



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** July 6, 2011  
**AGENDA DATE:** July 13, 2011  
**PROJECT ADDRESS:** 502 E. Micheltorena St. (MST2011-00186)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Renee Brooke, AICP, Senior Planner *DBK for*  
 Daniel Gullett, Associate Planner *DG*

### I. PROJECT DESCRIPTION

Proposal to demolish an existing detached 182 square foot single-car garage and construct a new 185 square foot attached single-car garage in the interior setback, and a 450 square foot single-story addition to the existing 900 square foot single-family residence, on a 5,194 square-foot lot.

The discretionary land use applications required for this project are:

1. A Modification to allow the new garage to encroach into the three-foot interior setback (SBMC Sections 28.18.060 & 28.92.110); and
2. A Modification of the R-2 Zone Open Yard standards (SBMC Sections 28.18.060 & 28.92.110).

Date Application Accepted: June 7, 2011

Date Action Required: September 5, 2011

### II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer deny the requested Modifications.

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant:	Paul Zink	Property Owner:	Douglas Foster
Parcel Number:	029-031-001	Lot Area:	5,194 sf
General Plan:	Residential, 12 units/acre	Zoning:	R-2
Existing Use:	Single family residence	Topography:	13% est. slope

Adjacent Land Uses:

North – Single family residential      East - Two-family residential  
 South – Single family residential      West - Two-family residential

**B. PROJECT STATISTICS**

	Existing	Proposed
Living Area	900 sf	1,350 sf
Garage	182 sf	185 sf

**C. EXISTING LOT AREA COVERAGE**

Building: 1,250 sf 24.1%    Hardscape: 1,370 sf 26.4%    Landscape: 2,574 sf 49.5%

**D. PROPOSED LOT AREA COVERAGE**

Building: 1,721 sf 33.1%    Hardscape: 915 sf 17.6%    Landscape: 2,558 sf 49.3%

**E. FLOOR-AREA TO LOT-AREA RATIO (FAR)**

Max. Guideline FAR: 0.481    Proposed FAR: 0.296 = 62% of Max. Guideline FAR

**IV. ZONING ORDINANCE CONSISTENCY**

Standard	Requirement/Allowance	Existing	Proposed
Setbacks			
-Front (Micheltorena)	15 ft	15 ft	No change
-Front (Olive St.)	15 ft	12 ft 6 in	No change
-Interior (parking)	3 ft	0 ft	0 ft*
-Interior (building)	6 ft	9 ft 6 in	6 ft
Building Height	30 ft	19 ft 10 in	No change
Parking	2 spaces	1 space	No change
Open Yard	1,250 sf	~1,189 sf	975 sf*

\*Requires Modification

**V. DISCUSSION**

The project site is located in the Lower Riviera Special Design District and is thus subject to Single Family Design Board (SFDB) review. The project was conceptually reviewed by SFDB on April 6, 2011. At that review, the garage was proposed 20 ft from the back of sidewalk on Micheltorena. SFDB asked that the proposed garage be moved back to the front plane of the adjacent house to the north (24'-3" from the back of sidewalk). In response to the SFDB request, the applicant has relocated the garage to 23.5 ft from the back of sidewalk. SFDB referred the project to the Staff Hearing Officer for consideration of the subject Modifications stating that there were no negative aesthetic comments associated with the garage relocation or the requested Open Yard Modification.

The proposed addition to the existing 900 sf residence would result for the need for an Open Yard Modification. The purpose of Open Yard, as it is defined in the Zoning Ordinance, is to provide usable outdoor living space and/or visual open space. The R-2 Zone requires minimum dimensions of 20 feet and a minimum open yard size of 1,250 sf. The existing open yard is non-conforming to size due to the location of the garage 15.5 ft from the eastern property line. If the garage was relocated and the proposed addition was reconfigured to provide a 20 foot setback from the eastern property line, an open yard that conforms to the R-2 standards could be provided on the site. Since this and other more conforming options exist, staff does not support the requested Open Yard Modification.

The other requested Modification is to allow for a new single car garage to be located on an interior property line. The existing garage is slightly smaller (3 sf) and located further back from Micheltorena Street (approximately 68 ft from back of sidewalk). Although the interior clear width of the proposed garage would be slightly narrower than the existing garage (~9'6" vs. ~9'3"), Transportation Planning staff believes the relocation of the garage toward Micheltorena and the provision of additional storage area and dedicated locations for the water heater and washer/dryer outside of the garage would increase the likelihood of the use of the garage for parking. The new garage would also be slightly lower than the existing garage (10'3" vs. 10 ft). Additionally, the relocated garage would reduce the paved area, reduce impacts of light and noise of automobiles to the yard areas of the neighboring properties, and provide the opportunity for additional landscaping and a conforming open yard area.

Since the proposed development would be less than 80% of the maximum guideline floor area for the lot, two uncovered spaces could be provided to serve the residence pursuant to SBMC Section 28.90.100.G.1.c.

Staff does not consider the relocation of the garage without an associated proposal for an addition to be an appropriate improvement of the lot. Considering the traditional location of access and parking on the property, the lot size, location on the corner, site topography and sandstone wall along Olive St., Staff could support the proposed relocation of the garage to the proposed location in association with a project providing an addition that conforms to the Open Yard requirement. Staff would also consider supporting a setback modification for uncovered spaces along the northern property line in association with an addition that conforms to the Open Yard requirements.

## **VI. RECOMMENDED FINDINGS**

The Staff Hearing Officer finds that the requested Modification to the R-2 Open Yard standards is not consistent with the purposes and intent of the Zoning Ordinance since options exist to provide appropriate single or two-story additions which would provide for conforming open yard area.

The Staff Hearing Officer finds that the requested Modification for an interior setback reduction for the new garage does not constitute an appropriate improvement on the lot without an associated proposal for an addition that otherwise conforms to the Zoning Ordinance.

STAFF HEARING OFFICER STAFF REPORT  
502 E. MICHELTORENA ST. (MST2011-00186)  
JULY 6, 2011  
PAGE 4

If the Staff Hearing Officer approves the proposed addition, staff recommends that the approval be conditioned to require a half bath rather than the full bathroom as proposed on the floor plan, due to staff concerns of conversion of the addition into an illegal dwelling unit.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated May 4, 2011
- C. SFDB Minutes of April 6, 2011

Contact/Case Planner: Daniel Gullett, Associate Planner  
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Phone: (805) 564-5470 ext. 4550

**PAUL R. ZINK, AIA**

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zinkaia@aol.com

May 4, 2011

Planning Division  
City of Santa Barbara  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

**RECEIVED**

**MAR 4 0 2011**

**CITY OF SANTA BARBARA  
PLANNING DIVISION**

RE: Modification Application for 502 E Micheltorena Street  
APN: 029-031-001  
Zoning R-2 / Downtown: Laguna  
MST 2011-00186

Dear Planning Hearing Officer,

We are seeking two (2) modifications with this proposed project. One is to build a new 200 sf single car garage in the interior setback area and the other is to allow less than the required 20'-0" minimum dimension for the required 1,250 square foot open yard area.

With this project we are proposing to remove the existing 200 sf permitted non-conforming detached single car garage located in the back of the property and locate the new replacement single car attached garage closer to the street. The new garage will be located in the interior yard setback where there is currently a driveway that serves the rear garage. The replacement garage will be the same size as the removed garage, just closer to the street for easier access. We will be building a single 450 sf story addition in the back yard using part of the existing open yard area. There is an existing courtyard that has an area of 275 sq ft with a minimum distance of 15'-0" that we would like to include as part of the open yard area.

We feel that these two requested modifications comply with the intent of the Zoning Ordinance. We are providing an attached garage close to the street which would more likely be used for parking. There will be a visual reduction in the driveway length which will enhance the neighborhood. The new garage door to the street will be in keeping with the historical design character of the Bungalow Haven Special Design District.

The request for the open yard minimum distance modification also complies with the intent of the Zoning Ordinance. The existing front courtyard functions as an outdoor room with doors between the house and the courtyard opening to allow the flow between the inside and outside to occur. This serves as a useable courtyard giving the Owners addition outdoor living space. When this courtyard area is combined with the open yard available in the back yard we comply with providing 1,250 square feet of open yard area.

The Floor Area Ratio for the proposed project is 63.0% of the allowable guideline size for a lot this size.

**EXHIBIT B**

The existing house is 900 sf with a detached 200 sf single car garage. The City Zoning allows up to a 450 square foot addition before the property is required to upgrade the on site parking to the current covered two parking space requirement. Once this proposed addition and new single car garage is built there will be no more additions to the property unless a second parking space is provided. This would either required a major demolition of the house, a tandem parking modification, or a subterranean garage off Olive Street which would be very expensive.

It should be noted that there is a way to build a 450 square foot addition to the existing house without asking for a modification. The addition would be located on the second floor and could have the potential to block our neighbor's views. This second story addition would also have a more prominent appearance to the street that some may find objectionable. The City does not protect private views and the City cannot restrict a second story addition if the project can receive approval from the Design Review process. Yet we feel that this single story addition is a better solution for this neighborhood even with the requested modifications.

The site is a corner lot with two front yard setbacks which creates a physical hardship. The lot size is 5,194 sf which is less than the minimum lot size of 7,000 sf for a R-2 zoned lot. A modification was granted in 2003 to allow a new single story residence to be located on the footprint of the previous structure having a different configuration. This new configuration created the front entry courtyard that the community enjoys today. By granting the current requested modification the existing courtyard will be considered part of the outdoor living area. Thus the City is protecting this courtyard from being filled in with new construction at a later date. The existing courtyard visually opens to the street and brings attention to the entry tower. It is a pleasing form which brings architectural character to the City.

Prior to submitting this project to the City Planning Department this proposed project was reviewed by Michael Cloonan with the Public Works Department and he does not feel there are any unique water drainage issues that need to be addressed with hydrology calculations. The total amount of ground disturbance is approximately 930 sf which will require Tier 2 basic storm water best management practice requirements.

Enclosed is a copy of the Modified Phase I Archaeological Survey from February 12, 2003 by Larry A. Carbone that was used for an earlier project. In the body of the letter it states that there are no known archaeological resources identified within the subject property. Given that the construction scope of work will minimally affect depths in areas that have already been disturbed with previous construction, he feels that there is no need for additional archaeological investigations at this time. The current proposed project is similar in scope so the same determination can be made. Refer to the Recommendations on page 9. These recommendations will be added to the construction drawings.

Prior to submitting this project to the City Planning Department this proposed project was reviewed by Stacey Wilson with the Transportation Department and she feels there are no negative impacts with this parking plan. She noticed that the new garage does not contain the washer and dryer or the hot water heater leaving the entire garage for parking. Since the garage is closer to the street and now contains a direct access to the house, the property owners are more likely to use this garage for the parking of a car.

The current site has 49.5% of the property as landscape area. The proposed project will have 49.3% of landscape area. This reflects a net increase of 16 sq of impervious area. The reason for such a minor difference after adding 450 sf to the house is due to the removal of the long driveway along the Eastern property line. We feel that the amount of landscaping area being provided with the proposed project is significant for this urban lot and the proposed additions do not have a significant negative impact to the neighborhood character or storm water treatment quality.

The project is located in the Bungalow Haven Special Design District. Our neighbor to the East is an original Craftsman Style two story house. Our neighbor to the South is another Craftsman Style house with a subterranean two car garage built on our shared property line. Attached are photos showing this condition. Across Olive Street and Micheltorena are Craftsman style homes of various sizes and character.

The proposed project will have exterior lighting that will match the character of the existing house. The exterior lighting will not have any light spill onto adjacent properties. A copy of the actual light fixture will be included with the permit set of drawings.

The existing house and garage are currently served by City water and sewer. The existing power, cable, and telephone services are underground. The existing gas is underground from the street. There are no proposed changes to any of these services.

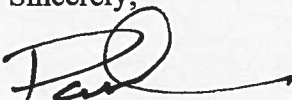
It is estimated that the demolition of the garage and removal of a portion of the concrete driveway would take less than 2 days. All material will be recycled locally through Marborg Industries. There is no grading associated with this project. The construction is estimated to take four (4) months to complete. The number of workers on the site would not exceed five (5) people. There is ample day time parking on the City streets within walking distance to this property. There will be no heavy equipment used for this project. Construction staging will occur on the existing driveway in front of the proposed garage. At this time a storage roll-a-way is not proposed. At times there will be a dump trailer parking in front of the house along Micheltorena during construction.

There will be no hazardous material associated with this proposed project.

We feel the Staff Hearing Officer will be able to make the findings to permit this modification since the proposed project will protect the single story character of the Bungalow Haven Special Design District while at the same time giving the owner the extra living area.

If you have any questions please call 805-569-3909.

Sincerely,



Paul R, Zink, AIA

**SFDB Minutes**

**June 6, 2011**

**502 E MICHELTORENA ST**

Assessor's Parcel Number: 029-031-001  
Application Number: MST2011-00186  
Applicant: Paul Zink  
Owner: Douglas Foster

(Proposal to construct a 450 square foot one-story addition to the existing 900 square foot one-story single-family residence. The proposal includes demolition of the 182 square foot detached one-car garage and construction of a 185 square foot attached one-car garage on the 5,194 square foot lot. Staff Hearing Officer review of zoning modifications is requested to allow the reconstructed garage to be located within an interior setback and to allow a portion of the required open yard area to have less than the required 20 foot dimensions. The parcel is located in the Lower Riviera Special Design District. Proposal to address enforcement case ENF2010-00220).

**(Comments only; project requires Environmental Assessment and Staff Hearing Officer review of requested zoning modifications.)**

(4:56)

Present: Paul Zink, Applicant; and Jake Jacobus, Urban Historian.

Mr. Jacobus commented that the proposed project site is in the Lower Riviera Special Identified Historic district, and includes the craftsman style in original design of the home. He recommended that the garage be reconfigured to be pushed slightly back to conform to the architectural style of the rest of the house.

Public comment opened at 5:07 p.m. As no one wished to speak, public comment was closed.

**Motion: Continued indefinitely to Staff Hearing Officer and return to Consent with the following comments:**

- 1) The Board made positive comments on the proposed project.
- 2) The Board suggests the garage be pushed back a couple of feet, as suggested by staff to be in the same plane as the adjacent neighboring home.
- 3) The Board finds no negative aesthetic impacts regarding the proposed open yard configuration and location of the new garage.

Action: Woolery/Bernstein, 5/0/0. Motion carried. (Zink stepped down, Miller absent).