



**City of Santa Barbara
California**

**STAFF HEARING OFFICER
STAFF REPORT**

REPORT DATE: June 13, 2007
AGENDA DATE: June 20, 2007
PROJECT ADDRESS: 2230 Cliff Drive (MST2006-00303)
TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Zoning & Enforcement Supervisor *DK*

I. PROJECT DESCRIPTION

The project site is located on the corner of Cliff Drive and Fellowship Road. Current development on site consists of a single family residence and garage. The proposed project involves complete demolition of all structures on site and the construction of a 2,066 square foot two-story residence with attached 2-car garage. The proposed project was designed with its outdoor living space located within the front yard setback facing Fellowship. At a Public Hearing on February 28, 2007, the Staff Hearing Officer continued the item with the recommendation to pull the residence to the front yard setback facing Cliff Drive and reducing the unit size to provide a backyard of adequate dimensions. On April 11, 2007, the Staff Hearing Officer denied a revised project, where the previously proposed building was moved towards Cliff Drive, but not reduced in size. This is a new application for a project that reduces the size of the proposed house, so that the number of modifications is reduced. The discretionary application required is a Modification to provide a portion of the open yard within the front yard setback (SBMC§28.15.060).

Date Application Heard by SHO: February 28, 2007 Date Action Required: Not Applicable

II. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Douglas Keep	Property Owner:	Teri Jory & Seth Geiger
Parcel Number:	041-252-071	Lot Area:	5,428 sf
General Plan:	5 Units Per Acre	Zoning:	E-3
Existing Use:	One-Family Residence	Topography:	Flat
Adjacent Land Uses:			
	North – One-Family residence		East – One-Family Residence
	South – One-Family residence		West – One-Family Residence

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	904 sf	2,066 sf
Garage	390 sf	449 sf
Accessory Space	None	No change

III. LOT AREA COVERAGE

Lot Area: 5,428 sf
Building: 1,574 sf; 29%
Hardscape: 651 sf; 12%
Landscape: 3,203 sf; 59%

IV. DISCUSSION

This project has received four (4) concept reviews by the Architectural Board of Review. In its final concept review, the Board stated that it felt the proposed siting for the residence makes the best use of the constrained site. The building has been reduced in size, and the elevations are similar to the previously reviewed project, therefore, the project was not sent back to ABR. However, approval by ABR will be required if the modifications are approved.

The existing development on site consists of a single family residence which is connected by a common wall to a single family residence which is located on the adjacent parcel. The proposed project involves complete demolition of all structures located on the subject address, and the construction of a new single family residence with attached garage.

The original proposal intended to provide the required open yard in the front yards off of both Cliff Drive and Fellowship Road. It was the applicant's position that providing the open yard behind the garage would not be desirable because it is not directly accessible from the residence, and will be shaded most of the day, and therefore would not be enjoyed for the intended outdoor purposes. The applicant's position is that the front yard, which receives full sun all day long, provides a space to watch the world go by, and that the 3 ½' high wall which will be required for noise mitigation, will contain the yard for the exclusive use of the occupants as intended by the open yard requirement. Also mentioned was the fact that the twenty-foot setbacks, off of both frontages, provide the minimum dimensions required by the ordinance. The project was continued for restudy.

The second proposal moved the previously proposed house to the Cliff Drive front setback line, but did not reduce the size of the house. The open yard behind the house was larger, but still did not meet either the 1,250 s.f. minimum size requirement or the 20 foot minimum dimension requirement. This project was denied by the Staff Hearing Officer.

The current proposal consists of a smaller house that is placed at the Cliff Drive front setback line, such that the open yard meets the 20 foot minimum dimension. The current project reduces the number of Modifications from two to one, and is sufficiently different from the denied project to be considered a new project. The area that conforms to all standards is

approximately 680 s.f. in size. The adjoining open area in the front setback increases the size of the open area to 1,125 s.f. Additional open area on the south side of the driveway, but still in the front yard brings the total to well over the 1,250 s.f. minimum required for open yard.

Although Staff discourages Modifications for development on vacant lots (once demolition occurs, this lot will be considered vacant), we recognize the site constraints associated with the non-conforming lot area and two front yards. Preliminary consultations revealed that after taking away all required yards and setbacks, only about 1,000 square feet of lot area remains for conforming buildout. Staff also considered the improvement over the existing development which has the residence built up to an interior lot line and a garage located within the front and interior setbacks. Pursuant to Chapter 28.87 (General Provisions), a demo and replacement of the existing development is allowed with nothing more than a building permit

V. RECOMMENDATION/FINDING

Staff recommends that the Staff Hearing Officer approve the new project making the findings that the Modification is necessary to secure an appropriate improvement and that adequate open yard is being provided, such that the purpose and intent of the Ordinance is being met.

Exhibits:

- A. Site Plan
- B. Applicant's letter dated June 4, 2007
- C. ABR Minutes
- D. Neighbor's Letter dated February 20, 2007

Contact/Case Planner: Roxanne Milazzo, Associate Planner
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630 Garden Street, Santa Barbara, CA 93101
Phone: (805)564-5470

June 4, 2007

Staff Hearing Officer
City of Santa Barbara
Community Development Department
630 Garden Street
Santa Barbara, CA 93102



RE: Geiger Residence 2230 Cliff Drive
Santa Barbara, CA
Modification request for Required Open Yard Area
MST2006-00303
Zone E-3

Dear Staff Hearing Officer:

The existing structures on the subject property consist of a non conforming single family residence and a detached non conforming garage. These structures are illustrated on sheet A 1.0 / Existing Site / Demo Plan. After a structural analysis, it has been determine that both of the existing structures are beyond repair. The combination of inadequate footings for seismic constraints and dry rot in major structural components suggest the structure be demolished.

The summary of changes made to the April 17 Modification Hearing is as follows:

- a. Increase the rear yard building setback from 18' to 20'
- b. Increase the defined Open Yard Area from 690 sq.ft to 1125 sq.ft
- c. Reduce the building FAR,s from 35 sq.ft over the allowable to approximately 42 sq.ft under the allowable.
- d. See "Exhibit A" for detailed FAR comparison

The modification being requested in this application is to allow a portion of the required Open Yard Area be located within the front yard setback on Fellowship as illustrated on sheet A 1.0, Proposed Site Plan. This area would be enclosed with a low 3'-6" high wood fence and a pedestrian gate. In addition we are requesting a reduction of 125 sq.ft from the required 1250 sq.ft.

The justifications of this request are based on several unique site considerations and constraints. They are as Follows:

1. This is a corner lot which has two front yards with a 20 Right of Way on Cliff Drive and Fellowship, combined this area with the rear & side yard set backs over 60% of the lot is open yard space.
2. Transportation prefers the driveway apron on the north end of Fellowship to minimize traffic conflicts with traffic turning from Cliff Drive right on to Fellowship.

Architecture
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Douglas T. Keep

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EXHIBIT B

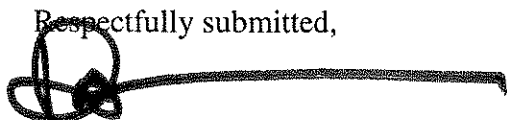
The benefits of this modification are as follows:

1. The existing site configuration of the structures is non conforming. Most of the garage structure is in the front yard setback and the existing residence is in the side yard setback on the property line. The proposed plan would bring all the structures into current zoning conformance.
2. The existing street trees would be replaced with approved species, and all the yuccas would be removed on the subject property and replaced with appropriate plant material as proposed on the landscape plan. This would improve the visual character of the neighborhood.
3. Currently the property is vacant due to the inadequate structural integrity. The Owners of the property are a young family with two children who would like to reside at this location, and become a part of the community.
4. Because the two single family residences are currently "attached" the possibility of fire spreading from one residence to another is high. The desirability of separating the residences greatly improves the safety of the occupants. The neighbor on the east is in favor of separating the structures.
5. The 1125 sq.ft of defined Open Yard combined with 3000 sq.ft of remaining open space totals over 60% of the site area to be designated for landscaping & hardscape. This is consistent with the visual continuity for the neighborhood and supports the Neighborhood Preservation Ordinance with an FAR of .46.
6. With the combination of appropriate landscaping, screening and preserving the existing low wall among the outside edge of the property, all the amenities normally enjoyed with open yard areas would be enjoyed on this parcel as delineated on the Site Plan.

I believe it would be reasonable and fair due to the constraints on this parcel to be granted a modification as requested in this application.

I would appreciate you consideration on this matter.

Respectfully submitted,



Douglas Keep, Architect

ABR COMMENTS FOR 2230 CLIFF DRIVE

July 10, 2006

Garry McGill, resident, addressed concern with bulk and height.

Chair Bartlett read into the record a letter from David and Lisa Tate expressing opposition to the proposed project.

Motion: Continued indefinitely to Full Board with the following comments:
1) Restudy the mass, bulk, scale and square footage as they appear to be excessive given the small corner lot configuration. 2) The Board can not support a modification to having all of the open yard space within the front setback along Fellowship. 3) The Board could potentially support a minor modification for the oversized garage but will wait to see a new configuration before making that determination. 4) The Board is in support of legalizing the existing nonconforming duplex, but is concerned with the relationship of two-story residence located 6-feet from the adjacent structure which will remain. 5) The Board appreciates the architectural style as presented. 6) Study building second-story components into apparent attic space to reduce the height and mass of the building. 7) Provide a clearer depiction of the inter-relationship of property line wall and the existing structure to remain on the east side.

Action: Manson-Hing/Romano, 5 /0/0. Sherry absent.

October 30, 2006

David Tait, neighbor, opposed to the project as presented.

Robert Pretsch, neighbor, opposed to the lack of back yard open space.

Public comment closed at 8:20 p.m.

Motion: Continued three weeks to the Full Board with the following comments:

1) The Board carried forward the following comments from the meeting of July 10, 2006*: *1. Restudy the mass, bulk, scale and square footage as they appear to be excessive given the small corner lot configuration; *2. The Board can not support a modification having all of the open yard space within the front setback along Fellowship; *4 The Board is in support of legalizing the existing nonconforming duplex, but is concerned with the relationship of the two-story residence located 6-feet from the adjacent structure which will remain; *6. Study building second-story components into apparent attic space to reduce the height and mass of the building. 2) The Board finds that the architecture is handsome, although the program and apparent mass, bulk, and

scale are excessive for the corner lot. 3) The applicant is to:
a. Reduce the overall scale and study the relationships such that it has an entry apparent off the street front. b. Provide more open yard space beyond front setback lines; c. Continue to study the interrelationship of the house and remaining structure to the east side; and d. Provide a north elevation.

Action: Manson-Hing/Sherry, 7/0/0. Motion carried. (LeCron absent.)

November 20, 2006

Bob Pietsca, resident, stated his concern with the project's lack of open space.

A letter from Gary and Laurie McGill, residents, expressed concern with the mass, bulk and scale of the project, was read into the record by Chair Bartlett.

Public comment closed at 7:28 p.m.

Straw vote: How many members support the open yard modification ratio?
4/2/1. Mudge abstained.

Motion: Continued 2 weeks to the Full Board with the following comments:

- 1) The Board finds the reduction and the restudy of the architectural forms to be moving in the right direction; however, the majority of the Board finds that the mass, bulk, and scale need further relief.
- 2) The porch offsets are too shallow in depth to appear genuine.
- 3) The Board likes the notion of the apparent second story attic with dormers.
- 4) Restudy simplifying the double gambrel roof expression on the west elevation, to make the second story windows appear more as dormer windows.
- 5) Present more depth to the entry porch and the south facing porch (facing Cliff Drive).
- 6) Further increase the amount of open space beyond the setback lines.
- 7) Provide additional landscaping on both street frontages, including street trees and landscape in the parkway areas to further enhance the apparent front yard experience on both streets.

Action: Manson-Hing/Wienke, 7/0/0. Motion carried. (Sherry absent.)

December 4, 2006

Robert Pretsch, resident, recommended moving the house closer to Cliff Drive.

Gary McGill, resident, expressed concern about loss of open space.

Chair Bartlett acknowledged receipt of a letter from David and Lisa Tait, expressing concern with the projects height and resulting loss of privacy.

Public comment closed at 7:04 p.m.

Motion: Continued indefinitely to the Staff Hearing Officer and continued indefinitely to the Full Board with the finding that the Neighborhood Preservation Ordinance criteria have been met as stated in Subsection 22.68.060 of the City of Santa Barbara Municipal Code with the following comments:

1) The architecture is handsome, and the siting of the house makes the best use of the constrained site. 2) The Board does not support an encroachment into the 6 foot interior yard setback. 3) Even though there is a modification request, the open space provided by the front yards equals 60% of the lot area.

Action: LeCron/Manson-Hing, 7/0/0. Motion carried. (Mudge absent)

February 20, 2007

City of Santa Barbara
Planning Division
630 Garden Street
Santa Barbara, CA 93109

RECEIVED

FEB 28 2007

CITY OF SANTA BARBARA
PLANNING DIVISION

RE: Property of Teri Jory & Seth Geiger
2230 Cliff Drive
APN 041-252-071
Agenda Item scheduled for the February 28th hearing

We, Mark and Lorraine Michalak, are the property owners as well as the residents of 2228 Cliff Drive, the property that is adjacent to the property owned by Teri Jory and Seth Geiger, 2230 Cliff Drive. Our dwellings share a common wall that runs along the property line between the two parcels.

We gave our consent to Teri and Seth, and their architect Douglas Keep, to demolish their existing dwelling while leaving our dwelling intact. Teri and Seth initially gave us verbal assurance that they would incur all costs associated with the reconstruction projects that may affect our property-line wall and existing structure after their dwelling has been torn down. At their request, we gave them a written list of our concerns, and they have since given us a written proposal confirming their intent to incur the costs associated with the demolition of their dwelling. Please see attachments.

We have been supportive since we first learned of Teri and Seth's plans to build a new dwelling on their property. We have seen the proposed plans, and have attended the Architectural Board of Review meetings pertaining to this project. We appreciate that we have been kept informed of the steps involved in the planning process and have had our concerns addressed. We feel that the proposed structure will enhance the neighborhood.

Sincerely,

Mark and Lorraine Michalak

Mark and Lorraine Michalak
2228 Cliff Drive
(805) 965-7595
ljmichalak@hotmail.com

EXHIBIT D