City of Santa Barbara
Planning Division

STAFF HEARING OFFICER MINUTES

October 22, 2008

CALL TO ORDER:

The meeting was called to order at 9:01 a.m. by Susan Reardon, Senior Planner.

STAFF PRESENT:

Susan Reardon, Senior Planner
Roxanne Milazzo, Associate Planner
JoAnne LaConte, Assistant Planner
Gloria Shafer, Staff Hearing Officer Secretary

I. PRELIMINARY MATTERS:

A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

No requests.

B. Announcements and appeals.

No announcements.

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

No comments.

II. PROJECTS:

ACTUAL TIME: 9:18 A.M. (Items A & B were heard in reverse order.)

A. APPLICATION OF MONIOT DESIGN FOR JOHNNY & SALLY JORDAN, 1617 ORAMAS ROAD, APN 027-152-010, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2008-00163)

The 5,054 square foot project site is currently developed with a single family residence and detached garage with accessory space below. The proposed project involves minor additions and enclosure of an existing covered porch, which will result in 161 square feet (gross) of new floor area for the residence. The project will also result in a new second story deck off the rear of the residence. The discretionary application required for this project is a Modification to permit the proposed additions to be located within the required ten-foot (10') interior 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.

Present: Chris McGill, Project Designer.

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

The Public Hearing was opened at 9:25 a.m.
A letter in opposition received from Paula Westbury was acknowledged.
The Public Hearing was closed.

Ms. Reardon announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood. She agree with Staff's recommendation; found the small lot to be small; recognized the fact that there are no additional openings within the interior setback thus respecting the neighbor; acknowledged the additions are outside of the required front setback; and, due to the slope, the garage and bedroom additions are not visible from the public right-of-way. Ms. Reardon directed the applicant to correct the plans to show the required front setback at 25 feet.

ACTION: **Assigned Resolution No. 080-08**
Approved the project making the findings that the Modifications are consistent with the purposes and intent of the Zoning Ordinance by maintaining the existing setbacks and are necessary to secure an appropriate improvement of uniform expansion on the lot.

Said approval is subject to the conditions that an arborist report be submitted with recommendations to preserve and protect the existing pepper tree during construction, that the floor area being abandoned as part of this application be made unusable for any purpose, and that a Zoning Compliance Declaration be recorded against the property's title.

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

ACTUAL TIME: 9:02 A.M. (Items A & B were heard in reverse order.)

B. APPLICATION OF JAMES BLASCOVICH & BRENDA MAJOR FOR 826 JIMENO ROAD, APN 029-042-003, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2008-00382)

The 9,077 square foot project site is currently developed with a single family residence and attached garage. The proposed project involves a remodel of the existing residence which will include relocation of the existing entry door, a new covered entry porch, and alterations to existing windows. The discretionary application required for this project is a Modification to permit alterations to portions of the residence currently located within the required thirty-foot (30') front 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 15301.

Present: Akiko Wade-Davis, Designer; and Jim Davis, Designer.

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

Ms. Reardon announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood. Ms. Reardon clarified that City Council is considering whether to adopt an ordinance suspending enforcement of over-height hedges. Ms. Milazzo responded that the practice of not allowing hedges over 3 ½ feet was applied in anticipation of the suspension. Ms. Wade-Davis emphasized that the SFDB's comments recognized that the dimensions of the porch are in response to the existing architecture, including the existing 3 foot overhang, which is part of the reason for the extra porch depth. Ms. Wade-Davis clarified that the 13'x5' scaled dimension of the porch is the accessible dimension.

The Public Hearing was opened at 9:09 a.m.
A letter in opposition to the project from Paula Westbury was acknowledged.
The Public Hearing was closed.

Ms. Reardon stated that the Modification to change windows and doors in the front setback is supportable. She stated that during discussion with the City Council and the Ordinance Committee on the recently adopted Zoning Ordinance amendments, they were clear that they did not want large structures in the front setback and limited the allowed encroachment of entry landings to 3 feet by 3 feet. Although there are varying setbacks in the neighborhood, the proposed porch will not necessarily promote consistency in the neighborhood. She stated that the porch could be supported if the depth were reduced.

ACTION: **Assigned Resolution No. 081-08**

Approved the modification to alter window sizes and locations and add a 13' long by 3' wide entry porch with a 2' roof overhang in the front setback making the finding that the alterations are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure appropriate alterations to accommodate the new floor plan.

Said approval is subject to a condition that a zoning compliance declaration be recorded against the property's title, due to the configuration of the proposed under-story area.

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

ACTUAL TIME: 9:28 A.M.

C. APPLICATION OF SUDING LANDSCAPE DESIGN ARCHITECTS FOR ESCALERA LIVING TRUST, 1425 MISSION RIDGE ROAD, APN: 018-103-023, A-2, ONE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2008-00244)

The project consists of a proposal to amend a prior approval (MST2005-00098) for an "as-built" 55 foot long retaining wall, 836 cubic yards of grading in the front yard and within the road right-of-way, "as-built" pool removal, an entry gate and wall and a landscape plan. The Planning Commission (PC) approved this project with conditions in 2006. The applicant requests a Staff Hearing Officer (SHO) project amendment to reduce the finished grade adjacent to the retaining wall by 1.5 feet instead of the 5 feet approved by the PC and to allow a higher retaining wall height ranging from 3.73 feet to 6.11 feet instead of the 3.5 feet to 6.42 feet approved by the PC. The project is located on a 1.9 acre lot in the Hillside Design District.

The discretionary application required for this project is a Modification to permit a wall that exceeds 3 ½ feet in height to be located within 10 feet of a front lot line and within 10 feet of a 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 15301 (Existing Facilities).

Present: Philip Suding, Landscape Architect; Mr. Escalera, Owner; Paul Zink, Vice-Chair, Single Family Design Board; Tim Downey, City Arborist.

Jo Anne La Conte, Assistant Planner, gave the Staff presentation and recommendation.

Ms. Reardon announced that she read the Staff Report for the proposed project and also visited the site and surrounding neighborhood. She clarified that the current project is to reduce the grade in front of the retaining wall by two feet, reduce the height if the retaining wall by 1 ½ feet, and that there are no changes to the driveway.

Mr. Suding stated that an independent arborist investigation indicated feeder roots in the top 18 inches of soil and removing the soil per Planning Commission Conditions of Approval would seriously impact the trees. A compromise would be to reduce the grade 18 inches, 8 feet from the tree trunks and reduce the height of the wall 1 ½ feet. He added that the SFDB and Planning Commission Liaison, Stella Larson, were in support of the modification. Paul Zink, SFDB Vice-Chair, stated that the Board understood the arborist report concerning the tree roots and for that reason the SFDB was in support of proposal. The SFDB also applied a condition for low-growing planting to prevent visibility impacts. Tim Downey, Urban Forest Superintendent, stated the result of the grade change actually improved the health of the trees, but any further grade change could be detrimental to the city oak trees. He added that although the applicant's compromise is better the Planning Commission

recommendation, no grade change is preferred. He felt that at this time, a condition regarding tree monitoring is not necessary.

The Public Hearing was opened at 9:46 a.m.
A public comment letter addressing concerns from Paula Westbury was acknowledged.
A petition in support of the project, dated April 21, 2005 was acknowledged.
The Public Hearing was closed.

Ms. Reardon stated that the request to reduce the retaining wall height is supportable, however the proposed hedge needs to be replaced with landscaping that at maturity would not exceed 3 ½ feet due to the potential blockage of public views from Mission Ridge Road.

ACTION: **Assigned Resolution No. 082-08**
Approved the project making the finding that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot, because Mission Ridge Road is approximately 30 feet wide, there is a landscaped right-of-way between the road and the property of approximately 30 feet, the visibility of the wall from Mission Ridge Road is minor as the property slopes downward from the road and the wall does not obstruct visibility of vehicular traffic, and subject to the conditions of approval in Exhibit A, as amended in the public hearing.

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

III. ADJOURNMENT

The meeting was adjourned at 9:50 a.m.

Submitted by:

Gloria Shafer, Staff Hearing Officer Secretary

10-28-2008
Date