



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** April 7, 2016  
**AGENDA DATE:** April 13, 2016  
**PROJECT ADDRESS:** 725 W. Arrellaga Street (MST2016-00072)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Senior Planner *D.K.*  
 Jo Anne La Conte, Assistant Planner *JAL*

### I. PROJECT DESCRIPTION

The 5,500 square-foot site is currently developed with an 819 square foot single family dwelling, a detached 149 square foot one-car carport, 212 square feet of "as-built" one-story additions to the dwelling and an "as-built" playground structure. The proposed project involves permitting the 212 square feet of "as-built" additions to the dwelling and removing the "as-built" playground structure from the property. The proposed total of 1,180 square feet on a 5,500 square foot lot is 46% of the guideline floor to lot area ratio (FAR). The proposal will address a violation in a Zoning Information Report (ZIR2004-00461).

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: March 3, 2016

Date Action Required: June 8, 2016

### 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:	Patricio Nava	Property Owner:	Adalberto Gallegos
Parcel Number:	043-243-002	Lot Area:	5,500 sq. ft.
General Plan:	Medium Density Residential (12 du/acre)	Zoning:	R-2
Existing Use:	Single Family Residence	Topography:	0% slope

Adjacent Land Uses:

North - Residential  
South - Residential

East - Residential  
West - Residential

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	819 sq. ft.	+212 = 1,031 sq. ft.
Carport	149 sq. ft.	No Change.

**C. PROPOSED LOT AREA COVERAGE**

Building: 1,261 sf 23% Hardscape: 1,672 sf 46% Landscape: 2,562 sf 31%

**IV. DISCUSSION**

This project is exempt from review by the Single Family Design Board. The proposed project includes permitting 212 square feet of “as-built” additions to the dwelling that will reduce the size of the required Open Yard area. The “as-built” additions meet the setback requirements and the “as-built” playground structure is proposed to be removed from the property.

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” additions. 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. The property was conforming to open yard requirements with approximately 1,287 square feet of open yard that meets the City’s requirements. The proposal will reduce the size of the required Open Yard area to 1,005 square feet of Open Yard Area that meets the requirements (approximately 1,500 sq. ft. including an adjoining area that doesn’t meet the minimum dimensions). The property is undersized for the R-2 Zone, as it is a 5,500 square foot lot, instead of the 7,000 square feet required today. Staff is in support of the Open Yard modification because of the undersized R-2 lot, the location of the existing development on site 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.

A site inspection of the property showed miscellaneous stored items in the required setbacks and Open Yard area at the property. Therefore, a condition has been included that the stored items shall be removed from the required setbacks and the required Open Yard area.

**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 reduction to the Open Yard area to allow for the “as-built” additions is appropriate on a small lot with a single-family residence, because the “as-built” additions meet the setback requirements and the resulting open yard area is useable by the residents and will fulfill the intent of the Open Yard requirements while maintaining the existing neighborhood character.

Said approval is subject to the following conditions:

1. The violation outlined in the Zoning Information Report (ZIR2004-00461) shall be abated and included in the Scope of Work for the project.
2. The miscellaneous stored items shall be removed from the required setbacks and the required Open Yard area.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated February 22, 2016

Contact/Case Planner: Jo Anne La Conte, Assistant Planner  
(JLaconte@SantaBarbaraCA.gov)  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805) 564-5470 x3320

**Windy Design Consultant.**

420. E Arrellaga St.

SANTA BARBARA, CA 93101

8 0 5 636-2956

Date: 2/22/2016

Staff Hearing Officer

City of Santa Barbara

P.o. Box 1990

Santa Barbara, Ca. 93102-1990

**RECEIVED**

**FEB 22 2016**

**CITY OF SANTA BARBARA  
PLANNING DIVISION**

**Re: Modification Request for 725 W. Arrellaga St. (043-243-002). R-2**

There is an existing house (861 s.f.), a detached one car carport and a attached laundry room on the east side of the (e) S.F.R. (6.75'X6') on the property. The Rear of the house has an as built addition of 191.5 S.F. wich currently encroach into the required open yard. The proposal is to legalize the Rear addition (Master Bedroom) and the laundry room attached on the Easterly side of the house. The Laundry Room is located outside of the required setback.

The Modification being requested is to allow the rear as-built Master Bedroom addition to encroach 9'-1" into the open yard. The encroachment will allow the (e) Master Bedroom to be Legalized. The (e) as built addition match with the existing roof line and no mayor structural changes were involbed since all materials match to the existing residence. The (e) as built addition is needed for the owner growing family, since there were only two berdooms on the house.

The mayor benefit of having the existing Master Bedroom encroaching into the open yard are: That was done in the rear of the residence for privacy, prevents a second story addition, represent a great relief for the owner to be legalized and provide to the growing family the space needed to live comfortable.

A handwritten signature in black ink, consisting of a horizontal line with a large, stylized loop above it and the initials 'PN' written above the line.

PATRICIO NAVA

**EXHIBIT B**