



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** December 3, 2015  
**AGENDA DATE:** December 9, 2015  
**PROJECT ADDRESS:** 941 Medio Road (MST2015-00344)  
**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 10,690 square-foot site is currently developed with a 1,215 square foot single family residence, a 77 square foot basement, a 331 square foot detached garage, a detached 62 square foot shed and a trellis. The proposed project involves demolition of the existing garage, trellis and shed, and 16 square feet of the existing residence; construction of 1,278 square feet of additions to the dwelling, a 208 square foot basement addition, a new 419 square foot two-car garage, new decks and a new stairway. The proposal also includes a new CMU pool equipment enclosure, new condenser units, new retaining walls, new fencing, a new trash enclosure, new swimming pool, restoration of an historic sandstone cap and pier wall and associated grading for the project. The proposal will address violations outlined in a Zoning Information Report (ZIR2014-00443). The proposed total of 3,181 square feet is 83% of the maximum required floor to lot area ratio.

The discretionary applications required for this project are:

1. A Front Setback Modification to allow a new garage, additions, and alterations to the dwelling including roof alterations, new doors and windows, a trash area, condensing units and a pool equipment enclosure with pool equipment within the required 30-foot front setback facing Ferrelo Road to the northwest of the property (SBMC § 28.15.060 and SBMC § 28.92.110) and;
2. A Front Setback Modification to allow additions and alterations to the dwelling including new doors and windows, a new deck, and a new stairway within the required 30-foot front setback facing Medio Road to the southwest of the property (SBMC § 28.15.060 and SBMC § 28.92.110).
3. An Interior Setback Modification to allow a condensing unit and a pool equipment enclosure with pool equipment within the required 10-foot interior setback SBMC § 28.15.060 and SBMC § 28.92.110).

Date Application Accepted: October 15, 2015      Date Action Required: January 14, 2016

**II. RECOMMENDATION**

Staff recommends that the Staff Hearing Officer approve the Front Setback Modifications, with the exception of the condensing units, trash area and pool equipment with enclosure and deny the Interior Setback Modification, subject to conditions.

**III. SITE INFORMATION AND PROJECT STATISTICS**

**A. SITE INFORMATION**

Applicant:	Anders Troedsson	Property Owner:	Robert & Grace Gulock Revocable Trust
Parcel Number:	029-321-016	Lot Area:	10,690 sq. ft.
General Plan:	Low Density Residential (max. 3 du/acre)	Zoning:	E-1
Existing Use:	Single Family Residence	Topography:	16 % Slope

Adjacent Land Uses:

North – Single Family Residence	East - Single Family Residence
South – Single Family Residence	West – Single Family Residence

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	1,292 sq. ft. (includes basement)	-16 sq. ft. + 1486 = 2,762 sq. ft. (includes basement)
Garage	331 sq. ft.	419 sq. ft.
Accessory Space	62 sq. ft.	None proposed

**C. PROPOSED LOT AREA COVERAGE**

Building: 3,178 sf 30%      Hardscape: 3,394 sf 32%      Landscape: 4,118 sf 38%

**IV. DISCUSSION**

The 10,690 square foot lot is irregularly shaped, and has two front setbacks as it fronts both Ferrelo and Medio Roads. The property is legally non-conforming to lot size, parking and setback requirements. The proposed project will meet open yard, building height and parking requirements.

The minimum lot size for an E-1 zone is 15,000 square feet. With 10,690 square feet of lot area, the property is legal non-conforming to lot size. The current development on site is located within both required front setbacks. Further development on the lot or alterations to the existing residence are further constrained by the location of the existing development.

The proposal will address violations outlined in a Zoning Information Report (ZIR2014-00443) and includes a request for an Administrative Exception to allow over height fences and walls at the property. The proposal also includes restoration of an existing historic wall. Therefore, conditions have been included that the violations outlined in ZIR2014-00443 shall be abated as part of this proposal, an Administrative Exception shall be obtained for the over height fences and walls and that the historic wall shall be restored subject to review and approval by the City Historian.

This project was reviewed by the Single Family Design Board (SFDB) on September 21, 2015, and was forwarded to the Staff Hearing Officer (SHO) with comments.

#### Front Setback Modification Facing Ferrelo Road (northwest elevation)

The existing dwelling is non-conforming to the required 30-foot front setback facing Ferrelo Road, as most of the dwelling is located in the required front setback. The existing dwelling, as its closest point, is located approximately 13 feet from the front property line facing Ferrelo Road. The existing garage is located on the front property line facing Ferrelo Road, and does not meet the minimum required five-foot distance between buildings.

The existing garage is proposed to be demolished. The proposed attached two-car garage is located in the front setback, approximately nine feet from the front property line at its closest point. The proposal includes alterations and additions to the existing dwelling that will change the main entry to the dwelling from Medio Road to Ferrelo Road. The additions and alteration include, roof alterations, a new entry door, new side doors for an attached storage area, new doors for the master bedroom, new windows and window alterations to the dwelling that are located in the required 30-foot front setback. The proposal also includes a new trash area, three new condensing units and a pool equipment enclosure in the required 30-foot front setback facing Ferrelo Road. Staff supports the request to allow the additions with new doors and windows and alterations to the dwelling including the new two-car garage in the required front setback because they are appropriate improvements to a single-family residence and because it is difficult to provide a conforming improvement on the lot due to the existing site constraints.

However, staff does not support the request to allow the trash area, condensing units and pool equipment enclosure to be located in the required front setback because there are conforming locations on the property for the amenities that will meet the Zoning Ordinance requirements. Therefore, staff has included a condition that the trash area, condensing units, and pool equipment enclosure shall be relocated to comply with the Zoning Ordinance requirements.

Front Setback Modification Facing Medio Road (southwest elevation)

The existing dwelling is non-conforming to the required 30-foot front setback facing Medio Road as it is located approximately nine feet from the Medio Road front property line at its closest point. In addition, there is landscaped right-of-way area in front of the property that is approximately 18 to 24 feet from the paved street right-of-way along Medio Road. The proposal includes additions and alterations to the dwelling which include new doors and windows, alterations to doors and windows and a new deck and stairway within the front setback facing Medio Road. Staff supports the request to allow the additions with new doors and windows and alterations to the dwelling including the new deck and stairway in the required front setback because of the site constraints associated with the undersized and irregular size of the lot, the two front setbacks, and as they are appropriate improvements to a single-family residence that are not anticipated to adversely impact the adjacent neighbors.

Interior Setback Modification

The project includes a new pool equipment enclosure with pool equipment and a condensing unit that is proposed to be located approximately five feet from the interior property line, instead of the 10 feet required. Staff does not support the request to allow the pool equipment enclosure with pool equipment and a condensing unit to be located in the required interior setback because there are conforming locations on the property for the amenities that will meet the Zoning Ordinance requirements. Therefore, staff has included a condition that the pool equipment enclosure with pool equipment and a condensing units shall be relocated to comply with the Zoning Ordinance requirements.

Transportation Review

Transportation staff has reviewed the size and location of the new garage and have stated that it will function as proposed, and is an improvement from the existing location of the garage.

Environmental Review

The proposed project includes three new condensing units and new pool equipment. The applicant has submitted noise specs for the condensing units and pool equipment that show the units will meet the City's noise regulations. Therefore, a condition has been included that the condensing units and pool equipment shall comply with the City's noise ordinance requirements and the spec sheets for the units with decibel levels shall be reproduced on the plans submitted for building permit.

The project site is located within an area mapped as Early 20<sup>th</sup> Century Archaeological (1900-1920) sensitivity area. An Archaeological Letter report prepared by Brent Leftwich, Ph.D., R.P.A., dated October 10, 201, concluded that it is unlikely that artifacts will be encountered during the proposed construction but recommends that the standard unanticipated archaeological discovery condition be included. Therefore, staff has included a condition that the standard unanticipated archaeological discovery condition shall be reproduced on the plans prior to submittal for building permit.

**V. FINDINGS AND CONDITIONS**

The Staff Hearing Officer finds that the Front Setback Modification facing Ferrelo Road (northwest elevation) for all requested items, except for the trash area, pool equipment enclosure and condensing units, is consistent with the purpose and intent of the Zoning Ordinance and is necessary to secure appropriate improvements on the lot. The proposed alterations and additions to the dwelling and the new garage are appropriate because of the site constraints associated with the current development on site, the undersized and irregular shape of the lot, the two front setbacks and because the alterations, additions and new garage are not anticipated to adversely impact the adjacent neighbors.

The Staff Hearing Officer finds that the Front Setback Modification facing Medio Road (southwest elevation) is consistent with the purpose and intent of the Zoning Ordinance and is necessary to secure appropriate improvements on the lot. The proposed alterations and addition to the dwelling are appropriate because of the site constraints associated with the current development on site, the undersized and irregular shape of the lot, the two front setbacks and because the alterations and additions are not anticipated to adversely impact the adjacent neighbors.

The Staff Hearing Officer finds that the Front Setback Modification facing Ferrelo Road (northwest elevation) for the trash area, pool equipment enclosure and condensing units are not consistent with the purpose and intent of the Zoning Ordinance and are not necessary to secure appropriate improvements on the lot. The proposed location of the trash area, pool equipment enclosure and condensing units are not appropriate, as they do not provide adequate setbacks from the front property line and because there appear to be other conforming locations on site where the items could be constructed that would not require modification approval.

The Staff Hearing Officer finds that the Interior Setback Modifications for the pool equipment enclosure with pool equipment and a condensing unit is not consistent with the purpose and intent of the Zoning Ordinance and is not necessary to secure appropriate improvements on the lot. The proposed location of the pool equipment enclosure with pool equipment and a condensing unit are not appropriate, as they do not provide adequate setbacks from the interior property line and because there appear to be other conforming locations on site where the items could be constructed that would not require modification approval.

Said approval is subject to the following conditions:

1. The violations outlined in ZIR2014-00443 shall be abated as part of this permit and shall be included in the Scope of Work.
2. The historic sandstone cap and pier wall shall be restored subject to review and approval by the City Historian.
3. An Administrative Exception shall be obtained for the proposed over height walls and fences at the property.
4. The trash area, condensing units and pool equipment enclosure shall be relocated to comply with the City's Zoning Ordinance.

5. The condensing units and pool equipment shall comply with the City's Noise Ordinance requirements and the noise spec information with decibel levels for the units shall be reproduced on the plans submitted for building permit.
6. The following language shall be added to the plans submitted for building permit:

"Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If a discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If a discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

STAFF HEARING OFFICER STAFF REPORT  
941 MEDIO ROAD (MST2015-00344)  
DECEMBER 3, 2015  
PAGE 7

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated July 6, 2015
- C. SFDB Minutes dated September 21, 2015

Contact/Case Planner: Jo Anne La Conte, Assistant Planner  
(JLaconte@SantaBarbaraCA.gov)  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805) 564-5470 x3320





# City of Santa Barbara California

## Exhibit A: Site Plan

This document was distributed separately. A copy of these plans are available for viewing at the Planning and Zoning Counter, 630 Garden Street, Santa Barbara, CA between the hours of 8:30 A.M and 4:30 P.M. Monday through Thursday, and every other Friday. Please check the City Calendar at [www.SantaBarbaraCA.gov](http://www.SantaBarbaraCA.gov) to verify closure dates.



Anders Troedsson  
969 Colorado Blvd. Suite 201  
Los Angeles, CA 90041  
(323) 254-4525

7/6/15

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

RECEIVED  
OCT 07 2015  
CITY OF SANTA BARBARA  
PLANNING DIVISION

Re: Modification Request for 941 Medio Road; APN: 029-321-016; E-1

Dear Staff Hearing Officer:

1. This property is situated at the corner of Medio Road and Ferrello Road. The property contains an existing single story house with a side covered deck and basement (1,296 sq.ft.). Adjacent to the main structure are a detached one-car garage (369 sq.ft.), and several other non-permitted structures. On the Ferrello Road side, the house encroaches a maximum of 16'-5" (at its apex) into the northerly required 30' setback for a total of 541 sq.ft. Towards Medio Road, it encroaches a maximum of 21'-5" (at its apex) into the southerly required 30' setback for a total of 378 sq.ft. The garage and shed structures are fully encroaching into the northerly required 30' setback. The existing house and garage have building permits according to the City building files. The existing storage sheds and Plexiglas trellis structure are unpermitted and non-conforming and are proposed to be demolished.

The proposal is to build a 2,095 sq.ft. single story addition to, and remodel a portion of, the existing dwelling and basement. This would include: reconfiguring existing square footage to allow for a new guest suite; expanding the existing living and dining areas into a great room framing the ocean views to the south; constructing a new open-concept kitchen; adding a new attached 2-car garage; expanding the existing basement; adding a new master suite, and developing the land on the southeast of the property to feature new patio areas for outdoor living and entertaining, featuring a 32'x12' (irregular) pool off of the living space and master suite that overlooks the ocean.

2. The property is severely constrained by its unique corner configuration, giving it two "front" yards. This mandates a 30' required setback along the majority of the property perimeter applying to both Medio Road and Ferrello Road. The modification being requested is to allow the following:
  - a. New construction of approximately 190 sq.ft. (8'x4', 11'x8', and 10'x15') that will encroach a maximum of 16 feet into the required 30' setback along Medio Road. This area allows for an expanded living space that has direct

EXHIBIT B

access to the proposed pool deck and outdoor patio space and maximizes the southerly ocean views.

- b. New construction of approximately 395 sq.ft. (irregular shaped) that will encroach a maximum of 19 feet (at its apex) into the front setback of Ferrelo Road. This additional area allows for the construction of a new attached 2-car garage off of the same driveway access that would eliminate the need for the existing garage that encroaches entirely into the required 30' setback.
- c. Allow proposed swimming pool to encroach 5 feet into the required 15 foot front setback (considered secondary front setback on this property) for a length of 28 feet. The construction of the pool in its proposed location considers the need for open area as well as maintaining privacy from Medio Road. At this location, the pool will be separated from the street level below by roughly 10 vertical feet and still allow the residents to enjoy their southerly ocean views.
- d. Allow construction of required 60 inch high pool fencing within 10 feet of front (secondary front on this property) property line for a length of 79 feet. In order to safely enclose the proposed pool per code requirements and maintain the client's ocean views, the fencing would encroach closer than 10 feet from the property line. This new fencing, however, would be located an average of 10 feet further from the street than the existing fencing that it would replace.

3. N/A

4. The proposed addition, which encroaches into the required setbacks, promotes the construction of a residence congruent in proportion and character with the surrounding neighborhood. It enables the tasteful development of a lot that would otherwise be restricted to an unreasonable percentage of the total lot area due to front yard setbacks assigned to nearly 90% of the lot perimeter. It eliminates the existing, non-conforming, single-car, detached garage without the need to relocate the driveway access to the property. In its place, would be additional off-street covered parking from a new attached two-car garage relocated further out of the primary front setback. By expanding eastward across the undeveloped portion of this site, it allows the client the opportunity to add to their home without having to resort to a second story addition that would bring with it many additional problems relating to privacy, natural light, and conflicts of scale with the neighboring properties.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anders Troedsson', with a long horizontal line extending to the right.

Anders Troedsson

**CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING****6. 941 MEDIO RD****E-1 Zone****(5:15)**

Assessor's Parcel Number: 029-321-016  
 Application Number: MST2015-00344  
 Owner: Robert and Grace Gulock Revocable Trust  
 Architect: Anders Troedsson

(Proposal to demolish 16 square feet of an existing 1,215 square foot single-family residence and all of an existing 331 square foot detached garage. The proposal will add 1,278 square feet to the existing residence, including 208 square feet to the existing 77 square foot basement, and includes a new 419 square foot attached two-car garage. Also proposed are a new CMU equipment enclosure, new CMU retaining walls, new fencing, a new trash enclosure, and a new swimming pool with a new pool deck, 244 cubic yards of cut and fill grading outside of the building footprint, and restoration of a historic sandstone cap and pier wall on the property. The project will address violations identified in a Zoning Information Report (ZIR2014-00443). The proposed total of 3,181 square feet of development on a 10,690 square foot lot in the Hillside Design District is 83% of the required guideline maximum floor-to-lot area ratio (FAR). An Administrative Exception is requested to allow a fence and wall to exceed 3-1/2 feet in height within 10 feet of the front lot line. In addition, Staff Hearing Officer review is requested for zoning modifications for additions and alterations to the dwelling, for the garage, swimming pool and pool equipment within required front setbacks.)

**(Comments only; project requires Environmental Assessment and Staff Hearing Officer review for requested zoning modifications.)**

Actual time: 6:01 p.m.

Present: Anders Troedsson, Architect.

Public comment opened at 6:15 p.m.

- 1) Timothy Gozzano, adjacent neighbor, expressed support for the project's single-story design on the small lot and its consistency with the neighborhood. He stated it would be difficult to fit a two car garage on a corner lot.

Letters of expressed concerns from Stephanie Moret and Wendy Edmunds regarding the conservation of the historic wall and the removal of the vegetation from the wall were acknowledged.

Public comment closed at 6:21 p.m.

**Motion: Continued indefinitely to Staff Hearing Officer to return to Full Board with comments:**

- 1) The overall floor plan layout is acceptable.
- 2) The Board supports the modifications for the pool fence, the new location of garage, and the additions in the front yard setbacks.
- 3) Provide a detailed rendering of the elevations to show the stonework, the window placement and fenestration, the roofing material, and the building configuration in context with its surroundings.
- 4) Provide a landscape plan

Action: Miller/Woolery, 6/0/0. Motion carried. (James absent).

