



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: March 4, 2020
AGENDA DATE: March 11, 2020
PROJECT ADDRESS: 476 Braemar Ranch Ln (PLN2019-00544)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
Danny Kato, Senior Planner II *DK*
Michelle Bedard, Associate Planner *MB*

I. PROJECT DESCRIPTION

The 1.2-acre site is currently developed with an existing one-story, single residential unit, an attached two-car garage, a swimming pool, and tennis court. The proposed project involves permitting the “as-built” 391 square foot accessory structure (gazebo), located within the remaining front yard. The application will include the request for an Administrative Minor Exception by the Community Development Director and Public Works Director for Exceptions to Fence and Wall Standards (SBMC §28.87.170.E). The project will abate violations of ENF2019-01148.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is a Front Yard Modification to allow the detached accessory structure to be located within the Front Yard (SBMC §28.87.160 and SBMC §28.92.110.B).

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

Application Deemed Complete: February 10, 2020

Date Action Required: May 10, 2020

II. RECOMMENDATION

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

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Dale Pekarek	Parcel Owner:	Jennifer & Robert Conrow
Parcel Number:	047-030-042	Lot Area:	55,364 sq. ft.
General Plan:	Low Density Residential (Max 1 du/acre)	Zoning:	A-1/SD-3
Existing Use:	Single-Residential	Topography:	12%

Adjacent Land Uses:

North:	A-1/SD-3	Single-Residential
East:	A-1/SD-3	Single-Residential
South:	A-1/SD-3	Single-Residential
West:	A-1/SD-3	Public Right-of-Way (Braemar Ranch Lane)

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	2,823 sq. ft. (net)	No Change
Garage	548 sq. ft. (net)	No Change
Accessory Area	“as-built” 391 sq. ft. (net)	No Change

C. PROPOSED LOT AREA COVERAGE

Building	4,069 sq. ft. (7.35%)
Hardscape	13,572 sq. ft. (24.51%)
Landscape	37,723 sq. ft. (68.14%)

IV. DISCUSSION

Front Yard Modification

A Front Yard Modification is requested to allow an “as-built” detached accessory structure (gazebo) to be located in the front yard. Under Title 28, with the exception of garages, detached accessory structures are prohibited in a front yard (SBMC §28.87.160). A front yard is defined as an area extending across the full width of the lot between the front lot line and the nearest wall of any main building on the lot.

Staff is supportive of the modification because the “as-built” gazebo is an incidental and accessory structure to the main building on the same lot. The subject 1.2 acre lot consist of 105 feet in length of front yard, measured from the edge of the public right-of-way to the front elevation of the residence. The accessory structure observes all required setbacks, is located

approximately 75 feet from the public street, and nearly 30 feet to the nearest adjacent neighbor. The purpose and intent of single residential (low-density) zones is intended to establish, maintain and protect the essential characteristics of the district and preservation of a residential environment. The accessory structure does not alter or detract from the single residential environment. The modification to allow an accessory structure within the remaining front yard is consistent with the purpose and intent of the Zoning Ordinance, the accessory use does not alter the residential density, and is necessary to secure an appropriate improvement on the lot.

Records indicate that the 6'-0" fence and driveway gate are unpermitted. A condition has been added in Section V below for the applicant to submit an Administrative Minor Exception by the Community Development Director and Public Works Director for Exceptions to Fence and Wall Standards (SBMC §28.87.170.E).

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). A Coastal exemption must be submitted and approved prior to issuance of a building permit.

Building Violations

The application includes abatement of enforcement case ENF2019-01148, to permit the "as-built" accessory structure.

Design Review

The project requires Design Review by the Single Family Design Board (SFDB) for review of the fence and gate in the front yard that is greater than 3'-6" in height (SBMC §22.69.020.C.8).

V. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the Front Yard Modification is consistent with the purposes and intent of the Zoning Ordinance, the accessory structure will not detract from the single residential environment, and is necessary to secure an appropriate improvement on the lot. The proposed accessory structure is appropriate because it allows for an accessory recreational use on the single residential parcel and does not alter the residential density.

Said approval is subject to a condition that the applicant submit and obtain approval of an Administrative Minor Exception by the Community Development Director and Public Works Director for Exceptions to Fence and Wall Standards (SBMC §28.87.170.E).

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated October 30, 2019

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Contact/Case Planner: Michelle Bedard, Associate Planner
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630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x 5581



City of Santa Barbara California

Exhibit B: Project Plans are available electronically for view online at:
SantaBarbaraCA.gov/SHO

Robert and Jennifer Conrow
476 Braemar Ranch Ln
Santa Barbara, CA 93109

10/30/2019

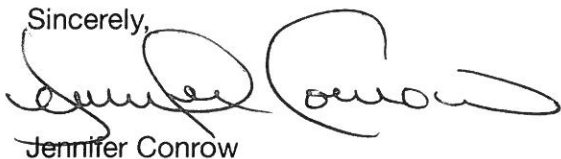
Staff Hearing Officer
City of Santa Barbara
P.O. Box 1990
Santa Barbara, CA 93102

Re: Request for After the fact permit for existing as built gazebo

Dear Staff Hearing Officer:

1. We have an existing house (2,823 sq. ft), and an attached garage (548 sq. ft). We also have a permeable paver driveway, permeable tennis court and permeable paver walkway, pool and deck. All the aforementioned are permitted according to the City building files. The proposal is to get an after the fact permit for a 457 sq. ft gazebo in the front yard with a 75.6 ft setback.
2. The gazebo was built to santa barbara code and is non-habitable. Approximately 50%-75% of our neighborhood homes have buildings, tennis courts, etc in their front yard due to the large size of the properties in the Yankee Farm area. There is a one acre minimum requirement for our neighborhood, therefore properties are anywhere from 1 to 4 acres in size.
3. The gazebo can not be seen from the road at any location and the setback from the road is 75.6 ft. The gazebo is non-habitable and has open walls and a thatch roof that water can penetrate, therefore no one would be able to live in gazebo. The gazebo is used only occasionally for recreation, watching tv, and relaxing or eating.

Sincerely,



Jennifer Conrow

I am requesting a zoning modification to allow the detached gazebo/ accessory structure to be located within the remaining front yard. It is not visible from the public right of way. It is not enclosed & not habitable. It has no adverse effects to any neighbors given the significant distance to all neighbors.