



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** March 14, 2011  
**AGENDA DATE:** March 23, 2011  
**PROJECT ADDRESS:** 1720 San Andres Street (MST2008-00066)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Renee Brooke, AICP, Senior Planner *RLB*  
 Tony Boughman, Planning Technician II *TB*

### I. PROJECT DESCRIPTION

The 5,040 square foot project site is currently developed with a single-family residence, a one-car garage, and a 75 square foot shed. The proposed project involves the construction of a new 876 square foot two-bedroom residential unit above a new 460 square foot two-car garage, a 160 square foot attached storage room, and a 30 square foot first floor addition. This would be attached to the existing 559 square foot one-story, two-bedroom residential unit. The existing 250 square foot, legal non-conforming, single-car garage and a 75 square foot shed are proposed to be demolished. A total of four parking spaces (two covered and two uncovered) will be provided on site.

The discretionary application required for this project is a Modification to provide less than the required 15 foot minimum dimension for the common open yard area and to provide a portion of the common open yard area in the front yard. (SBMC §28.21.081).

Date Application Accepted: February 24, 2011      Date Action Required: May 25, 2011

### II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project with a condition, making the findings in Section VI of this report.

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant: Thomas Moore, Architect	Property Owner: Cameron Porter
Parcel Number: 043-191-015	Lot Area: 5,040 square feet
General Plan: Residential 12 units per acre	Zoning: R-3
Existing Use: Single-Family Residence	Topography: 2% Slope

Adjacent Land Uses:

North – One-Family Residence  
South – One-Family Residence

East – One-Family Residence  
West – Two-Family Residence

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	559 s.f.	Unit #1 = 589 s.f. Unit #2 = 876 s.f.
Garage	250 s.f.	460 s.f.
Accessory Space	75 s.f.	146 s.f.

**IV. ENVIRONMENTAL REVIEW**

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303(a), New Construction or Conversion of Small Structures, and Section 15305(a), Minor Alterations in Land Use Limitations.

**V. DISCUSSION**

The project was originally submitted on February 7, 2008. It had a preliminary zoning plan check and went through the Architectural Board of Review (ABR) process and was granted final approval on December 13, 2010. Zoning compliance for the project was not reviewed again until the project was submitted for a building permit. During the zoning plan check it was pointed out that the required common open yard area did not comply with zoning requirements that went into effect on September 11, 2008.

The project as approved by the ABR does not meet the new requirement to provide a common open area as part of the private outdoor living space. The proposed common open area has a dimension of 13.5 feet, the distance between the existing structure and the property line, and does not conform to the required minimum dimension of 15 feet. A portion (108 square feet) of the proposed common open yard is located beside the existing house and is not within the front yard, while the remainder of it does not conform with regard to location because it is within the remaining front yard.

The site is planned so that the new unit and parking are located at the rear of the site. The front of the site is utilized for the common open yard and for the private outdoor living space for the existing ground floor unit. The project returned to the ABR Consent Calendar on February 22, 2011 for comments on the requested modification. The ABR commented that there would be no negative aesthetic impact, the reduction in common open yard dimension is minimal, and the project provides generous open space in the front yard in keeping with the pattern of development on the street. (Exhibit C )

Staff is in support of the requested zoning modification because the proposed common open yard dimension of 13.5 feet is only 1.5 feet less than the required 15 feet and it allows

preservation of the existing structure which is 13.5 feet from the north property line. The reduced width of the common open yard is mitigated by having a 23 foot length, providing 310.5 square feet which is 85.5 square feet more than required. Locating the new development toward the rear of the site retains the front of the existing one-story house with its front porch and generous setback from the street in keeping with the character of the street. The location of the common open yard is readily accessible to both units. Unit sizes are modest. Staff recommends a condition of approval that the paving for the uncovered parking spaces at the eastern corner of the site not encroach into the setbacks and that the area be landscaped so that parked cars do not encroach into the setback.

## **VI. FINDINGS AND CONDITIONS**

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 proposed common open yard fulfills the intention of the requirement and allows the site to be developed in a manner that preserves the front of the existing house and the generous front setback in keeping with the character of the neighborhood.

Said approval is subject to the condition that the area adjacent to the uncovered parking spaces at the eastern corner of the site within the setbacks shall be landscaped and not paved.

### Exhibits:

- A. Project Plans (under separate cover)
- B. Applicant's letter, received February 24, 2011
- C. ABR minutes of February 22, 2011

Contact/Case Planner: Tony Boughman, Planning Technician II  
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Staff Hearing Officer  
City of Santa Barbara  
P.O.Box 1992  
Santa Barbara, CA 93102-1990



Dear Staff Hearing Officer:

The site is a typical Westside house (591 s.f.) on a small 50' x 100' lot. The project proposes to add a second story unit (876 s.f.) over a new garage/storage room (30'x20') while leaving intact, as much as possible, the existing one story residence. The project was designed and approved by ABR in 2008. However, an additional zoning requirement (for a minimum 15'x15' for common open space) went into effect afterwards, while construction drawings were in progress.

The modification being requested is to allow the 15' x 15' (225s.f.) minimum common open yard to be adjusted to 13'-6" x 23' (310 s.f.) common open yard instead, and that this space be located in the front/side yard of the site. This adjustment will allow us to proceed with the present design and plans, to keep the second story addition to the rear of the existing house, to avoid demolishing the existing house, and to maintain the open front yard to match the others yards in the neighborhood.

The original design intent sought to to keep the forward portion of the existing house with its gabled porch typical of all the other houses on the street with their small front yards (which tend to exceed the front yard as required by R-3 zoning). Because the lot is narrow (typical of the other lots on the street), we worked closely with Transportation and with Zoning to meet all the site requirements, including private and common open space requirements at the time. ABR took a special interest in the project and a lot of final detailing was worked out with their input. The result was a successful fit of the new second story to the original house and to the other houses on the street with their rhythm of gabled porches. The character of the street was further preserved by being able to hold the second story back on the lot, and by ABR allowing the private outdoor space for the lower unit to merge with the front and side yards with its picket fence.

We feel that the project as designed comes very close to meeting the new requirement with only some slight nudging needed, and that the intention of this requirement is being fully respected. Some reasons are as follows:

- The existing house is 13'-6" from the property line. To achieve the full 15' in this direction would require demolition of the existing house. We feel maintaining the existing house important to the neighborhood and to the design of the new portions.

- The proposed common yard would be larger than required, and its location at the access side of both units works well with the reality of this site and project. This space would be less successful if located elsewhere on the site (such as to the back of the lot behind the garage). The south portion of the front yard would be defined by the traditional picket fence and would be the private domain of the downstairs unit (which we already permission to locate this space in the front yard without a 5' high fence), and the north

front-side yard would be fully accessible by both units as common space. In other words, by putting the open spaces in front, we obtain maximum functionality as well as maintain the appearance of this traditional Westside neighborhood.

-The second story unit is the minimum size required by the Owner for himself and his family. A redesign to create a larger (and unused) open space to the rear of the site would push this second story portion over the existing house and closer to the street. It is questionable that we could achieve the some gabled porch entry (it barely fits now, with a bottom tread still intruding into the sideyard), and I doubt that ABR would be happy with the change.

-The 26' x 10.5' open space at the rear of the site in the existing plan can also be designated usable common space, and developed to include a patio and landscaping to serve as a secluded get-away for both units. In addition, the upstairs unit has a 100 s.f. deck for private outdoor space (84 s.f. min required), and the very usable entry deck adds another 70 s.f. In all, the open spaces for the project, both private and common, presently exceed all required minimums, are optimally located, and exceed the intentions of the zoning code in a way that respects this traditional Westside neighborhood.

In summery, the benefits of this modification is that it eliminated the need to redesign the entire project; it keeps the present design which is sensitive to the character of the neighborhood as well as the minimum needs of the Owner; it maintains the typical front yards of all the other houses on the street; it avoids having to demolish the existing house; it keeps the second story portion to the back of the site where it has less impact on the neighborhood; and it locates common and private spaces in a way which function the best for the two units with their entries towards the street.

Sincerely,



Thomas Moore AIA

**ABR – REVIEW AFTER FINAL****C. 1720 SAN ANDRES ST****R-3 Zone**

Assessor's Parcel Number: 043-191-015  
Application Number: MST2008-00066  
Owner: Cameron Porter  
Architect: Thomas Moore

(The project was previously approved by the ABR and it was discovered that the required open yard area requires a zoning modification. Staff Hearing Officer approval of a zoning modification is requested to allow the open yard to be 13.5 feet wide rather than the required 20 feet. Proposal to construct a new 802 square foot two-bedroom residential unit above a new 460 square foot, two-car garage, and 160 square foot, attached storage room on a 5,040 square foot lot in the R-3 Zone. The proposal also includes a 63 square foot first-floor addition to the existing 558 square foot one-story two-bedroom residential unit and the demolition of an existing 250 square foot, legal non-conforming, single-car garage and a 75 square foot shed. A total of four parking spaces (two covered and two uncovered) will be provided on site. The project involves the removal of two existing palm trees.)

**(Review After Final for changes to open yard area. Comments only; project requires Staff Hearing Officer review of a zoning modification.)**

Continued indefinitely to the Staff Hearing Officer with the following comments: 1) the minor reduction in the required open yard dimension poses no negative aesthetic impacts; 2) the property has a large amount of open yard in front of the property.