



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** June 2, 2016  
**AGENDA DATE:** June 8, 2016  
**PROJECT ADDRESS:** 302 Piedmont Road (MST2014-00443)  
**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 27,393 square-foot site is currently developed with a 2,934 square foot single family dwelling with an attached 468 square foot two-car garage and a detached 473 square foot pool cabana located in the Hillside Design District. The proposed project involves construction of a new 900 square foot pool, spa, associated pool equipment, barbeque, outdoor bar, retaining walls, a new detached 201 square foot accessory building, new landscaping and associated grading. The proposed total of 4,076 square feet on a 27,393 square foot lot is 86 % of the maximum guideline floor to lot area ratio (FAR).

The discretionary applications required for this project are:

1. Modification to allow the total detached accessory buildings to exceed the maximum allowable size of 500 square feet (SBMC § 28.87.160 and SBMC § 28.92.110); and
2. Modification to allow the detached accessory building to be located within a front yard (SBMC § 28.87.160 and SBMC § 28.92.110).

Date Application Accepted: May 2, 2016

Date Action Required: July 28, 2016

### II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to conditions.

**III. SITE INFORMATION AND PROJECT STATISTICS**

**A. SITE INFORMATION**

Applicant:	Rob Dayton	Property Owner:	Rob & Nancy Dayton
Parcel Number:	055-153-007	Lot Area:	27,393 sq. ft.
General Plan:	Low Density Residential (Max. 1 du/acre)	Zoning:	A-1
Existing Use:	Single Family Residence	Topography:	11 %

Adjacent Land Uses:

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

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	2834 sq. ft.	No Change
Garage	468 sq. ft.	No Change
Accessory Space	473 sq. ft.	+201 = 674 sq. ft.

**C. PROPOSED LOT AREA COVERAGE**

Building: 2,837 sf 10%      Hardscape: 5,428 sf 20%      Landscape: 19,128 sf 70%

**IV. BACKGROUND**

The original project included a pool, spa, associated pool equipment, barbecue, outdoor bar and retaining walls. The original project did not require a modification, and was approved by the Single Family Design Board (SFDB) on June 29, 2015. A building permit (BLD2014-01079) was issued for the project that was approved by the SFDB, and it is currently under construction. The current proposal is for a 201 square foot accessory building under the proposed barbeque deck. Because of the proposed location of the new accessory building, and because the additional accessory floor area increases the total accessory area to greater than 500 square feet, modification approval is required.

**V. DISCUSSION**

The Zoning Ordinance allows for a maximum of 500 square feet of accessory buildings (SBMC §28.87.160.C), other than garages on the lot. However, the Zoning Ordinance does not allow accessory buildings, except garages, in a front yard and does not allow the total amount of detached accessory space to exceed 500 square feet. Although the detached accessory building is located outside of the required 35' front setback facing Piedmont Road, it is located in the remaining front yard, and therefore requires modification approval.

In addition, there is an existing 470 square foot pool cabana at the rear of the property, in the location of the former swimming pool that is proposed to remain. With the proposed 201 square

foot detached accessory building, the total detached accessory space on site will be 674 square feet which exceeds the maximum allowable square footage by 174 square feet. The purpose of the accessory building is to provide enclosed space for the pool equipment and a changing room and half-bath to be located in close proximity to the proposed swimming pool that is currently under construction.

The property is unusual in that it is located at the end of a dead end street, and the width of the street right-of-way in front of the property is 45 feet. The property is mostly screened from view by existing walls and hedges, and the proposed accessory building will not be visible from the street frontage as it will be located below the proposed barbeque area. Staff is in support of the proposal to allow the detached accessory building in the remaining front yard and to allow the total detached accessory buildings to exceed 500 square feet because the property is site constrained due to the location of the existing development on site, the proposed detached accessory building will not be visible from the street, and the proposal is not anticipated to adversely impact the adjacent neighbor's or the visual openness of the street frontage.

A site inspection of the property showed a detached shed, a detached chicken coop, a skate board ramp and stored items that encroach into the required setbacks. Therefore, conditions have been included to address these items.

## **VI. FINDINGS AND CONDITIONS**

The Staff Hearing Officer finds that the Modification to allow the total detached accessory buildings to exceed 500 square feet is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed accessory building is appropriate because it will allow for accessory space to enclose the pool equipment and will allow for a half bathroom and changing room that are located in close proximity to the pool, and the detached accessory building is not anticipated to adversely impact the adjacent neighbor's or the visual openness of the street frontage.

The Staff Hearing Officer finds that the Modification to allow the detached accessory building to be located within the front yard is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed detached accessory building is appropriate because it will allow for accessory space to enclose the pool equipment and will allow for a half bathroom and changing room that are located in close proximity to the pool, the structure will be screened from view, and it is not anticipated to adversely impact the adjacent neighbors or the visual openness of the street frontage because of the location and configuration of the dead-end street, and the existing development on site,.

Said approval is subject to the following conditions:

1. The detached shed located in the required rear setback shall be removed from the property.
2. The detached chicken coop shall either be removed from the property or shall be shown on the plans to be relocated outside of the required setbacks and to comply with the provisions

of the Santa Barbara Municipal Code (SBMC), including Sections 6.08.010, 6.08.060 and 28.15.060, subject to review and approval by the SFDB.

3. The miscellaneous stored items shall be removed from the required setbacks.
4. The skateboard ramp shall either be removed from the property or shall be shown on the plans to comply with all applicable regulations, subject to review and approval by the SFDB.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated April 27, 2016
- C. SFDB Minutes dated June 29, 2015

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

Rob Dayton  
302 Piedmont Road  
805.452.7442

April 27, 2016

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

**RECEIVED**

**APR 28 2016**

CITY OF SANTA BARBARA  
PLANNING DIVISION

Re: Modification Request for 302 Piedmont Road; 0555-153-007; A-1

Dear Staff Hearing Officer:

I have an existing 3,200 square foot house with an attached two car garage and a 500 square foot accessory building on the north portion of the parcel. I am building a pool under a separate permit. The pool is located on the southern portion of the parcel and is an elevation that is 12 feet lower than the house. Because the pool is such a long distance from the house, we would like to place a ½ bathroom near the pool underneath an outdoor kitchen that is proposed to be within the front yard. The outdoor kitchen structure has been approved by the Single Family Design Review Board at the proposed elevation (house elevation). The additional accessory structure for the bathroom would be under it. Additionally, we would like to place the pool equipment in the accessory structure to eliminate any noise it creates.

The new accessory structure would be ~~201~~ square feet. The modification request is to 1) to have an accessory building in the front yard, and 2) to have accessory buildings in excess of 500 square feet total maximum.

#### **Accessory Building Within the Front Yard**

Our property is unique because it is at the end of the street. Although the street right of way is 45 feet, hedge-to-hedge, it is only 30' wide. As a result, people's view of our home from the street is limited. Additionally, we have house and wall that raps around the motor court along with a rise in elevation that prevents street viewers from seeing to the house portion where the front yard ends. The accessory building we are proposing is both eclipsed from view from the street and completely covered by the motor court wall. A person standing in the motor court would not even know or realize that the accessory space is present. We believe these facts of invisibility to the public eye make the modification supportable and meet the intent of the ordinance.

#### **Accessory Building in excess of 500 square feet**

We are requesting to exceed the 500 square foot limit to provide a 1/2 bath for the pool. Our goal is for our guests to use the restroom, not the pool. The trek to the house is too far and may not facilitate this goal. By placing the bathroom immediately next to the pool, we believe it will facilitate its use.

Although we already have a 500 square foot accessory building, we do not wish to go to the expense of tearing down existing square footage. The new accessory space location would fit neatly under the elevation of the outdoor kitchen, staying hidden from view. The additional benefit is placing all pool equipment within the accessory structure to eliminate any noise from the pool equipment.

Thank you for your consideration of these requests,

Rob

**EXHIBIT B**

**PROJECT DESIGN AND FINAL REVIEW**

**C. 302 PIEDMONT RD**

**A-1 Zone**

Assessor's Parcel Number: 055-153-007  
Application Number: MST2014-00443  
Owner: Nancy Dayton  
Engineer: Pool Engineering, Inc.  
Landscape Architect: Rob Maday

(Proposal to construct a new 900 square foot pool, spa, associated pool equipment, barbecue, outdoor bar, and retaining walls at an existing single-family residence located in the Hillside Design District. The project includes new landscaping and 200 cubic yards of grading to be exported off site.)

**(Project Design Approval and Final Approval are requested. Project requires compliance with Tier 3 Storm Water Management Program prior to Final Approval.)**

**Project Design Approval and Final Approval with the finding that the Neighborhood Preservation Ordinance criteria have been met as stated in Subsection 22.69.050 of the City of Santa Barbara Municipal Code.**