

# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 037-16

302 PIEDMONT ROAD

MODIFICATIONS

JUNE 8, 2016

**APPLICATION OF ROB AND NANCY DAYTON, 302 PIEDMONT ROAD, APN: 055-153-007, A-1 (ONE-FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAX. 1 DU/ACRE) (MST2014-00443)**

The 27,393 square-foot site is currently developed with a 2,934 square foot single family dwelling with an attached 468 square foot two-car garage and a detached 473 square foot pool cabana located in the Hillside Design District. The proposed project involves construction of a new 900 square foot pool, spa, associated pool equipment, barbecue, outdoor bar, retaining walls, a new detached 201 square foot accessory building, new landscaping and associated grading. The proposed total of 4,076 square feet on a 27,393 square foot lot is 86 % of the maximum guideline floor to lot area ratio (FAR).

The discretionary applications required for this project are:

1. Modification to allow the total detached accessory buildings to exceed the maximum allowable size of 500 square feet (SBMC § 28.87.160 and SBMC § 28.92.110); and
2. Modification to allow the detached accessory building to be located within a front yard (SBMC § 28.87.160 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 in favor of the application, and one person appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, June 2, 2016.
2. Site Plans

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

- I. Approved the subject application making the following findings and determinations:
  - A. The Modification to allow the total detached accessory buildings to exceed 500 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 proposed accessory building is appropriate because it will allow for accessory space to enclose the pool equipment and will allow for a half bathroom and changing room that are located in close proximity to the pool, and the detached accessory building is not anticipated to adversely impact the adjacent neighbor's or the visual openness of the street frontage.

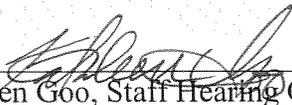
**B.** The Modification to allow the detached accessory building to be located within the front yard is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed detached accessory building is appropriate because it will allow for accessory space to enclose the pool equipment and will allow for a half bathroom and changing room that are located in close proximity to the pool, the structure will be screened from view, and it is not anticipated to adversely impact the adjacent neighbors or the visual openness of the street frontage because of the location and configuration of the dead-end street, and the existing development on site.

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

- A.** The detached shed located in the required rear setback shall be removed from the property.
- B.** The detached chicken coop shall either be removed from the property or shall be shown on the plans to be relocated outside of the required setbacks and to comply with the provisions of the Santa Barbara Municipal Code (SBMC), including Sections 6.08.010, 6.08.060 and 28.15.060, subject to review and approval by the Single Family Design Board.
- C.** The miscellaneous stored items shall be removed from the required setbacks.
- D.** The skateboard ramp shall either be removed from the property or shall be shown on the plans to comply with all applicable regulations, subject to review and approval by the Single Family Design Board.

This motion was passed and adopted on the 8<sup>th</sup> day of June, 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

6/9/16  
\_\_\_\_\_  
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.