



# City of Santa Barbara Planning Division

## STAFF HEARING OFFICER MINUTES

AUGUST 26, 2009

### CALL TO ORDER:

Susan Reardon, Senior Planner, called the meeting to order at 9:02 a.m.

### STAFF PRESENT:

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

### I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.  
Ms. Reardon announced that Item II.D, 1532 Eucalyptus Hill Drive has been postponed until September 9, 2009.
- B. Announcements and appeals. Ms. Reardon made the following announcements:  
The project at 1931 El Camino De La Luz has been withdrawn; therefore, the appeal will not proceed.  
The Planning Commission denied the appeal of 500 N. Milpas Street and upheld the decision of the Staff Hearing Officer.  
The Planning Commission upheld the appeal and approved the project located at 226-232 Eucylputus Hill Drive; however, a subsequent appeal to City Council has been filed.
- C. Comments from members of the public pertaining to items not on this agenda.  
None.

I. PROJECTS:

ACTUAL TIME: 9: 04 A.M.

A. APPLICATION OF SHERRY & ASSOCIATES ARCHITECTS FOR JOSEPH WEBER, 1304 CRESTLINE DRIVE, APN 049-251-001, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2008-00385)

The 10,605 square foot project site is currently developed with a single family residence and attached garage. The proposed project involves a 413 square foot addition to the first floor, a 254 square foot addition to the second floor, two roof decks, a patio and swimming pool. The discretionary application required for this project is a Modification to permit window additions/changes and a relocated chimney within the required ten-foot interior 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 & 15305.

Present: Dawn Sherry, Architect.

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

The Public Hearing was opened at 9:09 a.m.

Two letters from Paula Westbury in opposition to the project was acknowledged.

The Public Hearing was closed.

Ms. Reardon announced that she read the Staff Report and visited the site and surrounding neighborhood.

**ACTION:**

**Assigned Resolution No. 071-09**

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. The proposed Modification will allow improvements and alterations to the existing residence without intensification of use or adding additional floor area within the required setback.

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

**ACTUAL TIME: 9:11 A.M.**

**B. APPLICATION OF TONY XIQUES, AGENT FOR JAMES & TERESA JELLISON, 28 EL ARCO DRIVE, APN 053-051-004, E-2 ONE-FAMILY RESIDENCE/SD-2 SPECIAL DISTRICT OVERLAY ZONES, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2009-00350)**

The 10,018 square foot project site is currently developed with a single family residence with attached garage. The proposed project involves a 59 square foot "as-built" portion of the residence. The discretionary application required for this project is a Modification to permit the addition within the required twenty-five foot 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 & 15305.

Present: Tony Xiques, Designer.

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

The Public Hearing was opened at 9:16 a.m.

A letter from Paula Westbury in support of the project was acknowledged.

The Public Hearing was closed.

Ms. Reardon announced that she read the Staff Report and visited the site and surrounding neighborhood. Ms. Reardon stated that items stored within the set back are to be removed as a condition of the project.

**ACTION:**

**Assigned Resolution No. 072-09**

Approved the project making the findings 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. The existing encroachment is architecturally compatible, enlarges two small rooms for improved function, does not exceed the encroachment already established by the residence, and is consistent with other development in the neighborhood.

Said approval is subject to the condition that items currently stored in the setbacks, including the boat, are to be removed and no future storage shall occur within setbacks.

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: 20 A.M.**

**C. APPLICATION OF KURT MAGNESS, PROPERTY OWNER, 2628 BORTON DRIVE, APN 041-260-022, E-3 ONE-FAMILY RESIDENCE/SD-3 COASTAL ZONE OVERLAY ZONES, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2009-00359)**

The 6,300 square foot project site is currently developed with a single family residence and attached garage. The proposed project involves relocating the garage door to the side which faces the street. The discretionary application required for this project is a Modification to permit alterations to a structure located within the required 20' 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 & 15305.

Present: Kurt Magness, Owner.

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

The Public Hearing was opened at 9:27 a.m.

A letter from Paula Westbury expressing concern of the project was acknowledged. Mr. Magness submitted letters in support of the project signed by W. R. Brice, Clara and Richard Pinnock, Steve Willson and Samantha Thompson, Debra Vance, Albert and Jean Escalera, Raedine Werthman, and Marjorie Blum.

The Public Hearing was closed.

Ms. Reardon announced that she read the Staff Report and visited the site and surrounding neighborhood.

**ACTION: Assigned Resolution No. 073-09**

Approved the project making the finds 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. Relocating the garage door allows existing driveway area to be used for outdoor enjoyment and reduces the safety issues associated with the current configuration.

Said approval is subject to the condition that the portion of hedge located along the driveway within 20' of the front lot line be reduced and maintained at a maximum height of 3 ½' as required by the Ordinance, and that outstanding land use issues be resolved prior to the issuance of a building permit.

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

**D. APPLICATION OF BRIAN BERGAKKER, PROPERTY OWNER, 1532 EUCALYPTUS HILL ROAD, APN 015-232-005. E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 12 UNITS PER ACRE (MST2009-00351)**

The 6,547 square foot project site is currently developed with a single family residence and detached two-car garage. The proposed project involves demolition of a failing retaining wall, and the construction of new retaining walls and entry stairs to the residence. The discretionary application required for this project is a Modification to permit walls to exceed 3 ½' in height when located within ten feet of either side of a driveway for a distance of twenty feet back from the front lot line (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 15303 & 15305.

**POSTPONED TO SEPTEMBER 9, 2009**

**III. ADJOURNMENT**

The meeting was adjourned at 9:43 a.m.

Submitted by,



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Gloria Shafer Staff Hearing Officer Secretary

