City of Santa Barbara
California

STAFF HEARING OFFICER
STAFF REPORT

REPORT DATE:	April 15, 2009
AGENDA DATE:	April 22, 2009
PROJECT ADDRESS:	462 Conejo Road (MST2009-00122)
TO:	Susan Reardon, Senior Planner, Staff Hearing Officer
FROM:	Planning Division, (805) 564-5470 Renee Brooke, AICP, Senior Planner RLB Betsy Teeter, Planning Technician II BT

I. PROJECT DESCRIPTION

The 8,025 square foot project site was previously developed with a single-family residence and detached one-car garage, which were destroyed in the Tea Fire. The project consists of construction of a 1,895 square foot two-story house and detached one-car garage. The discretionary application required for this project are Modifications to permit new construction within the required fifteen-foot interior setback and parking within the required thirty-five foot (35') front and fifteen-foot (15') interior yard setbacks (SBMC §28.15.060 and §28.90.100).

Date Application Accepted: March 24, 2009 Date Action Required: June 24, 2009

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project as submitted.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Lori Kari	Property Owner:	Andrea Kelly
Parcel Number:	019-061-016	Lot Area:	8,025 sf
General Plan:	Major Hillside	Zoning:	A-1
Existing Use:	Vacant	Topography:	24% Slope

Adjacent Land Uses:

North - Vacant (Tea Fire)
South - Vacant (Tea Fire)
East - Vacant (Tea Fire)
West - Vacant (Tea Fire)

B. PROJECT STATISTICS

	Previous	Proposed
Living Area	1050 sf (destroyed)	1,752 sf
Garage	240 sf (destroyed)	234 sf

C. PROPOSED LOT AREA COVERAGE

Building: 1,895 sf 24% Hardscape: 1,897 sf 24% Landscape: 4,233 sf 52%

D. FLOOR-AREA RATIO (FAR)

Max. Allowed FAR: 0.40 Proposed FAR: 0.25 = 62% of Max. Allowed FAR

IV. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/Allowance	Existing	Proposed
Interior Setback	15'	5'	12'
Front Setback	35'	35' +	21'-24'

V. DISCUSSION

The project is subject to review by the Single Family Design Board (SFDB) due to its location within the Hillside Design District and an overall slope of 24%. On March 16, 2009 the SFDB reviewed the project and continued it to the Staff Hearing Officer with the following comments: 1) Remove gable and alter roof to meet solar access; 2) Proposal has nice architecture and is a modest house; 3) Project is ready for preliminary approval.

The proposed project involves the rebuild of a single family residence destroyed in the Tea Fire. The project site was previously developed with a 1-story single family residence and detached 1-car garage. The original residence and garage, which were constructed in 1956, were non-conforming to the interior setbacks. The proposed rebuild is designed to replace the garage in its original location within the setbacks, as permitted under SBMC Section 28.87.038 of the Zoning Ordinance which allows for the reconstruction of damaged non-conforming buildings. The new house will also be rebuilt under the provisions of the same code section, in a different, but more conforming, location on the lot.

The addition of a new second floor to the proposed house triggers the need for an additional parking space per SBMC §28.90.001.B. Because of lot constraints, the parking space is proposed to be located within the front and interior setbacks. The space has historically been used by the property owners and is the only logical place on the site for the additional parking space to be located. Although the space will be located within the front setback, Transportation Staff has reviewed the site and is supportive of the new designated parking space as it meets the intent of the ordinance which requires that if a parking space is to be approved in the front yard set back, a permanent screen such as a fence or wall should be required to screen the vehicle from the right-of-way. In this case, the sloped lot effectively screens the parking space as it limits the visibility of any parked vehicle. Although Transportation staff has some concerns

over the existing steep driveway, they concur that backing out onto Conejo Road can be completed safely.

The first floor of the new residence is proposed at a distance of 12' from the interior property line which is an improvement over the previous non conforming 5' setback. However, the second story, which has been designed directly over the first floor, compels the need for a Modification. Although this type of Modification is typically not supported by Staff due to privacy issues, the acute constraints of the site allows staff to support the second floor encroachment into the setback.

The small lot area, limited even further by a steeply sloped front yard and A-1 setbacks, results in development constraints that qualify this project for relief from ordinance requirements. Stacking the second story over the first floor is necessary for structural support related to the caissons. The proposed residence, which is 1,752 square feet, results in a Floor Area Ratio of 62%. It is Staff's position that the changes and expansion of floor area within the required front and interior setbacks will allow for an improved rebuild of the previous residence and parking areas. Staff understands the necessity of the Modifications due to the site constraints associated with the irregular shaped, undersized, and slope constrained lot.

VI. FINDINGS

The Modification for the front and interior setback encroachment of the uncovered parking space allows for the continued use of the area which has been historically used for parking, providing the required parking for the site. Further, the proposed second story addition will provide an expanded floor plan within the previously existing nonconforming footprint on a constrained lot, with no impacts to the neighborhood.

The Staff Hearing Officer finds that the proposed encroachment of the uncovered parking space into the front and interior setback and the second floor encroachment of the new house into the interior setback is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot.

Exhibits:

A. Site Plan
B. Applicant's letter dated March 30, 2009
C. SFDB Minutes

Contact/Case Planner: Betsy Teeter, Planning Technician II
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630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470

KARI
ARCHITECT

30 March 2009

City of Santa Barbara
630 Garden Street Santa Barbara CA 93101
Attn. Roxanne Milazzo

Ref. Modification for
Andrea Kelly Residence
462 Conejo Rd
Santa Barbara CA 93103
APN. 019. 061. 016 Zone A-1

Dear Ms. Milazzo

On behalf of my client, Andrea Kelly, I am requesting two modifications for a tea fire rebuild of a residence and as-built parking space.

The existing conditions are:

- This 8,025 square foot property is in an A-1 zoning with 15′ side and rear yard setbacks and 35′ front yard setback. The original residence and garage were located well into the side and rear yard setbacks and did not conform to current open yard standards. There is a parking space in the front yard setback.

The specific modification requests are to allow:

- Replacement of approximately 1,000 square foot single story residence with a two story residence with a similar footprint of 1,055 moved away from the original footprint [which was located 5′-0″ from the side property line] to an average between 12′-0″ to 13′-5″ in the side yard setback.

- As-built parking space that historically dates back prior to the owner purchasing the property.

The positive aspects of the request for modifications are:

- The footprint of the new residence moves the side yard encroachment closer to the A-1 required setback. The open yard is increased from the original configuration due to the relocation of the residential footprint away from the rear yard. Difficult soils and slope conditions which require extreme foundation systems also limit the ability to move the residence further toward the front yard setback.

- The as-built parking space is well screened from Conejo Road and provides the required second parking space in a location that does not require trees to be removed or grading to take place, along with constraints of the topography, poor soil conditions, and setbacks.

Thank you for your timely attention to this modification request. Please contact me if you have any questions or requests for additional information.

Sincerely

Lori A. Kari, Architect
Agent for the Owner

LORI A KARI
ARCHITECT AIA
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EXHIBIT B

NEW ITEM

C. 462 CONEJO RD **A-1 Zone**

Assessor's Parcel Number: 019-061-016
Application Number: MST2009-00122
Owner: Andrea Kelly
Architect: Lori Kari

(Proposal to replace a one-story single-family residence and garage that were destroyed in the Tea Fire. Proposed is a 1,752 square foot two-story house and a 254 square foot one-car detached garage. The total proposed 2,006 square feet on the 8,025 square foot lot located in the Hillside Design District is 63% of the maximum floor-to-lot area ratio. Staff Hearing Officer approval of Zoning Modifications are requested to allow the project to encroach into the interior setback and the required open yard area.)

(Comments only; project requires environmental assessment and Staff Hearing Officer approval of Modifications.)

Continued indefinitely to the Staff Hearing Officer with the following comments: 1) Remove gable and alter roof to meet solar access. 2) Proposal has nice architecture and is a modest house. 3) Project is ready for preliminary approval.