



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: November 12, 2008
AGENDA DATE: November 19, 2008
PROJECT ADDRESS: 309 Palisades Drive (MST2008-00392)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Renee Brooke, AICP, Zoning & Enforcement Supervisor *RLB*
 Roxanne Milazzo, Associate Planner *RM*

I. PROJECT DESCRIPTION

The project site is currently developed with a single family residence and attached 2-car carport. The proposed project involves a remodel of the residence, which includes demolition of the carport and replacement with a 2-car garage with habitable space above. The discretionary application required for this project is a Modification to permit the garage to be located within the required 6' interior setback (SBMC §28.15.060).

Date Application Accepted: October 14, 2008 Date Action Required: January 14, 2009

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to a condition.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Dawn Sherry	Property Owner:	Jim Mitchell
Parcel Number:	041-325-009	Lot Area:	8,016 sf
General Plan:	5 Units Per Acre	Zoning:	E-3/SD-3
Existing Use:	One-Family Residence	Topography:	Flat

Adjacent Land Uses:

North - One-Family Residence (1-story)	East - Palisades Drive
South - One-Family Residence (1-story)	West - One-Family Residence (2-story)

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,368 sf	307 sf addition = 1,675
Garage	302 sf carport to be removed	457 sf garage
Accessory Space	62 sf shed to be removed	N/A

C. PROPOSED LOT AREA COVERAGE

Building: 1,342 sf 17% Hardscape: 1,920 sf 24% Landscape: 4,754 sf 59%

D. FLOOR-AREA RATIO (FAR)

Max. Allowed FAR: 0.40 Proposed FAR: 0.27 = 66.5% of Max. Allowed FAR

IV. ZONING ORDINANCE CONSISTENCY

Standard	Requirement	Existing	Proposed
Interior	6'	3'	4'

V. DISCUSSION

This project was reviewed by the Single Family Design Board (SFDB) on two occasions. Although there was opposition related to possible impacts associated with the second story addition, Staff points out that the second story portion of this application conforms to all zoning setbacks. The first floor encroachment required for the new garage received favorable comments by the SFDB because it replaces the existing carport with enclosed parking for the site.

The project site is currently developed with a one-family residence with attached two-car carport with roof deck. The carport and deck received a Modification in 1985 to be constructed within 3' of the interior property line. The proposed project involves demolition of that carport and deck, and the construction of a 2-car garage with living space above. The second story living space has been designed to conform to current setback requirements but the garage is proposed to be built 4' from the interior property line. Staff advised the applicant of current zoning regulations which allow for uncovered parking spaces to be located within 3' of the interior lot line for properties developed with less than 85% of the maximum net floor area for the lot, and that because this conforming improvement was available, that a Modification may not be supportable. Although the applicant was aware of the conforming solution, enclosed parking for both spaces is preferred for purposes of security and protection from the elements. Staff supports this request and recognizes that the proposed encroachment will not be visible to the immediate neighbors to the south due to the existing fence, and will allow the existing parking area to be maintained with less encroachment than currently exists.

VI. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed encroachment is appropriate because it will result in the required parking for the site to be provided in an enclosed structure which secures and screens the parked vehicles from the right-of-way, while reducing the encroachment from what currently exists.

Said approval is subject to a condition that the hedge and fence along the southern lot line be reduced to the maximum allowable height of 3 ½' for the first 20' back from the front lot line, and that the hedge along the front lot line be maintained at a maximum non-conforming height of 8', and the portion of the hedge along the north side of the driveway be maintained at its maximum allowable non-conforming height of 8 ½'. It should be noted that the overheight fence and hedge along the front lot line and the hedge along the north side of the driveway have been given a non-conforming status (see attachment D) and are not subject to reduction at this time.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated October 14, 2008
- C. SFDB Minutes
- D. Modification Approval Letter dated March 28, 1985

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

SHERRY & ASSOCIATES
architects

phone (805) 963.0986
telefax (805) 963.0178

DATE: October 14, 2008 *office* 513 SANTA BARBARA STREET, SANTA BARBARA
mail to POST OFFICE #23634, SANTA BARBARA, CA 93121

TO: City of Santa Barbara
Roxanne Milazzo
Modification Hearing Officer

FROM: Dawn Sherry
Sherry & Associates, Architects
Telephone: (805) 963-0986
Fax: (805) 963-0178

Re: **309 Palisades Drive**
Request for Modification

Dear Mrs. Milazzo,

Attached is a Preliminary Site Plan, Floor Plans and Exterior Elevations for a Proposed two story addition to an existing two story dwelling on an existing parcel located at 309 Palisades Drive in Santa Barbara, CA. The proposal consists of The following:

1. Demolition of an existing two-car carport and second story deck above
2. Construction of new two car garage and second story living room above

The existing two-car carport received a previous modification for encroaching into the required interior yard setback. The existing deck above complied with required setbacks.

We are requesting a Modification for the following:

1. **Relief from the required interior yard setback for the construction of the south Wall of the proposed garage. The garage wall is proposed to be located 4 feet from the south property line instead of the required 6 feet.**

The proposed second story addition will comply with all required setbacks.

We feel that the request for relief of the required setback is an appropriate improvement because it will allow the construction of a two car garage to replace the existing two car carport. In addition, the upper level deck, which is open and uncovered, will be replaced by a new enclosed room, thereby securing more privacy for both the property owner as well as the neighboring properties. In addition, it provides a much-needed living room on the main (upper level) of the existing residence.

We have chosen the location of the proposed garage on the south side of the property as opposed to the north side because of the fact that all of the existing driveway, curb cut, and landscaping are already established on the south side. In addition, the configuration of the existing floor plan makes it difficult to incorporate the addition on the north side, due to the location of the existing kitchen, recently remodeled. All of the good light exposure is to the south.

Thank you for your consideration of this modification, If you have any questions, please don't hesitate to call.

Sincerely,

Dawn Sherry



Exhibit B

309 Palisades Drive – Single Family Design Board Minutes

September 2, 2008 -

Continued indefinitely to the Consent Calendar with the following comments: 1) restudy width of the deck, increase set back from the Southwest property lines or screen; 2) if a second-story addition is proposed, notice and return to Full Board; 3) restudy stucco columns to soften their appearance; 4) garage setback is supportable.

September 29, 2008 –

Public comment

1. Two comment letters in opposition from Charles Bryant, and Paula Westbury were acknowledged.
2. Dieter Hornemann, opposed: opposed to addition in the proposed location due to privacy concerns, not opposed to an addition on the north side of the property (provided written comments).

Motion: Continued indefinitely to the Staff Hearing Officer and return to the Full Board with the following comments:

- 1) Raise the window sill on the south elevation for privacy.
 - 2) The gable roof shown on revised plans is an improvement.
 - 3) Provide details of corbel cantilever and wrought iron detail above garage door.
 - 4) Provide additional info about chimney cap.
 - 5) Provide a color and materials board.
 - 6) Eugenia hedge will be part of approved landscape plan and must be maintained for privacy.
 - 7) The proposed garage is being located where a carport currently exists, the 20 by 20 foot size meets parking standards, and the second-story is set back to not require a zoning modification.
- Action:Zink/Woolery, 5/0/0. Motion carried. (Bernstein and Carroll absent.)

CITY OF SANTA BARBARA

COMMUNITY DEVELOPMENT DEPT.
Redevelopment • Environmental Review
Planning • Zoning • Building • Housing



1215 CHAPALA STREET
P.O. DRAWER P-P
SANTA BARBARA, CA 93103
(805) 963-1661

March 28, 1985

MR. Paul H. Turpin
309 Palisades Drive
Santa Barbara, CA 93109

Re: 309 Palisades Drive; Parcel 04-325-09; Zone: E-3

Dear Mr. Turpin:

At a public hearing on March 27, 1985 the Modification Hearing Officer approved your request for a modification to permit a proposed one-car carport to be located six (6) inches from an interior lot line instead of being set back the required five (5) feet, subject to the following conditions:

1. The proposed carport may encroach to within three (3) feet of the southerly side lot line; however, no additional overhang will be permitted beyond the three- (3) foot setback.
2. The existing carport shall be increased in depth to a minimum of twenty (20) feet.
3. The owner shall apply for a building permit within thirty (30) days of this approval for the "as built" conversion of the two (2) vehicle garage in the dwelling to additional dwelling space and for the existing carport.
4. The owner will record an agreement waiving the right to protest the formation of any and all street, street lighting, traffic, underground utility and other public improvement districts. A copy of the document to be used for this purpose is attached.

Note: Based on a letter from Bryant's Tree Service, dated March 9, 1985 and a letter from Mission Tree Care dated March 21, 1985, the wooden fence approximately six (6) feet high and hedge approximately eight and one half (8½) feet high both located on the front lot line and the hedge approximately eight and one half (8½) feet high located on the northerly side of the driveway are determined to be non-conforming. The fence and hedges may be maintained at no higher than the approximate heights indicated above.



Modification Hearing
309 Palisades Drive
March 28, 1985
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In the event the wooden fence or hedge is reduced in height, the new height shall become the maximum limiting height of the non-conformancy to the extent that it exceeds the then current ordinance.

In the event the wooden fence or hedge is removed, any replacement shall conform to the then current ordinance.

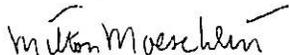
In taking this action, the Hearing Officer made the findings required by Municipal Code Section 28.92.026, that is, the modification is necessary to secure an appropriate improvement on the property.

This decision may be appealed to the Planning Commission by filing an appeal with Zoning no later than April 18, 1985. If not appealed within that time, the action is final subject to review and action of the Planning Commission within the time period established for an appeal. During its review, the Planning Commission may request clarification and/or additional information concerning the modification request.

If you have any existing zoning violation on the property, it must be corrected within thirty (30) days of this action.

Pending the outcome of any appeal action, your next administrative step should be to apply for a building permit. The location and size of the construction proposed in the application for the building permit shall not deviate from the location and size of construction approved in this modification.

Sincerely,


Milton R. Moeschlin
Modification Hearing Officer

MRM/sm



cc: Mr. Thomas D. Wise, Hatch & Parent, 21 E. Carrillo St. Santa Barbara,
CA 93101