



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

### RESOLUTION NO. 022-06 444 STANLEY DRIVE MODIFICATION MAY 10, 2006

#### **APPLICATION OF JOHN MOFFETT FOR SEAN HEACHT, 444 STANLEY DRIVE, APN 051-193-026 , E-3/SD-2 ONE FAMILY RESIDENCE/SPECIAL DISTRICT OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL 5 UNITS PER ACRE (MST2005-00673)**

The 8,350 square foot project site is currently under construction with an 885 square foot two-story addition to the residence. The scope of work includes a 51 square foot reduction of the existing garage in order to provide the required 1,250 square foot open yard area between the residence and the garage. The applicant would like to maintain the garage as it currently exists. The discretionary application required for this project is a Modification to permit less than the required 1,250 square foot open yard area (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 15305 (ENV2005-00673).

**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 of the application, and five people appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, May 10, 2006.
2. Site Plans
3. Correspondence received in support of the project:
  - a. Rebecca Miller and Marc Leventhal, 433 Stanley Drive
4. Correspondence received in opposition to the project:
  - a. Arthea and Tom Hermann, 441 Stanley Drive and John DeVore, 429 Stanley Drive
  - b. Anna DeVore, 429 Stanley Drive and Beatrice Beck, 426 Stanley Drive and Eric Alen, 426 Stanley Drive
  - c. Susan Austin, 448 Stanley Drive
  - d. Dennis and Betty Lewis, 2930 Samarkand Drive
  - e. Suzanne Austin, 448 Stanley Drive

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

- I. Approved the subject application making the following findings that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on this site.
- II. Said approval is subject to the condition that before a plan check is completed and a building permit issued, revised plans be submitted to include clear documentation that the garage dimensions meet the minimum requirement of 20' by 20' and also show all utility connections for the garage.

This motion was passed and adopted on the 10th day of May, 2006 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.

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Deana McMillion, Administrative/Clerical Supervisor,      Date  
Staff Hearing Officer Secretary

**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 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.
3. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Architectural Board of Review (ABR) approval and then a building permit.
4. **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.
5. **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 not 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.