



City of Santa Barbara

California

The attached Staff Report for Agenda Item A, 1016 E. Mason Street (MST2014-00331), was previously distributed to the Staff Hearing Officer on August 14, 2013, as Agenda Item II-A for the August 20, 2013 hearing. At the August 20, 2013 hearing, the item was continued two weeks to the September 3, 2013 meeting; and there were no new notices redistributed for this continued item.



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: August 14, 2014
AGENDA DATE: August 20, 2014
PROJECT ADDRESS: 1016 E. Mason Street (MST2014-00331)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Jo Anne La Conte, Assistant Planner *JAL*

I. PROJECT DESCRIPTION

The 5,000 square-foot site is currently developed with 1,100 square foot, one-story single-family residence and a detached, 186 square foot, one-car garage. The proposed project involves the construction of a 130 square foot addition to the existing residence and a 34 square foot accessory space addition, proposed to be attached to the detached, one-car garage. The proposal will address violations outlined in ENF2013-01418. The discretionary application required for this project is an Open Yard Modification of the location of the open yard area and/or to reduce the size of the required open yard area (SBMC § 28.18.060 and SBMC § 28.92.110).

Date Application Accepted: July 10, 2014 Date Action Required: October 8, 2014

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to conditions.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Sergio Zajdenberg	Property Owner:	Blas Delgado/Norma Navarro
Parcel Number:	017-133-003	Lot Area:	5,000 sq. ft.
General Plan:	Med. Density Residential	Zoning:	R-2
Existing Use:	Residential	Topography:	0% slope

Adjacent Land Uses:

North – Residential	East - Residential
South – Residential	West - Residential

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,100 sq. ft.	+130 = 1,230 sq. ft.
Garage	186 sq. ft.	No Change.
Accessory Space	None	35 sq. ft.

C. PROPOSED LOT AREA COVERAGE

Building: 1,619 sf 32.38% Hardscape: 820 sf 16.4% Landscape: 2,561 sf 51.22%

IV. BACKGROUND

There is an active code enforcement case (ENF2013-01148) at the property for the illegal conversion of the garage to a dwelling unit. Therefore, a condition has been included that a Zoning Compliance Declaration shall be recorded by the owner, acknowledging that the proposed structure configuration allows for only one dwelling unit at the property. The proposed project will address the violations outlined in the enforcement case (ENF2013-01418).

V. DISCUSSION

This project is exempt from review by the Single Family Design Board. The 5,000 square foot lot is non-conforming to the required south interior setback at five feet. The proposed project includes a 130 square foot addition to the rear of the dwelling that is located five feet from the south interior property line. The Zoning Ordinance allows for a ground level addition to the building so long as the addition is also constructed no less than five feet from the same interior property line. The proposed project also includes a 35 square foot, accessory structure addition at the rear of the garage for a new laundry room.

Open Yard Modification

The applicant is requesting an Open Yard Modification for the location of the open yard area and/or to reduce the size of the required open yard area to allow for the proposed additions. The property is currently non-conforming to open yard requirements with approximately 1,150 square feet of open yard that meets the City's requirements (approx 1,500 sq. ft. including areas that don't meet the minimum dimensions). The Zoning Ordinance requires 1,250 square feet of open yard area, which may be provided in multiple areas with minimum dimensions of 20 feet by 20 feet. As proposed, no portion of the open yard area meets the minimum dimension requirements; however, the overall size of the open yard area is 1,248 square feet, and the area is useable, with minimum dimensions between 13 and 18 feet. The property is undersized for the R-2 Zone, and is site constrained due to the current development on the lot. The proposal will reduce the size of the open yard by approximately 250 square feet. Staff is in support of the open yard modification because of the site constraints associated with the undersized R-2 lot, and because the remaining open yard is still useable. In addition, the open yard fulfills the

intent of the requirements and allows for minor expansions of the small residence while maintaining the existing neighborhood character.

Environmental Review

The project site is located within an area mapped as the Early 20th Century Archaeological (1900-1920) sensitivity area. A prior archaeological letter report prepared for a property in the vicinity, confirmed the absence of archaeological resources. However, per the Zoning Ordinance, permits to perform grading within an area of known or probable archaeological or paleontological significance may be conditioned in such a manner as to allow reasonable time for qualified professionals to perform archaeological or paleontological investigations at the site. Therefore, staff recommends that the standard unanticipated archaeological discovery condition shall be reproduced on the plans prior to submittal for building permit.

VI. 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 proposed additions are appropriate on a small lot with a single-family residence, because the proposed additions are not anticipated to adversely impact the adjacent neighbors, and the resulting open yard area is useable by the residents.

Said approval is subject to the following conditions

1. The miscellaneous stored items shall be removed from the interior setbacks.
2. A Zoning Compliance Declaration shall be recorded for the property.
3. The following language shall be added to the plans submitted for building permit:

“Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If a discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño

Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If a discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.”

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated July 10, 2014

Contact/Case Planner: Jo Anne La Conte, Assistant Planner
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630 Garden Street, Santa Barbara, CA 93101

Phone: (805) 564-5470 x**3320**

Applicant:
Sergio Zajdenberg
3085 Channel Drive Ventura, Ca 93003
805-757-4955

RECEIVED
JUL 10 2014

CITY OF SANTA BARBARA
PLANNING DIVISION

July 10, 2014

Staff Hearing Officer
City of Santa Barbara
P.O. Box 1990
Santa Barbara, Ca 93102-1990

Re: Modification Request for 1016 East Mason St. APN 017-133-003

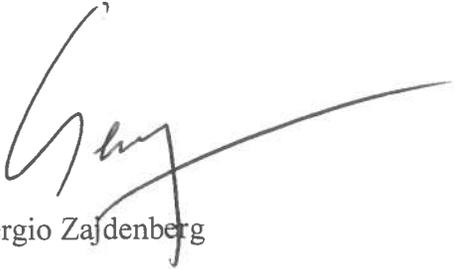
Dear Staff Hearing Officer:

1. There is an existing house (1,236 sq. ft.) a detached one car garage (200 sq. ft.) on the property. The house currently encroach into the interior setback one foot on the southerly side of the property, and the garage encroach into the interior setback four feet on the northerly side of the property. The propose is to build a bedroom addition (11'-0" x 14'-11") to the rear of the existing house on the southerly side of the property and a laundry room (7'-4" x 6'-2") on the northerly side of the property. The existing house and the garage have building permits according to the City building files.
2. The first modification being requested is to allow a bedroom addition to encroach one foot into the required six-foot interior yard setback. The encroachment will allow the new bedroom to keep in line with the existing house without having to do any major structural changes to the existing roof and would allow the bedroom to be located on the same side as the other bedrooms. The proposed bedroom is needed for a growing family.
3. The second modification being requested is to allow a reduction of the twenty feet minimum dimension for the open yard requirement. On the south-easterly side of the property, where the bedroom addition will be located we are requesting a reduction of the minimum dimension to thirteen feet. On the north-easterly side of the property, where the laundry room will be located we are requesting a reduction of the minimum dimension to Sixteen feet four inches. These will allow for a minimum size bedroom and laundry room.
4. The major benefits of having the proposed addition encroach into the required setback and to reduce the minimum open yard dimension are: That eliminates the

EXHIBIT B

need to redesign the roof system; keeps the bedrooms on the same side of the existing residence; prevents the need to add a second story addition and eliminates privacy issues that may be associated with a second story addition. We looked at the possibilities of locating the laundry room in back of the existing kitchen, but this will drastically reduce the amount of windows necessary in the kitchen area.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sergio Zajdenberg', with a long horizontal flourish extending to the right.

Sergio Zajdenberg