

City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: October 7, 2015
AGENDA DATE: October 14, 2015
PROJECT ADDRESS: 323 Elizabeth Street (MST2015-00388)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *my for dyk*
 Kelly Brodison, (805) 564-5470, ext. 4531 *KAB*

I. PROJECT DESCRIPTION

The 5,000 square-foot site is currently developed with an 875 square foot residence and a 337 square foot detached carport. The proposed project involves the demolition of the existing carport and the construction of a new 472 square foot detached two-car garage which will include a laundry and storage area. The project also includes the removal of an existing water softener and water heater enclosure, to be replaced with an on-demand water heater and the legalization of a 148 square foot "as-built" rear addition. This proposal will address violations outlined in Zoning Information Report ZIR2014-00447.

The discretionary applications required for this project are:

1. Open Yard Modification to allow a reduction of the required open yard (SBMC §28.18.060 and §28.92.110); and
2. Interior Yard Modification to allow construction of a new garage with accessory space to encroach within the required interior setback along the rear property line (§28.18.060 and §28.92.110); and
3. Interior Yard Modification to allow the new garage with accessory space to encroach within the required interior setback along the northwest property line (§28.18.060 and §28.92.110).

Date Application Accepted: August 3, 2015

Date Action Required: November 25, 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:	Tony Xiques	Property Owner:	Steve and Ellen Ruggieri
Parcel Number:	031-381-006	Lot Area:	5,000 sq. ft.
General Plan:	Medium Density 12 du/acre	Zoning:	R-2
Existing Use:	Single Family Residential	Topography:	~3%

Adjacent Land Uses:

North - Residential (2-story)	East - Residential (1-story)
South - Residential (1-story)	West - Residential (1-story)

B. PROJECT STATISTICS

	Existing (net)	Proposed (net)
Living Area	875 sq. ft.	148 sq. ft. (addition)
Garage	338 sq. ft. (carport)	472 sq. ft. (garage)

C. PROPOSED LOT AREA COVERAGE

Building: 1,571 sf 31% Hardscape: 856 sf 17% Landscape: 2,573 sf 52%

D. FLOOR-AREA RATIO (FAR)

Max. Allowed FAR: 2,450 sq. ft. Proposed FAR: 1,495 sq. ft. = 62% of Max. Allowed FAR

IV. DISCUSSION

Open Yard Modification

The R-2 zone requires a minimum of 1,250 square feet of open yard with minimum dimensions of at least 20 feet long and 20 feet wide (SBMC §28.18.060). In 1953, a service porch was constructed (80 sq. ft.) at the rear of the house that encroached into this required open area, resulting in a non-conforming open yard of 1,160 square feet. According to ZIR2014-00447, sometime after 1953 the service porch was expanded by an additional 156 square feet which resulted in a reduction of the already non-conforming open space. Also, there is an “as-built” equipment enclosure containing a water heater and a water softener that encroaches into the required six-foot interior setback along the northeast property line, which is proposed to be removed as a part of this project.

The current application consists of permitting the “as-built” addition as well as a new entry way with stairs further reducing the open yard to approximately 870 square feet. The “as-built” addition was constructed as an expansion of the previous service porch. Staff is supportive of the Open Yard Modification because it is a modest addition on a small 5,000 square foot lot that is somewhat constrained as it is less than the minimum required lot size of 7,000 for the

R-2 zone and the “as-built” addition will allow an adequate open yard area to remain for enjoyment of the property as intended by the ordinance.

Interior Yard Modifications

The R-2 zone requires a minimum setback of 3’ for covered or uncovered parking. The Sanborn Maps indicate that there was an accessory space in the southwest corner of the lot that was constructed with zero setbacks. Currently there is a 353 square foot unpermitted carport in the same location. This current proposal is to demolish the unpermitted carport and construct a 472 square foot, two-car garage and accessory space with zero setbacks, therefore two interior setback modifications are required for encroachment into the required 3’ rear and interior setbacks in the southwest corner of the property.

The accessory space within the garage is to include storage closets and room for a washer and dryer. It is not unusual for these types of amenities to be located within a garage, and the alternative of locating them out of the setback and along the side of the garage would further encroach into the open yard area. Staff is supportive of the rear and interior setback modifications because they will allow for the replacement of an unpermitted, substandard structure with a new two-car garage and a small accessory space. Historically, there has been an accessory building in this location and no openings are proposed along the two interior property lines to prevent any negative effects on the privacy of the adjacent property owners. However, due to the zero setbacks being proposed, Staff recommends adding a condition that no portion of the building, roof eaves, or gutters will extend or drain over the property lines.

V. FINDINGS AND CONDITIONS

1. The Staff Hearing Officer finds that the Open Yard Modification to reduce the already non-conforming open yard to 870 square feet is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The location of the “as-built” addition with a new entry way, landing and stairs is appropriate because it is a modest addition which will allow the expansion of a small house and the enjoyment of the open yard area by adding an entry and small landing, and is not expected to result in adverse effects on the adjacent neighbors; see Section IV of the staff report.
2. The Staff Hearing Officer finds that the Interior Setback Modification for the building to be constructed with zero setbacks at the rear property line is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The location of the new garage with accessory space is appropriate because it will replace an unpermitted, sub-standard structure with a new two-car garage which will conform with the parking requirements in the R-2 Zone as discussed, the accessory space is also modest in size, and the improvements are not expected to result in adverse effects on the adjacent neighbors; see Section IV of the staff report.
3. The Staff Hearing Officer finds that the Interior Setback Modification for the building to be constructed with zero setbacks at the interior property line is consistent with the

purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The location of the new garage with accessory space is appropriate because it will replace an unpermitted, sub-standard structure with a new two-car garage which will conform with the parking requirements in the R-2 Zone as discussed, the accessory space is also modest in size, and the improvements are not expected to result in adverse effects on the adjacent neighbors; see Section IV of the staff report.

Said approval is subject to the condition that no portion of the building, roof eaves or gutter will extend or drain over the property lines.

Exhibits:

- A. Applicant's letter, dated July 20, 2015
- B. Site Plan (under separate cover)

Contact/Case Planner: Kelly Brodison, Assistant Planner
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630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x**4531**



DEXIGN SYSTEMS

Residential Design & Drafting

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

July 20, 2015

RECEIVED
AUG 03 2015

**CITY OF SANTA BARBARA
PLANNING DIVISION**

Re: Modification Request for 323 Elizabeth St.; APN 031-381-006; R-2 Zone

Dear Staff Hearing Officer,

My clients, Steve and Ellen Rugieri, recently took ownership of a 1068 sq. ft. one-story house (all figures gross) with 353 sq. ft. detached carport on a 5,000 sq. ft. (.11 AC.) lot at the above address.

The original 832 sq. ft. house and detached garage was permitted and built in 1927 to comply with all zoning ordinances in effect at the time. In 1953, an 8'x10" (80 sq. ft.) service porch at the rear of the house was permitted and built.

According to ZIR2014-00447, at some point, the service porch was expanded by the addition of 156 sq. ft. and the detached garage was removed and replaced with a substandard carport, both without the required permits.

This purpose of our project is to abate all Zoning & Building violations listed on ENF2014-01003 by 1) permitting the "as-built" 156 addition at the rear of the house, and 2) removing the sub-standard detached carport and building a 503 sq. ft. garage/laundry/storage area at the same location.


The modifications being requested is to 1) allow a 48 sq. ft. encroachment into the interior yard setback at the new garage, and 2) allow a 65 sq. ft. Open Yard Area encroachment at the (a/b) house addition.

The major benefits of approving our Modification Request are:

- To provide (2) covered parking spaces at the original garage location, thereby complying with the Santa Barbara City parking requirements for single family residences.
- To allow the owners to keep the much-needed additional sq. ftg. on the already modest-sized house while still keeping enough Open Yard Area to enjoy the back yard.

Thank you for your consideration in this matter, and please feel free to call me at the above number should you have any questions or comments regarding our request.

Sincerely,


Tony Xiques
DEXIGN Systems

Cc/SR

EXHIBIT A