



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: January 14, 2016
AGENDA DATE: January 20, 2016
PROJECT ADDRESS: 969 Isleta Ave (MST2015-00393)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Michelle Bedard, Assistant Planner *MB*

I. PROJECT DESCRIPTION

The 8,134 square foot parcel, located in the Hillside Design District, is currently developed with an existing 1,262 square foot single family residence, with an attached 394 square foot two-car garage. The proposal involves an interior remodel, a 290 square foot one-story addition, a 546 square foot two-story addition, a 48 square foot upper level deck, the demolition of the existing front entry stairs and porch, and the construction of new entry stairs, porch, and deck. The proposed total of 2,550 square feet is 79% of the maximum floor-to-lot area ratio (FAR). The proposal will address violations outlined in Zoning Information Report ZIR2014-00257.

The discretionary applications required for this project are:

1. Interior Setback Modification to allow conforming one- and two-story additions that will change the basic exterior characteristics of the existing residence that is nonconforming to the eastern required 10-foot interior setback (SBMC § 28.87.030 and SBMC § 28.92.110); and
2. Interior Setback Modification to allow conforming one- and two-story additions that will change the basic exterior characteristics of the existing residence that is nonconforming to the western required 10-foot interior setback (SBMC § 28.87.030 and SBMC § 28.92.110).
3. Front Setback Modification to allow improvements including new entry stairs, porch, and deck to encroach into the front setback and conforming one- and two-story additions that will change the basic exterior characteristics of the existing residence that is nonconforming to the required 30-foot front setback (SBMC § 28.87.030, § 28.15.060, and SBMC § 28.92.110);

Date Application Accepted: December 7, 2015

Date Action Required: March 6, 2016

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the requested two interior setback modifications as proposed, and approve the requested front setback modification subject to the condition that the proposed configuration of the entry porch/deck be reconfigured and reduced in area to allow for improvements to function as an entry porch, not a deck. The recommended configuration is approximately a maximum of 7 feet wide by 5 feet deep (approximately 35 square feet).

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Patrick Marr	Property Owner:	Crissman Trust
Parcel Number:	035-253-019	Lot Area:	8,134 sq. ft.
General Plan:	Low Density Residential (Max 3 du/acre)	Zoning:	E-1
Existing Use:	Residential	Topography:	15%

Adjacent Land Uses:

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

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,262 sq. ft.	+ 836 = 2,098 sq. ft.
Garage	394 sq. ft.	No Change
Accessory Space	42 sq. ft.	No Change

C. PROPOSED LOT AREA COVERAGE

Building: 1,684 sf 21% Hardscape: 600 sf 7% Landscape: 5,850 sf 72%

D. FLOOR-AREA RATIO (FAR)

Max. Allowed FAR: 0.398 Proposed FAR: 0.310 = 79% of Max. Allowed FAR

IV. DISCUSSION

The proposed project is to construct conforming one- and two-story additions to the existing residence, and to construct a new front entry porch, and a new upper level deck. The existing residence encroaches nine feet into the required 30-foot front setback, and five feet into both required 10-foot interior setbacks. At the time of original construction the residence complied with the required setbacks. The property was later rezoned from R-1 to E-1 zoning, which applied greater setbacks, and resulted in a legally non-conforming building. The proposed additions are located outside of the required 30-foot front setback and the 10-foot interior

setbacks. The second-story addition results in a change to the basic exterior characteristic of a non-conforming building and therefore requires modification approval (SBMC §28.87.030.d.1.a.). Staff supports the request for the two Interior Setback Modifications, and the portion of the Front Setback Modification that pertains to the changes to the basic exterior characteristics of the building, as the proposed additions are conforming to the required setbacks, no new openings are proposed within the setbacks and because the additions are not anticipated to adversely impact the adjacent neighbor.

The proposal also includes the demolition of the existing entry stairs and porch and construction of a new, expanded entry stairs, porch, and a new deck. The proposed work is located within the required 30-foot front setback and requires modification approval (SBMC §28.15). The existing entry porch is approximately 2'6" in depth, and is located 21 feet from the front property line. The new entry stairs, porch, and deck is proposed to be expanded by 9 feet in depth and located 12 feet from the front property line; an encroachment of 18 feet into the required 30 foot setback.

As proposed, staff is not supportive of the requested front setback modification for the entry deck because it doubles the amount of the existing encroachment and would provide a built up deck within the required front setback; the improvement is not necessary to secure an appropriate improvement on the lot and the denial would not constitute an unreasonable hardship. However, staff is supportive of a revised design that will allow for the existing entry porch to be reconfigured to allow a smaller entry porch, not a deck. Based upon the existing configuration, Staff recommends that the new porch/deck does not exceed a maximum of 7 feet wide by 5 feet deep (approximately 35 square feet). The recommended 7 foot width is equivalent to the distance between the top entry stair to the existing exterior living room wall. The recommended configuration allows for the porch to be expanded to five feet, which is double the depth of the existing entry porch and allows for a comfortable standing space at the front door.

This project was reviewed by the Single Family Design Board (SFDB) on September 21, 2015, and was forwarded to the Staff Hearing Officer with positive comments. The Board appreciated the style of architecture and the applicant's design efforts for the placement of the second story addition to best address view concerns for the adjacent neighbor.

Garage Waiver

The existing 394 square foot two-car garage is non-conforming as it does not meet the required unobstructed minimum interior 20' x 20' dimensions. The original permitted garage configuration included the fireplace base support (in the living room above) and therefore the useable garage area is considered to be 326 net square feet. The proposed additions require the garage to be brought into compliance with the current minimum standards. Due to the existing site constraints and the nonconforming building configuration the applicant is seeking a garage design waiver. Transportation Staff is supportive of the waiver; therefore, a condition has been included that a design waiver of the garage dimensions shall be obtained from the Public Works Department prior to issuance of a building permit.

V. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the eastern Interior Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure appropriate improvements on the lot. The proposed additions are appropriate because they are modest in size and will allow for conforming additions to the residence that will not increase the amount of encroachment or openings in the required setbacks and the Single Family Design Board found the additions to be designed sensitively to not adversely impact the adjacent neighbors.

The Staff Hearing Officer finds that the western Interior Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure appropriate improvements on the lot. The proposed additions are appropriate because they are modest in size and will allow for conforming additions to the residence that will not increase the amount of encroachment or openings in the required setbacks and the Single Family Design Board found the additions to be designed sensitively to not adversely impact the adjacent neighbors.

The Staff Hearing Officer finds that the Front Setback Modification to allow the construction of a smaller entry stairs and porch (seven feet wide by five feet deep, as recommended above) is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The existing building encroaches into the setbacks and the primary entrance is elevated above grade, which necessitates an elevated entry porch. Staff believes that a small expansion of the porch is appropriate, given its current small size. The recommendation is a reasonable compromise between the existing configuration, the minimum required, and the proposed configuration, and is necessary to allow for appropriate improvements to a single-family residence and that will not adversely affect the visual openness from the street.

Said approval is subject to the following conditions:

1. The proposed reconfiguration of the entry porch shall be designed, as recommended above, to allow for improvements to function as an entry porch, not a deck.
2. A design waiver for the garage size shall be obtained from the Public Works Department prior to building permit issuance.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated November 5, 2015
- C. SFDB Minutes dated September 21, 2015

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Staff Hearing Officer
City of Santa Barbara Community Development
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RECEIVED

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CITY OF SANTA BARBARA
PLANNING DIVISION

November 5, 2015

RE: Modification Request for:
MST2015-00393
Crissman Addition, 969 Isleta Avenue, Santa Barbara, CA 93105

My clients, Paul and Pat Crissman, own a 1,637 sf (all figures gross) single-story single family dwelling with a 431 sf "tuck under" attached (legal non-conforming) garage. The house was originally permitted and built in 1941 to comply with all ordinances in effect at that time.

Due to a change in Zoning from R-1 to E-1 that changed the front setback from 20' to 30' from the public R.O.W. and the interior setback from 5' to 10', the existing house encroaches into the front and both side setbacks. The existing front porch also encroaches into the front setback. Our proposal is to add a 310 sf first floor addition to the rear of the house and a 625 sf second floor addition with 48 sf second floor deck above a portion of the existing and proposed first floor portions of the house. The additions to the house living space conform to the required front and interior setbacks. In addition, we are proposing replacing the existing 18 sf inadequate front porch with a 143 sf porch that will encroach 8.5' into the front setback.

The Modifications requested are:

1. Modification for a change to the basic characteristics of an existing structure that is legal nonconforming to the 10-foot interior setback (east interior setback).
2. Modification for a change to the basic characteristics of an existing structure that is legal nonconforming to the 10-foot interior setback (west interior setback).
3. Front setback modification to allow a new front porch and exterior stairs to encroach into the required 30-foot front setback.

The major benefits of allowing a change to the basic character of an existing legal non-conforming residence (Items 1 & 2 above) is that it will allow the clients to have a modest second floor Master Suite (including a needed second bath and closet space) consistent with other houses in the neighborhood, enhance their sense of security with a second floor bedroom, and minimize the building's footprint allowing much of the backyard to remain as landscaped "open space" instead of being consumed by a sprawling single story addition.

The major benefits of allowing the front porch and stairs to encroach into the required front yard setback (Item 3 above) are to make the stairs less steep than the existing, enlarge the porch for ease of movement of furniture into and out of the house, provide adequate room to maneuver for a handler and guide-dog-in-training, and to provide more interesting "massing" of the stairs/porch which will add visual interest to the front of the house and yard. (We tried smaller porches, but felt this looked best when viewed from street.)

Thank you for your consideration in this matter, and please contact me if you have any questions or comments.

Patrick Marr, AIA PE

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EXHIBIT B

Motion: ~~Project Design Approval with the finding that the Neighborhood Preservation Ordinance criteria have been met as stated in Subsection 22.69.050 of the City of Santa Barbara Municipal Code and continued indefinitely to the Full Board with comments:~~

- ~~1) The Board had positive comments regarding the project’s consistency and appearance, quality of architecture and materials, and adherence to good neighbor guidelines.~~
- ~~2) The FAR is acceptable relative to the outline of house being compatible with neighboring homes in context of the footprint.~~
- ~~3) Any paving or hardscape over the sewer easement will require review and approval by Public Works.~~

~~Action:~~ Moticha/Woolery, 5/0/0. Motion carried. (Bernstein stepped down, James absent).

The ten-day appeal period was announced.

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

5. 969 ISLETA AVE

E-1 Zone

(4:40) Assessor’s Parcel Number: 035-253-019
 Application Number: MST2015-00393
 Owner: Crissman Trust
 Applicant: Patrick Marr

(Proposal for a 290 square foot first-floor addition, a 576 square foot second-story addition, a 48 square foot second-floor deck, a new entry deck and stairs, removal of an unpermitted shade structure and water heater, and interior remodel of an existing 1,262 square foot single-family residence with an attached 384 square foot, two-car garage. The project includes removal of two interior posts in the garage. The proposed total of 2,512 square feet on an 8,134 square foot lot in the Hillside Design District is 78% of the maximum required floor-to-lot area ratio (FAR). The proposal addresses violations associated with Zoning Information Report ZIR2014-00257. This project includes Staff Hearing Officer review for a front setback and two interior setback modifications.)

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

Actual time: 5:33 p.m.

Present: Patrick Marr, Applicant; and Paul and Pat Crissman, Owner.

Public comment opened at 5:45 p.m.

- 1) Michael Ressler, neighbor, expressed concerns regarding possible obstruction of his views by the second story elevations.

Public comment closed at 5:49 p.m.

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

- 1) The Board appreciates the style of architecture and the applicant's efforts in addressing view concerns with the adjacent neighbor.
- 2) Study an alternative to the window on the south elevation on the second story.
- 3) The Board finds that the cable railings and the size of the patio are appropriate to the style of architecture.
- 4) The Board finds the modifications aesthetically appropriate and do not pose consistency issues with the guidelines.
- 5) Provide photos of the neighboring views.
- 6) Provide a landscape plan for the area around the front entry.

Action: Miller/Woolery, 4/2/0. Motion carried. (Bernstein/Pierce opposed, James absent).

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

~~6. 941 MEDIO RD~~

E-1 Zone

~~(5:15)~~

~~Assessor's Parcel Number: 029-321-016
Application Number: MST2015-00344
Owner: Robert and Grace Gulock Revocable Trust
Architect: Anders Troedsson~~

~~(Proposal to demolish 16 square feet of an existing 1,215 square foot single-family residence and all of an existing 331 square foot detached garage. The proposal will add 1,278 square feet to the existing residence, including 208 square feet to the existing 77 square foot basement, and includes a new 419 square foot attached two-car garage. Also proposed are a new CMU equipment enclosure, new CMU retaining walls, new fencing, a new trash enclosure, and a new swimming pool with a new pool deck, 244 cubic yards of cut and fill grading outside of the building footprint, and restoration of a historic sandstone cap and pier wall on the property. The project will address violations identified in a Zoning Information Report (ZIR2014-00443). The proposed total of 3,181 square feet of development on a 10,690 square foot lot in the Hillside Design District is 83% of the required guideline maximum floor-to-lot area ratio (FAR). An Administrative Exception is requested to allow a fence and wall to exceed 3-1/2 feet in height within 10 feet of the front lot line. In addition, Staff Hearing Officer review is requested for zoning modifications for additions and alterations to the dwelling, for the garage, swimming pool and pool equipment within required front setbacks.)~~

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

~~Actual time: 6:01 p.m.~~

~~Present: Anders Troedsson, Architect.~~

~~Public comment opened at 6:15 p.m.~~

- ~~1) Timothy Gozzano, adjacent neighbor, expressed support for the project's single-story design on the small lot and its consistency with the neighborhood. He stated it would be difficult to fit a two car garage on a corner lot.~~

~~Letters of expressed concerns from Stephanie Moret and Wendy Edmunds regarding the conservation of the historic wall and the removal of the vegetation from the wall were acknowledged.~~