



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** August 18, 2010  
**AGENDA DATE:** August 25, 2010  
**PROJECT ADDRESS:** 763 Casiano Drive (MST2010-00173)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Renee Brooke, AICP, Senior Planner *RLB*  
 Roxanne Milazzo, Associate Planner *RM*

### I. PROJECT DESCRIPTION

The 6,634 square foot project site is currently developed with a two-story duplex and attached two-car garage. The proposed project involves the construction of a retaining wall and fence in the rear yard. The discretionary application required for this project is a Modification to permit the combined height of the wall and fence to exceed 8' when located within a required setback (SBMC §28.87.170).

Date Application Accepted: July 19, 2010

Date Action Required: October 19, 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:	Lee Mudrick	Property Owner:	Same
Parcel Number:	049-330-032	Lot Area:	6,634 sf
General Plan:	12 Units Per Acre	Zoning:	R-2
Existing Use:	Duplex	Topography:	3% Slope

#### Adjacent Land Uses:

North – Venetia Drive	East - Duplex
South - Duplex	West – Casiano Drive

#### IV. DISCUSSION

This project site is located on the corner of Casiano and Venetia Drives. Current development consists of a two-story duplex, attached two-car garage and one open parking space. Each unit was designed with a private paved patio. The southern portion of this lot was developed as a sloping landscape area. The property owner is proposing to expand the flat outdoor living space by excavating the sloped area and constructing a retaining wall at the property line. The privacy fence that currently exists at the top of the sloped landscape area will be replaced with a new fence. A Modification is required for a 20' section of the retaining wall and fence combination which will exceed the maximum allowable height of 8' when located within a required setback. Staff supports the Modification being requested for the benefits it provides. The retaining wall allows for expanded patio use for the unit, while the fence maintains the privacy it's always provided between neighbors.

#### 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 retaining wall will allow for an expanded flat patio area for the unit with a fence on top to maintain the existing level of privacy in the yard.

#### Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter dated June 1, 2010
- C. SFDB Minutes
- D. Neighbor's Letter of Support dated June 4, 2010

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

Lee Mudrick  
763-B Casiano Drive  
Santa Barbara, CA 93105

June 1, 2010

City of Santa Barbara  
Planning Department  
630 Garden St.  
Santa Barbara, CA

**RE: Request for Modification for Height of Exterior Fence on Property Line  
Address: 763 Casiano Dr., Santa Barbara, CA  
APN: 049-330-032**

To Staff Hearing Officer:

EXISTING SITUATION

There is an existing duplex and attached two-car garage on the property. The duplex and garage fall within the street and interior yard setbacks. There is an existing 3'-8" high 8" concrete block retaining wall and a 6'-0" wood fence on top of this wall that runs along the property line between 763 Casiano Dr. and 3741 Venetia Dr.

PROPOSED PROJECT REQUIRING MODIFICATION

To extend the existing retaining wall and wood fence between 763 Casiano Dr. and 3741 Venetia Dr. by building a new 8" concrete block retaining wall with a 6'-0" wood fence on top of it to the southeast corner of 763 Casiano Dr. To continue the new retaining wall and 6'-0" wood fence along the property line between 763 Casiano Dr. and 767 Casiano Dr. for a distance of approximately 15' in length.

REQUEST FOR MODIFICATION

The existing retaining wall (3'-8" high) and wood fence (6'-0" high) between 763 Casiano Dr. and 3741 Venetia Dr. exceeds the allowable 8'-0" height limit (SBMC §28.87.170.A). The proposed extension of the retaining wall and fence will also exceed the allowable 8'-0" height limit. The modification being requested is to allow the retaining wall and fence to exceed the 8'-0" height limit for fences and walls located in the setback.

PROJECT JUSTIFICATION

(1) The grade at 763 Casiano Dr. is 3'8" lower than the grade at 3741 Venetia Dr. The grade at 763 Casiano Dr. is lower than the grade at 767 Casiano Dr at the location of the retaining wall and fence. In other words 763 Casiano Dr. is lower than its neighbors. Though the height of the wall and fence will exceed the 8'-0" height limit along a portion

of its length on the 763 Casiano side, it will only be 6'0" high on the 3741 Venetia Dr. and 767 Casiano Dr. side.

(2) The wall and fence are in the back and side yards of the affected properties. The approximate 10'-0" height of the retaining wall and fence on the 763 Casiano Dr. side will not be noticeable anywhere except from the 763 Casiano Dr. side itself. From the 3741 Venetia Dr. side, the fence will be 6'-0" along its length. From 767 Casiano Dr., the wall will be 6'-0" high along its length. The wall and fence will, by and large, not be visible from the street.

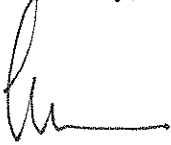
#### PROJECT BENEFIT

The duplexes located at 763 Casiano Dr. and 3741 Venetia Ln. are as close as 15'-0" to one another. A minimum 6'-0" fence between the two properties (10'-0" on the 763 Casiano side), assures that these two properties have private backyards. Without such a wall the two backyards have no privacy from one another. The retaining wall and privacy fence between 763 Casiano Dr. and 3741 Venetia Dr. provide an effective separation barrier in a highly congested space and give both properties pleasant outdoor spaces for the enjoyment of the occupants.

#### NEIGHBOR SUPPORTS PROJECT

Mr. And Mrs. Will and Sherry Jones, the owners of 3741 Venetia Dr. fully support this project. Please see attached letter from Mr. Will Jones.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lee Mudrick', with a long horizontal flourish extending to the right.

Lee Mudrick

## **763 CASIANO – ARCHITECTURAL BOARD OF REVIEW MINUTES**

**June 28, 2010**

A letter of concern from Paula Westbury, and a letter of support from Lee Mudrick, an adjacent property owner, were acknowledged.

Continued indefinitely to Staff Hearing Officer (SHO) with comments:

- 1) The Board finds no negative aesthetic impacts with overheight issues regarding the proposed fence/wall.
- 2) The northeast corner on top of the retaining wall is to remain a grape-stake in character.



WILLIAM HOWARD JONES  
3741 Venitia Ln, Suite A  
Santa Barbara, California 93105

June 4, 2010

City of Santa Barbara  
Planning Department  
620 Garden Street  
Santa Barbara, CA 93101

RE: Request for Modification of Exterior Wall Height  
Address 763 Casiano Dr., Santa Barbara, CA 93105  
APN: 049-330-032

To Staff Hearing Officer:

Lee Mudrick, my neighbor whose property is located at the above-referenced address has requested a modification to extend the existing retaining wall and fence that runs between his property and mine by building a new retaining wall with a 6'-0" wood fence on top of it in the corner of our properties (The north west corner of my property).

I am in total agreement with this modification as I perceive it will add value to both our properties and its appearance will be better than the existing broken down fence.

Best Regards,



William H. Jones

