



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: November 7, 2013
AGENDA DATE: November 13, 2013
PROJECT ADDRESS: 1615 Hillside Rd (MST2013-00415)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DJK*
 Suzanne Riegle, Associate Planner *SR*

I. PROJECT DESCRIPTION

The 6,931 square-foot site is currently developed with a 1,714 square foot one-story residence with an "as-built" carport. The proposed project involves demolishing the existing carport and constructing an attached, 366 square foot, two-car carport. The discretionary application for the project is an Open Yard Modification of the dimension and/or location requirements (SBMC § 28.15.060 and SBMC §28.92.110)

Date Application Accepted: 10/3/13

Date Action Required: 12/31/13

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:	Randy Hahka, agent	Property Owner:	Jeff & Linda Havlik
Parcel Number:	041-092-010	Lot Area:	6,981 sq. ft.
General Plan:	Low Density Residential (5 du/acre)	Zoning:	R-1
Existing Use:	Residential	Topography:	20% est. avg. slope

IV. DISCUSSION

The existing residence was constructed in 1957 at the corner of Hillside Road and Calle Del Sol. The main residence for the entrance is located off Hillside Road. The proposed project involves the demolition of the attached "as-built" carport, and construction of an attached, 366 square foot, two-car carport that is accessed off of the Calle Del Sol frontage. The proposed carport is to be located in the area identified by Planning Staff as the only area of the lot that

meets both the location and dimensional requirements of open yard as specified in SBMC § 28.15.060. The property has had at least three Zoning Information Reports completed that did not identify that the carport had been constructed without the benefit of a permit. In 1999, an application was submitted to the City for an addition to the residence, and the carport was not identified as as-built. Recently the applicant, submitted a building permit to reconstruct the existing as-built carport, and was notified that the carport had been constructed without permit, and appeared to be located within the existing open yard and possibly the interior setback.

Staff and the applicant met to discuss the site constraints, and determined that the carport is proposed in the most suitable location, and is located outside of the interior setback. Due to the steepness of the existing driveway, relocating the carport closer to the street would have resulted in a much taller carport profile and a parking space on a slope. The applicant is proposing to provide more than the minimum required 1,250 square foot open yard to the south of the carport and residence. The location meets the location and total open yard area requirements, but at the south of the residence the minimum dimension is reduced to 16' – 6". Staff is supportive of the proposed reduction in the minimum dimension because there is additional useable open yard area located in the primary front yard along the Hillside Road frontage. The street terminates just beyond the property boundary to the south resulting in the primary yard being used by the tenants / property owners as the main outdoor recreation space. This project is exempt from review by the Single Family Design Board.

V. FINDINGS AND CONDITIONS

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 on the lot. The proposed reduction in the minimum dimension for the open yard is appropriate because there is more than 1,250 square feet of open yard provided on the lot. There is an additional opportunity for outdoor living space provided in the front yard along the Hillside Road frontage that provide recreational opportunities in addition to the open yard that is depicted on the site plan.

Said approval is subject to a condition that all fences, hedges, walls and screens shall be maintained in compliance with SBMC § 28.87.170.

Exhibits:

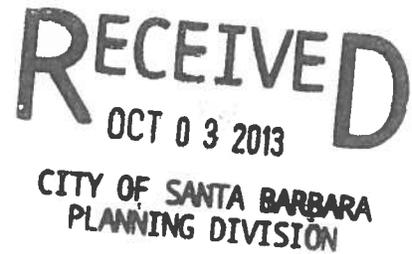
- A. Site Plan (under separate cover)
- B. Applicant's letter, dated 9/10/13

Contact/Case Planner: Suzanne Riegler, Associate Planner
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630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x 2687

Jeff and Linda Havlik
1615 Hillside Road
Santa Barbara, CA 93101

September 10, 2013

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



RE: Modification Request for 1615 Hillside Road, APN 041-092-010; R1

Dear Staff Hearing Officer;

Existing Situation and Proposed Project:

The permit history for this site shows that the corner lot house of 1534 square feet with two front yards was constructed in 1957 with a one-car carport (10'x18'). The carport was parallel to the street attached to the front of the house (Hillside). In 1958 a permit was issued to convert that carport to a living room. No replacement covered parking was proposed or required. At that time, uncovered parking was permitted on the existing driveway.

The current as built attached existing carport is located on the west side of the property. It has had no mention of a zoning violation in three zoning inspection reports (1978, 1979, and 1985) nor in the 1999 addition and owners believed the carport to be legal.

Modification Request

The modification being requested is to allow a new carport that will encroach into a portion of the required open yard space.

1. Replace the current carport in its existing location. The 2 car carport is to be 366 square feet. The current location is a flat, level parking space. Moving the carport out of the required open yard space would require that half of the carport be located on a hillside with steep grade. To locate it in such a space would require removal of approximately 60 yards of material from the site, building 60 feet of retaining walls and a set of stairs to access the open yard space from the carport. It would also mean that the roof line in the back of the carport would be approximately 4 feet off the ground. This would create a hazard when using the open yard space that current zoning allows.

EXHIBIT B

2. Per Zoning rules the current open yard space is located on the west side of the house. This is the area a portion of the carport will encroach into. Our proposal is to use the west side open yard space that does not contain the carport and a portion of the contiguous area on the south side of the house. The modification request is to allow 2.4' less in width in the southern portion of the open space, and to allow the contiguous space to be the corner from the carport to around the back of the house. In addition to the proposed 1,360 square feet of open yard space in the back corner, there is an additional 400 square feet of open yard space in the front yard, 20x20 on Hillside Drive.

Allowing the modification request will maintain the covered parking for the property and keep the parking in an area that is flat, level and safe. It will also allow for a clear walkway to the front door that is mostly flat and level.

Granting the modification would eliminate the need to move the carport to a non-functional location. The total contiguous space is 1360 square feet; however the width is 17.6 so we would request to modify the required 20 feet by 2.4 feet.

Sincerely,



Jeff Havlik



Linda Havlik