



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** January 29, 2015  
**AGENDA DATE:** February 4, 2013  
**PROJECT ADDRESS:** 336 East Pedregosa Street (MST2015-00008)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Senior Planner  
 Betsy Teeter, Planning Technician II *BT*

### I. PROJECT DESCRIPTION

The 6,250 square foot corner lot is currently developed with a 2,294 square foot, two-story residence and a 220 square foot attached garage. The proposal includes the addition of a new 215 square foot wooden deck (with a trellis above) to the existing rear elevation of the house, removal of the existing concrete stairs, replacement of a window and an interior remodel. The project will also address violations identified in the Zoning Information Report (ZIR2013-00021). The discretionary application required for this project is an Open Yard Modification to allow the proposed first story deck to encroach into the required open yard area (SBMC § 28.15.060 and 28.92.110).

Date Application Accepted: January 8, 2015      Date Action Required: April 8, 2015

### II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project as submitted.

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant:	Natalie Cope	Property Owner:	Mary McMaster & Paul Casey
Parcel Number:	027-051-006	Lot Area:	6,250 sq. ft
General Plan:	Low Density Residential	Zoning:	E-1
Existing Use:	Residential	Topography:	6% slope
Adjacent Land Uses: Residential			

#### B. PROPOSED LOT AREA COVERAGE

Building: 3,553 sf 43%      Hardscape: 500 sf 13%      Landscape: 4,270 sf 62%

**C. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	2,294 sq. ft.	2,314sq. ft.
Garage	220 sq. ft.	200 sq. ft.
Accessory Space	115 sq. ft.	115sq. ft.

**D. PROPOSED LOT AREA COVERAGE**

Building: 1,567 sf 25%      Hardscape: 840 sf 13%      Landscape: 3,843 sf 62%

**IV. DISCUSSION**

The project site is located on the corner of Laguna Street and East Pedregosa Street, and is currently developed with a 2,294 square foot two story, single family residence and an attached 220 square foot two-car garage with a rear storage room. The proposed project consists of a new 215 square foot wood deck (with a trellis above) at the rear of the house, a replacement window in the kitchen, conversion of 20 square feet of the existing garage to living space and an interior remodel. The proposal also includes permitting an “as-built”115 square-foot storage room attached to the rear of the garage.

A Modification is required to allow the proposed deck to reduce the current non-conforming open yard area to 1,077 square feet; 173 square feet less than the required 1,250 square-foot open yard area. The Zoning Ordinance requires the 1,250 square feet open yard area (which may be provided in multiple areas) to have minimum dimensions of 20 feet by 20 feet. The yard area located within the secondary front yard on Laguna Street directly adjacent to the open yard area provides usable outdoor space but does not meet the minimum 20-foot dimensions and cannot count towards the required 1,250 square feet. The Ordinance does not permit any portion of the front setback to be used as open yard area, but does allow for up to 850 square feet of the open yard to be provided in the remaining front yard. Although this site is constrained by the location of the house which is sited on a relatively small lot for an E-1 zoned property and has two large front setbacks, it does not meet the requirements for a portion of the secondary front yard to be considered as open yard area.

It is Staff’s position that, given the relatively small size of the lot and the fact that no new floor area is proposed, the project will maintain adequate backyard area for the site. The deck itself functions as additional ground floor outdoor living area which meets the intent of the Ordinance requirement for a minimum open yard area. Further, a Modification to allow the deck to encroach into the open yard would not be required for a deck 36” or less. It is only because of the topography of this site, that a portion of the deck is raised to 44” at its highest point.

**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. The proposed project will allow for a minor change to the open yard of the existing residence on a relatively small lot, resulting in a functional improvement for the residence while maintaining an adequate open yard area on the site.

Said approval is subject to a condition that the plans submitted in conjunction with this Modification approval include permitting the "as-built" storage shed and a condition that the approximately six foot high fence located along the secondary front lot line be either lowered to 42 inches within 10 feet of the front property line or that the applicant obtain an Administrative Approval.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated January 5, 2015

Contact/Case Planner: Betsy Teeter, Planning Technician II  
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**RECEIVED**

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CITY OF SANTA BARBARA  
PLANNING DIVISION

January 5, 2015

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

Re: Modification Request for 336 E. Pedregosa St., APN #027-051-006, Land Use Zone: E-1

Dear Staff Hearing Officer:

There is an existing house (2,294 sq. ft.) with an attached one-car garage (220 sq. ft.) & attached accessory/storage area (115 sq. ft.) on the property. The house currently encroaches into the rear yard open space. The structures have building permits according to the City building files. The required area of rear yard open space is existing non-conforming with only 1,152 sq. ft. (where 1,250 sq. ft. is required). The proposal is it build a raised wood deck with a trellis above on the rear elevation of the house.

The modification being requested is to allow a new deck to encroach into the rear yard open space. The deck addition would allow for a useable outdoor space that is at the same level as the interior 1<sup>st</sup> floor of the house. The current patio area is on-grade and is only accessible by going down the exterior stairway outside of the kitchen.

The major benefits of adding the deck to the rear elevation of the house: It will provide an outdoor space that will be used as an extension of the house and kitchen; the trellis element will help shade the kitchen & dining room windows on the south side of the house; located on the rear of the house, the deck is not visible from the streets that surround this corner lot; and neighbors will not be impacted by loss of privacy based on the location of the proposed deck.

Sincerely,

**EXHIBIT B**