



City of Santa Barbara

Planning Division

STAFF HEARING OFFICER MINUTES

APRIL 11, 2007

CALL TO ORDER:

Bettie Weiss, City Planner called the meeting to order at 1:00 p.m.

STAFF PRESENT:

Bettie Weiss, City Planner
Danny Kato, Senior Planner (absent)
Roxanne Milazzo, Associate Planner
Kathleen Goo, Staff Hearing Officer Secretary

I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.
No requests. Announcements and appeals.
No announcements or appeals.
- C. Comments from members of the public pertaining to items not on this agenda.
No comments.

II. PROJECTS:

ACTUAL TIME: 1:01 P.M.

- A. APPLICATION OF JOAQUIN ORNELAS FOR RAUL GUTIERREZ, 3002 PASEO DEL REFUGIO, APN 053-201-008, E-3 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 5 UNITS PER ACRE (MST2005-00696)

The 7,500 square foot project site is located on the corner of Paseo del Refugio and Lugar del Consuelo. The proposed project involves demolition of all existing structures on site and the construction of a new single family residence with detached garage. The discretionary application required for the project is a Modification to make alterations to portions of the building being rebuilt within the required front yard setbacks (SBMC§28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Case Planner: Roxanne Milazzo, Associate Planner
Email: rmilazzo@SantaBarbaraCA.gov

Joaquin Ornelas, Applicant, present.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

Mr. Ornelas made the correction to staff that the projection into the setback has been reduced at 18 feet by 10 feet.

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

Ms. Weiss requested the applicant to verify that the open yard modification is no longer necessary, and clarified the Architectural Board of Review's floor-to-lot area ratio (FAR) compatibility findings pertaining to the proposed project.

The Public Hearing was opened at 1:11 p.m.

Mr. Bruce McGiver expressed concern regarding project's intrusion into the 20-foot setback and to not grant the requested variance due to public safety visibility concerns of the proposed project in an area with heavy vehicular traffic.

Mr. John Mealy expressed concern regarding the proposed project building into the 20-foot setback and that all setback regulations should be observed.

Ms Weiss clarified for the Santa Barbara Municipal Code setback requirements at her discretion and under her authority, and that the modification in question concerned only the size and location of a window facing the street.

With further clarification from the applicant concerning the new fence location ten feet from the property line, Mr. McGiver had no further safety concerns, and inquired about contacting the Planning Commission. Ms. Weiss suggested submittal of all questions and concerns in writing to the Planning Commission during the ten calendar day appeal period.

The Public Hearing closed at 1:26 p.m.

Ms. Isabelle Greene made a general comment after close of public hearing that she welcomed the proposed project to the neighborhood, but opposed the introduction of larger projects as she feels they are inappropriate for the neighborhood.

ACTION:

Assigned Resolution No. 025-07

Approve the project, making the findings that the Modification is necessary to secure an appropriate improvement on this site by relocating windows in accordance with the new floor plan, that the encroachment is being maintained as allowed by the Ordinance, no intensification of the non-conformancy is proposed, and relocation of windows should not result in any adverse impacts to adjacent neighbors.

Ms. Weiss announced the ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission.

ACTUAL TIME: 1:29 P.M.

B. APPLICATION OF DOUGLAS KEEP FOR TERI JORY & SETH GEIGER, 2230 CLIFF DRIVE, APN 041-252-071, E-3 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 5 UNITS PER ACRE (MST2006-00303)

The project site is located on the corner of Cliff Drive and Fellowship Road. Current development on site consists of a single family residence and garage. The proposed project involves complete demolition of all existing structures and the construction of a 2,260 square foot two-story residence with attached 2-car garage. At a Public Hearing on February 28, 2007, the Staff Hearing Officer continued the item with the recommendation to pull the residence to the front yard setback facing Cliff Drive and reducing the unit size to provide a backyard of adequate dimensions. This is the revised project. The discretionary application required for this project is a Modification to provide a portion of the open yard within the front yard and with dimensions less than twenty-feet (20') (SBMC§28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Case Planner: Roxanne Milazzo, Associate Planner
Email: rmilazzo@SantaBarbaraCA.gov

Douglas Keep, Applicant; and Teri Jory & Seth Geiger, Property Owners, present.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

Ms. Weiss announced that she read the revised Staff Report for the proposed project and had previously visited the site and surrounding neighborhood.

Ms. Weiss inquired of the applicant whether he had consulted with the property owner regarding the proximity of the open space to the living area, and whether the previous option was explored again with the garage separated from the building so the living space could be adjacent to the open yard.

Mr. Keep stated that several neighbors complained about a two-story structure with balconies being too close; therefore, the property owners preferred to keep the attached garage.

The Public Hearing was opened at 1:38 p.m.

Mrs. Lorraine Michalak expressed support regarding the proposed project and that applicant has promised to address and accommodate her concerns.

The Public Hearing closed at 1:39 p.m.

Ms. Weiss requested the applicant to clarify some questions regarding the lot size and setback requirements for minimum lot zone requirements and proportionate standards.

Ms. Weiss expressed her concern of ensuring a livable environment for the proposed corner lot property with two front yards on a very busy street when the outdoor living area will be noisy and not inviting or protected with large overgrown vegetation and utility lines.

Ms. Weiss stated that the proposed two-story structure is 205 square feet over the maximum allowed FAR) and, given the extent of the open yard modification at 560 square feet of outdoor living area and additional 800 square feet, is too substantial of a modification and not consistent with the intent of the Zoning Ordinance.. Ms. Weiss found that the proposed project is beyond what is generally allowable, would require special findings at the Planning Commission, and is not consistent with the policy direction of City Council.

Ms. Weiss also stated that there are always special circumstances, but that she did not see that the two open yards and smaller lot as being sufficient to provide for the larger house and footprint, and small open yard. It is suggested that the applicant reduce the building footprint or relocate the garage and create an open space in between which might reduce the front yard square footage.

ACTION:

Assigned Resolution No. 026-07

Deny the open yard modification, making the findings that the Modification is not consistent with the purpose or intent of the Zoning Ordinance regarding private open areas, and overall footprint and size of the project.

Ms. Weiss announced the ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission.

ACTUAL TIME: 1:56 P.M.

C. APPLICATION OF RON SORGMAN FOR KATHERINE ORTEGA TRUST, 2220 LAS ROSAS LANE, APN 025-191-014, E-3 ONE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 12 UNITS PER ACRE (MST2007-00031)

The 6,000 square foot project site is currently developed with a single family residence with garage below, and a detached accessory building. The proposed project involves excavation of a portion of the rear yard to match the grade adjacent to the residence. A six-foot (6') high fence, atop a four-foot (4') retaining wall, will be constructed along the boundary of the new yard. The application also includes 721 square feet of main floor additions to the residence and expansion of the existing garage to meet minimum required dimensions. The discretionary application required for the project are Modifications to permit the fence and wall to exceed the maximum allowable height of eight-feet (8') and to provide less than the required 1,250 square feet of open yard area (SBMC §29.87.170 & 28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305.

Case Planner: Roxanne Milazzo, Associate Planner
Email: rmilazzo@SantaBarbaraCA.gov

Ron Sorgman, Applicant, and Representatives for the Katherine Ortega Trust, Property Owners, present.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

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

The Public Hearing was opened at 2:12 p.m. and as no one wished to speak, and having acknowledged the submittal to the applicant of two support letters, closed at 2:13 p.m.

Ms. Weiss clarified and concurred with staff's recommended alternate plan of maintaining the open yard's reduced width at a minimum twenty feet from the property line with a 70-foot wide lot, and increased fence height to 6 feet so that the height of the combined retaining wall and fence is sufficient to create a useable open space with privacy from the uphill neighbors resulting in an open yard adequate for outdoor living purposes.

Staff noted that the amount of expansion does require expansion of the garage which is an improvement over the existing on-street parking density issues.

ACTION:

Assigned Resolution No. 027-07

Approve the proposed project making the findings that the Modifications are necessary to secure an appropriate improvement, and consistent with the purposes and intent of the Zoning Ordinance, in that the height of the combined retaining wall and fence is necessary to create a useable open space with privacy from the uphill neighbors, and that the resulting open yard is adequate for outdoor living purposes, with an alternate plan where the open yard's reduced width is maintained at minimum 20 feet from the property line with a 70-foot wide lot.

Ms. Weiss announced the ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission.

ACTUAL TIME: 2:18 P.M.

D. APPLICATION OF SHUBIN & DONALDSON FOR DR. AFRA GUILTY, 1133 HARBOR HILLS LANE, APN 035-314-013, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2006-00756)

The 17,000 square foot project site is currently developed with a single family residence and attached garage. The proposed project involves a major remodel, partial demolition, 1,200 square feet of new floor area, including conversion of the existing garage, and replacement of the required covered parking with a new two-car garage. The discretionary application required for this project are Modifications to permit a portion of the new garage and alterations to the existing residence to be located within the required interior and front yard setbacks (SBMC §28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301.

Case Planner: Roxanne Milazzo, Associate Planner
Email: rmilazzo@SantaBarbaraCA.gov

Jason & Alan McLeod, from Shubin & Donaldson, Architects, present.

Roxanne Milazzo, Associate Planner, gave the Staff presentation and recommendation.

Ms. Weiss announced that she read the Staff Report for the proposed project, visited the site and surrounding neighborhood, and advised the applicant to make sure that the yellow sign public notice is posted.

The Public Hearing was opened at 2:23 p.m. and, as no one wished to speak, closed at 2:24 p.m.

Ms. Weiss requested the staff and the applicant to clarify the possibility of reducing the encroachment.

Ms. Weiss concurred with staff's recommended condition that the garage be reduced to a minimum twenty-foot (20') interior width, and the applicant's suggestion to minimize the encroachment with a 2½ foot triangle for the garage level and the understory.

ACTION:

Assigned Resolution No. 028-07

Approve the project, making the findings that the Modifications are necessary to secure appropriate improvements and meet the purpose and intent of the Ordinance by allowing cosmetic changes, not additional floor area, within required yards, except for the minimal amount necessary for providing required dimensions for required covered parking, with the condition that the garage be reduced to a twenty-foot (20') interior width, to minimize the encroachment with a 2½ foot triangle for the garage level and the understory.

Ms. Weiss announced the ten calendar day appeal period to the Planning Commission and subject to suspension for review by the Commission.

III. ADJOURNMENT

Ms. Weiss adjourned the meeting at 2:43 p.m.

Submitted by,



Kathleen Goo, Staff Hearing Officer Secretary