



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: September 14, 2011
AGENDA DATE: September 21, 2011
PROJECT ADDRESS: 10 Rubio Road (MST2011-00248)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Renee Brooke, AICP, Senior Planner *DPG A.*
 Daniel Gullett, Associate Planner *DPG*

I. PROJECT DESCRIPTION

The proposed project involves a 66 square foot residential addition to an existing 1,943 square foot two-story single-family residence. The area of the residential addition is in the understory of the existing house and entirely within the existing footprint of the residence. The proposal also includes replacement of two windows and replacement of a door with a window on the rear (southeast side) of the house.

The discretionary application required for this project is a Modification to allow the change of use of understory area to habitable space within the existing building footprint, located partially within the ten-foot interior setback (SBMC §28.15.060 & 28.92.110).

Date Application Accepted: August 22, 2011 Date Action Required: November 20, 2011

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project.

III. SITE INFORMATION

Applicant:	Ryan Mills	Property Owner:	Reed & Carolyn Hornberger
Parcel Number:	029-342-002	Lot Area:	5,972 sf
General Plan:	Residential, 3 units/acre	Zoning:	E-1
Existing Use:	Single family residence	Topography:	19% slope

Adjacent Land Uses:

North - Single family residence (2-story)	East - Single family residence (2-story)
South - Single family residence (1-story)	West - Single family residence (2-story)

IV. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/Allowance	Existing	Proposed
Setbacks			
- Front	30 ft	9 ft	No change*
- Interior	10 ft	4 ft 3 in	No change
Building Height	26 ft 10 in	26 ft 10 in	No change
Parking	2 spaces	2 spaces	No change**
Open Yard	1,250 sf	1,250+ sf	No change

Max. Allowed FAR: 2,693 sf Proposed FAR: 0.39 = 88% of Max. Allowed FAR***

* Modification required for additional usable floor area in the interior setback

**The Zoning Ordinance requires two parking spaces in a 20 foot by 20 foot garage for each single family residence as a general rule. The existing house is non-conforming to the current parking requirements with a two-stall garage that is less than standard dimensions. Because the cumulative additions do not exceed 50% of the net area of the residence as it existed in 1980, the existing non-conforming parking may remain per SBMC 28.90.030.

***The Zoning Ordinance allows for a one time expansion of floor area of up to 100 square feet on lots where a permitted expansion would exceed the area allowable under Section 28.15.083.

Modifications were granted by the Modification Hearing Officer on December 13, 2000 to allow portions of a 676 square foot addition in the front and interior setbacks.

V. DISCUSSION

The proposed ~21 square foot interior setback encroachment is located entirely within the understory of the existing residence and no additional windows or doors are proposed within the setback area. The encroachment results from a reconfiguration of an existing bathroom, which was permitted with the above referenced Modifications in 2000. Because of the location within the existing building walls, staff does not believe the requested interior setback Modification would result in any detrimental effects on residents of the adjacent property.

The exterior changes associated with the project were administratively reviewed and approved by Single Family Design Board (SFDB) staff on June 9, 2011.

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 addition is appropriate because it involves a small addition of floor area located within the existing understory of the residence allowing for changes to an existing bathroom, without adding any doors or windows within the setbacks.

Exhibits:

- A. Site Plan and Floor Plans (under separate cover)
- B. Applicant's letter, dated August 18, 2011

Contact/Case Planner: Daniel Gullett, Associate Planner
 (dgullett@SantaBarbaraCA.gov)
 630 Garden Street, Santa Barbara, CA 93101
 Phone: (805) 564-5470 x4550



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August 18, 2011

Ryan Mills
DeVicente + Mills Architecture
123A El Paseo
Santa Barbara, CA 93101
805.450.6651

Daniel Gullett, Staff Hearing Officer
City of Santa Barbara
P.O. Box 1990
Santa Barbara, CA 93102-1990

Re: Modification Request for 10 Rubio Rd; (APN 029-342-002, Land Use: E1)

Dear Dan,

The existing residence at 10 Rubio Rd is a 2 story hillside house of 1,935 s.f. on a parcel of approximately 6,000sf. With 19% slope downward away from the street. The upper (entry) level is at street level and consists of the great room, kitchen and two bedrooms. The lower level, accessed by internal stairs has an existing bedroom, bathroom and laundry room. The original house and subsequent remodels and additions are non-conforming to both front yard and side yard setbacks, as is common along many original houses on Rubio. Our proposed project does not have any additions or alterations to the exterior except changing out windows and a door for a smaller window.

The modification being requested is to allow an addition of an internal toilet room to the existing master bathroom at the lower level, within the side yard setback. The existing (and original) residence encroaches in this sideyard setback, and the proposed addition occurs completely inside the existing understory of the building. There is NO change to the exterior of the building in this location.

The benefits of this particular project is it will have no adverse impact to the neighbor, and in fact the existing bathroom window also located in the side yard setback will be replaced with a significantly smaller size adding to the privacy of both my clients and neighbors. In addition, as part of this proposed project, my clients will have eliminated existing zoning violations left behind from previous owners.

Dan, I look forward to discussing the matter in person and answering any additional questions you may have.

Kind Regards,

A handwritten signature in black ink that reads "Ryan Mills" followed by a horizontal flourish line.

Ryan Mills, principal
DeVicente + Mills Architecture. LLP

EXHIBIT B