



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** September 26, 2013  
**AGENDA DATE:** October 2, 2013  
**PROJECT ADDRESS:** 2430 Calle Almonte (MST2013-00020)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470 for DYK  
 Danny Kato, Senior Planner  
 Suzanne Riegle, Assistant Planner (SR)

### I. PROJECT DESCRIPTION

The 9,971 square foot lot located in the Hillside Design District is developed with a one-story, 1,839 square foot, single-family residence, and an attached, 415 square foot, two-car garage. The proposal includes construction of a one-story 34 square foot addition, an 846 square foot second floor addition, a 170 square foot deck above the garage. The proposed 3,134 square foot residence with attached garage is 85% of the required floor-to-lot area ratio (FAR).

The discretionary applications required for this project are:

1. A Modification to allow alterations and additions to the existing residence and garage that will change the basic exterior characteristics of the existing one-story residence that is non-conforming to the required 30-foot front setback (SBMC § 28.87.030.D. and SBMC § 28.92.110); and.
2. A Front Setback Modification to allow alterations to existing garage, including a new roof deck within the required 30 foot front setback (SBMC § 28.15.060 and SBMC § 28.92.110); and

Date Application Accepted: 9/6/13

Date Action Required: 12/5/13

### II. RECOMMENDATION

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

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant:	Eric Swenumson	Property Owner:	Farzeen & Venus Nasri
Parcel Number:	041-412-012	Lot Area:	9,971 sq. ft.
General Plan:	Low Density Residential 3 du/acre	Zoning:	E-1
Existing Use:	Residential	Topography:	19% avg. slope

#### B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,839 sq. ft.	+ 34+ 846 = 2,719 sq. ft.
Garage	415 sq. ft.	No Change

#### C. PROPOSED LOT AREA COVERAGE

Building: 2,426 sf 24%      Hardscape: 1,531 sf 15%      Landscape: 6,014 sf 60%

#### D. FLOOR-AREA RATIO (FAR)

Max. Allowed FAR: 0.23      Proposed FAR: 0.31      = 74% of Max. Allowed FAR

### IV. DISCUSSION

The proposed project involves an 880 square foot addition, including a new second story and second-story deck, to an existing one-story residence. The garage was constructed 20 feet from the front property line, and has been determined to be legal non-conforming to the required 30-foot front setback.

A Modification is requested to allow alterations and additions to the existing residence and garage that will change the basic exterior characteristics of the existing one-story residence. This Modification is requested because the existing attached garage is located with the required required 30-foot front setback. Due to the topography and the location of the existing development on site it would not be possible to construct a two-car garage that would be located outside of the required setbacks. The applicant is proposing a new second story that is located outside of all required setbacks and a new second-story deck that encroaches into the required front setback. Staff supports the Modification request because the proposal will not increase the amount of encroachment into the required setbacks. The retention of the garage is not anticipated to adversely impact the adjacent neighbors. Since a complete demolition of the garage and house would allow for a project design that meets the setback requirements, Staff recommends a condition that the Modifications become null and void if additional demolition, beyond that shown on approved plans, is completed in the field.

The applicant has requested a Front Setback Modification to allow alterations to the existing roof of the garage to create a deck that will encroach five feet into the required 30-foot front

setback. This project has been reviewed by the Single Family Design Board on four separate occasions. On February 11, April 22 and May 6, 2013, the SFDB reviewed a proposal that included a deck, similar in size, that conformed to all required setbacks. On May 6, 2013, the SFDB conducted an organized site visit, and at the hearing, directed the applicant to eliminate the deck. The SFDB last reviewed the project on August 26, 2013. The applicant revised the project to include a deck that was better integrated into the roof of the existing garage, and the Board found that the modification requests to allow the proposed new roof deck did not pose consistency issue with the Single Family Residential Design Guidelines, and that the proposed design was aesthetically appropriate. Staff, the SFDB, and the applicant discussed solutions that would eliminate the requested modification; however, these solutions would not result in a change in the appearance as viewed from the public street and could potential create structural or waterproofing issues. Solutions discussed included a planter, a segment of flat roof within the setback, or installation of a fence at the setback line to prevent access to the setback. A majority of the Board found that the construction of a planter on top of the garage to eliminate the deck floor area within the required setback would be awkward, and may pose drainage issues. Staff supports the requested modification because the deck is an appropriate improvement to a single family residence. It is oriented to the street and front yards of adjacent neighbors, does not provide additional floor area within the setback, is consistent with the pattern of development in the neighborhood, and is not anticipated to adversely impact the adjacent neighbors or the visual openness of the streetscape.

**V. FINDINGS AND CONDITIONS**

The Staff Hearing Officer finds that the Modification to allow alterations to a legal non-conforming building that will change the basic exterior characteristic is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed additions to the residence and the new second story deck will not expand the location of the garage, and the alterations, with the exception of the deck, are located outside of all required setbacks. The Modification is appropriate because the retention of the existing garage is not anticipated to adversely impact the adjacent neighbors.

The Staff Hearing Officer finds that the Front Setback 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 deck is an appropriate addition to a single family residence for the following reasons: the deck provides additional outdoor recreation space; it is oriented towards the street and front yards of adjacent neighbors, it does not provide new floor area within the setback; it is consistent with the pattern of development in the neighborhood; and its location is not anticipated to adversely impact the adjacent neighbors or the visual openness of the streetscape.

Said approval is subject to the condition that if the building is demolished beyond what is shown on the Staff Hearing Officer approved plans, then the construction of the project shall be halted, and the applicant and/or property owner shall contact Planning Division Staff for a determination on whether one, or both, interior setback Modifications are still valid.

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Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated 9/6/13
- C. SFDB Minutes

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RECEIVED  
SEP 06 2013

CITY OF SANTA BARBARA  
PLANNING DIVISION

5-Sep-13

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

SUBJECT: Modification request for 2430 Calle Almonte APN: 041-412-012

Attached please find a Site Plan, Floor Plan, Elevations and photographs for the above-mentioned address. As agent for the owners of the property I have prepared a modification request to ask for relief from the required front setback for the deck over the garage as well as a modification for changes to the character of the home where a portion of the existing structure is currently within the front setback. The project consists of a second story addition for a master suite, den and deck and 34 s.f. first floor addition at the entry. The site is zoned E-1 and is 9,971 square feet in size. The site currently has a 1,839 s.f. One-story residence and 415 s.f. attached garage.

The City Zoning Ordinance requires a 30 foot front yard. Given this requirement, the site is non-conforming as to front yard setback with the existing garage situated with a 20 foot setback from the front property line.

We are proposing a second story addition that includes a deck that is over the garage. This deck will encroach 4'-6" into the front setback with a setback of 25'-6".

The second story addition will change the character of the home but it enhances the character as the Single Family Design Board pointed out in the hearing of August 26, 2013.

### Conclusion

The location of the deck over the garage is the only practical location for a second floor deck. This deck will fit nicely into the existing roofline, is well away from the side property lines and will provide the owners with an ideal location to gain a view of the ocean to the South. This location of the deck will not cause any privacy concerns with neighbors. The granting of this modification will not adversely affect the character of the existing neighborhood in any way. If you have any questions you may reach me at 967-5507. Thank you for your consideration of this request.

Sincerely,  
Eric Swenumson



CC: Farzeen Nasri

EXHIBIT B



## DESIGN REVIEW ACTIVITIES SUMMARY

**2430 CALLE ALMONTE (MST2013-00020)**

**SFR, NEW 2ND STORY**

*Proposal to construct a one-story 34 square foot addition, and a new second-story, 846 square foot, addition to an existing one-story, 1,839 square foot, single-family residence, with an attached, 415 square foot, two-car garage. The proposal includes a new 170 square foot second-story deck above the garage. The proposed total of 3,134 square feet, located on a 9,972 square foot lot in the Hillside Design District, is 85% of the required floor-to-lot area ratio (FAR). The proposal includes Staff Hearing Officer review for a requested zoning modification.*

**Status: Pending**

**DISP**

**Date 3**

**SFDB-Concept Review (New) - PH**

**CONT**

**02/11/13**

(Concept Review; comments only.)

Actual time: 5:38 p.m.

Present: Jason Grant, Designer; Farzeen and Venus Nasri, Owners.

Public comment opened at 5:43 p.m.

1. Steve Jordan, opposition (submitted letter); expressed concerns regarding privacy, preservation of private views, and interruption of hillside. Requested story poles.
2. Mike Munoz, opposition (submitted letter); expressed concerns regarding privacy.

A letter of expressed concern from Liz Sherman was acknowledged.

The following neighbors signed a petition in support of the project:

James Johnson, 3435 Calle Almonte  
Ralph Fuquay, 2436 Calle Almonte  
Rhoda Rosenthal, 3427 Calle Almonte  
Carole Strehlow, 2419 Calle Galicia  
Susan Saperstein, 3423 Calle Almonte  
Julia Capps, 3439 Calle Almonte  
Simon Pulver, 3423 Calle Almonte

Public comment closed at 5:50 p.m.

Motion: Continued indefinitely to Full Board with comments:

- 1) Provide a site plan that shows landscaping mitigation for privacy.
- 2) Eliminate exterior stair case.
- 3) Study reducing FAR.
- 4) Study rear elevation - reduce size and increase height of windows.
- 5) Study reconfiguration of window at office.
- 6) The Board has considered the Single Family Residential Design Guidelines, Good Neighbor Guidelines & Tips, and finds the proposed second story location is well placed on the existing residence to maximize views of the neighbors.
- 7) Study the roof pitch; consider a reduction.
- 8) Provide a colors and materials board.
- 9) The Board is ok with the size and location of the second level deck.

Action: Sweeney/Bernstein, 6/0/0. Motion carried. (Pierce absent).

**SFDB-Concept Review (Cont.)****CONT****04/22/13**

(Second concept review. Comments only; project requires environmental assessment and Staff Hearing officer review for a requested zoning modification. The project was last reviewed on February 11, 2013.)

Actual time: 4:31 p.m.

Present: Eric Swenumsun, Designer; and Farzeen Nasri, Owner.

Public comment opened at 4:49 p.m.

1) Steve Jordan, opposition; expressed concerns regarding preservation of private views, good neighbor guidelines, and requested story poles.

The public comment letters which were received and routed for the first concept review of February 1, 2013 were emailed to the Board prior to the second concept review on April 22, 2013.

Public comment closed at 4:53 p.m.

The Single Family Design Board will conduct a group site visit to this property before the next Full Board Meeting.

Motion: Continued two-weeks to Full Board with comments:

- 1) Standard story poles shall be installed, per the Single Family Design Board Guidelines, which include horizontal ribbons that are truly reflective of the two-story ridge.
- 2) The Board finds that the 20-closest lots study is not necessary for this application and that story poles will be sufficient.
- 3) Provide a concept landscape plan, and indicate where planting materials will be placed in order to provide privacy to adjacent neighbors.

Action: Sweeney/Miller, 6/1/0. Motion carried. (Bernstein opposed).

**SFDB-Concept Review (Cont.)****CONT****05/06/13**

(Third concept review. Comments only; project requires environmental assessment and Staff Hearing Officer review for a requested zoning modification. The project was last reviewed on April 22, 2013.)

Actual time: 3:11 p.m.

Present: Eric Swenumson, Designer; and Farzeen Nasri, Owner.

Public comment opened at 3:15 p.m.

- 1) James Johnson (submitted letter), support; provided Neighborhood Preservation Findings.
- 2) Steve Jordan, opposition; stated he appreciated the placement of story poles and has found the proposed addition to be less imposing than initially thought, however expressed remaining concerns regarding lighting and privacy.

A letter of expressed concerns from Paula Westbury was acknowledged.

Public comment closed at 3:20 p.m.

Motion: Continued indefinitely to Full Board with comments:

- 1) A majority of the Board found the proposed location of the second story addition to be acceptable provided the following:
  - a. Eliminate the second-story deck.
  - b. Study the position and number of windows in the corner bathroom, in order to mitigate the effect of the light on the neighbors.
  - c. Provide a landscape plan.
  - d. Reduce the size of the second-story addition; suggestion to eliminating the "pop-out" at the second level of the front elevation.
  - e. Study the front elevation.

Action: Bernstein/Miller, 5/2/0. Motion carried by a roll call vote. (Sweeney and Pierce opposed)

**SFDB-Concept Review (Cont.)****CONT****08/26/13**

(Fourth concept review. Comments only; project requires environmental assessment and Staff Hearing Officer review for a requested zoning modification. The project was last reviewed on May 6, 2013.)

Actual time: 4:17 p.m.

Present: Dawn Sherry, Agent; and Nasri Farzeen, Owner.

Public comment opened at 4:32 p.m. As no one wished to speak, public comment was closed.

Motion: Continued indefinitely to Staff Hearing Officer to return to Full Board with comments:

- 1) With regard to the existing non-conforming garage, and the proposed new roof deck above the garage, that the proposed modification is aesthetically appropriate, and does not pose consistency issues with the Single Family Design Guidelines.
- 2) The Board finds that a site landscape plan is not required for this application.
- 3) The Board accepts the changes to the bathroom windows on the second floor.
- 4) The Board accepts the square footage of the balcony.
- 5) The Board is in favor of the second story elevation change presented on Sheet A-5.
- 6) A majority of the Board finds that a Planter on top of the garage would be awkward, and may pose drainage issues.

Action: Miller/Sweeney, 6/0/0. Motion carried. (Pierce absent).