



City of Santa Barbara

Planning Division

STAFF HEARING OFFICER MINUTES

MAY 21, 2008

CALL TO ORDER:

Susan Reardon, Senior Planner called the meeting to order at 1:02 p.m.

STAFF PRESENT:

Bettie Weiss, City Planner
Susan Reardon, Senior Planner I
Danny Kato, Senior Planner II
Betsy Teeter, Planning Technician II
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 announcement or appeals.
- C. Comments from members of the public pertaining to items not on this agenda.
No comments.

II. PROJECTS:

ACTUAL TIME: 1:03 P.M.

- A. APPLICATION OF LARRY R. CLARK, 182 LA VISTA GRANDE, APN 015-130-010. E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, THREE UNITS PER ACRE (MST2008-00037)

The project site is currently developed with a single-family residence and attached two-car garage. The proposed project involves replacement of a failing retaining wall located within 10' of the front lot line and over 3½' in height. The discretionary applications required for this project is a Modification to permit a retaining wall to exceed the maximum allowable height of 3½' when located within the first ten-feet of a front lot line (SBMC §28.87.170)

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

Larry Clark, Property Owner, present.

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

Betsy Teeter, Planning Technician II, gave the Staff presentation and recommendation.

Ms. Reardon requested the applicant to clarify some questions regarding combined height of the fence and hedge.

The Public Hearing was opened at 1:07 p.m. and, as no one wished to speak, was closed at 1:08 p.m.

ACTION:

Assigned Resolution No. 037-08

Approved the project, making the findings that the Modification is necessary to secure an appropriate improvement and that the project meets the purpose and intent of the Ordinance because the retaining wall is necessary to support the grade and it does not pose safety or visual issues for the neighborhood. Said approval is subject to the condition that the existing hedge be removed.

Ms. Reardon announced the ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission.

ACTUAL TIME: 1:09 P.M.

B. APPLICATION OF JOSE L. ESPARZA, 1140 GARCIA, APN 029-283-011, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, THREE UNITS PER ACRE (MST2008-00171)

The project site is currently developed with a single-family residence and attached two car garage. The garage was originally constructed as a carport which was subsequently enclosed and converted to a garage. The proposed project involves a request to demolish the as-built garage and construct a new garage that meets the required dimensional requirements. The discretionary application required for this project is a Modification to permit alterations and additions within the required interior 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.

Jose Esparza, Applicant/Architect, present.

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

Betsy Teeter, Planning Technician II, gave the Staff presentation and recommendation.

Ms. Reardon requested staff and the applicant to clarify questions about the addition and what triggered the expansion of the garage, and whether Transportation Division staff had reviewed with the applicant the possibility of a waiver for the substandard garage dimension.

Mr. Kato and the applicant explained that the possibility of a waiver for the garage was discussed, but it was decided that making the garage conforming was less expensive, and since changing the pitch of the roof required a modification anyway, staff advised the applicant to request the modification to make the garage conforming to Ordinance standards.

Ms. Weiss stated that the site visit revealed that the project required an extension or a build up of the existing retaining wall given the surrounding grade of the site, and that a waiver of the garage dimension was only suggested if the measurements were slight off to simplify the amount of construction.

The Public Hearing was closed at 1:15 p.m.

Mr. Sheldon Sanoff, neighbor, requested clarification about different aspects of the proposed project, including the location of the retaining wall, general proximity, garage, new roof line and pitch of the roof, and was generally supportive of the proposed project and considered the proposed project an enhancement of the neighborhood.

The Public Hearing was opened at 1:20 p.m.

Ms. Reardon concurred with staff that the proposed project is an appropriate improvement on the lot, allows the garage to have a minimal expansion and meet the Code requirements, and does not provide habitable space in the setbacks, and has minimal impact to neighboring properties.

ACTION:

Assigned Resolution No. 038-08

Approved the project, making the findings that the Modification is necessary to secure an appropriate improvement on site and meets the purpose and intent of the Ordinance by allowing a minimal expansion necessary to meet required dimensions for covered parking.

Ms. Reardon announced the ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission.

ACTUAL TIME: 1:22 P.M.

C. APPLICATION OF JOHN BEAUCHAMP ARCHITECT FOR PETER AND CELIA MIKO, 1294 BEL AIR DR, 049-231-002, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2008-00159)

The 10,036 square foot project is currently developed with a single-family residence and an accessory structure. The proposed project involves a remodel to the existing architecture, a 604 square foot addition to the existing residence, a 45 square foot addition to the existing accessory structure, a new roof deck, a relocation of the front entry and a new covered entry trellis. The discretionary applications required for this project are Modifications to permit alterations and additions within the required front and interior setbacks (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.

John Beauchamp, Agent/Applicant, present.

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

Michele Bedard, Planning Technician, gave the Staff presentation and recommendation.

Ms. Weiss requested staff and the applicant to clarify some questions regarding the roof framing and planter location.

The Public Hearing was opened at 1:30 p.m. and, as no one wished to speak, was closed at 1:31 p.m.

Ms. Weiss acknowledged receiving a letter correspondence included in the Staff Report from Mike Fasth, a neighbor, expressing concern regarding the proposed project.

Ms. Weiss concurred with staff and the Single Family Design Board (SFDB) recommendations regarding the requested interior setback modification for the accessory structure. There is no adequate justification regarding the extent of improvement to the existing structure to justify approval of the requested modification since adjustments can be made to have a conforming structure. She concurred with the SFDB's recommendations regarding the trellis entry as a design improvement. She cautioned the applicant that just because the neighborhood has non-conformancies, such as garages in close proximity to the street; that in itself is not a justification to continue the same non-conformances and unwarranted further encroachment into the front yard.

ACTION:

Assigned Resolution No. 039-08

Approved the modification requests for the raised roof parapet within both the front and interior setbacks; the planter box in the front setback; the 16-inch stair encroachment in the interior setback; the trellis entry; and, the new window in the interior setback by making the findings that the modifications are necessary to secure appropriate improvements to the property while meeting the purpose and intent of the Ordinance, as the improvements do not add additional floor area within the setbacks and are mostly aesthetic.

Denied the modification request for the addition to the accessory structure in the interior setback as it is not an appropriate improvement and is not consistent with the purpose and intent of the Ordinance, which increase floor area within the setback and further encroach into an existing, legal, non-conforming setback.

Ms. Weiss announced the ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission.

ACTUAL TIME: 1:36 P.M.

D. APPLICATION OF CHRIS BELANGER, AGENT FOR EMILY AND DANIEL BOSWELL, 2929 SERENA ROAD, APN 051-201-010, E-3, ONE-FAMILY RESIDENTIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 5 UNITS PER ACRE (MST2007-00595)

The 5,500 square foot project site is currently developed with a 1954 square foot single-family residence and attached garage. The proposed project involves a 55 square foot addition and interior remodel of the first floor and a 512 square foot second-story addition. The discretionary application required for this project is a Modification to permit the second story to exceed solar access height limitations (SBMC §28.11).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Chris Belanger, Agent/Applicant, present.

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

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

Mr. Kato responded to public concerns regarding Ordinance requirements and potential shading of the proposed project to neighboring structures.

Ms. Weiss reviewed with the applicant the concerns of the Single Family Design Board (SFDB) regarding changes in the design, roof structure (roof height, pitch, etc.) and room configurations, the need for the modification, and if the current larger design plans were the same ones reviewed by the SFDB. The applicant stated that the majority of the SFDB was in favor of the larger design plans.

Although the justification and amount of addition requested for the front room is very reasonable, Ms. Weiss had concerns regarding the bathroom dormer and the ability to find the Ordinance causes an unreasonable restriction to allow additional shading for the proposed roof structure. Mr. Belanger explained that the size of the bathroom was dictated by the limited amount of bathroom space available, and is not unreasonable in size.

Mr. Belanger explained that the bathroom roof structure was taller than the bedroom because of the way the Building Code allows one to calculate minimum ceiling height of the two areas.

The Public Hearing was opened at 2:03 p.m. and, as no one wished to speak, was closed at 2:04 p.m.

Ms. Weiss acknowledged receiving a recent letter correspondence from Mr. John Devore, Vice President for the Allied Neighborhood Association for Judy Orias, President, which expressing concern regarding the meeting the overriding criterion of unreasonableness to meet Ordinance requirements of the proposed project.

Ms. Weiss acknowledged receiving a letter correspondence included in the Staff Report from Scott and Molly Westgaard, expressing support for the proposed project.

Ms. Weiss suggested that the effect of shading in the backyard might only require minor pruning, acknowledged the complicated roof plan and different elevations, and suggested the possible reduction of bathroom space and closet, and other available options for the roof pitch and gable.

Ms. Weiss acknowledged that neighbors were concerned about the shading issues resulting from the front room roof structure, and the significant shading impact to the neighboring adjacent property to the north.

ACTION:

Assigned Resolution No. 040-08

Approved the project, making the findings that the Modification is necessary to secure appropriate improvements to the property while meeting the purpose and intent of the Ordinance, and necessary to prevent an unreasonable restriction for the second story, in that the project meets the required criteria. It was determined that the design has reduced plate heights where feasible in order to comply with Building Code requirements, where the one area (the bathroom) has additional height, and the additional shading, beyond what the Solar Code allows, is minimal and in the interior yard setback.

Ms. Weiss announced the ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission.

Ms. Weiss suggested the applicant contact the Allied Neighborhood Association and go over with them the details of the proposed project.

Staff Hearing Officer Minutes

May 21, 2008

Page 7

III. ADJOURNMENT

Ms. Weiss adjourned the meeting at 2:11 p.m.

Submitted by,



Kathleen Goo, Staff Hearing Officer Secretary