



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 031-06 2027 SANTA BARBARA STREET MODIFICATION JUNE 21, 2006

APPLICATION OF DAVID WINITZKY FOR FERER-NISSENSON FAMILY TRUST, 2027 SANTA BARBARA STREET, APN 025-322-002, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2006-00167)

The project consists of demolition of an existing swimming pool, garage, and driveway and the construction of a new pool, two-car garage with accessory above, and a 450 square foot addition to the lower level of the residence.

The discretionary application required for this project is a Modification to permit:

1. A garage and accessory space to be located within the required thirty foot (30') front yard setback facing Green Lane (SBMC §28.15.030);
2. An accessory structure in the front yard (SBMC §28.87.160); and,
3. A fence to exceed three and one-half feet (3 ½') in height when located along a front lot line (SBMC §28.87.170).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15305 (ENV2006-00167).

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 in favor of or in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, June 21, 2006.
2. Site Plans

NOW, THEREFORE BE IT RESOLVED that the City Staff Hearing Officer:

- I. Approved the project by making the findings that the benefits of the Modification are necessary to secure an appropriate improvement on the site meets the purpose and intent of the ordinance while eliminating both the existing garage which currently encroaches into the required interior yard setback, and the driveway on Santa Barbara Street, which currently creates a zoning violation with open, exposed parking in the required front and interior yard setbacks.
- I. Said approval is subject to the following conditions:

1. To remove the paving of the driveway on Santa Barbara Street.
2. The fence and hedge heights shall match and remain in compliance with the Zoning Ordinance consistent with the modification request as shown on the plan.

This motion was passed and adopted on the 21 day of June, 2006 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 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.
3. Subsequent to the outcome of any appeal action your next administrative step should be to apply for Architectural Board of Review (ABR) approval and then a building permit.
4. **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.
5. **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 not 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.