City of Santa Barbara
California

STAFF HEARING OFFICER
STAFF REPORT

REPORT DATE: January 9, 2008

AGENDA DATE: January 16, 2008

PROJECT ADDRESS: 360 Mesa Lane (MST2007-00609)

TO: Staff Hearing Officer

FROM: Planning Division, (805) 564-5470
Danny Kato, Zoning & Enforcement Supervisor
Roxanne Milazzo, Associate Planner

I. PROJECT DESCRIPTION

The 5,800 square foot project site is located on the corner of Mesa Lane and Cliff Drive. Current development on site consists of a single-family residence and garage. The proposed project involves a remodel and associated site improvements.

II. REQUIRED APPLICATIONS

The discretionary applications required for this project are Modifications to permit fences to exceed a maximum height of 3 ½' when located within ten-feet (10') of a front lot line or within twenty-feet (20') along the driveway (SBMC §28.87.170), and for an entry arbor, eyebrow trellis, and trash enclosure to be located within a front yard setback (SBMC §28.15.060).

Date Application Accepted: December 3, 2007 Date Action Required: March 3, 2008

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Carol Suzanna Gross	Property Owner:	Patrick & Nina Mahaffery
Parcel Number:	041-301-001	Lot Area:	5,800 sf
General Plan:	5 Units Per Acre	Zoning:	E-3/SD-3
Existing Use:	One-Family Residence	Topography:	6% slope

Adjacent Land Uses:

North – Cliff Drive
South - One-Family Residence
East - One-Family Residence
West - One-Family Residence

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,000 sf	No Change
Garage	400 sf	No Change
Accessory Space	None Existing	No Change

IV. DISCUSSION

The applicant is asking for two (2) Modifications: Fence/wall heights and front yard setback relief.

The subject site is located on the corner of Mesa Lane and Cliff Drive. In an effort to provide protection, security, and noise control from this busy street, the applicant is requesting a Modification to allow the three and one-half foot (3 ½') maximum fence height limit to be exceeded in both front yard areas. Although Modification requests for over height fences are difficult to support, the site visit revealed circumstances that may qualify this property for relief. The corner location and its two front yards is a recognized site constraint. Staff will routinely approve fences in excess of three and one-half feet (3 ½') on the secondary frontage by making the finding that being able to secure the area that provides "back yard" is an appropriate improvement. Also considered was the fifteen-foot (15') piece of land, owned by Caltrans, that separates this property from Cliff Drive and gives the illusion of providing the required ten-foot (10') setback. Lastly, the existing grade change between Cliff Drive and the subject site is approximately seven-feet (7') and therefore the over height fence will barely being visible from Cliff Drive. The over height fences along the primary (Mesa Lane) frontage can also be supported due to the non-conforming setback of the existing garage. The garage observes a fifteen-foot (15') front yard setback. The applicant is requesting to provide fencing off both sides of the garage in the areas that are restricted to three and one-half feet (3 ½'). A review by Transportation Staff revealed that there will be no visibility issues associated with the proposed location and height.

Lastly, the applicant wishes to secure trash and recycling storage area, an entry trellis and an architectural element off the face of the garage. All these amenities are proposed within the front yard setbacks. It is Staff's position that the storage area provides a screened area for ease of access on trash days, the entry trellis announces the formal entry to the residence, and the trellis off the face of the garage provides and esthetic improvement all without adding additional floor area in a required yard.

V. RECOMMENDATION/FINDING

Staff recommends that the Staff Hearing Officer approve the requests by making the findings that the Modifications are necessary to secure appropriate improvement on a corner property while meeting the purpose and intent of the ordinance by providing privacy and usable yard areas without safety issues for the community.

Exhibits:

A. Site Plan
B. Applicant's letter dated December 3, 2007

Contact/Case Planner: Roxanne Milazzo, Associate Planner
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Phone: (805)564-5470

Carol Suzanna Gross
Landscape Architect
3721 Greggory Way, Suite #1
Santa Barbara, CA 93105
(805) 682-0186

December 3, 2007

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

RE: Modifications for 360 Mesa Lane

Project Description:
This corner lot has two front setbacks, one on Cliff Dr., and the other on Mesa Lane. There is a request for modification to allow fence/wall(s) greater than 42", not to exceed 8' in the front yard setbacks; along Cliff Dr and Mesa Lane.

Justification Statement:
Cliff Dr:

1.) The sidewalk along Cliff Dr is higher in elevation. The additional ht in fence/ wall is needed for minimal privacy and protection from cars, and homeless sleeping in area.

2.) The wide amount of land, (15') currently owned by Cal Trans along Cliff Drive, would never be used to widen Cliff Drive, and it seems reasonable to create a consistent neighborhood distance from the street. The encroachment is the normal distance of a house to street that one would see in a typical neighborhood.

3.) The proposed fence/wall is to replace existing.

Mesa Lane:

1.) When the garage was originally built, it observed setback rules. Currently, the distance has changed, resulting in the garage encroaching into the modern day front setback. It is reasonable to encroach into the 10' clearance from driveway area.

2.) Without the fence/ wall modification, the garage would have a predominate position if it were further toward street than the site elements. The neighborhood would benefit visually if the site walls were a consistent distance from street and in line with the garage.

In summary, the walls/fences are needed for privacy, protection and neighborhood consistency. This modification is consistent with recently granted modifications along Cliff Dr.
ie. modifications for the multi-unit project at Cliff Dr and Oliver St.

Sincerely,

Carol Suzanna Gross,
agent for owners

EXHIBIT B