



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: March 3, 2010
AGENDA DATE: March 10, 2010
PROJECT ADDRESS: 11 Ealand Place (MST2009-00577)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Roxanne Milazzo, Associate Planner *RM*

I. PROJECT DESCRIPTION

The 8,615 square foot project site was previously developed with a single-family residence and detached two-car garage, which were destroyed in the Tea Fire. The proposed project involves the construction of a 1,667 square foot residence, 316 square foot lower level accessory space, and a 431 square foot attached garage. The discretionary application required for this project is a Modification to permit new construction within the required fifteen-foot (15') interior setback (SBMC §28.15.060).

Date Application Accepted: February 22, 2009 Date Action Required: May 22, 2010

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to a condition.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Wade Davis Design	Property Owner:	Wood 2006 Trust
Parcel Number:	019-061-034	Lot Area:	8,615 sf
General Plan:	Major Hillside	Zoning:	A-1
Existing Use:	Vacant	Topography:	23%

Adjacent Land Uses:

North - Vacant	East - Vacant
South - Vacant	West - Ealand Place

B. PROJECT STATISTICS]

	Previously Existing	Proposed
Living Area	1,145 sf	1,667 sf
Garage	396 sf	431 sf
Attached Crawl Space		316 sf

C. PROPOSED LOT AREA COVERAGE

Building: 1,648 sf 19% Hardscape: 1,095 sf 13% Landscape: 5,872 sf 68%

D. FLOOR-AREA RATIO (FAR)

Max. Allowed FAR: 0.39 Proposed FAR: 0.28 = 72% of Max. Allowed FAR

IV. DISCUSSION

This property is located within the portion of the Conejo Slide area (Slide Mass C) that currently prohibits construction. A recent Geological Study, prepared by Grover Hollingsworth and Associates, reidentified the boundaries of Slide Mass C and recommended that the current Ordinance be amended to restore conditional development potential on five of the lots located within the restricted area. The new maps show the head of the slide running along the southern property line. The new Ordinance will require development to observe a 25' setback off the top of the head. Under no circumstances will a building permit be issued for construction on this site prior to adoption of the proposed Ordinance amendments. However, the applicant is being allowed to proceed with discretionary review processes, at his own risk, to manage deadline issues associated with the rebuild.

The proposed project involves the construction of a new single family residence with attached two-car garage. The prior single family residence and detached garage were destroyed by the Tea Fire. The previous development was non-conforming to front and interior setbacks. Pursuant to the rebuild provisions of the General Provisions Section of the Zoning Ordinance, non-conforming portions of building can be reconstructed within the setback if the rebuild does not change the exterior characteristics of the previously existing building. During numerous reviews of Tea Fire rebuilds, Staff has supported new designs that maintain the previous encroachment. This project extends the previous encroachment by proposing 8 additional linear feet of floor area at 1' closer to the property line.

It is the applicant's position that numerous site constraints associated with the size (8,615 sf) of the lot, its A-1 zoned setbacks (35' front and 15' interior), 23% slope, plus the development restrictions from the Conejo Slide area, should qualify this project for relief of the 15' interior setback. Previous development on site was 10' from the North property line. The proposed project is requesting 9'.

Staff recognizes the site constraints associated with the slide setback and how it reduces the buildable area of the site. However, it is Staff's position that when designing development for vacant land, every effort should be made to design a footprint that meets the development

standards. A review of the site plans indicates that area exists for additional floor area that would conform to the Zoning Ordinance. Therefore, Staff directs the applicant to pursue a conforming option.

V. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the Modification is not consistent with the purposes and intent of the Zoning Ordinance, and it is not necessary to secure an appropriate improvement on the lot. The proposed encroachment into the interior setback does not qualify under the non-conforming rebuild provisions and therefore should be designed to comply with current development standards for new construction.

Said approval is subject to a condition that the Ordinance pending City Council approval, is adopted, prior to submittal of any plan for building permits.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter dated February 22, 2010

Contact/Case Planner: Roxanne Milazzo, Associate Planner
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Phone: (805) 564-5470

February 22, 2010

Staff Hearing Officer

City of Santa Barbara

P.O. Box 1990

Santa Barbara, CA 93102-1990

Re: Modification Request for 11 Ealand Place; APN 019-061-034; Zone A-1

Prior to the Tea Fire there was an existing single-family residence (1,145 sq. ft.), and an existing detached garage (396 sq. ft.). The Conejo slide line runs through the west property line at the southern end of the lot and through the south property line at the center of the lot. The slide line has a required twenty-five foot setback for newly constructed structures. The existing detached garage & existing residence have building permits, according to the City building files. The original residence was located within the interior yard setbacks along the north and south property lines. The original garage was located on the southwesterly portion of the property, entirely within the required yard setbacks. We are proposing to reconstruct a single-family residence of 1,667 sq. ft. with 316 sq. ft. of unconditioned storage area. The proposed attached garage is 431 sq. ft.

The modification being requested is to allow a portion of the proposed residence (123 sq. ft. living space & 117 sq. ft. of storage space) and a portion of the attached garage (114 sq. ft.) to encroach 6 feet 0 inches into the 15-foot interior yard setback along the northerly property line. The encroachment will allow a residence to be rebuilt on a site that is already burdened with a decreased building envelope due to the vicinity of the Conejo slide boundary setback line. The encroachment being requested has been minimized as a result of the building department's agreement to allow the structure to cantilever over the slide setback line a maximum of 3 feet 7 inches on the south side of the property. The encroachment of 6 feet 0 inches on the north side of the property is 1 foot 0 inches further then the original structure located on this site which encroached 5 feet 0 inches on both the north and south interior yards. The proposed rebuilt residence and garage is a necessity for our client, as they are currently without a home. As is the case with many of the Tea Fire victims who have lost homes, our clients have a limited amount of time to rebuild before their insurance company will no longer provide for their temporary housing.

The major benefits of allowing the proposed residence to encroach into the required setback are:

- That it will allow for the reconstruction of a single family dwelling on a lot that has a buildable area that is severely limited by the location of the Conejo Slide setback, established after our clients purchased their permitted home;
- The proposed structure will only encroach 1 foot further then the original structure on the north side of the property while reducing the setback to 21 foot 8 inches on the south side of the structure;
- The new residence will greatly enhance this neighborhood that was devastated by the Tea Fire, and will offer encouragement to surrounding neighbors in an effort towards reconstruction.

Thank you for your consideration in approving these modifications in order to help with the reconstruction of our clients residence.



JIM DAVIS (WADE DAVIS DESIGN)

Exhibit B

