



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 040-14
3431 LOS PINOS DRIVE
MODIFICATION
JULY 9, 2014

APPLICATION OF AMY VON PROTZ, DESIGNER FOR ARIE AND JAIME DEJONG, 3431 LOS PINOS DRIVE, APN 053-321-001, E-3/SD-1/SD-2 ONE FAMILY RESIDENCE/SAN ROQUE PARK OVERLAY/OUTER STATE STREET OVERLAY ZONES, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL(MAX 5 DU/ACRE) (MST2014-00276)

The 8,900 square-foot site is currently developed with 2,677 square foot two-story residence and attached garage. The proposed project involves the conversion of the existing second story to a Secondary Dwelling Unit, and the installation of a new spiral staircase and an uncovered parking space.

The discretionary application required for this project is a Modification to allow the spiral staircase to be located within the forty-foot SD-1 front setbacks on Los Pinos Drive and Toyon Drive (SBMC § 28.45.007, and § 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, July 2, 2014.
2. Site Plans
3. Correspondence received with questions and concerns on the project:
 - a. Thomas and Virginia Folan, 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 spiral staircase is an appropriate improvement that is not anticipated to adversely impact the adjacent neighbor to the south or the visual openness of the public street frontage, and is consistent with the pattern of development in the neighborhood.

II. Said approval is subject to the following conditions:

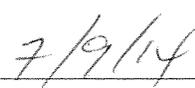
- A. Remove the existing hedge within the public right-of-way. All hedges and fences must comply with SBMC §28.87.170, including the hedges that are located within 10' feet of the front lot line and 20 feet of the edge of the driveways, which must be reduced in height and maintained at 3½ feet in height, to increase visibility to and from the driveway.
- B. An application shall be submitted to Public Works to permit the "as-built" installation of the expanded driveway and any additional work within the right-of-way.

This motion was passed and adopted on the 9th day of July, 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. **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.