



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: September 1, 2010
AGENDA DATE: September 8, 2010
PROJECT ADDRESS: 333 Consuelo Drive (MST2010-00217)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Renee Brooke, AICP, Senior Planner *RIB*
 Roxanne Milazzo, Associate Planner *RM*

I. PROJECT DESCRIPTION

The 7,490 square foot project site is currently developed with a duplex, 1-car garage, and 2-car garage. The proposed project involves a 234 square foot addition to the rear unit, a new 243 square foot covered patio, and a new 225 square foot trellis. The discretionary application required for this project is a Modification to permit the addition to be located within the required outdoor living space (SBMC §28.18.060).

Date Application Accepted: August 10, 2010 Date Action Required: November 10, 2010

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer deny the project as submitted.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Paul Zink	Property Owner:	Leslie Houston
Parcel Number:	059-212-003	Lot Area:	7,490 sf
General Plan:	12 Units Per Acre	Zoning:	R-2/SD-2
Existing Use:	Duplex	Topography:	10% Slope

Adjacent Land Uses:

North - Duplex	East - Consuelo Drive
South - Duplex	West - Mobile Home Park

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	Front Unit = 824 sf Rear Unit = 1,079 sf	Front Unit = 824 sf Rear Unit +234 sf = 1,313 sf
Garage	Front Unit = 303 sf Rear Unit = 485 sf	Front Unit = 303 sf Rear Unit = 485 sf

C. PROPOSED LOT AREA COVERAGE

Building: 3,041 sf 41% Hardscape: 1,500 sf 20% Landscape: 2,949 sf 39%

IV. DISCUSSION

The project site is developed with a duplex and three covered parking spaces, provided in attached one-car and two-car garages . Due to the development standards at the time of the subdivision in 1958, current development on site is non-conforming to parking and open yard requirements. Although the amount of open yard currently provided exceeds the required 1,250 square feet, it does not provide the required 20' minimum dimensions.

The proposed project involves a remodel to the rear unit that will convert the three existing bedrooms to two larger bedrooms, and expand the living room. The living room expansion is proposed in the only portion of open yard that currently conforms to the required 20' dimensions. A Modification is required to reduce a non-conforming open yard area. It is the applicant's position that ample outdoor area, accessible from each unit, will continue to be provided for use as intended by the Ordinance. It is Staff's position that the reduction of the already non-conforming open yard is not necessary to secure an appropriate improvement on the lot. Staff understands that any ground floor expansion on this property would require Modification approval to reduce the nonconforming open yard. Staff could support a minor expansion of the living area as long as the minimum 20-foot open yard dimension is maintained. This would result in a total open yard area of approximately 1,660 square feet, 760 square feet of which would have conforming dimensions. Per the allowed encroachments under SBMC §28.87.062, 250 square feet of that open yard area could be under patio covers or trellises.

V. FINDINGS

The Staff Hearing Officer finds that the Modification request to reduce the non-conforming open yard area, as proposed, is not consistent with the purposes and intent of the Zoning Ordinance and is not necessary to secure an appropriate improvement on the lot. A more conforming option exists, which involves reducing the size of the proposed addition to maintain an open yard area with the minimum 20' dimensions.

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Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter dated August 10, 2010
- C. ABR Minutes

Contact/Case Planner: Roxanne Milazzo, Associate Planner
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Phone: (805) 564-5470

PAUL R. ZINK, AIA

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(805) 569-3909
zinkaia@aol.com

August 10, 2010

Planning Division
City of Santa Barbara
P.O. Box 1990
Santa Barbara, CA 93102-1990

RE: Modification Application for 333 Consuelo Drive
APN: 059-212-003
Zoning R-2/SD-2 / Upper State: Hope
MST 2010-00217

Dear Planning Staff,

We are seeking one (1) modification to allow less than the required 20'-0" minimum dimension for the required 1,250 square foot open yard area. We are proposing to build an addition where there is currently an existing non-permitted patio cover. This patio cover is located in an area that is 27'-0" from the interior property line which constitutes as part of the required open yard area. The project was reviewed at ABR Consent on August 9th with no negative impacts to the aesthetics noted in the minutes.

The existing structure on the property is a duplex. The Front Unit is 824 square feet with a 303 square foot one car garage. The Rear Unit is 1,079 square feet with a 485 square foot two car garage. There are two outdoor living areas. The Front Unit has an area of 14'-9" x 36'-0" for a total area of 531 square feet. This area is existing and is not considered part of the required open yard area since it does not have the minimum dimension of 20'-0". The Rear Unit has an 'L' shaped back yard. Currently the shorter side of the 'L' has an area of 27'-0" x 38'-9" for an area of 1,046 square feet. The longer portion of the 'L' has an area of 18'-3" x 43'-0" for an area of 785 square feet. The total available yard available for the Rear Unit is 1,831 square feet even though this existing area does not comply with the required 1,250 square feet of open yard with a minimum dimension of 20'-0". When the Front Unit and Rear Unit existing open yard is added together the total area is 2,362 square feet. But once again this existing condition does not comply with the current open yard requirements having a minimum dimension of 20'-0".

There is currently an existing non-permitted Covered Patio attached to the Rear Unit. It is 11'-7" x 20'-6" or 234 square feet. We are proposing to build an addition for the Rear Unit where the current non-permitted patio cover is located. The addition will be the same size as the existing patio cover. The resulting open yard area for the Rear Unit will be 70'-0" x 18'-3" for an area of 1,277 square feet. We are proposing an open trellis in this open yard area that is 15'-9" x 14'-3" or 225 square feet which is less than the 250 square foot allowable area. When the Front Unit open yard area of 531 square feet is added to the proposed Rear Unit open yard area, the total open yard on the property is 1,808 square feet.

What makes this request even more unique is that the existing block wall fence between this house and the neighbor is 24'-6" from the back wall of the Rear Unit. This is the field measured condition. The property line is located 18'-3" from the back wall of the Rear Unit. We happen to have exclusive use of our neighbor's property as part of our open yard. When the neighboring San Vicente Mobile Home Park was built in 1977 the Eastern perimeter block wall fencing was located 6-8 feet from their property line to create a natural buffer between the high density mobile home park and the existing duplex residential houses along Consuelo Drive. The existing grade on the San Vicente Mobile Home Park side of the wall varies from 2-4 feet lower than the grades on our back yard area. Refer to the existing San Vicente construction drawings for additional information.

Even thou 333 Consuelo Drive does not own the extra 6'-3" between their property line and the neighbor's block wall, this total area of 24'-6" x 70'-0" equals 1,715 square feet which provides the recreational open area of 1,250 square feet with a minimum dimension greater than 20'-0".

We feel that we comply with the intent of the Zoning Ordinance with the available open yard area on this property. We do not feel that the San Vicente Mobile Home Park will any time soon be relocating their block wall on to their property line to reclaim use of this land since the location of the block wall was most likely a condition of approval for the mobile home park when it was built. No one can predict the future of the mobile home park in terms of redevelopment. The proposed project at 333 Consuelo Drive does provide 1,808 square feet of open yard on their property for the residents of Front and Rear Units with a minimum dimension of 14'-9".

The proposed project will be classified as a Tier 1 for Storm Water Management. We are adding a total of 468 square feet of impervious area to the site. At this point we are planning to proceed with the voluntary Rain Barrel suggestions in the Chapter 5 basic Best Management Practices options. The Public Works Department waived the requirements for hydrology reports for this project since the scope of work is small.

We feel the Staff Hearing Officer will be able to make the findings to permit this modification since the existing condition is a permitted non-conforming and we are not reducing the distance of the Rear Unit wall to the Rear property line.

If you have any questions please call 805-569-3909.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul R. Zink". The signature is fluid and cursive, with a large initial "P" and "Z".

Paul R, Zink, AIA

333 CONSUELO DRIVE – ARCHITECTURAL BOARD OF REVIEW MINUTES

August 9, 2010

A letter of concern from Paula Westbury was acknowledged.

Continued to Staff Hearing Officer with comments:

- 1) The Compatibility Analysis is as follows:
 - a. The proposed project complies with the Design Guidelines and is consistent with the City Charter and applicable Municipal Code requirements.
 - b. The project's design matches and is compatible with the City and the architectural character of the neighborhood, given compliance with the comments provided here.
 - c. The project's mass, size, bulk, height, and scale are appropriate for the neighborhood.
 - d. There are no impacts to adjacent City Landmarks, adjacent historic resources or established public views of mountains or ocean.
 - e. The project's design does not block established public views of mountains or ocean.
- 2) Applicant to change the eave lighting to low pathway lighting on the north elevation.
- 3) There are no aesthetic impacts on the requested zoning modification for the configuration of the required open space.