



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 059-13
2430 CALLE ALMONTE
MODIFICATIONS
OCTOBER 2, 2013

APPLICATION OF ERIC SWENUMSON DESIGNER FOR FARZEEN & VENUS M. NASRI TRUST, 2430 CALLE ALMONTE, APN: 041-412-012, E-1 ONE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL 3 DU/ACRE (MST2013-00020)

The 9,972 square foot lot located in the Hillside Design District is developed with a one-story, 1,839 square foot, single-family residence, with an attached, 415 square foot, two-car garage. The proposal includes construction of a one-story 34 square foot addition, an 846 square foot second floor addition, a 170 square foot deck above the garage. The proposed total of 3,134 square feet residence with attached garage is 85% of the required floor-to-lot area ratio (FAR).

The discretionary applications required for this project are:

1. A Front Setback Modification to allow alterations to an existing garage, including a new roof deck within the required 30-foot front setback (SBMC §28.15.060 and SBMC §28.92.110); and
2. A Modification to allow alterations and additions to the existing residence and garage that will change the basic exterior characteristics of the existing one-story residence that is non-conforming to the required 30-foot front setback (SBMC §28.87.030.D. 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 and 15305 (Existing Facilities and Minor Alterations in Land Use Limitations).

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

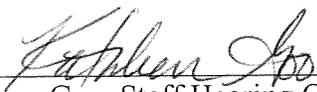
WHEREAS, no one appeared to speak in favor of the application, and one person appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, September 26, 2013.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Paula Westbury, Santa Barbara, CA.
 - b. Steve and Alison Jordan, Santa Barbara, CA.
 - c. Ginny and Paul Kuhn, Santa Barbara, CA.

- I. 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 alterations to a legal non-conforming building that will change the basic exterior characteristic is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed additions to the residence and the new second story deck will not expand the location of the garage, and the alterations, with the exception of the deck, are located outside of all required setbacks. The Modification is appropriate because the retention of the existing garage is not anticipated to adversely impact the adjacent neighbors.
 - B.** The Front Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed deck is an appropriate addition to a single family residence for the following reasons: the deck provides additional outdoor recreation space; it is oriented towards the street and front yards of adjacent neighbors, it does not provide new floor area within the setback; and its location is not anticipated to adversely impact the adjacent neighbors or the visual openness of the streetscape.
- II.** Said approval is subject to the following conditions:
- A.** If the building is demolished beyond what is shown on the Staff Hearing Officer approved plans, and/or if the size of the deck is altered, then the construction of the project shall be halted, and the applicant and/or property owner shall contact Planning Division Staff for a determination on whether one, or both, Modifications are still valid.
 - B.** If the size of the deck is altered then Planning Division Staff shall be contacted for a determination on whether the front setback modification is still valid.

This motion was passed and adopted on the 2nd day of October, 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 10/3/13

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.