



# City of Santa Barbara

## Planning Division

### STAFF HEARING OFFICER MINUTES

JANUARY 28, 2009

#### **CALL TO ORDER:**

The meeting was called to order at 9:00 a.m. by Ms. Reardon, Staff Hearing Officer.

#### **STAFF PRESENT:**

Susan Reardon, Senior Planner  
Roxanne Milazzo, Associate Planner  
Jack Jacobus, Associate Planner  
Betsy Teeter, Assistant Planner  
Gloria Shafer, Staff Hearing Officer Secretary

#### **I. PRELIMINARY MATTERS:**

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.  
None.
- B. Announcements and appeals.  
None.
- C. Comments from members of the public pertaining to items not on this agenda.  
No comments.

#### **II. PROJECTS:**

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

- A. **APPLICATION OF BRIAN FRAZIER FOR 1435 OLIVE STREET, APN 029-022-006, R-3 MULTIPLE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 12 UNITS PER ACRE (MST2009-00004)**

The 6,179 square foot project site is located on the corner of Olive and E. Micheltorena Streets. Current development on site consists of a single-family residence and detached garage. The proposed project involves an "as-built" fence located along the secondary front yard of the residence. The discretionary

application required for this project is a Modification to permit the fence to exceed a maximum allowable height of 3 ½' when located along a front lot line or along the first 20' of a driveway (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 15305.

Present: Brian Frazier, Owner.

Ms. Teeter gave the Staff presentation and recommendation. Ms. Teeter clarified that an additional condition is requested for notching the fence for increased visibility.

Mr. Jacobus, Urban Historian, indicated that he can support the existing fence location due to safety and site constraints relating to the nearby bus stop and market. His concern is that the fence is immediately behind the historic sandstone wall and is a potential target for graffiti. He requested ample landscaping between the retaining wall and fence to prevent graffiti and to provide a softer appearance.

Mr. Frazier submitted two letters in support of the project from Robert Vior and Matt and Christine Davis. Mr. Frazier responded to a public comment letter in opposition from Mr. Rution. Mr. Jacobus explained that Mr. Rution is a member of the Bungalow Heaven Association, and although the project site is outside of the actual historic district, it is located within the neighborhood special design area.

The Public Hearing was opened at 9:13 a.m.

Two letters in opposition from Paula Westbury and Joe Rution were acknowledged. One e-mail in support of the project from Kathleen Dagg was acknowledged. The Public Hearing was closed.

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

**ACTION:**

**Assigned Resolution No. 003-09**

The Staff Hearing Officer found that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The Modification to allow the 6 foot 10 inch high fence and retaining wall to exceed three and one-half feet (3 ½') along a portion of the secondary front yard will provide privacy and usable yard areas without safety issues for the community.

Said approval is subject to the following conditions:

1. Ample landscaping shall be planted between the existing retaining wall and fence to screen the fence and discourage graffiti.

2. The portions of the fence within 10 feet of the corner of the driveway shall be relocated on a diagonal as shown on the approved site plan.
3. The trellis covers over the side porch and rear deck cited in the most recent Zoning Information Report as a Building Violation must either be removed or a permit obtained for the "as-built" structures.

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

**ACTUAL TIME: 9:17 A.M.**

**B. APPLICATION OF ROTEMAN EBERHARD & ASSOCIATES, FOR NOEL GREENWOOD, 595 SYCAMORE VISTA ROAD, APN 013-163-001, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST2008-00581)**

The 27,807 square foot project site has frontage on Sycamore Vista and Canyon View Roads. The proposed project involves the rebuild of a two-story single-family residence and detached two-car garage destroyed in the Tea Fire. The proposal includes a 511 square foot expansion to the first floor of the residence, a 117 square foot addition to the garage, and expansion of the first floor deck. The discretionary application required for this project is a Modification to permit new construction within the required 35' front 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 and 15269(a).

Present: Andy Roteman, Architect.

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

Ms. Reardon questioned whether Sycamore Vista Road is a county or private road, and the amount of required county setback. Mr. Roteman responded that Sycamore Vista is a public County road that is privately maintained by the residents, and the County requires 50 foot setback from the center of road right-of-way.

The Public Hearing was opened at 9:25 a.m.

A letter in opposition from Paula Westbury was acknowledged.

The Public Hearing was closed.

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

**ACTION:**

**Assigned Resolution No. 004-09**

Approved the project making the finding that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. Given the overall slope of the property, re-building in the same location as the previous structures requires minimal ground disturbance, and is preferred over moving the development towards the center of the property. Additionally, the amount of separation being provided by the street, the benefits of a structurally safe building, and the fact that the first floor addition will not encroach further into the front setback that the previously existing second-floor provide for appropriate improvements over the residence that previously existed.

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

**ACTUAL TIME: 9:28 A.M.**

**C. APPLICATION OF SHAWN MERCER FOR MRP SANTA BARBARA, LLC, 2541 MODOC ROAD, APN 049-170-011, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 3 UNITS PER ACRE (MST2008-00169)**

The 61,918 square foot project site is located on the corner of Modoc Road and Hacienda Drive. Current development on site consists of a 37 unit apartment complex. As part of an exterior remodel, door and window changes, balcony additions, a new trash enclosure, and four new parking spaces are being proposed. The discretionary applications required for this project are Modifications to permit alterations and additions within both required thirty-foot (30') front setbacks, and to permit parking within a front setback facing Hacienda Drive (SBMC §28.15.060 & 28.90.001.I).

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

Present: Shawn Mercer, Co-Owner.

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

The Public Hearing was opened at 9:40 a.m.

A letter in opposition from Paula Westbury was acknowledged.

The Public Hearing was closed.

Ms. Reardon questioned why the site plan indicates existing sidewalks along the Hacienda Drive frontage; based on the site visit, none exist. Ms. Reardon also questioned what other conforming options were considered for the trash enclosure, whether the proposed front yard play equipment is considered an

accessory structure, and what type of screening and landscaping is proposed along Hacienda Drive.

Mr. Mercer responded that the sidewalks were removed by Public Works and will be replaced by Public Works after retaining walls and landscaping have been installed with the project. He stated that consideration was given to placing the trash enclosure at the rear corner of the parking area, however the existing parking would be infringed upon in order to relocate the trash enclosure. The trash truck could maneuver not maneuver into the back for trash pickup. The proposed enclosure location maximizes existing parking spaces and causes less impact to adjacent neighbors. Ms. Milazzo responded that the Zoning Plans Examiner clarified that the play area is not a building therefore it is not considered an accessory structure but an amenity, and as long as it remains outside of the required setback is not considered an obstruction.

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

**ACTION:** **Assigned Resolution No. 005-09**  
Approved the project making the finding that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The alterations and additions being proposed for the lot and the buildings allow for upgrades associated with the maintenance and repair of the existing development without resulting in additional floor area or intensification of use for this site or the neighborhood.

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

**ACTUAL TIME: 9:43 A.M.**

**D. APPLICATION OF JAMES BROUS & MARY SCHERER, 411 E. CARRILLO STREET, APN 029-222-018, C-2 COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS PER ACRE (MST2008-00533)**

The 4,662 square foot project site is currently developed with a single-family residence and detached one-car garage. The proposed project involves demolition of the existing structures and the construction of a two-story single-family residence with detached two-car garage. The discretionary application required for this project is a Modification to permit the garage to be located within the required interior setback (SBMC §28.21.060).

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

Present: Mary Scherer, Owner; Susan Sherwin, Architect.

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

The Public Hearing was opened at 9:52 a.m.  
A letter in opposition from Paula Westbury was acknowledged.  
The Public Hearing was closed.

Ms. Reardon question whether Mr. Jacobus, City Historian, has reviewed demolition of the existing house because of its location with in the Demo Review Study area. Ms. Milazzo clarified that because there have been alterations to existing residence, there are no issues with demolition.

Ms. Reardon questioned whether Transportation Staff reviewed locating the garage 3 feet from the interior property line. Ms. Scherwin responded that the adjacent commercial owner would be required to reconfigure their parking lot, relocate existing utilities, remove and replant the hedge on their site.

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

**ACTION:** **Assigned Resolution No. 006-09**  
Approved the project making the finding that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed location will provide required parking for the project without impacts to the immediate neighbor due to the single story, flat roof design, and the grade change between the two properties.

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

### **III. ADJOURNMENT**

Ms. Reardon adjourned the meeting at 9:55 a.m.

Submitted by,

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Gloria Shafer, Staff Hearing Officer Secretary

1-29-2009  
Date