



**City of Santa Barbara
California**

**STAFF HEARING OFFICER
STAFF REPORT**

REPORT DATE: October 29, 2009
AGENDA DATE: November 4, 2009
PROJECT ADDRESS: 1600 W. Mountain Drive (MST2009-00449)
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 18+ acre project site is currently developed with a greenhouse, pool structure, and three-car garage. The previously existing single family residence on-site was destroyed in the Tea Fire. The proposed project involves the construction of two new single family residences and associated accessory structures. The discretionary applications required for this project are a Performance Standard Permit to allow an additional dwelling unit on a one-family residential lot and an Amendment to the Conditions of Approval of a Staff Hearing Officer approval on April 8, 2009 (Resolution No. 026-09) (SBMC §28.93.030).

Date Application Accepted: October 5, 2009 Date Action Required: January 5, 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:	Melora Scharf	Property Owner:	Gardner Family Trust
Parcel Number:	021-005-033	Lot Area:	18+ acres
General Plan:	Major Hillside	Zoning:	A-1
Existing Use:	Vacant – Tea Fire	Topography:	44% Slope

Adjacent Land Uses:

North – W. Mountain Drive	East - One Family Residence
South – One-Family Residence	West – One-Family Residence

IV. DISCUSSION

The 18.26 acre project site was previously developed with a 2,506 square-foot single-family residence, a 980 square-foot pool house, a 630 square foot green house and a 782 square foot garage. The Tea Fire destroyed the residence. The pool house, the green house, and garage were not damaged and remain on site.

In April of 2009, Staff processed a request to build a new single family on the site. The request included a new 4-car garage, conversion of the original garage to storage, and maintenance of the existing accessory structures. Modification approvals were required to allow garage space in excess of 750 square feet and for accessory floor area to total 2,396 square feet. The Staff Hearing Officer made the required findings and approved the project with the condition that the existing three-car garage be converted to storage to eliminate its use as additional parking.

The current proposal involves the development previously approved by the Staff Hearing Officer and adds a request for an additional dwelling unit on the site pursuant to SBMC §28.93.030.E, which allows for additional dwelling units on lots that provide adequate lot area and egress and ingress.

Pursuant to SBMC §28.15.080, each single family dwelling with its accessory buildings requires a net lot area of not less than one acre. Given that the site exceeds an average 30% slope, the required lot area for each residence on this property is three acres. The 18+ acre site is more than adequate for two residence and their accessory buildings, and therefore, staff can support this request. Separate driveways off of W. Mountain Drive would be provided to each residence, provided adequate ingress/egress.

The Condition of Approval associated with SHO Resolution No. 026-09, to convert the existing three-car garage to storage, is no longer necessary in that the garage will provide the required parking for the additional dwelling unit being requested as part of this application. Both residences will require review and approval by the Single Family Design Board, and are currently in the process of seeking approvals for their designs.

The resulting development on site will consist of two single-family dwellings and the existing plus proposed accessory building floor areas.

V. FINDINGS

The Staff Hearing Officer finds that the Performance Standard Permit complies with all standards of SBMC §28.93.030.E., including adequate lot area for two residential units, with associated existing accessory space, and adequate ingress and egress for each residence.

The Staff Hearing Officer finds that the Condition of Approval contained in SHO Resolution No. 026-09, that restricted the use of the existing three-car garage to accessory space no longer is necessary due to a revised development plan that will utilize the existing garage for the additional dwelling unit's required parking. An amended Resolution No. 026-09 is attached.

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Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter dated October 2, 2009
- C. Amended SHO Resolution No. 026-09

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



Melora G. Scharf
200 West Victoria Street
Santa Barbara, CA 93105
(408)823-8750

October 2, 2009

Staff Hearing Officer
City of Santa Barbara
P.O. Box 1900
Santa Barbara, CA 93102

Re: Modification Request for 1600 West Mountain Drive, APN #021-005-033, A-1

Dear Staff Hearing Officer,

My father has lived at the above address for 20 years; tragically his residence was burned in the "Tea Fire", November 2008. At the time of the fire he had already submitted plans to build an additional dwelling on the property. At this time he has received preliminary approval of the second dwelling as his primary residence. Subsequently due of the scope of that project, the most reasonable plan is to move forward with the rebuild of his residence.

The request at this time is to rebuild the residence, single story on the same footprint of the original 2 story house as an additional unit on the property. As you can see on the site plan there is generous lot area and easy, separate access to both dwellings.

Thank you for your time.

Sincerely,
Melora G. Scharf
Melora G. Scharf

Project Manager
1600 West Mountain Drive

Exhibit B





City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

AMENDED RESOLUTION NO. 026-09

1600 MOUNTAIN DR

MODIFICATION

APRIL 8, 2009

**APPLICATION OF LAURA BRIDLEY ON BEHALF OF THE GARDNER FAMILY TRUST,
1600 W MOUNTAIN DRIVE, APN 021-050-033, A-1 ONE-FAMILY RESIDENTIAL ZONE,
GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST2008-00518)**

The 18.26 acre project site was previously developed with a 2,506 square-foot single-family residence, a 980 square-foot pool house, a 630 square foot green house and a 782 square foot garage. The house was destroyed in the Tea Fire and the pool house was partially damaged. The green house and garage were not damaged. All of the accessory structures were previously approved with Modifications. The proposed project is a request to rebuild a new single-family residence with an attached four car carport and convert the existing garage to a storage building. The discretionary applications required for this project are Modifications to permit accessory building floor area in excess of 500 square feet and garage floor area greater than 750 square feet (SBMC §28.87.160).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303.

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor or opposition of the application, and the following exhibits were presented for the record:

1. Staff Report with Attachments, April 1, 2009.
2. Site Plans

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

I. Approved the subject application making the following findings and determinations:

The Modifications to allow a total of 2,396 square feet of accessory space and a 872 square foot carport are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure appropriate improvements on this lot. The amount of floor area being proposed for covered parking and accessory use is not out of proportion for a lot of this size.

II. Said approval is subject to conditions that the converted garage be used solely for storage and not additional parking, and that the remnants of the destroyed house, with the exception of foundation and retaining walls, be removed prior to the issuance of any building permits for the new structures.

This motion was passed and adopted on the 8th day of April, 2009 by the Staff Hearing Officer of the city of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Staff Hearing Officer at its meeting of the above date.

Gloria Shafer, Staff Hearing Officer Secretary

Date

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Single Family Design Board (SFDB) approval and then a building permit.
5. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
6. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.