



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 025-13
16 RUBIO ROAD
MODIFICATIONS
MAY 1, 2013

APPLICATION OF THOMAS OSCHNER, ARCHITECT FOR JIM KNECHT , 16 RUBIO ROAD, 029-342-003, E-1 ONE-FAMILY RESIDENCE ZONES, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MST2013-00079)

The 9,932 square-foot site is currently developed with a 1,875 square foot one-story residence with unfinished basement and an attached two-car garage. The existing residence is non-conforming to the required 30-foot front setback and both ten-foot interior setbacks. The proposed project involves a new covered entry porch, a 18 square foot addition at the rear of the residence, a 484 square foot expansion of the existing 296 square foot deck, a 20 square foot addition in the basement, and the conversion of 294 square feet of unfinished basement to accessory space. The proposal also involves installation of two skylights, construction of new and replaced landings and stairways, and window and door changes.

The discretionary applications required for this project are:

1. A Modification to allow additions and alterations to a non-conforming residence within the required 30-foot front setback SBMC § 28.87.030.D., SBMC § 28.15.060, and §28.92.110; and
2. A Modification to allow a 294 square feet of the unfinished basement to be converted to habitable floor area within the required front and ten-foot interior setback SBMC § 28.87.030.D., 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.

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:

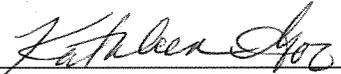
1. Staff Report with Attachments, April 25, 2013.
2. Site Plans

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

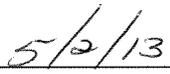
- I. Approved the subject application making the findings and determinations that both the setback Modification and Modification to allow the change of use of the basement area are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The proposed additions and alterations within the required 30-foot front setback are appropriate because the changes represent minimal expansion of the existing building footprint, and are predominately located at the rear of the property, with the exception of the entry porch alterations at the front of the building. The proposed additions and alterations are not anticipated to adversely impact the adjacent neighbors or visual openness of the public right-of-way.
- II. Said approval is subject to the conditions that all existing fences, hedges, walls, and screens shall be documented on the site plan and shall be maintained in compliance with SBMC§28.87.170.

This motion was passed and adopted on the 1st day of May, 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.