



City of Santa Barbara Planning Division

STAFF HEARING OFFICER MINUTES

JULY 14, 2010

CALL TO ORDER:

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

STAFF PRESENT:

Susan Reardon, Senior Planner
Danny Kato, Senior Planner
Renee Brooke, Senior Planner
Tony Boughman, Planning Technician
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.
None
- C. Comments from members of the public pertaining to items not on this agenda.
None.

II. PROJECTS:

ACTUAL TIME: 9:01 A.M.

- A. APPLICATION OF PAUL ZINK, ARCHITECT FOR RONALD & LAURA BONNEAU, 525 CONEJO ROAD, APN 019-062-004, A-1 ONE-FAMILY RESIDENCE, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST2010-00139)

The 6,531 square foot project site has frontage on to Conejo Road and Conejo Lane. Previous development on site consisted of a single-family residence, which was destroyed in the Tea Fire. The proposed project involves the construction of a 1,622

square foot single family residence and one-uncovered parking space. The new residence has been designed with a pitched roof which will increase the building height by seven-feet over what previously existed. The discretionary applications required for this project are Modifications to permit new construction within the required thirty-five (35') foot front and both 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 15303 & 15305.

Present: Paul Zink, Architect.

Renee Brooke, Senior Planner, gave the Staff presentation and recommendation.

Ms. Reardon questioned whether the site is located in the Conejo Landslide area. Mr. Zink explained that per action of City Council, the site is not located within the landslide area.

The Public Hearing was opened at 9:09 a.m. As no one wished to speak, the Public Hearing was closed.

Ms. Reardon announced that she read the Staff Report and visited the site and surrounding neighborhood. Ms. Reardon noted that the CEQA exemption category 15301 shown on the agenda is incorrect. The correct exemption categories are sections 15305 (new construction) and 15303.

ACTION: **Assigned Resolution No. 035-10**
Approved the project making the finding that the modifications are consistent with the purposes and intent of the zoning ordinance and are necessary to secure an appropriate improvement on the lot. The proposed encroachments into the front and interior setbacks allow for a single family residence to be replaced and modestly upgraded on a lot with several development constraints.

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 JASON GRANT, AGENT FOR GIOVANNI VIGNA, 1628 OVERLOOK LANE, APN 015-192-008, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2010-00075)

The 17,832 square foot project site is currently developed with a single family residence and attached one-car garage. The proposed project includes a remodel of

the existing development on site, expansion of the garage, a new front porch, a new rear deck with patio below, and a 440 square foot two-story addition.. The discretionary applications required for this project are Modifications to permit new construction and alterations within the required thirty-foot front and ten-foot 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 Sections 15301 & 15305.

Present: Jason Grant, Agent.

Renee Brooke, Senior Planner, gave the Staff presentation and recommendation.

Ms. Reardon questioned the proposed tree removal. Mr. Grant explained that the tree is a nuisance due to the spilling of pine cones and due to growth into electric power lines.

The Public Hearing was opened at 9:18 a.m. As no one wished to speak, 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. 036-10**
Approved the project making the finding that the Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure appropriate improvements on the lot. The proposed encroachments allow for expanded parking to meet current Municipal Code requirements without impacts to adjacent neighbors.

Said approval is subject to a condition that proposed tree removals within the front setback receive necessary approvals by the City Parks and Recreation Department.

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 SHUBIN & DONALDSON ARCHITECTS FOR MARK TAPPEINER, 119 SKYLINE CIRCLE, APN 041-171-008, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2006-00522)**

The 4,776 square foot project site is currently developed with a 2,100 square foot single-family residence and garage. The proposed project involves demolition of all development on site, and the construction of a 3-story structure consisting of a 2-story residence with a 2-car garage and basement/storage area below. The discretionary applications required for this project are Modifications to permit construction within the required thirty-foot front setback (SBMC §28.15.060); for the required open yard to be provided in portions of the front yard and with dimensions less than 20 feet (SBMC §28.15.060), and for walls to exceed 3 ½' in height when located within ten-feet of a front lot line or within twenty-feet along the driveway (SBMC §28.87.170). This is a revision to a previous project that received Modification approvals for similar improvements in 2006. Those approvals have since expired.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303 & 15305.

Present: Kevin Moore, Project Manager, Shubin and Donaldson Architects.

Danny Kato, Senior Planner gave the Staff presentation and recommendation.

Ms. Reardon questioned the amount of proposed front yard open space. Mr. Moore explained that the best quality open space is oriented toward the southwest area of the front yard.

The Public Hearing was opened at 9:43 a.m.

Peter Susi, neighbor, stated concerns about height, neighborhood incompatibility, loss of privacy.

David Tappeiner, applicant's brother, in support.

The Public Hearing was closed at 9:51.

Mr. Kato stated that the ABR extension approval is valid and the project remains under the ABR's purview.

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

Ms. Reardon stated concerns with providing all of the required open yard in the front setback. She explained that the Zoning Ordinance currently provides options to allow the required open yard to be broken up in several areas on small lots, and a Modification having a portion of open space in the front and a portion in the rear would be supportable. Mr. Moore responded that the front yard open space provides both mountain and ocean views. Mr. Kato explained that on lots less than 6,000 square feet, the 1250 outdoor space can be divided into areas measuring at least 20'

x 20' however there is no available secondary location which provides the required amount of open space.

Ms. Reardon stated that she could not approve the project as proposed and asked whether the applicant prefer that the project be denied without prejudice or continued to allow the applicant to redesign the project. Ms. Reardon continued the item to the end of the meeting to allow the architect to consult with the property owner.

Reconvened Time: 10:35 a.m.

At the applicant's request, Ms. Reardon continued the project to July 28th to allow the applicant two weeks to redesign the project to provide some of the required open yard to the rear of the residence.

ACTUAL TIME: 10:06 A.M.

D. APPLICATION OF CHRISTINE PIERRON, ARCHITECT FOR JOSEPH & ANN WENGER, 197 LOMA MEDIA, APN 019-261-027, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2006-00704)

The 10,849 square foot project site is currently developed with a 2,119 square foot single-family residence and detached 2-car garage. The proposed project involves demolition and replacement of an existing rear deck, the addition of a 412 square foot sunroom, "as-built" conversion of 252 square feet of understory to habitable space, and legalization of an uncovered parking space. The discretionary applications required for this project are Modifications to permit new habitable space within the required thirty-foot front setback (SBMC §28.15.060) and parking within required yards (SBMC §28.90.001). The applicant is requesting re-approval of these Modifications, which were approved in 2007, and expired in 2009.

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: Christine Pierron, Architect.

Danny Kato, Senior Planner, gave the Staff presentation and recommendation.

The Public Hearing was opened at 10:16 a.m. As no one wished to speak, 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 she could support the

Modifications with an additional condition to reduce the amount of paving adjacent to the garage to prevent parking in the front setback.

ACTION: **Assigned Resolution No. 037-10**
Approved the project making the finding that the Modification to convert under-story area to habitable space is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot, because the approval will allow use of existing space, located below the residence and not visible from the street, to provide additional dwelling space without impacts to the neighborhood.

The Modification to permit parking within the required front and interior setbacks is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the site, because the approval will allow an additional parking space on a site constrained lot, in a neighborhood that provides little opportunity for street parking.

Said approval is subject to following conditions: 1) A Zoning Compliance Declaration shall be recorded against the properties title. 2) The garage shall be equipped with an automatic garage door to assure safe and convenient access to the required parking. 3) The applicant is to work with Transportation Department Staff to reduce the amount of paving to the east of the garage to the minimum amount necessary to enter and exit the garage.

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

ACTUAL TIME: 10:18 A.M.

E. APPLICATION OF JEFF SHELTON, ARCHITECT FOR JAMIE AND PIKE RIEGERT, 960 W. MOUNTAIN DRIVE, APN 021-050-057, A-1 ZONE, GENERAL PLAN DESIGNATION: 1 UNIT PER ACRE (MST2009-00149)

The 5.58 acre site is currently vacant. The proposed project involves the construction of a new two story 2,054 square foot single family residence with an attached 400 square foot garage. The project includes retaining walls, terraces, driveway, and 448 cubic yards of grading. The discretionary application required for this project is a Modification to permit construction of the residence and garage within the required 35 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 15303 and 15305.

Present: Alexa Schloe, Jeff Shelton Architects.

Tony Boughman, Planning Technician, gave the Staff presentation and recommendation.

The Public Hearing was opened at 10:26 a.m. As no one wished to speak, 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. 038-10**
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 as described in Section V of the Staff Report dated July 7, 2010. The proposed encroachment into the front setback conforms to the building envelope given by the Planning Commission after their consideration of site constraints and environmental concerns.

Said approval is subject to the condition that the project will comply with all conditions in Planning Commission Resolution No. 039-92.

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 at 10:30 a.m. and reconvened at 10:35 for the continued hearing of Item C, 119 Skyline Circle (refer to Item C above).

III. ADJOURNMENT

Ms. Reardon adjourned the meeting at 10:38 p.m.

Submitted by,



Gloria Shafer, Staff Hearing Officer Secretary

