



# City of Santa Barbara

## Planning Division

### STAFF HEARING OFFICER MINUTES

JULY 1, 2009

#### CALL TO ORDER:

Bettie Weiss, City Planner, called the meeting to order at 9:02 a.m.

#### STAFF PRESENT:

Bettie Weiss, City Planner  
Renee Brooke, Senior Planner  
Roxanne Milazzo, Associate Planner  
Kelly Brodison, 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.  
Ms. Weiss announced that an appeal of 500 N. Milpas Street has been filed to the Planning Commission; a hearing date has not been set.
- C. Comments from members of the public pertaining to items not on this agenda.  
None.

#### II. PROJECTS:

##### ACTUAL TIME: 9:03 A.M.

- A. APPLICATION OF PACIFIC ARCHITECTS FOR KAREN SILBERSTEIN, 217 CONEJO ROAD, APN 019-041-033, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST2009-00079)

The two acre project site was previously developed with a single-family residence and attached two-car garage, which were destroyed in the Tea Fire. The project consists of construction of a 3,036 square foot residence and attached 515 square

foot two-car garage. The rebuild will result in approximately 161 square feet of additional floor area over what previously existed. The discretionary application required for this project is a Modification to permit new construction and alterations 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 15303 & 15305.

Present: Bill Wolf, Architect.

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

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

The Public Hearing was opened at 9:06 a.m.

A letter in opposition from Paula Westbury was acknowledged.

With no one wishing to speak, the Public Hearing was closed.

**ACTION:**

**Assigned Resolution No. 052-09**

Approved the subject application making the following findings and determinations:

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 encroachment allows for a minor expansion of the residence that matches the previously existing setback. Although the site is large, it is constrained by steep slopes, which limits the area available for development. Given the minor nature of the proposed expansion and its distance from adjacent properties, this proposal will not adversely impact the neighborhood. Said approval is subject to a condition that one of the two laundry facilities be removed from the floor plan.

Said approval is subject to a condition that one of the two laundry facilities be removed from the floor plan.

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

**ACTUAL TIME: 9:08 A.M.**

- B. APPLICATION OF REX RUSKAUFF, ARCHITECT FOR RICHARD GARCIA, 900 LAS ALTURAS ROAD, APN 019-142-005, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 1 UNIT PER ACRE (MST2009-00243)**

The 19,700 square foot project site was previously developed with a single-family residence and attached two-car garage, which were destroyed in the Tea Fire. The project consists of construction of a 2,058 square foot, three-story residence and attached 400 square foot garage. 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 15303 & 15305.

Present: Rex Ruskauff, Architect.

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

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

The Public Hearing was opened at 9:14 a.m.

A letter in opposition from Paula Westbury was acknowledged.

With no one wishing to speak, the Public Hearing was closed.

**ACTION:**

**Assigned Resolution No. 053-09**

Approved the subject application making the following findings and determinations:

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 encroachment allows for better placement and continued use of the front setback for the new development including the driveway. Although this site is nearly 20,000 square feet, it is constrained by a small building pad and steep slope, which limits the area available for development.

Said approval is subject to the condition that a Zoning Compliance Declaration be recorded against the property's title due to the lower level floor plan configuration.

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

ACTUAL TIME: 9:16 A.M.

C. APPLICATION OF BEHZAD MASOOMAN, 507 CONEJO ROAD, APN 019-062-010, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST2009-00209)

The 9,100 square foot project site was previously developed with a single-family residence and detached two-car garage, which were destroyed in the Tea Fire. The project consists of construction of a 1,090 square foot residence and detached 311 square foot garage. The rebuild will include a new front porch, a roof pitch increase and window changes over what previously existed. The discretionary applications required for this project are Modifications to permit new construction and alterations within the required 35' front and 15' 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 15303 & 15305.

Present: Behzad Massooman, Owner.

Ms. Weiss announced that she read the Staff Report 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 9:19 a.m.

A letter in opposition from Paula Westbury was acknowledged.

With no one wishing to speak, the Public Hearing was closed.

**ACTION:**

**Assigned Resolution No. 054-09**

Approved the subject application 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 alterations to the roof and windows and the new porch will allow architectural upgrades to the rebuild with minimal exterior changes, no additional floor area within the setbacks, and no impacts to the adjacent neighbors.

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

ACTUAL TIME: 9:23 A.M.

**D. APPLICATION OF DAPHNE ROMANI DREW, AGENT FOR NELLE SLACK & PETER HARRIS, 312 SHERMAN ROAD, APN 019-050-004, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST2009-00233)**

The 10,397 square foot project site was previously developed with a single-family residence and detached two-car garage, which were destroyed in the Tea Fire. The project consists of construction of a 2,692 square foot residence and attached 490 square foot garage. The discretionary applications required for this project are Modifications to permit new construction and alterations within the required 35' front and 15' 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 15303 & 15305.

Present: Daphne Romani Drew, Architect; Nelle Slack, Owner.

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

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

Ms. Weiss questioned the reasoning for the garage relocation. Ms. Drew explained that the intent of relocating the garage is to gain better access to the street and more sun in the front yard. Ms. Drew requested consideration of a one foot plane offset for more articulation of the building facade.

The Public Hearing was opened at 9:30 a.m.

A letter in opposition from Paula Westbury was acknowledged.

With no one wishing to speak, the Public Hearing was closed.

**ACTION:**

**Assigned Resolution No. 055-09**

Approved the subject application making the following findings and determinations:

The Modifications to allow the residence to encroach into the westerly interior setback and to allow the garage to encroach into the eastern interior and front setbacks are consistent with the purposes and intent of the Zoning Ordinance and necessary to secure an appropriate improvement on the lot. The proposed changes to the building footprint are minor in nature when compared to that allowed by the 1976 Modification approval, and it will allow for easier access to the garage, with no impacts to adjacent neighbors.

Said approval is subject to the project returning to Single Family Design Board for consideration of a lesser encroachment of one foot for the garage, the minimal amount needed for design massing.

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

**ACTUAL TIME: 9:35 A.M.**

**E. APPLICATION OF RON SORGMAN, ARCHITECT FOR ELAINE WEBSTER, 819 N. SALSIPUEDES STREET, APN 031-031-008, R-3 MULTI-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 12 UNITS PER ACRE (MST2009-00189)**

The project site is currently approved for the construction of two residential units. During site preparation it was noted that the existing retaining wall, located along the southeastern property line, needed to be demolished and replaced. The discretionary application required for replacement is a Modification to permit the wall and chain link fence above it to exceed the maximum allowable height of 3½' within the first 20' back from the front lot line when located within 10' of the 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 15303 & 15305.

Present: Ron Sorgman, Architect.

Ms. Weiss announced that she read the Staff Report 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 9:41 a.m.  
With no one wishing to speak, the Public Hearing was closed.

**ACTION:** **Assigned Resolution No. 056-09**  
Approved the subject application making the following findings and determinations:

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 retaining wall and fence will allow for construction and maintenance of the approved driveway to be installed on site, which will provide access to the required parking for the new units.

Said approval is subject to the conditions of approval by the Architectural Board of Review, and that all appropriate right-of-way encroachment permits be obtained prior to building permit issuance.

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

The hearing recessed at 9:41 a.m. and reconvened at 9:59 a.m.

**ACTUAL TIME: 9:59 A.M.**

**F. APPLICATION OF JOSE ESPARZA, ARCHITECT FOR WENTWORTH INVESTORS, LLC, 505 WENTWORTH AVENUE, APN 037-143-010, R-3 ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 12 UNITS PER ACRE, (MST2007-00345)**

The project consists of a proposal to construct a new 4,037 square foot, two-story building consisting of three (3) new residential condominiums on an existing 6,500 square foot vacant lot in the R-3 Zone. The units would range in size between 850 square feet for the one-bedroom and 980 square feet for the two (2) two-bedroom units. An attached two-car garage is proposed for each unit. Approximately 257 cubic yards of grading is proposed for foundation preparation.

The discretionary application required for this project is a Tentative Subdivision Map for a one-lot subdivision to create three (3) residential condominium units (SBMC §27.07 and 27.13).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303 (New Construction of Small Structures) and 15315 (Minor Land Divisions).

Present: Jose Esparza, Architect; Marc Jacobs, Owner.

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

Kelly Brodison, Assistant Planner, gave the Staff presentation and recommendation. Ms. Brodison explained inclusionary housing in-lieu fees and reported the deletion conditions A.1 and B.6.e.

The Public Hearing was opened at 10:04 a.m.  
A letter in opposition from Paula Westbury was acknowledged.  
With no one wishing to speak, the Public Hearing was closed.

**ACTION:**

**Assigned Resolution No. 057-09**

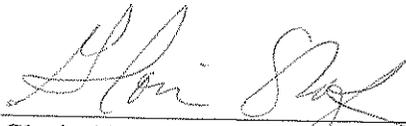
Approved the project making the findings contained in Section VII of the Staff Report dated June 24, 2009, as revised at the hearing, and subject to the Conditions of Approval contained in Exhibit A as amended.

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

**III. ADJOURNMENT**

The meeting was adjourned at 10:07 a.m.

Submitted by,



---

Gloria Shafer, Staff Hearing Officer Secretary