



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: April 1, 2010
AGENDA DATE: April 7, 2010
PROJECT ADDRESS: 32 Rosemary Lane (MST2009-00576)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DJK*
 Roxanne Milazzo, Associate Planner *RM*

I. PROJECT DESCRIPTION

The 13,375 square foot project site is currently developed with a single family residence, attached two-car garage, and two detached storage sheds. The proposed project involves a new patio cover that will connect the rear of the garage to the accessory structure. The discretionary application required for this project is a Modification to permit new construction within the required ten-foot interior setback (SBMC §28.15.060).

Date Application Accepted: February 26, 2010 Date Action Required: May 26, 2010

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:	Paul Krieger	Property Owner:	Same
Parcel Number:	015-091-017	Lot Area:	1,537 sf
General Plan:	3 Units Per Acre	Zoning:	E-1
Existing Use:	One-Family Residence	Topography:	20% Slope

Adjacent Land Uses:

North – One Family Residence	East - One-Family Residence
South – Rosemary Lane	West – One-Family Residence

B. PROPOSED LOT AREA COVERAGE

Building: 2,212 sf 17% Hardscape: 1,680 sf 13% Landscape: 13,375 sf 70%

C. FLOOR-AREA RATIO (FAR)

Max. Allowed FAR: 0.31 Proposed FAR: 0.17 = 53% of Max. Allowed FAR

IV. DISCUSSION

The project site is currently developed with a single family residence, attached garage, and detached accessory building. The garage is non-conforming to current setbacks due to the zoning regulations at its time of construction in 1962. The detached accessory building was granted Modification approval in 1999 for its location within the required 10' interior setback.

The proposed project involves a patio cover. The cover, which is designed to be attached to the rear of the garage, will replace the substandard and illegal structure that currently exists and will be expanded to serve the dual purpose of providing a patio cover and covered entry for the detached accessory structure. Currently the accessory structure has an unprotected entry that allows for rain to enter when someone accesses the structure during inclement weather. For uniformity of improvement, the patio cover has been designed to match the existing 2'6" interior setback that the accessory structure observes. This results in approximately 64 square feet of the roof connection being located within the interior setback. A Modification is required for its construction.

It is Staff's position that the portion of the cover proposed within the setback secures an appropriate improvement for the site. The five-foot wide roof element that projects past the garage within the setback will be screened by the existing vegetation on site. The area of cover within the setback is not designed to encourage congregation and therefore meets the purpose and intent of a setback, which is to provide a buffer zone between residential neighbors. The project was reviewed by the Single Family Design Board who agreed that the removal of the existing construction and replacement with the new cover, secures a "good architectural solution" to the existing situation. The second, smaller accessory building on site is temporary and proposed for removal after summer. In the meantime, the applicant will be required to provide Staff with the details of its size, height, location and use, for determining what, if any City processes are required for its temporary existence.

V. FINDINGS & 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, because the 64 square foot portion of the roof connection proposed within the setback provides a protected entry for a legal accessory structure without impacts to the adjacent neighbor.

Said approval is subject to the condition that details for the second detached storage shed be provided regarding its size, height, and location on the property to confirm compliance with current zoning regulations.

Exhibits:

- A. Site Plan (under separate cover)

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- B. Applicant's letter dated February 15, 2010
- C. SFDB Minutes
- D. Neighbor's E-Mail dated 2/3/10

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



Paul and Lyn Krieger
32 Rosemary Lane
Santa Barbara, CA 93108

February 15, 2009

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

Dear Staff Hearing Officer:

We own the existing home at 32 Rosemary lane, built in about 1959, consisting of just over 1,500 square feet, plus an attached garage, permitted with the original structure. In addition, there is a 160 square foot permitted accessory building behind the garage, used to store books and music equipment. The proposal is to replace a substandard patio cover in this back area with a more attractive and useful, architecturally designed ~~cover~~ cover that is integrated with the roof. This cover is intended to keep water (runoff) away from the foundation and toward the drainage system on the property, and to provide covered entrances to the garage and accessory building.

We purchased this house a decade ago out of probate, and it needed a significant amount of work. The surrounding neighborhood is well-maintained, including several Moody houses, and this house needed to be brought closer to that standard. In the intervening years we have improved the front yard, painted, and re-roofed. This is the last significant exterior construction project to improve the functionality of the house and improve its appearance. Having a modest-sized covered area to go in and out and work during rain or wind would be extremely helpful. Covering entrances is also important to us, especially since the back accessory building stores books and music which are moved from building to building.

The modification we are requesting is needed in order for the doorway to the accessory building to be covered. The accessory building was permitted with a modification to allow construction within the side setback. The garage is a legal nonconforming structure that also sits partially in the setback. The covered area between the two buildings will allow movement between the structures during rainy times, and also prevent the gathering of leaves and debris caused by the wind that occurs frequently on this hillside location. The area is too small to serve as a gathering place, and is not visible from any neighboring property. Our immediate neighbor, adjacent to the lot line where the modification would be, is in support of

this project.


The benefit of this modification is that it provides a minor, open structure that enhances the usability and appearance of the property, provides greater weather protection, and allows for significantly easier maintenance of the property.

We appreciate your consideration of our request.

Sincerely yours,



Paul and Lyn Krieger



32 ROSEMARY LANE – SINGLE FAMILY DESIGN BOARD MINUTES

February 1, 2010

Continued indefinitely to the Staff Hearing Officer and return on Consent Calendar with the following comments: 1) Removal of the poor construction is a good architectural solution; 2) Confirm if roof meets high fire requirements; 3) correct the drawings to have no overhang on the east side; 4) fence and gate are removed from the proposal.



Milazzo, Roxanne

From: Boughman, Tony
Sent: Wednesday, February 03, 2010 8:05 AM
To: Milazzo, Roxanne
Subject: FW: 32 Rosemary Lane

FYI. This also got positive comments at SFDB Consent.

From: Mark Hudson [mailto:markbuilds@msn.com]
Sent: Tuesday, February 02, 2010 10:49 PM
To: Boughman, Tony
Cc: Paul Krieger
Subject: 32 Rosemary Lane

Att Tony Boughman

Hi Tony, My name is Mark Hudson, my wife and I own the property at 28 Rosemary Lane. Our property is located next door to Paul and Lyn Krieger's property (32 Rosemary Lane). Today Paul showed me the plan to extend the roof of the accessory building and to replace the patio cover. We have no problem with any of this work. I don't think that we will even be able to see any of it. We are aware that it may be inside the side yard setback and are OK with it. Please feel free to call me or contact me by email if you have any questions. My cell number is 805.455.4313
Yours truly, Mark and Lynn Hudson .

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