

COUNTY PLANNING COMMISSION DECISION
 APPEALED TO THE BOARD OF SUPERVISORS
 December 16, 2014

Case Number: 14APL-00000-00019 APN: 065-371-002 Area: Goleta District: Second	Title: Kalasky Appeal of the SBAR Preliminary Denial of the Kalasky Addition and Remodel Project Applicant: Edward Kalasky Appealed by: Edward Kalasky Date appealed: December 15, 2014 at 4:01 p.m. Planner: Ryan Cooksey, ext. 2046 Supervising Planner: Anne Almy, ext. 2053						
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%; text-align: center;">Planning Commission</td> <td style="width: 30%; text-align: center;">Board of Supervisors</td> </tr> <tr> <td> Hearing Dates: December 3, 2014 </td> <td> Approved the project. </td> </tr> <tr> <td> Fee Paid: </td> <td> \$648.26 </td> </tr> </table>		Planning Commission	Board of Supervisors	Hearing Dates: December 3, 2014	Approved the project.	Fee Paid:	\$648.26
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Fee Paid:	\$648.26						
APPELLANTS REASON FOR APPEAL: See attached appeal form.							
FACILITATION: N/A							
OUTCOME OF BOS HEARING:							

- cc: Glenn Russell, Director
 Dianne M. Black, Assistant Director
 Alice McCurdy, Deputy Director
 Anne Almy, Supervising Planner
 Ryan Cooksey, Planner
 Records Management
 Elisa Moser, Accounting
 Petra Leyva, Building & Safety
 David Villalobos, Hearing Support

APPEAL TO THE BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

2014 DEC 15 11:40:01

Submit to: Clerk of the Board
County Administration Building
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101

COUNTY OF SANTA BARBARA
CLERK OF THE BOARD

RE: Project Title KALASKY/CLARK Residence Addition/Remodel
Case Number 14APL-00000-00019
Tract/ APN Number 065-371-002 located at 155 Santa Paula Ave
Date of action taken by Planning Commission, Zoning Administrator, or Surveyor December 3

I hereby appeal the Denial of the Planning Commission
(approval/ approval with conditions/ or denial) (Planning Commission/ Zoning Administrator/ or County Surveyor)

Please state specifically wherein the decision of the Planning Commission, Zoning Administrator, or Surveyor is not in accord with the purposes of the appropriate zoning ordinance (one of either Articles I, II, III, or IV), or wherein it is claimed that there was an error or an abuse of discretion by the Planning Commission, Zoning Administrator, or Surveyor. {References: Article I, 21-71.4; Article II 35-182.3, 2; Article III 25-327.2, 2; Article IV 35-475.3, 2}

Attach additional documentation, or state below the reason(s) for this appeal.

The PC cited Attachment A from the SBAR report. SBAR rejected our proposal without comment on Guidelines 4.6 & 4.7. Blough tried to discuss 4.6, without conclusion. 4.6 & 4.7 were not discussed. Our plan mitigates 4.6 & 4.7. Three projects have recently been approved by SBAR that clearly by SBAR definition violates Guidelines 4.6 and/or 4.7. Our Concept 3 Design was pattern after the 5218 Calle Barquero Design, which got approval in 30 days

Specific conditions being appealed are:

Decisions on Guidelines 4.6 + 4.7

Name of Appellant (please print): Edward Kalasky

Address: 155 Santa Paula Ave
(Street, Apt #)
Santa Barbara, Ca 93111
(City/ State/ Zip Code)

(Telephone)

Appellant is (check one): Applicant Agent for Applicant Third Party Agent for Third Party

Fee \$ 648.26 {Fees are set annually by the Board of Supervisors. For current fees or breakdown, contact Planning & Development or Clerk of the Board. Check should be made payable "County of Santa Barbara".}

Signature: Edward Kalasky

Date: 12/15/14

FOR OFFICE USE ONLY

Hearing set for: _____ Date Received: _____ By: _____ File No. _____

To the Supervisors:

We were discriminated against in the first meeting with SBAR. The PC would not consider that just saying that they were starting over. But 3 of the members took the SBAR results as fact, not considering the Guidelines 4.6 & 4.7 as it related to our project. Although Daniel Blough was willing to discuss Guideline 4.6, pointing out that our Concept 3 design covered the center of the building, no one else wanted to discuss it. Four of the members had to decide against the project without discussing the interpretation of Guideline 4.7. Yet we received a letter from SBAR stating that we violated Guidelines 4.6 and 4.7. Hence, we were denied a building permit.

The PC did wrestle with the question as to what might be acceptable. They asked if bringing the walls in on the second story make the project acceptable. No one knew the answer.

Why even have Guidelines if the interpretation of them keeps changing. No one at the PC understood what Guidelines 4.6 and 4.7 meant. The person in the peanut gallery, ignore the question about Guideline 4.6 and gave her definition of what the Guidelines should mean. We spent 5 worthless meetings with the SBAR and 1 with the PC.

At our last meeting before the SBAR, they would not allow us to speak and they would not tell us why they rejected our design. Dylan Chappell kept jumping up shouting "Side loading, side loading", prohibiting us from speaking. We were told to leave. This is clearly discriminatory. Furthermore, we went through 3 meetings with Concept 1, making changes that they requested yet they had no intention of ever approving the design. This also has to be discriminatory. In fact, after the 3rd meeting, John Vrtiak said, "Don't worry Ed, it is just going to take more time and money but you will get it (approval)." Obviously, we were not going to get approval with the Concept 1 design.

Cecilia Brown of the PC was prejudice saying that our Thunderbird Tract was the worst in Goleta and that she was going to chance it. The SBAR wanted us to build a low rider type of design also, although there are none in our neighborhood. The 2nd Sentence of the Guidelines states: "...these guidelines have been developed to help maintain the high quality of Eastern Goleta Valley's neighborhoods and promote neighborhood compatibility and good architectural design"

Furthermore on page 9 the Guidelines state; "Many of the subdivisions of tract homes boast distinct architectural qualities that set these neighborhoods apart from each other."

We expand the project from just over the garage to over the dining room, parts of the kitchen and parts of the living to mitigate Guidelines 4.6 & 4.7. This was never discussed with the SBAR or the PC.

Three projects have recently been approved by SBAR that clearly by their definition violates Guidelines 4.6 and/or 4.7. Our Concept 3 Design was pattern after the 5218 Calle Barquero Design, which got approval in 30 days.

Why even have Guidelines if the interpretation of them keeps changing. No one at the PC understood what Guidelines 4.6 and 4.7 meant. Ryan Cooksey cites a number of LUDC's, which revert back to Guidelines 4.6 and 4.7.

Discrimination is;" in a way that is worse than the way people are usually treated"

Guideline Notes

Judging from the suggestions and recommendations of the SBAR I would suggest that they read the Guidelines, in particular the following points all of which we have included in our Concept 3 Design presented to the SBAR on June 6, 2014.

P9 - Orient second story windows to protect neighbor's privacy. Mutual privacy makes a home more livable.

P9 - Orient balconies and decks away from overlooking neighboring backyards.

P12 - When a change is made in an existing neighborhood, it is important to balance new development, whether in a remodeled dwelling or a new home, in an existing neighborhood. But for all neighborhoods, from the oldest to the newest, neighborhood compatibility respects the unique features and characteristics of established neighborhoods.

P25 - Locating the second story towards the center of the first story and away from property lines results in a more balanced, less boxy appearance and preserves natural sunlight, or the "solar access", to neighboring properties.

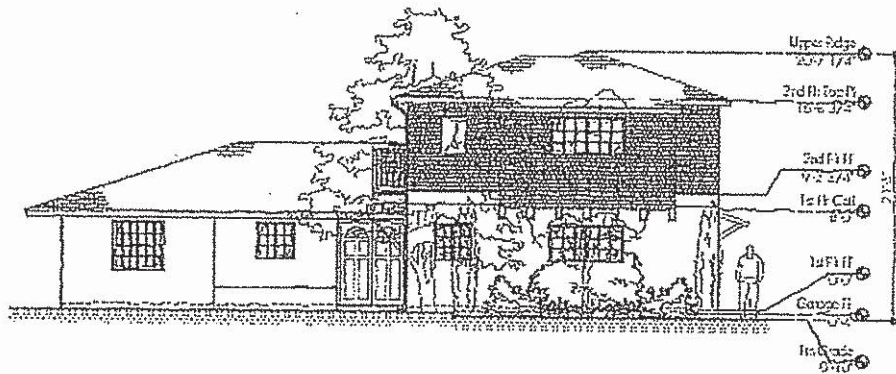
P29 - When designing a new dwelling or an addition, architectural style should be evaluated by considering what building elements define the architectural style of the dwelling (e.g., building shape, roof design, exterior materials, window size and type, etc.), what defining elements are common to other dwellings in the neighborhood, and what elements characterize the natural setting (i.e., vegetation, landforms, etc.).

P32 - Evaluate the neighborhood pattern for garages:

- Is there an existing pattern for garages in the neighborhood?
- How are garages in the neighborhood located in relation to the house?
- What would be the effect of altering this pattern?

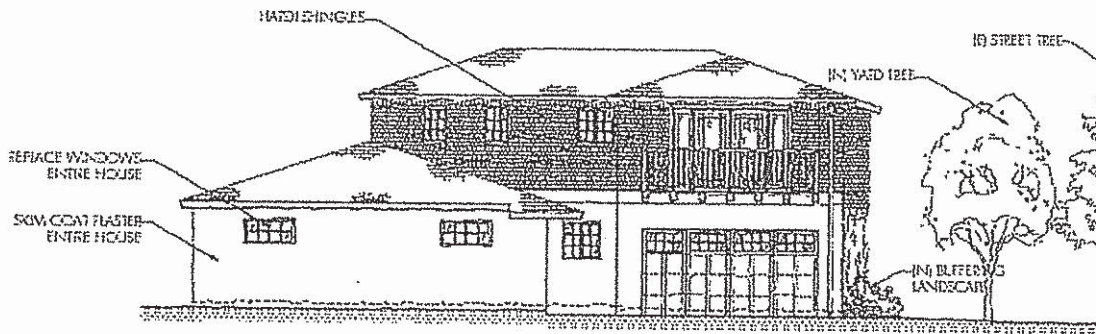
P33 – Roof Design

Roof patterns are created through the roof slope, materials, and massing of roofs. Some neighborhoods have roof patterns that are distinctive and repeatable from dwelling to dwelling. Other neighborhoods have greater variety or less distinctive roof forms, and greater deviations from neighboring roof forms could appear acceptable. The mass of a roof and how it is articulated into different shapes contributes to the character of a building. Most dwellings with sloped roofs, and many with flat roofs, have a primary roof form and smaller secondary and minor forms that contribute to the overall style of the house. Evaluate the massing of the roof form and determine how it will benefit the appearance of the house and be compatible with the neighborhood.



East Elevation (Street) Proposed

Scale: 1/8" = 1'-0"



South Elevation Proposed

Scale: 1/8" = 1'-0"