



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: January 24, 2008
AGENDA DATE: January 30, 2008
PROJECT ADDRESS: 70 La Cumbre Circle (MST2006-00440)

TO: Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Zoning & Enforcement Supervisor *DJK*
 Roxanne Milazzo, Associate Planner *R Milazzo*

I. PROJECT DESCRIPTION

The project site is part of a Garden Apartment Development. Current development related to this application consists of a 1,260 square-foot single family residence with an attached 370 square-foot garage. The proposed project involves a 264 s.f. (11' X 24') patio cover for the residence.

II. REQUIRED APPLICATIONS

The discretionary application required for this project is a Modification to permit the addition to be located within the required interior yard (SBMC § 28.30.060).

III. SITE INFORMATION

Parcel Number:	049-350-022	Zoning:	R-2 Two-Family Residence Zone
General Plan Designation:	12 Units Per Acre	Topography/Slope:	3% Average Slope
Existing Use:	One-Family Residence	Proposed Use:	One-Family Residence

Adjacent Land Uses

North: One-Family Residence	East: Residential Care Facility
South: One-Family Residence	West: One-Family Residence

Lot Coverage (Proposed):

- Building: 1,895 s.f. (47%)
- Paving/Driveway 416 s.f. (11%)
- Landscaping 1,685 s.f. (42%)
- Lot Area: 3,996 s.f.

Parking:

- Required 2 Covered
- Provided 2 Covered

Date Application Accepted: December 28, 2007 Date Action Required: June 28, 2008

IV. DISCUSSION

- This project is scheduled for conceptual review before the Architectural Board of Review (ABR) on January 28, 2008. The comments from that review will be provided at the Staff Hearing Officer Meeting on January 30, 2008.
- The subject property was developed as a part of a Garden Apartment Development in 1968. Development requirements included thirty foot (30') front and interior yards for the perimeter of the entire development. The purpose and intent of those setbacks was to provide a buffer zone to adjacent residential neighbors due to the high density of the development. The residential neighbors of this development are public streets on three sides, and a perimeter driveway for the Vista Del Monte residential care facility on the fourth side. The subject property abuts the perimeter driveway. There are no setbacks between individual lots in this Garden Apartment development.

On December 3, 1970, the Planning Commission (Resolution No 81) approved a blanket Modification to approve yard setback reductions for the 57 perimeter lots for purpose of installing patio covers. The approval required that a setback of 20' from the property line be provided and that a building permit be pulled within six months. While the subject property has an existing patio cover, there is no evidence that a building permit was ever pulled for it, so the 1970 Modification is not valid. The existing patio cover will be removed and an aluminum structure is proposed to replace it.

This project has been in process since February 2006, when a 265 square foot sunroom addition was approved by the Staff Hearing Officer for the site. The decision was appealed by a neighbor, opposed by many of the neighbors, and eventually led to a withdrawal of the project. The applicants redesigned their project, and submitted a new project on July 18, 2006. The revised project consisted of a 275 square foot patio cover. That structure provided the twenty-foot (20') setback, but was fairly massive. This proposal was never heard, as the homeowners' association for the development did not approve the proposal.

The current proposal is for an aluminum patio cover that is no taller than the top of the existing fascia, and projects 11 feet from the existing back wall of the existing building. It has been approved by the La Cumbre Owners Association.

The proposed patio cover is consistent with the Planning Commission's December 3, 1970 blanket Modification approval for patio covers within the required interior setbacks.

V. RECOMMENDATION/FINDINGS

Staff recommends that the Staff Hearing Officer approve the project, making the findings that the Modification to permit a reduction of the interior yard setback for purposes of constructing a patio cover is necessary to secure an appropriate improvement to the property, is consistent with the purpose and intent of the ordinance, in that the patio cover will provide an amenity which enhances the enjoyment of the private backyard for this site, and is consistent with the 1970 Planning Commission approval for patio covers.

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Exhibits:

- A. Project Plan
- B. Applicant's letter dated December 10, 2007
- C. La Cumbre Owners Association Letter, December 7, 2007

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

December 10, 2007

Modification Hearing Officer
Planning Division-City of Santa Barbara

Re: Modification Request
70 La Cumbre Circle, Santa Barbara, CA 93105
APN: 049-350-022
Zone: R-2

Existing situation and proposed project:

The existing property is a 3996 SF lot zoned R-2. There is presently one condominium unit of 1260 SF (1 story) with attached 2-car garage of 370 SF. The existing rear yard (open yard) is 1116 SF and is enclosed by a fence/wall 6' high all around. It is not easily visible from any adjacent properties. We are proposing to remove the existing aluminum patio cover and replace with a new aluminum patio cover. The dimensions shall be 11'X24'. The color shall be Ivory. The materials shall consist of Sandwich roof panel with Ultra lattice posts & trim.

Modification request and justification:

The ordinance requires a 1250 SF open yard (interior yard). This is already larger than the total open area at the rear of the residence. In effect, this makes any patio cover addition impossible. Because of this constraint, we request a modification to allow a 264 SF encroachment into the existing open yard (interior yard) area for the proposed patio cover. There really is no other place for development. The open yard (interior yard) remaining will be 852 SF. In addition, there is 290 SF provided at the front of the residence outside the front yard setback. Together, these two areas combine for a total of 1142 SF of nicely landscaped yards. In the historical timeline for Phase 1 (La Cumbre Circle) dated 12/03/70, PC Resolution #81 approves a 20 foot setback instead of the required 30 foot setback for lots 1-57 to allow un-enclosed patio covers.

Our lot no. is, 22, therefore setting the posts of the patio cover 11' from the condominium will leave the required 20 foot setback from the property line. 31' lot depth less 11' for the post allows 20' to property line.

Benefits of the project:

The proposed project design was presented to the La Cumbre Home Owner Assoc. and was given approval regarding the modification and design standard. (Approval letter copy attached) We feel this modest project, proposed in a style and scale consistent with the existing condominium is an aesthetically pleasing environment to the structure to will allow us to enhance and enjoy our outdoor garden. It will be an appropriate patio cover as well for the neighborhood. Thank you for your consideration and we look forward to your approval.

Sincerely,



Robert L. & Karin M. Hughes
84 La Cumbre Circle
Santa Barbara, CA 93105
805-636-9619
bobkarinh@gmail.com

LA CUMBRE OWNERS ASSOCIATION, INC.

**OWNERS NOTIFICATION OF APPROVAL/DENIAL OF APPLICATION
FOR ARCHITECTURAL IMPROVEMENTS TO UNIT**

APPROVAL OF APPLICATION FOR IMPROVEMENT

Unit #70

Date: 12/07/07

Owner(s): Robert and Karin Hughes
Agents for Annette Hughes

Dear Bob and Karin,

Please be advised that your request to replace your patio cover was reviewed by the ACC and the Board of Directors. Approval was voted as follows:

- Ivory color
- Aluminum (Ultra Lattice) material
- No more than 11' from the stucco wall
- Height is no higher than top of fascia
- Review, sign & date ACC Application for Approval. Return to ACC chair
- Review attached Good Neighborhood policy

Please be advised that there is a 90-day limit on this sanction. If you are planning to make any changes to the above conditions, please notify the ACC for approval.

Thank you for your prolonged patience.

Sincerely,



Karen Crawford
Board Member and Chair, Architectural Control Committee

cc: Board of Directors