



City of Santa Barbara

California

The attached Staff Report for Agenda Item A, 1128 Mission Hills Lane (MST2011-00389), was previously distributed to the Staff Hearing Officer on September 12, 2013, as Agenda Item A for the September 18, 2013 hearing. At the September 18, 2013 hearing, it was announced that the item was continued two weeks to the October 16, 2013 hearing; with no new notices redistributed for this continued item.



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: September 12, 2013
AGENDA DATE: September 18, 2013
PROJECT ADDRESS: 1128 Harbor Hills Lane (MST2011-00389)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Daniel Gullett, Associate Planner *DG*

I. PROJECT DESCRIPTION

The 29,259 square-foot project site is currently developed with a two-story, 3,151 square foot residence and 527 square foot attached two-car garage. The subject application is a proposal to permit the following "as-built" construction: split-level patio with deck, outdoor fireplace, barbeque, counter, and sink; retaining walls; entry pilasters; stairs; and a new front entry. The project also includes installation of required guard rails and demolition of the "as-built" pergola and storage shed. No additional building area is proposed.

The discretionary applications required for this project are:

1. An Interior Setback Modification to allow the "as-built" deck, patio, counter, sink and fireplace to remain within the ten-foot southwest interior setback (SBMC §28.15.060 and 28.92.110);
2. A Wall Height Modification to allow the "as-built" walls and building code-required guardrails to exceed eight feet in height within the ten-foot southwest interior setback (SBMC §28.87.170 and 28.92.110);
3. A Wall Height Modification to allow the "as-built" wall and building code-required guardrail to exceed eight feet in height within the ten-foot southeast interior setback (SBMC §28.87.170 and 28.92.110); and
4. A Wall Height Modification to allow the two "as-built" entry pilasters and wall to exceed 3.5 feet in height within ten-feet of the front lot line and adjacent to the driveway (SBMC §28.87.170 and 28.92.110).

Date Application Accepted: July 30, 2013

Date Action Required: October 28, 2013

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve portions of the project, subject to a condition.

III. SITE INFORMATION

Applicant:	Mark Morando	Property Owner:	Bruce Anderson
Parcel Number:	035-314-010	Lot Area:	29, 259 sq. ft.
General Plan:	Low Density Residential	Zoning:	E-1
Existing Use:	Single Family Residential	Topography:	38% avg. slope

Adjacent Land Uses:

North - Single Family Residential	East - Single Family Residential
South - Single Family Residential	West - Single Family Residential

IV. DISCUSSION

The 29,259 square-foot project site is currently developed with a permitted three-story single-family residence, attached two-car garage, a garage roof deck and lower patio.

The subject application proposes to remove an existing “as-built” shed and pergola, and permit all other “as-built” construction identified in a pending enforcement case on the property. The pending enforcement case was originally opened as a response for an inspection request for demolition and reconstruction of the front entry stairs. Consistent with City policy, all other violations identified in the most recent Zoning Information Report (1999) also must be addressed with abatement of the entry stair violation.

The 1999 Zoning Information Report (Exhibit C) identified the Garapa (hardwood) deck, Saltillo patio, sink, fireplace, and trellis as improvements constructed without zoning approvals or building permits. The current property owner was made aware of the violations in the Zoning Information Report prior to acquiring the property.

Southwest Interior Setback Encroachments

The project includes an Interior Setback Modification request (referred to as Modifications B and C on the plans) to allow the following encroachments to remain within the ten-foot southwest interior setback: Garapa deck with rail, Saltillo tile patio, countertop, sink, fireplace, and barbecue. The Zoning Ordinance requires interior setbacks to be generally unoccupied and unobstructed from the ground upward, with limited exceptions, such as fences and walls. Interior setbacks provide space for a minimum physical separation between structures, providing natural light, air circulation, and privacy for occupants on either side of a property line.

The adjacent property to the west, 1165 Harbor Hills Drive, is developed with a single family home sited approximately 35 feet from the common property line and approximately 45 feet from the Garapa deck, with an avocado orchard adjacent to the subject improvements in the setback. Due to site constraints at 1165 Harbor Hills Drive, including steep topography, there is little potential for development of additional structures or usable outdoor space in the vicinity of these “as-built” improvements. The adjacent avocado orchard and glass wall provide substantial screening between the Saltillo patio area and associated improvements and the house at 1165 Harbor Hills Drive, which is elevated above the Saltillo patio. The Garapa deck

was constructed approximately 12 feet higher than the Saltillo patio and is not fully screened from view of the 1165 Harbor Hills Drive residence. Due to its location, light and noise from the use of the Garapa deck has the potential to detrimentally affect the neighboring property at 1165 Harbor Hills Drive. Staff, therefore, does not support the “as-built” encroachment of the Garapa deck into the setback due to inconsistency with the purposes and intent of the interior setback to provide open space and separate structures and uses.

Southwest Interior Setback Wall Heights

The project also includes a Wall Height Modification request for walls associated with the Garapa deck, Saltillo patio, and lower patio to exceed the maximum height of eight feet within the ten-foot interior setback (referred to as Modification A on the plans). The maximum height of the “as-built” walls within this setback is approximately 15 feet, two inches. Staff supports retention of the overheight walls associated with the Saltillo patio and lower patio because staff does not believe the heights of these walls detrimentally affect the use or potential development of the adjacent properties.

Southeast Interior Setback Wall Heights

A Wall Height Modification is also requested to allow the wall along the southeast property line to exceed the maximum eight foot height limit within the ten-foot interior setback to provide a building code-required guard rail for the permitted lower patio (referred to as Modification E on the plans). The 1977 plans show the wall to be eight feet maximum height without an adequate guard rail along the patio. As proposed the maximum height of the wall would be approximately 11 feet. Staff supports this modification as an appropriate improvement as it provides for a minimum-height guard rail for an existing, permitted patio.

Entry Pilasters and Wall

The final Wall Height Modification is to allow the two overheight entry drive pilasters and overheight wall along the driveway to remain (referred to as Modification D on the plans). The Zoning Ordinance restricts walls and improvements including entry pilasters to 3.5 feet in height within ten feet of a front lot line and along a driveway for a distance of twenty feet back from the right of way. The pilasters are six feet, eight inches tall and the southern pilaster connects to the overheight wall which continues westerly continuous with the southeast wall described above. Due to the location of the site at the end of a low-traffic-volume cul-de-sac and the provision of a vehicle turn-around in the driveway that allows for cars to exit from the property without backing, staff determined that the wall and pilasters do not pose a traffic safety hazard and are not a visual impediment along the street corridor. Therefore, staff supports a Modification to retain the “as-built” wall and pillars.

Single Family Design Board Review

This project was reviewed by the Single Family Design Board (SFDB) twice (meeting minutes provided in Exhibit D). On November 7, 2011, SFDB conceptually reviewed the project and requested a site visit. On January 3, 2012, the SFDB performed a site visit and, at the hearing that day, stated that the project was aesthetically appropriate and does not pose consistency issues with the Single Family Residence Design Guidelines. SFDB stated that their support of

this project was case specific and that their support did not set precedent for review of future applications.

Storm Water Management Program

All improvements approved with this application will be subject to the City's Storm Water Management Program, which requires retention and on-site treatment of stormwater.

V. STAFF-RECOMMENDED FINDINGS AND CONDITION

As conditioned, the Staff Hearing Officer finds that the Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure appropriate improvements on the lot. The retention of the "as-built" Saltillo tile patio and associated improvements are appropriate since those structures that the associated uses are not expected to detrimentally affect the adjacent neighbor due to the topography, glass wall, and screening vegetation. The proposed height extension of the existing stucco wall within the southeast interior setback is appropriate since it would provide a minimum building code-compliant guardrail necessary for safety. The retention of the "as-built" entry pilasters and associated wall are appropriate since do not pose safety concerns and do not detrimentally affect the aesthetics of the street corridor due to their location at the end of a cul-de-sac.

Said approval is subject to condition that the portion of the Garapa deck structure, including the ship-lap siding above the retaining wall and the guard rail located in the ten-foot interior setback, shall be removed.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated May 1, 2012
- C. Zoning Information Report, dated May 14, 1999
- D. Single Family Design Board Minutes

Contact/Case Planner: Daniel Gullett, Associate Planner
(dgullett@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x4550

May 01, 2012

Staff Hearing Officer
City of Santa Barbara
Post Office Drawer 1990
Santa Barbara, CA 93102

Re: Anderson Residence
1128 Harbor Hills Lane
Santa Barbara, CA 93109

RECEIVED
MAY 01 2012

**CITY OF SANTA BARBARA
PLANNING DIVISION**

Dear Mrs. Reardon,

Enclosed please find the formal application for the project located at 1128 Harbor Hills Lane, within the Alta Mesa neighborhood, in the City of Santa Barbara. The parcel (035-314-010) is zoned E-1 and has an approximate slope of 38%. The 29,259 square foot parcel is developed with a 3,151 square foot two-story dwelling with an attached 527 square foot garage.

The project went before the Single Family Design Board (SFDB) on November 7th, 2011, and again on January 3rd, 2012 for a site visit and review by the board for architectural and aesthetic comments related to the modifications. The SFDB reached a consensus with positive comments. They did not require any aesthetic changes to the improvements related to the modifications, and concluded that these improvements did not pose any consistency issues with the Single Family Design Guidelines. Additionally, they found that the project does not impede the aesthetics of the neighborhood or the development pattern of adjacent neighbors, and is not precedent setting.

The house was designed and built by the previous (original) owner, a masonry contractor in the Santa Barbara area, in February of 1976 (permit #49388 10/18/74, final 2/11/76). The original archive plans show the rear wall holding up the hillside behind the house, and wing walls coming off the sides, well past the ends of the main floor (See sheet 4 front elevation).

The front wall on the east side of the property was built in May of 1977 (permit #A10740) to shore up the garage level and the driveway pad. On this permit, the top of the wall was called out as the same height as the finished floor of the garage, with one section being eight feet high to accomplish the grade. Currently there is a 36-42" stucco block guardrail all along this east wall for building code safety reasons. Due to the guardrail, there is a portion of this east wall within the ten foot interior setback that exceeds eight feet, and therefore requires a modification. The driveway, going from the pad near the house down to the street, also has a stucco block wall that terminates with the front entry pilasters. The driveway wall meets the zoning ordinance requirement except for the front entry pilaster heights. The original owner built the front wall guardrail, driveway wall, and front entry pilasters when the front wall was built in 1977, or sometime shortly after.

In 1984 the original owner built a full bathroom on one-half of the north second floor deck with a permit. At some point, approximately twenty-five to thirty-five years ago, the original owner also built two side patio walls and a south property line wall creating a south-side patio area, and completed it with a fire pit, sink and BBQ, as well as an upper deck and pergola, and a lower stairway behind the garage. The patio area with fire pit, sink, and BBQ, and the upper deck and cover (pergola) are the items called out in the 1999 Zoning Information Report ZIR99-0419, generated when the Andersons purchased the property. However, in those days, the City didn't enforce violations unless there were illegal additions or an illegal dwelling unit.

In 2011 a neighbor complaint was filed and the building department went on site to verify violations, now stated in notice ENF2011-00344, for the reconstruction of the front exterior entry stairs without benefit of permit. The 1999 Zoning Information Report ZIR99-0419 violations are also called out in this notice. All of the violations stated, except the front exterior entry stairs reconstruction, were pre-existing violations installed by the original owner, and have been in existence for twenty-five to thirty-five years. After receiving the notice, the Andersons obtained a survey to verify the location of improvements on the property.

This application proposes to remove the storage shed and upper deck cover (pergola), and to legalize the south side improvements, front entry pilasters, and permitted 1977 front wall heights. The front entry pilasters and part of the permitted 1977 front wall were included in this application to rectify all violations on the property even though they were not a part of the ZIR or the enforcement. The reconstructed front exterior entry stairs are not within the setbacks and do not require a modification, nor were they a design issue for the SFDB as they match the architecture of the structure.

The owners of 1128 Harbor Hills Lane request your consideration for required interior and front yard modifications:

1) Required interior yard modifications

The primary interior yard modification is for the height of the east-facing middle retaining wall behind the garage. This wall is an extension of the shared garage/house understory wall running north to south, and is approximately the same height as the plate of the dwelling. Due to the steep slope of the lot and the design of the original dwelling with the garage on the lower level, a structural wall of at least 9'0" high was needed to shore up the main floor where the south patio area is located. The original owner built the middle retaining wall behind the garage, and the stairs up to the main floor, creating this south patio area. Additionally, the archive plans showed a winged wall off the main floor at the rear of the dwelling, although the grade behind the wall is depicted incorrectly on the original archive plans. The original owner continued this wall to the south property line and built the south property line retaining wall. The middle retaining wall also attaches to the south property line wall framing the lower level (behind garage) and mid-level patios. Because of the shoring function of the south side retaining walls, and the amount of concrete required for their construction, their removal is not only economically unviable, but structural replacements would be required to stabilize the soil on site and finding made for the export of the soil. Also, on the east side of the property, and around the time the permitted front wall was built, the original owner added a stucco block guardrail to the permitted front wall, increasing the height of a section of it beyond eight feet within the interior setback. The SFDB in the meeting after the site visit reiterated that the wall heights were acceptable and did not pose any use concerns with the neighbors. They found that the wall and improvements were not out of character as they are not readily visible from Cliff Drive or the by the neighbors. Many of the surrounding neighbors have sent in letters of support for the improvements, which include these walls.

The remaining interior yard modifications are in the south side Saltillo-tiled patio area, including the upper deck. The upper deck was designed to be in-line with a second floor master bedroom door or an addition that allows one to walk out onto the deck at the same finished level. This deck is located in a unique position where it offers an extension of the second floor level and provides an exceptional view of the Channel Islands to the east and south, not available anywhere else on the property. The deck is surfaced with high-quality Garapa decking material, which meets the high fire requirement.

Additionally, it has a cantilevered design and extends slightly over the Saltillo-tiled patio area below, and its lower skirting material provides a finished wall and structure for recessed down lights for nighttime patio area use. After the site visit, the SFDB concluded that the upper deck is unobtrusive to the neighbors, incorporates an aesthetic design, and could remain as it exists now. The upper deck cover (pergola) is slated to be removed, even though the SFDB did not have any objections to this cover as well.

The Saltillo patio area below the deck is a logical extension of the function of the main floor of the dwelling. It is adjacent to the kitchen for cooking and entertaining, but most importantly, with the glass screen it offers a refuge from the onshore winds and blowing fog of the Mesa that the garage roof deck cannot offer. Additionally, the noise of the freeway and Cliff Drive is significantly reduced by the protection provided by the glass screen. The SFDB talked over the use of glass and other materials as a guardrail and screen, and concluded that there is no reason to change or remove the non-reflective glass panels. The BBQ and fire pit are the main focal points and primary reasons for the use and enjoyment of the screened patio, namely as an eating and gathering area for socializing with family and friends. The BBQ itself is barely into the ten-foot interior setback and if moved to the side of the dwelling would allow smoke to enter into the upper and lower floors. The stairs to the upper level prevent the BBQ from being moved more to the north, just out of the setback. The gas fire pit forms the corner of the south and west walls and warms the area in the winter months. The counter for the sink and BBQ are below the glass screen heights and hidden from exterior view by the walls, as is the viewing area of the fire pit. The counters and fire pit are designed to match the architecture of the dwelling using Mission trowel smooth stucco finish with bull-nosed corners. The counter tile is porcelain and the Saltillo patio tiles are discontinued and unique.

The location of the south side Saltillo patio area and upper deck is surrounded by developed lots on a greater than 30% slope. The houses above the subject property on Harbor Hills Drive, three of which are directly above, have their finished floors at approximately fifteen to twenty five feet above the top of the main ridge of the dwelling, twenty five to thirty five feet above the upper deck, and are about 75 feet away, or more. Additionally, the improvements are not readily visible from the neighbors above, or from below either. The rear areas of the upper lots begin to drop off onto the subject property, and there are fences and/or hedges to secure the property lines. The neighbor to the southeast is also more than seventy-five feet away, with more than 50 feet of elevation change below, and has provided a letter of support. The area of the lot immediately to the south of the Saltillo patio area contains numerous avocado trees and is un-developable since it is inaccessible and has a slope greater than 30%. The owners of this property at 1165 Harbor Hills Drive have also provided a letter fully supporting the south side improvements. In fact, many of the neighbors have written letters of support for the legalization of the improvements, including the south side Saltillo patio area and the upper deck.

Setbacks are an urban planning tool used to create separation between uses, namely of structure, to prevent the blocking of light and air. They are also used in urban settings to create separation between similar or incompatible uses. In urban residential settings such as the City of Santa Barbara, setbacks of five to fifteen-feet are used to separate structures from other structures, and to limit the uses of those areas to prevent nuisance odors and noises from affecting the neighbors. In certain instances relief is allowed to secure an appropriate uniform improvement due to the nature or setting of an amenity. It is our assertion that the amenities under consideration are not within the parameters that would affect the neighbors, since more than adequate separation is provided due to distance, topography, and vegetation. Therefore these improvements do not impinge on their ability to use and enjoy their properties.

As mentioned earlier, the SFDB did not require any aesthetic changes to the improvements after making their site visit, and found that the improvements did not pose any consistency issues with the Single Family Design Guidelines. They did not have a problem with any of the improvements, neither the glass screens, walls, BBQ, fire pit, sink, upper deck, nor the upper frame cover (pergola), which is slated to be removed. Additionally, the members drove down along Cliff Drive to verify that the improvements were not readily visible from the public view corridor. They concluded that this was in fact the case, and that the improvements offer a logical extension to the dwelling, which does not impact the neighbors.

2) Required front yard modification

The front entry pilasters along the cul-de-sac mark the steep uphill driveway entry to the property and provide an end point to the stucco block driveway wall. These pilasters are a maximum of 6'8" on one side and at the closest point are 2'6" from the front property line, exceeding the maximum of three and one-half feet within twenty feet of the front property line. Since the sidewalk does not continue around the cul-de-sac the pilasters appear further away from the street and curb than normal. The driveway slopes uphill at a steep angle that also diminishes the apparent height of pillars. The pillars match the existing site walls with a smooth Mission trowel stucco finish and have handcrafted sandstone caps with matching lights. The SFDB did not require any aesthetic changes to the front entry pilasters after making their site visit, and found that the pilasters did not pose any consistency issues with the Single Family Design Guidelines.

The Andersons and I believe that the project is appropriately designed, and that it creates significant improvements which are architecturally correct, functionally utilitarian, and are consistent with the purposes and intent of the zoning ordinance. The interior yard improvements offer amenities to the steep hillside dwelling which would be difficult to create in a conforming manner, which would provide function and design while not impacting the neighbors, and would rectify an onerous situation. The front yard modification allows for the front entry pilasters which are a visual demarcation of the entry to the lot. These pilasters are appropriately designed to match the architecture of the dwelling and the design of the existing site walls, and are not obtrusive in height or width.

Thank you for your consideration in this matter. Please feel free to call 805-680-2703 if you have any questions or comments regarding this request.

Sincerely,

Mark Morando
Morando Planning & Design

**CITY OF SANTA BARBARA
ZONING INFORMATION REPORT
REPORT #: ZIR99-0419
INSPECTION DATE: 05/13/99
EXPIRATION DATE: 05/12/00**

Site Address: **1128 HARBOR HILLS LN**

A.P.N.: **35-314-10**

Zone Category: **E-1**

Net Lot Area (+/-): **0.70 s.f. or Ac.**

The total number of dwelling units permitted on this property under current Zoning regulations can be calculated using the following chart (the Slope Density Ordinance also applies).

Zone	Max. Height Limits (feet)	Minimum Lot Areas for Newly Created Lots	Lot Area Reqts for Dwelling Units (sf)	Required Lot Frontage for Newly Created Lots (sf)	Front Yard Setbacks (feet)	Interior Yard Setbacks (feet)	Rear Yard Setback (feet)	Open Yard Req'd	Req'd Off-Street Parking Spaces	Distance Between Main Bldgs (Acc. bldgs not inc.)
E-1	30'	15,000 sf	--	90'	30'	10'	10'	1,250 sf	2 covered per d.u.	20'

Special Districts, or other attributes of the parcel include, but may not be limited to the following (if none, this area will be blank):

NPO HILLSIDE DISTRICT----
HIGH FIRE AREA

****PLEASE NOTE****

This report does not include analysis of the provision of the Solar Access Ordinance, Santa Barbara Municipal Code Chapter 28.11 as it applies to this property. Questions concerning the impact of the Ordinance on specific structures should be addressed to the Planning and Zoning Counter located at 630 Garden St. You may also call (805) 564-5478 for further information regarding solar access issues.

If you are selling a home, you must disclose any known earthquake weaknesses that your house has to the buyer. The State's Seismic Safety Commission has published a booklet "The Homeowner's Guide to Earthquake Safety" which includes detailed information regarding earthquake hazard disclosure. This booklet is available at the City's Building and Safety public counter located at 630 Garden St. You may also call (805) 564-5485 for further information regarding earthquake issues.



**CITY OF SANTA BARBARA
ZONING INFORMATION REPORT
REPORT #: ZIR99-0419
INSPECTION DATE: 05/13/99
EXPIRATION DATE: 05/12/00**

Page 2

Site Address: **1128 HARBOR HILLS LN**

A.P.N.: **35-314-10**

Zone Category: **E-1**

Net Lot Area (+/-): **0.70** s.f. or Ac.

Modifications, variances, conditional use permits, other discretionary land use permits, decisions or special districts which affect this property:

Please be advised that a new discretionary development may be subject to environmental assessment contingent upon a number of factors. Contact the Planning Division for more information regarding environmental assessment.

Number, use and size of buildings, including all accessory buildings.

Two story, single residential unit with attached garage on a lower level. Covered entry porch, attached front deck (approx. 20 x 26), two upper decks and attached deck/patio (approx. 28 x 30?) with jacuzzi, fireplace, double sink and built in barbque. Detached upper deck (approx. 20 x 18) with trellis cover. Detached metal storage shed (approx. 10 x 12).

Number of Existing Dwelling Units:	Legal: 1;	Illegal: 0.
Number of Existing Bedrooms (total if more than one unit):	Legal: 4;	Illegal: 0.
Number of Existing Full Baths:	Legal: 3;	Illegal: 0.
Number of Existing Half Baths:	Legal: 2;	Illegal: 0.
Number of Existing Sinks (bar sinks or laundry sinks):	Legal: 1;	Illegal: 1.

*outside.
double sink*

Parking Spaces Provided:
in a Garage: **2;** in a Carport: **0;** Uncovered: **0**



**CITY OF SANTA BARBARA
ZONING INFORMATION REPORT
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EXPIRATION DATE: 05/12/00**

Page 3

Site Address: **1128 HARBOR HILLS LN**

A.P.N.: **35-314-10**

Zone Category: **E-1**

Net Lot Area (+/-): **0.70** s.f. or Ac.

Nonconforming yards (List structure located in respective yards, if applicable):

Front:

Interior:

Open:

Nonconforming walls, fences and hedges (type, height and location, if applicable):

The term "nonconforming" means that the building or structure satisfied the Zoning Ordinance requirements at the time of construction; however, because of subsequent changes in the Zoning Ordinance or the Zoning Map, the building or structure does not meet the current requirements. Nonconforming means that the building or structure exists legally, and its use may be continued.

Are smoke detectors or fire alarm systems installed in each sleeping room and hallway of each dwelling unit or R-1 occupancy as required by the City Building and Fire Departments?
Hallways? Y; Bedrooms? Y.

****PLEASE NOTE****

Smoke detectors are required in each sleeping room and each hallway of each story of a dwelling unit.
A fire alarm system is required in apartment houses three(3) or more stories in height or containing 16 or more dwelling units; on hotels three (3) or more stories in height or containing 20 or more guest rooms; and in congregate residences three (3) or more stories in height or which have an occupant load of 20 or more. For more information regarding fire alarm system requirements, please call 564-5702.

Zoning Ordinance or Building Code Violations (if none, this area will be blank):

Zoning violations: The attached deck/patio and under area, the fireplace and double sink and a portion of the upper deck & cover encroach into a portion of the required interior yard setback.

Building violations: The deck/patio, underarea, fireplace, double sink, upper deck and trellis cover and jacuzzi were installed/constructed without the required permits.



CITY OF SANTA BARBARA
ZONING INFORMATION REPORT
REPORT #: ZIR99-0419
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Page 4

Site Address: 1128 HARBOR HILLS LN
A.P.N.: 35-314-10 Zone Category: E-1 Net Lot Area (+/-): 0.70 s.f. or Ac.

****PLEASE NOTE****

All questions regarding building requirements, building permits or building violations should be directed to the City's Building and Safety Counter, located at 630 Garden Street (805) 564-5485. All questions regarding zoning violations should be directed to the City's Planning and Zoning Counter at 630 Garden Street, (805) 564-5470.

Zoning Information Report #ZIR99-0419 was prepared by:

Beverly Weststrom
(Signature)

May 14, 1999



Single Family Design Board Minutes

January 3, 2012

1128 HARBOR HILLS LN

Assessor's Parcel Number: 035-314-010
Application Number: MST2011-00389
Owner: Bruce R. Anderson
Applicant: Mark Morando

(Proposal to permit the following "as-built" construction: reconstruction of the front entryway; new retaining walls; stairs; split-level patio with an 857 square foot deck with a fire pit, barbeque and counter on the lower level and a 229 square foot deck on the upper level. A two-story, 3,151 square foot residence and 527 square foot attached garage currently exist on the 29,259 square foot site in the Hillside Design District. No additional square footage is proposed. The project includes the demolition of the "as-built" pergola and storage shed. The proposal addresses violations listed in ENF2011-00344. The project requires Staff Hearing officer review for requested zoning modifications.)

(Second concept review. Comments only; project requires Environmental Assessment and Staff Hearing officer review for requested zoning modifications. The project was last reviewed on November 7, 2011.)

(3:12)

Present: Mark Morando, Applicant; and Bruce R. Anderson, Owner.

Public comment opened at 3:15 p.m. As no one wished to speak, public comment was closed.

Three letters of support were acknowledged from Mike Richardson, Phyllis Hollems, and Avo Semerjian; and one letter of concern from C.L. Grant, Civil Engineer/Agent for neighboring property owner Nancy Engstrom, mentioned structural concerns.

Motion: Continued indefinitely to Staff Hearing Officer and return to Consent with positive comment that the proposed modification is aesthetically appropriate, and does not pose consistency issues with the Single Family Design Guidelines.

Action: Sweeney/Miller, 4/2/0. Motion carried. (Bernstein/Deisler opposed).

Board comments: A majority of the Board preferred that the pergola be removed as noted on the plans.

The Board acknowledged for the record that the support for this project is case specific and this action does not set precedent for any future projects or similar cases.

November 7, 2011

1128 HARBOR HILLS LN

Assessor's Parcel Number: 035-314-010
Application Number: MST2011-00389
Owner: Bruce R. Anderson
Applicant: Mark Morando

(Proposal to permit the following "as-built" construction: reconstruction of the front entryway; new retaining walls; stairs; split-level patio with an 857 square foot deck with a fire pit, barbeque and counter on the lower level and a 229 square foot deck on the upper level. A two-story, 3,151 square foot residence and 527 square foot attached garage currently exist on the 29,259 square foot site in the Hillside Design District. No additional square footage is proposed. The project includes the demolition of the "as-built" pergola and storage shed. The proposal addresses violations listed in ENF2011-00344. The project requires Staff Hearing Officer review for requested zoning modifications.)

(Comments only; project requires Environmental Assessment and Staff Hearing Officer review for requested zoning modifications.)

(4:21)

Present: Mark Morando, Applicant; and Bruce R. Anderson, Owner.

Public comment opened at 4:34 p.m.

- 1) Nancy Engstrom, opposition; expressed concerns regarding access to natural sunlight, private views, landscaping and maintenance concerns, patio deck issues, and rental status.

Staff suggested Ms. Engstrom to contact the Fire Department for compliance standards for potential fire hazards of the existing landscaping. Staff clarified that the view ordinance is a civil matter that the city does not participate in. Other zoning concerns, as applicable, may be resolved by submitting an enforcement complaint and/or during the plan check for the building permit.

Public comment closed at 4:38 p.m.

Three (3) letters of support from John and Lucille Leemhuis, Henry and Harriet Sharp, and Harold L. Votey, Jr. PhD. were acknowledged for the record.

Motion: Continued indefinitely to Full Board with comments:

- 1) The Board members, staff, and the applicants will attend a scheduled site visit prior to the project returning to the full Board for continued concept review. December 5th is a potential site visit date; the site visit will be scheduled and confirmed by staff.
- 2) The Board requests that the City approved archive plan set be available during the site visit.

Action: Sweeney/Bernstein, 6/0/0. Motion carried.