



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: October 9, 2014
AGENDA DATE: October 15, 2014
PROJECT ADDRESS: 325 El Monte Drive (MST2014-00364)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DK*
 Michelle Bedard, Assistant Planner *MB*

I. PROJECT DESCRIPTION

The 8,441 square-foot site is located in the non-appealable jurisdiction of the Coastal Zone, and is developed with an existing, one-story, 1,563 square foot, single-family residence, with an attached, 400 square foot, two-car garage. The proposed project involves a change of roof from the existing flat roof style to a new gabled roof and dormers. The proposed new gable roof design includes approximately 528 square feet of new attic space (floor area greater than 5 feet in height). The proposal also requests permitting the "as-built" approximately 180 square foot patio cover, and the 9 linear foot, 6-foot tall garden wall located within the rear yard. The proposal will address violations outlined in ZIR95-00746. The proposed total of 2,491 square feet is 76% of the required floor-to-lot area ratio (FAR).

The discretionary application required for this project is a Front Setback Modification to allow an increase in roof height, for the change of roof form to the existing residence, located within the required 20-foot (secondary) front setback to the north (adjacent to Payeras Street) (SBMC § 28.15.060 and SBMC § 28.92.110).

Date Application Accepted: September 29, 2014

Date Action Required: December 28, 2014

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to conditions.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Steve Tepper	Property Owner:	Steve Tepper
Parcel Number:	045-024-002	Lot Area:	8,441 s.f.
General Plan:	Residential (5 DU/Acre)	Zoning:	E-3/SD-3

Existing Use: Single-family residential Topography: 6%

Adjacent Land Uses:

North – Payeras Street (SFR 1-story) East - El Monte Drive (SFR 2-story)
 South – Single-family residence (1-story) West - Single-family residence (1-story)

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,563 sq. ft.	No change.
Garage	400 sq. ft.	No change
Accessory (attic) Space	none	528 sq. ft.

C. PROPOSED LOT AREA COVERAGE

Building: 2,043 sf 24% Hardscape: 516 sf 6% Landscape: 5,882 sf 70%

D. FLOOR-AREA RATIO (FAR)

Max. Allowed FAR: .33 Proposed FAR: .295 = 76% of Max. Allowed FAR

IV. ZONING ORDINANCE CONSISTENCY

Standard	Requirement/Allowance	Existing	Proposed
Setbacks			
- Front (north)	20 feet	17' -9"	No change
- Front (east)	20 feet	21 feet	No change
- Interior (south)	6 feet	7 feet	No change
- Interior (west)	6 feet	32 feet	No change
Building Height	30 feet	9 feet	19 feet
Parking	Two covered	Two covered	No change
Open Yard	1,250 sf	> 1,250 sf	No change

V. DISCUSSION

The proposed project involves a reroof and change of roof form to the existing, one-story, single-family residence. The existing residence is legal non-conforming to the required twenty (20) foot front setback to the north (Payeras Street frontage). The applicant is requesting a Front Setback Modification to allow an increase in roof height created by the change of roof form from the existing flat roof to a proposed new gabled roof. The new gabled roof form is requested to reduce potential water damage associated with a flat roof and to provide a new attic for storage purposes. The attic storage area will consist of 528 square feet of new floor area (greater than 5 feet in height). This new attic floor area will be located above the garage and rear bedrooms at areas of the existing residence that comply with the required front and interior setbacks. With the exception of the proposed new roof the project will retain all elements of the existing architecture. The project does not involve any façade alterations or door and window changes.

The proposed project results in an increase of 9 feet, 9 inches in height from the existing 9-foot tall flat roof to a maximum height of 18 feet, 9 inches for the proposed new gabled roof. The portion of the roof within the required setback is proposed to be raised by approximately 7 feet, 9 inches above the existing flat roof for a maximum height of 16 feet, 9 inches.

Project challenges, as a result of the proposed increase of roof height, involve the potential for creating new floor area within the required front setback. Zoning defines floor area as the area in square feet of all floors confined within the exterior walls of a building and with a ceiling height of five (5) feet or greater. The proposed 528 square feet of new attic floor area has a maximum ceiling height of 6 feet, 8 inches and is located above the existing garage and rear bedrooms of the existing residence (areas that comply with the required setbacks). The attic area located within the required front setback has a maximum height of 4 feet, 3 inches and will not be useable floor area for any purpose. Furthermore, the project as proposed does not comply with the Building and Safety code regulations, which requires a minimum of seven (7) feet interior heights to qualify as habitable floor area. However, as a result of this concern, it is recommended that this project be conditioned to prohibit the conversion of attic space to habitable area without first obtaining all necessary City approvals.

The proposed project was reviewed by the Single Family Design Board on August 25, 2014, and September 2, 2014. At the August hearing the Board requested the applicant consider a 6:12 roof pitch to better match the proportions of the existing house and be more consistent with the other homes in the neighborhood. The Board also requested consideration of dormer windows at the front (east) elevation along El Monte Drive. In response to the Board's comment the applicant returned for the second review with a revised 7:12 roof pitch and added dormers to the east elevation. At the September hearing the Board was supportive of the project and found the proposed Front Setback Modification to be aesthetically appropriate and that it does not pose consistency issues with appearance, compatibility, quality architecture, and materials.

There were seven (7) neighbors in support, and one (1) neighbor in opposition to the project. The neighbor in opposition voiced concerns regarding potential impacts for loss of ocean and island views from both private property and from the public street. While the concern expressed in opposition is duly noted, it is not within the city policy to protect one's private views from individual properties. In regards to the potential loss of views, as viewed from the public street, it is Staff's assessment that given the neighborhood involves a mix of one- and two-story homes with predominately pitched roof styles, that the proposed alterations to this residence is not likely to cause an adverse impact.

This application includes the request to permit an "as-built" approximately 180 square foot patio cover, and the 9 linear foot, 6 foot tall garden wall both located within the rear yard. These items do not affect the requested zoning modification and were not subject to Design Review. The last Zoning Information Report (ZIR) was completed in 1995 (ZIR95-00746) and identified a couple of building violations. To date there is no evidence of city approved permits indicating the abatement of stated violations, although the current property owner indicates the violations were corrected in 1995. The project is conditioned to abate the violations, as stated in ZIR95-00746, prior to the issuance of a building permit for this subject application.

Staff is supportive of the requested Front Setback Modification as the requested alteration within the required twenty-foot front setback will not result in additional floor area, and the revised design is compatible with the existing architecture and the surrounding neighborhood.

VI. FINDINGS AND CONDITIONS

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 alterations to the single family residence within the required twenty (20) foot front setback, including the increase in the roof height due to a change roof form from, is appropriate because the proposed alterations will not result in additional floor area within the setback, and the revised design is compatible within the surrounding neighborhood.

Said approval is subject to the conditions that the proposed attic space shall not be converted into habitable floor area without first obtaining all necessary city approvals, and the application will abate violations identified within ZIR95-00746.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated September 8, 2014
- C. SFDB Minutes

Contact/Case Planner: Michelle Bedard, Assistant Planner
(MBedard@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x4551

FROM

STEVE TEPPER
325 EL MONTE DR
SANTA BARBARA, CA 93109
(805) 448-2526
DATE: 9-5-14

RECEIVED

SEP 08 2014

CITY OF SANTA BARBARA
PLANNING DIVISION

TO:
STAFF HEARING OFFICER
CITY OF S.B.
P.O. BOX 1990
SANTA BARBARA CA 93101-1990

Dear Hearing Officer:

MY HOUSE IS A SINGLE FAMILY RESIDENCE WITH AN ATTACHED 2-CAR GARAGE. MY HOUSE IS SITUATED ON A CORNER AND ACCORDING TO A S.B. ORDINANCE, HOUSES ON CORNERS HAVE 2 FRONT YARDS! SO, ON WHAT SHOULD BE A SIDE YARD, MY HOUSE SITS 17'-9" FROM THE PROPERTY LINE ALONG PAYERAS ST. INSTEAD OF 20'.

THEREFORE, I AM REQUESTING A MODIFICATION TO ADD ~~ROOF~~ A PITCHED ROOF OVER MY EXISTING FLAT ROOF. THE HEIGHT OF THE NEW ROOF IN THE SAID SETBACK AREA WILL NOT EXCEED 17'

THE REASON FOR MY PROPOSED ROOF ADDITION IS TO REPLACE A LEAKING OLD FLAT ROOF AND ADD ~~SOME~~ ATTIC STORAGE SPACE.

THE NEW ROOF WILL ALSO BE MORE IN LINE WITH MOST OF THE HOUSES WITHIN THE PACIFIC RSTATES NEIGHBORHOOD WHERE THE MAJORITY OF HOMES HAVE PITCHED ROOFS.

THE SFDB OF S.B. HAS MADE SUGGESTIONS WHICH I HAVE INCORPORATED INTO OUR DESIGN. THEY ARE IN FAVOR OF MY ROOF PROJECT

THANK YOU STEVE TEPPER

EXHIBIT B

PROJECT DESIGN AND FINAL REVIEW**B. 1117 LAS ALTURAS RD****A-1 Zone**

Assessor's Parcel Number: 019-113-022
Application Number: MST2014-00223
Agent: Jessica Harlin
Owner: Doll Family Trust

(Proposal for a 16 x 68 foot infinity lap pool with associated retaining walls, equipment, and fencing in the rear yard of single-family residence in the Hillside Design District. The proposal also includes a six foot tall privacy wall, patio, landscaping, fire pit, and 238.5 cubic yards of grading, of which 175.5 will be exported off-site. This project requires Staff Hearing review for requested zoning modifications.)

(Project Design Approval and Final Approval is requested. Applicant is requesting an exception to the fence and screen height standards per SBMC 28.87.170. Determination required for consistency with neighborhood character. Project must comply with Staff Hearing Resolution No. 024-14.)

Project was continued indefinitely to the Full Board.

CONTINUED ITEM**C. 325 EL MONTE DR****E-3/SD-3 Zone**

Assessor's Parcel Number: 045-024-002
Application Number: MST2014-00364
Owner: Steve Tepper

(Proposal to replace the flat roof of an existing 1,602 square foot house with a new gabled roof with attic space and for exterior alterations including legalizing an "as-built" patio cover and an "as-built" six foot high rear wall and abating violations outlined in ZIR95-00746. The total of 1,602 square feet of development on an 8,441 square foot lot in the non-appealable jurisdiction of the Coastal Zone is 62% of the guideline maximum floor-to-lot area ratio (FAR). The project includes Staff Hearing review for a requested zoning modification.)

(Action may be taken if sufficient information is provided.)

Project was continued indefinitely to the Staff Hearing Officer to return to Consent Calendar with the following comments:

- 1) The modification is aesthetically appropriate and does not pose consistency issues with the design guidelines.

EXHIBIT C

NEW ITEM**E. 201 CEDAR LN****E-1 Zone**

Assessor's Parcel Number: 015-081-002
 Application Number: MST2014-00385
 Owner: Linda Bedell

(Proposal to replace "as-built" exterior decks and stairs with new decks, stairs, and deck cover at the rear of an existing 3,874 square foot, two-level single-family residence with an attached two-car garage in the Hillside Design District. The project includes the conversion of 74 square feet of garage to habitable space on the main floor, replacement of doors and windows on the south elevation, four new skylights, and interior remodel work. No new net square footage is proposed. This project addresses violations identified in zoning information report ZIR2013-00377.)

(Action may be taken if sufficient information is provided.)

Project Design Approval and Final Approval with the finding that the Neighborhood Preservation Ordinance criteria have been met as stated in Subsection 22.69.050 of the City of Santa Barbara Municipal Code, and with the following conditions:

- 1) Specify the patio cover material to be installed over the upper-level deck.
- 2) Provide a color and materials board.
- 3) Provide a detail cut through the proposed Velux skylights.

NEW ITEM**F. 325 EL MONTE DR****E-3/SD-3 Zone**

Assessor's Parcel Number: 045-024-002
 Application Number: MST2014-00364
 Owner: Steve Tepper

(Proposal to replace the flat roof of an existing 1,602 square foot house with a new gabled roof with attic space and for exterior alterations including legalizing an "as-built" patio cover and an "as-built" six foot high rear wall and abating violations outlined in ZIR95-00746. The total of 1,602 square feet of development on an 8,441 square foot lot in the non-appealable jurisdiction of the Coastal Zone is 62% of the guideline maximum floor-to-lot area ratio (FAR). The project includes Staff Hearing Officer review for a requested zoning modification.)

(Comments only; project requires Staff Hearing Officer review.)

Project was continued 1 week to Consent Calendar with the following comments:

- 1) Consider a roof pitch of 6:12 to better match the proportions of the house and that of surrounding homes.
- 2) Consider dormer windows at the front elevation.

Public Comment:

- 1) Pam Smith, neighbor at 1614 Payeras St., expressed support for the project and noted that the peaked roof would not obstruct their view.
- 2) Kathryn Smith, neighbor at 1614 Payeras St., expressed support for the project.
- 3) Kai Tepper, resident at 1120 Cliff Dr. expressed support for the project.

Letters of support from Kip Fulbeck, Douglass and Michiko Bailey, Kathryn Taylor Smith, and Kai Tepper were acknowledged. A letter of opposition from Carolyn Griffith was acknowledged.

**** MEETING ADJOURNED AT 5:54 P.M. ****