



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 069-07

1281 FERRELO ROAD

MODIFICATION

AUGUST 29, 2007

APPLICATION OF RUSS BANKO FOR THE PREZELIN FAMILY TRUST, 1281 FERRELO ROAD, APN 029-271-004, E-1 ZONE, GENERAL PLAN DESIGNATION: 3 UNITS/ACRE (MST2007-00161)

The 10,000 square foot project site is currently developed with a single-family residence and attached garage. The proposed project involves legalization of the under-story which has been converted to habitable space. The discretionary application required for this project is a Modification to permit new habitable space 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.

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 neither in favor nor in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, August 22, 2007.
2. Site Plans
3. Correspondence received in support of the project:

John A. Hutchings, 1269 Ferrelo Road, Santa Barbara, CA 93103

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

Approved the project, making the findings that the Modification is necessary to secure an appropriate improvement on site while meeting the purpose and intent of the Ordinance by permitting legalization of the "as-built" habitable space which is compatible to the existing development on site, without impact to the adjacent neighbors, by utilizing existing underfloor area with only minimal exterior changes. Said approval would be subject to the removal of three "as-built" accessory structures and the recordation of a Zoning Compliance Declaration.

This motion was passed and adopted on the 29th day of August, 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.