



# City of Santa Barbara

## STAFF HEARING OFFICER

### MINUTES

**MARCH 6, 2024**

9:00 A.M.

David Gebhard Public Meeting Room  
630 Garden Street  
[SantaBarbaraCA.gov](http://SantaBarbaraCA.gov)

**STAFF:**

Ellen Kokinda, Staff Hearing Officer  
Kathleen Goo, Commission Secretary

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### **CALL TO ORDER**

Ms. Kokinda called the meeting to order at 9:00 a.m.

### **STAFF PRESENT**

Ellen Kokinda, Staff Hearing Officer  
Holly Garcin, Assistant Planner  
Barbara Burkhart, Assistant Planner  
Kathleen Goo, Commission Secretary

### **I. PRELIMINARY MATTERS**

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

No requests.

- B. Announcements and appeals.

No announcements.

- C. Comments from members of the public pertaining to items not on this agenda.

No public comment.

## II. PROJECTS

**ACTUAL TIME: 9:01 A.M.**

### A. 1209 DEL ORO

Assessor's Parcel Number: 045-214-006  
Zoning Designation: E-3/S-D-3 (One-Family Residence/Coastal Overlay)  
Application Number: PLN2023-00148  
Applicant: Jaime Palencia, Kevin Moore Architects  
Owner: Felix & Wanda Presburger Family Trust  
Paul Presburger, Trustee

Proposal for a 463-square-foot first floor addition; 262-square-foot garage addition; and a new 638-square-foot second story, which includes two decks. The 6,098-square-foot site is developed with a 1,031-square-foot single-unit, single-story residence and attached 230-square-foot garage. The garage is nonconforming to the front setback. The 2,624-square-foot proposed total is 97% of the Maximum Required Floor-to-Lot Area Ratio (FAR).

The discretionary application under the jurisdiction of the Staff Hearing Officer at this hearing is:

- A. A Front Setback Modification to allow the existing garage to continue to encroach into the front setback, along with a reconfiguration of its roof and a conforming second-story addition. (SBMC §28.15.060, §28.87.030, and SBMC §28.92.110).

Staff has determined the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 [Existing Facilities] which allows additions to existing structures involving negligible or no expansion of use and 15305 [Minor Land Use Limitations] of the California Environmental Quality Act (CEQA) Guidelines. In accordance with the City's adopted Environmental Review Ordinance, Section 15305 allows for zoning modifications.

Barbara Burkhart, Assistant Planner, gave the Staff presentation and recommendation.

Kevin Moore, Architect, gave the Applicant presentation.

Public comment opened at 9:15 a.m., and as no one wished to speak, and no correspondence was submitted, it closed.

Ms. Kokinda announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood. She stated that she appreciated the applicant choosing to reduce the scope of the proposed project for a more modest, conforming second story addition, instead of a more extensive redesign.

**ACTION:** **Assigned Resolution No. 011-24**  
Approved the Front Setback Modification, making the findings as outlined in the Staff Report dated February 28, 2024.

The ten calendar day appeal period to the Planning Commission was announced, and that the action is subject to suspension for review by the Planning Commission.

**ACTUAL TIME: 9:19 A.M.**

**B. 952 ALAMEDA PADRE SERRA**

Assessor's Parcel Number: 019-252-015  
Zoning Designation: RS-15 (Residential Single Unit)  
Application Number: PLN2022-00319  
Applicant: Ellen Bildsten, Bildsten Architecture  
Owner: Gail L. Fisher Revocable Trust  
Gail Fisher, Trustee

The 13,939-square-foot lot is located within the Foothill High Fire Zone and developed with a 1,389-square-foot, single-story residence and a 338-square-foot detached, one-car garage accessed off Alameda Padre Serra (APS). The project is a request to construct a 796-square-foot single-story Accessory Dwelling Unit (ADU) in the secondary front yard along Roble Lane with a new uncovered parking space in the front setback. A modification is requested for the new uncovered parking space, retaining wall/fence, stairs and landing from the parking, and the stairs leading to the roof deck in the secondary front setback on Roble Lane. An interior setback modification is also requested for the rear deck of the ADU because it is not considered an integral part of the ADU and therefore must comply with the 10-foot interior setback.

The discretionary applications under the jurisdiction of the Staff Hearing Officer at this hearing are:

- A. An Interior Setback Modification to allow the rear deck to encroach into the eastern interior setback (SBMC §Table 30.20.030.A and SBMC §30.250.020); and
- B. A Front Setback Modification to allow the proposed parking space and associated improvements to encroach into the front setback on Roble Lane (SBMC §Table 30.20.030.A and SBMC §30.250.020).

Staff has determined that the project qualifies for an exemption from further environmental review under Sections 15303 [New Construction or Conversion of Small Structures] and 15305 [Minor Alterations in Land Use Alterations] of the California Environmental Quality Act (CEQA) Guidelines. Section 15303 allows for construction and location of limited numbers of new, small facilities or structures, including a second dwelling unit in a residential zone and accessory (appurtenant) structures. Section 15305 allows for zoning modifications.

Holly Garcin, Assistant Planner, gave the Staff presentation and recommendation on behalf of Kelly Brodison, Associate Planner.

Ellen Bildsten, Bildsten Architecture, gave the Applicant presentation, and was joined by Gail L. Fisher, Owner.

Public comment opened at 9:40 a.m.

The following individual spoke:

- 1. Earl Wilcox
- 2. Angelo Salvucchi

Written correspondence from Diane E. Ward was acknowledged.

Public comment closed at 9:42 a.m.

Ms. Kokinda announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood. She stated that she concurred with the staff report and could make the finding that the Front Setback Modification along Roble Lane was necessary to secure an appropriate improvement on a lot due to the steep topography of the property, and also constrained by two 30-foot front setbacks. The new paved area provides required off-street parking space in a High Fire Hazard area as is required for a Special ADU in the high fire hazard area.

Ms. Kokinda also announced she finds the requested Interior Setback Modification at the eastern property line is consistent with the purpose and intent of a setback to provide openness on the site and relief between properties, and that the constrained lot qualifies as hardship and the encroachment into the setback is necessary to secure an appropriate improvement on the lot and to the single-story Accessory Dwelling Unit (ADU) in the secondary front yard along Roble Lane.

She also concurred with staff to add the condition that the two Pepper Trees located in the front setback for removal should be reviewed and approved as appropriate by the City's Parks and Recreation Commission prior to Single Family Design Board Project Design Approval.

**ACTION:**

**Assigned Resolution No. 012-24**

Approved the Front Setback Modification, and the Interior Setback Modification, making the findings as outlined in the Staff Report dated February 28, 2024, and as revised at the hearing.

Said approval is subject to the condition as added at the hearing.

The ten calendar day appeal period to the Planning Commission was announced, and that the action is subject to suspension for review by the Planning Commission.

**III. ADJOURNMENT**

Ms. Kokinda adjourned the meeting at 10:14 a.m.

Submitted by,

  
Kathleen Goo, Commission Secretary