



**City of Santa Barbara  
California**

**STAFF HEARING OFFICER  
STAFF REPORT**

**REPORT DATE:** August 22, 2007  
**AGENDA DATE:** August 29, 2007  
**PROJECT ADDRESS:** 1281 Ferrelo (MST2007-00161)  
**TO:** Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Zoning & Enforcement Supervisor *DJK*  
 Roxanne Milazzo, Associate Planner *RM*

**I. PROJECT DESCRIPTION**

The 10,000 square foot project site is currently developed with a single family residence and attached garage. The proposed project involves legalization of the under-story which has been converted to habitable space. The discretionary application required for this project is a Modification to permit new habitable space within the required front yard setback (SBMC§28.15.060).

Date Application Accepted: June 4, 2007 Date Action Required: September 4, 2007

**II. SITE INFORMATION AND PROJECT STATISTICS**

**A. SITE INFORMATION**

Applicant:	Russ Banko	Property Owner:	Prezelin Family Trust
Parcel Number:	029-271-004	Lot Area:	10,000 sf
General Plan:	3 Units Per Acre	Zoning:	E-1
Existing Use:	Single Family Residence	Topography:	39% Slope

Adjacent Land Uses:

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

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	2007 sf	335 sf "as-built" understory
Garage	447 sf	No Change
Accessory Space	"As-Built" area to be removed	None

**III. LOT AREA COVERAGE**

Lot Area: 10,000 sf,  
Building: 1,500 sf, 15%  
Hardscape: 500 sf, 5%  
Landscape: 8,000 sf, 80%

**IV. DISCUSSION**

This project was reviewed by the ABR who required that the "as-built" door and window match the existing ones, and forwarded the project on to the Staff Hearing Officer.

The existing residence which was built in 1984 was designed with living space upstairs and the bedrooms on the lower level. A portion of that lower level is shown on the original archive plans as unimproved crawl space. At some point in time the crawl space was converted to an additional bedroom and bath. The area, located below the main level garage, was non-conforming to the current thirty-foot (30') front yard setback, and therefore requires a Modification for the change of use. It is Staff's position that the 335 square foot area, located below street level, provides usable floor area within the existing footprint.

**V. 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 on site while meeting the purpose and intent of the Ordinance by permitting legalization of the "as-built" habitable space which is compatible to the existing development on site, without impact to the adjacent neighbors, by utilizing existing underfloor area with only minimal exterior changes. Said approval would be subject to the removal of three "as-built" accessory structures and the recordation of a Zoning Compliance Declaration.

Exhibits:

- A. Site Plan
- B. Applicant's letter dated May 29, 2007
- C. ABR Minutes

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Contact/Case Planner: Roxanne Milazzo, Associate Planner  
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**BANKO DESIGN & CONSTRUCTION**

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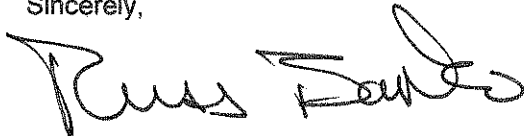
Date: May 29, 2007  
To: Roxanne Milazo  
Modification Hearing Officer  
Re: Prezelin Residence  
1281 Ferrelo Rd.

Dear Roxanne,

I am requesting a modification for the front yard setback on storage space converted to habitable space. The space below the garage was originally storage. The garage and the space below the garage are only 15' from the front property line (26' from Ferrelo Rd.) In the E-1 zone it should be 25' from the property line (30' less 5' for a steep drop off at the front of the lot.)

The space can't actually even be seen since it is underground. The only way to know it is there is the door and window on the side of the building. This modification should have no impact on anyone in the area. Your consideration in this matter is greatly appreciated.

Sincerely,



Russ Banko

1281 Ferrelo  
ABR Minutes

May 14, 2007

Final approval as noted on the plans.