



# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** February 26, 2015  
**AGENDA DATE:** March 4, 2015  
**PROJECT ADDRESS:** 201 Cedar Lane (MST2014-00385)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
 Danny Kato, Senior Planner *DK*  
 Jo Anne La Conte, Assistant Planner *JAS*

### I. PROJECT DESCRIPTION

The 10,890 square foot site is currently developed with a 3,090 square foot two-level single family residence with an attached 508 square foot two-car garage. The proposed project involves replacing "as-built" exterior decks and stairs with new decks, stairs, and a deck cover with a new stairway and to replace an existing stairway in a new location at the rear of the dwelling. Also proposed is the conversion of 60 square feet of garage area to habitable space on the main floor, replacement of doors and windows on the south elevation, four new skylights, and an interior remodel. This project will address violations identified in a Zoning Information Report (ZIR2013-00377). The discretionary application required for this project is an Interior Setback Modification to allow a stairway to encroach within the required 10' interior setback (SBMC § 28.15.060 and SBMC § 28.92.110).

Date Application Accepted: January 22, 2015      Date Action Required: April 22, 2015

### 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:     | Karl Kras                                   | Property Owner: | Linda Bedell   |
| Parcel Number: | 015-081-002                                 | Lot Area:       | 10,890 sq. ft. |
| General Plan:  | Low Density Residential<br>(Max. 3 du/acre) | Zoning:         | E-1            |
| Existing Use:  | Single Family Residence                     | Topography:     | 23% slope      |

Adjacent Land Uses:

North – Residential  
South – Residential

East - Residential  
West - Residential

**B. PROJECT STATISTICS**

|             | <b>Existing</b> | <b>Proposed</b>             |
|-------------|-----------------|-----------------------------|
| Living Area | 3,090 sq. ft.   | +60 sq. ft. = 3,150 sq. ft. |
| Garage      | 508 sq. ft.     | - 60 sq. ft. = 448 sq. ft.  |

**C. PROPOSED LOT AREA COVERAGE**

Building: 2,500 sf 23%    Hardscape: 2,450 sf 22%    Landscape: 5,940 sf 55%

**IV. BACKGROUND**

The original project, except for the stairway to the lower deck on the west side, was approved by the Single Family Design Board (SFDB) on August 25, 2014, and a building permit (BLD2013-02627) was issued for that work, which included the proposed configuration of stairway on the east side of the property. When proposed revisions to the building permit were submitted, it was discovered that the stairway on the east side of the property was located in the required ten foot interior setback and did not match what was shown on the Archive plans. Therefore, a Modification is being requested to allow the changes to the stairway configuration in the required 10 foot east interior setback. A Zoning Information Report (ZIR) prepared for the property in 2013 identified zoning and building violations that are proposed to be corrected as part of this permit.

**V. DISCUSSION**

The proposed project involves permitting a stairway in the required 10 foot east interior setback. The prior stairway was non-conforming to the required 10 foot east interior setback, as according to the Archive plans, it was located approximately 8 feet from the east interior property. The proposed new stairway will be located approximately 8½ feet from the east interior property line for a length of approximately 12 feet and the new stairway landing that is approximately 1½ feet in height by 5 feet in length will be located approximately 8 feet from the interior property line at its closest point. Staff is in support of the requested modification because the stairway with landing will not be located any closer to the property line than the original stairway, the location of the stairway is screened by dense landscaping along the property line and the new stairway is not anticipated to adversely impact the adjacent neighbors or the visual openness of the street frontage.

**VI. FINDINGS AND CONDITIONS**

The Staff Hearing Officer finds that the 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 stairway is appropriate because it will not be located any closer into the east interior setback than the prior stairway, the stairway is screened by dense landscaping along the property line, and the new stairway is not anticipated to adversely affect the adjacent neighbors or the visual openness of the street frontage.

Said approval is subject to the condition that the violations outlined in ZIR2013-00377, shall be abated as part of this permit and shall be included in the Scope of Work.

Exhibits:

- A. Site Plan (under separate cover)
- B. Property Owners letter, dated January 22, 2015
- C. SFDB Minutes dated August 25, 2014

Contact/Case Planner: Jo Anne La Conte, Assistant Planner  
(JLaconte@SantaBarbaraCA.gov)  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805) 564-5470 x**3320**

January 22, 2015

City of Santa Barbara  
Modifications Board

**RECEIVED**  
JAN 22 2015  
CITY OF SANTA BARBARA  
PLANNING DIVISION

Dear Members,

I own an existing 4000 sq. ft 2 story house at 201 Cedar Lane. The house was built in the early 1960's and it encroaches into the new setbacks by a few feet on both sides. The building has a building permit according to City building files. I am writing to request your authorization to continue building an exterior stair. It is coming from an existing porch along the back of my residence down to the back yard at 201 Cedar Lane. It is 2.5 ft. in from the outer most line of the existing roof and 1 ft. in from the edge of the existing side of the structure. This stair was originally approved on my plans last spring. Then when the plans had to go back into the building department for further review due to an over zealous contractor, same stair was disallowed based due to the fact that it encroaches on the new set back limits.

It is our feeling that this stair should be allowed because:

- It allows us to access the small yard area in much the same way as the stair has for years but without blocking the lower bedroom windows and the necessary egress from these spaces.
- It is not in the sight lines of any neighbors and has little or no impact
- It does not encroach in the set back more than the existing building has for the past 55 years
- It is open and airy and does not have a solid feeling
- It was approved before and we have gone to significant expense to buy the materials, have them installed and have the custom stringers made and the concrete landing formed.
- It will sit behind the edge of the foundation and several feet behind the overhang of the existing eaves that are both in the new set back area.
- There is a large privacy fence and lots of vegetation on this side of the house between my home and the neighbors so it is not a site issue.
- It is not visible from the street or anywhere other than my backyard
- We have removed a staircase which is on the other side of the house that also encroached in the set back and had for 30+ years without requesting any leniency and had to go to great expense to put in new footers to cut back a deck on the other side which was only very slightly in the set back.
- We would very much like to have access to our small outdoor, useable space and this is the only logical place for a stair which doesn't have significant impact on the lower level rooms. The other location, which has been approved is so far from the house that it is not conducive to use and human traffic flow.

**EXHIBIT B**

I appreciate your consideration and look forward to a speedy resolution. We would very much like to be able to utilize the stair structure which was purchased and built based on city approval rather than wasting all of these materials and to be able to have a convenient means to access the yard from the living area of the home without blocking important egress pathways.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Linda Bedell". The signature is fluid and cursive, with a large initial "L" and "B".

Linda Bedell  
Owner

**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. \*\***

**EXHIBIT C**