



# City of Santa Barbara California

CITY OF SANTA BARBARA STAFF HEARING OFFICER

RESOLUTION NO. 067-07

218-B SANTA BARBARA STREET

MODIFICATION AND COASTAL DEVELOPMENT PERMIT

AUGUST 15, 2007

**APPLICATION OF PAUL ZINK, ARCHITECT FOR WIN & STEPHANIE WALSTAAD,  
218-B SANTA BARBARA STREET, APN 017-710-010, OC/SD-3 OCEAN ORIENTED  
COMMERICAL AND COASTAL ZONES, GENERAL PLAN DESIGNATION: GENERAL  
COMMERCE (MST2007-00234)**

The project consists of an addition of 231 square feet on the third floor of an existing 1,746 square foot three-story condominium unit and the installation of a sound window within in an existing opening at the entry porch on the ground floor near the rear property line. The existing deck encroaches one-foot into the required rear yard setback which fronts Highway 101 at the Garden Street off-ramp.

The discretionary applications required for this project are:

1. A Modification to allow the second floor bedroom addition to encroach one-foot into the required rear yard setback. (SBMC §28.92.026.A); and
2. A Coastal Development Permit (CDP2007-00006) to allow the proposed development in the Appealable Jurisdiction of the City's Coastal Zone (SBMC §28.45.009).

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 one person appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, August 8, 2007.
2. Site Plans

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

Approved the subject application as submitted making the following findings and determinations:

**A. Modification (SBMC § 28.92.026.A)**

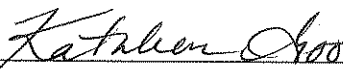
The Staff Hearing Officer finds that the required modification is consistent with the purposes and intent of the Zoning Ordinance and will allow appropriate improvements to the non-conforming structures and yards without further expansion of the existing footprint. Additionally, the proposed deck enclosure is minor in nature and does not involve the loss of required outdoor living space. Further, the deck's proximity to the 101 freeway makes its usability difficult due to traffic noise and dust generation.

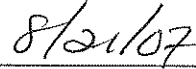
**B. Coastal Development Permit (SBMC §28.45.009)**

1. The project is consistent with the policies of the California Coastal Act.
2. The project is consistent with all applicable policies of the City's Local Coastal Plan, all applicable implementing guidelines, and all applicable provisions of the Code.
3. The project is consistent with the Chapter 3 (commencing with Section 30200) Policies of the Coastal Act regarding public access and public recreation.

This motion was passed and adopted on the 15th day of August, 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 COASTAL DEVELOPMENT PERMIT TIME LIMITS:**

The Planning Commission's action approving the Coastal Development Permit shall expire two (2) years from the date of approval, per Santa Barbara Municipal Code §28.45.009.q, unless:

1. Otherwise explicitly modified by conditions of approval of the development permit, or unless construction or use of the development has commenced.
2. A Building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.
3. A one (1) year time extension may be granted by the Planning Commission if the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy. Not more than three (3) extensions may be granted.