



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 045-12
132 W. HALEY STREET
MODIFICATION
OCTOBER 17, 2012

**APPLICATION OF LORI KARI, ARCHITECT FOR WARREN GRIMSLEY,
132 WEST HALEY STREET, APN 037-162-009, C-2 COMMERCIAL ZONE, GENERAL
PLAN DESIGNATION: COMMERCIAL AND MEDIUM-HIGH DENSITY RESIDENTIAL
(MST2012-00242)**

The 2,161 square foot lot is currently developed with 714 square foot, one-story residence. This is a Structure of Merit: "Bungalow Triplet II" and is located in the Brinkerhoff Landmark District. The proposal includes a ten square foot addition to the original front porch, a 34 square foot addition of a storage room, door and window alterations, a re-roof, exterior lighting, exterior paint, and a 260 square foot raised patio. The proposal also includes abatement of violations listed in ENF2011-00951 through the demolition of other unpermitted work including floor area, a storage shed, two trellises, and skylights. The discretionary application required for this project is a Modification to allow the conversion of a non-habitable storage room to habitable floor area within the required six-foot rear setback. (SBMC § 28.21.060 and 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 of the application, and one person appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, October 11, 2012.
2. Site Plans
3. Correspondence received in support of the project:
 - a. Tony Vassallo, Santa Barbara, CA.

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

- I. Approved the Modification making the findings and determinations that it is consistent with the purposes and intent of the Zoning Ordinance and necessary to secure an appropriate improvement on the lot and prevent unreasonable hardship. The proposed conversion to habitable space within the setback is appropriate because it allows for the reasonable continued use of the existing small residence on an extremely undersized lot, without increasing the amount of existing encroachment within the setback.

- II. Said approval is subject to the following conditions:
 - A. All violations listed in ENF2011-00951 are shown to be abated on the plans submitted for a building permit.

 - B. The replacement windows within the interior setback shall be inoperable.

This motion was passed and adopted on the 17 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



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 Historic Landmarks Commission (HLC) 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.