



City of Santa Barbara
Community Development

Memorandum

DATE: July 2, 2019

TO: Building & Fire Code Board of Appeals

FROM: Andrew Stuffer, Chief Building Official

SUBJECT: Staff Report for Appeal Regarding 2015 Green Ln. Santa Barbara, CA 93105,
ENF2019-00156

On June 13, 2019, City Inspector, Lauren Anderson, inspected the subject property and found that the current configuration of the property does not match the records for the property. Plans show a Single Family Dwelling and a sleeping room attached to the single car garage. The property is now a Single Family Dwelling and two separate dwelling units. A carport was attached to the garage, all three units have been remodeled with current finishes and fencing installed around the property. On June 17, 2019, Inspector Lauren Anderson drafted and issued a Notice of Violation to the property owner of 2015 Green Ln., Ryan and Vanessa Shotwell (attached).

SUMMARY

The property has changed substantially without the required permits since the last permit was issued in 1947. No current plans or permit have been issued for this work. The required Zoning Information Report was not requested when this property was sold to the Shotwells.

JUN 24 2019



City of Santa Barbara
Building and Safety
www.SantaBarbaraCA.gov

**REQUEST FOR
APPEALS BOARD HEARING**

RECEIVED

Permit Number ~~BLD20~~ ENF2019-00156 Date 6-24-19
Property Address 2015 Green Lane Santa Barbara, CA 93105 APN 025-321-011
Appellant's Name Ryan and Vanessa Shotwell
Appellant's Address 2015 Green Lane Santa Barbara, CA 93105 Phone 805.498.5307

Decision Being Appealed

A brief statement specifying order or action protested:

We are protesting the building inspectors findings to legalize our property. Our property is legally non conforming.

- Further explanation attached.
- Copy of protested notice attached.

A brief statement of the reason the protested order of action should be reversed, modified or otherwise set aside:

1. The city has no permit records or building records of our home when it was built in the early 1900's. 2. Sanborn maps from the 1930's show all structures. 3. We have hired Post/Hazeltine to give us a usage report of the properties one hundred year history. We will release this report to the city once we have it.

I certify under penalty of perjury that the foregoing, to the best of my knowledge, is true and correct. I also acknowledge that the Board cannot waive any Code requirements and will only determine the proper application of the code.

Signature Ryan Shotwell 6/24/19

Please pay \$230 fee to Cashier. Vanessa Shotwell 6/24/19

Within 30 days you will be given notice of the date of your hearing.

Questions

For further information contact the Building & Safety Division at (805) 564-5485

Hours: Monday-Friday *
8:30 a.m. to 4:30 p.m.
*Closed Alternate Fridays

Address: 630 Garden St, Santa Barbara, CA 93101
Phone: (805) 564-5485

June 24, 2019

To Whom It May Concern:

My wife and I are challenging the legal description of 2015 Green Lane Santa Barbara, California 93105. We are in the process of securing a memo from Post/Hazeltine Associates to outline the historic usage of our property as the basis of our disagreement. Once the memo is prepared we will gladly provide a copy to the city. Until then, we want to file our concern in the necessary time frame.

Sincerely,
Ryan Shotwell
805.698.4511

Ryan Shotwell 6/24/19

Vanessa Shotwell
805.448.5307

Vanessa Shotwell 6/29/19



Building & Safety Notice of Violation

6/17/2019

Ryan & Vanessa Shotwell
2015 Green Ln
Santa Barbara, CA 93105

APN: 025-321-011

Case Number: ENF2019-00156

Subject Property: 2015 GREEN SANTA BARBARA, CA 93105

Dear Ryan & Vanessa Shotwell,

Due to a recent concern filed with the Building & Safety, an inspection at the Subject Property was performed on 6/13/2019. As a result of our investigation, we have found the Property to be in violation of Santa Barbara Municipal Code as follows:

Violation: New Violations

DESCRIPTION: 2016 California Residential Code, Section R105.1 PERMITS

Any owner, or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

Specifically: Legal description of the property is a one-story house with a detached sleeping room located off Green Lane with the street address of 2020 and 2020 1/2 Anacapa St. There is now 1 main dwelling and 2 full residential units on the property. All three units have been remodeled.

Hedgerow House (2020 Anacapa St.) is the main dwelling and is now 3 bedrooms and 2 bathrooms with kitchen, den, dining room and laundry room on the rear porch.

Pearl Bungalow was originally part of the main dwelling and has been sealed off and is now a studio unit with full bath, kitchen, new water heater, laundry on rear porch.

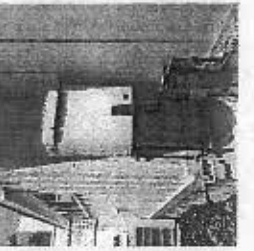
Chase Cottage (aka 2020 1/2 Anacapa St.) is historically a sleeping room. It is now a studio unit with a full kitchen and bathroom.

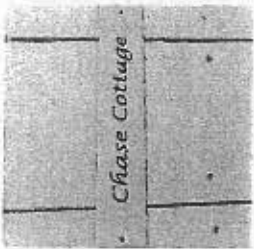
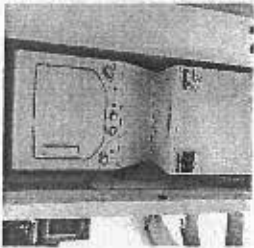
The garage has had a carport added to the side of it.

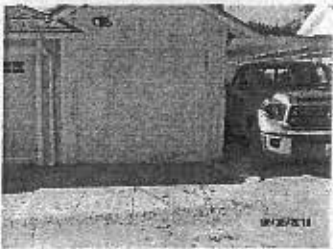
The property is surrounded by a 6' wood fence.

REMEDY: A building permit will be required to either demolish or legalize the construction listed above. Bring this Notice to the Building Permit Counter at 630 Garden Street and ask for an explanation of the plan submittal that will be required for permit application and issuance. Be aware that permit issuance must be obtained by the dates prescribed in this Notice. If permits are not obtained within the prescribed time frames, you will be ordered to obtain a demolition permit immediately.

Abatement Due Date: 09/17/2019







The Building Official has determined that the violations on the Property must be abated in an expeditious manner.

- **Work must be completed and all violations abated on or before the Abatement Due Date for each violation above.**

If this date is not met, further legal action may be necessary.

This Notice of Violation identifies the concerns of the Building & Safety of the City of Santa Barbara. Other departments or divisions of this City and other governmental agencies may have additional concerns or requirements.

Tax Implications

Pursuant of California Revenue and Taxation Code sections 17274 and 24436.5, the City may forward information regarding you and any other owners of the above-referenced property to the State Franchise Tax Board for violation of State and City laws related to the health, safety, and building if the above listed property constitutes substandard housing. This action will prevent you, any other owners, or subsequent owners from deducting interest, taxes, depreciation, or amortization for the above-referenced property on the state income taxes. In order to prevent this, you must immediately comply with all State and City laws to abate all violations.

Appeal Rights

Any party aggrieved by this decision of the City's Chief Building Official including but not limited to decisions or determinations made relative to the application and interpretations of the technical codes, and the refusal, suspension, voiding, or revocation of a license or permit, may appeal such decision to the Building and Fire Code Board of Appeals by obtaining an appeal form on the internet at

<http://www.santabarbaraca.gov/services/planning/forms/building.asp> or from the City Building & Safety office. You are required to submit the appeal form within ten (10) days from the date of this notice in order for your appeal to be heard by the Building and Fire Code Board of Appeals. The completed appeal form must be delivered to the City's Building & Safety office located at 630 Garden St., Santa Barbara, CA 93101.

For information regarding the appeals process, please refer to Santa Barbara Municipal Code Section 22.04.020 or contact the Community Development Department at (805) 564-5502. For information on Building and Fire Code Board of Appeals the please visit the following website <http://www.santabarbaraca.gov/gov/brdcomm/ac/bfcba/default.asp>

Tenant Relocation Required (Residential Use Only)

Pursuant to Health and Safety Code section 17975, you are hereby notified as the owner of the subject property that any tenant on the subject property who is displaced or subject to displacement from a residential rental unit at the subject property as a result of this order requiring the vacation of a residential unit by the City of Santa Barbara Building & Safety Department as a result of the violation(s) noted above being so extensive and of such a nature that the immediate health and safety of the residents is endangered, that the tenant(s) shall be entitled to receive relocation benefits from you, the property owner.

Pursuant to Health and Safety Code section 17975.1, the relocation benefits shall be paid by you, the owner or designated agent, to the tenant within 10 days after the date of this notice to vacate which has been posted on the premises, or at least 20 days prior to the vacation date set forth in this notice to vacate, whichever occurs later. If there are fewer than 10 days between the date of this notice to vacate and the vacation date, the relocation benefits shall be paid by you, the owner or designated agent, to the tenant within 24 hours of the date of this notice.

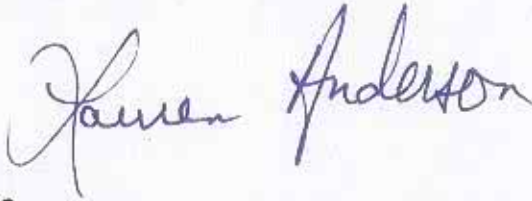
This notice has also been given to the tenant in possession of the property. You cannot retaliate against the tenant pursuant to Civil Code section 1942.5. The relocation payment shall be made available by you, the owner or designated agent, to the tenant pursuant to Health and Safety Code section 17975.2.

Contact Information

My direct office phone number is (805) 897-2604. Our offices are closed every other Friday please call (805) 564-5485 to find out the Friday we will be closed. Inspector office hours are 7:30-8:30 a.m. and 3:00-4:00 p.m. Monday through Friday except for Thursday afternoon and our "off" Friday. You may also contact our office for plan submittal and permit issuance requirements at (805) 564-5485 between the hours of 7:30 and 4:30 p.m., Monday through Friday. The Community Development public counters are located at 630 Garden Street. Additional information is available online at www.SantaBarbaraCa.gov

Your prompt attention to this matter is appreciated.

Sincerely,

A handwritten signature in blue ink that reads "Lauren Anderson". The signature is written in a cursive style with a large initial "L".

Lauren Anderson
Senior Building Inspector
City of Santa Barbara
landerson@santabarbaraca.gov
(805) 897-2604

cc: Paul Zink prz@zinkaia.com