



# City of Santa Barbara California

## CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 019-14

210 W. HALEY STREET

APPEAL OF THE CHIEF BUILDING OFFICIAL'S DECISION

AUGUST 7, 2014

**APPEAL BY MARIA ELENA SOLIS OF THE CHIEF BUILDING OFFICIAL'S DENIAL OF DEVELOPMENT WITHIN 25 FEET OF MISSION CREEK, 210 WEST HALEY STREET, APN 037-161-014, R-3 (LIMITED MULTIPLE-FAMILY RESIDENCE) ZONE, GENERAL PLAN DESIGNATION: HIGH DENSITY RESIDENTIAL (MST2012-00482 & BLD2012-01415)**

The subject site at 208, 210, and 212 West Haley Street is developed with three detached one-story single-family dwellings and a detached garage. The rear property line borders Mission Creek. Exterior unpermitted construction proposed to be permitted consists of the enclosure of the 41 square foot front porch at 212 West Haley Street, and the 102 square foot addition constructed at the rear of 210 West Haley Street. A request to permit this unpermitted addition at the rear of the dwelling, within the 25-foot Mission Creek setback, was denied by the Chief Building Official, per Santa Barbara Municipal Code (SBMC) §28.87.250. The Chief Building Official's decision was appealed to the Planning Commission by the property owner's attorney. The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301.

**WHEREAS**, the Planning Commission 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 appeal, and no one to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, July 31, 2014.
2. 1990 Zoning Information Report.
3. Correspondence received in support of the appeal:
  - a. Maria Elena Solis, with 21 signatures, via email
4. Correspondence received in opposition to the appeal:
  - a. Thomas Fayram, Deputy Public Works Director, Santa Barbara County via email

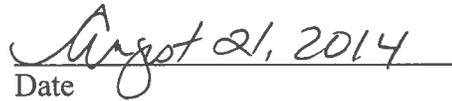
**NOW, THEREFORE BE IT RESOLVED** that the City Planning Commission upheld the appeal, making the finding that the existing development is consistent with the legislative intent specified in Municipal Code 28.87.250, subsection A. and the findings in Municipal Code 28.87.250, subsection F.3 that the modification of the required setback is necessary to secure an appropriate improvement on the lot, and promotes uniformity of development, and contingent on compliance with the outstanding building permit requirements.

This motion was passed and adopted on the 7th day of August, 2014 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 4 NOES: 2 (Thompson, Lodge) ABSTAIN: 0 ABSENT: 1 (Bartlett)

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.

  
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Julie Rodriguez, Planning Commission Secretary

  
\_\_\_\_\_  
Date