



City of Santa Barbara

Planning Division

STAFF HEARING OFFICER MINUTES

AUGUST 16, 2006

CALL TO ORDER:

Bettie Weiss, City Planner called the meeting to order at 1:00 p.m.

STAFF PRESENT:

Bettie Weiss, City Planner
Danny Kato, Senior Planner
Roxanne Milazzo, Associate Planner
Kathleen Goo, Staff Hearing Officer 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 comments.

II. PROJECTS:

THE FOLLOWING ITEM WAS HEARD OUT OF ORDER.

ACTUAL TIME: 1:16 P.M.

- A. **APPLICATION OF GREG JENKINS FOR BILL & PAT COOK, 3317 CLIFF DRIVE, APN 047-082-018, A-1 ONE-FAMILY RESIDENCE/SD-3 COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL 1 UNIT PER ACRE (MST2006-00254)**

The proposed project involves 1½ acre lot currently developed with a 5,600 square foot single family. The proposed project involves a remodel which will result in exterior alterations to windows and doors. The discretionary application required for

this project is a Modification to permit alterations to portions of the building located within the required interior yard setback (SBMC 28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301.

Gregory C. Jenkins, Applicant/Architect, present.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

Mr. Jenkins announced a net decrease of nine square feet of glaze area in the east wall elevation, an increase of ten square feet of glaze area on the west wall elevation, no privacy issues with neighbors due to mature landscaping, and no additional square footage. He will resolve the as-built issues with the City, and any issues regarding the different upstairs master bathroom layout.

The Public Hearing was opened at 1:20 p.m., and as no one wished to speak, it was closed at 1:21 p.m.

Ms. Weiss announced that she read the Staff Report recommendation for the proposed project and also visited the site and surrounding neighborhood.

Ms. Weiss determined that the existing setbacks seem very adequate and acceptable with the different orientations of driveways and building walls, and since the modification is to just improve and remodel an existing home with no additional square footage, she agreed with the staff's findings and conditions that the modification is consistent with the purposes and intent of the Ordinance.

ACTION:

Assigned Resolution No. 048-06

Approve the project, making the findings that the Modification is necessary to secure an appropriate improvement on the lot and is consistent with the purposes and intent of the Ordinance by allowing improvements to the existing structure without impacts to the neighbors. Said approval is subject to the conditions that the "as-built" fountain and spa be either legalized or removed.

Ms. Weiss announced the ten calendar day appeal period.

THE FOLLOWING ITEM WAS HEARD OUT OF ORDER.

ACTUAL TIME: 1:01 P.M.

B. APPLICATION OF ERIC SWENUMSON FOR BRUCE SCHMIDT, 1624 LA VISTA DEL OCEANO, APN 035-180-083, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2004-00744)

The 7,300 square foot site is currently vacant. The proposed project involves a 3,500 square foot single family residence with attached two-car garage.

The discretionary application required for this project is a Modification to permit the garage to be located within the required twenty-five foot (25') front yard setback (SBMC §28.15.060 & 5). Note: This project was previously approved on October 22, 2003. Failure to obtain a building permit resulted in the expiration of the Modification approval.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303.

Eric Swenumson, Applicant, present.

Ms. Weiss announced that she read the Staff Report recommendation for the proposed project and also visited the site and surrounding neighborhood.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

The Public Hearing was opened at 1:08 p.m.

Ms Milazzo read a short synopsis of a letter from the Norman Tolstead Family, the neighbor across the street, who expressed concern regarding impacts associated with the height of the building getting higher as it gets closer to the front lot line. They request that the applicant be required to comply per City policy as they were similarly required to comply with all Zoning Ordinance requirements.

The Public Hearing was closed at 1:09 p.m.

Mr. Swenumson responded that originally the proposed project was a three-story design approaching the maximum 30 foot height which was later reduced after subsequent meetings with ABR to a two-story design. The garage portion is still high enough to reduce the slope of the driveway and remains below the maximum 30 foot height. The top of the garage is still approximately 5 feet below the Tolstead Family's driveway across the street.

Ms. Weiss commented that it is not unusual that uphill neighbors in this area to be concerned about possibility of downhill projects blocking their views, but given the steepness of the downward slope of the proposed project and the correspondingly steep slope of the uphill neighbors' property, she did not believe there to be a problem of the proposed project blocking any views. Requested that the applicant show the plan to the neighbors.

Given the driveway will be at the maximum allowed slope, Ms. Weiss requested the applicant to further study the steepness of other driveways in the area, and examine the possibility of using more fill or retaining walls to flatten the slope of the driveway. She suggested the applicant meet with the City Fire Department and again with the ABR to show them the steep slope of the driveway without increasing the height of the retaining walls.

Ms. Weiss stated that she is aware that other modifications, including front yard modifications, have been granted for other homes in the area in order to deal with the steepness of the slope and to bring homes off the slope and not cascading further downhill.

ACTION:

Assigned Resolution No. 047-06

Approve the project, making the findings that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on this property given the extreme slope of the property and to reduce grading and retaining wall heights.

Ms. Weiss announced the ten calendar day appeal period.

ACTUAL TIME: 1:22 P.M.

C. APPLICATION OF ERIC SWENUMSON FOR RICHARD GOLDEN, 1340 CLIFTON STREET, APN 017-154-018, R-2 TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 12 UNITS PER ACRE (MST2005-00500)

The 6,000 square foot project site is located on the corner of Clifton and Salinas Streets. Current development on site consists of a single family residence (Unit A) with garage below and a detached deck with 840 square feet of storage below. The proposed project involves the addition of a second residential unit (Unit B) for the site. A 1,177 square foot two-story unit is proposed over the existing detached storage area. A portion of the storage space will provide the required two parking spaces for the new unit.

The discretionary application required for this project is a Modification to permit less than the required 1,250 square foot open yard area (SBMC 28.18.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303.

Eric Swenumson, Applicant; and Richard Golden, Property Owner; and Stacey Wilson, Assistant Transportation Planner, present.

Ms. Weiss announced that she read the Staff Report recommendation for the proposed project and also visited the site and surrounding neighborhood.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

The Public Hearing was opened at 1:31 p.m.

Mr. Ron Harkey, a neighbor who expressed his opposition to an approval of the proposed modification, also consented to read a few of the following submitted letters from members of the public:

1. Ms. Jane & Martha Hankey's letter expressed her concern regarding the applicant's proposal to reduce the amount of open space. Ms. Hankey would like to see an increase in the preservation of open space for the area.
2. Mr. Monty Hudson, a southerly neighbor, submitted some photo documentation and a letter (including a previous August 14, 2006 letter to ABR) which expressed his concern that the proposed project lacked uniformity and did not meet Ordinance conditions or complied with ABR stipulations. He also expressed his willingness to work with the applicant, and believed that any approval of a front yard modification for the proposed project to be premature.

3. Ms. Maria Zate's letter supported Mr. Hudson's comments, and expressed her concern regarding any premature approval of the proposed modification until revisions are submitted with the plans to the ABR.

Mr. Rudolph Mangué expressed a wish to be included and contacted in the future by other concerned neighbors in the area regarding the proposed project, and stated that he does not have a problem with the current proposed project.

The Public Hearing was closed at 1:36 p.m.

In response to Mr. Hudson's concerns, Mr. Swenumson clarified that after reviewing the ABR minutes he understood that the ABR required him to accurately record the heights of the buildings on the plans and that he had recently revised plans to be more accurate with regard to the heights of the existing building, foundation, and slopes.

Ms. Wilson clarified for the Hearing that the driveway maneuvering area configuration is in her opinion "unusual," in that it is covered instead of being uncovered, the parking spaces are set further back within the garage closer to Salinas Street. Given the differing turning radii between vehicles, difficulties in maneuvering within the driveway will differ.

Ms. Weiss observed on her own site visit that the proposed modification did not meet the broad purpose and intent or consistency of the Zoning Ordinance regarding an adequate driveway maneuvering area, use of the open space for the required open yard setback, the obstruction of the building corner, and allowable parking space per unit.

Ms. Weiss stated that the applicant has yet to clarify the "necessity" for the requested modification and has yet to address the requirements of the Zoning Ordinance in the current modification proposal.

Ms. Weiss stated some options for the applicant which would be to continue the item for a later review to give the applicant time to get ABR comments and to bring the plans in compliance with the Zoning Ordinance, or she could deny the project and the applicant could then appeal the determination to the Planning Commission before the expiration of the ten day calendar appeal period, and which in turn is appealable to City Council.

Mr. Danny Kato commented that the purpose of an open yard would be to provide some separation and privacy, and that given the corner lot limitations and requirements he believes the proposed modification could meet the requirements and purposes of open yards as a common space if the applicant would consider

eliminating the fence separation between the two proposed buildings and also clarify to the ABR the new alternate entrances not previously shown to the Board.

ACTION:

The proposed modification project has received no action and has been continued indefinitely making the determinations that the applicant may address the issues of a revised design with a new entry off Clifton and fencing to create more open yard space to satisfy the purpose and intent of the Ordinance.

III. ADJOURNMENT

Ms. Weiss adjourned the meeting at 2:22 p.m.

Submitted by,



Kathleen Goo, Staff Hearing Officer Secretary