# City of Santa Barbara
## California

**CITY OF SANTA BARBARA STAFF HEARING OFFICER**

**RESOLUTION NO. 042-09**
**1633 OVERLOOK LANE**
**MODIFICATION**
**JUNE 3, 2009**

**APPLICATION OF TOM MEANEY FOR STEVE MCHUGH, 1633 OVERLOOK LANE, APN 015-191-001, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2009-00092)**

The 25,236 square foot project site is currently developed with a single family residence and attached garage. The proposed project involves conversion of the existing garage to habitable space, construction of a detached 2-car garage, removal of the existing circular driveway, and a new swimming pool. The discretionary application required for this project is a Modification to permit the required 1,250 square foot open yard area to be located in the front yard (SBMC §28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301 & 15305.

**WHEREAS,** the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

**WHEREAS,** no one appeared to speak in favor or opposition of the application, and the following exhibits were presented for the record:

1. Staff Report with Attachments, May 27, 2009.
2. Site Plans
3. Correspondence received in opposition to the project:

   Paula Westbury, 650 Miramonte Drive

**NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer:

I. Approved the subject application making the finding that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed use of the front yard for outdoor living space provides the amenities and location as intended by the Ordinance without impacts to the neighborhood, and allows for parking at the rear of the residence.

II. Said approval is subject to the condition that any fence, wall, or landscaping within 10 feet of the front lot line and 10 feet from the driveway, for a distance of 20 feet from the front lot line, will not exceed 3 ½ feet in height.

This motion was passed and adopted on the 3rd day of June, 2009 by the Staff Hearing Officer of the city of Santa Barbara.

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Staff Hearing Officer at its meeting of the above date.

Gloria Shafer, Staff Hearing Officer Secretary

6-9-2009
Date

**PLEASE BE ADVISED:**

1. This action of the Staff Hearing Officer can be appealed to the Planning Commission or the City Council within ten (10) days after the date the action was taken by the Staff Hearing Officer.
2. If the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. If you have any existing zoning violations on the property, other than those included in the conditions above, they must be corrected within thirty (30) days of this action.
4. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Single Family Design Board (SFDB) approval and then a building permit.
5. **PLEASE NOTE: A copy of this resolution shall be reproduced on the first sheet of the drawings submitted with the application for a building permit.** The location, size and design of the construction proposed in the application for the building permit shall not deviate from the location, size and design of construction approved in this modification.
6. NOTICE OF APPROVAL TIME LIMITS: The Staff Hearing Officer's action approving the Performance Standard Permit or Modifications shall expire two (2) years from the date of the approval, per SBMC §28.87.360, unless:
   a. A building permit for the construction authorized by the approval is issued within twenty four months of the approval. (An extension may be granted by the Staff Hearing Officer if the construction authorized by the permit is being diligently pursued to completion.) or;
   b. The approved use has been discontinued, abandoned or unused for a period of six months following the earlier of:
      i. an Issuance of a Certificate of Occupancy for the use, or;
      ii. one (1) year from granting the approval.