



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: September 8, 2016
AGENDA DATE: September 14, 2016
PROJECT ADDRESS: 1123 Garcia Road (MST2016-00194)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *AKD for DYK*
 Jo Anne La Conte, Assistant Planner *JAL*

I. PROJECT DESCRIPTION

The 11,218 square-foot site is currently developed with a 1,363 square foot single family residence with an attached 400 square foot two-car garage, a 183 square foot deck with stairway and an "as-built" patio cover. The proposed project involves demolition of the "as-built" patio cover, demolition of the 183 square foot deck and stairway and construction of a new 354 sq. ft. deck with stairway. No new habitable space is proposed. The project would address violations outlined in a Zoning Information Report (ZIR2009-00339).

The discretionary applications required for this project are:

1. A Front Setback Modification to allow a deck with stairway to encroach into the required 30-foot front setback along Garcia Road (SBMC § 28.15.060 and 28.92.110); and
2. An Interior Setback Modification to allow a stairway and deck to encroach into the required 10-foot interior setback along the western property line (SBMC § 28.15.060 and SBMC § 28.92.110).

Date Application Accepted: July 22, 2016

Date Action Required: October 20, 2016

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:	Warner Young	Property Owner:	Sasha Ablitt Living Trust
Parcel Number:	029-282-007	Lot Area:	11,218 sq. ft.
Zoning:	E-1	Topography:	34%
General Plan:	Low Density Residential (Max. 5 du/acre)		

Existing Use: Single Family Residence

Adjacent Land Uses:

North - Residential

East - Residential

South - Residential

West - Residential

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,363 sq. ft.	No Change.
Garage	400 sq. ft.	No Change

C. PROPOSED LOT AREA COVERAGE

Building: 2,290 sf 21% Hardscape: 1,786 sf 16% Landscape: 7,142 sf 63%

IV. DISCUSSION

The property is steeply sloped and has two front setbacks, as it faces both Garcia Road and Alameda Padre Serra. The proposal includes demolition of an “as-built” patio cover, demolition of an existing permitted 183 square foot deck and stairway, and construction of a new 354 square foot deck with stairway facing Garcia Road. The existing dwelling and deck are non-conforming to the required 30-foot front setback along Garcia Road and the existing deck and stairway are non-conforming to the required 10-foot western interior setback.

Front Setback Modification

The dwelling is situated at an angle, with its closest point located approximately 16 feet from the front lot line along Garcia Road. The existing deck and stairway are proposed to be demolished. The existing deck is located approximately 22 feet from the front lot line at its closest point. The proposed deck would be 354 square feet, which is 171 square feet larger than the existing deck. The proposed deck would be located approximately 20 feet from the front lot line at its closest point, and the proposed stairway would be located approximately 25 feet from the front lot line, instead of the 30 feet required. Staff supports the front setback modification request because of the location of the existing development on site at an angle, the steep slope of the property, the site constraints associated with the two front setbacks, because the area is partially screened by landscaping, and because the proposed deck and stairway are not anticipated to adversely impact the adjacent neighbors or the neighborhood character.

Interior Setback Modification

The existing dwelling, garage, stairway and a portion of the deck are non-conforming to the required 10-foot interior setback along the western property line. The proposed stairway would be located farther from the interior property line than the existing stairway and the proposed deck would not encroach any farther into the required 10-foot interior setback than what currently exists. Staff supports the west interior setback modification request because the proposed deck would not encroach any farther into the required setback than what currently exists, the proposed

stairway would be located farther from the interior property line than what currently exists, the interior property line is screened by dense landscaping, and the deck and stairway are not anticipated to adversely impact the adjacent neighbor. However, staff recommends that a condition be included that the landscaping along the west interior property line shall be maintained in order to screen the deck and stairway from view of the adjacent neighbor's property.

Design Review

The project was reviewed by the Single Family Design Board (SFDB) on June 6, 2016 and was forwarded to the Staff Hearing Officer (SHO) with comments.

V. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the Front Setback 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 deck and stairway are appropriate because of the location of the existing development on site at an angle, the steep slope of the property, the site constraints associated with the two front setbacks, because the area is partially screened by landscaping and because the proposed deck and stairway are not anticipated to adversely impact the adjacent neighbors or the neighborhood character.

The Staff Hearing Officer finds that the west Interior Setback 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 deck and stairway are appropriate because the deck will not encroach any farther into the required interior setback than what currently exists, the proposed stairway will be located farther from the interior property line than what currently exists, the property line is screened by dense landscaping, and the deck and stairway are not anticipated to adversely impact the adjacent neighbors.

Said approval is subject to a condition that the landscaping along the west interior property line shall be maintained (in accordance with the limitations outlined in SBMC Section 28.87.170) in order to screen the deck and stairway from view of the adjacent neighbor's property.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated July 18, 2016
- C. SFDB Minutes dated June 6, 2016

Contact/Case Planner: Jo Anne La Conte, Assistant Planner
(JLaconte@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x3320



City of Santa Barbara California

*** SEPARATELY DISTRIBUTED SITE PLAN ***

Exhibit A: This site plan for this Staff Report has been distributed separately. A copy of the Staff Report, site plan, and exhibits/attachments are available for viewing at the Planning and Zoning Counter at 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 to verify closure dates.

EXHIBIT A

July 18, 2016

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

RECEIVED
AUG 25 2016

CITY OF SANTA BARBARA
PLANNING DIVISION

Re: Modification request #1 for: ¹¹²³~~1158~~ Garcia Road, APN: 029-282-007, Land Use Zone: E1

Dear Staff Hearing Officer,

There is an existing 1,423 square feet residence with a 400 square feet attached garage located at 1158 Garcia Road. The current residence encroaches in both the front and side yard setbacks. There is an existing 183 square foot deck and stairs at the front of the property that also encroaches in to both the front and side yard setbacks.

The proposal is to remove and replace the existing deck and stairs, that have outlived their useful life. The deck and stair replacement will also include a 171 square foot addition, for a total of 354 square feet. Modifications include:

1. The reconstructed and augmented portion of the deck will encroach in the front yard setback.
2. The reconstructed and addition to the deck and reconstruction of the stair will encroach in the interior yard setback.

The existing deck and stairs have fallen into disrepair and become a safety hazard. It is imperative that they be replaced at the earliest possible date to mitigate any harm to the occupants and guest. The existing deck is only 5' wide and does not allow safe access around furniture. The guard rail at the deck and stairs is unstable and does not meet current code requirements and the existing stairs do not meet code minimum requirements.

The addition to the deck and new railing that meets current standards will provide a safe and useable outdoor living space for the occupants and guests. A properly constructed stair to the garden below will provide a safe exit from the deck and access to the front garden area below.

Sincerely,

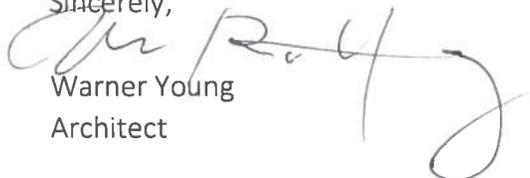

Warner Young
Architect

EXHIBIT B

NEW ITEM**B. 1123 GARCIA RD****E-1 Zone**

Assessor's Parcel Number: 029-282-007
Application Number: MST2016-00194
Owner: Sasha Ablitt Living Trust
Architect: Warner Young

(Proposal to remove the existing deck and stairs and reconstruct and enlarge the deck by 171 square feet that will be located approximately 17 feet from the front property line and to construct new stair from deck to front yard below approximately 7 feet from the west interior property line. Two setback modifications are required for frontage on Garcia; 1 interior setback for the stairs and 1 front setback modification for the deck. The existing unpermitted patio cover in the setback is proposed to be removed. The project will also include abatement of violations outlined in ZIR2009-00339. The proposed total of 171 square feet on a 10,996 square foot lot in the Hillside Design District is 5% of the maximum allowable floor-to-lot area ratio [FAR].)

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

Motion: Continued indefinitely to Staff Hearing Officer with positive comments.

Action: Moticha/James, 2/0/0. Motion carried.

EXHIBIT C**RECEIVED**
JUL 21 2016**CITY OF SANTA BARBARA
PLANNING DIVISION**