



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** September 12, 2013  
**AGENDA DATE:** September 18, 2013  
**PROJECT ADDRESS:** 2846 Verde Vista Drive (MST2013-00315)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Senior Planner *DK*  
 Suzanne Riegler, Assistant Planner *SR*

### I. PROJECT DESCRIPTION

The 5,000 square foot lot is currently developed with an 856 square foot, one-story residence and a 266 square foot detached, two-car garage. The proposed project includes permitting "as-built" improvements including a 128 square foot addition to the rear of the existing residence, and alterations to the detached garage. The proposed parking is to be provided with an oversized one-car garage and a new tandem parking space. The proposal will abate violations listed in ENF2013-00564 and ZIR2013-00174.

The discretionary applications required for this project are:

1. An Interior Setback Modification to allow the "as-built" addition to encroach into the required six-foot interior setback to the west (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. An Interior Setback Modification to allow an uncovered tandem parking space and "as-built" alterations to the existing garage within the required six-foot interior setback to the east (SBMC § 28.15.060 and SBMC § 28.92.110).

Date Application Accepted: 8/8/13

Date Action Required: 11/6/2013

### 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:	Thomas V. Smith	Property Owner:	Melody Wynn
Parcel Number:	053-362-016	Lot Area:	5,000 sq. ft.
General Plan:	Low Density Residential 5 du/acre	Zoning:	E-3
Existing Use:	Residential	Topography:	3% avg. slope

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	856 sq. ft.	+128 = 984 sq. ft.
Garage	266 sq. ft.	No Change

**C. PROPOSED LOT AREA COVERAGE**

Building: 1,324 sf 26% Hardscape: 977 sf 19.5% Landscape: 2,699 sf 54.5%

**IV. DISCUSSION**

The existing residence is legal non-conforming to the required front and interior setbacks, and the garage is legal non-conforming to the interior setback. The existing residence was constructed five feet from the westerly interior property line, and encroaches one foot into the required six-foot interior setback to the west. The garage was constructed six inches from the easterly interior property line and encroaches 5'-6" into the required six-foot interior setback to the east. A Zoning Information Report was completed on May 3, 2013 which revealed several zoning and building code violations. A building permit (BLD2013-01023) was issued to partially abate the violations listed in the ZIR2013-00564 in order to allow the escrow to close. This work included the removal of the half bathroom and laundry facilities from the two-car garage, the removal of sheds from setbacks, the removal of "as-built" driveway gates, and removal of as-built covered driveway. The applicant noted that the "as-built" sunroom addition was to be abated under a separate permit.

The proposed project involves permitting a 128 square foot, "as-built" sunroom addition located at the rear of the existing residence, and permitting as-built alterations to the two-car garage including changes to the roof line at the south face of the garage, removal of a 16-foot wide garage door and installation of a 9-foot garage door. The proposal also includes an uncovered tandem parking space. The proposed project will result in a 984 square foot residence, a detached 266 square foot, one-car garage, and an uncovered parking space and is 52% of the maximum FAR guideline for the property. The project as proposed is exempt from review by the Single Family Design Board.

An Interior Setback Modification is requested to allow the "as-built" construction of a sunroom to remain with the required setback to the west. A portion of the "as-built" sunroom addition, approximately 11 square feet, was constructed in line with the western wall of the existing residence and encroaches one foot into the setback. The existing casement window that faces the westerly property line is proposed to remain within setback. Staff supports the requested modification, and finds that it is an appropriate addition to a single family residence that is not anticipated to adversely impact the adjacent neighbor.

An Interior Setback Modification is requested to allow an uncovered tandem parking space and "as-built" alterations to the existing garage within the required six-foot interior setback to the east. The existing two-car garage has interior dimensions of 16' x 18', and cannot be used currently for two cars. The applicant is proposing a half bath and laundry facilities to the west

side and within the existing garage footprint. The front façade of the building has been altered within in the setback to add a second roof projection over the one-car garage door.

The applicant is proposing an additional uncovered parking space in front of the garage and within the six-foot interior setback in order to provide two-off-street parking spaces. Per SBMC§28.90.100(G), a development that is less than 85% of the maximum FAR may provide required parking with one covered and one uncovered space when the uncovered parking space is located at the rear of the residence in front of the garage. The exception states that the uncovered parking space may encroach up to three feet into the required setback, if a landscape buffer is provided. It is not possible to remove portions of the driveway within the setback to create a landscape buffer without impeding or eliminating access to the covered parking space in the garage; however, it is possible for the uncovered parking space to be located outside of the setback. On September 18, 2013, the Planning Commission, at a lunch meeting, reviewed and supported the tandem parking space configuration but requested that the parking space be screened from the street by a vehicular gate twenty feet back from the front property line. Staff supports the requested modification and finds the alterations to the existing garage and the uncovered parking space within the interior setback to the east are appropriate improvements for a single-family residence that are not anticipated to adversely impact the adjacent neighbor. Staff recommends the following conditions be added: 1) A gate shall be installed a minimum of twenty feet back from the property line; and 2) No portion of the garage building shall be used as a second dwelling unit. The applicant is also advised that the final floor plan configuration is subject to approval during zoning plan check.

## V. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the interior setback Modification at the west side of the property is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The addition to the residence is appropriate because it provides a uniform improvement to allow a sunroom addition, and is not anticipated to adversely impact adjacent neighbors.

The Staff Hearing Officer finds that the interior setback Modification at the east side of the property is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The alterations to the existing garage are appropriate because it provides a minor architectural change to the existing garage that does not increase the footprint of the existing structure, and the changes to the building are not anticipated to adversely impact adjacent neighbors. The uncovered tandem parking in the setback allows will provide two legal off-street parking spaces, and the parking space is not anticipated to adversely impact the adjacent neighbor.

Said approval is subject to the following conditions:

1. A vehicular gate shall be installed a minimum of twenty-feet back from the front property line to screen the uncovered parking space.
2. No portion of the garage building shall be used as a second dwelling unit.

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Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated August 8, 2013

Contact/Case Planner: Suzanne Riegle, Assistant Planner  
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Phone: (805) 564-5470 x 2687

# TOM SMITH, ARCHITECT

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**RECEIVED**

Staff Hearing Officer  
City of Santa Barbara  
P.O. Box 1900  
Santa Barbara, CA. 93102

AUG 08 2013

August 8<sup>th</sup>, 2013

CITY OF SANTA BARBARA  
PLANNING DIVISION

**Re: Modification Request for 2846 Verde Vista; A.P.N.053-362-016; Zone E-3**

Dear Staff Hearing Officer:

The existing property is a 5000 sq. ft. lot in the E-3 zone. The existing home was built in 1940 and is 856 sq. ft. The house has an unpermitted sunroom attached at the rear. Both original house and sunroom extend one (1) ft. into the westerly interior lot setback. There is a detached 288 sq. ft. garage (built also in 1940). The garage was originally intended as a 2 car garage, but has never been able to hold two cars (15'-4" wide interior). The garage contained hook-ups for a washer and dryer as well as a work bathroom. The hook ups and the bathroom have since been removed. The proposal is to permit the "as-built" sunroom, keep the garage as one-car garage, re-install the laundry hook ups and install a ½ work bath in the garage consisting of a sink and toilet.

The first modification being requested is to allow the sunroom to encroach the one (1) foot into the westerly interior yard setback. The encroachment is in keeping with the rest of the house on the west side. The space is badly needed since the original house is only 856 sq. ft. without the sunroom.

The second modification being requested is for a change in the required parking for the property from two covered spaces into one covered space and one uncovered space. The FAR for the property is 52% of the maximum and so would qualify under section 2890 (G) (1b)

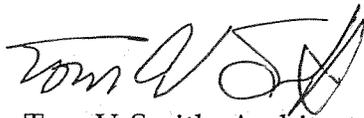
**EXHIBIT B**

The garage is only 17'-4" long and 15'-4" wide inside. It is recognized that the space cannot contain two standard automobiles and has long been used as an oversized one-car garage.

The third modification requested is to allow for the uncovered space to be tandem parked in the driveway ~~which encroaches fully into the rear of the easterly interior yard~~. Any other location for an uncovered space would seriously decrease the required 1250 sq. ft. interior yard area, which is important to the owners as the house area itself is so small.

As the photos show, most of the other houses in this neighborhood share from this problem of parking. A good number of them have the original very small garages coupled with a minimum of open space in the rear yard. The solution of these folks has been to tandem park in their driveways.

The benefit of these modifications would be to keep the sunroom, which fits with the style of the house and is needed for the additional area and to allow the owner to do laundry and keep a workspace in the oversize area of the garage instead of taking up precious floor area. The benefit of allowing us tandem parking in the driveway will be to preserve the open yard area of the house.



Sincerely, Tom V. Smith, Architect