



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** April 4, 2007  
**AGENDA DATE:** April 11, 2007  
**PROJECT ADDRESS:** 2230 Cliff Drive (MST2006-00303)  
**TO:** Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Zoning & Enforcement Supervisor *DJK*  
 Roxanne Milazzo, Associate Planner *Rox*

### 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 proposed project was designed with its outdoor living space located within the front yard setback facing Fellowship. At a Public Hearing on February 28, 2007, the Staff Hearing Officer continued the item with the recommendation to pull the residence to the front yard setback facing Cliff Drive and reducing the unit size to provide a backyard of adequate dimensions. This is the revised project. The discretionary application required is a Modification to provide open yard with less than the twenty-foot (20') dimension and for a portion to be located within the front yard setback (SBMC§28.15.060).

Date Application Heard by SHO: February 28, 2007 Date Action Required: Not Applicable

### 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**

	<b>Existing</b>	<b>Proposed</b>
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. Although the building has been relocated, towards Cliff Drive by ten-feet (10'), the elevations did not change. Therefore, the project was not sent back to ABR.

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 original proposal intended to provide the required open yard in the front yard off of Fellowship Road. It was the applicant's position, as it is now, that providing the open yard 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.

It is Staff's position that the required open yard area should be private and that the location behind the garage provides that privacy. Staff would like to see the open yard provide the minimum required dimension of twenty-feet, which would require reduction in the proposed floor area. Reducing the residence's size by 150 square feet would also bring the project into conformance with the proposed two-story floor to lot area ratio maximums. The applicant is not interested in reducing the project's floor plan and although they have complied with Staff's recommendation and provided a larger rear yard, they still maintain their position that the front yard will provide the area that will be used for outdoor enjoyment.

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

**V. RECOMMENDATION/FINDING**

Staff recommends that the Staff Hearing Officer approve the revised project making the findings that the Modification is necessary to secure an appropriate improvement and that the purpose and intent of the Ordinance is being met with the yard areas being provided.

Exhibits:

- A. Site Plan
- B. Applicant's letter dated January 8, 2007
- C. ABR Minutes
- D. Neighborhood Letters dated February 20 & 27, 2007

Contact/Case Planner: Roxanne Milazzo, Associate Planner  
([rmilazzo@SantaBarbaraCA.gov](mailto: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

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**EXHIBIT B**

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)



**PUBLIC COMMENT CORRESPONDENCE:**

DISTRIBUTED ON: 2/28/07 *mdg*

SHO (4):

- STAFF HEARING SUPERVISOR (Bettie Weiss)
- ORIGINAL to STAFF HEARING OFFICER (Rox)
- PLANNING TECH FOR ITEM
- APPLICANT

February 20, 2007

City of Santa Barbara  
Planning Division  
630 Garden Street  
Santa Barbara, CA 93109

RE: Property of Teri Jory & Seth Geiger  
2230 Cliff Drive  
APN 041-252-071  
Agenda Item scheduled for the February 28<sup>th</sup> hearing

We, Mark and Lorraine Michalak, are the property owners as well as the residents of 2228 Cliff Drive, the property that is adjacent to the property owned by Teri Jory and Seth Geiger, 2230 Cliff Drive. Our dwellings share a common wall that runs along the property line between the two parcels.

We gave our consent to Teri and Seth, and their architect Douglas Keep, to demolish their existing dwelling while leaving our dwelling intact. Teri and Seth initially gave us verbal assurance that they would incur all costs associated with the reconstruction projects that may affect our property-line wall and existing structure after their dwelling has been torn down. At their request, we gave them a written list of our concerns, and they have since given us a written proposal confirming their intent to incur the costs associated with the demolition of their dwelling. Please see attachments.

We have been supportive since we first learned of Teri and Seth's plans to build a new dwelling on their property. We have seen the proposed plans, and have attended the Architectural Board of Review meetings pertaining to this project. We appreciate that we have been kept informed of the steps involved in the planning process and have had our concerns addressed. We feel that the proposed structure will enhance the neighborhood.

Sincerely,

Mark and Lorraine Michalak  
2228 Cliff Drive  
(805) 965-7595  
ljmichalak@hotmail.com

**EXHIBIT C**

PUBLIC COMMENT CORRESPONDENCE:

DISTRIBUTED ON: 2/28/07

SHO (4):

- STAFF HEARING SUPERVISOR (Bettie Weiss)  
 ORIGINAL TO STAFF HEARING OFFICER (Rox)  
 PLANNING TECH FOR ITEM  
 APPLICANT

February 27, 2007

Reference: 2230 Cliff Drive, APN 041-252-071

Dear Roxanne Milazzo,

I have lived at 405 Fellowship Road since 1986. My corner is the mirror image of the subject property. I have reviewed the plans available for inspection and spoke with you briefly.

I would like to see my neighbors happy, all my neighbors. I am looking forward to seeing the property developed into something more appropriate than the current house. I have no problem with granting a modification to help the owners move forward with something. The plans seem nice enough, I like the style, but appears to be very large for the surrounding neighborhood.

I think the plan is ill-advised based on traffic noise. I have tried to enjoy my open space adjacent to Cliff Drive and found it to be too noisy. I believe any future occupants, would be happier if the patio space was in the rear of the lot and the house moved forward as much as possible.

I am uncomfortable with the mass, bulk and scale of the current elevations and most concerned with the potential for increases in the outside dimensions once the plans are approved. Please let me know:

- a) If the project is approved as is, what mechanisms are in place to ensure there is no enlargement of structure during construction?
- b) Is the applicant required to resubmit the plans for an increase in size of even one inch?

I hope my comments help make for a better design.

Thank you for your efforts,

Robert Pietsch  
637-1275