



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: September 11, 2014
AGENDA DATE: September 17, 2014
PROJECT ADDRESS: 1618 Gillespie Street (MST2014-00376)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Jo Anne La Conte, Assistant Planner *JAL*

I. PROJECT DESCRIPTION

The 5,000 square-foot site is currently developed with a 1,392 square foot, one-story single family residence and a detached 387 square foot two-car garage. The proposed project involves permitting an "as-built" 22 square foot bathroom addition to the rear of the existing dwelling and to alter and permit an "as-built" trellis and a new rear wooden deck. The proposal will address violations outlined in ZIR2014-00186. The discretionary application required for this project is an Open Yard Modification of the location of the open yard area and/or to reduce the size of the required open yard area (SBMC § 28.18.060 and SBMC § 28.92.110).

Date Application Accepted: August 7, 2014 Date Action Required: November 5, 2014

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:	Mark Morando	Property Owner:	Gloria Fletcher
Parcel Number:	043-211-016	Lot Area:	5,000 sq. ft.
General Plan:	Medium Density Residential Max 12 du/acre	Zoning:	R-2
Existing Use:	Single Family Residence	Topography:	0% Slope

Adjacent Land Uses:

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

B. PROPOSED LOT AREA COVERAGE

Building: 1,890 sf 37.8% Hardscape: 1,013 sf 20.3% Landscape: 2,097 sf 41.9%

IV. BACKGROUND

A Zoning Information Report (ZIR) prepared in 2014 identified zoning and building code violations at the property including an “as-built” addition, and an “as-built” trellis. The proposed project will address the violations outlined in the ZIR and in the enforcement case (ENF2014-00394).

V. DISCUSSION

This project is exempt from review by the Single Family Design Board. The proposal includes removing the “as-built” spa, deck, and a portion of the “as-built” trellis from the required setbacks. The proposed new deck will be located outside of the required setback and will be less than 36 inches in height.

Open Yard Modification

The applicant is requesting an Open Yard Modification for the location of the open yard area and/or to reduce the size of the required open yard area to allow for the “as-built” bathroom addition. The property is currently non-conforming to open yard requirements with approximately 828 square feet of open yard that meets the City’s requirements. The Zoning Ordinance requires 1,250 square feet of open yard area, which may be provided in multiple areas with minimum dimensions of 20 feet by 20 feet. As proposed, the open yard area will be reduced by 26 square feet to accommodate the “as-built” bathroom addition. A portion of the open yard area meets the minimum dimension requirements (approximately 689 sq. ft.). However, the overall size of the open yard area is 876 square feet, and the area is useable, with minimum dimensions between 6 and 20 feet. The property is undersized for the R-2 Zone, and is site constrained due to the current development on the lot. The proposal will reduce the size of the open yard by approximately 26 square feet. Staff is in support of the open yard modification because of the site constraints associated with the undersized R-2 lot, and because the remaining open yard is still useable. In addition, the open yard fulfills the intent of the requirements and allows for a minor expansion of the small residence while maintaining the existing neighborhood character.

Environmental Review

The project site is located within an area mapped as the Early 20th Century Archaeological (1900-1920) sensitivity area. An archaeological letter report was submitted that confirmed the absence of archaeological resources. However, staff recommends that the standard unanticipated archaeological discovery condition shall be reproduced on the plans prior to submittal for building permit.

VI. 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 "as-built," bathroom addition is appropriate on this small lot with a single-family residence. The resulting open yard area is useable by the residents, and it is not anticipated to adversely impact the adjacent neighbors.

Said approval is subject to the following condition:

1. The following language shall be added to the plans submitted for building permit:

"Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If a discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If a discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization."

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated June 30, 2014

Contact/Case Planner: Jo Anne La Conte, Assistant Planner
(jlaconte@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x**3320**

June 30, 2014

Staff Hearing Officer
City of Santa Barbara
Post Office Drawer 1990
Santa Barbara, CA 93102

RECEIVED

AUG 21 2014

**CITY OF SANTA BARBARA
PLANNING DIVISION**

Re: Fletcher Residence
1618 Gillespie Street
Santa Barbara, CA 93101

Dear Mrs. Reardon,

Enclosed please find the formal application for the project located at 1618 Gillespie Street, within the Westside neighborhood, in the City of Santa Barbara. The parcel (043-211-016) is zoned R-2 and has an approximate slope of 1%. The 5,000 square foot parcel is developed with a 1,370 net square foot one-story dwelling with a detached 387 net square foot two-car garage.

The new owner purchased the property last month and assumed the violations in the Zoning Information Report and Notice of Violation. A small shower addition (twenty-eight gross square feet) with a window and door was added at the rear of the dwelling within the permitted half bath. This addition was called out as a building violation. An as-built arbor/trellis attached to the garage will be removed. A Staff Hearing Officer (SHO) pre-consultation meeting was held on June 26, 2014. SHO Staff supports the legalization of the twenty-two net square feet rear addition within the non-conforming open yard.

The existing dwelling and garage were moved to the site in 1981 from 12 East Sola Street. The City historian, Nicole Hernandez has completed a historical assessment and a site visit. She determined that the addition does not create any issues with the historical integrity of the dwelling since the addition is subordinate at the rear of the dwelling with matching materials and colors. Compass Rose Archeological Inc. prepared an archeological letter report for the property on July 11, 2014.

The owner of 1618 Gillespie Street request your consideration for an open yard modification pursuant to SBMC 28.92.100.A.2:

The open yard modification is for a 6'3" wide by 4'5" deep rear addition to the existing rear half bathroom for a shower to make the house into a three-bedroom, two bath dwelling. The twenty-eight square foot area is within the non-conforming open yard. When the dwelling was moved to the site in 1980 and finalized in 1981, the house was suppose to be set at the fifteen feet R-2 zone front setback for a single story building. The house currently sits at 16'2" from the front property line per survey. The house and garage did not receive a

EXHIBIT B

modification for the open yard or setbacks when the building was relocated to the parcel and the open yard was non-conforming to the 1,250 square feet of open yard and to the twenty-foot dimension. The existing non-conforming open yard has an area of 828 square feet that meets the twenty-foot by twenty-foot minimum dimension and an area of 74 square feet less than the twenty-foot dimension for a total of 902 square feet of non-conforming open yard. The twenty-eight gross square foot as-built shower addition reduces the twenty-foot by twenty-foot minimum dimension area to 769 square feet, but expands the less than the twenty-foot dimension area to 107 square feet for a total of 876 square feet of open yard. A reduction of 24 square feet or 4.8% of the existing non-conforming open yard.

The addition does not affect the use and enjoyment of the neighbor's property to the southeast, as their driveway and detached garage on their property line shields the subject properties rear outdoor living space and their dwelling is further forward beyond the rear of the subject dwelling. The subject properties two-car garage shields the neighbor to the northwest. The subject property has adequate outdoor living area with a brick patio along the garage wall, mature trees, hedges and landscaping.

A raised deck is proposed off the rear of the dwelling accessed from the new bathroom door. The upper portion will afford mountain views while maintaining privacy. The deck changes elevations to connect to the rear walkway leading to the back door and garage door. The lower portion will extend the useable area of the brick patio while maintaining the existing grade of the rear yard.

The owner and I believe that the proposed addition is appropriately designed and creates an improvement that is architecturally correct and functionally utilitarian, in that it adds a full bath for the main living space, the front bedroom and the backyard. The open yard modification for the twenty-four square foot addition secures an appropriate improvement and prevents an unreasonable monetary hardship to demolish an existing tiled, remodeled bathroom that does not have to be dismantled or demolished, in order to be permitted by the Building Department.

Thank you for your consideration in this matter. Please feel free to call 805-680-2703 if you have any questions or comments regarding this request.

Sincerely,

Mark Morando
Morando Planning & Design
July 24, 2014