

**SANTA BARBARA COUNTY  
BOARD OF  
SUPERVISORS**

**2305 FINNEY STREET  
ACCESSORY DWELLING UNIT**

MAY 17, 2022

# APPLICANT TEAM INTRODUCTION



*Beth Collins*



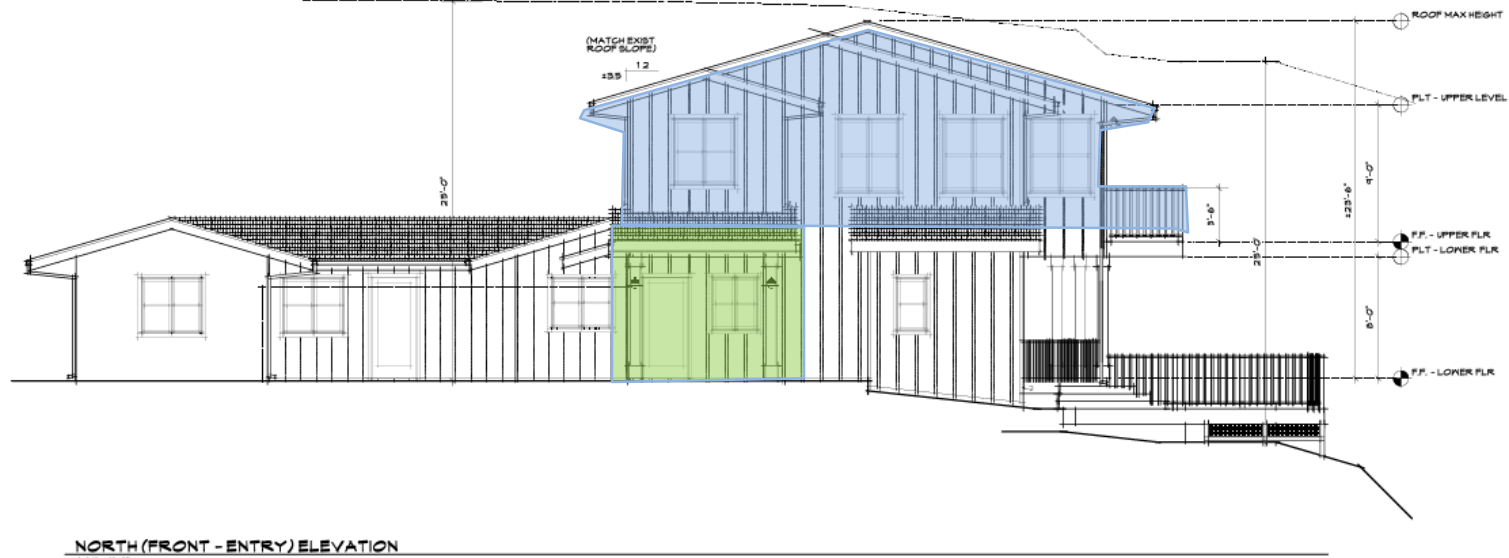
*Bill Wolf*



*Steve Welton*

# PROJECT SUMMARY

- 676 SF (net) attached ADU
- 48 SF access stairs and covered entry
- 142 SF attached outdoor decks for ADU



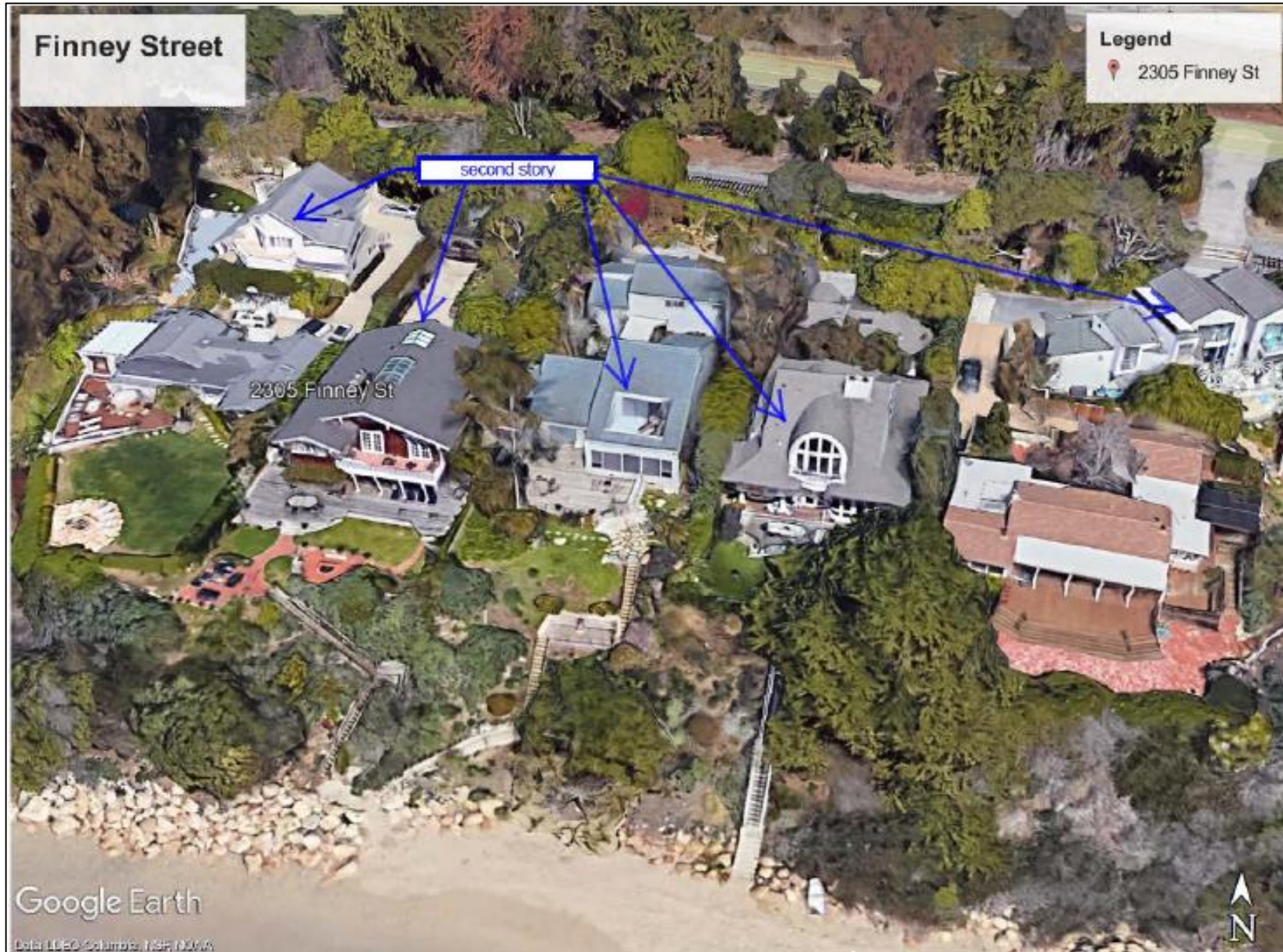
# DESIGN OBJECTIVES

- Meets all ADU ordinance requirements.
- Conforms to height limit and required setbacks.
- Project FAR is well below the maximum.
  - Project FAR = 1,939 sq. ft.
  - Maximum recommended FAR = 3,262 sq. ft.
- No additional impervious area created.

## DESIGN OBJECTIVES

- Although no design review is required, applicant carefully considered neighborhood compatibility.
- Design complements style of existing single-family residence.
- Compatible with existing patterns of development. Neighboring properties are two-story homes.

# TWO-STORY NEIGHBORING HOUSING



## ENTITLEMENT TIMELINE

- 04/19/2021 Application Intake
- 06/03/2021 Special Problems Committee
- 06/04/2021 CDP Approval
- 12/08/2021 Planning Commission Appeal Denied
- 05/17/2022 Board of Supervisors Appeal Hearing

# APPEAL SUMMARY

The following appeal issues are simply misleading, unrelated to the proposed ADU, or incorrect.

Appeal issues:

1. Claims about Finney Street and parking
2. Claim that the parcel is a vacation rental
3. Claim of permit violations

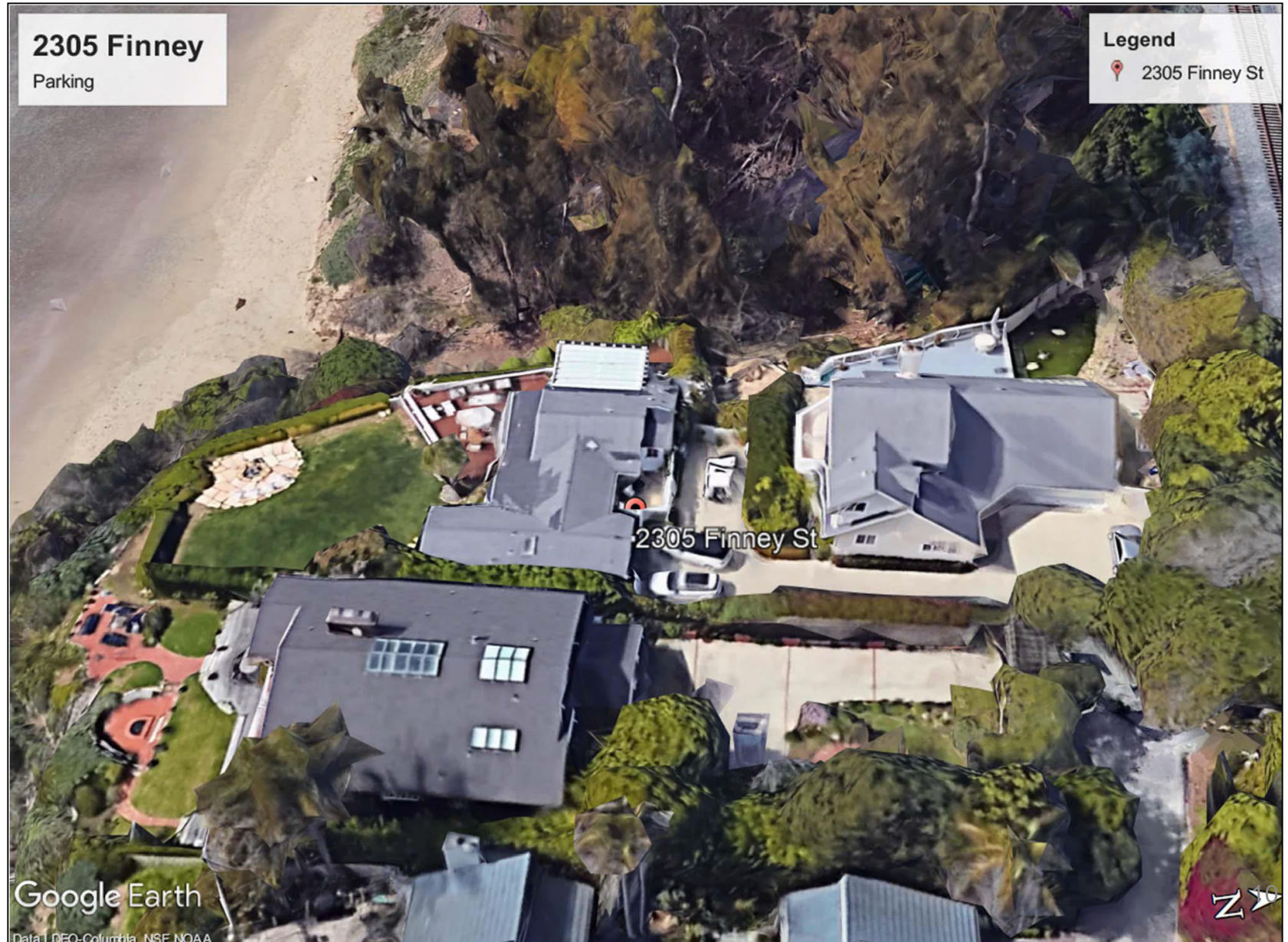


## APPELLANT ISSUE #1

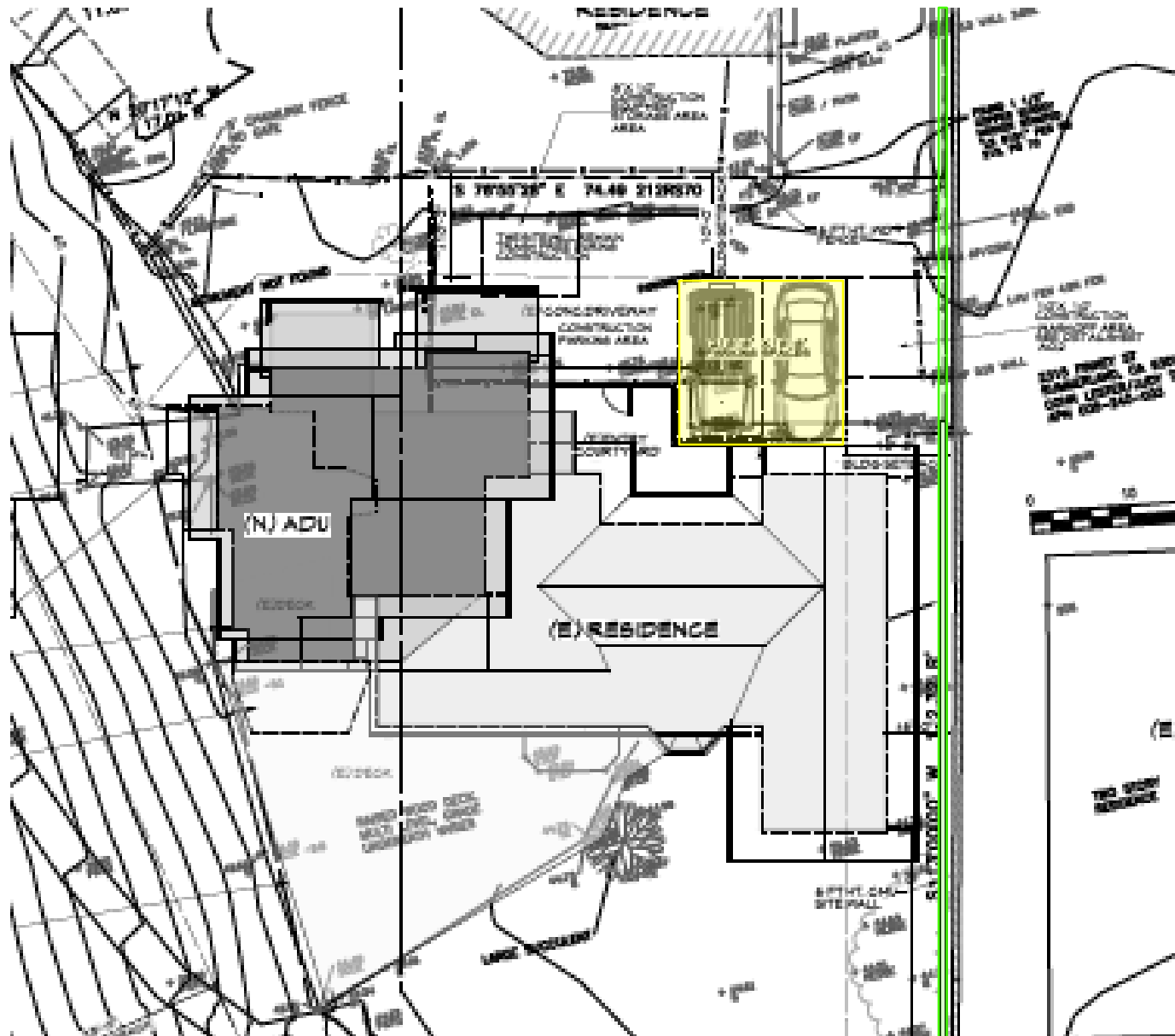
### ***Litigation irrelevant to ADU application.***

- ✓ No additional parking required for ADU.
- ✓ Property has sufficient parking.
- ✓ ADU does not burden easement.

# 2305 FINNEY STREET

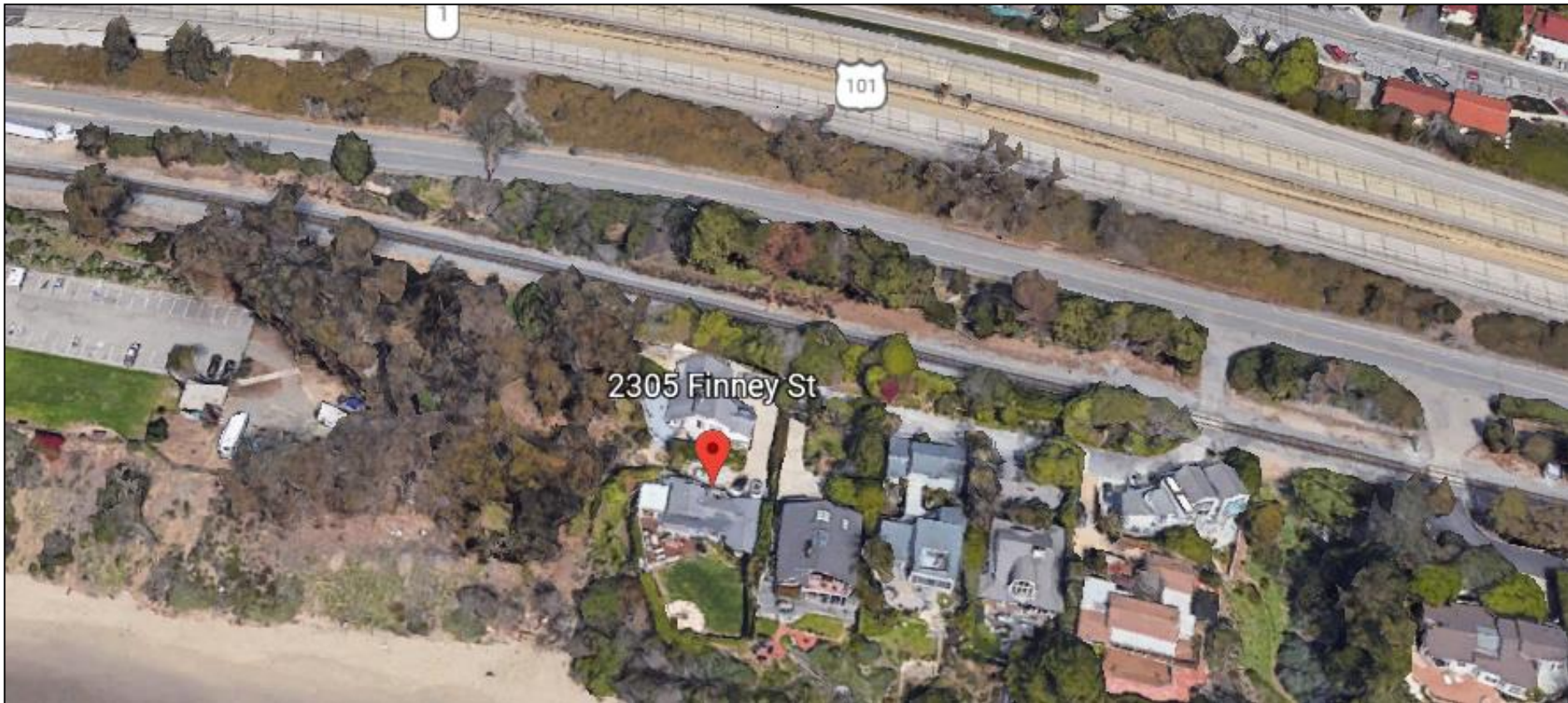


# EXISTING ON-SITE PARKING



# ADDITIONAL PUBLIC PARKING OPTIONS

1. Lookout Park
2. Wallace Ave (both sides)



# FINNEY STREET



# SPECIAL PROBLEMS COMMITTEE

- The project was successfully reviewed by the Special Problems Committee on June 3, 2021.
  - The only comment from Carpinteria Summerland Fire Protection District to obtain an address for the ADU.

- Committee Members:

- Planning & Development
- Building & Safety
- Flood Control
- Transportation
- Surveyor
- Environmental Health
- Fire

## Special Problems Committee Members

- **Eric Graham (Chair)** - Planning and Development Department
- **Brad Crandall**- Planning and Development Department, Building and Safety Division
- **Yoganathan Thierumaran** - Public Works Department, Flood Control District (Hansel Corsa & Jon Frye, Alternate)
- **William Robertson** - Public Works Department, Transportation Division (Jemmi Irabon, Alternate)
- **Tenell Matlovsky** - Public Works Department, Surveyor Division (Aleksander Jevremovic, Alternate)
- **Deanna Talerico** - Public Health Department, Environmental Health Division (Jason Johnston, Alternate)
- **Glenn Fidler** - County Fire Department
- **Ed Foster** - Carpinteria-Summerland Fire Protection District (Todd Jenkins, Alternate)

# ADU APPROVED – 72 LA VUELTA



# ADU APPROVED – 1112 HILL ROAD





## APPELLANT ISSUE #2

### ***Alleged use of 2305 Finney Street as Short-Term Rental Incorrect and Irrelevant.***

- Applicant raised their family in this home and lives there most of the year.
- When rented, it is typically for over a month.
- STRs are not regulated in the Coastal Zone.
- Most importantly, ADUs may not be rented as STRs.
- Issue irrelevant and not basis to grant appeal.

## APPEAL ISSUE #3

- There are no active zoning violations on the property.
- County approved Lot Line Adjustment, GPA and Rezone with the residence in its current configuration.
- CA Coastal Commission certified the corresponding LCP Amendment.
- County clearly intended approval to document residence in its configuration at that time.
- County issued map clearance and completed purchase, indicating applicant compliance with project conditions.

# CURRENT RESIDENCE: FULL PERMITTED

## 2003 LLA Approved

- No condition to obtain building permits.
- In fact, finding makes clear project legalized the structure.

*2.1.6 The subject properties are in compliance with all laws, rules and regulations pertaining to zoning uses, setbacks and any other applicable provisions of this Article or the Lot Line Adjustment has been conditioned to require compliance with such rules and regulations and such zoning violation fees imposed pursuant to applicable law have been paid. This finding shall not be interpreted to impose new requirements on legal non-conforming uses and structures under the respective County Ordinances: Article II (Section 35-161. and 35-162.), Article III (Section 35-306. and 35-307.), and Article IV (Section 35-476. and 35-477.).*

Although Parcel 2 is legal non-conforming parcels as to size and the structure is considered a legal non-conforming building because it was built without permits on a portion County owned land, the purpose of the project is to remedy the situation.

- “The subject properties **are in compliance** with all laws, rules and regulations pertaining to zoning uses, setbacks and any other applicable provisions of this Article...”
- “Although Parcel 2 is legal non-conforming parcel as to size and the structure is considered a legal non-conforming building **because it was built without permits** on a portion of County owned land, **the purpose of the project is to remedy the situation.**”

## SUMMARY OF APPEAL RESPONSES

1. Adequate parking and access. ADU requires no parking, property has adequate parking, and litigation ensured clear access.
2. Appellant misstates STR use. The house is occupied by owners and sometimes long-term renters. STRs are legal in the Coastal Zone.
3. No illegal development on applicant property. 2003 LLA legalized the 1,638 square foot home. No existing violations.

No appeal issue is a legal basis to deny ADU application.

**QUESTIONS?**

**THANK YOU**

# HISTORY

- 2005 Coastal Commission approved LCP Amendment for the Rezone and GPA.
- 2005 County cleared conditions and recorded LLA.
- County closed permit compliance case (03PMC-00025)
- House is fully permitted and legal.

## **Accela Cases**

<b>Case Number</b>	<b>Dept.</b>	<b>Filed</b>	<b>Planner</b>	<b>Project Name</b>	<b>Status</b>
00LLA-00000-06006	P	10/2/2000	CP	MECAY/HOTCHKISS LOT LINE ADJSTMT	Closed
03PMC-00000-00025	P	3/28/2003	JH	MECAY/HOTCHKISS LLA, REZONE, GPA, CDP	Closed
05MPC-00000-00005	P	2/11/2005	JC	HOTCHKISS/BMO MAP CLEARANCE	Closed

# NO INTENTION OF PUBLIC USE

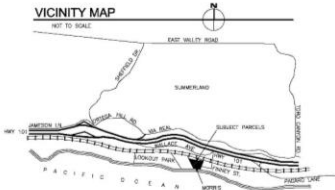
## ***2005 Action Letter***

The stated intent of the amendment is to remediate a long-standing violation of encroachments, in which two single-family dwellings located at 2305 and 2311 Finney Street have been built upon County rights of way, the Finney Street right of way and the Morris Place right of way. Both the Finney Street and Morris Place rights of way are currently zoned Recreation (REC) with a Coastal Plan designation of Public Park/Recreation. Finney Street and Morris Place have not been used as road rights of way for many years. Additionally, the County does not anticipate that Finney Street or Morris Place would ever be developed or used as roadways. The two existing residences located on Finney Street were constructed in the early 1940s per reported County records and photos. The residential structure on Parcel 2 (Mecay parcel) encroaches significantly onto both the Finney Street and Morris Place rights of way. On Parcel 1 (Hotchkiss parcel) the encroachment onto the Finney Street right of way consists of a brick and concrete walkway and curb. Over time, other residences have been constructed farther to the east where the Finney Street right of way has previously been abandoned by the County (prior to the Coastal Act) such that any future use of Finney Street for public purpose is impossible absent removal of numerous private residences. The Morris Place right of way lies within the boundary of Lookout Park, a County-owned public park in Summerland.



# LOT LINE ADJUSTMENT 00-LA-018

## VICINITY MAP



## PROJECT DATA

### OWNERS:

**PARCEL ONE:**  
DENNIS B. HOTCHKISS & DIANE M. HOTCHKISS  
2311 FINNEY STREET, SUMMERLAND, CA.

**PARCEL TWO:**  
B.K.G. PARTNERSHIP, A GENERAL PARTNERSHIP  
2305 FINNEY STREET, SUMMERLAND, CA.

**PARCEL THREE:**  
COUNTY OF SANTA BARBARA

**PARCEL FOUR:**  
COUNTY OF SANTA BARBARA

### AGENT:

SUZANNE ELLEDGE  
629 STATE STREET, SUITE 218  
SANTA BARBARA, CA 93101  
(805) 856-2758

### SURVEYOR:

DAVIS LAND SURVEYING  
44 HELENA AVE.  
SANTA BARBARA, CA 93101  
(805)864-8756 L.S.5742

### APNs:

- 1) PARCEL ONE: 005-240-001
- 2) PARCEL TWO: 005-240-002
- 3) FORMER R.O.W. KNOWN AS MORRIS PLACE
- 4) A PORTION OF FORMER R.O.W. KNOWN AS FINNEY ST.

### PARCEL AREAS:

#### EXISTING:

- 1) PARCEL ONE: 7,439.5 SQ.FT. GROSS & NET
- 2) PARCEL TWO: 2,609.9 SQ.FT. GROSS & NET
- 3) FORMER R.O.W. KNOWN AS MORRIS PLACE: 34,322.0 SQ.FT.
- 4) PORTION OF FORMER R.O.W. KNOWN AS FINNEY ST.: 2,287.0 SQ.FT. MORE OR LESS

#### PROPOSED:

- 1) PARCEL ONE: 10,555.9 SQ.FT. GROSS & NET (+42% CHANGE)
- 2) PARCEL TWO: 15,263.2 SQ.FT. GROSS & NET (+485% CHANGE)
- 3) FORMER R.O.W. KNOWN AS MORRIS PLACE: 20,919.7 SQ.FT. GROSS & NET (-39.1% CHANGE)

WATER: MONTECITO WATER DISTRICT

SEWER: SUMMERLAND SANITARY DISTRICT

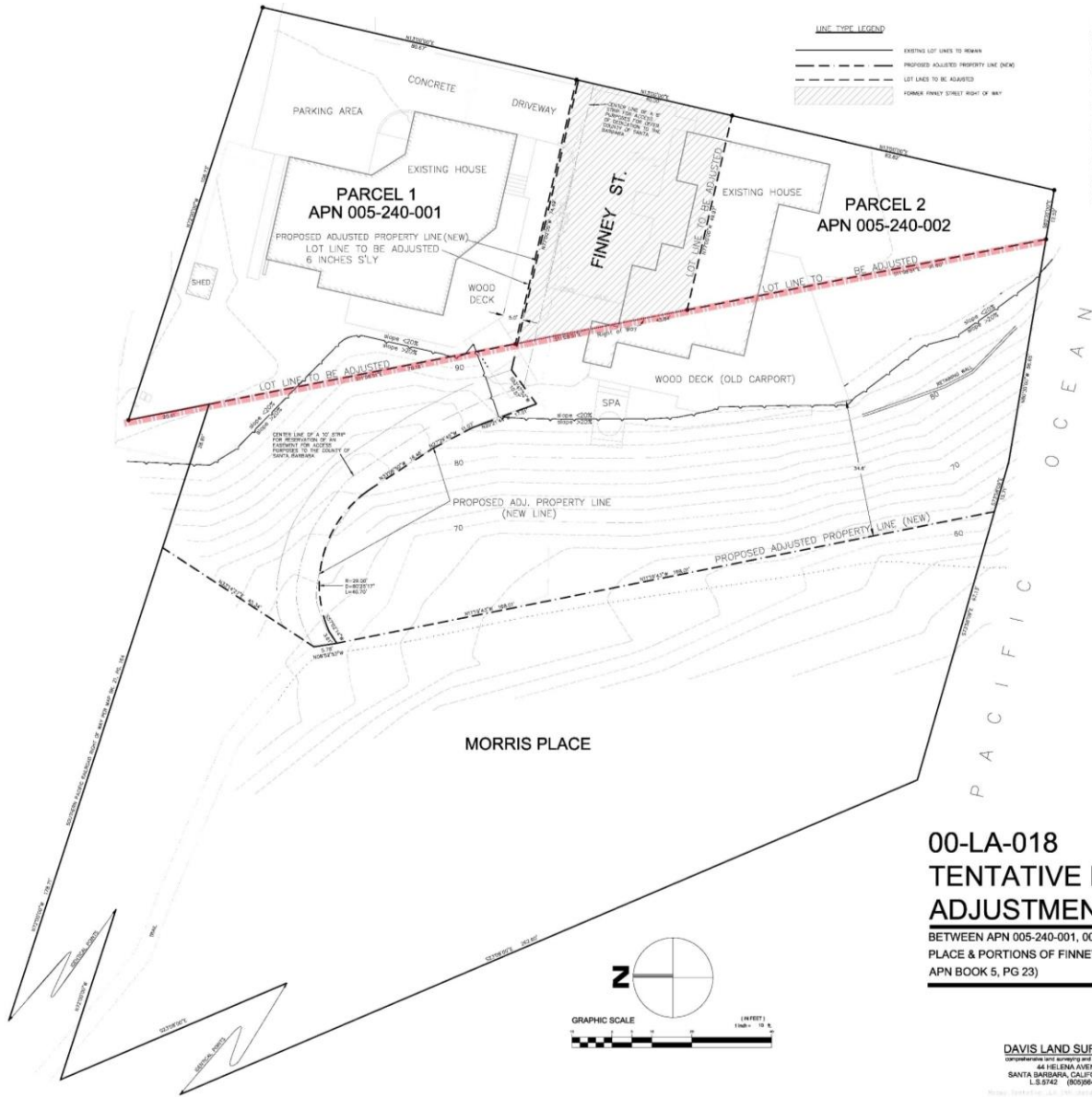
## MAP AND SURVEY NOTES

1. BOUNDARY DATA COMPILED FROM RACK 1, MAP NO.2, 85 BK.88, PG. 53, MAP BOOK 21, PG.184, PW 86.10, PG. 97 AND LEGAL DESCRIPTIONS.
2. CONTOURS ARE COMPILED FROM A SITE SURVEY.
3. BENCHMARK ELEVATION ASSUMED CP=100.00'.
3. FIELD WORK PERFORMED SEPTEMBER 28, 1998.
4. RECORD EASEMENTS (FROM LAWYERS TITLE COMPANY PRELIMINARY TITLE REPORT NUMBER 330989), SEE MAP FOR LOCATIONS.
5. AN EASEMENT SHOWN ON THE MAP OF THE TOWN OF SUMMERLAND IN RACK 1, MAP 2 FOR ROADWAY PURPOSES AFFECTING PORTIONS WITHIN MORRIS PLACE.
6. AN EASEMENT SHOWN ON A RECORD OF SURVEY IN BOOK 21, PAGE 184 FOR ROADWAY PURPOSES AFFECTING PORTIONS WITHIN MORRIS PLACE.
7. AN EASEMENT GRANTED TO THE UNITED STATES OF AMERICA FOR WATER PIPELINE PURPOSES FOR INSTRUMENT NO. 10714 U.S. RECORDED JUNE 22, 1954.

## OWNER'S CERTIFICATE

I HEREBY APPLY FOR APPROVAL OF THE DIVISION OF REAL PROPERTY SURVEY ON THIS MAP AND CERTIFY THAT I AM THE LEGAL OWNER OR THE AUTHORIZED AGENT AND THAT THE INFORMATION SHOWN HEREON IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SUZANNE ELLEDGE \_\_\_\_\_ DATE \_\_\_\_\_



### LINE TYPE LEGEND

- EXISTING LOT LINES TO REMAIN
- - - - PROPOSED ADJUSTED PROPERTY LINE (NEW)
- LOT LINES TO BE ADJUSTED
- /// FORMER FINNEY STREET RIGHT OF WAY

### LEGEND

- AC ASPHALT CONCRETE
- CP EDGE OF PAVEMENT
- EA EDGE OF ROAD
- EM DRIVEWAY
- EM EDGE OF ROAD
- EM CAS METER
- EM ELECTRIC METER
- WM WATER METER
- WM WATER VALVE
- WB GROUND BREAK
- TR TREE
- TRUC EUCALYPTUS
- FN FENCE
- TH THRESHOLD
- TF FINISH FLOOR
- CP CONTROL POINT
- FD FOUND
- TSI SIZE OF SLOPE
- TSI TOP OF SLOPE
- DWI DRAINAGE SWALE
- FL FLOW LINE
- BM BERM
- CS CURB
- UP UTILITY POLE (OUTWIRE)
- DM DEADMAN (OUTWIRE)
- SM SEWER MANHOLE
- SCD SEWER CLEANOUT

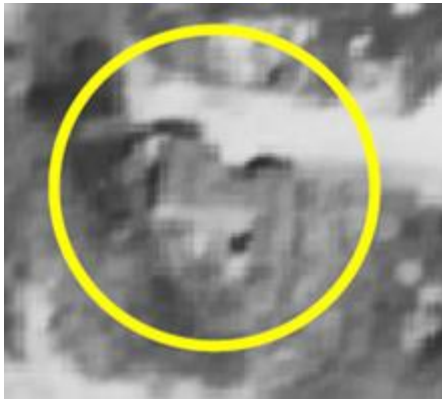


## 00-LA-018 TENTATIVE LOT LINE ADJUSTMENT MAP

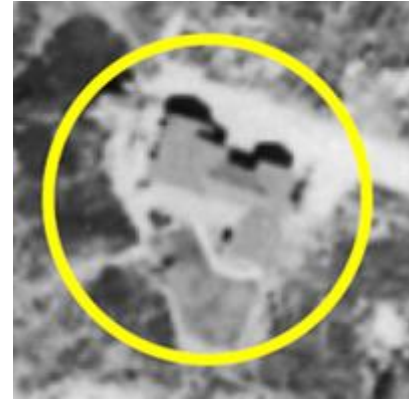
BETWEEN APN 005-240-001, 005-240-002, MORRIS PLACE & PORTIONS OF FINNEY STREET (SHOWN ON APN BOOK 5, PG 23)

DAVIS LAND SURVEYING  
computer-aided surveying and project consulting  
44 HELENA AVENUE  
SANTA BARBARA, CALIFORNIA 93101  
L.S.5742 (805)864-8756

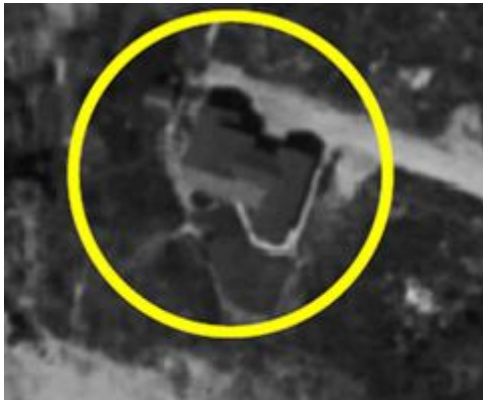
# HISTORIC AERIALS



1954



1957

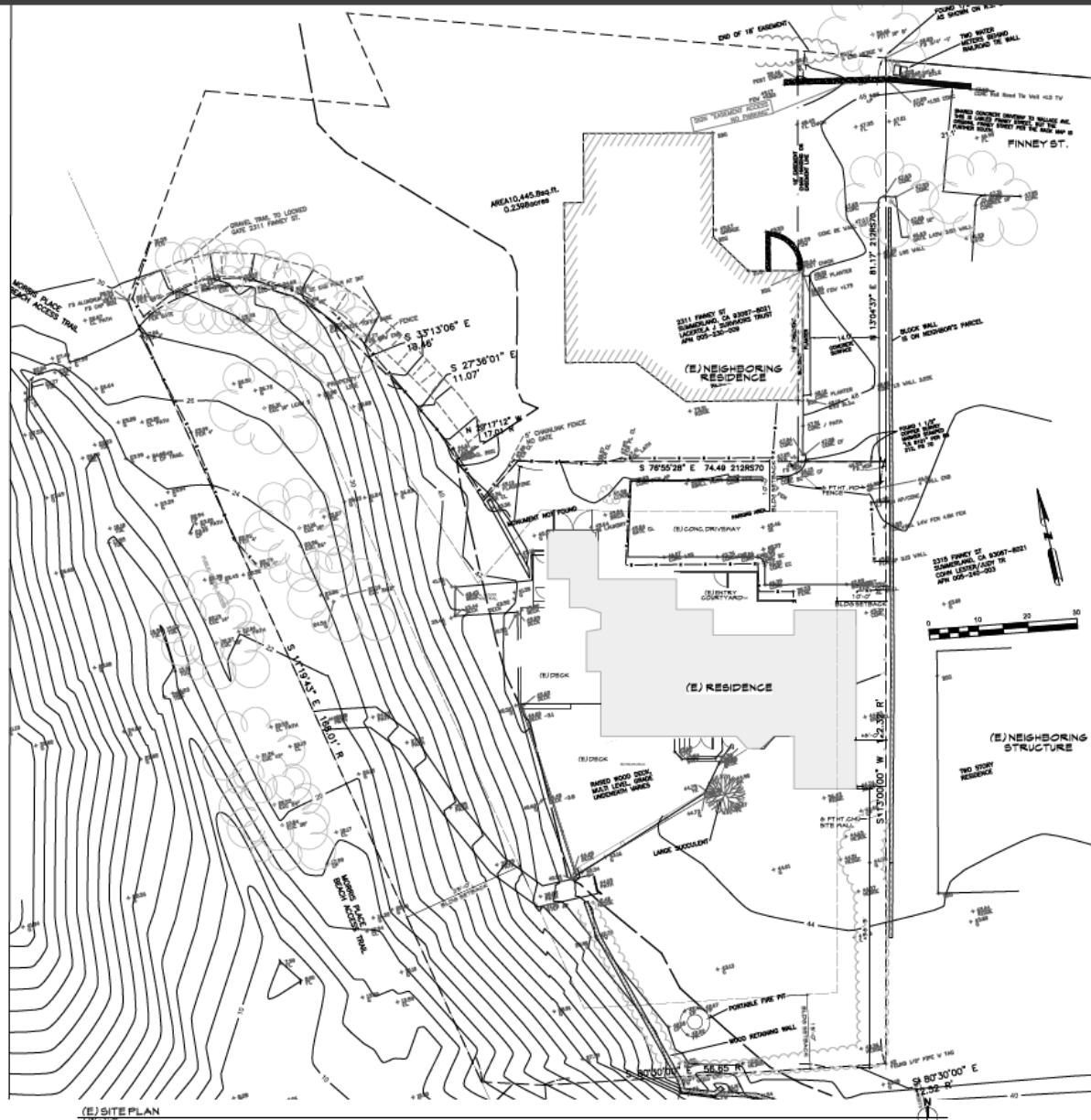


1958



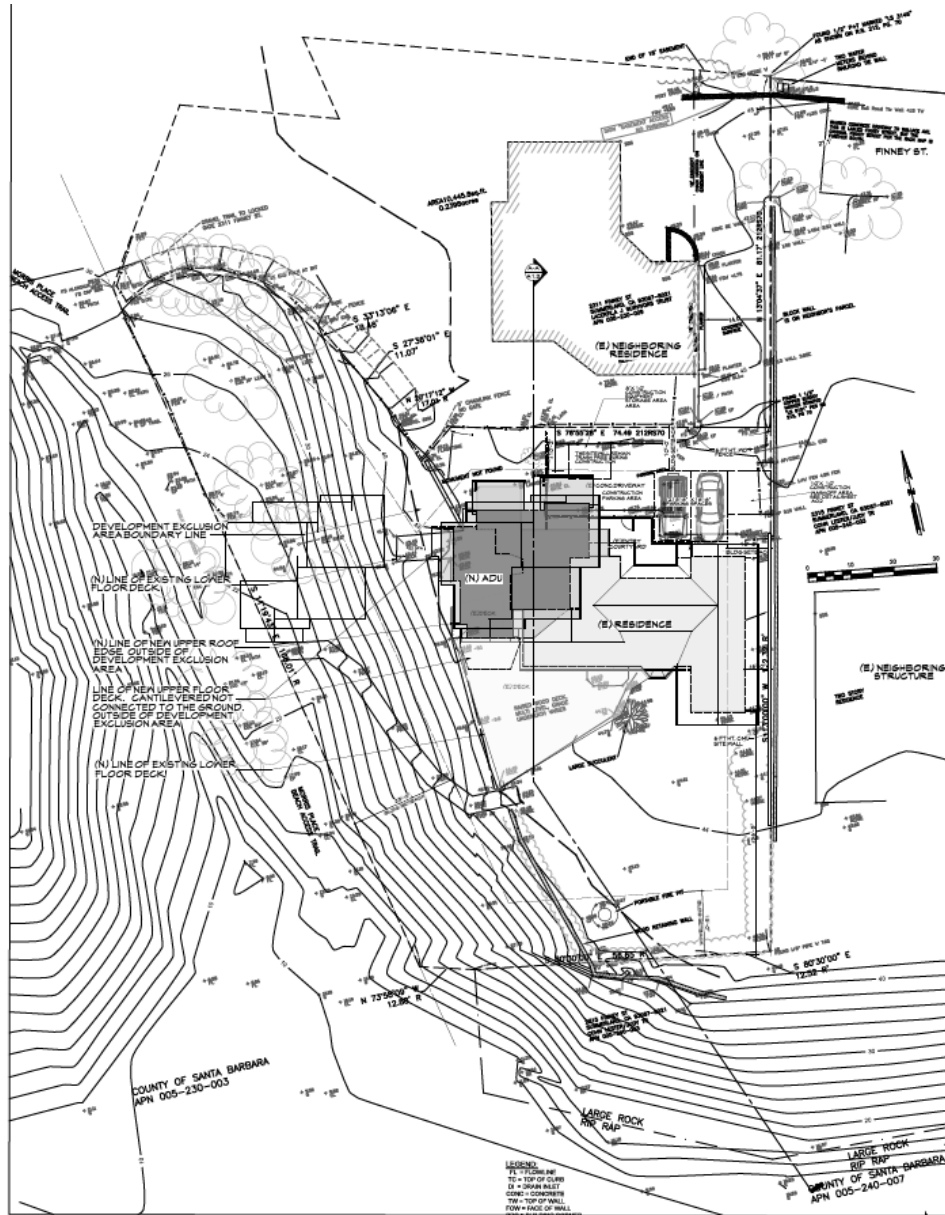
2020

# EXISTING SITE PLAN

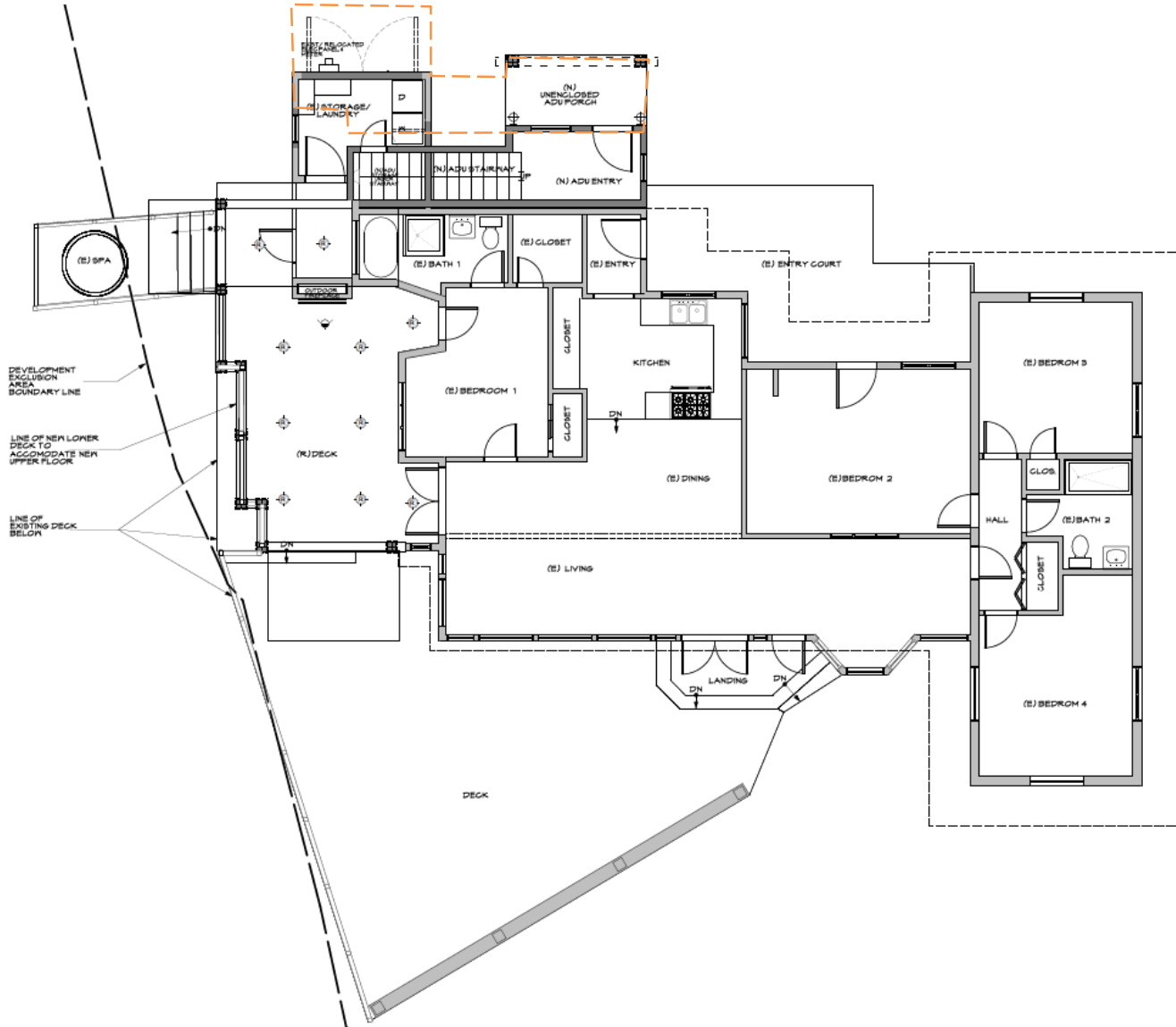


(E) SITE PLAN

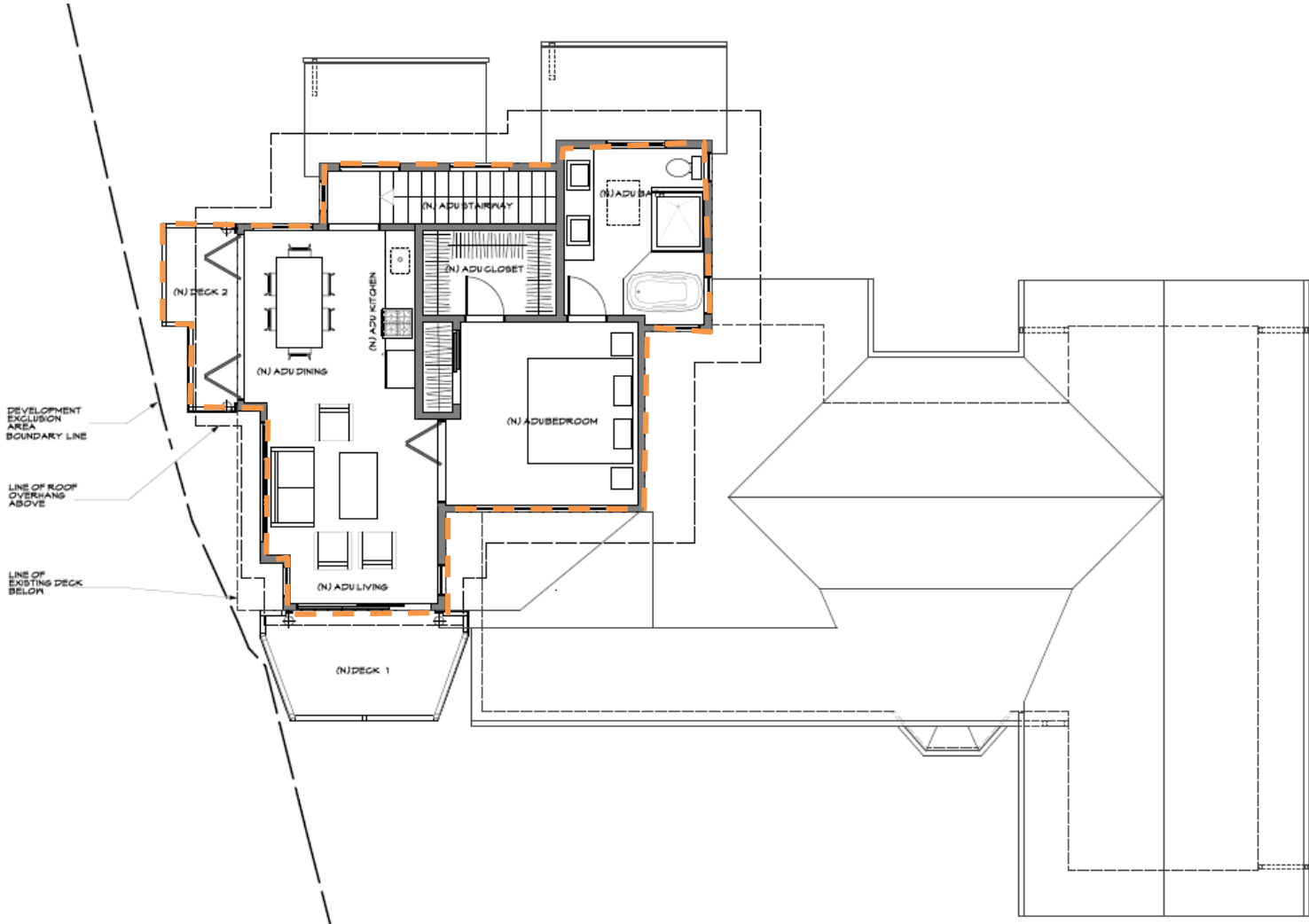
# PROPOSED SITE PLAN



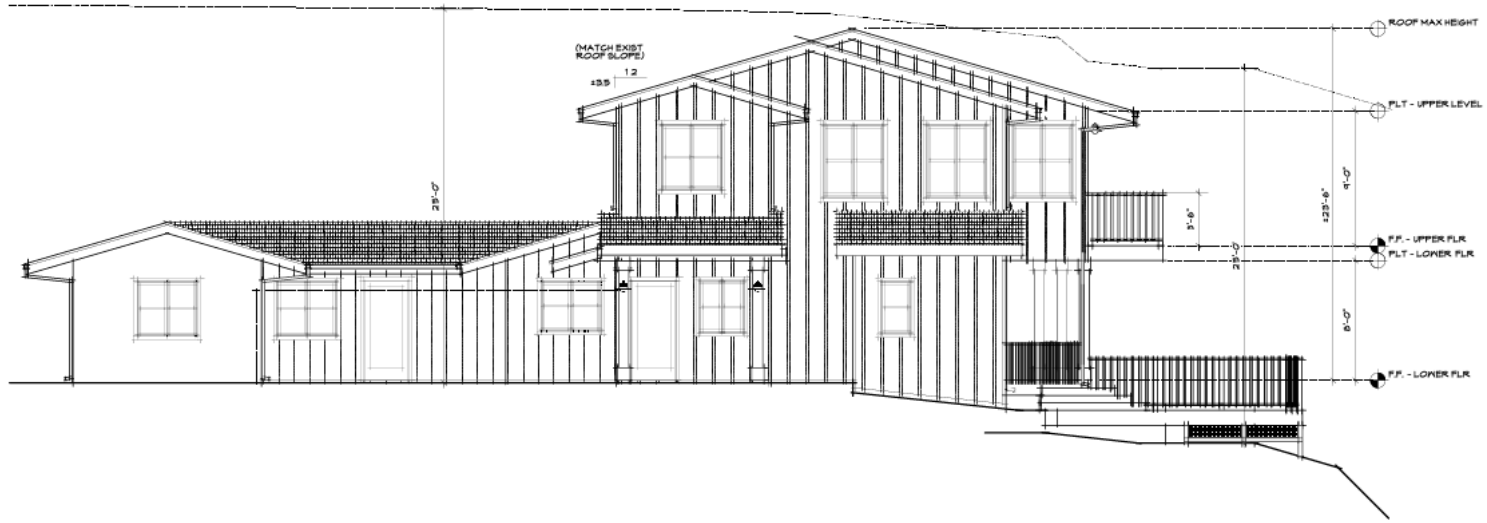
# DOWNSTAIRS FLOOR PLAN



# UPSTAIRS FLOOR PLAN



# ELEVATIONS

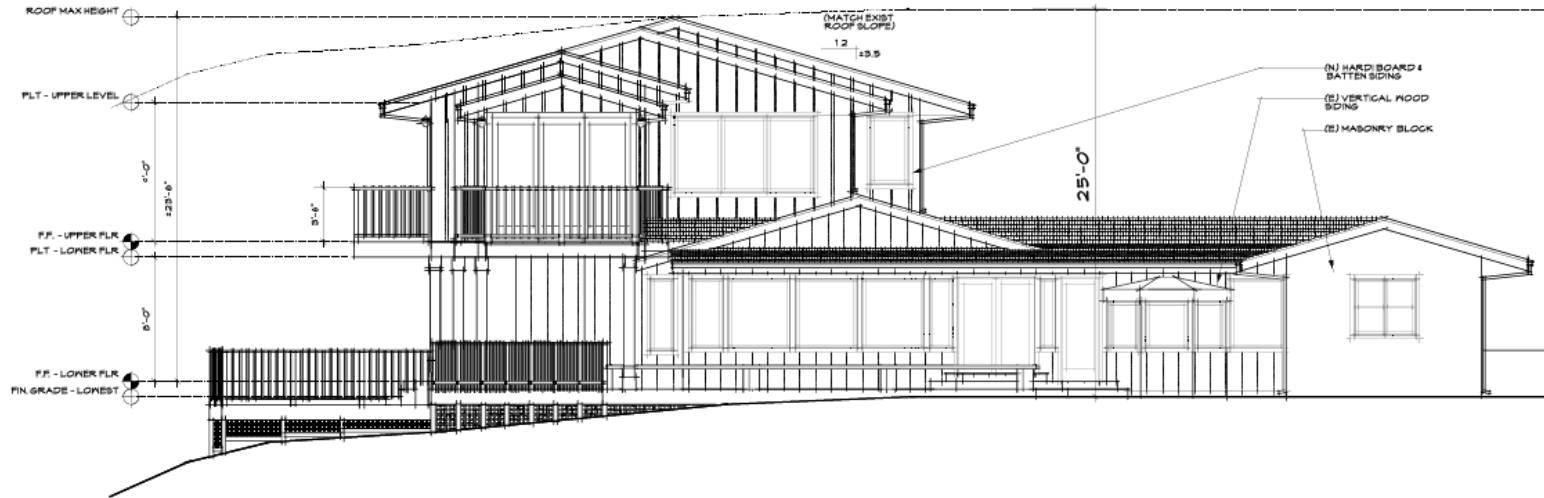


**NORTH (FRONT - ENTRY) ELEVATION**  
1/4" = 1'-0"

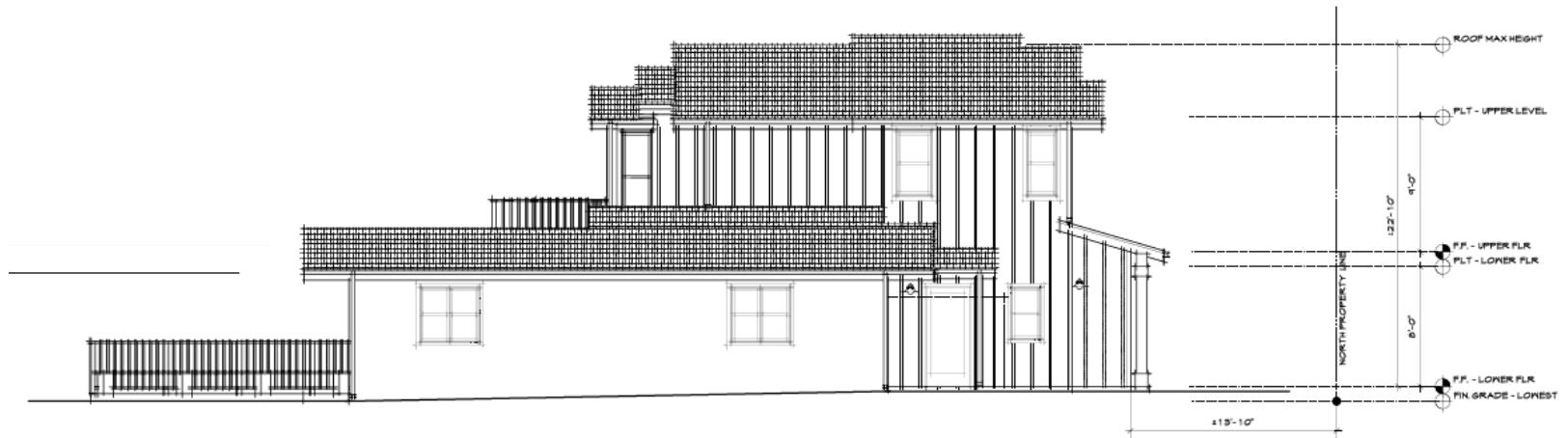


**WEST (SIDE - RAVINE FACING) ELEVATION**  
1/4" = 1'-0"

# ELEVATIONS



**SOUTH (REAR - OCEAN FACING) ELEVATION**  
1/4" = 1'-0"



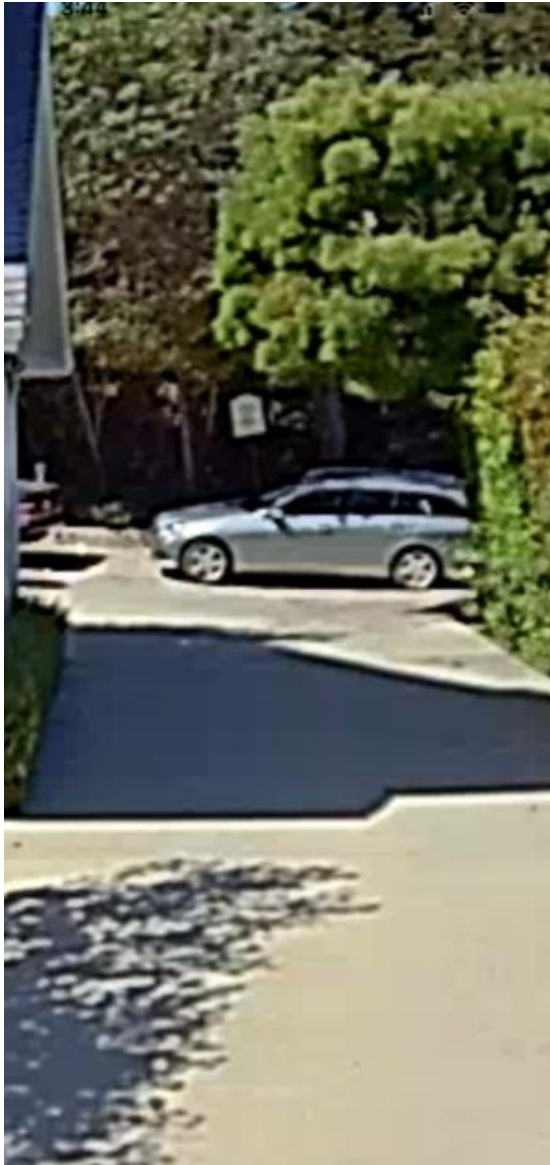
**EAST (SIDE) ELEVATION**  
1/4" = 1'-0"



# CHAINED DRIVEWAY (APPELLANT)



# PHOTOS OF APPELLANT PARKING IN EASEMENT



# FOLLOWING COURT ORDER – NO PARKING IN EASEMENT



# EXISTING GATE



# PROPOSED EXTERIOR LIGHTING



Bayport Collection Dark Sky 8 1/2"  
High Outdoor Wall Light

