



# City of Santa Barbara Planning Division

## STAFF HEARING OFFICER MINUTES

MAY 4, 2011

### **CALL TO ORDER:**

Susan Reardon, Senior Planner, called the meeting to order at 9:00 a.m.

### **STAFF PRESENT:**

Susan Reardon, Senior Planner  
Renee Brooke, Senior Planner  
Dan Gullett, Associate Planner  
JoAnne LaConte, Assistant Planner  
Kathleen Goo, Staff Hearing Officer Secretary

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

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.  
Ms. Reardon announced that the application for Item D, 15 Chase Drive, was continued at the applicant's request to the May 18, 2011 meeting.
- B. Announcements and appeals.  
None.
- C. Comments from members of the public pertaining to items not on this agenda.  
None.

## II. PROJECTS:

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

A. APPLICATION OF SHERRY & ASSOCIATES ARCHITECTS, AGENT FOR ELIAS KHOURY, 735 W. MICHELTORENA STREET, APN: 039-032-001, R-2 TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: GENERAL COMMERCE (MST2010-00293)

The 4,590 square foot project site is currently developed with a neighborhood market and a detached single-family residence that was damaged by a fire. The proposed project involves construction of a 251 square foot one-story addition and a 517 square foot two-story addition to the existing 448 square foot one-story residence, and attaching it to the market. Also proposed is the conversion of an existing bedroom and storage area to a one-car garage for the residence.

The discretionary applications required for this project are Modifications to allow new habitable space within the required six foot interior setback, new covered parking in both required three foot interior setbacks, and to not meet the requirements for the location and dimensions of the open yard area (SBMC §28.18.060.B & C).

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: Dawn Sherry, Architect.

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

JoAnne La Conte, Assistant Planner, gave the Staff presentation and recommendation.

The Public Hearing was opened and with no one wishing to speak, the Public Hearing was closed at 9:18 a.m.

A letter expressing concern from Paula Westbury included in the Staff Report was acknowledged.

**ACTION:** **Assigned Resolution No. 018-11**  
Approved the Modifications making the findings outlined in the written Staff Report dated April 27, 2011.

Said approval is subject to the conditions as revised at the hearing and outlined in the Staff Report dated April 27, 2011.

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

**ACTUAL TIME: 9:26 A.M.**

**B. APPLICATION OF DAN WEBER, ARCHITECT FOR PATRICK AND LAUREN MCDERMOTT, 221 OLIVER ROAD, APN 041-329-001, E-3 (SINGLE-FAMILY) AND SD-3 (COASTAL) ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL, 5 UNITS PER ACRE (MST2011-00035)**

The 6,250 square-foot project site is currently developed with a single-family residence and attached two-car garage. The proposed project involves permitting an existing six foot high wall located within 50 feet of the corner of Oliver Road and Hudson Drive. The discretionary application required for this project is a Modification to allow the wall to exceed three and one half feet in height within 50 feet of the street corner (SBMC §28.87.170).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines §15303 (New Construction) and §15305 (Minor Alterations in Land Use Limitations).

Present: Patrick McDermott, Applicant/Owner.

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

Dan Gullett, Associate Planner, gave the Staff presentation and recommendation.

The Public Hearing was opened and with no one wishing to speak, the Public Hearing was closed at 9:23 a.m.

**ACTION:** **Assigned Resolution No. 019-11**  
Approved the Modification making the findings as outlined in the written Staff Report dated April 27, 2011.

Said approval is subject to the condition that the landscaping within 50 feet of the street corner of Oliver Road and Hudson Drive be trimmed and maintained at a height not to exceed 3½ feet. The Applicant shall consult with Transportation Staff to verify if further reduction in height is necessary to increase sight visibility at the intersection of Oliver Road and Hudson Drive.

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

**ACTUAL TIME: 9:32 A.M.**

**C. APPLICATION OF BRITT JEWETT, AGENT FOR BARBARA MATHEWS, 2105 ANACAPA STREET, APN 025-242-011, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2008-00311)**

The subject property is a 9,448 square foot site located on the corner of Anacapa and Padre Streets. Current development on-site consists of a single family residence and detached garage, which encroach into both front and interior setbacks. On March 25, 2009, the Staff Hearing Officer (SHO) approved a development project that required approval of Modifications to allow alterations within both 30-foot front setbacks.

At the time of the SHO approval, the applicant was proposing demolition of the existing structures and construction of a new 3,339 square-foot, two-story single family residence with an attached 420 square-foot garage. The current request is for a Substantial Conformance Determination to allow a reduced project that will result in an approximately 2,860 square-foot residence and attached 420 square-foot garage, including alterations within both 30-foot front setbacks.

Present: Britt Jewett, Agent.

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

Renee Brooke, Senior Planner, gave the Staff presentation.

The Public Hearing was opened at 9:44 a.m.

Tony Fischer spoke with concerns regarding the process of granting a substantial conformance determination.

The Public Hearing was closed at 9:46 a.m.

Ms. Brooke clarified the process of a substantial conformance determination in relation to the prior project approval.

Ms. Reardon stated she had no concerns regarding the requested slightly smaller window change and the decision by applicant to leave the non-conforming northern wall as it currently exists with no fenestration changes.

Ms. Reardon concurred with staff's concerns that areas previously shown to be removed from the setbacks are now proposed to remain. However, she pointed out that the Zoning Ordinance allows for non-conforming buildings to be demolished and rebuilt as long as only very minor exterior changes are proposed. Ms. Reardon also pointed out that the area within the Padre Street front setback previously had approved obstructions in the front setback. This area in question was previously proposed as a raised covered patio area. Ms. Reardon stated she could not find the enclosure of the patio area in substantial conformance with the earlier approval.

**ACTION:**

**NO Approval of Substantial Conformance Determination (SCD).**

**Comments to staff only.**

**D. APPLICATION OF ON DESIGN ARCHITECTS, FOR JOHN SARAD, 15 CHASE DRIVE, APN 015-032-002, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2011-00023) CONTINUED TO THE MAY 18, 2011 MEETING.**

The 13,939 square foot project site is currently developed with a single family residence and attached two-car garage. The proposed project involves an 86 square foot expansion of the residence.

The discretionary application required for this project is a Modification to allow new floor area within the required ten-foot (10') 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.

**III. ADJOURNMENT**

Ms. Reardon adjourned the meeting at 10:23 a.m.

Submitted by,



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Kathleen Goo, Staff Hearing Officer Secretary