



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: December 13, 2006
AGENDA DATE: December 20, 2006
PROJECT ADDRESS: 6 St. Ann Drive (MST2006-00053)
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 1,822 square foot 2-story residence with attached carport. The proposed project involves first and second floor decks off the rear of the residence. Modifications are required to permit the decks to be located within the 10 foot required interior setback, and within the required open yard area (SBMC 28.15.060).

Date Application Accepted: November 2, 2006 Date Action Required: February 2, 2006

II. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Stephen Wheeler	Property Owner:	Same
Parcel Number:	041-175-009	Lot Area:	7,400 sf
General Plan:	3 Units Per Acre	Zoning:	E-1
Existing Use:	One-Family Residence	Topography:	24% Slope

Adjacent Land Uses:

North – One-Family Residential	East – One-Family Residential
South – One-Family Residential	West – One-Family Residential

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,822 sf	No Change
Carport	400 sf	No Change
Accessory Space	None	No Change

III. LOT AREA COVERAGE

Lot Area: 7,400 sf
Building: 1,504 sf; 20%
Hardscape: 450 sf; 6%
Landscape: 5,446 sf; 74%

IV. DISCUSSION

This project was reviewed by the Architectural Board of Review on June 5, 2006 and given preliminary approval. Note: The final approval given on October 2, 2006 was given prematurely. A Modification approval for yard encroachments is still required.

This application involves an active enforcement case for work being completed without benefit of permits. The scope of work includes replacement and expansion of exterior decks, improvements to the residence's understory, and a fence located along interior lot lines and a portion of an unimproved right-of-way.

The two story residence is built on a 7,400 square foot E-1 lot with an overall slope of 24%. Because of the slope, the rear yard does not provide a usable outdoor space. The proposed project involves the expansion of the view decks, built off each level, at the rear of the residence. A retained ground-level area is also being improved as patio space. The 1,250 square foot area behind the house was intended to provide the required outdoor living area. Due to its sloping topography, it does not get used for that purpose. It is Staff's position that the proposed deck expansions will provide improved outdoor enjoyment areas, on all levels, as intended by the Ordinance. Staff supports the open yard Modification. However, Staff does not support the portions proposed within the interior yard setback. To construct an amenity that encourages congregation within the "buffer zone" is not consistent with the purpose of a setback.

V. RECOMMENDATION/FINDING

Staff recommends that the Staff Hearing Officer deny the project as proposed, as Staff's opinion is that the required findings cannot be made. However, if the applicant were to revise the proposal to remove the portions of the decks that encroach into the interior setback, Staff would recommend that the Staff Hearing Officer approve the Open Yard Modification by making the finding that the deck expansions increase the amount of usable open space on the property, thereby securing an appropriate improvement, and that the Modification meets the

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purpose and intent of the Ordinance. Said approval is subject to the condition that appropriate approvals be secured for all "as-built" work.

Exhibits:

- A. Site Plan
- B. Applicant's letters dated October 24 & November 2, 2006
- C. ABR Minutes

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