



**MODIFICATION HEARING OFFICER
MINUTES**

**WEDNESDAY, JANUARY 12, 2005
10:00 A.M.**

**Roxanne Milazzo
Modification Hearing Officer**

**630 Garden Street
David Gebhard Public Meeting Room**

I. NOTICES:

- A. The items before the Modification Hearing Officer (MHO) may be appealed to the Planning Commission. For information on appeals, contact the Planning Division Staff at (805) 564-5470. Said appeal must be in writing and must be filed within ten (10) calendar days of the meeting at which the MHO took action or rendered a decision.
- B. The scope of a project may be modified under further review. If you have any questions, wish to review the plans, or wish to be placed on a mailing list for future agendas for an item, please contact Roxanne Milazzo at (805) 564-5470 between the hours of 8:30 a.m. and noon and 1:00 p.m. to 4:30 p.m., Monday through Friday.

II. PUBLIC COMMENT:

Any member of the public may address the Modification Hearing Officer for up to two minutes on any subject within the Officer's jurisdiction that is not scheduled for a public discussion during the hearing on that day. The total time for public comment is ten minutes. Public comment for items scheduled on the agenda will be taken at the time the item is heard.

III. NEW ITEMS:

- A. **APPLICATION OF DAVID FERRIN, AGENT FOR AUGUSTIN LOMELI, 421 N. ALISOS STREET, APN 031-311-037, R-2 TWO-FAMILY RESIDENCE ZONE (MST2003-00825)**

The project site is currently developed with a single family residence. The proposed project involves demolition of the existing residence and construction of four (4) single family residences with two-car garages. A lot area Modification is required to permit four (4) units instead of the allowable three (3) (SBMC §28.18.075).

This project was subject to review by the Architectural Board of Review (ABR) pursuant to SBMC §22.68.

ACTION: Findings made and project approved subject to the condition that all plans submitted for building permits in conjunction with the approval of this modification shall include proof that an Affordability Control Covenant has been recorded against the property's title.

B. APPLICATION OF VADIM HSU, AGENT FOR ROBERT & BARBARA IRVINE, 3101 CALLE CEDRO, APN 053-271-003, E-3 ONE-FAMILY RESIDENCE/SD-2 SPECIAL DISTRICT OVERLAY ZONES (MST2004-00796)

The project site is located on the corner of Calle Cedro and Argonne Circle. Current development on site consists of a single family residence. The proposed project involves the addition of a two-car garage, laundry, powder room and entry porch. A Modification is required to permit the garage and entry porch to be located within the required twenty-foot (20') front yard setback facing Argonne Circle.

A letter of opposition from Vonnie and Gregory Kunysz was read for the record.

ACTION: Findings made and project approved subject to the condition that all plans submitted for building permits in conjunction with the approval of this modification shall show/include:

1. All new construction observing a minimum nineteen-foot (19') front yard setback off of Argonne Circle.
2. A six-foot (6') high plaster wall, located a minimum of ten-feet (10') back along both front lot lines, with revisions as required by SBMC§28.87.170(3).
3. A design as represented as Option No. 3 on Sheet A-3.0.

C. APPLICATION OF ON DESIGN, AGENT FOR JANE WOODHEAD, 438 EL CIELTO, APN 021-073-011, A-1 ONE-FAMILY RESIDENCE ZONE (MST2004-00845)

The project site is currently developed with a single family residence, two-car garage, and a detached 225 square foot accessory structure. The proposed project involves a new trellis and a thirty (30) square foot addition to the accessory structure. A Modification is required to permit an expansion to accessory space currently located in a front yard (SBMC §28.87.160).

ACTION: Findings made and project approved subject to the condition that all plans submitted for building permits in conjunction with the approval of this modification shall show:

1. A maximum of thirty square-feet being added to the cabana.
2. Removal of the exterior wall (located at the west end), refrigerator, and dishwasher.
3. Maximum dimensions for the bar sink being shown as twelve inch by twelve inch (12" X 12")

Prior to issuance of any building permits in conjunction with the approval of this modification, the owner(s) shall record a Zoning Compliance Declaration.

D. APPLICATION OF ERROL JAHNKE & MARILYNN JORGENSEN, 232 E. LOS OLIVOS STREET, APN 025-252-002, E-1 ONE-FAMILY RESIDENCE ZONE (MST2004-00830)

The project site is located on the corner of Los Olivos and Garden Streets. Current development on site consists of a single family residence and two-car garage. The proposed project involves the replacement of an iron gate, located on the front lot line facing Los Olivos, with a wooden one. A Modification is required to permit the gate to exceed the maximum allowable height of three and one half feet (3½') when located within (10') ten-feet of a front lot line (SBMC §28.87.170).

Project continued indefinitely at the applicant's request.

E. APPLICATION OF MANUEL CONTRERAS, AGENT FOR ENRIQUE & LETICIA GODINEZ, 514 W. ARRELLAGA STREET APN 043-223-018, R-3 MULTIPLE FAMILY RESIDENCE ZONE (MST2002-00758)

The project site is currently developed with a single-family residence and detached one-car garage. The proposed project involves demolition of the existing garage, and construction of a second residence for the site. Two covered and two uncovered parking spaces are proposed. A Modification is required to permit the uncovered parking spaces and the new garage to be located within the required six-foot (6') interior and ten-foot (10') rear yard setbacks respectively (SBMC §28.21.060).

This project was subject to review by the Architectural Board of Review (ABR) pursuant to SBMC §22.68.

ACTION: Findings made and project approved subject to the condition that all plans submitted for building permits in conjunction with the approval of this modification shall show the garage observing a minimum three-foot (3') rear yard setback.

F APPLICATION OF DESIGN SYSTEMS, AGENT FOR PATRICIA BIXLER, 7 MORADA LANE, APN 055-120-022, A-1 ONE-FAMILY RESIDENCE ZONE (MST2004-00833)

The project site is located on the corner of Morada Lane and Foothill Road. Current development on site consists of a single family residence and garage. The proposed project involves a noise and privacy wall along both property frontages. A Modification is required for the entry gates and pillars to be located within twenty-feet (20') of the front lot line facing Morada Lane (SBMC §28.87.170).

ACTION: Findings made and project approved subject to the condition that all plans submitted for building permits in conjunction with the approval of this modification shall show/include:

1. The wall observing a ten-foot (10') front yard setback off both street frontages.
2. The entry pillars and gate being located twenty-four feet (24') back from the edge of paving.

G. APPLICATION OF EARL JOHN & JACQUELINE VERMILYEA, 2940 VALENCIA DRIVE, APN 053-293-014, E-3 ONE FAMILY RESIDENCE ZONE (MST2004-00853)

The project site is currently developed with a single family residence and detached garage. The proposed project involves a 338 square foot first floor addition to the residence. A Modification is required to permit the addition to be located within the required six-foot (6') interior yard setback and the 1,250 square foot open yard area (SBMC §218.15.060).

Melinda Floyd spoke in support of the project.

ACTION: Findings made and project approved subject to the condition that all plans submitted for building permits in conjunction with the approval of this modification shall show/include:

1. A minimum of 1,000 square feet being maintained in the back yard area.
2. Replacement of the operable window shown on the west elevation and floor plan, with three (3) small fixed glass windows located on the upper third of the wall.

H. APPLICATION OF ALICE IRENE KOKATAY, 918 FELLOWSHIP ROAD, APN 041-176-024, E-1 ONE-FAMILY RESIDENCE ZONE (MST2004-00874)

The project site is currently developed with a single family residence and attached garage. The proposed project involves the "as-built" conversion of 366 square feet of understory. A Modification is required to permit conversion of portions of the residence currently located within the required thirty-foot (30') front and ten-foot (10') interior yard setback (SBMC §28.15.060).

This project was subject to review by the Architectural Board of Review (ABR) pursuant to (SBMC §22.68).

ACTION: Findings made and project approved subject to the condition that all plans submitted for building permits in conjunction with the approval of this modification shall show reduction of the existing half (1/2) bath to the minimum dimensions allowed by the Uniform Building Code and with a floor plan configuration consisting of the toilet and sink facing one another and a pocket door.

Prior to issuance of any building permits in conjunction with the approval of this modification, the owner(s) shall record a Zoning Compliance Declaration.