



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 035-08
175 LOMA MEDIA ROAD
MODIFICATION(S)
MAY 7, 2008

**APPLICATION OF GREGORY RECH FOR GREG TATHAM, 175 LOMA MEDIA ROAD,
APN 019-261-012, E-1 ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE
(MST2008-00090)**

The project site has frontage onto Loma Media both on the north and south sides. Current development on site consists of a single-family residence and detached carport. The proposed project involves a 688 square feet first and second floor addition. The discretionary application required for this project is a Modification to permit the addition to be located within the required 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 15303.

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 either in favor of the application or in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, April 29, 2008.
2. Site Plans
3. Correspondence received in support of the project:
 - a. Dr. Alec P Alexander, 155 Loma Media Road, Santa Barbara, CA 93109
 - b. James and Roberta Davis, 170 Loma Media Road, Santa Barbara, CA 93109
4. Correspondence received in opposition to the project:

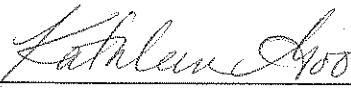
Paula Westbury, 650 Miramonte Drive, Santa Barbara, CA 93109

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

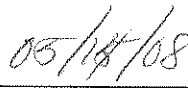
Approved the project, making the findings that the Modification being requested is necessary to secure an appropriate improvement of upgrade to the property, and that the project meets the purpose and intent of the Ordinance by allowing an encroachment into the existing non-conforming open yard on a lot that is constrained by two front yards and a steep slope, which limits the amount of legal building footprint, and that both front yards contain sufficient open yard areas improved with outdoor amenities, thus providing adequate area on site for private outdoor enjoyment.

This motion was passed and adopted on the 7th day of May, 2008 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 Single Family Design Board (SFDB) 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.