



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** September 5, 2007  
**AGENDA DATE:** September 12, 2007  
**PROJECT ADDRESS:** 204 La Marina (MST2006-00604)  
**TO:** Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Zoning & Enforcement Supervisor  
 Roxanne Milazzo, Associate Planner

### I. PROJECT DESCRIPTION

The 6,500 square foot project site is located on the corner of La Marina and Del Mar Avenue. Existing development on site consists of a single family residence with attached garage. The proposed project involves complete demolition of all structures on site and the construction of a 2-story residence with attached garage. The discretionary applications required for this project are Modifications to permit new construction to be located within required front and open yard areas (SBMC §28.15.060), and to permit a fence in excess of 3 1/2' in height when located along a front lot line (SBMC §28.87.170).

Date Application Accepted: June 14, 2007      Date Action Required: December 14, 2007

### II. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant: Thompson Naylor Architects	Property Owner: Douglas Moore
Parcel Number: 045-221-009	Lot Area: 6,526 sf
General Plan: 5 Units Per Acre	Zoning: E-3/SD-3
Existing Use: Single Family Residence	Topography: 8% slope
Adjacent Land Uses:	
North – Single Family Residence	East – Single Family Residence
South – Single Family Residence	West – Single Family Residence

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	823 sf ( to be demolished)	1,968 sf
Garage	252 sf( to be demolished)	410 sf
Accessory Space	60 sf ( to be demolished)	None

**III. LOT AREA COVERAGE**

Lot Area: 6, 526 sf  
Building: 1,632 sf; 25%  
Hardscape: 1,240 sf; 19%  
Landscape: 3,654 sf; 56%

**IV. DISCUSSION**

This project was reviewed by the ABR on October 23, 2006 and continued with favorable comments. The Board recognized the site constraints associated with two front yards and found that the project was appropriate for the neighborhood.

Four Modifications are being requested for this project. It is Staff's position that when developing vacant land, modifications are typically not supportable. However, this lot with its triangular shape, two front yards, and the utility easement at the back of the property, has recognized constraints.

A front yard encroachment is being requested to allow a front porch in the front yard setback facing La Marina Drive. Staff feels this is a supportable request in that it provides an architectural element, which formalizes the front of the house and announces where the main entry is without providing floor area. Encroachment into the secondary front yard, (Del Mar Avenue), is also being requested. During preliminary consultations with the applicant, Staff suggested that all floor area should observe the required setbacks, but that because of the triangular shaped lot with two front setbacks, some amount of encroachment would be supported. However, upon further review of the submitted plans, Staff is not supportive of the amount of encroachment requested for the proposed Great Room on the ground floor, and the Master Bedroom on the second floor. A smaller encroachment would be supported.

A third modification to allow front yard area to be included in the open yard requirement is also being sought. Staff recognizes the site constraint of providing 1,250 square feet of open yard in the narrow rear portion of the lot. Staff feels that the improvements, as shown on the plans for the area at the back of the house, will provide an area to be used as intended by the ordinance.

The last modification for fence height in excess of 3 ½ feet, further improves the back yard area by making it private. Staff feels that the location and height of the proposed

fence secures a backyard for this property and does not adversely affect the neighborhood's safety.

**V. RECOMMENDATION/FINDING**

Staff recommends that the Staff Hearing Officer approve the front porch, open yard, and fence height Modifications by making the findings that these Modifications are necessary to secure appropriate improvements, and that the purpose and intent of the ordinances are being met with the front porch, which does not add floor area, with the open yard, which is being provided behind the house, and the fence, which provides privacy to the front yard. However, Staff is asking for denial of the portions of the floor area located in the Del Mar Avenue front yard, as proposed, because it is unnecessary to secure an appropriate improvement of a residential development on a vacant lot. Staff would support a lesser encroachment.

Exhibits:

- A. Site Plan
- B. Applicant's letter, dated June 12, 2007
- C. ABR Minutes

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

Douglas K. Moore  
204 La Marina Dr.  
Santa Barbara, CA 93109  
(805) 963-8970 (eve)  
(805) 963-8761x333 (day)

12 June 2007

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

Re: Modification Request for 204 La Marina Dr., APN 045-221-009, Zone E-3/SD-3

Dear Staff Hearing Officer

In accordance with "Submittal Requirements for Modifications & Performance Standard Permits", I hereby submit this letter for your consideration.

**Project Description:** The lot is on the corner of La Marina Dr. and Del Mar Ave in the Marine Terrace subdivision. As Del Mar Ave is not perpendicular to La Marina at this intersection, the lot for the proposed property is triangular shaped, which, along with having two front yards makes it difficult to locate a structure that complies with zoning. While the lot size (6,526.41 per city GIS estimate) is similar to adjacent lots in this neighborhood, the build-able footprint is 57% that of neighboring properties, owing to the triangular shape, the two front yard setbacks, and a utility easement at the rear of the property. The most significant modification request, a proposed 6-foot one-inch encroachment of the structure's east corner on the Del Mar setback, is less encroachment than the existing structure.

The proposal is to construct a new 1968 (net) square foot two-story single-family residence and attached 410 (net) square foot two-car garage on a 6,526 square foot lot, APN 045-221-009. The proposal includes demolition of the existing 767 square foot one-story single-family residence and attached 220 square foot one-car garage. The proposed project also includes conversion of open drainage channel at rear of property (and adjacent property at 208 La Marina) to pipe flow, which will require infill and is discussed in the hydrology report. Four zoning modifications are requested: the first two modifications are encroachments to front yard set backs on a highly constrained corner lot with two front yards; the third modification is for the 1,250 open yard to be partially located in the front yard setback; and the fourth modification is for a six foot height fence along the second yard to provide privacy in the open space. The following contains a description, justification, and benefits of each requested modification.

## **Modification #1**

Description: Front yard setback – La Marina Dr.: Covered front porch encroachment - 5 feet 1 inch. (The bulk of the house will stay behind the setback line; only posts and roof will encroach.)

Justification: The existing covered front porch encroaches into this setback by approximately 2 feet. The odd shape of the lot, the double front yard setbacks and the utility easement require some encroachments to achieve a modest-sized house and a two-car garage. The encroachment will allow our family to continue its customary interaction with neighbors, and provide an aesthetically appealing curb look. Our family's current primary living space is along La Marina Drive, which provides for many opportunities to interact socially with local residents going about their daily walks and beach trips. A significant fraction of the La Marina façade in the proposed new residence comprises a required two-car garage, and the requested porch encroachment will make for a less imposing feel. The proposed porch received favorable comments at conceptual ABR.

Benefits: Provides increased opportunities for social interaction, as is customary practice for both residents and neighbors. Improves neighborhood watch, as family will spend more time in the front of residence, maintaining a feel for local residents and customary activities.

## **Modification #2**

Description: Front yard setback – Del Mar Ave.: Stairway landing encroachment 1 foot 6.5 inches and great room encroachment (proposed structure NE corner) – 6 feet, 1 inch (less than existing structure).

Justification: The odd shape of the lot, the double front yard setbacks and the utility easement require some encroachments to achieve a modest-sized house and a two-car garage. The stairway landing is along the second front yard on the corner lot. This modification allows the stairway landing to be located in a central part of the proposed structure and provides space for a bathroom to be located on first story. The smaller dimension of the rectangular great room is located along the second front yard on the corner lot and the second story encroachment will contain a fireplace. This modification was previously supported by staff and received favorable comments at conceptual ABR.

Benefits: Central stairwell windows on the southeast elevation allow for increased solar lighting and heating of the great room, with resulting lower energy use. A first-floor bathroom will be a necessity for aging family members. Greater open yard area with proposed great room rectangle situated this way rather than turned 90 degrees. Decreased building façade along Del Mar Ave. front yard.

## **Modification #3**

Description: Open yard: The proposed project open yard area is 1,250 square feet with 16 foot encroachment into the front yard along Del Mar Avenue.

Justification: The existing development has no open yard meeting the city's definition. Without this modification, we cannot achieve the required open yard area. The odd shape of the lot, the double front yard setbacks and the utility easement require some encroachments to achieve a modest-sized house and a two-car garage. This modification was previously supported by staff.

Benefits: Our family will have private recreation space for spa, landscaping, and outdoor dining. Allows us to meet open yard requirement.

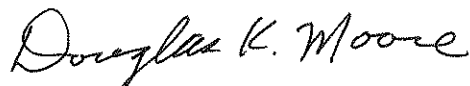
#### **Modification #4**

Description: Six-foot high fence at property line (along Del Mar Ave.) enclosing open-yard area.

Justification: Cannot achieve privacy in open yard area with a conforming 3.5-foot high fence. The existing fence is approximately six feet in height and is located near the property line fronting Del Mar Ave. There is no impact on vehicular traffic visibility. Mr. Danny Kato verbally supported this modification during a 6/12/07 SHO drop-off meeting with Ms. Roxanne Milazzo.

Benefits: Privacy for family recreation.

Sincerely,



Douglas K. Moore

Attachments: Eight (8) letters of support from immediate neighbors.

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

Subject: Modification Request for 204 La Marina Dr., APN 045-221-009, Zone E-3/SD-3

Dear Staff Hearing Officer

Regarding the subject request for modifications from applicant Douglas K. Moore, I support the zoning modifications for encroachments along La Marina Dr. (front porch encroachment of 5 feet one inch) and Del Mar Ave (6 feet, one inch) as explained to me in drawings of the proposed structure.

The neighborhood is pedestrian friendly, and I believe the proposed front porch will offer more benefits than negative consequences. The benefits of the proposed front porch include increased social interaction and architectural features that preserve neighborhood feel.

The proposed encroachments along Del Mar Ave. are necessary due to the corner lot with two front yards, each having a 20-foot setback per zoning regulations. While there is a sidewalk along the Del Mar Ave. front yard of the 204 La Marina residence, this sidewalk ends at the boundary of that residence, and, as a consequence, there is significantly less foot traffic along Del Mar Ave.

Sincerely,

NAME (Printed) Joel Clayton

NAME (Signed) 

ADDRESS 134 La Marina

DATE 6-11-07 ADN 045-222-024

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

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Sincerely,

NAME (Printed) Edgar Breffitt

NAME (Signed) 

ADDRESS 201 La Marina

DATE 6-11-07 APN 045-161-018



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

Subject: Modification Request for 204 La Marina Dr., APN 045-221-009, Zone E-3/SD-3

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Sincerely,

NAME (Printed) Loren Colahan

NAME (Signed) LT Colahan

ADDRESS 208 La Marina

DATE 6/11/07 APN 045-221-010

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

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Sincerely,

NAME (Printed) Jocelyn MANSON-HING

NAME (Signed) Jocelyn Manson-Hing

ADDRESS 204 La MARINA DR 93109

DATE 6-11-07 APN 045-221-017

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

Subject: Modification Request for 204 La Marina Dr., APN 045-221-009, Zone E-3/SD-3

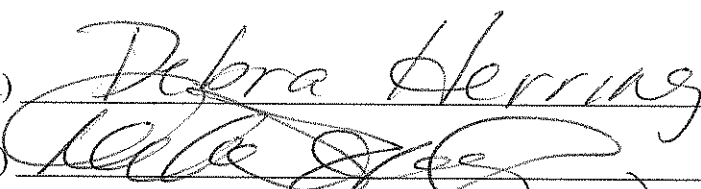
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Sincerely,

NAME (Printed) Debra Herring  
NAME (Signed)   
ADDRESS 213 La Marina Dr  
DATE JUNE 11, 2007 APN 045-181-014

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

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Sincerely,

NAME (Printed)

NAME (Signed)

ADDRESS

DATE

*Handwritten signature: Douglas K. Moore*  
*occupant*  
*2176 Crine Dr*  
*12/0*  
*APN 045-161-015*

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

Subject: Modification Request for 204 La Marina Dr., APN 045-221-009, Zone E-3/SD-3

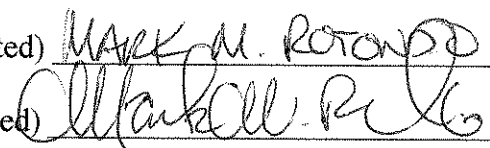
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Sincerely,

NAME (Printed) MARK M. ROTONDO ROTONDO  
NAME (Signed)   
ADDRESS 221 LA MARINA DRIVE, SB 93109  
DATE 6/11/07 APN 045-221-009

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

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Sincerely,

NAME (Printed) Jennifer D Brummett  
NAME (Signed) Jennifer Brummett  
ADDRESS 204 La Marina  
DATE June 11, 07 APN 045-161-013

## 204 La Marina ABR-Minutes

October 23, 2006

Motion: Continued indefinitely to Planning Commission with the following comments: 1) The Board finds the proposed project to be appropriate for the neighborhood. 2) The Board understands the severe constraints posed by the triangular site, given the two front-yard setbacks. 3) The Board finds that the proposed front-yard encroachment on Del Mar Avenue will be less of an encroachment than the existing condition, and the proposed relocation of the yard fencing will be less of an impact on Del Mar. 4) The front-yard encroachment on La Marina Drive is solely for the aesthetic enhancement of the porch, which adds a charming giving element to the street, and is an enhancement over the current condition. 5) The Board appreciates the intent to add solar panels on the roof, but prefers a location which is less visible. 6) There is concern with the solar access along the north property line to the adjacent neighbor, and requests the applicant to work with staff to verify compliance. 7) Some Board members are concerned with the articulation of the stairwell and sitting room windows as presented on the south-east elevation. Study the window placement to better coincide with the internal floor plan arrangement. 8) The raised decks are located in such a manner that they will not pose privacy concerns for adjacent neighbors. 9) The chimney element would be better in brick or stone-type material. 10) Study the break pitch details of the northeast elevation roof, as it does not appear to read on the opposite side of the structure. 11) The Board appreciates the quality of detailing depicted; however, provide: a. Plans detailing authentic carriage-style doors; b. Shingle treatment on the second floor siding at the base of the building, and c. Further articulation of the site planning details. 12) The Board understands that site constraints preclude the ability to meet the open yard requirements but that orientation of the house allows for appropriate use of the yard. 13) Preliminary Approval may be made at Consent Calendar.

Action:Blakeley/Wienke, 7/0/0. (Mudge absent)