



City of Santa Barbara Planning Division

STAFF HEARING OFFICER MINUTES

JUNE 30, 2010

CALL TO ORDER:

Susan Reardon, Senior Planner, called the meeting to order at 9:04 a.m.

STAFF PRESENT:

Susan Reardon, Senior Planner
Jim Austin, Fire Inspector II
Chelsey Swanson, Assistant Transportation Planner
Roxanne Milazzo, Associate Planner
Suzanne Reigle, 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. Reardon announced that the Staff Hearing Officer decision on 512 Bath Street has been suspended by the Planning Commission Liaison, Stella Larson. The project will be reviewed by the Planning Commission on July 15, 2010.
- C. Comments from members of the public pertaining to items not on this agenda.
None.

II. PROJECTS:

ACTUAL TIME: 9:07 A.M.

- A. APPLICATION OF AB DESIGN STUDIO, AGENT FOR HALL LIVING TRUST, 1036 ARBOLADO DRIVE, APN 019-220-003, E-1 ONE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2009-00556)

The 16,975 square foot project site is currently developed with a 3,965 square foot single family residence, detached 2 car garage, detached accessory building and a swimming pool. The proposed project involves alterations to the existing garage to match the architecture of the residence. The discretionary application required for this project is a Modification to permit alterations to the portion of the garage located within the ten-foot 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 & 15305.

Present: Josh Blummer, AB Design Studio.

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

Ms. Reardon 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 9:09 a.m. As no one wished to speak, the Public Hearing was closed.

ACTION: **Assigned Resolution No. 030-10**
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 existing garage will allow an architectural improvement to a non-conforming structure without risk of impacts to the neighbors.

Said approval is subject to the condition that the existing over-height hedge along the southeast property one be reduced in height to comply with Santa Barbara Municipal Code §28.87.170 to increase traffic and pedestrian visibility and safety.

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

ACTUAL TIME: 9:11 A.M.

B. APPLICATION OF FERGUSON-ETTINGER ARCHITECTS, AGENT FOR ALESSANDRO CASTELLARIN, 282 LOMA MEDIA ROAD, APN 019-272-011, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2010-00134)

The 15,217 square foot project site is currently developed with a 2,494 square foot single family residence and attached carport. The proposed project involves a 461 square foot second story addition to the residence and conversion of the carport to a

garage. The discretionary application required for this project is a Modification to permit alterations to the carport which is located within the required thirty-foot 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: Michael Davison, Ferguson-Ettinger Architects.

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

Ms. Reardon 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. As no one wished to speak, the Public Hearing was closed.

Ms. Reardon stated that she could approve the modification with a condition that the roof overhang is pushed back to not extend past the front wall of the existing carport. Mr. Davison agreed to the condition.

ACTION: **Assigned Resolution No. 031-10**
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 alteration within the required front setback provides for an improvement for the existing carport in its existing location, as described in Section IV of the Staff Report.

Said approval is subject to the condition that the garage roof overhang will not extend past the existing carport front wall edge.

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.

C. APPLICATION OF MARK MORANDO, AGENT FOR CHARLES BRADFORD, 2010 EMERSON AVENUE, APN 025-401-002, R-2 TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 12 UNITS PER ACRE (MST2009-00294)

The 8,739 square foot project site is currently developed with a single family residence. The proposed project involves "as-built" changes that have occurred on site, including replacement of the American four square gable dormer with a full

front gable with French Doors and roof deck, addition of two side-facing gable dormers, and the addition of a circular driveway. The discretionary applications required for this project are Modifications to permit an increase in roof height within the required six-foot interior setback, a dormer addition to exceed the solar access height limitation, and parking within the required fifteen foot front setback (SBMC §28.18.060, 28.11.020, & 28.90.001).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301 & 15305.

Present: Mark Morando, Agent; Grant Simon, Owner.

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

Ms. Reardon 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 9:33 a.m.

Pat McElroy, in support.

The public hearing was closed at 9:36 a.m.

Ms. Reardon stated that she can not support the parking as presented. Ms. Reardon offered to continue the parking portion of the project four weeks to the meeting of July 28th to allow the applicant to study ways to reduce the parking area and increase the landscaping and screening, or denying the parking without prejudice. Mr. Morando agreed to a four week continuance for the parking.

Ms. Reardon continued the project four weeks to the meeting of July 28, 2010, to allow the applicant time to prepare an alternative parking solution.

ACTUAL TIME: 9:48 A.M.

D. APPLICATION OF KENT MIXON ARCHITECT, AGENT FOR LISA PETRAITIS, 2717 EL PRADO ROAD, APN 051-281-009, E-3 ONE-FAMILY RESIDENCE/SD-2 SPECIAL DISTRICT OVERLAY ZONES, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2010-00113)

The 10,557 square foot project site is currently developed with a single family residence and detached garage. The proposed project involves a 496 square foot accessory room above the garage, 822 square feet of subterranean storage, a new pool, and associated landscape terraces. The discretionary applications required for this project are Modifications to permit alterations to portions of the existing garage roof within the required six-foot interior setback and for accessory space to exceed the 500 square foot maximum (SBMC §28.15.060 & 28.87.160).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301 & 15305.

Present: Kent Mixon, Architect; Ray Twyford, Associate.

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

The Public Hearing was opened at 9:56 a.m.
A letter in support from Gail and Michael Stichler was acknowledged.
As no one wished to speak the Public Hearing was closed.

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

Ms. Reardon had concerns with the amount of accessory space proposed and questioned whether the existing garage could be re-used or if it would be demolished.

Ms. Reardon stated that a condition would be added requiring that a structural report be submitted prior to the issuance of a building permit indicating whether that structure could remain. If it is determined that the structure is to be demolished this approval is null and void and the project must return to the Staff Hearing Officer. Mr. Mixon agreed to the condition.

ACTION: **Assigned Resolution No. 032-10**
The Modification of accessory space is consistent with the purposes and intent of the Zoning Ordinance and necessary to secure an appropriate improvement on the lot because the majority of the accessory space has either been provided below grade or designed under decks and therefore does not appear to be excessive for the lot or the neighborhood.

The Modification to permit alterations to the existing garage roof is necessary secure an appropriate improvement of architectural balance and a uniform improvement for the design, without intensification of use or impacts to the adjacent residential neighbor.

Prior to the issuance of a building permit the applicant shall provide staff with a report prepared by a licensed structural engineer confirming that the existing garage can be reused as proposed. If it is determined that the garage will be demolished, this approval is null and void.

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

ACTUAL TIME: 10:11 A.M.

E. APPLICATION OF AB DESIGN STUDIO, AGENT FOR JEFF BURTON, 624 ISLAND VIEW DRIVE, APN 035-111-004, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2010-00158)

The 10,222 square foot project site is currently developed with 1,432 square foot single family residence, detached garage, and swimming pool. The proposed project involves a remodel of the existing architecture, demolition of the existing garage, and the construction of a new 2-car garage, and 722 square feet of new residential floor area above a 388 square foot basement. The discretionary applications required for this project are Modifications to permit alterations to portions of the residence located within both thirty-foot front setbacks and to construct the new garage within the required ten-foot 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 & 15305.

Present: Clay Aurell, Architect, AB Design Studio; Mr. and Mrs. Burton, Owners.

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

Ms. Reardon 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 10:19 a.m.

Five letters in support of the project were submitted by the applicant.

David Magnusson, Attorney representing Phyllis and Ron Dorian expressed concern about the loss of views due to the proposed 16 foot wall of the addition.

The public hearing was closed at 10:25 a.m.

Ms. Reardon stated concerns with the garage encroaching into the setback. Mr. Aurell stated that the existing garage is nonconforming and adding a second-story would make the building taller and inappropriate to the neighborhood. Ms. Reardon questioned whether the fire place could be removed which would allow for a greater setback to be provided. Mr. Aurell considered removing the fireplace and increasing the setback to a minimum of 5 feet. The property owners agreed to this change.

ACTION:

Assigned Resolution No. 033-10

The Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure appropriate improvements on the lot. The proposed changes to the existing architecture allows for an upgraded appearance for the 1950's era development, and the encroachment of the new garage within the required interior setback allows for covered regulation sized parking for the site, as described in Section IV of the Staff Report.

Said approval is subject to the condition that a Zoning Compliance Declaration to be recorded against the property's title and a minimum 5 foot setback along the north property line to be maintained.

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

ACTUAL TIME: 10:43 A.M.

F. **APPLICATION OF MURPHY AND ASSOCIATES, ARCHITECTS, AGENT FOR RICHARD & VERA SCHEEFF, 1131 LOS PUEBLOS ROAD, APN 031-071-028, E-3 ONE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2010-00079)**

The 15,921 square foot project site is currently developed with a 2,731 square foot two-story single family residence and attached one-car garage. The proposed project involves a major remodel, new entry stairs, architectural upgrade, demolition of 607 square feet and 1,082 square feet of upper level addition for the residence and a new two-car garage with storage below. The discretionary application required for this project is a Modification permit the new entry stairs to be located within the required fifteen foot front setback (SBMC §28.15.060 & 28.15.065).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301 & 15305.

Present: Bryan Murphy, Architect.

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

Ms. Reardon 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 10:47 a.m. As no one wished to speak, the Public Hearing was closed.

ACTION:

Assigned Resolution No. 034-10

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 front setback encroachment allows for an architectural improvement, without additional floor area, without impacts to the 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: 10:56 A.M.

G. APPLICATION OF RICHELE MAILAND FOR MIDWEST INSTITUTION, LLC & JOSEPH A. YOB, 1402 GRAND AVENUE & 860 JIMENO ROAD, 029-110-036 & 029-110-037, A-1/E-1 AND E-1 SINGLE FAMILY RESIDENTIAL ZONES, GENERAL PLAN DESIGNATION: 1 UNIT/ACRE (MST2008-00402)

A Substantial Conformance Determination has been requested to allow for changes to the approved project conditions outlined in Staff Hearing Officer Resolution 046-09. Condition II.A.1 required a one-car carport be built and the applicant has revised project to include the construction of a 603 square foot detached two-car garage for 1402 Grand Avenue. The applicant has requested revisions to conditions II.A.2-5, which restricted the vehicular access on the lot to the minimum area needed to turn a vehicle around, with a condition for planters and boulders to restrict vehicular access. The applicant has requested the enlargement of the area identified as a turn around area and a guest parking space.

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 §15305 (Minor Alteration in Land Use Limitations).

Present: Kathleen Weinheimer, Attorney for applicant; Richele Mailand, Applicant; Duke McPherson, Arborist; Todd Drevo and Melanie Cava (Midwest Institution, LLC), Owners; Jim Austin, Fire Inspector.

Suzanne Reigle, Assistant Planner, gave the Staff presentation and recommendation. Ms. Reigle clarified that a paragraph regarding categorical exemption was inadvertently omitted from the agenda.

Mr. Austin, Fire Inspector explained that the proposal improves the Fire Department's ability to access the property. Mr. McPherson, Arborist stated that is he comfortable that the tree compaction issue had been addressed, and it was his opinion that the tree is healthy and the proposed parking area is acceptable.

Mr. McPherson suggested obtaining a base arborist report to aid in monitoring against moth infestation.

Ms. Reardon 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 11:19 a.m.

Benita Wilson, spoke in support.

Francesca Cava, spoke in support.

A petition containing eleven neighbor signatures in support was acknowledged.

The Public Hearing was closed at 11:23 a.m.

Ms. Reardon questioned vehicular maneuverability. Chelsey Swanson, Assistant Transportation Planner explained that a standard vehicle can turnaround in one maneuver, larger vehicles might require several back and forth maneuvers. Ms. Mailand suggested reducing the amount of decomposed granite within the 10' setback and having an arborist conduct baseline and yearly reports.

After considerable discussion, the Staff Hearing Officer recommended Staff find the project to be in Substantial Conformance with the original approval with the following comments: 1) The applicant is to submit a written agreement to Staff for approval prior to final determination. 2) The increased turn around area was acceptable with the understanding that if the Oak tree appears to be adversely affected then the decomposed granite could be reduce and reverted to mulch. 3) The property owner is to work with the neighboring property owner to prevent future Oak tree infestation.

III. ADJOURNMENT

Ms. Reardon adjourned the meeting at 11:44 a. m.

Submitted by,



Gloria Shafer, Staff Hearing Officer Secretary

