



**City of Santa Barbara  
California**

**STAFF HEARING OFFICER  
STAFF REPORT**

**REPORT DATE:** December 12, 2007  
**AGENDA DATE:** December 19, 2007  
**PROJECT ADDRESS:** 28 El Arco Drive (MST2007-00585)  
**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 the addition of dormers over two existing bedroom windows. The discretionary application required for this project is a Modification to permit changes within the required twenty-five foot (25') front yard setback (SBMC §28.15.060).

Date Application Accepted: November 8, 2007      Date Action Required: February 8, 2007

**II. SITE INFORMATION AND PROJECT STATISTICS**

**A. SITE INFORMATION**

Applicant:	Tony Xiques	Property Owner:	James & Terri Jellison
Parcel Number:	053-051-004	Lot Area:	10,018 sf
General Plan:	5 Units Per Acre	Zoning:	E-2
Existing Use:	Single Family Residence	Topography:	11% Slope
Adjacent Land Uses:			
	North - Single Family Residence		East - Single Family Residence
	South - Single Family Residence		West - Single Family Residence

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	1,969 sf	No Change
Garage	391 sf	No Change
Accessory Space	300 sf	No Change

**III. LOT AREA COVERAGE**

Lot Area: 10,018 sf  
Building: 2,360 sf; 23%  
Hardscape: 920 sf; 9%  
Landscape: 6,738 sf; 68%

**IV. DISCUSSION**

The original residence which was built in 1951 has a non-conforming front yard setback. The current owners are asking to replace two large bedroom windows located on the front of the residence with new windows that will meet emergency egress requirements. For aesthetic reasons, dormers are being proposed over the new windows. It is Staff's position that the proposed alterations to the non-conforming portion of the residence, can be supported considering that the window openings and dormers are simply architectural changes that do not result in additional floor area or intensification of use within the required yard.

**V. RECOMMENDATION/FINDING**

Staff recommends that the Staff Hearing Officer approve the request by making the required findings that the Modification is necessary to secure an appropriate improvement of safety and will meet the purpose and intent of the ordinance by altering, not adding to the existing non-conformancy. Said approval is subject to the relocation of the existing detached accessory space out of the required interior yard setback.

Exhibits:

- A. Site Plan
- B. Applicant's letter dated November 8, 2007

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



# DEXIGN SYSTEMS

Residential Design & Drafting

P.O. Box 3861, Santa Barbara, CA 93130 Tel/Fax (805) 682-5753 DEXIGNS@aol.com www.dexignsystems.com

November 8, 2007

Roxanne Durbiano  
Modification Hearing Officer  
City of Santa Barbara  
630 Garden Street  
Santa Barbara, CA 93101

RE: 28 El Arco Dr., Santa Barbara, CA 93105; APN 053-051-004; Zoned SR E-2

Dear Ms. Durbiano,

My clients, James and Terri Jellison, bought a 1,610 sq. ft. house with a 391 sq. ft. attached garage on a 10,018 sq. ft. (.23 AC.) lot in 1992. It was permitted and built in 1951 to comply with all zoning ordinances in effect at the time. The house then went through a remodel and addition in 1999, resulting in the current size of 1,969 sq. ft. with a 391 sq. ft. attached garage. The existing house currently encroaches four feet (4') into the 25' front yard setback.

The modification being requested would allow my client to replace two windows at the existing non-conforming front wall of the two north-facing bedrooms with high dormer windows to capture more light. The existing windows do not comply with current fire-emergency egress code requirements, presenting a safety hazard. The proposed work would not involve adding any new square footage to the house or encroaching any further into the 25' front yard setback.

The main benefits of approving the modification would be:

- The bedroom windows would now comply with current fire-emergency egress code requirements.
- To allow the existing north-facing bedrooms to receive additional light and ventilation.
- To break up the excessive horizontal exterior look of the house as well as enhance the aesthetics of the architecture.

Thank you for your consideration, and please feel free to call me at the above number should you have any questions or comments regarding our request.

Sincerely,



Tony Xiques  
DEXIGN Systems

Cc/TJ, SK

**EXHIBIT B**