



# City of Santa Barbara Planning Division

## STAFF HEARING OFFICER MINUTES

MARCH 9, 2011

### CALL TO ORDER:

Susan Reardon, Senior Planner, called the meeting to order at 9:00 a.m.

### STAFF PRESENT:

Susan Reardon, Senior Planner  
Roxanne Milazzo, Associate Planner  
JoAnne LaConte, Assistant Planner  
Kelly Brodison, Assistant Planner  
Kathleen Goo, 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 reminder about the appeal regarding 1233 Mission Ridge Road, a Performance Standard Permit, that will be heard tomorrow on March 10, 2011, by the Planning Commission.
- 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 SOPHIE CALVIN, AGENT FOR KENNETH GRAND LIVING TRUST, 2914 PASEO TRANQUILLO, APN 053-102-016, E-3 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2011-00059)

The 4,950 square foot project site is currently developed with an 825 square foot single-family residence and 328 square foot attached garage. The proposed project involves demolition of an existing 214 square foot shed and the existing garage, construction of approximately 287 square feet of new habitable space for the residence and a new approximately 400 square foot two-car garage. Also, proposed are new doors and windows and a new 42 inch high wall at the front and interior property lines. The discretionary applications required for this project are

Modifications to allow new floor area within the required 6-foot interior setback and the required open yard area.

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: Sophie Calvin, Agent.

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

The Public Hearing was opened at 9:04 a.m.

With no one wishing to speak, the Public Hearing was closed at 9:03 a.m.

A letter of support was received and acknowledged from Sharon McGinness in addition to those already included in the Staff Report.

An email of concern was received from Paula Westbury.

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

**ACTION:**

**Assigned Resolution No. 007-11**

Approved the Modifications, making the findings that the Modifications to allow new floor area within the required 6-foot interior setback and the required open yard area are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the undersized E-3 lot. The reduced interior setback and encroachment into the non-conforming open yard are appropriate and will allow an expansion of the residence, in a single story style, consistent with the neighborhood, while maintaining adequate area for the occupant's outdoor enjoyment and with no expected impacts to adjacent neighbors.

Said approval is subject to the following conditions:

- 1) The new garage window within the interior setback shall be a fixed window.
- 2) The total non-conforming open yard area of 1,200 square feet shall be shown on the submitted plans.

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

ACTUAL TIME: 9:12 A.M.

**B. APPLICATION OF ARTHUR GALINDO, AGENT FOR MIGUEL & ZENaida MARDUENO, 533 CONEJO ROAD, APN 019-062-003, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: MAJOR HILLSIDE (MST2010-00389)**

The 7,046 square foot project site has frontage onto Conejo Road and Conejo Lane. Previous development on site consisted of a 1,417 square foot single-family residence and attached 402 square foot garage, which were destroyed in the Tea Fire. The proposed project involves the construction of a 2,115 square foot single-family residence and attached 402 square foot two-car garage. The discretionary applications required for this project are Modifications to allow new construction within the required thirty-five (35') foot front setback facing Conejo Lane and both 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: Arthur Galindo, Agent.

Ms. Reardon 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 9:15 a.m.

With no one wishing to speak, the Public Hearing was closed at 9:16 a.m.

An email of concern was received from Paula Westbury.

**ACTION:**

**Assigned Resolution No. 008-11**

Approved the Modifications, making the findings that the Modifications to allow new construction within the required thirty-five foot front setback facing Conejo Lane and both 15-foot interior setbacks are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The proposed changes within required setbacks allow for a single-family residence and garage to be replaced and upgraded on a lot with several development constraints.

Said approval is subject to the condition that the Single Family Design Board review the proposed second-floor bedroom windows within the interior setbacks with regard to neighborhood privacy issues of appropriateness and location.

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

ACTUAL TIME: 9:21 A.M.

C. APPLICATION OF REX RUSKAUFF, ARCHITECT FOR DIANA THOMSON, 1229 CALLE CERRITO ALTO, APN 041-120-033, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2011-00004)

The 1.06 acre site is currently developed with a fire damaged residence and detached guest house. The guest house, which was constructed without benefit of permits, will be demolished. The proposed project involves repair, alterations, and 1,492 square feet of additional floor area for the residence, new entry stairs, and an attached two-car carport.

The discretionary applications required for this project are Modifications to allow alterations and additions within the required 35' front and both 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 Sections 15301 & 15305.

Present: Rex Ruskauff, Architect.

Ms. Reardon 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 9:30 a.m.

With no one wishing to speak, the Public Hearing was closed at 9:31 a.m.

Two emails of various concerns from Dave Tabor and Paula Westbury were acknowledged.

**ACTION:**

**Assigned Resolution No. 009-11**

Approved the Modification, making the findings that the Modification for the front entry and conversion of understory space to habitable floor area is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed changes will allow for fire damage repair and minor floor area improvements to the existing development on site without impacts to the immediate neighbors.

Denied the interior setback Modification for the proposed door and stairway off of the master bathroom making the finding it is not consistent with the purposes and intent of the Zoning Ordinance and is not necessary to secure an appropriate improvement on the lot. The new door is an extraneous opening and ingress/egress point for a structure that currently encroaches into the front and both interior setbacks. Sufficient ingress/egress points currently exist within the residence, including the front entry, which is within 25 feet of the master bathroom.

Said approval is subject the following conditions:

- 1) All as-built construction shall be shown on the plans submitted for a building permit with details of method of legalization, including demolition of the detached accessory building. Abatement of all violations shall occur prior to the issuance of a Certificate of Occupancy for the subject project.
- 2) The existing illegal accessory structure shall be demolished within one year of project approval or prior to the Certificate of Occupancy, whichever occurs first.
- 3) The pair of walls to the west of the carport shall be modified to prevent use of the area for storage. No storage of trash shall be within the area of the setback.
- 4) The project shall return to the SFDB for review and Project Design Approval prior to submitting for building permits.

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

Ms. Reardon commended Ms. Milazzo for all her hard work and diligence during her exemplary employment with the City of Santa Barbara.

**ACTUAL TIME: 9:37 A.M.**

**D. APPLICATION OF TOM HALE, AGENT FOR LESLEY ALEXANDER AND RICHARD MONIOT, 605 AND 615 SAN ROQUE ROAD, APNS 053-071-008 AND 053-071-003, E-1/SD-1/SD-2 ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL (MST2010-00254)**

The project consists of a proposal for a lot line adjustment between two existing legal lots. Approximately 17,175 square feet of lot area will be transferred from 615 San Roque Road (053-071-003) to 605 San Roque Road (053-071-008). The newly created parcel at 615 San Roque Road will be 15,000 square feet and 605 San Roque Road will be 36,674 square feet.

The discretionary application required for this project is:

1. A Lot Line Adjustment (LLA) between two (2) legal lots (SBMC §27.40, Gov. Code §66412 and;
2. A Modification to allow less than the required street frontage for a newly created lot in the E-1 Zone (SBMC §28.15.080 and §28.92.110.A).

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.

Present: Lesley Alexander Co-Owner.

Ms. Reardon 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 9:43 a.m.

With no one wishing to speak, the Public Hearing was closed at 9:44 a.m.

An email of concern from Paula Westbury was acknowledged.

**ACTION:** **Assigned Resolution No. 010-11**  
Approved the Lot Line Adjustment and Street Frontage Modification, making the findings and determinations outlined in the written Staff Report, dated March 2, 2011.

Said approval is subject to the conditions outlined in the written Staff Report, dated March 2, 2011.

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

### **III. ADJOURNMENT**

Ms. Reardon adjourned the meeting at 9:47 a.m.

Submitted by,

  
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Kathleen Goo, Staff Hearing Officer Secretary