



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 040-13  
34 E. MISSION STREET  
MODIFICATIONS  
JULY 10, 2013

**APPLICATION OF JARRETT GORIN, AGENT FOR CATHERINE COMPERE, 34 EAST MISSION STREET, APN 025-072-005, E-3 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL 5 DU/ACRE (MST2013-00131)**

The 18,750 square foot site is currently developed with a 3,661 square foot, two-story residence with a 667 square foot, detached three-car garage. The proposed project involves the demolition of the existing garage and construction of a two-story, detached accessory building that includes a 686 square foot, three-car garage with a 404 square foot accessory space above.

The discretionary applications required for this project are:

1. A Modification to allow the garage floor area on the site to exceed a total of 500 square feet (SBMC §28.87.160 and §28.92.110); and
2. A Modification to allow the fence and hedge at the front property line to exceed the maximum allowable height of 3-1/2 feet (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:


- I. Approved the subject application making the following findings and determinations that the Garage-Size Modification is consistent with the purposes and intent of the Zoning Ordinance, and is necessary to secure an appropriate improvement on the lot used as a single-family residence. The proposed garage is 19 square feet larger than the existing three-car garage, will comply with the minimum garage dimensions, all setback and open yard requirements, and is not anticipated to adversely impact the adjacent neighbors.

II. Said approval is subject to the following conditions:

- A. The cumulative height of hedges and walls within ten-feet of either side of the driveway for a distance of twenty-feet from the front property line shall be reduced to a maximum of 3 -1/2 feet to improve visibility. In the event, the ordinance becomes more permissive the condition would become null and void; and, the wall and hedges could be maintained in compliance with the SBMC§28.87.170.
- B. The cumulative height of hedges and walls within ten-feet of the front property lines shall be trimmed and maintained at a maximum combined height of six feet. In the event, the ordinance becomes more permissive the condition would become null and void; and, the wall and hedges could be maintained in compliance with the SBMC§28.87.170.

This motion was passed and adopted on the 10<sup>th</sup> 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

7/12/13  
\_\_\_\_\_  
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.