



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: March 5, 2008
AGENDA DATE: March 12, 2008
PROJECT ADDRESS: 1335 Mission Ridge (MST2006-00285)
TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Zoning & Enforcement Supervisor *SK for DYK*
 Roxanne Milazzo, Associate Planner *RM*

I. PROJECT DESCRIPTION

The 17,000 square foot project site is currently developed with a single family residence. The proposed project involves the legalization of an "as-built" deck landing. The discretionary application required for this project is a Modification to permit the landing to be located within the required interior yard setback (SBMC §28.15.060).

Date Application Accepted: January 22, 2008 Date Action Required: April 22, 2008

II. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Bryan Murphy	Property Owner:	Dario Pini
Parcel Number:	019-210-005	Lot Area:	17,043 sf
General Plan:	1 Unit Per Acre	Zoning:	E-1
Existing Use:	Single Family Residence	Topography:	26% slope
Adjacent Land Uses:			
	North – Single Family Residence		East – Single Family Residence
	South – Single Family Residence		West – Single Family Residence

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	4,855 sf	No Change
Garage	408 sf	No Change
Accessory Space	43 sf	No Change

III. LOT AREA COVERAGE

Lot Area:	17,043 sf
Building:	2,208 sf; 13 %
Hardscape:	5,870 sf; 34 %
Landscape:	8,965 sf; 53 %

IV. DISCUSSION

This deck landing was reviewed and approved by the ABR as part of a large “as-built” application processed late last year.

Although this encroachment was shown on the plan reviewed and approved by the Staff Hearing Officer on October 10, 2007, it was not included on the legal notice language and therefore could not have action taken on it. Although Staff discourages the use of the Modification process for illegal construction and upper level decks in setbacks, Staff supports this request in that the seven square-foot encroachment will allow maintenance of a landing that provides access from the upstairs to the yard below.

V. RECOMMENDATION/FINDING

Staff recommends that the Staff Hearing Officer approve the project, making the findings that the Modification will secure an appropriate improvement of access from an upstairs area to the grade below while meeting the purpose and intent of the ordinance by not providing an area to congregate or additional floor area in a required yard.

Exhibits:

- A. Site Plan
- B. Applicant's letter dated 1-15-2008

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

MURPHY AND ASSOCIATES, ARCHITECTS

3040 State Street, Suite C

Santa Barbara, CA 93105 Ph. (805) 569-0759 Fax (805) 569-9339

email murpharc@GTE.net

I-15-2008

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

Re: Side Yard Modification request for 1335 Mission Ridge
APN: 019 210 005
Land use zone E-1

Dear Modification Hearing Officer,

This letter is intended to describe the modification request for 1335 Mission Ridge Road as follows:

I. EXISTING CONDITIONS AND PROPOSED PROJECT

The existing condition of the site is an existing two story single family residence over a (1) car carport, living area and storage / utility area. The original building was built in the early 1920's and had net areas of 1,438 sq.ft. Basement, 2,336 sq.ft at the First floor, and 393 sq.ft. Second floor, (4,167 sq.ft total). Most of the building is located in the front yard setback and it was built right up to the right of way line, and hence encroaches 30' into the front yard setback. The site slopes quickly away from the road toward a magnificent ocean and city view.

Modifications were approved on 10/10/07 to allow several encroachments into the front yard setback, however it was noted at that time that a modification would also be required for a minor encroachment into the side yard setback as well. The existing decks stair landing encroaches in a triangular area that reaches a maximum of 2'-6" into the side yard setback. This encroachment was previously noted in expired permit #0764 (from 1981).

Our proposal here is to legalize this as built side yard encroachment, and as part of the larger project and along with the previously approved front yard encroachments, abate the violations noted in ENF.2005-00665.

II. MODIFICATION REQUESTS

This modification request is as follows:

At the rear yard area:

To allow an as built corner of the existing deck stair landing (at the south west corner) having an area of 7 sq.ft. to encroach into the side yard setback. This triangular area encroaches 2.5' into the side yard setback it is open underneath and is not visible from the front of the property or the street and only minimally visible from the west side and South side.

III. PROJECT BENEFITS

We feel these modifications are appropriate for the following reasons:

MURPHY AND ASSOCIATES, ARCHITECTS

3040 State Street, Suite C

Santa Barbara, CA 93105 Ph. (805) 569-0759 Fax (805) 569-9339

email murpharc@GTE.net

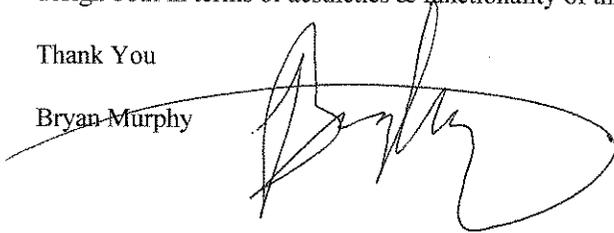
1 - This is a sloping lot, sloping quickly away from the street and locating building further from the roadway creates a much greater hardship in terms of accessibility.

2 - This encroachment was noted in expired permit #0764, which was built but, (although slightly different than as drawn) but was never finalized.

3 - The project will abate the violations of the enforcement case, clear up the standing of work done but never finalized under the expired permits, legalize as built work, and create a much more unified & cohesive design both in terms of aesthetics & functionality of the plan.

Thank You

Bryan Murphy

A handwritten signature in black ink, appearing to read 'Bryan Murphy', is written over the printed name. The signature is stylized and fluid, with a large loop at the end.