



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 055-06

1235 E. HALEY STREET

MODIFICATION

SEPTEMBER 13, 2006

**APPLICATION OF PAUL ZINK FOR GUILLERMO SERRANO, 1235 E. HALEY STREET,
APN 031-253-009, R-2 TWO-FAMILY RESIDENCE ZONE, GENERAL PLAN
DESIGNATION: RESIDENTIAL 12 UNITS PER ACRE (MST2006-00453)**

The 5,700 square foot project site is currently developed with a 1,740 square foot single-family residence with detached two-car garage with "as-built" roof deck above. The proposed project involves demolition and replacement with a legal roof deck. The discretionary application required for this project is a Modification to permit new construction within the required front and interior yard setbacks and to allow existing hedges and walls to exceed 3 ½' in height when located along a front lot line or within ten-feet (10') of a driveway or eight feet (8') in height when located within a required yard (SBMC §28.18.060 & 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.

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, September 13, 2006.
2. Site Plans


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

Approve the project, making the findings that the fences, walls, screens, and hedges may be supported in excess of 3½ feet: a) along the west property line behind the garage not to exceed 11 feet; and b) along front lot line, excluding the garage, a solid material fence or gate structure may be supported at a maximum cumulative height of 3 ½ feet; however, the first 20 feet back along the easterly property line and with 10 feet of that line moving in a westerly direction, the cumulative height shall not exceed 11 feet. The garage is approved to be rebuilt with a roof structure allowing deck access held back a minimum of 6 feet from the westerly property line, and the 6 foot setback area to include a roof structure to preclude or restrict access to the garage roof. The Modification is consistent with the intent and purpose of the Zoning Ordinance and is necessary to secure an appropriate improvement as well as promote the uniformity of

development. The proposed project is referred for review to the Consent Calendar of the Architectural Board of Review.

This motion was passed and adopted on the 13 day of September, 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.



Deana McMillion, Administrative/Clerical Supervisor

9-18-06

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. **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.
4. **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.