



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** May 22, 2014  
**AGENDA DATE:** May 28, 2014  
**PROJECT ADDRESS:** 1025 N Ontare Rd (MST2014-00118)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Senior Planner *DK*  
 Suzanne Riegler, Associate Planner *SR*

### I. PROJECT DESCRIPTION

The 25,286 square-foot site is located in the Hillside Design District and is developed with an existing single-family residence, with an attached two-car garage. The proposed project includes permitting "as-built" masonry site walls (ranging from five to six feet in height), "as-built" planter, and an "as-built" fountain along the front lot line and the driveway. The project will abate violations identified in enforcement case ENF2013-001241 by removing a trellis, relocating trash receptacles, and permitting "as-built" walls. The applicant has requested the administrative approval by the Public Works Director to allow the wall to exceed 3'-6" in height when located within 10'-0" of the front property line and within 20'-0" feet of the edge of the existing driveway. The discretionary application required for this project is a Front Setback Modification to allow the proposed fountain to be located within the required 35'-0" front setback. (SBMC § 28.15.060 and SBMC § 28.92.110)

Date Application Accepted: 4/17/14

Date Action Required: 7/16/14

### II. RECOMMENDATION

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

### III. SITE INFORMATION AND PROJECT STATISTICS

#### A. SITE INFORMATION

Applicant:	Peter Doctors, agent	Property Owner:	William Koonce
Parcel Number:	055-151-004	Lot Area:	25,286 sq. ft.
General Plan:	Low Density Residential (Max 1 DU/Acre)	Zoning:	A-1
Existing Use:	Residential	Topography:	22% est. avg. slope

#### **IV. DISCUSSION**

The proposed project includes permitting “as-built” masonry site walls (ranging from five to six feet in height), “as-built” planter, and an “as-built” fountain along the front lot line and the driveway. The applicant has requested the administrative approval by the Public Works Director to allow the wall to exceed 3’-6” in height when located within 10’-0” of the front property line and within 20’-0” feet of the edge of the existing driveway.

A Front Setback Modification is requested to allow the “as-built” fountain to encroach into the required 35’ foot front setback. Staff supports the requested modification because the fountain is an appropriate improvement for a single-family residence and is not anticipated to adversely impact the adjacent neighbors or visual openness of the public street frontage due to the fountains location in the front yard and below the street grade.

This project was reviewed by the Single Family Design Board on April 7, 2014. The project was forwarded to the Staff Hearing Officer making the finding that the proposed concrete block walls and fountain are acceptable.

#### **V. FINDING**

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 fountain is an appropriate improvement for a single-family residence and is not anticipated to adversely impact the adjacent neighbors or visual openness of the public street frontage due to the fountains location in the front yard and below the street grade.

#### Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated March 7, 2014
- C. SFDB Minutes

Contact/Case Planner: Suzanne Riegle, Associate Planner  
(SRiegle@SantaBarbaraCA.gov)  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805) 564-5470 x **2687**

William M. Koonce, M.D.  
1025 North Ontare Road  
Santa Barbara, CA 93105

March 7, 2014

Staff Hearing Officer  
City of Santa Barbara  
PO Box 1990  
Santa Barbara, CA 93102

**RE: Modification Request for 1025 North Ontare Road, APN: 055-151-004, Zone A-1**

Dear Staff Hearing Officer:

I purchased this home in June of 2013. I wanted to create a courtyard space in the front yard by eliminating the slope from the roadway. The house sits down approximately 10-foot below the roadway. The wall that was constructed (top of wall is actually the same height as the road) is not visible from the street or neighbor's property because an existing large hedge completely blocks the view. I set the wall back 10-foot from the edge of the roadway, believing this was far enough back. A wall fountain is also proposed in this courtyard as well as a privacy wall along the driveway, which would be visible from the street, but is needed to create a private courtyard feel, providing separation from the driveway.

The proposal is to allow permitting of the constructed walls higher than 3 feet, a new 6-foot privacy wall and a wall fountain within the required 35-foot setback. In addition, an existing trellis on the west side of the house will be removed that was discovered in the zoning enforcement report when I purchased the home.

The modification being requested is to allow for a retaining wall height modification and fountain encroachment into the 35-foot setback. The modification will allow adequate space to be created to form a courtyard and usable outdoor living space and the fountain will help to eliminate the roadway noise since the house sits below the street level. The only visible part of this project to the public is the privacy wall along the driveway which will be constructed with Santa Barbara Sandstone.

Thank you for your consideration in this matter.

Respectfully submitted,

  
William M. Koonce, M.D.

**EXHIBIT B**



## DESIGN REVIEW ACTIVITIES SUMMARY

**1025 N ONTARE RD (MST2014-00118)**

**R-ALTERATIONS**

*Proposal to permit site improvements that include as-built concrete block walls of up to six feet tall and that cumulatively exceed the eight foot height limit for walls located in the 35 foot front yard setback, and an as-built fountain in the front yard setback. The project also includes removal of a trellis and trash containers in the interior setback, and construction of a new concrete wall of up to six feet tall in the front yard of an existing single family residence on a 27,157 square foot lot in the Hillside Design District. This proposal will address violations identified in enforcement case ENF2013-001241. Staff Hearing Officer review is requested for zoning modifications.*

**Status: Pending**

**DISP**

**Date 3**

**SFDB-Consent (New)**

**CONT**

**04/07/14**

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

Continued to Staff Hearing Officer with comments:

- 1) The Board finds the proposed concrete block walls acceptable.

**EXHIBIT C**