



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: August 29, 2012
AGENDA DATE: September 5, 2012
PROJECT ADDRESS: 1627 Loma Street (MST2011-00348)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Renee Brooke, AICP, Senior Planner
 Suzanne Riegler, Assistant Planner *(SR)*

I. PROJECT DESCRIPTION

The 10,665 square-foot site is developed with two residential condominium units with four covered parking spaces. The proposed project involves additions and alterations to Unit 2 (1627 Loma Street) including the enclosure of a 219 square-foot lower-story deck to create a new bedroom, a ten square-foot addition to the upper level, and an interior remodel. Unit 1 (1631 Loma Street) is proposed to remain unaltered.

The discretionary application required for this project is a lot area Modification to allow the addition of floor area on a property that is non-conforming to residential density (SBMC §28.87.030. & §28.92.110)

Date Application Accepted: June 11, 2012 Date Action Required: September 10, 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:	Chris Cotrell	Property Owner:	Ryan and Kiki Ander
Parcel Number:	027-750-002	Lot Area:	10,665 sf
General Plan:	Medium Density Residential	Zoning:	R-2
Existing Use:	Residential Condominium	Topography:	20.5%

Adjacent Land Uses:

North - Residential (2-story)

East - Residential (2-story)

South - Residential (2-story)

West - Residential (2-story)

B. PROJECT STATISTICS

1631 Loma St	Existing	Proposed
Living Area	1,840 sq. ft.	No change
Garage	400 sq. ft.	No change
1627 Loma St	Existing	Proposed
Living Area	1,712 sq. ft.	+229 sq. ft. = 1,941 sq. ft.
Garage	462 sq. ft.	No change

C. PROPOSED LOT AREA COVERAGE

Building: 3,379 sf 31.7% Hardscape: 1,384 sf 13.0% Landscape: 5,902 sf 55.3%

IV. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/Allowance	Existing	Proposed
Lot Area	(3,500 sf /unit + slope density) x 2 units = 14,000 sf	10,655 sf	10,655sf

V. BACKGROUND

The existing duplex structure was constructed in 1953 and conformed to the requirements for density and parking in place at that time. In November 1988, the City Council expressed concern with added density on slopes over 20% and directed staff to apply the slope density requirements that were already in place in single family zones to the R-2 Zone. The ordinance was amended in May 1990 to require that the minimum lot size per unit was to be increased when located on slopes greater than 10% as discussed in SBMC §28.18.075.F. The site has an estimated average slope of 20.5%. A lot with a slope between 20-30% requires twice the minimum lot size of 3,500 square feet per unit, for a total of 14,000 square feet for the two units on site. With only 10,665 square feet of lot area, the property became legal non-conforming to density with the adoption of the 1990 ordinance amendment. Pursuant to SBMC § 28.87.030.E.1., properties with non-conforming densities are not allowed to increase the amount of habitable square footage without approval of a lot area Modification.

On four separate occasions since 1990, projects have been approved and permitted on the site that increased the square footage in conflict with the ordinance provisions.

- In 1998, an approved project was permitted (BLD98-02630) to add 336 square feet to the lower level of the unit at 1627 Loma Street. The lot slope is not clearly indicated on the plans; however, the parcel data information used in the City's permit tracking software indicates the lot has an average slope of 22%. A lot area modification should have been required to allow the addition to occur.
- In 1999, a project was permitted (BLD99-01774) to add a 36 square feet for a new spiral staircase and permit a shower in the lower level of the unit at 1627 Loma Street.

The lot slope is not clearly indicated on the plans; however, the parcel data information used in the City's permit tracking software indicates the lot has an average slope of 22%. A lot area modification should have been required to allow the addition to occur.

- In 2000, a project was permitted (BLD2000-03099) to add an exterior stair and deck for the unit at 1627 Loma Street and a new porch element for each unit that required a setback modification. Floor area was not added at this time.
- In 2004, a project was permitted (BLD2004-01623) to abate violations and permit a 72 square foot storage enclosure on the lower level of the unit at 1627 Loma Street. At that time the lot slope was shown as 17% but a slope calculation was not provided to amend the parcel data on file and a lot area modification should have been required.
- In 2005, a project was permitted (BLD2005-02892) to convert the existing duplex in to a two-unit condominium project and the density was considered conforming because the lot slope was shown on the plans as 17%. The project included additions to the second unit (1631 Loma St) to convert unfinished understory to habitable space totaling 448 square feet on the lower level and a new two car garage was constructed to bring the parking on the lot into compliance. The 17% slope on the plans did not match the estimated slope on file and documentation of the actual lot slope was not provided. The slope calculation was not verified prior to approval and a lot area modification should have been required. An additional 250 square foot media room was added under a revision to this permit, which enclosed the area under the existing upper floor deck for the unit at 1631 Loma Street.

VI. DISCUSSION

The proposed project involves the enclosure of 219 square feet of existing deck area at the lower level and a ten square foot expansion of a stairwell on the upper level of the condominium unit at 1627 Loma Street. The addition occurs at the rear of the property under an existing upper floor deck and does not extend beyond the existing development footprint. A similar improvement was completed for the unit at 1631 Loma Street in 2005. In addition, each of the condominium units provides the minimum required two covered parking spaces, and each unit has an open yard in excess of the required 1,250 square feet.

As discussed above, there have been additions permitted in error because the slope discrepancy was not discovered until the current applicant submitted the proposed project for building plan check. The zoning plan checker has worked with the applicant and their civil engineer to determine that the actual average slope is 20.5% and, therefore, the lot area modification is required in order to proceed with the addition.

The Architectural Board of Review General Design Guidelines and Meeting Procedures Section 1.10.3.A. states that a project of less than 250 square feet that does not involve grading and is not publicly visible may be approved administratively. The project has received Architectural Board of Review Administrative Approval for the design.

VII. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the lot area 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 is a modest addition that does not increase the building footprint beyond the existing and each of the existing condominium units has adequate parking, more than the required open yard for the entire development, and the addition is sited away from neighboring structures.

Said approval is subject to a condition that the existing hedges be maintained in compliance with SBMC§28.87.170.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated June 11, 2012
- C. Public Comment Letters

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

June 11, 2012

Staff Hearing Officer
City of Santa Barbara
PO Box 1990
Santa Barbara CA 93102-1990

RECEIVED
JUN 11 2012

CITY OF SANTA BARBARA
PLANNING DIVISION

Re: Modification Request for 1627 Loma Street
APN: 027-075-002
Zone: R-2

Dear Staff Hearing Officer,

1. Existing Conditions and Proposed Project

There are two attached existing Single Family Residences:

1. Unit 1: 1,490sf with an attached two-car garage
2. Unit 2: 1,902sf with two attached one-car garages

The lot had previously been surveyed at a 17% slope, the city's GIS data shows the lot at 22% slope. The proposed project is a conversion of an existing covered deck to a bedroom in Unit 2. There are two, stacked decks off the south side (rear) of the house; one at ground level, the second at the entry level. This proposal is to infill the lower deck to create an additional bedroom, and allow for the replacement of the existing spiral stair with a traditional staircase.

2. Specific Modification Request

A lot area modification is requested to convert 219 sf of existing covered deck to habitable space – a new bedroom (12'x13'), a new hall (3'-6"x13'), and an new stair landing.

A. Slope

The actual slope of the lot, depending on the survey used to calculate the slope, hovers around 20.5%. The slope is at the threshold between the Lot Slope Density requirements of (10-20% = 1.5 x the minimum lot area) and (20-30% = 2x the minimum lot area). The minimum lot area is 3,500 sf per unit. This lot has an area of 10,655sf.

B. Open Yard Area

This project has no impact on open yard area. The existing open yard area is more than double the required area: there is 2,516 sf of existing open yard area. The required amount is 1,250 sf.

C. Lot Coverage

The project does not increase the lot coverage. The proposal is an infill on an existing covered slab and footing. The area requested to convert to habitable space is very small – 219sf.

D. Consistency

The project does not affect the zoned use. It is compatible with the neighboring unit. The project is architecturally consistent with the existing house. No new massing is proposed.

3. Benefits

A. Safety

The project will allow for a safer, more child-friendly staircase. The existing metal spiral stair is a potential hazard. The project will allow for a future nursery or child's room to be on the same level as the master bedroom. Same floor access from parent's bedroom to child's bedroom will be a major benefit.

B. Structure

The infill project will allow for the re-use of an existing slab. No new roofing will be required as the addition is below, and inset from the existing ground-floor deck.

C. Privacy

The project is completely out of view from Loma Street. No privacy issues are associated with the addition.

Thank you for reviewing this modification request, we look forward to your findings.

Kind regards,



Chris Cottrell, Assoc. AIA, LEED AP

Ryan & Kathryn Ander

1627 Loma Street • Santa Barbara, CA 93103 • Phone: 773.209.2912 •
E-Mail: kiki_ander@yahoo.com

June 1, 2012

Staff Hearing Officer
City of Santa Barbara
PO Box 1990
Santa Barbara CA 93102-1990

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CITY OF SANTA BARBARA
PLANNING DIVISION

Dear Staff Hearing Officer:

My name is Ryan Ander. My wife and I own 1627 Loma Street in Santa Barbara, CA 93103. Just over 4 years ago, we were fortunate to buy our first home in Santa Barbara. We saw a bright future with many years in our house enabling us to grow as a family with the hopes of children to come. We were thrilled with the neighborhood, community, great school system, and proximity to current employment.

As the economy began to improve, we were thrilled with the ability to initiate our home improvement project in order to begin a new chapter in our life in consideration of starting a family.

As law abiding citizens who respect government guidelines and procedures, we hired an architect 14 months ago to assist us through the design, development and permitting process. We moved through our project with excitement, we obtained administrative ABR approval and submitted our plans for a building permit on October 13, 2011. Our hopes were for a smooth process.

The slope of the property was surveyed as 17% in 2003 for the new Tentative Map, however, the city's GIS information has the slope of our property at 22%. This difference in surveyed information and city data is why we come to you today requesting a Lot Area Modification. Through several rounds of submissions, changes made to the project, \$1215 spent on requests for slope calculation revisions, we still have yet to receive our final permit for our plan, 6 months later.

We appreciate and respect that there are rules, regulations and protocol that must be followed to help keep Santa Barbara looking beautiful. However, if a logical review is taken of our proposed project, we believe our circumstances for approval should be considered for the following reasons:

- We are not developing any structure that will block a neighbor's sightline or view, or pose any privacy issues.
- We are not expanding the footprint of the existing perimeter of our home.
- It doesn't affect any setbacks or modifications to our existing yard.

Our project is simply adding walls to an existing covered space to help with a potentially growing family and a remodel of an existing staircase that will increase safety and add resale value.

Overall, our life plan included many years in our home with the hope of an expanding family. Without the approval on this project, we will have to re-evaluate our timeline and most likely have to sell the house to accommodate our personal family plans and goals.

Thank you for your time and consideration to hear our input and evaluate our project. We hope you agree with our request to permit the project to help us achieve our dreams and help create work for local businesses.

Best,

Ryan and Kiki Ander

Ryan Ander
Kathy Ander

EXHIBIT C

Ryan & Kathryn Ander

1627 Loma Street • Santa Barbara, CA 93103 • Phone: 773.209.2912 •
E-Mail: kiki_ander@yahoo.com

June 1, 2012

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CITY OF SANTA BARBARA
PLANNING DIVISION

Staff Hearing Officer
City of Santa Barbara
PO Box 1990
Santa Barbara CA 93102-1990

Dear Staff Hearing Officer:

As neighbors of Ryan and Kiki Ander at 1627 Loma St, we support their decision to enclose their downstairs deck into a fourth bedroom and remodel their interior staircase. We understand that their project will have no effect on any neighbors' existing views and will not change the footprint of the existing home. We believe it will help add value to their home, and in return, be a positive for the surrounding neighbors. We are in favor of allowing them to move forward with the permitting process.

Kind Regards,



Ed and Rebecca Rosen: 1622 Loma Street

DATE: August 7, 2012

TO: Staff Hearing Officer, City of Santa Barbara

FROM: Valerie Huston, 1617 Loma Street, Santa Barbara, CA 93103

As a neighbor of Ryan and Kathryn Ander at 1627 Loma Street, I fully support their decision to enclose their downstairs deck into a fourth bedroom and remodel their interior staircase. I understand that their project will have no effect on any neighbor's existing views and will not change the footprint of the existing home. I believe it will help add value to their home and in return be a positive for the surrounding neighbors. I am in favor of allowing them to move forward with the permitting process.

Valerie Huston

Paul Mershon
1631 Loma Street
Santa Barbara, CA 93103
Loma View Owners Association

September 29, 2011

Re: deck enclosure

I, Paul Mershon, am a member of Loma View Owners Association. I am in support of the deck enclosure project (approximately 222 GSF), handled by Ryan and Kathryn Ander, at 1627 Loma Street

As a member of the Loma View Owners Association, I consent the project.

Thanks,

Paul Mershon

Date: Paul Mershon

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