



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: January 24, 2007
AGENDA DATE: January 31, 2007
PROJECT ADDRESS: 1305 Dover Hill Road (MST2006-00538)
TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Zoning & Enforcement Supervisor *Dyk*
 Roxanne Milazzo, Associate Planner *RM*

I. PROJECT DESCRIPTION

The project site is currently developed with a 2,356 square foot 2-story single family residence with attached 2-car garage. The proposed project involves a remodel, 157 square feet of new floor area, and 469 square feet of exterior decks. The discretionary application required for this project are Modifications to permit a portion of the decks to be located within the required front and interior yard setbacks (SBMC §28.15.060).

Date Application Accepted: November 14, 2006 Date Action Required: February 14, 2007

II. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Dwight Gregory	Property Owner: Peggy Haskell
Parcel Number: 019-202-006	Lot Area: 12,372 sf
General Plan: 3 Units Per Acre	Zoning: E-1
Existing Use: Residential	Topography: 44% 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	2,356 sf	153 sf addition
Garage	476 sf	No Change
Accessory Space	None	No Change

III. LOT AREA COVERAGE

Lot Area: 12, 372 sf
Building: 1,705 sf; 14%
Landscape 10,667 sf; 86%

IV. DISCUSSION

The project was reviewed by the Architectural Board of Review on December 4, 2006 and continued indefinitely to the Staff Hearing Officer with the comment that the project will have no adverse aesthetic impacts and that the decks are compatible with the existing structure.

This steeply sloped lot relies on decks for providing access around the site, as well as outdoor areas for enjoying the city and ocean views. The portions proposed within the required front yard setback, are simply providing additional and more effective access around the property. It is Staff's position that the front yard Modification will allow an appropriate improvement to be secured. Staff understands that interior yard setbacks act as buffer zones to provide separation between residential neighbors and takes the position that approval of the proposed third floor deck would encourage use of that area, is inconsistent with the purpose of an interior yard setback. Therefore, Staff does not support the interior yard request. The applicants disagree with Staff's position and points out that the 30' distance between the proposed deck and the neighboring development meets the 30' separation required by the Ordinance.

V. RECOMMENDATION/FINDING

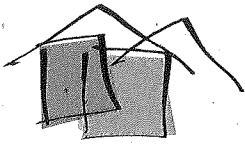
Staff recommends that the Staff Hearing Officer: 1) Approve the front yard Modification, making the findings that the Modification of front yard requirements is necessary to secure an appropriate improvement on the lot and that the deck, which is located below street level, not visible from the public right-of-way, and does not result in additional floor area in required yards, is consistent with the purpose and intent of the Ordinance, and 2) Deny the interior yard Modification as it is not an appropriate improvement and is not consistent with the purpose and intent of the Ordinance. Said approval is subject to the condition that the portion of deck, proposed within the required interior yard, is removed from the project, and that the garage is returned to its required interior dimensions.

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Exhibits:

- A. Site Plan
- B. Applicant's letter dated November 11, 2006
- C. ABR Minutes

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



**DWIGHT <
GREGORY <**

ARCHITECTURE

November 11, 2006

Ms. Roxanne Milazzo
Modification Hearing Officer
City of Santa Barbara
630 Garden St.
Santa Barbara CA 93101

Re: Modifications at 1305 Dover Hill Road, APN 019-202-006, Zone A-1, City GIS slope of 44%

Dear Ms. Milazzo,

An existing 2 story SFR of 2845 gross square feet (sf) is the only structure on the property. A wedge shaped portion encroaches approximately 3'-11" into the east setback. Covered parking for 2 cars is provided.

The proposed project consists of a 100 sf remodel, an interior 131 sf addition, a new laundry room of 26 sf, and 469 sf of new deck.

This letter is an application for 2 modifications. One would allow 387 sf of lower level deck to encroach approximately 6'-0" into the front (north) setback, and the other would allow approximately 17 sf of upper level deck to encroach approximately 4'5" into the east side yard setback.

The proposed 387 sf deck area is for all intents and purposes invisible from anywhere but on site since it varies between 8' and 14' below street level and portions of it are below the driveway and entry walkway. The proposed upper floor deck on the south will be approximately 10'6" from the east property line and the neighbor is approximately 25'6" farther east.

ABR reviewed the project at consent October 9, 2006 and gave positive comments and support for the modifications with an indefinite continuance to the full board.

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EXHIBIT B

ABR MINUTES FOR 1305 DOVER HILL ROAD – DECEMBER 4, 2006

Continued indefinitely to the Staff Hearing Officer with the comment that the project will have no adverse aesthetic impacts. The proposed decks at the front and side yards are compatible with the existing structure.