



City of Santa Barbara California

II.C.

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: November 21, 2012
AGENDA DATE: November 28, 2012
PROJECT ADDRESS: 856 Ferrelo Place (MST2012-00397)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
Renee Brooke, AICP, Senior Planner *RLB*
Suzanne Riegle, Assistant Planner *AP*

I. PROJECT DESCRIPTION

The 7,937 square foot site is located in the Hillside Design District and is developed with a 2,335 square foot, one-story, single-family residence with an attached two-car garage. The proposed project involves a seven square foot addition at the existing entry; a new 31 square foot entry porch; window and door alterations; and an "as-built" patio, and site walls, all located within required setbacks. The proposal will address the violations identified in enforcement case ENF2012-00195.

The discretionary applications required for this project are:

1. A Modification to allow a minor front entry addition, trellis and window and door alterations within the required 30-foot front setback (SBMC § 28.15.060 and SBMC § 28.92.110);
2. A Modification to allow new windows within the required 10-foot interior setback (SBMC § 28.15.060 and SBMC § 28.92.110); and
3. A Modification to allow the combined height of the walls at the rear of the property to exceed the maximum allowable height of eight feet within a required setback. (SBMC § 28.87.170 and SBMC § 28.92.110).

Date Application Accepted: 10/15/2012

Date Action Required: 1/14/2013

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project.

III. SITE INFORMATION

Applicant:	Sophie Calvin	Property Owner:	Bill Zhou and Linda Zhang
Parcel Number:	029-330-011	Lot Area:	7,937 square feet
General Plan:	Low Density Residential	Zoning:	E-1
Existing Use:	Residential	Topography:	23% slope

Adjacent Land Uses: One-Family Residences

IV. DISCUSSION

The proposed project involves alterations to the residence including a small addition at the existing front entry, a new front entry, new trellis, window and door changes, and an interior remodel. The residence is considered legal non-conforming to the required 30-foot front and both ten-foot interior setbacks. The applicant proposes to separate the vehicular and pedestrian access to the residence by enclosing the existing entry and relocating the front entry to the southeasterly corner of the residence, within the required front setback. In addition, two new windows are proposed in the easterly interior setback. The proposed improvements require Modification approval to allow the alterations within the front and interior setbacks. The applicant is also proposing to remove the portion of the as-built stone retaining wall and railroad tie stairs that extend across the property line onto the adjacent property at 844 Ferrelo Place. Some of the proposed improvements are located within a public water and sewer easement at the easterly property line. Due to the restriction on private improvements within the public easement, any improvements that have been constructed without the necessary encroachment permits are subject to removal by the City without replacement.

A third modification is requested to allow an as-built site wall to exceed a cumulative height of eight feet when located within a required setback. The two-foot-high site wall is located within five feet of site and retaining walls located on the adjacent property at 50 Rubio Road. The cumulative height of the walls on both properties is approximately 10'-6". The 8'-6" fence and wall combination on the adjacent property to the north received a separate Modification approval by the Staff Hearing Officer on October 31, 2012. The property owner at 856 Ferrelo Place created a flat terrace area on their property and constructed the as-built retaining wall at the property line, exacerbating the combined height of the walls along the shared property line.

The proposed alterations to the residence with the front and interior setback are modest improvements that will add new windows, relocate the front door, and add approximately 7 square feet of additional floor area to create and enhance the front entry and front elevation. The alterations to the residence are not anticipated to adversely impact the neighbors.

The downhill property owner would be most affected by the approval of a modification to allow the as-built retaining wall to remain because they are directly south of the wall and view the total 10'-6" height of the wall. The uphill neighbor views the combined wall height at a height of less than eight feet.

This project was reviewed by the Single Family Design Board on November 5, 2012, and the Board found that the proposed modifications are aesthetically appropriate and do not pose consistency issues with the Single Family Residence Design Guidelines.

V. **FINDINGS**

The Staff Hearing Officer finds that the front and interior setback Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate and uniform improvement on the lot. The proposal involves a very small addition of useable floor area within the front setback, and is not expected to negatively impact adjacent neighbors, as the proposed addition is consistent with the residential use of the property and provides an enhanced front entry that is easily identified by visitors and it is not anticipated to impact the neighbors.

The Staff Hearing Officer finds that the Modification to allow the combined wall height to exceed eight feet in height it is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed wall will exceed the allowable height by 2' 6" inches and is appropriate because the increase in height was constructed by the property owner, who is most affected by the resulting wall height, to achieve a flat patio area. The existing over-height fence and wall on the uphill neighbors' lot was previously determined to be appropriate through a recent Modification approval, and the additional two-foot retaining wall on the subject site, and associated grading, is not anticipated to impact the neighbors.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated October 15, 2012
- C. Single Family Design Board Minutes

Contact/Case Planner: Suzanne Riegle, Assistant Planner
(SRiegle@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x **2687**



Calvin Design

P.O. BOX 50716, SANTA BARBARA,
CALIFORNIA 93150

(805) 969-0559

fax: (805) 456-2194

October 15, 2012

Modification Hearing Staff
City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93101

RECEIVED

OCT 15 2012

CITY OF SANTA BARBARA
PLANNING DIVISION

Re: **856 Ferrelo Place**

Dear Modification staff person,

The property we are requesting two modifications for is located at **856 Ferrelo Place**. The site is approximately 7,937 sq. ft. There is an existing 1,926 square foot single story residence and a two-car attached garage of 409 sq. ft.

Existing site conditions:

- The house and garage are located in the front and side setbacks.
- Unpermitted retaining wall at the rear property line that is within feet of the neighbors wall. Combined height is 8'-3".

First modification: Permit to as-built retaining wall at the rear property line

Second modification: Small addition of 7 sq. ft. with in the front yard setback. Add new doors and windows. Relocate the front door with landing and covered porch (31 sq.ft.).

Third modification: New windows and door in side setback.

We feel the addition of this modest and will create a better living condition for the owner. The new doors and windows enhance the architectural style of the house.

If you have any questions about our proposal, please contact me.

Yours truly,

Sophie Calvin
Calvin Design

EXHIBIT B



DESIGN REVIEW ACTIVITIES SUMMARY

856 FERRELO PL (MST2012-00397)

R-ALTERATIONS AND NEW PATIO

Proposal for a seven square foot addition at the existing entry; a new 31 square foot entry porch, window, and door alterations; and 'as-built' patio and site walls located within the setbacks at an existing 2,335 square foot, one-story, single-family residence located in the Hillside Design District. The project requires Staff Hearing Officer review for requested zoning modifications. The project is 74% of the guideline floor-to-lot area ratio (FAR). The proposal will address the violations identified in enforcement case ENF2012-00195.

Status: Pending

DISP

Date 3

SFDB-Concept Review (New) - PH

CONT

11/05/12

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

Actual time: 4:10 p.m.

Present: Sophie Calvin, Designer; Nan Zhou, Owner; and Suzanne Riegle, Assistant Planner.

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Public comment opened at 4:18 p.m. As no one wished to speak, public comment was closed.

Letters of expressed concerns were received via email from Ken and Susan Tompetrini, and a response from the Owner to the letter from the Tompetrinis', were acknowledged.

Public comment closed at 4:19 p.m.

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

- 1) The Board finds the project's overall concept acceptable and has positive comments regarding the project's consistency and appearance, adjacent neighborhood compatibility, quality of architecture and materials, and good neighbor guidelines.
- 2) The Board finds the proposed modifications are aesthetically appropriate and do not pose consistency issues with the Single Family Residence Design Guidelines.
- 3) Study the entry steps and consider wrapping the steps around the corner.
- 4) The Board finds acceptable the solution of the rear retaining wall which is to retain the wall cap on the portion of the retaining wall within the property line.
- 5) Provide a color and materials boards.
- 6) Provide trellis details.
- 7) Provide window and shutter details on the plans.
- 8) Provide a cut-sheet of the garage doors to be depicted on Sheet A-3.
- 9) Provide landscape plan details in and around the new walkway; including any planting details on the trellis and front windows.

Action: Sweeney/Miller, 6/0/0. Motion carried. (Zimmerman absent).

EXHIBIT C