



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: September 19, 2007
AGENDA DATE: September 26, 2007
PROJECT ADDRESS: 510 West Pueblo (MST2007-00302)
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 5,000 square foot project site is currently developed with a single family residence. The proposed project involves conversion of the existing structure to commercial use and the addition of four (4) parking spaces. The discretionary application required for this project is a Modification to allow conversion of the portions of the existing building located within the required six-foot (6') interior yard setback (SBMC§28.51.06).

Date Application Accepted: June 25, 2007 Date Action Required: December 25, 2007

II. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Jack Byers	Property Owner: Michael Paveloff
Parcel Number: 025-080-020	Lot Area: 5,000 sf
General Plan: Major Public & Institutional	Zoning: C-0 Medical Office
Existing Use: Vacant Residence	Topography: Flat
Adjacent Land Uses:	
North – Medical Office	East – Medical Office & Appointments
South – Medical Office	West – Medical Office

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	976 sf	No Change
Garage	324 sf to be demolished	None Proposed
Accessory Space	Non-existing	No Change

III. LOT AREA COVERAGE

Lot Area:	5,000 sf
Building:	976 sf; 19%
Hardscape:	2,704 sf; 54 %
Landscape:	1,320 sf; 27 %

IV. DISCUSSION

- The project was reviewed by the ABR on July 2, 2007 and approved as submitted. The project when completed will maintain its residential character.
- On October 6, 2004, a Modification was approved by the Staff Hearing Officer to permit the conversion of this residence to commercial use. Failure to pull the necessary building permits within the one year time limit resulted in expiration of that approval. This is a request to reinstate that approval.
- SBMC§28.87.030 requires a Modification to permit a change of use to the non-conforming portions of the structure. It is Staff's position that the change of use, within the existing exterior walls, is a supportable request that allows utilization of the existing structure, which is located within the required six-foot (6') interior yard setback.

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, in that the existing house is being reused and the changes to the portions in the setback are minor, and that the project is consistent with the purpose and intent of the Zoning Ordinance in that non-conforming buildings are allowed to be improved. Staff recommends that any approval be subject to the following conditions: 1) Prior to the submittal for a building permit to convert the house to commercial use, the applicant must provide Staff with a report prepared by a Structural Engineer, which shows that the existing building can be re-used as proposed. If the building cannot be re-used or is demolished beyond what is shown on the plans, the interior yard Modification becomes null. The reasoning behind this condition is that if the building must be demolished, the justification for the Modification cannot be made.

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Exhibits:

- A. Site Plan
- B. Applicant's letter dated June 20, 2007
- C. ABR/HLC Minutes

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



LENVIK & MINOR
ARCHITECTS

June 20, 2007

Ms. Roxanne Milazzo,
Modification Hearing Officer
Community Development Department
City of Santa Barbara
630 Garden Street
Santa Barbara, California 93101

RECEIVED
JUN 25 2007
CITY OF SANTA BARBARA
PLANNING DIVISION

**Re: 510 W. Pueblo Street
MST2007-00302**

Roxanne:

Our office is representing Mr. Jack Byers, who is currently in escrow to purchase the property at 510 W. Pueblo St.

This letter is to request a Minor Modification to the side yard setback as part of the conversion of an existing residential structure to commercial use in the CO Zone.

This property was granted a modification for this same change of use under MST2004-00517 on October 6, 2004. That project did not proceed and the modification was lost due to no work being done.

The existing structure was last used as a residence and is intended to be converted to an office use. There will be no exterior changes to the building other than those required that by the building code as part of the change of use.

The existing garage on the interior of the property will be removed and a four space parking lot constructed.

This project was previously given ABR approval, but that approval was also lost due to no work being done. We have now filed for ABR approval. We are expecting to be on the ABR consent agenda 7/2.

I am enclosing the following for your use in the requested modification:

- ▶ Four sets of drawings sheets A1 through A3, and L1.
- ▶ One set of photographs showing the building in question along with the adjoining building and buildings on the opposite side of W. Pueblo Street.
- ▶ Check for the filing fee.
- ▶ Project cover sheet

EXHIBIT B

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There is a master application on file in Zoning and an archaeological report was done on August 2004, which was accepted by HLC

If you need additional information please let me know. Please keep us informed as to the status of this application.

Sincerely,

Lenvik & Minor Architects



Edwin A. Lenvik, AIA

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JUN 6 2007
CITY OF SANTA BARBARA
PLANNING DIVISION

Enclosure

Hand Deliver

cc: Michael Paveloff
Jack Byers

510 W. PUEBLO ABR MINUTES

July 2, 2007

Approved as submitted -