



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: July 7, 2010
AGENDA DATE: July 14, 2010
PROJECT ADDRESS: 197 Loma Media (MST2006-00704)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DJK*
 Roxanne Milazzo, Associate Planner

I. PROJECT DESCRIPTION

The 10,849 square foot project site is currently developed with a 2,119 square foot single-family residence and detached 2-car garage. The proposed project involves demolition and replacement of an existing rear deck, the addition of a 412 square foot sunroom, "as-built" conversion of 252 square feet of understory to habitable space, and legalization of an uncovered parking space. The discretionary applications required for this project are Modifications to permit new habitable space within the required thirty-foot front setback (SBMC §28.15.060) and parking within required yards (SBMC §28.90.001). The applicant is requesting re-approval of these Modifications, which were approved in 2007, and expired in 2009.

Date Application Accepted: June 22, 2010 Date Action Required: September 22, 2010

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to conditions.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

| | | | |
|----------------|----------------------|-----------------|---------------------|
| Applicant: | Christine Pierron | Property Owner: | Joseph & Ann Wenger |
| Parcel Number: | 019-261-023 | Lot Area: | 10, 850 sf |
| General Plan: | 3 Units Per Acre | Zoning: | E-1 |
| Existing Use: | One-Family Residence | Topography: | 51% Slope |

Adjacent Land Uses:

| | |
|------------------------------|-----------------------------|
| North – Loma Media | East - One-Family Residence |
| South – One-Family Residence | West – One-Family Residence |

B. PROJECT STATISTICS

| | Existing | Proposed |
|-------------|-----------------|---|
| Living Area | 2,119 sf | Existing + 252 sf "as-built & 412 sf proposed = 2,783 sf |
| Garage | 453 sf | 453 sf |

C. PROPOSED LOT AREA COVERAGE

| | | | |
|--------------------|---------------------|---------------------|-----|
| Building: 1,574 sf | 14% | Hardscape: 2,815 sf | 26% |
| | Landscape: 6,461 sf | 60% | |

D. FLOOR-AREA RATIO (FAR)

Max. Allowed FAR: 0.36 Proposed FAR: 0.30 , = 83.9% of Max. Allowed FAR

IV. DISCUSSION

This project is a downsized version of the project that was reviewed and approved by the Staff Hearing Officer (SHO) on June 20, 2007. Change of ownership and failure to pull building permits within the allowable two-year period resulted in the expiration of the SHO approval. The new owner has made minor changes/deletions to the previously approved project and is requesting new Modification approvals to allow "as-built" conversion of a portion of understory and a front yard parking space.

The residence was constructed with an under-story. Two-thirds of the under-story was permitted as habitable space. The remaining third was shown on City plans as unimproved. At some point in time 240 square feet of the unimproved under-story was converted to a bedroom, without benefit of permits. Approximately 50 square feet of that bedroom is located within the thirty-foot front setback, and requires a Modification approval to legalize. It is Staff's position that expansion of the living space within the existing footprint, that is not visible from the right-of-way, is an appropriate improvement for this site.

Typically, requests for open parking within front and interior setbacks directly adjacent to the street is discouraged from both a planning and design position. However, this neighborhood, with its narrow streets, steep slopes, and development patterns, leaves little to no room for guest parking, and Staff sees the benefits associated with the request. The previous Modification approval included a condition that the portion of the front yard immediately adjacent to the garage be landscaped to eliminate the existing violation of parking there. Staff would recommend a similar condition on any approval associated with this request.

This project was approved by the Single Family Design Board on March 29, 2010 for changes in the architectural style from Spanish Mediterranean to Hacienda Ranch. Not realizing that the previous Modification approvals had expired, the project received final approval with the condition that the outstanding violations be cleared. Approval of the requested Modifications would allow abatement of the outstanding violations on this property.

V. **FINDINGS AND CONDITIONS**

The Staff Hearing Officer finds that the Modification to convert understory area to habitable space is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot, because the approval will allow use of existing space, located below the residence and not visible from the street, to provide additional dwelling space without impacts to the neighborhood.

The Staff Hearing Officer finds that the Modification to permit parking within the required front and interior setbacks is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the site, because the approval will allow an additional parking space on a site constrained lot, in a neighborhood that provides little opportunity for street parking.

Said approval is subject to conditions that a Zoning Compliance Declaration be recorded against the properties title, and that the garage be equipped with an automatic garage door to assure safe and convenient access to the required parking.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter dated June 16, 2010
- C. SFDB Minutes

Contact/Case Planner: Roxanne Milazzo, Associate Planner
(rmilazzo@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470



CHRISTINE R. PIERRON
ARCHITECT

June 16, 2010

To:

Roxanne Milazzo
Modification Hearing Officer
Planning and Development Department
City of Santa Barbara

Re:

Modification Requests
197 Loma Media Road
Santa Barbara, CA

Dear Ms. Milazzo,

We are requesting (2) modifications for this project associated with existing conditions. The permit for this project has been issued with these modifications having been granted on June 20, 2007. During the initial plan check review for a permit revision, the planning department review indicated that the modification had expired and would need to be applied for again.

The project is for an existing single family residence in the E-1 zone with a 30' front yard setback. The existing residence currently encroaches into the front yard setback a maximum of 16'-6" with a detached two car garage that fully encroaches. The site is on the downhill side of the steep Loma Media roadscape and many of the residences along this side encroach into the front yard.

We are requesting two modifications for this proposal for "as-built" conditions. One is for a front yard encroachment for an uncovered parking space and the other for the change of use to habitable space of sub grade space encroaching into the front yard setback.

The modification request for the existing uncovered parking space to be in the front and side yards is justifiable because the subject property is located on the Riviera with little additional off street parking available for guest parking anywhere along Loma Media. The parking space has also been shown from the original 1970's permit set for the structure as a designated parking space. We believe that given its long history on the property and the great need for guest parking in this neighborhood that this parking space warrants a modification.

The modification request for the "as-built" conversion to habitable space at the permitted ground level within the front yard setback is justifiable because this area within the setback is entirely below grade and creates no impact to the neighborhood whether used as non habitable or as the converted habitable space.

We received final approval for the revisions to the permit from the Architectural Review Board on 03-29-2010 including the 3 modifications that were understood to be granted at that time

Thank you for your consideration in this matter.

P.O.Box 459 Santa Barbara, CA 93102 ph805.448.1770 fx800.621.4610 cp@christinepierron.com

Exhibit B



CHRISTINE R. PIERRON
ARCHITECT

Sincerely,

Christine Pierron



SINGLE FAMILY DESIGN BOARD
CASE SUMMARY

197 LOMA MEDIA RD

MST2006-00704

R-ADDITION

Page: 1

Project Description:

Proposal to no longer proceed with the previously approved project and architectural style. The current proposal will completely remodel the exterior, add a 424 square foot sunroom at the rear with a deck above, alter the exterior stairs and deck at the side of the house, and new planters, steps, and stone curb in the front. The existing landscaping, site walls, and grading will remain unaltered. The existing 2,371 square foot two-story single-family residence and detached 453 square foot garage are located on a 10,850 square foot lot in the Hillside Design District. The proposed total of 3,248 square feet on the 10,850 square foot lot in the Hillside Design District is 84% of the maximum floor to lot area ratio.

Activities:

3/29/2010 **SFDB-Consent (Final Review)**

(Final review of review after final.)

Final Approval of the Review After Final with conditions: 1) the structure color of the house is as shown on elevation drawing; 2) the outstanding enforcement case must be abated.

3/29/2010 **SFDB-After Final (Approved)**

(Final review of Review after Final.)

3/22/2010 **SFDB-Consent (Final Review)**

Postponed one week.

3/22/2010 **SFDB-Resubmittal Received**

substitution of plans for a RAF that applicant missed today. eliminated post lights added color board and simplified railing posts.

3/1/2010 **SFDB-After Final Hearing**

(Review After Final for change of architectural style, elimination of rear landscaping and site walls, alteration to kitchen deck and stairs, elimination of landscape plan, new exterior door for garage.

Activities:

Comments only; proposed revision requires Staff Hearing Officer review of a modification.)

Actual time: 5:45

Present: Christine Pierron, Architect.

*Public comment was opened at 5:56 p.m. The following individual(s) spoke in favor or opposition:
Raymond Appleton: in support.*

A letter in opposition from Paula Westbury was acknowledged.

Public comment was closed at 5:57 p.m.

Motion: Preliminary Approval of the Review After Final and continued to Consent Calendar with the following comments:

- 1) If the roof is structurally inadequate to support two-piece Mission tile, S-tile may be replaced using the required SFDB Residential Design Guideline Conditions of Installation.*
- 2) Consider outriggers at the garage roof.*
- 3) Study the ball finial at the hand rail design.*
- 4) Eliminate the exterior light posts and provide exterior light fixture details.*
- 5) Provide a color board with revised colors.*

Action: Mahan/Woolery, 6/0/0. Motion carried. (Carroll absent.)

3/1/2010 **SFDB-Mailed Notice Prepared**

2/9/2010 **SFDB-Resubmittal Received**

Review After Final for Full Board to change the architectural style from Spanish Mediterranean to Haceinda Ranch style, remove landscape plan, new person door on the existing garage which will require a modification, revise exterior staircase from straight to spiral and reconfigure deck, eliminate site retaining walls and patios in the rear, eliminate an entry gate which previously required a modification.

2/9/2010 **SFDB-FYI/Research**

Old project description:

Proposal for new entry gate, pillars, and garden walls, a new rear deck with 418 square foot sunroom below, replacement of an exterior stairway and retaining walls, and replacement of windows and doors. Approval of an "as-built" conversion to living space of 240 square feet on the lower floor is requested. The existing 2,371 square foot two-story single-family residence and detached 453 square foot garage are located on a 10,850 square foot lot in the Hillside Design District. Three modifications are requested: 1) for the entry gate and pillars to exceed 3.5 feet in height within ten feet of the front property line, 2) for a parking space to encroach into the front yard setback, 3) for the encroachment of the "as-built" conversion to habitable space on lower floor into the front yard setback.

Activities:**4/27/2009 SFDB-After Final Hearing**

(Second review of Review After Final to add elevator tower.)

Actual time: 4:10

Present: Christine Pierron, Architect.

Public comment opened at 4:13 p.m. As no one wished to speak, public comment was closed.

Motion: Approval of the Review After Final as submitted.

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

4/27/2009 SFDB-After Final (Approved)**4/13/2009 SFDB-After Final Hearing**

(Review after final to add elevator tower.)

Actual time: 3:39 p.m.

Present: Christine Pierron, Architect.

Public comment opened at 3:45 p.m.

An opposition letter from Paula Westbury was acknowledged.

As no one wished to speak, public comment was closed.

Motion: Continued two weeks to Full Board with the comment that the applicant is to study the architectural proportions of the elevator tower to appear less tall and be more beautiful.

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

4/1/2009 SFDB-Resubmittal Received

Application taken in by PDL covering a counter shift. One set of plans for RAF to add elevator tower. This note added and Consent fee added on 4/2 by Tony Boughman.

3/3/2008 SFDB-Final Review Hearing

(Time: 3:52)

Present: Christine Pierron, Architect; Carol Gross, Landscape Architect.

Public comment opened at 3:58 p.m. A letter in opposition from Paula Westbury was acknowledged.

Activities:

Public comment was closed at 3:59 p.m.

Motion: Final Approval of the project with the following comments:

1) Provide details of the self irrigation drip for the planters.

2) Provide stone curb to match existing.

Action: Woolery/Carroll, 6/0/1. Motion carried. (Mahan abstained.)

3/3/2008***SFDB-Final Approval - Project*****2/19/2008*****SFDB-In-Progress Review Hrg***

(PROJECT REQUIRES COMPLIANCE WITH STAFF HEARING OFFICER RESOLUTION 050-07.)

(Time: 6:59)

Present: Christine Pierron, Architect.

Public comment opened at 7:10 p.m. As no one wished to speak, public comment was closed.

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

1) The area adjacent to the garage and road should be curbed and landscaped if a civil engineer can provide an appropriate drainage solution, otherwise the applicant is to return to Full Board for progress review.

2) Ready for Final Approval contingent upon review of landscape issues.

Action: Mosel/Carroll, 5/0/0. Motion carried. (Bernstein and Mahan absent.)

8/6/2007***SFDB-Preliminary Review Hrg***

(PROJECT REQUIRES COMPLIANCE WITH STAFF HEARING OFFICER RESOLUTION NO. 050-07.)

(6:51)

Present: Christine Pierron, Architect; Carol Gross, Landscape Architect.

Public comment opened at 7:13 p.m. As no one wished to speak, public comment was closed.

Motion: Preliminary approval of the project as basis for working drawings 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 return to Consent Calendar with the following conditions:

1) The area adjacent to the garage and road should be curbed and landscaped if a civil engineer can provide an appropriate drainage solution, otherwise the applicant is to return to Full Board for progress review.

2) The stucco retaining walls will be earth tone color. Applicant to meet with neighbor concerning color

Activities:

change of the retaining wall.

3) Change the front gabled garage overhang to match the east elevation.

4) The sun room doors will have solid lower panels to reduce the amount of glazing.

5) NPO findings: a. consistency and appearance; b. compatibility; c. quality architecture & materials.

6) The project is ready for Final Approval when returning on Consent Calendar.

Action: Zink/Bernstein, 7/0/0. Motion carried.

8/6/2007

SFDB-Prelim Approval - Project

7/30/2007

SFDB-Resubmittal Received

SFDB-Consent (After Final)

1) Done by Pete L

2) Adding an elevator