

City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: July 12, 2006
AGENDA DATE: July 19, 2006
PROJECT ADDRESS: 3086 Foothill Road (MST2006-00373)
TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Zoning & Enforcement Supervisor *Dyk*
 Roxanne Milazzo, Associate Planner

I. PROJECT DESCRIPTION

The 7,000 square foot lot is located on the corner of Foothill Road and Calle Laureles. Current development on site consists of a single story residence. The proposed project involves 650 square feet of the residence which exists without benefit of building permits and the replacement of one parking space on site.

II. REQUIRED APPLICATIONS

The discretionary application required for this project is a Modification to permit "as-built" additions to be located within the required open yard area and parking within a required yard (SBMC §28.15.060 & 28.90.001).

Date Application Accepted: June 8, 2006 Date Action Required: September 8, 2006

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Michael Hackett	Property Owner:	Same
Parcel Number:	055-193-015	Lot Area:	7,000 square feet
General Plan:	5 Units Per Acre	Zoning:	E-3 One-Family Residence
Existing Use:	One-Family Residence	Topography:	9% Slope
Adjacent Land Uses:			
	North - Residential		East - Residential
	South - Residential		West - Residential

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,951 SF Legal	138 SF "As-Built" SF
Garage	None	None
Accessory Space	None	None

IV. LOT AREA COVERAGE

Building:	1,938 SF;	27%
Landscape:	4,531 SF;	63%
Hardscape:	731 SF;	10%

V. DISCUSSION

Prior to taking ownership of the residence earlier this month, the new property owners were advised that two (2) areas of the existing residence had been constructed without benefit of permits. A single story (21 square foot) laundry closet and (117 square foot) dining room had been added to the rear of the residence at some point in time. The property owners wish to maintain the areas in that both rooms provide amenities necessary for the full enjoyment of the family's needs. Adequate open yard area remains for outdoor recreational purposes as intended by the ordinance.

Also identified during Staff's review of the application was the fact that a carport on site had been enclosed and converted to habitable space, eliminating the required parking for the property. In order to keep the additional floor area, the applicants were required to replace the parking. Due to site constraints associated with two front yards, one of which is on busy Foothill Road, a "special" yellow Jacaranda, the right-of-way (11' behind the curb) and grade changes, the applicants are proposing to replace the parking space in the required front yard setback. Although a difficult Modification to support from an aesthetic position, the applicant's have provided the replacement parking adjacent to the residence with screening. The result is replacement of the required parking in a convenient and unobvious location that satisfies the zoning requirement and provides parking entirely on the private property.

VI. RECOMMENDATION/FINDING

Staff recommends that the staff hearing officer approve the project, making the findings that the Modification is necessary to secure an appropriate improvement while meeting the purpose and intent of the ordinance by legalizing existing floor area and replacing the parking that was eliminated.

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Exhibits:

- A. Site Plan
- B. Applicant's letter dated June 28, 2006

Contact/Case Planner: Roxanne Milazzo, Associate Planner
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Phone: (805)564-5470

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**W. MICHAEL HACKETT
3086 FOOTHILL ROAD
SANTA BARBARA, CA 93105
(805) 403-6450
mikehackett@cox.net**

June 28, 2006

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

Re: Modification Request for 3086 Foothill Rd; APN 055-193-015, Zoned E-3

Dear Staff Hearing Officer:

Please consider this letter as more detailed explanation in support our application for modification of several conditions, which exist at 3086 Foothill Road (Property), a single-family residence.

By way of background, this home was constructed in approximately 1949 and was one of the first homes along Foothill in this area (Calle Laureles is the cross street). It is likely that this home was constructed before any significant roadway improvements to either Foothill or Calle Laureles were implemented.

This was the family home of the Reyes family and was put on the market about a year ago after Mrs. Reyes died. Mr. Reyes, who apparently did most of the construction work on the home, filed for permission in 1958 to do an addition to the structure by replacing the existing carport with a bedroom, bathroom, rumpus room, and another carport. No upgrading of the house has occurred in approximately 45 years.

The modification being sought is to remedy a reduction of the open yard area created by the additions of laundry area and dining room. **NO ADDITION TO THE EXISTING STRUCTURE IS SOUGHT OR ANTICIPATED, ONLY APPROVAL OF CONDITIONS CURRENTLY EXISTING FOR A SUBSTANTIAL PERIOD AND MINOR ON SITE IMPROVEMENT FOR PARKING.**

Modification of the open yard is requested for the following:

- (1) Washer/Dryer - a washer/dryer apparently originally located in the rumpus room were later relocated to an exterior closet next to the master bedroom undoubtedly for ease of access particularly for Mrs. Reyes, who was elderly at the time. Permission is sought to allow the washer and dryer to remain in their current location. Venting and access are better at this location, and there is no other proper location anywhere else in the house. The use of the washer and dryer are necessary to maintain basic living and health standards for this or any family.
- (2) Dining Room - a covered interior porch was enclosed at some point for use as a dining room for the family. This is a long and narrow room (6.5' x 18') located adjacent to the living room. Given the size of the house and the availability of plenty of interior yard

open space (1,725 sq ft) it would make little sense to reconvert the area back into a covered porch. Further, given the fact that there is no eating space in the kitchen, this house really needs a dining room to make the house fully serviceable.

Modification to allow parking in an area technically designated as "front yard" is requested. This corner lot, since it abuts both Foothill and Calle Laureles, is unduly burdened with two front yards under the existing code, when actually the area adjacent to Calle Laureles could be more properly considered a "side yard". The front of the house and the front door both face Foothill.

Parking has occurred for many years in a driveway accessed from the side street. A recent records check disclosed that the addition proposed in 1958 included another carport. This area was apparently enclosed at some point. (The issue of parking on the Property was not noted in either the Zoning Information Report or the enforcement action initiated by building inspections based on that report, and apparently has continued for a substantial period without detriment either to the Property or adjacent properties.)

At this time relocation of a parking space elsewhere on the property is not possible for several reasons. First, a large yellow jacaranda tree, located in the ROW and immediately adjacent to the sidewalk (see photo) as well as another tree prohibits relocation to the rear yard area, north of the house. Second, the north area of the lot is several feet higher than the rest of the property (behind a retaining wall) and requiring parking in that area would arguably create a safety hazard. Parking in the existing driveway has worked well, historically. This location, which will be improved and widened, based on staff recommendations, will satisfy parking requirements.

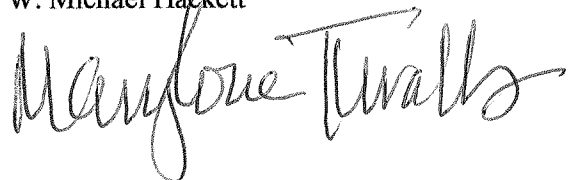
The applicants request approval to allow the existing enclosed dining room and laundry area and enhanced parking area as reasonable and necessary for normal residential activities and enjoyment. These modifications affect only the subject property, and would have little, if any, affect on the use and enjoyment of adjacent properties or those property owners receiving notice of this application.

For these reasons, we respectfully request approval of our application.

Sincerely,



W. Michael Hackett



Marylove Thralls