



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: November 29, 2006
AGENDA DATE: December 6, 2006
PROJECT ADDRESS: 3002 Paseo del Refugio (MST2005-00696)
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 7,500 square foot project site is located on the corner of Paseo del Refugio and Lugar del Consuelo. All structures on the lot have been recently demolished. The proposed project involves the construction of a new 2,900 square foot 2-story single family residence with detached two-car garage. The discretionary application required for the project are Modifications to permit less than the required 1,250 square foot open yard and to permit non-conforming portions of the residence, located within both twenty-foot (20') front yard setbacks, to be rebuilt with minor alterations (SBMC §28.15.060).

Date Application Accepted: October 17, 2006 Date Action Required: January 17, 2007

II. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

| | | | |
|---------------------|------------------------------|-----------------|-----------------------------|
| Applicant: | Joaquin Ornelas | Property Owner: | Raul Gutierrez |
| Parcel Number: | 053-201-008 | Lot Area: | 7,500 sf |
| General Plan: | 5 Units Per Acre | Zoning: | E-3 |
| Existing Use: | Vacant | Topography: | 5% Slope |
| Adjacent Land Uses: | | | |
| | North – One-Family Residence | | East – One-Family Residence |
| | South – One-Family Residence | | West – One-Family Residence |

B. PROJECT STATISTICS

| | Previously Existing | Proposed |
|-----------------|----------------------------|-----------------|
| Living Area | 1,451 sf | 1,449 sf |
| Garage | 416 sf | 440 sf |
| Accessory Space | None | No Change |

III. LOT AREA COVERAGE

Lot Area: 7,500 sf
Building: 2,511 sf; 33%
Hardscape: 420 sf; 6%
Landscape: 4,569 sf; 61%

IV. DISCUSSION

This project was reviewed by the Architectural Board of Review several occasions and unaware that this project would require a Modification, gave final approval on March 13, 2006.

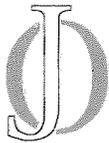
The proposed development for this property is described as a rebuild of the previous house with conforming first and second floor additions and a new two-car garage. The previous footprint which was non-conforming to front yard setbacks was allowed to be rebuilt pursuant to SBMC §28.87.030. During plan check it was determined that that the front door and several windows were being changed from what previously existed, and therefore required a Modification approval. Staff also identified the amount of open yard area as an issue requiring Modification approval. The previous development virtually provided no legal open yard. The newly created open yard area is bigger than the previous, but does not provide the required 1,250 square feet. Staff recognizes the site constraints associated with two (2) front yards and acknowledges that a proposed fenced area off the second front yard provides 1,000 square feet of usable, private outdoor living space for the occupants as intended by the ordinance.

Staff recommends that the Staff Hearing Officer approve the project, making the findings that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot.

Exhibits:

- A. Site Plan
- B. Applicant's letter dated
- C. ABR Minutes

Contact/Case Planner: Roxanne Milazzo, Associate Planner
(rmilazzo@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805)564-5470



ORNELAS
DESIGN

3040 STATE STREET
SUITE C
SANTA BARBARA
CA, 93105

Ph: (805) 687-6868
Fax: (805) 682-6844

Modification Hearing Officer
City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101

October 8, 2006

Attention: Roxanne Milazzo

RE: Request for a Modification for:
3002 Paseo Del Refugio
A.P.N.: 053-201-008 / Zone: E-3

Dear Roxanne,

We are currently involved in a project located at 3002 Paseo Del Refugio in which our clients are proposing to reconstruct a new two story home in which there was once a 1,461 square foot single family residence. The new residence will total 2,900 square feet. The proposal also involves removing and reconstructing the existing [2] two car garage. The existing two car garage was 19'-10" wide by 19'10" deep with an interior clear dimension of 19'-6" in both directions.

Originally, the distance from the rearmost portion of the residence and the garage was 30'-10". But because this project is on a corner lot we have two front yard setbacks that will only allow us to calculate the distance of 30'-0" by the original 30'-10" which gives us a total of 970 square feet of conforming open yard area. A secondary frontyard setback allowance would provide an additional 15'-0" of space, approx. 463 square feet of open yard area. The combination of the conforming 970 sq. ft. and the proposed 463 would create an open yard area of 1,433 square feet. But additionally we are proposing to construct the new [2] two car garage as a conforming 20'-0" x 20'-0" interior clear garage and because we are proposing a fence in the rear yard area, our open yard area within the fenced area will be 1,182 square feet of contiguous open space. (please see attached site plan.)

Based on a plan review with Danny Kato on October 4, 2006, additional items were identified as modification triggering. 1.) Widening the 4'0" window on the east side of the encroaching portion of the Living Room to the width of 9'-3" and 2.) Providing a roof cover element over the front door on the south elevation. Both architectural features

were approved and encouraged by the Architectural Board of Review and have received a Final Approval by the Board as such.

The single-family residence is located in a neighborhood in the San Roque area with modest sized homes. A single-family residence is located to the north and west of the existing residence. Additionally, a single-family residence is located across Paseo Del Refugio to the South and across Lugar Del Descanso to the East. The home is situated on a 7,500 square foot / .17 acre site. The proposed residence has a square footage of 2,900 square feet with a detached 393 square foot two-car garage, please see enclosed photos.

We would like to request a open yard modification to allow a portion of the yard area be located in the secondary front yard setback.

Request: Request for a open yard area to be located within the secondary front yard space by a distance of (15'-0").

Reasons: The entrance to the residence is on the south side of the property and this yard portion is indeed the back yard even though it encroaches into the front yard set back.

We would also to request the approval of the [2] additional architectural feature; the front roof cover and the widened window.

Request: Request for the two architectural features to be allowed to encroach into setback.

Reasons: Both encroachments currently exist and actually the front entry encroachment is being reduced.

We feel that the proposed modification adjustment should be allowed on the existing property because of the following reasons:

- 1.) As stated, the front of the residence is on the south and this open yard area is located on the north side of the property
- 2.) It secures the right to improve the previous residence
- 3.) Architectural Board of Review has approved the project as submitted

Please see enclosed plans for further clarification. Do not hesitate to contact us if you have any questions regarding these requests.

Sincerely,

Joaquin Ornelas Jr.
Joaquin Ornelas Design.
JOJ: jo
Encl. (2)

ABR MINUTES – 3002 PASEO DEL REFUGIO

11-1-05

Continued indefinitely with the following comments: 1) The Board is comfortable with the site planning concept and the location of the new second story mass as viewed from both streets. However, the Board looks forward to refinement of the first floor mass as the building is abutting the setback lines on all sides, and not leaving room for authentic articulation of the chosen design style. 2) The Board is concerned with the modifications that may be required, and the applicant is to confirm with Staff before return. The Board recognizes that the proposed encroachments are within the same location as the existing structure. 3) The Board would like to see a proposed rebuild of the garage. 4) The design style is compatible with the neighborhood, yet, the Mediterranean style needs to blend with the character of the neighborhood, and not appear as a contemporary design. 5) The Board is concerned with the west elevation as it abuts the adjacent neighbor, with the one foot offset from the lower wall to the upper wall. 6) Applicant is to provide a landscaping and fencing plan. 7) Add detail (recess or columns) to the front entry porch.

Action: Manson-Hing/Eichelberger, 5/0/0.

3-6-06

Continued one week with the following comments: 1) Provide a color board revision to roof details and window details to eliminate the wood trim.

3-13-06

Final Approval as submitted of the Architecture and proposed colors, and indefinite continuance of the Landscape Plans.

9-25-06

Final Approval of the Landscape Plan as noted on the plans.

