



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: December 5, 2013
AGENDA DATE: December 11, 2013
PROJECT ADDRESS: 1701 La Vista del Oceano Dr. (MST2005-00017)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Marisela G. Salinas, Associate Planner *MGS*

I. PROJECT DESCRIPTION

The lot is approximately 16,370 s.f. in size, and is located in the Hillside Design District. It is currently under construction with a new 4,517 square foot, single-family residence and associated site improvements, which were approved in 2006 (BLD2006-00399). The project involves revisions to a proposed pool and spa, and “as-built” alterations to walls along the front portion of the property.

The discretionary applications required for this project are:

1. A Modification to allow the pool to encroach into the required fifteen-foot front setback for pools (SBMC § 28.87.060 and SBMC §28.92.110); and
2. A Modification to the height of fences, walls, and hedges to exceed the maximum allowed height of 3½ feet within 10 feet of the front lot line and within 10 feet of the driveway for a distance of 20 feet from the front property line (SBMC § 28.87.170 and SBMC §28.92.110).

Date Application Accepted: 11/19/13 Date Action Required: 2/17/14

II. RECOMMENDATION

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

III. SITE INFORMATION

Applicant:	Erin Carroll, Landscape Architect	Property Owner:	Vista Oceano La Mesa Venture, LLC
Parcel Number:	035-480-058	Lot Area:	16,370 sq. ft.
General Plan:	Low Density Residential	Zoning:	E-1
Existing Use:	Single Family Residential	Topography:	17% avg. slope

IV. BACKGROUND

The subject residence is part of a subdivision approval that was granted by the Planning Commission on November 18, 2004. The approvals included a Modification to allow the residence to encroach in the front setback. This project received final approval from the Architectural Board of Review (ABR) on January 23, 2006. This project is currently under construction.

Upon review of a plan to revise the approved pool, Staff discovered that the original pool was approved in the front setback without benefit of a Modification for the pool. At Staff's request, the applicant reduced the size of the pool in order to meet the fifteen-foot setback for pools. Subsequently, the applicant decided to apply for a Modification to maintain the pool close to its originally approved size and configuration.

After more closely reviewing the approved, stamped plans, Staff became aware that some of the walls along the front and next to the driveway were approved over-height without a Modification. Some of the individual walls exceeded the height requirements. Other walls were deemed overheight due to their proximity to adjacent walls as measured per SBMC §28.87.170.E: *"Unless there is a horizontal separation of at least five feet (5') between fences, screens, walls or hedges, the height shall be measured from the lowest point of such fence, screen, wall or hedge to the highest point of either fence, screen, wall or hedge."*

Following a site visit and measurements at the site, Staff determined that portions of the wall closest to the street frontage were built taller than previously approved by the Architectural Board of Review.

V. DISCUSSION

The proposed project involves permitting a pool within the required front setback for pools and "as-built" improvements to walls and fences within the front setback. (See Exhibits A & B)

Pool Encroachment

The first Modification requested is to allow the pool to encroach five and a half feet into the required fifteen-foot front setback for pools. Pools were always shown to be included as part of the approvals for the residences in this subdivision. Due the size and configuration of this site, the pool was proposed and approved in the front of the lot, partially surrounded by the residence.

The pool originally approved by the Architectural Board of Review is very similar to the current proposal. The edge of the infinity pool was approved nine and a half feet from the front lot line with a three-foot high wall surrounding the spillway for the infinity pool. The pool was 22 feet wide, measured parallel to the front lot line by 23 feet long, measured perpendicular to the front lot line.

The edge of the infinity pool currently proposed is nine and a half feet from the front lot line with an on-grade gravel spillway for the infinity pool. The second tiered two-foot retaining wall has been extended along the front lot line to help provide more screening. The current pool proposal has been reduced to a width of 17 feet, measured parallel to the front lot line by

20 feet long. Because the residence was approved to encroach into the front setback, it limited options when adjustments were necessary for the pool. The pool is oriented to allow for better circulation around the pool area.

Wall Heights

The second Modification requested is to permit "as-built" walls that exceed the maximum height of 3'-6" feet within ten feet of the front property line and within ten feet of either side of a driveway for a distance of 20' back from the front lot line. Individually, the walls range in height from two feet to close to eight feet; however, because some of the walls are within five feet of each other, they are counted as a single wall, and their height is measured from the bottom of the lowest wall to the top of the highest wall. Overall, the location and height of the walls are similar to the plan originally approved by the Architectural Board of Review (ABR). Adjustments in the grades resulted in some walls getting taller, and others getting shorter. The western column of the driveway gate, and adjacent wrought iron fence (between the column and the stairway) were also approved overheight, without benefit of a Modification. Those remain as previously approved by the ABR.

The walls perform a number of necessary functions, including retaining the soil, meeting minimum guardrail requirements, and securing the site. The terracing of the walls also helps to break up the mass, compared to a single wall of the same height, and allows for appropriate screening. Transportation Planning Staff reviewed the site plan for visibility for vehicles exiting the driveway. The walls adjacent to the driveway are situated such that they do not encroach into the driver's sight triangle when exiting the property.

Design Review

In 2006, the Architectural Board of Review approved a similar configuration for the pool, spa, and the overheight walls, fences and driveway gate elements. On November 28, 2013, the project was reviewed by the Single Family Design Board, and the Board found that the requested Modifications were aesthetically appropriate, and did not pose consistency issues with the Single Family Residential Design Guidelines (See Exhibit C). They found the proposed changes to be in scale with the surrounding development. The adjacent neighbor at 1645 La Vista del Oceano Dr. was present, and spoke in favor of the project.

Staff believes the proposed changes are consistent with the purposes and intent of this Zoning Ordinance, necessary to secure an appropriate improvement on a lot, and promote uniformity of improvement. The revisions to the pool improve the circulation around the pool without adversely impacting the surrounding neighborhood. The walls, as proposed, help break up the massing, and are necessary to elements that retain the soil on site and meet minimum safety requirements.

VI. FINDINGS

Staff recommends that the Staff Hearing Officer approve the project as proposed making the following findings:

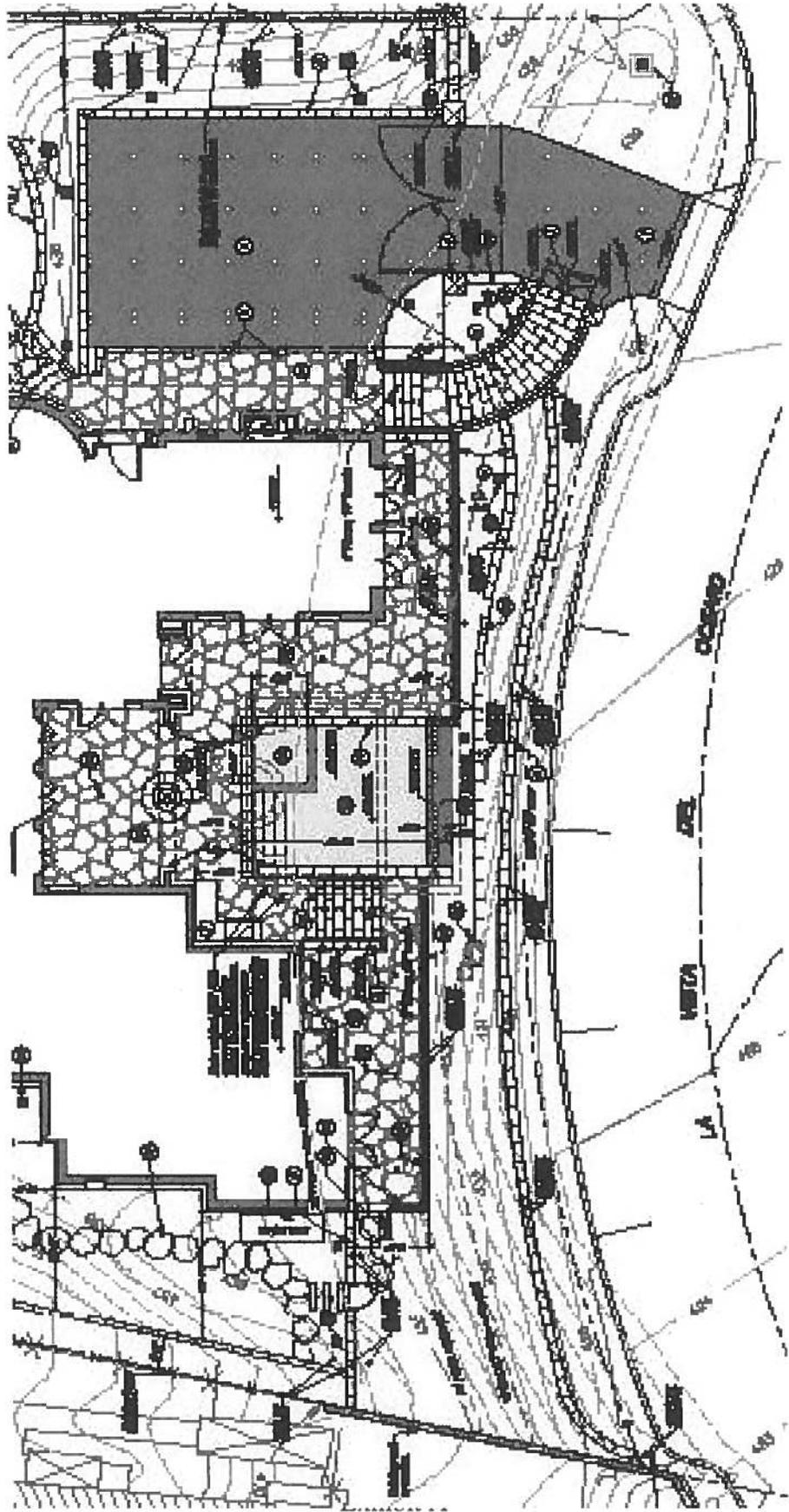
The Staff Hearing Officer finds that the Modification to allow the pool within the fifteen-foot front setback for pools is consistent with the purposes and intent of the Zoning Ordinance, because the revisions to the pool improve the site circulation and it is not anticipated to adversely impact the adjacent neighbors or the public.

The Staff Hearing Officer finds that the Modification to allow the walls, fences and driveway gate elements exceed the maximum allowable height of 3.5 feet within twenty feet of the front lot line and adjacent to the driveway is consistent with the purposes and intent of the Zoning Ordinance, and is not anticipated to adversely impact the adjacent neighbors. The increased height is not anticipated to adversely impact adjacent neighbors or the street and will not diminish visibility along the street frontage or for drivers of vehicles entering or exiting the property. The walls perform a number of necessary functions, including retaining the soil, meet minimum guardrail requirements, and securing the site. The grade differential from the street level to the main floor of the residence creates the need for walls along the front. The placement of the approved residence in the front setback also limits the distance available to break up the mass and allow for appropriate screening.

Exhibits:

- A. Site Plan and elevations
- B. Applicant's letter, dated January 15, 2013
- C. Single Family Design Board Draft Minutes dated November 18, 2013

Contact/Case Planner: Marisela G. Salinas, Associate Planner
(MSalinas@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA
Phone: (805) 564-5470 x **3305**





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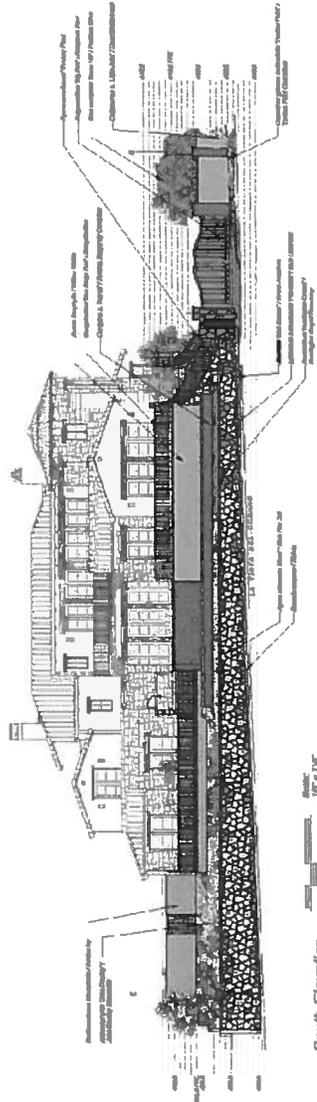
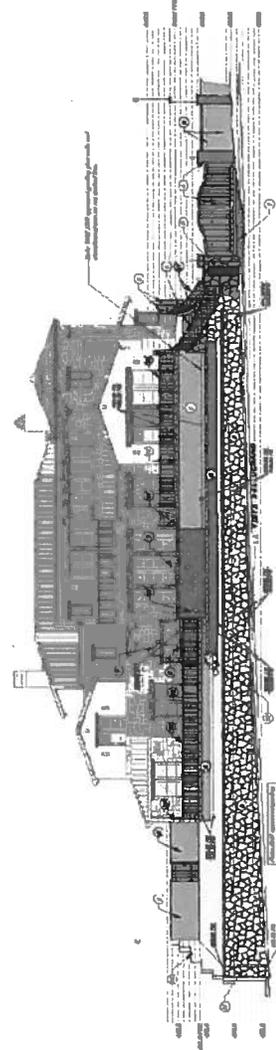
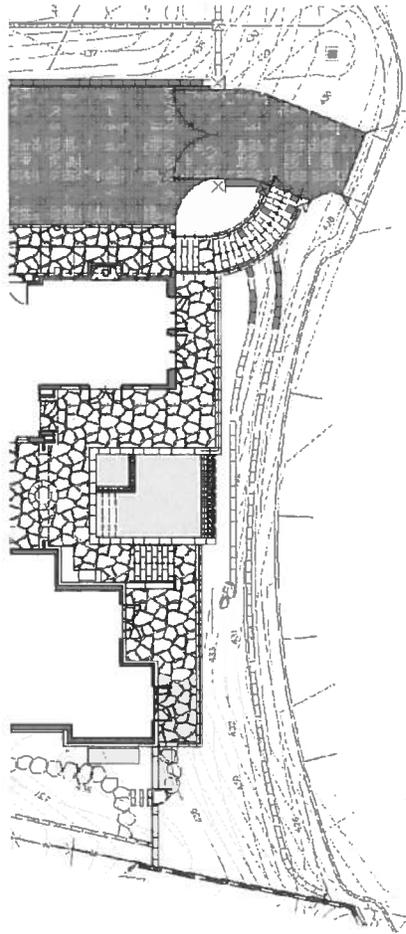
Architect
 David J. Kline
 License No. 68822
 State of California
 1000 S. GARDEN, SUITE 100
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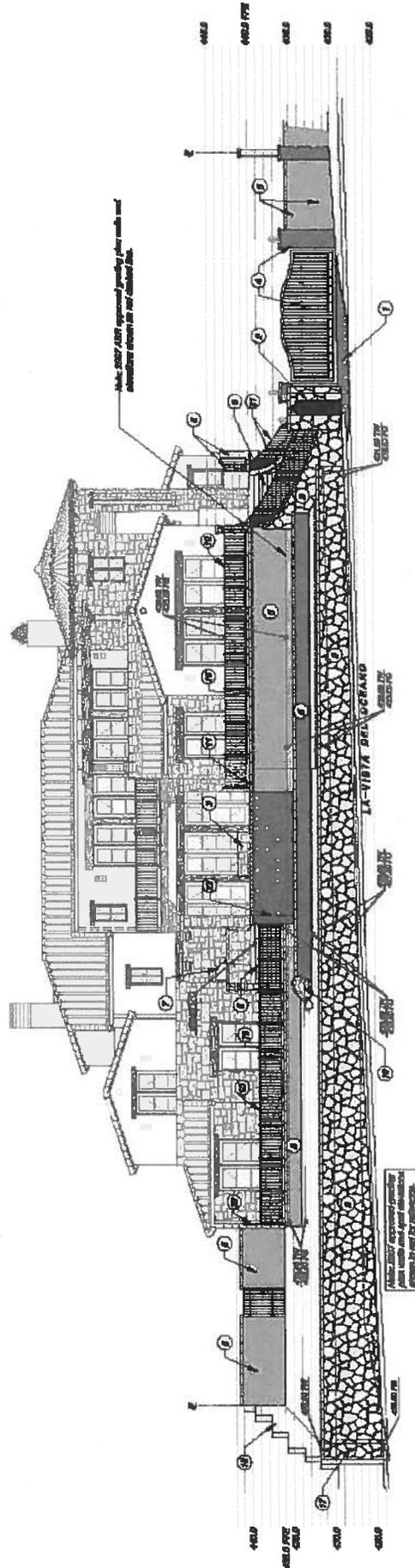
1701 La Vista Del Océano
 South San Francisco, CA

LOT 1
SITE ELEVATIONS

DATE	11/15/11
PROJECT	1701 LA VISTA DEL OCEANO
SCALE	AS SHOWN
BY	DAVID J. KLINE
CHECKED BY	DAVID J. KLINE
PROJECT NO.	11-001
SHEET NO.	LC-3

- Legend**
- 1. 1" = 1'-0" Scale
 - 2. 1/2" = 1'-0" Scale
 - 3. 3/4" = 1'-0" Scale
 - 4. 1/4" = 1'-0" Scale
 - 5. 1/8" = 1'-0" Scale
 - 6. 1/16" = 1'-0" Scale
 - 7. 1/32" = 1'-0" Scale
 - 8. 1/64" = 1'-0" Scale
 - 9. 1/128" = 1'-0" Scale
 - 10. 1/256" = 1'-0" Scale
 - 11. 1/512" = 1'-0" Scale
 - 12. 1/1024" = 1'-0" Scale
 - 13. 1/2048" = 1'-0" Scale
 - 14. 1/4096" = 1'-0" Scale
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 - 16. 1/16384" = 1'-0" Scale
 - 17. 1/32768" = 1'-0" Scale
 - 18. 1/65536" = 1'-0" Scale
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Scale: 1/8" = 1'-0"



South Elevation

(shown without proposed landscaping)

Memorandum

To: Marisela Salinas
Job Name: 1701 La Vista Del Oceano
Job #: 13.002
Subject: Requests for modifications
From: Erin Carroll, Landscape Architect, Arcadia Studio Inc. (Agent for the Owner)
Date: 2013.11.19



Dear Marisela and Staff Hearing Officer,

We are requesting two modifications at 1701 La Vista Del Oceano :

- 1) A modification to allow the pool to encroach into the required 15 foot front setback (SBMC 28.87.060 and SBMC 28.92.110). and
- 2) A modification to the height of fences, walls, and hedges to exceed the maximum allowed height of 3.5 feet within 10 feet of the front lot line and within 10 feet of the driveway for a distance of 20 feet from the front property line (SBMC 28.87.170 and SBMC 28.92.110).

The project was reviewed by Single Family Design Board (SFDB) full board on 2013.11.18 for comments on the modifications and the project received only positive comments on both modifications. There were no design revisions requested from SFDB. One member of the public was in support of the project and there were no members of the public opposed to the project.

We feel that the pool encroachment modification is acceptable for the following reasons:
-It is compatible with the neighbourhood, as there are many pools in the neighbourhood.
-It is a high quality design, using stone coping and earthtone tile for the infinity edge and water line.
-It is not any larger than the pool that was approved by Architectural Board of Review (ABR) in 2006.

We feel that the overheight wall modification is acceptable for the following reasons:
-It is compatible with the neighbourhood and the walls are made of high quality materials using stone for the lower walls and columns, and stucco with stone cap for the upper walls, and wrought iron for the guardrails.

-Walls are terraced with landscaping between walls with to lessen the "apparent height" of the cumulative height of the walls.

-Mature screening landscaping is proposed to trail over and climb up the walls, and shrubs and hedges are proposed in front of the walls for further landscape screening.

-Walls are only slightly higher (with about 12 inches) of the walls approved by ABR in 2006.

Regards, Erin Carroll

November 18, 2013 Single Family Design Board DRAFT Minutes

REVIEW AFTER FINAL

1. 1701 LA VISTA DEL OCEANO DR E-1 Zone

(3:10) Assessor's Parcel Number: 035-480-058

Application Number: MST2005-00017

Owner: Vista Oceano La Mesa Venture, LLC

Agent: Brent Daniels

Architect: Zehren and Associates

Landscape Architect: Arcadia Studio

(Proposal for a revised configuration of a previously approved pool and spa located on a 16,370 square foot lot in the Hillside Design District. The proposal includes Staff Hearing Officer review for requested zoning modifications to allow the pool to encroach into the front setback, and to allow the height of fences, walls, and hedges to exceed the maximum allowed height of 3.5 feet within 10 feet of the front lot line and within 10 feet of the driveway for a distance of 20 feet from the front property line. The site is currently under construction to build a new 4,517 square foot, single-family residence, and site improvements, approved in 2006 (BLD2006-00399).)

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

Actual time: 3:32 p.m.

Present: Erin Carroll, Landscape Architect;
and Jacqueline Page, 1054 Arbolado Rd., due diligence for Lot 1 at La Vista del Oceano.

Public comment opened at 3:42 p.m.

1) James Keller, neighbor, 1645 La Vista Del Oceano Dr, expressed support for the project.

A letter of expressed concerns from Paula Westbury was received.

Public comment closed at 3:43 p.m.

Motion: Continued indefinitely to the Staff Hearing Officer for return to Consent with comments:

- 1) The proposed modification of the pool and the walls is aesthetically appropriate, and does not pose consistency issues with the Single Family Design Guidelines.
- 2) The Board supports the modification as submitted and finds that it will provide a positive aesthetic appearance to the neighborhood.

Action: Miller/Pierce, 4/0/0. Motion carried. (Bernstein/Woolery/Zimmerman absent).