



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 010-13 1330 SAN JULIAN PLACE MODIFICATIONS FEBRUARY 20, 2013

APPLICATION OF JAMES ZIMMERMAN FOR BOB AND JAN KOPF, 1330 SAN JULIAN PLACE, APN 045-143-008, E-3 ONE-FAMILY RESIDENCE AND SD-3 COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RESIDENTIAL 5 UNITS/ACRE (MST2012-00408)

The 6,534 square foot lot is developed with a 1,473 square foot, one-story residence with an attached 487 square foot garage. The proposed project includes a 97 square foot addition to the first floor, and a new 437 square foot second-story addition and 192 square foot roof deck.

The discretionary applications required for this project are:

1. A Modification to allow a conforming second-story addition to a residence that is non-conforming to both required 20-foot front setbacks along San Julian Avenue and San Julian Place. (SBMC § 28.87.030.D., SBMC § 28.15.060, and §28.92.110); and
2. A Modification to provide less than the required 1,250 square foot open yard area. (SBMC § 28.15.060 and §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 (Minor Additions to 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, February 14, 2013.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Sarah Craig, Santa Barbara, CA.
 - b. Wayne and Betsy Cassriel, Santa Barbara, CA.
 - c. Cynthia Juneau, Santa Barbara, CA.

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

Approved the subject application making the following findings and determinations:

- A. The Modification to allow the construction of a conforming addition to a building that is legally non-conforming to front setback requirements is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The second story addition above the garage is a modest and appropriate improvement to a single-family residence that does not increase the building footprint with the required setbacks.
- B. The Modification to allow a reduction in the required open yard area is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The site is located on a corner, and the lot is undersized for the E-3 Zone, and is constrained by the existing development. The proposed addition will result in a 98 square foot reduction in useable open yard and is not anticipated to adversely impact the adjacent neighbors.

This motion was passed and adopted on the 20th day of February, 2013 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 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.