



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: July 18, 2011
AGENDA DATE: July 25, 2011
PROJECT ADDRESS: 1708 Chino Street (MST2012-00250)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Renee Brooke, AICP, Senior Planner *RLB*
 Suzanne Riegle, Assistant Planner *SR*

I. PROJECT DESCRIPTION

The 3,800 square foot project site is currently developed with a 1,091 square foot single-family residence and detached one-car garage. The proposed project involves a 545 square foot second-story addition, a first-floor remodel, and legalization of the "as-built" front porch. The discretionary application required for this project is a Modification to permit the porch to be located within the required 15-foot front setback (SBMC §28.18.060 & §28.92.110).

Date Application Accepted: June 25, 2012 Date Action Required: September 24, 2012

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:	Ubaldo J. Diaz, Designer	Property Owner:	Manuel Rodriguez
Parcel Number:	043-183-020	Lot Area:	3,800 sf
General Plan:	Medium Density Residential	Zoning:	R-2
Existing Use:	Single Family Residence	Topography:	Flat

Adjacent Land Uses:

North - Residential (one-story)	East - Residential (one-story)
South - Residential (one-story)	West - Residential (one-story)

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,091 sf	545 sf addition = 1,636 sf
Garage	187 sf	No Change
Accessory Space	174 sf "as-built" to be removed	None Proposed

C. PROPOSED LOT AREA COVERAGE

Building: 1,326 sf 35% Hardscape: 1,657 sf 44% Landscape: 817 sf 21%

IV. DISCUSSION

This project was reviewed by the Single Family Design Board on April 11, 2011 under MST2008-00143 and given favorable comments (minutes attached as Exhibit C). On July 16, 2008, the Staff Hearing Officer (SHO) reviewed and approved a similar modification request that expired on July 16, 2010 (minutes attached as Exhibit D).

A porch repair and redesign completed several years ago resulted in new construction within a required front setback. As a part of a current plan to add a second story addition to the existing residence, a Modification is being requested to allow the "as-built" porch to be maintained as it exists. At the time of the 2008 hearing by the SHO, it was discussed that the City's records did not clearly identify the size or the amount of the encroachment of the previous front porch improvements. Although Staff discourages use of the Modification process for legalization of "as-built" construction, Staff is asking for support of this application for the following reasons: the new porch is an attractive improvement to the existing residence, does not add additional floor area within a required yard, and maintains the same setback that the original porch established. The lot is also constrained by its small size and the existing development on the site. The property, as developed, is legally non-conforming with respect to open yard requirements and the front porch area, although not counted as open yard area, would provide an additional outdoor living amenity.

V. RECOMMENDATION/FINDING AND CONDITIONS

Staff recommends that the Staff Hearing Officer approve the project, making the finding that the setback Modification to allow alterations to the original porch is necessary to secure an appropriate improvement on the lot, and meets the purpose and intent of the Ordinance by providing an upgraded entry element, not additional floor area, within a required setback.

Said approval is subject to abatement of the following outstanding zoning violations as shown the plans:

1. Removal of the as-built carport which is located in front of the existing garage entry.
2. Removal of the illegal storage addition attached to the side of the garage.
3. Removal of the illegal addition at the rear of the residence.

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Exhibits:

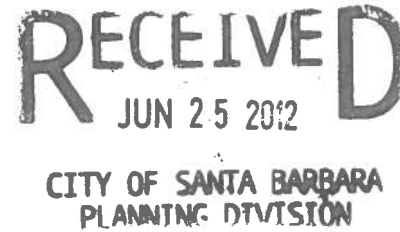
- A. Site Plan (under separate cover)
- B. Applicant's letter, dated May 21, 2012
- C. SFDB Minutes, dated April 11, 2011
- D. SHO Minutes, dated July 16, 2008

Contact/Case Planner: Suzanne Riegle, Assistant Planner
(SRiegle@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x 2687

May 21, 2012

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

1708 Chino St. Santa Barbara, Ca.



Dear Staff Hearing Officer:

The proposed project involves a request to renew a previously approved Modification for encroachment of As-Built trellis porch wings previously added to each side of the existing legal non conforming porch encroachment including the demolition of existing porch platform and installation of as built enlarged porch with as built W. I. railings. The front porch encroaches 7 ft. 8 inches leaving a setback of 6 feet 6 inches from porch property line. 15 ft setback required.

Justification for having the front porch encroaching into the required front yard setback is:

As Built concrete expanded front porch was installed to replace dry rot damaged previously existing smaller porch foundation to create a larger more generous and visually attractive front porch with trellis wings added to each side of existing setback. This condition has existed for about 11 years without negative comment from neighbors. The front porch is compatible with the existing house and the neighborhood cottage design style.

Respectfully submitted:

Ubaldo J Diaz
(805) 406-1984
e-mail: udica69@gmail.com

EXHIBIT B

NEW ITEM**E. 1708 CHINO ST****R-2 Zone**

Assessor's Parcel Number: 043-183-020
Application Number: MST2008-00143
Owner: Manuel and Maria Elena Rodriguez
Architect: Garcia Architects

(Proposal to construct a new 545 square foot second-story addition to an existing 1,091 square foot one-story single-family residence with a detached 187 square foot one-car garage, located on a 3,800 square foot lot. The proposal includes the demolition of the "as-built" 173 square foot garage addition and demolition of an "as-built" carport. Staff Hearing Officer approval of a modification is requested to allow alterations to the existing porch located in the required front yard setback. The proposed total of 1,824 square feet is 83% of the maximum guideline floor-to-lot-area ratio. A similar project was approved on December 12, 2008, and subsequently expired on December 12, 2010.)

(Comments only; project requires Environmental Assessment and Staff Hearing Officer review for a requested zoning modification.)

Continued indefinitely to the Staff Hearing Officer with comments:

- 1) The proposed porch alterations are acceptable and pose no negative aesthetic impacts.
- 2) The proposed increase in plate height from 6-feet to 8-feet is acceptable.

ACTUAL TIME: 1:22 P.M. (ITEM B WAS HEARD OUT OF AGENDA ORDER.)

B. APPLICATION OF GARCIA ARCHITECTS FOR MANUEL RODRIQUEZ, 1708 CHINO STREET, APN 043-183-020, R-2 TWO-FAMILY ZONE, GENERAL PLAN DESIGNATION: 12 UNITS PER ACRE (MST2008-00143)

The 3,800 square foot project site is currently developed with a 1,091 square foot single-family residence and detached one-car garage. The proposed project involves a 529 square foot second-story addition, a first-floor remodel, and legalization of the "as-built" front porch. The discretionary application required for this project is a Modification to permit the porch to be located within the required fifteen-foot front setback (SBMC §28.18.060).

Present: Ubaldo Diaz, Agent.

Ms. Roxanne Milazzo, Associate Planner, gave the staff presentation and recommendation.

Ms. Reardon questioned the applicant about the site plans due to a discrepancy in the plans and elevations concerning setbacks and the garage roof. Mr. Diaz responded stating that when the topography map was obtained he corrected the site plans but failed to change the elevations.

Ms. Reardon stated that no city records were found regarding the size of the existing porch, and questioned whether it was known how far the porch extended into the front yard. Mr. Diaz stated that the only change was to extend the porch three feet to each side and replace the posts.

Although concerned about the amount of encroachment into the front setback, Ms. Reardon understands the site is constrained by its small size and the existing development on site and the open yard in the rear is below minimum requirements, therefore, the deck provides an additional outdoor living amenity.

The public hearing was opened at 1:30 p.m. As no one wished to speak, the public hearing was closed.

ACTION: Assigned Resolution No. 060-08

Approve the project, making the findings that the modification to allow alterations to the original porch is necessary to secure an appropriate improvement of architectural upgrade to the existing structure, and meets the purpose and intent of the ordinance by providing an upgraded entry element, not additional floor area, within a required setback. Said approval is subject to abatement of the following outstanding zoning violations:

- 1) removal of illegal carport which is located in front of the existing garage entry.
- 2) removal the illegal storage addition located at the side of the garage.

The ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission was announced.