



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** October 24, 2012  
**AGENDA DATE:** October 31, 2012  
**PROJECT ADDRESS:** 350 Conejo Road (MST2012-00290)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Renee Brooke, AICP, Senior Planner *RLB*  
 Suzanne Riegler, Assistant Planner *SR*

### I. PROJECT DESCRIPTION

The 9,392 square foot project site was previously developed with a single-family residence and a detached one-car carport, which were destroyed in the Tea Fire in November 2008. The project consists of construction of a 1,720 square foot residence with an attached 447 square foot two-car carport and site retaining walls. Modifications were previously approved under MST2009-00303 for a larger residence, but they have since expired. The discretionary applications required for this project are:

1. A Modification to allow new construction within the required 35-foot front setback along the Conejo Road frontage (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. A Modification to allow new construction within the required 15-foot interior setback (SBMC § 28.15.060 and SBMC § 28.92.110).

Date Application Accepted: 9/13/12

Date Action Required: 12/12/12

### 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:	Jan Hochhauser, Architect	Property Owner:	Leslie & June Hlavicska
Parcel Number:	019-061-001	Lot Area:	9,392 square feet
General Plan:	Low Density Residential	Zoning:	A-1
Existing Use:	Residential	Topography:	34 % Slope
Adjacent Land Uses:	Residential		

**B. PROPOSED LOT AREA COVERAGE**

Building: 1,379 sf 15%      Hardscape: 2,221 sf 24%      Landscape: 5,792 sf 61%

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

Max. Allowed FAR: 0.38      Proposed FAR: 0.23      = 62% of Max. Allowed FAR

**IV. DISCUSSION**

The proposed project involves the construction of a new single family residence, attached two-car garage, and site retaining walls. The prior two-story, single family residence and detached one-car carport were destroyed by the Tea Fire. The original residence and carport, constructed in 1957, were non-conforming to the required 35' front setback off Conejo Road and the 15' southern interior setback.

Pursuant to SBMC §28.87.038, all non-conforming development destroyed by a natural disaster can be replaced in its previous location within three years of the date of loss. The Tea Fire incident occurred more than three years ago in November 2008; therefore, the non-conforming ordinance no longer applies and any improvements that do not meet Zoning Ordinance standards require Modification approval. An application (MST2009-00303) for a larger replacement residence was approved in August 2009; however, the modification approvals have since expired.

The proposed project is designed to replace the previous development in roughly the same footprint, located within the required front setback off of Conejo Road and the southern interior setback. The existing lot is non-conforming to lot size at 9,392 square feet, and with an estimated slope of 34%, is extremely undersized. A new lot in the A-1 zone with a slope of greater than 30% would require a minimum of three acres. The lot is further constrained by two 35-foot front setbacks, two 15-foot interior setbacks, and steep slopes. For example, to observe the 35' front setback off of Conejo Road and the parallel 15' interior setback, a conforming development would be limited to a width ranging from 14 to 16 feet.

This project was reviewed by the Single Family Design Board on August 20, 2012, and was found to be appropriate for the lot and the neighborhood. The Board found the proposed modifications aesthetically appropriate and consistent with the Single Family Residence Design Guidelines.

**V. FINDINGS AND CONDITION**

The Staff Hearing Officer finds that the setback Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure appropriate improvements on this lot. The lot is significantly below the required minimum lot size for the A-1 Zone; the property has a steep overall slope of 34%, and is further constrained by two front setbacks. The proposed expansion of the residence and attached carport into the front and interior setbacks allows for a rebuild of the previous home with a minor expansion.

Said approval is subject to the following conditions:

1. The turn-around area at the front of the property shall be reduced to the minimum size necessary, as determined by the Transportation Division.
2. The landscape plan shall be updated to be consistent with the revised site plan.

Exhibits:

- A. Site Plan (full size plans under separate cover)
- B. Applicant's letter dated September 6, 2012
- C. SFDB Minutes dated August 20, 2012
- D. Aerial photo of the site

Contact/Case Planner: Suzanne Riegle, Assistant Planner  
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Phone: (805) 564-5470 x 2687

Hochhauser  
Blatter

ARCHITECTURE  
AND PLANNING

Sept.6, 2012

Jan R. Hochhauser for Les Hlavicka  
122 East Arrellaga St. Santa Barbara, Ca 93101  
805 962 2746 ext.102

**Staff Hearing Officer**  
**City of Santa Barbara**  
**P.O. Box 1990**  
**630 Garden Street**  
**Santa Barbara, Ca. 93102 – 1990**

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SEP 13 2012

CITY OF SANTA BARBARA  
PLANNING DIVISION

**Re: Modification Request for 350 Conejo Road / 019 -061 -001 / A1  
Zone**

Please note that a modification was recently approved for this property, but it recently expired. This current application and proposed residence is for a smaller footprint that is inside the one that received approvals. This new design that is a subject of this application was recently approved by the SFDB.

The Tea Fire destroyed an existing one-story single family home and detached single vehicle carport. The existing home was 1032 Square Feet/ the existing home (building footprint) encroached into both the front yard (Conejo Road—11 ft. encroachment) and the south interior yard (7.5 ft. encroachment). The carport encroached into the Conejo front yard (12 ft.) and the south interior yard (2.5 ft.) It is understood that all the structures are permitted (e) non-conforming.

The existing property is a corner lot at the southwest corner of Conejo Road and Ealand Place. The property is of substandard size (9392 SF) for the A1 Zone and the A1 Yard/Setback requirements allow for only ~13.7% of the property to be utilized for structures. This "building envelope" is roughly 92 feet long by 14 feet wide and presents some serious difficulty for a reasonable utilization of the property for a single family dwelling. Furthermore, the property is constrained by a steep topography (slopes in excess of 50%) for approximately ½ of its area. It is worth noting that the utilities and paving of Conejo Road are significantly offset north of the northern property line and creates a "physical" front yard of significant size. This same front yard also includes the existing driveway, which

climbs to the plateau (pad area) and development envelope from the intersection of Conejo and Ealand.

The proposed project is to create a modest size home for the owner's family, as the structure that was destroyed by the fire was of substandard construction and too small for the family.

The overall proposed project square footage (1720 SF) is less than 85% of the allowable F.A.R for the parcel and presents a building footprint which is only 14.7% of the site area.

Utilizing the existing plateau/pad, the proposed design requests a modification to:

1. The front yard setback (Conejo). The encroachment will allow for a reasonable width (30') to the proposed building footprint and allow for the garage parking of two vehicles. Given the fact that the envelope created by application of the A1 zoning is extremely narrow, and the "physical" front yard on the Conejo frontage is in fact greater, we believe a modification is both logical and supportable. Please note that the encroachment into a 35' yard measured from the edge of the Conejo pavement by the proposed project is extremely limited.
2. The south interior yard setback. Given the extremely narrow envelope permitted by application of the A1 Zone regulations and the desire to facilitate rooms of basic dimensions, and a two car garage with an extra 2 feet of depth for storage, an encroachment into the interior yard contributes to a balanced positioning of a proposed building footprint with a maximum width of 32 feet on the site. Please note that this requested encroachment is less than the encroachment of the footprint of the old (destroyed) structure, thereby creating a larger useable and plantable interior yard than previously existed.

The proposed design endeavors to fit nicely into the context of its neighborhood, as it is significantly set back from the Conejo and Ealand place road surfaces in an area of many substandard size A1 parcels. In fact, the western and southwestern end of this linear design is literally cut into the existing hillside, making this end of the structure one story in height.

The owner is interested in pursuing a Green solution for this home, and therefore the design incorporates many features that are LEED recognized:

- Linear arrangement of primary living spaces and bedrooms facilitates solar access and passive solar opportunities for the occupants (deep-set glass—solar control—building aesthetic).
- The narrow and linear layout also facilitates excellent north-south cross ventilation.
- The simple design with attractive fire rated roof material also employs exterior wall materials that are non-combustible and contribute not only to the fire safety of the structure, but to those of surrounding neighbors as well.
- Finally, the landscaping is proposed with low water natives utilized in a manner that is consistent with state of the art wildfire safety considerations. Oak trees are employed for visual buffering and their value is supplementing the indigenous species of the region. [ The landscaping proposed is essentially the same as that which was approved for the prior design and was signed off by the City's fire dept.]

On August 20, 2012 the City of Santa Barbara's SFDB made findings in favor of the proposed modifications and also favorable findings for the new design and its size, bulk, and scale.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jan R. Hochhauser", with a large, stylized flourish at the end.

Jan R. Hochhauser AIA, LEED AP



## DESIGN REVIEW ACTIVITIES SUMMARY

**350 CONEJO RD (MST2012-00290)**

**TEA FIRE REBUILD**

*Proposal to construct a new 1,720 square foot two-story single-family residence with an attached 447 square foot two-car carport located on a 9,392 square foot lot in the Hillside Design District. The previous residence was destroyed in the Tea Fire. The project includes Staff Hearing Officer review for requested zoning modifications. The proposed total of 2,167 square feet is 62% of the maximum floor-to-lot area ratio (FAR). This is a reduced proposal from the previous 3,000 square foot residence, and 84.6% FAR, with an approval that subsequently expired.*

**Status: Pending**

**DISP**

**Date 3**

**SFDB-Consent (New)**

**CONT**

**08/20/12**

(Comments only; project requires environmental assessment and Staff Hearing Officer review of requested zoning modifications.)

Continued indefinitely to Staff Hearing Officer, to return to Consent, with the positive comments:

- 1) The Board is in support of the proposed styles and materials, and finds the design to be appropriate for the lot and neighborhood. The Board finds the proposed modifications are aesthetically appropriate and do not pose consistency issues with the Single Family Residence Design Guidelines.
- 2) Return with landscape, drainage, and irrigation plans.
- 3) Provide a color and materials board.

**EXHIBIT C**



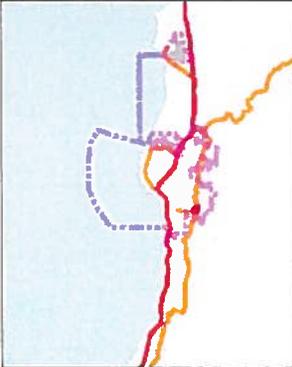
# 350 Conejo Road Vicinity Map



0.0 0 0.01 0.0 Miles

NAD\_1983\_StatePlane\_California\_V\_FIPS\_0405\_Feet  
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Reported on 10/24/2012 09:14 AM

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- Legend**
- City Limits
  - Parks
  - Assessor's Parcels - City
  - Parcel Address Labels
  - Pacific Ocean
  - City of Santa Barbara Center
  - 2008 Aerial Imagery
  - Red: Band\_1
  - Green: Band\_2
  - Blue: Band\_3

Notes  
1: 855

