

City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: May 7, 2015
AGENDA DATE: May 13, 2015
PROJECT ADDRESS: 324 Sherman Rd. (MST2015-00003)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Danny Kato, Senior Planner *DYK*
 Jo Anne La Conte, Assistant Planner *JAL*

I. PROJECT DESCRIPTION

The approximately 14,395 square-foot site is currently vacant. The proposed project involves the construction of a new two-story, 2,301 square foot single-family residence with an attached 419 square foot, two-car garage and 283 square feet of raised wood decks. The proposal will replace a 1,775 square foot single family dwelling and 422 two-car garage that were destroyed in the Tea Fire. The proposed total of 2,720 square feet on a 14,395 square foot lot in the Hillside Design District is 64% of the required floor-to-lot area ratio (FAR).

The discretionary applications required for this project are:

1. Front Setback Modification to allow new construction within the required 35-foot front setback (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. Interior Setback Modification to allow new construction within the required 15-foot interior setback (SBMC § 28.15.060 and SBMC § 28.92.110)

Date Application Accepted: April 6, 2015

Date Action Required: July 3, 2015

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project, subject to conditions.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Jarrett Gorin	Property Owner:	Appelbaum-Shapiro Living Trust
Parcel Number:	019-050-006	Lot Area:	Approximately 14,395 sq. ft.
General Plan:	Low Density Residential (Max. 1 du/acre)	Zoning:	A-1

Existing Use: Vacant Topography: 50% slope

Adjacent Land Uses:

North – Residential

East - Vacant Lot

South – Residential

West - Residential

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	Vacant Lot	2,256 sq. ft.
Garage	Vacant Lot	419 sq. ft.

C. PROPOSED LOT AREA COVERAGE

Building: 1,863 sf 13% Hardscape: 424 sf 3% Landscape: 12,107 sf 84%

IV. DISCUSSION

The project was reviewed by the Single Family Design Board (SFDB) on February 9, 2015 and March 23, 2015 (see attached Exhibit C). At the March 23, 2015 meeting the SFDB forwarded the project to the Staff Hearing Officer (SHO), with comments.

The proposed project involves the construction of a new two-story 2,301 square foot single-family residence with an attached 419 square foot, two-car garage, and 283 square feet of raised wood decks. The prior two-story, single-family residence and garage were destroyed in the Tea Fire.

In 1976, modifications were approved for four parcels on Sherman Road to have reduced front setbacks of 10 feet, and for one parcel to have a reduced front setback of 15 feet, instead of the 35 feet required, and for all five parcels to have interior setbacks of 8 feet instead of the 15 feet required. Upon granting of that modification, the parcel located at 324 Sherman Road had a front setback of 10 feet, and an east interior setback of 8 feet for the garage and dwelling at the property.

The proposed project is to locate portions of the dwelling 25 feet from the front property line and to locate the garage 10 feet from the front property line, instead of the 35 feet required. In addition, the proposal includes locating the garage and dwelling 12 feet from the east interior property line and a new balcony to be located 8 feet from the east interior property line, instead of the 15 feet required. The lot is site constrained due to the existing topography and the small size of the A-1 zoned lot. Staff supports the front setback modification to allow the dwelling and garage to be located in the required front setback for several reasons: 1) the small size of the A-1 zoned lot, 2) the lot is steeply sloped, and 3) the proposal will result in less of an encroachment into the front setback than the previously approved development on site with the second story mass of the dwelling being setback from the street. Staff also supports the interior setback modification to locate the dwelling and garage 12 feet from the east interior property line because of the small size of the A-1 zoned lot, the proposed development will be located

further from the east interior property line than the previously approved dwelling and garage and the proposal is not anticipated to adversely impact the adjacent neighbor's property.

However, Planning staff does not support the proposed new balcony to be located 8 feet from the east interior property line because the new balcony will provide an outdoor area along the interior property line that may adversely impact the adjacent neighbor's property to the east. Transportation staff has reviewed the project and has determined that the garage will function as proposed, but that the driveway needs to be redesigned to meet the City's Parking Design Standards, and that all work located in the City right-of-way will require a separate Public Works Permit. Therefore, conditions have been included to address Transportation staff's comments.

Arborist Letter

Due to concerns regarding potential impacts to an existing 16" Oak Tree at the rear of the property in the area of the proposed construction, an Arborist Report was requested. The applicant has provided a letter dated April 4, 2015 from Peter J.H. Winn, Certified Arborist which includes recommendations for tree protection during construction. Therefore, a condition has been added that the recommendations for tree protection shall be included as part of this project.

V. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the Front Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure appropriate improvements on the lot. The proposed new dwelling and garage in the front setback are appropriate because of the small size of the A-1 zoned lot, because the lot is steeply sloped, and the proposal will result in less of an encroachment into the front setback than the previously approved development on site with the second story massing of the dwelling setback from the street.

The Staff Hearing Officer finds that the Interior Setback Modification for the dwelling and garage, except for the new balcony, is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed dwelling and garage are appropriate because of the small size of the A-1 zoned lot and because the proposed development will be located further from the east interior property line than the previously approved dwelling and garage and it is not anticipated to adversely impact the adjacent neighbor's property.

The Staff Hearing Officer finds that the Interior Setback Modification for the new balcony is not consistent with the purpose and intent of the Zoning Ordinance and is not necessary to secure an appropriate improvement of the lot. The proposed location of the new balcony is not appropriate, as it is anticipated to adversely impact the adjacent neighbor's property. In addition, the Interior Setback Modification for the new balcony, as proposed, is found to be inconsistent with the purposes and intent of the Zoning Ordinance as there is a proposed second

story deck for the kitchen that is located outside of the required setbacks that provides an outdoor area accessed from the proposed kitchen.

Said approval is subject to the following conditions:

1. The project shall be redesigned to eliminate the new balcony encroachment into the east interior setback.
2. Prior to final approval of the project, the driveway shall be redesigned, subject to review and approval by the Public Works Department.
3. An encroachment permit shall be obtained from the Public Works Department for all work proposed in the public right-of-way.
4. The letter dated April 4, 2015, from Peter J. H. Winn, Certified Arborist shall be added to the plans submitted for building permit and the "Recommendations for Tree Protection during Construction" shall be implemented.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated April 6, 2015
- C. Letter dated April 4, 2015 from Peter J. H. Winn, Certified Arborist
- D. SFDB Minutes dated February 9, 2015 and March 23, 2015

Contact/Case Planner: Jo Anne La Conte, Assistant Planner
(JLaconte@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x**3320**

April 6, 2015

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Ms. Susan Reardon, Staff Hearing Officer
City of Santa Barbara
PO Box 1990
Santa Barbara, CA 93102-1990

APR 06 2015
CITY OF SANTA BARBARA
PLANNING DIVISION

Hand Delivered**RE: Modification Request for 324 Sherman Way, APN 019-050-006, A-1 Zone**

Dear Ms. Reardon:

I represent Richard Appelbaum and Karen Shapiro (the "Owner") the owner of the above referenced property (the "Subject Property"). We are requesting two modifications to Santa Barbara Municipal Code (the "SBMC") standards in association with a proposed project to permit portions of a new Single Family Residence (the "Proposed Residence") to encroach within a required 35 foot front yard setback and 15 foot interior yard setback.

1.0 BACKGROUND AND PROJECT DESCRIPTION

The Subject Property is a 0.33 acre lot located the in the Cielito neighborhood. The southernmost portion of the site, adjacent to Sherman Way, was originally occupied by a 1,775 s.f. two story single family residence with a 422 s.f. attached 2-car garage (the "Previous Residence"). The Previous Residence was destroyed by the Tea Fire on November 13, 2008, along with most of the homes in the surrounding neighborhood. The remainder of the site slopes off steeply to the North at up to 50% and is covered by a dense stand of Coast Live Oak trees.

The Previous Residence, and nearly all of the nearby homes on Sherman Way, were constructed prior to application of the A-1 zone district and its associated setbacks, on lots created under different regulations. As a result, the entire area was characterized by homes that were legal non-conforming to setbacks. The Previous Residence was a 2-story configuration. Approximately 50% of the house was located within the 35' front yard setback. Its garage was located 10' from the front property line in order to be at the same elevation as the adjacent street. Much of the second floor was also located within the front yard setback, and the entire eastern side of the structure encroached three feet into the interior setback. The southern extent of the structure was constrained by two Coast Live Oak trees, one of which was destroyed in the Tea Fire.

Following the Tea Fire, most of the neighborhood lots were rebuilt with substantially larger homes that have been granted modifications to A-1 setback requirements, as strict application of standard A-1 setbacks would render many of these lots undevelopable and/or generate the need for extensive site work and tree removal that is inconsistent with City development goals and policies. The Subject Property is one of the last remaining Tea Fire burn down lots on Sherman Way to be proposed for redevelopment. We are proposing to develop a 2,301 s.f. residence with a 419 s.f. attached 2-car garage on the site.

2.0 REQUESTED MODIFICATION TO FRONT YARD SETBACK (SBMC Sec. 28.15.060.A.1)

2.1 Proposed Modification is Necessary to due to Unique Physical Conditions of the Subject Property

The Subject Property is only 44 feet wide at its Sherman Way frontage. Its topography also begins to drop off steeply almost immediately toward the north. The narrow lot width and existing topography do not allow for a driveway to enter onto the property and access a new garage located to comply with the required 35 foot front yard setback. This would require placing the new garage on top of fill ranging from 9 to 14 feet deep, which in turn would need to be supported by a massive single retaining wall or a series of large, terraced retaining walls.

Alternatively, the garage could potentially end up becoming the top portion of a new structure. However, in that design scenario, either: 1) a huge volume of soil would need to be excavated from the site to allow for construction of habitable space below the garage; and/or, 2) a majority of the habitable area would need to be stepped down the hillside to the north of the garage. This would result in a multi-story "stacked" appearance inconsistent with City architectural guidelines and would significantly impact the Coast Live Oak woodland that remains intact just north of the existing building pad.

The location for the garage that served the Previous Residence was selected for a very specific reason: it is at the same elevation as the adjacent roadway. No significant grading or site alteration is required to access a garage at the original location, and adequate area remains within the unconstrained portions of the Subject Property to locate other components of a residential structure. The current design places the garage in this same location for the same reason.

2.2 Proposed Modification is Consistent with Location of Previous Residence

As discussed above in section 1.0, approximately 50% of the Previous Residence was located within the required front yard setback. Roughly 70% of the structure was set back between 10 to 14 feet from the front property line.

The Proposed Residence has been designed to reduce encroachment within this setback to a minimum. The primary encroachment is the garage, which is placed in the exact same location as the garage that served the Previous Residence for reasons discussed above in Section 2.1. The balance of the structure is located further to the north. The Proposed Residence incorporates a more efficient design than the Previous Residence, which makes it possible to provide similar floor area within a smaller footprint. This allows the structure to pull almost entirely out of the front yard setback without having to push further down the slope to the north, potentially impacting the Coast Live Oaks. Development is also confined to the least-sloped portion of the Subject Property.

Furthermore, while a substantial portion of the Previous Residence second story occurred within the front yard setback, only a small area of the Proposed Residence's second floor is located within this setback. The angle at which the structure is oriented on its lot, and the fact that its second story mass is substantially set back from the street, work to effectively offset the 22 foot wide single story component (garage) which is the only part of the structure that approaches the former front yard setbacks of the Previous Residence.

2.3 Proposed Modification is Necessary to: 1) secure an appropriate improvement on a lot; 2) prevent unreasonable hardship; and 3) promote uniformity of improvement

The requested modification to front yard setback will allow for the redevelopment of an existing, legal, single family residential parcel with a new structure that is compatible in size and character to existing residences in the surrounding neighborhood. The Proposed Residence complies with all applicable Design Guidelines and FAR requirements, and represents an appropriate improvement for the Subject Property.

Due to unique physical characteristics of the Subject Property, the modification is necessary to allow for development of a reasonable single family residence without generating unacceptable grading impacts, unnecessary removal of Coast Live Oaks, and/or the need to develop structures on 40% and greater slopes. If forced to comply with the 35 foot setback *and* to avoid these impacts, consistent with City policies, it would not be possible to construct a residence of similar size to even the smallest nearby home and it would likely be impossible to develop a residence on the Subject Property at all. Therefore the modification is necessary to prevent an unreasonable hardship for the Owner.

All lots on the northern side of Sherman Way in the vicinity of the Subject Property have nearly identical physical characteristics. These lots have small, shallow sloped building pads near the roadway, and then slope steeply to the north into a dense Oak woodland. Several other nearby lots have been granted modifications to front yard setbacks in order to allow for a similar development strategy, and impact-avoidance benefits that are described above. The requested modification would allow for the Proposed Residence to be developed in a manner that is consistent with other homes located on nearby downslope lots, promoting uniformity of improvement in the neighborhood.

3.0 REQUESTED MODIFICATION TO INTERIOR YARD SETBACK (SBMC Sec. 28.15.060.B.1)

3.1 Proposed Modification is Necessary to due to Unique Physical Conditions of the Subject Property

The developable portion of the Subject Property is constrained to a small area adjacent to Sherman Road at the southern tip of the site. Application of standard 15 foot A-1 interior yard setbacks results in a development envelope that is 46 feet wide at the street side. On a flat, rectangular parcel, this would not present a significant challenge to designing a residence. However; the Subject Property is pie shaped and characterized by steep slopes and dense vegetation that begins approximately 60 feet from the front property line. As a result there is a very limited area within which a structure may be developed.

One of the design priorities for the Proposed Residence was to remove as much of the structure as possible from the front yard setback. However, due to the slopes and Oak trees to the north, it is not possible to provide the lost structural area further back on the lot. The best way to avoid the steepest slopes and existing Oak trees is to keep the building footprint wider, constraining development closer to the street. The proposed modification allows for an additional three feet of structural width, which is critical to achieving an efficient floorplan of a reasonable size.

3.2 Proposed Modification is Consistent with Location of Previous Residence

The entire eastern elevation of the Previous Residence encroached three feet into the 15' interior yard setback. This included both first and second floor elements. The home also had an exterior stairwell and landing that extended another four feet into the setback. On the west side of the

structure, a large portion of the residence encroached within the interior yard setback and deck extended to within approximately one foot of the western property line.

The Proposed Residence is designed to match the existing first-floor setback of the Previous Residence on the eastern side of the Subject Property. The encroachment, three feet, would be identical to that of the Previous Residence. A small 4' x 8' balcony is proposed in place of the extensive set of landings and stairs that were present with the Previous Residence.

The western side of the Proposed Residence is designed to comply with existing A-1 setbacks. Additionally, the entire second story complies with interior setback requirements on both sides of the Subject Property.

3.3 Proposed Modification is Necessary to: 1) secure an appropriate improvement on a lot; 2) prevent unreasonable hardship; and 3) promote uniformity of improvement

The requested modification to interior yard setback will allow for the redevelopment of an existing, legal, single family residential parcel with a new structure that is compatible in size and character to existing residences in the surrounding neighborhood. On the eastern side of the Subject Property, the first floor of the Proposed Residence will exactly match the setback of the Previous Residence that formerly occupied the site. Architectural projections on this elevation will be substantially reduced relative to the Previous Residence. All other components of the Proposed Residence, including the entire second story, comply with A-1 interior yard setback requirements. The Proposed Residence complies with all applicable Design Guidelines and FAR requirements, and represents an appropriate improvement for the Subject Property.

The requested modification is necessary due to physical characteristics of the Subject Property, including its wedge shape, and narrow/shallow development envelope. Strict adherence to standard 15' A-1 interior setbacks would force the Owner to develop a much narrower, and smaller residence than any of the other homes in the immediate area, several of which have been granted similar modifications to interior setbacks. The A-1 zone district was applied to the Subject Property and surrounding properties *after* these lots were created. The Sherman Road neighborhood comprises lots, such as the Subject Property, that do not have typical broad dimensions of the estate lots commonly associated with this zone district. The Previous Residence, and many of the surrounding homes on Sherman Road that were destroyed in the Tea Fire, were nonconforming to A-1 side yard setbacks. The modification is necessary to prevent an unreasonable hardship to the Owners that would result from the rigid application of A-1 setbacks to their property: a lot that was created prior to application of the A-1 zone district and which was not appropriately dimensioned to accommodate *any* A-1 setbacks.

The requested modification will promote uniformity of improvement by allowing development of a residence with similar proportions and side yard setbacks to those throughout the surrounding neighborhood.

3.0 BENEFITS OF THE PROJECT

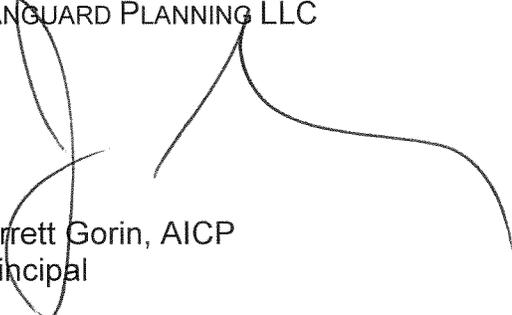
The project will allow for redevelopment of one of the last remaining Tea Fire burn lots on Sherman Road. The Proposed Residence has been designed to comply with current A-1 setbacks wherever possible without generating adverse grading and environmental impacts due to unique site conditions including topography and Oak trees. The new structure will be compatible in both size and character with homes in the surrounding neighborhood, and successfully implements applicable City Design

Guidelines. The Single Family Design Review Board (the "SFDB") considered the Proposed Residence at its March 23, 2015 hearing. The SFDB determined that both the proposed structure, and the requested modifications were appropriate, and continued the proposal to the Staff Hearing Officer for your consideration.

Thank you for taking the time to review this. If you have any questions, feel free to contact me via E-mail at jarrett.gorin@vanguardplanning.com or at (805) 966-3966. I look forward to presenting our proposal in person at our hearing.

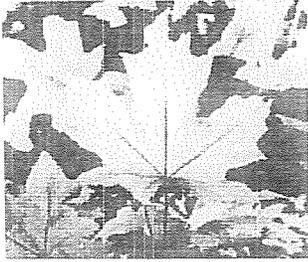
Sincerely,

VANGUARD PLANNING LLC



Jarrett Gorin, AICP
Principal

cc: Richard Appelbaum (via E-mail)
Karen Shapiro (via E-mail)



WESTREE

Peter Winn
P.O. Box 22702
Santa Barbara
CA 93121

805-966-3239
Cont. Lic. #772299

RECEIVED
APR 28 2015
CITY OF SANTA BARBARA
PLANNING DIVISION

April 4, 2015

Jarrett Gorin, AICP
Vanguard Planning
735 State Street, Suite 204
Santa Barbara, CA 93101

RE: 324 Sherman Road, Santa Barbara.

Dear Jarrett,

I was asked by Taylor Tatman to meet at 324 Sherman Road to identify if there are any potential tree issues related to the proposed development of the site.

The actual building pad has no trees to protect. However, there is a north facing slope north of the building pad that has many Coast Live Oaks (*Quercus agrifolia*). Most of these trees were damaged by the recent fire but have grown back to form a green canopy again. The closest trees to the development are two 8" dbh (diameter at breast height) Oaks stumped off at eight feet that do not offer anything to the site and are structurally weak due to decay on the stems. I think it would be prudent to remove them for better fire clearance to the new structure.

There is one 20" dbh Oak approximately 15ft from the edge of the proposed structure. As caissons are being utilized, there will be little to no impact. The deck that extends from the house toward the west side of the tree will be cantilevered to avoid impact as well.

RECOMMENDATIONS FOR TREE PROTECTION DURING CONSTRUCTION.

- Fence off all trees from construction at the critical root zone or where practical with 6' chain link or orange construction fence with metal stakes.
- No activities or storage of construction materials shall be allowed within the fenced areas unless approved by the project arborist.
- Any root disturbance to any of the protected trees shall be done by hand and the project arborist alerted.

- All roots encountered shall be cut cleanly with a sharp saw to allow for new root regeneration, backfilled immediately or kept moist to prevent drying out and dying.
- Any tree affected by the construction process shall be deep-root fertilized to promote better health and vigor.
- Compaction of the root zone shall be avoided by spreading 3-4" of mulch. If necessary plywood or equivalent shall be placed on top.
- During hot, dry periods the foliage may need to be washed with high pressure water to remove construction dust.
- Project arborist shall be notified prior to any activities within the critical root zone.
- All trenching of utilities, irrigation and lighting shall not encroach within the critical root zone unless approved by the project Biologist or Arborist.
- Native or Specimen trees removed or damaged shall be mitigated, utilizing the current County recommendations of either 10:1-1gallon, or 5:1- 15gallon or 3:1 24"boxed trees.

Should you have any further questions or comments please do not hesitate to call my office at 805 966 3239.

Yours sincerely,



Peter J.H. Winn
I.S.A. Certified Arborist #921

CONCEPT REVIEW - NEW ITEM: PUBLIC HEARING

5. 324 SHERMAN RD

A-1 Zone

(5:00)

Assessor's Parcel Number: 019-050-006
 Application Number: MST2015-00003
 Owner: Appelbaum-Shapiro Living Trust
 Designer: Amy Von Protz
 Applicant: Vanguard Planning, LLC

(Proposal to construct a new 2,324 square foot , two-story, single-family residence with an attached 422 square foot, two-car garage, and a raised wood deck. The proposal will replace a 1,775 square foot residence and 422 two-car garage that were destroyed in the Tea Fire. The proposed total of 2,746 square feet on a 14,395 square foot lot in the Hillside Design District is 64% of the required floor-to-lot area ratio (FAR). The project includes Staff Hearing Officer review for requested zoning modifications to allow additions in the front and interior setbacks.)

(Comments only; project requires environmental assessment and Staff Hearing Officer review for requested zoning modifications.)

Actual time: 5:46 p.m.

Present: Amy Von Protz, Designer; and Jarrett Gorin, Applicant.

Public comment opened at 5:57 p.m.

- 1) Charlie Calisti, a neighbor at 318 Sherman Road, expressed concerns regarding impacts to his privacy from current proposal. He questioned whether the project encroaches into the actual dripline of the previously fire-damaged oak.

Letters from Richard Appelbaum and Karen Shapiro, Eric Egolf, Hart Thomson, Kelly Voyson, Duncan Thomas, Maria MacDuff, Luis Fernandez, and Ana Ojeda and Dante DeLucia were acknowledged.

Public comment closed at 6:05 p.m.

Motion: Continued indefinitely to Full Board with comments:

- 1) The majority of the Board supports the modifications, but requests that the second story be located behind the front yard setback.
- 2) Study the window fenestrations and locations on the south elevation.
- 3) Provide a weather protection element for the front door.
- 4) Study relocating windows and wrapping the deck around the oak in the rear yard to better protect the privacy of the westerly neighbor.
- 5) Study reconfiguring the second floor bedroom to create enhanced views and eliminate the window to west.
- 6) Study reconfiguring the master bedroom to better accommodate for furniture.
- 7) Step down the home on the slope to comply with the Guidelines.
- 8) Provide an arborist report for the oak tree in the rear yard.
- 9) Consult with the Fire Department for appropriate vegetative screening options.
- 10) Study reconfiguring the second bedroom upstairs to take advantage of views.

Action: Miller/James, 5/1/0. Motion carried. (Zink opposed, Pierce absent).

The ten-day appeal period was announced.

SFDB-CONCEPT REVIEW (CONT.)

3. 324 SHERMAN RD

A-1 Zone

(4:05) Assessor's Parcel Number: 019-050-006
 Application Number: MST2015-00003
 Owner: Appelbaum-Shapiro Living Trust
 Designer: Amy Von Protz
 Applicant: Vanguard Planning, LLC

(Proposal to construct a new 2,301 square foot , two-story, single-family residence with an attached 419 square foot, two-car garage, and a 283 square feet of raised wood decks. The proposal will replace a 1,775 square foot residence and 422 two-car garage that were destroyed in the Tea Fire. The proposed total of 2,720 square feet on a 14,395 square foot lot in the Hillside Design District is 64% of the required floor-to-lot area ratio (FAR). The project includes Staff Hearing Officer review for requested zoning modifications to allow additions in the front and interior setbacks.)

(Second concept review. Comments only; project requires environmental assessment and Staff Hearing Officer review for requested zoning modifications.)

Actual time: 4:29 p.m.

Present: Jarrett Gorin, Applicant; and Amy Von Protz, Designer.

Public comment opened at 4:42 p.m. As no one wished to speak, public comment was closed.

Motion: Continued indefinitely to Staff Hearing Officer to return to Full Board with comments:

- 1) The Board appreciates the redesign and the applicant's sensitivity to the Board's comments.
- 2) The Board supports the front and interior setbacks as aesthetically appropriate and finds that both modifications do not pose consistency issues with the Design Guidelines.
- 3) Study the window proportions, specifically near the stairwell.
- 4) Provide an arborist report concerning the deck, near the oak tree.
- 5) The Board can support the outdoor staircase if it is also acceptable to the Staff Hearing Officer.

Action: Bernstein/Moticha, 6/0/0. Motion carried. (Woolery absent).

*** THE BOARD RECESSED AT 5:00 P.M. AND RECONVENED AT 5:07 P.M. ***