



City of Santa Barbara

Planning Division

STAFF HEARING OFFICER MINUTES

MARCH 24, 2010

CALL TO ORDER:

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

STAFF PRESENT:

Susan Reardon, Senior Planner
Danny Kato, Senior Planner
Steve Foley, Supervising Transportation Planner
Chelsey Swanson, Assistant Transportation Planner
Roxanne Milazzo, Associate Planner
Daniel Gullett, Associate Planner
Gloria Shafer, Staff Hearing Officer Secretary

I. PRELIMINARY MATTERS:

- A. Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.
None.
- B. Announcements and appeals.
Ms. Reardon announced a decision approving the project at 1126 Del Mar Avenue making the findings contained in Section VII of the Staff Report dated March 3, 2010, with two added conditions.
- C. Comments from members of the public pertaining to items not on this agenda.
None.

II. PROJECTS:

ACTUAL TIME: 9:20 A.M. Item heard out of order

- A. APPLICATION OF UBALDO DIAZ, AGENT FOR HEZI KOREN, 447 CONEJO ROAD, APN 019-050-017, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST2009-00509)

The 10,718 square foot project site has frontage on to Conejo Road and Conejo Lane. Previous development on site consisted of a single-family residence and two-car garage, which were destroyed in the Tea Fire. The proposed project involves the construction of a 1,950 square foot single family residence and detached 437 square foot two-car garage. The discretionary application required for this project is a

Modification to permit new construction within the required thirty-five (35') foot front and fifteen-foot (15') 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 & 15305.

Present: Ubaldo Diaz, Project Designer; Hezi and Corin Koren, Owners; Mike Semanski, Neighbor.

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.

The Public Hearing was opened at 9:25 a.m.

A letter in opposition was acknowledged.

The applicant's submitted a letter from John and Emily McClaughlin, neighbors, in support of the project.

With no one wishing to speak the Public Hearing was closed.

ACTION: **Assigned Resolution No. 010-10**

Approved the subject application 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 increase in plate height and roof pitch allows for the rebuild of a new residence and garage in their previous footprints with an improved architectural style, without the additional floor area being added within the 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: 9:27 A.M.

B. APPLICATION OF WADE DAVIS DESIGN, AGENT FOR JAMES & BLANCHE TOBIN, 529 CONEJO ROAD, APN 019-062-007, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST2009-00566)

The 9,140 square foot project site has frontage on to Conejo Road and Conejo Lane. Previous development on site consisted of a single-family residence and detached garage, which were destroyed in the Tea Fire. The proposed project involves the construction of a 1,654 square foot single family residence and attached 400 square foot two-car garage. The discretionary application required for this project is a Modification to permit new construction within the required thirty-five (35') foot front and fifteen-foot (15') 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 & 15305.

Present: Akiko Wade and Jim Davis, Project Designers; Rick Span, General Contractor; Blanch Tobin, Owner.

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.

The Public Hearing was opened at 9:36 a.m.

The applicant submitted four letters in support of the project from neighbors Dennis and Carol Guinaugh, Ron and Lori Bonneau, Jack Milton, and Louise Conley.

The Public Hearing was closed.

Ms. Reardon expressed concerns with habitable space proposed to be built into the 15 foot setback right up to the west property line.

ACTION:

Assigned Resolution No. 011-10

Approved the subject application making the following findings and determinations:

The Modifications being requested for the house in the front setback, the laundry pop-out in the interior setback, and the single story garage within the front and interior setbacks, to be consistent with the purposes and intent of the Zoning Ordinance and necessary to secure appropriate improvements on the lot. The residence has been designed to accommodate a residence on a site with limited development potential, given the substandard size, slope, and Conejo Landslide setback.

Said approval is subject the condition that the house be set back a minimum of 5 feet from the west interior property line as noted on the plans stamped on March 24, 2010 and that no windows are provided on the portion of the building located 5 feet from the property line.

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

ACTUAL TIME: 9:04 A.M.

Item heard out of order

C. APPLICATION OF MICHAEL HOLLIDAY, ARCHITECT FOR HEATHER MCBURNIE, 345 CONEJO ROAD, APN 019-050-028, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST2010-00024)

The 12,284 square foot project site has frontage on to Conejo Road and Conejo Lane. Previous development on site consisted of a single-family residence and detached garage, which were destroyed in the Tea Fire. The proposed project

involves the construction of a 2,015 square foot single family residence and attached 495 square foot two-car garage. The discretionary application required for this project is a Modification to permit new construction within the required fifteen-foot (15') 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: Michael Holliday, Architect.

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.

The Public Hearing was opened at 9:14 a.m.

A letter in opposition from Paula Westbury was acknowledged.

With no one wishing to speak, the Public Hearing was closed.

Ms. Reardon stated that the encroachment of the bay window into the interior setback is not supportable. Ms Reardon also expressed appreciation of the building oriented away from the neighbors making the small building and garage encroachment supportable.

ACTION:

Assigned Resolution No. 012-10

Approved the subject application making the following findings and determinations:

The Modification for the house and garage encroachment are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The proposed location maintains the interior setback that the previous garage observed but by relocating the garage forward on the site, reduces the amount of impervious paving for the property. The minor house encroachment allows for the rebuilding of the house on a narrower portion of the lot while respecting the privacy of the neighbors.

The Staff Hearing Officer does not find that the Modification for to allow the bay window/widow seat to be located within the interior setback to be consistent with the purposes and intent of the Zoning Ordinance or necessary to secure an appropriate improvement on the lot.

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

The meeting was recessed from 9:46 until 9:58 a.m.

ACTUAL TIME: 9:58 A.M.

D. **APPLICATION OF SHERRY AND ASSOCIATES ARCHITECTS FOR OWNER, BANKER'S MORTGAGE REALTY ADVISORS, 222 HELENA AVENUE, APN 033-052-020 OC/HRC-2/SD-3 ZONES, GENERAL PLAN DESIGNATION: HOTEL & RELATED COMMERCE II (MST2009-00519)**

The proposed project consists of a change of use of the former Living Green tenant space at 222 Helena Avenue to a new bar/restaurant, a new accessible front entry that would result in a net loss of 34 square feet of non-residential floor area, and a new trash enclosure.

The discretionary applications required for this project are:

1. A Modification of the parking requirement to allow less than the required parking spaces (SBMC Subsections 28.90.001.N, 28.90.100.J.16 and 28.92.110.A.1); and
2. A Coastal Development Permit (CDP2010-00002) to allow the proposed development in the Non-Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060).

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 and conversion of small structures).

Present: David Watkins, Project Manager.

Daniel Gullett, Associate Planner, gave the Staff presentation and recommendation. Danny Kato, Senior Planner, Steve Foley, Supervising Transportation Planner, and Chelsey Swanson, Assistant Transportation Planner were available to provide clarification and respond to questions.

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

Ms. Reardon questioned the amount of parking required due to intensification of use, and the driveway exiting.

The Public Hearing was opened at 10:12 a.m.

A letter in opposition from Paula Westbury was acknowledged.

With no one wishing to speak, the Public Hearing was closed.

ACTION:

Assigned Resolution No. 013-10

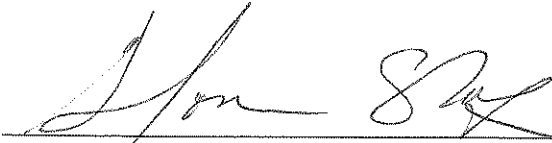
Approved the project making the findings contained in Section VII of the Staff Report dated March 17, 2010, and subject to the Conditions of Approval contained in Exhibit A, as revised at the hearing.

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

III. ADJOURNMENT

Ms. Reardon adjourned the meeting at 10:33 a.m.

Submitted by,

A handwritten signature in cursive script, appearing to read "Gloria Shafer", written over a horizontal line.

Gloria Shafer, Staff Hearing Officer Secretary