



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: July 3, 2013
AGENDA DATE: July 10, 2013
PROJECT ADDRESS: 2208 Chapala Street (MST2013-00227)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Suzanne Riegle, Assistant Planner *SR*

I. PROJECT DESCRIPTION

The 7,000 square foot site is currently developed with a 1,298 square foot (gross), one-story residence with a detached 186 square foot (gross), one-car garage, and an 87 square foot (gross) accessory building. The proposed project involves additions and alterations to the existing residence including construction of a 68 square foot (gross), one-story addition at the rear of the existing residence.

The discretionary applications required for this project are:

1. A Setback Modification to allow an addition to encroach into the required six-foot interior setback (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. A Modification to the open yard location and configuration requirements. (SBMC § 28.15.060 and SBMC § 28.92.110)

Date Application Accepted: 6/3/13

Date Action Required: 9/1/13

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:	Christopher Dentzel	Property Owner:	Susan Levine
Parcel Number:	025-191-021	Lot Area:	7,000 sq. ft.
General Plan:	Low Density Residential 5 Du/Acre	Zoning:	E-3
Existing Use:	Residential	Topography:	19% avg. slope

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,298 sq. ft.	+ 68 = 1,366 sq. ft.
Garage	186 sq. ft.	No Change
Accessory Space	87 sq. ft.	No Change.

C. PROPOSED LOT AREA COVERAGE

Building: 1,639.3 sf 23.4% Hardscape: 1049.7 sf 15% Landscape: 4,311 sf 61.6%

IV. DISCUSSION

The proposed project involves a minor addition at the rear of the existing residence for a bathroom addition. The existing residence is legal non-conforming to the required six-foot interior setback encroaching eight inches into the six-foot interior setback. In addition, the residence is located at the rear of the lot approximately 70 feet from the front property line.

The requested Setback Modification is to allow a proposed bathroom addition to encroach eight inches into the required six-foot interior setback. The proposed addition is a uniform addition to the legal non-conforming structure and represents an approximately 4.5 square foot encroachment. The minor addition has been designed to eliminate new openings within the setback and is not anticipated to adversely impact the adjacent neighbors.

The Open Yard Modification is requested to allow a modification of the location and configuration requirements. Prior to the 2012 construction of an accessory building, the 1,250 square foot open yard requirement was met at the rear of the lot. In 2012, the accessory building was the subject of enforcement because it was located within the required setbacks. A Building Inspector conducted a site visit and advised the applicant to relocate the accessory building outside of the setback and the enforcement case was closed. The accessory building location was not reviewed with Zoning Staff to determine if it was located within the required open yard. As a result, the accessory building was located in the center of the required 1,250 square-foot open yard. The open yard no longer meets the required area or the minimum dimension of 20 feet.

The accessory building and the small addition at the rear would reduce the required open yard to approximately 1,157 square feet and would result in a minimum dimension of 14.5 feet. Staff considered a modification to provide less than the required open yard; however, due to the minimum dimension requirements it may have resulted in a condition to remove the small detached accessory building because the Zoning Ordinance does not allow accessory buildings, other than garages, to be located within the front yard. Staff reviewed the site plan and determined that the residence is located approximately 70 feet from the front property line resulting in a large useable open space area in the remaining front yard totaling approximately 2,500 square feet. For the above reasons, Staff could support a modification to allow the required 1,250 square foot open yard to be located within the remaining front yard.

The project as designed is exempt from design review.

V. **FINDINGS AND CONDITIONS**

The Staff Hearing Officer finds that the Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement to the existing single-family residence. The proposed addition represents a minor, uniform improvement to the existing residence that encroaches eight inches into the required six-foot interior setback and is not anticipated to adversely impact the adjacent neighbors.

The Staff Hearing Officer finds that the Open Yard Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement to the existing single-family residence. The location of the required open yard area in the front yard is appropriate because the house is located at the rear of the lot, approximately 70 feet from the front property line, and results in a large visual and useable open space within the remaining front yard that is not anticipated to adversely impact the adjacent neighbors.

Said approval is subject to a condition that the all fences, hedges, walls and screens shall be reduced in height and shown on the plans to comply with the provisions of SBMC § 28.87.170.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated May 31, 2013

Contact/Case Planner: Suzanne Riegle, Assistant Planner
(SRiegle@SantaBarbaraCA.gov)
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Phone: (805) 564-5470 x 2687

RECEIVED

JUN 03 2013

**CITY OF SANTA BARBARA
PLANNING DIVISION**

Susan LeVine
2208 Chapala Street
Santa Barbara, CA 93105

May 31, 2013

Staff Hearing Officer
City of Santa Barbara
PO Box 1990
Santa Barbara, CA 93102-1990

Re: Modification Request for 2208 Chapala ; Assessor's Parcel # 025-191-021, Zone E-3

Dear Staff Hearing Officer:

There is an existing house (1,571 sq. ft), detached one car garage and a small accessory building (8x10) on the property. The house and garage currently encroach into the interior setback 8 inches on the north side of the property outside the required setback area. All of the buildings have building permits according to the City building files with the exception of the accessory building which didn't required a permit. The proposal is to build a bathroom addition (6'x13'6") to the rear of the existing house on the right side of the property.

The modification being requested is to allow a bathroom addition to encroach 8 inches onto the required six-foot interior yard setback. The encroachment will allow the new bathroom to keep in line with the existing house without having to do major structural changes to the existing roof and would allow the bathroom to be located on the same side as my daughter's bedroom. The proposed bathroom is needed for our growing family, since there is only one bathroom existing in the house.

The major benefits of having the proposed bathroom encroach into the required setback are:

- It eliminates the need to redesign the roof system
- Allows the bathroom to be adjacent to my daughter's bedroom
- Prevents the need to add a second story addition and eliminates privacy issues the may be associated with a second story addition
- Allows the new addition to align to the existing blue print, thus illuminating the need for an 8 inch offset corner

I appreciate your time and consideration.

Sincerely,


Susan Dee LeVine

EXHIBIT B

