



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: January 12, 2017
AGENDA DATE: January 18, 2015
PROJECT ADDRESS: 1608 Castillo Street (MST2016-00538)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Irma Unzueta, Acting Senior Planner
 Andrew Perez, Planning Technician II

I. PROJECT DESCRIPTION

The 2,165 square foot site is currently developed with a 690 square-foot single family dwelling and attached 153 square-foot, one-car garage. The proposed project consists of legalizing two as-built additions and an interior remodel. The eastern as-built addition is 135 square feet and would provide floor area for a bedroom and a new full bathroom. The western as-built addition of 28.5 square feet to the rear of the existing garage is proposed to be the location for laundry facilities and additional storage.

The discretionary applications required for this project are:

1. Interior Setback Modification to allow a 135 square foot addition to encroach into the eastern six-foot required interior setback in the R-4 Zone (SBMC §28.21.060.B and SBMC §28.92.110.A);
2. Interior Setback Modification to allow a 28.5 square foot addition to encroach into the western six-foot required interior setback in the R-4 Zone (SBMC §28.21.060.B and SBMC §28.92.110.A), and
3. Open Yard Modification to allow the open space to be provided in the front and interior setbacks (SBMC §28.21.060.B.081.A.2).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Sections 15301 and 15305 (Existing Facilities and Minor Alterations to Land Use Limitations).

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to the findings and condition in Section V of this Staff Report.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Sheila Siegel	Property Owner:	American Dream Acquisition
Parcel Number:	027-162-020	Lot Area:	2,166 sq. ft.
General Plan:	Medium High Density (15-27 du/acre)	Zoning:	R-4
Existing Use:	Residential	Topography:	13%
Adjacent Land Uses:			
North –	Multi-family Residential	East -	Single-family Residential
South –	Castillo Street	West –	Multi-family Residential

B. PROPOSED LOT AREA COVERAGE

Building: 880 sf 41% Hardscape: 900 sf 42% Landscape: 380 sf 17%

IV. DISCUSSION

The proposed project involves the permitting of as-built additions to the eastern and western sides of the existing residence. The original 535 square foot dwelling was built in 1949 on a 2,160 square foot parcel. The original floorplan is not in the archives, but the original building permit shows the dwelling with dimensions of 20 feet deep and 26 feet wide with an attached one-car garage with dimensions of 9'6" wide and 16'6" deep. The dwelling met the front and interior setback requirements of 10 feet and 5 feet, respectively, at the time it was built. Two years after the house was built, the garage was legally converted to a bedroom and storage area, eliminating the covered parking on site. In 1955, a lot split was approved to divide the original 5,000 square foot lot into two parcels: the subject parcel with a lot area of 2,160 square feet, and the adjacent parcel, 1602 Castillo with a lot area of 2,840 square feet.

An inspection was conducted on August 30, 2016 for the preparation of a Zoning Information Report. That inspection revealed that unpermitted additions were added to the rear of the garage and to the eastern side of the dwelling. The new owner of the property is seeking the approval of three Modifications to legalize the as-built improvements.

Interior Setback Modification – Eastern

The as-built addition to the east side of the dwelling encroaches one foot into the interior setback. The exact date of the addition is unknown, but it is estimated that it was built prior to the late 1970s based on the construction materials used. The as-built addition will be remodeled to provide an additional bedroom and full bathroom. The current, legal configuration of the dwelling includes a single bathroom that can only be accessed through the master bedroom. An additional bathroom would be beneficial to the future tenants by having a bathroom that is easily accessible from the main living space. Staff is supportive of this Modification request because this encroachment is not anticipated to adversely impact the adjacent property since the nearest portion of the neighboring dwelling is the one-car garage.

Interior Setback Modification - Western

The as built addition to the rear of the garage was built in line with the existing garage, which is nonconforming to the required interior setback. The garage is located 5 feet away from the western property line, and is conforming with regards to the rear interior setback. The original garage has a depth of only 16 feet, 6 inches, so it is not functional as a parking space. The as-built addition brings the interior depth to 18 feet, 6 inches, and although it does not quite meet the required 20 foot depth for garages, it does function as a parking space for the majority of vehicles.

Staff from the Transportation division reviewed the applicant's proposal to include laundry hookups along the rear wall of the garage and found that the addition of laundry facilities reduces the interior dimensions enough to obstruct the parking area, and therefore not supportable. A condition is included requiring the laundry hookups to be removed from inside the garage. Staff is supportive of this Modification request because the as-built addition will restore a covered parking space on site, and the addition follows the line of the existing garage. Additionally, since there are no new openings in the as-built addition it is not anticipated to adversely affect the adjacent property.

Open Yard

The open yard is legally nonconforming with regards to size and location. The subject property is quite small, with a lot area of only 2,160 square feet, and the amount of open space available to count towards the open space requirement is only 134 square feet. The code requires lots applying the Private Outdoor Living Space Method in the R-4 zone to have at least ten percent of the property available for open space, outside of the setbacks, which would be 216 square feet for this property. Therefore, in order to provide adequate useable open space, a modification is required to allow it to be located in the front setback. Staff is supportive of this Modification request because the subject property is less than half of the average lot size in this neighborhood and these physical restrictions make it impossible to meet the ten percent open yard requirement given the as-built improvements. Although the open space is proposed to be located in the front yard, and it exceeds the amount of required open space and meets the intent of the outdoor living space requirement.

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 proposed Interior Setback Modification for an encroachment into the eastern interior setback is appropriate because it is not anticipated to adversely affect the adjacent property due to the minor extent of the encroachment and the nearest portion of the adjacent dwelling is the garage. The proposed Interior Setback Modification for an encroachment into the western interior setback is appropriate because the addition follows the line of the existing garage and with no new openings, the improvement is not anticipated to adversely impact the adjacent property. The Open Yard Modification is appropriate because constraints due to the lot size make it impossible to provide the required open space in the allowed areas. With the area located in the front yard, the proposed

open space will exceed the ten percent requirement and will meet the intent of the outdoor living space requirement.

Said approval is subject to the following condition:

The laundry hookups shall be removed from the inside of the garage to provide a functional parking space.

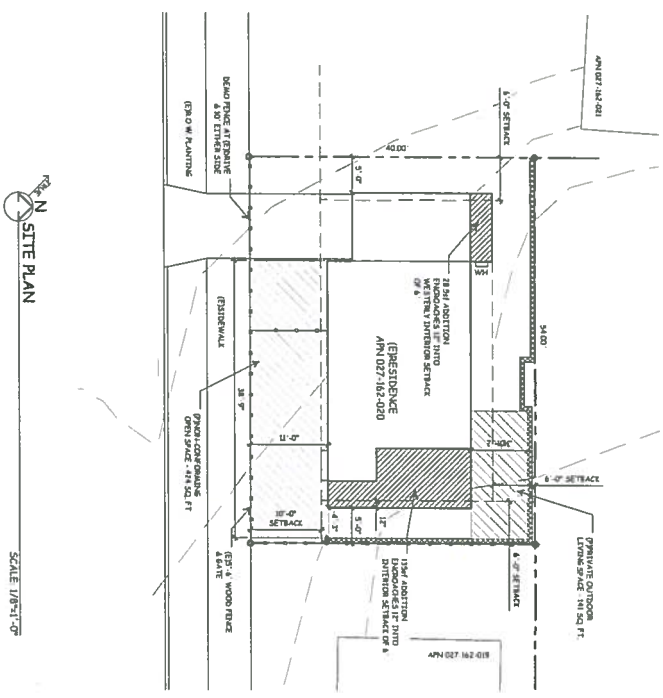
Exhibits:

- A. Site Plan
- B. Applicant's letter, dated December 6, 2016

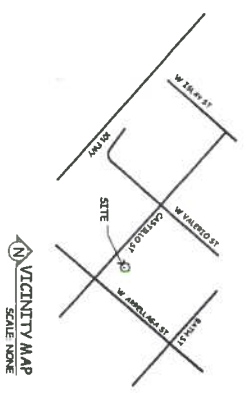
Contact/Case Planner: Andrew Perez, Planning Technician II
(ACPerez@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x4559

RECEIVED
 DEC 07 2016
 CITY OF SANTA BARBARA
 PLANNING DIVISION

- FLOORING FIXTURE NOTE 5:**
 (APPLIES TO NEW FLOORING FIXTURES)
1. WATER CLOSET FLUSH VALVE, CLOSET'S, BATTERY FLUSH TANK, FLUSHOMETER TANK, OR FLUSHOMETER VALVE OPERATED, SHALL HAVE AN MAXIMUM CONSUMPTION OF NOT MORE THAN 1.6 GPM AT 15 PSI.
 2. LAV FLOORETS SHALL HAVE A MAX FLOW RATE OF 1.5gpm AT 60psi.
 3. KITCHEN FLOORETS MAX 1.5gpm AT 60psi.
 4. SHOWERHEADS SERVING ONE SHOWER SHALL HAVE A COMBINED FLOW RATE OF 2.0gpm AT 80psi.
 5. FLOORING FIXTURES & FITTINGS SHALL COMPLY W/ COSBC TABLE 4.303.3.



N
 SITE PLAN
 SCALE 1/8"=1'-0"



N
 VICINITY MAP
 SCALE NONE

ALL NEW CONSTRUCTION SHALL COMPLY WITH:
 2013 CALIFORNIA ELECTRICAL CODE
 2013 CALIFORNIA FIRE CODE
 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE
 2013 CALIFORNIA FIRE CODE
 SANTA BARBARA CITY ORD. 5639

PROPERTY INFORMATION

OWNER:
 SHEILA SIEGEL, PRESIDENT
 AMERICAN DREAM ACQUISITION GROUP, INC.
 5111 TOLSON WAY, SUITE 110
 SANTA BARBARA, CA 93103

LAND USE ZONE: R27-162-020
 HEIGHT RESTRICTION: NO
 LOT SIZE: 21,661.77 SQ. FT.
 AREA: 0.49 AC

SCHEMATIC: 134
 CONSTRUCTION: V-9

AREA SUMMARY
 (RESIDENCE)
 MAIN: 497
 SECONDARY: 344
 TOTAL (EMPHATIC): 841

DEAD
 SERVICE PORCH: 28
 REVISIONS: 168
 TOTAL DEMO: 196

TOTAL PROPOSED: 645
 (PHANTOM): 148
 (ONE CAR): 185

SCORE OF WORK

-ADDITION OF 1/2 BATH, BEDROOM & BATHROOM
 -ADDITION TO GARAGE OF 283 SF, STORAGE & LAUNDRY
 MODIFICATION REQUESTS

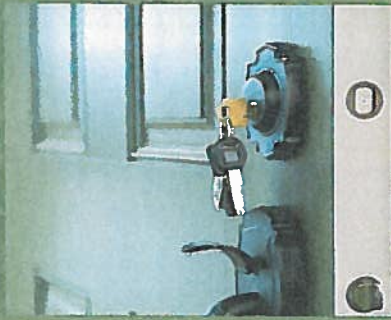
OPEN SPACE IN FRONT SETBACK
 EASTERN BED & BATH ENCROACH 1/2" INTO INTERIOR SETBACK
 WESTERN GARAGE ENCROACH 1/2" INTO INTERIOR SETBACK

INDEX
 A00 PROPERTY INFORMATION, SCORE OF WORK, SITE PLAN
 A01 EXISTING & PROPOSED FLOOR PLANS
 A20 ELEVATIONS
 A21 PROPOSED ELEVATIONS

EXHIBIT A

COVER SHEET

DRAWINGS BY JILL M. HORTON 805/695-4301	REMODEL FOR: SHEILA SIEGEL 160B CASTILLO ST. SANTA BARBARA, CA 93101	SHEET A0.0	DATE 12/6/16	SCALE 1/8"=1'-0"	TITLE COVER SHEET
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12/6/16

California Property Group

Santa Barbara & Ventura Counties Real Estate Sales

351 South Hitchcock Way, Suite B110
Santa Barbara, CA 93105
805-692-9090 (Phone)
805-456-1892 (Fax)
www.calpropgroup.com
www.shortsalesshortsale.com

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

Re: Modification Request for 1608 Castillo Street; APN #027-162-020; Land Use: R4

Dear Staff Hearing Officer:

1. The existing house that was built in 1947 was 530SF plus a 1 car garage. Prior to 30 years ago, a bedroom and bathroom were added and zoning has called out the bathroom only as encroaching into the interior setback on the right side of the house, between 6-12". There are no original plans on file, and there is no permit for this bedroom and bathroom on file. The proposal is to obtain an as-built permit and remodel the bedroom and bathroom.
2. The modifications being requested are: 1) To allow the easterly wall to encroach 1 foot into the required 6 foot side setback. Right now the only legal bathroom is the one in the Master Bedroom. The encroachment allows us to keep the 2nd bathroom so there will be a permitted restroom for guests without having to go into the MBR. Since the Zoning Report called out the bedroom (next to this illegal bathroom) as being legal, the modification to allow the encroachment of this wall will cover both the bathroom and the bedroom; 2) Open space (we are already legal non-conforming); and 3) Setback variance for back of garage (encroaching on left side). The garage will now be a full size 1 car garage with this modification.
3. The house is already Legal Non-Conforming for Open Space. The request below will lessen the Open Space.
4. The major benefits of allowing this encroachment: House will have a 2nd bathroom for guests. Guests will have to go into the Master Bathroom if this 2nd bath is not allowed. Regular size garage will accommodate more types of cars.

Regards,

Sheila Siegel, President

American Dream Acquisition Group, Inc.
DBA California Property Group

RECEIVED
DEC 07 2016

CITY OF SANTA BARBARA
PLANNING DEPARTMENT

EXHIBIT B