



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: December 13, 2006
AGENDA DATE: December 20, 2006
PROJECT ADDRESS: 1555 Marquard Terrace (MST2004-00503)
TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
Danny Kato, Zoning & Enforcement Supervisor
Roxanne Milazzo, Associate Planner

I. PROJECT DESCRIPTION

The project site is currently developed with a 2,180 square foot, 2-story residence with attached garage in its final stages of a remodel. When construction plans were processed, the front yard setback was mistakenly measured from the curb, not the front lot line, which is seven-feet behind the curb. The proposed project involves legalization of main and lower level additions to the residence, and site walls located in the front yard and along the driveway. Modifications are required to permit additions and alterations with the required twenty-foot (20') front setback (SBMC §28.15.060) and walls exceeding 3 ½' in height when located within 10' of the front lot line or the first 20' along the driveway (SBMC §28.87.170).

Date Application Accepted: December 4, 2006 Date Action Required: March 4, 2007

II. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Arthur Biancone	Property Owner:	Same
Parcel Number:	041-032-003	Lot Area:	6,000 sf gross – 5,000 sf net
General Plan:	5 Units Per Acre	Zoning:	R-1
Existing Use:	One-Family Residence	Topography:	21% Slope
Adjacent Land Uses:			
	North – One-Family Residence		East – One-Family Residence
	South – One-Family Residence		West – One-Family Residence

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	2,580 sf	No Change
Garage	440 sf	No Change
Accessory Space	None	No Change

III. LOT AREA COVERAGE

IV. DISCUSSION

The first time the project was reviewed by the Architectural Board of Review (ABR) on August 23, 2004, it received Preliminary Approval with comments. The ABR saw the overall massing of the project as successful and an aesthetic upgrade from the existing condition. The project that exists today does not differ from the project reviewed and approved by the ABR.

During construction it was brought to Staff's attention that the existing curb had mistakenly been identified as the front lot line on the approved plans. This resulted in alterations within thirteen feet (13') of the front lot line, instead of the required twenty feet (20'). Those alterations resulted in a 130 square foot portion of the lower level understory being converted to habitable space and a chimney addition on the main floor. Staff recognizes the site constraints associated with this 5,000 square foot lot and its 21% slope. The main level of the residence is at street level and the understory conversion and driveway access to the garage are below. Because of this grade change, it is unlikely that public improvements will even be established on this site. The grade change is also responsible for the overheight walls constructed along the driveway, within ten-feet of the front lot line, and into the public right-of-way. These walls, built following the topography of the lot and below the street grade do not hinder visibility or create safety issues for the neighborhood.

V. RECOMMENDATION/FINDING

Staff recommends that the Staff Hearing Officer approve the project, making the findings that the encroachments and wall heights are necessary to secure appropriate improvements on this property, and that the project meets the purposes and intent of the Zoning Ordinance, with the condition that appropriate approvals be secured for all "as-built" work.

Exhibits:

- A. Site Plan
- B. Applicant's letter dated November 9, 2006
- C. ABR Minutes

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