



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 027-06

256 SAN RAFAEL

MODIFICATION

JUNE 7, 2006

**APPLICATION OF NICOLAS VERGARA, AGENT FOR MARK & DARLENE KIDON,  
256 SAN RAFAEL, APN 045-142-021, E-3 ONE-FAMILY RESIDENCE/  
SD-3 COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL 5  
UNITS PER ACRE (MST2006-00299)**

The 6,300 square foot project site is currently developed with a 1,000 square foot single family residence and attached two-car garage. The proposed project involves a remodel and change in the architectural style of the existing residence and garage, a new entry tower, 750 square feet of first floor additions, and legalization of an existing backyard deck. The discretionary application required for this project is a Modification to permit the existing deck to be maintained within the required open yard area and for changes to portions of the garage located within the required front yard setback (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 (ENV2006-00299).

**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 or in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, June 7, 2006.
2. Site Plans

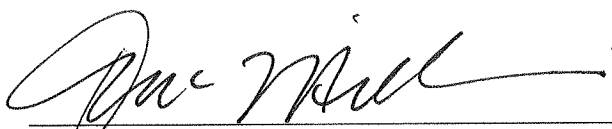
**NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer:

- I. Approved the subject application making the findings that both Modifications are consistent with the purpose and intent of the Zoning Ordinance and necessary to secure appropriate improvements for the site.
- II. Said approval is subject to the following conditions:
  1. The applicant shall submit specific information with regards to the deck and trellis.

2. Photo documentation or plans of the previously approved similar Modification granted for 258 San Julian, be submitted for the file.

This motion was passed and adopted on the 7th day of June, 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.



6-15-06

Debra McMillion, Administrative/Clerical Supervisor  
Staff Hearing Officer Secretary

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 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.