



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: September 12, 2012
AGENDA DATE: September 19, 2012
PROJECT ADDRESS: 334 W. Mission Street (MST2012-00299)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Renee Brooke, AICP, Senior Planner *RLB*
 Suzanne Riegle, Assistant Planner

I. PROJECT DESCRIPTION

The existing 7,410 square foot site is currently developed with a 1,265 square-foot residence with an attached two-car carport and a detached 498 square-foot accessory/storage building. The proposal includes attaching the existing residence and accessory building with the construction of an 88 square foot addition to the accessory building to create a duplex, and providing an uncovered parking space. The discretionary applications required for this project are:

1. A Modification to allow the conversion of a portion of the existing accessory building from storage to habitable space within the required six-foot interior setback. (SBMC §28.21.060 & SBMC §28.92.110);
2. A Modification to allow an uncovered parking space to be partially located within the required three-foot rear setback (SBMC §28.21.060 & SBMC §28.92.110);
3. A Modification to allow the required common open area to be located in the front yard (SBMC §28.21.081.A.3. and §28.92.110.A); and
4. A Modification to provide less than the required two covered and two uncovered parking spaces, by providing two covered and one uncovered parking space (SBMC §28.90.100 & SBMC §28.92.110).

Date Application Accepted: 8/23/2012

Date Action Required: 11/21/2012

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to conditions.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Michael Gilson	Property Owner:	Michael Gilson
Parcel Number:	025-292-023	Lot Area:	7,410 square feet
General Plan:	Medium High Density Residential	Zoning:	R-4
Existing Use:	Residential	Topography:	est. 4% slope

Adjacent Land Uses:

North – Residential	East - Residential
South - Residential	West - Residential

B. PROJECT STATISTICS

	Existing	Proposed
Living Area (Main)	1,265 sq. ft.	No Change
Living Area (Second Unit)	0 sq. ft.	576 sq. ft.
Accessory Space/storage	498 sq. ft.	0 sq. ft. (converted)
Carport	360 sq. ft.	No Change

C. PROPOSED LOT AREA COVERAGE

Building: 2,200 sf 30% Hardscape: 1353 sf 18% Landscape: 3857 sf 52%

IV. DISCUSSION

The subject property is located on the corner of West Mission and Castillo Streets, and has the constraint of having two front yards. The existing residence was constructed in approximately 1908 with its entrance and primary front yard being located along the Mission Street frontage. The original archive plans and permit could not be located for this property. The archives include a plan for a 1977 permit that documents the location of the house, a 533 square-foot addition to the existing residence, and a 558 square-foot garage. The garage, which is accessed off of Castillo Street, was constructed three feet from the rear property line and four feet from the interior property line. In 1994, a permit was issued to convert the garage to a detached living room, half bathroom, and storage area, and a new carport was constructed to provide replacement covered parking.

The proposed project involves the abatement of violations listed in ENF2012-00106, including the unpermitted conversion of the storage room area to habitable space. The applicant is proposing to construct an 88 square-foot conforming addition to connect the existing residence and the accessory building, creating a legal duplex and a new entry at the front of the second unit. In reviewing the application staff determined that there is sufficient lot area to meet the ordinance requirements for the two units by using either the base or variable density methods.

Approximately 20 square feet of the existing storage room to be converted to habitable floor area is located within the six-foot interior setback, requiring a Modification. The amount of square footage is approximately the size of a closet and is a minor encroachment. The applicant is not requesting changes to the existing permitted windows and doors that are located within the setbacks. However, there is an unpermitted door partially located within the rear setback proposed to be removed and replaced with a window as shown on the 1994 plans.

The applicant is also proposing to permit one uncovered parking space within the remaining front yard on Castillo Street and located three feet from the rear property line. The location of the uncovered parking space on the plans was shown as a paved driveway on the 1977 plans. The applicant has agreed to a condition requiring the existing planter to be widened to three feet at the property line to prevent vehicles from parking in the setback, eliminating the need for the rear setback Modification described above in the project description. Transportation Division staff reviewed the parking location and configuration for the site and determined that it was acceptable. An existing hedge along the front property line exceeds a height of 3.5 feet within 10 feet of the front property line and within 10 feet of either side of the driveway for a distance of 20 feet from the front property line. Staff recommends a condition that unpermitted fences and walls be reduced, and all hedges be reduced and maintained to comply with the ordinance requirements outlined in SBMC §28.87.170.

The project as designed will meet the requirements of the outdoor living space by complying with SBMC § 28.21.081.A., with the exception of the location requirement in subparagraph 3, which states that the common open area cannot be located within the front yard as defined in SBMC §28.04.710. Due to a 2008 change in the ordinance definition of front yard, the existing open yard area east of the residence is now considered to be a part of the property's front yard. A Modification is required to provide the open yard area for the two units within the remaining front yard off Mission Street.

The parking requirements for a duplex are described in SBMC §28.90.100 as two covered and two uncovered parking spaces. The applicant is requesting a Modification to provide two covered and one uncovered parking space for the duplex. The parking demand for the small second is one space; therefore, staff can support a modification to reduce the required parking by one uncovered parking space.

This project was reviewed by the Architectural Board of Review (ABR) on August 20, 2012, and the Board found the modification to allow the conversion of use within the setback and for the reduction in the number of required parking spaces to have no adverse aesthetic impact; however, the majority of the ABR requested that the materials, trim, details, and color of the addition and second unit should be continued along the Castillo Street frontage.

V. **FINDINGS AND CONDITIONS**

The Staff Hearing Officer finds that the Modifications are consistent with the purposes and intent of the Zoning Ordinance, are necessary to secure appropriate improvements on the lot, and will not cause an increase in the demand for parking space or loading space in the immediate area. The Modifications necessary to create the second unit, including the minor change of use within the interior setback, and the location of the outdoor living space within the primary front yard, are appropriate because the built improvements primarily occur within the existing building footprint and the eastern portion of the property is the most appropriate location for outdoor living space on this corner lot. The Modification to allow a reduction of required parking by one space is supported by the parking demand for the project based on the modest unit sizes. The permitting of a new dwelling unit is consistent with the goals and policies of the City's General Plan to encourage modestly sized, rental housing units.

Said approval is subject to the following conditions:

1. The landscape planter at the northerly property line shall be widened to three feet for the length of the uncovered parking space.
2. All fences, walls, and hedges on-site shall be reduced/maintained at a height of 3-1/2' when located within 10' of a front lot line or within 10' of either side of a driveway for a distance of 20' back from the front lot line.
3. The unpermitted door in the proposed unit shall be removed and replaced with a window that matches the size and location as demonstrated on the archive plans.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter dated August 21, 2012
- C. ABR Minutes

Contact/Case Planner: Suzanne Riegle, Assistant Planner
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Michael Gilson
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Santa Barbara, Calif 93109
805-965-1335

Staff Hearing Officer
City of Santa Barbara
P O Box 1990
Santa Barbara, Ca 93102-1900

Re: Modification Request for 334 W Mission, Santa Barbara, Calif 93101
APN # 025 292 23
Land Use Zone R 4

1. There is an existing House (1,500 sq feet) with a 450 permitted non conforming structure on the property. The accessory building has a 2 foot by 15 foot intrusion into the side yard setback on the north side of the structure. The proposal is to attach the 450 sq ft structure to the main house and make it conform to become a legal duplex.
2. The modification requested is justified as they meet city guidelines for such a situation. The modification requested is to allow one parking space for the new unit as opposed to the 2 required. The use of one parking space is suitable due to the small size of the apartment.
3. The benefit of the project is that it creates a legal conforming unit on the property and results in a mmore attractive and stable use of the property

Sincerely





ARCHITECTURAL BOARD OF REVIEW
CASE SUMMARY

334 W MISSION ST

MST2012-00299

R/A-ENF ABATEMEN

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Project Description:

Proposal to convert an existing single-family residence and detached garage to a duplex. Proposed is a 78 square foot addition linking the 1,265 square foot residence to the 498 square foot converted garage for a total of 1,841 square feet. Also proposed is one new uncovered parking space on the existing driveway, and interior remodeling. An existing two-car carport is proposed to remain. Staff Hearing Officer review of modifications is requested for conversion of storage space to habitable space within the setback and to allow three parking spaces rather than the required four.

Activities:

8/20/2012 *ABR-Notice Prepared-PC/SHO Req*

8/20/2012 *ABR-Concept Review (New) - PH*

(Comments only; project requires environmental assessment and Staff Hearing Officer review of zoning modifications.)

Actual time: 4:38 p.m.

Present: Michael Gilson, Owner

Public comment was opened at 4:43 p.m. As no one wished to speak, public comment was closed.

Staff comment: Mr. Boughman, Planning Technician, explained the requested zoning modifications.

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

- 1. The proposed modification for conversion of storage space to habitable space within the setback poses no negative aesthetic impact.*
- 2. The proposed parking modification has no negative aesthetic impact.*
- 3. A majority of the Board feels that, at a minimum, the portion of the new duplex facing Mission Street should match in quality and character the existing façade facing Castillo Street in siding, trim, and the proportions and types of windows.*
- 4. Extend the back unit walkway to the sidewalk.*

Action: Gradin/Poole, 6/0/0. Motion carried. (Sherry absent)