



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: April 24, 2014
AGENDA DATE: April 30, 2014
PROJECT ADDRESS: 2618 Mesa School Lane (MST2013-00516)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Jo Anne La Conte, Assistant Planner *JAL*

I. PROJECT DESCRIPTION

The 7,949 square-foot site is located in the non-appealable jurisdiction of the Coastal Zone, and is developed with 1,872 square foot, one-story single family dwelling with an attached 486 square foot two-car garage and a detached 286 square foot shed. The proposed project involves repairs and replacement of an “as-built” six foot high wood fence along both front property lines facing Mesa School Lane and Linda Road, a proposed six foot high fence along the driveway, and a proposed eight foot high rear fence. The discretionary application required for this project is a Fence Height Modification to allow a fence to exceed 3.5 feet within 10 feet of both front lot lines and on either side of the driveway for a distance of 20 feet from the front lot line (SBMC § 28.87.170 and SBMC § 28.92.110).

Date Application Accepted: March 17, 2014 Date Action Required: June 15, 2014

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:	Jeremy Roberts	Property Owner:	Ole & Monique Mikkelsen
Parcel Number:	041-283-026	Lot Area:	7,949 sq. ft.
General Plan:	Low Density Residential	Zoning:	E-3
Existing Use:	Single Family Residential	Topography:	8% slope

Adjacent Land Uses:

North –Residential	East - Residential
South – Douglas Family Preserve	West - Residential

IV. BACKGROUND:

A Zoning Information Report prepared in 2013 noted code violations for a fence that exceeds the maximum allowable height of 3 ½ feet within ten feet of the front lot line, and for a garage door that had been installed on the storage shed. Therefore, staff has included a condition that the garage door shall be removed from the storage shed.

V. DISCUSSION

The project was reviewed by the Single Family Design Board on January 6, 2014, and was forwarded to the Staff Hearing Officer with comments (see attached minutes).

There is an existing, "as-built," wood fence at the property that is in need of repair, and that exceeds 3½ feet in height along Mesa School Lane and Linda Road. The property is constrained due to the two front yards facing Mesa School Lane and Linda Road. In addition, the existing open yard area is non-conforming to the location and configuration requirements in the Zoning Ordinance. The property owners use their secondary front yard area as their primary outdoor living space. The existing fencing provides security and privacy for the property as the parcel is located across the street from the Douglas Family Preserve, along the Mesa School Lane frontage.

Transportation Division Staff has reviewed the plans, and stated that the proposed fence height along the driveway and along both street frontages is acceptable, as Mesa School Lane in this area is narrow, and has low volume traffic at this intersection. However, Transportation Division Staff has requested that a condition be included that the proposed landscaping in the unimproved right-of way shall not exceed 3' in height as shown on the proposed Landscape Plan.

Staff recommends approval of the Fence Height Modification, subject to the conditions, as the increased height of the fence is not anticipated to adversely impact adjacent neighbors or the street, and will not diminish visibility along the street frontage or the driveway.

VI. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the Fence Height Modification to allow the site fencing to exceed the maximum allowable height of 3.5 feet is consistent with the purposes and intent of the Zoning Ordinance, and is not anticipated to adversely impact the adjacent neighbors or the street and will not diminish visibility along the street frontage or for drivers of vehicles entering or exiting the property.

Said approval is subject to conditions that:

1. The landscaping in the unimproved right-of-way shall not exceed 3' in height as shown on the Landscape Plan.
2. The garage door shall be removed from the storage shed.

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Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated March 12, 2014
- C. SFDB Minutes dated January 6, 2014

Contact/Case Planner: Jo Anne La Conte, Assistant Planner
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CITY OF SANTA BARBARA
PLANNING DIVISION

March 12, 2014

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

Re: Modification Request (fencing) for 2618 Mesa School Lane (041-283-026) zoned E-3/SD-3

Dear Staff Hearing Officer,

The subject parcel is a 7,949.4 (net) square foot lot which has an existing 1,960 square foot house with an attached 506 square foot (2) car garage. There is also an existing 352 square foot legal non-conforming accessory storage structure (former garage) in the rear yard area. The parcel has an existing perimeter wood fence that currently exceeds the 3'-6" height requirements along Mesa School Lane as identified within the Zoning Information Report dated March 04, 2013.

Modification Request:

The modification being requested is to allow the existing wood fencing, which currently exceeds the prescribed height limit, to be repaired/ replaced along Mesa School Lane and Linda Street with a 6'-0" wood fence. This request has been reviewed by the City of Santa Barbara Supervising Traffic Engineer and the Single Family Design Review Board, receiving positive comments from both. The size of this corner parcel, with adjacent streets, setbacks, the existing home and accessory structure, does not allow for the 1,250 square foot open space in the rear yard. Therefore, the family uses their front yard area as the primary outdoor living space. The existing height of the fencing provides a measure of security and privacy afforded other homes within the Mesa School Lane neighborhood. This parcel sits at the border of the Douglas Family Preserve at the intersection of Mesa School Lane and Linda Street. The surrounding community parks along the Linda Street in front of the home when visiting the preserve (as shown in the attached photos). Many of the preserve visitors are there taking their dogs for walks. On several occasions, the home owners have had unleashed dogs enter their property creating a safety concern for them and their children. The immediate neighbor to the north (who attended the SFD board meeting) stated during the SFD meeting that one of the unleashed dogs entered his property and attacked and killed his families pet.

Benefits of the Project:

The major benefit of this request would be that the home owners have security and privacy for their family at this small corner lot. The existing wood fencing, which exceeds the city's height requirements, has been in place for many years and is consistent with the context of the Mesa School Lane neighborhood. Both the city traffic engineer and SFD board have agreed that the proposed 6'-0" wood fencing would not adversely impact the community.

NEW ITEM

D. 2618 MESA SCHOOL LN E-3/SD-3 Zone

Assessor's Parcel Number: 041-283-026
Application Number: MST2013-00516
Owner: Ole and Monique Mikkelsen
Architect: Roberts Design Group

(Proposal to permit an "as-built" six-foot tall wood fence and for a proposed eight-foot tall wood rear fence. The project includes Staff Hearing Officer review for requested zoning modifications for over-height fences. The existing 8,276 square foot lot is developed with a one-story, single-family residence. The proposal will address violations identified within ZIR2013-00068.)

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

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

- 1) The Board finds the height and material of the proposed fences acceptable.
- 2) Provide a landscape solution for screening along the Linda Road frontage.

Public Comment:

Aaron Luckett, neighbor, 308 Linda Rd., expressed support for the project.

A letter of expressed concerns from Paula Westbury was received.