



# City of Santa Barbara Planning Division

## STAFF HEARING OFFICER MINUTES

NOVEMBER 28, 2012

### **CALL TO ORDER:**

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

### **STAFF PRESENT:**

Susan Reardon, Senior Planner  
Kelly Brodison, Assistant Planner  
Suzanne Riegle, Assistant Planner  
Kathleen Goo, Staff Hearing Officer Secretary

### **I. PRELIMINARY MATTERS:**

- A.** Requests for continuances, withdrawals, postponements, or addition of ex-agenda items.

There were no requests.

- B.** Announcements and Appeals.

There were no announcements.

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

There were no comments from the public.

## II. PROJECTS:

### ACTUAL TIME: 9:02 A.M.

#### A. SUBSTANTIAL CONFORMANCE DETERMINATION HEARING FOR AN APPLICATION OF AB DESIGN STUDIO, ARCHITECT FOR HEIDI FERGUSON, 903 W. MISSION STREET, 043-113-009, R-2 ZONE, GENERAL PLAN DESIGNATION: MEDIUM DENSITY RESIDENTIAL - 12 UNITS PER ACRE (MST2009-00388)

The 5,000 square foot lot is currently developed with an 844 square foot single-family residence and a 317 square foot detached garage. The proposed project involves the construction of 525 square foot second-story accessory dwelling unit above a new 623 square foot three-car garage. The proposal includes the demolition of the existing 317 square foot non-conforming garage, and a 25 square foot covered porch to the existing main residence, and a 32 square foot addition to the main residence. The project will result in an 876 square foot main residence, a 525 square foot new accessory dwelling unit and a new 623 square foot three-car garage. The discretionary applications required for this project are Modifications to permit construction of the garage within the required 20 foot front setback (SBMC § 28.18.060.A), and to provide less than the required Common Open Yard area of 600 square feet (SBMC 28.18.060.C.3).

The current request is for a Substantial Conformance Determination to allow the existing house, which was proposed to remain and be altered as described above, to be demolished and rebuilt per the plan that was approved by the Staff Hearing Officer, the Architectural Board of Review and City Council on appeal. The Staff Hearing Officer will provide an opportunity for public comment, and will make a recommendation to the Community Development Director. The Community Development Director's decision is not appealable.

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301.

Present: Clay Aurell Josh Blumer, AB Design Studio; Heidi Ferguson, Owner.

Kelly Brodison, Assistant Planner, gave the Staff presentation and recommendation.

Public comment opened at 9:16 a.m.

- 1) Pam Brandon, opposition; expressed concerns regarding changes to the project since the original ABR and SHO approvals.

Letters of concerns from Dave Carter, Kellam de Forest, and Paula Westbury were acknowledged.

Ms. Reardon expressed concerns with the revisions to the project to demolish the existing residence. She stated that had the project originally included the demolition of the existing residence, she questioned whether the common open space modification would have been supportable. The basis for the supportability of the common open yard modification was the constraints of the property at that time. The property is substantially smaller than the required minimum size, it has two street frontages, and the location of the existing house provided limited area for an addition to the property. With the demolition of the existing house, the constraint to new development of existing development is removed. Ms. Reardon believes that there could have been another option to the originally proposed project that could have met the common open area requirements. However she acknowledged that even with the complete demolition of the existing residence, the design of the new residence would be in substantial conformance with the approved residence and that the findings made for the original project could still apply.

**ACTION: No action, comments to Staff only.**

**ACTUAL TIME: 9:29 A.M.**

**B. APPLICATION OF PROPERTY OWNER M.G. CONSTANTINESCU, 53 RUBIO ROAD, APN 029-330-008, E-1 ONE-FAMILY ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MST2012-00425)**

The 20,946 square foot site is developed with a one-story, single-family residence with an attached two-car garage and is located in the Hillside Design District. The proposed project involves alterations to the residence including window and door changes, new skylights, and an interior remodel.

The discretionary application required for this project is a Modification to allow the front door to be enlarged and add new skylights within the required 30-foot front setback (SBMC § 28.15.060 and SBMC § 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 Section 15301 (Existing Facilities).

Present: M.G. Constantinescu, Owner.

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

Suzanne Riegle, Assistant Planner, gave the Staff presentation and recommendation. Ms. Riegle stated that the project includes a small addition to the entry area that was

not included in the public notice. Ms. Riegle requested a discussion be held on the project and then the project be continued to allow for public notice of the small addition.

The Public Hearing was opened at 9:36 a.m.; and, with no one wishing to speak, the Public Hearing was closed.

A letter of concerns from Paula Westbury was acknowledged.

**ACTION:**

**Continued two weeks to the December 12, 2012, hearing to allow for public notice of the small addition.**

**ACTUAL TIME: 9:39 A.M.**

**C. APPLICATION OF SOPHIE CALVIN, DESIGNER FOR BILL ZHOU AND LINDA ZHANG, 856 FERRELO ROAD, APN 029-330-011, E-1 ONE-FAMILY ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MST2012-00397)**

The 7,937 square foot site is located in the Hillside Design District and is developed with a 2,335 square foot, one-story, single-family residence with an attached two-car garage. The proposed project involves a seven square foot addition at the existing entry; a new 31 square foot entry porch; window and door alterations; and an “as-built” patio, and site walls, all located within required setbacks. The proposal will address the violations identified in enforcement case ENF2012-00195.

The discretionary applications required for this project are:

1. A Modification to allow a minor front entry addition and window and door alterations within the required 30-foot front setback (SBMC § 28.15.060 and SBMC § 28.92.110);
2. A Modification to allow a new window within the required 10-foot interior setback (SBMC § 28.15.060 and SBMC § 28.92.110); and
3. A Modification to allow the combined height of the walls at the rear of the property to exceed the maximum allowable height of eight feet within a required setback. (SBMC § 28.87.170 and SBMC § 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 Section 15301 (Existing Facilities).

Present: Sophie Calvin, Designer; and Bill Zhou, Owner.

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

Suzanne Riegle, Assistant Planner, gave the Staff presentation and recommendation.

The Public Hearing was opened at 9:48 a.m.; and, with no one wishing to speak, the Public Hearing was closed.

A letter of concern from Paula Westbury was acknowledged.

**ACTION:** **Assigned Resolution No. 052-12**  
Approved the Modifications making the findings as outlined in the Staff Report dated November 21, 2012.

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 9:53 a.m.  
Submitted by,

  
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Kathleen Goo, Staff Hearing Officer Secretary