



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 039-13 2208 CHAPALA STREET MODIFICATIONS JULY 10, 2013

**APPLICATION OF CHRISTOPHER DENTZEL, DESIGNER FOR SUSAN LEVINE,
2208 CHAPALA STREET, APN 025-191-021, E-3 ONE-FAMILY RESIDENCE ZONE,
GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL 5 DU/ACRE
(MST2013-00227)**

The 7,000 square-foot site is currently developed with a 1,298 square foot (gross), one-story residence with a detached 186 square foot (gross), one-car garage, and an 87 square foot (gross) accessory building. The proposed project involves additions and alterations to the existing residence including construction of a 68 square foot (gross), one-story addition at the rear of the existing residence.

The discretionary applications required for this project are:

1. A Setback Modification to allow an addition to encroach into the required six-foot interior setback (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. A Modification to the open yard location and configuration requirements. (SBMC § 28.15.060 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 (Minor Additions to Existing Structure).

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, July 3, 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 made the following findings and determinations:


- I. The Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement to the existing single-family residence. The proposed addition represents a minor uniform improvement to the existing residence that encroaches eight inches into the required six-foot interior setback and is not anticipated to adversely impact the adjacent neighbors.

The Staff Hearing Officer finds that the Open Yard Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement to the single-family residence. The location of the residence towards the rear of the lot significantly constrains the site, the flat usable open yard area, and the ability to locate accessory structures on the site. The proposed addition into the non-conforming open yard is appropriate and will allow a minor single-story expansion of the residence, while maintaining adequate useable outdoor area with no expected adverse impacts to adjacent neighbors.

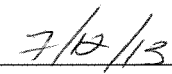
- II. Said approval is subject to the condition that the all fences, hedges, walls and screens shall be reduced in height and shown on the plans to comply with the provisions of SBMC § 28.87.170.

This motion was passed and adopted on the 10th day of July, 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. **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.
5. **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.