



City of Santa Barbara

Planning Division

STAFF HEARING OFFICER MINUTES

FEBRUARY 28, 2007

CALL TO ORDER:

Bettie Weiss, City Planner called the meeting to order at 1:05 p.m.

STAFF PRESENT:

Bettie Weiss, City Planner
Danny Kato, Senior Planner
Roxanne Milazzo, Associate Planner - absent
Allison De Busk, 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:

ACTUAL TIME: 1:07 P.M.

A. APPLICATION OF SHERRY & ASSOCIATES, FOR COLE FAMILY TRUST, 900 JIMENO ROAD, APN 029-053-002, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2007-00012)

The 21,000 square foot project site is currently developed with a single family residence, attached garage, and swimming pool. A major remodel with additions is currently underway on site. The proposed project involves thickening of the existing exterior walls so that the windows will appear recessed. The discretionary application required for this project is a Modification to permit the wall thickening to a portion of the residence currently located within the required thirty-foot (30') front yard setback (SBMC §28.15.060).

Case Planner: Roxanne Milazzo, Associate Planner
Email: rmilazzo@SantaBarbaraCA.gov

David Watkins, representative for Sherry & Associates, present.

Danny Kato, Senior Planner, gave the Staff presentation and recommendation.

Ms. Weiss announced that she read the Staff Report for the proposed project.

The Public Hearing was opened at 1:09 p.m. and, as no one wished to speak, was closed at 1:10 p.m.

ACTION:

Assigned Resolution No. 013-07

Approves the project, making the findings that the Modification is necessary to secure an appropriate improvement on the site and it meets the purpose and intent of the Ordinance, as the encroachment does not result in additional floor area.

Ms. Weiss announced the ten calendar day appeal period.

THE FOLLOWING ITEM WAS HEARD OUT OF AGENDA ORDER

ACTUAL TIME: 1:14 P.M.

B. CONTINUED FROM FEBRUARY 14, 2007 MEETING

**APPLICATION OF DOUGLAS KEEP FOR TERI JORY & SETH GEIGER,
2230 CLIFF DRIVE, APN 041-252-071, E-3 ONE-FAMILY RESIDENCE
ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 5 UNITS PER
ACRE (MST2006-00303)**

The project site is located on the corner of Cliff Drive and Fellowship Road. Current development on site consists of a single family residence and garage. The proposed project involves complete demolition of all structures on site and the construction of a 2,260 square foot two-story residence with attached 2-car garage. The discretionary application required for this project is a Modification to provide the required open yard within the front yard (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 15305.

Case Planner: Roxanne Milazzo, Associate Planner
Email: rmilazzo@SantaBarbaraCA.gov

Douglas Keep, Architect/Applicant; Teri Jory and Seth Geiger, Property Owners, present.

Danny Kato, Senior Planner, gave the Staff presentation and recommendation.

Mr. Kato also read some correspondence received opposed to the proposed project; one letter from: Robert Pietsch, and one from Susan Horne.

Ms. Weiss announced that she reviewed the Staff Report, plans, including the ABR file to review the progression of the project design, and also visited the site and surrounding neighborhood.

Mr. Keep stated that he has been in contact with Southern California Edison, and clarified property boundaries, an abandoned right of way line, property lines, and the proposed project sidewalk right of way issues.

Mr. Keep gave the applicant's presentation.

Ms. Weiss announced that last week the Planning Commission and City Council held a joint session meeting where they had their first annual review of the SHO modification review application process where members of the community clearly

expressed a "principled opinion" that modifications should be granted very sparingly. The City policy is to first consider how to conform to the Ordinance and only consider alternatives to approve modifications when really necessary. She also noted for the applicant that a Zoning Ordinance Amendment is being considered which may allow properties with two front yards to count some front yard space toward open yard which does not happen currently.

Ms. Weiss stated that she believed that applicant's design is not based upon the Code requirement for an open yard. The Code requirement and intent of an open yard is not just private space to recreate or relax in, but in a single family zone, it also provides a buffer between buildings and open living spaces.

The Public Hearing was opened at 1:37 p.m.

Mr. Kato read letter of support from Mr. Mark Michalek which stated that his expressed concerns had been addressed by the applicant.

Mr. Robert Perks was opposed to the proposed project, and expressed concern regarding traffic noise, viable density, privacy from neighboring adjacent properties, mass, bulk and scale, safe vehicle visibility issues, and would prefer a better design with the patio space located to the rear of the lot and the house moved as far forward as possible.

Mr. David Tait was opposed to the proposed project, and expressed concern regarding the proposed project's backyard deck invades neighboring privacy issues, but expressed support for staff's suggestion for a buffer area.

Mr. Gary McGill was opposed to the proposed project, and expressed concern that the bulk and scale would not fit into the neighborhood, invades neighboring privacy issues, lacks sufficient play area for children, and lacks an adequate foundation. Suggested a 20 ft. setback, and scale down the proposed project.

The Public Hearing was closed at 1:47 p.m.

Ms. Weiss explained that the proposed project has a unique side-by-side lot with a building connecting both lots. Each lot is a separate lot, with separate ownership, which must be treated as if they were side-by-side separate lots in any neighborhood.

Mr. Kato explained that staff did a floor area ratio in an attempt to see if reconfiguration to a smaller house would be possible in order to create more open space. It was discovered that the proposed project slightly exceeds the NPO's 100% yard requirement. Staff recommends pulling the residence approximately 20 feet to the front yard setbacks, and reducing the unit size to provide a backyard of adequate dimensions. Should a minor amount of relief be requested, Staff supports a position that utilization of portions of the front yard, to make up the 1,250 square foot

requirement, will be supported due to the recognized constraints associated with two (2) front yard setbacks.

Ms. Weiss explained to the applicant open space and open yard requirements, and suggested alternatives be explored for the site plan and building's footprint conform to the Zoning Ordinance.

Ms. Weiss suggested the applicant alter their requested modification to move the building footprint forward 20 feet to the front yard setback to possibly reduce the unit size to create more usable open space area.

ACTION:

Continued four weeks to the April 11, 2007 meeting, for the applicant to restudy the plans to create a more acceptable open yard, as the outdoor living space, proposed within the front yard setback, does not provide a private yard as intended by the Zoning Ordinance and therefore does not secure an appropriate improvement on the site.

Ms. Weiss announced the ten calendar day appeal period.

THE FOLLOWING ITEM WAS HEARD OUT OF AGENDA ORDER

ACTUAL TIME: 1:10 P.M.

C. APPLICATION OF THOMAS CONDON, AGENT FOR TNS GROUP, LLC, PROPERTY OWNER, 403 ALAMEDA PADRE SERRA, APN: 031-391-015, R-2 TWO FAMILY RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL - 12 UNITS PER ACRE (MST2004-00353)

The proposed project is a request to extend the expiration date of the Tentative Subdivision Map and Modifications approved by the Planning Commission on February 24, 2005, for the development of a two-unit condominium building on a 6,400 square foot lot. The discretionary applications approved for this project were:

1. A Modification to allow the proposed building to encroach into the required front yard setback along Alameda Padre Serra (SBMC §28.18.060 A);
2. A Modification to allow less than the required 1,250 square foot open yard area (SBMC § 28.15.060); and
3. A Tentative Subdivision Map for a one-lot subdivision to create two residential condominiums (SBMC §27.07 and 27.13).

The Environmental Analyst has determined that the current time extension request is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305 (Minor Alterations in Land Use Limitations).

Case Planner: Allison De Busk, Associate Planner
Email: adbusk@SantaBarbaraCA.gov

Tom Condon, Applicant, present.

Ms. Weiss waived the staff presentation.

Ms. Weiss announced that she read the Staff Report for the proposed project.

The Public Hearing was opened at 1:11 p.m. and, as no one wished to speak, was closed at 1:12 p.m.

ACTION:

Assigned Resolution No. 014-07

Approves a two-year time extension for the Tentative Map and Modifications, with the findings that the Tentative Map would be extended to February 24, 2009, and that the project continues to conform to the City's Zoning and Building Ordinances and policies of the General Plan, and subject to the original Conditions of Approval in Exhibit A.

Ms. Weiss announced the ten calendar day appeal period.

III. ADJOURNMENT

Ms. Weiss adjourned the meeting at 2:09 p.m.

Submitted by,



Kathleen Goo, Staff Hearing Officer Secretary