



City of Santa Barbara California

PLANNING COMMISSION STAFF REPORT

REPORT DATE: February 25, 2016
AGENDA DATE: March 3, 2016
PROJECT ADDRESS: 941 Medio Road (MST2015-00344)

TO: Planning Commission
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Jo Anne La Conte, Assistant Planner *JAL*

I. PURPOSE OF HEARING

The applicant is appealing the decision of the Staff Hearing Officer for three requested modifications. Please refer to the appellant's letter dated December 18, 2015 (Exhibit A).

II. BACKGROUND

On December 9, 2015, the Staff Hearing Officer (SHO) considered a proposal for additions and alterations to an existing residence located at 941 Medio Road. Please refer to the SHO Staff Report dated December 3, 2015 for details (Exhibit B).

The SHO approved the modification to allow the encroachments in the required front setback facing Ferrelo Road, approved the modification to allow the encroachments into the required front setback facing Medio Road, with a condition that the proposed living room/dining area addition within the front setback be reduced so that it would not encroach more than 13 feet into the required 30' front setback facing Medio Road (15'8" was proposed), and denied the interior setback modification request to allow the pool equipment enclosure with pool equipment in the required 10' interior setback.

On December 21, 2015, the property owner appealed the SHO decision to condition the approval to limit the encroachment into the Medio Road front setback to a maximum of 13 feet. The appeal letter (Exhibit A) states that because of the distance from the street pavement to the proposed addition (34 feet+), there would be no perceivable difference between the proposed and approved encroachments, but the reduced encroachment would severely impact the proposed living and dining areas. Although only a portion of the SHO's decision was appealed, the entire project is before the Planning Commission for review and action.

III. PROJECT DESCRIPTION

The 10,690 square-foot site is currently developed with a 1,215 square foot single family residence, a 77 square foot basement, a 331 square foot detached garage, a detached 62 square foot shed and a trellis. The proposed project involves demolition of the existing garage, trellis and shed, and 16 square feet of the existing residence; construction of 1,278 square feet of

additions to the dwelling, a 208 square foot basement addition, a new 419 square foot two-car garage, new decks and a new stairway. The proposal also includes a new CMU pool equipment enclosure, new condenser units, new retaining walls, new fencing, a new trash enclosure, new swimming pool, restoration of an historic sandstone cap and pier wall and associated grading for the project. The proposal will address violations outlined in a Zoning Information Report (ZIR2014-00443). The proposed total of 3,181 square feet is 83% of the maximum required floor to lot area ratio.

IV. REQUIRED APPLICATIONS

The discretionary applications required for this project are:

1. A Front Setback Modification to allow a new garage, additions, and alterations to the dwelling including roof alterations, new doors and windows, a trash area, condensing units and a pool equipment enclosure with pool equipment within the required 30-foot front setback facing Ferrelo Road to the northwest of the property (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. A Front Setback Modification to allow additions and alterations to the dwelling including new doors and windows, a new deck and a new stairway within the required 30-foot front setback and to allow a new swimming pool within the required 15-foot front setback facing Medio Road to the southwest of the property (SBMC § 28.15.060 and SBMC § 28.92.110); and
3. An Interior Setback Modification to allow a condensing unit and a pool equipment enclosure with pool equipment within the required 10-foot interior setback (SBMC § 28.15.060 and SBMC § 28.92.110).

V. RECOMMENDATION

Staff recommends that the Planning Commission deny the appeal, and uphold the Staff Hearing Officer’s decision to partially approve the subject application, making the findings and subject to the conditions contained in this staff report, which have been adapted for the Commission from those contained in SHO Resolution No. 072-15 (Exhibit B).

VI. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Anders Troedsson		
Property Owner:	Robert & Grace Gulock Revocable Trust		
Site Information			
Parcel Number:	029-321-016	Lot Area:	10,690 sq. ft.
General Plan:	Low Density Residential (max. 3 du/acre)	Zoning:	E-1
Existing Use:	Single Family Residence	Topography:	16% Slope

Adjacent Land Uses	
North – Single Family Residence South - Single Family Residence	East - Single Family Residence West -Single Family Residence

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,292 sq. ft. (includes basement)	-16 sq. ft. + 1,486 sq. ft. = 2,762 sq. ft.
Garage	331 sq. ft.	419 sq. ft.
Accessory Space	62 sq. ft.	None Proposed

VII. ISSUES

Staff recommends that the Planning Commission focus on the issues of the SHO’s decision to reduce the allowed encroachment into the Medio Road Front Setback by 2’8”, and the findings necessary to support the encroachment, which are described in detail in this Staff Report. Staff has identified these as important issues because the Staff Hearing Officer stated that the encroachment was inconsistent with the purposes and intent of the Zoning Ordinance, and were not necessary to secure an appropriate improvement on the site.

VIII. DISCUSSION

The Single Family Design Board reviewed the project on September 21, 2015, and found the requested improvements to be aesthetically appropriate.

A. Medio Road Front Setback Modification

The Staff Hearing Officer approved most of the improvements for which this Modification was requested: patio cover over an existing deck; stairway leading to a basement, a swimming pool, and other minor improvements. The proposal included an addition of a living room/dining room into the Medio Road front setback, which was proposed to encroach approximately 16 feet into the 30’ front setback. The existing residence encroaches approximately seven feet into the front setback in this area. The proposed encroachment represents a more than a doubling of the encroachment. The Staff Hearing Officer could not make the finding that the approximately 16 foot encroachment was necessary to secure an appropriate improvement or that it was consistent with the pattern of development within the neighborhood. The Staff Hearing Officer approved a 13 foot encroachment due to the constrained nature of the lot, which results in a 17 foot setback from the front property line.

The applicant believes that the reduction of approximately three feet in the setback would reduce the living/dining room so much that it would impact the livability of the area, and that the reduction in massing would not significantly change the appearance of the addition from the street. The Medio Road street pavement is approximately 20 feet from the front lot line, and the intervening area is landscaped.

Planning Staff supports the Staff Hearing Officer’s reasoned analysis and decision regarding the Medio Street setback Modification, and believes that the living/dining room could be

expanded to the east (onto the proposed patio), if necessary to make the living/dining room more livable.

B. Ferrelo Road Front Setback Modification

The Staff Hearing Officer approved this requested Modification, which are fully discussed in the Staff Hearing Officer Staff Report, minutes and Resolution. The proposed improvements within the front setback of Ferrelo Road are located further from the Ferrelo Road front property line than the existing improvements that are proposed to be demolished. The property owner did not appeal this approval, so Staff recommends that the Planning Commission concur with the SHO's action, and approve this Modification request.

C. Interior Setback Modification

The Staff Hearing Officer denied this requested Modification, and the property owner agreed to move the requested items out of the required interior setback. The property owner did not appeal this denial, so Staff recommends that the Planning Commission concur with the SHO's action, and deny this Modification request.

IX. FINDINGS

The following findings have been adapted for the Planning Commission from SHO Resolution 072-15 for the Commission's convenience:

- A. The Planning Commission finds that the Front Setback Modification facing Ferrelo Road (northwest elevation) is consistent with the purpose and intent of the Zoning Ordinance and is necessary to secure appropriate improvements on the lot. The proposed alterations and additions to the dwelling and the new garage are appropriate because of the site constraints associated with the current development on site, the undersized and irregular shape of the lot, the two front setbacks and because the alterations, additions and new garage, condensing units, and trash enclosure are not anticipated to adversely impact the adjacent neighbors.
- B. The Planning Commission finds that the Front Setback Modification facing Medio Road (southwest elevation) for the proposed additions, alterations, and improvements is consistent with the purpose and intent of the Zoning Ordinance and is necessary to secure appropriate improvements on the lot. The proposed alterations and addition to the dwelling are appropriate because of the site constraints associated with the current development on site, the undersized and irregular shape of the lot, the two front setbacks and because the alterations and additions are not anticipated to adversely impact the adjacent neighbors.
- C. The Planning Commission finds that the Interior Setback Modification for the pool equipment enclosure with pool equipment is not consistent with the purpose and intent of the Zoning Ordinance and is not necessary to secure appropriate improvements on the lot. The proposed location of the pool equipment enclosure with pool equipment is not appropriate, as they do not provide adequate setbacks from the interior property line and because there are other conforming locations on site where the items could be constructed that would not require modification approval.

X. CONDITIONS

The following conditions were copied from SHO Resolution 072-15 for the Commission's convenience:

- A. The violations outlined in ZIR2014-00443 shall be abated as part of this permit and shall be included in the Scope of Work.
- B. The historic sandstone cap and pier wall shall be restored subject to review and approval by the City Historian.
- C. An Administrative Exception shall be obtained for the proposed over height walls and fences on the property.
- D. The existing hedge within the public right-of-way of Medio Road shall be removed or an Encroachment Permit shall be obtained prior to the issuance of a building permit for the project.
- E. The existing fence within the Media Road public right-of-way shall be removed.
- F. The existing driveway and associated curb cut on Medio Road shall be removed as part of this project. The existing curb along Medio Road shall be extended in the area of the removed driveway.
- G. The proposed living room/dining area addition within the required front setback of Medio Road shall not encroach more than 13 feet into the required front setback of Medio Road.
- H. The condensing units and pool equipment shall comply with the City's Noise Ordinance requirements and the noise spec information with decibel levels for the units shall be reproduced on the plans submitted for building permit.
- I. The following language shall be added to the plans submitted for building permit:

“Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

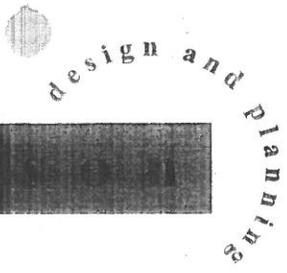
If a discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface

disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If a discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

Exhibits:

- A. Applicant's appeal letter, dated December 18, 2015
- B. Staff Hearing Officer Staff Report, dated December 3, 2015
- C. Staff Hearing Officer Resolution, dated December 9, 2015
- D. Staff Hearing Officer Minutes, dated December 9, 2015
- E. Site Plan



RECEIVED

FEB 02 2016

CITY OF SANTA BARBARA
PLANNING DIVISION

12/18/15

Planning Commission
Planning Division, Community Development Department
630 Garden Street
Santa Barbara, CA 93102-1990

Re: Appeal of Staff Hearing Officer review, Conditions of Approval for Modification
Request for 941 Medio Road;
APN: 029-321-016; E-1

*Deciding body - Staff Hearing Officer
Date of hearing - December 9, 2015
Resolution - No. 072-15
Appeal of condition II (G) of approval - Front Setback Modifications*

To whom it may concern,

The property owners of 941 Medio Road are in agreement of all terms of approval for the setback modification requests of their property as outlined in Resolution No. 072-15 from December 9, 2015 with exception of condition II (G.).

The owners wish to appeal this sole condition, which requires a 2'-8" increase to the proposed setback. Although minimal, the increased set back would severely impact the proposed living and dining areas by restricting the possibility of furnishing the space while maintaining standard clearances for circulation.

- The proposed plan showed this area of addition with a minimum setback of 14'-5" from the property line. However, as there is an unused street dedication of approximately 20 feet between the curb and the property line, the effective setback from the street is 34'-2". We maintain that this addition would not be anticipated to adversely affect adjacent neighbors because it keeps a setback from the street that is more generous than the required 30 feet, and therefore would not be visually perceived as obtrusive from the street and neighboring properties.
- Requesting the proposed addition to be reduced by 2'-8" would not create any perceivable difference to the exterior overall massing, but would, severely impact the functionality of the proposed living space.

Thank you for your consideration of this request.
Sincerely,

C. Anders Troedsson
Agent of Owners for: Mr. and Mrs. Robert and Grace Gulock

969 Colorado Boulevard | Suite 201 | Los Angeles | California | 90041
Tel - 323 254 4525 | Fax - 323 254 4152 | E-mail - cutroedsson@sbcglobal.net

EXHIBIT A



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: December 3, 2015
AGENDA DATE: December 9, 2015
PROJECT ADDRESS: 941 Medio Road (MST2015-00344)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
Danny Kato, Senior Planner *DK*
Jo Anne La Conte, Assistant Planner *JAL*

I. PROJECT DESCRIPTION

The 10,690 square-foot site is currently developed with a 1,215 square foot single family residence, a 77 square foot basement, a 331 square foot detached garage, a detached 62 square foot shed and a trellis. The proposed project involves demolition of the existing garage, trellis and shed, and 16 square feet of the existing residence; construction of 1,278 square feet of additions to the dwelling, a 208 square foot basement addition, a new 419 square foot two-car garage, new decks and a new stairway. The proposal also includes a new CMU pool equipment enclosure, new condenser units, new retaining walls, new fencing, a new trash enclosure, new swimming pool, restoration of an historic sandstone cap and pier wall and associated grading for the project. The proposal will address violations outlined in a Zoning Information Report (ZIR2014-00443). The proposed total of 3,181 square feet is 83% of the maximum required floor to lot area ratio.

The discretionary applications required for this project are:

1. A Front Setback Modification to allow a new garage, additions, and alterations to the dwelling including roof alterations, new doors and windows, a trash area, condensing units and a pool equipment enclosure with pool equipment within the required 30-foot front setback facing Ferrelo Road to the northwest of the property (SBMC § 28.15.060 and SBMC § 28.92.110) and;
2. A Front Setback Modification to allow additions and alterations to the dwelling including new doors and windows, a new deck, and a new stairway within the required 30-foot front setback facing Medio Road to the southwest of the property (SBMC § 28.15.060 and SBMC § 28.92.110).
3. An Interior Setback Modification to allow a condensing unit and a pool equipment enclosure with pool equipment within the required 10-foot interior setback SBMC § 28.15.060 and SBMC § 28.92.110).

Date Application Accepted: October 15, 2015 Date Action Required: January 14, 2016

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the Front Setback Modifications, with the exception of the condensing units, trash area and pool equipment with enclosure and deny the Interior Setback Modification, subject to conditions.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Anders Troedsson	Property Owner:	Robert & Grace Gulock Revocable Trust
Parcel Number:	029-321-016	Lot Area:	10,690 sq. ft.
General Plan:	Low Density Residential (max. 3 du/acre)	Zoning:	E-1
Existing Use:	Single Family Residence	Topography:	16 % Slope

Adjacent Land Uses:

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

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,292 sq. ft. (includes basement)	-16 sq. ft. + 1486 = 2,762 sq. ft. (includes basement)
Garage	331 sq. ft.	419 sq. ft.
Accessory Space	62 sq. ft.	None proposed

C. PROPOSED LOT AREA COVERAGE

Building: 3,178 sf 30% Hardscape: 3,394 sf 32% Landscape: 4,118 sf 38%

IV. DISCUSSION

The 10,690 square foot lot is irregularly shaped, and has two front setbacks as it fronts both Ferrelo and Medio Roads. The property is legally non-conforming to lot size, parking and setback requirements. The proposed project will meet open yard, building height and parking requirements.

The minimum lot size for an E-1 zone is 15,000 square feet. With 10,690 square feet of lot area, the property is legal non-conforming to lot size. The current development on site is located within both required front setbacks. Further development on the lot or alterations to the existing residence are further constrained by the location of the existing development.

The proposal will address violations outlined in a Zoning Information Report (ZIR2014-00443) and includes a request for an Administrative Exception to allow over height fences and walls at the property. The proposal also includes restoration of an existing historic wall. Therefore, conditions have been included that the violations outlined in ZIR2014-00443 shall be abated as part of this proposal, an Administrative Exception shall be obtained for the over height fences and walls and that the historic wall shall be restored subject to review and approval by the City Historian.

This project was reviewed by the Single Family Design Board (SFDB) on September 21, 2015, and was forwarded to the Staff Hearing Officer (SHO) with comments.

Front Setback Modification Facing Ferrelo Road (northwest elevation)

The existing dwelling is non-conforming to the required 30-foot front setback facing Ferrelo Road, as most of the dwelling is located in the required front setback. The existing dwelling, as its closest point, is located approximately 13 feet from the front property line facing Ferrelo Road. The existing garage is located on the front property line facing Ferrelo Road, and does not meet the minimum required five-foot distance between buildings.

The existing garage is proposed to be demolished. The proposed attached two-car garage is located in the front setback, approximately nine feet from the front property line at its closest point. The proposal includes alterations and additions to the existing dwelling that will change the main entry to the dwelling from Medio Road to Ferrelo Road. The additions and alteration include, roof alterations, a new entry door, new side doors for an attached storage area, new doors for the master bedroom, new windows and window alterations to the dwelling that are located in the required 30-foot front setback. The proposal also includes a new trash area, three new condensing units and a pool equipment enclosure in the required 30-foot front setback facing Ferrelo Road. Staff supports the request to allow the additions with new doors and windows and alterations to the dwelling including the new two-car garage in the required front setback because they are appropriate improvements to a single-family residence and because it is difficult to provide a conforming improvement on the lot due to the existing site constraints.

However, staff does not support the request to allow the trash area, condensing units and pool equipment enclosure to be located in the required front setback because there are conforming locations on the property for the amenities that will meet the Zoning Ordinance requirements. Therefore, staff has included a condition that the trash area, condensing units, and pool equipment enclosure shall be relocated to comply with the Zoning Ordinance requirements.

Front Setback Modification Facing Medio Road (southwest elevation)

The existing dwelling is non-conforming to the required 30-foot front setback facing Medio Road as it is located approximately nine feet from the Medio Road front property line at its closest point. In addition, there is landscaped right-of-way area in front of the property that is approximately 18 to 24 feet from the paved street right-of-way along Medio Road. The proposal includes additions and alterations to the dwelling which include new doors and windows, alterations to doors and windows and a new deck and stairway within the front setback facing Medio Road. Staff supports the request to allow the additions with new doors and windows and alterations to the dwelling including the new deck and stairway in the required front setback because of the site constraints associated with the undersized and irregular size of the lot, the two front setbacks, and as they are appropriate improvements to a single-family residence that are not anticipated to adversely impact the adjacent neighbors.

Interior Setback Modification

The project includes a new pool equipment enclosure with pool equipment and a condensing unit that is proposed to be located approximately five feet from the interior property line, instead of the 10 feet required. Staff does not support the request to allow the pool equipment enclosure with pool equipment and a condensing unit to be located in the required interior setback because there are conforming locations on the property for the amenities that will meet the Zoning Ordinance requirements. Therefore, staff has included a condition that the pool equipment enclosure with pool equipment and a condensing units shall be relocated to comply with the Zoning Ordinance requirements.

Transportation Review

Transportation staff has reviewed the size and location of the new garage and have stated that it will function as proposed, and is an improvement from the existing location of the garage.

Environmental Review

The proposed project includes three new condensing units and new pool equipment. The applicant has submitted noise specs for the condensing units and pool equipment that show the units will meet the City's noise regulations. Therefore, a condition has been included that the condensing units and pool equipment shall comply with the City's noise ordinance requirements and the spec sheets for the units with decibel levels shall be reproduced on the plans submitted for building permit.

The project site is located within an area mapped as Early 20th Century Archaeological (1900-1920) sensitivity area. An Archaeological Letter report prepared by Brent Leftwich, Ph.D., R.P.A., dated October 10, 201, concluded that it is unlikely that artifacts will be encountered during the proposed construction but recommends that the standard unanticipated archaeological discovery condition be included. Therefore, staff has included a condition that the standard unanticipated archaeological discovery condition shall be reproduced on the plans prior to submittal for building permit.

V. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the Front Setback Modification facing Ferrelo Road (northwest elevation) for all requested items, except for the trash area, pool equipment enclosure and condensing units, is consistent with the purpose and intent of the Zoning Ordinance and is necessary to secure appropriate improvements on the lot. The proposed alterations and additions to the dwelling and the new garage are appropriate because of the site constraints associated with the current development on site, the undersized and irregular shape of the lot, the two front setbacks and because the alterations, additions and new garage are not anticipated to adversely impact the adjacent neighbors.

The Staff Hearing Officer finds that the Front Setback Modification facing Medio Road (southwest elevation) is consistent with the purpose and intent of the Zoning Ordinance and is necessary to secure appropriate improvements on the lot. The proposed alterations and addition to the dwelling are appropriate because of the site constraints associated with the current development on site, the undersized and irregular shape of the lot, the two front setbacks and because the alterations and additions are not anticipated to adversely impact the adjacent neighbors.

The Staff Hearing Officer finds that the Front Setback Modification facing Ferrelo Road (northwest elevation) for the trash area, pool equipment enclosure and condensing units are not consistent with the purpose and intent of the Zoning Ordinance and are not necessary to secure appropriate improvements on the lot. The proposed location of the trash area, pool equipment with enclosure and condensing units are not appropriate, as they do not provide adequate setbacks from the front property line and because there appear to be other conforming locations on site where the items could be constructed that would not require modification approval.

The Staff Hearing Officer finds that the Interior Setback Modifications for the pool equipment enclosure with pool equipment and a condensing unit is not consistent with the purpose and intent of the Zoning Ordinance and is not necessary to secure appropriate improvements on the lot. The proposed location of the pool equipment enclosure with pool equipment and a condensing unit are not appropriate, as they do not provide adequate setbacks from the interior property line and because there appear to be other conforming locations on site where the items could be constructed that would not require modification approval.

Said approval is subject to the following conditions:

1. The violations outlined in ZIR2014-00443 shall be abated as part of this permit and shall be included in the Scope of Work.
2. The historic sandstone cap and pier wall shall be restored subject to review and approval by the City Historian.
3. An Administrative Exception shall be obtained for the proposed over height walls and fences at the property.
4. The trash area, condensing units and pool equipment enclosure shall be relocated to comply with the City's Zoning Ordinance.

5. The condensing units and pool equipment shall comply with the City's Noise Ordinance requirements and the noise spec information with decibel levels for the units shall be reproduced on the plans submitted for building permit.
6. The following language shall be added to the plans submitted for building permit:

"Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If a discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If a discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

STAFF HEARING OFFICER STAFF REPORT
941 MEDIO ROAD (MST2015-00344)
DECEMBER 3, 2015
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Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated July 6, 2015
- C. SFDB Minutes dated September 21, 2015

Contact/Case Planner: Jo Anne La Conte, Assistant Planner
(JLaconte@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x3320



City of Santa Barbara California

Exhibit A: Site Plan

This document was distributed separately. A copy of these plans are available for viewing at the Planning and Zoning Counter, 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 to verify closure dates.

Anders Troedsson
969 Colorado Blvd. Suite 201
Los Angeles, CA 90041
(323) 254-4525

7/6/15

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

RECEIVED
OCT 07 2015
CITY OF SANTA BARBARA
PLANNING DIVISION

Re: Modification Request for 941 Medio Road; APN: 029-321-016; E-1

Dear Staff Hearing Officer:

1. This property is situated at the corner of Medio Road and Ferrello Road. The property contains an existing single story house with a side covered deck and basement (1,296 sq.ft.). Adjacent to the main structure are a detached one-car garage (369 sq.ft.), and several other non-permitted structures. On the Ferrello Road side, the house encroaches a maximum of 16'-5" (at its apex) into the northerly required 30' setback for a total of 541 sq.ft. Towards Medio Road, it encroaches a maximum of 21'-5" (at its apex) into the southerly required 30' setback for a total of 378 sq.ft. The garage and shed structures are fully encroaching into the northerly required 30' setback. The existing house and garage have building permits according to the City building files. The existing storage sheds and Plexiglas trellis structure are unpermitted and non-conforming and are proposed to be demolished.

The proposal is to build a 2,095 sq.ft. single story addition to, and remodel a portion of, the existing dwelling and basement. This would include: reconfiguring existing square footage to allow for a new guest suite; expanding the existing living and dining areas into a great room framing the ocean views to the south; constructing a new open-concept kitchen; adding a new attached 2-car garage; expanding the existing basement; adding a new master suite, and developing the land on the southeast of the property to feature new patio areas for outdoor living and entertaining, featuring a 32'x12' (irregular) pool off of the living space and master suite that overlooks the ocean.

2. The property is severely constrained by its unique corner configuration, giving it two "front" yards. This mandates a 30' required setback along the majority of the property perimeter applying to both Medio Road and Ferrello Road. The modification being requested is to allow the following:
 - a. New construction of approximately 190 sq.ft. (8'x4', 11'x8', and 10'x15') that will encroach a maximum of 16 feet into the required 30' setback along Medio Road. This area allows for an expanded living space that has direct

access to the proposed pool deck and outdoor patio space and maximizes the southerly ocean views.

- b. New construction of approximately 395 sq.ft. (irregular shaped) that will encroach a maximum of 19 feet (at its apex) into the front setback of Ferrelo Road. This additional area allows for the construction of a new attached 2-car garage off of the same driveway access that would eliminate the need for the existing garage that encroaches entirely into the required 30' setback.
- c. Allow proposed swimming pool to encroach 5 feet into the required 15 foot front setback (considered secondary front setback on this property) for a length of 28 feet. The construction of the pool in its proposed location considers the need for open area as well as maintaining privacy from Medio Road. At this location, the pool will be separated from the street level below by roughly 10 vertical feet and still allow the residents to enjoy their southerly ocean views.
- d. Allow construction of required 60 inch high pool fencing within 10 feet of front (secondary front on this property) property line for a length of 79 feet. In order to safely enclose the proposed pool per code requirements and maintain the client's ocean views, the fencing would encroach closer than 10 feet from the property line. This new fencing, however, would be located an average of 10 feet further from the street than the existing fencing that it would replace.

3. N/A

4. The proposed addition, which encroaches into the required setbacks, promotes the construction of a residence congruent in proportion and character with the surrounding neighborhood. It enables the tasteful development of a lot that would otherwise be restricted to an unreasonable percentage of the total lot area due to front yard setbacks assigned to nearly 90% of the lot perimeter. It eliminates the existing, non-conforming, single-car, detached garage without the need to relocate the driveway access to the property. In its place, would be additional off-street covered parking from a new attached two-car garage relocated further out of the primary front setback. By expanding eastward across the undeveloped portion of this site, it allows the client the opportunity to add to their home without having to resort to a second story addition that would bring with it many additional problems relating to privacy, natural light, and conflicts of scale with the neighboring properties.

Sincerely,



Anders Troedsson

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING**6. 941 MEDIO RD****E-1 Zone****(5:15)**

Assessor's Parcel Number: 029-321-016
 Application Number: MST2015-00344
 Owner: Robert and Grace Gulock Revocable Trust
 Architect: Anders Troedsson

(Proposal to demolish 16 square feet of an existing 1,215 square foot single-family residence and all of an existing 331 square foot detached garage. The proposal will add 1,278 square feet the existing residence, including 208 square feet to the existing 77 square foot basement, and includes a new 419 square foot attached two-car garage. Also proposed are a new CMU equipment enclosure, new CMU retaining walls, new fencing, a new trash enclosure, and a new swimming pool with a new pool deck, 244 cubic yards of cut and fill grading outside of the building footprint, and restoration of a historic sandstone cap and pier wall on the property. The project will address violations identified in a Zoning Information Report (ZIR2014-00443). The proposed total of 3,181 square feet of development on a 10,690 square foot lot in the Hillside Design District is 83% of the required guideline maximum floor-to-lot area ratio (FAR). An Administrative Exception is requested to allow a fence and wall to exceed 3-1/2 feet in height within 10 feet of the front lot line. In addition, Staff Hearing Officer review is requested for zoning modifications for additions and alterations to the dwelling, for the garage, swimming pool and pool equipment within required front setbacks.)

(Comments only; project requires Environmental Assessment and Staff Hearing Officer review for requested zoning modifications.)

Actual time: 6:01 p.m.

Present: Anders Troedsson, Architect.

Public comment opened at 6:15 p.m.

- 1) Timothy Gozzano, adjacent neighbor, expressed support for the project's single-story design on the small lot and its consistency with the neighborhood. He stated it would be difficult to fit a two car garage on a corner lot.

Letters of expressed concerns from Stephanie Moret and Wendy Edmunds regarding the conservation of the historic wall and the removal of the vegetation from the wall were acknowledged.

Public comment closed at 6:21 p.m.

Motion: Continued indefinitely to Staff Hearing Officer to return to Full Board with comments:

- 1) The overall floor plan layout is acceptable.
- 2) The Board supports the modifications for the pool fence, the new location of garage, and the additions in the front yard setbacks.
- 3) Provide a detailed rendering of the elevations to show the stonework, the window placement and fenestration, the roofing material, and the building configuration in context with its surroundings.
- 4) Provide a landscape plan

Action: Miller/Woolery, 6/0/0. Motion carried. (James absent).



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 072-15

941 MEDIO ROAD

FRONT SETBACK MODIFICATIONS, INTERIOR SETBACK MODIFICATION

DECEMBER 9, 2015

APPLICATION OF ANDERS TROEDSSON, ARCHITECT FOR ROBERT GULOCK AND GRACE GULOCK REVOCABLE TRUST, 941 MEDIO ROAD., APN: 029-321-016, E-1 (ONE-FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX. 3 UNIT/ACRE) (MST2015-00344).

The 10,690 square-foot site is currently developed with a 1,215 square foot single family residence, a 77 square foot basement, a 331 square foot detached garage, a detached 62 square foot shed and a trellis. The proposed project involves demolition of the existing garage, trellis and shed, and 16 square feet of the existing residence; construction of 1,278 square feet of additions to the dwelling, a 208 square foot basement addition, a new 419 square foot two-car garage, new decks and a new stairway. The proposal also includes a new CMU pool equipment enclosure, new condenser units, new retaining walls, new fencing, a new trash enclosure, new swimming pool, restoration of an historic sandstone cap and pier wall and associated grading for the project. The proposal will address violations outlined in a Zoning Information Report (ZIR2014-00443). The proposed total of 3,181 square feet is 83% of the maximum required floor to lot area ratio.

The discretionary applications required for this project are:

1. A Front Setback Modification to allow a new garage, additions, and alterations to the dwelling including roof alterations, new doors and windows, a trash area, condensing units and a pool equipment enclosure with pool equipment within the required 30-foot front setback facing Ferrelo Road to the northwest of the property (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. A Front Setback Modification to allow additions and alterations to the dwelling including new doors and windows, a new deck, swimming pool, and a new stairway within the required 30-foot front setback facing Medio Road to the southwest of the property (SBMC § 28.15.060 and SBMC § 28.92.110); and
3. An Interior Setback Modification to allow a condensing unit and a pool equipment enclosure with pool equipment within the required 10-foot interior setback (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 15305 (Existing Facilities and Minor Alterations in Land Use Limitations).

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, December 3, 2015.
2. Site Plans

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

- I. Approved the subject application making the following findings and determinations:
 - A. The Staff Hearing Officer finds that the Front Setback Modification facing Ferrelo Road (northwest elevation) is consistent with the purpose and intent of the Zoning Ordinance and is necessary to secure appropriate improvements on the lot. The proposed alterations and additions to the dwelling and the new garage are appropriate because of the site constraints associated with the current development on site, the undersized and irregular shape of the lot, the two front setbacks and because the alterations, additions and new garage, condensing units, and trash enclosure are not anticipated to adversely impact the adjacent neighbors.
 - B. The Staff Hearing Officer finds that the Front Setback Modification facing Medio Road (southwest elevation) for the proposed additions, alterations, and improvements is consistent with the purpose and intent of the Zoning Ordinance and is necessary to secure appropriate improvements on the lot. The proposed alterations and addition to the dwelling are appropriate because of the site constraints associated with the current development on site, the undersized and irregular shape of the lot, the two front setbacks and because the alterations and additions are not anticipated to adversely impact the adjacent neighbors.
 - C. The Staff Hearing Officer finds that the Interior Setback Modification for the pool equipment enclosure with pool equipment is not consistent with the purpose and intent of the Zoning Ordinance and is not necessary to secure appropriate improvements on the lot. The proposed location of the pool equipment enclosure with pool equipment is not appropriate, as they do not provide adequate setbacks from the interior property line and because there are other conforming locations on site where the items could be constructed that would not require modification approval.
- II. Said approval is subject to the following conditions:
 - A. The violations outlined in ZIR2014-00443 shall be abated as part of this permit and shall be included in the Scope of Work.
 - B. The historic sandstone cap and pier wall shall be restored subject to review and approval by the City Historian.
 - C. An Administrative Exception shall be obtained for the proposed over height walls and fences on the property.

- D. The existing hedge within the public right-of-way of Medio Road shall be removed or an Encroachment Permit shall be obtained prior to the issuance of a building permit for the project.
- E. The existing fence within the Media Road public right-of-way shall be removed.
- F. The existing driveway and associated curb cut on Medio Road shall be removed as part of this project. The existing curb along Medio Road shall be extended in the area of the removed driveway.
- G. The proposed living room/dining area addition within the required front setback of Medio Road shall not encroach more than 13 feet into the required front setback of Medio Road.
- H. The condensing units and pool equipment shall comply with the City's Noise Ordinance requirements and the noise spec information with decibel levels for the units shall be reproduced on the plans submitted for building permit.
- I. The following language shall be added to the plans submitted for building permit:

“Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If a discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If a discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

This motion was passed and adopted on the 9th day of December, 2015 by the Staff Hearing Officer of the City of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Staff Hearing Officer at its meeting of the above date.

Julie Rodriguez, Planning Commission Secretary

Date

PLEASE BE ADVISED:

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Single Family Design Board (SFDB) approval and then a building permit.
5. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
6. **NOTICE OF APPROVAL TIME LIMITS:** The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
 - a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
 - b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
 - i. an Issuance of a Certificate of Occupancy for the use, or;
 - ii. one (1) year from granting the approval.

ACTUAL TIME: 9:46 A.M.

A. APPLICATION OF ANDERS TROEDSSON, ARCHITECT FOR ROBERT GULOCK AND GRACE GULOCK REVOCABLE TRUST, 941 MEDIO RD., APN: 029-321-016, E-1 (ONE-FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX. 3 UNIT/ACRE) (MST2015-00344).

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Case Planner: JoAnne La Conte, Assistant Planner

Email: JLaConte@SantaBarbaraCA.gov

Phone: (805) 564-5470, ext. 3320.

Present: Anders Troedsson, Architect.

Ms. Reardon announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood.

JoAnne La Conte, Assistant Planner, gave the Staff presentation and recommendation.

The Public Hearing was opened at 10:10 a.m.; and, with no one wishing to speak, the Public Hearing was closed.

ACTION:

Assigned Resolution No. 072-15

Approved the Front Setback and Denied the Interior Setback Modifications making the findings as outlined in the Staff Report dated December 3, 2015, and as revised at the hearing.

Said approval is subject to the conditions as outlined in the Staff Report dated December 3, 2015, and as revised at the hearing.

The ten calendar day appeal period to the Planning Commission was announced and is subject to suspension for review by the Planning Commission.

Ms. Reardon reopened the discussion to clarify the Front Setback Modification finding for revised findings and revised conditions of approval.

