



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

### RESOLUTION NO. 047-11 2015 GILLESPIE STREET MODIFICATION NOVEMBER 30, 2011

#### **APPLICATION OF MARK MORANDO, AGENT FOR LISEJAYNE KJAR, PROPERTY OWNER, 2015 GILLESPIE STREET, APN: 043-073-008, R-1 (ONE-FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL, 12 UNITS PER ACRE (MST2011-00191)**

The 5,000 square foot site is currently developed with a single-family residence and a detached one-car garage. The proposed project involves permitting an "as-built" 384 square foot single-story addition to an existing 941 square foot single family residence. The "as-built" addition attaches the residence to the existing 168 square foot one-car garage. The project also includes construction of a new eight-foot high vehicle gate at the driveway, demolition of an "as-built" carport, demolition of a 126 square foot "as-built" garage addition and reversion of "as-built" second-story habitable space back to non-habitable attic space.

The discretionary application required for this project is a Modification to allow a portion of the required open yard area to not meet the required twenty foot minimum dimension (SBMC §28.15.060 and §28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to California Environmental Quality Act Guidelines Sections 15301 (Existing Facilities) 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 or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, November 22, 2011.
2. Site Plans

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

- I. Approved the subject application making the findings that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed addition is appropriate in that it will allow for a reasonable expansion of the small residence on an undersized R-1 zoned lot. While a small portion of the open yard does not meet the required 20 foot minimum dimension, the entire backyard area meets the required minimum size of 1,250 square feet and meets the intent of the Zoning Ordinance to provide a large usable open yard area.

**II.** Said approval is subject to the following conditions:

- A. The hedges within ten feet of either side of the driveway for a distance of 20 feet back from the front lot line shall be reduced to, and maintained at, 3½ feet in height in compliance with SBMC §28.87.170.
- B. The approved 1,250 square foot open yard shall be shown on the plans submitted for a building permit.
- C. An adequate area for trash and recycle containers must be provided on site outside of the required setbacks.
- D. The storage containers and other items stored within the required setbacks and open yard must be removed from these areas.

This motion was passed and adopted on the 30<sup>th</sup> 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  
Kathleen Goo, Staff Hearing Officer Secretary

12/1/11  
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. **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 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.