



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 029-16 1526 LA VISTA DEL OCEANO MODIFICATIONS APRIL 27, 2016

APPLICATION OF DON SWANN, DESIGNER FOR SAILER FAMILY TRUST, 1526 LA VISTA DEL OCEANO DR, 035-170-020, E-3 ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX 5 DU/ACRE) (MST2015-00094)

Proposal to construct 171 square feet of first-floor additions and 617 square feet of second-floor additions to an existing 1,277 square foot, one-story, single-family residence with a detached 219 square foot, one-car garage. The project includes a new 400 square foot two-car garage, retaining walls, exterior steps, removal of an 80 square foot storage shed from the rear yard, and 88 cubic yards of grading to be exported off site. The proposed total of 2,263 square feet of development on a 5,005 square foot lot in the Hillside Design District is 93% of the required maximum floor-to lot area (FAR). The project includes Staff Hearing Officer review for requested zoning modifications to allow additions and alterations in the front setback and westerly interior setback. This project will address violations in Zoning Information Report ZIR2014-00300.

The discretionary applications required for this project are:

1. Front Setback Modification to allow a new two-car garage to encroach into the required 20-foot front setback for parking that backs out onto the street, and to allow a new French door, Juliet balcony, and eyebrow roof on the south elevation to also encroach into the 20-foot front setback (SBMC § 28.15.060 and SBMC § 28.92.110); and
2. Interior Setback Modification to allow the new garage to encroach into the required 6-foot interior setback to the west (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:

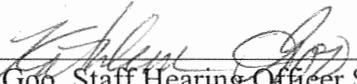
1. Staff Report with Attachments, April 21, 2016.
2. Site Plans

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

- I. Approved the requested Front and Interior Setback Modifications making the findings and determinations that the front and 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 new two-car garage is appropriate because of site constraints associated with the current development on the site and the existing topography and because it will provide required parking on the site. The replacement of the window on the south façade on the first story with a French door and Juliet balcony, and new eyebrow roof are appropriate because they are minor encroachments, compatible with the proposed additions, and are not anticipated to adversely impact the adjacent neighbor.
- II. Said approval is subject to the condition that the roof of the garage shall be designed to prohibit use of it as a roof deck and shall not be used as a roof deck without further review and approval by the City of Santa Barbara.

This motion was passed and adopted on the 27th day of April, 2016 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 **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.