




City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: August 19, 2019
AGENDA DATE: August 28, 2019
PROJECT ADDRESS: 1114 Del Sol Avenue (PLN2019-00169)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
Danny Kato, Senior Planner II
Ellen Kokinda, Assistant Planner 

I. PROJECT DESCRIPTION

The 8,494 square-foot site is currently developed with a one story single family residence with a covered front porch, covered rear patio, and an attached one-car garage. The proposed project involves an addition and an interior remodel to the existing single family dwelling including a conversion of the existing one-car garage (non-habitable space) to habitable space. The addition also includes the construction of a new attached one-car garage.

The discretionary applications under the jurisdiction of the Staff Hearing Officer required for this project are:

1. ***Interior Setback Modification*** – to allow alterations of first floor window openings within the required 6'-0" easterly interior setback (SBMC §28.87.030.D.1.b and §28.92.110);
2. ***Interior Setback Modification*** – to allow a bedroom and laundry room addition to encroach into the required 6'-0" westerly interior setback and to allow a change of use for the one-car garage (non-habitable space) to be converted to habitable space (SBMC §28.87.030.E 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 (Existing Facilities) and Section 15305 (Minor Alterations in Land Use Limitations).

Application Deemed Complete: July 19, 2019

Date Action Required: October 17, 2019

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the two interior setback modification requests, subject to the findings in Section VI of this report.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	JAMES BELL	Property Owner:	WHIPPS-GOMES REVOCABLE TRUST
Parcel Number:	045-062-013	Lot Area:	8,494 sq. ft.
Local Coastal Plan:	5 du/acre	Zoning:	E-3/S-D-3
Existing Use:	Single Family Residential	Topography:	11.81%

Adjacent Land Uses:

North: E-3/S-D-3 – Single Family Residential
East: E-3/S-D-3 – Single Family Residential
South: E-3/S-D-3 – Single Family Residential
West: E-3/S-D-3 – Single Family Residential

IV. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/Allowance	Existing	Proposed
Setbacks			
- Front	20 feet	36 feet 2 inches	No Change
- Interior: west	6 feet	5 feet 4 inches	No Change
- Interior: east	6 feet	5 feet 7 inches	No Change
Parking	2 covered	1 covered	1 covered

V. DISCUSSION

Easterly Interior Setback Modification

The project requires an Interior Setback Modification on the eastern side to allow alterations of first floor window openings that encroach into the required 6’ interior setback. Under Title 28, a reduction in the number or size of window openings and the replacement of existing windows when there is no increase in size or change in location of windows is allowed. However, the project does not qualify for the nonconforming alteration pursuant to SBMC §28.87.030.D because the size of windows is increasing in some locations and some of the windows are proposed in new locations.

Staff is supportive of the easterly interior setback modification because the window changes to the first floor are insignificant. The area of the new windows is approximately the same area as the existing window openings, but the windows are in a slightly different configuration in order to accommodate a new living room and master bedroom floor plan. The proposed window changes are not anticipated to impact the adjacent property, because there is an existing wooden

fence on the adjacent property to the east that would block the window changes from view, and therefore, eliminate any privacy concerns.

Westerly Interior Setback Modification

The project requires an Interior Setback Modification on the western side to allow the conversion of the one-car garage (non-habitable) to habitable space (laundry and bedroom), the construction of a small addition of habitable space at the rear of the converted garage, and the construction of a new one-car garage.

Staff is supportive of the proposed addition in the westerly interior setback and the change of use from non-habitable to habitable space (garage conversion) because the amount of encroachment in the setback (eight inches) as well as the total area of encroachment is insignificant. The bedroom and laundry addition proposed to encroach into the setback is located at the rear of the dwelling and is a uniform improvement on the site. No windows are proposed within the interior setback, therefore, staff do not anticipate any privacy issues. Further, no impacts to the neighboring property or neighborhood are anticipated. The proposed addition would not be a major visual impact to the westerly neighbor as the properties are divided by an existing 6' wooden fence as well as hedges along the adjacent interior lot line. In addition, the new one-car garage and laundry room, located at the front of the dwelling, are proposed to be conforming improvements so as not to detract from the public street view. Staff also reviewed the pattern of development in the neighborhood, and found a number of examples of street-facing covered parking that are either in line with the front of the dwelling, or in many instances, are closer to the front lot line than the front of the dwelling. Therefore, the location of the new one-car garage is not anticipated to detract from the neighborhood character.

Coastal Review

The subject property is located in the Non-Appealable jurisdiction of the Coastal Zone. This project qualifies for a Single Family Residence Coastal Exemption pursuant to SBMC §28.44.070.D. The parcel is located on the inland side of the first public road paralleling the sea, not within 50' of the edge of a coastal bluff, therefore, a Coastal Development Permit is not required (California Code of Regulations §13250). The applicant will apply for the Coastal Exemption during the building permit process.

Design Review

This project is exempt from design review by the Single Family Design Board.

VI. FINDINGS

Easterly Interior Setback Modification

The Staff Hearing Officer finds that the Easterly Interior Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot because the changes to the size and location of the first floor windows are minimal, and would help improve the living room floor plan. Further, the wooden fencing on

the adjacent parcel blocks the windows from view so as not to detract from the easterly neighbor's property or significantly impact the neighbor's privacy.

Westerly Interior Setback Modification

The Staff Hearing Officer finds that the Westerly Interior Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to promote uniformity of improvement on the lot because the proposed addition follows the existing roof line and only encroaches into the setback towards the rear of the dwelling. The new garage and laundry area, on the other hand, are proposed to be conforming, and are located in the front of the dwelling so as not to detract from the public street view. The new one-car garage as proposed that is in line with the front of the dwelling is consistent with the pattern of development in the neighborhood. No privacy issues are anticipated because no windows are proposed within the interior setback. The addition is modest in size and scale and would not significantly impact the neighbor to the west as the addition would be predominantly screened from view by an existing wooden fence and hedges along the adjacent interior lot line.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated July 22, 2019

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