



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 070-15
866 PASEO FERRELO
FRONT SETBACK MODIFICATION
DECEMBER 9, 2015

APPLICATION OF TRISH ALLEN, SEPPS, AGENT FOR BETTIE RAVEL, 866 PASEO FERRELO, APN: 029-330-022, E-1 SINGLE FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX. 3 UNITS/ACRE) (MST2015-00379)

The project proposes to permit an as-built 330 square foot upper-level deck attached along the front of the house and located within the front setback. The project proposes additional improvements within the front setback, consisting of replacement two windows with French doors on the front elevation, creating a new stone terrace at grade under the second-story deck, and installing decorative wrapped column treatments on the existing deck support posts. Staff Hearing Officer review is requested for a zoning modification to allow the as-built and proposed improvements to be located within the front setback. This project will address violations in enforcement case ENF2014-00992.

The discretionary application required for this project is a Front Setback Modification (SBMC § 28.92.110.2).

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 in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, December 3, 2015
2. Site Plans
3. Correspondence received in support of the project:
 - a. Tina K. Berg, Santa Barbara
 - b. Rex Ramey and Merilee Jay, Santa Barbara
 - c. Patrick and Sheryl Grace, Santa Barbara
 - d. The Bommerez Family, Santa Barbara

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer approved the subject application making the finding and determination that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure appropriate improvements on the lot because the as-built enlargement of the deck increases the usability of the deck over its previous narrow dimension. While the front of the deck is located 10 feet from the front lot line rather than the required 30 feet, it is located an average of approximately 20 feet from the improved right-of-way. The as-built deck is not imposing on the street, does not impose on the privacy of neighbors, and is generally consistent with the pattern of development in the general area. The two proposed doors within the front setback are appropriate in improving the appearance and street presence of the house, and provide direct access to the proposed front terrace.

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



Julie Rodriguez, Planning Commission 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.

