



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** June 25, 2008  
**AGENDA DATE:** July 2, 2008  
**PROJECT ADDRESS:** 1057 Arbolado Road (MST2007-00462)  
**TO:** Bettie Weiss, City Planner. Staff Hearing Officer  
 Susan Reardon, Senior Planner  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Zoning & Enforcement Supervisor *DJK*  
 Roxanne Milazzo, Associate Planner *RM*

### I. PROJECT DESCRIPTION

The project site is currently developed with a single family residence with attached garage. The proposed project involves a major remodel, site improvements, new deck, and 1,200 square feet of first and second floor additions. The discretionary applications required for this project are Modifications to permit alterations and additions within the required front setback and open yard areas (SBMC §28.15.060).

Date Application Accepted: June 9, 2008      Date Action Required: September 9, 2008

### II. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant:	Jeff Shelton	Property Owner:	Ann De Bruyn Kops
Parcel Number:	019-241-013	Lot Area:	13, 504 sf
General Plan:	3 Units Per Acre	Zoning:	E-1
Existing Use:	One-Family Residence	Topography:	20% Slope
Adjacent Land Uses:			
	North - One-Family Residence		East - One-Family Residence
	South - One-Family Residence		West - One-Family Residence

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	1,493 sf	1,200 sf
Garage	531 sf	No Change
Accessory Space	None Existing	No Change

**III. LOT AREA COVERAGE**

Lot Area: 13,504 sf  
Building: 2,265 sf; 17%  
Hardscape: 2,857 sf; 21%  
Landscape: 8,382 sf; 62%

**IV. DISCUSSION**

This project has had several reviews by the Single Family Design Board (SFDB). Strong neighborhood concerns related to the mass, bulk, and scale have resulted in relocation and downsizing of the proposed second story element. The Board gave support to the Modification request and continued the item on to the Staff Hearing Officer.

The applicant's letter identifies justification of the three Modifications being sought. The first one, related to a 60 square foot addition located within the secondary front yard, is identified as an area that is hidden from the street. Staff sees this area and the dining room addition adjacent to it, as floor area that reduces the legal and usable open yard for this property. It is an area, directly accessible from the residence that provides a private outdoor living space for the occupants. The second Modification is related to design changes to the existing garage. Staff does not have concerns with the windows, doors, roof, or exterior finishes being proposed. The third Modification is being driven by neighborhood concerns. During the design review process, neighbors expressed view concerns that resulted in SFDB direction to the applicant to move the second story element to the North of the existing development. This location results in further elimination of qualifying open yard areas.

A proposed Zoning Ordinance amendment, which has been recommended to City Council for approval by the Ordinance Committee, would allow the open yard to extend into the secondary front setback (except the first 10 feet). If this amendment were effective currently, a Modification would not be necessary, as this property would meet the new standard.

**V. RECOMMENDATION/FINDING**

Staff recommends that the Staff Hearing Officer approve the Modifications as proposed, making the findings they are necessary to secure appropriate improvements on the lot, and that they are consistent with the purposes and intent of the Zoning Ordinance, as the proposed addition in the front setback is behind an existing portion of the house that's already located in the setback, and the additions that currently require a Modification for encroachments into the open yard meet the proposed open yard standards.

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Exhibits:

- A. Site Plan
- B. Applicant's letter dated June 3, 2008
- C. SFDB Minutes

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630 Garden Street, Santa Barbara, CA 93101  
Phone: (805)564-5470

June 3, 2008

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



519 Fig Ave.  
SANTA BARBARA  
93101  
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RE:           MODIFICATION REQUEST  
              Addition & Remodel  
              de Bruyn Kops Residence  
              1057 Arbolado Road  
              Santa Barbara, Ca 93103

Dear Ms. Milazzo

We are requesting 3 Modifications for the above mentioned project. The Modifications are as follows:

Modification No. 1

To allow 60 SF of patio inside the Front yard Setback to be infilled and become part of the dwelling.

*Justification:           This area is hidden from the street and is attached to the existing nonconforming garage. It will sit under the extension of the existing roof.*

Modification No. 2

To allow remodeling, new windows and doors, new exterior finishes and new roofing of the existing & nonconforming garage that is inside the Front yard Setback.

*Justification:           This garage is now inside the setback, and leaving it alone and not remodeling it after the rest of the house has been changed would make the City's municipal Code look bad.*

Modification No. 3

To allow a 905 SF open yard where a 1250 SF open Yard is required.

*Justification:           The neighbors that attended the SFDB meetings (26 +) asked us to please push the second floor to the north, and they would support an open yard Modification. Due to the house being on a corner lot, the north side of the house is now used as an open yard.*

*Technically, by allowing 70 SF of the front yard to be inside the setback, an additional 225 SF of area outside the setback could be added, that would make the total area be 1250 SF as required.*

Currently, 3,406 SF +/- are being used as the "Open Yard".

Thank you for reviewing our request.

Sincerely,

JEFF SHELTON  
ARCHITECT

Attached:

4 sets of plans with data sheet  
Photographs

## **SINGLE FAMILY DESIGN BOARD MINUTES – 1057 ARBOLADO ROAD**

October 15, 2007

Public comment opened at 5:14 p.m.

1. Derek Westen, Attorney representing neighbors in opposition; project is not designed sensitively.
2. Brad Simon, resident: opposed; concerned project height.
3. Gaile Baratto, resident: concerned about loss of views.
4. Nick Svensson, resident: concerned about loss of views.
5. Jacqueline Page, resident: concerned about loss of views.
6. Nancy Kaplan, visitor: concerned loss of views.
7. Doug McElwain, resident: concerned about mass, and change of views.
8. Elaine Daugherty, visitor: concerned about size impacts.
9. Cliff Hickman, Designer: concerned about view impacts.
10. Chris Kamen, resident: concerned about loss of backyard privacy.
11. Dory Turk-Kamen: sensitivity for privacy.
12. Joyce Searles, resident: concerned about setting a precedent for the area.
13. Bruce Morrow, resident: concerned about loss of views; encouraged Board to conduct a site visit.
14. Marge Graves, resident: requested consideration for privacy and views of the neighborhood.
15. Justina Evans, resident: concerned views.
16. Jeff Evans, resident: proposal does not blend into the neighborhood.
17. Jack Hewitt, resident: per SFDB Guidelines, view protection needed.
18. Diane Hall, resident: concerned about loss of views
19. Steve Buchanan, resident:

Public comment closed at 5:44 p.m.

Motion: Continued indefinitely to the Full Board with the following comments:

- 1) Restudy the design to reduce the size, bulk, and scale, particularly the tower and stair area.
- 2) Provide dimensions from the property line to any proposed decks.
- 3) If the applicant retains the two-story concept, the Board will require story poles.

Action: Bernstein/Woolery, 6/0/0. Motion carried. (Deisler absent.)

May 12, 2008

(Second Concept Review. Story poles will be installed prior to the hearing. Comments only; project requires environmental assessment and Staff Hearing Officer approval of a modification.)

Draft Minutes ONLY until approved May 26th:

(Time: 5:59)

Present: Jeff Shelton, Architect; Mike Gones, Engineer, Ann and Paul S. De Bruyn Kops, Owners, and City staff person Heather Baker, AICP Project Planner.

Ms. Baker reminded the Board to keep in mind that there are different levels and gradients of significance of public views. Not all public views are protected.

Public comment opened at 6:14 p.m. The following people spoke in opposition to the project:

- 1) Carol Ostruft: addressed preservation of the neighborhood.
  - 2) Bill Yule: addressed two-story construction, 2 business day notification.
  - 3) Henning Jensen: addressed second story poles from Roble Lane, elevation above the street.
  - 4) Cliff Hickman: designed two home across street, addressed blocked public views, architectural styling at prominent location.
  - 5) Frank Hughes: addressed second story poles, appropriateness of structure size to neighborhood and architecture.
  - 6) Cindy Travis: addressed blockage of private view.
  - 7) Patrick Hall: addressed massing of second story toward back of lot to alleviate public concerns.
  - 8) Jeff Evans: addressed second story poles, sensitive location, massing.
  - 9) Nancy Caplan, for Jackie Page: addressed blockage of private views, and lack of advanced notification.
  - 10) Bruce Morrow: regular walker, addressed visual impact of second story poles and massing of proposed project.
  - 11) Julie Morrow: addressed second story massing and scale not fitting into scale of neighborhood.
  - 12) Joyce Searls: addressed appropriate development scale, provided picture of site.
  - 13) Janice Meaden: addressed horizontal sweep of private views, out-of-scale vertical building.
  - 14) Derek Westin, representing several residents: addressed applicant's lack on working with neighbors, impressed with public turnout despite short notification, loud design needs to be muted, and lowering of the plate heights, easterly neighbor (Chris Kamen) concerned with privacy issues and would like the project conditioned to keep the bamboo barrier screening.
  - 15) Jack Hewitt: addressed incompatibility due to large scale or development, loss of natural resources, private views, and privacy (keep bamboo hedge).
  - 16) Bob Johnson: addressed short notification, fill on hillside lot which should be nestled instead, neighborhood incompatibility and out of scale structure, and blocked private views and ocean vistas.
  - 17) Paul Cashman, President of Riviera Association: addressed neighborhood compatibility and opportunity for public input to preserve private views.
- Public comment closed at 6:45 p.m.

The Chair explained that the Board has no authority to preserve private views.

Straw vote: Can you support a two-story element on this property? 6/0

Motion: Continued indefinitely to Full Board, with the comment to restudy the two-story element to reduce the height as much as possible.

Action: Woolery/Bernstein, 6/0/0. Motion carried. (Zink absent.)

Chair Mahan announced the 10 day appeal period to City Council.

Board Comment: One Board member stated he believed the height of the structure is currently acceptable and would like to see the project move forward.

Staff Note: Modified story poles are to remain up for Board to be notified by staff for a future site visit.

May 27, 2008

Third Concept Review. Revised story poles will be installed prior to the hearing. Comments only; project requires environmental assessment and Staff Hearing Officer approval of modifications.)

(6:26)

Present: Jeff Shelton, Architect; Paul and Ann S. De Bruyn Lops, Owner.

Public comment opened at 6:35 p.m.

- 1) Cliff Hickman, opposed. Concerned about first-floor height, prefers lowering one additional foot.
- 2) Cindy Travis, opposed. Proposed deck will be too close to the neighboring property.
- 3) Lisa Reich, opposed. Concerned with scale; enforcement of good neighbor guidelines; negative precedent.
- 4) Chris Kamen, in favor. No opposition to the project.
- 5) Bob Black, opposed. Second-floor is too large and obtrusive to views; height is oppressive.
- 6) Jacqueline Page, neighbor, opposed. Views and privacy will be impacted. Patio is inconsistent with NPO Guidelines.
- 7) Patrick Hall, opposed. Project does not comply with NPO Guidelines. Massing should be moved to other side of lot.
- 8) Joyce Searls, neighbor, opposed. Relocating the mass and view deck will preserve views and privacy.
- 9) Dee Elias, opposed. Addressed quality of life concerns, privacy and tranquility.
- 10) E-mail from L. Robert Johnson addressing fill grading, privacy, loss of public views, owner's uncooperativeness.

Public comment closed at 6:59 p.m.

How many can support the modification request? 5/1



Motion: Continued indefinitely to the Staff Hearing Officer with the following comment: The Board supports the front yard setback modification requests.  
Action: Woolery/Carroll, 5/0/1. Motion carried. (Bernstein abstained. Mosel absent.)