



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: October 3, 2007
AGENDA DATE: October 10, 2007
PROJECT ADDRESS: 948 Carrillo Road (MST2007-00339)
TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
Danny Kato, Zoning & Enforcement Supervisor *DK*
Roxanne Milazzo, Associate Planner *R Milazzo*

I. PROJECT DESCRIPTION

The 2,666 square foot triangular-shaped project site is located on the corner of Carrillo Road and Alisos Street. Current development on site consists of a single family residence. City records indicate that in one point in time there was a one-carport on site. The carport was removed without benefit of permits and is required to be replaced. The applicants intend to maintain the parking space uncovered. There has also been a privacy wall installed along the front lot line and driveway. The wall, built without benefit of permits, provides a private outdoor living space for the property. The discretionary applications required for these requests are Modifications to permit the one required parking space to remain uncovered (SBMC§28.87.170) and for a wall height in excess of 3½ feet when located along a front lot line or within the first 20 feet of a driveway (SBMC§28.87.170).

On September 26, 2007 at a public hearing, the Staff Hearing Officer (SHO) did not agree with Staff's position that the overheight wall along the front lot line did not create a visibility issue, and continued the item for a redesign.

II. DISCUSSION

It is Staff's position that the privacy wall, located on top of the retaining wall, does not create additional visibility obstructions over what is created by the existing retaining wall. Therefore removal of it would only serve to eliminate the privacy factor it provides to the area used for outdoor living purposes on this triangular-shaped lot with two street frontages.

III. RECOMMENDATION/FINDING

Staff recommends that the Staff Hearing Officer approve the project by making the required findings that the Modification to not provide a covered parking space on site is necessary to secure an appropriate improvement and that the wall meets the purpose and intent of the ordinance and is necessary to secure an appropriate improvement by providing outdoor living space without creating a public safety issue.

Exhibits:

- A. Site Plan
- B. Applicant's letter dated June 26, 2007

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6-26-07

Staff Hearing Officer
City of Santa Barbara
P.O. Box 1990
Santa Barbara CA 93102-1990

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**CITY OF SANTA BARBARA
PLANNING DIVISION**

Re. Modification request for 948 E. Carrillo Road, 029-316-001, R-2

Dear Staff Hearing Officer,

Currently the lot is developed with an existing (1319 sq. ft.) dwelling. A detached dilapidated one-car carport (187 sq. ft.) existed on the pie sliced property intersecting Alisos Street and Carrillo Road. The house is non-conforming to both front yards and the interior yard and the carport was non-conforming to the front and interior due to the nature of original lot split. The new owners could not find any evidence to substantiate that the carport was removed prior to 1972, when covered parking was required. The carport is located on the southeasterly property line and 2'4" from Alisos Street. All buildings were permitted and built in the 1920's and no additions have been made since the original construction. According to long time neighbors, the original carport collapsed in a windstorm, prior to 1971 was never rebuilt. We are asking for two modifications to abate the current violation outlined in ZIR2007 -00138. The proposal is to provide an uncovered parking space to meet the required parking and to permit a privacy wall for the outdoor living area.

The first modification being requested is to provide one uncovered parking space and the second is to allow the As-Built retaining wall along Alisos Street to exceed 3.5' within ten feet of the front property line and within ten feet on either side of the driveway for a distance of twenty feet from the front property line.

The primary modification requested is to rebuild the existing carport to in its original location. However, upon closer review of Transportation and Building and Safety current standards the parking space works better if it is an uncovered space. If in fact the carport needs to be rebuilt, we propose to rebuild it in the original location along the southeast property line and within the front and side yard setbacks per the non-conforming ordinance, as the new property owners were not responsible for the negligence of the prior property owners. Due to the dwellings historical placement, the original carport location is the best and most efficient use of space on this extremely tight lot. This location provides off street parking without having to incur major structural reconfigurations, labor intensive demolition of part of the dwelling and/or reconstruction of existing site walls. The stucco wall within the front yard setbacks provides privacy for the only usable outdoor living space for this small lot with two front yards. The wall does not block visibility upon backing out of the parking space, as the lot slopes downward.

The benefits of the using the existing parking space location as uncovered is that it provides a safer ingress and egress to the property as it allows for less visual obstruction when backing out of the driveway and it also reduced fire hazard of a structure on the property line.

In the carport's current configuration, the addition of support posts would hinder the 9'-6" interior clear dimension required by the Transportation Department making it 8'-10" interior clear. The uncovered parking space is only slightly visible from the public street, as it has a carport and a dwelling on either side. The benefit of the privacy wall is the residents have a buffer from the two streets, as there is no rear or area that is usable for private outdoor living space except along Alisos Street.

If required, the benefits of rebuilding the carport located within the required front and side yard setbacks are: 1) it eliminates the need to request more modifications to demo and rebuild existing and permitted site walls adjacent the existing carport, thereby causing grading, 2) it uses an existing footprint, 3) it preserves the existing and valuable outdoor living space; 4) abates the current ZIR violation, 5) it allows the residents not to be penalized by the prior owners negligence and do what is required to enjoy the use of their home.

Sincerely,



Steve Morando

EXHIBIT B