

Brownstein Hyatt
Farber Schreck

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FEB 15 2019

S.B. COUNTY
PLANNING & DEVELOPMENT
HEARING SUPPORT

<u>AGENDA ITEMS</u>	
ITEM #:	1
MEETING DATE:	2/20/19

February 15, 2019

Susan F. Petrovich
Attorney at Law
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805.965.4333 fax
spetrovich@bhfs.com

VIA EMAIL TO DVILLALO@CO.SANTA-BARBARA.CA.US

Montecito Planning Commission
c/o David Villalobos
County of Santa Barbara
123 East Anapamu Street
Santa Barbara, CA 93101

RE: Oxnard Properties, 1154 Channel Drive Remodel, February 20, 2019 Agenda Item #1

Dear Honorable Commissioners:

Brownstein Hyatt Farber Schreck represents Mr. Tom Sturgess, whose home lies directly north of the project site for the Oxnard Properties proposed remodel. Prior to your last (postponed) hearing, we submitted a letter requesting that a condition be imposed upon the project. To be clear, Mr. Sturgess does not oppose the proposed remodel, but he is gravely concerned about preservation of his existing ocean and island view. You may recall that this same issue arose when a prior owner of 1154 Channel Drive proposed a more aggressive project than that now proposed.

You may also recall that we cited a number of Montecito Community Plan and Local Coastal Plan policies to support the preservation of the existing ocean view from the Sturgess home. The most direct County policy in that regard is the first land use goal stated in the Montecito Community Plan:

GOAL LU-M-1: Promote Area-Wide And Neighborhood Compatibility; Protect Residential Privacy, Public Views, And To The Maximum Extent Feasible, Private Views Of The Mountains And Ocean.

The existing residence at 1154 Channel Drive was approved before the Montecito Community Plan, with the second story being added shortly before implementation of the Montecito Architectural Guidelines that were intended to interpret and apply Montecito Community Plan policies.

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Brownstein Hyatt Farber Schreck, LLP

Montecito Planning Commission
c/o David Villalobos
February 15, 2019
Page 2

To ensure that the proposed project fully complies with the good neighbor standards set forth in the Guidelines, and to avoid conflict with the Montecito Community Plan, we request that the following conditions be included in your approval of this project. We understand that the applicant is amenable to these concepts:

1. Any tree or other vegetation planted, placed or maintained on the project site shall be maintained in a manner that it will not impair the ocean and island view from the residence that lies immediately to the north of the project site.
2. Any generator placed on the project site shall be used only during a power outage, shall be of moderate size, shall be placed in a location on the project site that will minimize sound at the south property line of the residence that lies immediately north of the project site, and shall be in an enclosed utility shed with a roof to further reduce noise when operating.

Sincerely,

A handwritten signature in cursive script, appearing to read "Susan F. Petrovich".

Susan F. Petrovich

**Brownstein Hyatt
Farber Schreck**

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JAN 15 2019
S.B. COUNTY
PLANNING & DEVELOPMENT
HEARING SUPPORT

<u>AGENDA ITEMS</u>	
ITEM #:	i
MEETING DATE:	2/20/19

January 15, 2019

Susan F. Petrovich
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Montecito Planning Commission
c/o David Villalobos
County of Santa Barbara
123 East Anapamu Street
Santa Barbara, CA 93101

RE: Oxnard Properties, 1154 Channel Drive Remodel, Agenda Item #1

Dear Honorable Commissioners:

Brownstein Hyatt Farber Schreck represents Mr. Tom Sturgess, whose home lies directly north of the project site for the Oxnard Properties proposed remodel. Mr. Sturgess is not opposed to the remodel, but he is gravely concerned about two proposed trees included in the project plan.

We have been advised that Strawberry trees (*arbutus marina*) are to be located alongside the home. This species was proposed by the prior owner of 1154 Channel Drive and arborist Bill Spiewak advised, in the prior case, that it generally grows to a height of about 20 feet, although he found one in Santa Barbara that was 43' high. He advised that these trees grow as wide as they are tall. The Sturgess home enjoys a limited ocean view and these trees will obliterate much of that view unless you impose a condition that requires regular pruning to maintain these trees at no more than 20 feet, or that a more compact tree be selected in the Sturgesses' viewshed. We request such a condition to preserve the Sturgesses' ocean view under Montecito Community Plan:

GOAL LU-M-1: Promote Area-Wide And Neighborhood Compatibility; Protect Residential Privacy, Public Views, And To The Maximum Extent Feasible, Private Views Of The Mountains And Ocean.

Sincerely,



Susan F. Petrovich

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