



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** March 23, 2016  
**AGENDA DATE:** March 30, 2016  
**PROJECT ADDRESS:** 1215 De La Guerra Road (MST2015-00615)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Senior Planner  
 Andrew Perez, Planning Technician I

### I. PROJECT DESCRIPTION

The 7,414 square-foot site is currently developed with a 1,841 square foot, one-story single family dwelling and a detached 456 square foot two-car garage. The proposed project involves an interior remodel of the kitchen and dining room, addition of new windows, a skylight, and a door providing access to a new 215 square foot front deck off the dining room that will cantilever over the garage. The discretionary application for this project is a Distance Between Buildings Modification to allow the deck to encroach into the 5 foot minimum distance between main and accessory buildings (SBMC 28.04.010 and SBMC 28.92.110).

Date Application Accepted: February 29, 2016      Date Action Required: June 29, 2016

### II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project.

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant:	Windward Engineering	Property Owner:	Todd Bogdan & Heather Taylor
Parcel Number:	031-071-003	Lot Area:	7,414 square feet
General Plan:	Low Density Residential (max 5 du/acre)	Zoning:	E-3
Existing Use:	Single Family Residence	Topography:	17%

#### Adjacent Land Uses:

North – Single Family Residential (1-story)	East - Single Family Residential (2-story)
South – Single Family Residential (1-story)	West - Single Family Residential (2-story)

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	1,841 sq. ft.	1,841 sq. ft.
Garage	456 sq. ft.	456 sq. ft.

**C. PROPOSED LOT AREA COVERAGE**

Building: 2,512 sf 34%      Hardscape: 2,760 sf 37%      Landscape: 2,143 sf 29%

**IV. DISCUSSION**

This project was reviewed by the SFDB on January 11, 2016, and found the modification to be aesthetically appropriate and it does not pose consistency issues with the Design Guidelines. The project was continued indefinitely to the Staff Hearing Officer, and requested to return to the SFDB with comments.

The existing development on this property is a single-family residence with a detached two-car garage that is non-conforming to the required front setback. The detached garage is located approximately 8 feet from the residence, and the proposed deck will cantilever approximately 2 feet over the garage. Currently, the area between the residence and garage is landscaped and provides minimal pedestrian accessibility through the site. The proposed deck will be a better use of this space while not diminishing accessibility on the property, and there are no fire safety issues with the proximity of the deck to the garage.

From the street, it would appear that the residence is a two-story structure because the grade of the house is elevated approximately 8 feet above the grade of the garage. The proposal also includes new windows and a door along the front of the house to provide views and access to the deck from the dining room.

This Modification is fairly technical in nature. The deck is considered part of the house, and the house must be at least five feet from an accessory building. Because the deck is about two feet above the garage, a Modification is required. The zoning provision that addresses the distance between main buildings and accessory buildings is contained in the definition of Accessory Building:

Accessory Building (SBMC §28.04.010)

“A subordinate building or portion of the main building, the use of which is incidental to that of the main building on the same lot. Where an accessory building is attached to and made a part of the main building, not less than eight feet (8’) in length of one (1) of the walls or roof of such accessory building, or not less than one hundred percent (100%) of any wall of such accessory building less than eight feet (8’) in length, shall be an integral part of the main building and such accessory building shall comply in all respects with the requirements of this ordinance applicable to a main building. An accessory building, unless attached to and made a part of the main

building, as above provided for, shall be not closer than five feet (5') to the main building.”

The provision requires a wall or roof connection of a minimum of width in order for a main building and an accessory building to be considered connected, and thus part of the same main building. Because the deck has neither a wall connection nor a roof connection, the deck cannot connect the house and the garage in a way that complies with the zoning provision shown above. Staff believes that this definition was crafted with a horizontal distance in mind, rather than a vertical distance, as walls and roof are designed to make horizontal connections. The definition does not acknowledge any type of vertical connection, such as a floor to ceiling connection. The New Zoning Ordinance proposes to acknowledge vertical connections.

Staff is supportive of this request because there are no site access or fire issues associated with the deck located between the house and the garage, the deck follows a pattern of development in the neighborhood, and the project is not anticipated to have a detrimental effect on the neighborhood.

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

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 cantilevered deck is an appropriate improvement to a single-family residence because it allows a desired improvement, will not diminish accessibility through the property or pose a fire safety issue, and is compatible with the neighborhood.

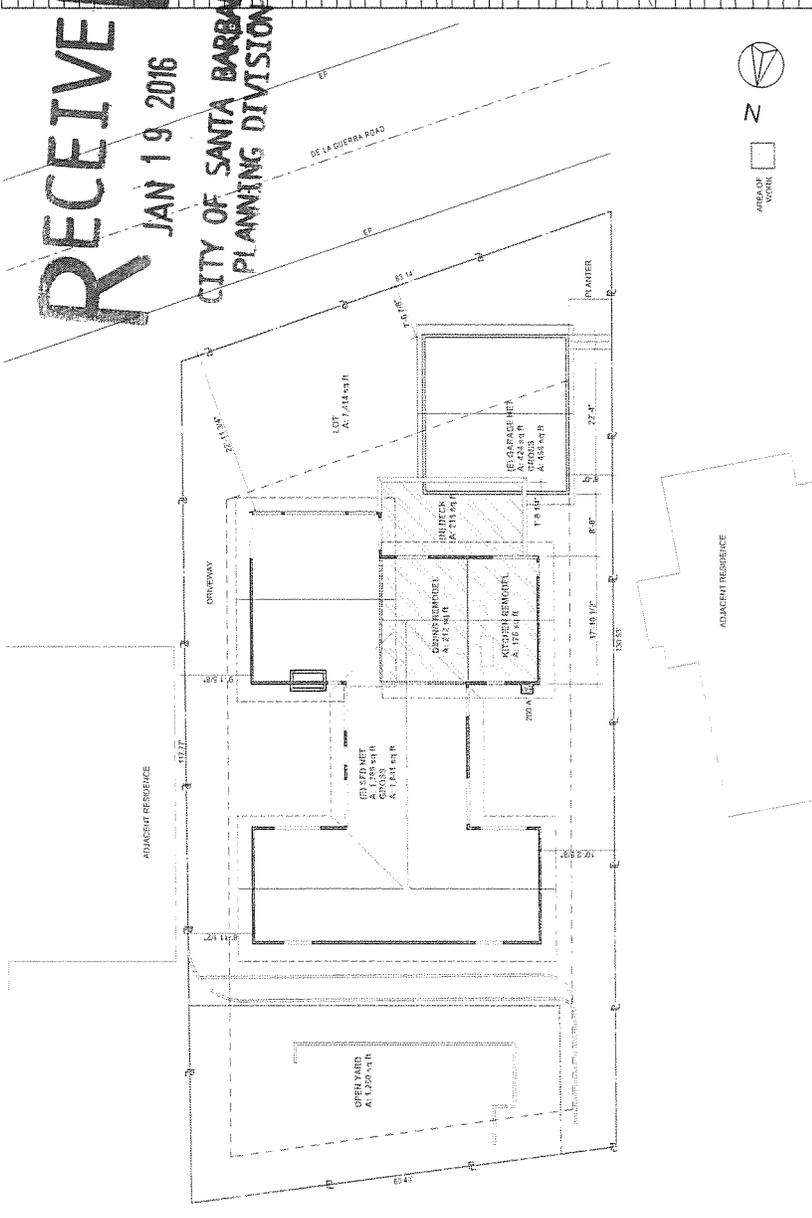
Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated January 14, 2016
- C. SFDB Minutes

Contact/Case Planner: Andrew Perez, Planning Technician I  
([acperez@SantaBarbaraCA.gov](mailto:acperez@SantaBarbaraCA.gov))  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805) 564-5470 x4559

# BOGDAN / TAYLOR

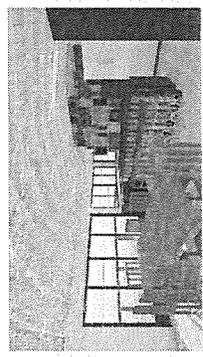
1215 DE LA GUERRA ROAD, SANTA BARBARA, CA



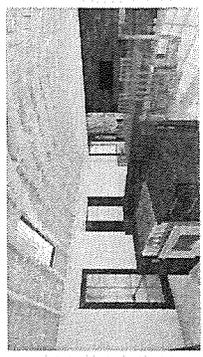
1 SITE PLAN  
SCALE: 1/8" = 1'-0"



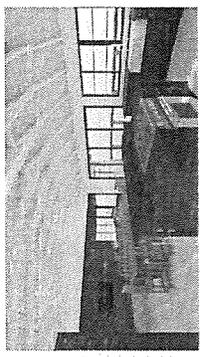
EXTERIOR VIEW OF PROPOSED DECK



INTERIOR VIEW OF REMODELED KITCHEN



INTERIOR VIEW OF REMODELED KITCHEN



INTERIOR VIEW OF REMODELED KITCHEN

**PROJECT DATA**

SCOPE OF WORK:  
PROPOSED 1000 SF ADDITION WITH WINDOWS & DOORS TO AN EXISTING 1000 SF  
STATE INSPECTOR'S OFFICE  
424 QUAY STREET  
SANTA BARBARA, CA 93101  
P: 805.484.6628  
E: INFO@WINDWARDENGINEERING.COM

**CLIENT**  
BOGDAN / TAYLOR  
1215 DE LA GUERRA RD  
SANTA BARBARA, CA 93103

**PROJECT**  
BOGDAN / TAYLOR  
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**WINDWARD engineering**

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**DATES**  
1/16/16  
1/16/16

**SHEET**  
GENERAL

**G001**

Applicant: Misael Contreras on behalf of Mr. Bogdan & Mrs. Taylor

1/14/2016

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

**RECEIVED**  
JAN 14 2016

CITY OF SANTA BARBARA  
PLANNING DIVISION

**Re: Modification Request for 1215 De La Guerra Road; 027-212-022; R-4**

Dear Staff Hearing Officer:

There is an existing single family dwelling (1,841 SF) with detached garage (456 SF) at the front of the property. The proposal is to remodel the kitchen (176 SF) and dining (212 SF), and construct a new deck (215 SF).

The modifications being requested are:

- To allow the deck to span between the existing dwelling and cantilever over the garage, encroaching into the required 5' minimum setback between structures. The deck will not be visible to the public and will allow the owner a view of the City from their kitchen and dining.

Sincerely,

Misael Contreras  
M: 805-886-0784  
[misa@windwardeng.com](mailto:misa@windwardeng.com)

**EXHIBIT B**

