



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** May 18, 2017  
**AGENDA DATE:** May 24, 2017  
**PROJECT ADDRESS:** 1540 Franceschi Road (MST-02017-00084)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Irma Unzueta, Acting Senior Planner  
 Betsy Teeter, Acting Assistant Planner

### I. PROJECT DESCRIPTION

The 17,437 square foot project site is currently developed with a two story 2,720 square foot single-family residence with an attached 445 square foot two-car garage. The proposal is to construct a 37 square foot lower-floor addition and convert the 79 square foot non-habitable mechanical/utility room on the lower floor to habitable space. The project also includes a 24 square foot addition to the entry deck, a new 427 square foot covered deck, a 252 square foot addition to an upper level deck, enlarged door and window openings, resurfacing the driveway, new motorized entry gates and a remodel of interior spaces. The proposed total of 3,470 square feet is 79% of the guideline maximum floor-to-lot area ratio (FAR).

The discretionary applications required for this project are:

1. Front Setback Modification to allow the additions and alterations on the north side of the dwelling to encroach within the required 30-foot front setback (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. Front Setback Modification to allow additions and alterations on the south side of the dwelling (secondary front setback) to encroach within the required 30-foot front setback (SBMC § 28.15.060 and SBMC § 28.92.110); and
3. Open Yard Modification to allow the open yard area to be located within the secondary front yard (SBMC § 28.15.060 and 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 in Section V of this Staff Report.

**III. SITE INFORMATION AND PROJECT STATISTICS**

**A. SITE INFORMATION**

Applicant:	Wade Davis Design	Property Owner:	Vincent and Kathy Tucker
Parcel Number:	019-012-038	Lot Area:	17,437 sq. ft.
General Plan:	Low Density Residential (max. 2 du/ac)	Zoning:	A-2 (Single Family Residential)
Existing Use:	Residential	Topography:	38 % slope

Adjacent Land Uses:

North – Single-family residence	East – Single-family residence
South – Franceschi Park	West – Single-family residence

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	2,720 sq. ft.	2,836 sq. ft.
Garage	455 sq. ft.	No change
Accessory Space	258 sq. ft.	179 sq. ft.

**C. PROPOSED LOT AREA COVERAGE**

Building: 1,735 sf 10%      Hardscape: 2,784 sf 16%      Landscape: 12,919 sf 74%

**IV. DISCUSSION**

The applicant is proposing a remodel and addition to the existing two story dwelling. The proposed project is to construct a 37 square foot lower-floor addition and convert the 79 square foot non-habitable mechanical/utility room on the lower floor to habitable space. The project also includes a 24 square foot addition to the entry deck, a new 427 square foot covered deck, a 252 square foot addition to an upper level deck, enlarged door and window openings, resurfacing the driveway, new motorized entry gates and a remodel of interior spaces.

The house and garage are located on a triangular lot on Franceschi Road with two front setbacks. The development on site is currently non-conforming to the two 30 foot front setbacks and the required open yard. Two Front Setback Modifications and an Open Yard Modification are required to allow alterations to the dwelling to encroach into the front setbacks and the nonconforming open yard.

The project was reviewed by the Single Family Design Board (SFDB) on March 13, 2017, and May 22, 2017. The SFDB continued the project indefinitely, with support for the requested front setback and open yard modifications due to the constrained site and because the Board considered

them aesthetically appropriate additions and alterations. A Modification was previously approved to allow a change of use (elevator) within the required front setback (MST2012-00434).

#### Primary Front Setback Modification

The proposed project involves alterations which will encroach into the required front setback in the primary front yard. These alterations are for a new interior stairway, conversion of the original stairway area to 37 square feet of new habitable space, a 24 square foot extension of the front entry walkway/deck, conversion of the 79 square feet utility storage area to habitable space, relocation of a front window and the addition of a new front window. Although it is Staff's general practice to not support encroachments within the front setback, we recognize that this is a small extension into the already nonconforming front setback, and that the site is constrained by the steep slope, and the two front setbacks. It is Staff's position that the encroachments into the front setback are minimal and will provide an aesthetic improvement to the house and streetscape.

#### Secondary Front Setback Modification

The alterations within the secondary front yard include a 252 square foot addition to the 2<sup>nd</sup> floor deck, a 427 square foot 2<sup>nd</sup> floor deck with arbor, a new exterior stairway and an enlarge door opening and two windows. Staff is in support of the requested front setback modification for alterations within the secondary front yard as the property is constrained due to the two 30 front setbacks and the location of the current development on site, and because the alterations are not anticipated to adversely impact the adjacent neighbors or the visual openness of the street frontage.

#### Open Yard Modification

The property is currently non-conforming to open yard requirements in that it has two front setbacks. The Zoning Ordinance requires 1,250 square feet of open yard area with minimum dimensions of 20' x 20', not to be located in the front yard. The proposal is to provide all of the open yard area (1250 square feet) for the property in the secondary front yard as this area currently functions as the open yard area for the property. The purpose of the open yard is to provide usable outdoor living space and/or visual open space. The property is site constrained due to the location of the current development on the site, and the two front yards. The designation of the secondary front yard as the open area will maintain an adequate area for the property occupant's outdoor enjoyment.

A site visit to the property by staff revealed an unpermitted air conditioning unit located in the required interior setback. The plans show this unit to be removed.

V. **FINDINGS**

The Staff Hearing Officer finds that the Front Setback Modification for the primary 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 alterations are appropriate because of the steep topography, location of the existing development and the triangular shape of the lot which has created two front yards. The proposal is not anticipated to adversely impact the adjacent properties or the visual openness of the street frontage.

The Staff Hearing Officer finds that the Front Setback Modification for the secondary 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 alterations are appropriate because they allow for an aesthetic improvement to the dwelling and the changes are not anticipated to adversely impact the adjacent neighbors or the visual openness from the street.

The Staff Hearing Officer finds that the Open Yard Modification to allow the open yard area to be located within the secondary front yard is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. Due to the site constraints associated with the current development's location on the lot, the request to designate the open yard area in the secondary front yard is appropriate as it will continue to provide an accessible and usable outdoor living space while maintaining the existing neighborhood character.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated April 26, 2017
- C. SFDB Minutes, dated March 13, 2017

Contact/Case Planner: Betsy Teeter, Acting Assistant Planner  
(BTeeter@SantaBarbaraCA.gov)  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805) 564-5470 x 4563



# 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**

April 26, 2017

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

**Re: Modification Request for 1540 Franceschi Road; APN 019-102-038; Zone A-2**

Dear Staff Hearing Officer:

There is an existing 2,684 square foot two-story, single-family residence, with a 501 square foot attached two-car garage with storage and attached 230 square foot utility/storage area on the property at 1540 Franceschi Road. *The house also has one north facing cantilevered deck on the upper floor and 1 south facing deck on the upper floor along with a second south facing deck on the lower floor. Lastly, there is an existing air-conditioning condenser is located within the easterly interior setback.*

*The house, garage and south facing decks encroach into the southerly front yard setback 5'-11", 5'-2" & 14'-9" respectively. The house, utility storage area & north facing deck encroach into the secondary front yard setback 10'-11", 6'-11" & 13'-3" respectively. The house and south facing deck encroach into the east interior yard setback 3" & 9" respectively.* The existing building has been permitted with city building permits according to the City building files and a modification was granted on 12/14/2011 to allow change of use (elevator) within the required front setback.

We are proposing addition to sfd lower floor (37 sf net, 41 sf gross); change of use of lower floor unconditioned mechanical/utility space to habitable area within the residence (79 sf); addition to entry deck (24 sf); enlargement of existing door & window openings; 252 sf portion of (427 sf total) 2nd floor permeable deck extension; interior remodel (1,500 sf approx.); new motorized entry gates; and to resurface existing driveway. The existing air-conditioning condenser will be relocated outside of the required setbacks.

**The three modifications being requested are:**

1. *One - To allow the following within the required **thirty five-foot primary front yard setback**:*
  - a. *a proposed interior stairway addition to encroach ten foot eleven inches into the required **thirty five-foot primary front yard setback**. The encroachment will allow the original stairway to be in filled and reutilized as usable floor area for the upper floor and avoid an attempt to provide an addition elsewhere on an extremely constrained site. The proposed stairway is needed, as access between the two floors is a zoning and building requirement.*
  - b. *The existing entry walkway to encroach thirteen foot nine inches into the **required thirty five-foot primary front yard setback**. The encroachment will allow the exterior entry to be more inviting. The proposed extension is needed, as the existing entry walkway is not welcoming.*
  - c. *To allow the change of use of utility storage area to habitable area to encroach six foot eleven inches into the required **thirty-five foot primary front yard setback**. The encroachment will allow a portion of the relocated stairway to be located within the existing footprint of the house and avoid an attempt to provide an addition elsewhere on an extremely constrained site. The proposed stairway is needed, as access between the two floors is a zoning and building requirement.*

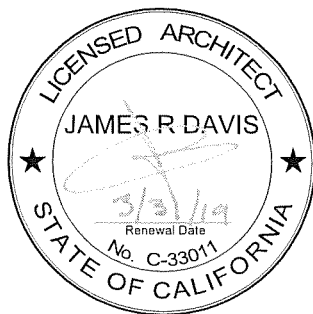
- the residence while enhancing the entry area that is more inviting than what currently exists.
3. The proposed upper floor covered deck addition on the west side will help soften the existing two-story façade as well as allow for additional outdoor living area directly accessible from the primary public area within the house while not impacting the surrounding neighbors as the deck is well screened by existing trees.
  4. The door and window additions/alterations will enhance the overall aesthetic character of the residence and in turn the neighborhood.
  5. The proposed south exterior stair will allow access to grade, which is currently underutilized.
  6. The proposed north exterior stair widening will allow the access from the garage area to the main entrance.

We hope that you will take the benefits listed above into consideration for the approval of the modification items we are requesting. Please feel free to contact us with any questions about the project.

Sincerely,

---

Jim Davis Architect



**NEW ITEM****D. 1540 FRANCESCHI RD****A-2 Zone**

Assessor's Parcel Number: 019-102-038

Application Number: MST2017-00084

Owner: Vincent &amp; Tucker

(Proposal to construct a 37 square foot lower-floor addition and convert 26 square feet of non-habitable to habitable space to an existing two-level, 2,720 square foot single-family residence with an attached 445 square foot two-car garage. The project also includes a 24 square foot addition to the entry deck, a 252 square foot addition to an upper level deck, enlarged door and window openings, resurfacing the driveway, new motorized entry gates and a remodel of interior spaces. The proposed total of 3,470 square feet on a 17,438 square foot lot located in the Hillside Design District is 79% of the guideline maximum floor-to-lot area ratio (FAR). Staff Hearing Officer review is required for three requested Zoning Modifications to allow encroachments within two of the required front yard setbacks and one open yard Modification.)

**(Comments Only; Project requires Staff Hearing Officer review.)**

**Continued indefinitely to the Staff Hearing Officer for return to Consent with comments:**

1. Restudy the post location on the west elevation and on the arbor.
2. The proposed encroachments within two of the required front setbacks are aesthetically appropriate additions and are supportable due to the constrained site.

**EXHIBIT C**