



# City of Santa Barbara California

## MODIFICATION HEARING OFFICER MINUTES

WEDNESDAY, APRIL 20, 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.
- C. 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 HOWARD WITTAUSCH, AGENT FOR JANET NANCARROW FRENCH, 1680 FRANCESCHI ROAD, APN 019-102-028, A-1 ONE-FAMILY RESIDENCE ZONE (MST2005-00176)

The project site is currently developed with a single family residence, garage, and "as-built" Yurt. The proposed project involves legalization of the Yurt. A Modification is required to permit an accessory structure to be located within the front yard and the thirty-five foot (35') front yard setback (SBMC§28.15.060 & 28.87.160).

A petition of support from ten (10) of the neighbors was provided for the record.

ACTION: Findings made and project approved as it exists.

**B. APPLICATION OF DON SWANN, AGENT FOR KEITH WENAL & MICHEL MORELLI, 414 TALLANT ROAD, APN 057-303-023, E-3 ONE-FAMILY RESIDENCE/SD-2 SPECIAL DISTRICT OVERLAY ZONES (MST2005-00153)**

The project site is currently developed with a single family residence and detached garage. The proposed project involves a remodel to the residence, 402 square feet of first floor additions, demolition of the existing garage and replacement of a new two-car garage on the North side of the lot. A Modification is required to permit window and door alterations to portions of the residence currently located within the required twenty-foot (20') front yard setback (SBMC §28.15.060).

This item was continued to the May 4, 2005 Modification Hearing.

**C. APPLICATION OF LEE SHIRVANIAN, AGENT FOR KIMI DAVIES, 2222 LAS ROSAS LANE, APN 025-191-015, E-3 ONE-FAMILY RESIDENCE ZONE (MST2005-00147)**

The project site is currently developed with a single family residence with garage below. The proposed project involves a remodel, and 836 square feet of main and lower level additions to the existing residence. A Modification is required to permit:

1. Alterations and additions within the required twenty-foot (20') front yard setback (SBMC §28.15.060); and,
2. A garden privacy wall to exceed the maximum height of three and one-half feet (3 ½') when located within ten-feet of a front lot line and driveway (SBMC §28.87.170).

A letter of concern from Gil Loustalot 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. A complete site plan.
2. Show the property lines on the existing first floor plan.
3. The privacy wall observing three-feet (3') off the driveway and six-feet (6') off of the front lot line.
4. Show the proposed trash location and removal of the slab currently used for that purpose. Be advised that trash storage is not permitted within a required yard.
5. 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 DAWN SHERRY, AGENT FOR RUBEN & THERESA PENA, 1107 E. MONTECITO STREET, APN 031-381-013, R-2 TWO-FAMILY RESIDENCE ZONE (MST2005-00149)**

The project site is currently developed with a single family residence and detached garage. The proposed project involves a 300 square foot first floor addition. A Modification is required to permit the addition to be located within the required 1,250 square foot open yard area (SBMC §28.18.060).

**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 qualifying open yard at 972 square feet, and contiguous areas making up the 278 square foot balance.

**E. APPLICATION OF EDWARD DERAS, AGENT FOR PABLO AND DENISE JIMENEZ, 731 W. MICHELTORENA STREET, APN 039-032-002, R-2 TWO-FAMILY RESIDENCE ZONE (MST2005-00211)**

The project site is currently developed with a single family residence and detached garage with storage. The proposed project involves a remodel to the residence, demolition of the existing garage and storage building, replacement with an attached garage and a 445 square foot second story addition. A Modification is required to permit the addition to be located within the required open yard area (SBMC §28.18.060).

**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 760 square feet of outdoor living area on this property, as shown on the approved site.