



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: July 11, 2007
AGENDA DATE: July 18, 2007
PROJECT ADDRESS: 2559 Treasure Drive (MST2007-00230)
TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Zoning & Enforcement Supervisor *DJK*
 Roxanne Milazzo, Associate Planner

I. PROJECT DESCRIPTION

The 6,420 square foot project site is a "through lot" that has frontage onto both Treasure Drive and Baldwin Road. Current development on site consists of a duplex and detached two-car garage. The proposed project involves the conversion of the duplex to a single family residence, demolition and replacement of the garage, exterior alterations including a roof pitch change, new retaining wall, fence, deck, and front porch. The discretionary applications required for this project are Modifications to permit: Alterations and additions within required front, interior, and open yards (SBMC §28.15.060); and a retaining wall and fence to exceed the maximum allowable height of 3 ½' when located within the first ten-feet of a front lot line (SBMC §29.87.170)

Date Application Accepted: May 8, 2007 Date Action Required: November 8, 2007

II. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Ron & Serena Weddle	Property Owner:	Same
Parcel Number:	051-323-017	Lot Area:	6,420 sf
General Plan:	5 Units Per Acre	Zoning:	E-3
Existing Use:	Duplex	Topography:	12%
Adjacent Land Uses:			
	North - Duplex		East - Samarkand Residential Facility
	South - Duplex		West - One-Family Residential

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,560 sf duplex	1,550 sf single family residence
Garage	396 sf to be demolished	400 sf
Accessory Space	None	No Change

III. LOT AREA COVERAGE

Lot Area:	6,420 sf
Building:	1,956 sf; 30%
Hardscape:	1,601 sf; 25%
Landscape:	2,863 sf; 45%

IV. DISCUSSION – STILL WORKING ON THIS

The existing duplex on site is non-conforming to density. The proposed project will combine the units to bring the density into conformance with the single family zoning. A remodel to change the architectural style of the existing development will include window and door changes, a new, covered front porch, deck, two-car garage, retaining wall, fence, and a change in the existing roof pitch. Existing development on site is currently non-conforming to open yard and both front setbacks. The changes proposed for the residence are do not result in any new floor area.

The existing garage is being demolished and a new regulation-sized garage is proposed to be built back within the Baldwin Street front setback. Staff supports this encroachment in that it provides regulation-sized parking, a slightly larger front yard setback, and results in a wider yard area behind the garage in the area used for outdoor purposes. Staff recognizes the hardship of two front yards and takes the position that the front yard off Baldwin provides an interior yard by location, design, and function.

Staff supports the replacement of the existing retaining wall and fence which will exceed the maximum allowable height of 3 ½' for that location by acknowledging that due to the grade difference between the street and site, only the 4' high fence will be visible from Baldwin Road. The fence will not restrict visibility for adjacent neighbors and therefore will not create public safety issues. Note that under the new Single Family Design Board (SFDB) triggers, the accumulative height of the retaining wall and fence will require review.

Although the roof pitch is being raised, adequate separation between neighboring properties will reduce any impacts with the taller building. Additionally, the door and window changes in the front setback are minor changes to an existing, nonconforming building. Therefore, Staff supports these Modification requests.

The covered front porch projects into an already nonconforming front setback, and although Staff would support a small, defined, front entry, Staff does not support the proposed encroachment into the front setback, as it is too large and too close to the front lot line.

The new deck in the already non-conforming open yard area makes the area more usable, so Staff supports an open yard encroachment. However, Staff does not support the requested Modifications to allow the deck to encroach into the front or interior setbacks.

V. RECOMMENDATION/FINDING

Staff recommends that the Staff Hearing Officer approve all Modifications requests except the proposed front porch in the front setback, and the proposed deck in the front and side setbacks, making the findings that the Modifications are necessary to secure appropriate improvements on the lot, in that the new garage is farther from the setback, the retaining wall and fence do not pose safety issues or visual issues for the neighborhood, the deck makes the open yard more useable, and the roof pitch and window changes are minor, and that they meet the purpose and intent of the Zoning Ordinance in that they allow improvements without intensifying the existing encroachments.

Staff recommends that the Staff Hearing Officer either 1) deny the requested Modification that would allow the proposed front porch to encroach into the front setback, as it is not an appropriate improvement; or 2) work with the applicant to reduce the size of the proposed front porch so that it is a small covered entry, which would be an appropriate improvement.

Staff recommends that the Staff Hearing Officer deny the requested Modifications to allow the porch to encroach into the side and front setbacks, as it is not an appropriate improvement.

Exhibits:

- A. Site Plan
- B. Applicant's letter dated May 7, 2007

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**Ron & Serena Weddle
2559 Treasure Drive #A
Santa Barbara, California 93105
(805) 563-0213**



May 7, 2007

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

Re: Modification Request for 2559 Treasure Drive, Units A & B; 051-323-017; E3

Dear Staff Hearing Officer:

The existing property consists of a duplex (1,560 sq ft.) and a detached two-car garage. The garage currently encroaches into the 2nd front yard setback of the property. The proposed project would consist of remodeling the duplex to bring it up to current code, which is a single-family home, to move the garage to increase yard space and to change the architectural style of the home.

1. The first modification being requested is to change the pitch of the roof and add a front porch to change the architectural style of the house so that it is more in-line with the Spanish style of Santa Barbara. The front of the house currently falls within the front-yard setback facing Treasure Drive. The property currently has a bay window, not shown in the original drawings at the location where we would like to build the front porch. We would remove the bay window, which is about 10 square feet of floor space. This is where the proposed front porch would be located.
2. The second modification being requested is to move the location of the garage closer to the house and further away from the 2nd front yard and interior lot lines to increase the side yard space and to increase the setback at the back of the property. The property goes through to another street, so we are required to have a standard front-yard setback, which is 20 feet. The new location of the garage would increase the setback as well as adding about 90 square feet of side yard space, but still requires a modification for altered location of a non-conforming building. Note: existing garage will be demolished.

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EXHIBIT B

3. The third modification being requested is to replace failing retaining wall along 2nd front yard lot line. This wall will exceed maximum allowable height of 3.5 feet. Existing fence to be maintained. Relocated retaining wall and existing fence will have accumulative total height of approximately 10 feet.
4. Existing open yard is non-conforming. Alterations to non-conforming open yard require mod approval. Proposed project actually increases dimensions of overall area.

The major benefits of having the proposed remodel encroach into the required setbacks are: That the property would comply with current zoning; increase in yard space; no increase in square footage of livable space; moving garage away from 2nd front yard setback; and enhances the look of the property with a new architectural style.

Sincerely,



Ron & Serena Weddle