




# City of Santa Barbara California

## STAFF HEARING OFFICER STAFF REPORT

**REPORT DATE:** September 5, 2019  
**AGENDA DATE:** September 11, 2019  
**PROJECT ADDRESS:** 59 Tierra Cielo Lane (PLN2019-00325)  
**TO:** Susan Reardon, Senior Planner, Staff Hearing Officer  
**FROM:** Planning Division, (805) 564-5470  
Danny Kato, Senior Planner II  
Ellen Kokinda, Planning Analyst 

### I. PROJECT DESCRIPTION

The 40,899 square-foot site is currently developed with a single family residence with an attached two-car garage, and an existing swimming pool and spa. The proposed project includes a request to permit the “as-built” accessory pool equipment shed with skylight, a new accessory trellis, and barbeque structure, and outdoor dining and fire pit.

The discretionary application under the jurisdiction of the Staff Hearing Officer required for this project is a Front Yard Modification to allow for the “as-built” accessory pool equipment shed to be located in the front yard (SBMC §30.140.090.C.7 and SBMC §30.250.060.F).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15303 (New Construction of Small Structures) and 15305 (Minor Alterations in Land Use Limitations).

**Application Deemed Complete: July 31, 2019**

**Date Action Required: October 29, 2019**

### II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to the findings in Section VI of this report.

**III. SITE INFORMATION AND PROJECT STATISTICS**

**A. SITE INFORMATION**

Applicant:	Jim Davis	Property Owner:	Greg Voigt
Parcel Number:	021-071-030	Lot Area:	40,899 sq. ft.
General Plan:	Low Density Residential (Max 1du/acre)	Zoning:	RS-1A
Existing Use:	Single Unit Residential	Topography:	13.69%

Adjacent Land Uses:

North:	RS-1A; Residential
East:	RS-1A; Residential
South:	RS-1A; Residential
West:	Santa Barbara County; Residential

**B. PROJECT STATISTICS**

	<b>Existing</b>	<b>Proposed</b>
Living Area	2,234 sq. ft. (net)	No Change
Garage	464 sq. ft. (net)	No Change
Accessory Area	N/A	215 sq. ft. (net)

**C. PROPOSED LOT AREA COVERAGE**

Building	3,030 sq. ft. (7%)
Hardscape	10,213 sq. ft. (25%)
Landscape	27,656 sq. ft. (68%)

**IV. ZONING ORDINANCE CONSISTENCY**

<b>Standard</b>	<b>Requirement/Allowance</b>	<b>Existing</b>	<b>Proposed</b>
Setbacks			
- Front	35 feet	128 feet	No Change
- Interior	15 feet	54 feet	No Change
- Rear	15 feet	33 feet	No Change
Parking	2 covered	2 covered	No Change
Open Yard	1,250 sq. ft.	1,250 sq. ft.	No Change

**V. DISCUSSION**

Front Yard Modification

The project requires a Front Yard Modification to allow an “as-built” accessory pool equipment shed to be located in the front yard. Under Title 30, detached accessory buildings are prohibited in a front yard (SBMC §30.140.020.H). Although the subject site is accessed via a driveway off of Tierra Cielo Lane, the property has a front lot line along Las Canoas Lane. Therefore, the majority of what are generally considered “backyard” amenities are actually located in the front yard. The proposed trellis is not included in the modification request because it does not qualify as an accessory building because it is not an enclosed structure. The pool equipment shed is 215 square feet (net) and is proposed to store the pool mechanical equipment as well as other pool related items.

Staff is supportive of the “as-built” pool equipment shed in the front yard because it is a necessary improvement on the lot. The building hides the unsightly pool equipment and provides a sound barrier to the neighboring property. The adjacent parcel has a permitted Accessory Dwelling Unit that is the closest structure to the pool equipment shed. The pool equipment shed helps to reduce the noise and block the unsightly view of mechanical equipment. Staff is also supportive of the front yard modification request because the pool shed can barely be seen from Las Canoas Lane due to 7-foot high hedges along the front lot line blocking the view. The pool shed is predominantly blocked by flowering bushes that screen it almost entirely from view from the road as well from the adjacent property. The “as-built” pool equipment shed is proposed outside of both the interior and front setbacks, outside of the required open yard area, and is setback far enough from the street that it is almost entirely screened from view. Staff does not anticipate any significant impacts to the neighborhood or to the adjacent parcel.

Zoning and Building Violations

The project site contains existing violations from ZIR2019-00028 including an interior remodel of a laundry room and half bathroom, an air conditioning unit installed without the required permit, and an “as-built” pool equipment shed. During the staff site visit, an “as-built” skylight in the pool equipment shed was identified. All violations would be abated under this permit.

Design Review

This project is exempt from design review by the Single Family Design Board.

**VI. FINDINGS AND CONDITIONS**

The Staff Hearing Officer finds that the Front Yard Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The pool shed hides the unsightly pool equipment from the neighboring property and also mitigates noise impacts along the interior lot line. The pool shed is also predominantly hidden from view from Las Canoas Lane by flowering bushes adjacent to the structure and trees along the front lot line. Further, the pool shed is located on a lower tier than the main lawn in the front yard and is less conspicuous from the street. Along the Las Canoas Lane frontage there are approximately 7-foot high hedges that block the pool shed from street view. In addition, hedges

to the east block the majority of the pool shed from the neighboring lot. No significant impacts to the neighbor or neighborhood are anticipated with the location of the proposed pool shed. The structure is outside of the front and interior setbacks, and the required open yard, and is sited in close proximity to the pool. Overall, the pool shed serves a useful purpose to house mechanical equipment and store pool items so that they are not hanging out in the front yard.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated July 3, 2019

Contact/Case Planner: Ellen Kokinda, Planning Analyst  
(EKokinda@SantaBarbaraCA.gov)  
630 Garden Street, Santa Barbara, CA 93101  
Phone: (805) 564-5470 x4559



# City of Santa Barbara California

**\*\*\* SEPARATELY DISTRIBUTED EXHIBIT A \*\*\***

**Exhibit A:** The exhibit for this Staff Report has been distributed separately. A copy of the site plan is available for viewing at the Planning and Zoning Counter located at 630 Garden Street, Santa Barbara, CA between the hours of 8:30 a.m. and 4:30 p.m., Monday through Thursday, and every other Friday. Please check the City Calendar at [SantaBarbaraCA.gov](http://SantaBarbaraCA.gov) to verify closure dates.

**EXHIBIT A**



July 3, 2019

Staff Hearing Officer  
City of Santa Barbara  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

RECEIVED  
JUL 03 2019  
CITY OF SANTA BARBARA  
PLANNING DIVISION

**Re: Modification Request for 59 Tierra Cielo Lane; APN 021-071-030; Zone RS-1A**

Dear Staff Hearing Officer:

There is an existing 2,234 square foot one-story, single-family residence, with a 464 square foot attached two-car garage, an air conditioning unit located on the east side of the residence, a 215 square foot detached pool equipment/storage structure and a pool on the property. *The house and pool are conforming with respect to setbacks and have building permits according to the City building files. The air conditioning unit is conforming with respect to setbacks but was installed with out a building permit. The detached pool equipment/storage structure is located within the remaining front yard setback. According to the city building files there was a building permit for the pool equipment enclosure but in a different configuration. The proposal is to build a fire-pit, a BBQ/dining pavilion, legalize the detached pool equipment/storage structure & to as-built permit the air conditioning condenser.*

*The modification being requested is to allow the firepit, bbq/dining pavilion and detached pool equipment/storage structure to be located beyond the remaining front yard setback 30'-1", 49'-10" & 21'-4" respectively. The encroachment will allow the existing pool equipment/storage structure to remain in place and continue to allow the southern portion of the lot to be used as the backyard. The encroachment of the fire-pit & BBQ/dining pavilion will enhance that experience.*

The major benefits of having the proposed items listed above encroach into the required setback are:

- a. The pool equipment/storage structure will provide sound dampening to the subject lot and to the eastern neighboring lot, which currently has a detached structure (recently converted to an accessory dwelling unit) located within the remaining front yard area.
- b. *The existing placement of the pool equipment/storage shed also provides additional privacy to the eastern neighbor which if removed would be impacted more by the use of the pool.*
- c. The encroachment of the fire-pit & BBQ/dining pavilion will allow the site to be better utilized and provide additional functions not currently available on the site as they are proposed adjacent to the pool.
- d. *Keeping the backyard/recreational/outdoor use along the more desirable area of the lot.*

We hope that you will take the benefits listed above into consideration for the approval of the modification items we are requesting. Please feel free to contact us with any questions about the project.

Sincerely,

  
\_\_\_\_\_  
Jim Davis Architect