



# City of Santa Barbara California

II. A.

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** March 4, 2009  
**AGENDA DATE:** March 11, 2009  
**PROJECT ADDRESS:** 219 Conejo Road (MST2009-00045)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
Renee Brooke, AICP, Senior Planner *RBB*  
Suzanne Johnston, Assistant Planner *AJ*

### I. PROJECT DESCRIPTION

The 46,174 square foot project site is currently vacant. The proposed project involves the rebuild of a 3,430 square foot, two-story single-family residence with attached two-car garage destroyed in the Tea Fire. The project includes 614 square feet of additions, the construction of a concrete patio at the westerly property line, permitting the existing configuration of the retaining wall supporting the driveway, and includes rebuilding and increasing four rear yard decks. The following discretionary applications are required for this project:

1. A Modification to permit new construction within the required 35' front setback (SBMC §28.15.060);
2. A Modification to permit new construction within the required 15' interior setback to the east (SBMC §28.15.060); and
3. A Modification to permit new construction within the required 15' interior setback to the west (SBMC §28.15.060).

Date Application Accepted: February 3, 2009

Date Action Required: April 3, 2009

### II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, as submitted, with the exception of the concrete patio within the interior setback.

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant:	Gregory Rech	Property Owner:	Catherine Steinke
Parcel Number:	019-041-021	Lot Area:	46,174 sf (1.1 acres)
General Plan:	Major Hillside	Zoning:	A-1
Existing Use:	One-Family Residence	Topography:	27%

Adjacent Land Uses:

North – Residential Lot  
South – Conejo Road

East - Residential Lot  
West – Residential Lot

**B. PROJECT STATISTICS**

	<b>Previous</b>	<b>Proposed</b>
Living Area	2,989 sf	3,446 sf
Garage	441 sf	598 sf

**IV. DISCUSSION**

This project was reviewed by the Single Family Design Board (SFDB) on February 9, 2009 and forwarded to the Staff Hearing Officer with positive comments.

The proposed project involves the rebuild of a one-story single-family residence and attached two-car garage destroyed in the Tea Fire. Both the residence and attached garage, which were originally built in 1978 without benefit of a survey, were located within the required 35' front setback off of Conejo Road. The proposal is to replace those buildings, with minor expansions, in their previous locations. A 614 square foot lower level addition will allow for the expansion to accommodate internal stairway access to meet current building codes, provide an identifiable entry, and expand the size of an existing bathroom. Not only will this provide an aesthetic improvement over the previous architecture, but a seismic improvement as well. A 157 square foot expansion of the original garage dimensions will accommodate minor storage needs. Enlargement of four decks off of the south side of the residence maintains the outdoor amenity that previously existed on this steeply sloped lot. A Modification is necessary to allow proposed expansion within the front setback.

At the time the residence was built, the retaining wall system to support the driveway was changed in the field and not appropriately documented in the city's archives. Changes occurring in the westerly setback include the permitting of the existing "as-built" retaining wall as it exceeds eight feet in height within the required setback. Additionally, the previous non-permitted wooden deck that encroached into the westerly interior yard setback is proposed to be replaced with a concrete patio in the same location. A survey of the property disclosed that a small portion of the easterly elevation where a new window is proposed also encroaches into the interior setback.

It is Staff's position that the changes and expansion of floor areas within the required front setback allow the rebuild of the previous residence to meet current building code requirements and allow for a uniform improvement which provides an identifiable entrance to the house with no impacts to adjacent properties. Due to the steeply sloped lot, the house could not be set back any further from the front property line to avoid the need for the Modification. The window addition within the easterly setback does not have a direct impact on the neighbor's privacy and allows for a uniform improvement. The existing as-built retaining wall in the westerly setback has supported the existing driveway since 1978 and a Modification is necessary to document "as-built" changes in the field when it was originally constructed.

The proposal to install a concrete patio (in excess of 10" above grade) in the westerly setback is not supported by Staff, as it encourages congregation and active use of the setback. The purpose of interior setbacks is to provide a buffer between neighbors.

V. **FINDINGS AND CONDITIONS**

The Staff Hearing Officer finds that, with the exception of the request to install a concrete patio in the westerly interior setback, the requested Modifications are consistent with the purposes and intent of the Zoning Ordinance and necessary to secure appropriate improvements on the lot. Given the overall slope of the property, re-building in the same location as the previous structures requires minimal ground disturbance, and is preferred over moving the development towards the center of the property. Additionally, the amount of separation being provided by the street, and the benefits of a structurally safe building, provide for appropriate improvements over the residence that previously existed.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter dated January 28, 2009
- C. SFDB Minutes

Contact/Case Planner: Suzanne Johnston, Assistant Planner  
([sjohnston@SantaBarbaraCA.gov](mailto:sjohnston@SantaBarbaraCA.gov))  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805) 564-5470





January 28, 2009

Staff Hearing Officer  
City of Santa Barbara  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

J. Allen Zimmer, A.I.A.  
Gregory C. Rech, A.I.A.  
architects

Re: Modification Request – Reduction of Front Yard Setback  
219 Conejo Road  
APN: 019-041-021  
Zone: A-1

Dear Staff Hearing Officer:

On behalf of Catherine Steinke I am requesting a modification for the property at 219 Conejo Road due to existing site constraints. The house on the property was destroyed by the Tea Fire and Ms. Steinke would like to rebuild on essentially the same footprint to make use of an existing retaining wall on the uphill side of the house. The single family residence is located below Conejo Road and is a single story in the front and two story in the rear. The property is approximately 46,174 sf (1.06 acres) and the home that was lost totaled 3,430 sf (net) including the 2-car garage. The living portion was 2,989 sf and the garage was 441 sf. Previously, a modification for a reduction to the front yard setback was granted on August 30, 1978 that allowed the setback to be reduced from 35 feet to 16 feet. The eastern portion of the house is and will be within the front yard setback.

This modification request for a reduction of front yard setback is derived from existing conditions on the site and changes to the building code since the house was originally constructed. The front entry to the house was located approximately 18 feet from the end of the retaining wall that runs between the house and the driveway. Visitors to the house could often not find the front door because they would need to turn 180 degrees and walk back to the entry door located at the furthest point back along the flat, unadorned front elevation. Next to the entry door was the stairway leading to the lower floor which was constrained in space between the outside wall and the hallway running through the lower level. The rise and run of the original stairway was very steep and no longer meets the requirements of the 2007 California Building Code. Our plan is to add an entryway that would orient the new entry doors to the west so they are easily recognizable by visitors and to use this additional space for the larger stairway that is needed. This addition would also add architectural interest to the front elevation of the house. This addition would only need to be 63 sf (net) and 80 sf (gross floor area) and would align with the eastern portion of the house that is currently within the front yard setback.

Therefore we are requesting a modification of the front yard setback to allow the proposed entry area to be added. The benefits of this request include; better definition of the front entry doors; current building code compliance for the stairway; and improved architectural aesthetics for the

**EXHIBIT B**

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residence. This addition is proposed to be constructed in an area that is below the level of the driveway and well below the street level and even though it faces Conejo Road will not be visible from the street because of this difference in elevation and because a large hedge runs the length of the property adjacent to Conejo Road.

Thank you for your consideration. If you have any questions or would like to visit the property, Ms. Steinke and I look forward to discussing this modification request with you.

Sincerely,

A handwritten signature in black ink that reads "Gregory C. Rech".

Gregory C. Rech AIA  
Architects West

Att: 1. Proposed Plans  
2. Photographs

Steinke Mod 1.doc

**AMERICANS WITH DISABILITIES ACT:** In compliance with the Americans with Disabilities Act, if you need special assistance to gain access to, comment at, or participate in this meeting, please contact the Planning Division at 805-564-5470. If possible, notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements in most cases.

**POSTING:** On February 05, 2009 at 4:00 p.m., the Agenda was duly posted on the indoor and outdoor bulletin boards at the Community Development Department, 630 Garden Street, and online at [www.SantaBarbaraCa.gov/sfdb](http://www.SantaBarbaraCa.gov/sfdb).

**PUBLIC COMMENT:** Any member of the public may address the Single Family Design Board Consent Representative for up to two minutes on any subject within their jurisdiction that is not scheduled for a public discussion before the Board.

### NEW ITEM

#### A. 47 RINCON VISTA RD

E-1 Zone

Assessor's Parcel Number: 019-282-020  
 Application Number: MST2009-00062  
 Owner: Jose R. Flores  
 Architect: Jose Luis Esparza

(Proposal to rebuild a 2,152 square foot single-family residence and 773 square foot two-car garage and 300 square foot second-story deck destroyed in the Tea Fire. The project is located on a 9,710 square foot lot in the Hillside Design District. The proposed total of 2,925 square feet is 81% of the maximum floor to lot area ratio.)

**(Action may be taken if sufficient information is provided.)**

Final Approval of the architecture and continued indefinitely for landscaping with the finding that the Neighborhood Preservation Ordinance criteria have been met as stated in Subsection 22.69.050 of the City of Santa Barbara Municipal Code with conditions: 1) Add plaster sills approximately 1x3 inches at all windows. 2) Provide residential garage door cut sheet. Two garage doors are preferred, return to Full board if only one door proposed. 3) Return to Consent Calendar with landscape plan: a) provide screen on west property line or photo documentation showing what remains; b) insert water compliance statement on irrigation plan. c) add landscaping on northern part of property which shows no plantings.

### NEW ITEM

#### B. 219 CONEJO RD

A-1 Zone

Assessor's Parcel Number: 019-041-021  
 Application Number: MST2009-00045  
 Owner: Catherine R. Steinke Trust  
 Architect: Gregory Rech

(Proposal to rebuild a 2,989 square foot single-family residence and attached 441 square foot garage destroyed in the Tea Fire. The project includes 614 square feet total of additions to the kitchen, entry and garage on the upper level and additions to three-bedrooms on the lower level. The project also includes rebuilding and increasing four rear-yard decks from 572 to 1,255 square feet. The project is located on a 1.1 acre lot in the Hillside Design District. Staff Hearing Officer approval of a Modification is requested for encroachment of additions in the front setback. The proposed total of 4,044 square feet is 80% of the maximum guideline floor to lot area ratio.)

**(Comments only; project requires environmental assessment and Staff Hearing Officer approval of a Modification. The project had a Consultation review.)**

Continued indefinitely to the Staff Hearing Officer. The Modification is supportable.

### NEW ITEM

#### C. 14 CAMINO VERDE

E-1 Zone

Assessor's Parcel Number: 019-282-003  
Application Number: MST2009-00032  
Owner: Dennis B. Dierenfield Living Trust  
Architect: Ferguson-Ettinger Architects

(Proposal to replace a 2,880 square foot two-story single-family residence and 440 square foot detached two-car garage destroyed in the Tea Fire. The project consists of a 2,667 square foot two-story house and attached 484 square foot garage. Staff Hearing Officer approval is requested to allow the garage to be moved further from the street but still encroaching into the front setback. The proposed total of 3,151 square feet on the 9,085 square foot lot in the Hillside Design District is 91% of the maximum floor to lot area ratio.)

**(Comments only; project requires environmental assessment and Staff Hearing Officer approval of a Modification.)**

Public comment: Jacqueline Bravo, neighbor, concerned about view preservation.

Continued to the Staff Hearing Officer and return on Consent Calendar with comments: 1) Provide information for retaining wall, and specify exterior lighting, specify materials and colors 2) Include a final landscape plan with the Water Compliance Statement on plans.

### NEW ITEM

#### D. 710 CIRCLE DR

R-1 Zone

Assessor's Parcel Number: 013-102-004  
Application Number: MST2009-00036  
Owner: Arthur Wayne and Martha P. Nelson  
Architect: Murray Duncan

(Proposal to rebuild a house and garage destroyed in the Tea Fire. The project consists of a 1,903 square foot one-story single-family residence, an attached 494 square foot two-car garage, an attached 76 square foot entry gate house, and site walls. Grading would consist of 235 cubic yards of grading to be balanced on site. The proposed total of 2,473 square feet on the 7,343 square foot lot is 81% of the maximum floor to lot area ratio.)

**(Action may be taken if sufficient information is provided.)**

Preliminary Approval project with the finding that the Neighborhood Preservation Ordinance criteria have been met as stated in Subsection 22.69.050 of the City of Santa Barbara Municipal Code and continued indefinitely to the Consent Calendar. Provide landscaping details and a color board.