



# City of Santa Barbara Planning Division

## STAFF HEARING OFFICER MINUTES

OCTOBER 12, 2016

### **CALL TO ORDER:**

Susan Reardon, Staff Hearing Officer, called the meeting to order at 9:00 a.m.

### **STAFF PRESENT:**

Susan Reardon, Staff Hearing Officer/Senior Planner II  
Danny Kato, Senior Planner II  
Kelly Brodison, Assistant Planner  
Tony Boughman, Assistant Planner  
Andrew Perez, Planning Technician II  
Kathleen Goo, Staff Hearing Officer Secretary

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

- A.** Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

There were no requests.

- B.** Announcements and Appeals.

Ms. Reardon announced that the appeal of the Staff Hearing Officer's denial of a parking modification for a project located at 246 San Clemente Street will be heard by the Planning Commission tomorrow, October 13, 2016.

- C.** Comments from members of the public pertaining to items not on this agenda.

There were no public comments.

## II. PROJECTS:

\* THE FOLLOWING AGENDA ITEM WAS CONTINUED FROM THE SEPTEMBER 28, 2016 HEARING. \*

### ACTUAL TIME: 9:00 A.M.

#### A. APPLICATION OF VANGUARD PLANNING, LLC, APPLICANT FOR RYAN L. & JILL BELL, 501 BRINKERHOFF AVENUE, APN: 037-162-008, C-2 (COMMERCIAL ) ZONE, GENERAL PLAN DESIGNATION: (COMMERCIAL/MEDIUM HIGH DENSITY 15-27 DU/ACRE) (MST2015-00111) CONTINUED FROM SEPTEMBER 28, 2016 HEARING

The 2,203 square foot site is currently developed with 708 square foot one-story single-family dwelling with a 205 square foot front covered entry deck. The proposed project involves replacement of a shed roof with a new gabled roof that will increase the roof height for a portion of the dwelling, exterior alterations including new windows and doors, and an interior remodel to an existing single-family residence located in the Brinkerhoff Avenue Landmark District. No new square footage is proposed to the dwelling and no parking exists on site. The proposal will address violations outlined in a Zoning Information Report (ZIR2014-00472). This residence is a designated Structure of Merit.

The discretionary applications required for this project is a Front Setback Modification to allow alterations to the dwelling including the replacement of a shed roof with a new gabled roof that will increase the roof height for a portion of the dwelling and new windows and a new door in the required 10-foot front setback facing Brinkerhoff Avenue (SBMC § 28.21.060 and 28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 and 15305(Existing Facilities and Minor Alterations to Land Use Limitations).

Present: Jarrett Gorin, Agent for Owner.

Ms. Reardon announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood. She also stated for the record that she is involved with the determination of the property's non-conforming status during the preparation of the Zoning Information Report prepared for this property.

Danny Kato, Senior Planner II, gave the Staff presentation and recommendation.

The Public Hearing was opened at 9:10 a.m.; and, with no one wishing to speak, the Public Hearing was closed.

**ACTION:** **Assigned Resolution No. 063-16**  
Approved the Front Setback Modification making the findings as outlined in the Staff Report dated October 6, 2016.

Said approval is subject to the conditions as outlined in the Staff Report dated October 6, 2016, and as revised at the hearing.

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: 9:12 A.M.**

**B. APPLICATION OF EVA TURENCHALK, AGENT FOR JERRY RIGGS, 1124 HARBOR HILLS LANE, APN 035-314-009, E-1 ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL, 3 DU/ACRE (MST2015-00599)**

The 13,517 square foot site is currently developed with a 2,849 square foot, single-story, single family dwelling with a 492 square-foot attached garage. The proposed project involves the removal of 1,635 square feet of pavers over impermeable aggregate subgrade that make up the walkways and patio areas, 200 square feet of concrete hardscape, 550 square feet of driveway paving, and 14 linear feet of a CMU seat wall at the entry patio. The project proposes to install 1,958 square feet of stone tile walkways and patios, a new 550 square feet permeable paver driveway, approximately 55 linear feet of grade beam with CMU retaining and seat walls at top patio, 75 linear feet of CMU retaining wall and new stormwater drainage system at the bottom of the property, approximately 13 linear feet of 6 foot high wooden fence and gate to enter the easterly patio area, and landscape improvements, including the removal of a dead pear tree (less than 4 inches in diameter at 4 ½ feet above ground) along Harbor Hills Lane, and the installation of a new fire pit.

The discretionary application for this project is a Front Setback Modification to allow the patio to expand into the required front setback (SBMC 28.15.060 And SBMC 28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 and 15305 (Existing Facilities and Minor Alterations to Land Use Limitations).

Present: Eva Turenchalk, Agent for Owner.

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

Danny Kato, Senior Planner II, gave the Staff presentation and recommendation.

The Public Hearing was opened at 9:19 a.m.; and, with no one wishing to speak, the Public Hearing was closed.

**ACTION:** **Assigned Resolution No. 064-16**  
Approved the Front Setback Modification making the findings as outlined in the Staff Report dated October 5, 2016.

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: 9:22 A.M. & 10:28 A.M.**

**C. APPLICATION OF TRISH ALLEN, AGENT FOR CAMMIE & MARK BELL, 825 ROBLE LANE, APN 019-252-008 & 019-252-009, E-1 ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS/ACRE (MST2016-00048)**

The proposed project would add a new 645 square foot third-story to an existing 1,778 square foot, two-story single-family residence with an existing 379 square foot attached two-car garage. The proposal includes a 265 square foot deck at the third floor level with a trellis, chimney and fireplace, a 30 square foot first-floor addition, and demolition of 13 square feet of the second floor. The project includes a Voluntary Lot Merger of the subject lot and the adjacent small vacant lot to the east. The proposed total of 2,819 square feet on a 10,646 square foot lot in the Hillside Design District is 74% of the allowable maximum floor-to-lot area ratio (FAR). The existing house and the proposed additions encroach into the required front and interior setbacks.

The discretionary applications required for this project are:

1. Front Setback Modification to allow additions and alterations in the required 30 foot front setback (SBMC §28.15.060 and §28.92.110); and
2. Interior Setback Modification to allow additions and alterations in the required 10-foot interior setback (SBMC §28.15.060 and §28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301, Existing Facilities, and 15305, Minor Alterations In Land Use Limitations.

Present: Trish Allen, Agent; Kent Mixon, Architect; and Mark Bell, Owner.

Ms. Reardon announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood. Ms. Reardon's SHO purview to take action on the project was clarified with Mr. Kato and Mr. Boughman.

Tony Boughman, Assistant Planner, gave the Staff presentation and recommendation.

Public comment opened at 9:48 a.m.

- 1) Jeanne Palumbo, adjacent neighbor, opposition; expressed concerns regarding proximity to Roble Lane, potential development alternatives on other ground floor areas of the lot, and parking density issues.
- 2) Michael Palumbo, adjacent neighbor, opposition; expressed concerns regarding various numerous past zoning violations, preservation of private views, and the setting of undesirable neighborhood building precedents in the area.

Public comment closed at 9:57 a.m.

Public correspondence in opposition from Neil Greenleaves, and from Attorney Olivia K. Marr on behalf of adjacent neighbors Michael and Jeanne Palumbo was acknowledged.

Ms. Reardon stated that the findings could not be made for the project as proposed by the applicant and express concerns regarding the ability for the findings to be made for the reduced 15 foot encroachment recommend by staff. Ms. Reardon acknowledged that the site is constrained, but also acknowledged the fact that the property was granted a reduced front setback from Loma Media Road which allows for additional area for a building addition. In addition, there are other areas on the site for building additions that would not require as much of a significant encroachment. She stated that the modification must be found to be necessary to secure an appropriate improvement, not just desirable or preferred.

**\* THIS ITEM WAS BRIEFLY RECESSED AND RESUMED LATER IN THE HEARING. \***

**ACTION:**

Continued to the November 9, 2016 for the applicant to study other alternatives that would not require as significant of an encroachment and to demonstrate why the other areas are not available.

**ACTUAL TIME: 10:08 A.M.**

**D. APPLICATION OF THOMAS OCHSNER, ARCHITECT FOR DANNY AND SUSAN DUNCAN, 1547 SHORELINE DRIVE, APN 045-173-041, E-3/SD-3 ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL 5 UNITS PER ACRE (MST2016-00110)**

The 22,795 square foot site is located in the appealable jurisdiction of the Coastal Zone and currently developed with a 4,083 square foot, two-story single-family dwelling with a 564 square foot rear deck, a bluff-top deck with a 364 square foot accessory structure below, and a 516 square foot attached garage. The proposed project involves an exterior remodel of the existing residence, expansion of the existing rear deck by 220 square feet, and a 92 square foot expansion of the garage.

The discretionary application for this project is a Front Setback Modification to allow the garage to expand into the required front setback (SBMC 28.15.060 And SBMC 28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 and 15305 (Existing Facilities and Minor Alterations to Land Use Limitations).

Present: Thomas Ochsner, Architect.

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

Andrew Perez, Planning Technician II, gave the Staff presentation and recommendation.

The Public Hearing was opened at 10:12 a.m.; and, with no one wishing to speak, the Public Hearing was closed.

**ACTION:** **Assigned Resolution No. 065-16**  
Approved the Front Setback Modification making the findings as outlined in the Staff Report dated October 6, 2016, and as revised at the hearing.

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: 10:36 A.M.**

**E. APPLICATION OF JARRETT GORIN, AGENT FOR OWNER JAN GRIFFIN, 1542 SANTA ROSA AVENUE, APN 045-131-016, E-3/SD-3 ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL 5 UNITS PER ACRE (MST2016-00136)**

The project consists of the subdivision of an existing 22,062 square foot parcel that is currently developed with two homes on an E-3 (One-Family Residence) zoned lot with a General Plan Designation of Low Density Residential (Max. 5 du/acre) located in the non-appealable jurisdiction of the Coastal Zone. Proposed Parcel 1 would be 10,904 square feet with an average slope of 8.1% and Proposed Parcel 2 would be 11,158 square feet with an average slope of 8.5%. No new square footage or additional dwelling units are proposed as part of the project.

The discretionary applications required for this project are:

1. A Tentative Subdivision Map for a one-lot subdivision to allow the division of one lot into two (2) separate lots (SBMC Chapters 27.07 and 27.13);

2. A Modification to allow less than the minimum of sixty feet (60') of frontage on a Public Street for Parcel 2 (SBMC §28.15.080 and §28.92.110); and
3. A Coastal Development Permit (CDP2016-00005) to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15315.

Present: Jarrett Gorin, Agent for Owner.

Ms. Reardon 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.

The Public Hearing was opened at 10:45 a.m.; and, with no one wishing to speak, the Public Hearing was closed.

**ACTION:** **Assigned Resolution No. 066-16**  
Approved the Tentative Subdivision Map, the Front Setback Modification and the Coastal Development Permit making the findings as outlined in the Staff Report dated October 6, 2016.

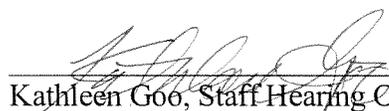
Said approval is subject to the conditions as outlined in the Staff Report dated October 6, 2016, and as revised at the hearing.

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

### III. ADJOURNMENT

Ms. Reardon adjourned the meeting at 10:50 a.m.

Submitted by,

  
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Kathleen Goo, Staff Hearing Officer Secretary