



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 042-07 1102 ALAMEDA PADRE SERRA MODIFICATION MAY 23, 2007

APPLICATION OF DESIGNARC FOR ANTHONY TURCHI, 1102 ALAMEDA PADRE SERRA, APN 019-242-006, E-1 ONE-FAMILY RESIDENCE ZONE, GENERAL PLAN DESIGNATION: RESIDENTIAL 3 UNITS PER ACRE (MST2006-00664)

The 11,550 square foot lot has frontage on both Alameda Padre Serra and Roble Lane. The proposed project involves partial demolition of the existing 2,097 square foot residence and conversion of the remaining 499 square feet of the structure to accessory space, and the construction of a new 2,400 square foot three-story single-family residence with attached two-car garage. The discretionary applications required for this project are Modifications to permit:

1. Alterations and additions to the existing residence (which will result in new accessory space) within the required front yard setback facing Alameda Padre Serra (SBMC § 28.15.060); and,
2. An accessory structure to be located within the front yard (facing Alameda Padre Serra) (SBMC § 28.87.160); and
3. A new residence and garage within the required front yard (facing Roble Lane), a garage and deck within the western interior yard, an entry deck within the eastern interior yard, and to provide the required open yard in the front yard facing Alameda Padre Serra (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 15303.

WHEREAS, the Staff Hearing Officer has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one people appeared to speak in favor of the application, and 2 people expressed concern thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, May 16, 2007.
2. Site Plans
3. Correspondence received in support of the project:
 - a. Angelo and Georgia Pulos, 1101 Roble Lane, Santa Barbara, CA 93103
 - b. Earl Morley, 1055 Roble Lane, Santa Barbara, CA 93103

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

I. Approved the subject application making the following findings and determinations:

The following Modifications are consistent with the purpose and intent of the Ordinance and necessary to secure an appropriate improvement on the lot: 1) The open yard modification provides an appropriate open yard area separated from streets. 2) The front yard modification request for the garage and structure off Roble Lane including a west side balcony is approved. 3) The east property line architectural element patio entry modification request is not granted as presented, but would be acceptable with a thicker wall to allow an encroachment into the 10-foot setback to meet the patio surface. 4) The modification request for an accessory building in the front yard and encroachments into the front yard setback is approved.

II. Said approval is subject to the following conditions:

A. That the site grading and associated landscape plans shall be developed including an additional terrace, more fill to reduce the height of the structure on the Alameda Padre Serra elevation, and to include and enhance an improved connection between the accessory building and the main structure.

B. Prior to the submittal for a building permit to convert the existing house to an accessory building, the applicant provide Staff with a report, prepared by a Structural Engineer, with review of a grading plan and offer recommendations and conclusions on whether the existing building can be re-used as proposed. An exploratory demolition permit would be issued to allow the preparation of the report. If the building cannot be re-used, the front setback Modification becomes null and void. Despite the report described above, the building is demolished beyond what is shown on the plans, the construction of the accessory building be halted, and the front setback Modification becomes null and void. The reasoning behind these conditions is that if the building must be demolished due to structural problems, the accessory building should be built to comply with setback standards.

This motion was passed and adopted on the 23rd day of May 23, 2007 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

5-25-07

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.

