



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 006-07

1305 DOVER HILL ROAD

JANUARY 31, 2007

**APPLICATION OF DWIGHT GREGORY FOR PEGGY HASKELL, 1305 DOVER HILL ROAD, APN 019-202-006, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2006-00538)**

The project site is currently developed with a 2,356 square foot 2-story single family residence with attached 2-car garage. The proposed project involves a remodel, 157 square feet of new floor area, and 469 square feet of exterior decks. The discretionary application required for this project are Modifications to permit portions of the decks to be located within the required front and interior yard setbacks (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.

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

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

1. Staff Report with Attachments, January 31, 2007.
2. Site Plans.
3. Correspondence received in support of the project:

Scott G. Dweck, 1265 Dover Hill Road, Santa Barbara, CA 93103

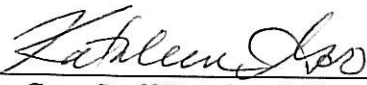
**NOW, THEREFORE BE IT RESOLVED** that the City Staff Hearing Officer:

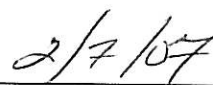
Approved the front yard Modification, making the findings that the Modification of the front yard requirements is necessary to secure an appropriate improvement on the lot and that the deck, which is located below street level, is not visible from the public right-of-way, does not result in additional floor area in required yards, and is consistent with the purpose and intent of the Ordinance; but denied the interior yard Modification of side yard encroachment for the upper level deck as it is not an appropriate improvement and is not consistent with the purpose and intent of the Ordinance.

Said approval is subject to the conditions that: 1) The portion of deck, proposed within the required interior yard, is either removed from the project or revised to comply with the Code; 2) The garage is returned to its required interior dimensions; and 3) A zoning declaration of one residential unit be recorded prior to issuance of a building permit.

This motion was passed and adopted on the 31st day of January, 2007 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.

  
\_\_\_\_\_  
Kathleen Goo, 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.