



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: July 8, 2009
AGENDA DATE: July 15, 2009
PROJECT ADDRESS: 120 Camino Alto (MST2009-00253)
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 28,745 square foot project site is developed with a single family residence and detached two-car garage. The proposed project involves the repair and second story expansion of an existing residence partially damaged by the recent Tea Fire. The discretionary application required for this project is a Modification to permit the new construction to exceed the solar access height limitations (SBMC §28.11.020).

Date Application Accepted: June 15, 2009 Date Action Required: September 15, 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:	Steve Hausz	Property Owner:	Terry & Jill Farrance
Parcel Number:	019-150-013	Lot Area:	28,745 sf
General Plan:	1 Unit Per Acre	Zoning:	A-1
Existing Use:	One-Family Residence	Topography:	30% Slope

Adjacent Land Uses:

North – Vacant (Tea Fire)	East - Vacant
South – One-Family Residence	West – Camino Alto

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	2,357 sf	2,533 sf
Garage	427 sf	427 sf

C. PROPOSED LOT AREA COVERAGE

Building: 3,079 sf 10% Hardscape: 2,000 sf 6% Landscape: 23,666 sf 84%

IV. DISCUSSION

The proposed project involves repair, partial replacement, and a 176 square foot second story expansion to an existing 2,357 square foot residence damaged by the Tea Fire. The project has been reviewed by the Single Family Design Board (SFDB), which stated that the modification request is minor in nature and the architecture benefits from the proposed addition.

The second story addition requires Modification approval to exceed the solar access height limitations. The Zoning Ordinance allows a Modification of the solar access height limitations for single family residences when the limitations are found to be an unreasonable restriction. The rules and regulations pertaining to solar access detail the following criteria to determine whether an unreasonable restriction exists for a second story addition:

- 1) All portions of the second story must be within the existing perimeter of the building.
- 2) The horizontal dimension of the portion of the addition that exceeds the solar height limit must be no more than 25 feet, excluding roof overhangs.
- 3) The portion of the addition that exceeds the solar height limit may not cast a shadow on a solar collector at 9:00 a.m., 12:00 p.m. and 3:00 p.m. PST on December 21.
- 4) With the proposed addition in place, the amount of sunlight on all south facing windows on any adjacent lot may be no less than the amount of sunlight in the event that the maximum addition in compliance with the solar access height limitations were to be constructed.

Staff has reviewed the project and shadow plans, and found the project meets all four criteria, and therefore believes that the Solar Access Ordinance poses an unreasonable restriction on the proposed second story addition.

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 prevent an unreasonable restriction imposed by SBMC §28.11.040.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter dated June 9, 2009

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C. Neighbor's Letter of Support dated March 4, 2009

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ARCHITECT

STEVE HAUSZ

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June 9, 2009

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

Re: Modification Request of Solar Access Requirements for 120 Camino Alto, APN 019-150-013, A-1 Zone

Dear Staff Hearing Officer,

The property is a downhill sloping lot of 28,745 sf with an overall slope of 30%. There is an existing residence with partial second floor with total net area of 2357 sf, and a 427 sf detached two-car garage. There is record of permit for all improvements on the property. The first floor of the residence currently encroaches into the 15' sideyard setback on the north property line, though the second floor is sufficiently far from the setback to allow the proposed addition of 176 sf to north end of the master bedroom. This addition would extend the current bedroom 7.5 feet to the north, but still short of the setback by approx. 18". Location of building relative to property line is derived from boundary survey of February 6, 2009.

The Modification requested is to allow a portion of the peak of the addition's roof to encroach through the "envelope" prescribed by ordinance. This portion is triangular in both plan and elevation view, approximately 14'-7" wide at the base of the triangle and 3' high at the peak of the triangle. While the proposed addition respects the sideyard setback, it is not economically viable to construct an addition on the north of the master bedroom that also conforms to the solar access requirements of chapter 28.11 of the Municipal Code. From a structural standpoint, it would not be possible to add to the south end of the master bedroom, as that would be an encroachment into the volume ceiling of the living room. Furthermore, the north end of the subject residence was damaged in the Tea Fire of November 2008, and necessitates partial demolition and reconstruction already, facilitating structural support for the proposed addition.

The ordinance provides for an exemption where shadow studies demonstrate that the proposed improvement will not cast shadows on the buildable area of the adjacent parcel to the north, but that cannot be demonstrated to be the case in this instance. The ordinance also allows an exemption for building features, such as a chimney, that do not exceed 4' in either horizontal dimension. Accordingly, shadow studies prepared as required by ordinance and submitted with this application provide a comparison of two scenarios; the first being the proposed improvement with encroachment; and the second being the same improvement but with the roof form modified to conform, and with the addition of a hypothetical chimney that would be exempted per ordinance.

The conclusion that can be drawn from comparison of these two scenarios is that the conforming addition with chimney actually casts greater shadows on the adjacent property than the proposal for which the Modification is requested.

EXHIBIT B

It should also be noted that the house on the property to the north was destroyed in the Tea, and so the site is currently vacant. The house that was destroyed was located well north of the subject proposal, and were it still standing, would be unaffected by this proposal. Regardless of whether that residence is replaced on its existing foundation, the existing location is optimal for ocean views, suggesting that it is unlikely to be rebuilt in a location that would be adversely affected by the proposal. My client and I have reviewed the proposed improvement and request for Modification with the owner of the property to the north, and he has indicated his approval in a letter, a copy of which is attached.

Despite the fact that the roof form could be configured to conform and not require a Modification, it would be an architecturally unsuitable solution, as that portion of the roof would not match the typical configuration for the architecture of the house, and would be asymmetrical with the other end of the existing second story. The concept plan for the proposal was reviewed at the Single Family Design Board consent calendar on June 8, 2009, and was found to be architecturally acceptable, and an improvement over the awkward appearance of the existing second story.

Sincerely,

A handwritten signature in black ink, appearing to read 'SH' followed by a stylized flourish.

Steve Hausz, Architect and agent for the owner

120 Camino
Alto

Benjamin J. Cohen
194 Coronada Circle
Santa Barbara, CA 93108
e-mail – bjcohen@polsci.ucsb.edu

March 4, 2009

City of Santa Barbara
Planning Department

To Whom It May Concern:

I am the owner of the property at 130 Camino Alto, to the north of the Farrance residence at 120 Camino Alto. I have met with Terry & Jill Farrance, and their architect, Steve Hausz, and reviewed drawings showing the extent of shadows cast by their proposed addition to the 2nd story. I consider the Farrance's proposal acceptable and support their request for a modification to the solar access ordinance.

Sincerely,

Benjamin J. Cohen

EXHIBIT C

