



## Community Development

919 Palm Street, San Luis Obispo, CA 93401-3218  
805.781.7170  
[slocity.org](http://slocity.org)

July 14, 2021

Todd Miller  
1953 Chorro St  
San Luis Obispo CA 93401

SUBJECT: Application DIR-0599-2019 (1953 Chorro)  
Request for reduction of side and rear setbacks to accommodate a single-story accessory structure

Dear Mr. Miller:

On July 14<sup>th</sup>, 2021, I reviewed your request for a reduction of side and rear setbacks to accommodate a single-story accessory structure at 1953 Chorro Street. After careful consideration, and pursuant to Zoning Regulations § 17.108.040 (B) (Director's Action – Required Findings), I have denied your request because one or more of the required findings for approval of a Director's Action application could not be made, as described below:

### **Findings:**

1. The proposed accessory structure for which the setback reduction is requested is neither consistent with, nor an improvement to, the character or traditional development pattern of the neighborhood (Zoning §§ 17.70.170 (D) (2) (d) (2) (b) & 17.108.040 (A) (2)). It is of an excessive scale, being significantly deeper and wider and greater in total enclosed floor area than structures which are typically considered to be accessory and subordinate to a single-family dwelling, and it is constructed with an exclusively metal exterior material which is inconsistent with conventional building materials and design for a residential building of this size and scale. As such its placement directly against the property line without building setback is not consistent with the prevailing pattern of building masses in the vicinity, in which larger structures are set back from side and rear property lines in conformance to Setback Standards set out in Zoning Regulations.
2. The industrial character and metal construction of the accessory building for which the setback exception is proposed is not consistent with, and does not complement, the historical character of the primary structure on the property (Historical Preservation Program Guidelines § 3.4.1 (d)), a Victorian Queen Anne Cottage (Oliver House), designated as a Master List Resource in the City's Inventory of Historic Resources. Contrary to the guidance for Related New Construction (including new accessory structures) provided in the Secretary of the Interior's Standards for the Treatment of Historic Property, the accessory building's austere metal surface material and industrial character are not stylistically appropriate for the character of Oliver House, which exhibits a conventional residential character through wood exterior materials and decorative detailing.

3. The proposed setback reduction does not provide adequate consideration of potential adverse visual and scale effects on surrounding properties. The accessory building's perceived scale and the incongruity of its metal surface material are amplified and made more noticeable to neighboring properties by placement of the building directly adjacent to the side and rear property line without setback.
4. No site characteristics or existing improvements have been identified or observed which would make strict adherence to the Setback Standards set out in Zoning Regulations impractical or infeasible, and placement of the unusually large proposed accessory building directly against the side and rear property lines without setbacks does not conform with the intent of Setback Standards to determine the pattern of building masses and open space. The property is of a conventional rectangular shape, and of dimensions exceeding minimum standards for the zone, without constraining topographical features such as creeks or unusual slope characteristics, and existing property improvements are limited to one modestly sized single-family dwelling.
5. Denial of a reduction in Setback Standards is not subject to the California Environmental Quality Act (CEQA), as described in CEQA Guidelines § 15270 (Projects Which Are Disapproved).

My action is final unless appealed within 10 calendar days of the date of the decision. Anyone may appeal the action by submitting a letter to the Community Development Department within the time specified. The appropriate appeal fee must accompany the appeal documentation. Appeals will be scheduled for the first available Planning Commission meeting date. If an appeal is filed, you will be notified by mail of the date and time of the hearing.

If you have any questions, or if you need additional information, please contact Walter Oetzell, Assistant Planner at (805) 781-7593 (or by email at [woetzell@slocity.org](mailto:woetzell@slocity.org)).

Sincerely,

A handwritten signature in black ink, appearing to be 'TC' followed by a stylized flourish.

Tyler Corey  
Deputy Director  
Community Development