



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: May 27, 2009
AGENDA DATE: June 3, 2009
PROJECT ADDRESS: 1050 Las Alturas Road (MST2009-00208)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Renee Brooke, AICP, Senior Planner *RB*
 Roxanne Milazzo, Associate Planner *RM*

I. PROJECT DESCRIPTION

The 27,569 square foot project site has frontage on Camino Alto and Terrace Road (although it has a Las Alturas Road address), and was previously developed with a two-story single-family residence and attached two-car garage, which were destroyed in the Tea Fire. The project consists of construction of a 2,426 square foot residence and 460 square foot garage. The discretionary application required for this project is Modification to permit new construction within the required 35' front setback off of Terrace Road (SBMC §28.15.060).

Date Application Accepted: June 3, 2009

Date Action Required: September 3, 2009

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, as submitted.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant: Peter Becker	Property Owner: Mary Hegarty
Parcel Number: 019-130-032	Lot Area: 27,569 sf
General Plan: 1 Unit Per Acre	Zoning: A-1
Existing Use: Vacant	Topography: 37% Slope

Adjacent Land Uses:

North - Vacant

East - Camino Alto

South - One-Family Residence

West - Terrace Road

B. PROJECT STATISTICS

	Previous	Proposed
Living Area	2,250 sf	2,426 sf
Garage	400 sf	460 sf

C. PROPOSED LOT AREA COVERAGE

Building: 1,582 sf 6% Hardscape: 3,075 sf 11% Landscape: 22,912 sf 83%

IV. DISCUSSION

This project was reviewed by the Single Family Design Board (SFDB) on May 11, 2009 and continued to the Staff Hearing Officer with direction to return to the Consent Calendar with comments that the Modification is supportable and that the size, bulk, scale, and style are compatible with the neighborhood.

The subject site is 0.63 acres with access off of Terrace Road, a private road, and a 37% slope down to Camino Alto. The proposed project involves a rebuild of structures lost during the recent Tea Fire. The new development, like the previous home, is designed with a pedestrian entry bridge within the front setback off of Terrace Road. In addition to what previously existed, a small portion of the two-story residence (totaling approximately 264 square feet), is also proposed within the required 35' front setback. Although Staff typically encourages new construction to conform to current zoning regulations, we understand that the design and location of the proposed residence is dictated by the slope of the site, drainage issues, and an effort to replace a house of similar size with minimal impacts to the neighbor's views, and can support the request as submitted.

V. FINDINGS

The Staff Hearing Officer finds that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed encroachments into the front setback allow for a rebuild of a two-story single family residence with minor changes in the location from what previously existed.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter dated May 12, 2009

Contact/Case Planner: Roxanne Milazzo, Associate Planner
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Peter Becker
Architect

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May 12, 2009

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

Re: Modification Request for 1050 Las Alturas Road, 019-130-032, Zone A-1

Dear Staff Hearing Officer:

The former house at 1050 Las Alturas was destroyed in the Tea Fire. Nothing remains on the 0.63 acre lot except the driveway, which also serves the neighbor to the north, and two retaining walls which are to be reused. The former 2,250 sf residence with 410 sf garage was located at the far west uphill end of this steep lot, near the private road which provides access to the property. Because of an eccentricity in the way that the property line was drawn, the end of the private road protrudes about 17 feet into the southwest corner of the parcel, creating two street frontages to which the front setback of 35 feet now applies. About 60 sf of the former house stood within this front setback area.

The proposal is to build a replacement house of 2,426 sf with an attached garage of 460 sf. A modification is requested to allow 132 sf of the proposed new house to sit within the front yard setback area. Granting this modification will allow the owners to rebuild a house of comparable size to the one they lost in the fire, while keeping construction costs to a minimum and minimizing impacts on neighbors' views.

Like nearly everyone who lost their house to the fire, the owners received considerably less in insurance money than it would cost to rebuild the house that they had. Current building codes require caissons be used, which are much more expensive than traditional foundations. To rebuild the stepped, multi-level design of the former house with caisson foundations would cost much more than the owners could afford. The proposed house design was dictated in part by the most efficient use of expensive caissons as possible.

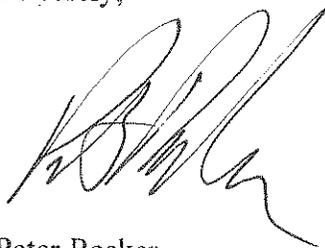
Another consideration was site access. Locating the house close to the existing driveway allows garage and pedestrian access on this steep site while keeping paving and expensive bridges or ramps to a minimum. Pushing the house farther down the hill to avoid the front yard setback area would increase engineering and construction costs significantly. A design with ramps sloping down to the garage and entry would also pose significant drainage issues and increase the risk of water intrusion into the building.

Prior to starting the design of the house, we consulted with City Planning staff about setbacks, and were told incorrectly that front yard setbacks do not apply to private roads. (This was the policy until late 2008, when the rule was changed to include private roads.) Based on this misinformation, we unwittingly developed a design that complied with the old setback policy and did not learn of the new policy until after we formally submitted the project for planning review.

Exhibit B

The spirit of the setback law is to provide sufficient separation between neighbors and to avoid a crowded streetscape. Granting this modification would violate neither of these principles. The proposal would not create crowding between neighbors, as the houses of the two closest neighbors are more than 100 feet from the area in question. Nor would the modification increase crowding along the street. The old setback policy was the one in effect when nearly all of the surrounding houses were built. Several houses along the road already encroach into this freshly-minted interpretation of front yard setback requirements on a private road. Holding this parcel to the new standard seems an unnecessarily harsh burden.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter Becker', written in a cursive style.

Peter Becker