



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** December 21, 2015  
**AGENDA DATE:** January 6, 2016  
**PROJECT ADDRESS:** 1417 San Miguel Avenue (MST2015-00426)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Senior Planner *DK*

### I. PROJECT DESCRIPTION

The 10,589 square-foot site is currently developed with a 1,513 sq. ft., two-story, single family residence, a detached two-car garage and uncovered parking space. The proposed project involves a circular driveway and parking space at the front of the house, with a new curb cut and driveway. The discretionary application required for this project is a Front Setback Modification to allow uncovered parking in the required 20-foot front setback (SBMC §28.15.060 and SBMC §28.92.110).

Date Application Accepted: November 10, 2015    Date Action Required: January 10, 2015

### II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer deny the Front Setback Modification.

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant: Don Swann	Property Owner: Michael and Jami Gott
Parcel Number: 045-132-006	Lot Area: 10,589 sq. ft.
General Plan: Low Density Residential (Max 5 du/acre)	Zoning: E-3
Existing Use: Residential	Topography: 13% Slope

#### Adjacent Land Uses:

North – Single Family Residence	East – Single Family Residence
South – Single Family Residence	West – Single Family Residence

#### **IV. DISCUSSION**

The project was reviewed by the SFDB on September 21, 2015, and found that the proposed Modification was aesthetically appropriate, and that it did not pose any issues with the design guidelines.

The proposed project involves the construction of a new circular driveway in the front setback of an existing house. The property is on the downhill (south) side of San Miguel Avenue, and the existing, detached garage is behind and at a lower elevation than the house. The garage is accessed from a driveway that is shared with neighbors to the south. The applicants have requested the circular driveway and parking space at the front of the house, at the same elevation as the front door and main living level of the house. Their reason for the request is to allow better accessibility to the house, as one of the current residents has permanent injuries from a collision. Currently, the residents must park in either the garage or the uncovered parking space, and climb stairs or sloped surfaces to enter the house, and it is a hardship for them. Their letter states that it is not their intent to permanently park on the circular driveway, but rather to use it for drop-off and pick-up of one of the residents. On-street parking is prohibited on the south side of San Miguel.

Staff does not generally support circular driveways because they usually involve the removal of on-street parking, and because they usually result in parking in front setbacks. In this case, parking is not allowed on the south side of the street, so there would be no reduction in on-street parking. Staff does not generally support parking in front setbacks, primarily for aesthetic reasons, especially when conforming options exist, as they do in this case. Although Staff is sympathetic to the current residents' need, the approval of the Modification would allow the circular driveway and parking spaces for the foreseeable future, and the use of the front setback for parking would far exceed the current need; therefore, Staff does not support the request. However, the SFDB found the driveway to be aesthetically appropriate, and if the Staff Hearing Officer is inclined to grant the requested Front Setback Modifications, approval findings are included below.

#### **V. FINDINGS AND CONDITIONS**

##### **DENIAL FINDINGS**

The Staff Hearing Officer finds that the Modification is not consistent with the purposes and intent of the Zoning Ordinance, and is not necessary to secure an appropriate improvement on the lot, as conforming parking currently exists.

##### **APPROVAL FINDINGS**

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 circular driveway and parking spaces are appropriate because they provide easy access to the main level of the house, are aesthetically appropriate, and are not anticipated to adversely impact the adjacent neighbors or openness from the street.

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DECEMBER 21, 2015  
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Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated September 22, 2015
- C. SFDB Minutes, dated September 21, 2015

Contact/Case Planner: Danny Kato, Senior Planner  
(DKato@SantaBarbaraCA.gov)  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805) 564-5470 x**2567**





# City of Santa Barbara California

Exhibit A: The site plan for 1417 San Miguel Avenue has been distributed separately.

A copy of the plans is available for viewing at the Planning and Zoning Counter, 630 Garden Street, Santa Barbara, CA between the hours of 8:30 A.M and 4:30 P.M. Monday through Thursday, and every other Friday. Please check the City Calendar at [www.SantaBarbaraCA.gov](http://www.SantaBarbaraCA.gov) to verify closure dates.



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**EXHIBIT A**

**RECEIVED**  
OCT 05 2015  
CITY OF SANTA BARBARA  
PLANNING DIVISION

September 22, 2015

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

Re: Modification Request for Michael and Jami Gott, 1417 San Miguel Ave., Santa Barbara, CA, 93109  
APN: 045-132-006, E-3/SD-3 Land Use Zone

Dear Staff Hearing Officer:

The existing two story residence ( 1,513 sf.) has an existing, originally attached 5 ft. by 20 ft. covered front porch that encroaches 5 ft. into the front building setback. A detached, 2 car garage, (440 sf.), is located at rear of the property and encroaches one foot into the required 6 foot south, interior, rear yard setback. Both structures were built with permits.

An attached covered deck (BLD2015-01741) is currently in the permitting process and will be issued shortly.

The existing property is 10,589 sf., with a rear yard open space of 1,848 square feet.

The Gott residence is located on the downhill side of San Miguel Ave., and the street is posted "No Parking" on the south, their side of the street, complicating easy access to their home. Parking is provided on the north side of the street, but not always available, because of the large amount of vehicles in the neighborhood. Their existing driveway enters from the street, down the slope to the south, along the westerly side of the property, to the garage at the rear, and then continuing on for two more neighboring properties below.

We are proposing to add a much needed, modified circular driveway in the front yard of the above property, with new a 12ft. wide driveway apron, new colored, stamped concrete drive, connecting to the existing driveway, and then on to the new, to be redone 17 ft. wide concrete driveway apron at the street.

New landscaping is proposed, per the latest City Standards, with acceptable approved street trees that will allow more visibility to the street from the existing sloping, driveway, but is also designed to provide visual screening for the new driveway/parking space in the front yard from the street.

The Project was submitted to the SFDB and received favorable comments on Sept. 21, 2015.

Chelsey Swanson of the City Transportation Dept. has reviewed and accepted the new driveway layout as submitted.

The purpose of this driveway is to allow Mrs. Gott to exit a vehicle near the front door, (only entrance to the main floor living level, without stairs) and enter her home at the street level as described in her letter, dated April 14, 2015, attached.

The property has ample vehicle parking, with a two car garage and an additional two other areas, outside the required setbacks, where cars can park. The new turnaround in front is mainly for Mrs. Gott's accessibility.

**EXHIBIT B**

Presently when a vehicle exits the driveway, extreme caution is necessary for safe egress to the roadway. The new, front landscaping is designed to alleviate a great portion of this visibility, especially to the east, but unfortunately the vegetation to the west on the adjacent property, near the street, will still hinder some line of sight of the street in that direction.

The modification requested is .....To allow an open parking space be located within the front building setback line.

Although this is the formal request, it is not the owner's intent to use this new driveway as a permanent parking space.

The improvements shown on the plans are designed to improve the livability of the Owner's home and the necessity for a much needed access to their home.

In the submittal package, there are several photos of existing residences that have circular driveways with two driveway aprons and "Parking" areas" within the front setback, in the City of Santa Barbara. Some with lesser restrictive conditions that we have encountered, and most, if not all did not require a modification for an "Open Parking Space" within the front building setback, and/or are not mentioned in the Building Permits on file.

Public Works Counter staff indicated that verification of all the two driveway aprons permits shown in the photos of our submittal will be difficult for they are not in computer files for easy access.

Whatever other residences in Santa Barbara have, these new improvements will enhance the look of the Gott's property and will not incur any hardships or be incompatible with the surrounding neighborhood.

Sincerely,



Don Swann

Agent for Michael and Jami Gott, Owners

ENCLOSURE: LETTER DATED APRIL 14, 2015 TO BRENDA BETZ

April, 24, 2015

Ms. Brenda Beltz  
City of Santa Barbara,  
Community Development Department  
Planning Division  
630 Garden St.  
Santa Barbara, CA 93101

RECEIVED  
OCT 05 2015  
CITY OF SANTA BARBARA  
PLANNING DIVISION

Subject: Proposed circular drive access to our home located at 1417 San Miguel Ave.,  
Santa Barbara, CA, 93109

Dear Ms. Beltz,

My husband and I are retiring and presently in the process of moving to our home in Santa Barbara that we have owned for many years. Our three kids were born and raised in the area, and have three grandkids in Santa Barbara along with the many friends we have developed over the years.

The house is located on the downhill side of San Miguel Ave., a narrow street, posted "No Parking" on our side. There closest parking to our front door is on the other side of the street facing the other way, but rarely available. We have ample parking on our property with a detached two car garage and two other areas for parking vehicles. However, because all the on-property parking is, on the slope, below and detached from the main house, it makes it difficult for me to walk up/down-hill, the many steps from the garage up to the house, with any type of bags. The situation makes it extremely difficult to unload people/groceries near our front door.

In addition, we would like to repair the existing approach so it is easier to enter and leave the driveway, onto San Miguel Ave, due to the parked cars and narrowness of the entire street. This means that all three of the home owners that share the driveway must usually drive over the curb edge of the existing approach upon entry and exit, in order to avoid the parked cars across the street.

I received a debilitating impairment many years ago in a tragic car accident, where in addition to my youngest son being killed, my shoulder had to be reconstructed, broke my back and have permanent nerve damage in my right arm, which has restricted my mobility. Unfortunately, my condition has only gotten worse with age; therefore, we are requesting the circular drive so I can exit the car near the front door for unloading/loading of myself and packages. My husband will then put the car away in the detached garage down below the house.

Don Swann, our designer, has reviewed and received positive responses from the City's Transportation engineer and Field inspector for the approaches and directional flow for the drive, but will be formally applying with your Pre-Case approval.

Sincerely,

  
Jami Gott



**NEW ITEM: PUBLIC HEARING****B. 1417 SAN MIGUEL AVE****E-3/SD-3 Zone**

Assessor's Parcel Number: 045-132-006  
Application Number: MST2015-00426  
Owner: Gott Family Trust  
Designer: Don Swann

(Proposal for a new circular driveway and new landscaping in the front yard of an existing single-family residence in the non-appealable jurisdiction of the Coastal Zone. The project includes Staff Hearing Officer review for one uncovered parking space within the front setback.)

**(Comments only; project requires environmental assessment and Staff Hearing Officer review for a requested zoning modification.)**

**Continued to Staff Hearing Officer to return to Consent with comments:**

- 1) The Board finds the requested zoning modification aesthetically appropriate and does not pose consistency issues with the design guidelines.