



City of Santa Barbara

Planning Division

STAFF HEARING OFFICER MINUTES

JUNE 20, 2007

CALL TO ORDER:

Bettie Weiss, City Planner called the meeting to order at 1:02 p.m.

STAFF PRESENT:

Bettie Weiss, City Planner
Danny Kato, Senior Planner
Roxanne Milazzo, Associate Planner
Kelly Brodison, Assistant 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.

Ms. Weiss announced a pending appeal to the Planning Commission regarding 518 State Street tentatively scheduled for July 12, 2007.

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

No comments.

II. PROJECTS:

ACTUAL TIME: 1:04 P.M.

- A. 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 structures on site and the construction of a 2,066 square foot two-story residence with attached 2-car garage. This is a new project, but it is similar to a project that was denied by the Staff

Hearing Officer on April 11, 2007. The discretionary application required for this project is a Modification to provide an open yard area smaller than required (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.

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

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

The Public Hearing was opened at 1:09 p.m. and, as no one wished to speak, was closed at 1:10 p.m.

Mr. Kato acknowledged receiving recent email correspondence, from Mr. David Tait who resides northeasterly at 412 Fellowship Road, which expressed concern regarding the balcony, floor area ratio, whether there is an increased easterly setback, the second story above the converted garage, and possible increased parking density in the area of the proposed project.

Ms. Weiss requested the applicant clarify the reduced overall size of the proposed project at 2515 square feet within the maximum allowable floor area ratio requirements, increased second story easterly setback, reduced balcony, sufficient buffering open yard area between properties for use as a back yard, minor amount of modification given the small corner lot, location, and required dedicated front yard.

ACTION:

Assigned Resolution No. 046-07

Approves the new project making the findings that the Modification is necessary to secure an appropriate improvement of a corner lot of less than 6000 square feet and that adequate open yard is being provided, such that the purpose and intent of the Ordinance is being met.

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

ACTUAL TIME: 1:18 P.M.

B. APPLICATION OF SHUBIN & DONALDSON FOR MARK TAPPEINER, 119 SKYLINE CIRCLE, APN 041-171-008, E-1 ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2006-00522)

The 4,776 square foot lot is currently developed with a 2,100 square foot single-family residence. The proposal project involves complete demolition of all structures on site and the construction of a 3-story structure consisting of a 2-story residence with a two-car garage and basement/storage area below. The discretionary applications required for the project are Modifications to permit:

1. Construction within the front yard setback (SBMC §28.15.060); and,
2. To include portions of the yard less than 20 feet in horizontal dimension and areas within the front yard for the required open yard area (SBMC§28.15.060); and,
3. Wall heights in excess of 3½' when located within 10 feet of the front lot line and the first 20' along the driveway (SBMC §28.87.170).

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

Robin Donaldson, Kim Maciorowski of Shubin & Donaldson, and April Verbanic, Applicant; and Mark Tappeiner, Property Owner, present.

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

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

Ms. Weiss requested staff and the applicant clarify the sufficient side yard setback, compliance with the Zoning Ordinance standard maximum allowable floor area ratio including the below grade area for allowable basement square footage, height compliance, reversed floor plan, expansion of the open yard area and creation of the retaining wall by shifting the building back, covered open area by the reduced upper level cantilever, omitted mezzanine, omitted deck, slope and constrained lot, and minor front yard encroachment.

The Public Hearing was opened at 1:32 p.m. and, as no one wished to speak, was closed at 1:33 p.m.

ACTION:

Assigned Resolution No. 047-07

Approves the project, making the findings that the requested Modifications are necessary to secure appropriate improvements on a size-constrained lot, and that the purpose and intent of the Zoning Ordinance is being met because: 1) the open yard area, even though portions are located within the front yard and in areas without the minimum 20-foot dimensions, is being provided in private, usable areas as intended by the ordinance; 2) the proposed wall heights in excess of 3½ feet do not create visual obstructions or safety concerns in their proposed locations within 10 feet of the front property line when located within the first 20 feet along the driveway; and 3) the front setback is appropriate for a lot this size.

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

ACTUAL TIME: 1:36 P.M.

C. APPLICATION OF KEITH RIVERA FOR ROBERT PIETSCH, 405 FELLOWSHIP ROAD, APN 041-242-042, E-3 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2007-00202)

The 7,636 square foot project site is located on the corner of Fellowship Road and Cliff Drive. Current development on site consists of a 1,153 square foot single-family residence and detached 2-car garage. The proposed project involves: demolition of the existing garage; construction of a new garage that will be attached by a 323 square foot first floor addition; and 265 square feet of accessory space that will be attached to the residence facing Cliff Drive. The discretionary application required for this project is a Modification to permit less than the required 1,250 square feet of open yard area (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

Keith Rivera, Architect/Applicant; and Robert Pietsch, Property Owner, present.

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

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

Ms. Weiss & Ms. Milazzo discussed with the applicant a change to the plan to make clear on the floor plan the steps and grade differential which would prevent the large opening on the rear of the garage intended only for ventilation to be utilized for

purposes other than those intended for maintenance of an open area for outdoor recreation.

The Public Hearing was opened at 1:41 p.m. and, as no one wished to speak, was closed at 1:42 p.m.

Ms. Weiss acknowledged receiving recent letter correspondence at this meeting from Mr. David Tait, 412 Fellowship which expressed support of the proposed project.

ACTION:

Assigned Resolution No. 048-07

Approves the project, making the findings that the Modification is necessary to secure an appropriate improvement in providing larger, more usable private space for the constrained lot, and meets the purpose and intent of the Ordinance by providing a private area on site.

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

ACTUAL TIME: 1:44 P.M.

D. APPLICATION OF BANYAN ARCHITECTS FOR KIRK & CECILIA BORCHARDT, 1960 MISSION RIDGE ROAD, APN 019-083-018, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 1 & 3 UNITS PER ACRE (MST2007-00204)

The 23,158 square foot project site is currently under construction with a 5,400 square foot single-family residence and 570 square foot garage. The proposed project involves new floor area, "as-built" eave extensions, and entry gates, pillars, walls, and call box installations. Modifications are required to permit new floor area within the required interior yard (SBMC §28.15.060), the roof eaves to project more than the allowed two-feet (2') into the setback (SBMC §28.87.062), for entry gate, pillars and walls to exceed 3 1/2' in height when located within ten-feet (10') of a front lot line and for the first twenty-feet (20') along the driveway (SBMC §28.87.170), and for the call box to be located within the required front yard setback (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 15303.

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

Kirk Gradin of Banyan Architects, Applicant; and Kirk & Cecilia Borchardt, Property Owner(s), present.

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

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

The Public Hearing was opened at 1:54 p.m. and, as no one wished to speak, was closed at 1:55 p.m.

Ms. Weiss requested staff and the applicant to clarify some questions regarding the modification request for the roof eaves to project 3-8 inches more than the allowed two-feet into the setback, driveway gate required 20-foot setback, examples of local gates in the area possessing right of ways back from the edge of the pavement which would require modifications if currently proposed, and concurred with staff's support to allow the roof eaves to project 3-8 inches more than the allowed two-feet into the setback, compliance with the required 15-foot setback.

Ms. Weiss expressed concern regarding what constitutes an allowable encroachment into the side yard with regard to the requested bay window near the grade.

Mr. Kato apologized that the bay window encroachment into the side yard not allowed by Zoning Ordinance was not caught by staff on the original plan check, and stated it is not supported by staff in the Staff Report and at this hearing.

Mr. Gradin stated that the bay window was shown on the original construction plans, and commented that he believed that if a modification by Ordinance standards conforms to patterns of development in the neighborhood and has no adverse negative privacy or visual impact to the neighborhood, then it should then qualify as a supportable modification.

Ms. Milazzo clarified that a true cantilevered bay window improvement should have some kind of grade or elevation change and not include additional floor area which would therefore not require a modification at all. Staff's position is it should either be removed or redesigned as not an extension of the floor.

ACTION:

Assigned Resolution No. 049-07

Approves the project making the findings that the eave encroachment is minor, that the front gate and associated improvements are necessary to secure an appropriate improvement of security for the site and do not violate the purpose or intent of the Ordinance, and that the bath tub pop out into the interior yard setback is approved as long as there is no exterior change from the permitted plans.

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

ACTUAL TIME: 2:26 P.M.

E. APPLICATION OF CHRISTINE PIERRON FOR MOLLY HOUSTON, 197 LOMA MEDIA, APN 019-261-023, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2006-00704)

The 10,849 square foot project site is currently developed with a 2,400 square foot single-family residence and a 2-car garage. The proposed project involves: demolition and replacement of an existing rear deck; the addition of a 424 square foot sunroom below; legalization of an "as-built" bedroom in the lower level of the residence, a new garden wall, entry pillars, and gate at the front of property; and legalization of an uncovered parking space. The discretionary applications required for this project are Modifications to permit:

The sunroom with deck above to be located within the required open yard area (SBMC §28.15.060); and,

Conversion of an existing under-story storage area to habitable space when located within the front yard setback (SBMC §28.15.060).

A garden wall, entry pillars and gate in excess of 3 1/2' in height when located within ten-feet (10') of the front lot line or for the first twenty-feet (20') back along the driveway (SBMC §28.87.170); and,

A parking space to be located within the required thirty-foot (30') front and ten-foot (10') interior yard setbacks (SBMC §28.15.060).

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

Christine Pierron, Applicant, present.

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

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

Ms. Weiss requested the applicant to clarify some questions regarding the required building permits, internal access, open yard pending changes, possible cut & fill slope, decking with a sunroom beneath requiring a zoning declaration, allowance for hillside lots in the future, and identified parking regarding sufficient safe and convenient access.

The Public Hearing was opened at 2:34 p.m. and, as no one wished to speak, was closed at 2:35 p.m.

ACTION:

Assigned Resolution No. 050-07

Approves the project, making the findings that the Modifications are necessary to secure appropriate improvements on site by providing relief of required yards so that indoor, outdoor, and parking improvements can be made on a slope constrained site, while meeting the purpose and intent of the ordinance by allowing improvements that are compatible to the neighborhood without impacts to adjacent neighbors. Said approval is subject to the condition that a Zoning Compliance Declaration be recorded against the properties title and that the garage be equipped with an automatic garage door to assure safe and convenient access to the required parking.

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

***** THE HEARING RECESSED AT 2:36 PM AND RECONVENED AT 2:46PM. *****

ACTUAL TIME: 2:47 P.M.

F. APPLICATION OF SOPHIE CALVIN, ARCHITECT FOR ERIC L. PETERSON AND KATHERINE G. HEITZMAN-PETERSON, 820 LOWENA DRIVE & 833 E. ANAPAMU STREET, APN 029-201-002, R-3, LIMITED MULTIPLE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS/ACRE (MST2005-00493)

The project consists of the conversion of an existing duplex to two condominium units. The two-story, 1,389 square foot unit off of Lowena Drive contains three bedrooms and a two-car garage. The single-story, 976 square foot unit off of Anapamu Street contains two bedrooms and a two-car garage on a 5,970 square foot parcel.

The discretionary applications required for this project are:

1. Tentative Subdivision Map for a one-lot subdivision to create two (2) residential condominium units (SBMC§27.07 and 27.13).
2. Condominium Conversion Permit to convert two (2) existing residential units to two (2) condominium units (SBMC §28.88).

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

Case Planner: Kelly Brodison, Assistant Planner
Email: kbrodison@santabarbaraca.gov

Sophie Calvin, Applicant; Eric Peterson, Property Owner; and Michael Cloonan, Senior Engineering Technician, present.

Ms. Weiss 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.

Ms. Weiss requested the applicant to clarify some questions regarding the prior granted modification, street improvements (Lowena Drive being a public street), and public street improvements, and parking on Lowena, long-term tenants in the front building, .

**** THE HEARING BRIEFLY RECESSED AT 2:52 PM AND RECONVENED AT 2:56PM. ****

Ms. Weiss expressed concern regarding public street improvements regarding Lowena Drive

The Public Hearing was opened at 2:58 p.m. and, as no one wished to speak, was closed at 2:59 p.m.

Ms. Weiss stated the Public Works Director will be applying the public street improvement conditions.

Mr. Cloonan stated that the curb will need public street improvements.

Ms. Weiss clarified application of the Inclusionary Housing Ordinance with regard to this project.

ACTION:

Assigned Resolution No. 051-07

Approved the project, making the findings outlined in Section VII of the Staff Report, and subject to the Conditions of Approval in Exhibit A.

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 3:08 p.m.

Submitted by,



Kathleen Goo, Staff Hearing Officer Secretary