



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: October 22, 2015
AGENDA DATE: October 28, 2015
PROJECT ADDRESS: 301 Mohawk Rd (MST2015-00232)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Michelle Bedard, Assistant Planner *MB*

I. PROJECT DESCRIPTION

The 6,743 square foot parcel, located in the in the Non-Appealable Jurisdiction of the Coastal Zone, is currently developed with an existing 1,280 square foot single family residence, and a detached 424 square foot two-car garage. The proposed project involves the construction of a 395 square foot second-story addition, a 23 square foot upper level deck, to permit the "as-built" 237 square foot one-story sunroom addition, and remove an existing pine tree. The proposed total of 2,336 square feet is 81% of the required floor-to-lot area ratio (FAR). The proposal will address violations outlined in Zoning Information Report No. 21834, dated April 5, 1994.

The discretionary applications required for this project are Modifications to allow a conforming second story addition and alterations that will change the basic exterior characteristics of the existing residence that is nonconforming to both the required 20-foot primary front setbacks along Mohawk Road and Carlton Way, and the required 6-foot northerly interior setback (SBMC § 28.87.030.D., 28.15.060 and SBMC § 28.92.110).

Date Application Accepted: October 2, 2015 Date Action Required: December 31, 2015

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:	Dale Pekarek	Property Owner:	Don Mori
Parcel Number:	041-323-004	Lot Area:	6,743 sq. ft.
General Plan:	Low Density Residential (Max 5 du/acre)	Zoning:	E-3
Existing Use:	Residential	Topography:	3%

Adjacent Land Uses:

North – Residential
South – Residential

East – Residential
West – Residential

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,280 sq. ft.	+ 632 = 1,912 sq. ft.
Garage	424 sq. ft.	+ 0 = 424 sq. ft.
Accessory Space	0 sq. ft.	0 sq. ft.

C. PROPOSED LOT AREA COVERAGE

Building: 2,136 sf 31.7% Hardscape: 1,950 sf 28.9% Landscape: 2,657 sf 39.4%

D. FLOOR-AREA RATIO (FAR)

Max. Allowed FAR: 0.428 Proposed FAR: 0.346 = 81% of Max. Allowed FAR

IV. DISCUSSION

The proposed project involves 632 square feet of additions to the existing one-story residence that will result in a two-story building. The residence has an existing dormer roof, permitted in 1971, that gives it the appearance of a two-story building, however this was not permitted as floor area and for Zoning purposes the existing residence is considered to be a one-story building. The existing residence encroaches ten feet into the required 20-foot front setback along Carlton Way, five feet into the required 20-foot front setback along Mohawk Road, and one foot into the required 6-foot interior setback and is considered legal nonconforming.

The modifications requested are to allow conforming additions to a legal nonconforming building that will result in a change to the basic exterior characteristics. The proposed additions to the residence observe all required setbacks. Staff supports the Modification request because the proposal will retain the existing residence and will not increase the amount of encroachment into the required setbacks. The proposed addition is not anticipated to adversely impact the adjacent neighbors. Normally, staff would add a condition that states that if demolition beyond the scope approved by the Staff Hearing Officer is proposed, additional review would be required to determine whether the Modification is still valid; however, considering the site constraints of the undersized corner lot with two front setbacks, in the event of a complete demolition, staff would support the building's reconstruction in its current footprint; therefore, we did not add this condition.

The proposed project will abate violations identified within Zoning Information Report (ZIR) No. 21834, dated April 5, 1994, including restoring the existing garage back to the original permitted configuration and that it is accessible for parking two vehicles.

This project was reviewed by the Single Family Design Board (SFDB) on July 27 and August 10, 2015, and was forwarded to the Staff Hearing Officer with positive comments.

The project proposes to remove an existing pine tree from the required front setbacks. The applicant will apply for a Tree Removal Permit from the Parks & Recreation Department for the proposed removal of the tree within the required front setbacks. Any proposed site landscaping will be reviewed by the Single Family Design Board.

The project is located in the Non-Appealable Jurisdiction of the Coastal Zone and requires Coastal review. The project as proposed qualifies for a Coastal Exemption.

V. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the Modification to allow the construction of a conforming addition to a building that is legally non-conforming to front setback requirements along Mohawk Road is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The second story addition is modest in size and an appropriate improvement to a single-family residence that will not increase the building footprint within the required setbacks and will not adversely affect the visual openness from the street.

The Staff Hearing Officer finds that the Modification to allow the construction of a conforming addition to a building that is legally non-conforming to front setback requirements along Carlton Way is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The second story addition is modest in size and an appropriate improvement to a single-family residence that will not increase the building footprint within the required setbacks and will not adversely affect the visual openness from the street.

The Staff Hearing Officer finds that the Modification to allow the construction of a conforming addition to a building that is legally non-conforming to the interior setback requirement is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The second story addition is modest in size and an appropriate improvement to a single-family residence that will not increase the building footprint within the required setbacks and is not anticipated to adversely impact the adjacent neighbors.

Said approval is subject to the condition the garage shall be returned to the original configuration of a two-car garage, as documented per the City approved archive plans.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated August 31, 2015
- C. SFDB Minutes dated July 27, and August 10, 2015

Contact/Case Planner: Michelle Bedard, Assistant Planner
(MBedard@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x4551

The Fine Line

P.O. Box 60505
Santa Barbara, Ca 93160

September 31, 2015

City of Santa Barbara
Staff Hearing Officer
Planning Division
P.O. Box 1990
Santa Barbara, CA 93102

RE: 301 Mohawk Road, Santa Barbara, Ca 93109 APN 041-323-004, zone E-3/SD-3

To Staff Hearing Officer;

We are requesting three modifications, two from the front yard setback and the third from the interior yard setback.

This property is located in the E-3/SD-3 zone with very restrictive setbacks. The property is an only a 6,743 square foot corner lot. The current setbacks for both front yards are 20 feet with interior setbacks of 10 feet. This home was developed in the 1950's with much less setback restriction.

We would like to add 426 square foot (gross) to the home as a second floor. All of the new square footage will meet the current setback requirements of 20 feet at the front yards and 10 feet at the interior yard. The first floor footprint will remain as is.

Our request for a modification is to allow us to place the new second floor Master Bedroom over the non-compliant existing residence. By placing the "non-'stacking" second floor over the building below allows relief in the structures appearance and character to the home

We hope that you will recognize that our existing home was built at a time when there were less restrictions placed on corner lots and for you to allow us to improve our home while meeting the current City standards and grant us modification for the second floor addition.

Sincerely,

Don Mori



Phone 805-964-4625
Fax 805-964-4484

RECEIVED
AUG 31 2015
CITY OF SANTA BARBARA
PLANNING DIVISION

EXHIBIT B

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING**3. 301 MOHAWK RD****E-3/SD-3 Zone****(5:00)**

Assessor's Parcel Number: 041-323-004
Application Number: MST2015-00232
Owner: Mary Jane Scarcello Gift Trust
Applicant: Dale Pekarek
Designer: The Fine Line
Owner: Don Mori

(Proposal to construct a 395 square foot second-story addition and a 23 square foot upper level deck, and to permit the "as-built" 237 square foot sunroom addition on the first floor to an existing 1,280 square foot one-story, single-family residence with a detached 424 square foot two-car garage. The proposed total of 2,195 square feet on a 6,743 square foot lot in the Non-Appealable jurisdiction of the Coastal Zone is 77% of the maximum floor-to-lot area ratio (FAR). Staff Hearing Officer review is requested for zoning modifications to allow a conforming second-story addition to the dwelling in the required front setbacks.)

(Comments only; project requires Environmental Assessment and Staff Hearing Officer review for requested zoning modifications.)

Actual time: 4:48 p.m.

Present: Dale Pekarek, Designer; Lee Schmidt, Contractor; and Don Mori, Owner.

Public comment opened at 4:54 p.m. As no one wished to speak, public comment was closed.

Motion: Continued two weeks to Full Board with comments:

- 1) Restudy the vertical elements of the house (especially where the profile of the second story aligns flush above the front entry on the south elevation).
- 2) Reduce the plate height on the second floor.
- 3) Provide an alternate retention plan to comply with SWMP requirements.

Action: Moticha/Miller, 6/0/0. Motion carried. (Bernstein stepped down).

*** THE BOARD RECESSED AT 5:21 P.M. AND RECONVENED AT 5:31 P.M. ***

EXHIBIT C

C. Consent Minutes:

Motion: Ratify the Consent Minutes of **August 3, 2015**. The Consent Minutes were reviewed by Sweeney/Woolery.

Action: Pierce/Woolery, 7/0/0. Motion carried.

Motion: Ratify the Consent Minutes of **August 10, 2015**. The Consent Minutes were reviewed by Moticha/Woolery.

Action: Miller/James, 7/0/0. Motion carried.

D. Announcements, requests by applicants for continuances and withdrawals, future agenda items, and appeals.

- a. Mr. Eng announced that the appeal of the 1912 Mission Ridge Road project will be heard tomorrow, August 11, 2015, at the City Council meeting.
- b. Board member Bernstein announced she will be stepping down from Item #1, 301 Mohawk Road.

E. Subcommittee Reports.

No Subcommittee Reports.

SFDB-CONCEPT REVIEW (CONT.)**1. 301 MOHAWK RD**

E-3/SD-3 Zone

(3:10)

Assessor's Parcel Number: 041-323-004
 Application Number: MST2015-00232
 Owner: Mary Jane Scarcello Gift Trust
 Designer: Dale Pekarek
 Owner: Don Mori

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(Second concept review. Comments only; project requires Environmental Assessment and Staff Hearing Officer review for requested zoning modifications. Project was last reviewed on July 27, 2015.)

Actual time: 3:09 p.m.

Present: Dale Pekarek, Designer; Beau Schmidt, Contractor; and Don Mori, Owner.

Public comment opened at 3:15 p.m. As no one wished to speak, public comment was closed.

Motion: Continued indefinitely to Staff Hearing Officer to return to Consent with comments:

- 1) The Board supports the requested modifications.
- 2) Simplify the roof gable on the south elevation.
- 3) Keep the gable roof instead of Dutch gables.
- 4) Clarify the landscaping on the berm on the landscape plan.
- 5) Study using a 42" wide door on the second floor balcony off the master bedroom on the west elevation.

- 6) The Board recommends keeping the existing stone pine tree. Should the applicant choose to remove the tree, the removal shall be mitigated with additional tree plantings in the yard.

Action: Miller/Moticha, 6/0/0. Motion carried. (Bernstein stepped down).