



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 054-16

288 CANON DRIVE

MODIFICATIONS

AUGUST 31, 2016

APPLICATION OF WAYNE LABRIE, ARCHITECT FOR WAYNE AND ELIZABETH LABRIE, 288 CANON DRIVE, APN 053-142-010, E-2 SINGLE FAMILY AND SD-2 SPECIAL DISTRICT ZONES, GENERAL PLAN DESIGNATION: LOW DENSITY RESIDENTIAL (MAXIMUM 5 DWELLING UNITS/ACRE) (MST2015-00549)

The 13,721 square-foot site is currently developed with an existing two-story 2,576 square foot single-family residence including an attached 380 square foot two-car garage. The proposed project involves demolition, alterations, and additions to the residence, resulting in a 4,954 square foot, split-four-level single-family residence and basement. The alterations include: 1,143 square foot demolition of the existing 1,671 square foot first level; 528 square feet of the existing first level will remain and includes the existing garage and remodel of the existing floor area for a new laundry room and guest bedroom; excavation and construction of a new 1,594 square foot basement; construction of 1,326 square foot new main entry level (level two); a 200 square foot addition to the existing master bedroom (level three); and a new 401 square foot master bedroom (level four). Other alterations consist of new and reconfigured decks, two new basement level courtyards, replacement of the existing driveway with new permeable paving, new permeable patios, removal of one existing tree and minor landscaping alterations. The proposed total of 4,954 square feet, located on a 13,721 square foot lot, is 99% of the required maximum floor-to-lot area ratio (FAR). The FAR includes a 797 square foot (50%) basement credit per SBMC §28.15.083.

The discretionary applications required for this project are:

1. Interior Setback Modification to allow for a window replacement located on the first floor and a new window and window replacement on the second floor within the required 8-foot interior (north) setback (SBMC §28.15.060 and §28.92.110); and
2. Solar Access Height Limitations Modification to allow changes to the north elevation of the building to exceed solar access height limitations by approximately 5'-4 1/4" (SBMC §28.11 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, August 25, 2016.
2. Site Plans

3. Correspondence received in support of the project:
 - a. Don and Sue Wood, Santa Barbara, CA.
4. Correspondence received in opposition to the project:
 - a. Shawn Graft, Santa Barbara, CA.

NOW, THEREFORE BE IT RESOLVED that:

I. The City Staff Hearing Officer:

- A.** Approved the requested Interior Setback Modification making the findings 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. Given the existing residence encroaches only six inches into the required interior setback, the window alteration will not negatively impact the adjacent neighbors.
- B.** Approved the requested Solar Access Modification making the findings that the Modification 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, and because the reduction in height of the existing structure would be beneficial to the solar access of the northern neighbors.

I. Said approval is subject to the following conditions:

- A.** A parking design waiver for the garage size shall be obtained from Public Works Transportation prior to building permit issuance; or the garage shall be designed to meet the minimum size requirements, subject to further review by City staff.
- B.** If the existing garage is demolished or altered in any way, it shall be made to comply with the minimum interior dimension of 20 feet by 20 feet.
- C.** Prior to the issuance of a building permit for the project the Owner shall provide Staff with a report prepared by a Structural Engineer that includes review of the site plan, and offers recommendations and conclusions on whether the existing building can be re-used as proposed. An exploratory demolition permit would be issued to allow the preparation of the report. Despite the report described above, if the building is demolished/altered beyond what is shown on the plans, the construction shall be halted, and the applicant and/or property owner shall contact Planning Division Staff for a determination on whether the Modifications are still valid.
- D.** The proposed floor plan shall be reviewed during plan check for the building permit to ensure consistency with the Zoning Ordinance. Given the separateness of the guestroom and bathroom #3 on the first floor, the bathroom may be limited to a one-half bath. Additionally, given the proposed layout of the second floor, either the exterior access to the sitting room and bedroom #4 or the existing wet bar in the sitting room may have to be removed.

- E. The following language shall be reproduced on the construction plans submitted for building plan check and the directives of the mitigation measures followed:

If cultural resources are encountered or suspected, work shall be halted immediately, and the City Environmental Analyst shall be notified. The archaeologist shall assess the nature, extent and significance of any discoveries and develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, (if the resource is prehistoric) etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts, materials, or human remains, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

The archaeologist shall determine the need for any other actions, including collecting a representative sample of prehistoric or historic remains, consistent with a Phase 3 Data Recovery excavation as defined in City MEA Guidelines for Archaeological Resources and Historic Structures and Sites criteria.

This motion was passed and adopted on the 31st 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.