



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 043-11

331 N. ALISOS AND 930 E. GUTIERREZ STREETS

MODIFICATIONS

NOVEMBER 2, 2011

APPLICATION OF ALEX PUJO, ARCHITECT FOR RICHARD & JOYCE AXILROD TRUSTEES FOR ALISOS LLC, 331 N. ALISOS STREET AND 930 E. GUTIERREZ STREET, APN: 031-371-005, R-2 (TWO-FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: GENERAL COMMERCE (MST2011-00336)

The 16,929 square foot project site is currently developed with a two-story duplex, a one-story single-family residence and a four car carport with accessory space above. The proposed project is to convert the existing second-story accessory space above the carport to a new 404 square foot one bedroom dwelling unit and for two new uncovered parking spaces.

The discretionary applications required for this project are Modifications to allow the new unit to be located within the required fifteen-foot building separation in two locations (SBMC §28.18.070 and §28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15303 (New Construction or Conversion of Small Structures) and 15305 (Minor Alterations in Land Use Limitations).

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, October 26, 2011.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Paula Westbury, Santa Barbara, CA.


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


- I. Approved the subject application making the finding that the Modifications of distance between main buildings is necessary to secure an appropriate improvement on the lot and that it meets the purpose and intent of the ordinance, which is to provide separation between residential habitable spaces for quality of life. The conversion of the existing habitable space to a new unit does not add new obstructions or floor area in the vicinity of existing main buildings over what already exists at the property.

- II. Said approval is subject to review and approval of the Architectural Board of Review (ABR). The ABR shall not grant Project Design Approval until the following conditions have been satisfied:
- A. The laundry area shall be enclosed and vented, as necessary, to minimize noise and odor impacts to the adjacent dwelling unit.
 - B. The proposed Private Outdoor Living Spaces for Units #2 and #4 shall be revised and enhanced to provide usable outdoor space and meet the Zoning Ordinance requirements. The Common Open Yard shall be revised to meet Zoning Ordinance locational requirements.
 - C. The shared driveway shall be kept clear of vehicles and other stored items, either through signage or the use of curbs and/or planters, to ensure that access to the garage on the neighboring property is provided at all times.

This motion was passed and adopted on the 2nd day of November, 2011 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 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 Architectural Board of Review (ABR) 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.

