



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: September 12, 2012
AGENDA DATE: September 19, 2012
PROJECT ADDRESS: 30 Rubio Road (MST2012-00141)
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 property is currently developed with a 1,584 square foot one-story residence with unfinished basement and an attached two-car garage. This project includes alterations to the windows and doors located within the existing front setback and the conversion of a portion of the existing unfinished basement into habitable floor area within the required interior setback. The discretionary applications required for this project are:

1. A Modification to allow alterations to the doors and windows of the existing residence located in the required 30-foot front setback (SBMC § 28.15.060 and SMBC § 28.92.110); and
2. A Modification to allow the unfinished basement to be converted to habitable floor area within the required ten-foot interior setback (SBMC § 28.15.060 and SMBC § 28.92.110).

Date Application Accepted: 8/21/12

Date Action Required: 11/19/12

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:	Thomas Smith, Architect	Property Owner:	Cindy and Wayne Weckslers
Parcel Number:	029-342-020	Lot Area:	6,286 square feet
General Plan:	Low Density Residential	Zoning:	E-1
Existing Use:	Residential	Topography:	21% slope

Adjacent Land Uses:

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

B. PROJECT STATISTICS [if multi-family, list statistics per unit]

	Existing	Proposed
Living Area	1,584 sq. ft.	+472 = 2,056 sq. ft.
Garage	274 sq. ft.	274 sq. ft.

C. PROPOSED LOT AREA COVERAGE

Building: 1,858 sf 30% Hardscape: 1,448 sf 23% Landscape: 2,980 sf 47%

D. FLOOR-AREA RATIO (FAR)

Max. Allowed FAR: 0.44 Proposed FAR: 0.37 = 84.2% of Max. Allowed FAR

IV. DISCUSSION

The original one-story residence was constructed in 1929. The City does not have original floor plans for the residence. In 2011, a Zoning Information Report was prepared noting the unpermitted conversion of the understory to habitable space. Pursuant to SBMC §28.15.083, a building permit may not be approved for a building that exceeds 85% of the maximum floor to lot area ratio when the structure exceeds 25 feet in height. The existing building exceeds the 25 foot height and; therefore, restricted the square footage that the applicant was able to convert.

The proposed exterior alterations were reviewed by the Single Family Design Board (SFDB) on June 4, 2012, and given Project Design Approval and Final Approval as submitted with the finding that the Neighborhood Preservation Ordinance criteria and the Hillside Design District Findings were met.

During building permit plan check for the project, staff identified the need for a Modification, as the interior remodel of the main residence includes relocating an interior stair that provides access to the unfinished basement, and converting a portion of the unfinished basement to habitable floor area within the required ten-foot interior setback. The existing building footprint encroaches five feet into the interior setback. A building permit was issued showing the demolition of the unpermitted stair to the basement and the basement square footage. Approximately 121 square feet of the 472 square foot basement conversion is located within the interior setback. The proposed habitable basement floor area is comprised of 60 net square feet of staircase and hallway, 60 net square feet of bedroom floor area and a small portion of the laundry room. These changes require an interior setback modification to allow the conversion of the existing enclosed unfinished basement to habitable space within the interior setback. Although there is an opportunity to provide a conforming improvement within the volume of the unfinished basement, staff supports the requested modification because there are no openings for the lower level proposed within the required interior setback, there is no increase in building footprint, and a large portion of the encroachment is comprised of a stair

and hallway. Due to the floor plan configuration of the lower level, staff recommends that a condition of approval be added requiring a zoning compliance declaration limiting the use of the property to that of single-family residence.

The proposed interior remodel at the upper level involves a number of changes to windows and doors within the required thirty-foot front and ten-foot interior setbacks. The relocation of window and doors are minor in nature. The two new windows on the east elevation will face the neighbor's garage and are located at the side of the staircase to the lower level and the landing at the top of the stair.

V. FINDINGS AND CONDITION

The Staff Hearing Officer finds that the Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The proposed interior and front setback modifications to allow alterations to windows, doors and conversion of unfinished basement are appropriate because the additional floor area is located within the existing volume of the residence, no new openings are proposed or required within the required setback for the new lower floor area, and the new and relocated windows within the required front setback on the upper level are not expected to cause an adverse impact to the neighbor to the east.

Said approval is subject to a condition that due to the floor plan configuration a Zoning Compliance Declaration shall be recorded at the County Assessor's against the property's title prior to building permit issuance.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated August 20, 2012
- C. Aerial photograph of neighborhood
- D. SFDB Minutes

Contact/Case Planner: Suzanne Riegle, Assistant Planner
(SRiegle@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x2687

ZONING MODIFICATION REQUEST.

Aug 20th 2012

30 RUBIO RD.

APN: 029-342-020 ZONE E-1

OWNERS. Wayne & Cindy Weckster.

WE ARE REQUESTING A ZONING MODIFICATION FOR THE PROPERTY AT 30 RUBIO RD FOR THE FOLLOWING:

- 1) WE REQUEST A MODIFICATION TO THE EASTERN SIDE YARD SETBACK TO ALLOW THE ADDITION OF LIVING SPACE IN THE UNFINISHED BASEMENT AREA OF THE EXISTING RESIDENCE. THE NEW ADDITION AREA WITHIN THE EXISTING SETBACK IS 171 SQ. FT. IN AREA AND ENCRONES 5 FT. INTO THE SIDE SETBACK THE ADDITIONAL AREA LIES ENTIRELY WITHIN THE EXISTING FOOTPRINT OF THE DWELLING.
- 2.) WE REQUEST A MODIFICATION TO THE EASTERN SIDE YARD SETBACK TO ALLOW A STAIRWAY FROM THE MAIN LEVEL TO THE BASEMENT, STAIRWAY ENCRONES 5' INTO THE EXIST'G 10' SIDE SETBACK. THE STAIRWAY ~~ENCRONES~~ LIES ENTIRELY WITHIN THE FOOTPRINT OF THE EXISTING DWELLING.
- 3.) WE REQUEST A MODIFICATION TO ALLOW FOR CHANGES TO THE LOCATION AND/OR SIZE OF VARIOUS WINDOWS LIEING WITHIN THE EXISTING 10' SIDE SETBACK AND 30' FRONT SETBACK.

TOM. V. SMITH, APPLICANT



8/20/12

WAYNE & CINDY WECKSTER, OWNERS

8/20/12

30 Rubio Rd - Aerial of Neighborhood



0.0 0 0.01 0.0 Miles

Reported on 09/11/2012 11:40 AM

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Legend

- Streets
- Imagery: 2008 Images
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1:789



Notes

circa 2008



SINGLE FAMILY DESIGN BOARD
CASE SUMMARY

30 RUBIO RD

MST2012-00141

R-ADDITION

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Project Description:

Proposal to convert 472 square feet of existing unfinished basement area as a new lower floor addition to an existing 1,584 square foot, one-story, single-family residence, with an attached 274 square foot one-car garage, located on a 6,286 square foot lot in the Hillside Design District. The proposal includes door and window alterations, the removal of the "as-built" deck from within the required interior setback, and replacement with new steps at grade. The proposal will result in a two-story, 2,330 square foot single-family residence, and is 85% of the maximum required floor-to-lot area ratio (FAR).

Activities:

6/4/2012 **SFDB-Consent (Continued)**

(Project Design Approval is requested. Project requires compliance with Tier 2 Storm Water Management Program prior to granting Final Approval. Project was last reviewed on May 29, 2012.)

Project Design Approval and Final Approval as submitted with the finding that the Neighborhood Preservation Ordinance criteria have been met as stated in Subsection 22.69.050 of the City of Santa Barbara Municipal Code, and the Hillside Design District Findings have been met as stated in subsection 22.69.050.B of the City of Santa Barbara Municipal Code.

The ten-day appeal period was announced.

6/4/2012 **SFDB-Proj Des & Final Approval**

5/29/2012 **SFDB-Consent (New)**

(Action may be taken if sufficient information is provided.)

Continued one week to Consent with comments:

- 1) Study railing design; existing railing verticals are spaced too far apart.*
- 2) Remove wood lath on second floor deck.*
- 3) Stain second floor railing and deck to match the brown stained deck on the first floor.*