



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: December 3, 2015
AGENDA DATE: December 9, 2015
PROJECT ADDRESS: 866 Paseo Ferrelo (MST2015-00379)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
Danny Kato, Senior Planner *Danny Kato*
Tony Boughman, Assistant Planner *TB*

I. PROJECT DESCRIPTION

The 8,400 square-foot site in the Hillside Design District is currently developed with a 1,812 square foot two-story single-family residence and attached 424 square foot attached garage. The front of the house encroaches eight feet, two inches into the required 30 foot front setback. The project proposes to permit an "as-built" 330 square foot upper-level raised deck attached along the front of the house and located within the front setback. The project proposes additional improvements, all within the front setback, consisting of replacement two windows with French doors on the front elevation, creating a new stone terrace at grade under the second-story deck, and installing decorative wrapped column treatments on the existing deck support posts. The discretionary application required for this project is a Front Setback Modification to allow the as-built deck and other improvements to be located within the front setback. This project will address violations in enforcement case ENF2014-00992.

Date Application Accepted: October 8, 2015

Date Action Required: January 6, 2015

II. RECOMMENDATION

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

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Trish Allen, SEPPS	Property Owner:	Bettie Ravel
Parcel Number:	029-330-022	Lot Area:	8,400 square feet
General Plan:	Low Density Res. 3 du/ac	Zoning:	E-1
Existing Use:	Single-Family Residential	Topography:	22% slope

Adjacent Land Uses:

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

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	1,812 sq. ft.	No change
Garage	424 sq. ft.	No change

C. PROPOSED LOT AREA COVERAGE

Building: 1,362 sq. ft. 16.2% Hardscape: 1,387 sq. ft. 16.5% Landscape: 5,651 sq. ft. 67.3%

IV. DISCUSSION

Archive plans for the house, built in 1971, show the second floor deck extending four feet from the front of the house. The applicant states that the deck was enlarged from four feet to its present dimension of 11 feet, 10 inches in the early 1980s (Exhibit B). In 2014, unpermitted remodeling of this house resulted in enforcement for work without permits. The enforcement case is in the building permit process, and this deck will be included in that permit. The deck appears to be reasonably close to compliance with current Building Code requirements and will be evaluated for full compliance during building permit plan check. Letters from nearby Paseo Ferrelo neighbors in support of permitting the deck were submitted (Exhibit C).

The applicant also wishes to make additional improvements to the property within the front setback consisting of an at-grade stone terrace in front of the house under the front deck, as well as replacing two existing first floor windows on the front of the house with two French doors.

The as-built enlargement of the deck increases the usability of the deck over its previous narrow dimension. It does not feel imposing from the street, and does not impose on the privacy of neighbors. View decks on the fronts of south-facing houses are common in the Riviera Neighborhood. The front lot line for this property is located well back from the street and curb, thus the deck has a reasonable setback from the improved right of way. The two houses to the west at 870 and 876 Paseo Ferrelo have similar second floor decks within the front setback, and have similar setbacks from the improved right-of-way. The two proposed doors within the front setback are appropriate in improving the appearance and street presence of the house, and will provide direct access to the proposed front terrace.

This project was reviewed by the Single Family Design Board on the Consent Agenda on August 10, 2015, and the Board found that the requested modification is aesthetically appropriate and is consistent with design guidelines; there are other decks and balconies in the front yards of neighboring properties; the glass railing is acceptable at this location (Exhibit D).

Staff recommends that the Staff Hearing Officer approve the requested setback modification for the as-built deck, and the proposed new front doors, making the findings below.

V. FINDINGS AND CONDITIONS

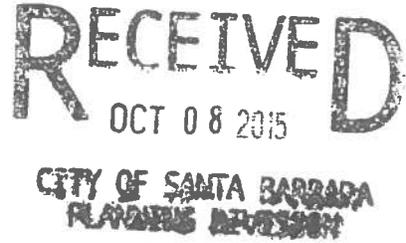
The Staff Hearing Officer finds that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure appropriate improvements on the lot because the as-built enlargement of the deck increases the usability of the deck over its previous narrow dimension. While the front of the deck is located 10 feet from the front lot line rather than the required 30 feet, it is located an average of approximately 20 feet from the improved right-of-way. It does not feel imposing from the street, and does not impose on the privacy of neighbors. The deck is consistent with the two houses to the west at 870 and 876 Paseo Ferrelo which have similar second floor decks within the front setback, and have similar setbacks from the improved right-of-way. The two proposed doors within the front setback are appropriate in improving the appearance and street presence of the house, and provide direct access to the proposed front terrace.

Exhibits:

- A. Project Plans (under separate cover)
- B. Applicant's letter, dated October 8, 2015
- C. Public Comment Letters
- D. SFDB Minutes

Contact/Case Planner: Tony Boughman, Assistant Planner
(TBoughman@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x4539

8 October 2015



Staff Hearing Officer
c/o Tony Boughman, Assistant Planner
Planning Division, Community Development
City of Santa Barbara
630 Garden St.
Santa Barbara, CA 93101

RE: 866 Paseo Ferrelo (APN 029-330-022) – MST2015-00379
Project Description/Applicant Letter

Dear Staff Hearing Officer

On behalf of the property owner, Bettie Ravel, we are pleased to submit this Applicant/Project Description letter as part of the project our Zoning Modification request submittal materials.

I. General Site Information

The subject property is located at 866 Paseo Ferrelo, near the terminus of a cul-de-sac. The property is zoned E-1 Single Family Residential with a General Plan Land Use Designation of Suburban Residential (5 d.u./acre) and is approximately 8,400 square feet in size. It is developed with a two story, approximate 1,800 square foot single family residence and a detached two car garage. The residence was constructed in 1972.

II. Project Description

The project includes a request to obtain an as-built permit for a deck that extends from the second floor toward Paseo Ferrelo. The deck was originally permitted to be 30' long and 4' wide. At some point in the early '80's the deck was expanded to its current size of 30' x 11'10" resulting in a further encroachment into the required front yard setback.

Please refer to the lot coverage and site data that is reproduced on the cover sheet of the project plans which describes the existing floor areas of each of the structures as well as those project components that were constructed without the benefit of a permit.

Single Family Design Board

The project concept plans were reviewed by the Single Family Design Board (SFDB) on the consent calendar on August 10, 2015. The SFDB forwarded the project to the Staff Hearing Officer making positive aesthetic comments regarding the as-built deck such

EXHIBIT B

that the deck is not visible from public vantage points and the proposed design includes decorative support columns and landscaping below.

Zoning Modification & Justification

The existing residence is considered legal non-conforming as it encroaches into the current required front and interior yard setbacks. At the time the residence was constructed, the front and interior yard setbacks were likely 15' and 5', respectively. When the City carried out down-zoning in 1975, the property became non-conforming.

The deck in its current configuration is an important feature to the residence. It provides an extension of the living space onto the outdoor deck for this modestly sized home and affords panoramic views of the City. Additional justifications to support the requested zoning modification are summarized below:

1. We presume that the front deck addition was carried out when a permit was issued for an addition and deck at the rear of the property in 1983. This is based upon SB County Building Records from the Assessor's office. The records reflect a deck, 11' x 30' on the front of the house dated 1984. The Ravels have been paying property taxes on this improvement since then.
2. The property, in the Riviera neighborhood, is sloped; as such, the residences across Paseo Ferrelo are downhill from the subject property, significantly lower in elevation. In fact, the residence immediately opposite the subject property is accessed from Los Pueblos Road below.
3. There is extensive vegetation below the property which provides substantial screening of the deck from public vantage points – refer to photos.
4. The as-built deck in the front yard does not infringe on the adjacent properties.
5. Although the deck is setback 10 feet from the front property line, it ranges from approximately 26 – 19 feet from the edge of the improved right-of-way.

On behalf of the property owner, we thank you for the consideration of the proposed project.

Sincerely,
SUZANNE ELLEDGE
PLANNING & PERMITTING SERVICES, INC.



Trish Allen, AICP
Senior Planner

To whom it may concern,

I have lived and owned my home at 873 Paseo Ferrelo, Santa Barbara, CA 93103 for 18 years.

It has come to my attention that my neighbor's home across the street needs an as built permit for her deck.
(866 Paseo Ferrelo)

The deck has always been there as long as I have been in my home. It does not pose any problems for me, my privacy or otherwise. It seems to be in keeping with my other neighbor's decks and front yard outdoor areas.

A handwritten signature in black ink, appearing to read "Tina K Berg". The signature is fluid and cursive, with the first name "Tina" written in a large, sweeping stroke, followed by "K" and "Berg" in smaller, more compact letters.

Tina K Berg

RECEIVED

AUG 10 2015

CITY OF SANTABARBARA
PLANNING DIVISION

To Whom It May Concern,

Aug 6 2015

We Rex Ramey and Merilee Jay own the last house on the cul de sac at 852 Paseo Ferrelo in Santa Barbara. We've lived here for 13 years. We are very pleased with the look and the up-upgrades to the house at 866 Paseo Ferrelo. The deck which has been on the home for 30 years adds charm and personality. We appreciate the way Betty and her family take care of their home. We really enjoy the new paint scheme.

Sincerely,

A handwritten signature in cursive script, appearing to read "Rex Ramey", written in black ink.

RECEIVED

AUG 10 2015

CITY OF SANTA BARBARA
PLANNING DIVISION

Betty Ravel has been a good neighbor and friend for over thirty-three years.

The deck in question was altered more than thirty years ago.

We think the deck looks good and adds to PASO FERRER'S charm.

We see no reason why the deck should not stay as is.

Patrick Grace
Sherif Grace

860 PASO FERRER

RECEIVED

AUG 10 2015

CITY OF SANTA BARBARA
PLANNING DIVISION

From: **Kanga LaVrado** <klavrado@gmail.com>
Date: Sun, Aug 9, 2015 at 10:41 PM
Subject: 866 Paseo Ferrelo Comment letter
To: lalbolino@gmail.com

To whom it may concern,

We live at 887 Paseo Ferrelo and it has come to my attention that there is some concern regarding the upper deck at 866 Paseo Ferrelo.

I feel the deck should remain after 30 years of it being no nuisance to the neighborhood nor an eyesore.

The deck is compatible with our neighborhood and the house and its upgrades improve the neighborhood.

The deck that extends toward the street does not infringe upon the adjacent properties.

Also the deck provides an important value to the house.

I support keeping the deck as it is since it has now been 30 years with no bother to anyone and at this point, I feel it is more of an unnecessary nuisance to change it in any way, so late in the game.

Sincerely,

The Bommerez Family

RECEIVED

AUG 10 2015

CITY OF SANTA BARBARA
PLANNING DIVISION

NEW ITEM**G. 866 PASEO FERRELO****E-1 Zone**

Assessor's Parcel Number: 029-330-022
Application Number: MST2015-00379
Owner: Bettie Parks Ravel, Trustees
Agent: Trish Allen

(Proposal to permit an "as-built" 330 square foot upper-level raised deck in the front yard of a 1,812 square foot, two-story single-family residence in the Hillside Design District. The project also includes replacement of two windows with French doors on the front elevation. The project includes Staff Hearing Officer review for a requested zoning modification to allow the deck to encroach into the front setback. This project will address violations identified in enforcement case ENF2014-00992.)

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

Letters of expressed support from neighbors Tina K. Berg, Rex Ramey and Merrilee Jay, Patrick Grace, and the Bommerez family were acknowledged.

Continued indefinitely to Staff Hearing Officer to return to Consent with comments:

- 1) The requested modification is aesthetically appropriate and does not pose consistency issues with the design guidelines.
- 2) The Board acknowledges the presence of other decks and balconies in the front yards of neighboring properties.
- 3) The glass railing is acceptable at this location on the Riviera as it is not highly visible from areas of the city below.

