



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** July 11, 2007  
**AGENDA DATE:** July 18, 2007  
**PROJECT ADDRESS:** 1133 Alameda Padre Serra (MST2007-00060)  
**TO:** Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Zoning & Enforcement Supervisor *DJK*  
 Roxanne Milazzo, Associate Planner

### I. PROJECT DESCRIPTION

The 12,710 square foot project site is currently developed with a single family residence and attached garage. The proposed project involves legalization of the "as-built" conversion of the under-story to habitable space, 333 square feet of "as-built" additions, and alterations to the front entry and rear deck. The discretionary application required for this project is a Modification to permit alterations and additions within the required front and interior yard setbacks (SBMC §28.15.060).

Date Application Accepted: May 1, 2007    Date Action Required: November 1, 2007

### II. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant: Eric Swenumson	Property Owner: Alphonso Sanchez
Parcel Number: 029-282-006	Lot Area: 12,710 sf
General Plan: 3 Units Per Acre	Zoning: E-1
Existing Use: One-Family Residence	Topography: 30% Slope
Adjacent Land Uses:	
North - One-Family Residence	East - One-Family Residence
South - One-Family Residence	West - One-Family Residence

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	1,200 sf	1,200 sf "as-built" conversion of under-story
Garage	473 sf	No Change
Accessory Space	None	No Change

**III. LOT AREA COVERAGE**

Lot Area:	12,710 sf
Building:	1,800 sf; 14%
Hardscape:	3,211 sf; 25%
Landscape:	7,699 sf; 61%

**IV. DISCUSSION**

This project was reviewed by the ABR on two occasions and continued to the Staff Hearing Officer with design comments not related to the Modification being requested.

Current development on site is non-conforming to front and interior yard setbacks. This is common throughout the Riviera neighborhood where slope constraints require that the development be pushed towards the street to eliminate the need for excessive grading. The proposed project involves legalization of existing under-story area that has been converted to habitable space without benefit of permits. Portions of the converted area located within the required front and interior yard setbacks.

Although Staff discourages the use of the Modification process for illegal construction, this project is being supported because it does not intensify the existing encroachments, utilizes existing area for a more appropriate use, is hidden from the street, and eliminates the need for excessive grading, caissons, etc., which are typical components of steep hillside development. Although the upper and lower levels are connected by an interior stairwell, Staff has concerns that the floor plan configuration resembles an additional dwelling unit. Staff reminds the owner that this is a single family residence zone and that use of the lower area as a second unit will be enforced upon.

**V. RECOMMENDATION/FINDING**

Staff recommends that the Staff Hearing Officer approve the project, making the findings that the Modification is necessary to secure an appropriate improvement by expanding the existing residence's floor area in the existing under story which is not visible from the street due to the slope of the site and is consistent with the purpose and intent of the Zoning Ordinance. Said approval is subject to the removal of an "as-built" barbeque and trellis, and the recordation of a Zoning Compliance Declaration.

STAFF HEARING OFFICER STAFF REPORT  
1133 ALAMEDA PADRE SERRA (MST2007-00060)  
JULY 11, 2007  
PAGE 3

Exhibits:

- A. Site Plan
- B. Applicant's letter dated May 1, 2007
- C. ABR Minutes

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

Eric Swenumson  
SwenDesign  
5662 Calle Real, Suite 437  
Goleta, CA 93117  
Ph (805) 967-5507 FAX (866) 425-9987

1-May-07

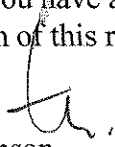
TO: City of Santa Barbara  
ATTN: Roxanne Milazzo  
630 Garden Street.  
Santa Barbara, CA 93101

SUBJECT: 1133 Alameda padre Serra APN: 029-282-006

Attached please find a Site Plan, Floor Plan, Elevations and photographs for the above-mentioned address. As agent for the owners of the property I have prepared a modification request to ask for relief from the required 10 foot interior yard setback on the [REDACTED] West property line and the required 30 foot front setback for as built additions to the residence. The as built additions consist of infill of the underfloor area at the [REDACTED] West side of the residence and a change to the front entry on the upper floor on Alameda Padre Serra. The site is zoned E-1 and is 12,710 square feet in size. The site currently has a 2,357 s.f. residence, of which 333 s.f. are as built additions and there is a 473 s.f. attached garage. In addition, there is a 140 s.f. balcony that has been partially enclosed. The enclosure is being removed and the balcony restored to its original permitted condition.

The City Zoning Ordinance requires a 10 foot interior yard setback and 30 foot front yard setback in this zone. Given this requirement the site would have been non-conforming as to setback with a 6'-6" setback to the garage and 17 feet at the front entry and 5 foot setbacks on the East and West sides. The as built portions of the lower floor have virtually no effect on the footprint of the residence and the front entry addition has created a more usable and aesthetically pleasing street presents. We are proposing to remove the partial balcony enclosure based on ABR comments.

The Architectural Board of Review saw the project on April 30, 2007, their comments were positive and the project was continued to the Staff Hearing Officer. We believe the granting of this Modification will not adversely affect the character of the existing neighborhood in any way. If you have any questions you may reach me at 967-5507. Thank you for your consideration of this request.

Sincerely,   
Eric Swenumson

CC: Mr. Sanchez

**EXHIBIT B**

**1133 Alameda Padre Serra Architectural Board of Review Minutes**

April 16, 2007 - Continued one week to Consent Calendar with the comment that the second-story "as-built" enclosure shall be reverted back to a balcony.

April 30, 2007 - Continued indefinitely to Staff Hearing Officer and return on Consent Calendar with the following comments: 1) The "as-built" additions to the lower-level are appropriate. 2) Study integration of lower addition and existing upper-level balcony.