



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: August 19, 2009
AGENDA DATE: August 26, 2009
PROJECT ADDRESS: 28 El Arco Drive (MST2009-00350)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Renee Brooke, AICP, Senior Planner *RLB*
 Roxanne Milazzo, Associate Planner *RM*

I. PROJECT DESCRIPTION

The 10,018 square foot project site is currently developed with a single family residence with attached garage. The proposed project involves a 59 square foot "as-built" portion of the residence. The discretionary application required for this project is a Modification to permit the addition within the required twenty-five foot front setback (SBMC §28.15.060).

Date Application Accepted: July 28, 2009

Date Action Required: October 28, 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: Tony Xiques	Property Owner: James & Teresa Jellison
Parcel Number: 053-051-004	Lot Area: 10,018 sf
General Plan: 5 Units Per Acre	Zoning: E-2/SD-2
Existing Use: One-Family Residence	Topography: 11% Slope

Adjacent Land Uses:

North – El Arco Drive

East - One-Family Residence

South – One-Family Residence

West – One-Family Residence

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,791 sf	161 sf "as-built"
Garage	367 sf	367 sf
Accessory Space	300 sf	300 sf

C. PROPOSED LOT AREA COVERAGE

Building: 2,552 sf 25% Hardscape: 1,084 sf 10% Landscape: 6,402 sf 35%

D. FLOOR-AREA RATIO (FAR)

Max. Allowed FAR: 0.37 Proposed FAR: 0.24 = 63.4% of Max. Allowed FAR

IV. DISCUSSION

The project site is currently developed with a single family residence and attached garage. Due to different setback requirements at its time of construction in 1951, the existing development is non-conforming to the required 25' front setback. During a recent plan check process for a proposed addition at the rear of the residence, it was noted that a roof overhang at the front of the residence appears to have been enclosed without benefit of permits. The 59 square foot "as-built" area is located 17' back from the front lot line. A Modification approval is being requested to legalize the floor area as it exists. Due to the type of construction and similarities to the rest of the development on site, the agent's position is that the addition may have been a field change at the original time of construction. Staff typically does not support new floor area within front setbacks. However, this request may be supportable considering there is evidence the addition may be original, it does not exceed the encroachment of the remainder of the residence that legally exists, and results in an appropriate expansion of two undersized rooms.

V. FINDINGS

The Staff Hearing Officer finds that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The existing encroachment is architecturally compatible, enlarges two small rooms for improved function, does not exceed the encroachment already established by the residence, and is consistent with other development in the neighborhood.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter dated July 20, 2009

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

July 20, 2009

Roxanne Milazzo
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. Milazzo,

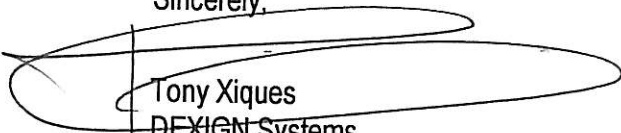
My clients, Brad and Terri Jellison, bought a 1,610 sq. ft. house with a 391 sq. ft. attached garage on a 10,018 sq. ft. (.23 AC.) lot in 1992. It was permitted and built in 1951 to comply with all zoning ordinances in effect at the time. The house then went through a remodel and addition in 1999, resulting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

Upon submitting drawings for a proposed 161 sq. ft. addition at the *rear* of the house, staff discovered that a 4'x 14'-9" (56 net sq. ft.) porch at the *front* of the house that encroaches seven feet (7') into the front yard setback was permitted as a covered porch, but we believe was originally built as habitable interior space. Because the entire front of the house encroaches into the front yard setback, we are requesting a modification to allow my clients to keep and legalize the originally "as-built" space. The main benefits of approving the modification would be:

- The requested modification would not involve encroaching any further into the 25' front yard setback than what was originally permitted as a covered porch.
- To allow the more efficient use of the space as interior space rather than as a small unusable front porch.
- To allow us to keep the enclosed area, which blends seamlessly with the exterior of the house, and is actually set further back from the street than the main body of the house.

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

Exhibit B

