



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 067-06  
301 LUGAR DEL CONSUELO  
MODIFICATION  
OCTOBER 25, 2006

**APPLICATION OF DON GRAGG FOR MARTZ TRUST, 301 LUGAR DEL CONSUELO,  
APN 053-202-008, E-3 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN  
DESIGNATION: 5 UNITS PER ACRE (MST2006-00549)**

The 9,000 square foot project site is currently developed with a 1,920 square foot single family residence with an attached two car garage. The proposed project involves a 330 square foot first floor addition. The discretionary application required for this project is a Modification to permit the addition to be located within the required open yard area (SBMC 28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act 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, October 25, 2006.
2. Site Plans

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

Approved the project, finding that the Modification allows a one-story addition rather than a second-story addition and the street frontage is over 200 square feet in length, creating a hardship to provide open yard. Approval is subject to conditions of the Modification to permit reduction of the outdoor living space will still provide adequate, usable area for private outdoor recreational use, and is therefore necessary to provide an appropriate improvement and meets the purpose and intent of the Ordinance.

This motion was passed and adopted on the 25th day of October, 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. **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.