



City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

REVISED
RESOLUTION NO. 047-07
119 SKYLINE CIRCLE
MODIFICATIONS
JUNE 20, 2007

APPLICATION OF SHUBIN & DONALDSON FOR MARK TAPPEINER, 119 SKYLINE CIRCLE, APN 041-171-008, E-1 ZONE, GENERAL PLAN DESIGNATION: 3 UNITS PER ACRE (MST2006-00522)

The 4,776 square foot lot is currently developed with a 2,100 square foot single-family residence. The proposal project involves complete demolition of all structures on site and the construction of a 3-story structure consisting of a 2-story residence with a two-car garage and basement/storage area below. The discretionary applications required for the project are Modifications to permit:

1. Construction within the front yard setback (SBMC §28.15.060); and,
2. To include portions of the yard less than 20 feet in horizontal dimension and areas within the front yard for the required open yard area (SBMC§28.15.060); and,
3. Wall heights in excess of 3½' when located within 10 feet of the front lot line and the first 20' along the driveway (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.

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

1. Staff Report with Attachments, June 13, 2007.
2. Site Plans

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

Approved the project, making the findings that the requested Modifications are necessary to secure appropriate improvements on a size-constrained lot, and that the purpose and intent of the Zoning Ordinance is being met because: 1) the open yard area, even though portions are located within the front yard and in areas without the minimum 20-foot dimensions, is being provided in private, usable areas as intended by the ordinance; 2) the proposed wall heights in excess of 3½ feet do not create visual obstructions or safety concerns in their proposed locations within 10 feet of the front property line when located within the first 20 feet along the driveway; and 3) the front setback is appropriate for a lot this size.

This motion was passed and adopted on the 20th day of June, 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



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.