



City of Santa Barbara California

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CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 019-17 601 ALAMEDA PADRE SERRA STAFF HEARING OFFICER APPEAL NOVEMBER 16, 2017

APPEAL BY FRANK ROGUE OF THE STAFF HEARING OFFICER'S DECISION ON THE APPLICATION OF FRANK ROGUE, APPLICANT FOR TERI TUASON, PROPERTY OWNER, 601 ALAMEDA PADRE SERRA, APN 031-261-004, R-2 TWO-FAMILY RESIDENTIAL ZONE, GENERAL PLAN LAND USE PLAN DESIGNATION: MEDIUM HIGH RESIDENTIAL (MST2014-00422)

On September 13, 2017, the Staff Hearing Officer approved a lot area modification and an open yard modification associated with the construction of a new residential unit; however, the requested front setback modification was denied. The decision of the Staff Hearing Officer has been appealed by the applicant. This hearing is for the Planning Commission to consider the appeal.

The proposed project consists of a new attached 1,193 square foot, three-story affordable dwelling unit and a 523 square foot, two-car attached garage on a 7,405 square foot lot. There is currently an existing 1,759 square foot, two-story single-family dwelling with an attached 400 square foot, two-car garage, which would be altered to remove a fireplace and add a 345 square foot rooftop deck.

The project also includes changes to the existing perimeter wall in the right-of-way, which requires approval by the Public Works Department for an encroachment permit, and the removal of a setback tree, which was previously reviewed and approved by the Parks Department.

The discretionary applications required for this project are:

1. A Lot Area Modification to allow a second unit in a R-2 Zone with less than the required lot area for lots with 10-20% slopes (SBMC §28.18.075.F and §28.92.110);
2. A Front Setback Modification to allow substantial exterior alterations (i.e., roof change and second-unit addition) to the existing nonconforming residence within the required setback along Alameda Padre Serra, as well as encroachment of a new second-floor balcony on the proposed second unit (SBMC §28.87.030.D and §28.92.110); and
3. An Open Yard Modification to allow less than the required open yard area (SBMC §28.18.060.C 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 15183.

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 application, and one person appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, November 9, 2017.

2. Site Plans
3. Correspondence received in opposition to, or with concerns of, the project:
 - a. Marc and Sema Gamson, Santa Barbara, CA
 - b. Victoria Valente, Santa Barbara, CA
 - c. Debra Gorackowski, Santa Barbara, CA
 - d. Trudi and Bruce Ramsey, Santa Barbara, CA

NOW, THEREFORE BE IT RESOLVED that:

- I. The City Planning Commission:
 - A. Denied the appeal and upheld the decision of the Staff Hearing Officer denying the requested roof alterations and the tower element intrusion into the front setback, subject to the approval of the Architectural Board of Review, as outlined in the Staff Report dated November 9, 2017.
 - B. Upheld the appeal of the front setback modification thereby overturning the decision of the Staff Hearing Officer to allow changes to the exterior characteristics of the non-conforming structure to allow for attachment of a second unit, and encroachment of the second-floor balcony element (space and location) into the front yard setback, as long as it does not intrude any more than shown on the existing plans and subject to the approval of the Architectural Board of Review.
- II. Said approval is subject to the original Conditions of Approval contained in Staff Hearing Officer Resolution No. 061-017, dated September 13, 2017.

This motion was passed and adopted on the 16th day of November, 2017 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Wiscomb)

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.

Kathleen Goo, Commission Secretary

Date

PLEASE BE ADVISED:

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) CALENDAR DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.