



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

### RESOLUTION NO. 029-13 1676 FRANCESCHI ROAD MODIFICATIONS MAY 15, 2013

**APPLICATION OF BANYAN ARCHITECTS, ARCHITECT FOR BOB ZORICH,  
1676 FRANCESCHI RD., APN 019-102-004, A-1 ONE-FAMILY RESIDENCE ZONE,  
GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (1 UNIT/AC)  
(MST2012-00493)**

The two-acre site is located in the Hillside Design District and is currently developed with 5,124 square foot residence. The proposed project involves the demolition of the existing residence and construction of a new 6,496 square foot, three-story, single-family residence with an attached 750 square foot, three-car garage; two uncovered parking spaces; a 200 square foot detached accessory building; new site walls and gates; new site landscaping; and a new pool. A total of 407 cubic yards of site grading is proposed, including 241 cubic yards of grading within the proposed building footprint and 166 cubic yards of grading outside the building footprint.

The discretionary applications required for this project are:

1. A Modification to allow the detached accessory building to be located within a front yard (SBMC § 28.87.170 and SBMC § 28.92.110); and
2. A Fence and Wall Height Modification to allow fences and walls to exceed the maximum allowable height of 3 feet 6 inches when located within ten feet of the front property line and eight feet within the required front setback (SBMC § 28.87.170 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 15303 and 15305 (New Construction of Small Structures and Minor 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 in favor of the application, and one person appeared to speak of concerns thereto, and the following exhibits were presented for the record:

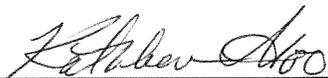
1. Staff Report with Attachments, May 9, 2013.
2. Site Plans
3. Correspondence received in opposition to the project:
  - a. Paula Westbury, Santa Barbara, CA.

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

- I. Approved the subject application making the following findings and determinations:
  - A. The Modification to allow the detached accessory building to be located within a front yard is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed accessory building is appropriate because the property has two front yards and therefore the majority of the 2-acre lot is front yard, restricting conforming locations that other similar sized lots may have. In addition, the accessory building is located 132 feet from the street, is small in size (200 sq.ft), will not remove existing oak trees, and is not visible from the adjacent public or private streets.
  - B. The Modification to allow the combined height of guard rails and retaining walls to exceed the allowable height when located within ten feet of the front property line and within the front setback is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed increase in height of the guardrails is appropriate because it is necessary to meet safety requirements outlined in the Building Code and the three foot buffer between the existing retaining wall and the new guardrail will provide adequate area for landscape screening.
- II. Said approval is subject to the following conditions:
  - A. The detached accessory building shall not be used as a separate dwelling unit.
  - B. The new guard rail shall be a minimum of 3 feet from the existing retaining wall.
  - C. The guard rail shall be an open fence design.

This motion was passed and adopted on the 15<sup>th</sup> 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:
    - A. an Issuance of a Certificate of Occupancy for the use, or;
    - B. one (1) year from granting the approval.