




# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** December 9, 2009  
**AGENDA DATE:** December 16, 2009  
**PROJECT ADDRESS:** 1308 Dover Hill Road (MST2009-00501)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Jaime Limon, Senior Planner 

### I. PROJECT DESCRIPTION

The 19,642 square foot project site is currently developed with a single family residence and attached two-car garage. The site is currently under construction with improvements to the existing driveway and motor court. This application is a request to increase the height of a portion of a retaining wall within the required ten-foot interior yard setback and to rebuild a retaining wall that exceeds 3 ½ feet in height along the first 20 feet of the driveway. The discretionary applications required for this project are Modifications to permit a wall to exceed the maximum allowable height of 8 feet when located within a required setback and to permit a wall to exceed a maximum allowable height of 3 ½ feet when located along a front lot line or along the first 20' of a driveway (SBMC §28.87.170).

Date Application Accepted: December 16, 2009 Date Action Required: March 16, 2010

### II. RECOMMENDATION

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

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant:	Katie O'Reilly Rogers	Property Owner:	Rune Eliassen
Parcel Number:	019-103-016	Lot Area:	19, 642 sq. ft.
General Plan:	3 Units Per Acre	Zoning:	E-1
Existing Use:	One Family Residence	Topography:	45% Slope

#### Adjacent Land Uses:

North – One-Family Residence

East - One-Family Residence &  
Franceschi Park

South –One-Family Residence

West – One-Family Residence

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	3,375 sq.ft.	3,375 sq.ft.
Garage	625 sq.ft.	625 sq.ft.

**C. PROPOSED LOT AREA COVERAGE**

Building: 4,000 sq.ft. 20%      Hardscape: 4,600 sq.ft. 24%      Landscape: 11,043 sq.ft.56%

**IV. DISCUSSION**

Modification Request #1:

The modification being requested is to raise the height on 15 linear feet of a retaining wall and a column along the eastern side of the property. There is currently a permitted construction project (BLD2009-01405) underway at the subject property involving the existing driveway, grading and reconstruction of retaining walls in the front yard of the residence. The current remodel project was reviewed and received final approval by the Single Family Design Board (SFDB) on May 26, 2009 for a prior case (MST2008-00259). The project scope consisted of: the demolition of the current driveway; an expansion of the motor court, realignment and repairs to the driveway, repairs and realignment of historic stone steps in the public right-of-way and reconstruction of stone walls. The reconstruction of the stone walls required wall heights to be increased in order to improve the safety for pedestrians, provide guest parking and to improve the existing conditions involving auto circulation. New columns and guardrails have been introduced on top of some of these reconstructed walls. The previously approved project also included an electrical transformer enclosure with wrought iron gates at the street frontage, a new retaining wall along the driveway and front property line, and a new landscape plan for the front yard of the single-family residence.

During construction of the retaining walls involved with the expansion of the motor court, an existing stone wall along the eastern interior lot line that was originally proposed to remain was found to be structurally unsafe. The need to replace the wall and the subsequent redesign of the project resulted in wall heights proposed in excess of eight feet within the interior side yard setback.

Staff understands and supports the need to exceed the maximum height limits in this area of the lot given the unique site constraints and steep slopes involved with the front of the property. The proposed project allows guest cars to be parked adjacent to the entrance of the home as opposed to a location on the street which is approximately 40 feet below the existing residence. Although the maximum 8 foot height limit is being exceeded, the proposed heights of the walls would be consistent with the already approved taller stone faced walls supporting the motor court area. In addition, the buttressed walls will be screened with trees and landscaping added to help improve the appearance of the walls.

Finally, staff attempted to work out alternative design solutions to avoid the need for zoning modifications. The design alternatives discussed involved the possible relocation of the walls,

re-grading of the slopes to reduce the height appearance of the walls and a stepped wall solution. All the design alternatives were rejected for various reasons by the applicant. The applicant prefers to proceed with the original design which includes a landscaping plan design that calls for 3 to 1 sloped banks, boulders, olive trees and other landscape improvements to soften the appearance of the taller walls.

Some of the ongoing retaining wall construction work was allowed to proceed due to drainage and site safety concerns pending the final consideration of the modification request. The applicant understood that the modifications were subject to SHO approvals and that the retaining wall work was proceeding at their own risk.

Modification Request #2:

An additional modification request is necessary for the front retaining along one side of the driveway entrance at the street frontage to exceed the allowed 3 ½ foot maximum height limit. After completion of site visits and review of approved plans involved with the original building permit issuance; staff discovered that the original plans were approved to allow for the reconstruction of a non-conforming wall. The existing retaining wall has since been removed, with the intention to replace with an identical height wall. However, planning staff believes the reconstruction of the wall would require a zoning modification since the new wall may slightly exceed the 3 ½ foot maximum height limitation along portions of the wall within 20 feet of the public street. For this reason, the additional modification request was included as part of the application. Due to the minor nature in design changes, Planning Staff believes that all the plan changes can be approved administratively. Transportation Planning Staff has approved the previous design which called for reconstruction of the driveway wall.

**V. FINDINGS AND CONDITIONS**

Staff recommends that the Staff Hearing Officer approve the project by making the required findings that the Modification of wall heights are necessary to secure an appropriate improvement on site by providing for a guest parking area, allowing retention of interior yard area that will be used for accessing the required parking, the front yard area by the driveway and meets the purpose and intent of the ordinance by not creating a safety issue for the community.

Exhibits:

- A. Reduced copies of Site Plan and walls details
- B. Applicant's letter dated November 3, 2009
- C. SFDB Minutes dated May 26, 2009

Contact/Case Planner: Jaime Limon, Senior Planner  
([jlimon@SantaBarbaraCA.gov](mailto:jlimon@SantaBarbaraCA.gov))  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805) 564-5470

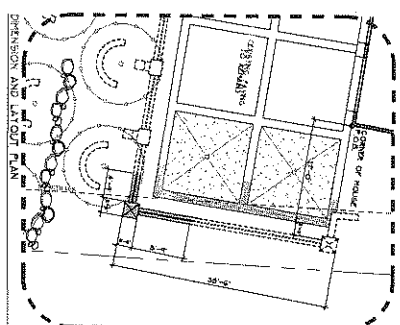
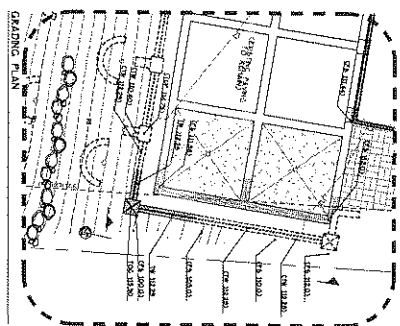




EXISTING LANDSCAPE AND WALLS TO REMAIN

**LEGEND**

SYMBOL	DESCRIPTION
(Symbol)	EXISTING TREE
(Symbol)	PROPOSED WALL
(Symbol)	PROPOSED CONDOUR
(Symbol)	EXISTING CONDOUR
(Symbol)	NEW SOIL ELEVATION
(Symbol)	SOIL ELEVATION
(Symbol)	TOP OF FINISH
(Symbol)	TOP OF GRADE
(Symbol)	TOP OF EXISTING
(Symbol)	PROPOSED FINISH
(Symbol)	FINISH LEVEL



**EXISTING LEGEND**

SYMBOL	DESCRIPTION	FINISH	MODEL NO.
(Symbol)	WALL LIGHT	CORNER BRASS	10-100-01
(Symbol)	WALL LIGHT	W/IN BRASS	10-100-02
(Symbol)	TRANSOM	10-100-03	10-100-03
(Symbol)	2\"/>		

**NOTES**

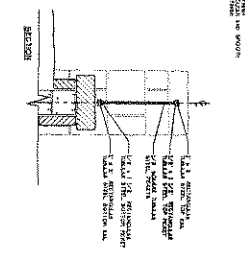
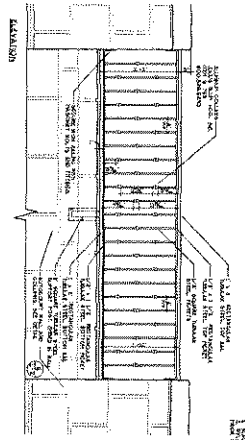
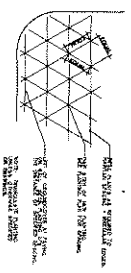
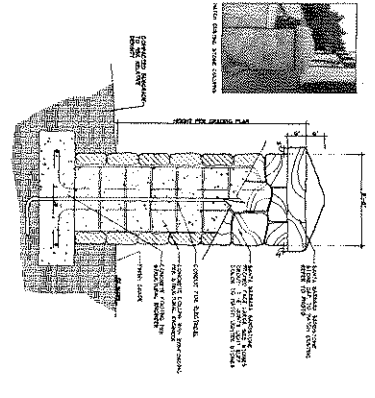
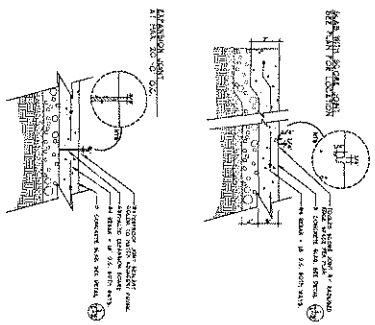
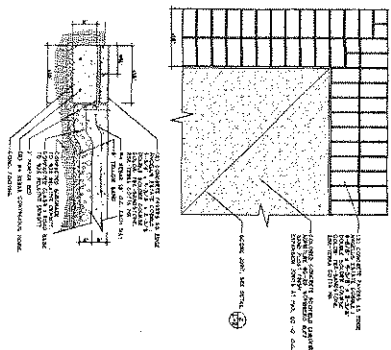
1. CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODE AND ALL APPLICABLE ORDINANCES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL AGENCIES.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
5. THE CONTRACTOR SHALL MAINTAIN THE EXISTING LANDSCAPE AND WALLS TO REMAIN.
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**CONSTRUCTION NOTES**

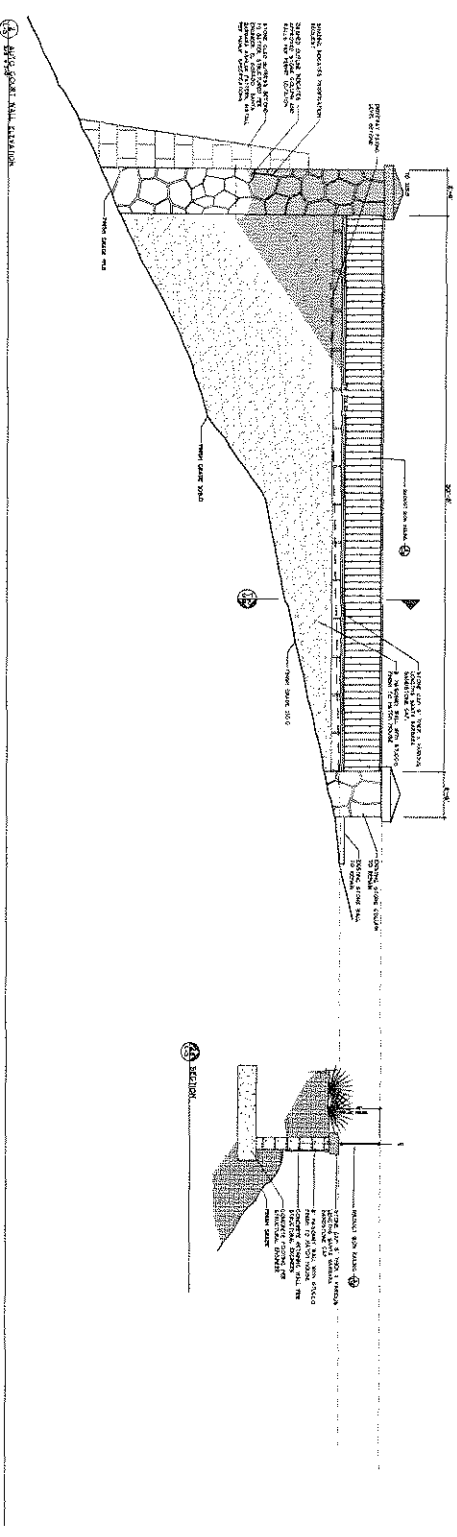
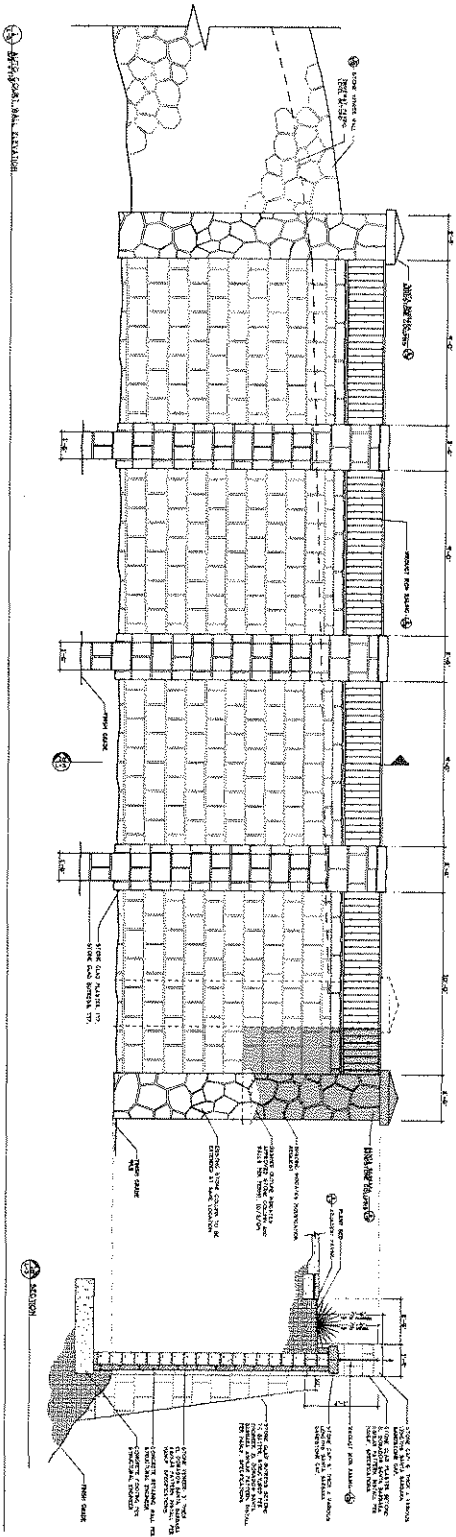
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**LEGEND**

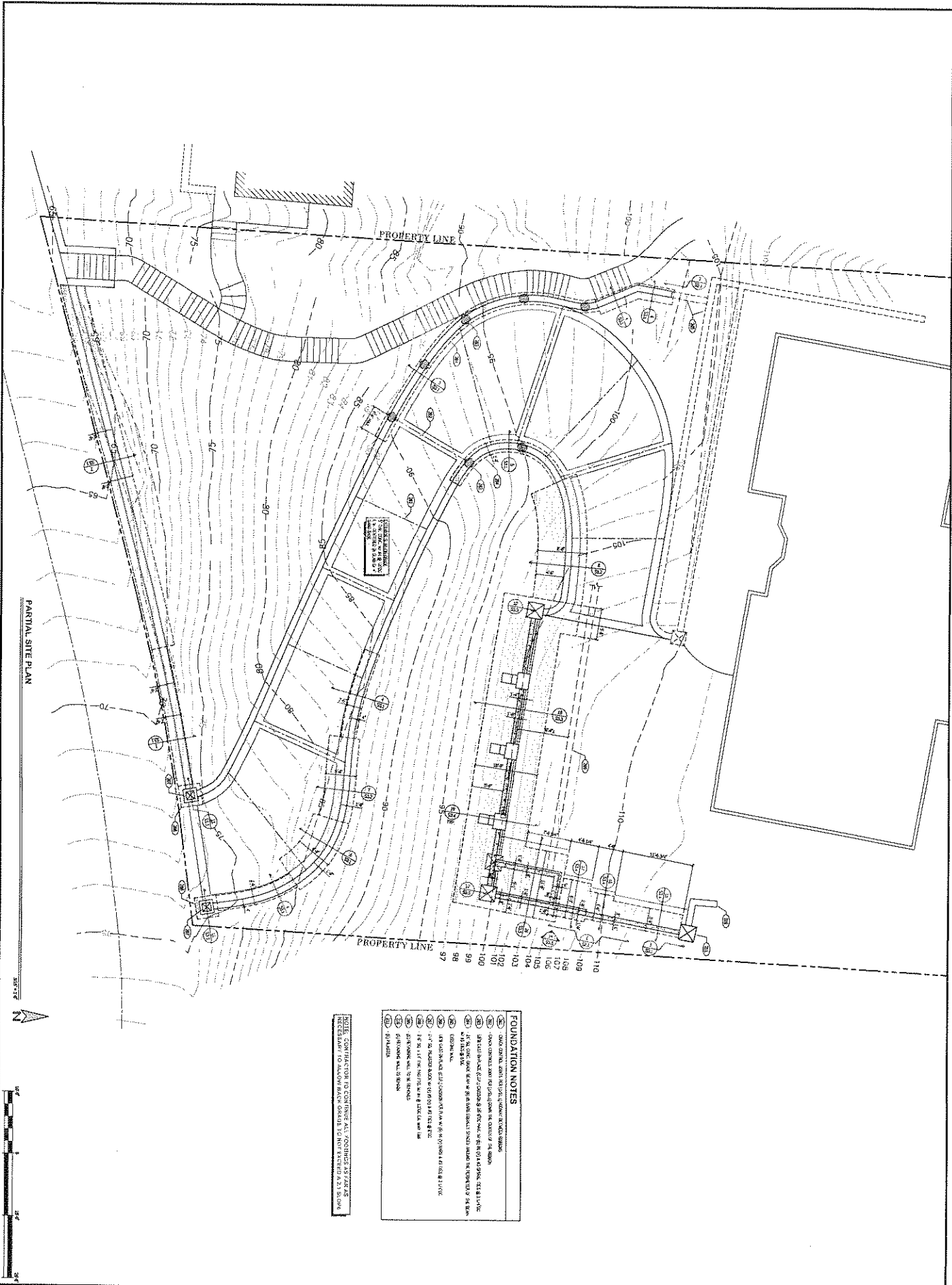
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PARTIAL SITE PLAN

PROPERTY LINE

PROPERTY LINE

**FOUNDATION NOTES**

- 1. FOUNDATION SHALL BE CONCRETE ON GRADE UNLESS OTHERWISE NOTED.
- 2. ALL FOUNDATION SHALL BE 12" MIN. THICK UNLESS OTHERWISE NOTED.
- 3. ALL FOUNDATION SHALL BE 4" MIN. COVER UNLESS OTHERWISE NOTED.
- 4. ALL FOUNDATION SHALL BE 4" MIN. COVER UNLESS OTHERWISE NOTED.
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- 19. ALL FOUNDATION SHALL BE 4" MIN. COVER UNLESS OTHERWISE NOTED.
- 20. ALL FOUNDATION SHALL BE 4" MIN. COVER UNLESS OTHERWISE NOTED.

**NOTE:** CONTRACTOR TO CONFIRM ALL FOOTINGS AS PER AS NECESSARY TO ALLOW PROPER DRAINAGE TO THE EXTERIOR AS SHOWN.

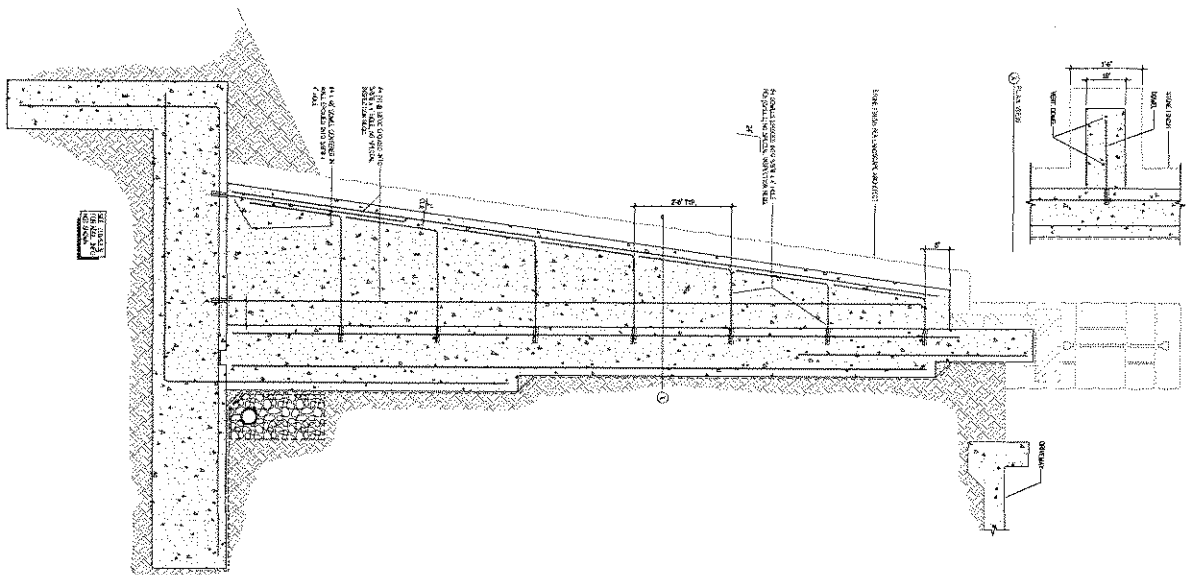
ELIASEN RESIDENCE  
1308 DOVER HILL ROAD  
SANTA BARBARA, CA, 93101

PARTIAL SITE PLAN

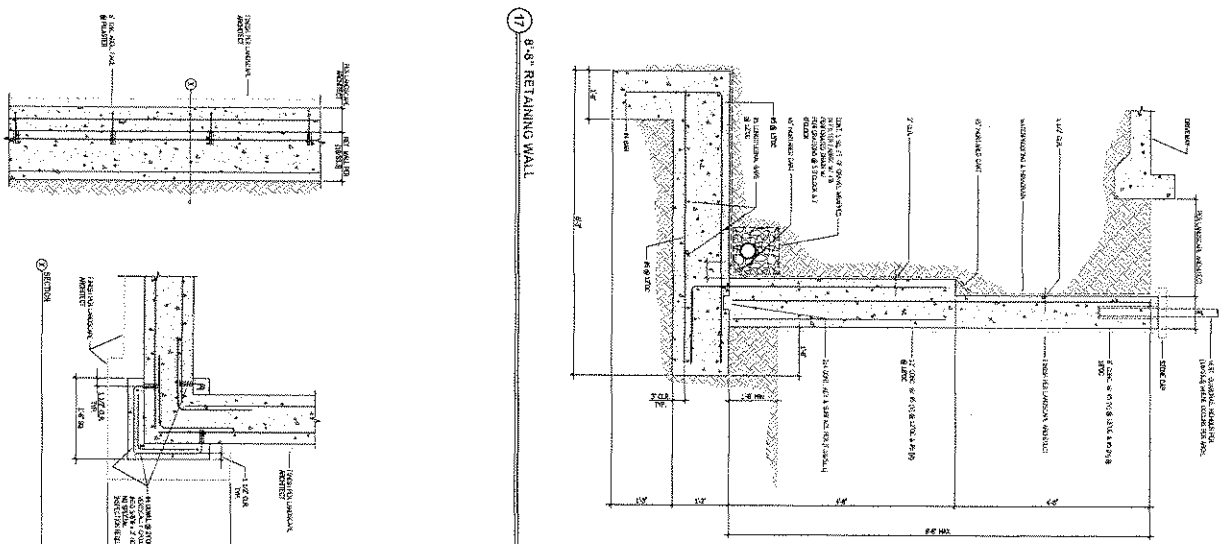
**Doyle-Morgan Structural Engineering**  
1900 State Street, Suite K  
Santa Barbara, CA 93101  
Phone: 805.963.1111 Fax: 805.963.1112  
Email: info@doylemorgan.com

**KATHY O'NEILL**  
Professional Engineer  
No. 10000  
State of California  
Professional Seal

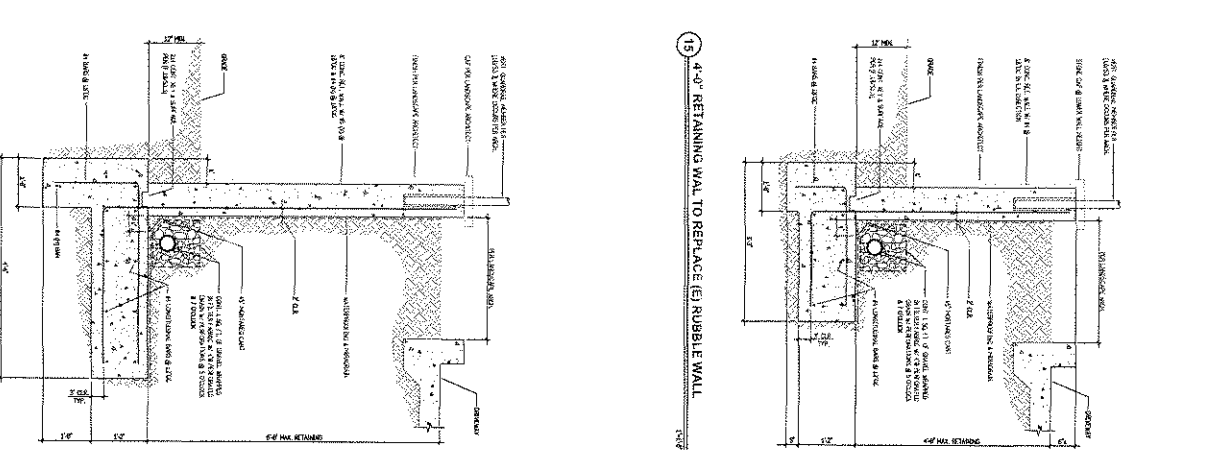
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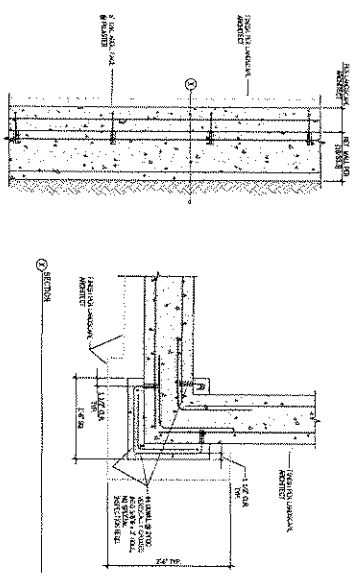
17 8'-0" RETAINING WALL



18 8'-0" RETAINING WALL TO REPLACE (E) RUBBLE WALL



19 4'-0" RETAINING WALL TO REPLACE (E) RUBBLE WALL



19 PLASTER BUILD-OUT

19 BUTRESS SECTION @ 16'-0" RETAINING WALL

ELIASEN RESIDENCE  
1308 DOVER HILL ROAD  
SANTA BARBARA, CA, 93101

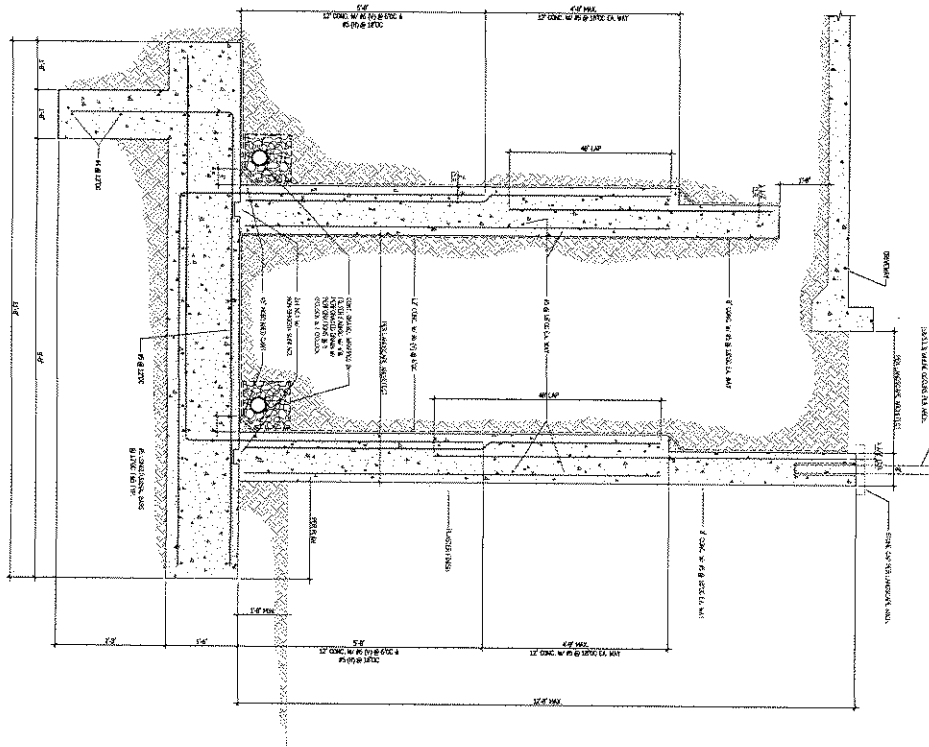
RETAINING WALL  
SECTIONS

**D**  
**M**  
Doyle-Morgan  
Structural Engineering  
1900 State Street, Suite K  
Santa Barbara, CA 93101  
Phone: 805.963.1100 • Fax: 805.963.1101  
Email: [dmorgan@doylemorgan.com](mailto:dmorgan@doylemorgan.com)

REGISTERED PROFESSIONAL ENGINEER  
KATHLEEN R. HANCOCK  
No. 10000  
State of California  
Professional Seal  
KATHLEEN R. HANCOCK  
No. 10000  
State of California

S3.4

20 EAST RETAINING WALL



33.5  
 SHEET NO.

ELIASSEN RESIDENCE  
 1308 DOVER HILL ROAD  
 SANTA BARBARA, CA, 93101

RETAINING WALL  
 SECTIONS

**D**  
**Doyle-Morgan**  
 Structural Engineering  
 1900 State Street, Suite 101  
 Santa Barbara, CA 93101  
 Phone: 805-963-1234 • Fax: 805-963-1234  
 Email: info@doylemorgan.com

Professional Engineer  
 State of California  
 License No. 45678  
 Date: 12/31/2023



THE OFFICE OF  
KATIE O'REILLY ROGERS  
I N C



Katie O'Reilly Rogers  
114 East De La Guerra St. Suite #4  
Santa Barbara CA 93101  
805.963.2857

November 3, 2009

Roxanne Milazzo  
Staff Hearing officer  
City of Santa Barbara  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

**RE: Modification Request for 1308 Dover Hill Rd; APN 019-103-016; E-1**

Dear Ms. Milazzo:

There is an existing 4,000 sq.ft. residence with an enclosed 2-car garage. Construction for approved improvements to the front driveway and landscape areas are currently underway to facilitate the restoration of stone steps leading to Franchesci Park, a realignment of the driveway and extension of the motor court. The east retaining wall and a small portion of the south retaining wall are located within the 10' side yard setback. The existing stone walls in this area were recently removed due to structural inadequacy and a terraced retaining wall has been approved for the side yard setback area. The proposal is to extend the height of the most eastern and southern portion of the retaining walls to match the height of the southern retaining wall as approved by SFDB on May 26, 2009.

The modification being requested is to raise the height on 15 linear feet of retaining walls and a column within the side yard setback beyond the 8' height limit restriction. The retaining wall, at its highest point would be raised an additional 5'-9" and the column would be raised an additional 8'-0". This would eliminate the need for the secondary retaining wall that is currently under construction and the awkward terraced look of the retaining walls. The proposed retaining wall and column heights would make it possible for guest cars to be parked adjacent to the house as opposed to the street, which is located down a steep slope 40' below the level of the existing residence. It would also make it possible for delivery and maintenance vehicles to access the property directly and turn around safely.

The major benefits of having the proposed retaining wall and column raised to retain a level grade and expanded motor court are that it enables vehicular access to the residence and provides parking for guests. Currently the permitted plans do not provide adequate space for any extra vehicles to be parked adjacent to the house outside of the garage. Elderly and disabled visitors would find it difficult to gain entry if required to park along the street and climb 40'+ to reach the front door. Aesthetics of the project are presently compromised by the permitted set which

requires the lowering and terracing of walls located within the setback. Allowing the modification would redeem the project to meet the design that was reviewed and approved by the Single Family Design Review Board. The project would have no greater impact on the adjacent neighbors. It would not block views, impede access or cause any disruption to light sources.

Sincerely,



Katie O'Reilly Rogers  
Landscape Architect #2968

LANDSCAPE ARCHITECTURE CA #2968

114 EAST DE LA GUERRA #4 SANTA BARBARA, CALIFORNIA 93101  
T: 805.963.2857 F: 805.963.2015 E: EMAIL@KOR-INC.COM WWW.KOR-INC.COM

**FINAL REVIEW****E. 1308 DOVER HILL RD****E-1 Zone**

Assessor's Parcel Number: 019-103-016  
Application Number: MST2008-00529  
Owner: Rune Eliassen  
Landscape Architect: Katie O'Reilly-Rogers

(Proposal to remove, realign, and repair existing driveway and stone walls, and to repair and realign historic stone steps in the public right-of-way, and add a plaque on wall at entry to steps. The project also proposes to remove a utility pole and install two transformers and wrought iron gates at the street frontage, a new 4 foot tall retaining wall along the front property line, and a new landscape plan for the front yard of the single-family residence. The project is located on a 19,642 square foot lot in the Hillside Design District. The project will abate enforcement case ENF2008-00149. Project was revised and Staff Hearing Officer approval of zoning modifications are no longer required for over-height wall and encroachments into the front setback.)

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

Public comment: Curry Sawyer, 1310 Dover Hill Road, spoke with concerns about cost of relocating electrical service.

Final approval with the following conditions: 1) Remove proposed lighting on top of posts at street. 2) Gates at transformer to be 42 inches tall. 3) Applicant will provide relocation of electrical service to affected neighbors prior to certificate of occupancy. 4) Obtain Fire Department stamp on landscape plan. 5) Add updated water compliance statement to landscape plan.

Items on Consent Calendar were reviewed by Glen Deisler, with the exception of landscaping for Items D and E, reviewed by Erin Carroll. Staff present: Tony Boughman, Planning Technician II.