



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 022-15
424 PLAZA RUBIO
MODIFICATIONS
APRIL 1, 2015

**APPLICATION OF PETER BECKER, ARCHITECT FOR STEPHEN W. HARBY
REVOCABLE TRUST, 424 PLAZA RUBIO, APN: 025-263-005, E-1 (ONE-FAMILY
RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL
(MAX. 3 UNITS/ACRE) (MST2014-00600)**

The 6,300 square foot site is currently developed with a 1,619 square foot two-story single family residence, a detached 225 square foot one-car garage, a cellar and a lap pool with a trellis cover above. The proposed project involves construction of 59 square foot one-story additions and a 19 square foot second story addition to the dwelling, removing an "as-built" air conditioning unit and installation of a new air conditioning unit, window and door changes, and an interior remodel to the dwelling. Also proposed is the removal of an existing multi-trunk, 30' tall Schefflera tree in the front yard. This house is on the City's List of Potential Historic Resources: "Spoor House."

The discretionary applications required for this project are:

1. Front Setback Modification to allow first and second story additions with new doors and windows to the residence within the required thirty-foot front setback (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. Interior Setback Modification to allow an addition with a new door and windows, and an air conditioning unit for the residence within the required ten-foot interior 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 & 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, March 26, 2015.
2. Site Plans
3. Correspondence received in support of the project:
 - a. Richard Love, Santa Barbara, CA.

NOW, THEREFORE BE IT RESOLVED that:

- I.** The City Staff Hearing Officer made the following findings and determinations:
- A.** The Front Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure appropriate improvements on the lot. The proposed new windows and doors and the first and second story additions in the front setback are appropriate because of the site constraints associated with the current development on site, and because the additions and alterations meet the Secretary of the Interior's Standards for Rehabilitation and are not anticipated to adversely impact the adjacent neighbors or the visual openness of the street frontage.
 - B.** The East Interior Setback Modification for the two new second story windows, one new first story window, the powder room addition to the existing dwelling and the air conditioning unit are consistent with the purposes and intent of the Zoning Ordinance and are necessary to secure an appropriate improvement on the lot. The proposed new windows and air conditioning unit are appropriate because of the site constraints associated with the current development on site, the air conditioning unit will be screened from view and will comply with the noise criteria outlined in the SBMC and the alterations are not anticipated to adversely impact the adjacent neighbors. The powder room addition is an appropriate improvement because of the site constraints associated with the current development on site and because there are no new openings facing the adjacent property. In addition, a porch element will screen the Code required exterior light from the adjacent property.
- I.** Said approval is subject to the following conditions:
- A.** The project shall be redesigned to add a covered porch element for screening the Code required exterior light fixture for the exterior on the door powder room addition. No other exterior lighting shall be placed within the interior setback. No exterior door shall be added to the porch or powder room addition.
 - B.** 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.

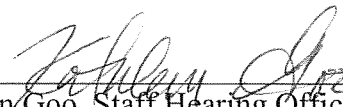
If a discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native

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.

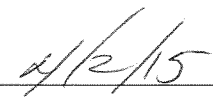
If a discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the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

This motion was passed and adopted on the 1st day of April, 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.