

**COUNTY OF SANTA BARBARA  
PLANNING AND DEVELOPMENT**



**MEMORANDUM**

TO: Honorable Board of Supervisors

FROM: John Baker, Director, P&D

DATE: March 1, 2007 (for March 13, 2007 hearing)

RE: Findings for Denial -- Halsell Single Family Residence Addition  
Denial of 06LUP-00000-00585 based on the Brady Appeal (06APL-00000-00052)  
4620 Song Lane, Orcutt area (APN 105-010-0794620)

---

**RECOMMENDATION**

Based on conceptual action by the Board of Supervisors on February 27, 2007, indicating a desire to uphold the Brady Appeal (06APL-00000-00052) and deny the subject Land Use Permit (06LUP-00000-00585), the Board should:

1. Re-open the public hearing to accept new information;
2. Adopt the Findings in Attachment A;
3. Uphold the Brady appeal (06APL-00000-00052), and thereby overturn the staff and Planning Commission decisions to approve 06LUP-00000-00585 and;
4. Deny Case No. 06LUP-00000-00585.

**BACKGROUND**

On June 22, 2006, Planning and Development received an application for a Land Use Permit (case number 06LUP-00000-00585) to allow an addition to the existing single family dwelling at 4620 Song Lane, Orcutt. The site is a 1.02-acre parcel in the 1-E-1 Zone District under the Santa Barbara County Land Use Development Code. Planning & Development approved the Land Use Permit on August 29, 2006. However, that approval was appealed by Shirley Brady and the Westrails Homeowner's Association on September 11, 2006.

The Planning Commission heard the Brady and Westrails HOA appeals (06APL-00000-00035 and -00036) on November 8, 2006 and December 13, 2006. On December 13, 2006, the Planning Commission voted 5-0 to deny the appeal and approve the Land Use Permit for the addition. The Planning Commission's decision was appealed by Jack Brady on December 22, 2006. On February 27, 2007 the Board of Supervisors opened a hearing to consider the appeal (case number

Hearing Continuation for Brady Appeal (06APL-00000-00052)  
Attachment A – Findings for Denial of 05LUP-00000-00585)  
Halsell SFD Addition @ 4620 Song Lane, Orcutt area

06APL-00000-00052) and voted 3-2 to conceptually uphold the appeal, thereby overturning the Planning Commission's December 13, 2006 approval of 06LUP-00000-00585 based on neighborhood compatibility issues. The Board directed staff to return on March 13, 2007 with appropriate findings.

At the February 27, 2007 hearing, the Board was presented with information about the size of existing structures in the project area. That information was presented in terms of “roof area” based on aerial photography. As such, the square footage data included attached accessory buildings and intervening covered breezeways. Staff has since determined the amount of living area contained in surrounding homes based on building permit records, and indeed the proposed structure would contain roughly three times the living area contained in surrounding homes. The proposed structure would also contain roughly three times the number of bedrooms as surrounding homes and a formal, albeit unpaved, parking area containing fourteen spaces that is also not found elsewhere in the immediate project area.

Based on information already in the record and the additional information above, staff has prepared draft findings for your board's consideration (Attachment A).

Attachment A -- Findings for Denial of 06LUP-00000-00585

**ATTACHMENT A: FINDINGS**

**1.0 ADMINISTRATIVE FINDINGS**

**LAND USE PERMIT FINDINGS**

**1.1 Pursuant to Section 35.82.100E.1 of the Land Use Development Code, a Land Use Permit shall be approved or conditionally approved only if the Director first makes certain required Findings. In this case, Finding 35.82.100.E.1.a (1) cannot be made, as follows:**

**1.1.1 The proposed development will conform to the applicable provisions of the Comprehensive Plan, including any applicable community or area plan and this Development Code.**

The subject Land Use Permit is inconsistent with Visual Resources Policy No. 3 of the Comprehensive Plan, which states that in areas designated as urban on the land use maps and in designated rural neighborhoods, new structures shall be in conformance with the scale and character of the existing community. In this case, the proposed structure would be out of character with the existing community in terms of size, bulk and scale. The proposed structure would have 7,940 square feet of living area, not counting the detached garage and attached covered porches.

The living area in surrounding homes is as follows:

<b>Location</b>	<b>Street address(owner)/APN</b>	<b>Size of Residence</b>
Next door to the south	1374 Solomon Road (Halsell) APN 105-010-080	3,742 square feet
South of that	1376 Solomon Road (Miller) APN 150-010-031	3,145 square feet
Next door to the west	1390 Solomon Road (Conley) 105-010-032	2,200 square feet
	1388 Solomon Road (Vandermeulen) 105-010-033	2,456 square feet
West of that	1412 Solomon Road (Giddings) APN 105-010-071	2,629 square feet
	1418 Solomon Road (Bonilla)	1,436 square feet
	105-010-072	

Next door to the north	1370 Solomon Road (Hansen) APN 105-010-075	1,400 square feet
Next door to the east	4609 Appaloosa Trail (Stetson) APN 105-010-021	2,738 square feet
	4621 Appaloosa Trail (Tuttle) APN 105-010-020	2,995 square feet
	4643 Appaloosa Trail (Martinez) APN 105-010-019	1,992 square feet
	4655 Appaloosa Trail (Silva) APN 105-010-018	2,243 square feet
	4667 Appaloosa Trail (Clement) APN 105-010-017	2,640 square feet

Moreover, the proposed structure would contain fourteen (14) bedrooms and a formal, albeit unpaved, parking lot with fourteen (14) spaces. There are no other homes in the project area that have so many bedrooms and there are no other residential properties in the immediate project area that have a parking lot designed to accommodate so many vehicles.

As such, the proposed structure is inconsistent and incompatible with the surrounding single family neighborhood and would not be in keeping with the semi-rural character of the surrounding area.