

# City of Santa Barbara California

## CITY OF SANTA BARBARA STAFF HEARING OFFICER

### RESOLUTION NO. 093-06

6 ST. ANNE DRIVE

MODIFICATION

DECEMBER 20, 2006

### APPLICATION OF STEPHEN WHEELER, 6 ST. ANN DRIVE, APN041-175-009, E-1 ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2006-00053)

The project site is currently developed with a 1,822 square foot 2-story residence with attached carport. The proposed project involves first and second floor decks off the rear of the residence. Modifications are required to permit the decks to be located within the required interior and open yard areas (SBMC 28.15.060).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Section 15301.

**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 the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, December 13, 2006.
2. Site Plans
3. Correspondence received in opposition to the project:
  - a. Anthony Wilson, 8 St. Ann Drive.
  - b. Jeff Maassen, 720 Fellowship Road.

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

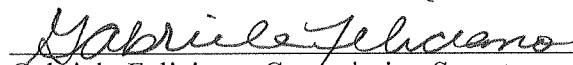
- I. Denied the proposed Side Yard Encroachment of the property, with the direction to revise the design not to exceed the ten foot setback on the eastern property line.

Approved the Open Yard Modification requirement to allow the raised decking and platform, to reduce the open yard area, making the finding that the deck expansions increase the amount of usable open space on the property, thereby securing an appropriate improvement, and that the Modification meets the purpose and intent of the Ordinance.

- II. Said approval is subject to the condition that the storage shed is to be removed.

This motion was passed and adopted on the 20<sup>th</sup> day of December, 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.

  
Gabriela Feliciano, Commission 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.