



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** April 21, 2006  
**AGENDA DATE:** April 26, 2006  
**PROJECT ADDRESS:** 518 E. Pedregosa Street (MST2005-00372)  
**TO:** Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Zoning & Enforcement Supervisor  
 Roxanne Milazzo, Associate Planner

### I. PROJECT DESCRIPTION

The 4,132 square foot project site is legally developed with a single family residence which is non-conforming to its front and interior yard setbacks. There are currently unpermitted improvements which this application proposes to abate. . The proposed project involves “as-built” demolition of the existing one-car carport, legalization of the “as-built” conversion of the original garage to habitable space, replacement with a new two-car carport, installation of a new interior stairway, removal of downstairs kitchen, and an “as-built” approval for an exiting deck. The proposal also includes the removal of the existing driveway and curb cut leading to the old garage.

### II. REQUIRED APPLICATIONS

The discretionary applications required for this project are Modifications to permit:  
 The new carport to be constructed within both required front yard setbacks (SBMC §28.18.060); and,  
 Parking to be located within both front yard setbacks (SBMC §28.90.001); and,  
 The conversion of the garage to habitable space when located within the required front yard setback facing Pedregosa Street (SBMC §28.18.060); and,  
 Legalization of an “as-built” wooden deck located within the required front and open yard areas (SBMC §28.18.060).

Date Application Accepted: February 28, 2006      Date Action Required: May 28, 2006

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

|                |                           |                 |                               |
|----------------|---------------------------|-----------------|-------------------------------|
| Applicant:     | Raymond Appleton          | Property Owner: | Alice Dondero                 |
| Parcel Number: | 027-062-012               | Lot Area:       | 4,132 Square Feet             |
| General Plan:  | Residential 12 Units/Acre | Zoning:         | R-2 Two-Family Residence Zone |



STAFF HEARING OFFICER STAFF REPORT  
518 E. PEDREGOSA STREET (MST2005-00372)  
APRIL 21, 2006  
PAGE 3

- B. Applicant's letter, dated February 13, 2006
- C. ABR Minutes Summary

Contact/Case Planner: Roxanne Milazzo, Associate Planner  
([rmilazzo@SantaBarbaraCA.gov](mailto:rmilazzo@SantaBarbaraCA.gov))  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805)564-5470

H:\Group Folders\PLAN\SHO\Staff Reports\2006 Staff Reports\2006-04-26\_Item\_-\_518\_E\_Pedregosa\_Report.doc

RAYMOND A. APPLETON  
PERMIT PLANNERS AND DESIGN GROUP  
1482 EAST VALLEY ROAD #42  
MONTECITO, CA 93108

TEL (805) 564-4800 FAX (805) 563-1952 CELL (805) 895-1414 E-MAIL: PERMITPLANNERS@EARTHLINK.NET

February 13, 2006

Roxanne Milazzo  
Modification Hearing Officer  
City of Santa Barbara  
630 Garden Street  
Santa Barbara, CA 93101

Re: 518 and 518 ½ East Pedregosa Street / Request for Modifications of Setback

Dear Ms. Milazzo:

Our firm has been retained by the owner and occupant, Ms. Alice Dondero, to assist her in seeking her goals of remodeling her residence. She wishes to abandon the use of the separate rental studio apartment at the lower level of her residence, and to connect the rooms comprising the studio to her residence with a new interior stairway and hallway.

The new rooms will become the 3<sup>rd</sup> bedroom and 2<sup>nd</sup> bathroom of the residence, with the studio's kitchenette to become the interior stairway connection the two floors of the residence. Ms. Dondero also wishes to convert the studio's attached one-car garage to a family room that will also be connected to the upper level of the residence with the new interior stairway. With the conversion of the lower level one-car garage to a family room, Mrs. Dondero will also need to replace the existing one-car carport and adjacent one-car uncovered parking space at the upper level with a new two-car carport, in order to satisfy the City's requirement for two covered parking spaces.

In order to accomplish her goals of remodeling her residence, Ms. Dondero is requesting that the City grant her approval to (A) convert an existing 226 sq. ft. attached one-car garage to a new 226 sq. ft. family room "as built" by a previous owner, and to (B) substitute a new 360 sq.ft. detached two-car carport for an existing 180 sq.ft. detached one-car carport and an existing 180 sq.ft. one-car uncovered parking space. The new two-car carport is proposed to be constructed in the exact same location as the existing covered and uncovered parking spaces. The new family room will not cause any change in the exterior appearance of the residence, as the garage door opening was already wood sided by the previous owner over 30 years ago in order to match the wood siding of the residence.

In order for the City to grant approval for both of these project goals, Ms. Dondero must first obtain your approval of the necessary setback modifications, in order to allow the already existing and legal nonconforming setback encroachments to continue. Specifically, the modifications being requested are:

- (1a) to allow a parking "structure" to be located 6 in. from the Pedregosa Street front property line instead of the required 20 ft.,
- (1b) to allow a family room to be located 1 ft. 6 in. from the Pedregosa Street front property line instead of the required 15 ft.,
- (1c) to allow an "as built" deck serving the family room to be located 1 ft. 6 in. from the Pedregosa Street front property line instead of the required 15 ft.,
- (2) to allow a parking "space" to be located 6 in. from the Pedregosa Street front property line instead of the required 20 ft.,
- (3) to allow a parking "structure" to be located 6 in. from the Cleveland Avenue front property line instead of the required 15 ft.,
- (4) to allow a parking "space" to be located 6 in. from the Cleveland Avenue front property line instead of the required 15 ft.,
- (5) to allow an already existing nonconforming private open space of 442 sq.ft. of sloping lawn (with no dimension being less than 20 ft.) to be divided into two areas at a level deck of 154 sq.ft. and at a sloping lawn of 288 sq.ft.

As background for our request in Ms. Dondero's behalf, we offer the following information pertaining to the property and the existing improvements on it. The R-2 zone designated property consists of 4,132 sq.ft., containing a two-story residential structure. The upper level of the structure contains the 1,182 sq.ft. two bedroom primary residence occupied by Ms. Dondero, including a 138 sq.ft. dining room addition "as built" by a previous owner, all of which is served by the existing detached covered and uncovered parking spaces referenced above. The lower level contains the 276 sq.ft. tenant occupied studio with a kitchenette and full bath, which is served by the existing 226 sq.ft. attached one-car garage at the same level. Also serving the studio at the lower level is a 154 sq.ft. deck "as built" by a previous owner, a 108 sq.ft. covered porch, and a laundry located in a 378 sq.ft. unfinished basement, which recedes into the sloping hillside next to the studio's garage.

With the abandonment of the studio, the existing one-car garage serving the studio will no longer be needed for the studio, and the room can now be considered for other preferred uses. With very little common area within the existing residence, Ms Dondero wishes to create a less formal gathering area than the front living room on the upper level. By coincidence, the tree canopy that covers the entire property leaves only one location on the property that receives sunshine. That location is on the southwestern facing deck immediately adjacent to the existing studio garage. As the only direct access from the residence to the property's only private open space with sunshine, the use of the room as a common family room with access to the recreational deck is far more appropriate than that of a 3<sup>rd</sup> parking space. The deck itself, serving the property as immediately adjacent level open space, is far more appropriate for recreational use than the sloping lawn it covers.

The improvement of converting a garage to a family room can be achieved without any changes in the appearance to the exterior of the residence, because matching wood siding was installed by the previous owner at the garage door opening over 30 years ago. There are only three superficial trim boards surrounding the opening that will need to be removed. The only

February 13, 2006

Roxanne Milazzo

Re: 518 and 518 ½ East Pedregosa Street

Page 3

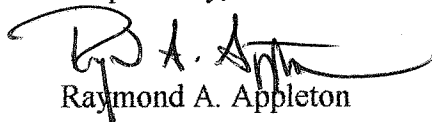
noticeable change to the passerby will be that the existing concrete driveway will be replaced with landscaping to match that in the right-of-way. For the above reasons, Ms. Dondero requests that you approve the necessary setback modification to allow the family room to continue to be located the same distance from the front property line as the studio's one-car garage has always been.

As to Ms. Dondero's goal of constructing a two-car carport, the existing one-car carport is in a deteriorated condition and must be demolished and replaced with a safer structure. The application proposes to replace it with a two-car carport that will cover both of the existing parking spaces in their exact same location. As evidenced by the accompanying Site Plan of this small, sloped, corner property, the existing location of the parking spaces at the upper level was originally selected because it is the only logical location. The existing parking spaces also satisfy the intent of the Zoning Ordinance for 20 foot and 15 foot setbacks of at both East Pedregosa Street and Cleveland Avenue, because they are located 20 ft. 6 in. and 15 ft. 6 in. respectively from the edge of pavement due to the unusually wide City right-of-way on each street. The location of the new carport is ideal because it is almost entirely shielded from public view by the landscaping and the tree canopies enveloping it, and because it is located approximately 3 feet below Cleveland Avenue.

The new two-car carport brings with it the obvious advantages for Ms. Dondero, as it will replace a deteriorating structure with a safer one and it will provide protection from the weather and tree debris falling from above upon her car and the car of her guests. In addition, as evidenced by the accompanying design drawings, which have been conceptually approved by the Architectural Board of Review, the new carport will be more attractively constructed to appear as a garden trellis instead of the very plainly constructed original carport. However, the most important benefit of the new carport is that it provides the two required covered parking spaces at a location that is immediately adjacent to and on the same level as the principal front entry of the residence, as well as on the same level as the more often used entry to the kitchen. For the above reasons, Ms. Dondero requests that you approve the necessary setback modifications to allow the new two-car carport to continue to be located the same distances from the front property lines as both the previous one-car carport and one-car uncovered parking space have always been.

On behalf of Ms. Dondero, we request your approval of the above described Setback Modifications, which we believe serve to allow reasonable improvements to her property.

Respectfully,



Raymond A. Appleton

Cc: Alice Dondero

ABR MINUTES SUMMARY – 518 E. PEDREGOSA STREET

January 9, 2006

Continued indefinitely to the Modification Hearing Officer with the following comments:

1. A majority of the modification requests are supportable, as they are “as-built” conditions and not visible to the public. 2. The expansion from a one-car carport to a two-car carport is acceptable; however, study providing more enhanced detail to the posts, beams, beam ends and all the related connections to blend with the cottage style of the existing house. 3. The internal re-configuration of the house and the new interior stairway is acceptable. 4. The lower deck and the dining room are supportable by the Board, as they are existing “as-built” conditions having no aesthetic concern.

Action: LeCron/Sherry, 5/1/1. Manson-Hing opposed. Mudge abstained.