



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** August 5, 2009  
**AGENDA DATE:** August 12, 2009  
**PROJECT ADDRESS:** 581 Las Alturas Road (MST2009-00170)  
**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 18,962 square foot project site is currently developed with a partially demolished residence and garage. The proposed project involves demolition of the existing structures and replacement with a 2-story 3,520 square foot single family residence and attached 500 square foot garage. The discretionary application required for this project is a Modification to permit new construction within the required twenty-five foot (25') front setback (SBMC §28.15.060 & 28.15.065).

Date Application Accepted: July 27, 2009

Date Action Required: October 27, 2009

### II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to conditions.

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant: Bradley Vernon	Property Owner: Same
Parcel Number: 019-281-007	Lot Area: 18,962 sf
General Plan: 3 Units Per Acre	Zoning: E-1
Existing Use: One-Family Residence	Topography: 40%

#### Adjacent Land Uses:

North - One-Family Residence  
 South - Las Alturas Road

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

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	2,040 sf	3,584 sf
Garage	616 sf	500 sf
Accessory Space	N/A	36 sf

**C. PROPOSED LOT AREA COVERAGE**

Building: 2,985 sf 16%      Hardscape: 3,264 sf 17%      Landscape: 12,713 sf 67%

**D. FLOOR-AREA RATIO (FAR) – GUIDELINE ONLY**

Max. Allowed FAR: 0.23      Proposed FAR: 0.22      = 93.1% of Max. Allowed FAR

**IV. DISCUSSION**

Due to the project site's location within the Hillside Design District and an overall slope in excess of 20%, the project is subject to review by the Single Family Design Board (SFDB). This project was last reviewed by the SFDB on July 20, 2009 and continued to the Staff Hearing Officer with the following comments: The project is within the footprint of the previous house; the front slope and front hedge conceal the two story façade; the modification request is minor in nature; the cabana encroachment is one-story and minor; it appears from photo that other residences in the area encroach into front setbacks.

The proposed project involves the demolition of the existing development on site and the construction of a new two-story single family residence with attached garage, swimming pool and cabana. The proposed project has been designed to maintain the 14' front setback that currently exists. Although Staff encourages conforming improvements on vacant land, the shape and the topography of this site provides justification for the front setback encroachment being requested for the main residence. However, Staff requests that the garage and detached patio covers be redesigned to comply with the 25' front setback.

**V. FINDINGS & CONDITIONS**

The Staff Hearing Officer finds that the Modification to allow the main residence to encroach into the front setback is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The front setback encroachment maintains the existing front setback, while allowing development of a lot with constraints due to lot shape and topography.

The Staff Hearing Officer does not find that the Modifications for the garage and detached patio cover encroachments are consistent with the purposes and intent of the ordinance because the encroachments did not previously exist, and ~~recommends that~~ these structures be redesigned to comply with current development standards.

Said approval is subject to a condition that floor plan of the "retreat" area be revised as required by the Zoning Plans Examiner and that a Zoning Compliance Declaration be recorded against the property's title.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter dated July 20, 2009
- C. SFDB 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



July 20, 2009

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

Re: Modification Request: 581 Las Alturas Road  
Application No.: MST2009-00170  
A.P.N.: 019-281-007  
Land Use Zone: E-1

Dear Staff Hearing Officer,

After preliminary approval was granted by the Architectural Board, a survey of the property was conducted as part of preparations for the building plans. The topography survey discovered that the proposed home and garage, as well as the previous residence/garage, encroached into the front setback. A meeting was held with city planning staff to help interpret the survey findings as well as the setback criteria. As a result, city staff planning believes the required 30 foot front yard setback qualifies for the 5 foot front yard setback reduction based on the existing sloped topography of the site. The attached drawings exhibit information which request a front yard setback modification to allow up to 11'-0" building encroachment into the setback.

The site contains an existing single-story residence (2,040 sf) and attached two-car garage (616 sf) that are partially demolished and intended to be fully demolished in preparation of a new residence. The existing building pad, site retaining walls and driveway are to be retained under the new residence proposal. The new residence consists of a two-story home (3520 sf), attached two-car garage (440 sf) and accessory space (124 sf). The project also proposes a swimming pool and a covered outdoor pavilion with half-bathroom (36 sf).

The modification being requested is to allow the proposed residence and pavilion to encroach up to 11'-0" into the 25'-0" front yard setback. The proposed setback encroachment will generally be consistent with the existing residence encroachment distance. The proposed residence has articulated the front building façade to have less overall encroachment than the existing residence and garage (see attached Site Plan, Sht. C.5). The encroachment will allow the proposed residence to be built on the existing level building pad and avoid removal of the existing 8'-0" masonry retaining wall. Building on an existing building pad would remove the need for severe grading into the hill side bank which would trigger excessive retaining walls well over one-story in height due to the steep topography of the site. Many of the nearby neighborhood homes also appear to encroach within their own front yard setback which we feel further justifies our request (see attached neighborhood aerial map and neighborhood photos exhibits, Shts. C.6 and C.7).

The major benefits of allowing the proposed building encroachment includes; maintaining the existing hillside grades; re-use of the existing building pad envelop; reduction in the original residence front yard setback encroachment; achieves the Single Family Design Board and the owner's desire to create an articulated and varied architecture that minimizes the potential visual mass of the residence from the street; and is compatible with other neighborhood home's front setback encroachments.

Sincerely,



Eddie Herrera  
Project Manager

Attachments: Sheets C.5, C.6, and C.7, dated July 20, 2009

330 JAMES WAY, SUITE 260, PISMO BEACH, CA 93449  
PHONE 805.773.7113 FAX 805.773.7115

EXHIBIT B

## 581 LAS ALTURAS ROAD SINGLE FAMILY DESIGN BOARD MINUTES

### April 27, 2009

Ann Lorimer, in support but concerned about the height of project and landscaping of slope.

June Chanson: in support, but the pavilion needs study, would like story-poles; concerned about pool size.

Motion: Continued indefinitely to Full Board with the following comments:

- 1) Restudy the accessory pavilion to be compatible with house.
- 2) Study chimney height and design.
- 3) Study the master bedroom trellis.
- 4) Study a hipped master bath roof.
- 5) Provide mission tile roof with a double starter course.
- 6) Install one story pole showing roof height.
- 7) Study a higher wall plate with finial at the breakfast area.
- 8) Restudy round roof next to front door.

Action: Bernstein/Deisler, 5/0/0. Motion carried. (Carroll and Woolery absent.)

### May 26, 2009

Ann Lorimer: concerned about building heights, loss of ocean view, and loss of sunlight and privacy. Questioned building height from slab and retaining wall and landscaping heights. Suggested story-poles.

June Chanson: concerned about size of proposed house, size of lap pool, and loss of privacy and sunlight.

Motion: Preliminary Approval of the project with the finding that the Neighborhood Preservation Ordinance criteria have been met as stated in Subsection 22.69.050 of the City of Santa Barbara Municipal Code and continued to the Full Board with the following comments:

- 1) Study the garage door and provide details.
- 2) Verify if the Mirador window is allowed to encroach into the setback.
- 3) Study the tower roof.
- 4) Provide additional detailing for window in curved tower area.
- 5) Show tree canopies at mature diameter on plans.
- 6) Provide fire resistant screen and privacy planting to the west. Show the adjacent residence on the landscape plan.
- 7) The project preserves trees, and adds new trees; provides quality building materials and the design style is suitable for Santa Barbara; provides break up of the massing.

Action: Zink/Mosel, 5/1/0. Motion carried (Bernstein opposed, Woolery absent.)

The ten-day appeal period to City Council was announced.

### July 20, 2009

Continued to the Staff Hearing Officer with the following comments: The project is within the footprint of the previous house; the front slope and front hedge conceal the two story façade; the modification request is minor in nature; cabana encroachment is one-story and minor; it appears from photo that other residences in the area encroach into front setbacks.