



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: February 21, 2007
AGENDA DATE: February 28, 2007
PROJECT ADDRESS: 2230 Cliff Drive (MST2006-00303)
TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Zoning & Enforcement Supervisor *DK*
 Roxanne Milazzo, Associate Planner *RM*

I. PROJECT DESCRIPTION

The project site is located on the corner of Cliff Drive and Fellowship Road. Current development on site consists of a single family residence and garage. The proposed project involves complete demolition of all structures on site and the construction of a 2,260 square foot two-story residence with attached 2-car garage. The discretionary application required for this project is a Modification to provide the required open yard within the front yard (SBMC§28.15.060).

Date Application Accepted: January 8, 2007 Date Action Required: April 8, 2007

II. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Douglas Keep	Property Owner:	Teri Jory & Seth Geiger
Parcel Number:	041-252-071	Lot Area:	5,428 sf
General Plan:	5 Units Per Acre	Zoning:	E-3
Existing Use:	One-Family Residence	Topography:	Flat
Adjacent Land Uses:			
	North – One-Family residence		East – One-Family Residence
	South – One-Family residence		West – One-Family Residence

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	904 sf	2,260 sf
Garage	390 sf	449 sf
Accessory Space	None	No change

III. LOT AREA COVERAGE

Lot Area: 5,428 sf
Building: 1,606 sf; 30%
Hardscape: 399 sf; 7%
Landscape: 3,423 sf; 63%

IV. DISCUSSION

This project has received four (4) concept reviews by the Architectural Board of Review. In its final concept review, the Board stated that it felt the proposed siting for the residence makes the best use of the constrained site.

The existing development on site consists of a single family residence which is connected by a common wall to a single family residence which is located on the adjacent parcel.

The proposed project involves complete demolition of all structures located on the subject address, and the construction of a new single family residence with attached garage. The proposed development is proposing to provide the required open yard in the front yard off of Fellowship Road. The applicant has chosen not to provide the open yard at the rear of the building, as required by the ordinance, due to their position that the location behind the garage would not be desirable because it is not directly accessible from the residence, and will be shaded most of the day, and therefore would not be enjoyed for the intended outdoor purposes. The applicant's position is that the front yard, which receives full sun all day long, provides a space to watch the world go by, and that the 3 1/2' high wall which will be required for noise mitigation, will contain the yard for the exclusive use of the occupants as intended by the open yard requirement. Also mentioned was the fact that the twenty-foot setbacks, off of both frontages, provide the minimum dimensions required by the ordinance.

Although Staff discourages Modifications for development on vacant lots (once demolition occurs, this lot will be considered vacant), we recognize the site constraints associated with the non-conforming lot area and two front yards. Preliminary consultations revealed that after taking away all required yards and setbacks, only about 1,000 square feet of lot area remains for conforming buildout. Staff also considered the improvement over the existing development which has the residence built up to an interior lot line and a garage located within the front and interior setbacks. Pursuant to Chapter 28.87 (General Provisions), a demo and replacement of the existing development is allowed with nothing more than a building permit

Although Staff strives to remain consistent with their policy of not supporting Modifications on vacant land, we understand that the opportunity for relief is available when the site constraints restrict development beyond reason. Staff feels that if the proposed building was moved forward to the twenty-foot (20') setback facing Cliff Drive, a small but functioning private backyard would be provided in the rear, as required by the ordinance. Relief of the twenty-foot minimum dimensions, and for the 1,250 square foot open yard area would be necessary to secure the improvement. Staff would be able to make the required findings for supporting that proposal by recognizing that the front yard, with its dimensions and overall area, provides this property with additional area for outdoor enjoyment.

V. RECOMMENDATION/FINDING

Staff recommends that the Staff Hearing Officer deny the project, making the findings that the outdoor living space, proposed within the front yard setback, does not provide a private yard as intended by the ordinance and therefore does not secure an appropriate improvement on the site. Staff recommends pulling the residence to the front yard setbacks, and reducing the unit size to provide a backyard of adequate dimensions. Should a minor amount of relief be requested, Staff supports a position that utilization of portions of the front yard, to make up the 1,250 square foot requirement, will be supported due to the recognized constraints associated with two (2) front yard setbacks.

Exhibits:

- A. Site Plan
- B. Applicant's letter dated January 8, 2007
- C. ABR Minutes
- D. Neighborhood Letters dated December 11 & 12, 2006
- E. Site Constraint Diagram

Contact/Case Planner: Roxanne Milazzo, Associate Planner
(rmilazzo@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805)564-5470

January 8, 2007

Bettie Hennon Hearing Officer
City of Santa Barbara
Community Development Department
630 Garden Street
Santa Barbara, CA 93102



RE: Geiger Residence, 2230 Cliff Drive, Santa Barbara, CA
Modification Request for Required Open Yard Area
MST2006-00303
Zone E-3

Dear Ms, Hennon,

The existing structures on the subject property consist of a non-conforming single family residence and a detached non-conforming garage. These structures are illustrated on sheet A 1.0 / Existing Site / Demo Plan.

After a structural analysis, it has been determined that both of the existing structures are beyond repair. The combination of inadequate footings for seismic constraints and dry rot in major structural components suggest that the structure needs to be demolished.

The modification being requested for the proposed project is to allow the required Open Yard Area to be located within the front yard setback as illustrated on sheet A 1.0 Proposed Site Plan.

The justifications of this request are based on several unique site considerations and constraints. They are as follows:

1. The subject property is a corner lot with a 20' Right of Way on Cliff Drive and Fellowship. The combined area of the Right of Ways and the rear & side yard setbacks total over 60% of the lot's open yard space.
2. The Transportation Department has requested that the driveway apron be located on the north end of Fellowship to minimize traffic conflicts with traffic turning from Cliff Drive right on to Fellowship. This requirement further inhibits site options to provide required Open Yard Area outside the Right of Way.
3. With the combination of appropriate landscaping, screening and preserving the existing low wall among the outside edge of the property, all the amenities normally enjoyed with open yard areas would be enjoyed on this parcel as delineated on the Site & Landscape Plan.
4. Solar exposure in a defined Open Yard Area greatly improves the desirability and usefulness of an outdoor area for a variety of activities. Locating the defined Open Yard Area on the west side of the neighbor's residence, which is on the property line, would eliminate all solar exposure except for approximately two hours mid day. This area simply is not as desirable for Open Yard Area then

EXHIBIT B

Architecture
Planning
Project
Management

Douglas T. Keep

5240 Austin Road
Santa Barbara CA
93111

(805) 729-0770
fax
(805) 967-4933
email
dkeep@earthlink.net

locating it on the west side of the proposed structure where it would get direct sun most of the day. The Architectural Board unanimously concurs.

An alternative location would be north of the garage. However, this area being on the north side of the subject parcel, it would only have limited direct sun in the summer and no sun in the winter. This would not be a desirable location for a yard area.

The benefits of this modification are as follows:

1. The existing site configuration of the structures is non-conforming. Most of the garage structure is in the Right of Way and the existing residence is on the property line. The proposed plan would bring all the structures into current zoning conformance.
2. The existing street trees (yuccas) would be removed and replaced with approved street trees. In addition, comprehensive Landscape Plan has been prepared for this property. The combination of street trees and landscaping would greatly improve the visual character of the neighborhood.
3. Currently the property is vacant due to the structural integrity. The Owners of the property are a young family with two children who would like to reside at this location, and become a part of the community.
4. Because the two single family residences are currently "attached", the possibility of fire spreading from one residence to another is high. The desirability to separate the residences greatly improves the safety. The neighbor on the east is in favor of the proposed project.
5. By allowing this modification, the 1200 square feet of required Open Yard Area can be combined with the remaining open space, providing greater diversity of activities and a visual continuity.

Granting a modification in this case would be fair and reasonable due to the constraints on this parcel.

Your consideration of this matter is greatly appreciated.

Respectfully submitted,

Douglas Keep, Architect

ABR COMMENTS FOR 2230 CLIFF DRIVE

July 10, 2006

Garry McGill, resident, addressed concern with bulk and height.

Chair Bartlett read into the record a letter from David and Lisa Tate expressing opposition to the proposed project.

Motion: Continued indefinitely to Full Board with the following comments:
1) Restudy the mass, bulk, scale and square footage as they appear to be excessive given the small corner lot configuration. 2) The Board can not support a modification to having all of the open yard space within the front setback along Fellowship. 3) The Board could potentially support a minor modification for the oversized garage but will wait to see a new configuration before making that determination. 4) The Board is in support of legalizing the existing nonconforming duplex, but is concerned with the relationship of two-story residence located 6-feet from the adjacent structure which will remain. 5) The Board appreciates the architectural style as presented. 6) Study building second-story components into apparent attic space to reduce the height and mass of the building. 7) Provide a clearer depiction of the inter-relationship of property line wall and the existing structure to remain on the east side.

Action: Manson-Hing/Romano, 5 /0/0. Sherry absent.

October 30, 2006

David Tait, neighbor, opposed to the project as presented.

Robert Pretsch, neighbor, opposed to the lack of back yard open space.

Public comment closed at 8:20 p.m.

Motion: Continued three weeks to the Full Board with the following comments:

1) The Board carried forward the following comments from the meeting of July 10, 2006*: *1. Restudy the mass, bulk, scale and square footage as they appear to be excessive given the small corner lot configuration; *2. The Board can not support a modification having all of the open yard space within the front setback along Fellowship; *4 The Board is in support of legalizing the existing nonconforming duplex, but is concerned with the relationship of the two-story residence located 6-feet from the adjacent structure which will remain; *6. Study building second-story components into apparent attic space to reduce the height and mass of the building. 2) The Board finds that the architecture is handsome, although the program and apparent mass, bulk, and

scale are excessive for the corner lot. 3) The applicant is to:
a. Reduce the overall scale and study the relationships such that it has an entry apparent off the street front. b. Provide more open yard space beyond front setback lines; c. Continue to study the interrelationship of the house and remaining structure to the east side; and d. Provide a north elevation.

Action: Manson-Hing/Sherry, 7/0/0. Motion carried. (LeCron absent.)

November 20, 2006

Bob Pietsca, resident, stated his concern with the project's lack of open space.

A letter from Gary and Laurie McGill, residents, expressed concern with the mass, bulk and scale of the project, was read into the record by Chair Bartlett.

Public comment closed at 7:28 p.m.

Straw vote: How many members support the open yard modification ratio? 4/2/1. Mudge abstained.

Motion: Continued 2 weeks to the Full Board with the following comments:

1) The Board finds the reduction and the restudy of the architectural forms to be moving in the right direction; however, the majority of the Board finds that the mass, bulk, and scale need further relief. 2) The porch offsets are too shallow in depth to appear genuine. 3) The Board likes the notion of the apparent second story attic with dormers. 4) Restudy simplifying the double gambrel roof expression on the west elevation, to make the second story windows appear more as dormer windows. 5) Present more depth to the entry porch and the south facing porch (facing Cliff Drive). 6) Further increase the amount of open space beyond the setback lines. 7) Provide additional landscaping on both street frontages, including street trees and landscape in the parkway areas to further enhance the apparent front yard experience on both streets.

Action: Manson-Hing/Wienke, 7/0/0. Motion carried. (Sherry absent.)

December 4, 2006

Robert Pretsch, resident, recommended moving the house closer to Cliff Drive.

Gary McGill, resident, expressed concern about loss of open space.

Chair Bartlett acknowledged receipt of a letter from David and Lisa Tait, expressing concern with the projects height and resulting loss of privacy.

Public comment closed at 7:04 p.m.

Motion: **Continued indefinitely to the Staff Hearing Officer and continued indefinitely to the Full Board with the finding that the Neighborhood Preservation Ordinance criteria have been met as stated in Subsection 22.68.060 of the City of Santa Barbara Municipal Code with the following comments:**

1) The architecture is handsome, and the siting of the house makes the best use of the constrained site. 2) The Board does not support an encroachment into the 6 foot interior yard setback. 3) Even though there is a modification request, the open space provided by the front yards equals 60% of the lot area.

Action: LeCron/Manson-Hing, 7/0/0. Motion carried. (Mudge absent)

Milazzo, Roxanne

From: David Tait [dtmasonry@cox.net]
Sent: Monday, December 11, 2006 3:50 PM
To: Milazzo, Roxanne
Subject: Re: 2230 Cliff Dr.

Roxanne- Thanks for the update, I look forward to hearing from you. David Tait

----- Original Message -----

From: Milazzo, Roxanne
To: David Tait
Sent: Monday, December 11, 2006 10:05 AM
Subject: RE: 2230 Cliff Dr.

David - I'll contact you upon receipt of a Modification submittal and we'll schedule an appointment to meet at that time - Roxanne

From: David Tait [mailto:dtmasonry@cox.net]
Sent: Friday, December 08, 2006 1:30 PM
To: Milazzo, Roxanne
Cc: Weiss, Bettie
Subject: 2230 Cliff Dr.

Dear Ms. Milazzo

My name is David Tait and my address is 412 Fellowship Rd.

My family and I have concerns about the project proposed at 2230 Cliff Dr. That property is directly north of ours. From attending the ABR meetings it seems the board will approve the design as it is now. Our concerns are to do mostly with the size of the new home (FARs) and the modification to use almost all of the open space requirement in the front yard setbacks. There is also a deck over looking our yard, only 5' off the prop. line, which according to you design guidelines creates the most privacy impact to neighbors and is discouraged by the City. This can only be achieved with the modification. Thus, the modification causes the undesirable design. We feel there are many guidelines which are not being met. We understand that these guidelines are not required, but for such a large portion of open space to be modified to the setbacks we feel they could do better. We would like to discuss this further with you when you have time as we, as well as many of our neighbors, have many questions about this project. Please call or e-mail at your earliest convenience.

Sincerely,

David and Lisa Tait
home phone # 966-1317
David's Cell # 689-9985
e-mail dtmasonry@cox.net

EXHIBIT D

12/11/2006

Milazzo, Roxanne

From: Gary J. McGill [McGill.family@verizon.net]
Sent: Tuesday, December 12, 2006 1:27 PM
To: Milazzo, Roxanne
Subject: RE: 2230 Cliff Drive. Application #MST2006-00303

Dear Ms. Milazzo,

We are in support of our neighbors David and Lisa Tait, (412 Fellowship Road) in their opposition to the proposed development at

2230 Cliff Drive
Application #MST2006-00303
Assessor #041-252-071&041-252-031

We feel that the proposed development of this corner lot, has more bulk and scale, than the surrounding neighbors and that the ARB did not look carefully enough that the issues of this House that spans two lots. If the proposed bulk and scale is allowed on this lot and the adjacent lot the Tait family will be hemmed in by a 20 foot high wall close to 60 feet long across their children's play yard.

We will be photocopying the letters written to the ARB on this matter and sending them to you.

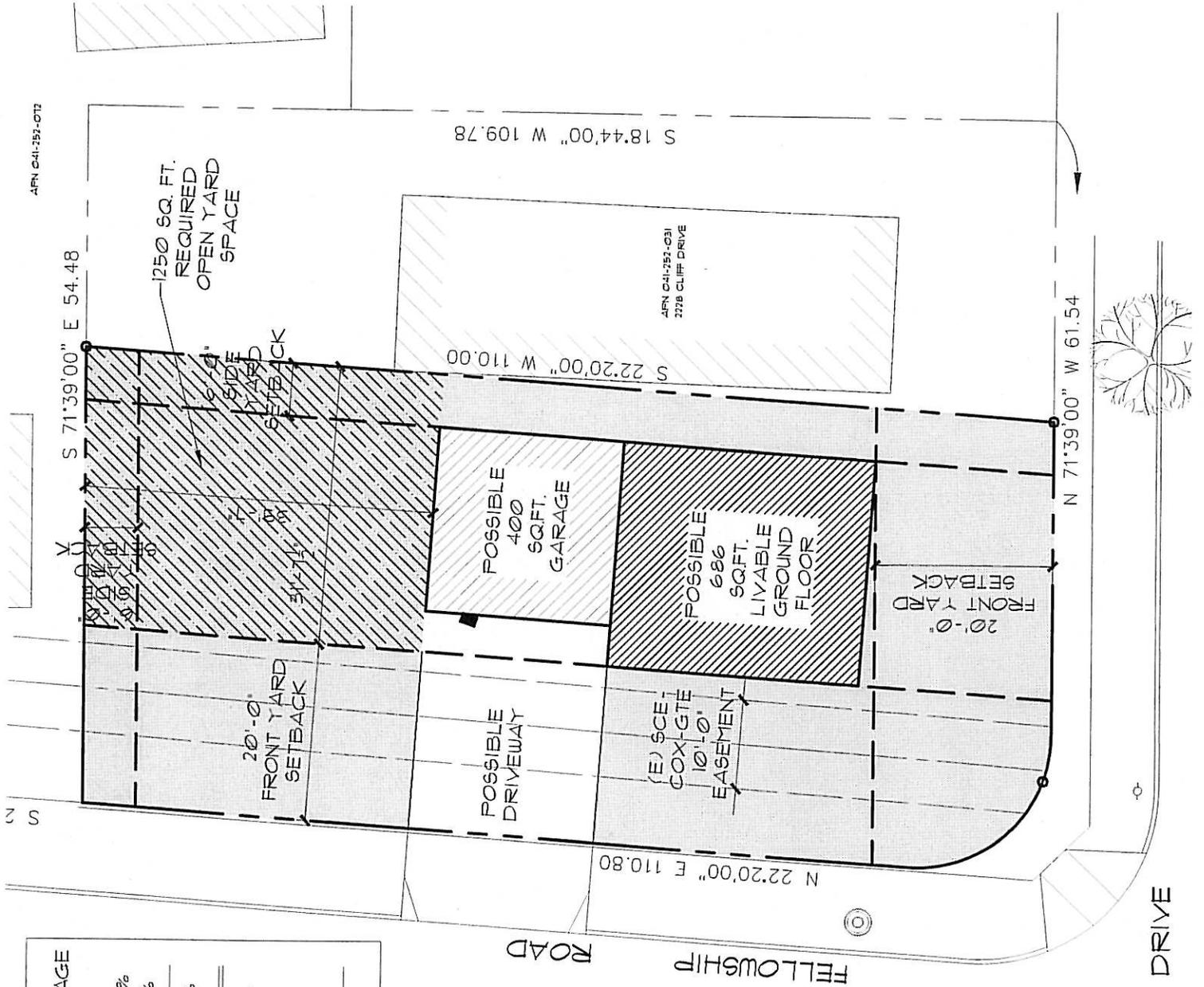
We are in favor of the re-development of 2230 Cliff Drive and the adjacent lot but since these lots have a non-conforming Condo structure spanning two property lines and two non-conforming detached garage structures that have no setback, I would hope that the City would look carefully at how the re-development affects it's neighbors.

A field trip may be in order to fully appreciate the Tait's position.

Sincerely,

Gary & Laurie McGill
416 Fellowship Road
Santa Barbara, CA 93109

AFN 041-251-072



	SQ. FT.	LOT COVERAGE
TOTAL DRIVEWAY	420	7.1%
TOTAL ALL OPEN AREA	3135	68.8%
TOTAL BUILDABLE AREA	1213	23.5%
TOTAL SQ. FT. LOT	5428	100%

POSSIBLE HABITABLE FOOTPRINT	686	12.6%
POSSIBLE NON-HABITABLE FOOTPRINT	400	7.4%
TOTAL FOOTPRINT	1086	20%



"STUDY B"

SCALE: 1/16"=1'-0"