



# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

### RESOLUTION NO. 027-14 2301 CHAPALA STREET MODIFICATION MAY 14, 2014

#### **APPLICATION OF TONY XIQUES, DESIGNER FOR SCOTT AND HSIU HUA KIPP, 2301 CHAPALA STREET, APN 025-113-013, E-3 ZONES, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL MAX 5 DU/ACRE (MST2013-00417)**

The 7,500 square-foot corner parcel is currently developed with a 1,028 square foot, single-family residence, detached 468 square foot, two-car garage, and a 206 square foot one-car-garage. The proposed project involves construction of a 200 square foot, main floor addition, a 200 square foot, lower level addition, and permitting as-built conversion of 361 square feet of unfinished area at the lower level to floor area. The proposed total of 2,384 square feet is 78% of the maximum floor-to-lot area ratio (FAR). The project will address all violations identified in ENF2012-00886 and ZIR2012-00441. The discretionary applications required for this project is a Front Setback Modification to allow additions and alterations to the existing residence within the required twenty-foot front setback (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 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 either in favor or in opposition of the application thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, May 8 2014.
2. Site Plans
3. Correspondence received in support of the project:
  - a. Jessica and Robert Foley, Santa Barbara, CA.


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


- I. Approved the Front Setback Modification making the findings and determinations that the 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 addition and alterations are appropriate improvements to a single-family residence, are uniform improvements to the existing building, and are not anticipated to adversely impact the visual openness of the public street frontage. Due to the abrupt change in topography along the Chapala Street frontage, the second story additions will appear to be a single story.

- II. Said approval is subject to a condition that the one car garage shall not be converted to any other use without appropriate City approvals and permits.

This motion was passed and adopted on the 14<sup>th</sup> day of May, 2014 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:
    - i. an Issuance of a Certificate of Occupancy for the use, or;
    - ii. one (1) year from granting the approval.