



City of Santa Barbara Planning Division

STAFF HEARING OFFICER MINUTES

NOVEMBER 7, 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 II – Present from 1:36 p.m. to 2:14 p.m.

Roxanne Milazzo, Associate Planner

Kathleen Kennedy, Associate Planner

Suzanne Johnston, 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 made the following announcements:

- a) Item H, 222 W. Alamar Avenue has been continued for re-noticing for the December 5, 2007 SHO meeting.
- b) Item F, 710 Anacapa Street has been continued indefinitely.

- B. Announcements and appeals.

Ms. Milazzo announced the appeal to Planning Commission regarding 3230 State Street has been scheduled for January 10, 2008.

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

No comments.

II. PROJECTS:

ACTUAL TIME: 1:05 P.M.

A. APPLICATION OF CHRISTOPHER DE ROSE FOR JOHN & LESLIE WHITE, 32 E JUNIPERO STREET, APN 025-123-006, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2007-00380)

The 14,700 square foot project site is located on the corner of Junipero and Anacapa Streets. Existing development on site consists of a single-family residence and attached garage. The proposed project involves the legalization of the front privacy wall and entry gate. This application also is requesting to install a screen in the existing arch opening to the left of the garage bays.

The discretionary process required for this project is a Modification to permit the wall and screen to exceed 3 ½' in height when located within the first ten-feet of a front lot line or twenty-feet (20') back 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

Christopher De Rose, Applicant; and John White, 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 requested the applicant to clarify some questions regarding the vegetation adding to the over-all height of the wall for pedestrians and vehicular safety considerations.

The Public Hearing was opened at 1:10 p.m.

Ms. Weiss acknowledged receiving recent letter correspondence for this meeting from Ms. Paula Westbury in support of the proposed project.

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

ACTION:

Assigned Resolution No. 093-07

Approves the project by making the findings that the Modification to allow wall heights in excess of the maximum 3½ feet will secure appropriate aesthetic improvements to the property without violating the purposed or intent of the Ordinance.

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

ACTUAL TIME: 1:14 P.M.

B. APPLICATION OF SUZANNE ELLEDGE PLANNING & PERMITTING SERVICES FOR JAN MARCO & JOANNA VON YURT, 2016 MISSION RIDGE ROAD, APN 019-162-002, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2001-00833)

The 1 acre site is currently developed with a single-family residence. The proposed project involves the construction of a two-car garage with storage below. The discretionary application required for this project is a Modification to permit accessory in the front yard (SBMC §28.87.160).

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

Isaac Romero, Applicant; and Jan Von Yurt, Property Owners, 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 clarify questions regarding road grading and past history of the project.

Ms. Weiss supported the minor front yard encroachment to articulate the building.

Ms. Weiss expressed concern regarding the existing gate on the plans which was not previously approved.

The Public Hearing was opened at 1:24 p.m.

Ms. Weiss acknowledged receiving recent letter correspondence for this meeting from Ms. Paula Westbury which expressed concern regarding the garage of the proposed project.

The Public Hearing was closed at 1:25 p.m.

ACTION:

Assigned Resolution No. 094-07

Approves the project by making the findings that the Modification is necessary to secure an appropriate improvement on the lot, in that the garage, which provides the required covered parking for the lot, cannot be constructed without being elevated at the front, and the accessory space is the appropriate use for the area under the garage, and the project meets the purpose and intent of the Ordinance, as the accessory building is 60 feet from the front lot line, and adequately screened.

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

***** THE FOLLOWING ITEM WAS HEARD OUT OF AGENDA ORDER. *****

ACTUAL TIME: 1:32 P.M.

C. APPLICATION OF STANTON & JANICE HOWELL, 2420 CALLE GALICIA, APN 041-423-014, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2007-00518)

The 10,000 square foot project site is currently developed with a single-family residence, attached garage, "as-built" pergola, fireplace, and counter. The proposed project involves legalization of the "as-built" structures. The discretionary application required for this project are Modifications to permit the pergola, fireplace, and counter to be located within the required ten-foot (10') 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 15305.

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

Stanton Howell, 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.

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

Ms. Weiss requested the applicant to clarify some questions regarding solar and compliance to the Zoning Ordinance for setback restrictions.

The Public Hearing was opened at 1:46 p.m.

Ms. Weiss acknowledged receiving the following names in letter correspondence for this meeting, both:

In support of the proposed project:

- a) Rick and Linda Trigueiro
- b) Brian and Dena McCague
- c) Jerry Chiu
- d) Christy Roan
- e) Roland and Carmela Jurgens
- f) Joe Blum
- g) Alison Jordan
- h) Ms. Paula Westbury

And in opposition to the proposed project:

- a) Mr. Stan Tabler
- b) Victor and Jennifer Plana

The Public Hearing was closed at 1:47 p.m.

Ms. Weiss expressed concern regarding the substantial “as-built” structures , but recognized the backyard open space constraints.

Ms. Weiss concurred with staff that the “as-built” structures located within the 10-foot side yard setback are not consistent with Zoning Ordinance regulations and are therefore not supportable. In an effort to work with the applicant toward a mutual resolution, she suggested that the applicant pull the shade structure away from the fence, and reduce it in size, and remove the chimney feature for a more minor encroachment reduce the as-built counter.

ACTION:

Continued to the January 16, 2008 meeting, with direction to the applicant to return with revised and more accurate and detailed plans.

***** THE FOLLOWING ITEM WAS HEARD OUT OF AGENDA ORDER. *****

ACTUAL TIME: 1:28 P.M.

D. APPLICATION OF MARK MORANDO FOR SAM SHIBER, 643 ISLAND VIEW DRIVE, APN 049-133-013, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2007-00520)

The 9,273 square foot project site is currently developed with a single-family residence and attached two-car garage. There is a 1,000 square foot addition currently under construction. The proposed project involves changing an existing window, located on the front of the residence, to a French door. The discretionary application required for this project is a Modification to permit alterations to portions of the residence located within the required thirty-foot (30') 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 15305

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

Mark Morando, Agent, 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.

The Public Hearing was opened at 1:30 p.m.

Ms. Weiss acknowledged receiving recent letter correspondence for this meeting from Ms. Paula Westbury in support of the proposed project.

The Public Hearing was closed at 1:31 p.m.

ACTION:

Assigned Resolution No. 095-07

Approves the project by making the findings that the Modification is necessary to secure an appropriate improvement and meets the purpose and intent of the Ordinance by allowing an alteration for improved use without adding new floor area in an already non-conforming yard.

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 2:14 P.M., AND RECONVENED AT 2:26 P.M. ****

ACTUAL TIME: 2:26 P.M.

E. APPLICATION OF PAT YOCHUM, PENFIELD & SMITH, FOR JANE DREYFUS DINIZ, OWNER, 2206 MISSION RIDGE ROAD, 019-071-009 & 019-071-010, A-1, SINGLE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 1 UNIT PER ACRE AND 3 UNITS PER ACRE (MST2006-00757)

The project involves a lot line adjustment between two legal lots at 2206 Mission Ridge Road. Parcel 1 (APN 019-071-010) and Parcel 2 (APN 019-071-009) were created in 1955 and this lot line adjustment will resolve a portion of the main residence and the entire garage that are located over the existing property line. Two modifications are required for both parcels to have less than the required lot area in the A-1 Zone.

The discretionary applications required for this project are:

1. Modifications (two) to allow each of the lots to have less than the required amount of lot area (SBMC § 28.15.080);
2. A Lot Line Adjustment revise the lot lines between the existing parcels (SBMC Chapter 27.40).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305 (Minor Alterations in Land Use Limitations).

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

Pat Yochum, Applicant; and Jane Dreyfus Diniz, 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.

The Public Hearing was opened at 2:31 p.m.

Ms. Weiss acknowledged receiving recent letter correspondence for this meeting from Ms. Paula Westbury in support of the proposed project.

The Public Hearing was closed at 2:32 p.m.

ACTION:

Assigned Resolution No. 096-07

Approves the project, making the findings outlined in Section VII of the Staff Report, and subject to the Revised 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.

THE FOLLOWING ITEM WAS CONTINUED INDEFINITELY.

F. APPLICATION OF LISA PLOWMAN, AGENT, FOR ADAME TRUST, 710 ANACAPA STREET, 031-081-013, C-2 COMMERCIAL ZONE, GENERAL PLAN DESIGNATION: GENERAL COMMERCE AND OFFICE (MST2006-00312)

The project consists of a new 4,031 square foot, two and one-half story, 34.6-foot tall mixed-use development including the preservation of 577 square feet of an existing 1,562 square foot mixed-use structure on the City's List of Potential Historic Resources (Myers Cottage). The project will include relocation of the existing structure (which will become a commercial condominium) nine feet to the west, new construction at ground level to provide two residential condominium units (one, two-bedroom unit and one, three-bedroom unit), three covered residential parking spaces, and one uncovered accessible commercial parking space. A portion of the existing stone site wall will be preserved in place and a portion along the driveway will be rebuilt.

The discretionary applications required for this project are:

1. A Modification is required to allow a three-story residential structure to encroach into the required interior yard setback. (SBMC §28.45.008);
2. A Modification is required to allow a three-story residential structure to encroach into the required rear yard setback. (SBMC §28.21.060); and
3. A Modification to allow the distance between buildings to be reduced to 10' (SBMC§28.21.070); and
4. A Tentative Subdivision Map for a one-lot subdivision to create two (2) residential and one commercial condominium units (SBMC §27.07 and §27.13)

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: Suzanne Johnston, Assistant Planner

Email: sjohnston@santabarbaraca.gov

ACTUAL TIME: 2:36 P.M.

G. APPLICATION OF JESSICA GRANT, PENFIELD & SMITH, AGENT FOR AARON GOLDSCHMIDT AND JAMES JOHNSON, 623 E. ORTEGA STREET, APN 031-103-014, R-3, LIMITED MULTIPLE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS/ACRE (MST2007-00125)

This item was continued from the October 24, 2007 Staff Hearing Officer hearing. The project consists of a proposal to convert an existing three unit apartment building into three condominium units on a 7,000 square foot lot. Six uncovered parking spaces currently existing onsite. A new attached three-car carport with roof deck is proposed.

The discretionary applications required for this project are:

1. Modification to allow less than the required 10% open space (SBMC§28.21.080);
2. Tentative Subdivision Map for a one-lot subdivision for the conversion of three residential units into condominium units (SBMC Chapter 27.07); and
3. Condominium Conversion Permit to convert three residential units into three (3) condominium units (SBMC Chapter 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 (Existing Facilities).

Case Planner: Kathleen Kennedy, Associate Planner

Email: kkennedy@SantaBarbaraCA.gov

Jessica Grant, Agent/Applicant; and Aaron Goldschmidt, Property Owner, present.

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

Kathleen Kennedy, Associate Planner, gave the Staff presentation and recommendation.

Ms. Weiss expressed concern regarding the loss of rental housing.

The Public Hearing was opened at 2:37 p.m.

Ms. Weiss acknowledged receiving recent letter correspondence for this meeting from Ms. Paula Westbury which expressed concern regarding the condominium conversion and the carport of the proposed project.

The Public Hearing was closed at 2:38 p.m.

ACTION:

Assigned Resolution No. 097-07

Approves the project, making the findings outlined in the November 7, 2007 Staff Memo, and subject to the Conditions of Approval included in the Staff Report dated October 17, 2007, and with exception of Condition D1, "Neighborhood Notification Prior to Construction," which shall be deleted.

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

***THE FOLLOWING ITEM WAS CONTINUED TO THE DECEMBER 5TH MEETING ***

H. APPLICATION OF JUSTIN VAN MULLEM, FOR ALAMAR PARTNERS, LLC, 222 WEST ALAMAR AVENUE, 051-213-008, R-3 MULTI-FAMILY RESIDENTIAL/ S-D-2 SPECIAL DISTRICT OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL 12 UNITS/ACRE (MST2006-00318)

The project consists of a proposal to demolish an existing single-family residence and one-car garage, and construct a new two-story building containing three condominium units, including two (2) one-bedroom units and one (1) two-bedroom unit, on a 6,000 square foot lot in the R-3/SD-2 Zones. The one-bedroom units would be 651 square feet and 714 square feet, and the two-bedroom unit would be 1,044 square feet. Four parking spaces would be provided within a two-car garage and two one-car garages. An estimate of 100 cubic yards of grading would be required.

The discretionary applications required for this project are:

1. A Modification is required to allow a two-story structure to encroach into the required 20-foot front yard setback. The project is located in both the R-3 and S-D-2 Zones. The required front yard setback is ten feet (10') for one and two story buildings in the R-3 Zone; however, the front yard setback is 20' for two story buildings in the S-D-2 Zone. (SBMC §28.45.008 and §28.92.110.B);
2. A Modification is required to reduce the required parking by one (1) parking space (SBMC28.90.100.G.3); and
3. A Tentative Subdivision Map for a one-lot subdivision to create two (2) residential condominium units (SBMC §27.07 and §27.13)

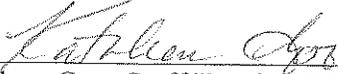
The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303 (New construction).

Case Planner: Suzanne Johnston, Assistant Planner
Email: sjohnston@santabarbaraca.gov

III. ADJOURNMENT

Ms. Weiss adjourned the meeting at 2:41 p.m.

Submitted by,



Kathleen Goo, Staff Hearing Officer Secretary