



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: May 2, 2007
AGENDA DATE: May 9, 2007
PROJECT ADDRESS: 227 E. Pueblo Street (MST2007-00063)
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 25,000 square foot project site is currently undergoing City processes for major site and landscape improvements. Current development on site consists of a single family residence, swimming pool, and a detached garage that was converted to accessory space without the necessary approvals. The proposed project involves legalizing the garage conversion, and replacing the required covered parking with a two-car garage. The discretionary applications required for this project are Modifications to permit accessory space in excess of 500 square feet (SBMC §28.87.160); and for it to be located within the required ten-foot (10') interior yard setbacks (SBMC §28.15.060).

Date Application Accepted: March 9, 2007 Date Action Required: June 9, 2007

II. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Lori Smyth	Property Owner:	Same
Parcel Number:	025-132-009	Lot Area:	25,000 sf
General Plan:	3 Units Per Acre	Zoning:	E-1
Existing Use:	One-Family Residence	Topography:	4% Slope
Adjacent Land Uses:			
	North - One-Family Residence		East - One-Family Residence
	South - One-Family Residence		West - One-Family Residence

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	4,000 sf	No Change
Garage	850 sf	540 sf
Accessory Space	None	850 sf (garage conversion)

III. LOT AREA COVERAGE

Lot Area: 25,000 sf
Building: 4,026 sf; 16%
Hardscape: 8,500 sf; 34%
Landscape: 12,474; 50%

IV. DISCUSSION

- This project was reviewed by the Historic Landmark Commission and forwarded on to the Staff Hearing Officer with positive comments.
- The existing garage has portions located within interior yard setbacks. Access to the garage has been eliminated by the installation of French doors. The original paving for access to the garage is proposed for removal to allow for a landscaped backyard and pool cabana. The replacement garage which is accessible off the existing driveway will meet all required setbacks for new construction. It is staff's position that the 850 square feet being proposed for accessory on site is not out of line for a 25,000 square foot lot when one considers that the allowable 500 square feet would be allowed on any size single family lot.

V. RECOMMENDATION/FINDING

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 considering the size of the lot, and is necessary to secure an appropriate improvement by providing needed storage within existing floor area. Said approval is subject to the condition that a Zoning Compliance Declaration be recorded against the property's title, and that the existing entry gates and hedges are brought into compliance with current zoning regulations.

Exhibits:

- A. Site Plan
- B. Applicant's letter dated March 9, 2007
- C. HLC Minutes

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

Lori Smyth
227 East Pueblo St.
Santa Barbara, Ca. 93105
805-895-8650

March 9, 2007

Staff Hearing Officer
City of Santa Barbara
P.O. Box 1990
Santa Barbara, Ca. 93102-1990

Re: Modification Request for 227 East Pueblo St; APN# 025-132-009; Zone E-1

Dear Roxanne,

1: There is currently an existing house (approx. 4,000 sq. ft), and a detached 2-car garage with 2 storage spaces (totaling approx. 815 sq. ft.) on the property. A small portion of each storage area attached to the garage encroaches on the interior yard setbacks. The storage area on the west side of the property encroaches approximately 1 foot into the setback and the storage area on the north side of the property encroaches approximately 3 feet. The proposal is to allow this detached structure to become entirely storage/accessory space and remain in the setback.

2: The modification being requested is to allow this building to remain at 815 sq. ft. instead of the maximum 500 sq. ft. for accessory space and to allow the portions of the existing garage that are in the setback to remain. This change of use is needed because of my plans to build a new 2 -car garage and to change the driveway access, which would make the old garage access obsolete. This modification will allow the building to remain as is without having to remove portions or move the entire building, which has been on the property since 1925. When I purchased the property, the zoning violations mentioned in the zoning report were the addition of a pop out for a bathtub and the illegal use of the garage structure as a second dwelling unit. However it was my understanding that it was originally permitted as a garage and the conversion to a dwelling unit was the zoning violation, not the building itself. I am only asking for it to be an accessory/storage building, not a dwelling unit. The other zoning violation was the carport, which has been demolished as requested by the zoning report. I also demolished the addition that housed the bathtub as requested by the zoning report. I would like to keep this building for storage and accessory space only, not a dwelling unit, and purchased this property partly because of this existing historic structure and the additional storage it provided. This proposal requires nothing but to keep the existing arrangement of the structures on this property as they have been since 1925. Staffs' position is the accessory structure in excess of 500' is supportable if I remove the portions of the building located in the setbacks. This approach is not possible because of the engineering and age of the structure and would require an entire demolition of the building. Therefore, I am requesting a modification to approve the square footage and the portions in the setback.

EXHIBIT B

3: The major benefit of allowing the additional accessory space and approving the structure to exist in the setbacks allows a structure that has been on the property since 1925 to remain. If the City requires this building to be altered, the entire building will need to be removed. This action will not only destroy a historic building, but it will also create an unexpected financial demand of demolishing this building and taking away all the storage on my property. This storage area was an important attribute in my decision to purchase this particular property. Destroying this structure will have a negative impact on me personally as well as a negative impact environmentally and historically for the city. With all things considered, my hope is that you will see the benefit for us both in leaving this accessory structure as it has been for the last 82 years.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lori N. Smyth". The signature is written in black ink and is positioned below the word "Sincerely,".

Lori N. Smyth

HISTORIC LANDMARKS COMMISSION MINUTES – 227 E. PUEBLO STREET

September 6, 2006

Mr. Kellam De Forest questioned whether an Historic Structures Report was in progress. Commissioner Murray commented that there was indeed a previous approved Historic Structures Report done on the proposed project. She also concurred and replied in the affirmative to Commissioner Hsu's query if the report included the entire site and the single-family residence.

Public comment ended at 1:54 p.m.

Motion: Continued indefinitely until a Historic Structures/Sites Report can be obtained by the applicant from an historian.

Action: Hsu/Naylor, 8/0/0. 7/0/0 (Hausz absent, Rager stepped down.)

Mr. Limon requested clarification whether the Commission would like to hear a proposed project item before or after Historic Structures/Sites Report is completed. Most of the Commission concurred that it would be more helpful to review the report before the item is agendaized, even if the report is pending.

November 1, 2006 – Review of Historic Structures Report

Staff comment: Jake Jacobus, Associate Planner/Urban Historian, stated that the building was earlier identified as being landmark-worthy. Staff has read the report and agrees with its findings and recommendations.

Motion: The Commission accepts the report.

Action: Boucher/Hausz, 6/0/0. (Murray/Rager stepped down. Hsu absent.)

Motion carried.

Public comment opened at 4:34 p.m. and, as no one wished to speak, it closed at 4:34 p.m.

Straw votes: How many Commissioners could support the *cabaña* as proposed?
4/2/0.

How many Commissioners could support the carport as proposed?
0/6/0. (All Commissioners opposed.)

How many of the Commissioners would entertain a two-car enclosed garage structure in lieu of the proposed carport? 6/0/0.

Motion: Continued two weeks with the following comments: 1) The Commission supports the concept of changing the parking to reduce the asphalt in the rear yard. 2) The elevation drawings need to be expanded to show the relationship between the proposed and existing buildings. 3) The majority of the Commissioners could

support the *cabaña* as proposed. 4) The Commission will not support the carport as proposed; however, it will entertain the idea of a two-space enclosed garage structure. 5) The stonework of the *cabaña* should reference the stonework of the site walls.

Action: Hausz/Pujo, 6/0/0. (Murray/Rager stepped down. Hsu absent.)
Motion carried.

November 15, 2006

Straw vote: How many Commissioners could support a new garage attached to the existing garage's new accessory storage space? 4/2/0. (La Voie/Naylor opposed.)

Motion: Preliminary approval with an indefinite continuance and the following conditions:
1) The *cabaña* is acceptable as proposed. 2) Reduce the height of the garage door to seven feet with an eight foot plate height, making a more pronounced break between the existing roof and the new roof of the garage. 3) The garage doors shall be two sets of doors.

Action: Hausz/Pujo, 4/2/0. (La Voie/Naylor opposed. Murray/Rager stepped down. Hsu absent.)
Motion carried.

February 7, 2007

Motion: Final approval of the project and continued two weeks to the Consent Calendar with the condition that the applicant shall return with details of the sandstone veneer.

Action: Boucher/Adams, 5/0/0. (La Voie/Naylor absent. Murray stepped down.) Motion carried.