



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: June 6, 2012
AGENDA DATE: June 13, 2012
PROJECT ADDRESS: 326 Canon Drive (MST2012-00202)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Renee Brooke, AICP, Senior Planner *RLB*
 Kelly Brodison, Assistant Planner

I. PROJECT DESCRIPTION

The proposed project includes the "as-built" conversion of a 112 square-foot storage room to habitable space. No exterior changes or additional floor area is requested. The 14,700 square-foot lot is currently developed with an existing 1,499 square-foot single family residence with an attached 375 square-foot garage and the subject storage room. The discretionary application required for this project is a Modification to allow the conversion of a storage room to habitable space within the 25' front setback (SBMC § 28.15.060 and §28.92.110).

Date Application Accepted: May 21, 2012

Date Action Required: August 20, 2012

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project as proposed.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Mark Morando	Property Owner:	Stephens Family Trust
Parcel Number:	053-151-004	Lot Area:	14,700 sq. ft.
General Plan:	Low Density Residential	Zoning:	E-2/SD-2
Existing Use:	Residential	Topography:	8%

Adjacent Land Uses:

North – single-family residence (1-story)

East - single-family residence (2-story)

South – single family residence (1-story)

West – single-family residence (1-story)

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,499 sq. ft.	+112 = 1,611 sq. ft.
Garage	375sq. ft.	No change
Accessory Space	112 sq. ft.	-112 sq. ft. (converted to Living Area)

IV. DISCUSSION

The proposed project involves the “as-built” conversion of an attached 112 square-foot storage room to a closet and laundry/utility room. The existing residence is nonconforming to the required 25-foot front setback; a Modification is required to convert the storage room to habitable space, as a portion of the subject room is located within the required front setback.

V. 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 proposal does not involve any new floor area or exterior improvements, and is not expected to negatively impact adjacent neighbors, as the proposed conversion is consistent with the residential use of the property.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated May 21, 2012

Contact/Case Planner: Kelly Brodison, Assistant Planner
(kbrodison@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x4531

May 21, 2012

Staff Hearing Officer
City of Santa Barbara
Post Office Drawer 1990
Santa Barbara, CA 93102

RECEIVED
MAY 21 2012

**CITY OF SANTA BARBARA
PLANNING DIVISION**

Re: Stephens Residence
326 Canon Drive
Santa Barbara, CA 93105

Dear Mrs. Reardon,

Enclosed please find the formal application for the project located at 326 Canon Drive within the Upper State San Roque neighborhood in the City of Santa Barbara. The parcel (053-151-004) is zoned E-2/SD-2 and has an approximate slope of 8%. The 14,700 square foot parcel is developed with a one-story 1,499 square foot, single-family residence with an attached 375 square foot two-car garage. The proposal is to convert 112 square feet of existing accessory floor area to habitable space between the garage and bedroom off of the kitchen. The proposal requires a modification for the conversion of accessory to habitable space within the required front yard twenty-five foot setback.

The house was built in 1936 with an attached garage. In 1939 the garage was converted into a bedroom, the kitchen breakfast nook and the storage room laundry area. A new garage was built onto the storage laundry area. In 1950 a 4' x 18' addition to the rear of the current garage was approved. This plans shows storage cabinets and a laundry tray in the accessory space proposed to be converted to habitable. All of the archive site plans show a twenty foot or twenty-one foot front setback for the existing garage. The site was surveyed by the Azimuth Group and the front of the garage is at 16'0" from the front property line or four to five feet shorter than what was previously shown or thought. The front face of the accessory space is at 17'9" from the front property line. Since the 1950's the lot has been down zoned from E-3 to E-2 and a twenty-five foot front setback.

The 2010 California Residential Building Code defines habitable space as "a space in a building used for sleeping, eating or cooking. Bathrooms, closets, halls, storage or utility spaces and similar areas are not considered habitable spaces." However, The City of Santa Barbra Building Department requires that a laundry room be heated and insulated as habitable floor area because it a space that is frequented often and functions as an integral part of the dwelling. The 112 square feet being converted will not have any exterior changes, as the perimeter walls, roof, front window and rear door are existing and to remain. The front window in the converted space is approximately 26" x 26". The area

EXHIBIT B

within the front setback is approximately 7'3" deep by 7'10" wide for 56 square feet and will mainly become a closet, but also a portion of a full bath.

Since the exterior of the building is not changing, only the use of the area (storage to closet), the impact to any neighbors is non-existent. The nearest house across Canon Drive is about six hundred feet away over a hill higher than the dwelling and is the back yard of a house on the other side of Canon Drive, as it circles through San Roque. Many of the homes on this lower portion of Canon Drive adjacent to the subject property are also non-conforming, as to the front yard setback. The neighborhood has a quiet country feel with 1930 ranch style houses, heavily wooded lots with a creek running along the back.

The front yard modification for the conversion secures an appropriate improvement and is a uniform improvement for the structure because it adds a closet and full bath to the existing bedroom and a laundry to the dwelling without any new square footage, exterior change and more importantly, effect on the neighbors.

Technically, the proposal probably shouldn't require a modification, as a new closet, bathroom and laundry room is by building code definition not habitable space. Therefore, the conversion could be seen not as accessory to habitable, but non-habitable to non-habitable. Or the conversion could be seen as an existing use currently required by the local municipality to be made habitable by the installation of insulation and a heat register. Although, it is understood that it was approved as an accessory space/laundry room current building code conventions have blurred the distinction and may require new policies and conventions in the Planning Division to address their standard conventional interpretations.

The converted room meets the California Building Code ceiling heights and fire code regulation, as well as, the California Electrical and Mechanical codes. The owner's and I believe that the proposed conversion has minimal impact in that it is appropriately designed and creates uniform improvements that are architecturally correct and functionally utilitarian. It meets all other aspect of the zoning ordinance and since the accessory is setback 2'6" from the face of the garage and the garage was shown at twenty-one feet from the front property line the accessory would have been at 23'6" or only 1'6" into the required front setback. However, the archive plans are incorrect intensifying the distance within the front setback.

Thank you for your consideration in this matter.

Sincerely,



Mark Morando

Morando Planning & Design

168 Sherwood Dr.

Santa Barbara CA 93110