



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: October 10, 2012
AGENDA DATE: October 17, 2012
PROJECT ADDRESS: 132 West Haley Street (MST2012-00242)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Renee Brooke, AICP, Senior Planner *RLB*
 Suzanne Riegle, Assistant Planner *SR*

I. PROJECT DESCRIPTION

The 2,161 square foot lot is currently developed with a 714 square foot, one-story residence. This is a Structure of Merit: "Bungalow Triplet II" and is located in the Brinkerhoff Landmark District. The proposal includes a ten square foot addition to the original front porch, a 34 square foot addition of a storage room, door and window alterations, a re-roof, exterior lighting, exterior paint, and a 260 square foot raised patio. The proposal also includes abatement of violations listed in ENF2011-00951 through the demolition of other unpermitted work including floor area, a storage shed, two trellises, and skylights. The discretionary application required for this project is a Modification to allow the conversion of a non-habitable storage room to habitable floor area within the required six-foot rear setback. (SBMC § 28.21.060 and SBMC § 28.92.110)

Date Application Accepted: 8/30/12

Date Action Required: 11/28/12

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:	Lori Kari, Architect	Property Owner:	Warren Grimsley
Parcel Number:	037-162-009	Lot Area:	2,161 square feet
General Plan:	Commercial/Medium High Density Residential	Zoning:	C-2
Existing Use:	Residential	Topography:	2% slope
Adjacent Land Uses:	All Residential (one- and two-story)		

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	714 sq. ft.	+ 10 sq. ft. = 724 sq. ft.
Attached Storage	0 sq. ft.	+ 34 sq. ft.

IV. DISCUSSION

The original house was built in 1913 and is a designated Structure of Merit. In 1980, a modification was granted to allow the utility room to be constructed at the rear of the residence into the required setback. The building permit and modification application clearly stated that the requested utility room was not to be used as habitable space. In 2008, a new provision was added to the outdoor living space requirements, requiring a 15'x 15' common open area be provided outside of the front yard. The property, constrained by the small lot size and the existing development, does not meet the dimensional requirements for this yard provision making the property non-conforming to the common open area requirements. The property would continue to maintain the other yard requirements, including 120 square feet of private outdoor living space and 10% of the lot, not including setbacks, as open space.

A Zoning Information Report was completed early this year which discovered violations including as-built additions, an interior remodel, and site improvements which will be abated through permitting and demolition. The violations will be abated by demolishing as-built improvements including an entry trellis with the front setback, the front porch enclosure, a storage shed that encroaches into the interior setback to the east, two skylights on the rear room, and a change in roof pitch. The proposed project also involves a ten square foot addition to the front entry porch, a 34 square foot addition at the east elevation to create an attached storage room, and window and door replacements.

A modification is required for a portion of the project, to allow the rear utility room to be legally converted to a bedroom within the required six foot rear setback. This will be the only proposed bedroom for the remodeled residence. The proposed bedroom is located outside the interior setback and approximately three-feet from the rear property line, resulting in approximately 30 net square feet of the room encroaching into the setback. There is a one- to two-foot change in grade at the rear of the property to the north being at a higher elevation. An existing, permitted window within the rear setback would be reduced to two smaller windows, resulting in an improvement over the existing encroachment.

This project was reviewed by the HLC on September 26, 2012, and was forwarded to the Staff Hearing Officer making the finding that the conversion of the existing floor area to a bedroom has no adverse aesthetic impact.

V. FINDINGS AND CONDITION

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 and prevent unreasonable hardship. The proposed conversion to habitable space within the setback is appropriate because it allows for the reasonable continued use of the existing small residence on an extremely undersized lot, without increasing the amount of existing encroachment within the setback.

Said approval is subject to a condition that all violations listed in ENF2011-00951 are shown to be abated on the plans submitted for a building permit.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated August 30, 2012
- C. HLC Minutes

Contact/Case Planner: Suzanne Riegle, Assistant Planner
(SRiegle@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x 2687

30 August 2012

City of Santa Barbara
630 Garden Street Santa Barbara CA 93101

Ref. Modification for
Grimsley Family Trust
132 West Haley St
Santa Barbara CA 93101
APN. 037.162.009 Zone C-2

To the Staff Hearing Officer,

On behalf of my client and owner of the property, Warren Grimsley, I am requesting one modification for the residential property described above.

The specific modification request is to allow:

- 1. Conversion of Utility Room, previously permitted in 1980 to not be used for sleeping purposes, to be allowed a legal Bedroom in its place. Modification is to approve Bedroom in existing designated Utility space of 105 square feet with 30 square feet of it located in rear yard setback [Modification for setback encroachment issued in 1979].

The positive aspects of the request for the modification are:

- 1. The house is extremely constrained with square footage limitations and expansion limitations due to size and configuration of lot [2,161.4 s.f.]. The conversion from Utility to Bedroom would benefit the residence to make it more usable and comfortable with a more traditional configuration. Also it is located in the rear of the property with existing privacy fencing and a structure without windows on the property line facing it.

Thank you for consideration of this modification request. Please contact me if you have any questions or requests for additional information.

Sincerely



Lori A. Kari, Architect
Agent for the future Owners



DESIGN REVIEW ACTIVITIES SUMMARY

132 W HALEY ST (MST2012-00242)

R-MINOR ALTERATIONS

Proposal for minor additions and alterations to an existing 714 square foot single-family residence on a 2,161 square foot parcel. The scope of work includes the following: New 10 square foot addition on the original front porch and a new 34 square foot storage room, replace existing doors and window, new door in rear bedroom, new roof shingles, new light fixtures, and repaint exterior. The proposal also includes installation of 260 square feet of paving and abatement of violations through the demolition of other unpermitted work including floor area, a storage shed, two trellises, and skylights. Staff Hearing Officer review is requested for a zoning modification. This is a Structure of Merit: "Bungalow Triplet II" and is located in the Brinkerhoff Landmark District.

Status: Pending

DISP

Date 3

HLC-Concept Review (New) - PH

CONT

09/26/12

(Comments only; Project requires Environmental Assessment, Staff Hearing Officer review, and Historic Resource Findings.)

FOLLOWING ARE DRAFT MINUTES ONLY:

Actual time: 1:54

Present: Lori Kari, Architect; and Suzanne Riegle, Assistant Planner

Public comment opened at 2:00 p.m.

Wanda Livernois, neighbor, commented that the home be should returned to its original condition as much as possible, especially the exterior, which would include the front door location and depth of the porch. She also commented that the proposed tall fence in the front is inappropriate.

Public comment closed at 2:03 p.m.

Motion: Continued indefinitely to the Staff Hearing Officer and the Consent Calendar with comments:

1. The design as proposed is acceptable.
2. The requested modification is supportable as a reasonable use and enhancement of the historic resource.
 - a. The modification is aesthetically appropriate. The proposed modification does not pose consistency issues with the following design guidelines and findings: style of architecture and character of the neighborhood.
 - b. The yard encroachment promotes an appearance of uniformity of development and is consistent with other encroachments and setbacks in the neighborhood.

Action: La Voie/Boucher, 6/1/0. Motion carried. (Orías opposed because she would like the neighbors to be made part of the final decision process. Murray/Shallanberger absent.)

EXHIBIT C