



# City of Santa Barbara Planning Division

## STAFF HEARING OFFICER MINUTES

SEPTEMBER 21, 2011

### CALL TO ORDER:

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

### STAFF PRESENT:

Susan Reardon, Senior Planner  
Renee Brooke, Senior Planner II/Zoning Supervisor  
Dan Gullett, Associate Planner  
JoAnne LaConte, 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 that on September 8, 2011 the Planning Commission upheld the appeal of the Staff Hearing Officer's denial and approved an interior setback modification and an open yard modification for a project located at 502 East Micheltorena Street.

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

None.

II. PROJECTS:

ACTUAL TIME: 9:03 A.M.

A. APPLICATION OF DEVINCENTE + MILLS ARCHITECTURE, ARCHITECT FOR REED AND CAROLYN HORNBERGER, 10 RUBIO ROAD, APN 029-342-002, E-1 (ONE-FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 3 UNITS PER ACRE (MST2011-00248)

The proposed project involves a 66 square foot residential addition to an existing 1,562 square foot two-story single-family residence. The area of the residential addition is in the understory of the existing house and entirely within the existing footprint of the residence. The proposal also includes replacement of two windows and replacement of a door with a window on the rear (southeast side) of the house.

The discretionary application required for this project is a Modification to allow the change of use of understory area to habitable space within the existing building footprint, located partially within the ten-foot interior setback (SBMC §28.15.060 & 28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Sections 15301 (Existing Facilities) and 15305 (Minor Alterations in Land Use Limitations).

Present: Edward DeVincente, Architect.

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

Dan Gullett, Associate Planner, gave the Staff presentation and recommendation.

With no one wishing to speak, the Public Hearing was closed at 9:08 a.m.

A letter of concern from Lance Gin was acknowledged.

**ACTION:** Assigned Resolution No. 039-11  
Approved the Modification making the findings as outlined in the Staff Report dated September 14, 2011.

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: 9:15 A.M.**

**B. APPLICATION OF DAVID L. BURKE, ARCHITECT FOR PROPERTY OWNER, JASEN BODIE NIELSEN, 1312 E. GUTIERREZ STREET, APN: 031-392-003, R-2 (TWO-FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS PER ACRE (MST2011-00249)**

The proposed project involves the “as-built” conversion of an 886 square foot garage and storage area to a second dwelling unit, a 90 square foot first-floor addition, the “as-built” enclosure of an existing second-story sun porch, two new uncovered parking spaces, permitting an “as-built” wall at the front and interior property lines and permitting an “as-built” portion of an existing deck in the interior setback.

The discretionary land-use applications required for this project are:

1. Modifications to allow a wall to exceed 3.5 feet in height within ten feet of the front lot line and within 10 feet of a driveway for a distance of 20 feet back from the front lot line (SBMC §§28.87.170 & 28.92.110);
2. A Modification to allow alterations, “as-built” construction, and conversion of a portion of the existing structure to habitable space within the required six-foot interior setback (SBMC §28.18.060 & 28.92.110); and
3. A Modification of the open yard area requirements (SBMC §28.18.060 & 28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines §15301 (Existing Facilities) and §15305 (Minor Alterations in Land Use Limitations).

Present: David Burke, Architect.

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

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

With no one wishing to speak, the Public Hearing was closed at 9:22 a.m.

Ms. Reardon stated that she could make the required findings for the modification to allow the existing wall/wrought iron fence to exceed 3½ feet in height given the fact that it was originally approved and granted a building permit in 1975 and the building permit never received a final sign off, the wrought iron portion of the fence allows for sight visibility, and wall/wrought iron fence does not cause a visibility or safety issue for vehicular and pedestrian traffic.

**ACTION:**

**Assigned Resolution No. 040-11**

Approved the Modification making the findings as outlined in the Staff Report dated September 14, 2011, and as revised at the hearing.

Said approval is subject to the conditions as revised at the hearing.

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 9:37 a.m.

Submitted by,

  
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Kathleen Goo, Staff Hearing Officer Secretary