



# City of Santa Barbara California

## MODIFICATION HEARING OFFICER MINUTES

WEDNESDAY, SEPTEMBER 21, 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 DAWN SHERRY, AGENT FOR LUIS CUBILLA, 736 W. SOLA STREET, APN 039-032-028, R-2 TWO-FAMILY RESIDENCE ZONE (MST2005-00567)

The project site is located on the corner of Sola and Chino Streets. Current development on site consists of a single-family residence and detached garage. The proposed project involves the demolition of the existing garage, construction of a two-car garage, a 246 square foot first floor addition, and a 587 square foot second floor addition with deck. Modifications are required to permit:

1. A portion of a front porch to be located within the required fifteen foot (15') front yard setback facing Chino Street (SBMC §28.15.060); and,
2. An open yard with dimensions less than twenty-feet (20') in all directions and a total area of less than the required 1,250 square feet (SBMC §28.15.060).

**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/include:

1. The front porch observing a minimum twelve-foot (12') front yard setback facing Chino Street.
2. The open yard being maintained at 545 square feet. A fence shall enclose the area.
3. All fences and hedges, shown on site plan, at the maximum heights allowed by SBMC §28.87.170.
4. A note on the site plan that "All miscellaneous storage to be removed from required yards."
5. The large sycamore tree, located to the right of the existing driveway and within the City's right-of-way, shall be protected during all construction. Show the tree on the site plan along with required tree protection measures.

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

**B. APPLICATION OF DAWN SHERRY, AGENT FOR DAVID JONES, 1061 GARCIA ROAD, APN 029-282-014, A-1 ONE-FAMILY RESIDENCE ZONE (MST2005-00520)**

The project site is currently developed with a single family residence and attached garage. The proposed project involves 530 square feet of two-story addition to the residence consisting of a new entry tower and staircase for accessing the new upper floor area. A Modification is required to permit the entry tower to be located within the required fifteen-foot (15') 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.

This item was continued indefinitely per the applicant's request.

**C. APPLICATION OF KARIANN GERLACH, AGENT FOR TUSCANY EQUITIES, 3349 CLIFF DRIVE, APN 047-082-014, A-1 ONE-FAMILY RESIDENCE/SD-3 COASTAL OVERLAY ZONES (MST2005-00590)**

The project site is currently developed with a single family residence and accessory structures. A recently prepared survey has revealed that seven square-feet of the addition currently being added to the residence, encroaches into the required interior yard setback. A Modification is required to permit new floor area within fifteen-feet (15') of the interior lot line (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 the addition observing a minimum thirteen-foot (13') interior yard setback.

**D. APPLICATION OF JOAQUIN ORNELAS, AGENT FOR KERIC BROWN, 109 SAN NICOLAS, APN 045-195-009, E-3 ONE-FAMILY RESIDENCE ZONE (MST2005-00037)**

The project site is currently developed with a single-family residence and attached one-car garage. The proposed project involves a 1,000 square foot two-story addition to the residence and one (1) additional covered parking space on site. A Modification is required to permit the parking space to be located within the required six-foot (6') interior yard setback (SBMC§28.15.060).

This project withdrawn at the applicant's request.

**E. APPLICATION OF RON SORGMAN, AGENT FOR DAVID CAMARILLO, 611 W. DE LA GUERRA STREET, APN 037-061-006, R-3 MULTIPLE-FAMILY RESIDENCE ZONE (MST2005-00540)**

The project site is currently developed with a single family residence and garage. The proposed project involves the demolition and replacement of the garage and a 500 square foot second story and roof deck for the residence. A Modification is required to permit the new garage to be located within the required six-foot (6') interior yard setback (SBMC §28.21.060).

**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/include:

1. Approximately twelve (12) square feet of garage expansion area located within the interior yard setback.
2. The new garage observing a minimum of a two-foot (2') interior yard.
3. Removal of the window, located on the portion of the garage, within the interior yard setback.

**F. APPLICATION OF ADAM SHARKEY, 314 W. VALERIO STREET, APN 027-082-018, R-4 HOTEL-MOTEL-MULTIPLE FAMILY RESIDENCE ZONE (MST2005-00533)**

The project site is currently developed with a single family residence and one uncovered parking space. The proposed project involves a 100 square foot addition to the house, and a two-car garage with 267 square feet of accessory space above it. A Modification is required to permit the garage to be located within the required six-foot (6') interior yard setback (SBMC §28.21.060).

**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/include:

1. All portions of the garage constructed completely on the subject property. A survey is required for accurate location of the property line.
2. All portions of the second story accessory space, observing the required rear and interior yard setbacks of ten-feet (10") and six-feet (6') respectively.
3. Correct scale information on the site plan (change to 1/8" = 1').
4. A courtesy review by the Architectural Board of Review (ABR).

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