



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 001-09
1268 BEL AIR DRIVE
MODIFICATION
JANUARY 14, 2009

**APPLICATION OF RODERICK BRITTON FOR THE BROUMAND FAMILY TRUST,
1268 BEL AIR DRIVE, APN 049-231-008, E-1 ONE-FAMILY RESIDENCE ZONE,
GENERAL PLAN DESIGNATION: RESIDENTIAL, 3 UNITS PER ACRE (MST2008-00521)**

The 11,404 square foot project site is currently developed with a single family residence with attached 2-car garage. The proposed project involves a remodel to the existing residence, which includes window changes to the west and south elevations and a 162 square-foot first floor addition to the residence. The discretionary application required for this project is a Modification to permit additions and alterations within the required ten-foot (10') interior 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 15301.

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

WHEREAS, no people appeared to speak in favor or opposition of the application, and the following exhibits were presented for the record:

1. Staff Report with Attachments, January 7, 2009.
2. Site Plans

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

- I. Approved the subject application making the following findings and determinations:
 - a. The Modification is consistent with the purposes and intent of the Zoning Ordinance, is necessary to secure an appropriate improvement on the lot, and represents a uniform improvement on the lot.
 - b. The proposed alterations to the existing windows, including the addition of one window, allow upgrades to the existing residence with minimal exterior changes and will not result in impacts to adjacent neighbors.
 - c. The proposed addition represents a uniform extension of the existing exterior west wall and would not impact the adjacent neighbor as it is one-story and does not include any exterior openings within the interior setback.
- II. Said approval is subject to the condition that the storage shed, currently located within the interior yard setback be relocated to a conforming location.

this condition shall prevent the City or the City's Agents from independently defending any Claim. If the City or the City's Agents decide to independently defend a Claim, the City and the City's Agents shall bear their own attorney fees, expenses, and costs of that independent defense.

NOTICE OF APPROVAL TIME LIMITS:

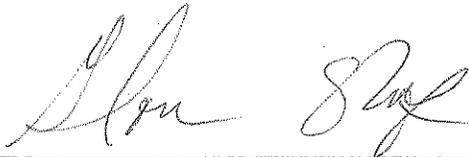
The Staff Hearing Officer's action approving the Lot Line Adjustment shall terminate two (2) years from the date of the approval, per Santa Barbara Municipal Code §28.87.360, unless:

1. An extension is granted by the Community Development Director prior to the expiration of the approval; or
2. A Building permit for the use authorized by the approval is issued within and the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy.
3. The approval has not been discontinued, abandoned or unused for a period of six months following the earlier of (a) an Issuance of a Certificate of Occupancy for the use, or (b) two (2) years from granting the approval.

If multiple discretionary applications are approved for the same project, the expiration date of all discretionary approvals shall correspond with the longest expiration date specified by any of the discretionary applications, unless such extension would conflict with state or federal law. The expiration date of all approvals shall be measured from date of the final action of the City on the application, unless otherwise specified by state or federal law.

This motion was passed and adopted on the 14th day of January, 2009 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.



Gloria Shafer, Staff Hearing Officer Secretary

1-16-2009

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 the scope of work exceeds the extent described in the Modification request or that which was represented to the Staff Hearing Officer at the public hearing, it may render the Staff Hearing Officer approval null and void.
3. 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.