



City of Santa Barbara

Planning Division

STAFF HEARING OFFICER MINUTES

JULY 18, 2007

CALL TO ORDER:

Bettie Weiss, City Planner called the meeting to order at 1:01 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.

Bettie Weiss, City Planner announced that despite a request to change the order of the agenda to first hear Item B, 1600 Shoreline Drive before Item A, 1133 Alameda Padre Serra, the original agenda order will be adhered to so that all interested parties for Item B would have time to attend the hearing.

- B. Announcements and appeals.

Ms. Weiss announced an appeal to the Planning Commission regarding the mixed-use project at 518 State Street, where the motion in favor of the parking modification was upheld by the Commission.

- 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 ERIC SWENUMSON FOR ALPHONSO SANCHEZ, 1133 ALAMEDA PADRE SERRA, APN 029-282-006, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2007-00060)**

The 12,710 square foot project site is currently developed with a single-family residence and attached garage. The proposed project involves legalization of the "as-built" conversion of the under-story to habitable space, 333 square feet of "as-built" additions, and alterations to the front entry and rear deck. The discretionary application required for this project are Modifications to permit alterations and additions within the required front and interior 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 15303.

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

Eric Swenumson, Applicant, present.

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

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

The Public Hearing was opened at 1:08 p.m. and, as no one wished to speak, was closed at 1:09 p.m.

ACTION:

Assigned Resolution No. 052-07

Approves the project, making the findings that the Modification is necessary to secure an appropriate improvement by expanding the existing residence's floor area in the existing under story which is not visible from the street due to the slope of the site and is consistent with the purpose and intent of the Zoning Ordinance. Said approval is subject to the removal of an "as-built" barbeque and trellis, and the recordation of a Zoning Compliance Declaration.

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

ACTUAL TIME: 1:10 P.M.

B. APPLICATION OF JAMES ZIMMERMAN FOR JACK BENADON & KATHLEEN MEEHAN, 1600 SHORELINE DRIVE, APN 045-172-013, E-3 ONE-FAMILY RESIDENCE/SD-3 COASTAL ZONE OVERLAY ZONES, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2007-00123)

The 7,866 square foot project site is located on the corner of Shoreline and Loyola Drives. Current development on site consists of a single-family residence and attached garage. The proposed project involves the conversion of the existing garage to habitable space, replacement of a 2-car garage, 936 square feet of second story and an upstairs deck. The discretionary applications required for this project are Modifications to permit: Less than the 1,250 square feet of open yard as required (SBMC §28.15.060); alterations to portions of the residence currently located within

the required front yard facing Loyola (SBMC §28.15.060); and to allow a wall height in excess of 3 1/2' when located within ten-feet of a front lot line or for 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

James Zimmerman, Applicant, present.

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

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

Ms. Weiss requested staff to clarify front lot line requirements and some questions to address ordinance standards for corner lots - specifically in regard to discussing with the Planning Commission in allowing open yards to be located in more than one location, whether the open yard on this corner lot is potentially an allowed open area.

Mr. Kato clarified that since the Planning Commission envisioned the ordinance standards would only apply to lots of 7500 square feet or less, and thus not be applicable for the proposed 7900 square foot project. But if the proposed lot were less than 7500 square feet, then the open yard area would be 20'x20' and would therefore be applicable, where technically, the 465 square feet of open yard area doesn't count; however, under the modification process it can be considered and may potentially include the additional retained open yard area with possible future changes being considered to the ordinance standards.

Ms. Weiss also requested the applicant to clarify questions regarding the second-story square footage, the existing garage conversion to habitable space, and suggested moving the building forward or increasing the building foot print in order to increase the open yard area.

The Public Hearing was opened at 1:20 p.m.

Mr. Dan & Gloria Handayan expressed concern regarding the clarification of the floor-to-(lot)area ratio (FAR) calculations, 2nd floor window and privacy issues, development in the neighborhood of a number of one-story structures, commented on the discrepancy between the previously reported square footage on the Architectural Board of Review (ABR) agenda and the square footage on today's modification agenda, and questioned the stability of the sloping lot and structural integrity of the retaining wall of the proposed project.

The Public Hearing was closed at 1:29 p.m.

Mr. Kato clarified the correct total square footage calculations for the requested modification.

Ms. Weiss directed the applicant to work with the ABR staff to clarify information on the proposed project regarding the FAR calculations of the correct square footage and the stability of the retaining wall.

ACTION:

Assigned Resolution No. 053-07

Approves the project, making the findings that the Modifications requested for this project are necessary to secure appropriate improvements, and do not violate the purpose or intent of the Zoning Ordinance in that the window and door changes off Loyola Road are technical in nature and do not change the existing encroachment, that adequate open yard area is being provided on site, and that the section of over height wall does not create a safety issue for the community. The open yard modification as requested is approved under the conditions that: 1) Prior to the return to Single-Family Design Board, the applicant shall meet with adjacent neighbors to review the second-story window placement design so that there is mutual understanding of line-of-sight issues; 2) In working with staff to prepare for the return to the Single-Family Design Board, the applicant shall ensure he/she complies with the new over-85% FAR standards. 3) The applicant shall study increasing the open foot print to consider reducing or shifting the building foot print forward by at least 3 feet to come closer to conformance with zoning standards and increase the open yard area.

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

ACTUAL TIME: 1:52 P.M.

C. APPLICATION OF TOM OCHSNER FOR BRENT & NOEL CHRISTENSEN, 250 MESA LANE, APN 041-322-014, E-3/SD-3 ONE-FAMILY RESIDENCE/COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL 5 UNITS PER ACRE (MST2007-00171)

The 6,446 square foot project site is located on the corner of Mesa Lane and Carlton Way. Current development on site consists of a single-family residence and carport. The proposed project involves 313 square feet of first-floor additions to the residence. The discretionary application required for this project is a Modification to permit a portion of the addition to be located within the required twenty-foot (20') front yard setback facing Carlton Way (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

Tom Ochnser, Applicant, present.

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

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

In reference to a received correspondence letter which expressed concerns by Paula Westbury, Ms. Weiss requested the applicant to clarify some questions regarding improvements within the existing footprint, covered and uncovered porch area for a new bathroom, and if there will be any tree removal for the heavy vegetation on the property. Mr. Ochnser clarified that there had not been any planned tree removal. Ms. Weiss also requested that all fencing details should be shown on the plans for the proposed project.

The Public Hearing was opened at 1:57 p.m. and, as no one wished to speak, was closed at 1:58 p.m.

ACTION:

Assigned Resolution No. 054-07

Approves the project, making the findings that the Modification is necessary to secure an appropriate improvement on the lot by allowing additional floor area under the existing eaves, and farther from the front lot line than existing, nonconforming development, while meeting the purpose and intent of the Zoning Ordinance by maintaining a uniform improvement in the secondary front yard.

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

ACTUAL TIME: 2:00 P.M.

D. APPLICATION OF RON & SERENA WEDDLE, 2559 TREASURE DRIVE, APN 051-323-017, E-3 ONE-FAMILY RESIDENE ZONE, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2007-00230)

The 6,420 square foot project site has frontage onto both Treasure Drive and Baldwin Road. Current development on site consists of a duplex and detached two-car garage. The proposed project involves the conversion of the duplex to a single-family residence, demolition and replacement of the garage, exterior alterations including a roof pitch change, new retaining wall, fence, deck, and front porch. The discretionary applications required for this project are Modifications to permit: Alterations and additions within required front, interior, and open yards (SBMC §28.15.060); and a retaining wall and fence to exceed the maximum allowable height of 3 ½' when located within the first ten-feet of a front lot line (SBMC §29.87.170)

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

Steve Morando, Agent/Designer, and Ron Weddle, Applicant/Property Owner, present.

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

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

Mr. Weddle explained that they will be removing the modification requests to encroach into the side and front setbacks in favor of a rear landscape design that steps down and follows the contours of the rear yard in line with the existing building.

Ms. Weiss concurred with staff to deny the encroachment into the side and front setbacks and requested the applicant to clarify some questions regarding the proposed side fencing and deck area.

The Public Hearing was opened at 2:12 p.m.

Ms. Weiss acknowledged receiving recent letter correspondence for this meeting from Mr. Peter Basch, President of the Samarkand Neighborhood Association, in opposition to the encroachment into the side and front setbacks of the proposed project.

Ms. Geri Barger expressed support of the proposed porch design which she believes would conform to the integrity of the Samarkand neighborhood, and cited other more intrusive nearby 3-4 story structures in the same neighborhood.

Mr. Joe Andrulaitis expressed support regarding of the requested porch in such a constrained site location which would provide a buffer zone from the living area's proximity to the busy street, enhance enjoyment of the outdoors, and help break up the mass of the front façade of the proposed project.

The Public Hearing was closed at 2:17 p.m.

ACTION:

Assigned Resolution No. 055-07

Approves the modification request for the rear of the property facing Baldwin Avenue as requested for the retaining wall and new garage structure; approves the modification to enhance the entry facing Treasure Drive with the setback being no less than existing setback to the nearest wall of the window box, conceptionally designed or modified so long as it does not encroach further than the existing pop-out window wall; the gate across the driveway to be set back 20 feet to be in compliance; and for the deck to be reduced out of the setbacks, making the findings that the Modifications are necessary to secure appropriate improvements on the lot, in that the new garage is farther from the setback, the retaining wall and fence do not pose safety issues or visual issues for the neighborhood, the at grade yard makes the open yard more useable, the roof pitch and window changes are minor, and the project meets the purpose and intent of the Zoning Ordinance in that it provides improvements without intensifying the existing encroachments.

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 2:29 p.m., and Reconvened at 2:40 p.m. *****

ACTUAL TIME: 2:41 P.M.

E. APPLICATION OF BRUCE & JASMINE BURKE, OWNERS, 516 & 518 W. LOS OLIVOS STREET, APN 025-160-015, R-3, LIMITED MULTIPLE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS/ACRE (MST2007-00118)

The project consists of the conversion of two existing detached one-story residential units into two attached condominiums units on an 8,348 square foot lot. The proposal includes remodeling the exteriors of the structures, an 81 square foot addition to the 1,164 square foot unit at the front of the parcel (Unit #1) and a 74 square foot addition to the 1,123 square foot unit at the rear of the parcel (Unit #2). Parking would be provided by one new attached 210 square foot one-car carport and one uncovered space for each unit.

The discretionary applications required for this project are:

1. A Modification to allow alterations to the existing legal non-conforming buildings in the required interior yard setback in the R-3 Zone (SBMC §28.21.060.2; SBMC §28.87.030):
 - a. To allow changes in location and increase in size of windows and doors on the eastern side of both units
 - b. To allow a change in the roof height along the eastern side of Unit #2 within the interior yard setback to meet the Base Flood Elevation requirements.
2. A Tentative Subdivision Map for a one-lot subdivision to create two (2) residential condominium units (SBMC §27.07 and §27.13);
3. A Condominium Conversion Permit to convert two (2) existing residential units to two (2) condominium units (SBMC §28.88); and

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

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

Bruce Burke, Applicant/Property Owner, 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, and provided photographs of the project site for the hearing.

The Public Hearing was opened at 2:43 p.m. and, as no one wished to speak, was closed at 2:44 p.m.

Ms. Weiss requested the applicant to clarify if there were any neighborhood comments regarding the proposed project.

Ms. Weiss also clarified with the applicant Ordinance height conformance of the front line fencing, that 3½ foot hedge height requirements include subsequent vegetation growth maintenance, and asked if the applicant understood all the requested Public Works project improvement requirements; including sidewalk and street requirements.

Ms. Weiss requested staff to clarify Condominium Conversion Ordinance parking requirements, and Ms. Brodison confirmed that the Transportation Division was in support of the accessibility and maneuverability of the required two uncovered parking spaces and two carports; including adequate turn-around carport space for the rear unit. She also confirmed that the ABR concurred with the site and carport design, modifications, photo-voltaic options, and decorative driveway pavers.

ACTION:

Assigned Resolution No. 056-07

Approves 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

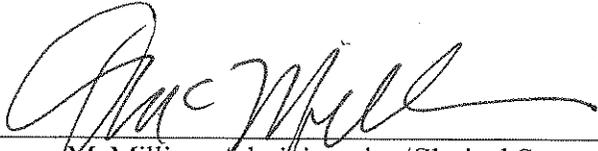
Ms. Weiss adjourned the meeting at 2:58 p.m.

Staff Hearing Officer Minutes

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Submitted by,

A handwritten signature in cursive script, appearing to read "Deana McMillion". The signature is written in black ink and is positioned above a horizontal line.

Deana McMillion, Administrative/Clerical Supervisor for
Kathleen Goo, Staff Hearing Officer Secretary