



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 057-15
323 ELIZABETH STREET
MODIFICATIONS
OCTOBER 14, 2015

**APPLICATION OF TONY XIQUES, DESIGNER FOR STEVE AND ELLEN RUGGIERI,
323 ELIZABETH STREET, APN 031-381-006, R-2 ZONE, (TWO-FAMILY RESIDENTIAL),
GENERAL PLAN DESIGNATION: MEDIUM DENSITY RESIDENTIAL (12 DU/ACRE)
(MST2015-00388)**

The 5,000 square-foot site is currently developed with an 875 square foot residence and a 337 square foot detached carport. The proposed project involves the demolition of the existing carport and the construction of a new 472 square foot detached two-car garage which will include a laundry and storage area. The project also includes the removal of an existing water softener and water heater enclosure, to be replaced with an on-demand water heater and the legalization of a 148 square foot "as-built" rear addition. This proposal will address violations outlined in Zoning Information Report ZIR2014-00447.

The discretionary applications required for this project are:

1. Open Yard Modification to allow a reduction of the required open yard (SBMC §28.18.060 and §28.92.110);
2. Interior Yard Modification to allow construction of a new garage with accessory space to encroach within the required interior setback along the rear property line (SBMC §28.18.060 and §28.92.110; and
3. Interior Yard Modification to allow the new garage with accessory space to encroach within the required interior setback along the northwest property line (SBMC §28.18.060 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, October 7, 2015.
2. Site Plans

NOW, THEREFORE BE IT RESOLVED that:

- I. The City Staff Hearing Officer approved the subject application making the following findings and determinations:
 - A. The Open Yard Modification to reduce the non-conforming open yard to 870 square feet is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The location of the "as-built" addition is appropriate because it is a modest addition which will allow the expansion of a small house and the enjoyment of the open yard area, and is not expected to result in adverse effects on the adjacent neighbors; as stated in Section IV of the Staff Report dated October 7, 2015.
 - B. The Interior Setback Modification for the garage to be constructed with zero setbacks at the rear property line is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The location of the new garage with accessory space is appropriate because it will replace an unpermitted, sub-standard structure with a new two-car garage which will conform with the parking requirements in the R-2 Zone as discussed, the accessory space is also modest in size, and the improvements are not expected to result in adverse effects on the adjacent neighbors; as stated in Section IV of the Staff Report dated October 7, 2015.
 - C. The Interior Setback Modification for the garage to be constructed with zero setbacks at the interior property line is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The location of the new garage with accessory space is appropriate because it will replace an unpermitted, sub-standard structure with a new two-car garage which will conform with the parking requirements in the R-2 Zone as discussed, the accessory space is also modest in size, and the improvements are not expected to result in adverse effects on the adjacent neighbors; as stated in Section IV of the Staff Report dated October 7, 2015.
- I. Said approval is subject to the following conditions:
 - A. No portion of the building, roof eaves or gutter will extend or drain over the property lines.
 - B. The proposed new rear entryway landing and stairs shall be removed from the plans to maximize the amount of open yard area.

This motion was passed and adopted on the 14th day of October, 2015 by the Staff Hearing Officer of the City of Santa Barbara.

