



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: April 25, 2013
AGENDA DATE: May 1, 2013
PROJECT ADDRESS: 3758 Brenner Drive (MST2013-00129)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *D.K.*
 Suzanne Riegle, Assistant Planner *SR*

I. PROJECT DESCRIPTION

The 10,441 square-foot site is currently developed with an existing 1,757 square foot, one-story, single-family residence with an attached, 498 square foot, and garage. The proposed project involves a 355 square foot addition, new windows, new siding, and new roofing. The proposal also includes an interior remodel. The discretionary applications required for this project is a Modification to allow exterior alterations including window and door changes within the required interior setback. (SBMC § 28.15.060 and SBMC § 28.92.110)

Date Application Accepted: 4/6/13

Date Action Required: 7/6/13

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:	Kent Mixon, Architect	Property Owner:	Jim and Sandi Hirsch
Parcel Number:	057-251-011	Lot Area:	10, 441 sq. ft.
General Plan:	Low Density Residential	Zoning:	E-3
Existing Use:	Residential	Topography:	9% average slope

Adjacent Land Uses: Residential

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,727 sq. ft.	+355 = 2,112sq. ft.
Garage	498 sq. ft.	No Change.

C. PROPOSED LOT AREA COVERAGE

Building: 2,755 sf 26% Hardscape: 600 sf 6% Landscape: 7,086 sf 68%

IV. DISCUSSION

The proposed project involves a 355 square foot addition, exterior alterations including window changes, a new roof, new siding, and interior remodel. The project is exempt from Design Review requirements, and will result in a 2,112 square foot, one-story residence with an attached two-car garage.

The Modification is requested to allow alterations to the existing non-conforming residence, including new windows, changes to window locations and sizes, resulting in a 25% reduction in the total window area, and a door to a new water softener closet on the existing eastern wall, which encroach approximately six-inches into the required six-foot interior setback. Staff is supportive of the new door and changes to the proposed window openings as shown on the east elevation (Exhibit A, Sheet A3.1) of the plans that are located within the required six-foot interior setback.

There are a number of new or relocated openings within required six-foot interior setback that may result in a majority of the east walls being demolished and replaced. The retention of these walls is a significant factor in Staff's support of the requested Modifications and, as such, we requested a demolition plan to verify that the east elevation walls would not be completely demolished as part of this project. Since a complete demolition of the affected walls would allow for a project design that meets the setback requirements, Staff recommends a condition that the Modifications become null and void if demolition beyond that shown on approved plans is necessary.

V. FINDINGS AND CONDITIONS

The interior setback Modification at the south side of the property is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The new windows, changes to the window sizes and door addition to the residence are appropriate because they are: located on the ground floor, a net reduction in window area, and are not anticipated to adversely impact adjacent neighbors.

Said approval is subject to a condition that if the building is demolished beyond what is shown on the Staff Hearing Officer approved plans, then the construction of the project shall be halted, and the applicant and/or property owner shall contact Planning Division Staff for a determination on whether the interior setback Modifications is still valid.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated March 4, 2013

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



KENT MIXON
architect

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APR 04 2013

CITY OF SANTA BARBARA
PLANNING DIVISION

Applicant: Kent Mixon Architect
2820 Foothill Road
Santa Barbara, CA 93105

March 4, 2013

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

Re: Modification Request for 3758 Brenner; APN: 057-251-011, Land Use Zone: E-3

Dear Staff Hearing Officer,

This property contains an existing single story residence of (1,757 sf), with an attached two-car Garage (498 sf). Currently, a portion of the existing Eastern wall face encroaches into the side yard setback. All building on site has permits according to the City building files. The proposal is to add approximately 355 sf to the rear of the existing residence and remodel approximately 1,400 sf of the existing structure, which will include new windows, new plumbing, new electrical, new siding, and new roofing.

Our proposed project is requesting one modification.

The Modification request is to allow the relocation and adjustment to size of the new windows and a utility access door along the wall face that currently encroaches into the setback. It is speculation the existing condition was caused by a shifting/settlement of the structure over time. The tract, in which this home was built was developed in the 1960's, and the building pads were all built on cut and fill terraces. The area of the house that has shifted is on the fill side of the site. Speculation is that the structure shifted or the house was slightly misplaced. As you will see in the attached documentation of the tract map, the setbacks are indicated as 6' (Our lot is 31. The setback dimension is slightly obscured but it is clear on other surrounding lots and appears to be the same distance), which corresponds to current Planning Ordinance requirements. To further clarify the entire face does not encroach, only a portion of the wall. At the most extreme encroachment, which occurs at the front corner of the house nearest Brenner Drive (Southeast corner), the structure encroaches approximately 6". As one travels toward the rear of the house along the property line, the house begins to conform about where the existing gate is located.

2820 Foothill Road
Santa Barbara, CA 93105
Kent Mixon Architect, Inc.
805-889-1000

EXHIBIT B

This modification is being requested to allow the owners to have window openings that reasonably correspond to the interior functions of the proposed remodel. These openings allow for natural light, natural ventilation and in some cases required emergency egress. The openings are not excessive. In fact, you will see on the Proposed East Elevation, that the size of the proposed openings are less than what currently exists. Currently, there is 92 sf of window opening that encroach into the setback along this wall. Our proposal reduces that amount to 83 sf of opening (69 sf of window and 14 sf of door) which encroaches into the setback and a 25% reduction of window opening when compared to what currently exists. Of the 83 sf, 14 sf of it is a solid door to access a utility closet, and 20 sf of it is for windows that do not require a Modification Request as they are smaller than the existing openings where they occur. The area of window that is subject to the Modification request is 48.5 sf.

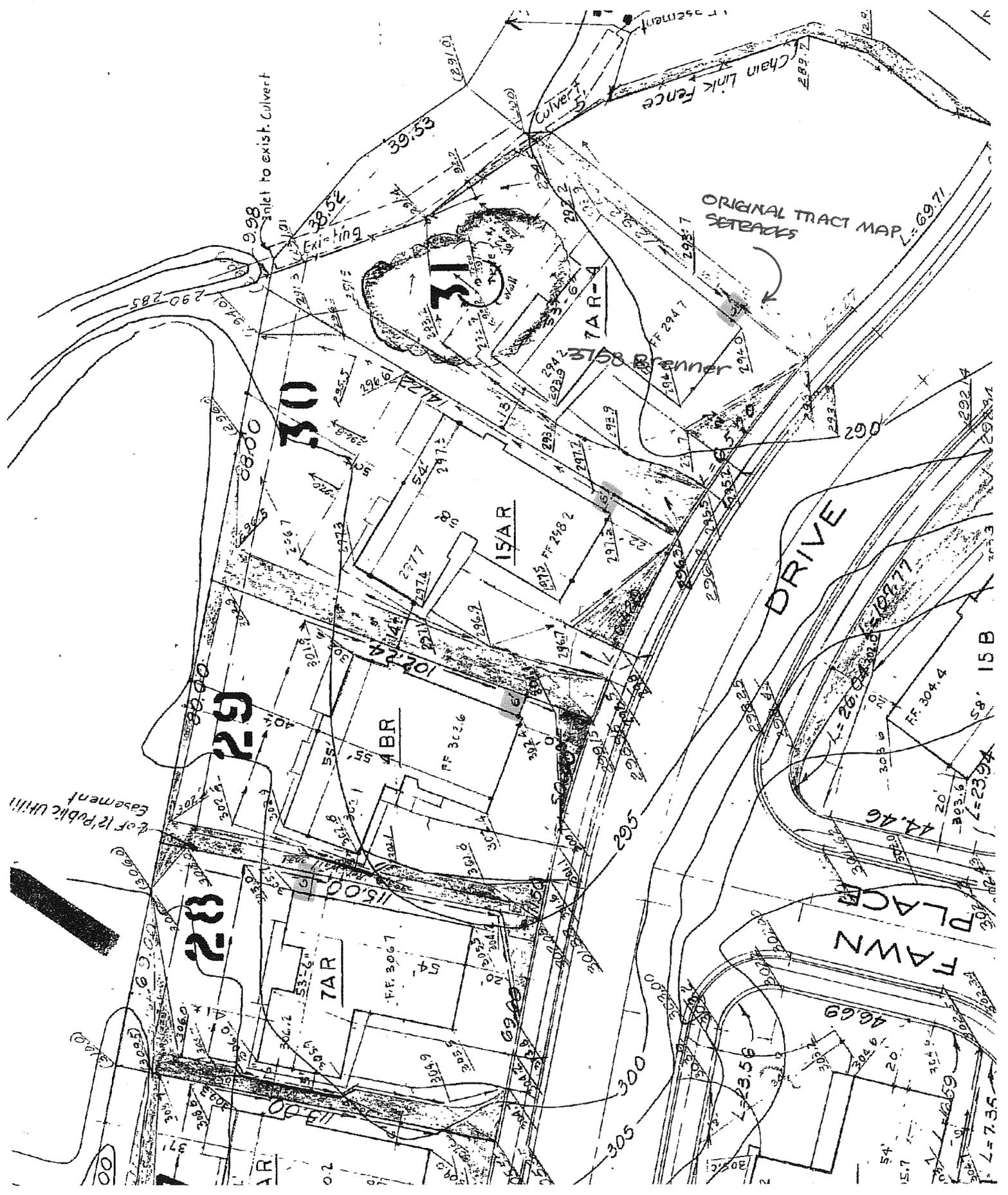
There are several benefits of our proposal. One, is that it allows the owners to have window openings that reasonably correspond to the interior functions, proportions and style of the of the proposed remodel. Two, the proposal is a reduction of opening along the wall (25%). Third, the neighbor that would be directly affected by these window openings has no openings of their own, nor a useable side yard that face our structure. In addition the adjacent structure is not likely to have any openings either, as the majority of the adjacent walls are garage or fireplace.

Thank you for reviewing this proposal. Please contact me with any questions.

Regards,

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

Kent Mixon



Easement for Public Utility

ORIGINAL TRACT MAP L=6971
SETBACKS

DRIVE

FAWN PLACE

15B

