



**City of Santa Barbara
California**

**STAFF HEARING OFFICER
STAFF REPORT**

REPORT DATE: November 28, 2007
AGENDA DATE: December 5, 2007
PROJECT ADDRESS: 812 Largura Place (MST2007-00394)
TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Zoning & Enforcement Supervisor *D.K.*
 Roxanne Milazzo, Associate Planner *R.M.*

I. PROJECT DESCRIPTION

The 1 acre project site is currently developed with a single family residence and attached garage. The proposed project involves the “as-built” expansion of the existing view deck. The discretionary application required for this project is a Modification to permit a portion of the expansion to be located within the required fifteen-foot (15’) interior yard setback (SBMC 28.15.060).

Date Application Accepted: October 23, 2007 Date Action Required: January 23, 2007

II. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Elizabeth Vos	Property Owner:	Same As Applicant
Parcel Number:	029-110-034	Lot Area:	46,809 sf
General Plan:	3 Units Per Acre	Zoning:	A-1
Existing Use:	One-Family Residence	Topography:	42% Slope
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	1,820 sf	No Change
Garage	425 sf	No Change
Accessory Space	None Existing	No Change

III. LOT AREA COVERAGE

Lot Area: 46,809 sf
Building: 2,368 sf; 5%
Hardscape: 665 sf; 1%
Landscape: 43,776 sf; 94%

IV. DISCUSSION

This project was reviewed by the Single Family Design Board (SFDB) on numerous occasions. However, the focus of those hearings was on the western part of the deck which is not a part of this Modification request.

In June of 2004 a permit was issued to repair an existing deck "in like" for the subject property. When the current owner applied for a recent building permit, a routine record check revealed that the 2004 permit had actually resulted in an expansion of the original deck as a part of its repair. The expansion was constructed in line with the existing residence which had received a Modification in 1972 to be constructed within the required fifteen-foot (15') interior yard setback. What resulted was a deck located approximately 11' from the interior lot line.

Staff consistently discourages both the use of the Modification process to legalize "as-built" work and for requests involving outdoor living areas within buffer zones. However, this case may be different. The difference in elevations between the subject site and neighbor to the East, appears to provide more separation between the outdoor living areas for both properties. Also considered is the large oak that provides a visual screen between the two neighbors. And although the expanded area could accommodate larger amounts of people than other areas of deck, the most convenient and accessible area of the deck appears to be that portion which is in the center.

V. RECOMMENDATION/FINDING

Staff recommends that the Staff Hearing Officer approve the project by making the findings that the Modification is necessary to secure an appropriate and uniform improvement on a site with limited outdoor living area due to slope and that the purpose and intent of the ordinance is being met with the separation of grade and the screening which should assure no impacts to the adjacent neighbor.

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Exhibits:

- A. Site Plan
- B. Applicant's letter dated October 23, 2007
- C. SFDB Minutes
- D. Neighbor's Letter of Support dated October 29, 2007

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

October 23, 2007

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

*Re: 812 Largura Place
Santa Barbara, Ca 93101
APN: 029-110-034
Zone: A-1*

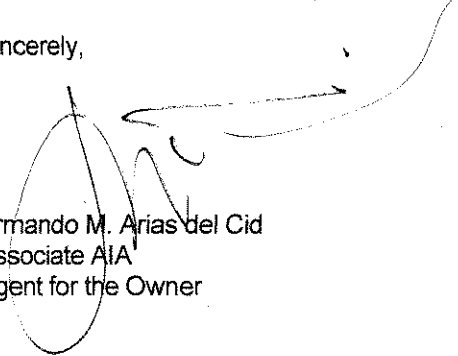
Dear Sir or Madam:

In reference to the above stated address: There is an existing house (1,820 sf), with an attached two car garage in the property. There is a wooden deck in the rear (south) side that runs the length of the house. The deck currently encroaches in the interior setbacks: About 6 feet the easterly side. The deck is existing and apparently was expanded from the original permitted size prior to the current owner purchase of the residence. The house exterior siding, door and windows have recently been replaced with new, under a permit from the Building Department. Under that building permit the owner proposed to demo the existing deck to match the original deck configuration, but has changed her mind and will like not to demo it.

The modification being requested is to allow the deck to remain in the existing "As Built" condition.

The benefits of keeping the Existing Deck as it is are: No new construction that will aggravate the hillside. The deck configuration is more in line with the design of the house. The old design was cut up and stood out whereas the current existing deck blends better. The deck provides for a much needed outdoor area. The topography of the site precludes the possibility of exterior patios on grade. The Easterly side of the house, as the current configuration of the House and Deck show, provides for a low profile structure that creates a private, non-obtrusive outdoor space.

Sincerely,



Armando M. Arias del Cid
Associate AIA
Agent for the Owner

812 LARGURA PLACE SFDB MINUTES & STAFF NOTES

8-27-07 SFDB

Continued to the Staff Hearing Officer with the following comments: 1) the exterior light fixture shall used with a motion detector. 2) privacy screening of three cypress trees to be planted at least 6 feet tall. 3) applicant is to provide decibel specifications of HVAC unit under deck. If the noise level exceeds City standards, applicant is to construct walls on both sides of unit. 4) applicant to provide a letter from the landscaper regarding the feasibility of trees in this location. 5) the project should be reviewed by the SFDB landscape architect when returning to Consent Calendar after SHO hearing.

Staff Notes:

Staff to verify if planting trees as privacy screen in drainage easement was acceptable to public works. Dave Schumaker said he had not given the OK to plant in the easement. The applicant had previously damaged the drain pipe with fill grading. Public Works can not OK the planting of trees in this easement, see Rick Fulmer in Streets Division -- Rick Fulmer said the galvanized pipe has a limited lifespan and might be damaged by tree roots. Possibly shield pipe from the roots, should talk to Randy Fritz in Parks. -- Randy Fritz said he is not in favor of trees in this location because they are a fire hazard. Existing trees along the applicant's house are not shown on plans. Randy suggested a fence at the property line or a eugenia hedge. I mentioned that the zoning ordinance limits fences and hedges to 8 feet in height in the setback where trees are not limited in height. Randy suggested possibly a lemon or orange tree for privacy, but not three of them. Trees may not do well under the large oak canopy. Consider clumping bamboo. Tony Boughman x4539

9-10-07 SFDB

Continued two weeks with the following comments: 1) Provide 15 gallon bamboo at 8 foot minimum height; 2) Specify number of bamboo plants; 3) Call out species of bamboo (clumping species, not invasive); 4) Show drip irrigation for the new planting.

9-24-07 SFDB

Continued to the Staff Hearing Officer with the following comments: 1) Install a root barrier between the bamboo and drain pipe; 2) Verify that decibel level meets city standards, or provide sound barrier wall; 3) Exterior light fixture shall be triggered by a motion sensor.

10-4-07 Staff Notes:

Site visit 9:30 a.m. 10/4/07 with Ann Marx, Armando Arias, Beth Vos, Tony Boughman. Issue discussed was a landscaping solution for privacy screening of Cahill's property viewed from Vos' deck. Landscaping options considered were: bamboo planting as last submitted to SFDB, low shrubs, a single citrus tree, vine growing up the west side of the deck and railing. None of these landscaping

options are acceptable per fire dept. An architectural screen at the deck railing is a feasible solution.

Another issue discussed was the overhang of Cahill's oak tree onto Vos' property. The fire marshall will be enforcing the trimming of the tree branches because it poses a fire hazard.

812 Largura

Carol and Gerard Pigeon
814 Largura St,
Santa Barbara, CA 93103

INTERESTED PARTIES CORRESPONDENCE:

DISTRIBUTED ON: 11/6

SHO (4):

- STAFF HEARING SUPERVISOR (Bettie Weiss)
- ORIGINAL to STAFF HEARING OFFICER (Rox)
- PLANNING TECH FOR ITEM
- APPLICANT

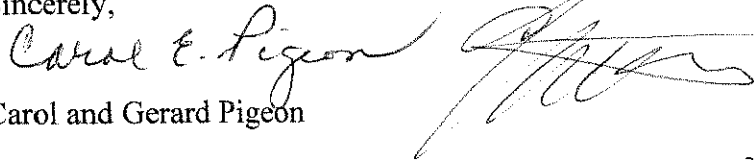
October 29, 2007

Planning Department
City of Santa Barbara
630 Garden Street
Santa Barbara, CA 93102

Re: Modification Request application for 812 Largura Street, Santa Barbara

This letter is to express to you that we have no objection to either of the existing decks on our neighbor, Beth Vos's property which is located at 812 Largura Street. We specifically support her request to the city to leave the decks as is. We are not in favor of any changes to the decks which would initiate new construction on that property which will cause noise and traffic in the neighborhood.

Sincerely,



Carol and Gerard Pigeon

REMOVABLE LABEL)

Entered into Advantage:

Entered into People

Entered into Parcel/People

11/6
date completed

RP
initials

