With the deck encroachment, the property would contain 1,131 sq. ft. of Open Yard Area, which is well above the 400 sq. ft. minimum area required for a portion of Open Yard Area in the R-2 zone.

The benefit of the project is that it would allow the property owners to have a functional outdoor amenity that would enhance their outdoor living space. The covered deck provides shade and protection from the elements during outdoor activities. Since the existing residence is rather small, the outdoor laundry closet would allow more functional living space inside the residence.

If you have any questions or need any additional information regarding this project, please feel free to call me at 695-0046.

Sincerely,

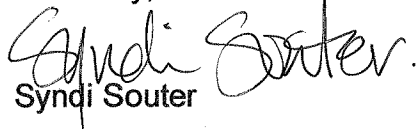

Syndi Souter

EXHIBIT B