



# City of Santa Barbara California

## PLANNING COMMISSION STAFF REPORT

**REPORT DATE:** May 29, 2008  
**AGENDA DATE:** June 5, 2008  
**PROJECT ADDRESS:** 2506 Calle Andalucia (MST2008-00022)  
**TO:** Planning Commission  
**FROM:** Planning Division, (805) 564-5470  
 Jan Hubbell, AICP, Senior Planner *JMH*  
 Jim Rumbley, Planning Technician *JJR*

### I. PROJECT DESCRIPTION

The 10,566 square foot project site is located on the northwest corner of Calle Andalucia and Calle Galicia. Current development on site consists of a single-family residence with an attached garage. The proposed project originally involved a 270 sq. ft. living area addition to the garage, which would have increased the encroachment into the required 30' front setback along Calle Galicia from 2' to 12'. On March 12, 2008, the Staff Hearing Officer partially approved the applicant's Modification application, granting an additional 3' encroachment into the setback along Calle Galicia. The property owners appealed the partial approval and are seeking approval of the Modification as originally proposed.

On May 20, 2008, the applicant submitted a new site plan, floor plan, and elevations. The proposed project was reduced from 270 sq. ft. to 196 sq. ft. In addition, the setback boundaries were modified and the encroachment by the residence into the setbacks was also modified after new survey information was obtained. All figures in this staff report were calculated based on the revised plans.

### II. REQUIRED APPLICATIONS

The discretionary application required for this project is a Modification to permit the addition in the front setback facing Calle Galicia (SBMC § 28.15.060).

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant:	Jyl Ratkevich	Property Owner:	Karin Aggeler
Parcel Number:	041-421-001	Lot Area:	10,566 sf
General Plan:	3 units per acre	Zoning:	E-1
Existing Use:	Single Family Residence	Topography:	19%

Adjacent Land Uses:	
North – Park	East – One-Family Residence
South – One-Family Residence	West – One-Family Residence

**B. PROJECT STATISTICS**

	Existing	Proposed
Living Area	1282 sq. ft.	196 sq. ft. addition
Garage	472 sq. ft.	472 sq. ft.
Accessory Space	None Existing	No Change

**IV. BACKGROUND**

The existing residence on site is non-conforming to both front setbacks. The required front setback in the E-1 zone is 30 feet. The residence encroaches approximately 9' into the front setback along Calle Andalucia, and the garage encroaches approximately 2' into the front setback along Calle Galicia. The revised project is a request to permit 196 sq. ft of living area, which would be used as a storage room/artist workshop, to be attached to the existing garage. The Modification would increase the encroachment into the front setback along Calle Galicia by approximately 10' for a total encroachment of 12'.

At the March 12, 2008 Staff Hearing Officer Hearing, Staff recommended denial of the applicant's Modification request because the proposed project would greatly increase the encroachment of a non-conforming building into the front setback. Additionally, Staff believed that constructing the addition in a conforming location was possible.

The Staff Hearing Officer partially approved the applicant's Modification application, granting an additional 3' encroachment into the required front setback along Calle Galicia. This approval allows a 5' encroachment into the required 30' front setback. Additionally, the Staff Hearing Officer approved a 5' expansion of the garage to the south-west and recommended expanding the garage out 5' to the existing 10-foot setback along the north-east property line. This approval would have allowed an expansion of approximately 305 sq. ft. (gross) by expanding the garage in three directions. However, the revised plans show that the residence is located only 1' from the 10-foot setback along the north-east property line, so an expansion of approximately 205 sq. ft. (gross) is possible. The abatement of zoning violations involving storage of items in the setback and over height hedges in the front yard along Calle Galicia was required as a condition of the approval.

On March 24, 2008, applicant Jyl Ratkevich appealed the Staff Hearing Officer's approval on behalf of the property owners.

**V. DISCUSSION**

The applicant and property owners believe that the Staff Hearing Officer's approval is an insufficient solution. They believe that the 12' proposed encroachment into the front setback is reasonable and consistent with neighboring homes. Staff believes the proposed encroachment

is excessive, especially considering the residence also encroaches 9' into the 30' required front setback along Calle Andalucia (2<sup>nd</sup> front yard).

The applicant also contends that the proposed addition, which will be at least 15' tall at its highest point measured from the public right-of-way, will be screened by the existing hedge. Staff's position is that the over height hedge is a zoning violation and may be no taller than 3'6" within 10' of the property line and no taller than 8' in the remaining front setback. The hedge must be removed or reduced to comply with the zoning ordinance requirements.

Staff recognizes the nonconformancies that exist in the neighborhood, site constraints associated with two front yards, and the topography of the existing open yard area. These project factors were part of the basis for the Modification approval. Therefore, Staff and the Staff Hearing Officer believe further encroachment is inappropriate. In addition to the decision offered by the Staff Hearing Officer, a conforming location for expansion is available near the existing patio attached to the northwest section of the residence. The applicant and property owners prefer not to build in this area since it is used as their primary outdoor living space. An off-site storage location or art studio is another potential solution.

Staff has reviewed the applicant's amended proposal. While the area of encroachment would be reduced, staff believes the concerns raised for the original approval still apply to the revised approach.

## **VI. RECOMMENDATION/FINDING**

Staff believes that the project as proposed by the applicant excessively increases the encroachment of a non-conforming building in the required front setback. The Staff Hearing Officer's decision addresses the property owners' need for a storage room/artist workshop without an excessive encroachment into the setback. Therefore, staff recommends that the Planning Commission uphold the Staff Hearing Officer's action on the project by making the findings detailed in the SHO Resolution (Exhibit E). Additionally, Staff recommends upholding the condition stipulated by the Staff Hearing Officer requiring the abatement of the existing storage and hedge violations. Staff will pursue these violations as a zoning enforcement case.

### Exhibits:

- A. Site Plan
- B. Applicant's letter dated February 27, 2008
- C. SHO Staff Report dated March 5, 2008
- D. Public Comment from SHO Hearing
- E. SHO Resolution 017-08
- F. Appellant's letter dated March 24, 2008

Planning Commission Staff Report  
2506 Calle Andalucia (MST2008-00022)  
May 29, 2008  
Page 4

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



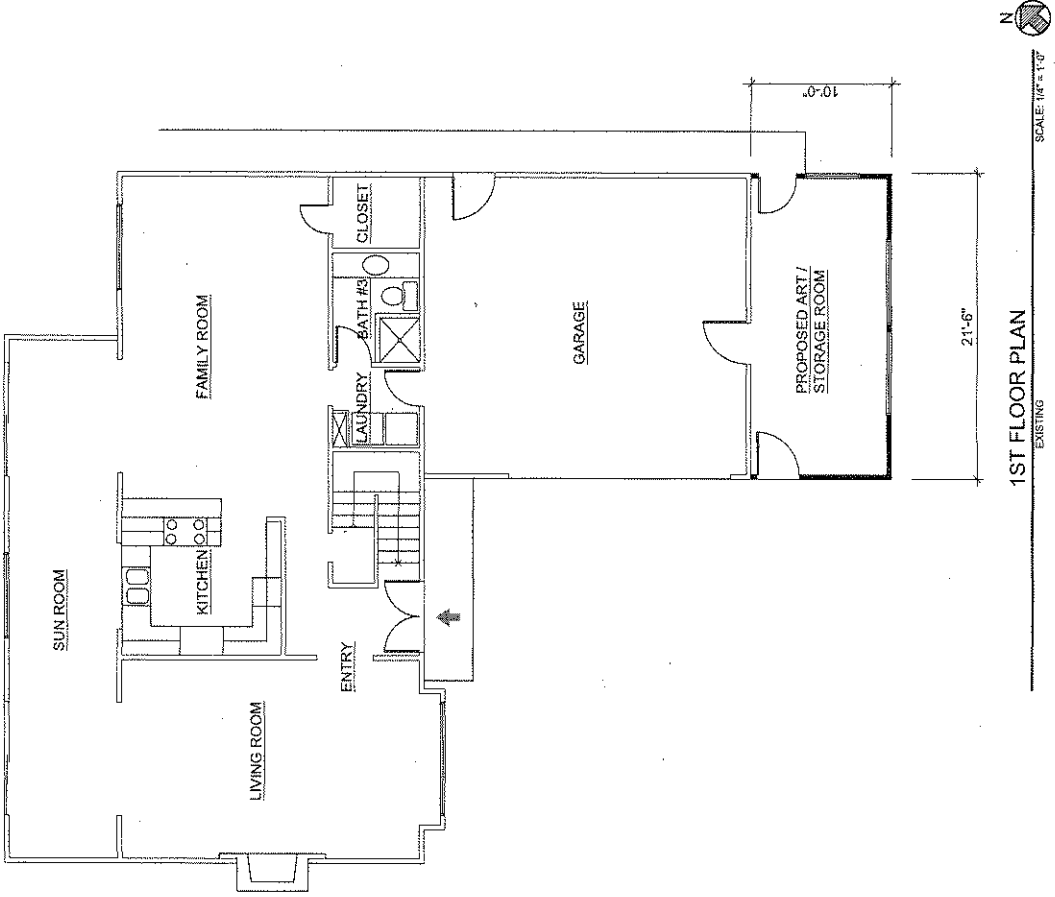
DATE: 5-18-08  
REVISIONS:

1ST FLOOR PLAN

Proposed Addition for:  
Terry & Karin Aggeler  
2506 Calle Andaluca  
Santa Barbara, Ca. 93109



Jyl Ratkevich, Architect  
SANTA BARBARA, CA 93103  
(805) 682-5607 Email: jyratke@earthlink.com



SCALE: 1/4" = 1'-0"

1ST FLOOR PLAN  
EXISTING

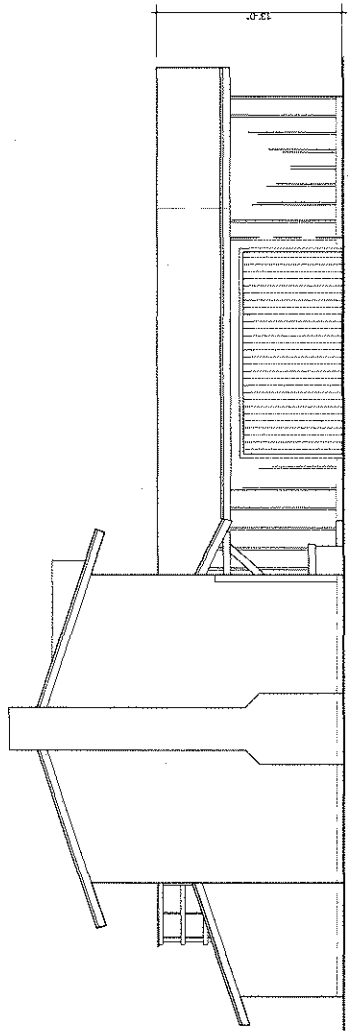
DATE: 5-08  
REVISIONS:

EXT. ELEVATIONS

Proposed Addition for:  
Terry & Karin Aggeler  
2506 Calle Andaluca  
Santa Barbara, Ca, 93109

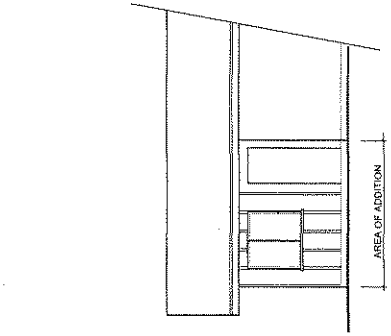


Jyl Ratkevich, Architect  
SANTA BARBARA, CA 93109  
Email: jyratke@ratkem.com  
(805) 682-5907



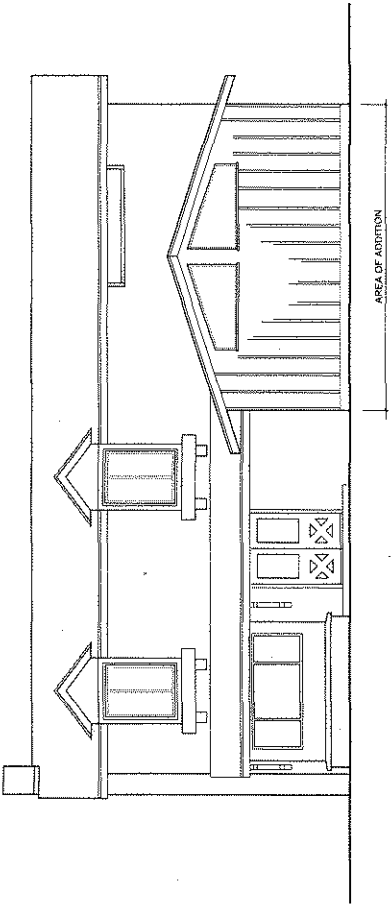
SOUTH WEST ELEVATION

SCALE: 1/4" = 1'-0"



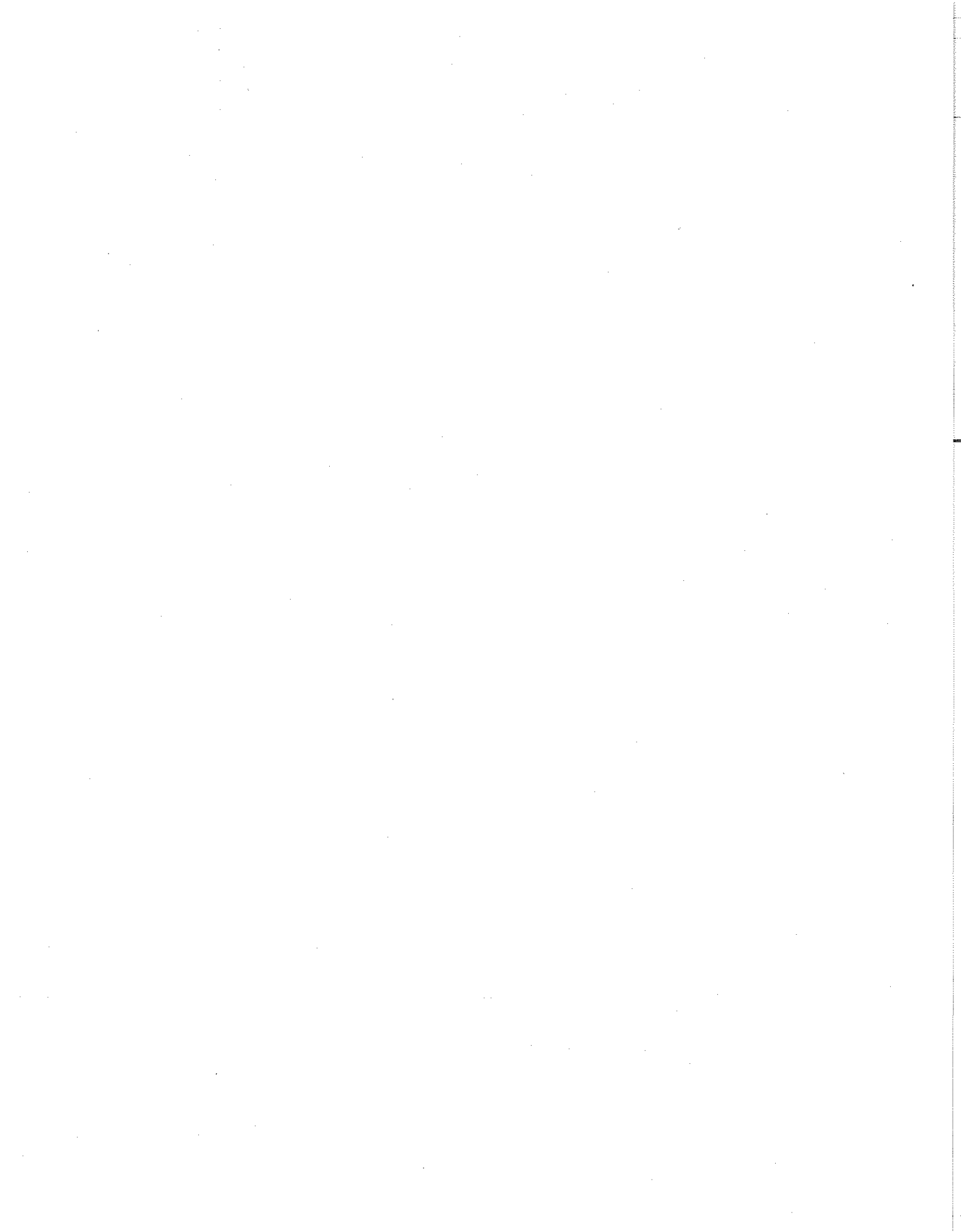
NORTH EAST ELEVATION

SCALE: 1/4" = 1'-0"



SOUTH EAST ELEVATION

SCALE: 1/4" = 1'-0"





Jyl Ratkevich, Architect

RECEIVED  
FEB 28 2008  
CITY OF SANTA BARBARA  
PLANNING DIVISION

February 27, 2008

Modification Hearing Officer  
City of Santa Barbara  
630 Garden St.  
Santa Barbara, Ca. 93101

We are requesting a modification to the front yard setback for a 290 s.f. artist / hobby room addition at 2506 Calle Andalucia St. in the City of Santa Barbara. The parcel # is 041-1421-01, the lot size is approximately 125' x 81' and 10,566 s.f. in area. It is zoned E-1, and is located at the intersection of Calle Andalucia & Calle Galicia, with 2 sides of the property creating 2 front yards.

Existing on the site is a 3-bedroom 2 story single family residence with an attached 2-car garage.

Our request is for a modification to allow a 17'- 6" front yard setback for the proposed addition. The site is located on a sloping lot, thereby eliminating a large portion of the site for development. The only other area available is in the northern portion of the yard, what is used as the rear yard and building there would not only take away what useable yard does exist but would also block the mountain views from the living area of the home. The use of the addition is for hobbies, and being adjacent to the garage allows for the current parking situation to remain and gives access for transporting paint and clay and other materials directly from the car to the work area without having to circulate through the house. It also allows for additional storage that normally would end up in the garage and thus impacting the accessibility for parking.

We feel our request should be granted because as a result of the corner lot location, we are required to comply with 2 front yard setbacks. The driveway is from Calle Andalucia St. which we feel is the actual front yard, and the location of the proposed addition is in the front yard of Calle Galicia, what would normally be a side yard with a required setback of 10'. There is currently a large hedge which would block all views of this addition from the neighbors. This hedge will be trimmed to meet the zoning requirements however it will still be large enough to block the new addition as it blocks the current residence now.

Any zoning violations that currently exist on this property will be resolved during the permitting process for the proposed addition.

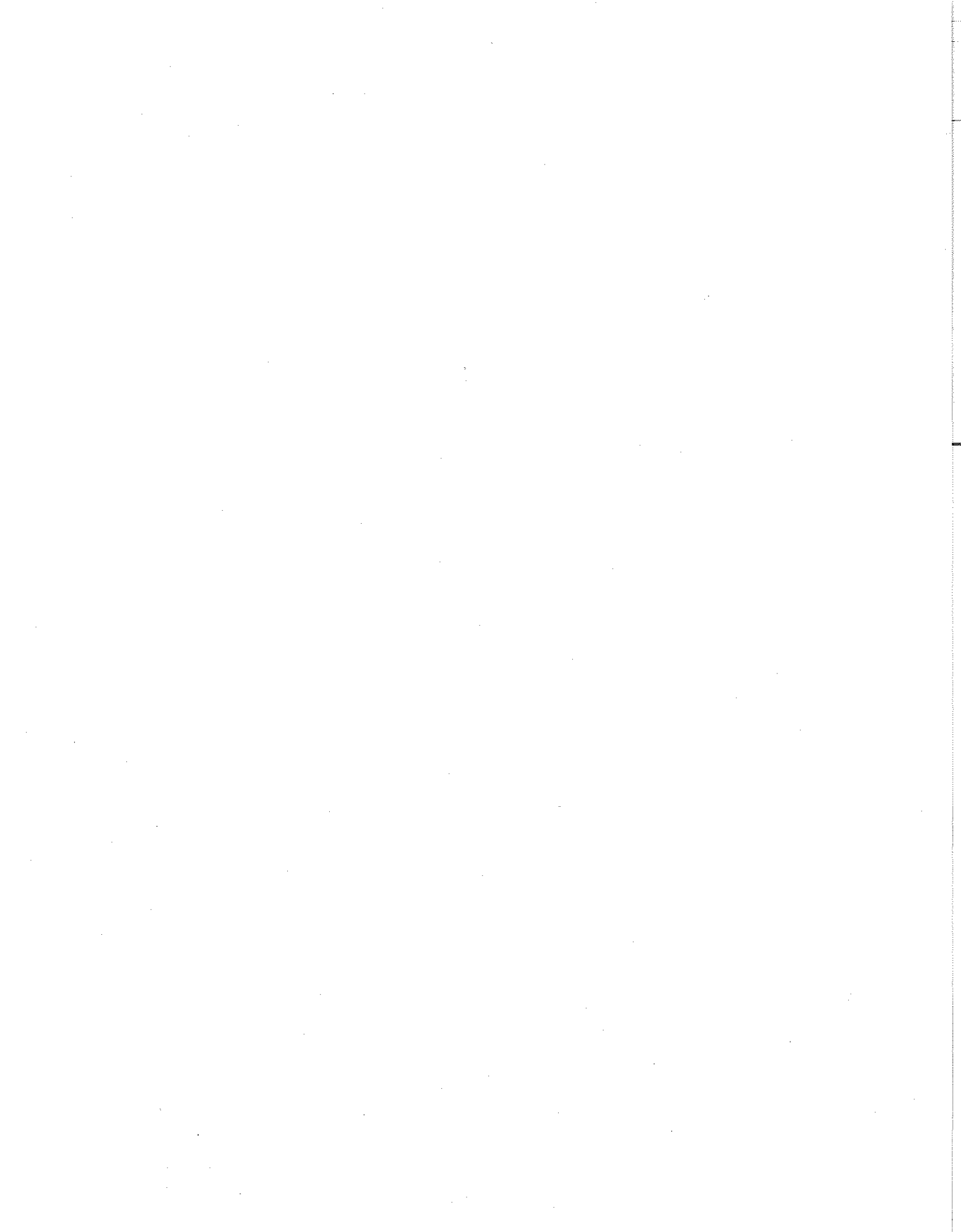
Please contact me should you require any additional information.

Sincerely,



1836 Loma St. Santa Barbara 93103, 682-5607 jylraker@silcom.com

EXHIBIT B





# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** March 5, 2008  
**AGENDA DATE:** March 12, 2008  
**PROJECT ADDRESS:** 2506 Calle Andalucia (MST2008-00022)  
**TO:** Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
Danny Kato, Zoning & Enforcement Supervisor  
Jim Rumbley, Planning Technician I

*Rayberark*  
*[Signature]*

### I. PROJECT DESCRIPTION

The 10,566 square foot project site is located on the corner of Calle Andalucia and Calle Galicia. Current development on site consists of a single-family residence with an attached garage. The proposed project involves a 270 square foot accessory addition to the garage.

### II. REQUIRED APPLICATIONS

The discretionary application required for this project is a Modification to permit the addition in the front setback facing Calle Galicia (SBMC § 28.15.060).

Date Application Accepted: January 15, 2008      Date Action Required: April 15, 2008

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant:	Jyl Ratkevich	Property Owner:	Karin Aggeler
Parcel Number:	041-421-001	Lot Area:	10,566 sf
General Plan:	3 units per acre	Zoning:	E-1
Existing Use:	Single Family Residence	Topography:	19%
Adjacent Land Uses:			
	North – Park		East – One-Family Residence
	South – One-Family Residence		West – One-Family Residence

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	1282 sq. ft.	270 sf addition
Garage	472 sq. ft.	472 sq. ft.
Accessory Space	None Existing	No Change

**IV. DISCUSSION**

Existing development on site is non-conforming to both front yard setbacks. The residence encroaches approx. 15' into the front setback along Calle Andalucia, and the garage encroaches approx. 2.5' into the front setback along Calle Galicia. The proposed project is a request to permit accessory space to be attached to the existing garage, which would increase the encroachment into the front setback along Calle Galicia by approximately 10 feet. The applicant's position is that the proposed addition will be screened by the existing hedge. Staff's position is that the overheight hedge is illegal and will need to be removed, reduced or relocated ten-feet back from the front property line to remedy the upcoming enforcement action.

Staff understands this property owner's need for accessory space on her property. Both past enforcement activity and our site visit revealed miscellaneous storage throughout the site which according to the applicant will be relocated to the accessory room. Staff recognizes site constraints associated with two front yards, the thirty foot setbacks, plus the topography of the existing open yard area. However, Staff's position is that a conforming option is possible and needs to be explored. If the area available for a conforming option is deemed inadequate for the owner's needs, perhaps an off-site location would be more appropriate.

**V. RECOMMENDATION/FINDING**

Staff recommends that the Staff Hearing Officer deny the project by taking the position that the addition proposed within the required front setback is an intensification of a non-conformancy and therefore does not secure an appropriate improvement or meet the purpose and intent of the Zoning Ordinance. Said action is subject to abatement of the existing violations of storage and hedge heights that currently exist on the property.

**Exhibits:**

- A. Site Plan
- B. Applicant's letter dated February 27, 2008
- C. Site Photos

Contact/Case Planner: Jim Rumbley, Planning Technician I  
(jrumbly@SantaBarbaraCA.gov)  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805)564-5470

**From:** The Kellys <4kellyssb@cox.net>  
**Date:** March 10, 2008 8:29:39 PM PDT  
**Subject:** Garage addition at 2506 Calle Andalucia

To Whom it May Concern,

We are writing to support Karin and Terry Aggeler's addition to their garage at 2506 Calle Andalucia. Our family are their direct neighbor for 15 years at 2545 Calle Galicia.

Their proposal can fit within the apparent standard neighborhood 20 foot property line setback along Calle Andalucia and Calle Galicia and the garage can continue to be hidden behind their beautiful, existing Bottlebrush hedge. I mention the 20 foot setback because my garage is set back 20 feet from Calle Galicia, the neighbor diagonally across from the Aggelers is setback 20 feet, and many other garages along Calle Galicia and Calle Andalucia are set back 20 feet. This garage addition appears to me to be a quite a fair and reasonable proposal. In addition, as it is proposed it will remain hidden behind an existing healthy mature Bottlebrush hedge. I love this hedge. Karin and Terry have been good stewards of maintaining its health and appearance. I think it should remain and not be cut down.

The Aggeler's proposed home improvement will have no impact on our view, or to the character of the neighborhood. As noted above, we believe the proposed addition will be consistent with the design and layout of the neighborhood in which there are many garages of similar size.

In conclusion, we fully support the Aggeler's neighborhood improvement to add onto their garage along Calle Galicia..

Sincerely,

Pat and Sheryl Kelly  
2545 Calle Galicia

PUBLIC COMMENT CORRESPONDENCE:

DISTRIBUTED ON: 3/12

SHO (4):

- STAFF HEARING SUPERVISOR (Bettie Weiss)
- ORIGINAL to STAFF HEARING OFFICER (Rox)
- PLANNING TECH FOR ITEM
- APPLICANT

Entered into Advantage:

- Entered into People
- Entered into Parcel/People

3/12  
date completed

KG  
initials

Name Jackie Lincoln  
Address 2507 Calle Andaluca, SB  
Phone 805-845-6828

**Letter in Support of Karin Aggeler's Addition to her Garage**

We have been neighbors with Karin Aggeler for many years and support her current project of an addition to her garage.

The project will be hardly visible, since it is set behind an existing hedge. The hedge serves as a "green" screen, naturally obscuring the garage.

It will have no impact on our view, or the character of the neighborhood. The proposed addition will be consistent with the design and layout of the neighborhood in which there are many three car garages of similar size.

In short, we believe Karin Aggeler's proposed addition will have no negative impact on our neighborhood at all and we fully support the proposal.

Sincerely,

Jackie Lincoln

We live directly across the street and do not have a problem with Karin's addition and feel that it should not have any negative impact on the neighborhood.

Name LAURA + BRUCE WALLACE  
Address 2540 CALLE GALICIA  
Phone

**Letter in Support of Karin Aggeler's Addition to her Garage**

We have been neighbors with Karin Aggeler for many years and support her current project of an addition to her garage.

The project will be hardly visible, since it is set behind an existing hedge. The hedge serves as a "green" screen, naturally obscuring the garage.

It will have no impact on our view, or the character of the neighborhood. The proposed addition will be consistent with the design and layout of the neighborhood in which there are many three car garages of similar size.

In short, we believe Karin Aggeler's proposed addition will have no negative impact on our neighborhood at all and we fully support the proposal.

Sincerely,

Laura Wallace

We feel the hedge is an advantage as it covers the house and proposed addition.

Name JEAN M. GARTZKE  
Address 2526 CALLE GALICIA, SANTA BARBARA, CA 93109  
Phone 805-965-4019

**Letter in Support of Karin Aggeler's Addition to her Garage**

I have been neighbors with Karin Aggeler for many years and support her current project of an addition to her garage.

The project will be hardly visible, since it is set behind an existing hedge. The hedge serves as a "green" screen, naturally obscuring the garage.

It will have no impact on my view, or the character of the neighborhood.  
The proposed addition will be consistent with the design and layout of the neighborhood in which there are many three car garages of similar size.

In short, I believe Karin Aggeler's proposed addition will have no negative impact on the neighborhood at all and I fully support the proposal.

Sincerely,

Jean M. Gartzke

I have absolutely no problem with the changes that Karin is going to make to her garage. I hope you will approve her plans.



Dear Staff Hearing Officer,  
 Don't build.  
 Don't do the modification.  
 Building is inappropriate,  
 not good. Will fall  
 down in 2 earthquakes.  
 never take a chance  
 Chumash Burial Area 20,000 yrs +  
 Sewall. Be well  
 new do it. new do it insights. Be well  
 Sew Front Yd-

March, 2008  
 650 Miramonte  
 Santa Barbara, 93109

re: A - 2506 Calle  
 Andalusia  
 Please read at Hearing. etc  
 3-12-08  
 Thank you

Sincerely,  
 Paul Westbury  
 DANIA WESTBURY

**PUBLIC COMMENT CORRESPONDENCE:**

DISTRIBUTED ON: 3/10/08

SHO (4):

- STAFF HEARING SUPERVISOR (Bettie Weiss)
- ORIGINAL TO STAFF HEARING OFFICER (Rox)
- PLANNING TECH FOR ITEM Junk
- APPLICANT

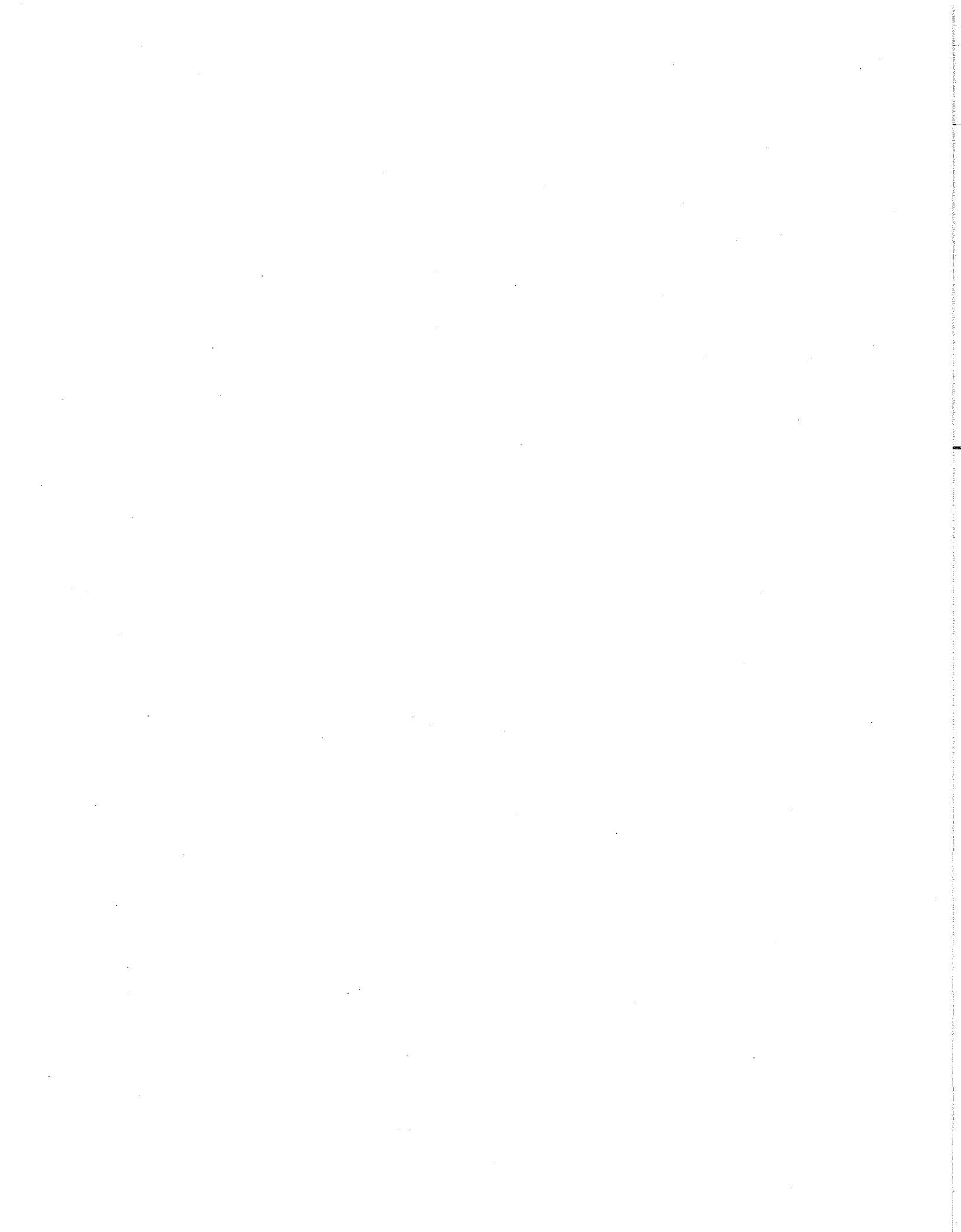
Entered into Advantage:

- Entered into People
- Entered into Parcel/People

3/10/08 KR  
 date completed initials

**RECEIVED**  
 MAR 10 2008

CITY OF SANTA BARBARA  
 PLANNING DIVISION





# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 017-08  
2506 CALLE ANDALUCIA  
MODIFICATION  
MARCH 12, 2008

**APPLICATION OF JYL RATKEVICH FOR KARIN AGGELER, 2506 CALLE ANDALUCIA,  
APN 041-421-001, E-1 ONE FAMILY RESIDENCE ZONE, GENERAL PLAN  
DESIGNATION: 3 UNITS PER ACRE (MST2008-00022)**

The proposed project involves a 10,566 square foot project site which is located at the corner of Calle Andalucia and Calle Galicia. Current development on site consists of a single-family residence with an attached garage. The proposed project involves a 270 square foot accessory addition to the garage. The discretionary application required for this project is a Modification to permit the addition in the front yard facing Calle Galicia (SBMC § 28.15.060). The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

**WHEREAS**, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

**WHEREAS**, no one appeared to speak either in favor of the application or in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, March 5, 2008.
2. Site Plans
3. Correspondence received in support of the project:  
Pat and Sheryl Kelly, 2545 Calle Galicia, Santa Barbara, CA 93109
4. Correspondence received in opposition to the project:  
Paula Westbury, 650 Miramonte Drive, Santa Barbara, CA 93109

**NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer:

Approved the project, finding that the modification is necessary for the purpose and intent of the Zoning Ordinance with a 25-foot setback off the front property line in order to achieve an appropriate improvement of an expanded garage for storage. The garage may be expanded 5 feet to the south and 2.5 feet to the east toward Calle Galicia to maintain a minimum 25-foot setback off Calle Galicia, and to the existing 10-foot setback. Said action is subject to abatement of the existing violations of storage and hedge heights that currently exist on the property.

This motion was passed and adopted on the 12th day of March, 2008 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Staff Hearing Officer at its meeting of the above date.

---

Kathleen Goo, Staff Hearing Officer Secretary

Date

**PLEASE BE ADVISED:**

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
3. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
4. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
  - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
  - b. The approved use has not been discontinued, abandoned or unused for a period of six months following the earlier of:
    - i. an Issuance of a Certificate of Occupancy for the use, or;
    - ii. one (1) year from granting the approval.

RECEIVED  
MAR 24 2008

Jyl Ratkevich, Architect

CITY OF SANTA BARBARA  
PLANNING DIVISION  
March 24, 2008

Dear Planning Commission:

We are requesting an appeal to the Staff Hearing Officers decision to our request for a modification to the front yard setback on March 12, 2008 for a 290 s.f storage / artist workroom. The property is located at 2506 Calle Andalucia, the parcel # is 041-421-001, and the site is approximately 10,566 s.f in area and zoned E-1.

We feel that because this property is at the corner of Calle Andalucia and Calle Galicia and therefore has 2 front yard setbacks, along with a 19% slope, that the ability to expand is severely restricted. The neighborhood is developed with 1 and 2 story single family homes with 2 and 3 car garages. Our request for a modification to the required 30 foot setback in order to expand the existing garage is consistent with the current setbacks in the neighborhood and with the use of the addition.

The neighborhood was developed in the mid 1960's and at that time the front yard setbacks ranged from 14 feet to 26 feet. Our modification request is to allow a 17'-6" setback on the 2<sup>nd</sup> front yard. There is currently a large hedge that screens the existing garage and would continue to screen the addition. The neighbors have all written letters of support for our proposed project. The lot has only one other level area suitable for expansion however this is used for the private outdoor living area and is adjacent to the living room and therefore is not a reasonable location to expand the garage for additional storage and a workspace.

Our proposal we feel is consistent with the neighborhood, has support from all the adjacent neighbors and will be a much needed addition to the home. It will help to maintain the existing parking situation by providing an area for storage of tools and supplies and a workroom with access from the garage and driveway, keeping the noise and mess away from the living spaces of the home.

Please contact me should you need any additional information.

Sincerely,

Jyl Ratkevich,

Karin & Terry Aggeler  
2506 Calle Andalucia  
Santa Barbara, Ca. 93109  
(805) 962-7425

1836 Loma St. Santa Barbara, Ca. 93103 (805) 682-5607  
jylraker@silcom.com

EXHIBIT F

