



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 066-13 265 CONEJO ROAD MODIFICATION OCTOBER 30, 2013

APPLICATION OF KRIS KIRKELIE AGENT FOR WENDY EDMUNDS, 265 CONEJO ROAD, APN 019-041-008, A-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL MAX 1 DU/ACRE (MST2013-00351)

The 2.3- acre site was previously developed with a 1,482 square foot, one-story residence that was destroyed in 2008 by the Tea Fire. The proposed project involves construction of a 2,008 square foot, one-story residence, an attached 415 square foot, two-car garage and a detached 156 square foot, one-story accessory building. The project also includes the removal of a fire damaged Oak Tree. The discretionary application required for this project is a Front Setback Modification to allow the residence to encroach into the required 35-foot front setback (SBMC § 28.15.060 and SBMC § 28.92.110).

The project activity is within the scope of the 2011 General Plan and the Program EIR analysis for the General Plan. No further environmental document is required for this project pursuant to the California Environmental Quality Act (Public Resources Code §21083.3 and Code of Regulations §15183). City Council environmental findings adopted for the 2011 General Plan remain applicable for this project.

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, October 24, 2013.
2. Site Plans
3. Correspondence received in opposition to the project:
 - a. Paula Westbury, 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:

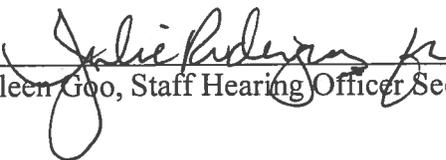
- A.** The project qualifies for an exemption from further environmental review under CEQA Guidelines Section 15183, based on the City staff analysis and the CEQA certificate of determination on file for this project.
- B.** The Front Setback Modification is consistent with the purposes and intent of the Zoning Ordinance, and is necessary to secure an appropriate improvement on the lot. The proposed single-family residence is an appropriate improvement on a lot zoned for such use because the proposed location will minimize grading and impacts to the existing oak tree, and will allow handicap access to the residence. The proposed residence is setback a minimum of 35 feet from the improved right-of-way, and is not anticipated to adversely impact the adjacent neighbors or the visual openness of the public street frontage.

I. Said approval is subject to the following conditions:

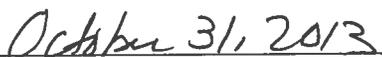
- A. Demonstrate compliance with Tier 3 Basic Storm Water Management Program (SWMP) requirements on the plan set.
- B. Specify the proposed best management practices (BMPs) and location on the site and landscape plans, and note that the BMP is shown to comply with Tier 3 SWMP requirements.
- C. The hedges located in the public right-of-way, specifically those adjacent to the proposed driveway, shall be reviewed by the Public Works Departments Supervising Transportation Engineer to improve visibility of vehicles using the driveway for ingress and egress from both the private property and from the public right-of-way.
- D. All fences, hedges, walls, and screens proposed on the private property shall comply with SBMC § 28.87.170.

This motion was passed and adopted on the 30th 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

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. Do NOT delete this. SFDB is required. **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.

