



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: January 31, 2013
AGENDA DATE: February 6, 2013
PROJECT ADDRESS: 1035 Cima Linda Lane (MST2012-00344)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Renee Brooke, AICP, Senior Planner *RLB*
 Suzanne Riegle, Assistant Planner *SR*

I. PROJECT DESCRIPTION

The 1.3 acre site is currently developed with a 6,177 square-foot, one-story, single-family residence with an attached three-car garage and a 500 square-foot, detached accessory building. The proposed project involves the installation of two, 5-foot tall vehicle access gates and a 5'-6" tall pedestrian access gate to be located between existing 3.5-foot tall stucco columns and site walls along the front of the property. The discretionary application required for this project is a Modification to allow the gates to exceed the maximum allowable height of 3.5 feet when located within ten feet of the front property line or ten feet of either side of a driveway for a distance of twenty feet back from the front property line. (SBMC § 28.87.170 and SBMC § 28.92.110).

Date Application Accepted: 1/15/13

Date Action Required: 4/15/13

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer deny the project as proposed.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Sam Maphis, Agent	Property Owner: Peter T. Sadowski and Denise Decker
Parcel Number: 015-202-004	Lot Area: 1.3 acres
General Plan: Low Density Residential	Zoning: A-2
Existing Use: Residential	Topography: 22 % avg. slope
Adjacent Land Uses: Residential	

IV. DISCUSSION

The 1.3 acre lot is currently developed with a one-story residence with an attached three-car garage and detached accessory building. The residence is sited approximately 48 feet from the front property line and nine feet below the elevation of the front entry columns that currently define the entrance to the property.

The requested modification is to allow three solid wood gates that are greater than the allowed 3'-6" height to be installed between existing site wall and columns that conform to the maximum height limit. The applicant is requesting gate heights of 5' for both vehicular gates and 5'-6" for the pedestrian gate, and to locate them approximately four feet from the front lot line. Due to the topography of the site, the applicant is requesting the overheight gates to provide privacy and screen the view onto the property from the street level.

Transportation Division Staff have reviewed the plans and stated that the location of the proposed gates could be supported if they open inward, onto the private property, and are remote actuated.

During the applicant's consultation with Planning Staff, they were advised that any portion of the driveway located in the required setbacks or not adequately screened by a decorative wall or fence and landscaping is prohibited to be used for parking or storage as defined by SBMC §28.87.190 and §28.90.001.I and should be labeled as such on the plans. Further review of the existing site improvements and characteristics revealed an opportunity for a conforming improvement by either lowering the proposed gates to a maximum height of 3.5 feet or setting the walls and gates back the required distance to allow for their increased height and still comply with the ordinance. Staff believes an adequate level of privacy could be created by either of the conforming scenarios described, and that the requested modification is not necessary to secure an appropriate improvement and should be denied.

This project was reviewed on the Consent Calendar by the Single Family Design Board on January 7, 2013, and the Board found the proposed gates to be an aesthetically acceptable solution. Staff advised the Consent Reviewer that the Modification was not supported by Staff because there was an opportunity for a conforming improvement. The applicant did not prepare drawings of a conforming proposal but did state that if the gates were moved 20' feet from the front property line the site walls along the driveway would be approximately 10-12 feet tall to provide the desired screening and would still exceed the allowable height within twenty-feet of the front property line along a driveway.

FINDING

The Staff Hearing Officer finds that the Modification to allow two vehicle and one pedestrian gate to exceed the maximum allowable height of 3.5 feet within ten feet of the front lot line and adjacent to the driveway is inconsistent with the purposes and intent of the Zoning Ordinance, and is not necessary to secure an appropriate improvement on the lot. The proposed gates are not appropriate because there is an opportunity for a conforming improvement that could secure adequate privacy and meet the intent of the ordinance .

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated January 15, 2013
- C. SFDB Minutes

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

RECEIVED
JAN 15 2013

CITY OF SANTA BARBARA
PLANNING DIVISION

January 15th, 2013

Suzanne Riegle
Assistant Planner
City of Santa Barbara – Community Development Dept.
Santa Barbara, CA . 93102-1990

Re; Modification Hearing for 1035 Cima Linda Ln. for gates in the front yard setback.

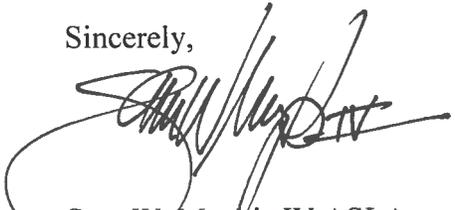
Dear Ms. Riegle and Staff hearing Officer,

This letter is to request a hearing for a modification of the gate height requirement in the front yard setback. The addressed property would like to build driveway and pedestrian wood gates that are 2' higher than the allowed 3'-6" ht. for fences or gates in the front yard setback. The wood gates would allow for privacy and security from the Cima Linda Ln. street traffic. The property has open glass doors that are exposed to the street auto and pedestrian traffic. Landscaping is not possible across these openings to aid in the screening of the main entry glass door. The existing walls and pilasters are 15'-9" away from the edge of Cima Linda's edge of pavement and Tim Foley of the City of SB traffic division has approved the gate set back position. The existing topography and the steepness of the existing driveway are the reasons that this particular property has a hardship in compliance with the normal setback distance. Many other properties along Cima Linda Ln. have similar conditions to ours and, have placed their gates at the top of the slope inside the required setback as we are requesting.

I have submitted photographs and plans to show our conditions and I hope you find this application complete and our Minor height encroachment minimal and, very much like our neighbors along this unique City of Santa Barbara Street.

Please feel free to contact me further to discuss this how we might be of service to you on your new project.

Sincerely,


Sam W. Maphis IV ASLA
Earthform Design

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EXHIBIT B



DESIGN REVIEW ACTIVITIES SUMMARY

1035 CIMA LINDA LN (MST2012-00344)

SFR- ALT

Proposal to construct two 5-foot tall driveway gates and one 5.5-foot tall pedestrian gate to be located between existing 3.5-foot tall stucco columns and site walls along the front of the property. The proposal includes Staff Hearing Officer review for a requested zoning modification to allow the gates to exceed the maximum 3.5-foot height within the 10-foot setback.

Status: Pending

DISP

Date 3

SFDB-Consent (New)

CONT

01/07/13

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

Continued indefinitely to Staff Hearing Officer and return to Consent Calendar with comments:

- 1) The proposed modification is aesthetically appropriate. The proposed modification does not pose consistency issues with the Single Family Residence Design Guidelines. Given the existing site topography and the existing approved site walls, the Board found that the application as proposed is an aesthetically appropriate solution.
- 2) The proposed height, colors, and design materials of the gates are appropriate.

A conforming solution was discussed but the proposed application was found to be the best aesthetic design solution.

EXHIBIT C

