



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** January 12, 2017  
**AGENDA DATE:** January 18, 2017  
**PROJECT ADDRESS:** 648 Calle Rinconada (MST2016-00435)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Irma Unzueta, Acting Senior Planner  
 Betsy Teeter, Planning Technician II

### I. PROJECT DESCRIPTION

The 6,637 square foot project site is currently developed with a 1,380 square foot single-family residence and attached 275 square foot two car garage. The proposed project involves converting 50 square feet of a covered porch to new habitable space, relocating the front entry door, adding a new 180 square foot front patio and a 114 square foot trellis, an interior remodel to create a master suite and convert the mudroom and half bathroom to a full bathroom and bedroom and adding and replacing windows.

The discretionary applications required for this project are:

1. Front Setback Modification to allow window alterations within the required 20 foot front setback. (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. Open Yard Modification to change the location of the open yard area and/or to reduce the size of the required open yard area (SBMC § 28.15.060 and SBMC § 28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 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 conditions in Section V of this Staff Report.

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant: Gina Gianetto  
 Parcel Number: 053-063-001

Property Owner: Brad and Melissa Petersen  
 Lot Area: 6,534 sq. ft.

General Plan: Low Density Residential      Zoning: E-3/SD-2  
(Max 5 du/acre)  
Existing Use: Single Family Residence      Topography: 18 % slope

Adjacent Land Uses:

North – Single Family Residential      East - Single Family Residential  
South – Single Family Residential      West – Single Family Residential

**B. PROJECT STATISTICS**

|             | <b>Existing</b> | <b>Proposed</b>            |
|-------------|-----------------|----------------------------|
| Living Area | 1, 380 sq. ft.  | + 50 sq. ft. =1,430sq. ft. |
| Garage      | 275 sq. ft.     | No change                  |

**C. PROPOSED LOT AREA COVERAGE**

Building: 1,850 sf 28%    Hardscape: 2,507 sf 37%    Landscape: 2,280 sf 35%

**IV. DISCUSSION**

Front Setback Modification

The proposed project involves window and door alterations within the front setback (Foothill Road elevation) of the existing non-conforming residence. The proposed alterations result in new openings within the required front setback and therefore require modification approval. Staff is in support of the request for the Front Setback Modification as the proposed window additions and alterations will not result in a significant increase of new openings, the alterations will enhance the aesthetics of the existing residence, and the alterations are not anticipated to adversely impact any adjacent neighbors or the visual openness from the street.

Open Yard Modification

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 applicant is proposing to convert the existing 50 square foot open front porch to new habitable space and is requesting an Open Yard Modification to allow the open yard area to be non-conforming to the required 20 feet by 20 feet minimum dimension and for a portion of the open yard to be located in the remaining front yard. The property is currently non-conforming to open yard requirements with approximately 416 square feet counting toward the City's requirements. The applicant is proposing the additional open yard be located in two non-conforming areas on the lot. Those additional areas include 262 square feet of open yard area in the rear yard and 572 square feet of open yard in the remaining front yard.

Staff can support the Open Yard Modification given the relatively small size of the lot and the property's two required front setbacks. The proposed new floor area of 50 square feet allows for a minor expansion of the residence and is considered an appropriate improvement on the lot. While the Ordinance does not permit any portion of the front setback to be used as open yard area, it does allow for up to 850 square feet of the open yard to be provided in the remaining front yard.

A site visit to the property by staff revealed that an attached trellis had been added to the dwelling without the required permit. The trellis is also located within the required interior setback. Further, a shed is located in the interior setback and a chicken coop, a tarp patio cover and a playhouse have been added within the front setback along Foothill Road. A Condition of Approval is included to address the unpermitted work on the property.

**V. FINDINGS AND CONDITIONS**

The Staff Hearing Officer finds that the Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The Modification to allow the proposed window alterations within the Front Setback is appropriate because the windows will improve the function and aesthetics of the existing nonconforming residence, and the changes are not anticipated to adversely impact the adjacent neighbors or the visual openness from the street. The Open Yard Modification will allow the enclosure of the front porch in order to create a new bedroom. The Modification is appropriate on a small lot with a single-family residence, because the proposed addition is minor in nature and will meet the setback requirements. The resulting open yard area would be useable by the residents and meets the intent of the Open Yard requirements while maintaining the existing neighborhood character. Said approval is subject to the following conditions:

1. The trellis and shed located in the interior setback shall be shown "to be removed" on the building plans.
2. The chicken coop, play structure and tarp patio cover shall be moved outside of the front setback and open yard area.

- VI.** Site Plan (under separate cover)  
**VII.** Applicant's letter, dated September 20, 2016

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# City of Santa Barbara California

## \*\*\* SEPARATELY DISTRIBUTED SITE PLAN \*\*\*

Exhibit A: This site plan for this Staff Report has been distributed separately. A copy of the Staff Report, site plan, and exhibits/attachments are available for viewing at the Planning and Zoning Counter at 630 Garden Street, Santa Barbara, CA between the hours of 8:30 a.m. and 4:30 p.m., Monday through Thursday, and every other Friday.

Please check the City Calendar at [www.SantaBarbaraCA.gov](http://www.SantaBarbaraCA.gov) to verify closure dates.

**EXHIBIT A**



20 September 2016

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



**Re: Modification Request for 648 Calle Rinconada; APN 053-063-001; Land Use Zone E-3/SD2**

Dear Staff Hearing Officer:

1. There is an existing house with an attached single car garage on the property (Gross SF 2203). This property has two front 20' yard setbacks. The primary front yard faces Calle Rinconada where the residence is approached with a driveway, mail is delivered and the home is visible from the street. The secondary front yard setback faces Foothill Road. The paved surface of Foothill Road is in excess of eight feet above the finished floor elevation of the existing home. There is a large vegetation buffer between the street and existing wood fence. In addition, there is no access from Foothill Road to the subject parcel, nor is there any visibility of the home from Foothill Road with the exception of partial glimpses of the roof. (Please see photos)

The structure was built in approx 1950. The house and garage currently encroach into the secondary front yard setback approximately nine feet four inches on the North side of the property. The home has building permits according to the City building files. The proposal is to replace current aluminum single pane windows with upgraded dual glazed windows meeting current energy codes, add a new window in the master bath, convert a covered porch to habitable space, add a front (180 SF) patio with a (114 SF) trellis. and remodel 445 square feet of interior spaces.

2. The modification being requested is to allow replacement and new windows in the Secondary front yard setback.

**SPECIFICALLY:**

- (1) one (7 SF) single pane aluminum window facing North to be replaced with a double hung, energy efficient window with eight SF of glazing and
- (2) add a new pair of windows facing East with (12 SF) of glazing in the proposed interior alteration at the master bath,
- (3) one (22 SF) single pane aluminum window unit to be replaced with an energy efficient

**EXHIBIT B**

bay window seat with approx 25 SF of glazing facing North and sidelights on the sides of the bay with a glazing area of approx 1.2 SF each side, and  
(4) replace one (16 SF) single pane aluminum kitchen window unit with an energy efficient angled bay window with 19 SF of glazing.

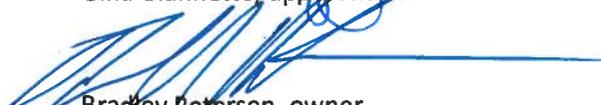
Both proposed bay windows fall under the existing eave while encroaching 18 inches further into the secondary front yard setback. If this setback were considered a side yard according to zoning, six feet would be required and the proposed alteration would not encroach. The proposed encroachment will allow more light and ventilation to the rooms. In the bedroom, the larger windows provide the required egress, not currently provided by the existing windows. In addition, when changing from aluminum windows to thermally rated wood clad windows, larger units are required to provide the same amount of light due to sash size. The living spaces in the home have never been updated and the proposed remodel, including added and enlarged window openings, addresses the changes in the way we use our homes from fifty years ago. The family loves to cook and the proposed bay window in the kitchen will provide more counter space for small appliances and 'kitchen science' for the homeschooled children. The proposed window seat in the bedroom will provide built in relaxing and reading space for the children while allowing floor space to remain unchanged.

3. The major benefits of the window replacements are better energy efficiency, ventilation and light. In the bathroom, the proposed new window opening will allow a view to the slightly larger side yard with less road noise than on the North side of the residence. In the kitchen the bay window allows more counter space without enlarging the foot print of the house and without encroaching beyond existing eave. The built in window seat provides more space in the bedroom without actually enlarging the floor space at the same time it is providing required egress, lacking in the original windows.

Your consideration is greatly appreciated,



Gina Giannetto, applicant



Bradley Petersen, owner



Melissa Petersen, owner