



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** December 12, 2007  
**AGENDA DATE:** December 19, 2007  
**PROJECT ADDRESS:** 325 E. Canon Perdido Street (MST2007-00329)  
**TO:** Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Zoning & Enforcement Supervisor  
 Roxanne Milazzo, Associate Planner

### I. PROJECT DESCRIPTION

The 3,515 square foot project site is currently developed with a single-family residence and garage. The proposed project involves demolition of all existing structures and the construction of a 1,623 square foot single-family residence over a two-car garage. The discretionary application required for this project are Modifications to permit new development within the required front and both interior yard setbacks (SBMC §28.21.060) and parking within a required yard (SBMC §28.90.001).

Date Application Accepted: November 5, 2007      Date Action Required: February 5, 2008

### II. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant:	Carl Schneider	Property Owner:	Ken Olsen
Parcel Number:	029-301-018	Lot Area:	3,515 sf
General Plan:	Office & Residential	Zoning:	C-2
Existing Use:	Single Family Residence	Topography:	12%
Adjacent Land Uses:			
	North - Single Family Residence		East - Single Family Residence
	South - Single Family Residence		West - Single Family Residence

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	929 sf to be demolished	1,623 sf
Garage	164 sf to be demolished	519 sf
Accessory Space	181 sf to be demolished	407 sf in basement

**III. LOT AREA COVERAGE**

Lot Area: 3,515 sf  
Building: 1,784 sf; 51%  
Hardscape: 784 sf; 22%  
Landscaping: 947 sf; 27%

**IV. DISCUSSION**

The proposed project involves complete demolition of all structures located on the subject site, and the construction of a new single family residence with attached garage. The proposed development is requesting Modification approval to permit new construction within the front and both interior yard setbacks. During preliminary consultations with the applicant, Staff explained that Modifications for development on vacant lots (once demolition occurs, this lot will be considered vacant), are discouraged. Also discussed was the proximity to neighboring residential development, how setbacks provide separation from neighbors for quality of life, how small lots should be developed with small homes, and how vacant lots should be designed with conforming improvements. Staff recognizes that the non-conforming lot area (3,515 square feet) and its 35' width present site constraints that qualify it for some relief of the development standards. Specifically, the garage being located at the front lot line would allow conforming parking to be provided without the need for extensive grading. Staff can even support the interior yard encroachment for the garage and the utility space behind it, due to its subterranean location. Staff suggests that all other parts of the proposed project (including the deck above the garage) observe the required setbacks.

**V. RECOMMENDATION/FINDING**

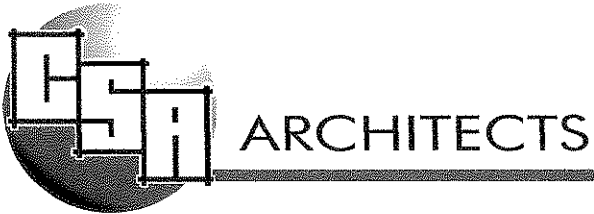
Staff recommends that the Staff Hearing Officer approve the garage and utility area encroachment by making the finding that the Modification is necessary to secure an appropriate improvement, and deny the remaining portions that are proposed within required yards by taking the position that the vacant lot should be developed with a design that is appropriate to its size and width.

Exhibits:

- A. Site Plan
- B. Applicant's letter dated November 26, 2007
- C. HLC Minutes
- D. Neighborhood letters

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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



November 26, 2007

Ms. Roxanne Milazzo  
City of Santa Barbara  
Modification Hearing Officer  
630 Garden Street  
Santa Barbara, CA 93101

Re: 325 E. Canon Perdido, MST2007-00329

Dear Ms. Milazzo,

We are proposing a new single family dwelling at the above location and as such are requesting several modifications. The requested modifications are: construction of a garage in the front yard; parking in a required yard (front); and construction in a portion of both interior side yards.

The site has an existing 929 sq. ft. house with a 181 sq. ft. studio in the rear and a 164 sq. ft. single car garage. The 1-car garage is existing non-conforming. The grade level of the lot is approximately 12'-0" above street level. The existing 1-car garage is buried into grade and qualifies as a basement, being totally buried on 3 sides and open only to the street. Based upon several issues we believe the site is heavily constrained.

We are proposing all the existing structures be demolished to allow for the new structure to be built. The existing house was built circa 1915 and we have had a Preliminary Historic Structures Report prepared by Post - Hazeltine Associates. This report has reviewed by Jake Jacobus and the HLC and it has been found to be acceptable.

The proposed project includes a 1,623 sq. ft. 2-story house with an attached 2-car garage and a fully buried basement of 407 sq. ft. The garage is 519 sq. ft. and as



such provides a new 2-car garage correcting a long standing non-conforming situation. The lot area is 3,515 sq. ft. thus per the Single Family Residence Design Guideline FAR table, the suggested maximum FAR is 1700 sq. ft. excluding a 500 sq. ft. garage allowance. Thus the project exceeds the 85% FAR rules but falls within the less than 100% FAR rules.

The site is zoned C-2, however the proposal is for a single family dwelling. The R-4 zoning rules thus apply. However the site is only 35'-6" wide by 99'-0" long and we are requesting a setback modification in the front and a portion of both sides. In the front we propose the Garage be allowed to set only 2'-0" back from the property line. I have meet with the Transportation Department and they have agreed that this is appropriate, acceptable and a safer all round solution for this parcel. The second and third floors meet the R-4 front setbacks.

Along the western property line we propose the first floor (Garage / Basement) be allowed to have a 0' setback as it is almost entirely under ground and not visible. Along this same side a portion of the second floor will have a 0' setback and the third floor will have a 3' setback. All in lieu of the standard R-4 6'-0" setback for the first and second floors and 10'-0" for the third floor. These projections into the side yard are only for a distance of approximately 25% of the property length.

Along the eastern side yard we propose that the third floor be allowed to set a distance of 6'-0" from the property line in lieu fo the 10'-0" standard setback. Due to the sites topography, the physical situation is more like a typical 2-story condition than a three story condition, as the house on the adjacent property sets at the second floor level also. Thus relative to the immediate neighbor it is a virtual 2-story condition and not a 3-story condition. Again, the first floor qualifies as a basement.

Since the site is only 35'-6" wide, if we were required to use the 6'-0" side yard setbacks on both sides, it would reduce the building footprint to be only 23'-6" wide for the first and second floors, barely over the width of a 2-car garage. At the third floor with the standard 10'-0" setback on both sides, it would only allow for a 15'-6" wide building section. From a planning standpoint we think pushing the building to the south and west allows better use of the site, keeps more useable open space available, better protects the adjacent neighbors privacy and increases solar access for the neighbors to the north.

Again, we are trying to be a good neighbor and have taken into account adjacent neighbor privacy and solar access issues by pushing the building mass towards the



street and to the west and have designed the rear portion of the house to be 1-story. This allows the adjacent neighbor to the west, who has a second floor roof top deck, to maintain the majority of their private views to the east and mountains beyond. The project does include a roof top deck on a portion of the rear 1-story form. Roof top decks are not unusual in the neighborhood as there are several in the immediate neighborhood. The roof top deck is set basically in the middle of the lot and does not set within any required setback.

The neighborhood as a whole is zoned C-2 with mostly residential development. There are several nearby neighbors which are built right up to the property lines even though they are residential properties. These properties at 312 E. Canon Perdido, 322 E. Canon Perdido, 331 E. Canon Perdido, 903 Laguna, and 905 Laguna all have instances where they have a 0' setback. The properties on the corner of Laguna and Canon Perdido were approved and built only several years ago. Additionally the properties at 321 E. Canon Perdido, 329 E. Canon Perdido, the several properties at 924 Garden (El Caserio), 909 Laguna, 911 Laguna, 913 Laguna and 917 Laguna all have setbacks less than that required for the R-4 zone. I have submitted an aerial of the surrounding area with these highlighted. All these properties are within the 20 closest parcels to the subject site. We believe there is enough precedence in the immediate neighborhood to allow the requested modifications to occur and that it is in fact keeping with the existing character of the neighborhood.

The site lies within the El Pueblo Viejo District and as such requires approval from the Historic Landmarks Commission (HLC). We received "Conceptual Comments" from the Commission on 10-31-07 and they have forwarded this to the Modification Hearing Officer with full support of the requested modifications and specifically supported the size, bulk and scale of the proposed residence on an 8-1 vote.

For all the above reasons, we respectfully request approval for modifications as defined above. Thank you for your consideration and I look forward to hearing from you.

Sincerely,  
**CSA ARCHITECTS**



Carl Schneider, A.I.A., NCARB

## HLC MINUTES SUMMARY – 325 E. CANON PERDIDO STREET

**September 5, 2007**

**Motion:** Continued two weeks with the following comments: 1) There is no support for a modification to encroach into the open yard area. 2) The style is not appropriate to the neighborhood because it is too contemporary, has a mixture of different styles, and the proportions are unacceptable. 3) Soften the style with overhangs and sandstone. 4) There is concern about the height of the garage level, the building in general, the master suite, and having the gable and the taller elements so close to the street. 5) The mass is too tall and too close to the street.

**Action:** Adams/Naylor, 6/0/0. (Boucher/Hausz/Sharpe absent.) Motion carried.

**October 3, 2007**

**Motion:** Four week continuance with the expressed support of the Commission for modifications if additional landscaping is provided as a mitigation and revisiting of the architecture to make it more coherent and interesting, and reducing the height of the building, including the basement floor.

**Action:** Boucher/Sharpe, 8/0/0(Curtis absent.) Motion carried.

**October 31, 2007**

**Motion:** Indefinite continuance to the Staff Hearing Officer with the following comments: 1) The Commission supports the modifications requested because they are consistent with the pattern of development in the neighborhood and because of the constraints of the lot. 2) The size bulk and scale is acceptable. 3) The architecture requires more refinement in terms of composition and fenestration. 4) Plant a larger vertical canopy tree on the south elevation and planter area to soften the structure. 5) The stone pattern as proposed in the picture is acceptable.

**Action:** Hausz/Boucher, 8/ 1/0. (LaVoie opposed.) Motion carried.

For SHTO  
325 E Canon  
Perdido

Sept. 5, 2007

Re: Application Number: MST2007-00329

From: El Caserio Neighborhood

Dear Members of the Historic Landmarks Commission,

We the community of the landmark El Caserio neighborhood are writing to express our concern regarding the proposed project on 325 E. Canon Perdido.

Many of the homes on El Caserio as well as on Canon Perdido, are older smaller residences with picturesque gardens, or newer homes built to blend into this section of our city that has the sensibility of a small town quaint village. The new 325 E. Canon Perdido residence uses its set backs for housing which takes away all of the existing front and side yard space. A giant 50 year + yucca has to be removed in its back yard as well. The new roofline extends above its existing height, and there is a lack of old world exterior detailing. The scale and style of this house makes it feel as though a commercial building will be added rather than an El Caserio home. The architectural plans representing this residence do not seem at this time, to reflect the existing charm of our neighborhood.

Thank you for your time and attention,

EXHIBIT D

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Names

Address

Wendy Foster	924A Garden St. 93101
Sally Turner	321 E. Canon Perdido
Jay Thomas	" " " "
Shirley Enlow	924-D. Garden ST.
Sarah Oak. Hall	922 Garden St.
Brooks Hall	924-e Garden St.
Robert R. Keen	924F Garden St.
Liam O'Gallagher	924 Garden St.
Wayne Ashcraft	{ 924 GARDEN ST 32 E. CANON PERDIDO
Kevin Ashcraft	
Michelle Brown	310 E. Canon Perdido
<del>Jill Miller</del>	924 Garden Street
Mary Dresser	Tower Studio
Jane Wren	924 Garden St. #B
	924 Garden St.