



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: September 10, 2015
AGENDA DATE: September 16, 2015
PROJECT ADDRESS: 435 E Valerio Street (MST2015-00021)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DJK*
 Michelle Bedard, Assistant Planner *MB*

I. PROJECT DESCRIPTION

The 5,900 square-foot site is currently developed with an existing two-story, 2,772 square-foot, single-family residence, and a detached, non-conforming, 307 square-foot garage. The proposed project involves the demolition of the existing non-conforming garage and construction of a new, detached, two-story accessory building consisting of a 400 square foot, two-car garage, and 322 square feet of accessory space. The project also includes: demolition of a total of 242 square feet of existing floor area and exterior stairs, an interior remodel, window and door alterations, repair and paint exterior siding, construct a new entry porch on the north elevation and a new raised deck on the north and west elevations, repair/replacement of existing walls/gates, new site walls and gates, new curb cut and driveway, and removal of an existing street tree. The proposal will abate violations outlined in ZIR2013-00596 and ENF2007-00477.

The discretionary applications required for this project are:

1. Front Setback Modification to allow window and door alterations within the required twenty-foot front setback (SBMC §28.18.060 and SBMC § 28.92.110).
2. Open Yard Modification to allow alterations to occur within the existing non-conforming open yard (SBMC §28.18.060 and SBMC § 28.92.110).

Date Application Accepted: August 17, 2015 Date Action Required: November 15, 2015

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:	Dan Weber	Property Owner:	Alelia Parenteau
Parcel Number:	027-123-008	Lot Area:	5,900 s.f.
General Plan:	Low Density Residential (Max 12 du/acre)	Zoning:	R-2
Existing Use:	Single Family Residential	Topography:	9%

Adjacent Land Uses:

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

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	2,772 s.f.	-242 = 2,530 s.f.
Garage	307 s.f.	+93 = 400 s.f.
Accessory Space	0 s.f.	+322 = 322 s.f.

C. PROPOSED LOT AREA COVERAGE

Building: 2,099 sf 36% Hardscape: 431 sf 7% Landscape: 3,370 sf 57%

IV. DISCUSSION

Parking

The subject parcel currently has two covered parking spaces. One space is provided by a single car garage and the second space is within a two-car garage that is shared with the adjacent property. The existing two-car garage is split by the property line dividing the subject parcel and the adjacent parcel (1715 Olive Street), and is located within the interior and rear setbacks on both parcels. Currently both parcels access the parking by a shared common driveway with recorded access easements. The proposed project involves the demolition of the existing one-car garage and half of the existing two-car garage, construction of a new conforming two-car garage on the subject parcel, and retention of half of the nonconforming garage located on the adjacent parcel. Associated alterations include providing a new curb cut and driveway to the subject parcel. The project will resolve the existing development configuration by providing separate garages and driveways to each parcel. The subject property owner is working with the adjacent property owner to maintain/restore the remaining half of the existing non-conforming garage (work to be completed under separate permits). The adjacent property owner has expressed support for the project. Transportation staff is supportive of the proposed project.

Although the existing development configuration is unusual, staff believes that the parcels known as 435 East Valerio and 1715 Olive Street were originally one parcel and that a subdivision occurred legally, and predated the Subdivision Map Act.

Other project components include: replacement/repair of the existing entry steps, walls and pilasters, and add new entrance steps at the north side of the entrance, which will mirror the existing steps at the south side of the entrance. Portions of the existing site wall and pilasters are non-conforming as they exceed the maximum height requirement of 42 inches located within the 10 foot front setback for fences/walls. The proposal involves demolition and replacement of the conforming components, and will limit the repair of the non-conforming components not to exceed the maximum allowance of 10 percent. Staff is recommending that the project be conditioned that if the repair exceeds the allowed 10 percent that the location and heights of new/replaced construction will comply with SBMC §28.87.170.

Open Yard Modification

The existing site is non-conforming to the open yard requirements. The project results in alterations within the existing non-conforming open yard area and therefore requires an Open Yard Modification. Staff is supportive of the Open Yard Modification because: the proposed project will not significantly reduce the existing non-conforming open yard area; the overall proposed project will improve the use and function of the required open yard; the 5,900 square foot parcel is constrained because it is undersized to the minimum required lot size, and is a corner lot; and the existing residence is on a raised foundation and the proposed elevated deck will provide a usable outdoor space conveniently accessed from the main living areas of the existing residence.

Front Setback Modification

The proposed project involves window and door alterations within the front setback (Olive Street elevation) of the existing non-conforming residence. The proposed alterations result in new openings within the required front setback and therefore require modification approval. Staff is in support of the request for the Front Setback Modification as the proposed window and door alterations will not result in a significant increase of new openings, the alterations will enhance the aesthetics of the existing residence, and the alterations are not anticipated to adversely impact any adjacent neighbors or the visual openness from the street.

The proposed bay window at the second story of the new detached accessory building also requires a modification as it is located within the required 20 foot front setback and it is located two feet above the level of the finished floor. Staff is supportive of the bay window because: it is not anticipated to adversely impact the adjacent neighbors or the visual openness from the street, and the Single Family Design Board found the addition of the bay window to be an aesthetically appropriate design for the proposed building.

This project was reviewed by the SFDB on February 23 and March 9, 2015. The Board found the proposed modifications to be aesthetically appropriate and does not pose consistency issues with the Single Family Residence Design Guidelines.

V. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The proposed window and door alterations are appropriate because they improve the function of the existing nonconforming residence, and the changes are not anticipated to adversely impact the adjacent neighbors, or the visual openness from the street. The site alterations and new detached garage/accessory building are appropriate because: they will maintain the existing neighborhood character and provide a conforming two-car garage; they provide an improvement to the useable open yard area; and is not anticipated to adversely impact the adjacent neighbors, or the visual openness from the street.

Said approval is subject to a condition that if at any time the repair of any nonconforming fence/wall should exceed the maximum 10% allowance that the location and heights of new/replaced construction will comply with SBMC §28.87.170.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated March 4, 2015
- C. SFDB Minutes, dated March 9, 2015, and Feb. 23, 2015

Contact/Case Planner: Michelle Bedard, Assistant Planner
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Phone: (805) 564-5470 x4551

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CITY OF SANTA BARBARA
PLANNING DIVISION

Dan Weber
Dan Weber Architecture
212 Mowhawk Road
Santa Barbara, CA 93109
March 4, 2015

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

RE: Modification Request for 435 E. Valerio; 027-123-008, R-2

Dear Staff Hearing Officer:

There is an existing (3,134 Sq. Ft) house with an existing non-conforming garage (344 Sq Ft). The North face of the house currently encroaches over the Front Yard Setback at levels 01 & 02. The Garage encroaches into the two interior yard setbacks and is connected to the garage of the parcel next door, spanning over the property line.

The proposed project is for the interior & exterior remodel of the existing two story house. The scope of work includes the demolition of an existing second floor addition and demolition of portions of the existing shared garage that are on the subject property. New construction is to consist of a new 2 story garage with studio/office above with a new driveway and curb, new porches on the North and East elevations, new Deck on the West side, and reconfigured interior rooms with a new kitchen, laundry, 1st floor bathroom, and reconfigured bathrooms & bedrooms on the second floor. Exterior alterations are to consist of patching, repairing, and repainting the existing shingle siding, new doors & windows, & a new driveway to meet the new garage.

The first modification being requested is to allow modifications to the existing doors and windows and new doors & windows in the front yard setback.

The second modification being requested is to allow for open yard dimensions that are smaller than the required 20' minimums. This is to accommodate the new conforming garage and also in relation to the existing non-conforming rear yard dimensions behind the residence.

The major benefits of having the existing openings in the front yard setback modified are that the aesthetic of the house is greatly improved and that newer, more energy efficient and sound doors & windows can be installed. The historic character of the house and neighborhood will be greatly enhanced as a result of the project.

The major benefits of having the open yard dimensions allowed as proposed are that the new garage can be brought into conformance with the required setbacks, and the existing non-conforming garage can be abated

EXHIBIT B

Staff Hearing Officer

March 4, 2015

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on this parcel. The size and configuration of the proposed yard is a significant enhancement of the existing conditions.

If you have any questions, please contact me via the e-mail or phone number listed below.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Weber". The signature is written in a cursive style with a horizontal line underneath.

Dan Weber

Architect

dan@danweberarchitecture.com

805.234.4131

SFDB-CONCEPT REVIEW (CONT.)**4. 435 E VALERIO ST****R-2 Zone****(4:35)**

Assessor's Parcel Number: 027-123-008
Application Number: MST2015-00021
Owner: Dow, Oretsky, & Parenteau
Architect: Dan Weber

(Proposal for exterior and site alterations to an existing 2,772 square foot, two-story, single-family residence with a detached 307 square foot, one-car garage. The proposal includes the demolition of the non-conforming garages (attached to a building on a neighboring property) and construction of a new 432 square foot detached two-car garage with 332 square foot of accessory space above. The proposal also includes a new curb cut, driveway, exterior deck, and reconfiguration and remodel of interior spaces. The proposed total of 3,079 square feet on a 5,924 square foot lot is 115% of the guideline maximum floor-to-lot area ratio (FAR). The project includes Staff Hearing Officer review for requested modifications to allow alterations in the front setback and to reduce minimum open yard dimensions. This project will address violations identified in enforcement case ENF2007-00477 and Zoning Information Report ZIR2013-00596.)

(Second concept review. Comments only; project requires environmental assessment and Staff Hearing Officer review for requested zoning modifications. Project was last reviewed on February 23, 2015.)

Actual time: 4:11 p.m.

Present: Dan Weber, Architect; and Alelia Parenteau, Owner.

Public comment opened at 4:30 p.m. As no one wished to speak, public comment was closed.

Motion: Continued indefinitely to Staff Hearing Officer to return to Full Board with comments:

- 1) The Board supports the front setback and open yard modifications and finds them aesthetically appropriate.
- 2) The Board appreciates the architect and owners' sensitive approach and efforts on the design of the project.

Action: James/Bernstein, 7/0/0. Motion carried.

*** THE BOARD RECESSED AT 4:41 P.M. AND RECONVENED AT 4:52 P.M. ***

EXHIBIT C

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING**6. 435 E VALERIO ST****R-2 Zone****(6:25)**

Assessor's Parcel Number: 027-123-008
 Application Number: MST2015-00021
 Owner: Dow, Oretsky, and Parenteau
 Architect: Dan Weber

(Proposal for exterior and site alterations to an existing 2,772 square foot, two-story, single-family residence with a detached 307 square foot, one-car garage. The proposal includes the demolition of the existing non-conforming garage (attached to a building on a neighboring property) and construction of a new standalone two-story building comprising a 332 square foot accessory unit above a 432 square foot two-car garage. It also includes a new curb cut, driveway, exterior deck, and reconfiguration and remodel of interior spaces. The proposed total of 3,079 square feet on a 5,924 square foot lot is 115% of the guideline maximum floor-to-lot area ratio (FAR). The project includes Staff Hearing Officer review for requested modifications to allow alterations in the front setback and to reduce minimum open yard dimensions. This project will address violations identified in enforcement case ENF2007-00477 and Zoning Information Report ZIR2013-00596.)

(Comments only; project requires Environmental Assessment and Staff Hearing Officer review for requested zoning modifications.)

Actual time: 6:28 p.m.

Present: Dan Weber, Architect; and Alelia Parenteau, Owner.

Public comment opened at 6:45 p.m.

- 1) Teddy Gasser expressed concerns regarding the location of the windows in relation to her privacy as well as the issues in separating the shared garage space. She spoke in support of the curb cut that will improve the driveway and the design of proposed project.

Letters in opposition from Daphne Page, Bill Beach and R. Warder Bayly were acknowledged.

Public comment closed at 6:54 p.m.

Motion: Continued indefinitely to Full Board with comments:

- 1) The Board appreciates the project's design direction of the project but prefers the use of the three window set configurations presented in the renderings as opposed to what is on the plans.
- 2) The Board can support the built-up deck at the rear but would like a study of an alternate design for terracing the deck.
- 3) Provide details of the porch columns, illustrating how they should look proportionally.
- 4) Study the front elevation of the detached garage, giving special attention to the treatment of the additional three foot width on the ground floor.
- 5) Provide clarification from the City staff regarding the curb cut and street tree preservation.
- 6) Working together with the neighbor, study the impact of the garage alteration to the neighbor's garage and work together to provide a mutually agreeable solution.
- 7) Provide a landscape plan concerning the westerly side of the property line along Valerio and Cota streets.

Action: Miller/Pierce, 7/0/0. Motion carried.