



COUNTY OF SANTA BARBARA CALIFORNIA

MONTECITO PLANNING COMMISSION

COUNTY ENGINEERING BUILDING
123 E. ANAPAMU STREET
SANTA BARBARA, CALIFORNIA 93101-2058
PHONE: (805) 568-2000
FAX: (805) 568-2030

November 4, 2009

Steve Decker
670 Stonehouse Lane
Santa Barbara, CA 93108

MONTECITO PLANNING COMMISSION
HEARING OF OCTOBER 28, 2009

RE: *Decker Appeal of MBAR Denial, 09APL-00000-00020*

Hearing on the request of Steve Decker, appellant, to consider Case No. 09APL-000000-00020, [appeal filed on July 8, 2009] to appeal the decision of the Montecito Board of Architectural Review to deny the application for Design Review, Case No. 08BAR-00000-00145; in compliance with Section 35.492 of the Montecito Land Use and Development Code, on property zoned 2-E-1, to allow construction of a new 5,875 square foot residence with 1,409 square foot attached garage and an 800 square foot guesthouse. The application involves AP No. 155-060-030, located at 680 Stonehouse Lane in the Montecito area, First Supervisorial District. (Continued from 8/26/09)

Dear Mr. Decker:

At the Montecito Planning Commission hearing of October 28, 2009, Commissioner Gottsdanker moved, seconded by Commissioner Overall and carried by a vote of 5 to 0 continue the item to:

1. Adopt the required findings to support the denial of Case No. 09APL-00000-00020, specified in Attachment A of the staff report, dated August 17, 2009, including CEQA findings;
2. Deny the appeal, Case No. 09APL-00000-00020; and
3. Deny the project design, Case No. 08BAR-00000-00145.


The action of the Montecito Planning Commission on this project may be appealed to the Board of Supervisors by the applicant or any aggrieved person adversely affected by such decision. To qualify as an aggrieved persons the appellant, in person or through a representative, must have informed the Montecito Planning Commission by appropriate means prior to the decision on this project of the nature of their concerns, or, for good cause, was unable to do so.

Appeal applications may be obtained at the Clerk of the Board's office. The appeal form must be filed along with any attachments to the Clerk of the Board. In addition to the appeal form a concise summary of fifty words or less, stating the reasons for the appeal, must be submitted with the appeal. The summary statement will be used for public noticing of your appeal before the Board of Supervisors. The appeal, which shall be in writing together with the accompanying applicable fee must be filed with the Clerk of the Board of Supervisors within the 10 calendar days following the date of the Montecito Planning Commission's decision. In the event that the last day for filing an appeal falls on a non-business of the County, the appeal may be timely filed on the next business day. This letter or a copy should be taken to the Clerk of the Board of Supervisors in order to determine that the appeal is filed

within the allowed appeal period. **The appeal period for this project ends on Monday, November 9, 2009 at 5:00 p.m.**

If this decision is appealed, the filing fee for both non-applicant and applicant is \$643 and must be delivered to the Clerk of the Board Office at 105 East Anapamu Street, Room 407, Santa Barbara, CA at the same time the appeal is filed.

Sincerely,



Dianne M. Black
Secretary to the Montecito Planning Commission

cc: Case File: 09APL-00000-00020
Planning Commission File
Agent: Larry Graves, 811 Gardner Avenue, Ventura, CA 93004
Montecito Association
County Surveyor
Fire Department
Flood Control
Park Department
Public Works
Environmental Health Services
APCD
Accounting, Planning and Development
Supervisor Carbajal, First District
Commissioner Eidelson
Commissioner Burrows
Commissioner Phillips
Commissioner Overall
Commissioner Gottsdanker
✓ Rachel Van Mullem, Deputy County Counsel
Sarah Clark, Planner

DMB/dmv

Attachments: Attachment A - Findings

ATTACHMENT A: FINDINGS

1.0 CEQA FINDINGS

The Planning Commission finds that the proposed project not subject to environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15270, which states that CEQA does not apply to projects which are disapproved by a public agency.

1.0 DESIGN REVIEW FINDINGS

Design Review applications shall be approved or conditionally approved only if the Montecito Board of Architectural Review first makes all of the findings specified in Section 35.472.070.F.1.

The following five of the 10 required findings cannot be made:

- a. Overall structure shapes, as well as parts of any structure (buildings, fences, screens, signs, towers, or walls) are in proportion to and in scale with other existing or permitted structures on the same site and in the area surrounding the property.*

At 7.6% over the recommended maximum floor area, the proposed residence is not in proportion to other existing structures in the area surrounding the property. The proposed residence is too bulky and the width of the house is inappropriate given the design inspiration. This finding cannot be made.

- f. Site layout, orientation and location of structures and signs will be in appropriate and well designed relationship to one another, and to the environmental qualities, open spaces, and topography of the site with consideration for public views of the hillsides and the ocean and the semi-rural character of the community as viewed from scenic view corridors as shown on Figure 37, Visual Resources Map in the Montecito Community Plan EIR (92-EIR-03).*

The proposed residence is oriented against the natural grade of the property. This orientation does not minimize grading or make use of the existing site topography. The height of the structure, the length of the roofline, and the large, high pitched roof are not compatible with surrounding homes or with the mountainous backdrop of the neighborhood. This finding cannot be made.

- g. Adequate landscaping will be provided in proportion to the project and the site with due regard to preservation of specimen and landmark trees, existing vegetation, selection of plantings that are appropriate to the project and that adequate provisions have been made for the maintenance of all landscaping.*

Proposed landscaping does not adequately screen the structures and does not resolve the proposed project's design issues. This finding cannot be made.

- h. Grading and development is designed to avoid visible scarring and will be in appropriate and well designed relationship to the natural topography with regard to maintaining the natural appearance of the ridgelines and hillsides.*

The proposed project is not located on a hillside or ridgeline. However, the orientation and design of the house and proposed driveway will require approximately 100 cubic yards of cut and 400 cubic yards of fill. The proposed residence has not been stepped down or designed to blend with the natural topography of the site. As a consequence, the finished floor elevation of the residence is as much as six and a half to seven feet above existing grade. Excessive grading has raised the driveway and motorcourt area to as much as

approximately four feet above existing grade. The motorcourt area will be surrounded by retaining walls up to 6 feet, 8 inches high. This finding cannot be made.

- j. The proposed development will be consistent with any additional design standards expressly adopted by the Board for a specific local community, area, or district in compliance with Subsection G (local design standards) below.*

The proposed project is inconsistent with the Montecito Architectural Guidelines and Development Standards. The project is 7.6% above the recommended maximum floor area and is not in scale with surrounding development. The proposed residence is too tall, too wide, and too bulky, and is not consistent with the style that inspired the design. The finished floor elevation is too high. The height of the structure, the length of the roofline, and the large, high pitched roof are not compatible with surrounding homes or with the mountainous backdrop of the neighborhood. The residence is not oriented or designed to minimize grading or to make use of existing site topography. This finding cannot be made.