



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 012-14  
224 LOS AGUAJES AVENUE  
MODIFICATIONS  
FEBRUARY 18, 2015

**APPLICATION OF DON GRAGG, APPLICANT FOR ARNE RICHARD PEDERSEN, 224 LOS AGUAJES, APN: 033-032-007, R-4/SD-3 ZONES, HOTEL-MOTEL-MULTIPLE RESIDENCE AND COASTAL ZONES, GENERAL PLAN DESIGNATION: HOTEL AND RESIDENTIAL (MST2014-00405)**

The 3,242 square-foot site in the non-appealable jurisdiction of the Coastal Zone is developed with an 839 square foot, one-story single-family residence, a detached 165 square foot one-car garage and a shed. The proposal is to construct an 82 square foot one-story addition and a 544 square feet second-story addition to the dwelling and to construct a 28 square foot addition to the garage which will attach the residence to the garage. The proposal also includes demolition of a shed, a porch canopy and portions of a concrete patio and one new uncovered tandem parking space, new upper and lower level patios and a 378 square foot roof deck.

The discretionary applications required for this project are:

1. Interior Setback Modification to allow an addition to the garage and a tandem uncovered parking space to be located within the required six-foot interior setback to the west (SBMC § 28.21.060 and SBMC § 28.92.110); and
2. Interior Setback Modification to allow a conforming addition and alterations to a non-conforming residence with the required six-foot interior setback to the east (SBMC §28.21.060 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 (New Construction 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, February 12, 2015.
2. Site Plans

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

- I. The Staff Hearing Officer finds that the Interior Setback Modifications are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The addition to the dwelling is appropriate because it will meet the required six foot interior setback and will meet the Secretary of the Interior's standards for rehabilitation and will not have a negative impact on the resource. In addition, the garage and the tandem parking space are appropriate because they will provide the required parking for the property, will allow for a minor expansion to the garage in-line with the existing garage, and

the proposal is not anticipated to adversely impact the adjacent neighbor 's or the visual openness of the street frontage.

**II.** Said approval is subject to the following conditions:

- A.** The boat and trailer located on the driveway shall be removed immediately from the front and interior setbacks and shall not block access to the required parking area.
- B.** The vehicle parked in the required front setback shall be removed from the front setback.
- C.** The French door on the east side of the garage shall be removed and replaced with a solid wall.
- D.** The shed on the driveway in front of the garage shall be removed from the driveway and shall not be located within any required setback or required outdoor living space.
- E.** The following language shall be added to the plans submitted for building permit:

“Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If a discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If a discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

This motion was passed and adopted on the 18<sup>th</sup> day of February, 2015 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 **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.