



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 094-09 2430 PINE DRIVE MODIFICATION NOVEMBER 18, 2009

APPLICATION OF BRUCE BURNWORTH, 2430 PINE DRIVE, APN 049-100-021, E-3/ONE FAMILY RESIDENCE AND PUD/PLANNED UNIT DEVELOPMENT ZONES, GENERAL PLAN DESIGNATION: 5 UNITS PER ACRE (MST2009-00300)

The 55,368 square foot project site is currently developed with a 3,068 square foot single family residence and attached 680 square foot garage. The proposed project involves the construction of an additional detached 954 square foot unit with an attached 478 square foot garage and 445 square feet of attached accessory space. The discretionary application required for this project is a Performance Standard Permit to permit an additional one-family dwelling on a one-family residentially zoned lot (SBMC §28.93.030.E).

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

1. Staff Report with Attachments, November 11, 2009.
2. Site Plans
3. Correspondence received in support of the project:
 - a. Michael Porter, 2410 Pine Drive, Santa Barbara, Ca
 - b. Justin Pawl, 24 El Paseo, Santa Barbara Ca
4. Correspondence received in opposition to the project:
 - a. Paula Westbury, 650 Miramonte Drive, Santa Barbara, Ca

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

- I. Approved the subject application making the following findings and determinations:

The Performance Standard Permit complies with all standards of SBMC §28.93.030.E. including adequate lot area for two residential units, with associated existing accessory space, and adequate ingress and egress for each residence. The proposed use also complies with all

requirements of the Zoning Ordinance, including the required setbacks, open yard, and solar access.

- II. Said approval is subject to implementation and compliance with the noise mitigation measures outlined in the letter dated October 5, 2009 by Bruce Burnworth and the Acoustical Analysis prepared by Davy and Associates, dated March 2005, contained in Exhibit D of the November 11, 2009 staff report.

This motion was passed and adopted on the 18th day of November, 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

11-23-2009

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.
4. 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.
5. **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.
6. **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 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.

