



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 038-12 334 W. MISSION STREET MODIFICATIONS OCTOBER 3, 2012

APPLICATION OF MICHAEL GILSON, OWNER, 334 WEST MISSION STREET, APN 025-292-023, R-4 MULTI-FAMILY RESIDENCE ZONES, GENERAL PLAN DESIGNATION: MEDIUM HIGH DENSITY RESIDENTIAL (MST2012-00299)

The existing 7,547 square foot site is currently developed with a 1,265 square foot residence with an attached two-car carport and a detached 498 square foot accessory/storage building. The proposal includes attaching the existing residence and accessory building with the construction of an 88 square foot addition to the accessory building to create a duplex, and providing an uncovered parking space. The discretionary applications required for this project are:

1. A Modification to allow the conversion of a portion of the existing accessory building from storage to habitable space within the required six-foot interior setback. (SBMC § 28.21.060 & SBMC § 28.92.110);
2. A Modification to allow the required common open area to be located in the front yard (SBMC §28.21.081.A.3. and §28.92.110.A); and
3. A Modification to provide less than the required two covered and two uncovered parking spaces, by providing two covered and one uncovered parking space (SBMC §28.90.100 & SBMC § 28.92.110).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 (Existing Facilities).

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, September 12, 2012.
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 Modifications making the findings and determinations that the Modifications are consistent with the purposes and intent of the Zoning Ordinance, are necessary to secure appropriate improvements on the lot, and will not cause an increase in the demand for parking space or loading space in the immediate area. The Modifications necessary to create the second unit, including the minor change of use within the interior setback, and the location of the outdoor living space within the primary front yard, are appropriate because the built improvements primarily occur within the existing building footprint and the eastern portion of the property is the most appropriate location for outdoor living space on this corner lot. The Modification to allow a reduction of required parking by one space is supported by the parking demand for the project based on the modest unit sizes. The permitting of a new dwelling unit is consistent with the goals and policies of the City's General Plan to encourage modestly sized, rental housing units.

- II. Said approval is subject to the following conditions:
 - A. The landscape planter at the northerly property line shall be widened to three feet for the length of the uncovered parking space.

 - B. All fences, walls, and hedges on-site shall be reduced/maintained at a height of 3½ feet when located within 10 feet of a front lot line or within 10 feet of either side of a driveway for a distance of 20 feet back from the front lot line.

 - C. The unpermitted door in the proposed unit shall be removed and replaced with a window that matches the size and location as demonstrated on the archive plans.

 - D. The carport roof shall be solid and weatherproof.

This motion was passed and adopted on the 3rd day of October, 2012, 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

10/4/12

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.