



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 047-16
1210 SHORELINE DRIVE
MODIFICATIONS
AUGUST 3, 2016

**APPLICATION OF CHRIS COTTRELL, ARCHITECT FOR KATHY STUVA,
1210 SHORELINE DRIVE, APN 045-214-015, E-3/SD-3 SINGLE FAMILY RESIDENCE AND
COASTAL OVERLAY ZONES, LOCAL COASTAL PLAN LAND USE DESIGNATION: LOW
DENSITY RESIDENTIAL (MAX. 5 DU/ACRE) (MST2016-00091)**

The 5,796 square-foot site is currently developed with 2,775 square foot three-story single family residence and a 416 square foot attached two-car garage and a 110 square foot storage shed. The proposed project involves exterior alterations including expansion of second and third level decks by 308 square feet, new pipe wood siding on select sections of the façade, relocation and replacement of doors and windows, new garage doors, new site walls, and raising a portion of the roof plate on the east elevation. The project includes a reconfiguration and remodel of the interior spaces, and the proposed total of 3,301 square feet exceeds the required maximum floor-to-area ratio (FAR).

The discretionary applications required for this project are:

1. Front Setback Modification to allow a second floor deck and a third floor mezzanine to encroach into the 20' required front setback in the E-3 Zone (SBMC §28.15.060.A and §28.92.110.A); and
2. Interior Setback Modification for changes to the existing building height within the 6' required interior yard setback on the east side of the property (SBMC §28.15.060.B and SBMC §28.92.110.A); and
3. Solar Access Modification to allow the changes to the east elevation of the building to exceed solar access height limitations (SBMC 28.11).

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 to 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, July 27, 2016.
2. Site Plans

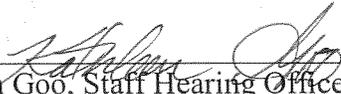
NOW, THEREFORE BE IT RESOLVED that:

I. The City Staff Hearing Officer:

- A.** Approved the portion of the requested Front Setback Modification to allow for a five-inch extension of the existing second story deck for a total of a two-foot encroachment into the front setback making the findings and determinations that a smaller encroachment of the second story deck is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. A portion of the existing second story deck is supported by the first floor roof and a portion of the deck cantilevers over the front building elevation. The two foot encroachment is consistent with the Zoning Ordinance provisions which allow cantilevered balconies to encroach two feet into a front setback.
- B.** Denied the portion of the requested Front Setback Modification to allow the second floor deck to encroach more than two feet into the front setback and the addition of a roof deck above the existing non-conforming sitting room making the findings and determinations that the roof deck is inconsistent with the purposes and intent of the Zoning Ordinance or necessary to secure an appropriate improvement on the lot.
- C.** Approved the Interior Setback Modification making the findings and determinations that the Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed remodel within the interior setback is appropriate because it allows the interior plate height of the second floor to be raised from five feet to eight feet without adding new square foot or further increasing the encroachment into the setback.
- D.** Approved the Solar Access Modification making the findings and determinations that the Modification being requested is necessary to prevent an unreasonable restriction for the remodeled second story, in that the project meets the required criteria, and thus would not excessively shade the neighbors to the north east.

This motion was passed and adopted on the 3rd day of August, 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.