



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** October 24, 2012  
**AGENDA DATE:** October 31, 2012  
**PROJECT ADDRESS:** 25 East Islay Street (MST2012-00396)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Renee Brooke, AICP, Senior Planner *RB*  
 Suzanne Riegler, Assistant Planner *SR*

### I. PROJECT DESCRIPTION

The 7,425 square-foot site is currently developed with a 1,958 square foot two-story residence and a detached, two-story accessory building including 500 square feet of garage area with 500 square feet of accessory space above. The proposed project involves a 21 square foot, "as-built" laundry closet addition to the main residence. The project will abate outstanding violations listed in ZIR2012-00364.

The discretionary applications required for this project is a Modification to allow the as-built addition to encroach into the required ten foot interior setback (SBMC § 28.15.060 & SBMC § 28.92.110).

Date Application Accepted: 10/15/12

Date Action Required: 1/13/13

### 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:	Trish Allen, SEPPS	Property Owner:	Suzanne & Melvin Oliver
Parcel Number:	027-032-011	Lot Area:	7,425
General Plan:	Low Density Residential	Zoning:	E-1
Existing Use:	Residential	Topography:	5%
Adjacent Land Uses:	Residential		

### IV. DISCUSSION

The proposed project includes a 21 square-foot addition at the side of a residence that is legally nonconforming to the ten-foot interior setback. The project will abate violations listed in

ZIR2012-00364. The original residence was constructed in 1925. In 1983, a detached two-car garage was constructed with a 500 square foot accessory space above, the plans for which documented the existing residence as close as three feet from the northern interior property line. A modification was approved January 1997 to allow alterations to portions of the existing residence and a new deck located within the required front and interior setbacks. Plans for that project document the residence as being four feet from the interior property line.

The applicant proposes to permit the laundry addition in line with the existing building footprint; a small portion of the addition (roughly 21 square feet) would encroach up to five feet into the required ten-foot interior setback. It is believed that the laundry room was constructed at approximately the same time as the 1997 alterations, but it was not shown on the construction plans or noted by the building inspector as a field change. A Zoning Information Report (ZIR) was completed in 2004 when the current owners purchased the property, which did not note that the laundry room had been added within the interior setback. A ZIR was completed early this year, which discovered the encroaching addition, and requires the applicant to request a modification to permit the "as-built" addition. The laundry room addition eliminated a window that faced the interior property line within the interior setback. The addition represents a minor encroachment without window or door openings, and has been in place for at least eight years, and possibly up to 15 years, without complaints from the adjacent neighbors; therefore, staff does not anticipate impacts to adjacent neighbors. The proposed project is exempt from review by the Single Family Design Board requirements.

## V. 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 proposal involves a very small addition of useable floor area within the setback, and is not expected to negatively impact adjacent neighbors, as the proposed addition is consistent with the residential use of the property.

Said approval is subject to a condition that the hedges within ten feet of either side of the common driveway for a distance of twenty feet back from the front property line be trimmed and maintained at a height of 3.5 feet.

### Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated October 15, 2012

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

S U Z A N N E  E L L E D G E  
P L A N N I N G & P E R M I T T I N G S E R V I C E S , I N C .

PRINCIPAL PLANNERS  
SUZANNE ELLEDGE • LAUREL F. PEREZ

15 October 2012

Staff Hearing Officer  
Planning Division  
Community Development Department  
City of Santa Barbara  
630 Garden Street  
Santa Barbara, CA 93101

**RECEIVED**  
OCT 15 2012  
CITY OF SANTA BARBARA  
PLANNING DIVISION

RE: 25 E. Islay Street - Project Description Letter for Zoning Modification

Dear Staff Hearing Officer:

On behalf of the applicants, Suzanne and Melvin Oliver, we are pleased to provide the following project description of 25 E. Islay, in the City of Santa Barbara. The subject property is developed with a 1,958 square foot single family residence, a detached 500 square foot garage and a 500 square feet accessory space above the garage. The 7,425 square foot property is located in the E-1 (One Family Residence Zone) and has a General Plan Designation of Suburban/Residential Maximum of Three Dwelling Units per Acre.

The current owners purchased the property in 2004. At that time, a Zoning Information Report was prepared and issued; the report did not identify the addition of a laundry closet located adjacent to the kitchen and in the interior yard setback although this improvement existing when the owners purchased the property. The current owners effectively inherited this zoning and building violations that they were not made aware of at the time they purchased their home.

#### Modification Justification

The requested modification can be justified in that the existing residence is legally non-conforming relative to current setback requirements. The addition of the laundry closet, a 21 square foot area, was constructed in uniformity with the eastern wall of the residence. In fact, records indicate an exterior door where the current closet door is located. Given the raised floor level of the residence in relationship to the grade below, a difference of approximately two feet, this portion of the property prior to the addition was likely a landing/porch with steps leading from the residence to the yard below. The addition is minor in nature and is constructed uniformly with the east side of the residence which encroaches four feet into the 10 foot required yard setback.

25 East Islay  
15 October 2012  
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This concludes our project description for 25 East Islay Street in the City of Santa Barbara. Should you have any questions or require additional information, please do not hesitate to contact me at 966-2758.

Sincerely,  
**SUZANNE ELLEDGE**  
**PLANNING AND PERMITTING SERVICES, INC.**

A handwritten signature in black ink, appearing to read "Trish A", written in a cursive style.

Trish Allen, AICP  
Senior Planner