



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** July 8, 2009  
**AGENDA DATE:** July 15, 2009  
**PROJECT ADDRESS:** 1537 Knoll Circle (MST2009-00198)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Renee Brooke, AICP, Senior Planner *RLB*  
 Roxanne Milazzo, Associate Planner *RM*

### I. PROJECT DESCRIPTION

The 9,798 square foot project site is currently developed with a single family residence and detached garage. The proposed project involves a remodel, architectural style change, and 730 square feet of first floor additions to the residence. The discretionary application required for this project is a Modification to permit a change in roof pitch to portions of the garage currently located within the required 10' interior setback (SBMC §28.15.060).

Date Application Accepted: May 11, 2009

Date Action Required: August 11, 2009

### II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project as submitted.

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant:	Bill Dang	Property Owner:	Ted & Jean Mitchell
Parcel Number:	015-141-013	Lot Area:	9,798 sf
General Plan:	3 Units Per Acre	Zoning:	E-1
Existing Use:	One-Family Residence	Topography:	Flat

#### Adjacent Land Uses:

North – One-Family Residence  
 South – Knoll Circle Drive

East - One-Family Residence  
 West – One-Family Residence

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	1,468 sf	2,165 sf
Garage	544 sf	544 sf

**C. PROPOSED LOT AREA COVERAGE**

Building: 2,848 sf 29%      Hardscape: 1,741 sf 18%      Landscape: 5,209 sf 53%

**D. FLOOR-AREA RATIO (FAR)**

Max. Allowed FAR: 0.37      Proposed FAR: 0.28      = 74.2% of Max. Allowed FAR

**IV. DISCUSSION**

The subject site is currently developed with a single family residence and detached garage. The proposed project involves a remodel, architectural style change and 730 square feet of first floor additions to the residence. As part of the proposed improvements, the garage's hip roof will be replaced with a gable roof to match the residence. Because the garage is non-conforming to current interior setback requirements, changes to its roof require Modification approval. It is Staff's position that the Modification will allow for the continued use of the existing structure with only minor exterior changes. The project was reviewed by the Single Family Design Board (SFDB) on May 4, 2009 and approved with the comment that the change from hip to gable roof is more compatible with the style and matches the house.

**V. FINDINGS**

The Staff Hearing Officer finds that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed roof change is appropriate because it will allow the existing garage to be upgraded architecturally to match the new residential design with minimal change to existing conditions.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter dated May 11, 2009
- C. Neighbor's Letters of opposition dated May 6 & 20, 2009
- D. Property Owner's response dated June 9, 2009

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



BILL V. DANG  
ARCHITECT

P.O. Box 6931 • Santa Barbara, CA 93160-6931  
Tel (805) 681-1326 • Fax (805) 681-1094  
Email: bill.dang@verizon.net

May 11, 2009

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

Subject: Modification Request for 1537 Knoll Circle Drive;  
Assessor's Parcel No. 015-141-013; Land Use Zone E-1

Dear Staff Hearing Officer:

The existing property includes a 1,468 sq. ft. house and 544 sq. ft. detached garage. The house currently encroaches about three feet into the interior setback on the westerly side of the property, and the garage currently encroaches into the interior setback about seven feet on the easterly side of the property. Both the house and garage have building permits according to the City building files. The proposal project includes remodel of the existing house and the garage, which involves replacement of the garage hip roof with a gable roof.

The modification being requested is to allow the new gable roof portions of the garage to encroach approximately seven feet into the required ten-foot setback. The encroachment will allow the garage design to match the design of the house. It also allows the garage to remain in the current location for visual and aesthetic reasons.

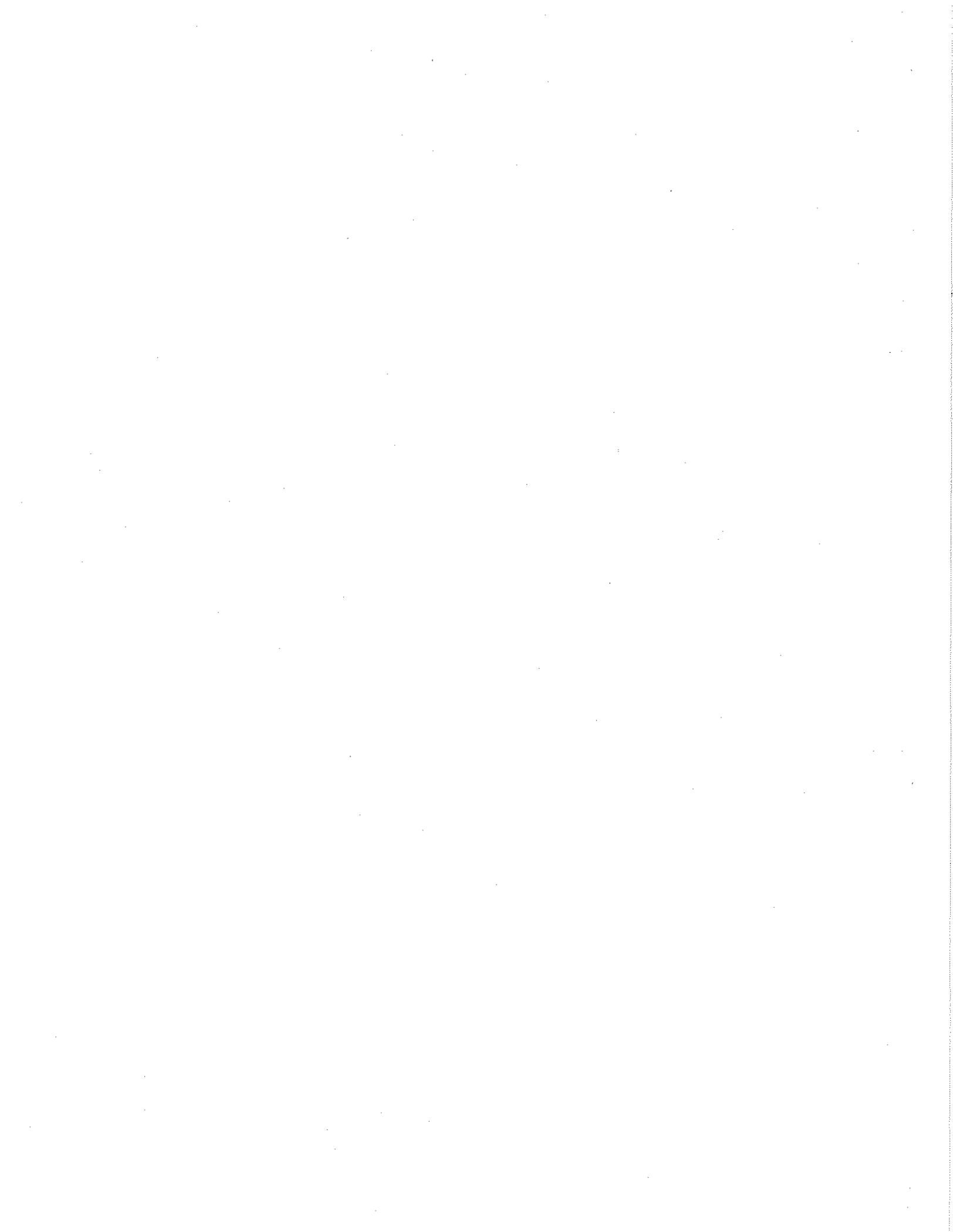
The major benefits of having the gable roof encroach into the required setback are: That it allows the garage to have more functional volume inside; prevents the need to relocate the garage which is currently in a visually desirable location set far back from the street; allows the garage to remain in the current location which serve as a buffer element for the owners' privacy in the rear patio area.

If you have any questions or need further clarifications regarding the above request, please do not hesitate to call.

Sincerely,

Bill Dang, Architect

EXHIBIT B



May 6, 2009

Tony Broughman  
Planning Technician  
City of Santa Barbara Planning Division  
630 Garden Street  
Santa Barbara, California 93102

RECEIVED  
MAY 08 2009

CITY OF SANTA BARBARA  
PLANNING DIVISION

Roxanne Milazzo  
Associate Planner  
City of Santa Barbara - Planning Division

**RE: MST 2009- 00198  
1537 Knoll Circle Drive**

TWO features of this addition will regrettably impact the features and privacy of our home.

1) **MORNING SUNRISE** in our bedroom window is one we covet EVERY morning. It was one of the features we liked most when purchasing this home in 1997.

This will permanently block (with a rooftop) the morning sunrise into our master bedroom window.

2) **PRIVACY of our front lawn and south bedroom** is a coveted feature of our home.

This design will enhance visual access to the interior of that bedroom, our front entrance and lawn. **It (patio) extends the existing structure to within +/- 7' of our property line.**

We oppose the design. It permanently impacts the privacy and solar access of our home.

We are responding after our earliest opportunity to review these plans (1 hour ago) at 630 Garden Street - Planning Division. The hearing was May 4.

Sincerely, *Cathey Wilkins*

Cathey Wilkins & Brian Jacobson  
1533 Knoll Circle Drive  
Santa Barbara, California 93103  
805-895-6311



C: Jean & Ted Mitchell . 1537 Knoll Circle Drive . Santa Barbara, California 93103

EXHIBIT C



May 20, 2009

Tony Broughman & Roxanne Milazzo  
City Of Santa Barbara Planning  
630 Garden Street  
Santa Barbara, Ca. 93102

RE: MST 2009-00198  
1537 Knoll Circle Drive

**PROLOGUE:**

The intent of our response is to preserve the privacy and value of our home. We embrace and practice good-neighbor policies of the NPO, SFDB guidelines and City ordinances that are beneficial to every homeowner (remodel or existing) to protect privacy, lighting, views, and noise in the hillside area.

**ISSUES:**

- 1) The above property is 7 feet from our shared property line on its east side. It will not change with this renovation. **The zoning setback is 10 feet.** The property's west side is (+/-) 3 feet from the shared property line. It will not change with this renovation. The legal but non-conforming east/west footprint of this property reduces the privacy buffers of adjacent properties. For this reason, proposed additions extending the structure's footprint (south and north) are particularly sensitive to us as an adjacent neighbor. The non-conforming area abuts our respective personal spaces (bed/bathrooms). The privacy buffer here is especially important. The opportunity to correct the non-conforming footprint is with the major remodel, which resets the front and rear footprint, roof structure/height, exterior fascia, and expanded driveway. It has not been addressed. The homes on our street are in compliance and beyond of the 10' setback requirements. It is a desirable feature of Knoll Circle Drive. This structure's wide non-conforming footprint makes the neighborhood appear squeezed in this area.
- 2) The proposed roof height of the finished structure is higher (2 feet?) than the existing structure. The north addition and **higher roofline** will block the morning sunrise to our bedroom. This is a non-defensible issue, but it is one we covet and enjoy in lieu of the privacy buffer we forfeit with the legal but non-conforming structure.
- 3) A proposed **patio deck** (6-7' of shared property line) in the side yard is inconsistent with NPO guidelines (article 37): *"Orient active outdoor areas away from neighbors."* This is very close to our guest bedroom windows and has a view corridor of our entire front lawn. A similar outdoor space could be accomplished on the structure's adjacent front lawn, where views are private and it has ample setback area.

**CONCLUSION:**

Ordinances and guidelines are beneficial to every homeowner. They are perceived as restrictive when a design moves forward without careful review of them.

Setbacks add value, privacy to property and aesthetic value to the neighborhood. Foliage is a poor privacy and noise buffer as it is recommended to be 2' thick for fire safety in our area.

We appreciate the opportunity to have this input.

*Cathey Wilkins*

Cathey Wilkins and Brian Jacobson  
1533 Knoll Circle Drive \* Santa Barbara, California 93103

C: Ted and Jean Mitchell \* 1537 Knoll Circle Drive \* Santa Barbara, California 93103

Photos (attached):

Issue 1: non-conforming setback.

Issue 2: proposed addition - view from our back lawn.

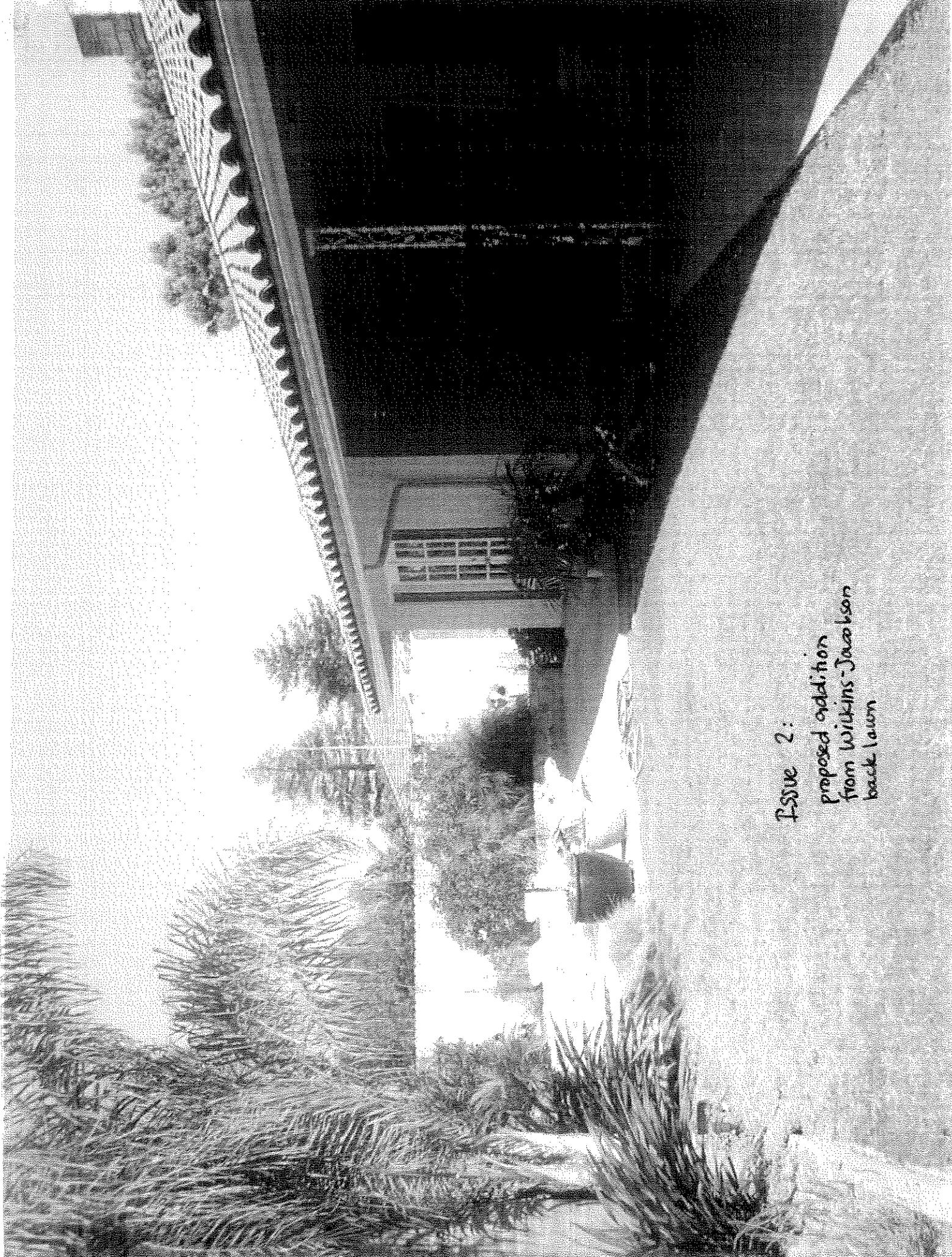
Issue 3: patio- deck location (inconsistent with NPO guidelines, article 37).

Issue 1:  
Privacy  
via  
non-conforming  
setback

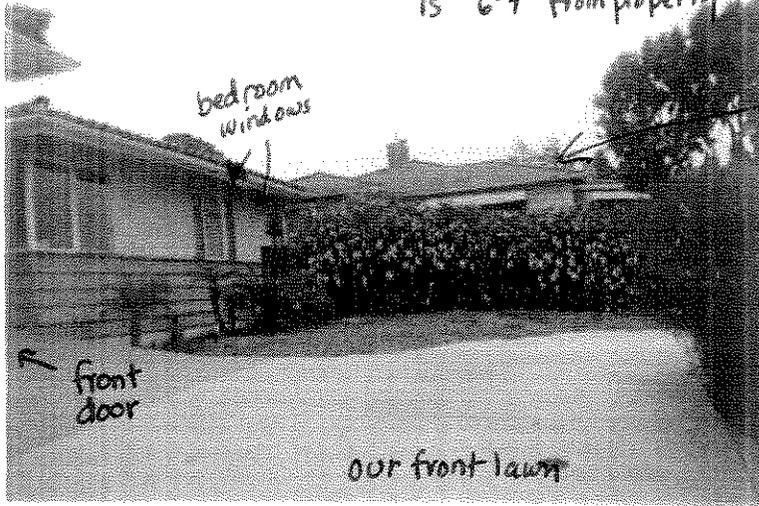
Wilkins - Jacobson  
property

Mitchell property (west side)





Issue 2:  
proposed addition  
from Wilkins-Jacobson  
back lawn



proposed 6'x18' deck  
is 6'7" from property line

3.  
patio deck

inconsistent  
with NPO guidelines  
article 57.

deck area  
behind oleander

6'x18' deck



- proposed deck is under awning
- view here is from our guest bedroom window



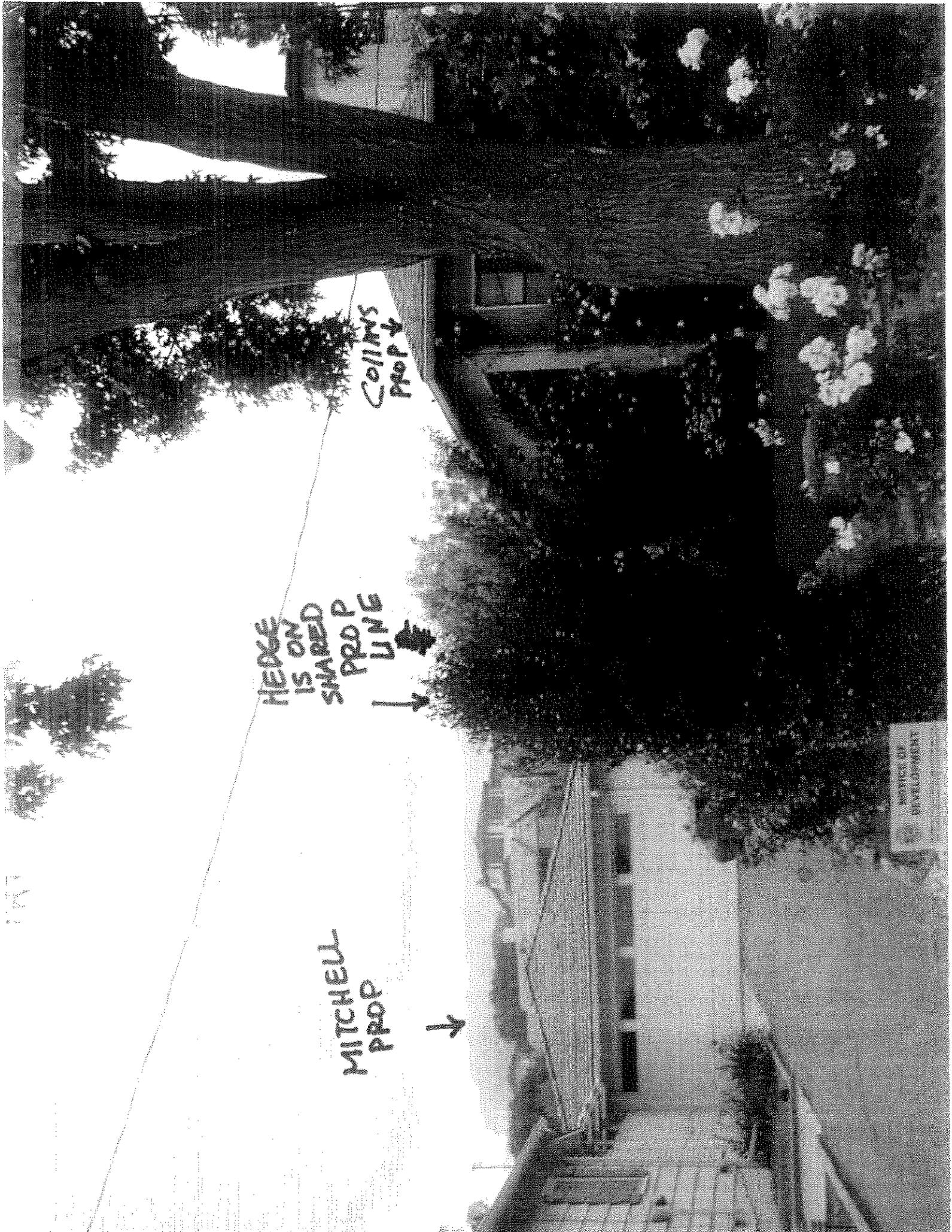
177

MITCHELL  
PROP  
↓

↓  
HEDGE  
IS ON  
SHARED  
PROP  
LINE  
↓

COLINS  
PROP  
↓

NOTICE OF  
DEVELOPMENT



FRONT  
MOUNTAIN

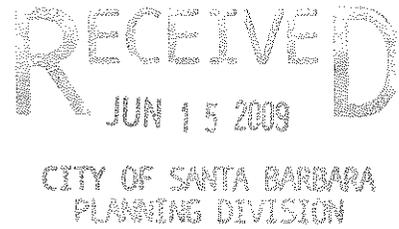
THIS FENCE  
IS ON PROP LINE

Fence  
set back  
10' - 12'  
03-19

WALKING  
DOWN  
PROPERTY

June 9, 2009

Mr. Tony Broughman, Planning Technician  
Ms. Roxanne Milazzo, Associate Planner  
City of Santa Barbara - Planning Division  
630 Garden Street  
Santa Barbara, CA 93102



Subject: Cathey Wilkins' and Brian Jacobson's second letter of opposition dated May 20, 2009

Reference: Project MST 2009-00198, 1537 Knoll Circle Drive

Dear Mr. Broughman and Ms. Milazzo,

This letter is in response to the second Cathey Wilkins and Brian Jacobson letter of opposition to our remodel and home improvement.

While two of our neighbors have built second story room additions as part of their remodels, we have chosen instead to honor our neighborhood's original design by limiting our remodel to a single story dwelling. The total floor area of our remodel is approximately 2700 square feet (which includes the two car garage), and is 74.2% of the maximum FAR (Floor to lot Area Ratio) buildable space.

The subject letter identified three issues with our proposed remodel:

1. Existing house within current 10 foot zoning setback
2. New addition roof height
3. Proposed patio deck on west front side yard

Issue 1: As stated in the subject letter, a portion of our home's west wall is approximately seven feet from the shared property line and will not move with the remodel.

We disagree with the statement in the subject letter that *"The homes on our street are in compliance and beyond of the 10' setback requirements."*

Most of the homes on our street were built in the late 1940s and 1950s. On a walk down Knoll Circle Drive, (we did not go onto the properties to make measurements), of fourteen homes viewable from the street, we identified eleven properties that appear to have had some portion of their structures built into space that years later was designated "setback". A list of these addresses is in addendum 1.

Issue 2: As a good faith response to the first Wilkins/Jacobson letter's concern regarding our room addition blocking the "morning sunrise" from their north east

EXHIBIT D

bedroom window, we had our architect and structural engineer modify our design and move the north addition one foot further away from our combined property line and shortened the structure by eighteen inches.

While the new addition does extend an additional fifteen feet into our back yard, the addition's roof height is within the city's Single Family Dwelling height guidelines, and is approximately the same height as the roof on the Wilkins/Jacobson's house.

Issue 3: As a good faith response to the first Wilkins/Jacobson letter's concern regarding a patio being built near the shared front yard property line, we removed the patio from our current plans.

Both Wilkins/Jacobson letters spoke strongly of the importance of property values and privacy. Enclosed are pictures, looking west, taken from our west bedroom (wbr1.jpg, wbr2.jpg), and from our existing west side yard landing (l3.jpg).

We believe that the higher fence we previously proposed constructing between the bathroom/bedroom areas of our houses, as a part of our remodel, will improve both properties' privacy.

Our remodel design results in a Mediterranean style home with a Spanish tile roof and stucco walls and a yard landscaped with native, drought tolerant plants. We believe that our remodel design improves the privacy between our homes and adds to the value of not only our two properties, but to the value of the entire neighborhood.

We ask the planning board for their support and approval of our project.

Sincerely,



Ted and Jean Mitchell  
PO Box 5429  
Santa Barbara, CA 93150  
Home: 805 962-0262  
Cells: Ted 303 746-6839  
Jean 303 746-6832

cc: Bill Dang, Architect, PO Box 6931, Santa Barbara, CA 93160  
Cathy Wilkins and Brian Jacobson, 1533 Knoll Circle Drive  
Santa Barbara, CA 93103

Attachments: Addendum 1 and Photos

Knoll Circle Drive addresses of homes which appear to have buildings within the 10 foot setback.

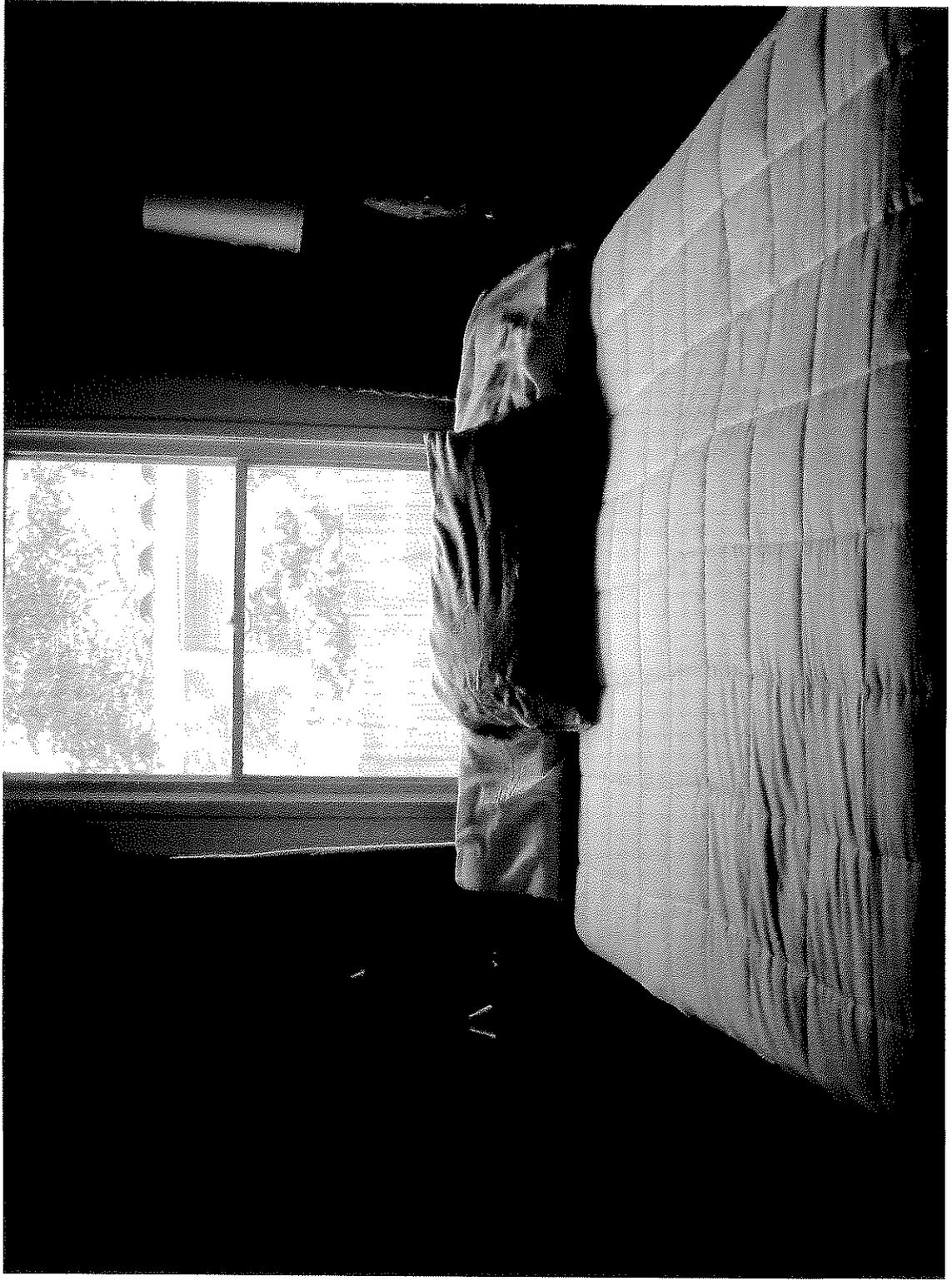
1509 Knoll Circle Drive  
1510 Knoll Circle Drive  
1526 Knoll Circle Drive  
1537 Knoll Circle Drive  
1540 Knoll Circle Drive  
1545 Knoll Circle Drive  
1548 Knoll Circle Drive  
1553 Knoll Circle Drive  
1554 Knoll Circle Drive  
1558 Knoll Circle Drive  
1560 Knoll Circle Drive

Knoll Circle Drive addresses of homes which appear to conform to the 10 foot setback

1522 Knoll Circle Drive  
1523 Knoll Circle Drive  
1533 Knoll Circle Drive

An unknown number of additional houses on the block could not be viewed from the street.

Picture taken from Mitchell's west bedroom (wbr1.jpg)



Picture taken from Mitchell's west bedroom window (wbr2.jpg)



Picture taken from Mitchell's west side yard landing (13.jpg)

